

Capital Reporting Company
In the Matter of: Convene, LLC t/a Thally 11-19-2012

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DISTRICT OF COLUMBIA

ALCOHOL BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :
 :
Convene, LLC :
t/a Thally :
1316 9th Street, NW :
Retailer CR : Roll Call
License No. 090403 : Hearing
Case No. 12-PRO-00082 :
New Application :
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November 19, 2012

The Alcohol Beverage Control

Board met in the Alcohol Beverage Control Hearing room,
Reeves Building, 2000 14th Street, N.W., Washington
D.C.,

PRESENT

LaVerne Fletcher, presiding.

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

2 10:28 a.m.

3 MS. FLETCHER: Would the parties in the
4 matter of Thally please come forward. This is Case
5 Number 12- PRO-00082, Convene, LLC, t/a Thally, 1316
6 9th Street, NW, License Number ABRA-090403. This is a
7 Retailer CR new application.

8 The protest issues are adverse impact on
9 peace, order and quiet, residential parking and
10 vehicular and pedestrian safety and real property
11 values.

12 My name is LaVerne Fletcher and I'll be
13 conducting the roll call hearing as the board's agent,
14 pursuant to D.C. Official Code 1601.2.

15 Introductions, beginning with the applicant,
16 please.

17 MR. O'BRIEN: Steven O'Brien for the
18 applicant.

19 MS. FLETCHER: Thank you, Mr. O'Brien. And -
20 - just for the record, Mr. Brien, the reason that the
21 applicant didn't appear today?

22 MR. O'BRIEN: I don't know.

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1 MS. FLETCHER: Okay.

2 MR. O'BRIEN: I confirmed it with them
3 Friday.

4 MS. FLETCHER: Thank you very much.

5 MR. O'BRIEN: But they're represented, so.

6 MS. FLETCHER: Exactly. Exactly. That's
7 totally sufficient.

8 Okay. For the protestants?

9 MS. AMORUSO: My name is Cristina Amoruso, I
10 reside at 908 O Street, NW and I'm here to represent
11 the protestants.

12 MS. FLETCHER: Ms. Amoruso, can you spell
13 your name please? Your first name.

14 MS. AMORUSO: Sure. First name spelled C-R-
15 I-S- T-I-N-A, last named spelled, A-M-O-R-U-S-O.

16 MS. FLETCHER: Thank you.

17 MR. RAYMOND: Matt Raymond, Commissioner for
18 ANC 2F04. It's M-A-T-T, R-A-Y-M-O-N-D.

19 MS. FLETCHER: Thank you, Mr. Raymond. Ms.
20 Amoruso, are there any other individuals from your
21 group present today?

22 MS. AMORUSO: Yes, ma'am. Fellas.

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1 MS. FLETCHER: If they would come forward and
2 state their name into the microphone and sell it for
3 the court reporter, please.

4 MALE VOICE3: My name is Orestes Del
5 Castillo, spelled O-R-E-S-T-E-S, the first name. The
6 last name is D-E-L, space, C-A-S-T-I-L-L-O.

7 MS. FLETCHER: Thank you.

8 MALE VOICE4: David Salter, S-A-L-T-E-R.

9 MS. FLETCHER: Mr. Salter?

10 MALE VOICE4: Yes.

11 MS. FLETCHER: It does not appear -- you
12 signed the protest letter for an earlier case, but it
13 does not appear that you signed this one. As far as
14 you know, did you?

15 MALE VOICE4: That's a good question. We've
16 had so many going on.

17 MS. FLETCHER: I know.

18 MALE VOICE4: I assumed because I had all the
19 correspondence.

20 MS. FLETCHER: Exactly.

21 MALE VOICE4: I would like to be a signatory.

22 MS. FLETCHER: I'm going to double check. It

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1 does not appear that you did. If you did not, you
2 won't be a protestant in this case, you will be a
3 protestant in the other one, obviously, because you
4 signed it. But let me check and I'll tell you in --
5 I'm just going to double check.

6 MALE VOICE4: Thank you.

7 MS. FLETCHER: Okay. Mr. Salter, on this
8 particular protest letter you did not sign but Ms.
9 Amoruso can represent your interest throughout the
10 remainder of the process.

11 MALE VOICE4: Thank you.

12 MS. FLETCHER: Okay. So David Salter is not
13 a protestant in this matter.

14 MS. AMORUSO: Sorry.

15 MS. FLETCHER: No problem. So, Ms. Amoruso,
16 your protest letter indicates that each one of you can
17 represent everyone. So, you're here so that's fine.
18 Your group of five -- your group of six does have
19 standing -- conditional standing as a protestant today.

20 At the upcoming status hearing at least four
21 more people that are not here today with you need to
22 appear, in order to maintain your standing as

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1 protestants.

2 The other thing, Ms. Amoruso, can you have
3 your group to designate you or another person, because
4 you all have designated each other to represent one
5 another in any proceeding. It's helpful to us if we
6 have a person or two, as opposed to a group of people
7 that we need to stay in touch with.

8 MS. AMORUSO: I can definitely be the
9 designated person and as the alternate Orestes Del
10 Castillo.

11 MS. FLETCHER: Okay. And so I already have
12 your contact information on that sheet from the earlier
13 case.

14 MS. AMORUSO: Yes, ma'am. And I also
15 included Mr. Del Castillo's as well.

16 MS. FLETCHER: Okay. Thank you. So there
17 are two protestants in this case. ANC 2F has standing
18 as a protestant. And your group, Ms. Amoruso is
19 granted conditional standing, depending upon whether or
20 not three additional people show up, well four
21 actually, no two, no three. You and Mr. Castillo are
22 here today, so just three. Four must appear.

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1 We need to set a date for mediation, the
2 status hearing and a protest hearing. And I'll give
3 you the dates for the status and protest hearing first.
4 The status hearing is set for January 9, 2013 at 9:30.
5 And the protest hearing is set for March 20, 2013 at
6 1:30.

7 MR. O'BRIEN: I'm sorry, I didn't hear the
8 date.

9 MS. FLETCHER: Oh, for the status hearing is --

10 MR. O'BRIEN: No, status I got.

11 MS. FLETCHER: Okay, I'll --

12 MR. O'BRIEN: So protest hearing was March?

13 MS. FLETCHER: March 20.

14 MR. O'BRIEN: Two zero.

15 MS. FLETCHER: Um hmm.

16 MR. O'BRIEN: Thank you. At 1:30.

17 MS. FLETCHER: At 1:30. Yes.

18 MS. AMORUSO: We hope to work things out
19 before then.

20 MS. FLETCHER: That would be great. If you
21 can that, ignore all -- you can ignore all the dates
22 I'm about to give you.

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1 So, I'm going to give you a date for
2 mediation. If the matter's resolved prior to mediation,
3 we'll just cancel that, too.

4 MR. RAYMOND: I'm sorry, did you say March
5 13th?

6 MS. FLETCHER: March --

7 MR. O'BRIEN: Twentieth.

8 MR. RAYMOND: Twentieth, I'm sorry. And the
9 time once more?

10 MS. FLETCHER: Um hmm. March 20, at 1:30.

11 MR. O'BRIEN: We were all present for the
12 last proceeding. December 6th at 1:00 would be okay
13 for mediation for us.

14 MS. FLETCHER: Is that good?

15 MR. RAYMOND: That's correct.

16 MS. AMORUSO: Correct.

17 MS. FLETCHER: Okay. December 6th at 1:00
18 for Thally. Okay, well that's everything.

19 MR. O'BRIEN: It is.

20 MS. FLETCHER: Thank you for coming.

21 MR. RAYMOND: Thank you.

22 MS. FLETCHER: I'll see you on December 6th

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1 or not.

2 MR. RAYMOND: Can't tell we're busy, can you?

3 MS. FLETCHER: The roll call hearing is

4 concluded.

5 MR. O'BRIEN: Thank you.

6 MS. FLETCHER: Thank you.

7 (The hearing was concluded at 10:35 a.m.)

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1 CERTIFICATE OF NOTARY PUBLIC

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3 I, ANDREW KNOUS, 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

ANDREW KNOUS

19

Notary Public in and for the

20

District of Columbia

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CERTIFICATE OF TRANSCRIPTION

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

Date

SUSAN LaPOOH

Transcriptionist

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