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GOVERNMENT OF THE DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ALCOHOLIC BEVERAGE CONTROL BOARD

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IN THE MATTER OF: :

A&A Restaurant Group, Inc.

t/a Russia House Case Number 16-PRO-00039

1800 Connecticut Avenue NW

License Number 80952

Retailer CR

ANC 2D

PROTEST HEARING (STATUS)

- - - - -X

Wednesday, July 20, 2016

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

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2 CHAIRPERSON:

3 DONOVAN W. ANDERSON, Presiding

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5 OTHER PERSONS PRESENT:

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7 RUTHANNE MILLER, BOARD MEMBER

8 JAMES SHORT, BOARD MEMBER

9 MIKE SILVERSTEIN, BOARD MEMBER

10 NICK ALBERTI, BOARD MEMBER

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

2 CHAIRPERSON ANDERSON: Good morning
3 everyone. I would like to welcome you to the
4 regularly -- regularly scheduled meeting of the District
5 of Columbia Alcoholic Beverage Control Board. Please
6 know that today's hearings will be conducted in
7 accordance with D.C. Official Code Section 2574 of the
8 Open Meetings Act.

9 Today is July 20th, 2016. I would first
10 like to introduce members of The Board with us today.
11 To my far right is Ms. Ruthanne Miller. To my immediate
12 right is Mr. Nick Alberti. To my far left is Mr. Mike
13 Silverstein, and to my immediate left is Mr. James
14 Short. My name is Donovan Anderson. I'm the chairman
15 of the board. The Board has five members in attendance
16 today for the conduct of business, and that constitutes
17 a quorum.

18 I would like to mention two things before we
19 get started. First of all, if you have any electronic
20 devices, pagers, cell phones, or such, please make
21 certain that they are turned off to avoid any
22 interruption of the proceedings. Secondly, there is a

1 piece of paper on each table. When you come forward as
2 your case is called please take a seat at the table and
3 please sign-in. This is to -- this is to ensure the
4 correct spelling of your name for the record.

5 Additionally when you introduce yourself for the record
6 please spell your name aloud for the court reporter.

7 I would like to note that the approximate
8 time is 9:39. And let me apologize to the parties. I
9 looked -- how I was looking at the cameras outside it
10 didn't appear that anyone was here. So that's one of
11 the reasons why I was waiting because we have a light
12 calendar this morning. So I do appreciate that -- that
13 folks are here at 9:30. But I -- I didn't see -- it
14 didn't appear to me that the parties were here, and so
15 that's one of the reasons I was waiting for folks to
16 show up before I come out.

17 The first case on our protest hearing status
18 calendar is Case Number 16-PRO-00039, the Russia House,
19 License Number 80952. Will the parties please approach
20 and identify themselves for the record. Okay. I guess
21 you're not here. I was told that they are running late
22 so I will recall this case.

1 (Whereupon, the above-entitled matter was
2 recalled.)

3 CHAIRPERSON ANDERSON: All right. Let's --
4 I know that one party is -- one of the reason why I'm
5 moving on and I'm going to call the case later on I know
6 that the parties for the protest hearing status, they
7 had called to say they are running late. So I then --
8 we'll then move on to our show cause hearing status.
9 The first case on our -- I'm sorry. Radiator?

10 MR. GORLAND: We called, we were running
11 late.

12 CHAIRPERSON ANDERSON: Well, you are who?

13 MR. GORLAND: The protest against the Russia
14 House.

15 CHAIRPERSON ANDERSON: Well, I called --
16 that was the first case I called at 9:30, and nobody
17 showed up.

18 MR. GORLAND: Yeah. Well, we -- we called
19 to let them know that we were having --

20 CHAIRPERSON ANDERSON: I -- sir. Sir, I
21 called the case, no one showed up, and so therefore I
22 was -- I said from the -- from the bench it was my

1 understanding that they are running late. And so I will
2 recall it. So who are you? You are the protestant?

3 MR. GORLAND: Yes.

4 CHAIRPERSON ANDERSON: And the licensee is
5 not here? All right. Okay. What I will do I will
6 give -- I will call those cases at 10:00. If the
7 licensee is not here, I will dismiss the case. I
8 will -- I will dismiss the case so they would have to --
9 I will dismiss the case. But I'll give folks until
10 10:00. So I'm going to move on. Okay. So you just
11 have a seat and we'll recall the case please. I'm
12 sorry, Miss, you have a question?

13 MS. ASSO: Yes, please. You say that you
14 will dismiss the case. But we -- we are the protestants
15 and we are here. If we don't show up, you dismiss the
16 case. But if the licensee is not there, would you
17 dismiss the case?

18 CHAIRPERSON ANDERSON: It's the same
19 process, ma'am. And so I said at 9:30 I will call it --
20 I will call the case again. If they are not here, then
21 we'll move forward. It's the same -- I -- all I'm doing
22 is that I'm giving --

1 MR. ALBERTI: She doesn't -- she doesn't
2 understand that you mean dismiss the -- the licensee.

3 CHAIRPERSON ANDERSON: I'll explain once I
4 recall the case at 10:00.

5 MS. ASSO: Thank you.

6 (Whereupon, the above-entitled matter was
7 recalled.)

8 CHAIRPERSON ANDERSON: Back on the record.
9 I'm calling protest hearing status Case Number
10 16-PRO-00039, the Russia House. Would the parties
11 please approach and identify themselves for the record
12 please. I can -- no, you stay right there. Just -- I
13 can't hear. Just state your name. There's a sign --
14 there's a sign-in sheet that I would like for you to
15 sign in and then state your name for the record please.

16 MS. ASSO: So my name is Joumana Asso. I'm
17 representing the community of residents on S Street NW,
18 Phelps Place NW, and Bancroft Place NW sharing the alley
19 with Russia House. And as you know we've stated in our
20 petition the issue.

21 MR. SILVERSTEIN: Please speak up. I can't
22 hear you.

1 MS. ASSO: We stated the issue in our
2 petition. There is a major issue of mishandling and
3 mismanagement of waste and rubbish which is resulting in
4 a huge number of rats and increasing number of -- number
5 and volume of rats going all up the alley, and the
6 situation is despicable. And we think the Russia House
7 is contributing largely to the problem along with other
8 institutions and establishments. But we would like to
9 tackle at this point the Russia House contribution while
10 we are handling the other establishments in due course.

11 CHAIRPERSON ANDERSON: All right. Thank
12 you. This is just a preliminary matter, and -- and
13 clearly it -- there's no one here from the Russia House
14 here, and they are applying to renew their license. And
15 so therefore their renewal application, because they're
16 not here, is dismissed meaning that they would have
17 to -- they can come back in here tomorrow and reapply.
18 But as of today because they are not here, the matter --
19 it's dismissed. Their -- their renewal is dismissed.
20 So therefore they have to start the process back over
21 again. They have to come back to ABRA and re-file to
22 renew their license. Okay?

1 MS. ASSO: Okay.

2 CHAIRPERSON ANDERSON: All right.

3 MS. ASSO: Thank you, sir.

4 CHAIRPERSON ANDERSON: Thank you very much.

5 MS. ASSO: Thank you.

6 CHAIRPERSON ANDERSON: Yes, sir. You have a
7 question.

8 MR. GORLAND: For the record my name is
9 Sheldon Gorland.

10 CHAIRPERSON ANDERSON: Yes, sir.

11 MR. GORLAND: And I just have a question.
12 Joumana was -- was counsel from here or from our ANC?

13 MS. ASSO: From the ANC.

14 MR. GORLAND: Okay. If -- if Mr. McGovern
15 were here, we had counsel to zero in and document things
16 we would like him to sign off on that he's going to do
17 everything within his effort to abate the problem.

18 CHAIRPERSON ANDERSON: Okay.

19 MR. GORLAND: The fact that he's not here,
20 is this irrelevant? Would you like to have a copy of
21 it?

22 CHAIRPERSON ANDERSON: There's no -- there's

1 no case in front of us, sir.

2 MR. GORLAND: Okay.

3 CHAIRPERSON ANDERSON: So there's no case in
4 front of us. So once they renew -- if they plan to be
5 in business, then they need to reapply to renew their
6 license. They're -- they're not going to have a license
7 because their license expired. I mean they're --
8 they're in their renewal. And so they have to reapply
9 to renew their license. And then you'll -- hold on a
10 minute. And then you'll have an opportunity to continue
11 negotiating with them. Yes, Mr. Alberti.

12 MR. ALBERTI: So just since you brought that
13 up have you had a mediation with -- with -- with the
14 licensee?

15 MS. ASSO: Indeed we had about two or three
16 weeks ago mediation session here.

17 MR. ALBERTI: Okay.

18 MS. ASSO: And we've submitted yesterday a
19 list of specific actions we would like him to commit to
20 in preparation for today's hearing.

21 MR. ALBERTI: Okay. So as the chairman said
22 we can't handle that here. Just but I wanted to

1 understand whether you knew about the mediation process.
2 And if he reapplies, the protest will -- will then be
3 in -- be reinstated. I mean so at that point you can go
4 through -- you could request another mediation at which
5 point you could present those. It's at mediation, that
6 would be the appropriate time to present those to
7 Mr. McGovern.

8 MS. ASSO: Okay.

9 CHAIRPERSON ANDERSON: Thank you very much.

10 MS. ASSO: Thank you, sir.

11 CHAIRPERSON ANDERSON: All right. Thank
12 you.

13 MS. ASSO: Thank you very much.

14 (Whereupon the above-entitled matter was
15 concluded.)

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