

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

-----=
 IN THE MATTER OF: :
 :
 Kat, LLC, :
 t/a Cloud Restaurant & :
 Lounge Sports Bar :
 1919 9th Street NW : Show Cause
 Retailer CT - ANC 1B : Hearing (Status)
 License No. 93572 :
 Case #22-251-00014 :
 :
 (Allowed Establishment :
 to be Used for Unlawful :
 Purposes, Increase in :
 Occupancy Without Board :
 Approval) :
 -----=

Wednesday
 October 19, 2022

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:

JOSE ORELLANA, DC ABRA Staff
 RICHARD BIANCO, Licensee Counsel
 KEVIN LUTES, DC OAG

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

2 11:01 a.m.

3 CHAIRPERSON ANDERSON: All right, so
4 our next case is Case No. 22-251-00014, Cloud
5 Restaurant & Lounge Sports Bar, License No.
6 93572.

7 Good morning. Mr. Lutes, please
8 identify yourself for the record, please?

9 MR. LUTES: Good morning, Mr.
10 Chairperson. This is Assistant Attorney General
11 Kevin Lutes; that's K-E-V-I-N, L-U-T-E-S, for the
12 district.

13 CHAIRPERSON ANDERSON: Good morning
14 and thank you. Mr. Bianco, can you please
15 identify yourself for the record, please?

16 MR. BIANCO: Yes, Mr. Chair. Richard
17 Bianco, R-I-C-H-A-R-D, B-I-A-N-C-O, for the
18 licensee.

19 CHAIRPERSON ANDERSON: And Mr. Bianco,
20 will your client be joining you this morning,
21 sir?

22 MR. BIANCO: No, sir.

23 CHAIRPERSON ANDERSON: Thank you. All
24 right, are there any preliminary matters in this
25 case?

1 MR. LUTES: The only preliminary
2 matters of the licensee has been communicated to
3 the licensee.

4 CHAIRPERSON ANDERSON: Then this
5 matter is scheduled for a show cause hearing on
6 November 9th, 2022 at 10:30 a.m. I would like
7 once again to remind both parties that seven days
8 prior to the hearing you are required to
9 disclose, exchange and disclose documents and
10 witnesses that on the side we'll be relying on at
11 hearing. A failure to disclose documents and
12 witnesses is seven days prior to the hearing,
13 unless good cause is shown, the Board is
14 empowered to prevent either side from relying on
15 documents that have not been disclosed seven days
16 prior to the hearing.

17 Any questions by either side?

18 MR. LUTES: No, Mr. Chairperson.

19 MR. BIANCO: Nothing from the
20 licensee.

21 CHAIRPERSON ANDERSON: Sure, thank
22 you.

23 Thank you very much. This matter is
24 now settled, see you for that case on November
25 9th at 10:30 a.m.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Thank you very much, have a great day.
(Whereupon, the above-entitled matter
went off the record at 11:03 a.m.)

| | | | |
|-------------------------------|--------------------------------|------------------------------|----------------------|
| A | F | P | witnesses 3:10,12 |
| a.m 2:2 3:6,25 4:3 | failure 3:11 | P-R-O-C-E-E-D-I-N-G-S | X |
| above-entitled 4:2 | | 2:1 | Y |
| ABRA 1:23 | G | parties 3:7 | Z |
| Alcoholic 1:2,15 | General 2:10 | please 2:7,8,14,15 | 0 |
| ALIYA 1:20 | GRANDIS 1:20 | preliminary 2:24 3:1 | 1 |
| Allowed 1:10 | | PRESENT 1:18,22 | 10:30 3:6,25 |
| ANC 1:8 | H | presiding 1:16 | 11:01 2:2 |
| Anderson 1:16,19 2:3 | HANSEN 1:21 | prevent 3:14 | 11:03 4:3 |
| 2:13,19,23 3:4,21 | hearing 1:8 3:5,8,11,12 | prior 3:8,12,16 | 19 1:14 |
| Approval 1:12 | 3:16 | Purposes 1:11 | 1919 1:7 |
| Assistant 2:10 | | | 1B 1:8 |
| Attorney 2:10 | I | Q | 2 |
| | identify 2:8,15 | questions 3:17 | 2022 1:14 3:6 |
| B | Increase 1:11 | | 22-251-00014 1:9 2:4 |
| B-I-A-N-C-O 2:17 | | R | 3 |
| Bar 1:7 2:5 | J | R-I-C-H-A-R-D 2:17 | 4 |
| Beverage 1:2,15 | JAMES 1:21 | RAFI 1:20 | 5 |
| Bianco 1:24 2:14,16,17 | JENI 1:21 | record 2:8,15 4:3 | 6 |
| 2:19,22 3:19 | joining 2:20 | relying 3:10,14 | 7 |
| Board 1:2,11,15 3:13 | JOSE 1:23 | remind 3:7 | 8 |
| BOBBY 1:19 | JR 1:19,21 | required 3:8 | 9 |
| | | Restaurant 1:6 2:5 | 93572 1:8 2:6 |
| C | K | Retailer 1:8 | 9th 1:7 3:6,25 |
| case 1:9 2:4,4,25 3:24 | K-E-V-I-N 2:11 | Richard 1:24 2:16 | |
| CATO 1:19 | Kat 1:6 | | |
| cause 1:7 3:5,13 | Kevin 1:24 2:11 | S | |
| Chair 2:16 | | S 1:20 | |
| Chairperson 1:16,19 | L | scheduled 3:5 | |
| 2:3,10,13,19,23 3:4 | L-U-T-E-S 2:11 | settled 3:24 | |
| 3:18,21 | License 1:8 2:5 | seven 3:7,12,15 | |
| client 2:20 | licensee 1:24 2:18 3:2,3 | SHORT 1:21 | |
| Cloud 1:6 2:4 | 3:20 | show 1:7 3:5 | |
| COLUMBIA 1:1 | LLC 1:6 | shown 3:13 | |
| communicated 3:2 | Lounge 1:7 2:5 | side 3:10,14,17 | |
| Control 1:2,15 | Lutes 1:24 2:7,9,11 3:1 | sir 2:21,22 | |
| Counsel 1:24 | 3:18 | Sports 1:7 2:5 | |
| CROCKETT 1:20 | | Staff 1:23 | |
| CT 1:8 | M | Status 1:8 | |
| | matter 1:5 3:5,23 4:2 | Street 1:7 | |
| D | matters 2:24 3:2 | | |
| day 4:1 | MEETING 1:3 | T | |
| days 3:7,12,15 | Member 1:19,20,20,21 | t/a 1:6 | |
| DC 1:23,24 | 1:21 | thank 2:14,23 3:21,23 | |
| disclose 3:9,9,11 | met 1:16 | 4:1 | |
| disclosed 3:15 | morning 2:7,9,13,20 | | |
| district 1:1 2:12 | | U | |
| documents 3:9,11,15 | N | Unlawful 1:10 | |
| Donovan 1:16,19 | November 3:6,24 | | |
| | NW 1:7 | V | |
| E | | videoconference 1:16 | |
| EDWARD 1:20 | O | | |
| either 3:14,17 | OAG 1:24 | W | |
| empowered 3:14 | Occupancy 1:11 | W 1:16,19 | |
| Establishment 1:10 | October 1:14 | WebEx 1:16 | |
| exchange 3:9 | once 3:7 | Wednesday 1:13 | |
| | ORELLANA 1:23 | went 4:3 | |

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Cloud Restaurant

Before: DC ABRA

Date: 10-19-22

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate complete record of the proceedings.

Neal R Gross

Court Reporter

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1716 14TH ST., N.W., STE. 200

WASHINGTON, D.C. 20009-7831