

DISTRICT OF COLUMBIA  
+ + + + +  
ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

-----  
IN THE MATTER OF:           :  
  :  
Capitol Square Bar and       :  
Grill LLC,                    :  
t/a DC Capitol Square       :  
Bar & Grill                   :  
1500 E. Capitol St., N.E.: Protest Status  
Retailer CR - ANC 6A        :  
License #11800               :  
Case #21-PRO-00034         :  
  :  
(Application for a New       :  
License)                       :  
-----

Thursday  
July 15, 2021

The Alcoholic Beverage Control Board met via WebEx videoconference, Chairperson Donovan W. Anderson presiding.

- PRESENT:
- DONOVAN W. ANDERSON, Chairperson
  - RAFI ALIYA CROCKETT, Member
  - EDWARD S. GRANDIS, Member
  - JENI HANSEN, Member
  - JAMES SHORT, JR., Member
- ALSO PRESENT:
- NICK ALBERTI, ANC 6A
  - BRIAN ALCORN, ANC 6A
  - SIMONE ANDREWS, DC ABRA Staff
  - MATTHEW MINORA, Applicant's Counsel

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

2 10:51 a.m.

3 CHAIRPERSON ANDERSON: The next case  
4 on our calendar is Case No. 21-PRO-00034, DC  
5 Capitol Square Bar & Grill, License No. 11800.

6 Ms. Andrews, can you please elevate  
7 the rights of the parties in this case?

8 MS. ANDREWS: Sure. Stand by. Mr.  
9 Minora, your rights have been elevated. Mr.  
10 Alberti, your rights have been elevated.

11 MR. ALBERTI: Thank you.

12 MS. ANDREWS: And Mr. Alcorn, your  
13 rights have been elevated. That's all, Mr.  
14 Chair.

15 CHAIRPERSON ANDERSON: Thank you, Ms.  
16 Andrews. All right. Can we have the parties  
17 introduce themselves for the record? We'll start  
18 with the licensee.

19 MR. MINORA: My name is Matthew  
20 Minora. I'm from the law firm of Mallios O'Brien  
21 & Sandground. And we're ABC license counsel for  
22 the licensee, or excuse me, the applicant.

23 CHAIRPERSON ANDERSON: Mr. Minora, can  
24 you please spell and state your name for the  
25 record, please?

1 MR. MINORA: Sure. Matthew Minora, M-  
2 A-T-T-H-E-W. The last name is M-I-N-O-R-A.

3 CHAIRPERSON ANDERSON: Good morning.

4 MR. MINORA: Morning.

5 CHAIRPERSON ANDERSON: Who is  
6 representing the ANC? Who is ANC's  
7 representative?

8 MR. ALBERTI: Mr. Alcorn will be.

9 MR. ALCORN: Great. So I am Brian  
10 Alcorn. First name, B-R-I-A-N, last name A-L-C-  
11 O-R-N. I am Commissioner for 6A08, and I am  
12 representing ANC 6A.

13 CHAIRPERSON ANDERSON: Good morning,  
14 Mr. Alcorn. And, Mr. Alberti, could you please  
15 identify yourself for the record, please?

16 MR. ALBERTI: Yes. My name is Nick  
17 Alberti, N-I-C-K, Alberti, A-L-B-E-R-T-I. Good  
18 morning, Board members. I'm here also as a  
19 representative for ANC 6A on this matter. Thank  
20 you.

21 CHAIRPERSON ANDERSON: And good  
22 morning, Mr. Alberti. I just want the record to  
23 reflect that as Chairman of the ABC Board, I have  
24 been Chairman for the past six years. And I  
25 believe for the first four years of my tenure as

1 Chair of the ABC Board, Mr. Alberti was a member  
2 of the ABC Board. And I've served with him.

3 So, therefore, I am aware of Mr.  
4 Alberti. However, on my working with Mr. Alberti  
5 as Chair of the ABC Board and his being a member  
6 I believe does not in any way will influence my  
7 determination in this matter.

8 MEMBER SHORT: Mr. Chairman?

9 CHAIRPERSON ANDERSON: Yes, Mr. Short.

10 MEMBER SHORT: I, too, would like to  
11 acknowledge that this is my third term with the  
12 Board. And I served two of those with Mr.  
13 Alberti on the ABC Board. And that will make no  
14 difference or have any influence on my decision  
15 today made about this case.

16 CHAIRPERSON ANDERSON: Thank you, Mr.  
17 Short. All right. Has everyone who needs to  
18 identify themselves identified themselves? All  
19 right.

20 Are there any preliminary matters that  
21 need to be brought to the attention, Mr. Minora?

22 MR. MINORA: No. Just that the ANC  
23 and we are, I think, very close to getting to a  
24 settlement agreement.

25 CHAIRPERSON ANDERSON: Thank you, Mr.

1 Minora. Mr. Alcorn, are there any preliminary  
2 matters you need to make the Board aware, please,  
3 sir?

4 MR. ALCORN: Thank you, Mr. Chairman.  
5 As Minora has reflected, representatives from the  
6 ANC, the community and the designated  
7 representative and counsel representing the  
8 licensee, namely Mr. Minora, met on Tuesday, July  
9 6, in a mediation session facilitated by LaVerne  
10 Fletcher. Other individuals who work for or  
11 represent the applicant on other matters were  
12 also present.

13 The parties did not reach a final  
14 settlement agreement in that July 6 session but  
15 efforts between representatives of the licensee  
16 and the ANC and community toward negotiating and  
17 executing a settlement agreement continue. A  
18 draft settlement agreement is presently  
19 circulating among parties. Thanks.

20 CHAIRPERSON ANDERSON: Thank you for  
21 that representation, Mr. Alcorn. And thank you  
22 also, Mr. Minora.

23 All right. This matter then, if the  
24 matter is on schedule -- I'm sorry. If this  
25 matter is not settled, we will have a protest

1 hearing on August 12, 2021, at 10:00 a.m.

2 All right. Now that we have scheduled  
3 this matter for a protest hearing, there are a  
4 few things that I would like to instruct you  
5 about because the Board practices under the  
6 COVID-19 restrictions have changed.

7 As you know, the Board's hearings are  
8 conducted virtually. So it is more important  
9 than ever that protest hearings are focused and  
10 address only those issues that are being  
11 protested.

12 Following this hearing, you will be  
13 receiving an email from Assistant General Counsel  
14 April Randall that will include a copy of a  
15 protest information form, PIF, and a copy of an  
16 exhibit form as well as specific instructions for  
17 the hearing.

18 You are required to complete and  
19 submit the PIF and exhibit forms at least seven  
20 days before the date of the hearing.

21 If we do not receive a copy of your  
22 forms seven days before the hearing, your  
23 application or your protest may be subject to  
24 dismissal. These documents need to be submitted  
25 to the [abra.legal@dc.gov](mailto:abra.legal@dc.gov) and to the opposing

1 parties.

2 Please know that these documents great  
3 assist the Board in narrowing the protest issues,  
4 facilitating the process and keeping the parties  
5 on point during the hearing.

6 Each side is limited to no more than  
7 five witnesses, and we do not have any. And you  
8 will only have 60 minutes to present your case.  
9 This includes all direct and cross-examination.

10 The Board does not intend to hear  
11 testimony on matters that are not relevant to  
12 those issues that are being protested.

13 Are there any questions? All right.  
14 We thank you greatly for your cooperation. If  
15 you have any questions at any time leading up to  
16 the hearing, please do not hesitate to contact  
17 Assistant General Counsel April Randall at 202-  
18 329-6354 or contact her by email.

19 Good luck in your negotiations. And  
20 if I don't see you on August 12, the Board will  
21 not take that personally because I will tell the  
22 Board and instruct the Board that the parties  
23 have agreed to a settlement that works to the  
24 benefit of the licensee and the neighborhood.

25 All right? Well thank you very much

1 for your participation this morning and have a  
2 great day.

3 MR. ALBERTI: Thank you.

4 MR. ALCORN: Thank you.

5 MR. MINORA: Bye-bye.

6 (Whereupon, the above-entitled matter  
7 went off the record at 10:57 a.m.)

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25



**A**

**A-L-B-E-R-T-I** 3:17  
**A-L-C-** 3:10  
**A-T-T-H-E-W** 3:2  
**a.m** 2:2 6:1 8:7  
**ABC** 2:21 3:23 4:1,2,5  
 4:13  
**above-entitled** 8:6  
**ABRA** 1:23  
**abra.legal@dc.gov**  
 6:25  
**acknowledge** 4:11  
**address** 6:10  
**agreed** 7:23  
**agreement** 4:24 5:14,17  
 5:18  
**Alberti** 1:22 2:10,11 3:8  
 3:14,16,17,17,22 4:1  
 4:4,4,13 8:3  
**Alcoholic** 1:2,14  
**Alcorn** 1:22 2:12 3:8,9  
 3:10,14 5:1,4,21 8:4  
**ALIYA** 1:18  
**ANC** 1:8,22,22 3:6,12  
 3:19 4:22 5:6,16  
**ANC's** 3:6  
**Anderson** 1:15,18 2:3  
 2:15,23 3:3,5,13,21  
 4:9,16,25 5:20  
**Andrews** 1:23 2:6,8,12  
 2:16  
**applicant** 2:22 5:11  
**Applicant's** 1:24  
**application** 1:10 6:23  
**April** 6:14 7:17  
**assist** 7:3  
**Assistant** 6:13 7:17  
**attention** 4:21  
**August** 6:1 7:20  
**aware** 4:3 5:2

**B**

**B-R-I-A-N** 3:10  
**Bar** 1:6,7 2:5  
**believe** 3:25 4:6  
**benefit** 7:24  
**Beverage** 1:2,14  
**Board** 1:2,14 3:18,23  
 4:1,2,5,12,13 5:2 6:5  
 7:3,10,20,22,22  
**Board's** 6:7  
**Brian** 1:22 3:9  
**brought** 4:21  
**Bye-bye** 8:5

**C**

**calendar** 2:4  
**Capitol** 1:6,7,8 2:5

**case** 1:9 2:3,4,7 4:15  
 7:8  
**Chair** 2:14 4:1,5  
**Chairman** 3:23,24 4:8  
 5:4  
**Chairperson** 1:15,18  
 2:3,15,23 3:3,5,13,21  
 4:9,16,25 5:20  
**changed** 6:6  
**circulating** 5:19  
**close** 4:23  
**COLUMBIA** 1:1  
**Commissioner** 3:11  
**community** 5:6,16  
**complete** 6:18  
**conducted** 6:8  
**contact** 7:16,18  
**continue** 5:17  
**Control** 1:2,14  
**cooperation** 7:14  
**copy** 6:14,15,21  
**counsel** 1:24 2:21 5:7  
 6:13 7:17  
**COVID-19** 6:6  
**CR** 1:8  
**CROCKETT** 1:18  
**cross-examination** 7:9

**D**

**date** 6:20  
**day** 8:2  
**days** 6:20,22  
**DC** 1:7,23 2:4  
**decision** 4:14  
**designated** 5:6  
**determination** 4:7  
**difference** 4:14  
**direct** 7:9  
**dismissal** 6:24  
**DISTRICT** 1:1  
**documents** 6:24 7:2  
**Donovan** 1:15,18  
**draft** 5:18

**E**

**E** 1:8  
**EDWARD** 1:19  
**efforts** 5:15  
**elevate** 2:6  
**elevated** 2:9,10,13  
**email** 6:13 7:18  
**excuse** 2:22  
**executing** 5:17  
**exhibit** 6:16,19

**F**

**facilitated** 5:9  
**facilitating** 7:4

**final** 5:13  
**firm** 2:20  
**first** 3:10,25  
**five** 7:7  
**Fletcher** 5:10  
**focused** 6:9  
**Following** 6:12  
**form** 6:15,16  
**forms** 6:19,22  
**four** 3:25

**G**

**General** 6:13 7:17  
**getting** 4:23  
**GRANDIS** 1:19  
**greatly** 7:14  
**Grill** 1:6,7 2:5

**H**

**HANSEN** 1:19  
**hear** 7:10  
**hearing** 1:8 6:1,3,12,17  
 6:20,22 7:5,16  
**hearings** 6:7,9  
**hesitate** 7:16

**I**

**identified** 4:18  
**identify** 3:15 4:18  
**important** 6:8  
**include** 6:14  
**includes** 7:9  
**individuals** 5:10  
**influence** 4:6,14  
**information** 6:15  
**instruct** 6:4 7:22  
**instructions** 6:16  
**intend** 7:10  
**introduce** 2:17  
**issues** 6:10 7:3,12

**J**

**JAMES** 1:20  
**JENI** 1:19  
**JR** 1:20  
**July** 1:13 5:8,14

**K**

**keeping** 7:4

**L**

**LaVerne** 5:9  
**law** 2:20  
**leading** 7:15  
**license** 1:9,11 2:5,21  
**licensee** 2:18,22 5:8,15  
 7:24  
**limited** 7:6

**LLC** 1:6  
**luck** 7:19

**M**

**M-** 3:1  
**M-I-N-O-R-A** 3:2  
**Mallios** 2:20  
**matter** 1:5 3:19 4:7 5:23  
 5:24,25 6:3 8:6  
**matters** 4:20 5:2,11  
 7:11  
**Matthew** 1:24 2:19 3:1  
**mediation** 5:9  
**MEETING** 1:3  
**member** 1:18,19,19,20  
 4:1,5,8,10  
**members** 3:18  
**met** 1:15 5:8  
**Minora** 1:24 2:9,19,20  
 2:23 3:1,1,4 4:21,22  
 5:1,5,8,22 8:5  
**minutes** 7:8  
**morning** 3:3,4,13,18,22  
 8:1

**N**

**N-I-C-K** 3:17  
**N.E** 1:8  
**name** 2:19,24 3:2,10,10  
 3:16  
**narrowing** 7:3  
**need** 4:21 5:2 6:24  
**needs** 4:17  
**negotiating** 5:16  
**negotiations** 7:19  
**neighborhood** 7:24  
**New** 1:10  
**Nick** 1:22 3:16

**O**

**O'Brien** 2:20  
**O-R-N** 3:11  
**opposing** 6:25

**P**

**P-R-O-C-E-E-D-I-N-G-S**  
 2:1  
**participation** 8:1  
**parties** 2:7,16 5:13,19  
 7:1,4,22  
**personally** 7:21  
**PIF** 6:15,19  
**please** 2:6,24,25 3:14  
 3:15 5:2 7:2,16  
**point** 7:5  
**practices** 6:5  
**preliminary** 4:20 5:1  
**present** 1:17,21 5:12

7:8 <b>presently</b> 5:18 <b>presiding</b> 1:15 <b>process</b> 7:4 <b>protest</b> 1:8 5:25 6:3,9 6:15,23 7:3 <b>protested</b> 6:11 7:12	<b>Status</b> 1:8 <b>subject</b> 6:23 <b>submit</b> 6:19 <b>submitted</b> 6:24	<b>202-</b> 7:17 <b>2021</b> 1:13 6:1 <b>21-PRO-00034</b> 1:9 2:4
<hr/> <b>Q</b> <hr/>	<hr/> <b>T</b> <hr/>	<hr/> <b>3</b> <hr/>
<b>questions</b> 7:13,15	<b>t/a</b> 1:7 <b>tell</b> 7:21 <b>tenure</b> 3:25 <b>term</b> 4:11 <b>testimony</b> 7:11 <b>thank</b> 2:11,15 3:19 4:16 4:25 5:4,20,21 7:14 7:25 8:3,4 <b>Thanks</b> 5:19 <b>themselves</b> 4:18,18 <b>things</b> 6:4 <b>third</b> 4:11 <b>Thursday</b> 1:12 <b>today</b> 4:15 <b>Tuesday</b> 5:8 <b>two</b> 4:12	<hr/> <b>4</b> <hr/>
<hr/> <b>R</b> <hr/>	<hr/> <b>U</b> <hr/>	<hr/> <b>5</b> <hr/>
<b>RAFI</b> 1:18 <b>Randall</b> 6:14 7:17 <b>reach</b> 5:13 <b>receive</b> 6:21 <b>receiving</b> 6:13 <b>record</b> 2:17,25 3:15,22 8:7 <b>reflect</b> 3:23 <b>reflected</b> 5:5 <b>relevant</b> 7:11 <b>represent</b> 5:11 <b>representation</b> 5:21 <b>representative</b> 3:7,19 5:7 <b>representatives</b> 5:5,15 <b>representing</b> 3:6,12 5:7 <b>required</b> 6:18 <b>restrictions</b> 6:6 <b>Retailer</b> 1:8 <b>rights</b> 2:7,9,10,13	<b>videoconference</b> 1:15 <b>virtually</b> 6:8	<hr/> <b>6</b> <hr/>
<hr/> <b>S</b> <hr/>	<hr/> <b>V</b> <hr/>	<b>6</b> 5:9,14 <b>60</b> 7:8 <b>6A</b> 1:8,22,22 3:12,19 <b>6A08</b> 3:11
<b>S</b> 1:19 <b>Sandground</b> 2:21 <b>schedule</b> 5:24 <b>scheduled</b> 6:2 <b>served</b> 4:2,12 <b>session</b> 5:9,14 <b>settled</b> 5:25 <b>settlement</b> 4:24 5:14,17 5:18 7:23 <b>seven</b> 6:19,22 <b>Short</b> 1:20 4:8,9,10,17 <b>side</b> 7:6 <b>SIMONE</b> 1:23 <b>sir</b> 5:3 <b>six</b> 3:24 <b>sorry</b> 5:24 <b>specific</b> 6:16 <b>spell</b> 2:24 <b>Square</b> 1:6,7 2:5 <b>St</b> 1:8 <b>Staff</b> 1:23 <b>Stand</b> 2:8 <b>start</b> 2:17 <b>state</b> 2:24	<hr/> <b>W</b> <hr/>	
	<b>W</b> 1:15,18 <b>way</b> 4:6 <b>WebEx</b> 1:15 <b>went</b> 8:7 <b>witnesses</b> 7:7 <b>work</b> 5:10 <b>working</b> 4:4 <b>works</b> 7:23	
	<hr/> <b>X</b> <hr/>	
	<hr/> <b>Y</b> <hr/>	
	<b>years</b> 3:24,25	
	<hr/> <b>Z</b> <hr/>	
	<hr/> <b>0</b> <hr/>	
	<hr/> <b>1</b> <hr/>	
	<b>10:00</b> 6:1 <b>10:51</b> 2:2 <b>10:57</b> 8:7 <b>11800</b> 1:9 2:5 <b>12</b> 6:1 7:20 <b>15</b> 1:13 <b>1500</b> 1:8	
	<hr/> <b>2</b> <hr/>	

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: DC Capitol Square

Before: DC ABRA

Date: 07-15-21

Place: teleconference

was duly recorded and accurately transcribed under  
my direction; further, that said transcript is a  
true and accurate record of the proceedings.



-----  
Court Reporter

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701