

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 MEETING

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 IN THE MATTER OF: :
 :
 Union Hospitality Group, :
 LLC, :
 t/a Union Oyster Bar & :
 Lounge :
 501 Morse Street NE :
 Retailer CR - ANC 5D :
 License #110747 :
 Case # 23-PRO-00012 :
 :
 (Application to Renew the: :
 License) :
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Wednesday
 April 12, 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:

- CHRISTINE GODINEZ, Protestant
- JOSE ORELLANA, DC ABRA Staff
- SHYAM RAO, Applicant
- RUSSELL WEBSTER, Applicant

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

2 11:27 a.m.

3 CHAIRPERSON ANDERSON: All right. The
4 next case on our calendar is Case number 23-PRO-
5 00012, Union Oyster Bar & Lounge, License number
6 110747. Mr. Orellana, can you please elevate the
7 rights of the parties in this case, please?

8 MR. ORELLANA: Your access has been
9 elevated. Christine Godinez, your access has
10 been elevated. Russell Webster, your access has
11 been elevated. That appears to be all, Chairman.

12 CHAIRPERSON ANDERSON: All right.
13 Thank you. I'd like everyone to turn their
14 camera on if they have that ability, please. All
15 right. Mr. Rao, can you please spell and state
16 your name for the record, and identify yourself,
17 please?

18 MR. RAO: Sure. My name is Mr. Shyam,
19 first name S-H-Y-A-M, last name R-A-O. I'm a
20 member of --

21 CHAIRPERSON ANDERSON: What's your
22 relationship to -- I'm sorry, sir.

23 MR. RAO: I'm a member of the Union
24 Hospitality Group and owner for --

25 CHAIRPERSON ANDERSON: I'm sorry. You

1 said you're what, ma'am, you're what, sir?

2 MR. RAO: One of the owners.

3 CHAIRPERSON ANDERSON: All right.

4 Thank you. Let me see. I think we have, Mr.

5 Webster, can you please, you do have a camera,

6 Mr. Rao?

7 MR. RAO: Yes. I just saw this and I

8 turned it on.

9 CHAIRPERSON ANDERSON: All right.

10 Thank you. Mr. Russell, to you, please.

11 Identify yourself for the record, please.

12 MR. WEBSTER: Russell Webster, owner

13 of, one of the owners of Union District Oyster

14 Bar. My name is spelled R-U-S-S-E-L-L, last name

15 Webster, W-E-B-S-T-E-R.

16 CHAIRPERSON ANDERSON: Good morning,

17 sir.

18 MR. WEBSTER: Good morning.

19 CHAIRPERSON ANDERSON: Ms. Godinez,

20 can you please spell and state your name for the

21 record, and your relationship to this case?

22 MS. GODINEZ: Christine Godinez, C-H-

23 R-I-S-T-I-N-E, last name, G-O-D-I-N-E-Z,

24 representative of the protest group.

25 CHAIRPERSON ANDERSON: All right.

1 Good morning. Good morning. I think this is the
2 first time we've had all the parties for this
3 matter. All right.

4 Are there any preliminary matters in
5 this case, starting with the licensee? Yes, the
6 licensee. Preliminary matters just not
7 substantive, just any preliminary matters in
8 moving throughout this process.

9 MR. WEBSTER: No. I think we, I'm
10 sorry.

11 CHAIRPERSON ANDERSON: Go ahead, sir.

12 MR. WEBSTER: No, I don't have any.
13 Shyam, do you have any? I think we've already
14 resolved it by agreement.

15 MR. RAO: I don't have anything.

16 CHAIRPERSON ANDERSON: Mr. Rao.

17 MR. RAO: No, I do not have anything.

18 CHAIRPERSON ANDERSON: Ms. Godinez?

19 MS. GODINEZ: No. We have, we did not
20 protest the reinstatement of the application,
21 because we continue to be hopeful to reach for an
22 agreement with the business.

23 CHAIRPERSON ANDERSON: All right.
24 Thank you. All right. This matter is scheduled
25 for a, if this matter is not settled it's

1 scheduled for a protest hearing on May 3rd at
2 1:30 p.m.

3 Now, I've read, one thing I'll say to
4 the parties, if this matter goes to a protest
5 hearing you are required to submit a PIF seven
6 days before the hearing.

7 Failure on either side to provide the
8 Board with a, the Agency with a PIF unless good
9 cause is shown might prevent you from relying on
10 documents and witnesses that have not been
11 disclosed seven days prior to the hearing.

12 And these documents must be shared
13 with the other side, and also with ABRA Legal.
14 Again, and also if this matter goes to a hearing
15 you'll only have one hour to present your case,
16 and you can only call five witnesses. Any other
17 questions by any side?

18 MS. GODINEZ: Is that one hour per
19 side, or one hour total, or 30 minutes per side?

20 CHAIRPERSON ANDERSON: One hour per
21 side. So therefore, you would have one hour and
22 the licensee would have one hour to present its
23 case.

24 MS. GODINEZ: Does the Board accept
25 statements if we have a witness who can't appear?

1 CHAIRPERSON ANDERSON: Part of the
2 problem with having statements is that the
3 licensee is, would be unable to cross examine the
4 statements. So, it's preferable that the
5 person's here to testify.

6 Because someone can, if, that would
7 put the licensee at a disadvantage if they cannot
8 cross examine the statement that was placed in
9 the record.

10 MS. GODINEZ: All right. Thank you.

11 CHAIRPERSON ANDERSON: But again,
12 these are, you got, the parties can discuss
13 these. And they might say that we don't have a
14 problem with a statement. And if the parties
15 decide that they don't have a problem with the
16 statement then I would allow them in.

17 But if the licensee says that he has
18 a concern with it the Board would more likely not
19 allow the statement to be presented in the record
20 for those reasons.

21 MS. GODINEZ: Thank you.

22 CHAIRPERSON ANDERSON: If the parties
23 truly believe that this matter can be settled
24 please let the Agency know as soon as possible so
25 we do not have to assign an investigator to this

1 case. Okay.

2 If you, again, if you have any
3 questions please reach out to our legal office,
4 and we can provide whatever guidance that you
5 require to move through this process. Okay.

6 Any other questions? Mr., I'm sorry,
7 Mr. Webster. You're on mute, Mr. Webster.

8 MR. WEBSTER: No, sir. Thank you.

9 CHAIRPERSON ANDERSON: Thank you. Mr.
10 Rao. Mr. Rao.

11 MR. RAO: Thank you. I have no
12 questions.

13 CHAIRPERSON ANDERSON: All right. Ms.
14 Godinez. No? All right. Thank you for your
15 participation today. Good luck with your
16 negotiations. If this matter is not settled I
17 will see you at a protest hearing on May 3rd at
18 1:30 p.m. Have a great day. Thank you very
19 much.

20 MR. WEBSTER: God bless you.

21 (Whereupon, the above-entitled matter
22 went off the record at 11:33 a.m.)

23

24

25

<p style="text-align: center;">A</p> <p>a.m 2:2 7:22 ability 2:14 above-entitled 7:21 ABRA 1:23 5:13 accept 5:24 access 2:8,9,10 Agency 5:8 6:24 agreement 4:14,22 ahead 4:11 Alcoholic 1:2,14 ALIYA 1:19 allow 6:16,19 ANC 1:8 Anderson 1:15,18 2:3 2:12,21,25 3:3,9,16 3:19,25 4:11,16,18,23 5:20 6:1,11,22 7:9,13 appear 5:25 appears 2:11 Applicant 1:23,24 application 1:10 4:20 April 1:13 assign 6:25</p>	<p style="text-align: center;">D</p> <p>day 7:18 days 5:6,11 DC 1:23 decide 6:15 disadvantage 6:7 disclosed 5:11 discuss 6:12 District 1:1 3:13 documents 5:10,12 Donovan 1:15,18</p> <p style="text-align: center;">E</p> <p>EDWARD 1:19 either 5:7 elevate 2:6 elevated 2:9,10,11 examine 6:3,8</p> <p style="text-align: center;">F</p> <p>Failure 5:7 first 2:19 4:2 five 5:16</p>	<p style="text-align: center;">K</p> <p>know 6:24</p> <p style="text-align: center;">L</p> <p>legal 5:13 7:3 License 1:9,11 2:5 licensee 4:5,6 5:22 6:3 6:7,17 LLC 1:6 Lounge 1:7 2:5 luck 7:15</p> <p style="text-align: center;">M</p> <p>ma'am 3:1 matter 1:5 4:3,24,25 5:4 5:14 6:23 7:16,21 matters 4:4,6,7 MEETING 1:3 member 1:18,19,19,20 1:20 2:20,23 met 1:15 minutes 5:19 morning 3:16,18 4:1,1 Morse 1:8 move 7:5 moving 4:8 mute 7:7</p>	<p>preferable 6:4 preliminary 4:4,6,7 present 1:17,21 5:15,22 presented 6:19 presiding 1:15 prevent 5:9 prior 5:11 problem 6:2,14,15 process 4:8 7:5 protest 1:8 3:24 4:20 5:1,4 7:17 Protestant 1:22 provide 5:7 7:4 put 6:7</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: Union Oyster Bar

Before: DC ABRA

Date: 04-12-23

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.

Neal R Gross

Court Reporter

NEAL R. GROSS

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