

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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Kiel, LLC t/a MOVA :

2204 14th Street, N.W. :

License #ABRA-087030 :

Retailer CR - License :

Renewal :

Case #13-PRO-00175 :

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MONDAY, DECEMBER 09, 2013

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The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street N.W., Washington, D.C., Ms. La Verne Fletcher, Agent, presiding.

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

(10:22 a.m.)

MS. FLETCHER: Are the parties present in the matter of MOVA? Is the licensee present in the matter of MOVA?

MR. WERNICK: The protesters are still --

MS. FLETCHER: Okay. Thank you. I will call you in just a minute.

(Whereupon, a recess was had from 10:22 a.m. until 10:28 a.m.)

MS. FLETCHER: Is the Applicant present in the matter of MOVA? The Applicant. Thank you.

MR. JAMES: If Heaven & Hell or --

MS. FLETCHER: Yes. I am going to ask you to just step aside for just one moment. I call MOVA.

This is Case No. 13-PRO-00175, Kiel, LLC, trading as MOVA, 2204 14th Street, N.W. This is License No. ABRA-087030. This is a Retailer CT License Renewal.

1 The protest issues are adverse
2 impact on peace, order and quiet.

3 My name is La Verne Fletcher and I
4 am conducting the Roll Call Hearing as the
5 Board's agent, pursuant to D.C. Official Code
6 1601.2.

7 Introductions, beginning with the
8 Applicant, please.

9 MR. KLINE: Good morning. Andrew
10 Kline here on behalf of the Applicant.

11 MS. FLETCHER: Thank you, Mr.
12 Kline.

13 And is there anyone present on
14 behalf of Meridian Hill Neighborhood
15 Association?

16 MS. PARAS-SCANDOLA: Yes, Ms.
17 Fletcher. Christina Paras-Scandola

18 MS. FLETCHER: And Ms. Paras-
19 Scandola, would you please spell your name.

20 MS. PARAS-SCANDOLA: First name,
21 C-h-r-i-s-t-i-n-a. Last name, P-a-r-a-s, S-c-
22 a-n-d-o-l-a.

1 MS. FLETCHER: Thank you very
2 much. Ms. Paras-Scandola, you need to put
3 your contact information on that sheet when
4 you have an opportunity. It is only for the
5 designated representatives.

6 And your name, ma'am?

7 MRS. WERNICK: Lea Wernick, L-e-a,
8 W-e-r-n-i-c-k.

9 MS. FLETCHER: Okay. And, Ms.
10 Wernick, you are a member of the group of
11 individuals that filed the protest?

12 MRS. WERNICK: Yes, ma'am.

13 MS. FLETCHER: Okay. Thank you.
14 And your name, sir?

15 MR. WEST: Darrell West, D-a-r-r-
16 e-l-l, West, as in the direction.

17 MS. FLETCHER: And, Mr. West, you
18 are a member of the group --

19 MR. WEST: Yes.

20 MS. FLETCHER: -- that filed the
21 protest? Okay.

22 MR. SADLACK: Jason Sadlack, S-a-

1 d-l-a-c-k.

2 MS. FLETCHER: And the first name
3 is Jason?

4 MR. SADLACK: Yes.

5 MS. FLETCHER: Okay. And you are
6 a member of the group, too?

7 MR. SADLACK: Yes.

8 MS. FLETCHER: And your name?

9 MR. SADLACK: Jason.

10 MS. FLETCHER: I mean, I thought I
11 -- oh.

12 MR. WEST: Yes. I just gave you
13 my name. Darrell West.

14 MS. FLETCHER: Why didn't I -- can
15 you give it to me again.

16 MR. WEST: Darrell, D-a-r-r-e-l-l
17 --

18 MS. FLETCHER: Oh, West.

19 MR. WEST: Yes.

20 MS. FLETCHER: Since I see your
21 name here.

22 Did I get you -- what is your

1 name, sir?

2 MR. SADLACK: Jason Sadlack.

3 MS. FLETCHER: Okay. Mr. West.

4 MRS. WERNICK: Wernick.

5 MR. WERNICK: And I am the one you
6 are waiting on. I am Ephraim Wernick. I am
7 also a member of the --

8 MS. FLETCHER: That is the one.
9 Can you spell that for me, please.

10 MR. WERNICK: Right. The first
11 name is Ephraim, E-p-h-r-i-a-m. Last name is
12 Wernick, W-e-r-n-i-c-k. I also have a number
13 of designee letters.

14 MS. FLETCHER: I will take those.

15 MR. WERNICK: Authorizing me
16 today. Just for the record, I will put their
17 names on the record.

18 MS. FLETCHER: No. You can just
19 give them to me. And each of those
20 individuals have signed the protest letter?

21 MR. WERNICK: Yes.

22 MS. FLETCHER: Thank you. Thank

1 you very much.

2 And, Mr. Kline, I will make sure
3 that you get a copy of these letters.

4 MR. KLINE: Right. Thank you.

5 MR. WERNICK: Can we get a copy,
6 as well, only. That was my only copy.

7 MS. FLETCHER: Yes. I am going to
8 have you contact Tesha Anderson.

9 MR. WERNICK: Yes.

10 MS. FLETCHER: She sent me a
11 protest letter and make sure you get copies.

12 I count nine letters --

13 MR. WERNICK: That was my count.

14 MS. FLETCHER: -- Mr. Wernick.

15 MR. WERNICK: Yes.

16 MS. FLETCHER: So who is going to
17 be the designated representative for this
18 group?

19 MR. WERNICK: For the protest
20 group, the residents?

21 MS. FLETCHER: Yes.

22 MR. WERNICK: That will be me,

1 Ephraim Wernick. And I know Ms. Paras-
2 Scandola is representing MHNA?

3 MS. FLETCHER: Yes. So, Mr.
4 Wernick, what is your first name again?

5 MR. WERNICK: Ephraim.

6 MS. FLETCHER: E-p --

7 MR. WERNICK: h-r-a-i-m.

8 MS. FLETCHER: Okay. So, Mr.
9 Wernick.

10 MR. WERNICK: Each of those
11 letters has my name listed on there.

12 MS. FLETCHER: Oh. Okay. Thank
13 you very much. So you are the designated
14 representative for the group. There are four
15 members present from your group today?

16 MR. WERNICK: Yes.

17 MS. FLETCHER: One more person
18 from your group will need to appear at the
19 upcoming status hearing. One other person who
20 is not here today.

21 MR. WERNICK: Let me ask if -- if
22 I am -- as their designate, can I not appear

1 on their behalf?

2 MS. FLETCHER: Yes, you can. At
3 the point of the status hearing, the Board
4 needs to have seen at least five faces.

5 MR. WERNICK: Okay.

6 MS. FLETCHER: So, there are four
7 present today. If you bring one more to the
8 status hearing you are good.

9 MR. WERNICK: That is fine. We
10 had intended to do so. Someone fell sick this
11 morning.

12 MS. FLETCHER: Okay. No problem
13 at all. The -- so, I am going to grant you
14 conditional standing today. Bring the one
15 other person and then you will be granted full
16 standing, but we will move forward with the
17 mediation.

18 MR. WERNICK: Thank you.

19 MS. FLETCHER: So, January 30 is
20 available, if anybody wants to come in
21 January. That is Thursday, January 30th, if
22 that works.

1 MR. WERNICK: That day is a good
2 day for us. We would request nine a.m.

3 MS. FLETCHER: Is that good for
4 you, Ms. Paras-Scandola? That is a Thursday.

5 MR. WERNICK: I am actually a
6 member of the board of MHNA, as well, so I
7 might represent the board --

8 MS. FLETCHER: That would be fine
9 with us.

10 MS. PARAS-SCANDOLA: Okay. That
11 is fine by me, then.

12 MS. FLETCHER: Okay.

13 MR. WERNICK: Okay.

14 MR. KLINE: At what time?

15 MS. FLETCHER: Nine, ten, eleven
16 or one.

17 MR. KLINE: Eleven a.m. on the
18 30th?

19 MR. WERNICK: We are representing
20 a number of people who actually work and have
21 to miss work to come to this, so we --

22 MS. FLETCHER: Well, we only need

1 the designated representative for medication.

2 MR. WERNICK: Okay.

3 MS. FLETCHER: But we -- anybody
4 in the group can come.

5 MR. WERNICK: Well, I mean, I am
6 going to be representing most of them.

7 MS. FLETCHER: Yes.

8 MR. WERNICK: I do have a hearing
9 later that day in court.

10 MS. FLETCHER: Okay.

11 MR. WERNICK: So I would prefer
12 nine a.m.

13 MR. KLINE: Nine is fine.

14 MS. FLETCHER: Nine o'clock on the
15 30th? Okay.

16 Okay. And Mr. Wernick, is your
17 email address on that sheet on the table? Did
18 you put your email address on that contact
19 sheet?

20 MR. WERNICK: Yes, I did.

21 MS. FLETCHER: Okay. Thank you
22 very much.

1

MR. WERNICK: Okay.

2

MS. FLETCHER: The Roll Call

3

Hearing is concluded. Thank you.

4

MR. WERNICK: Thank you.

5

(Whereupon, the Roll Call Hearing

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was concluded at 10:35.)

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<p style="text-align: center;">A</p> <p>a-n-d-o-l-a 3:22 a.m 2:2,11,11 10:2 10:17 11:12 ABRA-087030 1:11 2:21 address 11:17,18 adverse 3:1 agent 1:22 3:5 Alcoholic 1:3,18,19 Anderson 7:8 Andrew 3:9 anybody 9:20 11:3 appear 8:18,22 Applicant 2:12,13 3:8,10 aside 2:17 Association 3:15 Authorizing 6:15 available 9:20</p>	<p>Control 1:3,18,19 copies 7:11 copy 7:3,5,6 count 7:12,13 court 11:9 CR 1:12 CT 2:22</p>	<p>7:16,21 8:3,6,8,12 8:17 9:2,6,12,19 10:3,8,12,15,22 11:3,7,10,14,21 12:2 forward 9:16 four 8:14 9:6 full 9:15</p>	<p>11:13 know 8:1</p> <p style="text-align: center;">L</p> <p>L-e-a 4:7 La 1:21 3:3 Lea 4:7 letter 6:20 7:11 letters 6:13 7:3,12 8:11 License 1:11,12 2:21,22 licensee 2:5 listed 8:11 LLC 1:10 2:20</p>	<p style="text-align: center;">O</p> <p>o'clock 11:14 Official 3:5 oh 5:11,18 8:12 Okay 2:8 4:9,13,21 5:5 6:3 8:8,12 9:5 9:12 10:10,12,13 11:2,10,15,16,21 12:1 opportunity 4:4 order 3:2</p>
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