

## DISTRICT OF COLUMBIA

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## ALCOHOLIC BEVERAGE CONTROL BOARD

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## ROLL CALL HEARING

+ + + + +

## IN THE MATTER OF:

Trump Old Post Office,  
LLC  
t/a Trump International  
Hotel Washington D.C.  
1100 Pennsylvania Avenue,  
NW  
License #ABRA-1000648  
Retailer CH  
Application  
Case #19-PRO-00036

TUESDAY, MAY 28, 2019

The Alcoholic Beverage Control Board  
met in Alcoholic Beverage Control Hearing Room,  
Reeves Building, 2000 14th Street N.W.,  
Washington, D.C., Ms. La Verne Fletcher, Agent,  
presiding.

## PRESENT:

La Verne Fletcher, Alcoholic Beverage Control  
Board Mediator

**ALSO PRESENT:**

**Jennifer Butler**

**Joan Goldfrank**

**William Lamar**

**Joshua Levy**

**Jack Moline**

**Stephen O'Brien**

**Aaron Potek**

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

2 (10:28 a.m.)

3 AGENT FLETCHER: Would the parties in  
4 the matter of Trump International Hotel,  
5 Washington DC, please come forward? This is Case  
6 Number 19-PRO-00036, Trump Old Post Office LLC,  
7 1100 Pennsylvania Avenue Northwest, License  
8 Number ABRA-1000648.

9 This is a Retailer Class CH license  
10 renewal. The protest issue, not a good  
11 character.

12 My name is La Verne Fletcher,  
13 conducting a Roll Call Hearing as the Board's  
14 Agent. Introductions beginning with the  
15 Applicant, please.

16 MR. O'BRIEN: Stephen O'Brien for the  
17 Applicant.

18 AGENT FLETCHER: Thank you, Mr.  
19 O'Brien. So there's also a group of individuals  
20 present on behalf of the group of individuals?

21 MR. LEVY: Joshua Levy.

22 AGENT FLETCHER: Mr. Levy, could you

1 spell your name for the record, please?

2 MR. LEVY: Sure, it's J-O-S-H-U-A,  
3 middle initial A., last name, L-E, V as in  
4 Victor, Y.

5 AGENT FLETCHER: Thank you, and Mr.  
6 Levy there are individuals from the group present  
7 today?

8 MR. LEVY: Yes.

9 AGENT FLETCHER: If you would just  
10 stand behind the microphone next to Mr. Levy and  
11 state your name and spell it for the record.  
12 Thank you.

13 MS. GOLDFRANK: Good morning retired  
14 Judge Joan L. Goldfrank, J-O-A-N, middle initial  
15 L., last name, G-O-L-D-F-R-A-N-K.

16 AGENT FLETCHER: Thank you very much.

17 MS. GOLDFRANK: Do you want us to sign  
18 this too?

19 AGENT FLETCHER: No, that's fine if  
20 Mr. Levy signs, that's all we need.

21 MR. LEVY: Okay.

22 MS. GOLDFRANK: Okay, thank you.

1 MR. POTEK: Good morning. Rabbi Aaron  
2 Potek, A-A-R-O-N, last name, P-O-T-E-K.

3 AGENT FLETCHER: Thank you.

4 MR. MOLINE: Rabbi Jack Moline,  
5 J-A-C-K, last name M-O-L-I-N-E.

6 AGENT FLETCHER: Thank you.

7 MS. BUTLER: Good morning, the  
8 Reverend Jennifer Butler, J-E-N-N-I-F-E-R  
9 B-U-T-L-E-R.

10 AGENT FLETCHER: Thank you, Reverend  
11 Butler.

12 MR. LAMAR: Good morning, William H.  
13 Lamar IV, W-I-L-L-I-A-M H. initial, L-A-M-A-R,  
14 Roman numeral IV, no comma. William H. Lamar.

15 AGENT FLETCHER: What did you say your  
16 name was again?

17 MR. LAMAR: William H. Lamar.

18 AGENT FLETCHER: Oh, I see it. Thank  
19 you.

20 MR. LAMAR: Yes, ma'am.

21 AGENT FLETCHER: Thank you. Thank you  
22 very much. So the record will reflect that --

1 Mr. Levy you didn't sign the protest letter,  
2 you're just a representative, right?

3 MR. LEVY: Correct.

4 AGENT FLETCHER: Okay, so the record  
5 will reflect that five individuals that filed a  
6 protest are present today. The Board's Agent  
7 won't make a decision today about who has  
8 standing or not because the Applicant's attorney  
9 filed a motion to dismiss the protest. So that  
10 decision won't be made, but the record will  
11 reflect that at least five individuals were  
12 present today.

13 MR. LEVY: And they're excused from  
14 appearing at the Status Hearing, these five  
15 individuals?

16 AGENT FLETCHER: Yes.

17 MR. LEVY: Thank you.

18 AGENT FLETCHER: Mr. O'Brien?

19 MR. O'BRIEN: Yeah, I'm confused as to  
20 the five?

21 AGENT FLETCHER: The five individuals  
22 that are present signed the protest letter.

1 MR. O'BRIEN: Actually, I don't think  
2 any of them signed the protest letter, but  
3 putting that aside --

4 MR. LEVY: That's not correct.

5 AGENT FLETCHER: Yeah. So, Mr.  
6 O'Brien, there may be -- I'm going to make sure  
7 you get the document where they signed, maybe it  
8 wasn't transmitted to you, but I'll make sure you  
9 get it.

10 MR. O'BRIEN: But even then, I see --  
11 I don't see Rabbi Moline.

12 AGENT FLETCHER: Rabbi Moline --

13 MR. O'BRIEN: I don't see him as a  
14 Protestant.

15 AGENT FLETCHER: I'm going to -- let  
16 me take a look here, Mr. O'Brien.

17 MR. O'BRIEN: I see him as a  
18 Complainant back in September.

19 AGENT FLETCHER: Right.

20 MR. O'BRIEN: But I don't see him  
21 listed as a Protestant, rather I see Albert  
22 Fohler (phonetic).

1                   AGENT FLETCHER: So I have this name.  
2                   So what happened is Mr. Moline's name was not  
3                   submitted originally. So my guess, Mr. O'Brien,  
4                   is you don't have the document where he was  
5                   added.

6                   Mr. Levy, he was added later.

7                   MR. LEVY: Yes, that's correct.

8                   AGENT FLETCHER: He was added before  
9                   the petition deadline, but later.

10                  MR. LEVY: Yeah, let me clarify two  
11                  things, if I may --

12                  AGENT FLETCHER: Yes.

13                  MR. LEVY: -- for both counsel and for  
14                  you, Ms. Fletcher. Number one, in conversations  
15                  with ABRA legal, ABRA confirmed with me that the  
16                  signatures from the Complainants submitted as an  
17                  attachment to the May 8th letter would suffice as  
18                  signatures for the Protestants.

19                  AGENT FLETCHER: Yes.

20                  MR. LEVY: Number two, we were asked  
21                  to submit names and addresses to ABRA. We did  
22                  that. And Rabbi Moline's name and address should

1 appear in those submissions.

2 AGENT FLETCHER: Yes.

3 MR. LEVY: It was also in the original  
4 complaint.

5 AGENT FLETCHER: It does appear --

6 MR. LEVY: Thank you.

7 AGENT FLETCHER: And so, Mr. O'Brien.

8 MR. O'BRIEN: I don't have it.

9 AGENT FLETCHER: Mr. O'Brien does not  
10 have the document that you are referring to, so  
11 we're going to have to make sure you get that,  
12 Mr. O'Brien.

13 MR. O'BRIEN: Thank you.

14 AGENT FLETCHER: Yeah, because it was  
15 not submitted all at one time.

16 MR. O'BRIEN: Okay.

17 AGENT FLETCHER: Mr. O'Brien, I'm  
18 making a note of that right now. When I get back  
19 to my desk, I'll email it to you.

20 MR. O'BRIEN: Email it to me, that's  
21 fine.

22 AGENT FLETCHER: We don't need to set

1 any dates, mediation, Status, Protest Hearing,  
2 there's nothing we need to do because the Board  
3 now has to make a decision about whether or not  
4 the Protestants have standing to follow protest.

5 Any questions at all, Mr. Levy?

6 MR. LEVY: Well, we'll respond to the  
7 motion to dismiss shortly.

8 AGENT FLETCHER: Okay. Well, thank  
9 you for coming.

10 MR. LEVY: All right.

11 AGENT FLETCHER: Roll Call Hearing is  
12 concluded.

13 (Whereupon, the above-entitled matter  
14 went off the record at 10:34 a.m.)  
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22

<p style="text-align: center;"><b>A</b></p> <p><b>A-A-R-O-N</b> 5:2  <b>a.m</b> 3:2 10:14  <b>Aaron</b> 2:17 5:1  <b>above-entitled</b> 10:13  <b>ABRA</b> 8:15,15,21  <b>ABRA-1000648</b> 1:11  3:8  <b>added</b> 8:5,6,8  <b>address</b> 8:22  <b>addresses</b> 8:21  <b>Agent</b> 1:17 3:3,14,18,22  4:5,9,16,19 5:3,6,10  5:15,18,21 6:4,6,16  6:18,21 7:5,12,15,19  8:1,8,12,19 9:2,5,7,9  9:14,17,22 10:8,11  <b>Albert</b> 7:21  <b>Alcoholic</b> 1:3,15,16,19  <b>appear</b> 9:1,5  <b>appearing</b> 6:14  <b>Applicant</b> 3:15,17  <b>Applicant's</b> 6:8  <b>Application</b> 1:12  <b>aside</b> 7:3  <b>asked</b> 8:20  <b>attachment</b> 8:17  <b>attorney</b> 6:8  <b>Avenue</b> 1:10 3:7</p>	<p><b>confused</b> 6:19  <b>Control</b> 1:3,15,16,19  <b>conversations</b> 8:14  <b>correct</b> 6:3 7:4 8:7  <b>counsel</b> 8:13</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p><b>D.C</b> 1:10,17  <b>dates</b> 10:1  <b>DC</b> 3:5  <b>deadline</b> 8:9  <b>decision</b> 6:7,10 10:3  <b>desk</b> 9:19  <b>dismiss</b> 6:9 10:7  <b>DISTRICT</b> 1:1  <b>document</b> 7:7 8:4 9:10</p>	<p><b>IV</b> 5:13,14</p> <hr/> <p style="text-align: center;"><b>J</b></p> <p><b>J-A-C-K</b> 5:5  <b>J-E-N-N-I-F-E-R</b> 5:8  <b>J-O-A-N</b> 4:14  <b>J-O-S-H-U-A</b> 4:2  <b>Jack</b> 2:15 5:4  <b>Jennifer</b> 2:11 5:8  <b>Joan</b> 2:12 4:14  <b>Joshua</b> 2:14 3:21  <b>Judge</b> 4:14</p>	<p><b>Number</b> 3:6,8 8:14,20  <b>numeral</b> 5:14  <b>NW</b> 1:11</p> <hr/> <p style="text-align: center;"><b>O</b></p> <p><b>O'Brien</b> 2:16 3:16,16,19  6:18,19 7:1,6,10,13  7:16,17,20 8:3 9:7,8,9  9:12,13,16,17,20  <b>Office</b> 1:8 3:6  <b>Old</b> 1:8 3:6  <b>original</b> 9:3  <b>originally</b> 8:3</p>
<hr/> <p style="text-align: center;"><b>B</b></p> <p><b>B-U-T-L-E-R</b> 5:9  <b>back</b> 7:18 9:18  <b>beginning</b> 3:14  <b>behalf</b> 3:20  <b>Beverage</b> 1:3,15,16,19  <b>Board</b> 1:3,15,20 10:2  <b>Board's</b> 3:13 6:6  <b>Building</b> 1:16  <b>Butler</b> 2:11 5:7,8,11</p>	<hr/> <p style="text-align: center;"><b>E</b></p> <p><b>email</b> 9:19,20  <b>excused</b> 6:13</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p><b>filed</b> 6:5,9  <b>fine</b> 4:19 9:21  <b>five</b> 6:5,11,14,20,21  <b>Fletcher</b> 1:17,19 3:3,12  3:18,22 4:5,9,16,19  5:3,6,10,15,18,21 6:4  6:16,18,21 7:5,12,15  7:19 8:1,8,12,14,19  9:2,5,7,9,14,17,22  10:8,11  <b>Fohler</b> 7:22  <b>follow</b> 10:4  <b>forward</b> 3:5</p>	<hr/> <p style="text-align: center;"><b>K</b></p> <hr/> <p style="text-align: center;"><b>L</b></p> <p><b>L</b> 4:14,15  <b>L-A-M-A-R</b> 5:13  <b>L-E</b> 4:3  <b>La</b> 1:17,19 3:12  <b>Lamar</b> 2:13 5:12,13,14  5:17,17,20  <b>legal</b> 8:15  <b>letter</b> 6:1,22 7:2 8:17  <b>Levy</b> 2:14 3:21,21,22  4:2,6,8,10,20,21 6:1,3  6:13,17 7:4 8:6,7,10  8:13,20 9:3,6 10:5,6  10:10  <b>license</b> 1:11 3:7,9  <b>listed</b> 7:21  <b>LLC</b> 1:9 3:6  <b>look</b> 7:16</p>	<hr/> <p style="text-align: center;"><b>P</b></p> <p><b>P-O-T-E-K</b> 5:2  <b>P-R-O-C-E-E-D-I-N-G-S</b>  3:1  <b>parties</b> 3:3  <b>Pennsylvania</b> 1:10 3:7  <b>petition</b> 8:9  <b>phonetic</b> 7:22  <b>please</b> 3:5,15 4:1  <b>Post</b> 1:8 3:6  <b>Potek</b> 2:17 5:1,2  <b>present</b> 1:18 2:9 3:20  4:6 6:6,12,22  <b>presiding</b> 1:17  <b>protest</b> 3:10 6:1,6,9,22  7:2 10:1,4  <b>Protestant</b> 7:14,21  <b>Protestants</b> 8:18 10:4  <b>putting</b> 7:3</p>
<hr/> <p style="text-align: center;"><b>C</b></p> <p><b>Call</b> 1:5 3:13 10:11  <b>Case</b> 1:13 3:5  <b>CH</b> 1:12 3:9  <b>character</b> 3:11  <b>clarify</b> 8:10  <b>Class</b> 3:9  <b>COLUMBIA</b> 1:1  <b>come</b> 3:5  <b>coming</b> 10:9  <b>comma</b> 5:14  <b>Complainant</b> 7:18  <b>Complainants</b> 8:16  <b>complaint</b> 9:4  <b>concluded</b> 10:12  <b>conducting</b> 3:13  <b>confirmed</b> 8:15</p>	<hr/> <p style="text-align: center;"><b>G</b></p> <p><b>G-O-L-D-F-R-A-N-K</b>  4:15  <b>Goldfrank</b> 2:12 4:13,14  4:17,22  <b>group</b> 3:19,20 4:6  <b>guess</b> 8:3</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p><b>H</b> 5:12,13,14,17  <b>happened</b> 8:2  <b>Hearing</b> 1:5,16 3:13  6:14 10:1,11  <b>Hotel</b> 1:10 3:4</p>	<hr/> <p style="text-align: center;"><b>M</b></p> <p><b>M-O-L-I-N-E</b> 5:5  <b>ma'am</b> 5:20  <b>making</b> 9:18  <b>matter</b> 1:7 3:4 10:13  <b>mediation</b> 10:1  <b>Mediator</b> 1:20  <b>met</b> 1:16  <b>microphone</b> 4:10  <b>middle</b> 4:3,14  <b>Moline</b> 2:15 5:4,4 7:11  7:12  <b>Moline's</b> 8:2,22  <b>morning</b> 4:13 5:1,7,12  <b>motion</b> 6:9 10:7</p>	<hr/> <p style="text-align: center;"><b>Q</b></p> <p><b>questions</b> 10:5</p> <hr/> <p style="text-align: center;"><b>R</b></p> <p><b>Rabbi</b> 5:1,4 7:11,12  8:22  <b>record</b> 4:1,11 5:22 6:4  6:10 10:14  <b>Reeves</b> 1:16  <b>referring</b> 9:10  <b>reflect</b> 5:22 6:5,11  <b>renewal</b> 3:10  <b>representative</b> 6:2  <b>respond</b> 10:6  <b>Retailer</b> 1:12 3:9  <b>retired</b> 4:13  <b>Reverend</b> 5:8,10  <b>Roll</b> 1:5 3:13 10:11  <b>Roman</b> 5:14  <b>Room</b> 1:16</p>
	<hr/> <p style="text-align: center;"><b>I</b></p> <p><b>individuals</b> 3:19,20 4:6  6:5,11,15,21  <b>initial</b> 4:3,14 5:13  <b>International</b> 1:9 3:4  <b>Introductions</b> 3:14  <b>issue</b> 3:10</p>	<hr/> <p style="text-align: center;"><b>N</b></p> <p><b>N.W</b> 1:16  <b>name</b> 3:12 4:1,3,11,15  5:2,5,16 8:1,2,22  <b>names</b> 8:21  <b>need</b> 4:20 9:22 10:2  <b>Northwest</b> 3:7  <b>note</b> 9:18</p>	<hr/> <p style="text-align: center;"><b>S</b></p> <p><b>September</b> 7:18  <b>set</b> 9:22</p>

**shortly** 10:7  
**sign** 4:17 6:1  
**signatures** 8:16,18  
**signed** 6:22 7:2,7  
**signs** 4:20  
**spell** 4:1,11  
**stand** 4:10  
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**Status** 6:14 10:1  
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**t/a** 1:9  
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     6:17 9:6,13 10:8  
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**TUESDAY** 1:14  
**two** 8:10,20

**U**

**V**

**V** 4:3  
**Verne** 1:17,19 3:12  
**Victor** 4:4

**W**

**W-I-L-L-I-A-M** 5:13  
**Washington** 1:10,17  
     3:5  
**wasn't** 7:8  
**went** 10:14  
**William** 2:13 5:12,14,17

**X**

**Y**

**Y** 4:4

**Z**

**0**

**1**

**10:28** 3:2  
**10:34** 10:14  
**1100** 1:10 3:7  
**14th** 1:16

**19-PRO-00036** 1:13 3:6

**2**

**2000** 1:16  
**2019** 1:14  
**28** 1:14

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**8**

**8th** 8:17

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Trump Hotel

Before: DCABRA

Date: 05-28-19

Place: Washington, DC

was duly recorded and accurately transcribed under  
my direction; further, that said transcript is a  
true and accurate record of the proceedings.

*Neal R Gross*

-----  
Court Reporter

**NEAL R. GROSS**

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