

Capital Reporting Company
In the Matter of: Ted's Bulletin 14th Street, LLC 09-19-2012

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DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :
: :
Ted's Bulletin 14th Street, LLC :
t/a Ted's Bulletin :
1818 14th Street, NW :
Retailer CR : Protest
License No. 89801 : Hearing
ANC 2B : (Status)
Case No. 12-PRO-00067 :
New Application :
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September 19, 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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1 P R O C E E D I N G S

2 9:36 a.m.

3 CHAIRPERSON MILLER: Good morning, ladies and
4 gentlemen. I'd like to welcome you to the regularly
5 scheduled meeting of the District of Columbia Alcohol
6 Beverage Control Board. Today is September 19, 2012.
7 My name is Ruthanne Miller. I'm the chairperson.
8 Joining me today to my far right is Mr. Calvin Nophlin.
9 To his immediately left is Mr. Donald Brooks. To my
10 immediate right is Mr. Nick Alberti. And to my
11 immediate left is Mr. Mike Silverstein.

12 We have five members in attendance this
13 morning, the conduct of business, with three
14 constituting a quorum. Copies of today's hearing
15 calendar and agenda are available at the receptionist's
16 desk. Please be aware that these proceedings are being
17 recorded by a court reporter. Accordingly, we must ask
18 you to refrain from any disruptive noises or actions in
19 the hearing room.

20 If you have any electronic devices, pagers,
21 cell phones or such, please make certain that they're
22 turned off to avoid any interruption of the

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1 proceedings. Please note when you come forward and
2 take a seat at the table, you'll find a piece of paper
3 on the table. Please sign that piece of paper and
4 that's to ensure that we get the spelling of your name
5 correct for the record.

6 The Open Meetings Act requires that the
7 public hearing on each case be open to the public. The
8 Board may, consistent with Section 405(b) of the Open
9 Meetings Act, enter a closed meeting during or after
10 the public hearing on a case to consult with an
11 attorney, to obtain legal advice, discuss settlement
12 agreements or deliberate upon a decision in an
13 adjudication proceeding.

14 The Board's calendar today includes show
15 cause status hearings, protest status hearings, fact
16 finding hearings this morning, and show cause hearings.

17 We're ready to proceed now then with our
18 first matter for this morning and that is Case No. 12-
19 PRO- 00067, Ted's Bulletin, located at 1818 14th
20 Street, N.W., License No. 89801 in ANC 2B. Are the
21 parties here in this case? Mr. Fonseca?

22 MR. FONSECA: Good morning, members of the

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1 Board. Electronically we filed yesterday with staff
2 the -- a voluntary agreement which resolved this for
3 the best to both protestants, ANC 2B and the Shaw-
4 Dupont Citizens Alliance. So --

5 CHAIRPERSON MILLER: Correct. Okay. Yeah.

6 MR. FONSECA: So we ask that this matter as
7 of, you know, for today, you know, just be continued
8 for the Board's review, that agreement.

9 CHAIRPERSON MILLER: That's correct. I just
10 want to let you know that we did receive the signed
11 voluntary agreement and the Board will be reviewing
12 that.

13 MR. FONSECA: Thank you.

14 CHAIRPERSON MILLER: Thank you very much.

15 (WHEREUPON, at 9:39 a.m., the hearing was
16 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.

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BRADLEY ANGLIN

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Notary Public in and for the

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District of Columbia

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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

MIRANDA PENNACHI

14

Transcriptionist

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<p style="text-align: center;"><u>0</u></p> <p>00067 3:19</p> <hr/> <p style="text-align: center;"><u>1</u></p> <p>12 3:18 12-PRO-00067 1:8 14th 1:5,6,13 3:19 1818 1:6 3:19 19 1:11 2:6</p> <hr/> <p style="text-align: center;"><u>2</u></p> <p>2000 1:13 2012 1:11 2:6 2B 1:8 3:20 4:3</p> <hr/> <p style="text-align: center;"><u>4</u></p> <p>405(b) 3:8</p> <hr/> <p style="text-align: center;"><u>8</u></p> <p>89801 1:7 3:20</p> <hr/> <p style="text-align: center;"><u>9</u></p> <p>9:36 2:2 9:39 4:15</p> <hr/> <p style="text-align: center;"><u>A</u></p> <p>a.m 2:2 4:15 Accordingly 2:17 Act 3:6,9 action 5:10,14 actions 2:18 adjudication 3:13 advice 3:11 agenda 2:15 agreement 4:2,8,11 agreements 3:12</p>	<p>Alberti 1:17 2:10 Alcohol 2:5 Alcoholic 1:2,12,13 Alliance 4:4 am 5:9,11 6:3 ANC 1:8 3:20 4:3 ANGLIN 5:3,19 appearing 5:5 Application 1:9 attendance 2:12 attorney 3:11 5:12 available 2:15 avoid 2:22 aware 2:16</p> <hr/> <p style="text-align: center;"><u>B</u></p> <p>best 4:3 Beverage 1:2,12,13 2:6 Board 1:2,13 2:6 3:8 4:1,11 Board's 3:14 4:8 BRADLEY 5:3,19 Brooks 1:17 2:9 Building 1:13 Bulletin 1:5,6 3:19 business 2:13</p> <hr/> <p style="text-align: center;"><u>C</u></p> <p>calendar 2:15 3:14 Calvin 1:18 2:8 case 1:8 3:7,10,18,21 cause 3:15,16</p>	<p>cell 2:21 certain 2:21 CERTIFICATE 5:1 6:1 certify 5:4 6:3 chairperson 1:14,16 2:3,7 4:5,9,14 Citizens 4:4 closed 3:9 Columbia 1:1 2:5 5:21 complete 6:8 concluded 4:16 conduct 2:13 consistent 3:8 constituting 2:14 consult 3:10 continued 4:7 Control 1:2,12,13 2:6 Copies 2:14 correct 3:5 4:5,9 6:8 counsel 5:9,12 court 2:17 6:4,6 CR 1:7</p> <hr/> <p style="text-align: center;"><u>D</u></p> <p>D.C 1:14 Date 6:13 decision 3:12 deliberate 3:12 desk 2:16 devices 2:20</p>	<p>direction 5:7 discuss 3:11 disruptive 2:18 District 1:1 2:5 5:21 Donald 1:17 2:9 Dupont 4:4 during 3:9</p> <hr/> <p style="text-align: center;"><u>E</u></p> <p>electronic 2:20 Electronically 4:1 employed 5:9,12 employee 5:11 ensure 3:4 enter 3:9</p> <hr/> <p style="text-align: center;"><u>F</u></p> <p>fact 3:15 filed 4:1 financially 5:13 finding 3:16 first 3:18 five 2:12 Fonseca 3:21,22 4:6,13 foregoing 5:4,5 foregoing/ attached 6:7 forward 3:1</p> <hr/> <p style="text-align: center;"><u>G</u></p> <p>gentlemen 2:4 given 5:8</p> <hr/> <p style="text-align: center;"><u>H</u></p>
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<p>hearing 1:7,13 2:14,19 3:7,10 4:15 5:4</p> <p>hearings 3:15,16</p> <p>hereby 5:4 6:3</p> <p>hereto 5:12</p> <p>HERMAN 1:18</p> <hr/> <p style="text-align: center;"><u>I</u></p> <p>I'd 2:4</p> <p>I'm 2:7</p> <p>immediate 2:10,11</p> <p>immediately 2:9</p> <p>includes 3:14</p> <p>interested 5:13</p> <p>interruption 2:22</p> <hr/> <p style="text-align: center;"><u>J</u></p> <p>Joining 2:8</p> <p>JONES 1:18</p> <hr/> <p style="text-align: center;"><u>L</u></p> <p>ladies 2:3</p> <p>legal 3:11</p> <p>License 1:7 3:20</p> <p>LLC 1:5</p> <p>located 3:19</p> <hr/> <p style="text-align: center;"><u>M</u></p> <p>matter 1:4 3:18 4:6</p> <p>may 3:8</p> <p>meeting 1:3 2:5 3:9</p> <p>Meetings 3:6,9</p> <p>Member</p>	<p>1:17,18,19</p> <p>members 2:12 3:22</p> <p>met 1:13</p> <p>Mike 1:19 2:11</p> <p>Miller 1:14,16 2:3,7 4:5,9,14</p> <p>MIRANDA 6:3,13</p> <p>morning 2:3,13 3:16,18,22</p> <hr/> <p style="text-align: center;"><u>N</u></p> <p>N.W 1:13 3:20</p> <p>neither 5:9</p> <p>Nick 1:17 2:10</p> <p>noises 2:18</p> <p>Nophlin 1:18 2:8</p> <p>nor 5:9,13</p> <p>Notary 5:1,20</p> <p>note 3:1</p> <p>notes 6:6</p> <p>NW 1:6</p> <hr/> <p style="text-align: center;"><u>O</u></p> <p>obtain 3:11</p> <p>officer 5:3</p> <p>open 3:6,7,8</p> <p>otherwise 5:13</p> <p>outcome 5:13</p> <hr/> <p style="text-align: center;"><u>P</u></p> <p>paggers 2:20</p> <p>paper 3:2,3</p> <p>parties 3:21 5:8,10,12</p> <p>PENNACHI</p>	<p>6:3,13</p> <p>phones 2:21</p> <p>piece 3:2,3</p> <p>please 2:16,21 3:1,3</p> <p>PRESENT 1:16</p> <p>presiding 1:14</p> <p>PRO 3:19</p> <p>proceed 3:17</p> <p>proceeding 3:13 6:5,6,9</p> <p>proceedings 2:16 3:1</p> <p>protest 1:7 3:15</p> <p>protestants 4:3</p> <p>public 3:7,10 5:1,20</p> <hr/> <p style="text-align: center;"><u>Q</u></p> <p>quorum 2:14</p> <hr/> <p style="text-align: center;"><u>R</u></p> <p>ready 3:17</p> <p>receive 4:10</p> <p>receptionist's 2:15</p> <p>record 3:5 5:8</p> <p>recorded 2:17 5:6</p> <p>recordings 6:7</p> <p>reduced 5:6</p> <p>Reeves 1:13</p> <p>refrain 2:18</p> <p>regularly 2:4</p> <p>related 5:9</p> <p>relative 5:11</p> <p>reported 6:4</p>	<p>reporter 2:17 6:4</p> <p>Reporter's 6:6</p> <p>requires 3:6</p> <p>resolved 4:2</p> <p>Retailer 1:7</p> <p>review 4:8</p> <p>reviewing 4:11</p> <p>room 1:13 2:19</p> <p>Ruthanne 1:14,16 2:7</p> <hr/> <p style="text-align: center;"><u>S</u></p> <p>scheduled 2:5</p> <p>seat 3:2</p> <p>Section 3:8</p> <p>September 1:11 2:6</p> <p>settlement 3:11</p> <p>Shaw 4:3</p> <p>sign 3:3</p> <p>signed 4:10</p> <p>Silverstein 1:19 2:11</p> <p>spelling 3:4</p> <p>staff 4:1</p> <p>status 1:8 3:15</p> <p>Street 1:5,6,13 3:20</p> <hr/> <p style="text-align: center;"><u>T</u></p> <p>t/a 1:6</p> <p>table 3:2,3</p> <p>Ted's 1:5,6 3:19</p> <p>testimony 5:5,8</p> <p>Thank 4:13,14</p>
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<p>that's 3:4 4:9 thereafter 5:6 they're 2:21 today 2:6,8 3:14 4:7 today's 2:14 transcript 5:5 6:5,7 transcription 5:7 6:1,8 Transcriptionist 6:14 true 5:7 6:8 turned 2:22 typed 6:5 typewriting 5:6</p> <hr/> <p>U</p> <hr/> <p>upon 3:12</p> <hr/> <p>V</p> <hr/> <p>voluntary 4:2,11</p> <hr/> <p>W</p> <hr/> <p>Washington 1:14 welcome 2:4 We're 3:17 WHEREUPON 4:15 whom 5:3</p> <hr/> <p>Y</p> <hr/> <p>yesterday 4:1 you'll 3:2</p>			
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