

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 MEETING

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 IN THE MATTER OF: :
 :
 Aslin DC Beer, LLC :
 t/a Aslin Beer Company :
 1740 14th Street NW :
 Retailer CT - ANC 2F :
 License No. 118555 :
 Case #23-PRO-00008 :
 :
 (Application to :
 Renew the License) :
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Wednesday
 March 15, 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:

JOSE ORELLANA, DC ABRA Staff
 JISOO KIM, Applicant Counsel
 DAVID RUBENSTEIN, ANC 2F01
 ELWYN FERRIS, Protestant
 JOYCE COWAN, Protestant
 SOOCHON RADEE, Protestant

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

2 10:44 a.m.

3 CHAIRPERSON ANDERSON: All right, the
4 next case on our calendar is Case Number 23-PRO-
5 00008, Aslin Beer Company, License Number 118555.

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

9 MR. ORELLANA: Ms. Edwards, your
10 access has been elevated. Jisoo Kim, your access
11 has been elevated. Elwyn Ferris, your access has
12 been elevated. David Rubenstein, your access has
13 been elevated. I believe that's everyone,
14 Chairman.

15 CHAIRPERSON ANDERSON: Thank you.

16 MR. ORELLANA: Ralph Tyson, your
17 access has been elevated as well.

18 CHAIRPERSON ANDERSON: I'm sorry,
19 who's representing the licensee on this case?

20 MR. KIM: On behalf of the applicant

21 --

22 (Simultaneous speaking.)

23 CHAIRPERSON ANDERSON: I'm sorry,
24 okay, sir. I'm not familiar with you, sorry.

25 All right, good morning, sir. Mr.

1 Kim, can you please spell and state your name for
2 the record, sir?

3 MR. KIM: Sure. Jisoo Kim for the
4 licensee. Jisoo, J-I-S-O-O. Last name Kim, K-I-
5 M.

6 CHAIRPERSON ANDERSON: So are you an
7 attorney or are you --

8 MR. KIM: Correct. I'm filling in for
9 my co-counsel. I believe you know Andrew Kline?

10 CHAIRPERSON ANDERSON: Okay, that's
11 fine. Yes. It appears that there's some other
12 folks who needs to be elevated in this case, Mr.
13 Orellana.

14 MR. ORELLANA: Soochon Radee, your
15 access has been elevated.

16 CHAIRPERSON ANDERSON: So all right.
17 Who's representing the ANC? Can you please
18 identify yourself for the record, please?

19 You're on mute, Mr. Rubenstein.

20 MR. RUBENSTEIN: My name is David, D-
21 A-V-I-D Rubenstein, R-U-B-E-N-S-T-E-I-N. I'm a
22 single member district 2F01.

23 CHAIRPERSON ANDERSON: All right. And
24 we have -- Mr. Ferris, can you please spell and
25 state your name for the record please?

1 MR. FERRIS: Hello, Elwyn Ferris here
2 representing the Shaw Dupont Citizens Alliance.
3 Elwyn is E-L-W-Y-N Ferris, F-E-R-R-I-S.

4 CHAIRPERSON ANDERSON: Good morning,
5 all right, let's see.

6 MR. FERRIS: Good morning.

7 CHAIRPERSON ANDERSON: We have -- I
8 don't have the names. We have Ms. Edwards. What
9 group are you with, Ms. Edwards? Please identify
10 yourself for the record.

11 MS. EDWARDS: I'm Sarah Edwards, S-A-
12 R-A-H E-D-W-A-R-D-S, and I am part of the
13 neighborhood.

14 CHAIRPERSON ANDERSON: Okay, and who
15 else is here because I can't see. Who else is
16 here? Can you please identify yourself?

17 All I see is the name Joyce. I don't
18 know who that person is. Can you please identify
19 yourself, please?

20 Mr. Orellana, can you please elevate
21 -- I think the person who's -- I think that said
22 their name is Joyce, I don't know who that is.

23 MS. COWAN: Yeah, this Joyce Cowan.
24 J-O-Y-C-E C-O-W-A-N. Representative of the group
25 of five neighborhood.

1 CHAIRPERSON ANDERSON: All right, good
2 morning.

3 MS. COWAN: Good morning.

4 CHAIRPERSON ANDERSON: Mr. Radee, can
5 you please identify yourself, please?

6 MR. RADEE: Good morning, my name is
7 Soochon Radee. I'm a representative of the
8 neighborhood group of five. My name is spelled
9 S-O-O-C-H-O-N R-A-D-E-E.

10 CHAIRPERSON ANDERSON: Good morning.
11 Have we -- has everyone been identified who needs
12 to be identified in this case?

13 All right, so are there any
14 preliminary matters in this case? Mr. Kim?

15 MR. KIM: Oh, a mediation was
16 initially scheduled for yesterday, but my co-
17 counsel was sick, so I believe a mediation will
18 need to be rescheduled.

19 CHAIRPERSON ANDERSON: So the
20 mediation was not held on February 28, Mr.
21 Rubenstein?

22 You're on mute, sir.

23 MR. RUBENSTEIN: That's incorrect, the
24 mediation for Aslin did take place. My
25 understanding is Aslin had a change in counsel.

1 So, the counsel at the mediation is no longer --

2 CHAIRPERSON ANDERSON: With the firm?

3 MR. RUBENSTEIN: With the firm.

4 CHAIRPERSON ANDERSON: But, so you're
5 saying that the -- and Mr. Kim I know that you're
6 filling in, so all right, so we're fine.

7 MR. KIM: I'm sorry, wrong
8 information.

9 CHAIRPERSON ANDERSON: That's fine,
10 sir. So --

11 (Simultaneous speaking.)

12 CHAIRPERSON ANDERSON: So, and I guess
13 the mediation was not successful on the --

14 (Simultaneous speaking.)

15 MR. RUBENSTEIN: Maybe just to
16 clarify, so we did have the mediation.

17 The neighborhood group and the ANC
18 understood from then-counsel that another turn of
19 the document would be forthcoming. That has not
20 happened yet. Subsequent to the meeting, certain
21 breaches of the current settlement agreement were
22 identified.

23 The neighborhood group and the ANC
24 sent a notice to counsel and the Aslin owners a
25 week ago, notifying them for the two-week cure

1 period of the breaches of the settlement
2 agreement.

3 And that's as far as I know where
4 things stand.

5 CHAIRPERSON ANDERSON: I know Mr. Kim
6 is just filling in, but so at least, Mr. Kim,
7 you'll know where you are with this -- at least
8 where the firm is with this case as far as the
9 ANC's concerned.

10 MR. KIM: Correct. Thank you.

11 CHAIRPERSON ANDERSON: Mr. Ferris, I
12 think did you want say something, sir?

13 MR. FERRIS: No, I didn't have my hand
14 raised, nope.

15 CHAIRPERSON ANDERSON: Okay, thank
16 you. All right. Any other preliminary matters
17 that need to be reached by anyone else?

18 All right. Now that this -- before
19 this. If this matter goes to a hearing, the
20 hearing is scheduled for April 12, 2023 at 1:30
21 p.m.

22 And if the parties believe that this
23 matter can truly be settled, then I will ask the
24 parties to alert the agency as soon as possible
25 if they believe that this is a case that will be

1 settled that does not need to go to a hearing.

2 I stated before that our agency and
3 the board supports settlement agreements rather
4 than going to hearings because when we have
5 settlement agreements, both parties leave the
6 table happy.

7 If we go to a due process -- I'm
8 sorry, if we go to a hearing, then one side's
9 going to be happy; the other side is not going to
10 be happy, but the board will make a decision if
11 the board has to make a decision. But as I
12 stated before, we do support settlements if the
13 matter can be settled.

14 Any questions by anyone?

15 All right. Hearing none -- all right,
16 now that we're scheduled for a protest hearing,
17 there are a few things because the board's
18 practices have changed. As you know, all of our
19 hearings are now conducted virtually.

20 So it is very important that whenever
21 protest hearings are focused and address only
22 those issues that have been protested.

23 Following this hearing, you will
24 receive an email form ABRA legal that will
25 include a copy of a protest information form, any

1 copy of an exhibit form as well as specific
2 instructions for the hearing.

3 You are required to complete and
4 submit the PIP and exhibit forms at least seven
5 days before the date of the hearing.

6 If we do not receive a copy of your
7 forms seven days before the hearing, your
8 application or your protest may be subject to
9 dismissal. These documents need to be submitted
10 to ABRA legal and to the opposing parties.

11 Please note that these documents
12 greatly assist the board and narrow the protest
13 issues, facilitating the process, and keeping the
14 parties on point during the hearing.

15 Each side is limited to no more than
16 five witnesses and you'll only have 60 minutes to
17 present your case. I know in this particular
18 case there are three protestants in this group,
19 and if this matter goes for a protest hearing,
20 the board is requesting that one party be
21 highlighted to represent the parties.

22 So one party, so we're not going to
23 have three -- I know there are three protestants
24 in this case.

25 But the board is requesting that if

1 this matter goes to -- and that is by statute, we
2 can demand that this happens -- so if this matter
3 goes to a protest hearing, then we're requesting
4 that one person be identified to represent the
5 protestant.

6 I stated before that you have one hour
7 to do your case, and you're limited to five
8 witnesses.

9 However, if the parties believe that
10 because there's three protestants in this case,
11 if you believe that you need more than one hour
12 to present your case or you need more than five
13 witnesses, please file a formal motion to the
14 board asking for additional time and additional
15 witnesses.

16 So I'm saying again, if you believe
17 that you need more than five witnesses or you
18 need more time, please file a formal motion with
19 the board requesting that we allow you more time
20 and more witnesses. Okay? Any questions by
21 anyone?

22 All right. We thank you greatly for
23 your cooperation. If you have any questions --
24 please, even after the hearing, please do not
25 hesitate to contact ABRA legal. So again, this

1 matter is scheduled for April the 12 at 1:30 p.m.

2 And if the parties need to have
3 another mediation, you can reach out to the
4 agency, we'll schedule it.

5 Good luck with your negotiation, and
6 if the matter's not settled, then we will see you
7 on April 12 at 1:30 p.m. Have a great day, thank
8 you very much.

9 MR. KIM: Thank you.

10 CHAIRPERSON ANDERSON: Thank you.

11 (Whereupon, the above-entitled matter
12 went off the record at 10:55 a.m.)

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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: Aslin DC Beer

Before: DC ABRA

Date: 03-15-23

Place: videoconference

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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