

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

2 10:39 a.m.

3 CHAIRPERSON ANDERSON: The next case on
4 our calendar is case number 22-PRO-00154, Mirror
5 Lounge, license number 111950. Good morning,
6 again, Mr. Orellana. Can you please elevate the
7 rights of the parties in Mirror Lounge please?

8 MR. ORELLANA: Bruno Casu, your access
9 has been elevated. Sabel Harris, your access has
10 been elevated. Frank Chauvin, your access has
11 been elevated. That is all, Chairman.

12 CHAIRPERSON ANDERSON: Thank you. Good
13 morning. Good morning everyone. Let's start with
14 the licensee. Mr. Casu, can you please spell and
15 state your name for the record please.

16 MR. CASU: Good morning everyone. You
17 all know my name is Bruno Casu. It's spelled B-R-
18 U-N-O C-A-S-U.

19 CHAIRPERSON ANDERSON: And what is your
20 relationship to the establishment, sir?

21 MR. CASU: I'm the managing member.

22 CHAIRPERSON ANDERSON: Good morning,
23 sir.

24 MR. CASU: Good morning to you.

25 CHAIRPERSON ANDERSON: Ms. Harris? Good

1 morning, Ms. Harris. Could you please spell and
2 state your name for the record, please?

3 MS. HARRIS: Good morning, my name is
4 Sabel Harris, S-A-B as in boy-E-L H-A-R-R-I-S and
5 I'm representing ANCLB.

6 CHAIRPERSON ANDERSON: Good morning.
7 Mr. Chauvin, can you please spell and state your
8 name for the record and identify yourself please?

9 MR. CHAUVIN: Frank Chauvin, C-H-A-U-V
10 as in Victor-I-N as in Nancy, and I am the lead
11 for a protest of five or more.

12 CHAIRPERSON ANDERSON: Good morning.
13 Just as an FYI, so you were given - the group was
14 given standard at the roll call hearing?

15 MR. CHAUVIN: Yes.

16 CHAIRPERSON ANDERSON: Okay. I'm
17 looking at a document and it said to me that the
18 only protestant was the ANCLB. Alright. Mr.
19 Casu, good morning. Good morning everyone, it's
20 protest hearing status.

21 Are there any preliminary matters,
22 sir, that need to be brought to the attention of
23 the board?

24 MR. CASU: Good morning again,
25 everyone. As of today, we are still in the status

1 of negotiating a settlement agreement with the
2 ANC.

3 CHAIRPERSON ANDERSON: Alright. Thank
4 you. Ms. Harris, any preliminary matters you need
5 to bring to the attention of the board?

6 MS. HARRIS: No. Just the same thing
7 that we are in the process of negotiating a
8 settlement agreement.

9 CHAIRPERSON ANDERSON: Alright, thank
10 you. And Mr. Chauvin, any preliminary matters?

11 MR. CHAUVIN: There are not. Just that,
12 I think Bruno you received some provisions that
13 we put forward? Because we had a meeting - I'm
14 sorry, a mediation two days ago and so between
15 the mediation and now, I guess we - I'm new to
16 this, so we should have probably scheduled this
17 status thirty days past mediation. It seems a
18 little counterintuitive that we be meetings two
19 days after the mediation to have a status. But I
20 guess so be it. But Bruno, you have a copy of the
21 provisions that we drafted? A group of five have
22 drafted?

23 MR. CASU: Yeah. That's correct Frank.
24 Thank you so much for sending those over. We are
25 reviewing it and I will probably respond to your

1 email sometime this afternoon.

2 MR. CHAUVIN: Great.

3 MR. CASU: With a specific date.

4 CHAIRPERSON ANDERSON: Alright. Thank
5 you. I'm glad the parties are speaking. I just
6 also want to clarify to the - the two protestants
7 are the group of five or more and the ANC. And -
8 alright. So, alright.

9 Just as an FYI, if a settlement
10 agreement is reached between the ANC and the
11 licensee, then the protest by the group of five
12 or more falls. However, the board supports all
13 parties participating in settlement agreements,
14 but wanted just as a matter of law, if there is a
15 settlement agreement between the ANC and the
16 licensee, then the protest of a group of five or
17 more protest will fall.

18 If the parties are serious about
19 settling this matter, the board supports that.
20 This matter is scheduled for a protest hearing on
21 March 22nd, 2023 at 1:30 p.m. So I want to just
22 inform the party that if you're really going to
23 settle this matter, please let the agency know so
24 therefore we do not have to have assign an
25 investigator to this case for them to write a

1 report, if the parties are serious about
2 settlement. So, try to do that as quickly as
3 possible in advising the agency of the process of
4 what's going on.

5 MR. CHAUVIN: I have a quick question
6 on that if you would. What is the deadline that
7 you are searching for if we can pursue and engage
8 and enter a settlement agreement to stop you from
9 doing the investigation? Because what if we only
10 come to a settlement agreement two days before
11 the protest hearing? Is there any certain amount
12 of time that you guys will definitively delay
13 your investigation?

14 CHAIRPERSON ANDERSON: No. Well, this -
15 We are going to move forward in an investigation,
16 do a case report because this matter is scheduled
17 for the protest hearing on March 22nd. So I
18 believe, that relatively soon an investigator
19 will be assigned to write a case report. This
20 board, if a settlement is reached a day before
21 the hearing, or whenever it's reached, we're not
22 going to reject it. All I'm saying is that, if
23 this matter will be settled, just assign the
24 board as soon as possible. We probably will be
25 assigning an investigator today to this case. But

1 I support the parties negotiating. I support the
2 parties having a settlement agreements because
3 the board supports settlement agreements because
4 at the end of the day, the establishment will
5 remain in the neighborhood - so this is a
6 renewal - so it appears that the establishment is
7 going to be in the neighborhood. And so at least,
8 if the parties are able to mutually come to
9 terms, that they are satisfied with, then that
10 works rather than when the board makes a decision
11 that one side is going to be happy. The other
12 side be might happy or vice versa. No one is
13 happy. But if you have a settlement agreement, at
14 least there's a meeting of the minds and everyone
15 walks away to be happy.

16 There's no specific deadline. I
17 support the - the board supports settlement. And
18 so I'm just saying that if you believe that this
19 case will be settled and we will not go to a
20 hearing, then you can let the agency know that
21 there's no need to assign an investigator to this
22 case because we will settle this case. That's all
23 I'm saying. We're not going to - I'm not saying
24 to you, do not settle this case a day before the
25 hearing or even the day of the hearing because

1 the matter is settled. The board will accept
2 that. Okay?

3 MR. CHAUVIN: And sorry, one more
4 question. Not belabor my time here and your time.
5 But are there any videos available through ABRA?
6 I haven't seen any. But I am not an attorney, and
7 if we have to go to protest and we have to decide
8 whether to bring on an attorney, is there any non
9 attorney resources that can help somebody, like
10 video? Training that can help a layperson here in
11 the community through a protest hearing?

12 CHAIRPERSON ANDERSON: What I'll say to
13 you sir, all of our hearings are on Youtube so
14 you can go through our videos to see how a
15 hearing - you can go on Youtube. So you can
16 utilize the links and go to see our previous
17 hearings to see the form that is followed. You
18 can also reach out to our legal office. You can
19 also send an FOIA request if you think you need
20 more specific information, you can send a formal
21 FOIA request to our agency. But I think one of
22 the points that I would also recommend is by
23 going to Youtube and look at the board's calendar
24 and to see the cases that we have held protest
25 hearing and then you'll see the format that's

1 followed. You can also - all parties can reach
2 out to ABRA legal, our legal office, and our
3 legal office will provide some type of basic
4 information about how the format and structure of
5 a protest hearing.

6 Just want to remind all the parties
7 that if this matter goes to a protest hearing,
8 seven days prior to the hearing, the parties must
9 produce a PIP and the PIP will identify the
10 documents and witnesses that you will rely on at
11 the hearing. Failure by either side to provide
12 the agency with a PIP, the board is empowered to
13 prevent that person from relying on documents and
14 witnesses that have not been disclosed seven days
15 prior to the hearing. Also, at the hearing, you
16 will have one hour. Each side will have one hour
17 to present their case. Meaning that, when I say
18 each side, the licensee will have one hour and
19 the ANC and the protestants combined will have
20 one hour. And because the ANC and the protestants
21 will have to decide who is going to represent the
22 protestant at the hearing. So we're not going to
23 have two separate cases, we're going to have one
24 case. The parties would have no more than four
25 witnesses. Okay?

1 So, if any questions that you have,
2 you can reach out to our legal office and we can
3 provide some general information about how to do
4 the PIP when the PIP is due. Any questions by
5 anyone?

6 MR. CASU: Thanks for the
7 clarification, your honor.

8 CHAIRPERSON ANDERSON: Thank you. Like
9 I said, we support the parties speaking. If this
10 matter can be settled, the agency and the board
11 supports the settlement reached by the parties.
12 If not, we will see you on March 22nd, 2023 at
13 1:30 p.m. Thank you and have a great day.

14 (Whereupon, the above entitled matter
15 went off the record at 10:52 a.m.)

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<p style="text-align: center;">A</p> <p>a.m 2:2 10:15 able 7:8 ABRA 1:20 8:5 9:2 accept 8:1 access 2:8,9,10 advising 6:3 afternoon 5:1 agency 5:23 6:3 7:20 8:21 9:12 10:10 ago 4:14 agreement 4:1,8 5:10 5:15 6:8,10 7:13 agreements 5:13 7:2,3 Alcoholic 1:2,13 ALIYA 1:17 alright 3:18 4:3,9 5:4,8 5:8 amount 6:11 ANC 1:7,21 4:2 5:7,10 5:15 9:19,20 ANC1B 3:5,18 Anderson 1:14,16 2:3 2:12,19,22,25 3:6,12 3:16 4:3,9 5:4 6:14 8:12 10:8 appears 7:6 Applicant 1:21 Application 1:9 assign 5:24 6:23 7:21 assigned 6:19 assigning 6:25 attention 3:22 4:5 attorney 8:6,8,9 available 8:5</p>	<p>call 3:14 case 1:8 2:3,4 5:25 6:16 6:19,25 7:19,22,22,24 9:17,24 cases 8:24 9:23 Casu 1:21 2:8,14,16,17 2:21,24 3:19,24 4:23 5:3 10:6 CATO 1:17 certain 6:11 Chairman 2:11 Chairperson 1:14,16 2:3,12,19,22,25 3:6 3:12,16 4:3,9 5:4 6:14 8:12 10:8 Chauvin 1:22 2:10 3:7,9 3:9,15 4:10,11 5:2 6:5 8:3 clarification 10:7 clarify 5:6 COLUMBIA 1:1 combined 9:19 come 6:10 7:8 community 8:11 Control 1:2,13 copy 4:20 correct 4:23 counterintuitive 4:18 CROCKETT 1:17 CT 1:7</p>	<p>empowered 9:12 engage 6:7 enter 6:8 entitled 10:14 establishment 2:20 7:4 7:6</p>	<p style="text-align: center;">I</p> <p>identify 3:8 9:9 inform 5:22 information 8:20 9:4 10:3 investigation 6:9,13,15 investigator 5:25 6:18 6:25 7:21</p>
<p style="text-align: center;">B</p> <p>B-R- 2:17 basic 9:3 belabor 8:4 believe 6:18 7:18 Beverage 1:2,13 board 1:2,13 3:23 4:5 5:12,19 6:20,24 7:3 7:10,17 8:1 9:12 10:10 board's 8:23 BOBBY 1:17 boy-E-L 3:4 bring 4:5 8:8 brought 3:22 Bruno 1:21 2:8,17 4:12 4:20</p>	<p style="text-align: center;">D</p> <p>date 5:3 day 6:20 7:4,24,25 10:13 days 4:14,17,19 6:10 9:8,14 DC 1:20 deadline 6:6 7:16 decide 8:7 9:21 decision 7:10 definitively 6:12 delay 6:12 disclosed 9:14 DISTRICT 1:1 document 3:17 documents 9:10,13 doing 6:9 Donovan 1:14,16 drafted 4:21,22 due 10:4</p>	<p style="text-align: center;">F</p> <p>Failure 9:11 fall 5:17 falls 5:12 February 1:12 five 3:11 4:21 5:7,11,16 FOIA 8:19,21 followed 8:17 9:1 form 8:17 formal 8:20 format 8:25 9:4 forward 4:13 6:15 four 9:24 Frank 1:22 2:10 3:9 4:23 FYI 3:13 5:9</p>	<p style="text-align: center;">J</p> <p>JAMES 1:19 JENI 1:18 JOSE 1:20 JR 1:17,19</p>
<p style="text-align: center;">C</p> <p>C-A-S-U 2:18 C-H-A-U-V 3:9 calendar 2:4 8:23</p>	<p style="text-align: center;">E</p> <p>EDWARD 1:18 either 9:11 elevate 2:6 elevated 2:9,10,11 email 5:1</p>	<p style="text-align: center;">G</p> <p>general 10:3 given 3:13,14 glad 5:5 go 7:19 8:7,14,15,16 goes 9:7 going 5:22 6:4,15,22 7:7,11,23 8:23 9:21 9:22,23 good 2:5,12,13,16,22 2:24,25 3:3,6,12,19 3:19,24 GRANDIS 1:18 great 5:2 10:13 group 3:13 4:21 5:7,11 5:16 guess 4:15,20 guys 6:12</p>	<p style="text-align: center;">K</p> <p>know 2:17 5:23 7:20</p> <p style="text-align: center;">L</p> <p>law 5:14 layperson 8:10 lead 3:10 legal 8:18 9:2,2,3 10:2 Let's 2:13 license 1:8,10 2:5 licensee 2:14 5:11,16 9:18 links 8:16 little 4:18 LLC 1:6 look 8:23 looking 3:17 Lounge 1:6,6 2:5,7</p>
		<p style="text-align: center;">H</p> <p>H-A-R-R-I-S 3:4 HANSEN 1:18 happy 7:11,12,13,15 Harris 1:21 2:9,25 3:1,3 3:4 4:4,6 hearing 1:7 3:14,20 5:20 6:11,17,21 7:20 7:25,25 8:11,15,25 9:5,7,8,11,15,15,22 hearings 8:13,17 held 8:24 help 8:9,10 honor 10:7 hour 9:16,16,18,20</p>	<p style="text-align: center;">M</p> <p>managing 2:21 March 5:21 6:17 10:12 matter 1:5 5:14,19,20 5:23 6:16,23 8:1 9:7 10:10,14 matters 3:21 4:4,10 Meaning 9:17 mediation 4:14,15,17 4:19 meeting 1:3 4:13 7:14 meetings 4:18 member 1:17,17,18,18 1:19 2:21 met 1:14 minds 7:14 Mirror 1:6 2:4,7 morning 2:5,13,13,16 2:22,24 3:1,3,6,12,19 3:19,24 move 6:15 mutually 7:8</p>

N	R	sorry 4:14 8:3 speaking 5:5 10:9 specific 5:3 7:16 8:20 spell 2:14 3:1,7 spelled 2:17 Staff 1:20 standard 3:14 start 2:13 state 2:15 3:2,7 status 1:7 3:20,25 4:17 4:19 stop 6:8 Street 1:6,7 structure 9:4 support 7:1,1,17 10:9 supports 5:12,19 7:3 7:17 10:11	write 5:25 6:19
name 2:15,17 3:2,3,8 Nancy 3:10 need 3:22 4:4 7:21 8:19 negotiating 4:1,7 7:1 neighborhood 7:5,7 new 4:15 non 8:8 number 2:4,5 NW 1:7	RAFI 1:17 reach 8:18 9:1 10:2 reached 5:10 6:20,21 10:11 really 5:22 received 4:12 recommend 8:22 record 2:15 3:2,8 10:15 reject 6:22 relationship 2:20 relatively 6:18 rely 9:10 relying 9:13 remain 7:5 remind 9:6 Renew 1:9 renewal 7:6 report 6:1,16,19 represent 9:21 representing 3:5 request 8:19,21 resources 8:9 respond 4:25 Retailer 1:7 reviewing 4:25 rights 2:7 roll 3:14	T	X
O	S	t/a 1:6 terms 7:9 thank 2:12 4:3,9,24 5:4 10:8,13 Thanks 10:6 thing 4:6 think 4:12 8:19,21 thirty 4:17 time 6:12 8:4,4 today 3:25 6:25 Training 8:10 try 6:2 two 4:14,18 5:6 6:10 9:23 type 9:3	Y
office 8:18 9:2,3 10:2 Okay 3:16 8:2 9:25 Orellana 1:20 2:6,8	S 1:18 S-A-B 3:4 Sabel 1:21 2:9 3:4 satisfied 7:9 saying 6:22 7:18,23,23 scheduled 4:16 5:20 6:16 searching 6:7 see 8:14,16,17,24,25 10:12 seen 8:6 send 8:19,20 sending 4:24 separate 9:23 serious 5:18 6:1 settle 5:23 7:22,24 settled 6:23 7:19 8:1 10:10 settlement 4:1,8 5:9,13 5:15 6:2,8,10,20 7:2,3 7:13,17 10:11 settling 5:19 seven 9:8,14 SHORT 1:19 side 7:11,12 9:11,16,18 sir 2:20,23 3:22 8:13 somebody 8:9 soon 6:18,24	U	Z
P		U-N-O 2:18 utilize 8:16	0
P-R-O-C-E-E-D-I-N-G-S 2:1 p.m 5:21 10:13 participating 5:13 parties 2:7 5:5,13,18 6:1 7:1,2,8 9:1,6,8,24 10:9,11 party 5:22 person 9:13 PIP 9:9,9,12 10:4,4 please 2:6,7,14,15 3:1,2 3:7,8 5:23 points 8:22 possible 6:3,24 preliminary 3:21 4:4,10 present 1:15,20 9:17 presiding 1:14 prevent 9:13 previous 8:16 prior 9:8,15 probably 4:16,25 6:24 process 4:7 6:3 produce 9:9 protestant 3:18 protest 1:7 3:11,20 5:11 5:16,17,20 6:11,17 8:7,11,24 9:5,7 protestant 1:22 9:22 protestants 5:6 9:19,20 provide 9:3,11 10:3 provisions 4:12,21 pursue 6:7 put 4:13		V	1
Q		versa 7:12 vice 7:12 Victor-I-N 3:10 video 8:10 videoconference 1:14 videos 8:5,14	2
question 6:5 8:4 questions 10:1,4 quick 6:5 quickly 6:2		W	3
		W 1:14,16 walks 7:15 want 5:6,21 9:6 wanted 5:14 we're 6:21 7:23 9:22,23 WebEx 1:14 Wednesday 1:11 went 10:15 witnesses 9:10,14,25 works 7:10	4
			5
			6
			7
			8
			9
			8 1:12
			9th 1:6,7

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Mirror Lounge

Before: DC ABRA

Date: 02-08-23

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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