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GOVERNMENT OF THE DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ALCOHOLIC BEVERAGE CONTROL BOARD

- - - - -X

IN THE MATTER OF: :

Moroc & Moroc, LLC

t/a Yard & Toast Case Number 16-PRO-00030

1541-1543 7th Street NW

License Number 101636

Retailer CT

ANC 6E

PROTEST HEARING (STATUS)

- - - - -X

Wednesday July 27, 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 MIKE SILVERSTEIN, BOARD MEMBER

9 NICK ALBERTI, BOARD MEMBER

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

2 CHAIRPERSON ANDERSON: I would like to
3 welcome you to the regularly scheduled meeting of the
4 District of Columbia Alcoholic Beverage Control Board.
5 Excuse me. Please know that today's [inaudible
6 00:14:01] in accordance with D.C. Official Code Section
7 2574 of the Open Meetings Act.

8 Today is July 27th, 2016. I would like to
9 introduce members of The Board with us today. To my far
10 right is Ms. Ruthanne Miller. To my immediate right is
11 Mr. Nick Alberti, and to my far left is Mr. Mike
12 Silverstein. My name is Donovan Anderson, and I'm the
13 Chairman of the Board. The Board has four members in
14 attendance for the conduct of business today, and that
15 constitutes a quorum.

16 I would like to mention two things before we
17 get started. First of all, if you have any electronic
18 devices, pagers, cell phones, or such, please make
19 certain that they have been turned off to avoid any
20 interruption of the proceedings. Secondly, there is a
21 piece of paper on each table. When you come forward as
22 your case is called please take a seat at the table and

1 please sign in. This is to ensure the correct spelling
2 of your name for the record. Additionally when you
3 introduce yourself for the record please spell your name
4 aloud for the court reporter. I would like -- I would
5 note that the approximate time is 9:34 a.m.

6 And our first case we're -- on our protest
7 hearing status the first case is Case Number
8 16-PRO-00030, Yard & Toast, License Number 101636. Will
9 the parties please approach and identify themselves for
10 the record please. Good morning, Mr. Chapple. You can
11 turn the microphone on please. Just -- yes. Yes, go
12 ahead yes, sir.

13 MR. CHAPPLE: Kevin Chapple representing ANC
14 6E.

15 MS. SALGUERO: My name is Rosemarie Salguero
16 spelled S-A-L-G-U-E-R-O, and I am here for Moroc &
17 Moroc, LLC trading as Yard & Toast.

18 CHAIRPERSON ANDERSON: All right. All
19 right. Are there any preliminary issues?

20 MR. CHAPPLE: No.

21 CHAIRPERSON ANDERSON: No. All right. And
22 does the -- the ANC was granted status at the role

1 hearing; is that correct?

2 MR. CHAPPLE: That is correct.

3 CHAIRPERSON ANDERSON: All right. All
4 parties -- the parties who signed the protest petition
5 who did not make an appearance at a roll call hearing or
6 who did not submit a letter and designate a
7 representative and are now present today are -- at the
8 status hearing are deemed dismissed from the protest.

9 The purpose of a protest hearing is to --
10 the purpose is to determine the appropriateness of the
11 establishment in the section of the district where the
12 establishment is located. This matter is scheduled for
13 a protest hearing on September 28th, 2016 at 4:30 p.m.

14 Now that we have scheduled this matter for a
15 protest hearing there are a few things that I would to
16 instruct the applicant and the protestants so that the
17 protest hearing is focused and addresses only those
18 issues that are being protested. The Board does not
19 intend to hear testimony on matters that are not
20 relevant to this case. You should have received by
21 electronic or regular mail a letter explaining the
22 protest process, a copy of the protest information form,

1 and a copy of the exhibit form. If you do not have
2 these documents, please contact Assistant General
3 Counsel Ms. April Randall following this hearing. It is
4 imperative that you review the rules and closely adhere
5 to them before and during the protest hearing. You are
6 also required to complete and submit the protest
7 information form and the exhibit form seven days before
8 the date of the hearing. These two forms and
9 accompanying documents need to be submitted to ABRA's
10 legal division and to all opposing parties in this
11 matter. If we do not receive a copy of your PIF, your
12 application, or your protest, whichever side you are
13 representing may be subject to dismissal. Likewise, if
14 we do not receive a copy of the exhibit form and the
15 exhibits themselves, your exhibits may be excluded from
16 the record upon a finding that the opposing party has
17 been prejudiced or no good cause for the failure to
18 submit has been shown. Likewise, witnesses other than
19 the parties may also be subject to exclusion if not
20 identified in the PIF. Accordingly these forms are very
21 important. They greatly assist The Board in narrowing
22 the protest issues, facilitating the process, and

1 keeping the parties on point during the hearing. They
2 likewise provide notice to opposing parties enabling
3 them to better prepare for the hearing.

4 We would like to thank you for your
5 cooperation. If you have any questions today or at any
6 time leading up to this hearing, please do not hesitate
7 to contact Ms. Randall at 202-442-4353. Thank you. Do
8 you guys have any questions?

9 MS. SALGUERO: Our -- our intention is to
10 submit a settlement agreement. We're imminently --

11 CHAIRPERSON ANDERSON: Well, I -- I do look
12 forward to that. And so it's -- it's always better for
13 the parties to agree --

14 MS. SALGUERO: Absolutely.

15 CHAIRPERSON ANDERSON: -- than for The Board
16 to make a decision. But if there is no settlement, I
17 will see you on September 28th at 4:30. Thank you very
18 much.

19 MS. SALGUERO: Thank you for your time.

20 MR. CHAPPLE: Thank you.

21 CHAIRPERSON ANDERSON: Thank you very much.

22 Excuse me.

YARD AND TOAST

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

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