



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

2 10:54 a.m.

3 CHAIRPERSON ANDERSON: All right. Our  
4 next case is case number 22-PRO-00001, Hillview  
5 Market, license number 119160. Ms. Fashbaugh,  
6 can you please elevate the rights of the parties  
7 in this case, please?

8 MS. FASHBAUGH: Please stand by.  
9 Dinesh Tandon, your rights have been elevated or  
10 rather I can't elevate you so I will unmute you.  
11 It has been communicated to me that he will be  
12 representing his wife for Hillview Market. Kirby  
13 Vining, your rights have been elevated. (Pause.)  
14 Eric Tomasi, your rights have been elevated.  
15 (Pause.) I do not see Commissioner Teri Janine  
16 Quinn. Commissioner Dianne Barnes, your rights  
17 have been elevated. (Pause.) That is all, Mr.  
18 Chair.

19 CHAIRPERSON ANDERSON: All right. I  
20 need to make sure that we have a representative  
21 from the Stronghold Civic Association, the group  
22 of five or more, the Bloomingdale Civic  
23 Association and ANC 5E. So, I think we're  
24 missing -- are we missing? Who are we missing?  
25 (Pause.) We have the group of five or more. Is

1 there someone representing the Bloomingdale Civic  
2 Association? (Pause.) Do we have any  
3 representatives of the Bloomingdale Civic  
4 Association? (Pause.) Do we have a  
5 representative of ANC 5E?

6 MS. BARNES: Yes.

7 CHAIRPERSON ANDERSON: All right.

8 MS. BARNES: I'm not showing the  
9 video. I did -- I was able to unmute myself.

10 CHAIRPERSON ANDERSON: All right. You  
11 should be able to show your video if you have a  
12 video. Do we have someone from the Stronghold  
13 Civic Association? Yes. All right, thanks. Do  
14 we know who the representative of the -- is Teri  
15 Quinn the representative of the Bloomingdale  
16 Civic Association? Ms. Quinn, if you're on line  
17 can you please identify yourself through the  
18 chat? (Pause.) All right. Okay, good morning  
19 again everyone. This case is the Hillview  
20 Market. Who is the licensee? Can we have the  
21 licensee, please, identify him or herself and  
22 spell and state their name for the record?

23 MS. TANDON: Hi, Your Honor. My name  
24 is Mithi Tandon. I am Dinesh Tandon's wife and  
25 for the license number 119160, the Hillview

1 Market.

2 CHAIRPERSON ANDERSON: Now, can you  
3 please spell and state your name for the record,  
4 ma'am?

5 MS. TANDON: It's I-T-H-I Mithi first  
6 name and the last name is Tandon T-A-N-D-O-N.

7 CHAIRPERSON ANDERSON: And are you on  
8 the license, ma'am?

9 MS. TANDON: I'm sorry?

10 CHAIRPERSON ANDERSON: Are you on the  
11 license?

12 MS. TANDON: Yes, yes, sir.

13 CHAIRPERSON ANDERSON: Okay. All  
14 right. You're from the Hillview Market, is that  
15 correct?

16 MS. TANDON: Yes. Yes.

17 CHAIRPERSON ANDERSON: All right.  
18 Let's have the representative of the Stronghold  
19 Civic Association please spell and state your  
20 name for the record, please.

21 MR. VINING: Yes, can you hear me?

22 CHAIRPERSON ANDERSON: Yes, sir.

23 MR. VINING: I'm Kirby Vining. I'll  
24 spell K as in Kenneth-I-R-B-Y last name Vining V  
25 as in Victor-I-N-I-N-G. I'm one of the elected

1 officers of the Stronghold Civic Association  
2 representing them today.

3 CHAIRPERSON ANDERSON: All right,  
4 thank you. Who is here from the group of five or  
5 more? (Pause.)

6 MR. TOMASI: Yes, hello, my name is  
7 Eric Tomasi. My name is spelled E-R-I-C last  
8 name T-O-M-A-S-I and I'm the designated  
9 representative for the group of five.

10 CHAIRPERSON ANDERSON: Thank you. Ms.  
11 Barnes? Can you spell and state your name for  
12 the record and your representation, ma'am?

13 MS. BARNES: Yes, Dianne Barnes D-I-A-  
14 N-N-E Barnes B-A-R-N-E-S. I'm representing ANC.

15 CHAIRPERSON ANDERSON: Is there anyone  
16 here from the Bloomingdale Civic Association?  
17 (Pause.) Is there anyone (Simultaneous  
18 speaking.)

19 MS. BARNES: Ms. Quinn stated that she  
20 would be here, but she does have an assistant.  
21 Could I ask you to get her on the line?

22 CHAIRPERSON ANDERSON: If you're able  
23 to get someone from the Bloomingdale Civic  
24 Association, please do because if not, I'm going  
25 to make a motion that \*\*\*11:00:26 be dismissed.

1 MS. BARNES: Okay.

2 CHAIRPERSON ANDERSON: So that's why  
3 I want to make sure that they're not having any  
4 technical difficulties. (Pause.)

5 MS. TANDON: Excuse me, Your Honor.  
6 Can I authorize my husband, Dinesh Tandon, to  
7 talk on behalf of me?

8 CHAIRPERSON ANDERSON: Is your husband  
9 on the license, ma'am? Yes, yes you can. You  
10 can. You're saying that he wants to represent  
11 you, that's fine, ma'am. What is your husband's  
12 name and is he on the line?

13 MS. TANDON: Yes.

14 MR. TANDON: Yes. Hello, Your Honor.  
15 My name is Dinesh Tandon.

16 CHAIRPERSON ANDERSON: Can you spell  
17 and state your name for the record, please, sir?

18 MR. TANDON: Dinesh is D as in David-  
19 I-N-E-S-H last name Tandon T-A-N-D-O-N.

20 CHAIRPERSON ANDERSON: And you are --  
21 are you on the license, sir?

22 MR. TANDON: Sir, I'm not on the  
23 license, no.

24 CHAIRPERSON ANDERSON: All right, but  
25 your wife is authorizing you to speak --

1 MR. TANDON: Yes, sir.

2 CHAIRPERSON ANDERSON: For her today?

3 All right, now do you guys have a camera?

4 (Simultaneous speaking.) So we can see

5 (Simultaneous speaking.)

6 MR. TANDON: I tried my best, but I  
7 for some reason, I don't know why it's -- I don't  
8 --

9 CHAIRPERSON ANDERSON: Okay.

10 MR. TANDON: I have a camera, but I  
11 don't know how to turn it on. (Pause.)

12 CHAIRPERSON ANDERSON: All right.  
13 (Pause.)

14 MR. TANDON: I am not being able to  
15 turn on the camera, sir. I'm very sorry.

16 CHAIRPERSON ANDERSON: All right,  
17 that's fine. That's fine. (Pause.) Ms. Barnes,  
18 are you able to find someone from the  
19 Bloomingdale Civic Association?

20 MS. BARNES: Okay, do I need to send  
21 a link to Ms. Evelyn Brown?

22 CHAIRPERSON ANDERSON: I'm sorry, who?

23 MS. BARNES: Evelyn Brown is the  
24 assistant to Teri for the Bloomingdale Civic  
25 Association. (Pause.)

1                   CHAIRPERSON ANDERSON: Yes, yes, yes,  
2 Mr. Vining?

3                   MR. VINING: Yes, I just sent an e-  
4 mail to Ms. Quinn and her alternate and I just  
5 this second received a note from Ms. Quinn saying  
6 she's on her way. She's having trouble logging  
7 in. It's Teri Janine Quinn.

8                   CHAIRPERSON ANDERSON: All right. Do  
9 we know what type of -- do you know what type of  
10 problem she has to logging in, sir? She can, if  
11 not, she can call in on the telephone.

12                  MR. VINING: She didn't say. She just  
13 had trouble logging in. I'll pass that along.

14                  CHAIRPERSON ANDERSON: There's a phone  
15 number where she can call in and if she calls in,  
16 we can elevate her rights. The reason why I'm  
17 taking this time is because all parties have to  
18 be here for the status hearing. If they're not  
19 here, I will make a motion to dismiss them, so  
20 that's one of the reasons I want to make sure  
21 that folks are not having technical difficulties  
22 in logging in. And they're not here because  
23 they're not here, not because they're having  
24 difficulties. So, if she is on the line and she  
25 wants us to elevate her rights or she's on the



1 telephone, just let us know and we will elevate  
2 her, we will unmute her line on the telephone or  
3 elevate her rights virtually. (Pause.) Has  
4 anyone heard from Ms. Quinn or from her assistant  
5 so we can move on because we need to move on with  
6 this.

7 MS. BARNES: I forwarded the e-mail to  
8 Ms. Brown, who is her alternate.

9 CHAIRPERSON ANDERSON: Do we know are  
10 they trying to log in? Do we need to do --

11 MS. BARNES: Let me give her a call  
12 back and see.

13 CHAIRPERSON ANDERSON: Do we need to  
14 -- do their rights need to be elevated? So I  
15 need to know that they're there so I can have our  
16 IT specialist elevated their rights, so that's  
17 what I'm trying to find out.

18 MS. BARNES: Okay. (Pause.)

19 CHAIRPERSON ANDERSON: Ms. Barnes,  
20 please mute yourself, madam.

21 MS. FASHBAUGH: Chairperson? We have  
22 a new call in user.

23 CHAIRPERSON ANDERSON: Who is that?

24 MS. FASHBAUGH: The number starts with  
25 a two. I'm going to unmute them to see if they

1 are Teri Janine Quinn.

2 CHAIRPERSON ANDERSON: Okay, thank  
3 you. (Simultaneous speaking.)

4 MS. QUINN: Hi, this is Teri Janine  
5 Quinn.

6 CHAIRPERSON ANDERSON: All right,  
7 okay, fine. Thank you. All right, good morning  
8 everyone. This is again the protest hearing for  
9 case number 20-PRO-00001. Hillview Market,  
10 license number 119160. All right, so I'll have  
11 the parties introduce themselves again for the  
12 record. So I would like Mr. Tandon. You had  
13 stated that your wife had stated that you were  
14 representing her so can you please spell and  
15 state your name for the record, please? The  
16 licensee.

17 MR. TANDON: My name is Dinesh Tandon.  
18 D-I-N-E-S-H last name T-A-N-D-O-N.

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

21 MR. TANDON: I am licensee's husband.

22 CHAIRPERSON ANDERSON: All right. Is  
23 the licensee with you?

24 MR. TANDON: Yes, Your Honor.

25 CHAIRPERSON ANDERSON: Can she also

1 identify herself for the record, please?

2 MS. TANDON: My name is Mithi Tandon.  
3 First name M-I-T-H-I Mithi and the last name is  
4 Tandon T-A-N-D-O-N, Tandon.

5 CHAIRPERSON ANDERSON: All right,  
6 thank you very much. Representative from the  
7 Stronghold Civic Association, please spell and  
8 state your name for the record, please.

9 MR. VINING: Yes, this is Kirby Vining  
10 representing the Stronghold Civic Association.  
11 Spell my name K-I-R-B-Y last name V-I-N-I-N-G.  
12 Thank you.

13 CHAIRPERSON ANDERSON: Thank you. The  
14 group of five or more?

15 MR. TOMASI: Yes, the designated  
16 representative, my name is Eric Tomasi. First  
17 name E-R-I-C, last name T-O-M-A-S-I.

18 CHAIRPERSON ANDERSON: The  
19 Bloomingdale Civic Association, will the  
20 representative please spell and state your name  
21 for the record?

22 MS. QUINN: Yes, it's Teri Janine  
23 Quinn. Hang on, let me --

24 CHAIRPERSON ANDERSON: I'm sorry,  
25 ma'am, can you spell your name for the record?

1 I'm having some problems hearing you. (Pause.)  
2 Ms. Quinn? (Pause.) Ms. Quinn? (Pause.) Ms.  
3 Quinn? (Pause.) Ms. Quinn, we appear to have  
4 lost you. (Pause.) Ms. Barnes, one more time,  
5 please. Spell and state your name for the record  
6 and your representation.

7 MS. BARNES: Sir, what did you say?

8 CHAIRPERSON ANDERSON: Can you, one  
9 more time, please spell and state your name for  
10 the record and your representation, ma'am?

11 MS. BARNES: D-I-A-N-N-E Dianne Barnes  
12 B-A-R-N-E-S.

13 CHAIRPERSON ANDERSON: All right,  
14 fine, thank you. I just want to say for the  
15 record, all the protestants are here. I know  
16 that Ms. Quinn from the Bloomingdale Civic  
17 Association had started to -- she came on the  
18 line. I don't know what concerns that she's  
19 having. Hopefully she'll be able to join us on,  
20 but there should be no issues because she did  
21 identify herself as one of the protestants. So  
22 for the board's purpose, she was here today so  
23 I'm not going to ask the board to vote to deny  
24 standing to the Bloomingdale Civic Association  
25 because they were here today and I'm not quite

1 sure what's now going on with her connection.

2 All right, are there any preliminary  
3 matters that each side needs to make? Any  
4 preliminary matters that need to be brought to  
5 the attention of the board? And I will start off  
6 with the licensee.

7 MR. TANDON: No, sir. It is just that  
8 we are asking for addition of liquor to the  
9 existing beer and wine.

10 CHAIRPERSON ANDERSON: I'm sorry. I'm  
11 sorry to cut you off. I don't want to go into  
12 the substance.

13 MR. TANDON: Okay.

14 CHAIRPERSON ANDERSON: This is more so  
15 do you have any problems, which is if there is  
16 stuff you don't understand when I say  
17 preliminary, so not necessarily the substance of  
18 the case but just preliminary if you have any  
19 issues.

20 MR. TANDON: No, sir. It's all good.  
21 Thank you.

22 CHAIRPERSON ANDERSON: All right.  
23 Thank you. What about the Stronghold Civic  
24 Association? Any preliminary matters that need  
25 to be brought to the attention of the board?

1 MR. VINING: No preliminary matters  
2 that we're aware of that need to be addressed.  
3 Thank you.

4 CHAIRPERSON ANDERSON: Thank you. Mr.  
5 Tomasi?

6 MR. TOMASI: No, as mentioned by  
7 Dinesh, I think, I believe he mentioned this. We  
8 are still working on mediation.

9 CHAIRPERSON ANDERSON: Okay. Ms.  
10 Barnes?

11 MS. BARNES: No, none for ANC.

12 CHAIRPERSON ANDERSON: Is Ms. Quinn,  
13 has she joined us? Is she back? (Pause.) All  
14 right.

15 MS. BARNES: I think Ms. Evelyn showed  
16 up. Do you see her name? Oh, there's Ms. Quinn.  
17 She's back on the phone.

18 CHAIRPERSON ANDERSON: Okay. Ms.  
19 Brown, can you please identify yourself for the  
20 record, please?

21 MS. BROWN: Myself, Evelyn Brown. I'm  
22 with the Bloomingdale Civic Association. I am  
23 the alternate to Teri Janine Quinn.

24 CHAIRPERSON ANDERSON: Fine, can you  
25 spell your name for the record, ma'am?

1 MS. BARNES: Evelyn E-V-E-L-Y-N last  
2 name is Brown B-R-O-W-N.

3 CHAIRPERSON ANDERSON: All right,  
4 thank you. All right, this (Simultaneous  
5 speaking.)

6 MS. QUINN: Hi, I'm also back. This  
7 is Teri Janine Quinn. I've been able to dial  
8 back in.

9 CHAIRPERSON ANDERSON: All right, Ms.  
10 Quinn. Can you please spell and state your name  
11 for the record, again, ma'am?

12 MS. QUINN: Sure, it's Teri T-E-R-I  
13 Janine J-A-N-I-N-E Quinn Q-U-I-N-N and I'm here  
14 as President of the Bloomingdale Civic  
15 Association.

16 CHAIRPERSON ANDERSON: All right,  
17 fine, thank you. Do you have any preliminary  
18 matters that you need to bring to the attention  
19 of the board?

20 MS. QUINN: I do not.

21 CHAIRPERSON ANDERSON: All right,  
22 fine. Thank you. All right, this matter then is  
23 scheduled for a protest hearing on April 20, 2022  
24 at 1:30 p.m. I heard the parties spoke about the  
25 fact that they are working on mediation. There

1 are a lot, there are four protestants groups in  
2 this matter. The board supports settlement, the  
3 parties negotiating and coming to an agreement if  
4 possible. One of the reasons why the board  
5 supports settlement, this is an establishment  
6 within the boundaries of your neighborhood where  
7 you live and so if the parties are able to  
8 discuss the matter and come to terms it would be  
9 helpful. However, if the parties are unable to  
10 come to terms, then we will have a protest  
11 hearing on the 20th. I just want to remind the  
12 licensee that in going to mediation that you have  
13 four separate groups that you have. You have to  
14 speak to all of the groups --

15 MR. TANDON: Yes, sir.

16 CHAIRPERSON ANDERSON: To come to an  
17 agreement. I just want to let you know that if  
18 you come to an agreement with just the ANC, the  
19 group of five or more will fall; however, the  
20 Stronghold Civic Association and Bloomingdale  
21 Civic Association can still move forward with the  
22 protest hearing if they do not agree to  
23 settlement. So I just want to let you know that  
24 you have to speak to all the parties and  
25 hopefully in whatever agreement, if an agreement



1 is reached, then you are negotiating with all the  
2 parties.

3 MR. TANDON: Yes, sir.

4 CHAIRPERSON ANDERSON: All right, so  
5 just want bring that to your attention.

6 MR. TANDON: Thank you.

7 CHAIRPERSON ANDERSON: Yes, okay. I  
8 just want to let the parties know that if we do  
9 go to a hearing, I would like the parties to try  
10 to figure out who is going to represent the  
11 groups in the sense that we're not going to allow  
12 four separate hearings to move forward. I'm  
13 hoping we don't go to a hearing, but if we do go  
14 to a hearing, the parties should think about the  
15 fact that who would be the designated  
16 representative to present the case if we were to  
17 move forward at a protest hearing. All right?

18 MR. TOMASI: Mr. Anderson, this is  
19 Eric Tomasi from the group of five.

20 CHAIRPERSON ANDERSON: Yes, Mr.  
21 Tomasi, yes, sir.

22 MR. TOMASI: I have a question about  
23 the board's policy. From what I just heard, you  
24 are stating that we must have a combined  
25 agreement with the Applicant --

1                   CHAIRPERSON ANDERSON: It doesn't have  
2 to be a combined agreement, but I was just  
3 letting the licensee know that he has to  
4 negotiate with all the different groups. As the  
5 group of five or more, the only exception though  
6 is if the agency signs a settlement agreement, if  
7 the group of five or more does not agree with the  
8 terms of the agreement, the group of five or  
9 more, they will lose standing to move forward  
10 with a hearing. Only the group of five or more  
11 (Simultaneous speaking.)

12                   MR. TOMASI: My question is actually  
13 in the opposite --

14                   CHAIRPERSON ANDERSON: Yes, sir.

15                   MR. TOMASI: If the group of five  
16 would come to an agreement, but the ANC and the  
17 associations would still want to go directly to a  
18 protest, how would the board look at that?

19                   CHAIRPERSON ANDERSON: The group of  
20 five would provide a settlement agreement to the  
21 board. The board would review it and the board  
22 would, if it's appropriate, the board would sign  
23 off on a settlement agreement that the group of  
24 five or more presents and then the group of five  
25 or more would fall out of the protest hearing and

1 the other groups would move forward.

2 MR. TOMASI: Okay, thank you.

3 CHAIRPERSON ANDERSON: If any side can  
4 come to an agreement, sign an agreement then they  
5 would fall out, but the civic associations they  
6 have their individual standing and the ANC has  
7 their individual standing. If there is a  
8 settlement agreement, the only group that would  
9 fall aside would be the group of five or more  
10 because the law says that the ANC in theory  
11 represents all the residents. Okay?

12 MR. TOMASI: Thank you.

13 CHAIRPERSON ANDERSON: You're welcome,  
14 sir. All right, now the board is planning for a  
15 protest hearing, there are a few things that I  
16 would like to instruct you about because the  
17 board's practices under the COVID restrictions  
18 have changed.

19 As you know, the board's hearings are  
20 conducted virtually so it is very important that  
21 protest hearings are focused and address only  
22 those issues that are being protested. Following  
23 this hearing, you will receive an e-mail from  
24 ABRA legal assistant Imani Moreland that will  
25 include a copy of a protest information form

1 (PIF) and a copy of an exhibit form as well as  
2 specific instructions for the hearing. You are  
3 required to complete and submit the PIF and  
4 exhibit form at least seven days before the date  
5 of the hearing. Again, seven days before the  
6 date of the hearing, each side must disclose  
7 their documents and witnesses that they are going  
8 to rely on. These documents and witnesses needs  
9 to be disclosed to each side and it also must be  
10 provided to ABRA Legal.

11 Please know that these documents  
12 greatly assist the board in narrowing the protest  
13 issues, facilitating the process and keeping the  
14 parties on point during the hearing. Each side  
15 is limited to no more than five witnesses and you  
16 will have only 60 minutes to present your case.  
17 This includes all direct and cross examination.  
18 The board does not intend to hear testimony on  
19 matters that are not relevant to those issues  
20 that are being protested. Are there any  
21 questions?

22 MR. TANDON: No, sir.

23 CHAIRPERSON ANDERSON: Any questions  
24 by anyone?

25 MR. TANDON: No, sir.

1                   CHAIRPERSON ANDERSON: All right. We  
2 thank you for your cooperation. If you have any  
3 questions in the time leading up to the hearing,  
4 please do not hesitate to contact Ms. Moreland at  
5 202-442-6942 or contact her by e-mail. Thank you  
6 very much. I wish you good luck in your  
7 mediation. If there is any assistance that the  
8 agency can provide, please contact Ms. Moreland.  
9 I'm hoping that the parties can settle this  
10 matter, but if you're unable to settle this  
11 matter, we will see you on April 20th at 1:30 for  
12 a hearing.

13                   Thank you very much and have a great  
14 day.

15                   MR. TANDON: Thank you.

16                   CHAIRPERSON ANDERSON: All right.

17                   (Whereupon, the above-entitled matter  
18 went off the record at 11:19 a.m.)  
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20  
21  
22  
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25

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