

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

2 10:18 a.m.

3 MS. FLETCHER: The next case on the
4 calendar is Buho's Restaurant, case number 22-
5 PRO-00137. This is Nunez Property Management,
6 LLC, 3521 14th Street NW, license number ABRA
7 115711. This is a Retailer Class CT. It's a
8 license renewal.

9 The protest issues are adverse impact
10 on peace, order and quiet and residential parking
11 and vehicular and pedestrian safety.

12 Is anyone present on behalf of the
13 establishment? Is anyone present on behalf of
14 the establishment? Is anyone present on behalf
15 of the group of 12?

16 MS. MAI: Yes, ma'am. This morning,
17 present on behalf of the group of 12 is myself,
18 Jessica Mai.

19 MS. FLETCHER: Ms. Mai, would you
20 spell your name, please?

21 MS. MAI: Sure, it's J-E-S-S-I-C-A
22 last name is Mai A-I. In addition to myself, we
23 have several of the other signatory residents as
24 well, who will also identify themselves.

25 MS. FLETCHER: Okay, we're ready.

1 MR. DEGAGNE: Yes, Dan Degagne here.
2 Last name D-E-G-A-G-N-E.

3 MS. FLETCHER: And what's the first
4 name?

5 MR. DEGAGNE: Dan D-A-N.

6 MS. FLETCHER: Oh, Dan is the first
7 name?

8 MR. DEGAGNE: Yes.

9 MS. FLETCHER: So, Dan, what's the
10 last name?

11 MR. DEGAGNE: Degagne D-E-G-A-G-N-E.

12 MS. FLETCHER: Okay and the next
13 person?

14 MS. McCLURE: This is Jessica McClure.
15 First name J-E-S-S-I-C-A last name M-C-C-L-U-R-E.

16 MS. FLETCHER: Thank you, Ms. McClure.
17 Next person, please?

18 MR. RUSSELL: My name is Mark Russell
19 M-A-R-K R-U-S-S-E-L-L.

20 MS. FLETCHER: Thank you. Anyone
21 else?

22 MR. RAMESH: Hey, my name is Kylash
23 Ramesh. First name Kylash K-Y-L-A-S-H last name
24 Ramesh R-A-M-E-S-H.

25 MS. FLETCHER: Thank you. Anyone

1 else?

2 MR. CYPRESS: I'm Brandon Cypress B-R-
3 A-N-D-O-N C-Y-P-R-E-S-S.

4 MS. FLETCHER: Thank you. Anyone
5 else?

6 MR. BROOKINS: Hi, this is Timothy
7 Brookins. First name T-I-M-O-T-H-Y last name B-
8 R-O-O-K-I-N-S.

9 MS. FLETCHER: Mr. Brookins. Anyone
10 else?

11 MS. SAMSUDIN: This is Sarinah
12 Samsudin. First name S-A-R-I-N-A-H last name S-
13 A-M-S-U-D-I-N, Samsudin.

14 MS. FLETCHER: Thank you. Anyone
15 else? Okay, so I count the presence of eight.
16 Is that right? I count the presence of eight, at
17 least five of you are present from the group
18 which means that the group is granted full
19 standing as protestants.

20 So, you have four designated
21 representatives in this case. Could you pick one
22 designated representative to represent the other
23 designated representatives and then if that
24 person can't come to a proceeding, one of the
25 three other designated representatives can come?

1 So, I have Jessica Mai, Mark Russell, Sarinah
2 Samsudin and Brandon Cypress as designated
3 representatives for this group. You can pick
4 two. We normally send invitations to one
5 designated representative, but because you have
6 four, we can send one to two.

7 MS. MAI: Ms. Fletcher, one
8 administrative question. This is Jessica Mai
9 speaking at the moment. The meetings moving
10 forward after this roll call session, are they
11 going to be held virtually as well?

12 MS. FLETCHER: Yes, until further
13 notice all of our hearings are being held
14 virtually, including the mediation.

15 MS. MAI: Okay, great in that
16 instance, the two primaries for the primaries
17 that you can designate are going to myself,
18 Jessica Mai, and Mark Russell. You can go ahead
19 and send those invitations to us and then we will
20 coordinate accordingly to make sure that we have
21 attendance at each meeting moving forward.

22 MS. FLETCHER: Thanks and you may
23 forward the invitation to the others if you like.

24 MS. MAI: Okay, perfect. Can we, if
25 for some reason the four people that we've

1 identified, if one of the four cannot attend, can
2 we designate another person? One out of the
3 eight that are here this morning?

4 MS. FLETCHER: Yes, you can designate
5 any member from your -- well, anyone actually
6 from your group of 12 or anyone, whoever you
7 decide is going to be your designated
8 representative is fine.

9 MS. MAI: Okay, perfect. We just want
10 to make sure that we have a cohesive message so
11 that we coordinate for the meetings and make sure
12 that enough people are in attendance.

13 MS. FLETCHER: Okay, well thank you,
14 Ms. Mai. Any questions from anyone else?

15 MS. MAI: Yes, I also have another
16 administrative question. We send in a Freedom of
17 Information Act request on 13 September for the
18 volume of online and phone-in calls to the ABRA
19 regarding Buho's Restaurant. As of this morning,
20 the request is still in process. We just want to
21 urge the ABRA's FOIA officer, we understand that
22 his name is Austin Hill, to provide us that
23 information as soon as possible.

24 MS. FLETCHER: Okay, although that's
25 not a roll call issue, I will pass that message

1 along.

2 MS. MAI: Perfect. Thank you.

3 MS. FLETCHER: One second. Is anyone
4 present on behalf of the establishment?

5 MS. LAWSON: Excuse me. I just joined
6 by audio. I was not able to download Webex. My
7 name is Lin Lawson, so I'm a little late.

8 MS. FLETCHER: And, Ms. Lawson, which
9 case are you here for?

10 MS. LAWSON: For the petition against
11 Buho's.

12 MS. FLETCHER: Okay, you're
13 representing the establishment?

14 MS. LAWSON: I am not. I'm a
15 resident.

16 MS. FLETCHER: Oh, you're a resident?
17 Okay. Can you spell your name, please?

18 MS. LAWSON: My first name is L-I-N
19 last name L-A-W-S-O-N.

20 MS. FLETCHER: Okay, so you're a
21 member of the group, so that means that nine
22 individuals from the group are present today.
23 Thank you.

24 There is no one present on behalf of
25 the establishment. The time is approximately

1 10:27, which means that the application for
2 license renewal is dismissed.

3 What happens next is the Applicant
4 will receive a Board order dismissing the
5 application because they're not present today.
6 You'll receive a copy of that order, the
7 protestants, Ms. Mai and Mr. Russell, you'll
8 receive a copy of that Board order. The
9 Applicant will have 10 days to seek reinstatement
10 of the protest upon receipt of the order and if
11 they do, then you'll be informed and you'll have
12 an opportunity to respond to their request to
13 reinstate the application and then we go from
14 there.

15 Any questions about that?

16 MS. MAI: Yes, Ms. Fletcher, this is
17 Jessica Mai speaking again. So, what is the
18 operational impact of this to Buho's itself? Are
19 they going to continue to operate (Simultaneous
20 speaking.)

21 MS. FLETCHER: (Simultaneous
22 speaking.) Right now, the impact on the
23 operation, there is no impact on the operation at
24 this point. We need to first dismiss the
25 application, get a response, give you an

1 opportunity to respond to a response and then
2 beyond that, the Board will decide what happens
3 next, but at this point, there is no impact to
4 the operation of the establishment.

5 MS. MAI: Okay, I just want to make
6 sure that, you know, on the residents' side, we
7 have done everything. We have been very
8 proactive in communication. I just want to make
9 sure that the ABC Board is holding Buho's
10 Restaurant accountable as well in this process
11 because they have been non-responsive to us
12 historically in informal communication.

13 Now that we are in formal
14 communications, and technically what is
15 considered a legal process to consider their
16 alcohol license renewal, we need to make sure
17 that they are on the same page as well and that
18 they are not intentionally slow rolling us in
19 this process, because this impacts our day-to-day
20 lives. Their continued negligence on this issue
21 is continuing to disrupt the health and safety
22 issues in our neighborhood. The longer they do
23 not respond, the longer these issues are
24 exacerbated.

25 MS. FLETCHER: Okay, so Ms. Mai, we

1 sent the Webex invitation to the e-mail address
2 that we have. We will reach out to the Applicant
3 again. We'll keep you posted along the way. If
4 the Applicant does not respond, the Board will
5 decide what happens next.

6 MS. MAI: Okay, perfect and so for the
7 purposes of moving forward, I also wanted to note
8 that we understand, per the e-mail correspondence
9 previously as well, there is the substantive
10 change protest.

11 We understand that those are separate.
12 We have already finalized and plan to send to you
13 the Letter of Opposition, specifically against
14 the substantive change to add the Games of Skill
15 endorsement.

16 MS. FLETCHER: Ms. Mai, let me just
17 interrupt you for just a second. For the purpose
18 of the roll call, we've got to stick with the
19 license renewal, but I heard you. There's an
20 upcoming application that you're also going to
21 protest.

22 MS. MAI: Yes, (Simultaneous
23 speaking.) so administratively, the date on the
24 placard for that roll call meeting is
25 (Simultaneous speaking.) not in January.

1 MS. FLETCHER: Ms. Mai, we can't talk
2 about that application during the license renewal
3 process.

4 MS. MAI: Okay (Simultaneous
5 speaking.) -- overarchingly, it's the same issue
6 so --

7 MS. FLETCHER: Ms. Mai --

8 MS. MAI: We just want to make sure
9 that (Simultaneous speaking.) we are
10 (Simultaneous speaking.) our intent to submit
11 that letter.

12 MS. FLETCHER: Ms. Mai, we are not
13 talking about that application during the license
14 renewal process, but feel free to mail or e-mail
15 the licensing division beyond that or you can
16 even e-mail me, but today we can only deal with
17 the license renewal matters.

18 MS. MAI: Yeah, that's fine, but while
19 we are all here collectively, I just want to go
20 ahead and make that note for the record
21 (Simultaneous speaking.)

22 MS. FLETCHER: Ms. Mai, I need you to
23 listen to what --

24 MS. MAI: That we intend to submit
25 that --

1 MS. FLETCHER: I need you to listen to
2 what I'm saying. We are not going to discuss
3 that application during the license renewal
4 process, but you have gotten some information on
5 the record related to that, but we deal with one
6 application at a time.

7 MS. MAI: Okay, I'm going to go ahead
8 and state that we plan to submit another letter.
9 Thank you --

10 MS. FLETCHER: Okay.

11 MS. MAI: For allowing me to speak.

12 MS. FLETCHER: Okay, thank you. And
13 so the application for the license renewal is
14 dismissed because the Applicant is not present
15 today and I've already explained what happens
16 next. Ms. Mai, if you have any questions or
17 concerns at any later point, feel free to send me
18 an e-mail.

19 MS. MAI: I just want to make sure
20 that everyone is holding the Buho's Restaurant
21 applicants accountable for their actions.

22 MS. FLETCHER: Okay, anything else?

23 MS. MAI: And inaction. That's it.

24 MS. FLETCHER: Okay, well then I will
25 go ahead and conclude the roll call hearing in

1 this matter. Thank you for coming. We'll keep
2 you informed.

3 The roll call hearing in the matter of
4 Buho's Restaurant is concluded. Thank you.

5 (Whereupon, the proceeding went off
6 the record at 10:32 a.m.)

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In the matter of: Buho's Restaurant

Before: DC ABRA

Date: 12-12-22

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.



Court Reporter

NEAL R. GROSS

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