

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

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IN THE MATTER OF: :
 :
NHV Corporation :
t/a Haydee's Restaurant :
3102 Mount Pleasant St NW: Show Cause
Retailer CT - ANC 1D : Hearing (Status)
License #24663 :
Case #21-CIT-00213 :
 :
(Operating After Hours) :
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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
- WILLIAM COWDEN, Licensee's Counsel
- TED LOZA, Spanish Language Interpreter
- STEPHEN ORTIZ, DC OAG
- NIMIA H. VANEGAS, Licensee

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

2 10:41 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our calendar is Case Number 21-CIT-00213. Ms.
5 Andrews, can you please elevate the rights of the
6 parties in this case, along with the licensee
7 there should be an interpreter.

8 MS. ANDREWS: Sure. Standby. Ms.
9 Vanegas, your rights have been elevated. Mr.
10 Cowden, your rights have been elevated. Mr.
11 Loza, your rights have been elevated. That's all
12 I have for this case, Mr. Chair.

13 CHAIRPERSON ANDERSON: Ms. Andrews, do
14 you know who the interpreter is?

15 MR. LOZA: It's me, Ted Loza.

16 CHAIRPERSON ANDERSON: All right. I
17 was given a different name. All right. So if
18 the parties have a camera can you please turn
19 your camera on, please.

20 MR. COWDEN: I am trying. It's
21 William Cowden here on behalf of licensee. Let's
22 see here. I am hitting start video and I'm not
23 getting any -- Can you hear me?

24 CHAIRPERSON ANDERSON: Yes, sir, we
25 can hear you loud and clear.

1 MR. COWDEN: Let's see. It's asking
2 me maybe to change cameras, so -- I'm sorry. I
3 don't -- It says another application is using my
4 camera. Let me try -- Now let's see if that
5 works.

6 CHAIRPERSON ANDERSON: All right.
7 Sir, you can put yourself on mute while you
8 figure that out. Mr. Loza?

9 MR. LOZA: Yes, sir?

10 CHAIRPERSON ANDERSON: Do you have a
11 camera? So, yes, do you have a camera, sir? I
12 would like to see you since I need to swear you
13 in.

14 MR. LOZA: I have a camera and it's
15 on, I believe.

16 CHAIRPERSON ANDERSON: Well --
17 (Simultaneous speaking.)

18 CHAIRPERSON ANDERSON: -- Mr. Cowden,
19 so maybe it will take -- Yes, I can now, Mr.
20 Loza. Now before you -- If -- Mr. Cowden, who is
21 your client, sir? Is your client online? Mr.
22 Cowden?

23 MR. COWDEN: Oh, I'm sorry. I'm
24 sorry. I don't know -- I don't see my client
25 online, so I don't know if she is present.

1 CHAIRPERSON ANDERSON: What is -- Who
2 is -- There is a Nimia Vanegas.

3 MR. COWDEN: Oh, that's her. Yes, Ms.
4 Vanegas is online.

5 CHAIRPERSON ANDERSON: All right. Mr.
6 --

7 (Foreign language spoken.)

8 MR. LOZA: I am letting her know that
9 she needs to turn her camera and mic on.

10 CHAIRPERSON ANDERSON: Thank you. I
11 have no indication because I haven't seen
12 anything, so, Mr. Loza, can you please try to
13 have some further communication with this person
14 because I'm not even getting any communication
15 that they are even responsive.

16 MR. LOZA: Okay. Should I let her
17 know again to turn on her camera and mic?

18 CHAIRPERSON ANDERSON: Yes, sir.

19 (Foreign language spoken.)

20 MR. LOZA: Okay. Apparently her mic
21 is on and her camera should be coming on soon.

22 CHAIRPERSON ANDERSON: All right. Now
23 her mic is on because I was not, and I was not
24 sure that she was even there. All right, fine.

25 Mr. Cowden, are you an attorney, sir?

1 MR. COWDEN: I am, sir, Chairperson
2 Anderson. I am an attorney and I do represent
3 the licensee in this case.

4 CHAIRPERSON ANDERSON: Have you
5 entered a notice of appearance with the agency,
6 sir?

7 MR. COWDEN: I sent a letter to -- I
8 got the notice from ABRA and I sent a letter
9 with, an email and a letter indicating the two
10 attorneys, the attorney I work with, who are also
11 participating in the matter, but primarily it's
12 going to me and --

13 CHAIRPERSON ANDERSON: I know you had
14 an attorney so I just want to make that you have
15 alerted the agency to your representation, so
16 that's fine, and you said you have done that.

17 MR. COWDEN: Yes.

18 CHAIRPERSON ANDERSON: So, all right,
19 that's fine. All right, Mr. Loza, can you please
20 raise your right hand, please?

21 Do you swear or affirm to faithfully
22 translate these proceedings from English into
23 Spanish and from Spanish into English to the best
24 of your ability, sir?

25 MR. LOZA: Yes.

1 CHAIRPERSON ANDERSON: All right.
2 Thank you. All right. Can I have the parties
3 again introduce themselves for the record. Mr.
4 Ortiz?

5 MR. ORTIZ: Stephen Ortiz on behalf of
6 the District of Columbia. S-T-E-P-H-E-N, O-R-T-
7 I-Z.

8 CHAIRPERSON ANDERSON: Mr. Cowden?

9 MR. COWDEN: Good morning. It's
10 William Cowden, C-O-W-D-E-N, on behalf of
11 licensee.

12 CHAIRPERSON ANDERSON: I apologize,
13 Mr. Cowden. I apologize that I -- I apologize.
14 All right. Mr. Loza, can you please tell Ms.
15 Vanegas to spell and state her name for the
16 record, please.

17 (Foreign language spoken.)

18 MS. VANEGAS: The name is Nimia
19 Vanegas. First name spelled N, as in Nancy, I-M,
20 as in Mary, I-A. Last name Vanegas, V, as in
21 Victor, A-N-E-G-A-S.

22 CHAIRPERSON ANDERSON: Mr. Loza, can
23 you please ask her to state for the record what
24 is her relationship with the establishment,
25 please?

1 (Foreign language spoken.)

2 MS. VANEGAS: I am the President of
3 the corporation.

4 CHAIRPERSON ANDERSON: Thank you very
5 much. All right. Mr. Ortiz, are there any
6 preliminary matters in this case?

7 MR. ORTIZ: The parties do not have an
8 Offer in Compromise to represent to the Board at
9 this time.

10 CHAIRPERSON ANDERSON: Mr. Loza, can
11 you please --

12 MR. LOZA: Oh.

13 (Foreign language spoken.)

14 MR. LOZA: Mr. Ortiz, would you please
15 repeat that? I'm sorry.

16 MR. ORTIZ: Yes. I said the parties
17 do not have an Offer in Compromise to present to
18 the Board at this time.

19 (Foreign language spoken.)

20 CHAIRPERSON ANDERSON: Mr. -- I
21 normally don't do this, but, Mr. Cowden, are
22 there any preliminary matters you want to raise
23 to the Board just preliminary, not substantive?

24 MR. COWDEN: No. No. No preliminary
25 matters. I mean I just can tell the Board that

1 if Mr. Ortiz is the attorney for the District
2 handling the matter he and I can be in touch
3 about the potential Offer in Compromise ahead of
4 the hearing date.

5 (Foreign language spoken.)

6 CHAIRPERSON ANDERSON: Mr. Ortiz, is
7 this your case?

8 MR. ORTIZ: This is not my case, but
9 if I can have an email address for Mr. Cowden I
10 will relay this to Mr. Antoine Williams who is
11 the attorney assigned to this matter.

12 CHAIRPERSON ANDERSON: So, Mr. Cowden,
13 can you please put your email address in the
14 chat. You can put it in the chat and then Mr.
15 Ortiz will provide the contact information to the
16 attorney.

17 MR. COWDEN: I will do that right now.
18 Thank you.

19 CHAIRPERSON ANDERSON: All right.
20 Thank you. All right, this matter then will be
21 scheduled for a show cause hearing on October 27,
22 2021, at 1:30 p.m.

23 (Foreign language spoken.)

24 CHAIRPERSON ANDERSON: And I would
25 like to remind all parties that if this matter

1 goes to a show cause hearing the expectation is
2 that both parties will seven days prior to the
3 hearing that you will disclose your documents and
4 witnesses to each side and also to the agency.

5 (Foreign language spoken.)

6 CHAIRPERSON ANDERSON: All right.
7 Thank you very much for your presentation today.
8 This matter is concluded.

9 MR. COWDEN: Thank you.

10 (Foreign language spoken.)

11 CHAIRPERSON ANDERSON: All right. You
12 can log off, Mr. Loza.

13 (Whereupon, the above-entitled matter
14 went off the record at 10:51 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: Haydee's Restaurant

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.

Neal R Gross

Court Reporter

NEAL R. GROSS

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