

DISTRICT OF COLUMBIA  
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 ALCOHOLIC BEVERAGE CONTROL BOARD  
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 MEETING

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 IN THE MATTER OF:                   :  
   :  
 1714 C, LLC,                         :  
 t/a Rosemarino D'Italia           :  
 1714 Connecticut                 : Protest  
 Avenue, N.W.                       : Hearing (Status)  
 Retailer CT - ANC 2B               :  
 License No. 109613                :  
 Case # 22-PRO-00012               :  
   :  
 (Substantial Change)               :  
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Wednesday  
 April 20, 2022

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:

SARAH FASHBAUGH, DC ABRA Staff  
 EDWARD CAMACHO, Applicant  
 ROSEMERI ESPINOZA, Applicant  
 MEG ROGGENSACK, ANC 2B01  
 JEFFREY RUECKGAUER, ANC 2B02  
 DOUGLAS MELCHER, Protestant's Counsel  
 GLENN ENGELMANN, Protestant  
 ANN NAVARO, Protestant  
 DEBRA JOHNSON, Protestant  
 WILLIAM JOHNSON, Protestant

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

2 10:43 a.m.

3 CHAIRPERSON ANDERSON: I'm going to go  
4 out of order. Let me call Case Number 22-PRO-  
5 00012, Rosemarino D'Italia, License Number  
6 109613.

7 Ms. Fashbaugh, the case I'm calling is  
8 Rosemarino D'Italia. See if there's anyone for  
9 this case. You can elevate the rights for the  
10 parties in Rosemarino D'Italia.

11 MS. FASHBAUGH: Please stand by.

12 CHAIRPERSON ANDERSON: Thank you.

13 MS. FASHBAUGH: Edward Camacho, your  
14 rights have been elevated. Glenn Engelmann, your  
15 rights have been elevated. Meg Roggensack, your  
16 rights have been elevated. Ann Navaro, your  
17 rights have been elevated. William Johnson, your  
18 rights have been elevated.

19 MS. NAVARO: This is Ann Navaro, we  
20 should also have Doug Melcher.

21 MS. FASHBAUGH: Douglas Melcher, your  
22 rights have been elevated. And Jeffrey  
23 Rueckgauer, your rights have been elevated. That  
24 is all, Mr. Chair.

25 CHAIRPERSON ANDERSON: Thank you. Thank

1 you, Ms. Fashbaugh.

2 All right, good morning again, everyone.  
3 This is Case Number 22-PRO-00012, Rosemarino  
4 D'Italia. Let's start with the -- I would like  
5 everyone just to please identify themselves for  
6 the record. Please spell and state your name for  
7 the record. We'll start first with the Licensee.  
8 Please spell and state your name for the record,  
9 please.

10 MR. CAMACHO: Hi. My name is Edward  
11 Camacho. You spell it E-D-W-A-R-D, last name  
12 Camacho, C-A-M-A-C-H-O.

13 And who I have next to me is my mother,  
14 Rosemeri Espinoza.

15 MS. ESPINOZA: Hi, my name is Rosemeri  
16 Espinoza, R-O-S-E-M-E-R-I, E-S-P-I-N-O-Z-A. I'm  
17 the owner of Rosemarino D'Italia. Nice to meet  
18 you today.

19 CHAIRPERSON ANDERSON: Good morning.

20 All right, let's start, let's then go  
21 with Mr. Engelmann. Please spell and state your  
22 name for the record and your affiliation with  
23 this case, please.

24 MR. ENGELMANN: Thank you, good morning.  
25 My name's Glenn Engelmann. First name's spelled

1 G-L-E-N-N, last name, E-N-G-E-L-M-A-N-N. And I'm  
2 here today as the designated representative for  
3 the Dupont Circle Citizen's Association.

4 CHAIRPERSON ANDERSON: Good morning.  
5 The ANC, who's here representing the ANC?

6 MS. MS. ROGGENSACK: Yes. I am Meg  
7 Roggensack, M-E-G R-O-G-G-E-N-S-A-C-K, and I am  
8 the Commissioner for single member District 2B01  
9 which is the district in which this establishment  
10 is located. But with me today is my fellow  
11 Commissioner Jeff Rueckgauer who shares a  
12 boundary and will introduce himself as well.

13 CHAIRPERSON ANDERSON: Thank you. Mr.  
14 Rueckgauer?

15 MR. RUECKGAUER: Yes, good morning. I  
16 am Jeff Rueckgauer, J-E-F-F, last name  
17 Rueckgauer, R-U-E-C-K-G-A-U-E-R. I'm the Single  
18 Member District Commissioner for 2B02 which  
19 borders Commissioner Roggensack's district at R  
20 Street.

21 CHAIRPERSON ANDERSON: Oh, who are the  
22 other protestants? And please start, please  
23 identify yourselves, and then you can let me know  
24 your affiliation, please.

25 MS. NAVARO: So my name is Ann Navaro,

1 A-N-N, Navaro, N-A-V-A-R-O. And I am a  
2 representative of the neighborhood protestant  
3 group. Our attorney, Doug Melcher, who's on will  
4 be speaking for us today.

5 CHAIRPERSON ANDERSON: Mr. Melcher,  
6 you're on mute, sir. Unmute your phone, please.

7 MR. MELCHER: Thank. This is Attorney  
8 Doug Melcher, as Ms. Navaro said. I represent  
9 with her the group of five or more. My last is  
10 spelled M-E-L-C-H-E-R. I filed a Notice of  
11 Appearance on April 18 which has been  
12 acknowledged.

13 CHAIRPERSON ANDERSON: Yes, sir. Who  
14 else do we have on the line? Please identify  
15 yourselves and your affiliation.

16 MR. JOHNSON: William Johnson, W-I-L-L-  
17 I-A-M J-O-H-N-S-O-N. And I am a protestant.

18 CHAIRPERSON ANDERSON: What group do you  
19 belong to, sir?

20 MR. JOHNSON: One of the five  
21 protestants.

22 CHAIRPERSON ANDERSON: So you're in the  
23 group of -- so you belong to the group that's the  
24 neighborhood protestant that Mr. Melcher is the  
25 representative. Is that the group that you

1 belong to, sir?

2 MR. JOHNSON: That's correct.

3 CHAIRPERSON ANDERSON: Okay, thank you.

4 Do we have anyone else?

5 MS. JOHNSON: Debra Johnson, Debra

6 spelled D-E-B, as in boy, R-A. Last name is

7 Johnson, J-O-H-N-S-O-N.

8 CHAIRPERSON ANDERSON: Thank you.

9 Anyone else? All right, so everyone has  
10 identified themselves. All right, so we have  
11 three protestant groups, is that correct? So we  
12 have the Dupont Circle Citizens Association, we  
13 have the ANC, and we have the group that's  
14 represented by Mr. Melcher. Have I covered  
15 everyone?

16 MR. MELCHER: That's correct, Your  
17 Honor.

18 CHAIRPERSON ANDERSON: Okay, fine.  
19 Thank you. All right, are there any preliminary  
20 matters, meaning not substantive issues, but are  
21 there any preliminary matters that anyone would  
22 want to bring to the attention of Board? We'll  
23 start with Licensee?

24 MR. CAMACHO: I'm sorry, can you repeat  
25 yourself one more time? You were breaking up a

1 little bit.

2 CHAIRPERSON ANDERSON: Are there any  
3 preliminary matters, just not substantive  
4 matters, but do you have any questions that  
5 you're unclear about that you want to bring to  
6 the attention of the Board?

7 MR. CAMACHO: No. Like, the only  
8 question we going forward is just this is a  
9 restaurant concept that we're looking to  
10 introduce. We're looking to add the additional,  
11 which is basically adding entertainment  
12 endorsement into the licensing to not only for  
13 the restaurant but create more concepts going  
14 forward.

15 I just didn't understand how the process  
16 works out in regards to the process. Because we  
17 have a few restaurants in Virginia ourselves that  
18 we established ghost kitchens, but this is our  
19 first business in DC.

20 So ABRA, ABC in Virginia's a lot  
21 different than I expected it. I just want to  
22 make sure we're following the right steps, of  
23 course making sure we're going through the right  
24 stages. And hopefully, we're being heard fully.

25 At current time, I don't have any

1 questions right now. My mother doesn't as well.  
2 So it's just a matter of hearing. I know from  
3 the last meeting we did have a few protestants  
4 didn't believe that my mother was aware of the  
5 whole situation. So I finally got her here. She  
6 was part of the meeting the last time. She hear  
7 everything, but she wanted to be present today.  
8 So we're just here to listen to everything else.

9 CHAIRPERSON ANDERSON: All right. Well  
10 this is just a status hearing. So this is --

11 MR. CAMACHO: Right.

12 CHAIRPERSON ANDERSON: - so meaning that  
13 I assume you have a roll call. I'm not sure if  
14 you had a mediation. Have the parties had, have  
15 you had scheduled mediation session?

16 MR. CAMACHO: It looks like it was  
17 pushed for, I believe -- I'm not entirely sure.  
18 I have to follow-up. But I would think it was  
19 for the next following month.

20 CHAIRPERSON ANDERSON: All right. So  
21 we'll make sure that you have a mediation session  
22 where, so because there are three protestant  
23 groups. So therefore, what you have to do, sir,  
24 you have to negotiate with the ANC. You have to  
25 negotiate with the Dupont Circle Citizen



1 Association. And you have to negotiate with the  
2 neighborhood, the neighborhood protestants. So  
3 there are three separate, there are three  
4 separate groups that you have to negotiate with.

5 MR. CAMACHO: Okay.

6 CHAIRPERSON ANDERSON: All right. So  
7 just procedurally, you negotiate with all of the  
8 groups.

9 MR. CAMACHO: Okay.

10 CHAIRPERSON ANDERSON: If you sign a  
11 settlement agreement with the ANC, then the group  
12 of five or more, they fall out.

13 MR. CAMACHO: Okay.

14 CHAIRPERSON ANDERSON: But if even if  
15 you sign a settlement agreement with the ANC, and  
16 if the Dupont Circle Citizens Association, if  
17 they don't agree with the content of the  
18 settlement, then we're still moving forward with  
19 the protest. So it's just to let you know that  
20 you have to negotiate in, at least in good faith  
21 with all three parties so see if you can come to  
22 resolution.

23 If you are unable to come to resolution,  
24 then we will have a protest hearing. But I'll  
25 give you the date in a little bit. And then the

1 Board will made a determination whether or not we  
2 will provide you the substantial change with live  
3 entertainment, with dancing and cover charge. So  
4 I --

5 (Simultaneous speaking.)

6 MS. ROGGENSACK: Chair, may I clarify  
7 something? LaVerne --

8 CHAIRPERSON ANDERSON: Yes, ma'am.

9 MS. ROGGENSACK: -- Fletcher did --

10 CHAIRPERSON ANDERSON: I'm sorry. Hold  
11 on. Please identify yourself for the record.

12 MS. ROGGENSACK: This is Commissioner  
13 Roggensack. I just want to clarify that there's  
14 no misunderstanding. LaVerne Fletcher did  
15 facilitate a mediation on March 22nd among all  
16 the parties at which the Protestant was present.

17 There was no progress in attempting to  
18 facilitate a mediated resolution of this dispute.  
19 So I just want to clarify there was a mediation  
20 facilitated by LaVerne Fletcher at which all  
21 parties were present.

22 CHAIRPERSON ANDERSON: Okay. Thank you  
23 for the representation.

24 MR. CAMACHO: Sorry to interrupt.

25 CHAIRPERSON ANDERSON: Yes, Mr. Camacho,

1 what --

2 MR. CAMACHO: Camacho, I recognize  
3 you're speaking, but from after the 22nd for the  
4 mediation hearing we did have all the following  
5 parties present. I know Roggensack wasn't there,  
6 but I spoke with the neighbors for Jeff, the  
7 neighbor that lives right behind our facility.

8 I also have text messages showing that  
9 he wants to conduct a meeting so they could speak  
10 with my mother and get her up to date what's  
11 going on. But apparently, as I mentioned before,  
12 my mother's been aware from the whole situation  
13 what we're trying to do here.

14 It looks like, from my understanding,  
15 they want to sit down and discuss the matters  
16 with my mother and schedule a day for them to  
17 come to the restaurant, or schedule a day where  
18 we could grab coffee and go walk around the  
19 neighborhood. I'm entirely sure, from the text  
20 message I had with Jeff, and I'm assuming he's  
21 contacting the other neighbors, that's the  
22 conversation we're having right now.

23 I haven't scheduled a day just yet,  
24 because we've been very slammed with the  
25 restaurants. We've been catching up a lot on

1 private reservations ourselves. So we're finally  
2 getting back up to schedule.

3 The following week we have a clear  
4 schedule for us to set a meeting with Jeff. And  
5 he will contact the neighbors to move forward and  
6 see if there could be progress. If there cannot  
7 be progress then I hope we can move forward from  
8 the next step.

9 CHAIRPERSON ANDERSON: All right. So  
10 I'm glad we're having some conversations. And if  
11 the parties want to meet, if the parties want the  
12 Agency -- believe that is worthwhile for the  
13 Agency to schedule -- I'm going have each person  
14 addressed.

15 But since the Licensee had some  
16 basic questions, I want to make sure that he  
17 understands too. If the parties can voluntarily  
18 decide to meet on their own, or if the parties  
19 want the Agency to schedule another mediation, if  
20 they believe that's would be fruitful, the Agency  
21 can do that. So we're here to facilitate the  
22 process if the parties believe that it would be  
23 helpful.

24 All right. So Mr. Ahmen (phonetic), do  
25 you have any other representation to make? Ms.

1 Roggensack, do you have any other representation  
2 on behalf of the ANC?

3 MS. ROGGENSACK: Yes, Chair, just to  
4 brief the ABRA on the status of this case, this  
5 matter was formerly before ANC in February. We  
6 voted to protest after good faith efforts to  
7 negotiate a settlement agreement along the lines  
8 of a settlement agreement that had been proposed  
9 for an establishment with similar concept across  
10 the street.

11 And those conversations, in which the  
12 Dupont Circle Citizens Association was also  
13 involved, were suspended hours before our meeting  
14 upon hearing about a number of incidents  
15 involving this establishment of which we weren't  
16 aware. We gave the Applicant the opportunity to  
17 clarify. He chose not to. And so we determined  
18 that there would not be any prospect of  
19 negotiating a settlement in good faith.

20 Since that vote we, as mentioned, we had  
21 the mediation session in March which was not  
22 fruitful. And as you will hear, I think, from  
23 the neighbors, there have been an increasing  
24 number of incidents involving this establishment  
25 that call into question compliance with the

1 underlying license as well as, certainly,  
2 operations that would be inconsistent with the  
3 proposed license and raise peace, order, and  
4 quiet concerns.

5 MPD is also concerned about this and has  
6 been responding to these. We've been in touch  
7 with the MPD on a regular basis about this. So  
8 we are prepared to go to protest on this matter.  
9 Because we do not foresee a possible resolution  
10 given the lack of information and transparency  
11 and the ongoing level of incidents which are  
12 putting a stress not only on the residents but  
13 ABRA and on the MPD to respond. ABRA has  
14 responded numerous times. There are, I think a  
15 number of outstanding and pending investigations  
16 as to the prior incidents.

17 CHAIRPERSON ANDERSON: All right, thank  
18 you, Ms. -- Mr. Rueckgauer, do you have any  
19 representation you want to make from the ANC  
20 perspective, not substantive, just procedural  
21 type of issues if you do, sir.

22 MR. RUECKGAUER: Yes. I concur with  
23 what Commissioner Roggensack said. We, you know,  
24 did attempt to arrive at a settlement agreement.  
25 The morning of the 7th of February, I received a

1 phone call from one of my constituents on our  
2 street regarding a gunfire incident, you know,  
3 the night before that, that she believed was  
4 associated with the establishment.

5 The establishment, throughout our  
6 discussions, has always just basically shied away  
7 from the whole issue or side-stepped the entire  
8 issue of the effects of their operation on the  
9 neighborhood and just keeps coming back to  
10 focusing on the concept that he has for the  
11 establishment, which makes it very difficult to  
12 address any of the actual issues that the  
13 neighbors have, the concerns the ANC has.

14 So, you know, we are not, at this point  
15 we are not willing to negotiate any further. And  
16 we are committed to a protest, because he cannot  
17 be -- his statements just simply cannot be relied  
18 upon as being factual or that he will comply with  
19 any orders issued. Thank you.

20 CHAIRPERSON ANDERSON: Mr. Engelmann?

21 MR. ENGELMANN: Thank you. I concur  
22 with the comments of the ANC. DCCA had hoped to  
23 enter into a settlement agreement along the lines  
24 we've done before, but those discussions fell  
25 apart when the representations we had received

1 did not align with what has been going on with  
2 the neighborhood.

3 Just to reiterate, we did, in fact, have  
4 a mediation that the Applicant attended, but it  
5 didn't get anywhere, so I think we're at the  
6 point where we're unfortunately heading to a  
7 protest hearing.

8 CHAIRPERSON ANDERSON: Thank you, sir.  
9 I guess Mr. Melcher, any representations,  
10 preliminary matters that you want to bring to the  
11 attention of the Board?

12 MR. MELCHER: I don't have any  
13 preliminary matters other than to say that I  
14 believe my clients concur with what has been said  
15 by the ANC and DCCA. I did not personally  
16 participate in the mediation or the other  
17 discussions that have occurred, but I do  
18 understand that there's an interest in possibly  
19 having a meeting.

20 And the only other thing I want to  
21 mention is that this is sort of a unique case.  
22 I've seen other protests by community groups, and  
23 this is a very large number of individuals in the  
24 community that have come together to express  
25 concerns, serious concerns, about this



1 establishment. And that's a unique situation and  
2 something that I think is going to require a lot  
3 of attention when this comes around to being  
4 considered on the merit.

5 CHAIRPERSON ANDERSON: Thank you, Mr.  
6 Melcher. Now, so Mr. Camacho, now I believe that  
7 you now have an understanding of -- and I allowed  
8 this so at least you will have an understanding  
9 of the concerns that the community has.

10 Hopefully, I would, if the parties what  
11 to continue meeting, because at the end of the  
12 day, if the Board makes a decision, someone might  
13 be -- one party might be happy, another party  
14 might be unhappy. So if the parties can meet,  
15 come to a settlement agreement, the Board  
16 supports that.

17 But if the parties are unable to come to  
18 a settlement agreement, we're going to have then  
19 the protest hearing. It's going to be scheduled  
20 for May 18th, 2022, at 1:30 p.m. So May 18,  
21 almost a month from today, we'll have the protest  
22 hearing.

23 And at the protest hearing, so I just  
24 want to give you the instructions for the protest  
25 hearing. Now that we have scheduled this matter

1 for a protest hearing, there are a few things  
2 that I would like to instruct you about the  
3 Board's practices. Because they have changed in  
4 the sense that we are now doing all our hearings  
5 virtually.

6 As you know, the Board's hearings are  
7 conducted virtually, so it's important than ever  
8 that our protest hearings are focused and address  
9 only those issues that are being protested.

10 Following this hearing, you will receive  
11 an email from ABRA legal assistant, Imani  
12 Moreland, that will include a copy of the protest  
13 information form, PIF, and a copy of an exhibit  
14 form, as well as specific instructions for the  
15 hearing.

16 You are required to complete and submit  
17 the PIF and exhibit forms at least seven days  
18 before the date of the hearing. If we do not  
19 receive a copy of your forms seven days before  
20 your hearing, your application or your protest may  
21 be subject to dismissal.

22 These documents need to be submitted to  
23 ABRA Legal and to the opposing parties. Please  
24 note that these documents greatly assist the  
25 Board in narrowing the protest issues,

1 facilitating the process, and keeping the parties  
2 on point during the hearing.

3 Further, each side is limited to no more  
4 than five witnesses, and you will only have 60  
5 minutes to present your case. This includes all  
6 direct and cross examination. The Board does not  
7 intend to hear testimony in matters that are not  
8 relevant to those issues that are being  
9 protested.

10 I want to remind the parties again, if  
11 this matter goes to a protest hearing, seven days  
12 before the hearing, the documents that you're  
13 going to rely on and the witnesses that you're  
14 going to call, they must be submitted to ABRA  
15 Legal, and they must be submitted to the other  
16 side at least seven days before.

17 If any of the parties, if you don't  
18 understand, Ms. Moreland will provide you some  
19 instructions, and you can always reach out to  
20 ABRA Legal, and we will provide you guidance, not  
21 legal guidance but procedural guidance on how is  
22 it that what needs to be done.

23 So I don't want to, if we have a protest  
24 hearing, that someone is going to say I did not  
25 know. So you are aware that you must submit your

1 documents seven days prior to the hearing.

2 Also, because there's three protestants,  
3 the Board is going to ask the protestants that we  
4 have one representative at the hearing. Because  
5 we can't have three hearings, so we can't have  
6 three specific protest hearings.

7 So we're going to ask the Board to state  
8 that Board can ask the parties to designate one  
9 person who will represent the protestants. So  
10 that's something that the protestants should look  
11 on in moving forward if we go to a protest  
12 hearing.

13 But as I said before, the parties are  
14 welcome to continue mediation, to continue  
15 meeting. And if there is anything that the  
16 Agency can do to facilitate the process, we're  
17 here to help you.

18 Any questions by -- any questions, Mr.  
19 Camacho?

20 MR. CAMACHO: So I had a question in  
21 regards to the whole protest moving forward for  
22 May 18th, what documents should we provide, or  
23 what is the factor or we're going to be --

24 CHAIRPERSON ANDERSON: Whatever  
25 documents that you believe will support your

1 request and whatever witnesses you believe that  
2 support the request you're asking. The request  
3 is that you're asking us for a live entertainment  
4 with dancing and cover charge. So I don't know,  
5 but based on your -- you're asking us for  
6 something. So whatever documents or information  
7 that you have to support your request, sir.

8 MR. CAMACHO: My other question is in  
9 the moments of one of the neighbors that is  
10 currently protesting or gave to -- and one of the  
11 neighbors came to me in a discussion about the  
12 concept that I was trying to introduce, you're  
13 saying documents or witnesses.

14 But if you ever felt that you had a  
15 neighbor pursue you in a matter of -- or  
16 describing the concept that I'm introducing or  
17 trying to bring onboard, like I said I just don't  
18 know how to process moving forward with this. So  
19 I'm hoping I'm asking the right questions.

20 If you're feeling that the neighbors  
21 came to you in observance of classifying of the  
22 diversity of the clientele coming into your  
23 facility as the word ghetto or, you know, the  
24 wrongful doing of bringing the people inside your  
25 facility, is that usable use for this matter? Or

1 is this more of a matter for me introducing the  
2 concept, so that way I can move forward with  
3 this.

4 CHAIRPERSON ANDERSON: Well, I'm  
5 confused, Mr. Camacho, when you talk about the  
6 neighbors. The neighbors that you should be  
7 speaking with --

8 MR. CAMACHO: Yes?

9 CHAIRPERSON ANDERSON: Mr. Melcher, Mr.  
10 Engelmann, Ms. Roggensack, and Mr. Rueckgauer.

11 MR. CAMACHO: Okay.

12 CHAIRPERSON ANDERSON: These are the  
13 representatives of the groups. So these are the  
14 contact people that you should be having  
15 conversations with, because they're the ones who  
16 represent the group. So when you said neighbors,  
17 I'm not saying that you shouldn't speak to  
18 whoever these neighbors are.

19 MR. CAMACHO: Okay.

20 CHAIRPERSON ANDERSON: But for our  
21 purpose the people I just gave you the names of  
22 the individuals that you should -- these are your  
23 point of contact for this matter.

24 MR. CAMACHO: okay.

25 CHAIRPERSON ANDERSON: These are the

1 folks you are supposed to - if you believe that  
2 we don't have to go to a hearing because this  
3 matter can be settled, I don't know.

4 MR. CAMACHO: Right, I know.

5 CHAIRPERSON ANDERSON: It's been back  
6 and forth. But these --

7 MR. CAMACHO: Oh, no.

8 CHAIRPERSON ANDERSON: -- are the  
9 individuals that you have to you have to talk to,  
10 sir?

11 MR. CAMACHO: Okay.

12 CHAIRPERSON ANDERSON: And try to  
13 satisfy them.

14 MR. CAMACHO: Okay.

15 CHAIRPERSON ANDERSON: If you're unable  
16 to satisfy them, then we will come, we'll have a  
17 hearing. Now, if you have neighbors who support  
18 your concept, then you can call them as a witness  
19 if they --

20 MR. CAMACHO: Oh, okay.

21 CHAIRPERSON ANDERSON: -- are a neighbor  
22 who lives -- so I can't tell you. But these are  
23 the witnesses, and whatever you believe that you  
24 need to, if we go to a hearing, whatever  
25 witnesses you have who support your concept, who

1 can say I live in the neighborhood, and they  
2 support what I'm doing, you can have them come  
3 and testify. So that's what I meant by documents  
4 and witnesses, sir.

5 MR. CAMACHO: Okay. I was just making  
6 sure, because if I said I could get in contact  
7 with the people that you've named in regards to  
8 Meg Roggensack that says that I'm not being  
9 compliant or I'm not being transparent, or what  
10 I'm looking to do, I emailed her plenty of times  
11 of operation plans, security outlines. But I  
12 haven't received a follow-up back. So how can I  
13 pursue moving forward if I don't get reached back  
14 on top of that?

15 CHAIRPERSON ANDERSON: As I said before,  
16 well, she's here. And I hope that the parties,  
17 that they negotiate in good faith if they -- yes,  
18 you can reach a stalemate where we just can't  
19 mediate or this is not going to be settled. But  
20 these are the folks who have protested the  
21 request that you have made. And these are the  
22 folks that you, if you're trying to settle it,  
23 these are the representatives of the groups that  
24 you need to speak to.

25 MR. CAMACHO: Okay. Well, I really do



1 appreciate that. I know for a fact that the  
2 people that you're naming, or especially the ANC  
3 or DCCA, have experience with these matters,  
4 because of the businesses that are being  
5 introduced on Connecticut Avenue. Of course,  
6 that represents ANC 2B.

7 They have more experience than I do.  
8 I'm just one, we're just one people just creating  
9 a business and then putting a separate concept to  
10 represent the rush. I know we're looking to do  
11 so. So we have very few experience on what we're  
12 doing. But I do appreciate you giving me as much  
13 information that you can so we can move forward  
14 with this, honestly.

15 CHAIRPERSON ANDERSON: All right, thank  
16 you. As I said before, I've heard that maybe  
17 some folks have stated that we're going to have  
18 conversations. If you want to continue having  
19 conversations, that's welcome. But these are the  
20 individuals, sir, that you have to meet with,  
21 sir, to ensure that at least you're having  
22 conversations with them. And if the parties are  
23 unable to settle this matter then, as I stated  
24 before, we will have a protest hearing on May  
25 18th at 1:30 p.m., okay.

1 Other questions or concerns by anyone?

2 MR. CAMACHO: No.

3 (Simultaneous speaking.)

4 CHAIRPERSON ANDERSON: Go ahead, please.

5 MR. CAMACHO: Edward. For my part, for  
6 me and my mother, we have no problem meeting with  
7 the neighbors, DCCA, or ANC. We're actually more  
8 thrilled to meet everyone to hear their input and  
9 feedback.

10 I know they have, Douglas Melcher, if I  
11 pronounce your name correctly, to be a part of it  
12 as well, so that we need to be more transparent  
13 to move forward and see what we could do to make  
14 those progresses ourselves. Not everyone's  
15 perfect, so the only way we can make and go  
16 forward from this is by making those improvements  
17 as individuals. So thank you.

18 MS. NAVARO: This Ann Navaro. Mr.  
19 Anderson, I just have one clarifying question.

20 CHAIRPERSON ANDERSON: Yes, ma'am.

21 MS. NAVARO: Did you say that all three  
22 of the protest groups have to share five  
23 witnesses, so we need to agree on the five  
24 amongst the three groups? Is that correct?

25 CHAIRPERSON ANDERSON: The parties can,

1 because there are three, because there are three  
2 protestants, if you want to call more than five  
3 witnesses, you can make a formal request to Legal  
4 asking for more than five witnesses.

5 So what I've asked is that, because the  
6 regulation says five witnesses, and there's three  
7 protestant groups, if the parties, we're saying  
8 that they have to identify who the designated  
9 representative who's going to do the protest  
10 hearing -- I'm sorry. We're on, ha, ha, ha,  
11 Rosemarino D'Italia, yes.

12 So I would ask that the parties, as soon  
13 as possible, send a motion to the Board asking  
14 for an opportunity to have more than five  
15 witnesses. And tell us how many witnesses you  
16 require. Okay, so that's something that -- make  
17 a formal request to the ABC Board. That must be  
18 sent to our Legal Division.

19 MS. NAVARO: Okay, thank you.

20 CHAIRPERSON ANDERSON: All right. And  
21 so that as -- because the hearing is scheduled  
22 for the 18th, so do that as soon as possible.  
23 And then we will make the decision whether or not  
24 we will allow whatever the number is that's been  
25 requested.

1 Any other questions?

2 MR. MELCHER: Mr. Chairman, this is Doug  
3 Melcher. I assume for that request we could also  
4 request some additional time if we felt that  
5 that's necessary to explain in a motion.

6 CHAIRPERSON ANDERSON: Yes.

7 MR. MELCHER: Thank you.

8 CHAIRPERSON ANDERSON: Send a formal  
9 request to the Board, and we will consider it.

10 All right. We really appreciate your  
11 cooperation. If you have any questions at any  
12 time leading up to the hearing, please do not  
13 hesitate to contact Ms. Moreland at 202-442-6942.

14 And as I stated before, the Agency is  
15 here to try to facilitate. So whatever the  
16 Agency can do to facilitate communication amongst  
17 the parties, we are here. If not, if this matter  
18 cannot be settled, then we'll see you on the 18th  
19 for this protest hearing. Okay.

20 MR. CAMACHO: Can you repeat the number  
21 for me one more time? Sorry for interrupting,  
22 this is Edward.

23 CHAIRPERSON ANDERSON: No, 202-442-6942,  
24 that's Ms. Imani Moreland. So she's your contact  
25 through Legal if there are any issues. She can -

1 - and again, our legal office will help you  
2 procedurally, not substantively, just  
3 procedurally, if you don't understand certain  
4 things. That's for each side. Any questions you  
5 have about procedurally, what is it that I need  
6 to do procedurally, our Agency will provide you  
7 that type of guidance, okay?

8 All right. Thank you very much, and  
9 have a great day.

10 (Whereupon, the above-entitled matter  
11 went off the record at 11:16 a.m.)  
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In the matter of: Rosemarino D'Italia

Before: DCABRA

Date: 04-20-22

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