## DISTRICT OF COLUMBIA <br> + + + + +

ALCOHOLIC BEVERAGE CONTROL BOARD
ROLL CALL HEARING


Tuesday
February 21, 2023
The Alcoholic Beverage Control Board met via videoconference, LaVerne Fletcher, Board's Agent, presiding.

## PRESENT:

LAVERNE FLETCHER, ABRA Board's Agent
ALSO PRESENT:
MANALLE MAHMOUD, Applicant Counsel
MICHAEL SHANKLE, ANC 2C
REBECCA STRAUSS, ANC 2 C
JOSEPH CARUSO, Dupont Circle Citizens Association
KERRY VERDI, Protestant Counsel
JOHN CAMPBELL, Protestant
MICHAEL FASANO, Protestant HUSAIN GULAMHUSEIN, Protestant
KRISTINA HAASLAWWILL, Protestant
MARISA HARTMAN, Protestant
LAURENCE LAWWILL, Protestant SUSAN VALASKOVIC, Protestant
P-R-O-C-E-E-D-I-N-G-S

10:30 a.m.
MS. FLETCHER: Anyone present on behalf of Barcode?

MR. FASANO: She needs to unmute herself.

MS. FLETCHER: I see her now.
Ms. Mahmoud, I see you, but you are on mute.

Ms. Mahmoud, you are on mute.
Okay. So, I am going to spell Ms. Mahmoud's name. She is here. So, her name is spelled M-A-N-A-L-L-E, and last name is Mahmoud, spelled M-A-H-M-O-U-D. She is present. She is the attorney representing the Applicant.

Is anyone else present from Barcode?
Is anyone present on behalf of ANC 2C?
MR. SHANKLE: Hi, Ms. Fletcher, it's Michael Shankle again, M-I-C-H-A-E-L, last name Shankle, S-H-A-N-K-L-E.

MS. FLETCHER: Thank you, Mr. Shankle.
And, on behalf of the Dupont Circle Citizens Association?

MR. CARUSO: This is Joseph Caruso on behalf of DCCA, J-O-S-E-P-H and C-A-R-U-S-O.

MS. FLETCHER: Thank you very much. MR. SHANKLE: Ms. Fletcher, Mike Shankle here again. We also have Commissioner Strauss on from ANC 2C.

MS. FLETCHER: Oh, okay, Commissioner Strauss, if you state your name and spell it for the record, please.

COMMISSIONER STRAUSS: Sure. Rebecca Strauss, R-E-B-E-C-C-A, Strauss is S-T-R-A-U-S-S.

MS. FLETCHER: Thank you, Ms. Strauss. We also have a group of five or more.

MS. VERDI: Good morning, Ms. Fletcher. My name is Kerry Verdi, K-E-R-R-Y, last name Verdi, V-E-R-D-I, on behalf of the Group of Five Or More.

I believe we do have five here. We have one person who is having trouble accessing. She's WebEx, she sent an email. But, I believe that we still have five. I believe we have Mr. Gulamhusein, I said that wrong, Mr. Fasano, Mr. Lawwill, Ms. Hartman, and Ms. Valaskovic, if they want to introduce themselves.

MS. FLETCHER: That would be good. MS. VERDI: We also have another person which joins me.

MS. HAASLAWWILL: I was the one who emailed that I couldn't get access. I've joined a neighbor in her unit, so we are on together.

MS. FLETCHER: Oh, glad you could make it. You can just state your name and spell it for the record.

MS. HAASLAWWILL: Kristina Haaslawwill, K-R-I-S-T-I-N-A H-A-A-S-L-A-W-W-I-L-L.

MS. FLETCHER: I just want to make sure I got that.

All right, Susan?
MS. VALASKOVIC: Valaskovic, $V$ as in Victor - A-L-A-S-K- like in kite $0-\mathrm{V}$ as in Victor -I-C.

MS. FLETCHER: Okay, I've got it.
Anyone else?
MR. FASANO: Michael Fasano, I-C-H-A-E-L $F$ as in Frank-A-S-A-N-O.

MS. FLETCHER: Thank you, Mr. Fasano. Anybody else?

MR. GULAMHUSEIN: Good morning. My name is Husain Gulamhusein, H-U-S-A-I-N, last name is Gulamhusein, G-U-L-A-M as in Mary, H-U-S-E-I-N.

I also see Marisa Hartman on the call
as well.
MS. FLETCHER: Can you -- excuse me one second, please. Can you state your name and spell it one more time, please?

MR. GULAMHUSEIN: Sure. Husain
Gulamhusein, H-U-S-A-I-N, last name is
Gulamhusein, G-U-L-A-M-H-U-S-E-I-N.
MS. FLETCHER: And, that's the last name?

MR. GULAMHUSEIN: Yes, ma'am.
MS. FLETCHER: Okay. Ms. Hartman, could you please state your name and spell it for the record?

MS. HARTMAN: Yes, it's Marisa Hartman, M-A-R-I-S-A, last name Hartman, H-A-R-T-M-A-N.

MS. FLETCHER: Thank you.
Anybody else?
MR. CAMPBELL: Yes, good morning.
MS. FLETCHER: Good morning.
MR. CAMPBELL: John Campbell, J-O-H-N C-A-M-P-B-E-L-L.

MS. FLETCHER: Thank you, Mr. Campbell.
Anyone else?
MR. LAWWILL: Lawrence Lawwill, L-A-U-R-E-N-C-E L-A-W-W-I-L-L.

MS. FLETCHER: Mr. Lawwill I'm going to spell your name again for the record. The sound was a little shaky, just to make sure that the court reporter got the spelling.

Larry is spelled L-A-R-R-Y. The last name is spelled L-A-W-W-I-L-L, is that right?

MR. LAWWILL: That's correct.
MS. FLETCHER: Thank you.
Anyone else?
MS. VALASKOVIC: You didn't put two Ws in it, did you, there's just one W.

MR. LAWWILL: No, there's two Ws.
MS. FLETCHER: I have, I'm looking at two, I thought I said two, but it is L-A-W-W-I-LL.

MR. LAWWILL: That's correct.
MS. FLETCHER: Thank you.
Anybody else? Okay.
So, Ms. Mahmoud, I don't know if you can hear me yet, but I got you. You are on record.

MS. MAHMOUD: Thank you so much. I switched modes from our sophisticated office system to my cell phone.
(Whereupon, laughter.)

MS. MAHMOUD: I apologize to everyone for that.

MS. FLETCHER: Not a problem, we could see you all along.

I have a question for Ms. Verdi. The WebEx invitation is going to be sent to you, and you can forward it to whichever parties are going to attend the mediation.

I have a count here of one, two, three, four, five, six, seven individuals from the group present. Let me recount this to make sure. So, I count seven, does anybody else have a different number? I count seven individuals present from the group today, which means that the group has full standing as Protestants. At the upcoming status hearing, only the designated representatives need to appear, or a designated representative. But, it's up to you if you want to attend, but it's not a requirement for other members of the group.

So, we have as Protestants, ANC 2C, the Dupont Circle Citizens Association, and a Group of Five or More. We need to set a date for mediation, the status hearing, and a protest hearing. I'll give you the dates for the status
and protest hearings first. The status hearing is scheduled for March 22, 2023.

MS. VERDI: Ms. Fletcher, I'm sorry to interrupt, this is Kerry Verdi on behalf of the Group of Five.

MS. FLETCHER: Yes.
MS. VERDI: I am in a Federal trial that starts on the 13th, and it's scheduled to go through the 24 th of March in Atlanta. Would it be possible to do the status hearing the following week?

MS. FLETCHER: What you can do, Ms. Verdi, is that the date that I've given you today is the next available date on the Board's calendar, and I don't manage the Board's calendar. What you can do beyond today is send an email to our General Counsel. I'll give you her name and her email address, and petition the Board to change the status date.
And, I should also tell you, just so that you know, Ms. Verdi, that at the status hearing the Board only wants to know the status of the case. So, if you want Mr. Lawwill or Ms. Hartman to appear you can, nothing is going to happen. All the parties have already been
granted standing. At the status hearing the Board is going to want to know the status of the case. At that point, the mediation will have taken place. They'll want to know if there as a resolution or not. That's, basically, what happens at the status hearing, and then the Board will restate the date of the protest hearing. Unless a settlement agreement is submitted prior to the status hearing, in that case the status hearing would be canceled.

But, I just wanted you to know what happens at the status hearing, in case you would be okay with one of the other designated representatives attending.

MS. VERDI: Thank you.
MS. FLETCHER: This is not --
MS. VERDI: That's set for the 22nd, did you say the time, I'm sorry I missed it.

MS. FLETCHER: Yeah, it's March the 22nd at 10:30 a.m. It only takes about five minutes or less. There won't be any decisions to be made, because all the parties have been granted standing already.

But, if you want you certainly can petition the Board to change the date of the
status hearing. I just wanted you to know what happens at the status hearing.

MS. VERDI: Understood, thank you.
MS. FLETCHER: You are welcome.
So, what are you going to do? Do you want to go ahead and petition the Board to reschedule it? If so, I'm just going to make a note of that in the record.

MS. VERDI: I think so. I think that I'd probably ask just to move it by a week.

MS. FLETCHER: Okay. So, you are going to make that request to Martha Jenkins.

MS. VERDI: Okay.
MS. FLETCHER: M-A-R-T-H-A, Jenkins, J-
E-N-K-I-N-S. Martha Jenkins is our General Counsel, her email address is martha.jenkins@dc.gov.

MS. VERDI: Thank you.
MS. FLETCHER: And, you are going to need to copy all the parties. I don't know if you have all the parties' contact information at this point.

MS. VERDI: I do not. I do not believe that I have --

MS. FLETCHER: I will be more than
happy to provide it to you, if all the parties are okay with that.

I have Mr. Shankle's email address. I have Mr. Caruso's email address, and I have Ms. Mahmoud's email address, and if it's okay I'll provide those email addresses to you.

MS. VERDI: Is that okay?
MR. FASANO: Yes, that's fine. It's Michael.

MS. FLETCHER: Thank you.
The status hearing at this point is scheduled for March 22, 2023, at 10:30 a.m., if the Board does not grant the request to reschedule the status hearing that will remain the date.

The protest hearing is set for May 3, 2023, at 1:30.

I will get you the next available date for mediation.

Ms. Verdi, when did you say return?
MS. VERDI: I don't return until the 27th, and I leave on the 10th.

MS. FLETCHER: Of March?
MS. VERDI: Yes.
MS. FLETCHER: Give me the date that
you leave and return again.
MS. VERDI: I leave March 10th, and I will return, I'll be back in the office, I mean unless the jury is out longer than I expect, I'll be back on March 27th.

MS. FLETCHER: So, we'll move to have the mediation before the status hearing. So, right now we are going with the dates that we have.

I'm going to give you the next
available day prior to 3/10. The next available day prior to $3 / 10$ is Monday, March 6 th, at 11:30.

Is that good for anybody?
Is that good for you, Ms. Mahmoud, Monday, March 6th, at 11:30?

MS. MAHMOUD: That's great. Thank you so much, Ms. Fletcher.

MS. FLETCHER: You are welcome.
MR. SHANKLE: Ms. Fletcher, Mike Shankle here. That's also good with me.

MR. CARUSO: That's fine with Joseph

## Caruso.

MS. FLETCHER: Thank you, Mr. Caruso.
And so, Ms. Verdi, that leaves you.
MS. VERDI: That was the one open day

I had that week, so it's perfect.
MS. FLETCHER: Awesome, perfect.
Mediation is set for Monday, March 6th, at 11:30, and I will send you the WebEx invitation for that.

Now, let's see, is there anything else? Any questions from anybody?

Okay. Well, the roll call hearing in this matter is concluded. Thank you for coming, and I'll see you soon in mediation.

MS. VERDI: Thanks very much.
MS. FLETCHER: Yeah, you are very welcome.

> Bye everybody.

MS. VERDI: Bye.
(Whereupon, the above-entitled matter was concluded at 11:53 a.m.)

|  |
| :--- |
| A-L-A-S-K- 4:13 |
| a.m 2:2 9:20 11:12 |
| $13: 17$ |
| above-entitled 13:16 |
| ABRA 1:17 |
| access 4:2 |
| accessing 3:17 |
| address 8:18 10:16 |
| $11: 3,4,5$ |
| addresses 11:6 |
| Agent 1:15,17 |
| agreement $9: 8$ |
| ahead 10:6 |
| Alcoholic 1:2,14 |
| ANC 1:7,19,20 $2: 17$ 3:4 |

back 12:3,5
Barcode 1:6 2:4,16
basically 9:5
behalf $2: 3,17,22,25$ 3:14 8:4
believe 3:16,18,19 10:23
Beverage 1:2,14
beyond 8:16
Board 1:2,14 8:19,22 9:2,6,25 10:6 11:13
Board's 1:15,17 8:14,15 Bye 13:14,15

| C |
| :--- |
| C-A-M-P-B-E-L-L 5:21 |
| C-A-R-U-S-O 2:25 |
| caf 1:11 |
| calendar 8:15,16 |
| call 1:3,6 4:25 13:8 |
| Campbell 1:21 5:18,20 |
| 5:20,22 |
| canceled 9:10 |
| Caruso 1:20 2:24,24 |
| 12:21,22,23 |

Caruso's 11:4
case 1:8 8:23 9:3,9,12
cell 6:24
certainly 9:24
change 1:9 8:19 9:25
Circle 1:20 2:22 7:22
Citizens 1:20 2:23 7:22
COLUMBIA 1:1
coming 13:9
Commissioner 3:3,5,8
concluded 13:9,17
contact 10:21
Control 1:2,14
copy 10:20
correct 6:7,16
Counsel 1:19,21 8:17
10:16
count 7:9,12,13
court 6:4
CT 1:7
D D
date 7:23 8:13,14,19
9:7,25 11:15,18,25
dates 7:25 12:8
day 12:11,12,25
DCCA 2:25
decisions 9:21
designated 7:16,17
9:13
different 7:13
DISTRICT 1:1
DMT 1:5
Dupont 1:20 2:22 7:22
2:18,21 3:1,2,5,10,12
3:23 4:4,9,15,19 5:2,8
5:11,16,19,22 6:1,8
6:13,17 7:3 8:3,6,12
9:16,19 10:4,11,14,19
10:25 11:10,23,25
12:6,17,18,19,23 13:2
13:12
following 8:10
forward 7:7
four 7:10
Frank-A-S-A-N-O 4:18
full $7: 15$

| G |
| :---: |
| G-U-L-A-M 4:23 |
| G-U-L-A-M-H-U-S-E-I-N |
| $5: 7$ |

5:7
General 8:17 10:15
give 7:25 8:17 11:25 12:10
given 8:13
glad $4: 4$
go 8:8 10:6
going 2:11 6:1 7:6,7 8:24 9:2 10:5,7,11,19 12:8,10
good 3:12,23 4:21 5:18 5:19 12:13,14,20
grant 11:13
granted 9:1,22
great 12:16
group 1:5 3:11,14 7:11 7:14,15,20,23 8:5
Gulamhusein 1:22 3:20 4:21,22,23 5:5,6,7,10
E-I-N 4:24
E-L 4:18
E-N-K-I-N-S 10:15
email $3: 18$ 8:17,18
10:16 11:3,4,5,6
emailed 4:2
everybody 13:14
excuse 5:2
expansion 1:9
expect $12: 4$
F
F 4:18
Fasano 1:22 2:5 3:20 4:17,17,19 11:8
February $1: 13$
Federal 8:7
fine 11:8 12:21
first 8:1
five $3: 11,14,16,197: 10$
7:23 8:5 9:20
Fletcher 1:15,17 2:3,7


J-10:14
J-O-H-N 5:20
J-O-S-E-P-H 2:25
Jenkins 10:12,14,15
John 1:21 5:20
joined 4:2
joins 3:25
Joseph 1:20 2:24 12:21
jury 12:4

| K |
| :--- |
| K-E-R-R-Y 3:13 |
| K-R-I-S-T-I-N-A 4:8 |
| Kerry 1:21 3:13 8:4 |
| kite 4:13 |
| know 6:19 8:21,22 9:2,4 |

9:11 10:1,20
Kristina 1:23 4:7
L

L 6:15
L-A-R-R-Y 6:5
L-A-U-5:24
L-A-W-W-I-L-6:14
L-A-W-W-I-L-L 5:25 6:6
Larry 6:5
laughter 6:25
LAURENCE 1:24
LaVerne 1:15,17
Lawrence 5:24
Lawwill 1:24 3:21 5:24
5:24 6:1,7,12,16 8:23
leave 11:22 12:1,2
leaves 12:24
let's 13:6
License 1:7
little 6:3
LLC 1:5
longer 12:4
looking 6:13

## M

M-A-H-M-O-U-D 2:14
M-A-N-A-L-L-E 2:13
M-A-R-I-S-A 5:15

M-A-R-T-H-A 10:14
M-I-C-H-A-E-L 2:19
ma'am 5:10
Mahmoud 1:19 2:8,10 2:13 6:19,22 7:1 12:14,16
Mahmoud's 2:12 11:5 manage 8:15
MANALLE 1:19
March 8:2,9 9:19 11:12 11:23 12:2,5,12,15 13:3
Marisa 1:23 4:25 5:14
Martha 10:12,15
martha.jenkins@dc.... 10:17
Mary 4:23
matter 1:4 13:9,16
mean 12:3
means 7:14
mediation 7:8,24 9:3 11:19 12:7 13:3,10
members 7:20
met 1:15
Michael 1:19,22 2:19 4:17 11:9
Mike 3:2 12:19
minutes 9:20
missed 9:18
modes 6:23
Monday 12:12,15 13:3
morning 3:12 4:21 5:18 5:19
move 10:10 12:6
mute 2:9,10

## N

name 2:12,12,13,19 3:6
3:13,13 4:5,22,23 5:3
5:6,9,12,15 6:2,6 8:18
need $7: 17,23$ 10:20
needs 2:5
neighbor 4:3
note 10:8
number 7:13
NW 1:6

| O |
| :---: |
| OV 4:13 |

O-V 4:13
occupancy 1:10
office 6:23 12:3
Oh 3:5 4:4
okay 2:11 3:5 4:15 5:11
6:18 9:13 10:11,13
11:2,5,7 13:8
open 12:25

P-R-O-C-E-E-D-I-N-G-S
2:1
parties 7:7 8:25 9:22
10:20 11:1
parties' 10:21
perfect 13:1,2
person 3:17,24
petition 8:18 9:25 10:6
phone 6:24
place 9:4
please 3:7 5:3,4,12
point 9:3 10:22 11:11
possible 8:10
present 1:16,18 2:3,14
2:16,17 7:11,14
presiding 1:15
prior 9:8 12:11,12
probably 10:10
problem 7:3
protest 7:24 8:1 9:7 11:16
Protestant 1:21,21,22 1:22,23,23,24,24
Protestants 7:15,21
provide 11:1,6
put 6:10
Q
question 7:5
questions 13:7
R
R-E-B-E-C-C-A 3:9
R-E-N-C-E 5:25
Rebecca 1:20 3:8
record 3:7 4:6 5:13 6:2 6:21 10:8
recount 7:11
remain 11:14
reporter 6:4
representative 7:18
representatives 7:17 9:14
representing 2:15
request 10:12 11:13
requirement 7:19
reschedule 10:7 11:14
resolution 9:5
restate 9:7
Retailer 1:7
return 11:20,21 12:1,3
right 4:11 6:6 12:8
roll 1:3,6 13:8

| S |
| :--- |
| S-H-A-N-K-L-E 2:20 |
| S-T-R-A-U-S-S 3:9 |
| scheduled 8:2,8 11:12 |

second $5: 3$
see 2:7,8 4:25 7:4 13:6 13:10
send $8: 1613: 4$
sent $3: 18$ 7:6
set 7:23 9:17 11:16 13:3
settlement 9:8
seven $7: 10,12,13$
shaky 6:3
Shankle 1:19 2:18,19 2:20,21 3:2,3 12:19 12:20
Shankle's 11:3
sidewalk 1:10
six 7:10
soon 13:10
sophisticated 6:23
sorry 8:3 9:18
sound 6:2
spell 2:11 3:6 4:5 5:4, 12 6:2
spelled 2:13,14 6:5,6
spelling 6:4
standing 7:15 9:1,23
starts 8:8
state 3:6 4:5 5:3,12
status 7:16,24,25 8:1
8:10,19,21,22 9:1,2,6 9:9,9,12 10:1,2 11:11 11:14 12:7
Strauss 1:20 3:4,6,8,9,9 3:10
Street 1:6
submitted 9:8
Substantial 1:9
sure 3:8 4:9 5:5 6:3
7:12
Susan 1:24 4:11
switched 6:23
system 6:24
T

## t/a 1:6

taken 9:4
takes 9:20
tell 8:20
thank 2:21 3:1,10 4:19 5:16,22 6:8,17,22 9:15 10:3,18 11:10 12:16,23 13:9
Thanks 13:11
think 10:9,9
thought 6:14
three 7:10
time 5:4 9:18
today $7: 148: 13,16$
trial 8:7
trouble 3:17

Tuesday 1:12
two 6:10,12,14,14 7:9
U

Understood 10:3
unit 4:3
unmute 2:5
upcoming 7:16

| V |
| :---: |
| V 4:12 |
| V-E-R-D-I 3:14 |
| Valaskovic $1: 24 \quad 3: 21$ |
| $4: 12,12$ 6:10 |
| Verdi $1: 213: 12,13,14$ |
| $3: 247: 58: 3,4,7,13,21$ |
| $9: 15,17$ 10:3,9,13,18 |
| 10:23 11:7,20,21,24 |
| $12: 2,24,2513: 11,15$ |

Victor 4:13,13
videoconference 1:15

| W |
| :--- |
| w:11 |
| want 3:22 4:9 7:18 8:23 |

9:2,4,24 10:6
wanted 9:11 10:1
wants $8: 22$
we'll 12:6
WebEx 3:18 7:6 13:4
week 8:11 10:10 13:1
welcome 10:4 12:18 13:13
whichever 7:7
wrong 3:20
Ws 6:10,12


Yeah 9:19 13:12

| Z |
| :---: |
| 0 |
| 1 |
| 1:30 11:17 |
| 10:30 2:2 9:20 11:12 |
| 10th 11:22 12:2 |
| 11:30 12:12,15 13:4 |
| 11:53 13:17 |
| 1101 1:6 |
| 115593 1:7 |
| 13th 8:8 |
| 149 1:10 |
| 17th 1:6 |



Neal R. Gross and Co., Inc.

## CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: Barcode

Before: DC ABRA

Date: 02-21-23

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.

> Neae $\operatorname{cors} \rho$ ------------------Court Reporter

