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IN THE MATTER OF:           :  
                             :  
BarTaco Wharf, LLC         :  
t/a BarTaco Wharf          :  
645 Wharf Street SW        : Roll Call  
Retailer CR - ANC 6D       : Hearing  
License No. 121799         :  
Case #22-PRO-00093         :  
                             :  
(New Application)          :  
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Monday
September 26, 2022

The Alcoholic Beverage Control Board met via WebEx videoconference, LaVerne Fletcher, Board's Agent, presiding.

PRESENT :

LAVERNE FLETCHER, ABRA Board's Agent

ALSO PRESENT:

LEVI MARTIN, Applicant
CHRISTOPHER COHEN, Applicant Counsel

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

2 10:03 a.m.

3 MS. FLETCHER: Good morning. I'd like
4 to thank everyone for joining ABRA's roll call
5 hearings, via the WebEx platform provided by the
6 D.C. Office of Open Government.

7 My name is LaVerne Fletcher, I'll be
8 conducting the roll call hearings as the Board's
9 agent.

10 There are two cases on the calendar
11 today, the first case on the calendar is BarTaco
12 Wharf. Case Number 22-PRO-00093, BarTaco Wharf,
13 LLC., 645 Wharf Street Southwest, License Number
14 ABRA 121799, this is a Retailer Class CR, New
15 Application. The protest issues are adverse
16 impact on peace, order, and quiet.

17 Who is present on behalf of the
18 Applicant, please?

19 MR. COHEN: Hi. Good morning, Ms.
20 Fletcher. This is Christopher Cohen on behalf of
21 the Applicant, and I believe that Levi Martin,
22 representative of BarTaco, is also on the line.

23 MR. MARTIN: Yes. This is Levi
24 Martin.

25 MS. FLETCHER: Thank you. Mr. Cohen,

1 first of all, will you spell your name for the
2 record, please?

3 MR. COHEN: Yes, ma'am. It's
4 Christopher, C-H-R-I-S-T-O-P-H-E-R, and then
5 Cohen, C-O-H-E-N.

6 MS. FLETCHER: Thank you very much.
7 And, Mr. Martin --

8 MR. MARTIN: Yes. It is L-E --
9 (Simultaneous speaking.)

10 MS. FLETCHER: Uh-huh?

11 MR. MARTIN: L-E-V-I.

12 MS. FLETCHER: Uh-huh.

13 MR. MARTIN: M-A-R-T-I-N.

14 MS. FLETCHER: Thank you very much.
15 And, is anyone present on behalf of the Group of
16 5?

17 (No audible response.)

18 MS. FLETCHER: Is Mr. Curtis Sloan
19 present?

20 (No audible response.)

21 MS. FLETCHER: Mr. Cohen, you probably
22 received my email this morning, forwarding you an
23 email from Mr. Sloan, saying that he is
24 withdrawing the protest?

25 MR. COHEN: Yes, ma'am.

1 MS. FLETCHER: Okay. And, did you see
2 my email also telling him that he needs to sign
3 the withdrawal?

4 MR. COHEN: Yes, ma'am. And, I
5 believe Mr. Curtis actually responded promptly
6 and forwarded to both of us, a signed withdrawal.
7 So, perhaps that's adequate to, at least, address
8 the Association's objection?

9 MS. FLETCHER: Yeah. And so, I'm
10 going to -- you know, this all happened at the
11 last minute, as you know, and so, Mr. Sloan,
12 which is spelled S-L-O-A-N, he may have submitted
13 his withdrawal with his signature just a few
14 moments ago. Did you receive that?

15 MR. COHEN: Yes, ma'am. That's the --
16 we're referring to the same withdrawal notice.

17 MS. FLETCHER: Okay. I'm just making
18 sure he submitted one with his signature.

19 MR. COHEN: Yes. That's the copy that
20 I see, so.

21 MS. FLETCHER: Okay. Well, good.
22 Okay, so then he submitted that. He is not
23 present, I wanted to make sure that that was
24 submitted, otherwise we could not accept his
25 withdrawal as official at this point.

1 What I'm going to do, Mr. Cohen, I'm
2 going to check my emails -- give me a moment to
3 see if I received a copy of that, before we move
4 forward.

5 MR. COHEN: Sounds good. Thank you.

6 MS. FLETCHER: Thank you.

7 Mr. Cohen and Mr. Martin, actually I
8 did receive the copy of the withdrawal of the
9 Group of 5 signed by Mr. Sloan, and so, I will
10 not dismiss the protest because he is not
11 present. We will place that withdrawal on the
12 Board's agenda for approval, Mr. Cohen and Mr.
13 Martin, and there won't be any reason for us to
14 proceed in this matter. Did you have any
15 questions about that?

16 MR. COHEN: Just one question, ma'am,
17 and thank you for that. Just wanted to clarify
18 that Mr. Sloan's withdrawal, or signed
19 withdrawal, is effective as to both, the Group of
20 5 and the Association? The way the protest was
21 framed, at least, it seemed as if there were two
22 potential protestants, and we just wanted to
23 confirm that, if and when the case would be
24 considered by the Board for dismissal, that it
25 would be applicable to potential protestants?

1 MS. FLETCHER: We did not consider the
2 protest to be filed by the Gangplank Slipholders
3 Association, we considered this a protest to be
4 filed by a Group of 5. Mr. Sloan is the
5 president of the Gangplank Slipholders
6 Association, but we did not consider them to be a
7 protestant in this matter.

8 If they were present and we were going
9 to move forward, they would be granted the
10 standing as a Group of 5 and I would've clarified
11 for the record that the Gangplank Slipholders
12 Association is not a protestant.

13 MR. COHEN: Understood. Thank you for
14 that. And, with that, I think we have some
15 clarity, and no further questions at this time.
16 So, thank you so much.

17 MS. FLETCHER: You're welcome. And
18 so, Mr. Cohen and Mr. Martin, once that
19 withdrawal goes on the Board's agenda for review,
20 if they approve it, the Board will issue an order
21 withdrawing the protest.

22 MR. COHEN: Understood.

23 MR. MARTIN: Thank you very much.

24 MS. FLETCHER: Thank you very much for
25 coming today.

1 MR. COHEN: No, of course. And, thank
2 you for your prompt -- everything was flying in
3 at the last minute, so thank you very much, we
4 appreciate it.

5 MS. FLETCHER: Yeah, it was, and
6 you're very welcome.

7 MR. COHEN: Okay. Have a good one.

8 MS. FLETCHER: Any questions, give me
9 a call, okay?

10 MR. MARTIN: All right. Thank you so
11 much.

12 MS. FLETCHER: Okay, thank you, have
13 a good day.

14 MR. COHEN: Likewise, thank you.

15 MS. FLETCHER: Thank you. The roll
16 call hearing in this matter is concluded.

17 (Whereupon, the above-entitled matter
18 went off the record at 10:09 a.m.)

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<p>A</p> <p>a.m 2:2 7:18 above-entitled 7:17 ABRA 1:20 2:14 ABRA's 2:4 accept 4:24 address 4:7 adequate 4:7 adverse 2:15 agenda 5:12 6:19 agent 1:15,20 2:9 ago 4:14 Alcoholic 1:2,13 ANC 1:7 applicable 5:25 Applicant 1:24,25 2:18 2:21 Application 1:9 2:15 appreciate 7:4 approval 5:12 approve 6:20 Association 5:20 6:3,6 6:12 Association's 4:8 audible 3:17,20</p>	<p>conducting 2:8 confirm 5:23 consider 6:1,6 considered 5:24 6:3 Control 1:2,13 copy 4:19 5:3,8 Counsel 1:25 course 7:1 CR 1:7 2:14 Curtis 3:18 4:5</p> <p>D</p> <p>D.C 2:6 day 7:13 dismiss 5:10 dismissal 5:24 DISTRICT 1:1</p> <p>E</p> <p>effective 5:19 email 3:22,23 4:2 emails 5:2</p> <p>F</p> <p>filed 6:2,4 first 2:11 3:1 Fletcher 1:14,20 2:3,7 2:20,25 3:6,10,12,14 3:18,21 4:1,9,17,21 5:6 6:1,17,24 7:5,8,12 7:15 flying 7:2 forward 5:4 6:9 forwarded 4:6 forwarding 3:22 framed 5:21 further 6:15</p>	<p>issue 6:20 issues 2:15</p> <p>J</p> <p>joining 2:4</p> <p>K</p> <p>know 4:10,11</p> <p>L</p> <p>L-E 3:8 L-E-V-I 3:11 LaVerne 1:14,20 2:7 Levi 1:24 2:21,23 License 1:8 2:13 Likewise 7:14 line 2:22 LLC 1:6 2:13</p> <p>M</p> <p>M-A-R-T-I-N 3:13 ma'am 3:3,25 4:4,15 5:16 making 4:17 Martin 1:24 2:21,23,24 3:7,8,11,13 5:7,13 6:18,23 7:10 matter 1:5 5:14 6:7 7:16 7:17 met 1:14 minute 4:11 7:3 moment 5:2 moments 4:14 Monday 1:11 morning 2:3,19 3:22 move 5:3 6:9</p> <p>N</p> <p>name 2:7 3:1 needs 4:2 New 1:9 2:14 notice 4:16 Number 2:12,13</p> <p>O</p> <p>objection 4:8 Office 2:6 official 4:25 okay 4:1,17,21,22 7:7,9 7:12 once 6:18 Open 2:6 order 2:16 6:20</p> <p>P</p> <p>P-R-O-C-E-E-D-I-N-G-S 2:1 peace 2:16</p>	<p>place 5:11 platform 2:5 please 2:18 3:2 point 4:25 potential 5:22,25 present 1:18,22 2:17 3:15,19 4:23 5:11 6:8 president 6:5 presiding 1:15 probably 3:21 proceed 5:14 prompt 7:2 promptly 4:5 protest 2:15 3:24 5:10 5:20 6:2,3,21 protestant 6:7,12 protestants 5:22,25 provided 2:5</p> <p>Q</p> <p>question 5:16 questions 5:15 6:15 7:8 quiet 2:16</p> <p>R</p> <p>reason 5:13 receive 4:14 5:8 received 3:22 5:3 record 3:2 6:11 7:18 referring 4:16 representative 2:22 responded 4:5 response 3:17,20 Retailer 1:7 2:14 review 6:19 right 7:10 roll 1:3,7 2:4,8 7:15</p>
<p>B</p> <p>BarTaco 1:6,6 2:11,12 2:22 behalf 2:17,20 3:15 believe 2:21 4:5 Beverage 1:2,13 Board 1:2,13 5:24 6:20 Board's 1:15,20 2:8 5:12 6:19</p> <p>C</p> <p>C-H-R-I-S-T-O-P-H-E-R 3:4 C-O-H-E-N 3:5 calendar 2:10,11 call 1:3,7 2:4,8 7:9,16 case 1:8 2:11,12 5:23 cases 2:10 check 5:2 Christopher 1:25 2:20 3:4 clarified 6:10 clarify 5:17 clarity 6:15 Class 2:14 Cohen 1:25 2:19,20,25 3:3,5,21,25 4:4,15,19 5:1,5,7,12,16 6:13,18 6:22 7:1,7,14 COLUMBIA 1:1 coming 6:25 concluded 7:16</p>	<p>G</p> <p>Gangplank 6:2,5,11 give 5:2 7:8 goes 6:19 going 4:10 5:1,2 6:8 good 2:3,19 4:21 5:5 7:7,13 Government 2:6 granted 6:9 Group 3:15 5:9,19 6:4 6:10</p> <p>H</p> <p>happened 4:10 hearing 1:3,7 7:16 hearings 2:5,8 Hi 2:19</p> <p>I</p> <p>impact 2:16</p>	<p>name 2:7 3:1 needs 4:2 New 1:9 2:14 notice 4:16 Number 2:12,13</p> <p>O</p> <p>objection 4:8 Office 2:6 official 4:25 okay 4:1,17,21,22 7:7,9 7:12 once 6:18 Open 2:6 order 2:16 6:20</p> <p>P</p> <p>P-R-O-C-E-E-D-I-N-G-S 2:1 peace 2:16</p>	<p>S</p> <p>S-L-O-A-N 4:12 saying 3:23 see 4:1,20 5:3 September 1:11 sign 4:2 signature 4:13,18 signed 4:6 5:9,18 Simultaneous 3:9 Slipholders 6:2,5,11 Sloan 3:18,23 4:11 5:9 6:4 Sloan's 5:18 Sounds 5:5 Southwest 2:13 speaking 3:9 spell 3:1 spelled 4:12 standing 6:10 Street 1:7 2:13</p>

submitted 4:12,18,22 4:24 sure 4:18,23 SW 1:7	4		
	5		
T	5 3:16 5:9,20 6:4,10		
t/a 1:6 telling 4:2 thank 2:4,25 3:6,14 5:5 5:6,17 6:13,16,23,24 7:1,3,10,12,14,15 think 6:14 time 6:15 today 2:11 6:25 two 2:10 5:21	6 645 1:7 2:13 6D 1:7		
U			
Uh-huh 3:10,12 Understood 6:13,22			
V			
videoconference 1:14			
W			
wanted 4:23 5:17,22 way 5:20 we're 4:16 WebEx 1:14 2:5 welcome 6:17 7:6 went 7:18 Wharf 1:6,6,7 2:12,12 2:13 withdrawal 4:3,6,13,16 4:25 5:8,11,18,19 6:19 withdrawing 3:24 6:21 would've 6:10			
X			
Y			
Yeah 4:9 7:5			
Z			
0			
1			
10:03 2:2 10:09 7:18 121799 1:8 2:14			
2			
2022 1:11 22-PRO-00093 1:8 2:12 26 1:11			
3			

C E R T I F I C A T E

This is to certify that the foregoing transcript


In the matter of: Hearing

Before: Alcoholic Beverage Control Board

Date: 09-26-22

Place: Videoteleconference

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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