

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

X

IN THE MATTER OF :
Saul Urban Host, LLC: Case #16-PRO-000092
t/a Saul Urban :
15 Dupont Circle NW :
License #ABRA-103525 :
Retailer Class CT :
New Application :
- - - - -X

Monday, September 19, 2016

Whereupon, the abovereferenced 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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CHAIRPERSON:

LAVERNE FLETCHER, Presiding

ALSO PRESENT:

ABIGAIL NICHOLS

ZACHARY LYON

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

ROLL CALL HEARING

Would the parties in the matter of Saul Urban Host please come forward? This is Case #16-PRO-000092, 15 Dupont Circle Northwest, license #ABRA-103525. This s a retailer class CT, new application. Excuse me, can you hear in the back? The protest issues are adverse impact on peace, order and quiet. My name is Laverne Fletcher and I'm conducting the hearing as the board's agent. Present on behalf of the applicant?

MR. LYON: My name is Zachary C. Lyon. Z-A-C-H-A-R-Y, C. --

MEDIATOR FLETCHER: Excuse me, I'm sorry. Ms. Nichols and Mr. Nelson, we can't hear at the table. Can you state your name one more time please?

MR. LYON: Zachary, Z-A-C-H-A-R-Y, Lyon, L-Y-O-N. And I'm here on the behalf of the applicant and I'm with the Veritas Law Firm.

MEDIATOR FLETCHER: Would you spell Veritas

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for the record?

MR. LYON: Certainly. V-E-R-I-T-A-S.

MEDIATOR FLETCHER: Thank you. So, Mr. Lyon, have you been in communication with the ANC?

MR. LYON: I believe so, yes.

MEDIATOR FLETCHER: Is anyone present on behalf of the ANC? ANC 2B?

MR. LYON: It doesn't look like it, no.

MEDIATOR FLETCHER: Ms. Nichols, could you just step forward for a second? This is Abigail Nichols A-B-I-G-A-I-L, N-I-C-H-O-L-S. So, Ms. Nichols you weren't the designated representative for this case. It was Ms. -- the chair and another commissioner were designated as representatives.

MS. NICHOLS: -- is the commissioner for the -- just a second --

MEDIATOR FLETCHER: And so, what I was about to do, was to dismiss ANC 2B for not being present for the roll call hearing. Ms. Nichols, you're stepping in on behalf of the chair?

MS. NICHOLS: Yes. Good morning. I represent the chair. I was present at the meeting when this vote was taken.

MEDIATOR FLETCHER: Yes, you were. Ms. Nichols because you are present, ANC 2B will not be dismissed but will be granted standing but you're going to go on the record as the designated representative for ANC 2B. So, your contact information is on that sheet from the previous case?

MS. NICHOLS: It is, it is.

MEDIATOR FLETCHER: Mr. Lyon, are you opposed to Ms. Nichols stepping in on behalf of ANC 2B?

MR. LYON: No, that's fine.

MEDIATOR FLETCHER: Okay, thank you.

MS. NICHOLS: Can I ask a question? The commissioner whose district this is located I gather is Mr. Kupcinski. If he is able to take that over is there a process? Nichol would not have taken the lead in any activities.

MEDIATOR FLETCHER: Yeah, she just named

herself as a designated representative in this case in her protest letter and I'll spell Kupcinski's name for the record, that's K-U-P-C-I-N-S-K-I, that's John Kukpcinski.

MS. NICHOLS: Right. In this letter I'm looking at it says both of them are the commissioners.

MEDIATOR FLETCHER: Yes, they are both -- she designated herself and Mr. Kupcinski as representatives --

MS. NICHOLS: Right, right.

MEDIATOR FLETCHER: -- in this case? So, for the record -- for the roll call hearing -- you're going to be listed as a designated representative because you're here.

MS. NICHOLS: Okay.

MEDIATOR FLETCHER: We know in the protest letter that she named Kupcinski but he's not here.

MS. NICHOLS: Right.

MEDIATOR FLETCHER: If you weren't here it would be dismissed.

MS. NICHOLS: I'm glad I woke up. I was trying to get my group to leave, to get you stopped. Thank you for clearing that up.

MEDIATOR FLETCHER: So, I'm going to list you as the designated representative --

MS. NICHOLS: Okay.

MEDIATOR FLETCHER: -- for today because that's what happened today.

MS. NICHOLS: Yes.

MEDIATOR FLETCHER: We had the letter. And, you know, for us it doesn't matter which commissioner is present. So, I will give you the dates for the status hearing and protest hearing and mediation in this case.

MS. NICHOLS: Okay.

MEDIATOR FLETCHER: I'll give you the status hearing first. The status hearing for Saul Urban Host is October 19th. It's at 9:30 a.m.

MS. NICHOLS: Okay, thank you.

MEDIATOR FLETCHER: The protest hearing is November 16, 2016, at 4:30 p.m. and we need to set a date for mediation. Ms. Nichols, you will

not be available until after October 11th?

MS. NICHOLS: Right. I'm assuming that we need to coordinate this with Mr. Kupcinski.

MEDIATOR FLETCHER: Then I will give you the next available date after October 11th. The next available date after October 11th is October 20th at 9:00, 10:00 or 11:00 or 1:00.

MS. NICHOLS: Does that suit you?

MR. LYON: I'm filling in for somebody else.

MS. NICHOLS: Okay, let's say 9:00 -- 10:00. Now, where do the owners -- do they have to come in from Virginia and should we do it later?

MEDIATOR FLETCHER: We can do it at 9:00, 10:00 or 11:00.

MS. NICHOLS: Maybe we should do 11:00 if owners are coming in from Virginia that's a problem.

MR. LYON: So, we'll do it at 11:00?

MEDIATOR FLETCHER: Okay, we can make it 11:00.

MR. LYON: On the 20th?

MEDIATOR FLETCHER: Yes. 11:00 on October

the 20th. Mr. Lyon, did you put your contact information on that sheet?

MR. LYON: Yes.

MEDIATOR FLETCHER: Mediation is scheduled for Thursday, October 20, at 11:00. Any questions at all?

MR. LYON: No.

MEDIATOR FLETCHER: Okay, the roll call hearing is concluded. Thank you very much.

[Whereupon, the aboveentitled matter concluded.]