

1 LAVERNE FLETCHER PRESIDING

2

3 OTHER PERSONS PRESENT

4 NIZAM ALI

5 FRANKE WHITE

6 CHRISTOPHER SEAGLE

7

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

2 ROLL CALL HEARING

3 CHAIRPERSON FLETCHER: Excuse me, excuse
4 me, in the back. It's time to call the next
5 case. Excuse me, your communi -- excuse me --
6 excuse me, sir. Okay. Will the parties in the
7 matter of Ben's Upstairs please come forward?
8 The parties in the matter of Ben's Upstairs.
9 This is case #16-PRO-00036, 1001 H Street, LLC,
10 trading as Ben's Upstairs/Ten 01. The license
11 number is #ABRA-093103. This is a retailer class
12 CR, license renewal. The protest issues are
13 adverse impact on peace, order and quiet.

14 My name ID Laverne Fletcher and I'm
15 conducting the Roll Call Hearing as the Board's
16 agent pursuant to D.C. Official Code 1601.2.
17 Introductions beginning with the applicants.

18 MR. ALI: Sure. Good morning. My name
19 is Nizam Ali, spelled N-I-Z-A-M, and last name is
20 A-L-I.

21 CHAIRPERSON FLETCHER: Okay.

22 MR. WHITE: Frank White. W-H-I-T-E, last

1 name.

2 CHAIRPERSON FLETCHER: And Mr. Ali you've
3 put in your contact information on the sheet?

4 MR. ALI: I have.

5 CHAIRPERSON FLETCHER: All right, thank
6 you, and present on the behalf of ANC 6A?

7 MR. SEAGLE: I'm Christopher Seagle, S as
8 in Sam, E-A-G-L-E, and I'm here on behalf of ANC
9 6A.

10 CHAIRPERSON FLETCHER: Mr. Seagle, how do
11 you spell your last name again?

12 MR. SEAGLE: S as in Sam, E-A-G-L-E.

13 CHAIRPERSON FLETCHER: And the first name
14 did you say was Chris?

15 MR. SEAGLE: Christopher.

16 CHAIRPERSON FLETCHER: Christopher. And
17 so, Mr. Seagle, would you put your contact
18 information on that sheet?

19 MR. SEAGLE: I did.

20 CHAIRPERSON FLETCHER: Thank you very
21 much. ANC 6A does have standing as a protestant.
22 We need to set a date for a mediation, a status

1 hearing and a protest hearing. I'll give you the
2 date of the status and protest hearing first.
3 The date of the status hearing is July the 13th
4 at 9:30 a.m., that's July 13, 2016, at 9:30. The
5 protest hearing is set for August the 10th, 2016,
6 at 1:30 p.m.

7 We need to set a date for a mediation,
8 and you'll receive these dates in a hearing
9 notice also. We need to set a date for
10 mediation. I'll give you the next available day.
11 The mediation needs to take place before July 13
12 if at all possible. The next available date for
13 mediation is Thursday, June 23rd, at 9:00, 10:00
14 or 11:00. That's Thursday, June 23rd. Is that
15 good for you, Mr. --

16 MR. WHITE: Did you say 9:00, 10:00 or
17 11:00?

18 CHAIRPERSON FLETCHER: Yeah, 9:00, 10:00
19 or 11:00. 10:00?

20 MR. WHITE: Say 11:00.

21 CHAIRPERSON FLETCHER: Okay, would 11:00
22 be good for you, Mr. Seagle?

1 MR. SEAGLE: 11:00 works for the ANC.

2 CHAIRPERSON FLETCHER: Okay. Mediation
3 is set for Thursday June 23rd at 11:00.

4 MR. SEAGLE: Did you say -- to clarify
5 this -- June 23rd?

6 CHAIRPERSON FLETCHER: Yes.

7 MR. SEAGLE: Okay.

8 CHAIRPERSON FLETCHER: Yes, June 23rd at
9 11:00. The mediation will take place here. You
10 can just check in out front when you come in.
11 Any questions at all? Okay.

12 MR. ALI: Can I ask you what that means
13 for the liquor license until then?

14 CHAIRPERSON FLETCHER: So, for the liquor
15 license you just continue to operate as usual.
16 Nothing changes on your end. You just continue,
17 in the license renewal process you continue to
18 operate until the very end of the protest
19 process. If the matter is resolved in mediation,
20 if the Board approves a settlement agreement,
21 then the liquor license is issued but you still
22 continue to operate. If the matter is not

1 resolved in mediation and the case goes forward
2 for a protest hearing in August, you still
3 continue to operate until after the Board makes a
4 decision after a protest hearing, so for you,
5 nothing changes, you just continue to operate
6 until the end.

7 MR. ALI: Okay, thank you.

8 CHAIRPERSON FLETCHER: Okay, thank you
9 for coming. The Roll Call Hearing is concluded.

10 MR. ALI: Thank you.

11 MR. WHITE: Thank you.

12 MR. SEAGLE: Thank you.

13

14 (Whereupon, the above-entitled matter was
15 concluded.)

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