

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

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5 IN THE MATTER OF: :
6 Three Brothers, LLC., t/a :
7 Rioja Market :
8 1824 Columbia Road N.W. : Case #16-PRO-00001
9 License #60011 : Protest Hearing
10 Retailer B : (Status)
11 ANC 1C :
12 Substantial Change (Class :
13 B Retailer - Transferring to :
14 A new location.) :

15 - - - - - X

16 Wednesday, February 17, 2016

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

22

1 CHAIRPERSON:

2 DONOVAN ANDERSON, Presiding

3

4 BOARD MEMBERS:

5 NICK ALBERTI

6 RUTHANNE MILLER

7 JAMES SHORT

8 MIKE SILVERSTEIN

9 DANETTE WALKER

10

11 ALSO PRESENT:

12

13 ANDREW KLINE,

14 On Behalf of the Applicant

15 TED GUTHRIE,

16 On Behalf of ANC 1C

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

2 CHAIRPERSON ANDERSON: Good morning,
3 everyone. I'd like to welcome you to the
4 regularly scheduled meeting of the District of
5 Columbia, I'll call it Beverage Control Board.
6 Please note that today's hearings will be
7 conducted in accordance with D.C. Official Code
8 2574, Section 2574 of the Open Meetings Act.
9 Today is February 17th, 2016. I would like to
10 introduce members of the Board with us today.

11 To my immediate right is Mr. Nick
12 Alberti, to my left is Mr. Mike Silverstein, and
13 to my immediate left is Mr. James Short. My name
14 is Donovan Anderson and I'm the Chairman of the
15 Board, and the Board has four members in
16 attendance for the conduct of business today, and
17 that constitutes a quorum.

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

1 there is a piece of paper on the table. When you
2 come forward as your case is called, please take
3 a seat at the table and please sign in. this is
4 to ensure that the correct spelling of your name
5 for the record. Additionally, when you introduce
6 yourself for the record please spell your name
7 aloud for the court reporter. I would note that
8 the approximate time is 9:38 and I will call our
9 first order of business.

10 The first case on our protest hearing
11 status is Case No. 16-PRO-00001. Rioja Market,
12 License No. 60011. Will the parties please
13 approach?

14 MR. KLINE: Good morning, Andrew Kline on
15 behalf of the applicant.

16 CHAIRPERSON ANDERSON: Good morning, Mr.
17 Kline.

18 MR. GUTHRIE: Ted Guthrie on behalf ANC
19 1C.

20 CHAIRPERSON ANDERSON: I'm sorry, sir. I
21 didn't hear your name.

22

1 MR. GUTHRIE: Ted Guthrie from --

2 CHAIRPERSON ANDERSON: Good morning, Mr.
3 Guthrie. How you doing?

4 MR. GUTHRIE: -- ANC 1C.

5 CHAIRPERSON ANDERSON: All right. Are
6 there any preliminary matters?

7 MR. KLINE: Not at this time, no.

8 CHAIRPERSON ANDERSON: This matter is set
9 for a protest hearing on March 28th -- I'm sorry.
10 March 23rd, 2016 at 4:30. And I'll just -- I
11 know that both are here but I still, I'll just
12 read this for the record since there are some
13 other protest hearings that we have. And now
14 that we have scheduled this matter for a protest
15 hearing there are a few things I would like to
16 instruct the applicant and the protestants about,
17 so that the protest hearing is focused and
18 addresses only those issues that are being
19 protested.

20 The Board does not intend to hear
21 testimony on matters that are not relevant to
22 this case. You should have received by

1 electronic or regular mail, a letter explaining
2 the protest process, a copy of the protest
3 information form, and a copy of the exhibition
4 form, exhibit form. If you do not have these
5 documents please contact Assistant General
6 Counsel, Ms. Raines -- I'm sorry, Ms. Randall,
7 following the hearing.

8 It is imperative that you review the
9 rules closely and adhere to them before entering
10 the protest hearing. You are also required to
11 complete and submit the protest information form
12 and the exhibit form seven days before the date
13 of the hearing. These two forms and accompanying
14 documents need to be submitted to ABRA's legal
15 division and to all opposing parties in this
16 matter. If we do not receive a copy of your PIP,
17 your application, or your protest, whichever side
18 you're representing may be dismissed. Likewise,
19 if we do not receive a copy of the exhibit form
20 and the exhibits themselves, your exhibits may be
21 excluded from the record upon a finding that the
22 opposing party has been prejudiced, or no good

1 cause for failure to submit has been shown.

2 Likewise, witnesses other than a party
3 may also be excluded if not identified on the
4 PIP. Accordingly, these forms are very
5 important. They greatly assist the Board in
6 narrowing the protest issues, facilitating the
7 process, and keeping the parties on point through
8 the hearing. They likewise provide notice to
9 opposing parties enabling them to better prepare
10 for the hearing.

11 We thank you greatly for your
12 cooperation. If you have any questions any time
13 during the proceeding, please do not hesitate to
14 contact Ms. Randall at 202-442-4353. Thank you
15 and I hope that you guys are able to negotiate
16 and work this matter out. But if not, we will
17 see you March 23rd, at 4:30. Thank you, and have
18 a great day.

19 MR. KLINE: Great. Thank you.

20 MR. GUTHRIE: Thank you.

21 [Whereupon, the above-entitled matter
22 concluded.]