



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

2 10:09 a.m.

3 MS. FLETCHER: The next case on the  
4 calendar is Union Oyster Bar and Lounge. This is  
5 Case Number 22-PRO-00094, Union Hospitality  
6 Group, LLC., 501 Morse Street, Northeast.  
7 License Number ABRA 110747, this is a Retailer  
8 Class CR, License Renewal.

9 The protest issues in this case are  
10 adverse impact on peace, order, and quiet. My  
11 name is LaVerne Fletcher, conducting the roll  
12 call hearing as the Board's agent. Is anyone  
13 here present on behalf of the Applicant?

14 (No audible response.)

15 MS. FLETCHER: Is anyone --

16 (Simultaneous speaking.)

17 MR. RAO: Yes, ma'am. My name is --  
18 my last four number of the telephone number is  
19 6322, my name is Mr. Rao, last name spelled R-A-  
20 O, first name spelled Shyam, S-H-Y-A-M. And, I  
21 also have our general manager, Mr. Donnell  
22 Grimes, on the line as well.

23 MR. GRIMES: Yes, hello, I'm present  
24 for the meeting, as well.

25 MS. FLETCHER: Mr. Rao, so let me

1 correct the spelling of your name for the record,  
2 our record has your first spelled with some  
3 additional letters, so --

4 MR. RAO: Yes. Okay, my full name --

5 MS. FLETCHER: Mm-hmm.

6 MR. RAO: Okay, it's spelled S-H-Y-A-  
7 M, as in Mary, S-U-N-D-E-R, that's my full first  
8 name, last name is Easker, E-A-S-K-E-R, space, R-  
9 A-O, Rao. Hopefully that clarifies that.

10 MS. FLETCHER: Okay. So, just a  
11 second, let me make a correction here. One  
12 second, please. Okay. Now, could you spell your  
13 first name one more time?

14 MR. RAO: Sure. It's S, as in Sam, H-  
15 Y-A-M, as in Mary, S, as in Sun, U-N, as in  
16 Nancy, D, as in David, E-R.

17 MS. FLETCHER: Did you say U and then  
18 N, as in Nancy?

19 MR. RAO: S-U-N, as in Nancy, D, as in  
20 David, E-R.

21 MS. FLETCHER: Okay. So, that is what  
22 we have on our record, I just wanted to make sure  
23 that we had it correctly. Thank you.

24 MR. RAO: You're welcome.

25 MS. FLETCHER: And, who else is

1 present? Mr. Grimes, did you say?

2 MR. GRIMES: Yes, Mr. Grimes --

3 (Simultaneous speaking.)

4 MR. GRIMES: It's spelled D-O-N-N-E-L-  
5 L, Grimes, G-R-I-M-E-S. And, I am the general  
6 manager.

7 MS. FLETCHER: Thank you, Mr. Grimes.  
8 Anyone else present from Union Oyster Bar?

9 MR. GRIMES: No, that'll be all.

10 MS. FLETCHER: Thank you very much.  
11 Is anyone present on behalf of a Group of 6?

12 MS. MEJIA: Yes, can you hear me?

13 MS. FLETCHER: Yes, I can.

14 MS. MEJIA: Jessica Mejia, last name  
15 spelled M, as in Mary, E-J-I-A.

16 MS. FLETCHER: Thank you. Anyone else  
17 from your group, Ms. Mejia?

18 MS. GODINEZ: Yes. There is also  
19 Christine Godinez.

20 MS. FLETCHER: Spell your name for the  
21 record, please?

22 MS. GODINEZ: C-H-R-I-S-T-I-N-E, last  
23 name, G-O-D-I-N-E-Z.

24 MS. FLETCHER: G-O-D-I-N-E-Z, like  
25 Zebra?

1 MS. GODINEZ: Correct.

2 MS. FLETCHER: Thank you. Is anyone  
3 else present from your group today?

4 MS. GODINEZ: I don't believe so.

5 MS. FLETCHER: Okay, that's fine. Ms.  
6 Mejia and Ms. Godinez, you are both designated  
7 representatives for your Group of 6. Your group  
8 is granted conditional standing because you're  
9 present today, that means that, at the upcoming  
10 status hearing, at least three more people from  
11 your group will need to appear in person who are  
12 not present today, in order to be granted full  
13 standing.

14 If the three additional people do not  
15 appear, the Board may dismiss the protest. Any  
16 questions about that?

17 MS. MEJIA: No, thank you.

18 MS. FLETCHER: There are a couple of  
19 individuals that signed your protest letter who  
20 will need to be dismissed, I'll tell you who  
21 those individuals are. There are three of them  
22 and they are each being dismissed because they do  
23 not share common ground with the establishment,  
24 they don't live in close proximity to the  
25 establishment.

1           The first person is Claire Creighton,  
2 her name is spelled C-L-A-I-R-E, her last name is  
3 Creighton, spelled C-R-E-I-G-H-T-O-N. Ms.  
4 Creighton resides on Massachusetts Avenue  
5 Northwest, as far as I can tell from her protest,  
6 which is not sharing common ground with the  
7 establishment, which is located at 501 Morse  
8 Street, Northeast. That's M-O-R-S-E Street,  
9 Northeast.

10           The next protestant that's dismissed  
11 is someone -- her name is illegible, you'll have  
12 an opportunity to clarify that for me today. Her  
13 first name is Maureen, do you know he last name?

14           MS. MEJIA: And, actually, Ms.  
15 Fletcher, yes, that's -- the three we're fine  
16 with being dismissed. There's six of us that do  
17 live in the district, there was just a  
18 misunderstanding from one of our neighbors who  
19 lives at Morse that was collecting the  
20 signatures, when he collected those three. So,  
21 we're okay with --

22           (Simultaneous speaking.)

23           MS. FLETCHER: Well, I just need to  
24 know her last name, if you know what it is.

25           MS. MEJIA: No, because it was our

1 neighbor that had her sign the petition.

2 MS. FLETCHER: Okay --

3 (Simultaneous speaking.)

4 MS. MEJIA: I can get it for you, if  
5 you'd like, but it would be after this hearing.

6 MS. FLETCHER: Well, if you could do  
7 that, that would be helpful because legible  
8 signatures are required. And so, but it doesn't  
9 matter in this case --

10 MS. MEJIA: Yeah, but -- maybe I'm  
11 misunderstanding, is this one part of the six  
12 that you're suggesting is not -- I thought there  
13 were six that were approved?

14 MS. FLETCHER: Well, six were approved  
15 but I have to address the ones who are going to  
16 be dismissed.

17 MS. MEJIA: Oh, got it. Okay, I can  
18 get that last name for you, after the hearing.

19 MS. FLETCHER: Okay, thank you very  
20 much. The same applies for Terry L. Smith -- so,  
21 first of all, for the court reporter, Maureen is  
22 spelled M-A-U-R-E-E-N. Do you know if that's her  
23 first name?

24 MS. MEJIA: Again, for those three  
25 that are being dismissed, they're not people that

1 I know, so I will get that information to you,  
2 after the hearing.

3 MS. FLETCHER: Thank you very much.  
4 So, Terry L. Smith is the third person, who  
5 resides in Arlington, Virginia, whose protest is  
6 dismissed. Her name is spelled T-E-R-R-Y, middle  
7 initial, L, Smith is the last name, S-M-I-T-H.

8 There's a third person that signed the  
9 protest letter whose name is illegible, so I'm  
10 going to take a look at it and maybe you can tell  
11 me who it is, I have no idea.

12 MS. MEJIA: Yeah. It's the three that  
13 our neighbor, he's the one who got those three  
14 signatures, so we'll just get you their names so  
15 you can, for the record.

16 MS. FLETCHER: This is a fourth, and  
17 I understand that you don't know who these people  
18 are but this is just for the record that I have  
19 to go through this exercise.

20 MS. MEJIA: No, I completely  
21 understand. I'm just saying that I don't have  
22 the information with me, so I'll make sure to get  
23 it to you for the record, after the hearing.

24 MS. FLETCHER: It's okay. I'm going  
25 to tell you what it looks like. And, hold on one



1 second. So, the last name appears to be spelled  
2 T-E-E-N-A, and I understand you don't know who  
3 that is, and that's fine, but the for the record,  
4 that person is also dismissed.

5 So, what we have left are the six  
6 individuals who are a part of your group, and so  
7 I counted a total of six, was that correct?

8 MS. MEJIA: That is correct, thank  
9 you.

10 MS. FLETCHER: Okay, thank you. Okay,  
11 and so we have the Group of 6 granted conditional  
12 standing, three additional people will need to  
13 appear for the upcoming status hearing. I'll  
14 give you the dates of the status hearing and the  
15 protest hearing in a moment, we're also going to  
16 need to schedule a time for mediation.

17 I'm going to give you the date for the  
18 upcoming status hearing and the protest hearing  
19 first, the status hearing is scheduled for  
20 November 2, 2022 at 10:30 a.m. -- that's for the  
21 status hearing. The protest hearing is set for  
22 December 7, 2022 at 1:30 p.m..

23 Going to give you the next available  
24 day for mediation, the next available day for  
25 mediation is Tuesday, October 11 -- let me check

1 something here, we may have an earlier day. No,  
2 it's going to be Tuesday, October 11, anytime  
3 between 10:00 and 1:30 in the afternoon.

4 MS. MEJIA: The 11 doesn't work for  
5 us, unfortunately. Do you have anything prior to  
6 that?

7 MS. FLETCHER: Not right now, I don't  
8 have anything prior to that. The next available  
9 day is -- we're trying to have the mediation  
10 prior to the status hearing -- the next available  
11 day is -- did you say something -- that week is  
12 not good for you, who was that speaking?

13 MS. MEJIA: Sorry, it's Jessica Mejia.

14 MS. FLETCHER: So --

15 MS. MEJIA: Don't want to speak for  
16 Christine, but I don't think the 11 works for  
17 her, as well.

18 MS. GODINEZ: Exactly.

19 MS. FLETCHER: Okay. For the court  
20 reporter, Ms. Mejia, we have to -- so they know  
21 who's talking -- Ms. Mejia, the week of October  
22 10 is not good for you and is also not good for  
23 who?

24 MS. GODINEZ: No. To clarify, this is  
25 Christine Godinez, that week is not good for me,

1 Jessica was relaying my availability.

2 MS. FLETCHER: Okay, thank you. So,  
3 we can move to the week of October 17. What  
4 about Tuesday, October 18?

5 MS. GODINEZ: That works for me.

6 MS. FLETCHER: Who was that speaking?

7 MS. GODINEZ: Ah, sorry. Christine  
8 Godinez.

9 MS. FLETCHER: I know, it's not easy  
10 to remember to state your name each time. Thank  
11 you. What about you, Ms. Mejia, is that a good  
12 day for you, October 18?

13 MS. MEJIA: Yes, thank you.

14 MS. FLETCHER: And, Mr. Rao, is that  
15 a good day for you and Mr. Grimes?

16 MR. RAO: Yes, ma'am, we're fine with  
17 that.

18 MS. FLETCHER: So, it's October 18.  
19 So, let's start with you, Ms. Mejia and Ms.  
20 Godinez, do you have a preference for time,  
21 anytime between 10:00 and 1:30 in the afternoon?

22 MS. MEJIA: The earliest slot would be  
23 the most convenient for me.

24 MS. FLETCHER: And, Ms. Mejia, is that  
25 you speaking?

1 MS. MEJIA: Yes, I apologize. Yes,  
2 this is a Jessica Mejia, and the earliest spot  
3 would be convenient.

4 MS. FLETCHER: Okay, is that okay for  
5 you, too, Ms. Godinez?

6 MS. GODINEZ: Yes, this is Christine,  
7 that's fine with me.

8 MS. FLETCHER: And, what about you,  
9 Mr. Rao, would 10:00 o'clock on October 18 be  
10 good for you?

11 MR. RAO: That'll be fine.

12 MS. FLETCHER: Okay, I have mediation  
13 set for Tuesday, October 18, at 10:00 o'clock  
14 a.m.. I will send you the WebEx invitation to  
15 attend the mediation, you'll get a invitation to  
16 attend the status hearing and the protest hearing  
17 from someone else on the staff. And, you'll  
18 receive those invitations closer to the hearing  
19 dates.

20 Okay, any questions at all?

21 MR. GRIMES: Yeah, one quick question,  
22 is this in regards to --

23 MS. FLETCHER: Mr. Grimes, is that you  
24 speaking?

25 MR. GRIMES: Yes, this is Mr. Grimes.

1 MS. FLETCHER: Okay.

2 MR. GRIMES: Is this protest, is this  
3 about a particular date or is it overall?

4 MS. FLETCHER: Say that one more time,  
5 Mr. Grimes?

6 MR. GRIMES: Is this protest, or  
7 complaint, about a particular day or it is  
8 overall?

9 MS. FLETCHER: I'm not sure what you  
10 mean when you say -- I don't understand the  
11 question.

12 MR. GRIMES: No, this is a complaint  
13 matter, right? Am I correct?

14 MS. FLETCHER: Yeah. So, this Group  
15 of 6 filed a protest against the renewal of your  
16 license. The protest was filed on the basis that  
17 the establishment is having an adverse impact on  
18 the peace, order, and quiet in the neighborhood,  
19 that's the basis of the protest.

20 MR. GRIMES: Okay, I got you, that's  
21 all I needed to know.

22 MS. FLETCHER: Did that clarify that  
23 for you?

24 MR. GRIMES: Yes, it did.

25 MS. FLETCHER: Any other questions?

1 MS. MEJIA: No, I'd just like to make  
2 a comment, Ms. Fletcher --

3 MS. FLETCHER: Ms. Mejia?

4 MS. MEJIA: This is Jessica Mejia,  
5 yes, I'd like to make a comment, is that okay?

6 MS. FLETCHER: Yes, mm-hmm.

7 MS. MEJIA: I'd just like to tell Mr.  
8 Grimes and Mr. Rao, I know that the mediation  
9 hearing's coming up on October 8, but Christine,  
10 myself, and the other people who signed the  
11 petition, we welcome any communication prior to  
12 that, if it would be helpful.

13 You know, as we've stated in the  
14 previous petition that we filed earlier this  
15 year, and in our petition and other  
16 conversations, we understand you're a small  
17 business, we definitely don't want to hurt any  
18 small businesses, we want to find a solution that  
19 helps and that works for everyone involved. So,  
20 if you welcome any discussions prior to the  
21 mediation hearing, we welcome those, as well.

22 MS. FLETCHER: And, let me -- oh,  
23 first of all, the mediation is on October 18, Ms.  
24 Mejia, I thought you said October 8?

25 MS. MEJIA: Oh, no, sorry, 18, yes.

1 If I said the 8, I apologize, I meant the 18.

2 MS. FLETCHER: If you all are able to  
3 get together and resolved this matter outside of  
4 ABRA mediation, that would be fine. If you're  
5 able to resolve the matter in some way, if you  
6 are able to enter into a settlement agreement to  
7 resolve your concerns in a way that is mutually  
8 satisfactory, you may submit that to ABRA and the  
9 mediation would not be necessary, and it would be  
10 canceled.

11 And, if the Board approves any  
12 agreement that you have, then they would cancel  
13 the status hearing and the protest hearing, as  
14 well.

15 MS. GODINEZ: This is Christine --

16 MS. FLETCHER: So, you can just let us  
17 know if you're able to work something out. If  
18 not, I'll see you on the 18 at 10:00.

19 MS. GODINEZ: This is Christine  
20 Godinez, another question regarding that process,  
21 so if we were able to come to an agreement, we  
22 would put into an email message what we have  
23 agreed to, or do we need a signed document that  
24 we upload and send over to you?

25 MS. FLETCHER: Yeah, so you would

1 actually have to write the provisions of the  
2 agreement down -- we call it a settlement  
3 agreement. So, you would write a settlement  
4 agreement, you would state what the terms of the  
5 agreement are, and you would both sign it -- both  
6 sides would sign it -- and then you would submit  
7 it.

8 Or, if you have a discussion with Mr.  
9 Rao and Mr. Grimes, if, based on your discussion,  
10 you decide that you would prefer to not proceed  
11 with the protest, you also have the option to  
12 withdraw it. Otherwise, we move forward, if  
13 there's not a settlement agreement or a  
14 withdrawal, then we move forward.

15 MS. GODINEZ: And, this is Christine  
16 Godinez again, so, in terms of the process for  
17 the Board approving the agreement, what does that  
18 look like?

19 MS. FLETCHER: Well, once you submit  
20 a settlement agreement that has been signed by  
21 both parties, upon receipt of that it goes on the  
22 Board's agenda for review. The Board will review  
23 the agreement and see if there are any provisions  
24 that need to be removed -- sometimes you enter  
25 into an agreement over which the Board has no



1 jurisdiction, but they review it.

2 If there's a problem with it they'll  
3 let you know, otherwise they'll approve it and,  
4 once it's approved, the Board will issue a Board  
5 order approving the settlement agreement. And  
6 then, once that's issued, well, we close out the  
7 case and the application proceeds through the  
8 Licensing Division.

9 MS. GODINEZ: Okay, and how is the  
10 agreement enforceable, once it's approved by the  
11 Board?

12 MS. FLETCHER: We have an Enforcement  
13 Division that enforces settlement agreements.  
14 Once a settlement agreement is reached, if you  
15 have any problems with it you may contact our  
16 Enforcement Division, that's what they do.

17 One of the things they do is enforce  
18 settlement agreements, if you reach an agreement  
19 and it's not complied with, you contact the  
20 Enforcement Division, let them know, the  
21 Enforcement Division will assign the case to an  
22 investigator, an investigation will be conducted,  
23 after that happens the investigator writes an  
24 investigative report, the Board reviews the  
25 investigative report and decides what will be the

1 next action.

2 MS. GODINEZ: Okay, thank you.

3 MS. FLETCHER: You're welcome.

4 MR. GRIMES: So, Jessica, Christine,  
5 we're definitely open to meeting with --

6 (Simultaneous speaking.)

7 MS. FLETCHER: Excuse me, Mr. Grimes,  
8 go ahead.

9 MR. GRIMES: My apology. I guess I  
10 have to announce myself first, Donnell --

11 MS. FLETCHER: That's okay.

12 MR. GRIMES: I'm sorry. So, Christine  
13 and Jessica, yes, we're definitely open to  
14 meeting with you guys prior. If it's easier for  
15 you guys to stop by Union or we can exchange  
16 contact information, it really doesn't matter,  
17 one way or another we're definitely interested in  
18 meeting with you guys.

19 MS. MEJIA: This is Jessica, thank you  
20 so much, Mr. Grimes. Ms. Fletcher, would it be  
21 possible for you to connect us all in email, and  
22 then we can take you -- or maybe it is already in  
23 the email, I just don't think I have Mr. Grimes'  
24 email address.

25 MR. GRIMES: No, you can email Shyam

1 -- this is Donnell again, I'm sorry -- you can  
2 email Shyam and we'll coordinate together and try  
3 to see if we can setup or arrange a date that  
4 works for both sides.

5 MS. MEJIA: Apologies, Mr. Grimes, I  
6 just don't think I have any of the emails.

7 MS. FLETCHER: Okay, well then, yeah,  
8 I understand, I'll do that. I will send an email  
9 to everybody so that you all have one another's  
10 contact information.

11 MS. MEJIA: Wonderful, thank you, miss  
12 -- this is Jessica -- thank you, Ms. Fletcher.  
13 And, Mr. Grimes and Mr. Rao, I apologize I don't  
14 recall the other person's name, but once Ms.  
15 Fletcher connects us over email then we'll reply  
16 back and we can setup a time. Thank you for  
17 that.

18 MS. FLETCHER: Yeah, Mr. Grimes, I  
19 don't have your email address, what is it? Or,  
20 can you send me at this point --

21 MR. GRIMES: Yes, it's my name,  
22 donnell.grimes@yahoo.com.

23 MR. RAO: Spell it, Donnell.

24 MR. GRIMES: D-O-N --

25 MS. FLETCHER:

1 Donnell.grimes@yahoo.com?

2 MR. GRIMES: Correct.

3 MS. FLETCHER: Okay, and, Don -- okay,  
4 thank you. Did somebody say something?

5 MR. GRIMES: No, Shyam --

6 (Simultaneous speaking.)

7 MR. RAO: -- Mr. Rao, I just wanted him  
8 to spell the name, I think he has two Ns and two  
9 Ls at the end, Donnell, D-O-N-N-E-L-L.

10 MS. FLETCHER: Well, yeah, that's what  
11 I see. I can see your names on the screen, and I  
12 see two Ns and two Ls.

13 MR. RAO: Alright.

14 MS. FLETCHER: Thank you for  
15 clarifying that, Mr. Rao. Anything else?

16 MR. RAO: No.

17 MS. FLETCHER: Okay. Well, thank you,  
18 everybody for coming, and if you all are able to  
19 resolve this matter, that's the ideal situation,  
20 the Board encourages parties to resolve the  
21 protests among themselves, if possible. That is  
22 the reason that mediation is mandatory.

23 But, if you can't resolve it we'll  
24 proceed with the mediation on October 18, at  
25 10:00. Thank you for coming.

1 MS. MEJIA: Thank you so much, Ms.  
2 Fletcher. Thank you.

3 MS. FLETCHER: You're very welcome.  
4 The roll call hearing in this matter is  
5 concluded.

6 MR. GRIMES: All right, thanks,  
7 everybody for their understanding.

8 MR. RAO: Thank you.

9 MS. FLETCHER: Thank you, have a nice  
10 day.

11 (Whereupon, the above-entitled matter  
12 went off the record at 10:31 a.m.)

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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: 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  
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*Neal R Gross*

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Court Reporter

**NEAL R. GROSS**

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