

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

1

DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

-----x
IN THE MATTER OF: :
 :
750Biere, LLC :
t/a Duchess and the Queen :
2102 18th Street, NW : Roll Call
Retailer CR : Hearing
License No. ABRA-089545 :
ANC 1C :
Case No. 12-PRO-00064 :
Transfer of License :
-----x

July 23, 2012

The Alcoholic Beverage Control

Board met in the Alcoholic Beverage Control Hearing
Room, Reeves Building, 2000 14th Street, N.W.,
Washington, D.C., Ruthanne Miller, Chairperson,
presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
HERMAN JONES, Member
CALVIN NOPHLIN, Member
MIKE SILVERSTEIN, Member
ALSO PRESENT
LAVERNE FLETCHER, ABRA

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

2

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

2 10:02 a.m.

3 MS. FLETCHER: Could the parties in the
4 matter of Duchess and the Queen please come forward?
5 This is Case No. 12-PRO-00064, 750Biere, LLC, trading
6 as Duchess and the Queen, 2102 18th Street, N.W.,
7 License No. ABRA- 089545, Retailer CR. This is to
8 transfer of the license. The protest issues are adverse
9 impact on peace, order, and quiet; residential parking;
10 and vehicular and pedestrian safety; rental property
11 values; and overconcentration.

12 My name is LaVerne Fletcher and I'll be
13 conducting the roll call hearing -- this Board's agent,
14 pursuant to DC Official Code 1601.2.

15 Introductions beginning with the applicant,
16 please?

17 MR. AGUILAR: Good morning. George Aguilar.

18 MS. FLETCHER: And would you please spell
19 your name for the court reporter?

20 MR. AGUILAR: Sure. A-G-U-I-L-A-R.

21 MS. FLETCHER: A-G --

22 MR. AGUILAR: U-I --

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

3

1 MS. FLETCHER: -- U-I --

2 MR. AGUILAR: -- L-A-R.

3 MS. FLETCHER: Okay. Thank you. Thank you
4 very much, Mr. Aguilar.

5 MR. PASCAL: Good morning. Paul L. Pascal of
6 Pascal and Weiss, attorney for the applicant, please.

7 MS. FLETCHER: Thank you, Mr. Pascal. And
8 Mr. Pascal, you gave your card to the court reporter?

9 MR. PASCAL: I did.

10 MS. FLETCHER: Okay. Thank you. And for the
11 Kalorama Citizens Association?

12 MR. JAMES: Yes. Denis James, representative
13 of Kalorama Citizens Association. Denis, D-E-N-I-S, J-
14 A-M-

15 E-S.

16 MS. FLETCHER: Thank you, Mr. James. And for
17 ANC 1C?

18 MR. KAMANDA: Olivier Kamanda, O-L-I-V-I-E-R,
19 K-

20 A-M-A-N-D-A.

21 MS. FLETCHER: And for the group of
22 individuals?

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

4

1 MR. ELKO: John Elko, E-L-K-O. John, J-O-H-
2 N.

3 MS. FLETCHER: Kalorama Citizens Association
4 has standing as a protestant. ANC 1C has standing as a
5 protestant. And Mr. Elko related to the group of
6 individuals that represent, I have just a couple of
7 questions first.

8 MR. ELKO: Uh-huh.

9 MS. FLETCHER: Each of these individuals
10 reside at the Winchester?

11 MR. ELKO: That's correct.

12 MS. FLETCHER: At 1807 California Street,
13 N.W.?

14 MR. ELKO: Right.

15 MS. FLETCHER: And you're representing each
16 of them?

17 MR. ELKO: Yes, I am.

18 MS. FLETCHER: We've received letters
19 designating you to represent each of those individuals.
20 Do you know if it was the intention of those
21 individuals to file as a group?

22 MR. ELKO: There were --

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

5

1 MS. FLETCHER: Of individuals --

2 MR. ELKO: -- there of us who did.

3 MS. FLETCHER: Uh-huh.

4 MR. ELKO: And the others filed individually.

5 MS. FLETCHER: Uh-huh.

6 MR. ELKO: And --

7 MS. FLETCHER: Uh-huh.

8 MR. ELKO: And they asked me to represent.

9 MS. FLETCHER: One thing I didn't check --
10 Mr. James, do you know if this is a moratorium zone?

11 MR. JAMES: Yes, it is. It's a -- the
12 moratorium zone extends 1400 feet in all directions
13 from 18th and Belmont. And it includes all of 18th
14 street from Florida Avenue to 18th and Columbia Road,
15 which I think is this area.

16 MS. FLETCHER: Okay. So Mr. Elko, the -- you
17 and two other individuals filed together?

18 MR. ELKO: Uh-huh.

19 MS. FLETCHER: Okay. So that constitutes a
20 group of three.

21 MR. ELKO: Uh-huh.

22 MS. FLETCHER: Which of --

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

6

1 MR. PASCAL: Ms. Fletcher, I'm looking
2 through the protest. I do not see that three or five
3 or six or seven identified themselves as a group.

4 MS. FLETCHER: Yes.

5 MR. PASCAL: I think the record also needs to
6 reflect that their property is not abutting by their
7 own language of their protest. They note that they're
8 across the alley.

9 MS. FLETCHER: Yes.

10 MR. PASCAL: So I don't see anything in the
11 record that three filed as a -- as a group of five.
12 That is not to say -- just so the people will know,
13 that my client's willing to work with everybody. But I
14 have to make the position that I object to their
15 standing as protestants.

16 MS. FLETCHER: Okay. Thank you, Mr. Pascal.
17 Mr. Elko, who are the individuals that filed as a group
18 based on what you just said a moment ago, that at least
19 three of you filed as a group?

20 MR. ELKO: I was one and Judy Mills and
21 Jennifer Saulino.

22 MS. FLETCHER: Now, I don't have -- Julie

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

7

1 Mills [sic] is not a protestant. Julie Mills [sic]
2 designated you as a representative. But she did not
3 call a protest, just so that you know.

4 MR. ELKO: But it was in -- she signed the
5 letter.

6 MS. FLETCHER: Yeah. I didn't -- what I have
7 related to Julie Mills [sic] is a statement designating
8 you as her representative, along with one other person
9 who did file a protest. But it was no protest filed by
10 Julie Mills [sic].

11 MR. ELKO: As an individual?

12 MS. FLETCHER: Not as an individual. The
13 only thing I have from her is a letter designating you
14 as her representative. I'm just telling you what I
15 have.

16 MR. ELKO: Okay. Ms. Fletcher, could -- I've
17 authorized that as changed to speak on our behalf --

18 MS. FLETCHER: Let me see.

19 MR. ELKO: -- in regard to legal issues.

20 MS. FLETCHER: Do you have a letter there --

21 MR. ELKO: Yes, I do.

22 MS. FLETCHER: -- with you, Mr. James? Well,

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

8

1 let me -- let me ask you this. And I'll take that too.
2 But let me tell you what I have signed by Julie Mills
3 [sic]. It says, "We the undersigned authorize John L.
4 Elko to speak on our behalf at any and all ABRA
5 hearings or any other related meeting regarding the
6 application of 750Biere, LLC, trading as The Duchess
7 and the Queen, for the issues of ABRA License No.
8 089545, a CR license from ABC safekeeping."

9 But she didn't file a protest. She did
10 designate you as her representative. But she didn't
11 file a protest. Like, do you have something there?

12 MR. ELKO: She signed this letter, where we,
13 in fact, did --

14 MS. FLETCHER: See the -- yeah, I don't see a
15 protest. If you have something, then I'll take a look
16 at it but I don't see that she filed a protest prior to
17 the petition deadline. She didn't file a protest.
18 This is from -- this is a letter signed by you.

19 MR. ELKO: And Jennifer and Judy.

20 MS. FLETCHER: Now, what I have here is --
21 okay. I understand what you're saying here. Just a
22 second.

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

9

1 MR. ELKO: Because that was sent together in
2 an email.

3 MS. FLETCHER: Yeah. In our file it doesn't
4 -- it doesn't appear to be that way. But -- and I
5 thank you.

6 MR. ELKO: Okay.

7 MS. FLETCHER: I understand that these two go
8 together.

9 MR. ELKO: Right.

10 MS. FLETCHER: In files they're separate. So
11 it appears that this is it.

12 MR. ELKO: Oh, I'm sorry. It should've --

13 MS. FLETCHER: But that's okay. I
14 understand. I understand. Thank you for showing me
15 this. So Judy Mills is a protestant?

16 MR. ELKO: Uh-huh.

17 MS. FLETCHER: In our files, this is all like
18 one.

19 MR. ELKO: Oh, I see. Okay.

20 MS. FLETCHER: And so Judy Mills is a
21 protestant?

22 MR. ELKO: Yes, she is.

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

10

1 MS. FLETCHER: Okay.

2 MR. PASCAL: I obviously would object to that
3 because the letter that that's attached to is just on
4 the basis of Mr. Elko himself filing his own protest.
5 Neither of these two other people identified themselves
6 as protestants.

7 MR. JAMES: Ms. Fletcher, I think we need to
8 roll back just a moment --

9 MS. FLETCHER: Yes.

10 MR. JAMES: -- to the question of group. 25-
11 601 says that a group of new fewer than five residents
12 or property owners sharing common grounds in a protest.
13 So there's nothing to say when a group is formed.

14 MS. FLETCHER: Uh-huh.

15 MR. JAMES: A group may be of numerous,
16 different folks who don't even know each other and they
17 only find out that they protested when they show up
18 today. Now, it happens that in this case, the folks
19 concerned live in an apartment building direct -- a
20 condominium building directly behind.

21 MS. FLETCHER: Uh-huh.

22 MR. JAMES: So they were aware of it.

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

11

1 MS. FLETCHER: Uh-huh.

2 MR. JAMES: But there's nothing in the code
3 that says they must have a preformed group, you know.
4 So I just think that, you know, the argument that there
5 -- any -- everyone who wrote a protest letter that was
6 timely received --

7 MS. FLETCHER: Uh-huh.

8 MR. JAMES: -- is a protestant here. There
9 can be no question.

10 MS. FLETCHER: Yes.

11 MR. JAMES: Sharing the common grounds. And
12 my understanding is that they all -- all these
13 individuals listed all four grounds that are possible
14 for protest, you know, peace, order and quiet; parking
15 and vehicular and pedestrian safety --

16 MS. FLETCHER: Uh-huh.

17 MR. JAMES: -- the property value issue; and
18 overconcentration. Now, they are all very new to this
19 process.

20 MS. FLETCHER: Uh-huh.

21 MR. JAMES: And they went to great lengths to
22 make sure that they understood it to the best of their

1 ability, short of being -- hiring an ABC attorney. So
2 I would just say that there's nothing in the code to
3 base an argument that any of them should be disallowed.
4 They -- a group can form at any time, I would say --
5 probably before -- I think it would have to just form
6 by the time a protest hearing rolled around.

7 MS. FLETCHER: Uh-huh. Well --

8 MR. PASCAL: Obviously, I view this
9 differently. I think people have to file a protest.
10 They have to identify themselves as a group, which they
11 didn't. Furthermore, all of them identify themselves as
12 residents in the condo building.

13 MS. FLETCHER: Uh-huh.

14 MR. PASCAL: And the law is clear that condo
15 buildings have no standing to be a group -- a
16 protestant in and of itself because it doesn't fit the
17 pattern of being a -- being a citizens association.

18 MR. JAMES: But they didn't -- they didn't
19 provide their protest as a condo. And I was in the
20 hearing room the day the Board decided that question in
21 2002. And it was a question of whether or not it was
22 an economic or a social-based organization. So that is

1 precisely why all these individuals filed separately
2 and not as an active condominium board.

3 MS. FLETCHER: Uh-huh.

4 MR. KAMANDA: If I -- for the Board's
5 indulgence, 25-601 lists seven different categories of
6 which -- that can be -- that have standing to file a
7 protest. And the second one only identifies a group of
8 residents sharing common grounds. There's no abutting
9 property requirement. There's no --

10 MS. FLETCHER: Uh-huh.

11 MR. KAMANDA: -- condominium exception or
12 reference to condominium. Clearly the five property
13 owners who -- is it five or six?

14 MR. JAMES: Six.

15 MR. KAMANDA: Well, the property owners who
16 filed --

17 MR. ELKO: Seven.

18 MR. KAMANDA: -- the seven who filed protest
19 letters did so, obviously sharing common grounds.

20 MS. FLETCHER: Uh-huh.

21 MR. KAMANDA: They've designed someone to act
22 as their spokesperson. They live in proximity. And so

1 with the Board's indulgence --

2 MS. FLETCHER: Uh-huh.

3 MR. KAMANDA: -- I don't think that there's
4 anything untoward in asking that they be considered for
5 the purposes of this hearing, particularly because
6 they've made the effort to consolidate their
7 representations -- or their interests by asking Mr.
8 Elko to represent them.

9 So in the interest of sort of moving things
10 along, I think they've identified all the requirements,
11 the blue code as put before them. And I think it's --
12 it would not be in the interest of, I think, the Board
13 or the community or any of the parties here today to
14 disallow them -- or to dismiss them on what would be a
15 technicality if that.

16 MR. PASCAL: But Ms. Fletcher, Your Honor,
17 first of all their rights wouldn't be harmed because
18 they have very capable representation by the ANC, the
19 gentleman sitting here, and Mr. James, both of whom
20 have ABRA experience down here. And they have not
21 enunciated nor articulated their position. And in
22 particular, Ms. Mills and Saulino really didn't

1 identify themselves as being protestants.

2 It's just attached in a letter. And Mr. Elko
3 defined himself as a protestant. So I would
4 respectfully request that they not receive -- it's not
5 to say that my client's, you know, experienced. And
6 he's already spent a lot of time working with them,
7 come up with a voluntary agreement, and hopefully move
8 this thing along here. I think all the issues that any
9 protestant -- anyone seeking to be a protestant in that
10 neighborhood can be protected by the ANC, perhaps Mr.
11 James.

12 MR. JAMES: Ms. Fletcher, this is a political
13 argument that Mr. Pascal is making. It's not based
14 upon the law. The law is very clear. Mr. Kamanda just
15 laid it out as clearly as you can be laid out. And I
16 hope that you can make this decision. But if you
17 don't, then it clearly has to go to the Board for a
18 roll call hearing.

19 MS. FLETCHER: What I'm going to do, I'm
20 going to grant standing to a group of six -- it is
21 group -- a group of six as protestants. And that'll be
22 James Bullen, B-U-L-L-E-N, Angela Botto -- her last

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

16

1 name is spelled B-O-T-T-O -- Jennifer Saulino -- her
2 last name is spelled S-A-U-L-I-N-O -- Annabel Hertz --
3 Annabel is spelled A-N-N-A-B-E-L; her last name is H-E-
4 R-T-Z -- Cliff Mauton -- first name, C-L-I-F-F; last
5 name, M-A-U- T-O-N -- and John Elko, E-L-K-O.

6 I'm going to grant standing to this group of
7 six based on the fact that they each live at the
8 Winchester at 1807 Northwest [sic] and they each
9 designated John Elko as their representative. I'm
10 going to not grant standing to Judy Mills based on Mr.
11 Pascal's argument that the page signed by Judy Mills is
12 a separate page. It is a -- I understand what you're
13 saying, Mr. Elko, that it is a part of the letter that
14 you submitted.

15 However, there's nothing -- I'm looking at
16 your letter, on the first page. There's nothing in
17 your letter that says -- that refers to it. So it
18 appears to be separate. There's nothing in your letter
19 signed by you that would suggest that Ms. Mills is a
20 protestant. And every other person in this case filed a
21 protest letter of his or her own separate with their
22 own signature.

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

17

1 MR. ELKO: So just for a point of
2 clarification, if these two signatures that appeared on
3 the letter -- would that have been sufficient?

4 MS. FLETCHER: Either if Judy -- if Judy
5 Mills had filed a protest letter the same as each of
6 the other individuals that you represent -- each one of
7 them filed a protest letter individually, designating
8 you as their representative -- each one. Each person
9 filed a protest letter that they signed, designating
10 you as a representative but Judy Mills did not do that.
11 She did not file a protest letter. She did sign that
12 statement designating you as her representative.

13 You can still represent her interest though
14 but she -- I'm not convinced that she filed a protest
15 letter of her own.

16 MR. JAMES: Ms. Fletcher, actually, I mean,
17 this is just based upon no room at the bottom of the
18 page when you -- when you write a letter. So it
19 continued onto the next --

20 MS. FLETCHER: What happened -- okay.

21 MR. PASCAL: -- issue. But she could have
22 put, "We." She could have put, "We." Ms. Saulino

1 actually filed a letter.

2 MS. FLETCHER: Yeah.

3 MR. JAMES: Well, this -- I could explain
4 that with ease. The case is simply this; as the
5 protestants were all individually deciding whether or
6 not to protest and reading the law and understanding
7 that they were within a moratorium zone, three of them
8 got it together and said, "We know we're protesting.
9 So let's file this letter."

10 Well, later they got advice from me that to
11 absolutely protect their rights as individuals, they
12 should all file individual protest letters. So there
13 was an initial filing of three by these three folks and
14 then, subsequently, all the other filed their own
15 separate letters.

16 MS. FLETCHER: Except Ms. Mills.

17 MR. JAMES: But she was already covered under
18 this. This letter's perfectly valid unto itself. I
19 mean, I guess --

20 MR. PASCAL: Well, the letter --

21 MS. FLETCHER: I don't --

22 MR. PASCAL: -- attached to it says, "I am

1 writing to protest the application." It doesn't say,
2 "We." And Ms. Saulera [sic], listen, it's academic.
3 You have six people standing. You have the ANC and
4 perhaps you have your own group. So whether Ms. Mills
5 --

6 MS. FLETCHER: Yeah.

7 MR. PASCAL: -- is in there or not, I think
8 it's academic at this point.

9 MS. FLETCHER: Yeah. I -- exactly. I treat
10 this statement signed by Ms. Mills that begins, "We the
11 undersigned" -- I view that as a separate statement,
12 not a protest letter.

13 MR. JAMES: The Board's indulgence? This was
14 received by ABRA as a PDF.

15 MS. FLETCHER: I know.

16 MR. JAMES: So it's just three signatures on
17 the page. It happens that two of them are on the back
18 side. There's no reason for Mr. Elko to appoint himself
19 as his representative. That's the difference between
20 his signature and the other two signatures.

21 MS. FLETCHER: I think if that --

22 MR. PASCAL: Then why didn't Ms. Saulera

1 [sic] file a letter?

2 MS. FLETCHER: If that goes to her case --

3 MR. JAMES: But the way that she heard that
4 it was -- to absolutely -- but just for causes -- just
5 for reasons like this. That's why she filed her
6 protest.

7 MS. FLETCHER: What I --

8 MR. JAMES: Because we know that the
9 attorneys are going to try by whatever means necessary
10 to get rid of individual protestants -- totally
11 unfairly and, you know, abrogating their rights too.

12 MS. FLETCHER: What I would -- what I would
13 have expected if each of these individuals were signing
14 on the same protest letter as Mr. Elko, that the first
15 paragraph -- I mean, it could have said, "We." But
16 even if -- though it says, "I am writing a protest
17 letter," if those two signatures were even on the page
18 alone, I could have assumed that they were all part of
19 the same protest letter.

20 But I'm treating this document as a separate
21 document. "We the undersigned authorize John Elko" --
22 they are authorizing him to represent them. Ms.

1 Saulino had already filed a protest of her own. So
2 I'll accept her as a protestant but Judy Mills does not
3 have a protest letter. When she states, "I, Judy
4 Mills, protest the application" -- so I'm not going to
5 recognize Judy Mills as a protestant.

6 But of course, she has a right to seek -- to
7 seek standing as a protestant. She has a right to do
8 that, if she chooses to do that. But the group of six
9 will stand and -- but not Judy Mills.

10 MR. ELKO: Hey, Ms. Fletcher, I don't know if
11 this is relevant but Judy Mills did receive an
12 acknowledgement receipt letter --

13 MS. FLETCHER: Yes.

14 MR. ELKO: -- from the ABRA --

15 MS. FLETCHER: I understand.

16 MR. ELKO: -- recognizing this letter.

17 MS. FLETCHER: I understand. And she
18 received a letter because she signed -- in our process,
19 if you sign -- if you sign anything, you're going to
20 receive a letter. It is my responsibility, once you
21 get here, to determine who is a protestant and who is
22 not. And so I'm aware that she received a letter. I'm

1 aware that she did.

2 And so I checked the files to see if she
3 actually filed a protest and she didn't. Although, she
4 did designate you as her representative, she did not
5 file a protest herself. And I see her letter here
6 informing her about the roll call hearing. It's
7 addressed to her because she did sign that statement of
8 designation.

9 So she did get a letter informing her of the
10 roll call hearing. The person that sends out the
11 notices doesn't make any determination. They just send
12 out letters. So there is no determination made by the
13 Board for today. So the person that mails out letters,
14 she just mails out letters to everybody. It is at roll
15 call that the Board decides who gets standing and who
16 doesn't.

17 So Ms. Mills can petition the Board for
18 standing. Ms. Mills, in my opinion, is not dismissed
19 as a protestant because she didn't file a protest. So
20 I'm not dismissing her. She's not a protestant at all.
21 But what she can do is send a letter to the Board to
22 say exactly that, that during roll call she was not

1 recognized as a protestant at all. So there is not
2 dismissal. She's not a protestant.

3 And if she wants to challenge that decision,
4 then she can write a letter to the ABC Board. And they
5 can make a different decision.

6 MR. KAMANDA: Ms. Fletcher, in interest of
7 clarity, I just want to be clear that it's your belief
8 that if Ms. Mills files an application for
9 reinstatement, her -- an application for her inclusion
10 into this group of six hearing -- I can take a step
11 back.

12 MS. FLETCHER: Yeah.

13 MR. KAMANDA: I guess my question is, do we
14 prejudice any of her rights for inclusion in the group
15 of six by accepting John Elko as representative for the
16 group of six protestants?

17 MS. FLETCHER: No.

18 MR. KAMANDA: Okay.

19 MR. PASCAL: Ms. Fletcher, may I raise
20 another issue?

21 MS. FLETCHER: Yeah.

22 MR. PASCAL: You indicated you recognized the

1 Kalorama Association. And I would request that Mr.
2 James file with the Board for my review copies of their
3 articles of incorporation or bylaws, notice of the
4 meeting, and the minutes of the meeting indicating that
5 they properly complied with 25-601(3).

6 MS. FLETCHER: Okay. Thank you, Mr. Pascal.

7 MR. JAMES: I don't think this is the proper
8 forum in which to request that information.

9 MR. PASCAL: Well, you have to prove that you
10 have standing, Mr. James.

11 MR. JAMES: But not before this hearing.

12 MR. PASCAL: Yes. She's determining today
13 whether you have standing or not. And my view is you'd
14 only have standing if you comply with 25-601(3). And
15 therefore, I'm asking, as part of the requirement to
16 show that you do have standing here today, that I have
17 copies of your association articles and bylaws so that
18 I can see they were complied with and that you gave
19 proper notice of a meeting, at least ten days before
20 the meeting.

21 MR. JAMES: And without having done that, you
22 don't have standing here. So I think it's -- that

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

25

1 would be a decision of the Board, not this hearing but
2 agent -- she's not capable and she's not authorized to
3 make such decisions.

4 MR. PASCAL: Well, I don't know much --

5 MR. JAMES: There's nothing in the code --

6 MR. PASCAL: I know I -- because she has
7 authority to determine who has standing.

8 MR. JAMES: Nothing in the code says that the
9 citizens associations articles of incorporation or a
10 constitution are to be handed over to -- even have,
11 very much less a protest. They exist.

12 MR. PASCAL: Well, I'm raising the issue
13 whether you have standing here today and whether you
14 have complied with everything. So if you file the
15 protest, you've opened yourself open to that.

16 MR. JAMES: Well, then I would like to see
17 the documents by the LLC, 750Biere, why -- by which
18 they decided that they would take and file an
19 application. I'd like to see those documents as well.

20 MR. PASCAL: I will go down -- you go down to
21 the corporation office to see all of those.

22 MR. JAMES: Well, then you can go down to the

1 DCRA's corporation's office and view Kalorama's notices

2 --

3 MR. PASCAL: Oh, that's -- tell me about your
4 notice of the meeting, sir, with all due respect.

5 MS. FLETCHER: The ABC Board has previously
6 recognized the Kalorama Citizens Association as an
7 association with standing. And so I'll stick by that.
8 But Mr. Pascal, if you want to -- if you want to
9 challenge that, you can write a letter to the ABC Board
10 informing them that you challenge the standing of the
11 Kalorama Citizens Association.

12 And they'll rule on that as a separate matter
13 on their agenda.

14 MR. PASCAL: Well, I have -- I -- based on
15 your representation that they've been recognized
16 before, that's fine. I'll abide.

17 MS. FLETCHER: Oh, yes.

18 MR. PASCAL: I'll do that.

19 MS. FLETCHER: Okay.

20 MR. PASCAL: So all I'm requesting now is a
21 copy of the notice that they gave ten days before their
22 meeting and the -- and the minutes of their meeting.

1 MS. FLETCHER: Okay. So I'll leave that to
2 Mr. James to respond to for the purpose of the roll
3 call hearing. Because of previous decision, the
4 Kalorama Citizens Association is accepted as a -- as a
5 protestant. And Mr. James, with respect to the minutes,
6 that's not something that the Board can order. But if
7 it's being challenged and there are no minutes, then
8 that would be a separate Board matter.

9 But for the purpose of roll call, Kalorama
10 Citizens Association has standing with the District.

11 MR. JAMES: Thank you. Well, we'll supply
12 anything that the Board requires at this point, as --
13 that they have the legal basis upon which to demand.

14 MS. FLETCHER: And so we have three
15 protestants, the Kalorama Citizens Association, the ANC
16 1C, and a group of six, which does not include Judy
17 Mills because she, in my opinion, is not a protestant.
18 And you know, Mr. Elko, she has the right to challenge
19 that. And then the Board will make that decision if
20 she wants to do that. But just to be clear for the
21 record, I'm not dismissing Judy Mills. She's not a
22 protestant.

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

28

1 So we will -- she won't receive a dismissal
2 order from the ABC Board dismissing her as a
3 protestant.

4 And so we move to set a date for a mediation
5 status hearing and a protest hearing. And I'll give
6 you the date for the status hearing and the protest
7 hearing. First, the status hearing is set for September
8 the 12th at 9:30 a.m. And the --

9 MR. JAMES: September 12th, 9:30 a.m.?

10 MS. FLETCHER: Yes, September 12th at 9:30.
11 And the protest hearing is set for November 7th at
12 1:30.

13 MR. PASCAL: Ma'am, I'm going to be out of
14 the country at that time.

15 MS. FLETCHER: For the protest hearing, Mr.
16 Pascal?

17 MR. PASCAL: Yes. I'm leaving the country on
18 August -- I'm sorry -- October 26th. And I'll be back
19 November 19th.

20 MS. FLETCHER: Okay.

21 MR. PASCAL: So if you wanted to do it the
22 21st?

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

29

1 MS. FLETCHER: Okay. Well, you know what
2 I'll do then? I won't set the date for the protest
3 hearing. I'll get back to the -- to the staff and
4 they'll give you a date --

5 MR. PASCAL: Okay.

6 MS. FLETCHER: -- for the protest hearing.

7 MR. PASCAL: Yeah. We were working with the
8 parties here to try to trade them an agreement. So
9 hopefully, that --

10 MS. FLETCHER: Okay.

11 MR. PASCAL: -- get that done by the status
12 hearing.

13 MS. FLETCHER: Well, then the protest hearing
14 is not -- disregard the date for the protest hearing.
15 That one needed to be changed because Mr. Pascal's --

16 MR. PASCAL: Okay.

17 MS. FLETCHER: -- going to be out of the
18 country. So the status hearing is September 12th. And -
19 -

20 MR. JAMES: What is the date of Thanksgiving,
21 if I might ask?

22 MS. FLETCHER: The date of Thanksgiving --

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

30

1 hold on here. I don't remember the date of
2 Thanksgiving...

3 MR. PASCAL: I can tell you. It's a little
4 early this year. How about -- I think Thanksgiving is
5 the 25th.

6 MS. FLETCHER: 25th.

7 MR. JAMES: I think I see it as --

8 MR. PASCAL: Yeah.

9 MR. JAMES: -- the 22nd.

10 MR. PASCAL: The 22nd, I'm sorry. The 22nd.

11 MS. FLETCHER: It was -- it was the 22nd?

12 MR. PASCAL: 22nd. It's early this year.

13 MS. FLETCHER: Okay. So then it can't be on
14 the 22nd. When you -- when you get your --

15 MR. JAMES: Well, the 21st would be a Board
16 day, right -- Wednesday, the 21st? Yeah. So that
17 doesn't seem like a very --

18 MS. FLETCHER: Actually they may not meet on
19 the 21st because --

20 MR. PASCAL: Okay. Great.

21 MS. FLETCHER: -- it's just before
22 Thanksgiving.

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

31

1 MR. PASCAL: Well, let them set it sometime
2 after. Yeah.

3 MS. FLETCHER: Yes. And so when you get your
4 scheduling notice, the protest date will be in there.
5 I just don't know what it is because I don't set the
6 dates.

7 MR. PASCAL: Okay. Right. Thank you.

8 MS. FLETCHER: Uh-huh. But it won't be
9 November 7th. And so we can just set a date for the --

10 MR. PASCAL: Mediation.

11 MS. FLETCHER: -- mediation prior to the
12 September 12th status hearing. I actually left my
13 calendar. Can you give me one minute? I have to get
14 it. I'll be right back. Go off the record.

15 (WHEREUPON, at 10:38 a.m., the hearing went
16 off record until 10:40 a.m.)

17 MS. FLETCHER: So we need to set a date for
18 the mediation. Let's see. The first date available is
19 -- well, no. Actually that's not right. Friday,
20 August 10, available at 9:00, 10:00, 11:00 or 1:00.

21 MR. JAMES: Ms. Fletcher, can we move to a
22 period later in the month?

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

32

1 MS. FLETCHER: The status hearing?

2 MR. JAMES: Yes, please. Wait, no, no.

3 Mediation.

4 MS. FLETCHER: Oh, the --

5 MR. JAMES: The mediation.

6 MS. FLETCHER: Oh, yeah.

7 MR. JAMES: Yes. That's what I'm referring
8 to.

9 MS. FLETCHER: Yeah.

10 MR. JAMES: Like, the week of the 27th
11 perhaps but not the 27th itself?

12 MS. FLETCHER: Yep. We can. We can do it on
13 -- yes. We can do it on the 20 -- let me see
14 something, Mr. James. That might actually -- okay.
15 No. We can do it on the Tuesday, the 28th.

16 MR. JAMES: That's fine. Yeah. What time
17 serves you, John, the first thing in the morning? How
18 about 11:00?

19 MR. KAMANDA: First thing means different
20 things to different people.

21 MR. JAMES: I ran a poultry business. I used
22 to get up at 4:00 every morning while I went to law

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

33

1 school. So --

2 MR. KAMANDA: Exactly.

3 MR. JAMES: So I still -- I still like to get
4 up early though.

5 MR. ELKO: And I was raised on a farm so we
6 were up at the same time.

7 MR. JAMES: 11:00 okay?

8 MR. ELKO: That's fine.

9 MR. JAMES: All right. 11:00 would be fine.

10 MS. FLETCHER: 11:00.

11 MR. JAMES: And if there's a better time
12 because of lunch hour and so forth that would help
13 others --

14 MS. FLETCHER: No, I'm good. I'm fine.

15 MR. JAMES: -- get by, would that help you,
16 Olivier?

17 MR. KAMANDA: Yeah. I could disappear for
18 lunch.

19 MR. JAMES: So 12:00? Would that be all
20 right? Is that better?

21 MS. FLETCHER: I can do 12:00 if anybody else
22 --

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

34

1 MR. PASCAL: It's -- well, it doesn't matter
2 to me. You bringing lunch? Bring sandwiches. Yeah,
3 12:00 works. 12:00. All right. That'll work for me.
4 Does that work for John?

5 MR. ELKO: That's fine. That's --

6 MR. PASCAL: Okay.

7 MR. ELKO: Especially if that's okay with
8 your --

9 MS. FLETCHER: That's fine for me.

10 MR. PASCAL: 12:00 on the 28th. Okay. Thank
11 you.

12 MS. FLETCHER: Yes. 12:00 on the 28th.
13 Okay.

14 MR. PASCAL: Hopefully, instead of mediation,
15 we'll all go to lunch that day and celebrate.

16 MR. KAMANDA: Indeed.

17 MS. FLETCHER: Well, if there's nothing more
18 --

19 MR. PASCAL: Thank you for your efforts.

20 MS. FLETCHER: -- the roll call hearing is
21 concluded. Thank you.

22 MR. PASCAL: Okay. Thank you.

Capital Reporting Company
In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012

35

1 (WHEREUPON, at 10:43 a.m., the hearing was
2 concluded.)

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

CERTIFICATE OF NOTARY PUBLIC

I, ERICK MCNAIR, the officer before whom the foregoing hearing was taken, do hereby certify that the testimony appearing in the foregoing transcript was recorded by me and thereafter reduced to typewriting under my direction; that said transcription is a true record of the testimony given by said parties; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

ERICK MCNAIR
Notary Public in and for the
DISTRICT OF COLUMBIA

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

CERTIFICATE OF TRANSCRIPTION

I, MIRANDA PENNACHI, hereby certify that I am not the Court Reporter who reported the following proceeding and that I have typed the transcript of this proceeding using the Court Reporter's notes and recordings. The foregoing/attached transcript is a true, correct and complete transcription of said proceeding.

Date
MIRANDA PENNACHI
Transcriptionist

Capital Reporting Company
 In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012
 Page 1

<p style="text-align: center;"><u>0</u></p> <p>089545 2:7 8:8</p> <hr/> <p style="text-align: center;"><u>1</u></p> <p>1:00 31:20 1:30 28:12 10 31:20 10:00 31:20 10:02 2:2 10:38 31:15 10:40 31:16 10:43 35:1 11:00 31:20 32:18 33:7,9,10 12:00 33:19,21 34:3,10,12 12-PRO-00064 1:8 2:5 12th 28:8,9,10 29:18 31:12 1400 5:12 14th 1:13 1601.2 2:14 1807 4:12 16:8 18th 1:6 2:6 5:13,14 19th 28:19 1C 1:8 3:17 4:4 27:16</p> <hr/> <p style="text-align: center;"><u>2</u></p> <p>20 32:13 2000 1:13 2002 12:21 2012 1:10 2102 1:6 2:6</p>	<p>21st 28:22 30:15,16,19 22nd 30:9,10,11,12,14 23 1:10 25 10:10 25-601 13:5 25-601(3 24:5,14 25th 30:5,6 26th 28:18 27th 32:10,11 28th 32:15 34:10,12</p> <hr/> <p style="text-align: center;"><u>4</u></p> <p>4:00 32:22</p> <hr/> <p style="text-align: center;"><u>6</u></p> <p>601 10:11</p> <hr/> <p style="text-align: center;"><u>7</u></p> <p>750Biere 1:5 2:5 8:6 25:17 7th 28:11 31:9</p> <hr/> <p style="text-align: center;"><u>9</u></p> <p>9:00 31:20 9:30 28:8,9,10</p> <hr/> <p style="text-align: center;"><u>A</u></p> <p>a.m 2:2 28:8,9 31:15,16 35:1 ABC 8:8 12:1 23:4 26:5,9 28:2 abide 26:16 ability 12:1 ABRA 1:19 2:7 8:4,7 14:20</p>	<p>19:14 21:14 ABRA-089545 1:7 abrogating 20:11 absolutely 18:11 20:4 abutting 6:6 13:8 academic 19:2,8 accept 21:2 accepted 27:4 accepting 23:15 acknowledgement 21:12 across 6:8 act 13:21 action 36:10,14 active 13:2 actually 17:16 18:1 22:3 30:18 31:12,19 32:14 addressed 22:7 adverse 2:8 advice 18:10 A-G 2:21 agenda 26:13 agent 2:13 25:2 ago 6:18 agreement 15:7 29:8 Aguilar 2:17,20,22 3:2,4 A-G-U-I-L-A-R 2:20 ALBERTI 1:16 Alcoholic 1:2,11,12</p>	<p>alley 6:8 alone 20:18 already 15:6 18:17 21:1 am 4:17 18:22 20:16 36:9,11 37:3 A-M 3:14 A-M-A-N-D-A 3:20 ANC 1:8 3:17 4:4 14:18 15:10 19:3 27:15 Angela 15:22 Annabel 16:2,3 A-N-N-A-B-E-L 16:3 anybody 33:21 anyone 15:9 anything 6:10 14:4 21:19 27:12 apartment 10:19 appear 9:4 appeared 17:2 appearing 36:5 appears 9:11 16:18 applicant 2:15 3:6 application 8:6 19:1 21:4 23:8,9 25:19 appoint 19:18 area 5:15 argument 11:4 12:3 15:13 16:11 articles 24:3,17</p>
--	---	--	---

Capital Reporting Company
 In the Matter of 750Biere, LLC t/a Duchess and the Queen 08-23-2012
 Page 2

<p>25:9 articulated 14:21 association 3:11,13 4:3 12:17 24:1,17 26:6,7,11 27:4,10,15 associations 25:9 assumed 20:18 attached 10:3 15:2 18:22 attorney 3:6 12:1 36:12 attorneys 20:9 August 28:18 31:20 authority 25:7 authorize 8:3 20:21 authorized 7:17 25:2 authorizing 20:22 available 31:18,20 Avenue 5:14 aware 10:22 21:22 22:1</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>base 12:3 based 6:18 15:13 16:7,10 17:17 26:14 basis 10:4 27:13 beginning 2:15 begins 19:10 behalf 7:17 8:4 behind 10:20</p>	<p>belief 23:7 Belmont 5:13 best 11:22 better 33:11,20 Beverage 1:2,11,12 blue 14:11 board 1:2,12 12:20 13:2 14:12 15:17 22:13,15,17,21 23:4 24:2 25:1 26:5,9 27:6,8,12,19 28:2 30:15 Board's 2:13 13:4 14:1 19:13 Botto 15:22 B-O-T-T-O 16:1 bottom 17:17 Bring 34:2 bringing 34:2 BROOKS 1:16 building 1:13 10:19,20 12:12 buildings 12:15 Bullen 15:22 B-U-L-L-E-N 15:22 business 32:21 bylaws 24:3,17</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>calendar 31:13 California 4:12 CALVIN 1:17</p>	<p>capable 14:18 25:2 card 3:8 case 1:8 2:5 10:18 16:20 18:4 20:2 categories 13:5 causes 20:4 celebrate 34:15 CERTIFICATE 36:1 37:1 certify 36:4 37:3 Chairperson 1:13,15 challenge 23:3 26:9,10 27:18 challenged 27:7 changed 7:17 29:15 check 5:9 checked 22:2 chooses 21:8 citizens 3:11,13 4:3 12:17 25:9 26:6,11 27:4,10,15 clarification 17:2 clarity 23:7 clear 12:14 15:14 23:7 27:20 clearly 13:12 15:15,17 client's 6:13 15:5 Cliff 16:4 C-L-I-F-F 16:4 code 2:14 11:2 12:2 14:11 25:5,8</p>	<p>Columbia 1:1 5:14 36:21 common 10:12 11:11 13:8,19 community 14:13 complete 37:8 complied 24:5,18 25:14 comply 24:14 concerned 10:19 concluded 34:21 35:2 condo 12:12,14,19 condominium 10:20 13:2,11,12 conducting 2:13 considered 14:4 consolidate 14:6 constitutes 5:19 constitution 25:10 continued 17:19 Control 1:2,11,12 convinced 17:14 copies 24:2,17 copy 26:21 corporation 25:21 corporation's 26:1 correct 4:11 37:8 counsel 36:9,12 country 28:14,17 29:18 couple 4:6 course 21:6 court 2:19 3:8 37:4,6</p>
--	--	---	---

<p>covered 18:17 CR 1:7 2:7 8:8</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>D.C 1:13</p> <p>date 28:4,6 29:2,4,14,20,22 30:1 31:4,9,17,18 37:15</p> <p>dates 31:6</p> <p>day 12:20 30:16 34:15</p> <p>days 24:19 26:21</p> <p>DC 2:14</p> <p>DCRA's 26:1</p> <p>deadline 8:17</p> <p>decided 12:20 25:18</p> <p>decides 22:15</p> <p>deciding 18:5</p> <p>decision 15:16 23:3,5 25:1 27:3,19</p> <p>decisions 25:3</p> <p>defined 15:3</p> <p>demand 27:13</p> <p>Denis 3:12,13</p> <p>D-E-N-I-S 3:13</p> <p>designate 8:10 22:4</p> <p>designated 7:2 16:9</p> <p>designating 4:19 7:7,13 17:7,9,12</p> <p>designation 22:8</p>	<p>designed 13:21</p> <p>determination 22:11,12</p> <p>determine 21:21 25:7</p> <p>determining 24:12</p> <p>difference 19:19</p> <p>different 10:16 13:5 23:5 32:19,20</p> <p>differently 12:9</p> <p>direct 10:19</p> <p>direction 36:7</p> <p>directions 5:12</p> <p>directly 10:20</p> <p>disallow 14:14</p> <p>disallowed 12:3</p> <p>disappear 33:17</p> <p>dismiss 14:14</p> <p>dismissal 23:2 28:1</p> <p>dismissed 22:18</p> <p>dismissing 22:20 27:21 28:2</p> <p>disregard 29:14</p> <p>District 1:1 27:10 36:21</p> <p>document 20:20,21</p> <p>documents 25:17,19</p> <p>DONALD 1:16</p> <p>done 24:21 29:11</p> <p>Duchess 1:6 2:4,6 8:6</p> <p>due 26:4</p>	<p>during 22:22</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>early 30:4,12 33:4</p> <p>ease 18:4</p> <p>economic 12:22</p> <p>effort 14:6</p> <p>efforts 34:19</p> <p>Either 17:4</p> <p>Elko 4:1,5,8,11,14,17, 22 5:2,4,6,8,16,18,2 1 6:17,20 7:4,11,16,19,21 8:4,12,19 9:1,6,9,12,16,19, 22 10:4 13:17 14:8 15:2 16:5,9,13 17:1 19:18 20:14,21 21:10,14,16 23:15 27:18 33:5,8 34:5,7</p> <p>E-L-K-O 4:1 16:5</p> <p>else 33:21</p> <p>email 9:2</p> <p>employed 36:9,12</p> <p>employee 36:11</p> <p>enunciated 14:21</p> <p>ERICK 36:3,19</p> <p>E-S 3:15</p> <p>Especially 34:7</p> <p>everybody 6:13 22:14</p> <p>everyone 11:5</p> <p>everything 25:14</p> <p>exactly 19:9 22:22</p>	<p>33:2</p> <p>Except 18:16</p> <p>exception 13:11</p> <p>exist 25:11</p> <p>expected 20:13</p> <p>experience 14:20</p> <p>experienced 15:5</p> <p>explain 18:3</p> <p>extends 5:12</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>fact 8:13 16:7</p> <p>farm 33:5</p> <p>feet 5:12</p> <p>fewer 10:11</p> <p>file 4:21 7:9 8:9,11,17 9:3 12:9 13:6 17:11 18:9,12 20:1 22:5,19 24:2 25:14,18</p> <p>filed 5:4,17 6:11,17,19 7:9 8:16 13:1,16,18 16:20 17:5,7,9,14 18:1,14 20:5 21:1 22:3</p> <p>files 9:10,17 22:2 23:8</p> <p>filing 10:4 18:13</p> <p>financially 36:13</p> <p>fine 26:16 32:16 33:8,9,14 34:5,9</p> <p>first 4:7 14:17 16:4,16 20:14 28:7 31:18 32:17,19</p>
--	---	--	--

<p>fit 12:16</p> <p>five 6:2,11 10:11 13:12,13</p> <p>Fletcher 1:19 2:3,12,18,21 3:1,3,7,10,16,21 4:3,9,12,15,18 5:1,3,5,7,9,16,19 ,22 6:1,4,9,16,22 7:6,12,16,18,20, 22 8:14,20 9:3,7,10,13,17,2 0 10:1,7,9,14,21 11:1,7,10,16,20 12:7,13 13:3,10,20 14:2,16 15:12,19 17:4,16,20 18:2,16,21 19:6,9,15,21 20:2,7,12 21:10,13,15,17 23:6,12,17,19,21 24:6 26:5,17,19 27:1,14 28:10,15,20 29:1,6,10,13,17, 22 30:6,11,13,18,21 31:3,8,11,17,21 32:1,4,6,9,12 33:10,14,21 34:9,12,17,20</p> <p>Florida 5:14</p> <p>folks 10:16,18 18:13</p> <p>foregoing 36:4,5</p> <p>foregoing/ attached 37:7</p> <p>form 12:4,5</p> <p>formed 10:13</p>	<p>forth 33:12</p> <p>forum 24:8</p> <p>forward 2:4</p> <p>Friday 31:19</p> <p>Furthermore 12:11</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>gentleman 14:19</p> <p>George 2:17</p> <p>gets 22:15</p> <p>given 36:8</p> <p>grant 15:20 16:6,10</p> <p>great 11:21 30:20</p> <p>grounds 10:12 11:11,13 13:8,19</p> <p>group 3:21 4:5,21 5:20 6:3,11,17,19 10:10,11,13,15 11:3 12:4,10,15 13:7 15:20,21 16:6 19:4 21:8 23:10,14,16 27:16</p> <p>guess 18:19 23:13</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>handed 25:10</p> <p>happened 17:20</p> <p>happens 10:18 19:17</p> <p>harmed 14:17</p> <p>having 24:21</p> <p>H-E 16:3</p> <p>heard 20:3</p>	<p>hearing 1:7,12 2:13 12:6,20 14:5 15:18 22:6,10 23:10 24:11 25:1 27:3 28:5,6,7,11,15 29:3,6,12,13,14, 18 31:12,15 32:1 34:20 35:1 36:4</p> <p>hearings 8:5</p> <p>help 33:12,15</p> <p>hereby 36:4 37:3</p> <p>hereto 36:12</p> <p>HERMAN 1:17</p> <p>herself 22:5</p> <p>Hertz 16:2</p> <p>he's 15:6</p> <p>Hey 21:10</p> <p>hiring 12:1</p> <p>hold 30:1</p> <p>Honor 14:16</p> <p>hope 15:16</p> <p>hopefully 15:7 29:9 34:14</p> <p>hour 33:12</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>I'd 25:19</p> <p>identified 6:3 10:5 14:10</p> <p>identifies 13:7</p> <p>identify 12:10,11 15:1</p> <p>I'll 2:12 8:1,15 21:2 26:7,16,18 27:1 28:5,18 29:2,3 31:14</p>	<p>I'm 6:1 7:14 9:12 15:19 16:6,9,15 17:14 20:20 21:4,22 22:20 24:15 25:12 26:20 27:21 28:13,17,18 30:10 32:7 33:14</p> <p>impact 2:9</p> <p>include 27:16</p> <p>includes 5:13</p> <p>inclusion 23:9,14</p> <p>incorporation 24:3 25:9</p> <p>Indeed 34:16</p> <p>indicated 23:22</p> <p>indicating 24:4</p> <p>individual 7:11,12 18:12 20:10</p> <p>individually 5:4 17:7 18:5</p> <p>individuals 3:22 4:6,9,19,21 5:1,17 6:17 11:13 13:1 17:6 18:11 20:13</p> <p>indulgence 13:5 14:1 19:13</p> <p>information 24:8</p> <p>informing 22:6,9 26:10</p> <p>initial 18:13</p> <p>instead 34:14</p> <p>intention 4:20</p> <p>interest 14:9,12 17:13 23:6</p> <p>interested 36:13</p>
--	--	--	--

<p>interests 14:7</p> <p>Introductions 2:15</p> <p>issue 11:17 17:21 23:20 25:12</p> <p>issues 2:8 7:19 8:7 15:8</p> <p>it's 5:11 14:11 15:2,4,13 19:2,8,16 22:6 23:7 24:22 27:7 30:3,12,21 34:1</p> <p>I've 7:16</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>James 3:12,16 5:10,11 7:22 10:7,10,15,22 11:2,8,11,17,21 12:18 13:14 14:19 15:11,12,22 17:16 18:3,17 19:13,16 20:3,8 24:2,7,10,11,21 25:5,8,16,22 27:2,5,11 28:9 29:20 30:7,9,15 31:21 32:2,5,7,10,14,1 6,21 33:3,7,9,11,15,1 9</p> <p>Jennifer 6:21 8:19 16:1</p> <p>J-O-H 4:1</p> <p>John 4:1 8:3 16:5,9 20:21 23:15 32:17 34:4</p> <p>JONES 1:17</p> <p>Judy 6:20 8:19</p>	<p>9:15,20 16:10,11 17:4,10 21:2,3,5,9,11 27:16,21</p> <p>Julie 6:22 7:1,7,10 8:2</p> <p>July 1:10</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>Kalorama 3:11,13 4:3 24:1 26:6,11 27:4,9,15</p> <p>Kalorama's 26:1</p> <p>Kamanda 3:18 13:4,11,15,18,21 14:3 15:14 23:6,13,18 32:19 33:2,17 34:16</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>laid 15:15</p> <p>language 6:7</p> <p>L-A-R 3:2</p> <p>last 15:22 16:2,3,4</p> <p>later 18:10 31:22</p> <p>LaVerne 1:19 2:12</p> <p>law 12:14 15:14 18:6 32:22</p> <p>least 6:18 24:19</p> <p>leave 27:1</p> <p>leaving 28:17</p> <p>legal 7:19 27:13</p> <p>lengths 11:21</p> <p>less 25:11</p> <p>let's 18:9 31:18</p> <p>letter 7:5,13,20 8:12,18 10:3 11:5 15:2</p>	<p>16:13,16,17,18,2 1</p> <p>17:3,5,7,9,11,15, 18 18:1,9,20 19:12 20:1,14,17,19 21:3,12,16,18,20 ,22 22:5,9,21 23:4 26:9</p> <p>letters 4:18 13:19 18:12,15 22:12,13,14</p> <p>letter's 18:18</p> <p>license 1:7,9 2:7,8 8:7,8</p> <p>listed 11:13</p> <p>listen 19:2</p> <p>lists 13:5</p> <p>little 30:3</p> <p>live 10:19 13:22 16:7</p> <p>LLC 1:5 2:5 8:6 25:17</p> <p>lot 15:6</p> <p>lunch 33:12,18 34:2,15</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>Ma'am 28:13</p> <p>mails 22:13,14</p> <p>matter 1:4 2:4 26:12 27:8 34:1</p> <p>M-A-U 16:5</p> <p>Mauton 16:4</p> <p>may 10:15 23:19 30:18</p> <p>MCNAIR 36:3,19</p> <p>mean 17:16 18:19</p>	<p>20:15</p> <p>means 20:9 32:19</p> <p>mediation 28:4 31:10,11,18 32:3,5 34:14</p> <p>meet 30:18</p> <p>meeting 1:3 8:5 24:4,19,20 26:4,22</p> <p>Member 1:16,17,18</p> <p>met 1:12</p> <p>MIKE 1:18</p> <p>Miller 1:13,15</p> <p>Mills 6:20 7:1,7,10 8:2 9:15,20 14:22 16:10,11,19 17:5,10 18:16 19:4,10 21:2,4,5,9,11 22:17,18 23:8 27:17,21</p> <p>minute 31:13</p> <p>minutes 24:4 26:22 27:5,7</p> <p>MIRANDA 37:3,15</p> <p>moment 6:18 10:8</p> <p>month 31:22</p> <p>moratorium 5:10,12 18:7</p> <p>morning 2:17 3:5 32:17,22</p> <p>move 15:7 28:4 31:21</p> <p>moving 14:9</p>
--	--	--	---

<p style="text-align: center;"><u>N</u></p> <p>N.W 1:13 2:6 4:13</p> <p>necessary 20:9</p> <p>neighborhood 15:10</p> <p>neither 10:5 36:9</p> <p>NICK 1:16</p> <p>NOPHLIN 1:17</p> <p>nor 14:21 36:9,13</p> <p>Northwest 16:8</p> <p>Notary 36:1,20</p> <p>note 6:7</p> <p>notes 37:6</p> <p>nothing 10:13 11:2 12:2 16:15,16,18 25:5,8 34:17</p> <p>notice 24:3,19 26:4,21 31:4</p> <p>notices 22:11 26:1</p> <p>November 28:11,19 31:9</p> <p>numerous 10:15</p> <p>NW 1:6</p> <hr/> <p style="text-align: center;"><u>O</u></p> <p>object 6:14 10:2</p> <p>obviously 10:2 12:8 13:19</p> <p>October 28:18</p> <p>office 25:21 26:1</p> <p>officer 36:3</p> <p>Official 2:14</p> <p>Oh 9:12,19 26:3,17 32:4,6</p> <p>Olivier 3:18 33:16</p>	<p>O-L-I-V-I-E-R 3:18</p> <p>onto 17:19</p> <p>open 25:15</p> <p>opened 25:15</p> <p>opinion 22:18 27:17</p> <p>order 2:9 11:14 27:6 28:2</p> <p>organization 12:22</p> <p>others 5:4 33:13</p> <p>otherwise 36:13</p> <p>outcome 36:13</p> <p>overconcentration 2:11 11:18</p> <p>owners 10:12 13:13,15</p> <hr/> <p style="text-align: center;"><u>P</u></p> <p>page 16:11,12,16 17:18 19:17 20:17</p> <p>paragraph 20:15</p> <p>parking 2:9 11:14</p> <p>particular 14:22</p> <p>particularly 14:5</p> <p>parties 2:3 14:13 29:8 36:8,10,12</p> <p>Pascal 3:5,6,7,8,9 6:1,5,10,16 10:2 12:8,14 14:16 15:13 17:21 18:20,22 19:7,22 23:19,22 24:6,9,12 25:4,6,12,20 26:3,8,14,18,20</p>	<p>28:13,16,17,21 29:5,7,11,16 30:3,8,10,12,20 31:1,7,10 34:1,6,10,14,19, 22</p> <p>Pascal's 16:11 29:15</p> <p>pattern 12:17</p> <p>Paul 3:5</p> <p>PDF 19:14</p> <p>peace 2:9 11:14</p> <p>pedestrian 2:10 11:15</p> <p>PENNACHI 37:3,15</p> <p>people 6:12 10:5 12:9 19:3 32:20</p> <p>perfectly 18:18</p> <p>perhaps 15:10 19:4 32:11</p> <p>period 31:22</p> <p>person 7:8 16:20 17:8 22:10,13</p> <p>petition 8:17 22:17</p> <p>please 2:4,16,18 3:6 32:2</p> <p>point 17:1 19:8 27:12</p> <p>political 15:12</p> <p>position 6:14 14:21</p> <p>possible 11:13</p> <p>poultry 32:21</p> <p>precisely 13:1</p> <p>preformed 11:3</p> <p>prejudice 23:14</p>	<p>PRESENT 1:15,18</p> <p>presiding 1:14</p> <p>previous 27:3</p> <p>previously 26:5</p> <p>prior 8:16 31:11</p> <p>probably 12:5</p> <p>proceeding 37:5,6,9</p> <p>process 11:19 21:18</p> <p>proper 24:7,19</p> <p>properly 24:5</p> <p>property 2:10 6:6 10:12 11:17 13:9,12,15</p> <p>protect 18:11</p> <p>protected 15:10</p> <p>protest 2:8 6:2,7 7:3,9 8:9,11,15,16,17 10:4,12 11:5,14 12:6,9,19 13:7,18 16:21 17:5,7,9,11,14 18:6,12 19:1,12 20:6,14,16,19 21:1,3,4 22:3,5,19 25:11,15 28:5,6,11,15 29:2,6,13,14 31:4</p> <p>protestant 4:4,5 7:1 9:15,21 11:8 12:16 15:3,9 16:20 21:2,5,7,21 22:19,20 23:1,2</p>
--	---	--	--

<p>27:5,17,22 28:3 protestants 6:15 10:6 15:1,21 18:5 20:10 23:16 27:15 protested 10:17 protesting 18:8 prove 24:9 provide 12:19 proximity 13:22 Public 36:1,20 purpose 27:2,9 purposes 14:5 pursuant 2:14</p> <hr/> <p style="text-align: center;">Q</p> <p>Queen 1:6 2:4,6 8:7 question 10:10 11:9 12:20,21 23:13 questions 4:7 quiet 2:9 11:14</p> <hr/> <p style="text-align: center;">R</p> <p>raise 23:19 raised 33:5 raising 25:12 ran 32:21 reading 18:6 really 14:22 reason 19:18 reasons 20:5 receipt 21:12 receive 15:4 21:11,20 28:1</p>	<p>received 4:18 11:6 19:14 21:18,22 recognize 21:5 recognized 23:1,22 26:6,15 recognizing 21:16 record 6:5,11 27:21 31:14,16 36:8 recorded 36:6 recordings 37:7 reduced 36:6 Reeves 1:13 reference 13:12 referring 32:7 refers 16:17 reflect 6:6 regard 7:19 regarding 8:5 reinstatement 23:9 related 4:5 7:7 8:5 36:9 relative 36:11 relevant 21:11 remember 30:1 rental 2:10 reported 37:4 reporter 2:19 3:8 37:4 Reporter's 37:6 represent 4:6,19 5:8 14:8 17:6,13 20:22 representation 14:18 26:15</p>	<p>representations 14:7 representative 3:12 7:2,8,14 8:10 16:9 17:8,10,12 19:19 22:4 23:15 representing 4:15 request 15:4 24:1,8 requesting 26:20 requirement 13:9 24:15 requirements 14:10 requires 27:12 reside 4:10 residential 2:9 residents 10:11 12:12 13:8 respect 26:4 27:5 respectfully 15:4 respond 27:2 responsibility 21:20 Retailer 1:7 2:7 review 24:2 rid 20:10 rights 14:17 18:11 20:11 23:14 Road 5:14 roll 1:6 2:13 10:8 15:18 22:6,10,14,22 27:2,9 34:20 rolled 12:6 room 1:13 12:20</p>	<p>17:17 R-T-Z 16:4 rule 26:12 Ruthanne 1:13,15</p> <hr/> <p style="text-align: center;">S</p> <p>safekeeping 8:8 safety 2:10 11:15 sandwiches 34:2 Saulera 19:2,22 Saulino 6:21 14:22 16:1 17:22 21:1 S-A-U-L-I-N-O 16:2 scheduling 31:4 school 33:1 second 8:22 13:7 seek 21:6,7 seeking 15:9 seem 30:17 send 22:11,21 sends 22:10 sent 9:1 separate 9:10 16:12,18,21 18:15 19:11 20:20 26:12 27:8 separately 13:1 September 28:7,9,10 29:18 31:12 serves 32:17 seven 6:3 13:5,17,18 sharing 10:12 11:11 13:8,19</p>
---	--	--	---

<p>she's 22:20 23:2 24:12 25:2 27:21</p> <p>short 12:1</p> <p>should've 9:12</p> <p>showing 9:14</p> <p>sic 7:1,7,10 8:3 16:8 19:2 20:1</p> <p>sign 17:11 21:19 22:7</p> <p>signature 16:22 19:20</p> <p>signatures 17:2 19:16,20 20:17</p> <p>signed 7:4 8:2,12,18 16:11,19 17:9 19:10 21:18</p> <p>signing 20:13</p> <p>SILVERSTEIN 1:18</p> <p>simply 18:4</p> <p>sir 26:4</p> <p>sitting 14:19</p> <p>six 6:3 13:13,14 15:20,21 16:7 19:3 21:8 23:10,15,16 27:16</p> <p>social-based 12:22</p> <p>someone 13:21</p> <p>sometime 31:1</p> <p>sorry 9:12 28:18 30:10</p> <p>sort 14:9</p> <p>speak 7:17 8:4</p> <p>spell 2:18</p> <p>spelled 16:1,2,3</p>	<p>spent 15:6</p> <p>spokesperson 13:22</p> <p>staff 29:3</p> <p>stand 21:9</p> <p>standing 4:4 6:15 12:15 13:6 15:20 16:6,10 19:3 21:7 22:15,18 24:10,13,14,16,2 2 25:7,13 26:7,10 27:10</p> <p>statement 7:7 17:12 19:10,11 22:7</p> <p>states 21:3</p> <p>status 28:5,6,7 29:11,18 31:12 32:1</p> <p>step 23:10</p> <p>stick 26:7</p> <p>street 1:6,13 2:6 4:12 5:14</p> <p>submitted 16:14</p> <p>subsequently 18:14</p> <p>sufficient 17:3</p> <p>suggest 16:19</p> <p>supply 27:11</p> <p>sure 2:20 11:22</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>t/a 1:6</p> <p>technicality 14:15</p> <p>ten 24:19 26:21</p> <p>testimony 36:5,8</p> <p>thank 3:3,7,10,16</p>	<p>6:16 9:5,14 24:6 27:11 31:7 34:10,19,21,22</p> <p>Thanksgiving 29:20,22 30:2,4,22</p> <p>that'll 15:21 34:3</p> <p>that's 4:11 9:13 10:3 19:19 20:5 26:3,16 27:6 31:19 32:7,16 33:8 34:5,7,9</p> <p>themselves 6:3 10:5 12:10,11 15:1</p> <p>thereafter 36:6</p> <p>therefore 24:15</p> <p>there's 10:13 11:2 12:2 13:8,9 14:3 16:15,16,18 19:18 25:5 33:11 34:17</p> <p>they'll 26:12 29:4</p> <p>they're 6:7 9:10</p> <p>they've 13:21 14:6,10 26:15</p> <p>timely 11:6</p> <p>today 10:18 14:13 22:13 24:12,16 25:13</p> <p>T-O-N 16:5</p> <p>totally 20:10</p> <p>trade 29:8</p> <p>trading 2:5 8:6</p> <p>transcript 36:5 37:5,7</p> <p>transcription 36:7 37:1,8</p>	<p>Transcriptionist 37:16</p> <p>transfer 1:9 2:8</p> <p>treat 19:9</p> <p>treating 20:20</p> <p>true 36:7 37:8</p> <p>try 20:9 29:8</p> <p>Tuesday 32:15</p> <p>typed 37:5</p> <p>typewriting 36:6</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>Uh-huh 4:8 5:3,5,7,18,21 9:16 10:14,21 11:1,7,16,20 12:7,13 13:3,10,20 14:2 31:8</p> <p>U-I 2:22 3:1</p> <p>undersigned 8:3 19:11 20:21</p> <p>understand 8:21 9:7,14 16:12 21:15,17</p> <p>understanding 11:12 18:6</p> <p>understood 11:22</p> <p>unfairly 20:11</p> <p>unto 18:18</p> <p>untoward 14:4</p> <p>upon 15:14 17:17 27:13</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>valid 18:18</p> <p>value 11:17</p>
--	---	---	---

<p>values 2:11</p> <p>vehicular 2:10 11:15</p> <p>view 12:8 19:11 24:13 26:1</p> <p>voluntary 15:7</p> <hr/> <p style="text-align: center;"><u>W</u></p> <p>Wait 32:2</p> <p>Washington 1:13</p> <p>Wednesday 30:16</p> <p>week 32:10</p> <p>Weiss 3:6</p> <p>we'll 27:11 34:15</p> <p>we're 18:8</p> <p>We've 4:18</p> <p>whatever 20:9</p> <p>WHEREUPON 31:15 35:1</p> <p>whether 12:21 18:5 19:4 24:13 25:13</p> <p>whom 14:19 36:3</p> <p>willing 6:13</p> <p>Winchester 4:10 16:8</p> <p>work 6:13 34:3,4</p> <p>working 15:6 29:7</p> <p>works 34:3</p> <p>write 17:18 23:4 26:9</p> <p>writing 19:1 20:16</p> <p>wrote 11:5</p> <hr/> <p style="text-align: center;"><u>Y</u></p> <p>Yep 32:12</p>	<p>yourself 25:15</p> <p>you've 25:15</p> <hr/> <p style="text-align: center;"><u>Z</u></p> <p>zone 5:10,12 18:7</p>		
--	---	--	--