

Capital Reporting Company
In the Matter of: A.B.R.A. Agenda 10-10-2012

DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :
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A.B.R.A. AGENDA :
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October 10, 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

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2	<p>1 PROCEEDINGS</p> <p>2 10:50 p.m.</p> <p>3 CHAIRPERSON MILLER: Okay. We've got a</p> <p>4 quorum. All right. We're back on the -- we're back on</p> <p>5 the record just to do a -- just a couple of items on</p> <p>6 the agenda given that it's ten of 11:00 and the court</p> <p>7 reporter will have to leave.</p> <p>8 The first item on the agenda is a review of a</p> <p>9 consent motion to continue the show cause hearing dated</p> <p>10 October 9, 2012. It's from the Office of the Attorney</p> <p>11 General. The show cause hearing is scheduled for</p> <p>12 October 17th, 2012. The establishment is George,</p> <p>13 located at 3251 Prospect Street, N.W., License No.</p> <p>14 78058. I would move that we approve this consent</p> <p>15 motion.</p> <p>16 Do I have a second?</p> <p>17 MR. NOPHLIN: Second.</p> <p>18 CHAIRPERSON MILLER: Any comments?</p> <p>19 (No audible response.)</p> <p>20 CHAIRPERSON MILLER: All those in favor, say</p> <p>21 aye?</p> <p>22 (Chorus of ayes.)</p>	4
3	<p>1 CHAIRPERSON MILLER: All those opposed?</p> <p>2 (No audible response.)</p> <p>3 CHAIRPERSON MILLER: All those abstaining?</p> <p>4 (No audible response.)</p> <p>5 CHAIRPERSON MILLER: And the vote is 5-0-0 to</p> <p>6 approve.</p> <p>7 Second is a review of a letter dated October</p> <p>8 2nd, 2012 from Christopher Nwaeze requesting a</p> <p>9 continuance for protest hearing scheduled for October</p> <p>10 17th, 2012 at 1:30 p.m. The establishment is Hush</p> <p>11 Restaurant and Lounge. And it's located at 2121 New</p> <p>12 York Avenue, N.E., License No. 89332. An opposition</p> <p>13 was submitted by the protestants. And I would</p> <p>14 recommend -- I would move that we deny this request for</p> <p>15 continuance.</p> <p>16 Do I have a second?</p> <p>17 MR. NOPHLIN: Second.</p> <p>18 CHAIRPERSON MILLER: Any comments?</p> <p>19 (No audible response.)</p> <p>20 CHAIRPERSON MILLER: All those in favor of</p> <p>21 the motion to deny, say aye?</p> <p>22 (Chorus of ayes.)</p>	5
4	<p>1 CHAIRPERSON MILLER: All those opposed?</p> <p>2 (No audible response.)</p> <p>3 CHAIRPERSON MILLER: All those abstaining?</p> <p>4 (No audible response.)</p> <p>5 CHAIRPERSON MILLER: The motion passes 5-0-0.</p> <p>6 That is all that we're going to do this</p> <p>7 evening on the agenda. And I'm just going to read now</p> <p>8 the Open Meeting instructions and we'll vote on that.</p> <p>9 Okay.</p> <p>10 As Chairperson of the Alcoholic Beverage</p> <p>11 Control Board for the District of Columbia and in</p> <p>12 accordance with Section 405 of the Open Meetings</p> <p>13 Amendment Act of 2010, I move that the ABC Board hold a</p> <p>14 closed meeting on October 17th, 2012 for the purpose of</p> <p>15 seeking legal advice from our counsel on the matters</p> <p>16 identified on the Board's agenda for October 12th</p> <p>17 [sic], 2012 as published in the DC Register -- I'm</p> <p>18 sorry, for the Board's agenda for October 17, 2012, as</p> <p>19 published in the DC Register on October 12, 2012.</p> <p>20 Is there a second?</p> <p>21 MR. NOPHLIN: Second.</p> <p>22 CHAIRPERSON MILLER: I'll take a roll call</p>	5

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<p style="text-align: right;">6</p> <p>1 closed meeting on October 17, 2012 for the purpose of 2 discussing and hearing reports concerning ongoing or 3 planned investigations of alleged criminal or civil 4 misconduct or violations of law or regulations and 5 seeking legal advice from our counsel on the Board's 6 investigative agenda for October 17, 2012, as published 7 in the DC Register on October 12th, 2012.</p> <p>8 Is there a second? 9 MR. NOPHLIN: Second. 10 CHAIRPERSON MILLER: Mr. Nophlin seconded it. 11 Okay. It appears that the motion's been seconded. 12 I'll take a roll call. Mr. Nophlin? 13 MR. NOPHLIN: I agree. 14 CHAIRPERSON MILLER: Mr. Brooks? 15 MR. BROOKS: I agree. 16 CHAIRPERSON MILLER: Mr. Alberti? 17 MR. ALBERTI: I agree. 18 CHAIRPERSON MILLER: Ms. Miller agrees. 19 CHAIRPERSON MILLER: Mr. Jones? 20 MR. JONES: I agree. 21 CHAIRPERSON MILLER: It appears the motion 22 has passed by a 5-0-0 vote. I hereby give notice that</p>	<p style="text-align: right;">8</p> <p style="text-align: center;">1 CERTIFICATE OF NOTARY PUBLIC 2</p> <p>3 I, NATALIA THOMAS, the officer before whom the 4 foregoing hearing was taken, do hereby certify that the 5 testimony appearing in the foregoing pages was recorded 6 by me and thereafter reduced to typewriting under my 7 direction; that said transcription is a true record of 8 the testimony given by said parties; that I am neither 9 counsel for, related to, nor employed by any of the 10 parties to the action in which this hearing 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 16 17 _____ 18 BRADLEY ANGLIN 19 Notary Public in and for the 20 District of Columbia 21 22</p>
<p style="text-align: right;">7</p> <p>1 the ABC Board will hold this aforementioned closed 2 meeting. Pursuant to the Open Meetings Amendment Act of 3 2010, notice will also be posted on the ABC Board 4 hearing room bulletin board, placed on the electronic 5 calendar on ABRA's website and published in the DC 6 Register in as timely a manner as practical. 7 And that concludes our proceedings for 8 October 10, 2012. We're adjourned. Thank you. 9 (WHEREUPON, at 10:54 p.m., the hearing 10 was concluded.) 11 12 13 14 15 16 17 18 19 20 21 22</p>	<p style="text-align: right;">9</p> <p style="text-align: center;">1 CERTIFICATE OF TRANSCRIPTION 2</p> <p>3 I, MIRANDA PENNACHI, hereby certify that I am not 4 the Court Reporter who reported the proceeding and that 5 I have typed the transcript of the proceeding using the 6 Court Reporter's notes and recordings. The 7 foregoing/attached transcript is a true, correct and 8 complete transcription of the proceedings. 9 10 11 12 13 _____ 14 Date MIRANDA PENNACHI 15 Transcriptionist 16 17 18 19 20 21 22</p>

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<hr/> <p style="text-align: center;">1</p> <hr/> <p>1:30 3:10</p> <p>10 1:10 7:8</p> <p>10:50 2:2</p> <p>10:54 7:9</p> <p>11:00 2:6</p> <p>12 4:19</p> <p>12th 4:16 6:7</p> <p>14th 1:12</p> <p>17 4:18 6:1,6</p> <p>17th 2:12 3:10 4:14</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2000 1:12</p> <p>2010 4:13 5:15,22 7:3</p> <p>2012 1:10 2:10,12 3:8,10 4:14,17,18,19 6:1,6,7 7:8</p> <p>2121 3:11</p> <p>2nd 3:8</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p>3251 2:13</p> <hr/> <p style="text-align: center;">4</p> <hr/> <p>405 4:12 5:21</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p>5-0-0 3:5 4:5 5:12 6:22</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p>78058 2:14</p> <hr/> <p style="text-align: center;">8</p> <hr/>	<p>89332 3:12</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>9 2:10</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p>A.B.R.A 1:7</p> <p>ABC 4:13 5:13,15,22 7:1,3</p> <p>ABRA's 5:17 7:5</p> <p>abstaining 3:3 4:3</p> <p>accordance 4:12 5:21</p> <p>Act 4:13 5:14,22 7:2</p> <p>action 8:10,14</p> <p>adjourned 7:8</p> <p>advice 4:15 6:5</p> <p>mentioned 5:13 7:1</p> <p>agenda 1:7 2:6,8 4:7,16,18 6:6</p> <p>Alberti 1:16 5:6,7 6:16,17</p> <p>Alcoholic 1:2,11,12 4:10 5:19</p> <p>alleged 6:3</p> <p>am 8:8,11 9:3</p> <p>Amendment 4:13 5:14,22 7:2</p> <p>ANGLIN 8:18</p> <p>appearing 8:5</p> <p>appears 5:11 6:11,21</p> <p>approve 2:14 3:6</p> <p>attorney 2:10 8:12</p>	<p>audible 2:19 3:2,4,19 4:2,4</p> <p>Avenue 3:12</p> <p>aye 2:21 3:21</p> <p>ayes 2:22 3:22</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>Beverage 1:2,11,12 4:10 5:19</p> <p>board 1:2,12 4:11,13 5:13,15,16,20,22 7:1,3,4</p> <p>Board's 4:16,18 6:5</p> <p>BRADLEY 8:18</p> <p>Brooks 1:16 5:4,5 6:14,15</p> <p>Building 1:12</p> <p>bulletin 5:16 7:4</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>calendar 5:17 7:5</p> <p>CALVIN 1:17</p> <p>cause 2:9,11</p> <p>CERTIFICATE 8:1 9:1</p> <p>certify 8:4 9:3</p> <p>Chairperson 1:13,15 2:3,18,20 3:1,3,5,18,20 4:1,3,5,10,22 5:4,6,8,9,11,19 6:10,14,16,18,19 ,21</p> <p>Chorus 2:22 3:22</p>	<p>Christopher 3:8</p> <p>civil 6:3</p> <p>closed 4:14 5:13 6:1 7:1</p> <p>Columbia 1:1 4:11 5:20 8:20</p> <p>comments 2:18 3:18</p> <p>complete 9:8</p> <p>concerning 6:2</p> <p>concluded 7:10</p> <p>concludes 7:7</p> <p>consent 2:9,14</p> <p>continuance 3:9,15</p> <p>continue 2:9</p> <p>Control 1:2,11,12 4:11 5:20</p> <p>correct 9:7</p> <p>counsel 4:15 6:5 8:9,12</p> <p>couple 2:5</p> <p>court 2:6 9:4,6</p> <p>criminal 6:3</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>D.C 1:13</p> <p>Date 9:14</p> <p>dated 2:9 3:7</p> <p>DC 4:17,19 5:17 6:7 7:5</p> <p>deny 3:14,21</p> <p>direction 8:7</p> <p>discussing 6:2</p> <p>District 1:1 4:11 5:20 8:20</p>
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