

1 CHAIRPERSON:

2 LAVERNE FLETCHER, Presiding

3

4 ALSO PRESENT:

5 CARLOS DIAZ

6 MIKE PAPPAS

7 KAREN WIRT

8

9

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

2 [10:15 a.m.]

3 CHAIRPERSON FLETCHER: Would the parties
4 in the matter of Bistro Italiano please come
5 forward? The parties in the matter of Bistro
6 Italiano. This is case #16-PRO-00015, Vangho
7 Corp trading as Bistro Italiano, 320 D Street
8 Northeast, License #ABRA-023539. This is a
9 Retailer Class CR, substantial change for the
10 addition of a summer garden and 20 seats. So the
11 applicant is on which side? Okay, you can stay
12 there. The applicant is normally on that side ,
13 I'm just trying to --

14 MR. DIAZ: Oh.

15 CHAIRPERSON FLETCHER: But, you can stay
16 on that side. I'll know that you're.

17 MR. DIAZ: Okay.

18 CHAIRPERSON FLETCHER: When I talk to you
19 I'll look over this side.

20 MR. DIAZ: Okay, all right. Fair enough.

21 CHAIRPERSON FLETCHER: The protest issues
22 are adverse impact on peace, order and quiet and

1 real property values. My name is Laverne
2 Fletcher, I am conducting the Roll Call Hearing
3 as the board's agent pursuant to D.C. Official
4 Code 1601.2. Introductions please, beginning
5 with the applicant.

6 MR. PAPPAS: Mike Pappas, I'm the agent
7 for Mr. Diaz for Bistro.

8 CHAIRPERSON FLETCHER: Spell your last
9 name for the record, Mr. Pappas.

10 MR. PAPPAS: Pappas. P-A-P-P-A-S.

11 CHAIRPERSON FLETCHER: Thank you very
12 much. And your name, sir?

13 MR. DIAZ: Carlos Diaz.

14 CHAIRPERSON FLETCHER: Can you spell the
15 last name?

16 MR. DIAZ: Diaz.

17 CHAIRPERSON FLETCHER: Thank you Mr.
18 Diaz. And are you part of the [inaudible]?
19 Okay. Thank you. So, Mr. Pappas, if you're the
20 agent, could you please put your contact
21 information on this sheet so we can contact you
22 beyond today. We need your daytime telephone

1 number and e-mail address.

2 MR. PAPPAS: Sure.

3 CHAIRPERSON FLETCHER: Mr. Diaz, if you
4 would like to be contacted as well, then you
5 would need to do the same, otherwise we'll
6 communicate with Mr. Pappas.

7 MR. DIAZ: Okay.

8 CHAIRPERSON FLETCHER: And present on
9 behalf of ANC 6C?

10 MS. WIRT: Karen Wirt. W-I-R-T. Karen
11 with a K. ANC 6C 02.

12 CHAIRPERSON FLETCHER: Thank you, Ms.
13 Wirt. ANC 6C does have standing as a protestant.
14 We need to set a date for a mediation, status and
15 protest hearing. I'll give you the date for the
16 status and protest hearing first. The status
17 hearing is scheduled for April 27 at 9:30.

18 MS. WIRT: What day of the week is that?

19 CHAIRPERSON FLETCHER: A Wednesday.

20 MS. WIRT: Thank you.

21 CHAIRPERSON FLETCHER: Mm hmm.

22 MS. WIRT: I have a problem with Monday

1 mornings.

2 CHAIRPERSON FLETCHER: Yeah, Wednesday is
3 the only day the board comes in so that works out
4 well. The protest hearing is scheduled for June
5 the 1st at 4:30 p.m.

6 MS. WIRT: That is also Wednesday?

7 CHAIRPERSON FLETCHER: Yes. We need to
8 schedule a date for mediation. The next
9 available date for mediation is Tuesday, April 5,
10 at 9:00, 10:00 or 11:00. That would be next
11 Tuesday. If anybody's available then.

12 MR. DIAZ: What I have here, I just want
13 to bring it over to the table and they at the
14 DCRA we pretty much surrendered the CFO for the
15 summer garden. So, kind of no longer pursuing
16 that.

17 CHAIRPERSON FLETCHER: So, you're
18 withdrawing your application?

19 MR. DIAZ: No. Well, I don't know what
20 we did so what they said was that the CFO was
21 issued --

22 CHAIRPERSON FLETCHER: So, is the

1 application going forward or are you going to
2 withdraw the appli -- if the application is going
3 forward, we'll discontinue with the scheduling of
4 the dates.

5 MR. DIAZ: Yeah, so I think we gonna drop
6 it off.

7 CHAIRPERSON FLETCHER: You're going to
8 withdraw the application?

9 MR. DIAZ: Withdraw. But we still want
10 to do the renewal for the inside of the --

11 CHAIRPERSON FLETCHER: So, the license
12 renewal is separate.

13 MR. DIAZ: Oh, okay.

14 CHAIRPERSON FLETCHER: So this is the
15 license renewal process for --

16 MR. DIAZ: Summer Garden.

17 CHAIRPERSON FLETCHER: -- for your
18 licensed class.

19 MR. DIAZ: Okay.

20 CHAIRPERSON FLETCHER: Your application
21 is for a summer garden --

22 MR. DIAZ: Okay.

1 CHAIRPERSON FLETCHER: -- and 20 seats.

2 MR. DIAZ: We gonna --

3 CHAIRPERSON FLETCHER: You're going to
4 withdraw your application for a summer garden
5 with 20 seats. You're going to take that off the
6 table and withdraw it and we'll be done with it.

7 MR. DIAZ: Correct.

8 CHAIRPERSON FLETCHER: So, we don't need
9 to schedule any dates?

10 MR. DIAZ: No, I don't think so.

11 MR. PAPPAS: That's right.

12 MR. DIAZ: I don't think so.

13 CHAIRPERSON FLETCHER: Okay.

14 MR. DIAZ: And for now we're going to let
15 it rest because it was mishandling or we need
16 somewhere in the process.

17 CHAIRPERSON FLETCHER: Well, then you can
18 do, if you want to, if you want to while you're
19 here today, you can hand write your request for
20 withdrawal of the application or if you would
21 prefer you can do it at some later date. For us,
22 it doesn't matter if you wrote that on that sheet

1 of paper and address it to the ABC board to say
2 that you are withdrawing your application for a
3 summer garden with 20 seats. If you sign it that
4 would be sufficient. But I will leave that up to
5 you.

6 MR. DIAZ: Okay.

7 CHAIRPERSON FLETCHER: You can do it now
8 or you can do it later.

9 MR. DIAZ: We can do it now, right?

10 MR. PAPPAS: We can do it now.

11 MR. DIAZ: Yeah, we can do it now.

12 CHAIRPERSON FLETCHER: You do that now
13 and then I can -- if you want to write that out I
14 can make a copy for Ms.Wirt while she's here and
15 that will be that. And so, you'll need your
16 case number and the name of the -- I can bring
17 you -- you have that over there already?

18 MR. DIAZ: We need the number.

19 CHAIRPERSON FLETCHER: I'll give you your
20 application number. I'll give that to you, Mr.
21 Diaz. You would need the name of your
22 establishment which, of course, is Bistro

1 Italiano, and your address in the letter, and
2 your license number which I can give you if you
3 don't have it over there.

4 MR. DIAZ: I think we have it.

5 CHAIRPERSON FLETCHER: You have it over
6 there?

7 MR. DIAZ: 023539.

8 CHAIRPERSON FLETCHER: Yes.

9 MR. DIAZ: Okay.

10 CHAIRPERSON FLETCHER: And type of
11 application is a Substantial Change, addition of
12 summer garden with 20 seats. And I'm also going
13 to give you the case number that we assigned to
14 this. This is your protest case number.

15 MR. DIAZ: Okay.

16 CHAIRPERSON FLETCHER: The case number is
17 16-PRO-00015.

18 MR. DIAZ: 0-0-1-5.

19 CHAIRPERSON FLETCHER: Mm hmm. Mr.
20 Pappas, once you're done with that I will make a
21 copy of it for Ms. Wirt and pass it along to
22 general counsel. She'll put that on the board's

1 agenda. You can withdraw your application if you
2 want to. It just has to go through them.

3 MR. DIAZ: Yeah, I've got it.

4 CHAIRPERSON FLETCHER: Any questions at
5 all? Okay, then we are off the record, this Roll
6 Call Hearing is concluded.

7 (Whereupon, at 10:25 a.m. the above-
8 entitled matter was concluded.)