

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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ROLL CALL HEARING

IN THE MATTER OF:	:
	:
BL 1701 14th DC, LLC,	:
t/a Bluestone Lane	:
1701 14th Street NW	: Roll Call
Retailer CR - ANC 2F	: Hearing
License No. ABRA-114952	:
Case #19-PRO-00112	:
	:
(New Application)	:

Tuesday
November 12, 2019

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, LaVerne Fletcher, Board's Agent, presiding.

PRESENT:

LaVERNE FLETCHER, ABRA Board's Agent

ALSO PRESENT:

MATTHEW MINORA, Applicant's Counsel
MATTHEW JONES, Protestant
CAROLINE HARLOW, Protestant

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

10:04 a.m.

MS. FLETCHER: Would the parties in the matter of Bluestone Lane please come forward. The parties in the matter of Bluestone Lane. This is Case No. 19-PRO-00112, BL 1701 14th DC, LLC, 1701 14th Street NW, License No. ABRA-114952. This is a Retailer Class CR, new application.

The protest issues are adverse impact on peace, order, and quiet, and residential parking, and vehicular and pedestrian safety. My name is LaVerne Fletcher conducting the roll call hearing as the Board's agent.

Introductions beginning with the Applicant, please.

MR. MINORA: Matthew Minora with the law firm of Mallios & O'Brien, ABC license counsel for the Applicant.

MS. FLETCHER: Thank you, Mr. Minora. Mr. Minora, would you spell your name for the record, please?

MR. MINORA: M-I-N-O-R-A.

MS. FLETCHER: We also have a group of six. Is anybody present on behalf of the group

1 of six?

2 MR. JONES: Yes, my name is Matthew
3 Jones, 1325 R Street, NW, Unit B.

4 MS. FLETCHER: Thank you, Mr. Jones.

5 MR. JONES: Also, I have a proxy for
6 Carol Eisenberg, same address.

7 MS. FLETCHER: Excuse me. Can you
8 hear, Ms. Court Reporter? Okay, thank you.

9 I'm sorry, Mr. Jones. What were you
10 saying?

11 MR. JONES: I also have a proxy for
12 Carol Eisenberg at the same address as myself.
13 She's my wife. Also for Mr. Geoff Brand and Ms.
14 Halleh Seyson, 1323 R Street.

15 MS. FLETCHER: Yes, thank you. I'm
16 going to spell those names for the record. Carol
17 Eisenberg is spelled C-A-R-O-L E-I-S-E-N-B-E-R-
18 G. Geoffrey Brand is spelled G-E-O-F-F-R-E-Y B-
19 R-A-N-D. Halleh Seyson is spelled H-A-L-L-E-H
20 S-E-Y-S-O-N.

21 Mr. Jones, is that a male or a female?

22 MR. JONES: Female. Also present is
23 Caroline --

24 MS. HARLOW: My name is Caroline
25 Harlow and I live at 1332 R Street NW.

1 MS. FLETCHER: Ms. Harlow, would you
2 please spell your name for the record?

3 MS. HARLOW: My last name?

4 MS. FLETCHER: Both.

5 MS. HARLOW: Caroline, C-A-R-O-L-I-N-
6 E, Harlow H-A-R-L-O-W.

7 MS. FLETCHER: Thank you very much.

8 The group of five is granted
9 conditional standing which means that at the
10 upcoming status hearing at least three other
11 people not present today need to appear in
12 person.

13 MR. JONES: Please repeat so I
14 understand. So three other people that were not
15 here today --

16 MS. FLETCHER: Yes.

17 MR. JONES: -- need to appear at the
18 status hearing?

19 MS. FLETCHER: Yes. The Board likes
20 to see five faces by the point of the --

21 MS. HARLOW: So do we count as having
22 appeared now?

23 MS. FLETCHER: Yes.

24 MS. HARLOW: So we need three other
25 people. Do we come again?

1 MS. FLETCHER: Only if you want to.

2 MR. JONES: How far in advance is that
3 scheduled since most of us work? Most of these
4 other people work.

5 MS. FLETCHER: I can tell you that the
6 status hearing is scheduled for December 4 at
7 9:30 a.m. That is when the status hearing is
8 going to be.

9 MS. HARLOW: Is it here?

10 MS. FLETCHER: Yes, it's here. At the
11 status hearing the Board may ask you if you have
12 one person from the entire group that you would
13 like to designate as a representative.

14 Mr. Jones, I know you're here today at
15 the roll call hearing for the three people that
16 you named. Beyond today we need a designated
17 representative for the group, but you don't have
18 to say who that is today.

19 MR. JONES: Okay.

20 MS. FLETCHER: Let me ask you this.
21 For today I'll need to know who I should contact
22 next in terms of representing the group. Would
23 that be you, Mr. Jones?

24 MR. JONES: That should be me.

25 MS. FLETCHER: Okay, because beyond

1 today, you're going to receive an official
2 hearing notice and that notice will go to the
3 designated representative for the group. Today
4 we'll just make that you?

5 MR. JONES: Yes.

6 MS. FLETCHER: Okay. So your contact
7 information is on that sheet, Mr. Jones? There's
8 a sheet right there.

9 MS. HARLOW: A sheet right here.

10 MR. JONES: I'll put it on there now.

11 MS. FLETCHER: Yes, thank you. Then
12 the official hearing notice will come to you.

13 MR. JONES: Okay. Thank you.

14 MS. FLETCHER: You're welcome. So the
15 group of six is granted conditional standing with
16 three more needed to appear in person at the
17 upcoming status hearing.

18 MR. JONES: Okay.

19 MS. FLETCHER: So you've got the
20 status hearing. That's December 4 at 9:30. The
21 next date that you need is the protest hearing
22 date. The date for the protest hearing is
23 January 8, 2020. That's at 4:30 p.m.

24 The protest hearing will take place if
25 the matter is not resolved in mediation. We've

1 got to set a date for mediation as well. I'll
2 run some dates by you. You can let me know if
3 those dates are good. I'll give you the next
4 available day for mediation.

5 The next available day for mediation
6 is Tuesday, November 19th at 10:00, 11:00, 1:00,
7 or 2:00 in the afternoon.

8 MR. MINORA: It's my understanding
9 that the parties are pretty close to a settlement
10 agreement. Is it possible to push the mediation
11 date back a little bit further since they are
12 doing so well on their own so far?

13 MS. FLETCHER: Yes. Let's make it
14 -- in that case we can make the mediation either
15 December 3, which is the day before the status
16 hearing, or we can make it November 28th.

17 MR. JONES: That's Thanksgiving, isn't
18 it?

19 MR. MINORA: Yes.

20 MS. FLETCHER: Oh, that's
21 Thanksgiving. Yes, it is. We can make it any
22 day that week if anybody is going to be around.

23 MS. HARLOW: Before the 4th.

24 MS. FLETCHER: Before the 4th. The
25 mediation calendar is available every day except

1 on a Friday. If we're not going to do it the
2 week of Thanksgiving, then the next available day
3 would either be actually December 2nd or 3rd.

4 MR. MINORA: Either one is fine with
5 me.

6 MR. JONES: I think Monday is good.

7 MS. HARLOW: I think probably, yeah.

8 MS. FLETCHER: Monday is good,
9 December 2nd?

10 MR. JONES: Yes.

11 MS. FLETCHER: 11:00, 1:00, 2:00 in
12 terms of time. Do you have a preference?

13 MR. MINORA: It can be either. 11:00
14 or preferably in the afternoon because there's
15 another roll call hearing Monday morning that
16 might put it over that.

17 MS. FLETCHER: That's exactly right.
18 Maybe we should do 1:00 or 2:00.

19 Do you have a preference, Mr. Jones or
20 Ms. Harlow, for 1:00 or 2:00 on the 2nd?

21 MS. HARLOW: I think probably 1:00
22 would be better.

23 MS. FLETCHER: Okay.

24 MS. HARLOW: Some of these people work
25 and they might take their lunch break at that

1 time.

2 MS. FLETCHER: I can tell you that the
3 status hearing goes by very fast just like this.

4 MS. HARLOW: Just a few minutes?

5 MS. FLETCHER: Yes. So when your case
6 is called -- I don't know whether the case is
7 going to be on the calendar for that day but when
8 your case is called, it takes no longer than this
9 hearing.

10 MR. JONES: So we're talking about the
11 mediation?

12 MS. FLETCHER: Oh, you're talking
13 about the mediation. I'm sorry. For the
14 mediation --

15 MS. HARLOW: We have a status hearing
16 -- if I could recapitulate.

17 MS. FLETCHER: Yes.

18 MS. HARLOW: Mediation on December 2nd
19 at 1:00.

20 MS. FLETCHER: Yes.

21 MS. HARLOW: And then status December
22 4th at 9:30.

23 MS. FLETCHER: Yes. Ms. Harlow, when
24 you were talking about how much time would it
25 take, were you referring to the mediation?

1 MS. HARLOW: Yes.

2 MS. FLETCHER: Okay.

3 MS. HARLOW: I'm just concerned
4 because most people on our block work so it's
5 hard for them to get away.

6 MS. FLETCHER: I understand. Mr.
7 Minora was thinking you all might resolve the
8 matter before then. If you do, then you won't
9 need to come to the mediation or the status
10 hearing.

11 MR. JONES: Okay. But these are
12 contingencies. Okay.

13 MS. FLETCHER: Yes.

14 So for your question, Ms. Harlow, how
15 long mediation takes depends on what takes place
16 during -- it has a lot to do with it was a new
17 application so it shouldn't take, I don't know,
18 I'm thinking no more than an hour based on what I
19 read so far.

20 Mediation is set for 1:00 on Monday,
21 December 2nd. The mediation will take place in
22 this room also. Any other questions at all? My
23 card is on the table if you have any other
24 questions. Thank you for coming and I'll see you
25 in mediation unless the matter is resolved before

1 then. If it's resolved before then, you let us
2 know. Mr. Minora would let us know most likely,
3 and then we would cancel the mediation.

4 MR. MINORA: Thank you.

5 MS. FLETCHER: You're welcome. The
6 roll call hearing is concluded. Thank you.

7 (Whereupon, the above-entitled matter went
8 off the record at 10:15 a.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Bluestone Lane

Before: DCABRA

Date: 11-12-19

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.



Court Reporter

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