

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA
2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
3 ALCOHOLIC BEVERAGE CONTROL BOARD

4 - - - - -X

5 IN THE MATTER OF: :
6 Millie's Spring Valley, LLC. :
7 t/a Millie's, :
8 4866 Massachusetts Ave. N.W., : Case #15-PRO-00100
9 License #ABRA-100214 : Roll Call Hearings
10 Retailer Class CR :
11 New Application, :

12 - - - - -X

13 Monday, November 2, 2015

14
15 Whereupon, the above-referenced matter
16 came on for hearing at the Alcoholic Beverage
17 Control Board, Reeves Center, 2000 14th Street,
18 N.W., Suite 400S, Washington, D.C. 20009.

19
20
21
22

1 PRESENT:

2 LAVERNE FLETCHER, Presiding

3 THO-HA HUYNH

4 ETIENNE LINARD

5 DAVID LEAHY

6 NAN WELLS

7 THOMAS M. SMITH

8 RICHARD GREGORY

9 ANN VLCEK

10 ELIZABETH TRANG

11 SCOTT ROME, ESQ.

12 On behalf of the Applicant

13

14

15

16

17

18

19

20

21

22

1 P R O C E E D I N G S

2 MS. FLETCHER: Parties in the matter of
3 Millie's please come forward. The parties in the
4 matter of Millie's please come forward. The
5 protestants on this side.

6 This is Case No. 15-PRO-00100.

7 MR. LEAHY: Where do you want us?

8 MS. FLETCHER: If you are a protestant,
9 on that side where you are.

10 MR. LEAHY: We're all protestants. So --

11 MS. FLETCHER: Then the designated
12 representative, who is Mr. Smith or Mr. Leahy,
13 and one other person, and then everyone else will
14 just stand behind the table and state your name
15 and spell it for the record.

16 [Chatter.]

17 MS. FLETCHER: This is Case No. 15-PRO-
18 00100, Millie's Spring Valley, LLC., trading as
19 Millie's, 4866 Massachusetts Avenue Northwest,
20 License No. ABRA-100214. This is a Retailer
21 Class CR new application. The protest issues are
22 adverse impact on peace, order, and quiet,

1 residential parking, vehicular and pedestrian
2 safety, and real property values.

3 My name is Laverne Fletcher. I'm
4 conducting the roll call hearing as the Board's
5 Agent pursuant to D.C. Official Code 1601.2.
6 Introductions beginning with the applicant,
7 please.

8 MR. ROME: Sure. My name is Scott Rome.
9 I'm from the Veritas Law Firm. I work with
10 Andrew Klein who could not make it today because
11 of a health issue with his family. But I'm here
12 on behalf of the applicant that's trading as
13 Millie's.

14 MS. FLETCHER: Thank you, Mr. Rome.
15 Would you spell your name for the record, please?

16 MR. ROME: Scott, S-C-O-T-T, Rome, R-O-M-
17 E.

18 MS. FLETCHER: And present on behalf of
19 ANC 3D?

20 MS. WELLS: Nan Wells and this is in my
21 single member district.

22 MS. FLETCHER: Okay. Thank you. Could

1 you state your name one more time and spell it
2 for the record?

3 MS. WELLS: All right. Nan, N-A-N,
4 Wells, W-E-L-L-S.

5 MS. FLETCHER: Thank you, Ms. Wells.
6 And, Ms. Wells, would you put your contact
7 information on that sheet?

8 MS. WELLS: I did put it on that sheet
9 already.

10 MS. FLETCHER: Okay. Thank you. Thank
11 you.

12 MS. WELLS: Thank you.

13 MR. SMITH: Ms. Fletcher, I'm also the
14 Chair of the ANC, so I'm also --

15 MS. FLETCHER: Mr. Smith.

16 MR. SMITH: Yeah. I'm also here
17 supporting.

18 MS. FLETCHER: Thank you. Thomas Smith.
19 That's T-H-O-M-A-S S-M-I-T-H. Thank you.

20 And everyone else present with the --
21 everyone present with the Group of 30, if you
22 would just state your name and spell it for the

1 record?

2 MR. LEAHY: I'll start. David Leahy, L-
3 E-A-H-Y. And the -- do you need e-mail address
4 or --

5 MS. FLETCHER: Just your name spelling is
6 good.

7 MR. LEAHY: Thank you.

8 MS. FLETCHER: And you can write your e-
9 mail address, Mr. Leahy, just the designated
10 representative really on that sign-in sheet.

11 MR. LEAHY: Okay.

12 MS. FLETCHER: And then we'll be in
13 communication with you beyond today.

14 MR. LEAHY: Very good. Thank you very
15 much.

16 MS. FLETCHER: You're welcome.

17 MR. SMITH: And my name, again, is Thomas
18 Smith.

19 MS. FLETCHER: Yes.

20 MR. SMITH: Okay.

21 MS. FLETCHER: I know who you are, Mr.
22 Smith. Thank you.

1 MR. SMITH: Yes.

2 MS. FLETCHER: And so everyone else can
3 just stand behind Mr. Leahy. There's a
4 microphone on the table, and just state your name
5 and spell it for the record.

6 MR. DIXON: Yes, Michael Dixon, M-I-C-H-
7 A-E-L, Dixon, D-I-X-O-N.

8 MS. FLETCHER: Thank you.

9 MS. TRANG: Elizabeth Trang, E-L-I-Z-A-B-
10 E-T-H T-R-A-N-G.

11 MS. FLETCHER: Thank you, Ms. Trang.

12 MS. VLCEK: Hi. Ann Vlcek, A-N-N V, as
13 in Victor, L-C-E-K.

14 MS. FLETCHER: Ann, the last name is
15 spelled, did you say V as in Victor?

16 MS. VLCEK: Yes. L.

17 MS. FLETCHER: Uh-huh.

18 MS. VLCEK: C-E-K.

19 MS. FLETCHER: Oh, okay. Thank you.

20 MS. HUYNH: Thu-Ha Huynh, T-H-U, hyphen,
21 H-A, H-U-Y-N-H.

22 MS. FLETCHER: The first name is T-H-U?

1 MS. HUYNH: Hyphen, H-A.

2 MS. FLETCHER: Hyphen H-A? And what's --

3 MS. HUYNH: A.

4 MS. FLETCHER: A?

5 MS. HUYNH: A, as in apple.

6 MS. FLETCHER: A like apple. And what's
7 the last name again?

8 MS. HUYNH: H-U-Y-N-H.

9 MS. FLETCHER: Thank you.

10 MR. LINARD: Yeah, Etienne Linard, E-T-I-
11 E, double N, E, L-I-N-A-R-D.

12 MS. FLETCHER: Thank you.

13 MR. LINARD: Okay? Thank you.

14 MS. FLETCHER: Yes.

15 MR. GREGORY: Richard Gregory, R-I-C-H-A-
16 R-D G-R-E-G-O-R-Y.

17 MS. FLETCHER: Thank you, Mr. Gregory.

18 Is that everyone?

19 MS. WELLS: And Nan Wells.

20 MS. FLETCHER: Who?

21 MS. WELLS: Nan Wells. I am also on
22 the --

1 MS. FLETCHER: Yeah, Ms. Wells, yeah,
2 you're with the -- you're the SMD.

3 MS. WELLS: Yes.

4 MS. FLETCHER: So I've got you.

5 MR. SMITH: But she's also on the --

6 UNIDENTIFIED SPEAKER: She also signed
7 the petition.

8 MR. SMITH: She's also on the petition;
9 protest petition.

10 MS. FLETCHER: Oh, you're an individual
11 as -- oh, of the Group of 30?

12 MS. WELLS: On the 30. Yes.

13 MS. FLETCHER: Oh, okay. Thank you.
14 Thank you.

15 So everyone can be seated now because the
16 fact that at least five members from the Group of
17 30 is present means that the group, the full
18 group is granted standing as protestants, and at
19 the upcoming status hearing only Mr. Smith or Mr.
20 Leahy need to appear.

21 The same thing applies to the mediation
22 that we're about to schedule. Any further

1 communication would be with Mr. Smith or Mr.
2 Leahy. And with you also, Ms. Wells, because
3 you're representing the ANC as well, right?

4 MS. WELLS: Yes. Thank you.

5 MS. FLETCHER: And so for protestants we
6 have ANC 3D withstanding and a group of 30
7 withstanding. We need to set a date for a
8 mediation, a status hearing, and a protest
9 hearing. I'll give you the date for the status
10 hearing and the protest hearing first.

11 The status hearing is set for November
12 the 18th. November the 18th at 9:30. That's a
13 Wednesday. The protest hearing is set for
14 December the 9th. December the 9th at 1:30.

15 We need to set a date for the mediation
16 to occur prior to November 18. And you'll
17 receive written notice of all these dates as
18 well, by e-mail. I'll give you the next date
19 available for mediation.

20 MR. SMITH: Ms. Fletcher, may I ask a
21 question?

22 MS. FLETCHER: Yes.

1 MR. SMITH: Is there any flexibility on
2 that status hearing?

3 MS. FLETCHER: That actually, if you want
4 to change the date of the status hearing, Mr.
5 Smith, you would need to make a written request
6 to the Board.

7 MR. SMITH: Okay.

8 MS. FLETCHER: Yeah. They have some
9 flexibility. This is a new application so they
10 don't like to change dates too much but the
11 biggest date they're concerned about is the
12 protest date.

13 MR. SMITH: Right. The December 9th
14 date.

15 MS. FLETCHER: Yes. But if you need to
16 change the date, you know Martha Jenkins, our
17 general counsel. You can e-mail Martha and copy
18 Mr. Rome.

19 So let me ask you this, Mr. Thomas, is
20 there any particular reason that you would need
21 to change the status date?

22 MR. SMITH: Yeah, I'm not sure that

1 either of us are going to be here in time.

2 MS. FLETCHER: Neither you or Ms. Wells?

3 MR. SMITH: Me and Mr. Leahy.

4 MS. FLETCHER: You and Mr. Leahy, I'm
5 sorry. For the status hearing the only thing
6 you're going to do is report to the Board the
7 result of the mediation. So if you want to
8 designate someone else --

9 MR. SMITH: We can do that?

10 MS. FLETCHER: You can, yeah. It's only
11 going to take about five minutes.

12 MR. SMITH: Okay.

13 MS. FLETCHER: And that's all they're
14 going to want to know is, did you have mediation
15 and the result.

16 MR. SMITH: Okay.

17 MS. FLETCHER: And if you resolve the
18 matter before the status hearing then there won't
19 be a status hearing.

20 MR. LEAHY: Okay. Got it.

21 MR. SMITH: Got it.

22 MR. LEAHY: Thank you.

1 MR. SMITH: Thank you very much.

2 MR. LEAHY: Thank you, ma'am.

3 MS. FLETCHER: You're welcome.

4 MR. SMITH: Thanks for the clarification.

5 MS. FLETCHER: Yes. The next available
6 date for a mediation is -- first of all, is
7 anybody available this week? Does anybody want
8 to come on Thursday? I know that's short notice
9 but that day is available.

10 Okay. I'm going to move on to the
11 following week. What about Monday, November 9 at
12 11:30 or 1:00?

13 That's good for you, Mr. Thomas? And
14 what of Mr. Leahy, is that good for you?

15 MR. LEAHY: That's not going to be good
16 for me but Mr. Smith is also the designee --

17 MS. FLETCHER: Representing.

18 MR. LEAHY: -- on the Group of 30.

19 MS. FLETCHER: Exactly.

20 MR. LEAHY: So I think we could -- in
21 order to accommodate the Board we could --

22 MS. FLETCHER: Yes. Okay.

1 MR. LEAHY: We could do that. So thank
2 you, Ms. Fletcher.

3 MS. FLETCHER: And so, Mr. Smith, that
4 would be good for you?

5 MR. SMITH: Yes.

6 MS. FLETCHER: And what about you, Mr.
7 Rome?

8 MR. ROME: That's fine.

9 MS. FLETCHER: So that's Monday, November
10 9, 11:30? We say 11:30?

11 MR. SMITH: 11:30 would be better.

12 MS. FLETCHER: So mediation is set for
13 Monday, November 9 at 11:30. The mediation will
14 be here, most likely in this room. So you can
15 just check in with the person out front and just
16 come on in. You have any questions before that
17 my card is on the table. Any questions from
18 anybody?

19 [No audible response.]

20 MS. FLETCHER: Okay. Then the roll call
21 hearing is concluded. Thank you.

22 MR. SMITH: Thank you very much.

1 MR. LEAHY: Thank you, Ms. Fletcher.

2 Thank you.

3 [Whereupon, the above-entitled matter

4 concluded.]

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22