

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 KOOKOOVAYA, INC, : Case #16-PRO-00024
8 t/a We, The Pizza :
9 305 Pennsylvania Avenue SE :
10 License #ABRA-082062. :
11 Retailer Class CR :
12 License renewal :

13 - - - - -X

14 Monday, May 16, 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 BOARD'S AGENT:

2 LAVERNE FLETCHER, Presiding

3

4 ALSO PRESENT:

5 ANDREW KLINE

6 CHANDER JAYARAMAN

7 SYLVIA CSIFFARY

8 WAYNE SULSER

9

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

2 ROLL CALL HEARING

3 CHAIRPERSON FLETCHER: The next case is
4 We, The Pizza. Are the protestants here of We,
5 The Pizza?

6 MR. KLINE: Yeah.

7 CHAIRPERSON FLETCHER: So, you may stay seated.
8 Mr. Kline, you're representing?

9 MR. KLINE: Yes, I'm Andrew Kline, I'm
10 here for the applicant.

11 CHAIRPERSON FLETCHER: This is Case #16-
12 PRO-00024. Kookoovaya, Inc., trading as We, The
13 Pizza, 305 Pennsylvania Avenue Southeast, license
14 #ABRA-082062. This is a retailer Class CR
15 License renewal. The protest issues are adverse
16 impact on peace, order and quiet. My name is
17 Laverne Fletcher. I'm conducting the Roll Call
18 Hearing as the Board's Agent pursuant to D.C.
19 Official Code 1601.2. Mr. Kline, you're
20 representing We, The Pizza?

21 MR. KLINE: Yes.

22 CHAIRPERSON FLETCHER: Who's present on

1 behalf of the ANC 6B?

2 MR. JAYARAMAN: Chander Jayaraman.

3 CHAIRPERSON FLETCHER: Would you spell that for
4 the record, please?

5 MR. JAYARAMAN: Chander, C-H-A-N-D-E-R,
6 last name Jayaraman, J-A-Y-A-R-A-M-A-N.

7 CHAIRPERSON FLETCHER: There is also a
8 group of 6.

9 MR. JAYARAMAN: Madam Chair?

10 CHAIRPERSON FLETCHER: Yes.

11 MR. JAYARAMAN: If we could add on that
12 in addition to peace, order and quiet that we
13 claim that there's an impact on real property
14 values.

15 MEDIATOR FLETCHER: On real property
16 values?

17 MR. JAYARAMAN: Yes, ma'am.

18 CHAIRPERSON FLETCHER: Okay. I'll add
19 that, thank you.

20 MR. KLINE: Ms. Fletcher I don't believe
21 that was in the initial letter.

22 CHAIRPERSON FLETCHER: I didn't. Let me

1 take a look. Let me verify that.

2 MR. JAYARAMAN: Mr. Kline is correct, we
3 protested on the basis of peace, order and quiet.

4 CHAIRPERSON FLETCHER: Hmm?

5 MR. JAYARAMAN: We did protest on a basis
6 of peace, order --

7 CHAIRPERSON FLETCHER: You did. Real
8 property value is a separate base so I'm just
9 going to double check before I -- So, if it's not
10 in there we can't add it, but if it's in there
11 and we left it out then I can add it. It's not
12 there, so I can't.

13 MR. JAYARAMAN: Thank you.

14 CHAIRPERSON FLETCHER: There's a group of
15 6. Introductions of individuals present from the
16 group of 6 please.

17 MS. CSIFFARY: Sylvia Csiffary.

18 CHAIRPERSON FLETCHER: Would you spell
19 that for the record?

20 MS. CSIFFARY: S-Y-L-V-I-A, last name C-
21 S-I-F-F-A-R-Y.

22 CHAIRPERSON FLETCHER: May I call you

1 Sylvia?

2 MS. CSIFFARY: Yes ma'am.

3 CHAIRPERSON FLETCHER: Thank you. Anyone
4 else present from the group of six?

5 MS. CSIFFARY: We have two neighbors.

6 CHAIRPERSON FLETCHER: Present?

7 MS. CSIFFARY: Yes.

8 CHAIRPERSON FLETCHER: Your name ma'am?

9 MS. LOWE: Jocelyn Hong Lowe.

10 CHAIRPERSON FLETCHER: Can you spell it
11 please?

12 MS. LOWE: J-O-C-E-L-Y-N, middle name H-
13 O-N-G, last name is Lowe, L-O-W-E.

14 CHAIRPERSON FLETCHER: Thank you very
15 much. And your name, sir?

16 MR. SULSER: Wayne Sulser. W-A-Y -N-E,
17 last name S-U-L-S-E-R.

18 CHAIRPERSON FLETCHER: And Sylvia I have
19 from you two letters of designation from -- one
20 from Wohan Dansby designating you as his
21 representative and I have another one from Anita
22 Mingo that's designating you as her

1 representative.

2 MS. CSIFFARY: Yes ma'am.

3 CHAIRPERSON FLETCHER: Sylvia the protest
4 signed by your protest group was filed timely but
5 without signatures. The record reflects your
6 efforts to get the signatures in. We received
7 the signatures but after the petition deadline.
8 The Board's agent doesn't have the ability to
9 extend the deadline and so for the purpose of the
10 roll call hearing, the protest filed for the
11 group of 6 is dismissed but you may seek
12 reinstatement of the protest from the ABC Board
13 and if you seek reinstatement of the protest, if
14 you will copy Mr. Kline, and the dates that I'm
15 about to give you for the Status and Protest
16 Hearing, if you would jot those down, if you're
17 reinstated prior to that then you would
18 participate.

19 MS. CSIFFARY: I'm sorry I'm having
20 trouble hearing you.

21 CHAIRPERSON FLETCHER: I'm sorry. I said
22 the dates that I'm about to give you for the

1 Status and Protest hearing --

2 MS. CSIFFARY: Yes.

3 CHAIRPERSON FLETCHER: -- that you jot
4 those dates down because if the Board reinstates
5 you prior to those dates then you would appear
6 for those hearings as well.

7 MS. CSIFFARY: Yes. Thank you.

8 CHAIRPERSON FLETCHER: So I'm gonna give
9 the dates for the Status, Protest hearings and
10 the mediation in a moment. And also, Sylvia, in
11 your -- if you seek reinstatement of your protest
12 would you -- you could indicate in your letter
13 that five people were represented here today from
14 your group. I'll put that in your report --

15 MS. CSIFFARY: Yes ma'am.

16 CHAIRPERSON FLETCHER: -- because a
17 number of at least five is required in order to
18 be granted standing as a protestant. But you all
19 are claiming to be abutting property owners?

20 MS. CSIFFARY: No.

21 CHAIRPERSON FLETCHER: Okay, I just
22 wanted to make sure about that.

1 MS. CSIFFARY: No. If I may, that is
2 stated in the letter from Ms. Moreland, but I
3 used the term adjacent.

4 CHAIRPERSON FLETCHER: Okay. Thank you.
5 I just wanted to clear that up.

6 MS. CSIFFARY: That is clear. We do not
7 have abutting property but we do share the alley
8 --

9 CHAIRPERSON FLETCHER: Okay.

10 MS. CSIFFARY: -- adjacent.

11 CHAIRPERSON FLETCHER: Thank you. So,
12 then you will be considered a group of five
13 individuals?

14 MS. CSIFFARY: Yes ma'am.

15 CHAIRPERSON FLETCHER: Okay, thank you.
16 ANC-6B is the protestant in this matter. I'll
17 give you the dates of the Status and Protest
18 hearing. First, the date for the Status hearing
19 is June 8th at 9:30. The Protest hearing is July
20 27th at 4:30. We need to set a date for the
21 mediation. The next available date is -- is
22 anyone available on June the 1st? That's a

1 Wednesday.

2 MR. JAYARAMAN: We would like to request
3 that it be at the same time as the mediation for
4 Bernaise.

5 CHAIRPERSON FLETCHER: That's at 2:00 in
6 the afternoon?

7 MR. JAYARAMAN: 2:00 on May 31st.
8 Because these establishments are right next to
9 each other.

10 CHAIRPERSON FLETCHER: I understand. I have to
11 look at the calendar. I already considered that.
12 Mr. Kline would you be available after 2:00?

13 MR. KLINE: After 3:00 on the 31st?

14 CHAIRPERSON FLETCHER: Have you
15 considered that?

16 MR. KLINE: I mean we don't want to do
17 them at the same time. Our position is that it's
18 separate cases --

19 CHAIRPERSON FLETCHER: Right.

20 MR. KLINE: -- but we'll certainly
21 facilitate.

22 CHAIRPERSON FLETCHER: Well, the --

1 MR. KLINE: But I could do it on the 31st
2 at a later hour.

3 CHAIRPERSON FLETCHER: We can do it
4 before, but it will be really short. But we will
5 have -- I don't think it'll take long at that
6 point to determine if any progress is being made
7 or not.

8 MR. KLINE: Right.

9 CHAIRPERSON FLETCHER: So, we can do it
10 at 4:00. Normally, we'd have more time, but if
11 we do it at 4:00 you won't have a lot of time, so
12 that's fine with me.

13 MR. KLINE: We will be able to discuss
14 the Bearnaise case for approximately two hours,
15 from 2:00 to 4:00.

16 CHAIRPERSON FLETCHER: Maybe. We don't
17 know how long it's going to last but if we're
18 done with Bernaise before -- we could start the
19 second one before 4:00 if you're done with that
20 one since all the parties are the same.

21 MR. JAYARAMAN: A procedural question.
22 If we are not able to complete the discussion

1 within the allotted time period, is it possible
2 to continue those discussions beyond that date?

3 CHAIRPERSON FLETCHER: Yeah, you can do
4 that.

5 MR. JAYARAMAN: Thank you.

6 CHAIRPERSON FLETCHER: Mm hmm. So we'll
7 make it 4th then. That's -- We The Pizza at 4:00
8 on the 31st.

9 MR. JAYARAMAN: Yes ma'am.

10 CHAIRPERSON FLETCHER: So the Mediation
11 is set for Tuesday, May 31st at 4:00 for We The
12 Pizza.

13 MR. KLINE: Ms. Fletcher there's a third
14 case involving all of the parties. I'm wondering
15 if it might be most efficient to call that now.

16 CHAIRPERSON FLETCHER: That's coming
17 next. I moved it up. Thanks, Mr. Kline.

18 MR. KLINE: Thank you.

19 CHAIRPERSON FLETCHER: Mm hmm. Any
20 questions about We The Pizza? Okay, Roll Call
21 Hearing is concluded for We The Pizza.

22 Whereupon, the above-entitled matter was

1 concluded.