

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
 + + + + +
 ROLL CALL HEARING

IN THE MATTER OF: :

La Libertad Restaurant :
 Inc., t/a La Libertad :
 Restaurant :
 4622 14th Street NW : Roll Call
 License #ABRA-70773 : Hearing
 Retailer Class CT :
 ANC 4C :
 Case #20-PRO-00018 :
 (Substantial Change, :
 Games of Skill :
 Endorsement) :

Monday
 September 14, 2020

The Alcoholic Beverage Control Board
 met via Video Teleconference, LaVerne Fletcher,
 Board's Agent, presiding.

PRESENT:

LAVERNE FLETCHER, ABRA Board's Agent

ALSO PRESENT:

ULYSSES CAMPBELL, ANC 4C

BRYAN WESSON, Applicant's Representative

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

2 10:55 a.m.

3 MS. FLETCHER: Good morning. Thank
4 you for joining the Alcoholic Beverage Regulation
5 Administration's public roll call hearing. My
6 name is LaVerne Fletcher. I'm conducting the
7 roll call hearing as the Board's agent. Today's
8 hearing is being conducted through WebEx provided
9 by the D.C. Office of Open Government.

10 We have five cases scheduled for
11 today. Once your case is called, I will elevate
12 the rights of each party to enable their camera
13 and microphone. Then, and only then, will you
14 have the ability to enable your equipment. If
15 your case is not being heard, you will remain
16 mute and your camera will be disabled.

17 At the conclusion of each case, the
18 parties will have the option to leave. If the
19 party chooses to stay, all cameras and
20 microphones for the concluded case will be
21 disabled.

22 Should you have any questions or
23 require technical assistance during the hearing,
24 please submit them using the Q&A feature or email
25 simone.andrews2@dc.gov.

1 I'm now going to take a moment to
2 elevate the rights of each party to this case to
3 enable your camera and microphone.

4 Good morning. This is case number 20-
5 PRO-00018, La Libertad Restaurant, Inc., trading
6 as La Libertad Restaurant, 4622 14th Street NW,
7 license number ABRA-70773. This is a Retailer
8 Class CT.

9 The protest issues are adverse impact
10 on peace, order, and quiet, and residential
11 parking and vehicular and pedestrian safety. Can
12 you hear me okay?

13 MR. CAMPBELL: Yes, I can.

14 MS. FLETCHER: And you, Mr. Wesson,
15 can you hear me okay?

16 MR. WESSON: Yes, ma'am.

17 MS. FLETCHER: Okay, thank you.

18 Present on behalf of La Libertad? Mr. Wesson,
19 you're representing the establishment?

20 MR. WESSON: Yes, ma'am. I work with
21 Case & Mattock, and I'm the non-attorney agent
22 for La Libertad.

23 MS. FLETCHER: Okay, thank you very
24 much. Could you please spell your name for the
25 record?

1 MR. WESSON: Yes, it's Bryan, B-R-Y-A-
2 N, last name Wesson, W-E-S-S-O-N.

3 MS. FLETCHER: Thank you very much,
4 and present on behalf of ANC 4C?

5 MR. CAMPBELL: Ulysses Campbell, ANC
6 4C03 commissioner.

7 MS. FLETCHER: Thank you. Mr.
8 Campbell, would you please spell your name for
9 the record?

10 MR. CAMPBELL: Certainly. First name
11 is U-L-Y-S-S-E-S, last name C-A-M-P-B-E-L-L.

12 MS. FLETCHER: Thank you very much.
13 ANC 4C has standing as a protestant. Today we're
14 going to set a date for mediation only.
15 Normally, we would be scheduling a date for
16 mediation, a status hearing, and a protest
17 hearing, but today we're only going to set a date
18 for mediation.

19 You'll be provided with dates for a
20 status hearing and a protest hearing as the
21 process moves along and we become aware of the
22 Board's availability. So today, we're just going
23 to set a date for a mediation.

24 Does anybody have any questions about
25 what the purpose of the mediation is?

1 MR. CAMPBELL: You know, I will ask
2 only because I don't have a great deal of
3 familiarity with these ABRA proceedings, and
4 there are very few ABRA-licensed establishments
5 that happen to fall within the boundaries of the
6 SMD that I represent. So, and I'm sure I could
7 look that up, but since you have so graciously
8 offered, I will avail myself of the opportunity
9 ma'am.

10 MS. FLETCHER: Okay. Well, the
11 mediation is an alternative to the dispute
12 resolution process. It's provided as an
13 alternative to going through the protest hearing.

14 During the mediation, you will have an
15 opportunity to resolve the protest issues to your
16 mutual satisfaction. The whole point is to allow
17 the applicant an opportunity hear what your
18 concerns are. You and the applicant have an
19 opportunity to resolve issues to your mutual
20 satisfaction as an alternative to a protest
21 hearing.

22 If the matter can be resolved in
23 mediation, then the protest hearing is canceled.
24 If the matter can be resolved in mediation prior
25 to a status hearing, then the status hearing is

1 also canceled. It's an alternative to going
2 through an adversarial process.

3 MR. CAMPBELL: Thank you.

4 MS. FLETCHER: The parties will meet
5 with the Board's mediator. That's me, LaVerne
6 Fletcher, I'm the Board's mediator. Did I
7 introduce myself at the beginning? I actually
8 don't recall at this moment.

9 MR. CAMPBELL: At the very beginning
10 you did, and then your name is listed right here
11 underneath your picture.

12 MS. FLETCHER: Because I'm the Board's
13 Agent in roll call, and the Board's mediator
14 during mediation. So I just wanted to make sure
15 I gave you both titles.

16 MR. CAMPBELL: Thank you.

17 MS. FLETCHER: Mr. Campbell, does that
18 clear it up?

19 MR. CAMPBELL: It does, thank you.

20 MS. FLETCHER: Any questions, Mr.
21 Wesson?

22 MR. WESSON: No, ma'am.

23 MS. FLETCHER: Okay. Then I will give
24 you the next available date for mediation. One
25 second. The next available date for mediation is

1 Thursday, October the 1st. That's Thursday,
2 October 1st, at 9:00, 10:00, 11:00, 1:00 or 2:00.
3 Or it could be anywhere in between. It can be
4 11:30, 9:30.

5 MR. CAMPBELL: Ms. Fletcher, may I ask
6 a question of Mr. Wesson?

7 MS. FLETCHER: Yes.

8 MR. CAMPBELL: Okay. Mr. Wesson,
9 would the owner of the establishment, Maria Cruz,
10 be attending this or would you be representing on
11 her behalf?

12 MR. WESSON: I'm actually not sure
13 yet, so I'd have to get back to you.

14 MR. CAMPBELL: Okay, all right. Part
15 of the reason I was asking was because I needed
16 to know to whom I needed to inquire as far as the
17 timing of the hearing. Earlier would work a
18 little better for me on that day, but depending
19 on whether it's you or Ms. Cruz, maybe a little
20 bit later works.

21 MR. WESSON: Okay, so I think we can
22 go ahead and schedule it now if that's okay. So
23 if 9:00 or 10:00 are better for you, that's fine
24 with me as well.

25 MR. CAMPBELL: Let's do 10:00.

1 MR. WESSON: Sounds good.

2 MS. FLETCHER: Okay.

3 MR. CAMPBELL: So that is 10:00 a.m.
4 on Thursday, October 1st.

5 MS. FLETCHER: Yes.

6 MR. CAMPBELL: All right. Ms.
7 Fletcher, I'm assuming that by virtue of the fact
8 that it is highly unlikely that we will be out
9 this state of emergency by then, that those
10 proceedings will also be conducted via WebEx.
11 Would that be an accurate assessment on my part?

12 MS. FLETCHER: That is an accurate
13 assessment on your part.

14 MR. CAMPBELL: All right, wonderful.
15 And I'm assuming that you or someone else will
16 send the details as far as login?

17 MS. FLETCHER: Yes, same as for the
18 roll call.

19 MR. CAMPBELL: Okay, all right.
20 Wonderful. That answers my questions.

21 MS. FLETCHER: Anything else, Mr.
22 Campbell?

23 MR. CAMPBELL: No, ma'am. You've been
24 very complete. And Mr. Wesson, I appreciate
25 getting your input.

1 MS. FLETCHER: Okay then, unless
2 you're able to resolve this matter in some way
3 prior to October 1st, I'll see you then.

4 MR. CAMPBELL: Okay.

5 MR. WESSON: Thank you.

6 MR. CAMPBELL: That concludes our
7 portion of the hearing?

8 MS. FLETCHER: It concludes your
9 portion of the hearing.

10 MR. CAMPBELL: Wonderful, thank you so
11 much. You all stay safe.

12 MS. FLETCHER: Thank you, you too.
13 Bye-bye.

14 (Whereupon, the above-entitled matter
15 went off the record at 11:05 a.m.)
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<p style="text-align: center;">A</p> <p>a.m 2:2 8:3 9:15 ability 2:14 able 9:2 above-entitled 9:14 ABRA 1:18 5:3 ABRA-70773 1:8 3:7 ABRA-licensed 5:4 accurate 8:11,12 Administration's 2:5 adversarial 6:2 adverse 3:9 agent 1:15,18 2:7 3:21 6:13 ahead 7:22 Alcoholic 1:2,14 2:4 allow 5:16 alternative 5:11,13,20 6:1 ANC 1:9,20 4:4,5,13 answers 8:20 anybody 4:24 applicant 5:17,18 Applicant's 1:20 appreciate 8:24 asking 7:15 assessment 8:11,13 assistance 2:23 assuming 8:7,15 attending 7:10 avail 5:8 availability 4:22 available 6:24,25 aware 4:21</p>	<p>4:5,8,10 5:1 6:3,9,16 6:17,19 7:5,8,14,25 8:3,6,14,19,22,23 9:4 9:6,10 canceled 5:23 6:1 case 1:9 2:11,15,17,20 3:2,4,21 cases 2:10 Certainly 4:10 Change 1:10 chooses 2:19 Class 1:8 3:8 clear 6:18 COLUMBIA 1:1 commissioner 4:6 complete 8:24 concerns 5:18 concluded 2:20 concludes 9:6,8 conclusion 2:17 conducted 2:8 8:10 conducting 2:6 Control 1:2,14 Cruz 7:9,19 CT 1:8 3:8</p>	<p>five 2:10 Fletcher 1:15,18 2:3,6 3:14,17,23 4:3,7,12 5:10 6:4,6,12,17,20 6:23 7:5,7 8:2,5,7,12 8:17,21 9:1,8,12</p>	<p>mediator 6:5,6,13 meet 6:4 met 1:15 microphone 2:13 3:3 microphones 2:20 moment 3:1 6:8 Monday 1:12 morning 2:3 3:4 moves 4:21 mute 2:16 mutual 5:16,19</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: La Libertad

Before: DCABRA

Date: 09-14-20

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

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