

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

2 4:23 p.m.

3 CHAIRPERSON ANDERSON: We are now
4 going to do our Legal Agenda.

5 The first matter on our Legal Agenda
6 is the review of settlement agreement dated
7 November 19, 2018 between Hatoba and ANC-6D.
8 Hatoba is License No. 112012.

9 I make a motion that we approve this
10 with modification. Is there a second?

11 MEMBER SILVERSTEIN: Second.

12 CHAIRPERSON ANDERSON: Mr. Silverstein
13 has seconded the motion.

14 All those in favor say aye.

15 ALL: Aye.

16 CHAIRPERSON ANDERSON: Those opposed?
17 The matter passes 5-0-0.

18 The next matter is the review of
19 settlement agreement dated December 4, 2018
20 between ANC-6E and Hanumanh, License No. 110084.

21 I make a motion that we approve this
22 agreement with modification. Is there a second?

1 MEMBER SILVERSTEIN: Second.

2 CHAIRPERSON ANDERSON: Mr. Silverstein
3 has seconded the motion.

4 All those in favor say aye.

5 ALL: Aye.

6 CHAIRPERSON ANDERSON: Those opposed?
7 The matter passes 5-0-0.

8 The next matter is the review of a
9 letter dated November 23, 2018 from MPD Chief of
10 Police Peter Newsham requesting the Board hold a
11 Fact-Finding Hearing concerning District Anchor,
12 License No. 079449.

13 I make a motion that we approve this
14 request. Is there a second?

15 MEMBER SILVERSTEIN: Second.

16 CHAIRPERSON ANDERSON: Mr. Silverstein
17 has seconded the motion.

18 All those in favor say aye.

19 ALL: Aye.

20 CHAIRPERSON ANDERSON: Those opposed?
21 The matter passes 5-0-0.

22 We now move to our Supplemental Legal

1 Agenda.

2 The first matter on our Supplemental
3 Legal Agenda is the review of Holland & Knight's
4 request for an advisory opinion concerning
5 Wholesalers: Their Rights and Responsibilities
6 and what they are permitted to do under the
7 District's Alcoholic Beverage Law and
8 Regulations.

9 I make a motion that we refer this to
10 legal. Is there a second?

11 MEMBER CATO: Second.

12 CHAIRPERSON ANDERSON: Mr. Cato has
13 seconded the motion.

14 All those in favor say aye.

15 ALL: Aye.

16 CHAIRPERSON ANDERSON: Those opposed?
17 The matter passes 5-0-0.

18 The next matter is the review of
19 Hopeful, Inc.'s Motion for Reconsideration of
20 granting continuance of Board Order No. 2018-711.
21 Hopeful, Inc. t/a To Be Determined, License No.
22 091955.

1 This matter is a moot matter.

2 The next matter is the review of the
3 Consent Motion to Alter or Amend Board Order No.
4 2018-587, FoBoGro, License No. 082431.

5 I make a motion that we approve this
6 request. Is there a second?

7 MEMBER SILVERSTEIN: Second.

8 CHAIRPERSON ANDERSON: Mr. Silverstein
9 has seconded the motion.

10 All those in favor say aye.

11 ALL: Aye.

12 CHAIRPERSON ANDERSON: Those opposed?
13 The matter passes 5-0-0.

14 We now move to our Second Supplemental
15 Legal Agenda.

16 The first matter on our Second
17 Supplemental Legal Agenda is the review of
18 Hopeful, Inc.'s revised Motion for
19 Reconsideration of granting continuance of Board
20 Order No. 2018-711. Hopeful, Inc. t/a To Be
21 Determined, License No. 091955.

22 I make a motion that we deny this

1 request. Is there a second?

2 MEMBER SILVERSTEIN: Second.

3 CHAIRPERSON ANDERSON: Mr. Silverstein
4 has seconded the motion.

5 All those in favor say aye.

6 ALL: Aye.

7 CHAIRPERSON ANDERSON: Those opposed?
8 The matter passes 5-0-0.

9 We now move to our Licensing Agenda.

10 The first matter on our Licensing
11 Agenda is the review of application for
12 safekeeping of license for Tasty Burger, License
13 No. 100284.

14 I make a motion that we grant this
15 request through March 31, 2019. Is there a
16 second?

17 MEMBER SILVERSTEIN: Second.

18 CHAIRPERSON ANDERSON: Mr. Silverstein
19 has seconded the motion.

20 All those in favor say aye.

21 ALL: Aye.

22 CHAIRPERSON ANDERSON: Those opposed?

1 The matter passes 5-0-0.

2 The next matter is to review request
3 for change of hours of operation, sales and
4 service and entertainment for Dynamix Lounge,
5 License No. 106194.

6 I make a motion that we placard this
7 matter. Is there a second?

8 MEMBER SILVERSTEIN: Second.

9 CHAIRPERSON ANDERSON: Mr. Silverstein
10 has seconded the motion.

11 All those in favor say aye.

12 ALL: Aye.

13 CHAIRPERSON ANDERSON: Those opposed?

14 The matter passes 5-0-0.

15 The next matter is to review request
16 for change of hours for Whole Foods Market,
17 License No. 104505.

18 I make a motion that we approve this
19 request. Is there a second?

20 MEMBER SILVERSTEIN: Second.

21 CHAIRPERSON ANDERSON: Mr. Silverstein
22 has seconded the motion.

1 All those in favor say aye.

2 ALL: Aye.

3 CHAIRPERSON ANDERSON: Those opposed?

4 The matter passes 5-0-0.

5 The next matter is to review request
6 for change of hours for Cotton & Reed, License
7 No., Manufacturer's A, 099505.

8 I make a motion that we placard this
9 matter. Is there a second?

10 MEMBER SILVERSTEIN: Second.

11 CHAIRPERSON ANDERSON: Mr. Silverstein
12 has seconded the motion.

13 All those in favor say aye.

14 ALL: Aye.

15 CHAIRPERSON ANDERSON: Those opposed?

16 The matter passes 5-0-0.

17 The next matter is to review letter
18 from Heidi Arnold of the American Heart
19 Association requesting a nonprofit corporation
20 auction permit to auction off items containing
21 alcoholic beverages, such as wine donations at
22 their Heart's Delight fundraiser to be held March

1 8, 2019 at 6:00 p.m., ABRA License, Auction
2 License No. 18-AUCTION-00003.

3 I make a motion that we approve this
4 request. Is there a second?

5 MEMBER SILVERSTEIN: Second.

6 CHAIRPERSON ANDERSON: Mr. Silverstein
7 has seconded the motion.

8 All those in favor say aye.

9 ALL: Aye.

10 CHAIRPERSON ANDERSON: Those opposed?

11 The matter passes 5-0-0.

12 We now move to our Supplemental
13 Licensing Agenda.

14 The first matter on our Supplemental
15 Licensing Agenda is to review application for a
16 stipulated license with letter of ANC support for
17 Streets Market, License No. 108841.

18 I make a motion that we approve this
19 request. Is there a second?

20 MEMBER SILVERSTEIN: Second.

21 CHAIRPERSON ANDERSON: Mr. Silverstein
22 has seconded the motion.

1 All those in favor say aye.

2 ALL: Aye.

3 CHAIRPERSON ANDERSON: Those opposed?

4 The matter passes 5-0-0.

5 The next matter is to review
6 architectural floor plan for a new full-service
7 grocery store, Union Kitchen Grocery, License No.
8 111996.

9 I make a motion that we placard this
10 matter. Is there a second?

11 MEMBER SILVERSTEIN: Second.

12 CHAIRPERSON ANDERSON: Mr. Silverstein
13 has seconded the motion.

14 All those in favor say aye.

15 ALL: Aye.

16 CHAIRPERSON ANDERSON: Those opposed?

17 The matter passes 5-0-0.

18 The next matter is to review letter
19 from Medhanie Weldegergish requesting to withdraw
20 consent for transfer of license to ABT Liquor,
21 LLC, License No. 112278. And the License Number
22 for the Retailer A establishment is 084582.

1 I make a motion that we approve this
2 request. Is there a second?

3 MEMBER SILVERSTEIN: Second.

4 CHAIRPERSON ANDERSON: Mr. Silverstein
5 has seconded the motion.

6 All those in favor say aye.

7 ALL: Aye.

8 CHAIRPERSON ANDERSON: Those opposed?

9 The matter passes 5-0-0.

10 The next matter is to review request
11 for Disposal Permit to transport unopened
12 alcoholic beverages to sister restaurant, Ruth's
13 Chris Steak House, License No. 060584.

14 I make a motion that we approve this
15 request. Is there a second?

16 MEMBER SILVERSTEIN: Second.

17 CHAIRPERSON ANDERSON: Mr. Silverstein
18 has seconded the motion.

19 All those in favor say aye.

20 ALL: Aye.

21 CHAIRPERSON ANDERSON: Those opposed?

22 The matter passes 5-0-0.

1 The next matter is to review request
2 for Disposal Permit to transport unopened
3 alcoholic beverages to sister restaurant, Ruth's
4 Chris Steak House, License No. 092489.

5 I make a motion that we approve this
6 request. Is there a second?

7 MEMBER CATO: Second.

8 CHAIRPERSON ANDERSON: Mr. Cato has
9 seconded the motion.

10 All those in favor say aye.

11 ALL: Aye.

12 CHAIRPERSON ANDERSON: Those opposed?
13 The matter passes 5-0-0.

14 The next matter is the review of
15 application for a class change from Retailer B
16 Grocery to Retailer A Liquor Store, Kusa Market,
17 License No. 002109. The Board had issued an
18 order on November 28, 2018 to placard this
19 matter.

20 I then make a motion to rescind the
21 order of November 28, 2018 to placard this matter
22 and instead deny the application. Is there a

1 second?

2 MEMBER SILVERSTEIN: Second.

3 CHAIRPERSON ANDERSON: Mr. Silverstein
4 has seconded the motion.

5 All those in favor say aye.

6 ALL: Aye.

7 CHAIRPERSON ANDERSON: Those opposed?
8 The matter passes 5-0-0.

9 The next matter is review of
10 application for a new Class A Liquor Store,
11 License A, for Family Wine & Liquors, License No.
12 111033.

13 I make a motion to give the
14 establishment 10 days to provide an updated
15 application. Is there a second?

16 MEMBER SILVERSTEIN: Second.

17 CHAIRPERSON ANDERSON: Mr. Silverstein
18 has seconded the motion.

19 All those in favor say aye.

20 ALL: Aye.

21 CHAIRPERSON ANDERSON: Those opposed?
22 The matter passes 5-0-0.

1 The next matter is to review request
2 to change permanent establishment address to 420
3 K Street, N.W., for la Betty, License No. 108498.

4 I make a motion that we approve this
5 request. Is there a second?

6 MEMBER SILVERSTEIN: Second.

7 CHAIRPERSON ANDERSON: Mr. Silverstein
8 has seconded the motion.

9 All those in favor say aye.

10 ALL: Aye.

11 CHAIRPERSON ANDERSON: Those opposed?

12 The matter passes 5-0-0.

13 The next matter is to review
14 application for a Manager's License, Alexander
15 Reyes, License 112369.

16 I make a motion that we approve this
17 request. Is there a second?

18 MEMBER SILVERSTEIN: Second.

19 CHAIRPERSON ANDERSON: Mr. Silverstein
20 has seconded the motion.

21 All those in favor say aye.

22 ALL: Aye.

1 CHAIRPERSON ANDERSON: Those opposed?
2 The matter passes 5-0-0.

3 We now move to our Second Supplemental
4 Licensing Agenda.

5 The first matter on our Second
6 Supplemental Licensing Agenda to review request
7 for approval to provide gifts of Redskins versus
8 Eagles football tickets that do not exceed \$500
9 in value for Restaurant Associates, ABRA License
10 No. 001133; 1 West Dupont Circle Wine & Liquors,
11 License No. 074420; Barmy Wine and Liquors,
12 License No. 023822; and Morris Miller Liquors,
13 License No. 110406.

14 The request is being made by Breakthru
15 Beverage, License No. 060518.

16 I make a motion that we approve this
17 request. Is there a second?

18 MEMBER SILVERSTEIN: Second.

19 CHAIRPERSON ANDERSON: Mr. Silverstein
20 has seconded the motion.

21 All those in favor say aye.

22 ALL: Aye.

1 CHAIRPERSON ANDERSON: Those opposed?
2 The matter passes 5-0-0.

3 We now -- the next matter on our
4 agenda is the review of proposed business plan
5 for Wine with Friends.

6 I make a motion that we refer this
7 matter to legal. Is there a second?

8 MEMBER ALBERTI: Second.

9 CHAIRPERSON ANDERSON: Mr. Alberti has
10 seconded the motion.

11 All those in favor say aye.

12 ALL: Aye.

13 CHAIRPERSON ANDERSON: Those opposed?
14 The matter passes 5-0-0.

15 We now move to our Cancellation
16 Agenda. The ABC Board will be canceling the
17 license for the following reasons outlined below:

18 The ABC Board will be canceling the
19 license for Metro K Supermarket, License No.
20 001751. The licensee requested to cancel the
21 license.

22 The ABC Board will be canceling the

1 license for Addis Ethiopian Restaurant, License
2 No. 097534. The licensee requested to cancel the
3 license.

4 So I therefore make a motion that we
5 cancel the license for the two establishments
6 that I just mentioned. Is there a second?

7 MEMBER SILVERSTEIN: Second.

8 CHAIRPERSON ANDERSON: Mr. Silverstein
9 has seconded the motion.

10 All those in favor say aye.

11 ALL: Aye.

12 CHAIRPERSON ANDERSON: Those opposed?
13 The matter passes 5-0-0.

14 All right. As Chairperson of the
15 Alcoholic Beverage Control Board for the District
16 of Columbia and in accordance with DC Official
17 Code Section 2-574 of the Open Meetings Act, I
18 move that the ABC Board hold a closed meeting on
19 January 9, 2019 for the purpose of seeking legal
20 advice from our counsel on the matters identified
21 on the Board's Investigative, Legal and Licensing
22 Agenda for January 9, 2019 as published in the DC

1 Register on January 4, 2019.

2 Is there a second?

3 MEMBER SILVERSTEIN: Second.

4 CHAIRPERSON ANDERSON: Mr. Silverstein
5 has seconded the motion.

6 I will now take a roll call vote on
7 the motion before us now that it has been
8 seconded.

9 Ms. Wahabzadah?

10 MEMBER WAHABZADAH: I agree.

11 CHAIRPERSON ANDERSON: Mr.

12 Silverstein?

13 MEMBER SILVERSTEIN: I agree.

14 CHAIRPERSON ANDERSON: Mr. Alberti?

15 MEMBER ALBERTI: I agree.

16 CHAIRPERSON ANDERSON: Mr. Cato?

17 MEMBER CATO: I agree.

18 CHAIRPERSON ANDERSON: Mr. Anderson?

19 I agree.

20 As it appears that the motion has
21 passed, I hereby give notice that the ABC Board
22 will hold this aforementioned closed meeting

1 pursuant to the Open Meetings Act. Notice will
2 also be posted on the ABC Board hearing room
3 bulletin board, placed on the electronic calendar
4 on ABRA's website and published in the DC
5 Register in as timely a manner as practicable.

6 It is 4:36 p.m. We are adjourned for
7 the year. I would like to thank my Members for
8 being here with us this year. Another year has
9 come to an end, but today is the last regularly
10 scheduled meeting that we have had for a year and
11 I do wish everyone a Happy Merry Christmas, Happy
12 Holidays, Happy Kwanzaa and all the other
13 holidays in between.

14 And I will see everyone for the next
15 regularly scheduled meeting on January 9, 2019.
16 Thank you very much. All right.

17 (Whereupon, the Legal, Licensing and
18 Cancellation Agenda Hearings were concluded at
19 4:36 p.m.)
20
21
22

<p style="text-align: center;">A</p> <p>ABC 16:16,18,22 17:18 18:21 19:2</p> <p>ABRA 9:1 15:9</p> <p>ABRA's 19:4</p> <p>ABT 10:20</p> <p>Act 17:17 19:1</p> <p>Addis 17:1</p> <p>address 14:2</p> <p>adjourned 19:6</p> <p>advice 17:20</p> <p>advisory 4:4</p> <p>aforementioned 18:22</p> <p>agenda 1:6,7,8,8,9 2:4 2:5 4:1,3 5:15,17 6:9 6:11 9:13,15 15:4,6 16:4,16 17:22 19:18</p> <p>agree 18:10,13,15,17 18:19</p> <p>agreement 2:6,19,22</p> <p>Alberti 1:17 16:8,9 18:14,15</p> <p>alcoholic 1:2,12,12 4:7 8:21 11:12 12:3 17:15</p> <p>Alexander 14:14</p> <p>Alter 5:3</p> <p>Amend 5:3</p> <p>American 8:18</p> <p>ANC 9:16</p> <p>ANC-6D 2:7</p> <p>ANC-6E 2:20</p> <p>Anchor 3:11</p> <p>Anderson 1:14,16 2:3 2:12,16 3:2,6,16,20 4:12,16 5:8,12 6:3,7 6:18,22 7:9,13,21 8:3 8:11,15 9:6,10,21 10:3,12,16 11:4,8,17 11:21 12:8,12 13:3,7 13:17,21 14:7,11,19 15:1,19 16:1,9,13 17:8,12 18:4,11,14,16 18:18,18</p> <p>appears 18:20</p> <p>application 6:11 9:15 12:15,22 13:10,15 14:14</p> <p>approval 15:7</p> <p>approve 2:9,21 3:13 5:5 7:18 9:3,18 11:1,14 12:5 14:4,16 15:16</p> <p>architectural 10:6</p> <p>Arnold 8:18</p> <p>Associates 15:9</p> <p>Association 8:19</p> <p>auction 8:20,20 9:1</p> <p>aye 2:14,15 3:4,5,18,19 4:14,15 5:10,11 6:5,6</p>	<p>6:20,21 7:11,12 8:1,2 8:13,14 9:8,9 10:1,2 10:14,15 11:6,7,19,20 12:10,11 13:5,6,19,20 14:9,10,21,22 15:21 15:22 16:11,12 17:10 17:11</p> <hr/> <p style="text-align: center;">B</p> <p>B 12:15</p> <p>Barmy 15:11</p> <p>Betty 14:3</p> <p>Beverage 1:2,12,12 4:7 15:15 17:15</p> <p>beverages 8:21 11:12 12:3</p> <p>board 1:2,12 3:10 4:20 5:3,19 12:17 16:16,18 16:22 17:15,18 18:21 19:2,3</p> <p>Board's 17:21</p> <p>BOBBY 1:17</p> <p>Breakthru 15:14</p> <p>Building 1:13</p> <p>bulletin 19:3</p> <p>Burger 6:12</p> <p>business 16:4</p> <hr/> <p style="text-align: center;">C</p> <p>calendar 19:3</p> <p>call 18:6</p> <p>cancel 16:20 17:2,5</p> <p>canceling 16:16,18,22</p> <p>Cancellation 1:9 16:15 19:18</p> <p>Cato 1:17 4:11,12 12:7 12:8 18:16,17</p> <p>Chairperson 1:13,16 2:3,12,16 3:2,6,16,20 4:12,16 5:8,12 6:3,7 6:18,22 7:9,13,21 8:3 8:11,15 9:6,10,21 10:3,12,16 11:4,8,17 11:21 12:8,12 13:3,7 13:17,21 14:7,11,19 15:1,19 16:1,9,13 17:8,12,14 18:4,11,14 18:16,18</p> <p>change 7:3,16 8:6 12:15 14:2</p> <p>Chief 3:9</p> <p>Chris 11:13 12:4</p> <p>Christmas 19:11</p> <p>Circle 15:10</p> <p>class 12:15 13:10</p> <p>closed 17:18 18:22</p> <p>Code 17:17</p> <p>Columbia 1:1 17:16</p>	<p>come 19:9</p> <p>concerning 3:11 4:4</p> <p>concluded 19:18</p> <p>consent 5:3 10:20</p> <p>containing 8:20</p> <p>continuance 4:20 5:19</p> <p>Control 1:2,12,12 17:15</p> <p>corporation 8:19</p> <p>Cotton 8:6</p> <p>counsel 17:20</p> <hr/> <p style="text-align: center;">D</p> <p>D.C 1:13</p> <p>dated 2:6,19 3:9</p> <p>days 13:14</p> <p>DC 17:16,22 19:4</p> <p>December 1:11 2:19</p> <p>Delight 8:22</p> <p>deny 5:22 12:22</p> <p>Determined 4:21 5:21</p> <p>Disposal 11:11 12:2</p> <p>District 1:1 3:11 17:15</p> <p>District's 4:7</p> <p>donations 8:21</p> <p>Donovan 1:14,16</p> <p>Dupont 15:10</p> <p>Dynamix 7:4</p> <hr/> <p style="text-align: center;">E</p> <p>Eagles 15:8</p> <p>electronic 19:3</p> <p>entertainment 7:4</p> <p>establishment 10:22 13:14 14:2</p> <p>establishments 17:5</p> <p>Ethiopian 17:1</p> <p>exceed 15:8</p> <hr/> <p style="text-align: center;">F</p> <p>Fact-Finding 3:11</p> <p>Family 13:11</p> <p>favor 2:14 3:4,18 4:14 5:10 6:5,20 7:11 8:1 8:13 9:8 10:1,14 11:6 11:19 12:10 13:5,19 14:9,21 15:21 16:11 17:10</p> <p>first 2:5 4:2 5:16 6:10 9:14 15:5</p> <p>floor 10:6</p> <p>FoBoGro 5:4</p> <p>following 16:17</p> <p>Foods 7:16</p> <p>football 15:8</p> <p>Friends 16:5</p> <p>full-service 10:6</p> <p>fundraiser 8:22</p>	<p style="text-align: center;">G</p> <p>gifts 15:7</p> <p>give 13:13 18:21</p> <p>grant 6:14</p> <p>granting 4:20 5:19</p> <p>grocery 10:7,7 12:16</p> <hr/> <p style="text-align: center;">H</p> <p>Hanumanh 2:20</p> <p>Happy 19:11,11,12</p> <p>Hatoba 2:7,8</p> <p>hearing 1:12 3:11 19:2</p> <p>Hearings 19:18</p> <p>Heart 8:18</p> <p>Heart's 8:22</p> <p>Heidi 8:18</p> <p>held 8:22</p> <p>hold 3:10 17:18 18:22</p> <p>holidays 19:12,13</p> <p>Holland 4:3</p> <p>Hopeful 4:19,21 5:18 5:20</p> <p>hours 7:3,16 8:6</p> <p>House 11:13 12:4</p> <hr/> <p style="text-align: center;">I</p> <p>identified 17:20</p> <p>Inc.'s 4:19 5:18</p> <p>Investigative 17:21</p> <p>issued 12:17</p> <p>items 8:20</p> <hr/> <p style="text-align: center;">J</p> <p>January 17:19,22 18:1 19:15</p> <p>JR 1:17</p> <hr/> <p style="text-align: center;">K</p> <p>K 14:3 16:19</p> <p>Kitchen 10:7</p> <p>Knight's 4:3</p> <p>Kusa 12:16</p> <p>Kwanzaa 19:12</p> <hr/> <p style="text-align: center;">L</p> <p>la 14:3</p> <p>Law 4:7</p> <p>legal 1:6,6,8 2:4,5 3:22 4:3,10 5:15,17 16:7 17:19,21 19:17</p> <p>letter 3:9 8:17 9:16 10:18</p> <p>license 2:8,20 3:12 4:21 5:4,21 6:12,12 7:5,17 8:6 9:1,2,16,17 10:7 10:20,21,21 11:13 12:4,17 13:11,11 14:3</p>
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14:14,15 15:9,11,12
 15:13,15 16:17,19,19
 16:21 17:1,1,3,5
licensee 16:20 17:2
Licensing 1:8 6:9,10
 9:13,15 15:4,6 17:21
 19:17
Liquor 10:20 12:16
 13:10
Liquors 13:11 15:10,11
 15:12
LLC 10:21
Lounge 7:4

M

Manager's 14:14
manner 19:5
Manufacturer's 8:7
March 6:15 8:22
Market 7:16 9:17 12:16
matter 1:5 2:5,17,18 3:7
 3:8,21 4:2,17,18 5:1,1
 5:2,13,16 6:8,10 7:1,2
 7:7,14,15 8:4,5,9,16
 8:17 9:11,14 10:4,5
 10:10,17,18 11:9,10
 11:22 12:1,13,14,19
 12:21 13:8,9,22 14:1
 14:12,13 15:2,5 16:2
 16:3,7,14 17:13
matters 17:20
Medhanie 10:19
meeting 1:3 17:18
 18:22 19:10,15
Meetings 17:17 19:1
Member 1:17,17,18,18
 2:11 3:1,15 4:11 5:7
 6:2,17 7:8,20 8:10 9:5
 9:20 10:11 11:3,16
 12:7 13:2,16 14:6,18
 15:18 16:8 17:7 18:3
 18:10,13,15,17
Members 19:7
mentioned 17:6
Merry 19:11
met 1:12
Metro 16:19
MIKE 1:18
Miller 15:12
modification 2:10,22
moot 5:1
Morris 15:12
motion 2:9,13,21 3:3,13
 3:17 4:9,13,19 5:3,5,9
 5:18,22 6:4,14,19 7:6
 7:10,18,22 8:8,12 9:3
 9:7,18,22 10:9,13
 11:1,5,14,18 12:5,9

12:20 13:4,13,18 14:4
 14:8,16,20 15:16,20
 16:6,10 17:4,9 18:5,7
 18:20
move 3:22 5:14 6:9
 9:12 15:3 16:15 17:18
MPD 3:9

N

N.W 1:13 14:3
new 10:6 13:10
Newsham 3:10
NICK 1:17
nonprofit 8:19
notice 18:21 19:1
November 2:7 3:9
 12:18,21
Number 10:21

O

Official 17:16
Open 17:17 19:1
operation 7:3
opinion 4:4
opposed 2:16 3:6,20
 4:16 5:12 6:7,22 7:13
 8:3,15 9:10 10:3,16
 11:8,21 12:12 13:7,21
 14:11 15:1 16:1,13
 17:12
order 4:20 5:3,20 12:18
 12:21
outlined 16:17

P

P-R-O-C-E-E-D-I-N-G-S
 2:1
p.m 2:2 9:1 19:6,19
passed 18:21
passes 2:17 3:7,21 4:17
 5:13 6:8 7:1,14 8:4,16
 9:11 10:4,17 11:9,22
 12:13 13:8,22 14:12
 15:2 16:2,14 17:13
permanent 14:2
permit 8:20 11:11 12:2
permitted 4:6
Peter 3:10
placard 7:6 8:8 10:9
 12:18,21
placed 19:3
plan 10:6 16:4
Police 3:10
posted 19:2
practicable 19:5
PRESENT 1:15
presiding 1:14
proposed 16:4

provide 13:14 15:7
published 17:22 19:4
purpose 17:19
pursuant 19:1

Q

R

reasons 16:17
Reconsideration 4:19
 5:19
Redskins 15:7
Reed 8:6
Reeves 1:13
refer 4:9 16:6
Register 18:1 19:5
regularly 19:9,15
Regulations 4:8
REMA 1:18
request 3:14 4:4 5:6 6:1
 6:15 7:2,15,19 8:5 9:4
 9:19 11:2,10,15 12:1
 12:6 14:1,5,17 15:6
 15:14,17
requested 16:20 17:2
requesting 3:10 8:19
 10:19
rescind 12:20
Responsibilities 4:5
restaurant 11:12 12:3
 15:9 17:1
Retailer 10:22 12:15,16
review 2:6,18 3:8 4:3,18
 5:2,17 6:11 7:2,15 8:5
 8:17 9:15 10:5,18
 11:10 12:1,14 13:9
 14:1,13 15:6 16:4
revised 5:18
Reyes 14:15
Rights 4:5
roll 18:6
room 1:13 19:2
Ruth's 11:12 12:3

S

safekeeping 6:12
sales 7:3
scheduled 19:10,15
second 1:7 2:10,11,22
 3:1,14,15 4:10,11 5:6
 5:7,14,16 6:1,2,16,17
 7:7,8,19,20 8:9,10 9:4
 9:5,19,20 10:10,11
 11:2,3,15,16 12:6,7
 13:1,2,15,16 14:5,6
 14:17,18 15:3,5,17,18
 16:7,8 17:6,7 18:2,3
seconded 2:13 3:3,17

4:13 5:9 6:4,19 7:10
 7:22 8:12 9:7,22
 10:13 11:5,18 12:9
 13:4,18 14:8,20 15:20
 16:10 17:9 18:5,8
Section 17:17
seeking 17:19
service 7:4
settlement 2:6,19
Silverstein 1:18 2:11,12
 3:1,2,15,16 5:7,8 6:2
 6:3,17,18 7:8,9,20,21
 8:10,11 9:5,6,20,21
 10:11,12 11:3,4,16,17
 13:2,3,16,17 14:6,7
 14:18,19 15:18,19
 17:7,8 18:3,4,12,13
sister 11:12 12:3
Steak 11:13 12:4
stipulated 9:16
store 10:7 12:16 13:10
Street 1:13 14:3
Streets 9:17
Suite 1:13
Supermarket 16:19
Supplemental 1:6,7
 3:22 4:2 5:14,17 9:12
 9:14 15:3,6
support 9:16

T

t/a 4:21 5:20
Tasty 6:12
thank 19:7,16
tickets 15:8
timely 19:5
today 19:9
transfer 10:20
transport 11:11 12:2
two 17:5

U

Union 10:7
unopened 11:11 12:2
updated 13:14

V

value 15:9
versus 15:7
vote 18:6

W

W 1:14,16
Wahabzadah 1:18 18:9
 18:10
Washington 1:13
website 19:4
Wednesday 1:10

Weldegergish 10:19	2019 6:15 9:1 17:19,22	
West 15:10	18:1 19:15	
Wholesalers 4:5	23 3:9	
wine 8:21 13:11 15:10	28 12:18,21	
15:11 16:5		
wish 19:11	<hr/> 3 <hr/>	
withdraw 10:19	31 6:15	
<hr/> X <hr/>	<hr/> 4 <hr/>	
<hr/> Y <hr/>	4 2:19 18:1	
year 19:7,8,8,10	4:23 2:2	
<hr/> Z <hr/>	4:36 19:6,19	
<hr/> 0 <hr/>	400S 1:13	
001133 15:10	420 14:2	
001751 16:20	<hr/> 5 <hr/>	
002109 12:17	5-0-0 2:17 3:7,21 4:17	
023822 15:12	5:13 6:8 7:1,14 8:4,16	
060518 15:15	9:11 10:4,17 11:9,22	
060584 11:13	12:13 13:8,22 14:12	
074420 15:11	15:2 16:2,14 17:13	
079449 3:12	500 15:8	
082431 5:4	<hr/> 6 <hr/>	
084582 10:22	6:00 9:1	
091955 4:22 5:21	<hr/> 7 <hr/>	
092489 12:4	<hr/> 8 <hr/>	
097534 17:2	8 9:1	
099505 8:7	<hr/> 9 <hr/>	
<hr/> 1 <hr/>	9 17:19,22 19:15	
10 13:14		
100284 6:13		
104505 7:17		
106194 7:5		
108498 14:3		
108841 9:17		
110084 2:20		
110406 15:13		
111033 13:12		
111996 10:8		
112012 2:8		
112278 10:21		
112369 14:15		
12 1:11		
14th 1:13		
18-AUCTION-00003 9:2		
19 2:7		
<hr/> 2 <hr/>		
2-574 17:17		
2000 1:13		
20009 1:13		
2018 1:11 2:7,19 3:9		
12:18,21		
2018-587 5:4		
2018-711 4:20 5:20		

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Agenda

Before: DCABRA

Date: 12-12-18

Place: Washington, DC

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

Neal R Gross

Court Reporter

NEAL R. GROSS

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