

IN THE MATTER OF: :
 :
The Dirty Goose, LP, :
t/a The Dirty Goose :
913 U Street, N.W. : Protest Hearing
Retailer CT - ANC 1B : (Status)
License #101299 :
Case #22-PRO-00117 :
 :
(Application to Renew :
the License) :

Wednesday
February 1, 2023

The Alcoholic Beverage Control Board met via WebEx videoconference, Chairperson Donovan W. Anderson presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson
BOBBY CATO, JR., Member
RAFI ALIYA CROCKETT, Member
EDWARD S. GRANDIS, Member
JENI HANSEN, Member
JAMES SHORT, JR., Member

ALSO PRESENT:

RICHARD BIANCO, Applicant's Counsel
SABEL HARRIS, ANC 1B
JOSE ORELLANA, DC ABRA Staff

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

10:34 a.m.

CHAIRPERSON ANDERSON: Good morning, everyone. As Chairperson of the Alcoholic Beverage Control Board for the District of Columbia, and in accordance with DC Code Section 2571 of the Open Meetings Act (OMA), I'm welcoming you to the regularly scheduled meeting of the Alcoholic Beverage Control Board.

This meeting is being conducted pursuant to guidance made available by the District of Columbia's Office of Open Government regarding electronic meetings held by public bodies.

Electronic meetings by the ABC Board are authorized pursuant to Section 2577(a) of the D.C. Code. Pursuant to the requirements, notice of today's meeting was provided 48 hours in advance of the meeting on ABRA's website and on the District's central meeting calendar.

The notice includes the time, date, agenda, and call-in or log-in information for public participation. This electronic meeting is being hosted by a WebEx account provided by the District of Columbia government. Please address

1 any questions or complaints to the OOG at
2 Opengovoffice@dc.gov.

3 My name is Donovan Anderson. I'm
4 Chairman of the Board. I would like to introduce
5 the other ABC Board Members who are also
6 participating electronically. Please respond
7 when I announce your name.

8 Mr. Bobby Cato.

9 MEMBER CATO: Bobby Cato. Present.

10 CHAIRPERSON ANDERSON: Ms. Rafi
11 Crockett.

12 MEMBER CROCKETT: Rafi Crockett.
13 Present.

14 CHAIRPERSON ANDERSON: Mr. James
15 Short.

16 MEMBER SHORT: Mr. James Short.
17 Present.

18 CHAIRPERSON ANDERSON: Ms. Jeni
19 Hansen.

20 MEMBER HANSEN: Jeni Hansen. Present.

21 CHAIRPERSON ANDERSON: Mr. Edward
22 Grandis.

23 MEMBER GRANDIS: Edward Grandis.
24 Present.

25 CHAIRPERSON ANDERSON: The Board has

1 six members in attendance for the conduct of
2 business today and that constitutes a quorum.

3 Before we get underway with today's
4 hearing calendar, I need to make a few
5 instructions very clear so that the conduct of
6 these hearings is understood by everyone.

7 There are seven cases scheduled for
8 this morning's calendar. Once your case is
9 called, I will take a moment for our IT
10 specialist to elevate the rights for each party
11 to enable their camera and microphone.

12
13 Then, and only then, will you have the
14 ability to enable your equipment. If your case
15 has not been heard, you will remain mute and your
16 camera will be disabled. At the conclusion of
17 each case, the parties will have the option to
18 leave.

19 If the parties wish to stay, all
20 cameras and microphones for the concluded case
21 will be disabled. Should you have any questions
22 or require technical assistance during the
23 hearing, please submit them using the question
24 and answer feature.

25 We now turn to our Protest Hearing

1 Status calendar. Our first case on our Protest
2 Hearing Status calendar is Case No. 22-PRO-00117,
3 the Dirty Goose, License No. 101299.

4 Good morning, Mr. Orellana. Can you
5 please elevate the rights of the licensee, the
6 licensee representative, and the ANC in this
7 case, please.

8 MR. ORELLANA: Richard Bianco, your
9 access has been elevated. Sabel Harris, your
10 access has been elevated. That appears to be
11 all, Chairman.

12 CHAIRPERSON ANDERSON: Good morning.
13 Mr. Bianco, can you please spell and state your
14 name for the record, please.

15 MR. BIANCO: Sure. My name is Richard
16 Bianco, R-I-C-H-A-R-D B-I-A-N-C-O. I represent
17 the Applicant in this matter.

18 CHAIRPERSON ANDERSON: Good morning,
19 Mr. Bianco.

20 Good morning, Ms. Harris. Can you
21 please spell and state your name for the record,
22 please.

23 MS. HARRIS: My name is Sabel Harris,
24 S-A-B-E-L H-A-R-R-I-S. I am a Commissioner on
25 ANC 1B.

1 CHAIRPERSON ANDERSON: Good morning.

2 Mr. Bianco, are there any preliminary
3 issues on your part?

4 MR. BIANCO: Not exactly. So we had
5 a mediation scheduled in this case. The ANC
6 didn't appear. We haven't heard from them with
7 respect to rescheduling but we are willing a able
8 to mediate this matter if they so inclined and
9 would just ask that they reach out to Ms.
10 Fletcher to reschedule so we can get a date on
11 the books before the protest hearing.

12 CHAIRPERSON ANDERSON: Ms. Harris, are
13 there any matters you want to bring to the
14 attention of the Board?

15 MS. HARRIS: We are very willing to
16 reschedule the mediation. There just was
17 redistricting and we had a new commissioner join
18 the SMD. I spoke with him this morning and he
19 would like to reschedule mediation and to work on
20 a settlement agreement. That is in process right
21 now.

22 CHAIRPERSON ANDERSON: Thank you for
23 that.

24 The Board supports mediation and the
25 Board supports settlement. If the parties are

1 genuinely going to settle this matter, let the
2 Agency know as quickly as possible so we do not
3 schedule an investigator on this matter. If you
4 are generally going to settle the matter, let the
5 Agency know so we don't have to assign an
6 investigator to do a report.

7 Again, we support that. The Agency
8 will ensure that another mediation will be
9 scheduled and hopefully that will bring it
10 towards settlement. This matter is not settled.
11 It is scheduled for a hearing on March 1, 2023 at
12 1:30 p.m.

13 Are you familiar, Ms. Harris, with the
14 protest procedures if this matter goes to a
15 protest hearing, or do you want me to read that?

16 MS. HARRIS: Yes, I am.

17 CHAIRPERSON ANDERSON: All right. I
18 would like to remind the parties if this matter
19 goes for a protest hearing, seven days prior to
20 the hearing both parties are required to submit a
21 PIP. On that PIP you are required to disclose
22 the documents and witnesses that you would rely
23 upon if this matter goes to a hearing.

24 Failure on the part of either side to
25 disclose a document -- I'm sorry, a PIP, the

1 Board is empowered to prevent that party from
2 relying on documents and witnesses who have not
3 been disclosed to each side seven days prior to
4 the hearing.

5 I also want to let you know that if
6 this matter goes to a hearing, each side is
7 allocated one hour to present their case and you
8 will only have four witnesses that you can rely
9 on.

10 Again, if the parties believe this
11 matter will be settled, good luck with your
12 settlement and please inform the Agency as
13 quickly as possible that this matter will be
14 settled. Again, good luck with your discussions
15 and have a great day. Thank you very much.

16 (Whereupon, the above-entitled matter went
17 off the record at 10:38 a.m.)
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<p>A</p> <p>a.m 2:2 8:17 ABC 2:15 3:5 ability 4:14 able 6:7 above-entitled 8:16 ABRA 1:22 ABRA's 2:19 access 5:9,10 account 2:24 Act 2:7 address 2:25 advance 2:19 Agency 7:2,5,7 8:12 agenda 2:22 agreement 6:20 Alcoholic 1:2,13 2:4,9 ALIYA 1:18 allocated 8:7 ANC 1:7,22 5:6,25 6:5 Anderson 1:14,17 2:3 3:3,10,14,18,21,25 5:12,18 6:1,12,22 7:17 announce 3:7 answer 4:24 appear 6:6 appears 5:10 Applicant 5:17 Applicant's 1:21 Application 1:9 assign 7:5 assistance 4:22 attendance 4:1 attention 6:14 authorized 2:16 available 2:11</p>	<p>camera 4:11,16 cameras 4:20 case 1:8 4:8,14,17,20 5:1,2,7 6:5 8:7 cases 4:7 Cato 1:17 3:8,9,9 central 2:20 Chairman 3:4 5:11 Chairperson 1:14,17 2:3,4 3:10,14,18,21 3:25 5:12,18 6:1,12 6:22 7:17 clear 4:5 Code 2:6,17 Columbia 1:1 2:6,25 Columbia's 2:12 commissioner 5:24 6:17 complaints 3:1 concluded 4:20 conclusion 4:16 conduct 4:1,5 conducted 2:10 constitutes 4:2 Control 1:2,13 2:5,9 Counsel 1:21 Crockett 1:18 3:11,12 3:12 CT 1:7</p>	<p>exactly 6:4</p> <p>F</p> <p>Failure 7:24 familiar 7:13 feature 4:24 February 1:12 first 5:1 Fletcher 6:10 four 8:8</p> <p>G</p> <p>generally 7:4 genuinely 7:1 goes 7:14,19,23 8:6 going 7:1,4 good 2:3 5:4,12,18,20 6:1 8:11,14 Goose 1:6,6 5:3 government 2:12,25 Grandis 1:18 3:22,23 3:23 great 8:15 guidance 2:11</p>	<p>K</p> <p>know 7:2,5 8:5</p> <p>L</p> <p>leave 4:18 License 1:8,10 5:3 licensee 5:5,6 log-in 2:22 LP 1:6 luck 8:11,14</p>
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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: The Dirty Goose

Before: DC ABRA

Date: 02-01-23

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

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