

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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ROLL CALL HEARING

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IN THE MATTER OF: :

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1001 H Street, LLC t/a Ben's :

Chili Bowl, Ben's Upstairs :

1001 H Street, NE :

Retailer CR :

New Application :

:

Case #13-PRO-00133 :

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TUESDAY, NOVEMBER 12, 2013

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, 1250 U Street, N.W., Washington, D.C., Ms. La Verne Fletcher, Agent, presiding.

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

2 (10:03 a.m.)

3 AGENT FLETCHER: Would the parties
4 in the matter of Ben's Chili Bowl and Ben's
5 Upstairs, please, come forward? This is Case
6 No. 13-PRO-00133, 101 H Street, LLC t/a Ben's
7 Chili Bowl, Ben's Upstairs, 1001 H Street,
8 N.E., License No. ABRA-093103. This is a
9 Retailer CR, new application.

10 The protest issues are adverse
11 impact on peace, order and quiet.

12 My name is La Verne Fletcher and
13 I'll be conducting the Roll Call Hearing as
14 the Board's Agent pursuant to DC Official Code
15 1601.2.

16 Introductions beginning with the
17 applicant?

18 MR. KLINE: Yes, good morning.
19 Andrew Kline on behalf of the applicant.

20 AGENT FLETCHER: Good morning, Mr.
21 Kline. And would you spell your last name for
22 the court reporter?

1 MR. KLINE: Sure. K-L-I-N-E.

2 AGENT FLETCHER: Thank you. And
3 present for ANC-6A?

4 MR. HOLMES: David Holmes and I
5 have already spelled out my name for him.

6 AGENT FLETCHER: Thank you, Mr.
7 Holmes.

8 Mr. Holmes, you will be
9 representing ANC-6A in this matter?

10 MR. HOLMES: That's correct.

11 AGENT FLETCHER: ANC-6A does have
12 standing as a protestant. We need to set a
13 date for a Status Hearing, a mediation and a
14 Protest Hearing.

15 Did you say something, Andrew?

16 MR. KLINE: No.

17 AGENT FLETCHER: Oh. The date for
18 the Status Hearing is December 11 at 9:30.
19 The date for the Protest Hearing is January
20 8, 2014 at 1:30. And we need to set a date
21 for mediation to occur prior to December 11.
22 The next available date for mediation is

1 Tuesday, November 19, if that's good for
2 anyone, at 9:00, 10:00, 11:00 or 1:00 on the
3 19th.

4 MR. KLINE: We could do that at
5 1:00.

6 AGENT FLETCHER: Could you do
7 that, Mr. Holmes? Is that good?

8 MR. HOLMES: (No audible answer.)

9 AGENT FLETCHER: Okay. So then
10 mediation is set for 1:00 on Tuesday, November
11 11 -- 19th, Tuesday, November 19th.

12 MR. KLINE: Great.

13 AGENT FLETCHER: Okay. Mr.
14 Holmes, is your email address on that sign-in
15 sheet?

16 MR. HOLMES: It is.

17 AGENT FLETCHER: Okay. Thank you.
18 Okay. Then the Roll Call Hearing is
19 concluded.

20 MR. HOLMES: Thank you.

21 MR. KLINE: Thanks.

22 AGENT FLETCHER: Mr. Holmes, are

1 you by chance representing ANC-6A in the next
2 case?

3 MR. HOLMES: The third case, yes.

4 AGENT FLETCHER: Oh, in the -- I'm
5 going to call that one second.

6 MR. HOLMES: Oh.

7 AGENT FLETCHER: Do you have the
8 second one?

9 MR. KLINE: If you could, if you
10 don't mind, I have the second case.

11 AGENT FLETCHER: Oh, you have the
12 second case.

13 MR. KLINE: Because I have another
14 commitment.

15 AGENT FLETCHER: Then I'll keep
16 going through.

17 MR. KLINE: Okay.

18 AGENT FLETCHER: I'll call you
19 back in a little --

20 MR. KLINE: It isn't going to take
21 long --

22 AGENT FLETCHER: Exactly.

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MR. KLINE: -- because the other party is not here, so it will be dismissed.

AGENT FLETCHER: Exactly. Okay. Thank you. The Roll Call Hearing is concluded in the matter of Ben's Chili Bowl.

(Whereupon, the Roll Call Hearing in the above-entitled matter was concluded at 10:07 a.m.)

A	Control 1:3,18,19 correct 3:10 court 2:22 CR 1:10 2:9	K	present 3:3 presiding 1:22 prior 3:21 protest 2:10 3:14 3:19 protestant 3:12 pursuant 2:14	V
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