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

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

2 10:50 p.m.

3 CHAIRPERSON MILLER: Okay. We've got a

4 quorum. All right. We're back on the -- we're back on

5 the record just to do a -- just a couple of items on

6 the agenda given that it's ten of 11:00 and the court

7 reporter will have to leave.

8 The first item on the agenda is a review of a

9 consent motion to continue the show cause hearing dated

10 October 9, 2012. It's from the Office of the Attorney

11 General. The show cause hearing is scheduled for

12 October 17th, 2012. The establishment is George,

13 located at 3251 Prospect Street, N.W., License No.

14 78058. I would move that we approve this consent

15 motion.

16 Do I have a second?

17 MR. NOPHLIN: Second.

18 CHAIRPERSON MILLER: Any comments?

19 (No audible response.)

20 CHAIRPERSON MILLER: All those in favor, say

21 aye?

22 (Chorus of ayes.)

1 CHAIRPERSON MILLER: All those opposed?
2 (No audible response.)
3 CHAIRPERSON MILLER: All those abstaining?
4 (No audible response.)
5 CHAIRPERSON MILLER: And the vote is 5-0-0 to
6 approve.
7 Second is a review of a letter dated October
8 2nd, 2012 from Christopher Nwaeze requesting a
9 continuance for protest hearing scheduled for October
10 17th, 2012 at 1:30 p.m. The establishment is Hush
11 Restaurant and Lounge. And it's located at 2121 New
12 York Avenue, N.E., License No. 89332. An opposition
13 was submitted by the protestants. And I would
14 recommend -- I would move that we deny this request for
15 continuance.
16 Do I have a second?
17 MR. NOPHLIN: Second.
18 CHAIRPERSON MILLER: Any comments?
19 (No audible response.)
20 CHAIRPERSON MILLER: All those in favor of
21 the motion to deny, say aye?
22 (Chorus of ayes.)

1 CHAIRPERSON MILLER: All those opposed?
2 (No audible response.)
3 CHAIRPERSON MILLER: All those abstaining?
4 (No audible response.)
5 CHAIRPERSON MILLER: The motion passes 5-0-0.
6 That is all that we're going to do this
7 evening on the agenda. And I'm just going to read now
8 the Open Meeting instructions and we'll vote on that.
9 Okay.
10 As Chairperson of the Alcoholic Beverage
11 Control Board for the District of Columbia and in
12 accordance with Section 405 of the Open Meetings
13 Amendment Act of 2010, I move that the ABC Board hold a
14 closed meeting on October 17th, 2012 for the purpose of
15 seeking legal advice from our counsel on the matters
16 identified on the Board's agenda for October 12th
17 [sic], 2012 as published in the DC Register -- I'm
18 sorry, for the Board's agenda for October 17, 2012, as
19 published in the DC Register on October 12, 2012.
20 Is there a second?
21 MR. NOPHLIN: Second.
22 CHAIRPERSON MILLER: I'll take a roll call

1 vote on the motion that's been seconded by Mr. Nophlin.
2 Mr. Nophlin?
3 MR. NOPHLIN: I agree.
4 CHAIRPERSON MILLER: Mr. Brooks?
5 MR. BROOKS: I agree.
6 CHAIRPERSON MILLER: Mr. Alberti?
7 MR. ALBERTI: I agree.
8 CHAIRPERSON MILLER: Ms. Miller agrees.
9 CHAIRPERSON MILLER: Mr. Jones?
10 MR. JONES: I agree.
11 CHAIRPERSON MILLER: This appears the motion
12 has passed by a 5-0-0 vote. I hereby give notice that
13 the ABC Board will hold this aforementioned closed
14 meeting. Pursuant to the Open Meetings Amendment Act of
15 2010, notice will also be posted on the ABC Board
16 hearing room bulletin board, placed on the electronic
17 calendar on ABRA's website and published in the DC
18 Register in as timely a manner as practical.
19 As Chairperson of the Alcoholic Beverage
20 Control Board for the District of Columbia and in
21 accordance with Section 405 of the Open Meetings
22 Amendment Act of 2010, I move that the ABC Board hold a

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.
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

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.)
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1 CERTIFICATE OF NOTARY PUBLIC

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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

1 CERTIFICATE OF TRANSCRIPTION

2

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

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1:30 3:10
10 1:10 7:8
10:50 2:2
10:54 7:9
11:00 2:6
12 4:19
12th 4:16 6:7
14th 1:12
17 4:18 6:1,6
17th 2:12 3:10 4:14

2
2000 1:12
2010 4:13 5:15,22 7:3
2012 1:10 2:10,12 3:8,10 4:14,17,18,19 6:1,6,7 7:8
2121 3:11
2nd 3:8

3
3251 2:13

4
405 4:12 5:21

5
5-0-0 3:5 4:5 5:12 6:22

7
78058 2:14

8
89332 3:12

9
9 2:10

A
A.B.R.A 1:7
ABC 4:13 5:13,15,22 7:1,3
ABRA's 5:17 7:5
abstaining 3:3 4:3
accordance 4:12 5:21
Act 4:13 5:14,22 7:2
action 8:10,14
adjourned 7:8
advice 4:15 6:5
aforementioned 5:13 7:1
agenda 1:7 2:6,8 4:7,16,18 6:6
Alberti 1:16 5:6,7 6:16,17
Alcoholic 1:2,11,12 4:10 5:19
alleged 6:3
am 8:8,11 9:3
Amendment 4:13 5:14,22 7:2
ANGLIN 8:18
appearing 8:5
appears 5:11 6:11,21
approve 2:14 3:6
attorney 2:10 8:12
audible 2:19 3:2,4,19 4:2,4
Avenue 3:12
aye 2:21 3:21
ayes 2:22 3:22

B
Beverage 1:2,11,12 4:10 5:19
board 1:2,12 4:11,13 5:13,15,16,20,22 7:1,3,4
Board's 4:16,18 6:5
BRADLEY 8:18
Brooks 1:16 5:4,5 6:14,15
Building 1:12
bulletin 5:16 7:4

C
calendar 5:17 7:5
CALVIN 1:17
cause 2:9,11
CERTIFICATE 8:1 9:1
certify 8:4 9:3
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
Chorus 2:22 3:22
Christopher 3:8
civil 6:3
closed 4:14 5:13 6:1 7:1
Columbia 1:1 4:11 5:20 8:20
comments 2:18 3:18
complete 9:8
concerning 6:2
concluded 7:10
concludes 7:7
consent 2:9,14
continuance 3:9,15
continue 2:9
Control 1:2,11,12 4:11 5:20
correct 9:7
counsel 4:15 6:5 8:9,12
couple 2:5
court 2:6 9:4,6
criminal 6:3

D
D.C 1:13
Date 9:14
dated 2:9 3:7
DC 4:17,19 5:17 6:7 7:5
deny 3:14,21
direction 8:7
discussing 6:2
District 1:1 4:11 5:20 8:20

DONALD 1:16

E

electronic 5:16 7:4
employed 8:9,12
employee 8:11
establishment 2:12 3:10
evening 4:7

F

favor 2:20 3:20
financially 8:13
first 2:8
foregoing 8:4,5
foregoing/ attached 9:7

G

General 2:11
George 2:12
given 2:6 8:8

H

hearing 1:12 2:9,11 3:9 5:16 6:2 7:4,9 8:4,10
hereby 5:12 6:22 8:4 9:3
hereto 8:12
HERMAN 1:17
hold 4:13 5:13,22 7:1
Hush 3:10

I

identified 4:16
I'll 4:22 6:12
I'm 4:7,17
instructions 4:8
interested 8:13
investigations 6:3
investigative 6:6
item 2:8
items 2:5
it's 2:6,10 3:11

J

Jones 1:17 5:9,10 6:19,20

L

law 6:4
leave 2:7
legal 4:15 6:5
letter 3:7
License 2:13 3:12
located 2:13 3:11
Lounge 3:11

M

manner 5:18 7:6
MATTER 1:5
matters 4:15
meeting 1:3 4:8,14 5:14 6:1 7:2
Meetings 4:12 5:14,21 7:2
Member 1:16,17,18
met 1:12
MIKE 1:18
Miller 1:13,15 2:3,18,20 3:1,3,5,18,20 4:1,3,5,22 5:4,6,8,9,11 6:10,14,16,18,19 ,21
MIRANDA 9:3,14
misconduct 6:4
motion 2:9,15 3:21 4:5 5:1,11 6:21
motion's 6:11
move 2:14 3:14 4:13 5:22

N

N.E 3:12
N.W 1:12 2:13
NATALIA 8:3
neither 8:8
NICK 1:16
Nophlin 1:17 2:17 3:17 4:21 5:1,2,3 6:9,10,12,13
nor 8:9,13
Notary 8:1,19
notes 9:6
notice 5:12,15 6:22 7:3
Nwaeze 3:8

O

October 1:10 2:10,12 3:7,9 4:14,16,18,19 6:1,6,7 7:8
Office 2:10
officer 8:3
ongoing 6:2
Open 4:8,12 5:14,21 7:2
opposed 3:1 4:1
opposition 3:12
otherwise 8:13
outcome 8:13

P

p.m 2:2 3:10 7:9
pages 8:5
parties 8:8,10,12
passed 5:12 6:22
passes 4:5
PENNACHI 9:3,14
placed 5:16 7:4
planned 6:3
posted 5:15 7:3
practical 5:18 7:6
PRESENT 1:15
presiding 1:13
proceeding 9:4,5
proceedings 7:7 9:8
Prospect 2:13
protest 3:9
protestants 3:13
Public 8:1,19
published 4:17,19 5:17 6:6 7:5
purpose 4:14 6:1
Pursuant 5:14 7:2

Q

quorum 2:4

R

recommend 3:14
record 2:5 8:7
recorded 8:5
recordings 9:6
reduced 8:6
Reeves 1:12
Register 4:17,19 5:18 6:7 7:6
regulations 6:4
related 8:9
relative 8:11
reported 9:4
reporter 2:7 9:4
Reporter's 9:6
reports 6:2
request 3:14
requesting 3:8
response 2:19 3:2,4,19 4:2,4
Restaurant 3:11
review 2:8 3:7
roll 4:22 6:12
room 1:12 5:16 7:4
Ruthanne 1:13,15

S

scheduled 2:11 3:9
second 2:16,17 3:7,16,17 4:20,21 6:8,9
seconded 5:1 6:10,11
Section 4:12 5:21
seeking 4:15 6:5
sic 4:17
SILVERSTEIN 1:18
sorry 4:18
Street 1:12 2:13
submitted 3:13

T

ten 2:6
testimony 8:5,8
Thank 7:8
that's 5:1
thereafter 8:6
THOMAS 8:3
timely 5:18 7:6
transcript 9:5,7
transcription 8:7 9:1,8
Transcriptionist 9:15
true 8:7 9:7
typed 9:5
typewriting 8:6

V

violations 6:4
vote 3:5 4:8 5:1,12 6:22

W

Washington 1:13
website 5:17 7:5
we'll 4:8
we're 2:4 4:6 7:8
We've 2:3
WHEREUPON 7:9
whom 8:3

Y

York 3:12