DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF:        :

NHV Corporation :
 t/a Haydee's Restaurant :
 3102 Mount Pleasant St NW: Show Cause
Retailer CT - ANC 1D : Hearing (Status)
License #24663 :
Case #21-CIT-00213 :

(Operating After Hours) :

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Wednesday
September 29, 2021

The Alcoholic Beverage Control Board
met via WebEx videoconference, Chairperson
Donovan W. Anderson presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson
BOBBY CATO, JR., Member
RAFI ALIYA CROCKETT, Member
EDWARD S. GRANDIS, Member
JENI HANSEN, Member
JAMES SHORT, JR., Member

ALSO PRESENT:
SIMONE ANDREWS, DC ABRA Staff
WILLIAM COWDEN, Licensee's Counsel
TED LOZA, Spanish Language Interpreter
STEPHEN ORTIZ, DC OAG
NIMIA H. VANEGAS, Licensee
P-R-O-C-E-E-D-I-N-G-S

10:41 a.m.

CHAIRPERSON ANDERSON: The next case on our calendar is Case Number 21-CIT-00213. Ms. Andrews, can you please elevate the rights of the parties in this case, along with the licensee there should be an interpreter.

MS. ANDREWS: Sure. Standby. Ms. Vanegas, your rights have been elevated. Mr. Cowden, your rights have been elevated. Mr. Loza, your rights have been elevated. That's all I have for this case, Mr. Chair.

CHAIRPERSON ANDERSON: Ms. Andrews, do you know who the interpreter is?

MR. LOZA: It's me, Ted Loza.

CHAIRPERSON ANDERSON: All right. I was given a different name. All right. So if the parties have a camera can you please turn your camera on, please.

MR. COWDEN: I am trying. It's William Cowden here on behalf of licensee. Let's see here. I am hitting start video and I'm not getting any -- Can you hear me?

CHAIRPERSON ANDERSON: Yes, sir, we can hear you loud and clear.
MR. COWDEN: Let's see. It's asking me maybe to change cameras, so -- I'm sorry. I don't -- It says another application is using my camera. Let me try -- Now let's see if that works.

CHAIRPERSON ANDERSON: All right. Sir, you can put yourself on mute while you figure that out. Mr. Loza?

MR. LOZA: Yes, sir?

CHAIRPERSON ANDERSON: Do you have a camera? So, yes, do you have a camera, sir? I would like to see you since I need to swear you in.

MR. LOZA: I have a camera and it's on, I believe.

CHAIRPERSON ANDERSON: Well -- (Simultaneous speaking.)

CHAIRPERSON ANDERSON: -- Mr. Cowden, so maybe it will take -- Yes, I can now, Mr. Loza. Now before you -- If -- Mr. Cowden, who is your client, sir? Is your client online? Mr. Cowden?

MR. COWDEN: Oh, I'm sorry. I'm sorry. I don't know -- I don't see my client online, so I don't know if she is present.
CHAIRPERSON ANDERSON: What is -- Who is -- There is a Nimia Vanegas.

MR. COWDEN: Oh, that's her. Yes, Ms. Vanegas is online.

CHAIRPERSON ANDERSON: All right. Mr. --

(Foreign language spoken.)

MR. LOZA: I am letting her know that she needs to turn her camera and mic on.

CHAIRPERSON ANDERSON: Thank you. I have no indication because I haven't seen anything, so, Mr. Loza, can you please try to have some further communication with this person because I'm not even getting any communication that they are even responsive.

MR. LOZA: Okay. Should I let her know again to turn on her camera and mic?

CHAIRPERSON ANDERSON: Yes, sir.

(Foreign language spoken.)

MR. LOZA: Okay. Apparently her mic is on and her camera should be coming on soon.

CHAIRPERSON ANDERSON: All right. Now her mic is on because I was not, and I was not sure that she was even there. All right, fine.

Mr. Cowden, are you an attorney, sir?
MR. COWDEN: I am, sir, Chairperson Anderson. I am an attorney and I do represent the licensee in this case.

CHAIRPERSON ANDERSON: Have you entered a notice of appearance with the agency, sir?

MR. COWDEN: I sent a letter to -- I got the notice from ABRA and I sent a letter with, an email and a letter indicating the two attorneys, the attorney I work with, who are also participating in the matter, but primarily it's going to me and --

CHAIRPERSON ANDERSON: I know you had an attorney so I just want to make that you have alerted the agency to your representation, so that's fine, and you said you have done that.

MR. COWDEN: Yes.

CHAIRPERSON ANDERSON: So, all right, that's fine. All right, Mr. Loza, can you please raise your right hand, please?

Do you swear or affirm to faithfully translate these proceedings from English into Spanish and from Spanish into English to the best of your ability, sir?

MR. LOZA: Yes.
CHAIRPERSON ANDERSON: All right.

Thank you. All right. Can I have the parties again introduce themselves for the record. Mr. Ortiz?


CHAIRPERSON ANDERSON: Mr. Cowden?

MR. COWDEN: Good morning. It's William Cowden, C-O-W-D-E-N, on behalf of licensee.

CHAIRPERSON ANDERSON: I apologize, Mr. Cowden. I apologize that I -- I apologize. All right. Mr. Loza, can you please tell Ms. Vanegas to spell and state her name for the record, please.

(Foreign language spoken.)

MS. VANEGAS: The name is Nimia Vanegas. First name spelled N, as in Nancy, I-M, as in Mary, I-A. Last name Vanegas, V, as in Victor, A-N-E-G-A-S.

CHAIRPERSON ANDERSON: Mr. Loza, can you please ask her to state for the record what is her relationship with the establishment, please?
(Foreign language spoken.)

MS. VANEGAS: I am the President of the corporation.

CHAIRPERSON ANDERSON: Thank you very much. All right. Mr. Ortiz, are there any preliminary matters in this case?

MR. ORTIZ: The parties do not have an Offer in Compromise to represent to the Board at this time.

CHAIRPERSON ANDERSON: Mr. Loza, can you please --

MR. LOZA: Oh.

(Foreign language spoken.)

MR. LOZA: Mr. Ortiz, would you please repeat that? I'm sorry.

MR. ORTIZ: Yes. I said the parties do not have an Offer in Compromise to present to the Board at this time.

(Foreign language spoken.)

CHAIRPERSON ANDERSON: Mr. -- I normally don't do this, but, Mr. Cowden, are there any preliminary matters you want to raise to the Board just preliminary, not substantive?

MR. COWDEN: No. No. No preliminary matters. I mean I just can tell the Board that
if Mr. Ortiz is the attorney for the District
handling the matter he and I can be in touch
about the potential Offer in Compromise ahead of
the hearing date.

(Foreign language spoken.)

CHAIRPERSON ANDERSON: Mr. Ortiz, is
this your case?

MR. ORTIZ: This is not my case, but
if I can have an email address for Mr. Cowden I
will relay this to Mr. Antoine Williams who is
the attorney assigned to this matter.

CHAIRPERSON ANDERSON: So, Mr. Cowden,
can you please put your email address in the
chat. You can put it in the chat and then Mr.
Ortiz will provide the contact information to the
attorney.

MR. COWDEN: I will do that right now.
Thank you.

CHAIRPERSON ANDERSON: All right.
Thank you. All right, this matter then will be
scheduled for a show cause hearing on October 27,
2021, at 1:30 p.m.

(Foreign language spoken.)

CHAIRPERSON ANDERSON: And I would
like to remind all parties that if this matter
goes to a show cause hearing the expectation is
that both parties will seven days prior to the
hearing that you will disclose your documents and
witnesses to each side and also to the agency.

(Foreign language spoken.)

CHAIRPERSON ANDERSON: All right.

Thank you very much for your presentation today.
This matter is concluded.

MR. COWDEN: Thank you.

(Foreign language spoken.)

CHAIRPERSON ANDERSON: All right. You
can log off, Mr. Loza.

(Whereupon, the above-entitled matter
went off the record at 10:51 a.m.)
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CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: Haydee's Restaurant

Before: DCABRA

Date: 09-29-21

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

[Signature]
Court Reporter