

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

2 10:03 a.m.

3 AGENT FLETCHER: Okay. Excuse me, we
4 are ready to begin. Would the parties in the
5 matter of Bluefin Sushi To Go, please, come
6 forward? This is Case No. 18-PRO-00008, Bluefin
7 Sushi To Go, LLC t/a Bluefin Sushi To Go, 3073
8 Canal Street, N.W., License No. ABRA-108308.

9 Excuse me, the court reporter can only
10 hear one person speaking at a time.

11 This is a Retailer Class CR License
12 application, request to transfer license to a new
13 location.

14 The protest issues are adverse impact
15 on peace, order and quiet; residential parking
16 and vehicular and pedestrian safety; and real
17 property values.

18 My name is LaVerne Fletcher. I'm
19 conducting the Roll Call Hearing as the Board's
20 Agent.

21 Is there anyone present on behalf of
22 ANC-2E?

1 MS. PALMER: Yes, good morning. Lisa
2 Palmer.

3 AGENT FLETCHER: Ms. Palmer, would you
4 spell your name for the record, please?

5 MS. PALMER: Sure. L-I-S-A last name
6 is Palmer, P-A-L-M-E-R.

7 AGENT FLETCHER: Thank you. And there
8 is also a Group of Five. Is Arlette Coppock
9 present?

10 MS. PALMER: You just say present.

11 MS. COPPOCK: I'm just --

12 MS. PALMER: Just say present.

13 MS. COPPOCK: Present?

14 MS. PALMER: Say I'm present.

15 MS. COPPOCK: Present.

16 AGENT FLETCHER: Okay. Thank you.
17 Would you, please, state your name and spell it
18 for the record? If you could just state your
19 name and spell it for the record?

20 MS. COPPOCK: Okay. Arlette Cahen-
21 Coppock.

22 MS. PALMER: Could you spell it?

1 MS. COPPOCK: Cahen, C as in Charlie,
2 A as in apple, H as in hotel, E as in echo, N as
3 in north pole dash Coppock, C as in Charlie, O as
4 in Oscar, two times P as in papa, O as in Oscar,
5 C as in Charlie, K as in kilo.

6 AGENT FLETCHER: Thank you very much.

7 MS. COPPOCK: It's Arlette not
8 Arnette. It's Arlette, A as in apple, R as in
9 romeo, L as in lima, E as in echo, two times T as
10 in tango, E as in echo.

11 AGENT FLETCHER: Thank you very much.
12 And you are representing a Group of Seven. Is
13 there anyone else present from your group today?

14 MS. COPPOCK: Present. Yes.

15 AGENT FLETCHER: Hi. If you would
16 just state your name and spell it for the record,
17 please?

18 MS. SAGALYN: Louise.

19 AGENT FLETCHER: And you can stand
20 right behind Ms. --

21 MS. PALMER: You are a different
22 group.

1 MS. COPPOCK: You are not in my group.

2 MS. SAGALYN: Oh, I'm sorry.

3 AGENT FLETCHER: That's okay. Hi.

4 Your name, sir?

5 MR. GALDO: Hi. I am Carlos Ramos
6 Galdo.

7 AGENT FLETCHER: The microphone is --

8 MR. GALDO: There is a microphone?

9 MS. PALMER: Yes.

10 AGENT FLETCHER: If you could state
11 your name and spell it one more time?

12 MR. GALDO: Yes. My name is Carlos
13 Ramos Galdo. C-A-R-L-O-S R-A-M-O-S G-A-L-D-O.

14 AGENT FLETCHER: Thank you. That's
15 good. Thank you very much.

16 MR. MINITE: Hi. My name is Al
17 Minite. That's A-L and then M-I-N-I-T-E.

18 AGENT FLETCHER: Thank you.

19 MR. MINITE: Thank you.

20 AGENT FLETCHER: Anyone else with Ms.
21 Coppock's group?

22 MS. NEWMAN: My name is Judy Newman,

1 N-E-W-M-A-N.

2 AGENT FLETCHER: Thank you.

3 MR. MOULTON: Good morning.

4 AGENT FLETCHER: Good morning.

5 MR. MOULTON: I'm Elliott J. Moulton,

6 M-O-U-L-T-O-N at 1061 Thomas Jefferson Street.

7 AGENT FLETCHER: Thank you.

8 MR. MOULTON: Thank you very much.

9 AGENT FLETCHER: And, Elliott, your
10 first name is E-L-L-I-O-T?

11 MR. MOULTON: Two Ts.

12 AGENT FLETCHER: Two Ts.

13 MR. MOULTON: We can leave one off if
14 you want.

15 AGENT FLETCHER: Thank you.

16 MR. MOULTON: Okay?

17 AGENT FLETCHER: Okay. Anyone else
18 with Ms. Coppock? Okay. Well, then, Ms.
19 Coppock, if you would just remain seated at the
20 table, Ms. Coppock? Just Ms. Coppock as the
21 designated representative.

22 MS. COPPOCK: Okay. Oh, it's my first

1 time.

2 AGENT FLETCHER: Anyone else with Ms.
3 Coppock?

4 MS. COPPOCK: Yes. No, no, no. I
5 have -- I am looking. I don't --

6 MS. PALMER: Nobody else.

7 AGENT FLETCHER: Okay. That's fine.

8 MS. PALMER: That's five then, right?

9 AGENT FLETCHER: Ms. Coppock, it's
10 fine.

11 MS. PALMER: Anybody else is present?

12 MS. COPPOCK: No.

13 AGENT FLETCHER: Okay. That's good.
14 Thank you very much.

15 MS. COPPOCK: Thank you. I'm done?

16 MS. PALMER: No, you stay.

17 AGENT FLETCHER: And -- no, you can
18 just stay right there. And is Robert Uhar
19 present? Hi, Mr. Uhar, would you, please, state
20 your name for the record, please?

21 MR. UHAR: Yes. Good morning. First
22 name is Roger, R-O-G-E-R, and last name is Uhar,

1 U-H-A-R.

2 AGENT FLETCHER: Thank you very much.

3 And, Mr. Uhar, you will need a chair at the
4 table.

5 MR. UHAR: Okay.

6 AGENT FLETCHER: And is Louise Sagalyn
7 present?

8 MS. SAGALYN: My name is Louise
9 Sagalyn, S-A-G-A-L-Y-N.

10 AGENT FLETCHER: And, Ms. Sagalyn, you
11 will need a seat at the table as well. Anyone
12 else that hasn't signed in on the Protestant
13 side? Did someone say I can't hear? Who can't
14 hear? Okay. Is this better?

15 MS. SAGALYN: Yeah.

16 AGENT FLETCHER: Okay.

17 MS. SAGALYN: Sorry.

18 AGENT FLETCHER: No problem at all.
19 And let's see, so who is present on behalf of the
20 Applicant?

21 MS. YOHANNES: Sidon Yohannes on
22 behalf of the Applicant. S-I-D-O-N Y-O-H-A-N-N-

1 E-S.

2 AGENT FLETCHER: Thank you, Ms.
3 Yohannes. And may I get your name again, please?
4 Your name, yes, ma'am.

5 MS. SAGALYN: What?

6 MS. YOHANNES: Say your name right
7 into the microphone.

8 MS. SAGALYN: Louise Sagalyn.

9 AGENT FLETCHER: Okay. Thank you.
10 So, Ms. Sagalyn, so you can hear me standing?
11 You can hear me? Can you hear me okay?

12 MS. SAGALYN: Not really, but I'm
13 trying.

14 AGENT FLETCHER: Okay. Well, we are
15 almost done.

16 MS. SAGALYN: Yeah, okay.

17 AGENT FLETCHER: ANC-2E has standing
18 as a Protestant. Mr. Uhar, you filed as an
19 abutting property owner and your address is 3075
20 Canal? Your address is 7 -- 3075?

21 MR. UHAR: That's correct.

22 AGENT FLETCHER: The address of

1 Bluefin Sushi To Go is 3073. So based on your
2 address, the properties appear to abut. The
3 Government's Geographic Information System is
4 down this morning, so I couldn't confirm what I'm
5 saying right now, but based on your address, it
6 appears that your properties touch.

7 MR. UHAR: That's correct.

8 AGENT FLETCHER: Ms. Yohannes, do you
9 have any knowledge of it?

10 MS. YOHANNES: I believe that's
11 correct for 3073.

12 AGENT FLETCHER: I'll confirm it once
13 the system is up, but I just wanted to state that
14 for the record. So I am granting standing to you
15 as a Protestant.

16 Ms. Sagalyn, you filed a protest as an
17 abutting property owner also.

18 MS. SAGALYN: Yes.

19 AGENT FLETCHER: Your address is 3071.

20 MS. SAGALYN: That's correct.

21 AGENT FLETCHER: So I can't tell from
22 your address if your properties actually abut,

1 but do they touch?

2 MS. SAGALYN: Yes, they do touch.

3 AGENT FLETCHER: They do touch.

4 MS. SAGALYN: We share a wall.

5 AGENT FLETCHER: You share a wall.

6 MS. YOHANNES: I have no knowledge as
7 to that.

8 AGENT FLETCHER: I'm going to grant
9 you standing today as a Protestant. I'll verify
10 your locations once the Geographic Information
11 System is up.

12 MS. SAGALYN: Thank you.

13 AGENT FLETCHER: If that turns out not
14 to be the case, I'll get back to you.

15 MS. SAGALYN: Fine.

16 AGENT FLETCHER: Ms. Sagalyn, I'm
17 going to sit now, because that's all I have to
18 say to you today, but you can stay right there.

19 MS. SAGALYN: Yes, ma'am. What?

20 MS. PALMER: Just stay where you are.
21 You're fine.

22 AGENT FLETCHER: Yeah. Ms. Coppock,

1 am I pronouncing that correctly?

2 MS. COPPOCK: Yes.

3 AGENT FLETCHER: In your case, you
4 have -- you are representing a Group of Seven
5 people. Your Protest Letter says -- states that
6 only you are filing the protest, but was the
7 intention of the other people here with you today
8 to also file a protest?

9 MS. COPPOCK: Yes.

10 AGENT FLETCHER: You are present. You
11 can say yes if you intended to file a protest.

12 MS. COPPOCK: Yes.

13 AGENT FLETCHER: I mean the
14 individuals present with you today. Mr. Galdo,
15 Mr. Moulton, Ms. Newman and Mr. Minite, did you
16 intend to file a protest as well?

17 MS. COPPOCK: Yes.

18 AGENT FLETCHER: No, you need to tell
19 me.

20 MS. COPPOCK: Yes.

21 MS. PALMER: She is asking them.

22 AGENT FLETCHER: The people whose

1 names I just called.

2 MS. COPPOCK: Sorry?

3 MS. PALMER: She is asking if the
4 other people intended to file a protest, not you.
5 She knows you filed a protest.

6 MS. COPPOCK: Yes.

7 MS. PALMER: The question was about
8 everybody else.

9 MS. COPPOCK: Yes.

10 AGENT FLETCHER: Okay. So, Mr. Galdo,
11 you intended to file a protest?

12 MR. GALDO: Yeah, yeah, I did.

13 AGENT FLETCHER: And, Mr. Moulton, you
14 intended to file a protest?

15 MR. MOULTON: Yes, I did, yes.

16 AGENT FLETCHER: Did you intend to
17 file a protest?

18 MR. MOULTON: Yes, I did.

19 AGENT FLETCHER: Okay. Thank you.
20 Ms. Newman, did you intend to file a protest?

21 MS. NEWMAN: Yes.

22 AGENT FLETCHER: And what about -- so

1 I know, Ms. Coppock, you intended to file a
2 protest, because you filed one. I'm only raising
3 this issue, because throughout your Protest
4 Letter, every -- all the pronouns were, it was I,
5 me, me, me. There was no reference to the other
6 individuals except at the end you said I'm
7 representing them.

8 MS. COPPOCK: Oh, okay.

9 AGENT FLETCHER: And so I needed to
10 make sure since they are here --

11 MS. COPPOCK: Oh.

12 AGENT FLETCHER: -- that they can
13 attest to the fact that they intended to file a
14 protest.

15 MS. COPPOCK: I understand.

16 AGENT FLETCHER: Okay. So I will --

17 MS. COPPOCK: I'm sorry about that.

18 AGENT FLETCHER: -- accept that.

19 MS. COPPOCK: Thank you.

20 AGENT FLETCHER: Okay.

21 MS. COPPOCK: I appreciate it.

22 AGENT FLETCHER: You're welcome.

1 There are five individuals present from your
2 group today, Ms. Coppock, which means that your
3 group is granted standing as a Protestant.

4 MS. COPPOCK: Thank you.

5 AGENT FLETCHER: There are four
6 protestants in this matter: ANC-2E; the Group of
7 Seven represented by Ms. Coppock; Roger --

8 MS. YOHANNES: Ms. Fletcher, just for
9 the record --

10 AGENT FLETCHER: Yes?

11 MS. YOHANNES: -- I want to state my
12 objection to the Group of Five or more. Only one
13 Protest Letter was filed, like you said.

14 AGENT FLETCHER: Um-hum.

15 MS. YOHANNES: It said I. There were
16 signatures on the end, but for the record, I'm
17 going to state my objection. I think that the
18 Group of Five or more should be dismissed.

19 AGENT FLETCHER: Okay. And so, Ms.
20 Yohannes, are you going to be motioning the Board
21 to dismiss that group?

22 MS. YOHANNES: I may.

1 AGENT FLETCHER: Okay. Thank you.
2 And so, Ms. Coppock, the Applicant is opposed to
3 your group being granted standing for the reasons
4 that I just stated, that in your Protest Letter,
5 you only indicate that you are filing a protest.
6 There is no indication in your Protest Letter
7 that anyone but you is filing a protest.

8 And then you have the signatures of
9 seven people, but there was no place in the
10 Protest Letter that said that they are filing a
11 protest, that's the reason that I -- since some
12 of them were present, that is the reason that I
13 asked if they intended to file a protest.

14 MS. COPPOCK: Yeah, they did.

15 AGENT FLETCHER: Yeah, that -- so I'm
16 just explaining, that's all. And Ms. Yohannes,
17 she may be opposed to that as well and if she is,
18 then she will file a motion with the ABC Board to
19 dismiss your group. If she does that, you will
20 be informed.

21 MS. PALMER: It's a procedural issue.

22 MS. SAGALYN: It's procedure that they

1 put their names down.

2 MS. PALMER: The letter wasn't -- can
3 I explain?

4 AGENT FLETCHER: Yes.

5 MS. PALMER: I think the issue is that
6 the letter wasn't written in the way --

7 MS. COPPOCK: Properly?

8 MS. PALMER: -- yeah, that they
9 typically see. So the question is whether or not
10 the Board and the establishment will protest --

11 MS. COPPOCK: Yes.

12 MS. PALMER: -- your standing as a
13 Group of Five or more because the letter wasn't
14 written in the way that ABRA likes to see the
15 letter written.

16 MS. COPPOCK: Um-hum.

17 MS. PALMER: She will -- they will let
18 you know.

19 MS. COPPOCK: Okay. Thank you.

20 AGENT FLETCHER: And the reason that
21 your group can be granted standing today is
22 because the individuals, at least some of the

1 individuals, were present today themselves.

2 Otherwise, I could not have done it, because I

3 would not know --

4 MS. COPPOCK: I understand.

5 AGENT FLETCHER: -- if they intended

6 to file a protest. And so that's the reason --

7 MS. COPPOCK: Yes. Thank you.

8 AGENT FLETCHER: -- that the group was
9 granted standing today.

10 And, Mr. Uhar and Ms. Sagalyn, you are
11 granted standing as an abutting property owner.

12 Once the D.C. Geographic Information System is
13 up, I can look and see where you live and if it
14 turns out that your properties are not abutting,
15 then I will contact you and let you know.

16 MS. SAGALYN: It does.

17 AGENT FLETCHER: We need to set a date
18 for a mediation, a Status Hearing and a Protest
19 Hearing. The day for the Status Hearing is March
20 the 21st. March --

21 MS. PALMER: Can I just confirm that
22 the -- for the Status Hearing, could you just

1 share, since we have some new people, who needs
2 to be present --

3 AGENT FLETCHER: Yes.

4 MS. PALMER: -- at the Status Hearing?

5 AGENT FLETCHER: Yes, thank you. Ms.
6 Coppock, you are the only person that will need
7 to be present for the Status Hearing, because at
8 least five of you were present today.

9 MS. COPPOCK: Thank you.

10 AGENT FLETCHER: So your group was
11 granted full standing, which means that only you
12 need to appear at the Status Hearing.

13 We are going to set a date for
14 mediation. Only you need to appear for the
15 mediation, but if any of the other individuals
16 would like to attend, they can, but we accept you
17 as the designated representative.

18 MS. PALMER: For the Group of Five.

19 AGENT FLETCHER: For the Group of Five
20 or more.

21 MS. COPPOCK: Thank you. I appreciate
22 it.

1 AGENT FLETCHER: But at the Status
2 Hearing, no one else needs to come to the Status
3 Hearing.

4 MS. COPPOCK: Good. Thank you so
5 much.

6 AGENT FLETCHER: You're welcome. And
7 of course, Mr. Uhar and Ms. Sagalyn, you will
8 need to appear for the Status Hearing, because
9 you are representing yourselves.

10 MS. SAGALYN: Ourselves.

11 AGENT FLETCHER: If you needed to not
12 come or for some reason you couldn't come,
13 because you are here today, you could designate
14 someone else to come --

15 MS. SAGALYN: Okay.

16 AGENT FLETCHER: -- for the Status
17 Hearing.

18 MS. PALMER: And how do you designate
19 that person, just so everybody knows?

20 AGENT FLETCHER: Yes. You designate
21 that person in writing. You just give them a
22 statement saying I designate Ms. Shook to

1 represent me during the Status Hearing.

2 MS. SAGALYN: Bring a letter?

3 AGENT FLETCHER: Yes, you would give
4 it to the person you designated.

5 MS. SAGALYN: All right.

6 AGENT FLETCHER:

7 MS. PALMER: So the Status Hearing is
8 March 21st?

9 AGENT FLETCHER: Yes, the Status
10 Hearing is March the 21st at 9:30.

11 MS. SAGALYN: March 21st? That's
12 tomorrow.

13 MS. PALMER: No, that's --

14 MS. SAGALYN: Oh, March.

15 MS. PALMER: You've got a month.

16 MS. SAGALYN: Okay. I'm out of it.

17 AGENT FLETCHER: The Status Hearing is
18 March 21st at 9:30 a.m.

19 The Protest Hearing is April the 25th
20 at 1:30 p.m.

21 We need to set a date for mediation.
22 I'll give you the next available day. The next

1 available day for mediation is Thursday, March
2 the 1st, that's Thursday, March the 1st at 9:00,
3 10:00, 10:30, 11:00 or 11:30.

4 MS. YOHANNES: I can do 11:00 on that
5 day.

6 AGENT FLETCHER: Would that work for
7 you, Ms. Palmer?

8 MS. PALMER: You can't do it any
9 earlier?

10 MS. YOHANNES: 10:30?

11 MS. PALMER: How does that work for
12 everybody else?

13 MS. SAGALYN: That's fine.

14 MS. PALMER: 10:30?

15 AGENT FLETCHER: At what time?

16 MS. PALMER: 10:30.

17 AGENT FLETCHER: 10:30. Is that good
18 for you, Ms. Yohannes?

19 MS. YOHANNES: Yes.

20 AGENT FLETCHER: Okay. So mediation
21 is set for 10:30 on March the 1st.

22 MS. PALMER: And could you also, just

1 for all the new folks, share --

2 AGENT FLETCHER: Yes.

3 MS. PALMER: -- who should be present
4 on March 1st at 10:30?

5 MS. SAGALYN: You have to give that to
6 them.

7 AGENT FLETCHER: Yes.

8 MS. PALMER: Or who needs to be
9 present, at least.

10 AGENT FLETCHER: Yes. For the
11 mediation on Thursday, March the 1st, that's the
12 date of the mediation. The -- Mr. Uhar and Ms.
13 Sagalyn, you need to be present for the
14 mediation. Ms. Coppock?

15 MS. COPPOCK: Yes.

16 AGENT FLETCHER: You need to be
17 present for the mediation on March the 1st at
18 10:30.

19 MS. COPPOCK: Yes, I will be there.

20 MS. SAGALYN: And Roger.

21 AGENT FLETCHER: And Roger. And Ms.
22 Palmer, well, she will be here.

1 Did I cover everybody? I think that's
2 everyone, yes. Did everybody on this side put
3 their contact information on that sign-in sheet
4 on the table? There was a sign-in sheet. Is it
5 still there? Ms. Sagalyn, did you put your
6 contact information on that sheet?

7 MS. SAGALYN: Yes, yeah.

8 AGENT FLETCHER: Okay. And I actually
9 want to apologize for disrupting you today with
10 the gavel. I have never used it, but I needed to
11 get your attention, because we needed to get
12 started. It was very loud, but we got started.

13 MS. YOHANNES: Can I state briefly, I
14 just want to say, to be clear, if the parties
15 discuss the issues and come to an agreement
16 before the mediation, then you can submit that
17 agreement and don't have to come to mediation.

18 AGENT FLETCHER: Yes.

19 MS. YOHANNES: I just wanted to make
20 sure that all, everyone here --

21 AGENT FLETCHER: Yes.

22 MS. YOHANNES: -- understands that.

1 AGENT FLETCHER: That is correct. If
2 the parties are able to resolve their concerns
3 with the applicant, with Ms. Yohannes and the
4 applicant, prior to the mediation, you would not
5 need to appear for that, because sometimes that
6 happens. The mediation is there in the event
7 that it's necessary.

8 MS. YOHANNES: Thank you.

9 AGENT FLETCHER: Ms. Sagalyn, did you
10 get that part?

11 MS. SAGALYN: Yeah.

12 AGENT FLETCHER: Okay. Okay. Any
13 other questions? Okay. Well, thank you for
14 coming. The Roll Call Hearing is concluded.

15 MS. YOHANNES: Thank you.

16 MS. PALMER: Thank you.

17 (Whereupon, the Roll Call Hearing was
18 concluded at 10:26 a.m.)
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22

A

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In the matter of: Bluefin Sushi To Go, LLC

Before: DC ABRA

Date: 02-20-18

Place: Washington, DC

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