

DISTRICT OF COLUMBIA  
+ + + + +  
ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
ROLL CALL HEARING

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IN THE MATTER OF:                   :  
  :  
Southeast Restaurant               :  
Group LLC                           :  
t/a DCity Smokehouse               :  
203 Florida Ave NW                :  
Retailer CT - ANC 5E               :  
License No. 098368                 :  
Case #23-PRO-00001                 :  
  :  
(License Renewal)                   :  
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Monday  
January 9, 2023

The Alcoholic Beverage Control Board  
met via WebEx videoconference, LaVerne Fletcher,  
Board's Agent, presiding.

PRESENT:

LAVERNE FLETCHER, ABRA Board's Agent  
MELVIN HINES, Applicant  
CORY BROWN, Protestant  
JACQUELINE SCHUMACHER, Protestant

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

2 10:03 a.m.

3 MS. FLETCHER: Okay. Good morning  
4 everyone. Thank you for participating in ABRA's  
5 roll call hearing via the WebEx platform provided  
6 by the DC Office of Open Government. My name is  
7 Laverne Fletcher. I will be conducting the roll  
8 call hearing as the Board's agent.

9 There are two cases on the calendar  
10 today. The first case on the calendar today is  
11 DC City Smokehouse. This is case number 23-PRO-  
12 0001, Southeast Restaurant Group LLC, 203 Florida  
13 Avenue, NW, License Number ABRA 098368. This is  
14 a retailer Class CT license renewal.

15 The protest issues are adverse impact  
16 on peace, order and quiet, real property values,  
17 and residential parking, and vehicular and  
18 pedestrian safety. My name is Laverne Fletcher,  
19 conducting the roll call hearing as the Board's  
20 agent. Is anyone present on behalf of DC City  
21 Smokehouse?

22 MR. HINES: I am.

23 MS. FLETCHER: If you would state your  
24 name and spell it for the record, please.

25 MR. HINES: My name is Melvin Hines,

1 E-L-V-I-N, Hines, H-I-N-E-S.

2 MS. FLETCHER: Thank you, Mr. Hines.  
3 We have a couple of protestants in this matter.  
4 Is Mr. Brown present?

5 MR. HINES: I am. My name is Melvin  
6 Hines, E-L-V-I-N, --

7 MS. FLETCHER: I'm sorry, can you say  
8 that again?

9 MR. BROWN: Good morning, this is Cory  
10 Brown.

11 MS. FLETCHER: Oh, Mr. Brown, could you  
12 spell your name for the record, please?

13 MR. BROWN: It's C-O-R-Y, B-R-O-W-N.

14 MS. FLETCHER: Thank you. Ms.  
15 Schumacher. I'm sorry, Mr. Brown.

16 MR. BROWN: We are getting some  
17 feedback from somebody else, that was not me.

18 MS. FLETCHER: Okay, yes, I heard that  
19 too. Thank you. Ms. Schumacher, are you here?

20 MS. SCHUMACHER: Yes. Hi, J-A-C-Q-U-E-  
21 L-I-N-E, S-C-H-U-M-A-C-H-E-R. Thanks so much.

22 MS. FLETCHER: Thank you very much.  
23 Mr. Brown, am I pronouncing that correctly,  
24 Schumacher?

25 MS. SCHUMACHER: It is Schumacher, but

1 close enough.

2 MS. FLETCHER: Schumacher. Ms.  
3 Schumacher, you and Mr. Brown filed protest as  
4 abutting property owners, and so that is the  
5 determination that has been made. I checked the  
6 DC geographic information system, and I can see  
7 that your buildings are abutting, so that I can  
8 see. What I cannot see, but you can tell me, is  
9 whether or not your units actually abut the  
10 establishment. Ms. Schumacher, you are in unit  
11 number 6, and so does that unit actually touch  
12 the establishment at any point?

13 MS. SCHUMACHER: Yes, ma'am, it does.  
14 The way that our building is arranged is that  
15 unit 6 is sort of on the left top side of the  
16 building, and Cory's is on the right top side of  
17 the building directly above the restaurant. So  
18 I'm not so familiar with the layout of the  
19 restaurant. I cannot say if I am above the  
20 kitchen or the dining area, but we're both right  
21 on top of restaurant side by side.

22 MS. FLETCHER: Thank you. Mr. Brown,  
23 the same applies for your unit.

24 MR. BROWN: Yes, correct, both of our  
25 units are directly above and touch the kitchen

1 areas and the main restaurant area.

2 MS. FLETCHER: Okay, thank you. In  
3 that case you are considered abutting property  
4 owners. Mr. Hines, still there?

5 Mr. Hines disappeared. I am going to  
6 give him a moment.

7 Mr. Hines, can you hear me?

8 Mr. Hines may be having some technical  
9 difficulties, I'm not sure, but -

10 MR. HINES: I'm sorry, this is a bad  
11 connection.

12 MS. FLETCHER: Mr. Hines, can you hear  
13 me?

14 Ms. Brown and Ms. Schumacher are  
15 granted standing as abutting property owners.  
16 Mr. Hines, --

17 MR. HINES: I'm sorry, this is a bad  
18 connection.

19 MS. FLETCHER: That is okay. If  
20 anything I need to tell you beyond this hearing  
21 -

22 (Simultaneous speaking.)

23 MR. HINES: -- this is a bad  
24 connection.

25 MS. FLETCHER: That's okay. Can you

1 hear me now?

2 MR. HINES: Ms. Fletcher, I'm not sure  
3 if you were saying something, but I cannot -- it  
4 is like I am hearing every few words. Ms.  
5 Fletcher, I'm sorry I cannot hear what you are  
6 saying.

7 MS. FLETCHER: That's okay. I will  
8 send you an email following of the roll call  
9 hearing to let you know what transpired, but this  
10 is what is happening. Standing is granting to  
11 Ms. Brown - Mr. Brown and Ms. Schumacher as an  
12 abutting property owners. We need to schedule a  
13 date for a mediation, a status hearing, and a  
14 protest hearing. Mr. Brown and Ms. Schumacher  
15 can you still hear me?

16 (Off-microphone comments.)

17 MS. FLETCHER: Just a second. Mr.  
18 Hines, can you hear me?

19 MR. HINES: Now I can. I did not hear  
20 anything that you just said, and I thought I  
21 heard my name a couple of times.

22 MS. FLETCHER: Okay, I am going to  
23 repeat it again, but I am going to follow up this  
24 hearing with an email, because I think there has  
25 been some disconnection in and out. What I said,

1 Mr. Hines, is that Mr. Brown and Ms. Schumacher  
2 are granted standing as abutting property owners.  
3 We need to set a date for a mediation, the status  
4 hearing and a protest hearing. I am going to  
5 give you the dates of the status and protest  
6 hearing first. Mr. Hines, you are going to say  
7 something?

8 MR. HINES: Yes, I just have a  
9 question. They are granted, I guess, they have  
10 authority because their units abut my unit,  
11 however, neither one of them lived in those  
12 units, so I do not know if that is a  
13 technicality, but the fact is neither one of them  
14 have been or live in their units at this time.

15 MS. FLETCHER: Are they owners of the  
16 units? Okay, Mr. Brown.

17 MR. BROWN: Yes.

18 MS. FLETCHER: Ms. Schumacher.

19 MR. BROWN: We own our units, and we  
20 have tenants that live in them currently, but we  
21 still qualify as abutting property owners, and I  
22 hold the deed for the property.

23 MS. FLETCHER: That is correct. That  
24 is the same for you, Ms. Schumacher?

25 MS. SCHUMACHER: Yes.

1 MS. FLETCHER: Okay, thank you. So,  
2 Mr. Hines, that answers your question?

3 MR. HINES: Yes, ma'am.

4 MS. FLETCHER: Thank you. I am going  
5 to give you the dates for the status and protest  
6 hearing first. The status hearing is scheduled  
7 for March 8th, March 8, 2023 at 10:30 for the  
8 status hearing. The protest hearing is set for  
9 April 5, 2023 at 1:30 in the afternoon. We need  
10 to set a date for mediation to occur prior to the  
11 status hearing. I will give you the next  
12 available date for mediation.

13 (Off-microphone comments.)

14 MS. FLETCHER: The next available day  
15 for mediation is - see hear, is Thursday,  
16 February 2nd anytime between 10:00 and 1:30 in  
17 the afternoon. That is Thursday, February 2nd,  
18 that is the next available day that is available.  
19 Is that a good day for you, Mr. Hines?

20 MR. HINES: February 2nd, yes, I have  
21 availability.

22 MS. FLETCHER: What about you, Mr.  
23 Brown and Ms. Schumacher?

24 MR. BROWN: That works for me, yes.

25 MS. SCHUMACHER: Okay.



1 MS. FLETCHER: Do you prefer - is  
2 10:00 a.m. good?

3 MS. SCHUMACHER: Yes, please, earlier  
4 in the morning is better for me. Thank you.

5 MR. BROWN: That works for me as well,  
6 thank you.

7 MS. FLETCHER: Mediation is set for  
8 Thursday, February 2nd at 10:00 a.m., and I will  
9 send you the WebEx invitation to attend the  
10 mediation. Any questions at all?

11 MR. BROWN: Could you repeat - I think  
12 you mentioned a hearing on the 5th of April, was  
13 that the date?

14 MS. FLETCHER: Yes, the - yes, so  
15 April 5, 2023 at 1:30 is the protest hearing. So  
16 Ms. Ramos -

17 MR. HINES: What time was that, I'm  
18 sorry.

19 MS. FLETCHER: Just a second. Mr.  
20 Hines, just a second. Ms. Ramos, if you can hear  
21 me please mute yourself, I am hearing some  
22 background talking on your end. Thank you.

23 Now, what were you saying, Mr. Hines?

24 MR. HINES: Would you repeat the time  
25 on April 5th?

1 MS. FLETCHER: The time on April 5th is  
2 1:30 in the afternoon. April 5, 2023 at 1:30,  
3 that is the protest hearing.

4 MR. HINES: Okay. Thank you.

5 MS. FLETCHER: If this matter can be  
6 resolved in mediation there will not be a protest  
7 hearing, otherwise the protest hearing will take  
8 place on that date at that time. Any other  
9 questions, Mr. Hines?

10 MR. HINES: As far as mediation, is  
11 that just the three of us? Is there someone from  
12 ABRA that is going to be present as well? How  
13 does that process work?

14 MS. FLETCHER: The Board's mediator  
15 will be present, that is me.

16 MR. HINES: Okay.

17 MS. FLETCHER: You, me, Mr. Brown, and  
18 Ms. Schumacher that is the only parties to the  
19 protest.

20 MR. HINES: Okay.

21 MS. FLETCHER: Anything else, Mr.  
22 Hines?

23 MR. HINES: No, not from me. Thank  
24 you.

25 MS. FLETCHER: Okay. Well, thank you

1 for coming, and I will see you on February 2nd.

2 MR. HINES: All right, and thank you.

3 MS. FLETCHER: Roll call hearing in  
4 this matter is concluded. Thank you for coming.

5 MR. BROWN: Thank you.

6 MS. SCHUMACHER: Thank you, ma'am.

7 MS. FLETCHER: You are welcome.

8 (Whereupon, the above-entitled matter  
9 went off the record at 10:16 a.m.)

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**A**

a.m 2:2 9:2,8 11:9  
**above-entitled** 11:8  
**ABRA** 1:17 2:13 10:12  
**ABRA's** 2:4  
**abut** 4:9 7:10  
**abutting** 4:4,7 5:3,15  
 6:12 7:2,21  
**adverse** 2:15  
**afternoon** 8:9,17 10:2  
**agent** 1:14,17 2:8,20  
**Alcoholic** 1:2,13  
**ANC** 1:8  
**answers** 8:2  
**anytime** 8:16  
**Applicant** 1:17  
**applies** 4:23  
**April** 8:9 9:12,15,25  
 10:1,2  
**area** 4:20 5:1  
**areas** 5:1  
**arranged** 4:14  
**attend** 9:9  
**authority** 7:10  
**availability** 8:21  
**available** 8:12,14,18,18  
**Ave** 1:7  
**Avenue** 2:13

**B**

**B-R-O-W-N** 3:13  
**background** 9:22  
**bad** 5:10,17,23  
**behalf** 2:20  
**better** 9:4  
**Beverage** 1:2,13  
**beyond** 5:20  
**Board** 1:2,13  
**Board's** 1:14,17 2:8,19  
 10:14  
**Brown** 1:18 3:4,9,10,11  
 3:13,15,16,23 4:3,22  
 4:24 5:14 6:11,11,14  
 7:1,16,17,19 8:23,24  
 9:5,11 10:17 11:5  
**building** 4:14,16,17  
**buildings** 4:7

**C**

**C-O-R-Y** 3:13  
**calendar** 2:9,10  
**call** 1:3,7 2:5,8,19 6:8  
 11:3  
**case** 1:9 2:10,11 5:3  
**cases** 2:9  
**checked** 4:5  
**City** 2:11,20  
**Class** 2:14

**close** 4:1  
**COLUMBIA** 1:1  
**coming** 11:1,4  
**comments** 6:16 8:13  
**concluded** 11:4  
**conducting** 2:7,19  
**connection** 5:11,18,24  
**considered** 5:3  
**Control** 1:2,13  
**correct** 4:24 7:23  
**correctly** 3:23  
**Cory** 1:18 3:9  
**Cory's** 4:16  
**couple** 3:3 6:21  
**CT** 1:8 2:14  
**currently** 7:20

**D**

**date** 6:13 7:3 8:10,12  
 9:13 10:8  
**dates** 7:5 8:5  
**day** 8:14,18,19  
**DC** 2:6,11,20 4:6  
**DCity** 1:7  
**deed** 7:22  
**determination** 4:5  
**difficulties** 5:9  
**dining** 4:20  
**directly** 4:17,25  
**disappeared** 5:5  
**disconnection** 6:25  
**DISTRICT** 1:1

**E**

**E-L-V-I-N** 3:1,6  
**earlier** 9:3  
**email** 6:8,24  
**establishment** 4:10,12

**F**

**fact** 7:13  
**familiar** 4:18  
**far** 10:10  
**February** 8:16,17,20  
 9:8 11:1  
**feedback** 3:17  
**filed** 4:3  
**first** 2:10 7:6 8:6  
**Fletcher** 1:14,17 2:3,7  
 2:18,23 3:2,7,11,14  
 3:18,22 4:2,22 5:2,12  
 5:19,25 6:2,5,7,17,22  
 7:15,18,23 8:1,4,14  
 8:22 9:1,7,14,19 10:1  
 10:5,14,17,21,25 11:3  
 11:7  
**Florida** 1:7 2:12  
**follow** 6:23

**following** 6:8

**G**

**geographic** 4:6  
**getting** 3:16  
**give** 5:6 7:5 8:5,11  
**going** 5:5 6:22,23 7:4,6  
 8:4 10:12  
**good** 2:3 3:9 8:19 9:2  
**Government** 2:6  
**granted** 5:15 7:2,9  
**granting** 6:10  
**Group** 1:6 2:12  
**guess** 7:9

**H**

**Hi-I-N-E-S** 3:1  
**happening** 6:10  
**hear** 5:7,12 6:1,5,15,18  
 6:19 8:15 9:20  
**heard** 3:18 6:21  
**hearing** 1:3,8 2:5,8,19  
 5:20 6:4,9,13,14,24  
 7:4,4,6 8:6,6,8,8,11  
 9:12,15,21 10:3,7,7  
 11:3  
**Hi** 3:20  
**Hines** 1:17 2:22,25,25  
 3:1,2,5,6 5:4,5,7,8,10  
 5:12,16,17,23 6:2,18  
 6:19 7:1,6,8 8:2,3,19  
 8:20 9:17,20,23,24  
 10:4,9,10,16,20,22,23  
 11:2  
**hold** 7:22

**I**

**impact** 2:15  
**information** 4:6  
**invitation** 9:9  
**issues** 2:15

**J**

**J-A-C-Q-U-E-** 3:20  
**JACQUELINE** 1:18  
**January** 1:12

**K**

**kitchen** 4:20,25  
**know** 6:9 7:12

**L**

**L-I-N-E** 3:21  
**LaVerne** 1:14,17 2:7,18  
**layout** 4:18  
**left** 4:15  
**license** 1:8,10 2:13,14  
**live** 7:14,20

**lived** 7:11  
**LLC** 1:6 2:12

**M**

**ma'am** 4:13 8:3 11:6  
**main** 5:1  
**March** 8:7,7  
**matter** 1:5 3:3 10:5 11:4  
 11:8  
**mediation** 6:13 7:3 8:10  
 8:12,15 9:7,10 10:6  
 10:10  
**mediator** 10:14  
**Melvin** 1:17 2:25 3:5  
**mentioned** 9:12  
**met** 1:14  
**moment** 5:6  
**Monday** 1:11  
**morning** 2:3 3:9 9:4  
**mute** 9:21

**N**

**name** 2:6,18,24,25 3:5  
 3:12 6:21  
**need** 5:20 6:12 7:3 8:9  
**neither** 7:11,13  
**number** 2:11,13 4:11  
**NW** 1:7 2:13

**O**

**occur** 8:10  
**Off-microphone** 6:16  
 8:13  
**Office** 2:6  
**Oh** 3:11  
**okay** 2:3 3:18 5:2,19,25  
 6:7,22 7:16 8:1,25  
 10:4,16,20,25  
**Open** 2:6  
**order** 2:16  
**owners** 4:4 5:4,15 6:12  
 7:2,15,21

**P**

**P-R-O-C-E-E-D-I-N-G-S**  
 2:1  
**parking** 2:17  
**participating** 2:4  
**parties** 10:18  
**peace** 2:16  
**pedestrian** 2:18  
**place** 10:8  
**platform** 2:5  
**please** 2:24 3:12 9:3,21  
**point** 4:12  
**prefer** 9:1  
**present** 1:16 2:20 3:4  
 10:12,15

**presiding** 1:14  
**prior** 8:10  
**process** 10:13  
**pronouncing** 3:23  
**property** 2:16 4:4 5:3  
 5:15 6:12 7:2,21,22  
**protest** 2:15 4:3 6:14  
 7:4,5 8:5,8 9:15 10:3  
 10:6,7,19  
**Protestant** 1:18,18  
**protestants** 3:3  
**provided** 2:5

---

**Q**

**qualify** 7:21  
**question** 7:9 8:2  
**questions** 9:10 10:9  
**quiet** 2:16

---

**R**

**Ramos** 9:16,20  
**real** 2:16  
**record** 2:24 3:12 11:9  
**renewal** 1:10 2:14  
**repeat** 6:23 9:11,24  
**residential** 2:17  
**resolved** 10:6  
**restaurant** 1:6 2:12  
 4:17,19,21 5:1  
**retailer** 1:8 2:14  
**right** 4:16,20 11:2  
**roll** 1:3,7 2:5,7,19 6:8  
 11:3

---

**S**

**S-C-H-U-M-A-C-H-E-R**  
 3:21  
**safety** 2:18  
**saying** 6:3,6 9:23  
**schedule** 6:12  
**scheduled** 8:6  
**Schumacher** 1:18 3:15  
 3:19,20,24,25,25 4:2  
 4:3,10,13 5:14 6:11  
 6:14 7:1,18,24,25  
 8:23,25 9:3 10:18  
 11:6  
**second** 6:17 9:19,20  
**see** 4:6,8,8 8:15 11:1  
**send** 6:8 9:9  
**set** 7:3 8:8,10 9:7  
**side** 4:15,16,21,21  
**Simultaneous** 5:22  
**Smokehouse** 1:7 2:11  
 2:21  
**somebody** 3:17  
**sorry** 3:7,15 5:10,17 6:5  
 9:18

**sort** 4:15  
**Southeast** 1:6 2:12  
**speaking** 5:22  
**spell** 2:24 3:12  
**standing** 5:15 6:10 7:2  
**state** 2:23  
**status** 6:13 7:3,5 8:5,6  
 8:8,11  
**sure** 5:9 6:2  
**system** 4:6

---

**T**

**t/a** 1:7  
**take** 10:7  
**talking** 9:22  
**technical** 5:8  
**technicality** 7:13  
**tell** 4:8 5:20  
**tenants** 7:20  
**thank** 2:4 3:2,14,19,22  
 4:22 5:2 8:1,4 9:4,6  
 9:22 10:4,23,25 11:2  
 11:4,5,6  
**Thanks** 3:21  
**think** 6:24 9:11  
**thought** 6:20  
**three** 10:11  
**Thursday** 8:15,17 9:8  
**time** 7:14 9:17,24 10:1  
 10:8  
**times** 6:21  
**today** 2:10,10  
**top** 4:15,16,21  
**touch** 4:11,25  
**transpired** 6:9  
**two** 2:9

---

**U**

**unit** 4:10,11,15,23 7:10  
**units** 4:9,25 7:10,12,14  
 7:16,19

---

**V**

**values** 2:16  
**vehicular** 2:17  
**videoconference** 1:14

---

**W**

**way** 4:14  
**we're** 4:20  
**WebEx** 1:14 2:5 9:9  
**welcome** 11:7  
**went** 11:9  
**words** 6:4  
**work** 10:13  
**works** 8:24 9:5

---

**X**

---

**Y**

---

**Z**

---

**0**

**0001** 2:12  
**098368** 1:8 2:13

---

**1**

**1:30** 8:9,16 9:15 10:2,2  
**10:00** 8:16 9:2,8  
**10:03** 2:2  
**10:16** 11:9  
**10:30** 8:7

---

**2**

**2023** 1:12 8:7,9 9:15  
 10:2  
**203** 1:7 2:12  
**23-PRO-** 2:11  
**23-PRO-00001** 1:9  
**2nd** 8:16,17,20 9:8 11:1

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**3**

---

**4**

---

**5**

**5** 8:9 9:15 10:2  
**5E** 1:8  
**5th** 9:12,25 10:1

---

**6**

**6** 4:11,15

---

**7**

---

**8**

**8** 8:7  
**8th** 8:7

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**9**

**9** 1:12

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: DCity Smokehouse

Before: DC ABRA

Date: 01-09-23

Place: teleconference

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



-----  
Court Reporter

**NEAL R. GROSS**

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