

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

2 10:53 a.m.

3 CHAIRPERSON ANDERSON: All right, the
4 next case on our calendar is Case No. 25-PRO-00120,
5 The Lobby, License No. 128670.

6 Mr. Orellana, can you please elevate the
7 rights of the parties in this case?

8 MR. ORELLANA: Good morning. Karen
9 Cruse, access elevated. Samuel Freeman, access
10 elevated. Topher Mathews, access elevated. And
11 I believe that's all, Chairman.

12 CHAIRPERSON ANDERSON: All right, thank
13 you.

14 Can everyone please come on camera? Mr.
15 Freeman, can you come on camera, please?

16 MR. ORELLANA: I sent him a request to
17 unmute.

18 CHAIRPERSON ANDERSON: Thank you.

19 Mr. Mathews, who is Mr. Freeman, do you
20 know? You need to unmute yourself, sir.

21 MR. MATHEWS: Apologies. He is the
22 co-owner of the immediately adjacent business.

23 CHAIRPERSON ANDERSON: So, he's a --

24 MR. MATHEWS: Property owner of the
25 immediate adjacent property.

1 CHAIRPERSON ANDERSON: Mr. Orellana, can
2 you -- I don't see them. There is no -- the Licensee
3 is not here.

4 MR. ORELLANA: I'll check in the chat.

5 CHAIRPERSON ANDERSON: You'll check for
6 the Licensee, yes.

7 MR. MATHEWS: Chair Anderson, I'll point
8 out that the Applicant did not attend the mediation
9 hearing and did not, apparently, respond to any
10 email after, as far as I am aware. So, I don't know
11 what is going on with them.

12 CHAIRPERSON ANDERSON: All right. I'll
13 give them -- Mr. Orellana, put a notification in
14 the chat, please.

15 MR. ORELLANA: Will do.

16 CHAIRPERSON ANDERSON: Thank you.

17 All right. Let me have the parties
18 identify themselves, starting with you, Mr.
19 Mathews, by stating and spelling your name.

20 MR. MATHEWS: My full name is Christopher
21 Mathews, C-H-R-I-S-T-O-P-H-E-R M-A-T-H-E-W-S. I
22 am ANC Commissioner for ANC 2E02, and I'm
23 representing the Agency for this matter.

24 CHAIRPERSON ANDERSON: Good morning, sir.

25 Good morning, Ms. Cruse. Can you please

1 spell and state your name for the record?

2 MS. CRUSE: Good morning, Mr. Donovan
3 Anderson. My name is Karen Cruse, K-A-R-E-N
4 C-R-U-S-E. And I represent the Citizens
5 Association of Georgetown.

6 CHAIRPERSON ANDERSON: And Mr. Freeman,
7 can you please spell and state your name for the
8 record? Mr. Freeman, I need you to unmute. And
9 then you need to spell and state your name for the
10 record.

11 MR. ORELLANA: I'm going to message him
12 in the chat.

13 CHAIRPERSON ANDERSON: Thank you.

14 MR. ORELLANA: There's been no reply.

15 CHAIRPERSON ANDERSON: Let me ask you, Mr.
16 Mathews or Ms. Cruse, who are the Protestants in
17 this case?

18 MR. MATHEWS: The protesting parties are
19 the ANC -- I represent the ANC -- and the Citizens
20 Association of Georgetown, which Ms. Cruse
21 represents.

22 And then three people representing two
23 abutting properties: Mr. Freeman and Micheline
24 Klagsbrun representing one property, and then Dawn
25 Crafton representing a separate property.

1 I don't see Ms. Crafton. I understand
2 that Ms. Klagsbrun couldn't be here for a dental
3 appointment and had authorized me to represent her
4 or Mr. Freeman to represent her, as well.

5 CHAIRPERSON ANDERSON: All right. So,
6 who are you --

7 MR. MATHEWS: But I don't see --

8 CHAIRPERSON ANDERSON: I'm sorry. Who
9 are you here representing? You're representing the
10 ANC?

11 MR. MATHEWS: I represent the ANC. And
12 then Ms. Klagsbrun, because she couldn't be here,
13 just sent an email to the ABCA rep saying that she
14 couldn't be here and that if Sam Freeman couldn't
15 represent her, that I could represent her for the
16 purposes of this hearing.

17 CHAIRPERSON ANDERSON: So, you are
18 representing her at this hearing; is that correct?

19 MR. MATHEWS: Yes.

20 CHAIRPERSON ANDERSON: All right, fine.

21 I need Mr. Freeman to -- what is going on with Mr.
22 Freeman?

23 MR. ORELLANA: He is not responding.

24 CHAIRPERSON ANDERSON: So, Mr. Freeman is
25 going to be protesting; is that correct?

1 MR. MATHEWS: That's right.

2 CHAIRPERSON ANDERSON: Okay. Mr.
3 Freeman, can you unmute yourself, sir, please? You
4 need to unmute yourself.

5 Can you send him a link and tell him how
6 to unmute himself, please, Mr. Orellana?

7 MR. ORELLANA: Yes. I'm sending him
8 visual notifications to unmute.

9 Mr. Freeman, if you see mute at the bottom
10 or unmute, a red button crossed out that says
11 mute/unmute, or you can try to log off and log back
12 on.

13 CHAIRPERSON ANDERSON: Well, no, that's
14 fine.

15 Mr. Mathews, I see Mr. Freeman, Samuel R.
16 Freeman, who is the abutting -- he's a Protestant,
17 he's an abutting property owner, and he's here at
18 the hearing today. He's having some technical
19 issues, but fine.

20 However, the Licensee is not here. And
21 so, this was a protest hearing scheduled for 10:30.

22 It is 10:59, and the Licensee is not here.

23 MR. FREEMAN: Can you hear me now?

24 CHAIRPERSON ANDERSON: Mr. Freeman, just
25 spell and state your name for the record, sir.

1 MR. FREEMAN: Samuel Freeman.

2 CHAIRPERSON ANDERSON: Spell your name,
3 sir. The reason --

4 MR. FREEMAN: S-A-M --

5 CHAIRPERSON ANDERSON: Go ahead.

6 MR. FREEMAN: S-A-M-U-E-L F-R-E-E-M-A-N.

7 CHAIRPERSON ANDERSON: Thank you, sir.

8 One of the reasons why I always ask folks to spell
9 their name for the record, we have a court reporter.

10 So, we have a transcript to make sure that once
11 we have the written transcript, your name is spelled
12 correctly in the record.

13 So, that's one of the reasons why, no
14 matter how simple your name is. That is the main
15 reason why I always ask folks to spell their name
16 for the record, state and spell their name for the
17 record so when we have the written transcript, then
18 your name is stated and spelled correctly, okay?

19 MR. FREEMAN: Thank you. I'm sorry I was
20 having trouble with the mute and unmute.

21 CHAIRPERSON ANDERSON: That's fine, sir.

22 That's fine.

23 All right. As I stated before, this is
24 a protest hearing scheduled for 10:30. It is now
25 11 o'clock. I've called the case. The Licensee

1 is not here.

2 I am, therefore, going to make a motion
3 that this renewal application be dismissed.

4 Is there a second?

5 MEMBER QUINN: Ms. Quinn, I second.

6 CHAIRPERSON ANDERSON: Ms. Quinn has
7 second the motion. We'll have a roll call vote.

8 Mr. Grant?

9 MEMBER GRANT: Mr. Grant, I agree.

10 CHAIRPERSON ANDERSON: Ms. Quinn?

11 MEMBER QUINN: Ms. Quinn, I agree.

12 CHAIRPERSON ANDERSON: Mr. Meadows?

13 MEMBER MEADOWS: Mr. Meadows, I agree.

14 CHAIRPERSON ANDERSON: Mr. Jones?

15 MEMBER JONES: Mr. Jones, I agree.

16 CHAIRPERSON ANDERSON: And Mr. Anderson,
17 I agree. The matter passes 5-0.

18 What this means, the Board will issue a
19 decision within the next ten days dismissing the
20 renewal application. Within this period of time,
21 the Licensee will have to provide us good cause why
22 they failed to appear at this hearing today.

23 If they fail to provide us reasonable cause
24 why they failed to appear at the hearing this
25 morning, the Board will dismiss its application.

1 And so, therefore, they would have to start this
2 process again.

3 And probably what the Agency will do is
4 basically issue -- the Agency will, therefore, issue
5 a cease-and-desist because they do not have a
6 license, so they cannot continue operating.

7 This matter, then, this matter will be
8 concluded if they do not respond within the period
9 once this order is issued.

10 If they renew, if they provide us
11 reasonable notice, or if they have to renew their
12 application, the parties who are protesting the
13 renewal, all you have to do is just ask the Agency
14 to reinstate your protest.

15 You don't have to file -- you wouldn't have
16 to file a new protest. You just have to inform the
17 Agency that you're renewing your protest against
18 the renewal application, okay?

19 MR. MATHEWS: Sounds good.

20 CHAIRPERSON ANDERSON: All right. So, as
21 I stated, we will issue a Board order dismissing
22 the renewal.

23 And they have -- I can't hear if you're
24 saying something, Mr. Freeman. I don't know. I
25 see your mouth is moving, but you're on mute.

1 MR. FREEMAN: May I ask a question?

2 CHAIRPERSON ANDERSON: What is the
3 question, sir?

4 MR. FREEMAN: During this process, are
5 they allowed to continue business?

6 CHAIRPERSON ANDERSON: The Board will
7 issue -- they'll have the ten days. The Board will
8 issue an order dismissing their application, and
9 that will be issued within ten days. If they fail
10 to renew, then the Board will have to issue a
11 cease-and-desist.

12 MR. FREEMAN: All right, thank you.

13 CHAIRPERSON ANDERSON: But again, there's
14 process and procedure. It will be on our calendar
15 that we're going to issue a cease-and-desist if they
16 fail to respond within ten days after the Board order
17 --

18 MR. FREEMAN: All right, thank you very
19 much.

20 CHAIRPERSON ANDERSON: -- is issued
21 dismissing their renewal application, okay?

22 MR. FREEMAN: Thank you.

23 CHAIRPERSON ANDERSON: All right, thank
24 you. You have a great day.

25 MR. MATHEWS: Thank you.

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MS. CRUSE: Thank you.
(Whereupon, the above-entitled matter
went off the record at 11:05 a.m.)

1 C E R T I F I C A T E

2 This is to certify that the foregoing transcript
 3 was duly recorded and accurately transcribed under
 4 my direction; further, that said transcript is a
 5 true and accurate record of the proceedings; and
 6 that I am neither counsel for, related to, nor
 7 employed by any of the parties to this action in
 8 which this matter was taken; and further that I am
 9 not a relative nor an employee of any of the parties
 10 nor counsel employed by the parties, and I am not
 11 financially or otherwise interested in the outcome
 12 of the action.

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Lauren Mattison

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