

DISTRICT OF COLUMBIA

+ + + + +

ALCOHOLIC BEVERAGE CONTROL BOARD

+ + + + +

ROLL CALL HEARING

+ + + + +

IN THE MATTER OF:

Baby Wale, LLC
t/a Baby Wale
1124 9th Street NW
License #ABRA-090863
Retailer CR - License
Renewal
Case #19-PRO-00047

MONDAY, JUNE 10, 2019

+ + + + +

The Alcoholic Beverage Control Board
met in Alcoholic Beverage Control Hearing Room,
Reeves Building, 2000 14th Street N.W.,
Washington, D.C., Ms. LaVerne Fletcher, Board
Agent, presiding.

ALSO PRESENT:

TOM POWER, Licensee
JOHN GUGGENMOS, ANC2F

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

2 11:30 a.m.

3 MS. FLETCHER: Are the parties present
4 in the matter of the Baby Wale?

5 If you would please come forward,
6 please. The Applicant is sitting on this side.
7 This is Case number -

8 (Pause.)

9 MS. FLETCHER: This is case number 19-
10 PRO-00047. The application number is ABRA-
11 090863; 1124 9th Street, NW, license number ABRA-
12 090863. This is a Retailer Class CR License
13 renewal.

14 The protest issues are adverse impact
15 on peace, order and quiet. Introductions
16 beginning with the Applicant, please.

17 MR. POWER: Tom Power, Owner of Baby
18 Wale.

19 MS. FLETCHER: First name was Tom?

20 MR. POWER: Yes.

21 MS. FLETCHER: And what is the last
22 name, Tom?

1 MR. POWER: Power.

2 MS. FLETCHER: P-O-W-E-R?

3 MR. POWER: Yes.

4 MS. FLETCHER: Thank you very much,
5 and person on behalf of ANC2F?

6 MR. GUGGENMOS: John Guggenmos, Vice-
7 chair of 2F. Last name, again is, G-U-G-G-E-N-M-
8 O-S.

9 MS. FLETCHER: Thank you very much,
10 Mr. Guggenmos. ANC2F has standing as a
11 protestant. We need to set a date for mediation,
12 a status hearing and a protest hearing. I'll
13 give you the date for the status and protest
14 hearing first.

15 The status hearing is set for
16 September 11. September 11 at 9:30 a.m. for the
17 status hearing.

18 The protest hearing is set for October
19 9, at 4:30. That is October 9 at 4:30 p.m. for
20 the status hearing. I'll give you the next
21 available date for mediation.

22 (Pause.)

1 MS. FLETCHER: Mr. Power, did you put
2 your contact information on that sheet?

3 MR. POWER: I did not. So sorry. But I
4 will.

5 MS. FLETCHER: Okay. Thank you.

6 (Pause.)

7 MR. GUGGENMOS: Ms. Fletcher, it is my
8 understanding that the settlement agreement has
9 been transmitted and they are in ongoing -- Ian
10 has been having discussions with the licensee.
11 If we could, have a mediation date that would
12 give us plenty of time to perhaps, wrap this up
13 and be able to cancel that with an agreement, it
14 would be great.

15 MS. FLETCHER: Yes, Mr. Guggenmos, I
16 can do that.

17 MR. POWER: It will probably take a
18 couple of days, I think.

19 MS. FLETCHER: Okay. What I will do
20 then, is -- how about the status hearing is
21 September 11th, so do you want to push it out to
22 the end of August -- the mediation? Just so that

1 you have all the time you need, or

2 MR. GUGGENMOS: I mean, he's
3 indicating a couple of days, so, I just don't
4 want to waste the board -- your time.

5 MR. POWER: If we wrap it up all
6 ourselves we don't have to go back, is that -

7 (Simultaneous speaking.)

8 MS. FLETCHER: That's right.

9 MR. GUGGENMOS: That is correct.

10 MR. POWERS: Okay.

11 MS. FLETCHER: So, we have to -- so,
12 what I am going to do -- we need to set a -- we
13 need to set some dates, but we know -- I'm going
14 to make a note that you expect a settlement
15 agreement, so, once we receive it, one of those
16 dates will go away.

17 MR. GUGGENMOS: Yes. Let's do the end
18 of August -

19 MS. FLETCHER: Okay.

20 MR. GUGGENMOS: -- because that does
21 give our ANC to vote on that, --

22 MS. FLETCHER: Yes.

1 MR. GUGGENMOS: -- the first Wednesday
2 of the month, so -

3 MR. POWER: Okay.

4 MR. GUGGENMOS: -- we get it, vote on
5 it, be done.

6 MR. POWER: That sounds good.

7 MS. FLETCHER: Okay. In that case,
8 let's schedule the mediation for Thursday, August
9 29. Any particular time? Nine, 10:00; 11:00;
10 12:00?

11 MR. GUGGENMOS: Twelve sounds good to
12 me.

13 MS. FLETCHER: Twelve is good? Okay.

14 MR. GUGGENMOS: Perfect.

15 MS. FLETCHER: Mediation is set for
16 12:00 on Thursday, August 29.

17 MR. POWER: Did we settle on --
18 actually, I won't be in the country at that time.

19 MS. FLETCHER: Mm-hmm.

20 MR. POWER: If we settle before that,
21 do we have to come back here, or no?

22 MR. GUGGENMOS: No, we are okay.

1 MS. FLETCHER: Yes, if you settle
2 before that, there is nothing you need to do once
3 the ANC sends that in to us, we will cancel the
4 mediation, status hearing and protest hearing.

5 MR. GUGGENMOS: All right.

6 MR. POWER: We will wrap this up.

7 MR. GUGGENMOS: All right, great.

8 MS. FLETCHER: Okay, so then I won't
9 see you again. So, take care.

10 MR. POWER: Hopefully not, hopefully
11 not.

12 MS. FLETCHER: The roll call hearing is
13 concluded. Thank you.

14 (Whereupon, the above-entitled matter went
15 off the record at 11:35 a.m.)

16

17

18

19

20

21

22

A	Fletcher 1:17 2:3,9,19 2:21 3:2,4,9 4:1,5,7 4:15,19 5:8,11,19,22 6:7,13,15,19 7:1,8,12 forward 2:5	O	side 2:6 Simultaneous 5:7 sitting 2:6 sorry 4:3 sounds 6:6,11 speaking 5:7 standing 3:10 status 3:12,13,15,17,20 4:20 7:4 Street 1:10,17 2:11
a.m 2:2 3:16 7:15 able 4:13 above-entitled 7:14 ABRA- 2:10,11 ABRA-090863 1:10 adverse 2:14 Agent 1:18 agreement 4:8,13 5:15 Alcoholic 1:3,16,16 ANC 5:21 7:3 ANC2F 1:21 3:5,10 Applicant 2:6,16 application 2:10 August 4:22 5:18 6:8 6:16 available 3:21	G	P	T
B	G-U-G-G-E-N-M- 3:7 give 3:13,20 4:12 5:21 Guggenmos 1:21 3:6,6 3:10 4:7,15 5:2,9,17 5:20 6:1,4,11,14,22 7:5,7	P-O-W-E-R 3:2 P-R-O-C-E-E-D-I-N-G-S 2:1 p.m 3:19 particular 6:9 parties 2:3 Pause 2:8 3:22 4:6 peace 2:15 Perfect 6:14 person 3:5 please 2:5,6,16 plenty 4:12 Power 1:20 2:17,17,20 3:1,1,3 4:1,3,17 5:5 6:3,6,17,20 7:6,10 POWERS 5:10 present 1:19 2:3 presiding 1:18 PRO-00047 2:10 probably 4:17 protest 2:14 3:12,13,18 7:4 protestant 3:11 push 4:21 put 4:1	t/a 1:9 Thank 3:4,9 4:5 7:13 Thursday 6:8,16 Tom 1:20 2:17,19,22 transmitted 4:9 Twelve 6:11,13
Baby 1:9,9 2:4,17 back 5:6 6:21 beginning 2:16 behalf 3:5 Beverage 1:3,16,16 board 1:3,16,17 5:4 Building 1:17	H	Q	V
C	hearing 1:5,16 3:12,12 3:14,15,17,18,20 4:20 7:4,4,12 hopefully 7:10,10	quiet 2:15	Vice- 3:6 vote 5:21 6:4
call 1:5 7:12 cancel 4:13 7:3 care 7:9 case 1:12 2:7,9 6:7 chair 3:7 Class 2:12 COLUMBIA 1:1 come 2:5 6:21 concluded 7:13 contact 4:2 Control 1:3,16,16 correct 5:9 country 6:18 couple 4:18 5:3 CR 1:11 2:12	I	R	W
D	Ian 4:9 impact 2:14 indicating 5:3 information 4:2 Introductions 2:15 issues 2:14	receive 5:15 record 7:15 Reeves 1:17 renewal 1:11 2:13 Retailer 1:11 2:12 roll 1:5 7:12 Room 1:16	Wale 1:9,9 2:4,18 Washington 1:17 waste 5:4 Wednesday 6:1 went 7:14 wrap 4:12 5:5 7:6
D.C 1:17 date 3:11,13,21 4:11 dates 5:13,16 days 4:18 5:3 discussions 4:10 DISTRICT 1:1	J	S	0
E	John 1:21 3:6 JUNE 1:14	schedule 6:8 sends 7:3 September 3:16,16 4:21 set 3:11,15,18 5:12,13 6:15 settle 6:17,20 7:1 settlement 4:8 5:14 sheet 4:2	090863 2:11,12
F	K	N	1
expect 5:14	LaVerne 1:17 let's 5:17 6:8 license 1:10,11 2:11,12 licensee 1:20 4:10 LLC 1:9	N.W 1:17 name 2:19,22 3:7 need 3:11 5:1,12,13 7:2 Nine 6:9 note 5:14 number 2:7,9,10,11 NW 1:10 2:11	10 1:14 10:00 6:9 11 3:16,16 11:00 6:9 11:30 2:2 11:35 7:15 1124 1:10 2:11 11th 4:21 12:00 6:10,16 14th 1:17 19- 2:9 19-PRO-00047 1:12
first 2:19 3:14 6:1	L	Z	2

2000 1:17
2019 1:14
29 6:9,16
2F 3:7

3

4

4:30 3:19,19

5

6

7

8

9

9 3:19,19
9:30 3:16
9th 1:10 2:11

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Baby Wale

Before: DCABRA

Date: 06-10-19

Place: Washington, DC

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

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701