DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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ROLL CALL HEARING

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------IN THE MATTER OF: : : Lemma Holdings, LLC : t/a Bliss : 2122 24th Place NE : License #ABRA-095711 : Retailer Class CT : Substantial Change : (rooftop summer garden : with 183 seats & live : entertainment) : Case #17-PRO-00090 : -----

Monday, January 8, 2018

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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, Agent, presiding.

| I | 2 |
|----|---|
| 1 | P-R-O-C-E-E-D-I-N-G-S |
| 2 | 10:55 a.m. |
| 3 | AGENT FLETCHER: Okay. Would the |
| 4 | parties in the matter of Bliss, please, come |
| 5 | forward? The parties in the matter of Bliss? |
| 6 | This is Case No. 17-PRO-00090, Lemma Holdings, |
| 7 | LLC, 2122 24th Place, N.E., License No. ABRA- |
| 8 | 095711. This is a Retail Class CT substantial |
| 9 | change for a rooftop summer garden with 183 seats |
| 10 | and live entertainment. |
| 11 | The protest issues are adverse impact |
| 12 | on peace, order and quiet. And if you would, |
| 13 | please, move that microphone around, it is really |
| 14 | noisy for the court reporter. Thank you. |
| 15 | MR. MULLONE: And by the way, Ms. |
| 16 | Fletcher, they can't hear you back there. |
| 17 | AGENT FLETCHER: Oh, you know the |
| 18 | microphones are out again. Thank you. Is anyone |
| 19 | else present back there for Bliss? |
| 20 | COURT REPORTER: Could you tap your |
| 21 | microphone again? |
| 22 | MR. MULLONE: I turned it off. I |
| | |
| | |

| 1 | turned it off until it's time to speak. |
|----|--|
| 2 | COURT REPORTER: Oh, it's helpful just |
| 3 | for me to be able to hear. All right. Thank |
| 4 | you. |
| 5 | AGENT FLETCHER: Okay. Thank you. So |
| 6 | I'm assuming everybody is up here that's for |
| 7 | Bliss. Okay. Thank you. All right. Oh, but |
| 8 | thank you for letting me know, because I can't |
| 9 | tell. |
| 10 | My name is LaVerne Fletcher. I'm |
| 11 | conducting the Roll Call Hearing as the Board's |
| 12 | Agent. |
| 13 | Introductions beginning with the |
| 14 | Applicant, please? |
| 15 | MR. MINORA: Sure. Matthew Minora |
| 16 | from the firm Mallios & O'Brien on behalf of the |
| 17 | Applicant. |
| 18 | AGENT FLETCHER: Thank you. Mr. |
| 19 | Minora, would you spell your last name for the |
| 20 | record? |
| 21 | MR. MINORA: M-I-N-O-R-A. |
| 22 | AGENT FLETCHER: And your name, sir? |
| | |

| 1 | MR. ALGHALI: Ahmad Alghali, ABC |
|----|--|
| 2 | Manager of Bliss Nightclub. |
| 3 | MR. MINORA: And we have a letter |
| 4 | authorizing his appearance, because the owner of |
| 5 | record is currently out of the country. |
| 6 | AGENT FLETCHER: Okay. Thank you. I |
| 7 | just received a letter from Mr. Minora |
| 8 | authorizing Mr. Alghali to appear on behalf of |
| 9 | the owner who is out of the country. |
| 10 | MR. MULLONE: From who? Who is the |
| 11 | letter from? |
| 12 | AGENT FLETCHER: The letter is from |
| 13 | the owner. |
| 14 | MR. MULLONE: Can you say his name for |
| 15 | the record? |
| 16 | AGENT FLETCHER: Yeah, thank you. So |
| 17 | a Mr. Alghali. I'll spell is last name for the |
| 18 | record and his first name is Tejan Alghali. Mr. |
| 19 | Alghali's name is spelled T-E-J-A-N that's his |
| 20 | first name. His last name is Alghali spelled A- |
| 21 | L-G-H-A-L-I. And the owner's name is Henock |
| 22 | Andargie. I'll spell it. It's H-E-N-O-C-K. Is |

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1 that a male? 2 MR. MINORA: Yes. AGENT FLETCHER: And his last name is 3 4 Andargie. It's spelled A-N-D-A-R-G-I-E. He is 5 the owner of the establishment. I'll accept 6 this. Thank you, Mr. Minora. 7 MR. MINORA: Thank you. 8 AGENT FLETCHER: Present on behalf of 9 ANC-5C? Is anyone present? MR. MULLONE: Kevin Mullone. 10 The first name is spelled K-E-V, as in Victor, I-N. 11 12 Last name is M-U-L-L-O-N-E. ANC Commissioner on behalf of ANC-5C. 13 14 AGENT FLETCHER: Thank you, Mr. 15 And who is present on behalf of the Mullone. 16 Gateway Community Association? 17 MS. DREW: Yes, Janet Drew. J-A-N-E-T 18 D-R-E-W. 19 AGENT FLETCHER: What's the last name, 20 Janet? 21 MS. DREW: Drew, D-R-E-W. 22 AGENT FLETCHER: Oh, Drew?

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| 1 | MS. DREW: Yes. |
|----|---|
| 2 | AGENT FLETCHER: Okay. Thank you. |
| 3 | Ms. Drew, did the association give the applicant |
| 4 | at least a 10-day notice of the meeting held |
| 5 | concerning the application? |
| 6 | MS. DREW: I thought it was seven |
| 7 | days. |
| 8 | AGENT FLETCHER: I mean seven. |
| 9 | MS. DREW: Yes. |
| 10 | AGENT FLETCHER: Just for the record. |
| 11 | Thank you. |
| 12 | MS. DREW: And he was unavailable to |
| 13 | meet when we met, so we met with him earlier. |
| 14 | AGENT FLETCHER: Thank you. |
| 15 | MS. DREW: Yes. |
| 16 | AGENT FLETCHER: Is anyone present on |
| 17 | behalf of the Christ Apostolic Church of America? |
| 18 | MS. ALUKO: Yes. |
| 19 | AGENT FLETCHER: And your name, ma'am? |
| 20 | MS. ALUKO: Lydia Aluko. |
| 21 | AGENT FLETCHER: And what is it? |
| 22 | MS. ALUKO: L-Y-D-I-A. |
| | |

| 1 | AGENT FLETCHER: Uh-huh. |
|----|---|
| 2 | MS. ALUKO: Last name is A-L-U-K-O. |
| 3 | AGENT FLETCHER: What was that, the |
| 4 | last name? |
| 5 | MS. ALUKO: A-L-U-K-O, Aluko. |
| 6 | AGENT FLETCHER: And I do have a |
| 7 | letter designating you to represent the church. |
| 8 | The address of the church is 2130 24th |
| 9 | Place, N.E. |
| 10 | MS. ALUKO: Correct. |
| 11 | AGENT FLETCHER: The address of Bliss |
| 12 | is 2122 24th Place, N.E. The church churches |
| 13 | don't normally have standing as protestants, but |
| 14 | they are abutting property owners, according to |
| 15 | the D.C. Geographic Information System. The |
| 16 | properties actually abut. For that reason, |
| 17 | standing can be granted to the church, because |
| 18 | they are abutting. |
| 19 | And, Mr. Minora, do you need a copy of |
| 20 | the map that was done to show that the properties |
| 21 | abut your |
| 22 | MR. MINORA: No, we're okay with that. |
| | |

1 AGENT FLETCHER: Okay. Thank you. Is 2 Maurice Hendrix here by chance? Maurice Hendrix? Maurice Hendrix filed a protest. His first name 3 His last name is 4 is spelled M-A-U-R-I-C-E. 5 spelled H-E-N-D-R-I -- oh, and who is speaking? I don't want to interrupt 6 MS. DREW: 7 you. 8 No, that's okay. AGENT FLETCHER: Go 9 ahead. Maurice is a member of --10 MS. DREW: 11 resident of the Gateway neighborhood. 12 AGENT FLETCHER: Um-hum. 13 MS. DREW: And I'm not sure if he was 14 aware of all the standing requirements. So I 15 talked to him, but he was still on file as 16 protesting. 17 AGENT FLETCHER: Exactly. 18 MS. DREW: By himself. 19 AGENT FLETCHER: And we did send him a letter to let him know what he needed to do. 20 21 I'm just noting for the record, you know, that he 22 is not here. He did submit a protest, but there

1 was no signature, so he was given an opportunity 2 to correct the deficiencies --Right. And I told him --3 MS. DREW: 4 AGENT FLETCHER: -- that you probably 5 spoke with him about. -- about he would have to MS. DREW: 6 7 have four other people and he would need to show 8 up to the consecutive meetings. 9 AGENT FLETCHER: Well, that's exactly And I'll also check to see if he was 10 right. 11 abutting, although he is not here. And he is --12 his property does not abut --13 MS. DREW: Is not --14 AGENT FLETCHER: -- either. Yeah, so 15 the protest filed by Maurice Hendrix is 16 dismissed, because he is not here. His Protest 17 Letter was deficient and he is not an abutting 18 property owner. 19 There are three protestants in this 20 ANC-5C, the Gateway Community matter: 21 Association and the church, who is an abutting 22 property owner.

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| 1 | We need to set a date for a mediation, |
|----|--|
| 2 | a Status Hearing and a Protest Hearing. I'll |
| 3 | give you the date for the Status and Protest |
| 4 | Hearing first. |
| 5 | The date for the Status Hearing is |
| 6 | February 14. February 14 at 9:30. |
| 7 | MS. DREW: 9:30? |
| 8 | AGENT FLETCHER: Yes, at 9:30. |
| 9 | MS. DREW: Which one is that? |
| 10 | MR. MULLONE: Ms. Fletcher, is there |
| 11 | are we flexible on that date? |
| 12 | AGENT FLETCHER: Yes. For the Status |
| 13 | Hearing? For the Status Hearing, Mr. Mullone, |
| 14 | the date that I have to give you today is the |
| 15 | date that was next available on the Board's |
| 16 | calendar, which I don't manage. |
| 17 | So I'll need to give you that date, |
| 18 | but you can request a different date. Unless you |
| 19 | for the Status Hearing, Mr. Mullone, you |
| 20 | probably know this already, but at the Status |
| 21 | Hearing you only are reporting to the Board the |
| 22 | status of the you will have come to mediation |
| | |

1 by then and they will just want to know if you 2 participated in mediation. And there is nothing else that goes on. 3 4 So I don't know --5 MR. MULLONE: But I don't know if the 6 parties here are amenable to changing the date of 7 the status, since it's Valentine's Day, but I 8 have a cultural thing that I am attending that 9 day as well. 10 AGENT FLETCHER: Yes, but you can request it. Mr. Minora, I don't know if you are 11 12 opposed to it? 13 MR. MINORA: I don't have any 14 opposition, at this time, no. 15 AGENT FLETCHER: Okay. 16 MR. MINORA: It depends on the 17 specific date that is chosen, but right now, I 18 don't see an issue with it. 19 AGENT FLETCHER: Okay. So what I'm 20 going to do, Mr. Mullone, I'm going to make a 21 note that you are going to be requesting a new 22 date. I just can't set it today.

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| MR. MULLONE: All right. |
|---|
| AGENT FLETCHER: Because I don't have |
| the Board's manage the Board's calendar. |
| MR. MULLONE: Sure. |
| AGENT FLETCHER: Give me one second. |
| MR. MINORA: It's just a Status |
| Hearing. She was giving you the Status Hearing. |
| AGENT FLETCHER: Mr. Mullone, you have |
| Martha Jenkins email? It's |
| martha.jenkins@dc.gov? |
| MR. MULLONE: Correct. |
| AGENT FLETCHER: Martha Jenkins is the |
| Board's General Counsel and she will get back |
| with you on the dates. |
| And, Mr. Mullone, can you copy Mr. |
| Minora on your request for a new date? |
| MR. MULLONE: Absolutely. |
| MR. MINORA: Thank you. |
| AGENT FLETCHER: The Protest Hearing |
| is going to be on March the 14th, March 14 at |
| 4:30. |
| Mr. Mullone, we're going to change the |
| |
| |

Status Hearing date to a later date, right? 1 2 (No audible answer.) Okay. 3 AGENT FLETCHER: So that's 4 going to give me some more dates for mediation. 5 MR. MULLONE: Okay. So let's see, and 6 AGENT FLETCHER: 7 let's see here, we have a date for mediation 8 available on January 30, if that works? 9 MR. MINORA: We were actually hoping we could push mediation to closer of the Status 10 11 Hearing. 12 AGENT FLETCHER: Closer to the Status 13 Hearing date? 14 That way we can have some MR. MINORA: 15 informal talks beforehand and be ready for 16 mediation or hopefully have it resolved before 17 then. 18 AGENT FLETCHER: Well, you --19 If you are all amenable MR. MINORA: to that as well? 20 21 AGENT FLETCHER: Yeah. You want to make the -- I don't know when the Status Hearing 22

1 is going to be, but we can make the mediation for 2 February 15. We can make it for -- yeah, not knowing the status date. 3 4 MR. MULLONE: Sure. 5 AGENT FLETCHER: So or it could be February 22nd. 6 7 MR. MULLONE: February 22nd works for 8 me. 9 MR. MINORA: Okay. That -- okay. 10 AGENT FLETCHER: So the mediation will be February 22nd at 9:00, 10:00 or 11 12 11:30 or 1:00? MR. MINORA: 1:00 would be ideal if 13 14 that works for everyone as well? 15 MR. MULLONE: 1:00 p.m.? 16 MR. MINORA: Yes. 17 MR. MULLONE: Okay. 22nd is the 18 mediation. I can do 1:00 p.m. 19 AGENT FLETCHER: Is that okay for you, 20 Ms. Drew? 21 MS. DREW: Yes. 22 And you Miss? AGENT FLETCHER:

| 1 | MS. ALUKO: Yes. |
|----|--|
| 2 | AGENT FLETCHER: Okay. I think I |
| 3 | misspelled your name. |
| 4 | MR. MULLONE: Did you say 10:00 was |
| 5 | available? |
| 6 | AGENT FLETCHER: It was 9:00, 10:00, |
| 7 | 11:00 or 1:00. |
| 8 | MR. MINORA: For mediation. |
| 9 | AGENT FLETCHER: For mediation. |
| 10 | MR. MULLONE: Right. Oh, okay, that |
| 11 | is just with you. Okay. |
| 12 | AGENT FLETCHER: That's just with me. |
| 13 | MR. MULLONE: That's fine. Okay. |
| 14 | AGENT FLETCHER: Uh-huh. Mediation is |
| 15 | set for Thursday, February 22nd at 1:00. |
| 16 | Give me one second. I just want to |
| 17 | confirm. I think I confirmed the address for the |
| 18 | church. I'm just |
| 19 | MS. ALUKO: Yes. |
| 20 | AGENT FLETCHER: clarifying the |
| 21 | record. Okay. And, Mr. Minora, you are already |
| 22 | accepting that the church is abutting? |
| | |

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| 1 | MR. MINORA: Right. |
|----|--|
| 2 | AGENT FLETCHER: Okay. Any questions |
| 3 | at all? Okay. Oh, I have one other thing. |
| 4 | Ms. Aluko? |
| 5 | MS. ALUKO: Aluko, yes. |
| 6 | AGENT FLETCHER: Did you put your |
| 7 | contact information on that sheet as well? |
| 8 | MS. ALUKO: Yes. |
| 9 | AGENT FLETCHER: Okay. Okay. Well, |
| 10 | the Roll Call Hearing is concluded. Thank you. |
| 11 | MR. MULLONE: Thank you. |
| 12 | MR. MINORA: Thank you. |
| 13 | MS. DREW: Thank you. |
| 14 | COURT REPORTER: Excuse me, Ms. |
| 15 | Fletcher? |
| 16 | AGENT FLETCHER: Oh, yes? |
| 17 | COURT REPORTER: Maurice Hendrix is |
| 18 | spelled? |
| 19 | AGENT FLETCHER: Yes. For the record, |
| 20 | the spelling of Maurice Hendrix, his name is |
| 21 | spelled M-A-U-R-I-C-E and his last name is |
| 22 | Hendrix spelled H-E-N-D-R-I-X, Hendrix. |
| | |

| 1 | The Roll Call Hearing is concluded. |
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| 2 | (Whereupon, the Roll Call Hearing was |
| 3 | concluded at 11:12 a.m.) |
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Α **A-** 4:20 A-L-U-K-O 7:2,5 **A-N-D-A-R-G-I-E** 5:4 a.m 2:2 17:3 **ABC** 4:1 able 3:3 **ABRA-**2:7 ABRA-095711 1:10 Absolutely 12:17 abut 7:16,21 9:12 abutting 7:14,18 9:11 9:17,21 15:22 accept 5:5 accepting 15:22 address 7:8,11 15:17 adverse 2:11 Agent 1:19 2:3,17 3:5 3:12,18,22 4:6,12,16 5:3,8,14,19,22 6:2,8 6:10,14,16,19,21 7:1 7:3,6,11 8:1,8,12,17 8:19 9:4,9,14 10:8,12 11:10,15,19 12:2,5,8 12:12,19 13:3,6,12,18 13:21 14:5,10,19,22 15:2,6,9,12,14,20 16:2,6,9,16,19 ahead 8:9 Ahmad 4:1 Alcoholic 1:3,17,18 Alghali 4:1,1,8,17,18,20 Alghali's 4:19 Aluko 6:18,20,20,22 7:2 7:5,5,10 15:1,19 16:4 16:5,5,8 amenable 11:6 13:19 **America** 6:17 **ANC** 5:12 **ANC-5C** 5:9,13 9:20 **Andargie** 4:22 5:4 answer 13:2 Apostolic 6:17 appear 4:8 appearance 4:4 applicant 3:14,17 6:3 application 6:5 association 5:16 6:3 9:21 assuming 3:6 attending 11:8 audible 13:2 authorizing 4:4,8 available 10:15 13:8 15:5 aware 8:14 В

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cultural 11:8

currently 4:5

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D.C 1:19 7:15

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date 10:1,3,5,11,14,15

12:16 13:1,1,7,13

10:17.18 11:6.17.22

deficient 9:17 depends 11:16 designating 7:7 different 10:18 dismissed 9:16 DISTRICT 1:1 Drew 5:17,17,21,21,22 6:1,3,6,9,12,15 8:6,10 8:13,18 9:3,6,13 10:7 10:9 14:20,21 16:13 Ε earlier 6:13 **either** 9:14 email 12:9 entertainment 1:13 2:10 establishment 5:5 everybody 3:6 exactly 8:17 9:9 **Excuse** 16:14 F **February** 10:6,6 14:2,6 14:7,11 15:15 file 8:15 filed 8:3 9:15 fine 15:13 **firm** 3:16 first 4:18,20 5:11 8:3 10:4 Fletcher 1:19 2:3,16,17 3:5,10,18,22 4:6,12 4:16 5:3,8,14,19,22 6:2,8,10,14,16,19,21 7:1,3,6,11 8:1,8,12,17 8:19 9:4,9,14 10:8,10 10:12 11:10,15,19 12:2,5,8,12,19 13:3,6 13:12,18,21 14:5,10 14:19,22 15:2,6,9,12 15:14,20 16:2,6,9,15 16:16,19 flexible 10:11 forward 2:5 four 9:7 G garden 1:12 2:9 Gateway 5:16 8:11 9:20 **General** 12:13 Geographic 7:15 give 6:3 10:3,14,17 12:5 13:4 15:16

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| | 1 | 1 | 1 |
|--------------------------|--------------------------|---------------------------------|-----------------------------|
| M | new 11:21 12:16 | request 10:18 11:11 | today 10:14 11:22 |
| M-A-U-R-I-C-E 8:4 | Nightclub 4:2 | 12:16 | told 9:3 |
| 16:21 | noisy 2:14 | requesting 11:21 | turned 2:22 3:1 |
| | normally 7:13 | requirements 8:14 | |
| M-I-N-O-R-A 3:21 | note 11:21 | resident 8:11 | U |
| M-U-L-L-O-N-E 5:12 | notice 6:4 | resolved 13:16 | Um-hum 8:12 |
| ma'am 6:19 | | Retail 2:8 | |
| male 5:1 | noting 8:21 | | unavailable 6:12 |
| Mallios 3:16 | | Retailer 1:11 | V |
| manage 10:16 12:3 | 0 | Roll 1:5 3:11 16:10 17:1 | V |
| Manager 4:2 | O'Brien 3:16 | 17:2 | Valentine's 11:7 |
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| March 12:20,20 | opposed 11:12 | Room 1:18 | |
| Martha 12:9,12 | opposition 11:14 | | W |
| | order 2:12 | S | Washington 1:19 |
| martha.jenkins@dc | owner 4:4,9,13 5:5 9:18 | seats 1:12 2:9 | way 2:15 13:14 |
| 12:10 | 9:22 | second 12:5 15:16 | |
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| meetings 9:8 | • | spell 3:19 4:17,22 | 1 |
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CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: Bliss

Before: DCABRA

Date: 01-08-18

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.

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