

Capital Reporting Company  
In the Matter of: 2461 Corporation t/a Madam's Organ 09-10-2012

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DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :  
 :  
2461 Corporation :  
t/a Madam's Organ :  
2461 18th Street, NW :  
Retailer CT : Roll Call  
License No. ABRA-025273 : Hearing  
Case No. 12-PRO-00073 :  
Substantial Change :  
(Sidewalk Cafe) :  
-----x

September 10, 2012

The Alcoholic Beverage Control

The Board's Agent met in the Alcoholic Beverage Control  
Hearing Room, Reeves Building, 2000 14th Street, N.W.,  
Washington, D.C.

PRESENT

LAVERNE FLETCHER, Board's Agent

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

2 10:04 a.m.

3 MS. FLETCHER: Would the parties in the  
4 matter of Madam's Organ please come forward? This is  
5 Case No. 12-PRO-00073, 2461 -- excuse me in the back.  
6 Excuse me. Excuse me in the back. I can't hear. Thank  
7 you.

8 Case No. 12-PRO-00073, 2401 [sic]  
9 Corporation, trading as Madam's Organ, 2461 18th  
10 Street, N.W., License No. ABRA-025273, Retailer CT,  
11 substantial change (sidewalk cafe). Protest issues are  
12 adverse impact on peace, order and quiet, residential  
13 parking, and vehicular and pedestrian safety.

14 My name is LaVerne Fletcher and I'll be  
15 conducting the roll call hearing as the Board's Agent  
16 pursuant to DC Official Code 1601.2.

17 Introductions beginning with the applicant,  
18 please?

19 MR. BIANCO: Good morning, Ms. Fletcher.  
20 Richard Bianco on behalf of the applicant, 2461 Corp.  
21 From the applicant we have its vice president, Bill  
22 Duggan.

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1 MS. FLETCHER: Mr. Bianco, would you please  
2 spell your name for the court?

3 MR. BIANCO: I'm sorry. I apologize. The  
4 president of the applicant, Bill Duggan. Richard, the  
5 last name is Bianco, B-I-A-N-C-O.

6 MS. FLETCHER: And your name again, sir?

7 MR. DUGGAN: Bill Duggan, D-U-G-G-A-N.

8 MS. FLETCHER: Thank you. And for the  
9 protestant?

10 MR. JAMES: Good morning. Denis James  
11 representing the Kalorama Citizens Association.

12 MS. FLETCHER: Thank you, Mr. James. And  
13 would you spell your name for the court reporter,  
14 please?

15 MR. JAMES: D-E-N-I-S, J-A-M-E-S.

16 MS. FLETCHER: And your name, ma'am?

17 MS. AUBRUN: Good morning. My name is  
18 Benedicte Aubrun and I represent the Reed-Cooke  
19 Neighborhood Association.

20 MS. FLETCHER: And would you spell your name  
21 for the court reporter, please?

22 MS. AUBRUN: B-E-N-E-D-I-C-T-E, last name is

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1 A- U, "B," like, "Bravo," R-U, "N," like, "November."

2 MS. FLETCHER: Ms. Aubrun, is the Reed-Cooke  
3 Neighborhood Association incorporated in the District  
4 of Columbia?

5 MS. AUBRUN: Yes.

6 MS. FLETCHER: And you've maintained active  
7 status as a corporation?

8 MS. AUBRUN: We do.

9 MS. FLETCHER: Thank you. There are two  
10 protestants in this matter, Reed-Cooke Neighborhood  
11 Association and the Kalorama Citizens Association.  
12 Both are granted standing as protestants. We need to  
13 set a date for a mediation, status hearing and a  
14 protest hearing. I'll give you the dates for the  
15 status and protest hearings first. Well, Mr. Bianco --

16 MR. BIANCO: Yes.

17 MS. FLETCHER: -- did you put your contact  
18 information on that sheet already?

19 MR. BIANCO: I did.

20 MS. FLETCHER: Okay. Thank you. And Ms.  
21 Aubrun, you as well -- your contact information on the  
22 sign-in sheet?

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1 MS. AUBRUN: Yes, I'm going to do it.

2 MS. FLETCHER: Okay. Just wanted to make  
3 sure. Thank you.

4 MR. BIANCO: We'd like the first mediation  
5 date possible. I don't -- I think there's a limited  
6 likelihood of this settling. We just want to move  
7 forward.

8 MS. FLETCHER: I'll give you the status  
9 hearing date and we'll make it as soon as possible  
10 prior to the status hearing. Mr. Bianco, the status  
11 hearing is set for October the 10th -- October 10 at  
12 9:30 a.m. for the status hearing.

13 MR. BIANCO: My client is unavailable on that  
14 day, as he'll be traveling out of the country. Is  
15 there another date we could choose?

16 MS. FLETCHER: No. The date of the status  
17 hearing is set for October 10 at 9:30. If you'd like  
18 to change that, you may petition the ABC Board. And  
19 your client does not have to be present for the status  
20 hearing.

21 MR. DUGGAN: Okay. I can send another  
22 officer.

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1 MR. BIANCO: Okay. We could have a corporate  
2 officer available --

3 MS. FLETCHER: Okay. Just --

4 MR. BIANCO: -- available on the --

5 MS. FLETCHER: -- provide him with a letter  
6 of designation. That would be fine.

7 MR. DUGGAN: Oh, cool. Very well.

8 MS. FLETCHER: So that's October 10 at 9:30  
9 for the status hearing. And the protest hearing is set  
10 for January the 9th --

11 MR. BIANCO: What happened to moving the  
12 date?

13 MS. FLETCHER: -- 2013.

14 MR. BIANCO: Is there -- is there an earlier  
15 protest date we could set as well?

16 MS. FLETCHER: That -- not at this time.  
17 That is the date at this time. If at some later point,  
18 Mr. Bianco, you want to petition to Board to make it  
19 earlier, you can, but those are --

20 MR. BIANCO: They're all --

21 MS. FLETCHER: -- the dates I've been given  
22 for today.

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1 MR. BIANCO: We'll do that. Thank you.

2 MS. FLETCHER: And I will give you the next  
3 available date for mediation. The first available date  
4 is Monday, September 24 at 1:00 in the afternoon.

5 MR. JAMES: I'm sorry, I couldn't hear the  
6 time of day.

7 MS. FLETCHER: 1:00.

8 MR. JAMES: Uh-huh.

9 MS. FLETCHER: That's the first available  
10 date, September 24 at 1:00. The next available date is  
11 Thursday, September 27 at 10:00.

12 MR. BIANCO: Either of those are fine for us.

13 MR. DUGGAN: The 1:00 is better though but  
14 you don't have to --

15 MR. BIANCO: Okay. The 1:00 is better on the  
16 24th for us.

17 MR. JAMES: I agree and I wouldn't mind if  
18 there was a later alternative on the 27th as well.

19 MS. FLETCHER: Okay. You, Ms. Aubrun?

20 MS. AUBRUN: I'm fine with that too.

21 MS. FLETCHER: Okay. So 1:00 on the --

22 MR. BIANCO: On the 24th.

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1 MS. FLETCHER: Twenty-four?

2 MR. BIANCO: Yes.

3 MR. JAMES: Just -- yeah, that's fine.

4 MS. FLETCHER: Mr. James, you prefer  
5 something later in the day?

6 MR. JAMES: No. On the 24th is fine. But if --

7 MS. FLETCHER: Okay.

8 MR. JAMES: -- for some reason it changed and  
9 had to take place on Thursday, the 27th, I would prefer  
10 a later time. But let's go with the first.

11 MS. FLETCHER: Uh-huh.

12 MR. JAMES: And did you actually name a time  
13 of day for the protest hearing?

14 MS. FLETCHER: The -- I don't think I did.  
15 It's January 9 at 4:00 -- January 9, 2013 at 4:00.

16 MR. JAMES: Right. At 4:00?

17 MS. FLETCHER: Yes. Okay. Any questions at  
18 all?

19 MR. BIANCO: That's all.

20 MS. FLETCHER: Okay. Thank you very much.

21 MR. BIANCO: Thank you, Ms. Fletcher.

22 MR. JAMES: Thank you.

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1 MS. FLETCHER: This roll call hearing is  
2 concluded. Thank you.

3 (WHEREUPON, at 10:11 a.m., the hearing was  
4 concluded.)

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1 CERTIFICATE OF NOTARY PUBLIC

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3 I, BRADLEY ANGLIN, the officer before whom the  
4 foregoing hearing was taken, do hereby certify that the  
5 testimony appearing in the foregoing transcript was  
6 recorded by me and thereafter reduced to typewriting  
7 under my direction; that said transcription is a true  
8 record of the testimony given by said parties; that I  
9 am neither counsel for, related to, nor employed by any  
10 of the parties to the action in which this was taken;  
11 and, further, that I am not a relative or employee of  
12 any counsel or attorney employed by the parties hereto,  
13 nor financially or otherwise interested in the outcome  
14 of this action.

15

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BRADLEY ANGLIN

20

Notary Public in and for the

21

District of Columbia

22

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1 CERTIFICATE OF TRANSCRIPTION

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

10

11

12

13 \_\_\_\_\_  
Date

\_\_\_\_\_

14

MIRANDA PENNACHI  
Transcriptionist

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<hr/> <p style="text-align: center;">1</p> <hr/> <p><b>1:00</b> 7:4,7,10,13,15,2 1 <b>10</b> 1:12 5:11,17 6:8 <b>10:00</b> 7:11 <b>10:04</b> 2:2 <b>10:11</b> 9:3 <b>10th</b> 5:11 <b>12-PRO-00073</b> 1:9 2:5,8 <b>14th</b> 1:15 <b>1601.2</b> 2:16 <b>18th</b> 1:7 2:9</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p><b>2000</b> 1:15 <b>2012</b> 1:12 <b>2013</b> 6:13 8:15 <b>24</b> 7:4,10 <b>2401</b> 2:8 <b>2461</b> 1:6,7 2:5,9,20 <b>24th</b> 7:16,22 8:6 <b>27</b> 7:11 <b>27th</b> 7:18 8:9</p> <hr/> <p style="text-align: center;">4</p> <hr/> <p><b>4:00</b> 8:15,16</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p><b>9</b> 8:15 <b>9:30</b> 5:12,17 6:8 <b>9th</b> 6:10</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p><b>a.m</b> 2:2 5:12 9:3</p>	<p><b>ABC</b> 5:18 <b>ABRA-025273</b> 1:8 2:10 <b>action</b> 10:10,14 <b>active</b> 4:6 <b>actually</b> 8:12 <b>adverse</b> 2:12 <b>afternoon</b> 7:4 <b>Agent</b> 1:15,17 2:15 <b>Alcoholic</b> 1:2,13,15 <b>already</b> 4:18 <b>alternative</b> 7:18 <b>am</b> 10:9,11 11:3 <b>ANGLIN</b> 10:3,19 <b>apologize</b> 3:3 <b>appearing</b> 10:5 <b>applicant</b> 2:17,20,21 3:4 <b>Association</b> 3:11,19 4:3,11 <b>attorney</b> 10:12 <b>Aubrun</b> 3:17,18,22 4:2,5,8,21 5:1 7:19,20 <b>available</b> 6:2,4 7:3,9,10</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p><b>beginning</b> 2:17 <b>behalf</b> 2:20 <b>Benedicte</b> 3:18 <b>B-E-N-E-D-I-C-T-E</b> 3:22 <b>better</b> 7:13,15</p>	<p><b>Beverage</b> 1:2,13,15 <b>Bianco</b> 2:19,20 3:1,3,5 4:15,16,19 5:4,10,13 6:1,4,11,14,18,2 0 7:1,12,15,22 8:2,19,21 <b>B-I-A-N-C-O</b> 3:5 <b>Bill</b> 2:21 3:4,7 <b>Board</b> 1:2 5:18 6:18 <b>Board's</b> 1:15,17 2:15 <b>BRADLEY</b> 10:3,19 <b>Bravo</b> 4:1 <b>Building</b> 1:15</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p><b>cafe</b> 1:10 2:11 <b>Case</b> 1:9 2:5,8 <b>CERTIFICATE</b> 10:1 11:1 <b>certify</b> 10:4 11:3 <b>change</b> 1:9 2:11 5:18 <b>changed</b> 8:8 <b>choose</b> 5:15 <b>Citizens</b> 3:11 4:11 <b>client</b> 5:13,19 <b>Code</b> 2:16 <b>Columbia</b> 1:1 4:4 10:21 <b>complete</b> 11:8 <b>concluded</b> 9:2,4</p>	<p><b>conducting</b> 2:15 <b>contact</b> 4:17,21 <b>Control</b> 1:2,13,15 <b>cool</b> 6:7 <b>Corp</b> 2:20 <b>corporate</b> 6:1 <b>corporation</b> 1:6 2:9 4:7 <b>correct</b> 11:8 <b>counsel</b> 10:9,12 <b>country</b> 5:14 <b>court</b> 3:2,13,21 11:4,6 <b>CT</b> 1:8 2:10</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p><b>D.C</b> 1:16 <b>date</b> 4:13 5:5,9,15,16 6:12,15,17 7:3,10 11:13 <b>dates</b> 4:14 6:21 <b>day</b> 5:14 7:6 8:5,13 <b>DC</b> 2:16 <b>Denis</b> 3:10 <b>D-E-N-I-S</b> 3:15 <b>designation</b> 6:6 <b>direction</b> 10:7 <b>District</b> 1:1 4:3 10:21 <b>Duggan</b> 2:22 3:4,7 5:21 6:7 7:13 <b>D-U-G-G-A-N</b> 3:7</p> <hr/> <p style="text-align: center;">E</p> <hr/>
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