

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA  
2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
3 ALCOHOLIC BEVERAGE CONTROL BOARD

4  
5 - - - - -X

6 IN THE MATTER OF :  
7 EATONVILLE, INC. :Case #16-PRO-00063  
8 t/a Mulebone :  
9 2121 14th Street Northwest :  
10 License #ABRA-078882 :  
11 Retailer Class CR :  
12 License renewal :

13 - - - - -X

14 Monday, June 13, 2016

15  
16 Whereupon, the above-referenced matter  
17 came on for hearing at the Alcoholic Beverage  
18 Control Board, Reeves Center, 2000 14th Street,  
19 N.W., Suite 400S, Washington, D.C. 20009.

20  
21  
22

1 CHAIRPERSON:

2 LAVERNE FLETCHER, Presiding

3

4 ALSO PRESENT:

5 DROR KARNI

6 STEPHEN O'BRIEN

7 ANDY SHALLAL

8 CHRIS YOUNG

9 DROR KARNI

10 HOWARD RODKIN

11 KATHERINE GOMER

12 JUSTIN PEABODY

13 PAMELA FESSENDEN

14 WILLIAM J. KINBERG

15 KENJI KIMURA

16 YUKA KIMURA

17 GLEN COLLINS

18 ROBERT LANMAN

19 GREG LINK

20 MICHAEL PLOEN

21 DEBRA BERGOFFEN

22 SARAH LAFRENIERE

OLENDER REPORTING, INC.  
1100 Connecticut Avenue N.W., #810, Washington, D.C. 20036  
Washington: 202-898-1108 • Baltimore: 410-752-3376  
Toll Free: 888-445-3376

1 ROSS DIAMOND  
2 ROBIN MATTHEWS  
3 ZULFIAN BAKAR  
4 MOSHE ZUSMAN  
5 EUGENE LAPORTA  
6 STEPHEN ELLIS  
7 TIMOTHY WARREN  
8 JOHN GREEN

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

2 CHAIRPERSON FLETCHER: Would the parties  
3 in the matter of Mulebone please come forward?  
4 This is the license renewal. This s Case #16-  
5 PRO-00063. Eatonville, Inc., trading as  
6 Mulebone, 2121 14th Street Northwest, License  
7 #ABRA-078882. This is a retailer Class CR,  
8 license renewal. The protest issues are adverse  
9 impact on peace, order and quiet, residential  
10 parking and vehicular and pedestrian safety, real  
11 property values and overconcentration.  
12 Introductions beginning with the applicant  
13 please.

14 MR. O'BRIEN: Stephen O'Brien for the  
15 applicant and I am accompanied by Andy Shallal  
16 who is the president of the applicant.

17 CHAIRPERSON FLETCHER: Thank you.

18 MR. OBRIEN: Ms. Fletcher, may I make a  
19 suggestion?

20 CHAIRPERSON FLETCHER: Yes.

21 MR. OBRIEN: The license to renew are often  
22 about the very same issues with the very same

1 parties as far as I can determine.

2 CHAIRPERSON FLETCHER: Mm hmm?

3 MR. O'BRIEN: I would suggest it might make  
4 more sense to simply consolidate the two for  
5 purposes of roll call and setting of dates.

6 CHAIRPERSON FLETCHER: We can. The Board  
7 keeps them separate for the purpose of mediation.  
8 Let me see something one second, before I say  
9 that, Mr. O'Brien, because they may have already  
10 done that on the calendar, let me take a look.

11 MR. YOUNG: Martha Jenkins indicated that was  
12 a possibility.

13 CHAIRPERSON FLETCHER: It's always a  
14 possibility, I just need to make sure --

15 MR. YOUNG: Yeah, if it gets on her radar.

16 CHAIRPERSON FLETCHER: I just need to make  
17 sure it happened. Let me just take one second.  
18 So we've got to handle it case by case today but  
19 just before we move along they did not  
20 consolidate the protest hearing, they put them on  
21 the same day but at different times, so it's  
22 still one following the other. On the date of

1 the protest hearing, they have the protest  
2 hearing set for November 2nd, one at 1:30 and one  
3 at 4:30 so it's still on the same day. Does that  
4 address your concern, Mr. O'Brien?

5 MR. OBRIEN: You've responded to my  
6 suggestion.

7 CHAIRPERSON FLETCHER: So they, okay, but is  
8 that what you wanted?

9 MR. OBRIEN: Well, what I'm saying is I see  
10 quite a few people here and you're going to be  
11 taking names.

12 CHAIRPERSON FLETCHER: Yes.

13 MR. OBRIEN: And then you're going to have to  
14 do it all over again --

15 CHAIRPERSON FLETCHER: Yes.

16 MR. OBRIEN: -- with the exact same names  
17 with the second roll call proceeding.

18 CHAIRPERSON FLETCHER: Yes.

19 MR. OBRIEN: I was just wanting to save  
20 everyone some time.

21 CHAIRPERSON FLETCHER: So, what I'm going to  
22 do, I'm going to get all the names; I'm aware of

1 what you're saying, Mr. O'Brien, and we're going  
2 to get all the names and we're going to call the  
3 first case which is a license renewal. When I  
4 call the second case, I'm going to ask you if the  
5 same parties present at the license renewal are  
6 present for the termination of the settlement  
7 agreement, so that you don't have to state your  
8 names all over again. That's what I intend to  
9 do. Is someone present on behalf of Meridian  
10 Hill Neighborhood Association?

11 MR. YOUNG: Yes. Chris Young. I am the  
12 president.

13 CHAIRPERSON FLETCHER: Thank you, Mr. Young.  
14 There's also a Group of I counted 119. I'm  
15 assuming everyone here is a member of the group  
16 that signed the protest letter. So, if you could  
17 -- there is also, there was a tablet going around  
18 back there someplace, just a tablet, so I'm just  
19 going to ask you to state your name. I'm not  
20 going to ask you to spell it for the record but I  
21 need you to write your name on the tablet that's  
22 going around.

1 MR. KARNI: There are also numerous abutting  
2 owners.

3 CHAIRPERSON FLETCHER: I know. I'm going to  
4 just have to deal with one at a time. So, you're  
5 right, I've got those as well. So, we're going  
6 to deal with the Group of individuals and then  
7 the abutting. So, we'll need to do though is  
8 stand -- oh, let me get your name, sir.

9 MR. KARNI: My name is Dror Karni. First  
10 name is spelled D-R-O-R, last name is K-A-R-N-I.

11 CHAIRPERSON FLETCHER: And Mr. Karni, are you  
12 the designated representative for the group?

13 MR. KARNI: The group.

14 CHAIRPERSON FLETCHER: The group, but not the  
15 abutting, just the group?

16 MR. KARNI: Just the group.

17 CHAIRPERSON FLETCHER: Okay, I've got you,  
18 thank you. And so, if everyone that Mr. Karni is  
19 representing will stand behind him and speak your  
20 name. There's a microphone on the table. If you  
21 would just state your name for the record.

22 MS. GOMER: Katherine Gomer and I own unit

1 207 at 2125 14th Street and I own the unit that  
2 was formerly owned by the William Gerardo, who is  
3 party to the settlement agreement.

4 CHAIRPERSON FLETCHER: And Katherine, can you  
5 state your last name one more time?

6 MS. GOMER: Yeah, Gomer. G-O-M-E-R.

7 CHAIRPERSON FLETCHER: And did you sign your  
8 name on that sheet?

9 MS. GOMER: Yes.

10 CHAIRPERSON FLETCHER: Write your name on the  
11 tablet that's going around?

12 MS. GOMER: Yes.

13 CHAIRPERSON FLETCHER: Okay, thanks very  
14 much.

15 MR. RODKIN: My name is Howard Rodkin. R-O-  
16 D-K-I-N.

17 CHAIRPERSON FLETCHER: R-O-D?

18 MR. RODKIN: R-O-D-K-I-N. And I'm in Unit  
19 613.

20 CHAIRPERSON FLETCHER: And Mr. Rodkin did you  
21 put your name on that tablet as well? There's a  
22 tablet circulating for you to jot down.

1 MR. RODKINS: Not yet, I will.

2 CHAIRPERSON FLETCHER: Okay, thank you very  
3 much.

4 MR. RODKINS: Thank you.

5 MR. COLLINS: Glen Collins. G-L-E-N, C-O-L-  
6 L-I-N-S. Unit 623 and also part of the group and  
7 I'll sign the tablet.

8 CHAIRPERSON FLETCHER: Thank you.

9 MR. LANMAN: Robert Lanman. Co-owner of Unit  
10 801, and I've signed the tablet.

11 CHAIRPERSON FLETCHER: And what's your name,  
12 one more time?

13 MR. LANMAN: Lanman, L-A-N-M-A-N.

14 CHAIRPERSON FLETCHER: And what's the last  
15 name?

16 MR. LANMAN: That is the last name.

17 CHAIRPERSON FLETCHER: Oh, that is the last  
18 name. Okay, what's the first name?

19 MR. LANMAN: Robert.

20 CHAIRPERSON FLETCHER: Okay, thank you.

21 MR. LINK: I'm Greg Link, co-owner. G-R-E-  
22 G, L-I-N-K, co-owner of 605 at 2125.

1 CHAIRPERSON FLETCHER: And Greg, what did you  
2 say is your last name?

3 MR. LINK: Link, LINK.

4 CHAIRPERSON FLETCHER: Thank you. And Mr.  
5 Link, did you sign that tablet?

6 MR. LINK: Yes, I will be.

7 CHAIRPERSON FLETCHER: Okay, thank you.

8 MR. PLOEN: Hello, my name is Michael Ploen.

9 CHAIRPERSON FLETCHER: Michael. I'm going to  
10 need you to spell your last name.

11 MR. PLOEN: P as in Peter, L-O-E-N as in  
12 Nancy.

13 CHAIRPERSON FLETCHER: Okay, thank you.

14 MR. PLOEN: Co-owner of 605.

15 CHAIRPERSON FLETCHER: Thank you.

16 MS. BERGOFFEN: Debra Bergoffen. D-E-B-R-A,  
17 B-E-R-G-O-F-F as in Frank, E-N.

18 CHAIRPERSON FLETCHER: And Debra that was B-  
19 E-

20 MS. BERGOFFEN: R --

21 CHAIRPERSON FLETCHER: B-R-E

22 MS. BERGOFFEN: No, B-E-R

1 CHAIRPERSON FLETCHER: B-E-R

2 MS. BERGOFFEN: G-O-F-F as in Frank, E-N.

3 Co-owner of 801.

4 CHAIRPERSON FLETCHER: Thank you.

5 MR. PEABODY: I'm Justin Peabody, owner of  
6 Unit 212.

7 CHAIRPERSON FLETCHER: Thank you.

8 MS. LAFRENIERE: Sarah Lafreniere. S-A-R-A-  
9 H, L-A-F-R-E-N-I-E-R-E, and I'm a resident tenant  
10 at Unit 209.

11 CHAIRPERSON FLETCHER: And let's see here, so  
12 that's Sarah -- S-A-R-A-H?

13 MS. LAFRENIERE: Yes.

14 CHAIRPERSON FLETCHER: Thank you.

15 MR. DIAMOND: Ross Diamond. R-O-S-S, D-I-A-  
16 M-O-N-D, in 209.

17 CHAIRPERSON FLETCHER: Did you say E-I-A-M-O-  
18 N-D?

19 MR. DIAMOND: D-I-A-M-O-N-D.

20 CHAIRPERSON FLETCHER: Diamond.

21 MR. DIAMOND: Yeah, Diamond.

22 CHAIRPERSON FLETCHER: Okay, thank you.

1 MR. KIMURA: Kenji Kimura. K-E-N-J-I, K-I-M-  
2 U-R-A.

3 CHAIRPERSON FLETCHER: K-E-N-J-I, and then K-  
4 I-

5 MR. KIMURA: M-U-R-A.

6 CHAIRPERSON FLETCHER: M-U-R-A.

7 MS. Y. KIMURA: Yuka Kimura. Y-U-K-A, K-I-M-  
8 U-R-A.

9 CHAIRPERSON FLETCHER: Thank you very much.

10 MS. FESSENDEN: Pamela Fessenden. I'm a  
11 tenant in 210. Last name is F as in Frank, E-S-  
12 S-E-N-D-E-N.

13 CHAIRPERSON FLETCHER: The first name is Kim?

14 MS. FESSENDEN: Pamela.

15 CHAIRPERSON FLETCHER: Pamela?

16 MS. FESSENDEN: Pamela.

17 CHAIRPERSON FLETCHER: Okay, thank you.

18 MR. MATTHEWS: Hi, Robin Matthews. R-O-B-I-  
19 N, M-A-T-T-H-E-W-S. Owner of 308.

20 CHAIRPERSON FLETCHER: Thank you.

21 MR. BAKAR: Hi, Zulfian Bakar. Z-U-L-F-I-A-  
22 N, B-A-K-A-R. Co-owner of Unit 808.

1 MR. ZUSMAN: Moshe Zusman. M-O-S-H-E, Z-U-S-  
2 M-A-N. Co-owner of Unit 218.

3 CHAIRPERSON FLETCHER: Thank you.

4 MR. KINBERG: Good afternoon, William  
5 Kinberg. W-I-L-L-I-A-M, last name K-I-N-B-E-R-G,  
6 owner of Unit 208.

7 CHAIRPERSON FLETCHER: Thank you.

8 MR. LAPORTA: Eugene LaPorta. E-U-G-E-N-E,  
9 L-A-P-O-R-T-A, co-owner of 910.

10 CHAIRPERSON FLETCHER: Thank you.

11 MR. ELLIS: Stephen Ellis. S-T-E-P-H-E-N, E-  
12 L-L-I-S. I'm a tenant of Unit 208.

13 CHAIRPERSON FLETCHER: Thank you. Mr. Ellis,  
14 did you sign the tablet?

15 MR. ELLIS: I did, ma'am.

16 CHAIRPERSON FLETCHER: Thank you.

17 MR. WARREN: Timothy Warren, co-owner of Unit  
18 205.

19 CHAIRPERSON FLETCHER: What's the last name,  
20 Timothy?

21 MR. WARREN: Warren. W-A-R-R-E-N.

22 CHAIRPERSON FLETCHER: Thank you.

1 MR. WARREN: Thank you.

2 CHAIRPERSON FLETCHER: Is that everybody?

3 Anybody else? Okay, then. Oh.

4 MR. GREEN: I'm John Green. I'm here  
5 representing Lakiesha Brown. She is the single  
6 member district commissioner.

7 CHAIRPERSON FLETCHER: Mr. Green, did ANC  
8 file a protest in the matter of Mulebone?

9 MR. GREEN: I texted Lakiesha, she wasn't  
10 sure if she sent the letter.

11 CHAIRPERSON FLETCHER: I have no record that  
12 the ANC filed a protest. Do you, Mr. O'Brien?

13 MR. O'BRIEN: No, I don't.

14 CHAIRPERSON FLETCHER: I'm just trying to  
15 make sure. I actually don't have the ANC as a  
16 protestant but what I'll do because I have your  
17 contact information I'll ask, I'll inquire and  
18 get back to you.

19 MR. GREEN: Okay.

20 CHAIRPERSON FLETCHER: And you've got my  
21 contact information. You can check with me too,  
22 but I'll look into that.

1 MR. GREEN: And I'll reach out to the  
2 commissioner and talk to her as well.

3 CHAIRPERSON FLETCHER: Okay, thank you very  
4 much. And just so you know, in the upcoming  
5 Mulebone case where it's related to the petition  
6 to terminate the settlement agreement, the ANC,  
7 we don't have a record that they filed a protest  
8 in that case either.

9 MR. GREEN: You do have record of that?

10 CHAIRPERSON FLETCHER: Not of that one  
11 either.

12 MR. GREEN: Okay.

13 CHAIRPERSON FLETCHER: Not that one but I'll  
14 look into it and I'll let you know.

15 MR. O'BRIEN: If I may, the votes would have  
16 had to have been taken at a public meeting.

17 MR. GREEN: Absolutely

18 CHAIRPERSON FLETCHER: Yeah, so I'll look  
19 into it and get back to you, so you're not on for  
20 today, so you're free to leave whenever you're  
21 ready.

22 MR. GREEN: All right, sounds good.

1 CHAIRPERSON FLETCHER: So all the individuals  
2 present have already stated your names? Okay,  
3 then --

4 MR. GREEN: What did you say to the  
5 reinstatement? I'm sorry?

6 CHAIRPERSON FLETCHER: Yeah, actually you  
7 won't need to, Mr. Green, because I'm not going  
8 to -- because the ANC won't be recognized as a  
9 protestant I'm not going to dismiss it so there's  
10 no reinstatement, but when I get back to my desk  
11 I'll look to see if the ANC did file a protest  
12 and if they did then we'll get back to it and if  
13 the protest was timely filed then the Board can  
14 still grant standing to the ANC and then we'll be  
15 in touch.

16 MR. GREEN: Okay, thank you.

17 CHAIRPERSON FLETCHER: Okay, you're welcome.

18 MR. KARNI: There are some people here who  
19 are representing abutting owners that are  
20 overseas or couldn't make it otherwise.

21 CHAIRPERSON FLETCHER: When I start calling  
22 the abutting property owners, those individuals

1 can step forward, but everyone present in the  
2 room right now signed their name on the note pad?  
3 Thank you.

4 UNKNOWN SPEAKER: [inaudible 41:50]

5 CHAIRPERSON FLETCHER: No, not you, I've got  
6 you; this is just for the individuals that spoke  
7 their names into the record so we can have a  
8 record that you showed up today. And so all of  
9 the individuals present, you -- you -- you may be  
10 seated until I call the next case and you can  
11 stay seated and then I'll ask you if you all  
12 signed the next protestant and next matter, but  
13 for this matter we're done with the group. I  
14 counted 20 individuals present today from the  
15 group. What that means is that the group of  
16 individuals that filed the protest is granted  
17 standing as a protestant. I counted a group of  
18 119. That group is granted standing as  
19 protestants. Are there any abutting property  
20 owners present? Are there any abutting property  
21 owners present? Okay if you would come forward  
22 and just state your name.

1 MS. GOMER: Yeah, Katherine Gomer, I own the  
2 unit directly above Eatonville and it was  
3 formerly owned by William Gerardo who was party  
4 to the settlement agreement.

5 CHAIRPERSON FLETCHER: Thank you.

6 MS. FESSENDEN: Pamela Fessenden and I'm a  
7 designated representative of Douglas and Yuko  
8 Carey who own apartment 210.

9 CHAIRPERSON FLETCHER: You're not abutting  
10 but you're representing the --

11 MS. FESSENDEN: I'm representing the abutting  
12 owner. I'm the representative.

13 CHAIRPERSON FLETCHER: You're representing  
14 Douglas and Yuko Carey?

15 MS. FESSENDEN: Yes, C-A-R-E-Y is the last  
16 name.

17 CHAIRPERSON FLETCHER: Thank you.

18 MR. KINBERG: William Kinberg, abutting unit  
19 208 directly above.

20 CHAIRPERSON FLETCHER: Thank you.

21 MR. KIMURA: Kenji Kimura. K-E-N-J-I, K-I-M-  
22 U-R-A. I'm the co-owner of 206.

1 CHAIRPERSON FLETCHER: Thank you.

2 MS. Y. KIMURA: I'm Yuka Kimura. Y-U-K-A-,  
3 K-I-M-U-R-A. I'm a co-owner of unit 206.

4 CHAIRPERSON FLETCHER: Thank you very much.

5 MR. WARREN: Timothy Warren, owner of  
6 abutting unit 205.

7 CHAIRPERSON FLETCHER: Timothy  
8 Warren. Mr. Warren, I did not see a protest  
9 letter from you. My wife filed the protest  
10 letter.

11 CHAIRPERSON FLETCHER: What's her name?

12 MR. WARREN: Jennifer Warren. We are co-  
13 owners of the unit.

14 CHAIRPERSON FLETCHER: I don't see one for  
15 Jennifer Warren. So, your wife's name is  
16 Jennifer, and what's your name, Mr. Warren?

17 MR. WARREN: Timothy.

18 CHAIRPERSON FLETCHER: Did you sign the --  
19 did you and your wife sign the same letter as the  
20 other abutting property owners or did you file  
21 something separately? I have, just a sec.

22 MR. WARREN: We filed separately.

1 CHAIRPERSON FLETCHER: I'll take a look here.  
2 Did you receive a notice from the office to  
3 appear at the hearing today? Did you receive a  
4 notice?

5 MR. WARREN: In the mail.

6 CHAIRPERSON FLETCHER: You received a notice  
7 in the mail to appear for the hearing today?

8 MR. WARREN: Oh, I was informed by Dror  
9 Karni.

10 CHAIRPERSON FLETCHER: Okay, but you didn't  
11 get a letter from us addressed to you and your  
12 wife? I'll tell you why I'm asking. I don't  
13 see any record that you or Ms. Warren filed a  
14 protest, but if you told me that you received a  
15 letter from us that would be an indication that  
16 you did, but for some reason your protest letter  
17 didn't make it here today.

18 MR. KARNI: I have just forwarded you a copy  
19 of the e-mail they sent showing the date and time  
20 that it was sent to ABRA.legal@dc.gov.

21 CHAIRPERSON FLETCHER: From Mr. and Mrs.  
22 Warren?

1 MR. KARNI: Yes.

2 CHAIRPERSON FLETCHER: One second. So, Mr.  
3 Karni you just sent me an e-mail that showed the  
4 Warrens received the notice from the hearing from  
5 us?

6 MR. KARNI: I have the e-mail that they sent  
7 to ABRA legal.

8 CHAIRPERSON FLETCHER: To file a protest?

9 MR. KARNI: To file a protest on the license  
10 renewal and I sent you a separate e-mail on the  
11 petition.

12 CHAIRPERSON FLETCHER: Okay, then I'll accept  
13 that.

14 MR. KARNI: Thank you.

15 CHAIRPERSON FLETCHER: And I'll check my e-  
16 mail when I get back to my desk. Thank you. And  
17 so, Mr. Warren both you and your wife filed as  
18 abutting property owners. Are you here on behalf  
19 of your wife?

20 MR. WARREN: She signed the initial letter,  
21 we're both co-owners.

22 CHAIRPERSON FLETCHER: Okay, so then I'll be

1 granting standing to Jennifer Warren. She signed  
2 the protest letter.

3 MR. WARREN: Right.

4 CHAIRPERSON FLETCHER: Okay, so Jennifer  
5 Warren is granted standing as a protestant.

6 MR. WARREN: Thanks.

7 MR. PEABODY: Justin Peabody, owner of Unit  
8 212.

9 CHAIRPERSON FLETCHER: Mr. Peabody, you -- I  
10 can see where you -- I can see where you filed as  
11 an abutting property owner in the next matter.  
12 Did you file as an abutting property owner for  
13 the license renewal as well?

14 MR. PEABODY: I intended to.

15 CHAIRPERSON FLETCHER: You intended to?

16 MR. PEABODY: Yes, I sent them one letter, I  
17 thought that was what I was supposed to do.

18 CHAIRPERSON FLETCHER: Well, stay there for  
19 one second. Let me see if you're mentioned on  
20 the one letter.

21 MR. PEABODY: Okay.

22 CHAIRPERSON FLETCHER: Mr. Peabody, I don't

1 see where we received a copy of a protest letter  
2 from you related to the license renewal, so for  
3 the purpose of the Roll Call Hearing I'm not  
4 going to grant you standing as a protestant  
5 related to the license renewal, and I will review  
6 -- unless you have something to show that you did  
7 -- and I'll review the file later. If I discover  
8 that you did then I'll let you know.

9 MR. PEABODY: Okay.

10 CHAIRPERSON FLETCHER: But I have written  
11 down that you were present for the license  
12 renewal protest.

13 MR. PEABODY: Thank you.

14 CHAIRPERSON FLETCHER: Mr. Karni, are you  
15 representing the abutting property owners as  
16 well? I didn't know, I just want to clarify  
17 that. I have you as representing all of the  
18 individual group, but are you representing the  
19 abutting property owners as well?

20 MR. KARNI: If they would like me to.

21 CHAIRPERSON FLETCHER: Can I ask if you would  
22 like him to or no? I just want to make sure.

1           GROUP OF 119: Yes, please.

2           CHAIRPERSON FLETCHER: Okay, because if all  
3 the abutting property owners are in agreement  
4 with Mr. Carney representing them in mediation,  
5 the status hearing, the protest hearing. All the  
6 abutting property owners are okay with that?

7           GROUP OF 119: Yes.

8           CHAIRPERSON FLETCHER: Okay.

9           MR. YOUNG: Ms. Fletcher, can I ask a  
10 clarifying question about that?

11          CHAIRPERSON FLETCHER: Yes.

12          MR. YOUNG: That doesn't mean that the  
13 abutting property owners are no longer parties to  
14 the matter?

15          CHAIRPERSON FLETCHER: They'll be separate.

16          MR. YOUNG: They would be required to sign or  
17 have the opportunity to sign a settlement  
18 agreement individually.

19          CHAIRPERSON FLETCHER: That's right. Thanks  
20 and I'm just about to clarify that, yes. And so  
21 there's the individual group of 119, that's one  
22 protest group. Each abutting property owner has

1 standing as a protestant in your own right, so  
2 each one of you are considered protestants, so  
3 even though Mr. Karni is representing each of  
4 you, you each stand alone as a protestant. And  
5 what that means is that in mediation if there's a  
6 settlement agreement that you're not in agreement  
7 with, you have a right to carry on as an  
8 individual abutting property owner. But, Mr.  
9 Karni has your permission to represent you but if  
10 you're not in agreement as I said with a proposed  
11 settlement, then you may carry on individually,  
12 each one of you alone. Are there any questions  
13 about that as an abutting property owner? I'm  
14 going to clarify for the record which abutting  
15 property owners are on it. When you filed your  
16 original protest letter, the abutting property  
17 owners did not designate a representative. What  
18 that means is that the abutting property owners  
19 who are not present today will be dismissed, but  
20 the ones who are present will be granted  
21 standing. Either you have to be present or a  
22 designated representative on your behalf to

1 appear. And so I'm going to go down the list of  
2 abutting property owners and dismiss the ones  
3 that are not present today. Is Jamia Anderson  
4 here? [No audible response.] What about Mary  
5 Lee Goel? [No audible response.] Is Pamela  
6 Fessenden here?

7 MS. FESSENDEN: Yes I'm here.

8 MR. OBRIEN: That's our property owner.

9 CHAIRPERSON FLETCHER: But you are also  
10 representing --

11 MS. FESSENDEN: I'm representing the Careys.

12 CHAIRPERSON FLETCHER: The Careys, yes. I'll  
13 take the representative letter that you have.  
14 Thank you. Mr. O'Brien this is the letter from  
15 Douglas and Yuka Carey designating Ms. Fessenden  
16 as representing them today.

17 MR. OBRIEN: Very well.

18 CHAIRPERSON FLETCHER: Katherine Gomer is  
19 here, granted standing as an abutting property  
20 owner. William Kinberg is here, is here, granted  
21 standing as an abutting property owner. Kenji  
22 Kimura and Yuka Kimura are here, granted standing

1 as an abutting property owners. Jamia Anderson  
2 and Mary Lee Goel are dismissed as abutting  
3 property owners. We need to set a date for a  
4 status hearing, a protest hearing and a  
5 mediation. Let me clarify who the protestants  
6 are. The protestants in this matter are the  
7 Meridian Hill Neighborhood Association  
8 represented by Chris Young, a Group of 19  
9 represented by -- Mr. Karni, how do you pronounce  
10 your first name?

11 MR. KARNI: Dror.

12 CHAIRPERSON FLETCHER: Represented by Dror  
13 Karni. A group of abutting property owners  
14 represented by Dror Karni. We need to set a date  
15 for a mediation, a status hearing, and a protest  
16 hearing. I'll give you the date for the status  
17 and protest hearing first. The date of the  
18 status hearing is September 21st at 9:30.

19 GROUP OF 19: September 21st?

20 CHAIRPERSON FLETCHER: September 21 at 9:30.  
21 The protest hearing is set for November 2 at  
22 1:30. November 2nd at 1:30. I'll give you the

1 next available date for mediation. The next  
2 available date for mediation is Tuesday, August  
3 23 at 9:00, 10:00. That's not a good date for  
4 you, Mr. Karni?

5 MR. KARNI: Yeah, I'm out of the country from  
6 August 15th until 27th.

7 CHAIRPERSON FLETCHER: Okay, through the  
8 27th? The 27th? Did you say through the 27th  
9 Mr. Karni?

10 MR. KARNI: I should be back, it should  
11 probably be the week after, that would be better.

12 MR. YOUNG: For the record, my calendar  
13 overlaps Mr. Karni's slightly and I'm not  
14 returning from Montana until August 30.

15 CHAIRPERSON FLETCHER: Okay. Would anybody  
16 like to try for July? Are you available in July,  
17 Mr. Karni, or Mr. Young?

18 MR. KARNI: Yeah. Let's try.

19 CHAIRPERSON FLETCHER: Mr. O'Brien? So, let  
20 me take a look at July. There's some spots  
21 available in July on Wednesday. Does anybody  
22 else have any business before the Board on

1 Wednesday in July; if not we can pick a  
2 Wednesday.

3 MR. KARNI: Given the number of protestants I  
4 think you're going to need this room for  
5 mediation.

6 CHAIRPERSON FLETCHER: Well, what I'm hoping  
7 is that it would be just the people sitting at  
8 the table, but I don't know that. Anybody can  
9 come. The abutting property owners can come. I  
10 was anticipating the designated representatives  
11 only in which case we could use the Director's  
12 conference room, but if you would prefer just to  
13 be on the safe side to use this room, then we'll  
14 need to move to September. Unless --

15 MR. KARNI: We don't mind July as long as  
16 it's accessible to accommodate.

17 CHAIRPERSON FLETCHER: Yeah, if the  
18 designated representatives only are going to  
19 appear then we can use a conference room in the  
20 back that will accommodate everybody sitting at  
21 this table and maybe a couple more people, but  
22 the room in the back will not accommodate all of

1 us. So I'm going to move to September. Mr.  
2 Karni, let me ask you and Mr. Young, let me ask  
3 you, actually, Mr. Karni, do you anticipate other  
4 members from your protest group appearing for the  
5 mediation? We're just trying to get some sense  
6 of how many would appear for mediation to  
7 determine which room we should use, this one or -  
8 -

9 MR. KARNI: Yeah, I would think some of the  
10 abutting property owners that are directly above  
11 would --

12 CHAIRPERSON FLETCHER: So then let's just  
13 move to September --

14 MR. KARNI: Okay.

15 CHAIRPERSON FLETCHER: -- because in July the  
16 only day available is a Wednesday and the Board  
17 is in this room on Wednesday. Let me look at the  
18 first available date in September.

19 CHAIRPERSON FLETCHER: I'm going to check one  
20 thing. Is anybody available on August 30?  
21 That's the only day I didn't look at. That's  
22 August 30, that's on a Tuesday.

1 MR. OBRIEN: Ms. Fletcher, I'd prefer to  
2 leave that week and, frankly, the following week  
3 following Labor Day out. Can we look at the week  
4 beginning Sunday the 11th?

5 CHAIRPERSON FLETCHER: Yes. The status  
6 hearing is September 21.

7 MR. OBRIEN: Right.

8 CHAIRPERSON FLETCHER: We're going to look at  
9 -- are we looking at the week of September 19th?  
10 What week are we looking at, Mr. O'Brien? The  
11 week of the 12th?

12 MR. OBRIEN: Yes, the week starting Monday  
13 the 12th.

14 CHAIRPERSON FLETCHER: Starting Monday the  
15 12th? We could do Thursday, September 15 9:00,  
16 10:00, 11:00 or 1:00.

17 MR. OBRIEN: The 15th at 11:00 would work for  
18 me.

19 MR. KARNI: That's fine.

20 CHAIRPERSON FLETCHER: The 15th at 11:00?  
21 The mediation is set for September 15 at 11:00.  
22 Any questions regarding the license renewal

1 matter? Are we all done with the license  
2 renewal, and any questions, Mr. Karni or Mr.  
3 Young, about the license renewal? The Roll Call  
4 Hearing is concluded related to the license  
5 renewal.

6 [Whereupon, the above-entitled matter  
7 concluded.]