

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 MEETING

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 IN THE MATTER OF: :
 :
 Publican Ventures, LLC :
 t/a Hawk 'n' Dove :
 329 Pennsylvania Ave SE :
 Retailer CT - ANC 6B :
 License #108218 :
 Case #21-CIT-00103 :
 :
 (Operating After Hours, :
 No ABC Manager on Duty) :
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Wednesday
 September 29, 2021

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:

SIMONE ANDREWS, DC ABRA Staff
 TOM JOHNSON, Licensee
 STEPHEN ORTIZ, DC OAG

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

2 10:55 a.m.

3 CHAIRPERSON ANDERSON: All right. The
4 next case in our calendar is Case Number 21-CIT-
5 00103, Hawk N' Dove. License Number 108218.

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

8 MS. ANDREWS: Sure. Standby. Mr.
9 Johnson, your rights have been elevated. And
10 that's all I have, Mr. Chair.

11 CHAIRPERSON ANDERSON: Thank you. All
12 right, Mr. Ortiz, can you please --

13 MR. JOHNSON: Hello?

14 CHAIRPERSON ANDERSON: -- introduce
15 yourself for the record please?

16 MR. JOHNSON: Hello? I'm sorry.

17 CHAIRPERSON ANDERSON: Not you, sir.
18 I'll come to you in a minute, please, sir. Mr.
19 Ortiz, please?

20 MR. ORTIZ: This is Stephen Ortiz on
21 behalf of the District of Columbia. That's, S-T-
22 E-P-H-E-N, O-R-T-I-Z.

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

1 relationship to this establishment, sir?

2 MR. JOHNSON: Tom Johnson, T-O-M, J-O-
3 H-N-S-O-N. Managing partner, Hill Restaurant
4 Group.

5 CHAIRPERSON ANDERSON: Good morning,
6 sir.

7 MR. JOHNSON: Good morning.

8 CHAIRPERSON ANDERSON: Good morning.
9 Mr. Ortiz, are there any preliminary matters in
10 this case?

11 MR. ORTIZ: There are no preliminary
12 matters at this time.

13 CHAIRPERSON ANDERSON: Thank you, Mr.
14 Ortiz. Mr. Ortiz, is this your case please?

15 MR. ORTIZ: It is not my case.

16 CHAIRPERSON ANDERSON: You know, Mr.
17 Ortiz, you know I'm going to ask you. You know,
18 I'm always going to ask you so maybe one of the
19 things you can do, you can say I am the attorney
20 of record for the day, however, this case is
21 assigned to someone else.

22 MR. ORTIZ: Okay.

23 CHAIRPERSON ANDERSON: But that's
24 fine, because I'm going to ask.

25 MR. ORTIZ: This case is assigned to

1 someone else in our section.

2 (Laughter.)

3 CHAIRPERSON ANDERSON: And the reason
4 why, it's to make sure that there is
5 communication with the other side. So that's one
6 of the reasons why I ask this, when I ask that.

7 Mr. Johnson, can you please put your
8 email address in the chat, sir, so Mr. Ortiz can
9 put you in contact with the attorney who is
10 assigned to this case?

11 MR. JOHNSON: Sir, I am in contact
12 with the attorney, Ms. Brown. We're actually
13 working out, trying to work out an offer in
14 compromise as we speak.

15 CHAIRPERSON ANDERSON: All right.
16 That is, I just want to make sure that the
17 parties are in contact.

18 MR. JOHNSON: Thank you.

19 CHAIRPERSON ANDERSON: That's why I go
20 through this exercise. I'm not telling folks
21 that it has to be settled.

22 Sometimes I've had licensees say, I
23 don't know who the attorney is because I have not
24 heard anything, so my job is just to facilitate
25 this process, okay? All right.

1 MR. JOHNSON: Yes, sir.

2 MR. ORTIZ: Mr. Chairperson, sorry.

3 I do appreciate the questions that you ask. It
4 does facilitate the District's ability to
5 communicate with the licensees and try to settle
6 these matters without the need to go into a show
7 cause. So I do appreciate you asking those
8 questions.

9 CHAIRPERSON ANDERSON: Thank you, Mr.
10 Ortiz. All right, this matter then is scheduled
11 for a show cause hearing on October 27th, 2021 at
12 1:30 p.m.

13 I just want to, once again, remind the
14 parties that if this matter goes to a show cause
15 hearing, seven days before the hearing each side
16 is expected to disclose their documents and
17 witnesses to each side. And also to the Agency.

18 And just want to remind both parties
19 that if this is not done, the Board might prevent
20 the other side from introducing or relying on
21 documents and witnesses, unless they have been
22 disclosed. Unless there is some good cause can
23 be provided why disclosure was not made. All
24 right?

25 If the parties want to settle this

1 matter, the Board looks forward to that. If the
2 matter is not settled, then I will see you on
3 October 27th, 2021 at 1:30 p.m. Thank you very
4 much and have a great day.

5 MR. JOHNSON: Yes, sir. Thank you for
6 your time.

7 CHAIRPERSON ANDERSON: You're welcome,
8 thank you.

9 (Whereupon, the above-entitled matter
10 went off the record at 10:59 a.m.)
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<p style="text-align: center;">A</p> <p>a.m 2:2 6:10 ABC 1:10 ability 5:4 above-entitled 6:9 ABRA 1:21 address 4:8 Agency 5:17 Alcoholic 1:2,13 ALIYA 1:18 ANC 1:7 Anderson 1:14,17 2:3 2:11,14,17,23 3:5,8 3:13,16,23 4:3,15,19 5:9 6:7 Andrews 1:21 2:6,8 appreciate 5:3,7 asking 5:7 assigned 3:21,25 4:10 attorney 3:19 4:9,12,23 Ave 1:7</p>	<p>disclosure 5:23 District 1:1 2:21 District's 5:4 documents 5:16,21 Donovan 1:14,17 Dove 1:6 2:5 Duty 1:10</p> <p style="text-align: center;">E</p> <p>E-P-H-E-N 2:22 EDWARD 1:18 elevate 2:6 elevated 2:9 email 4:8 establishment 3:1 exercise 4:20 expected 5:16</p>	<p>licensees 4:22 5:5 LLC 1:6 looks 6:1</p> <p style="text-align: center;">M</p> <p>Manager 1:10 Managing 3:3 matter 1:5 5:10,14 6:1,2 6:9 matters 3:9,12 5:6 MEETING 1:3 Member 1:17,18,18,19 1:19 met 1:14 minute 2:18 morning 3:5,7,8</p>	<p>reason 4:3 reasons 4:6 record 2:15,25 3:20 6:10 relationship 3:1 relying 5:20 remind 5:13,18 Restaurant 3:3 Retailer 1:7 rights 2:7,9</p>
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working 4:13

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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: Hawk 'n' Dove

Before: DCABRA

Date: 09-29-21

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

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