

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

2 10:08 a.m.

3 AGENT FLETCHER: Okay. Would the
4 parties in the matter of Costello Restaurant and
5 Lounge, please, come forward? The parties in the
6 matter of Costello Restaurant and Lounge.

7 This is Case No. 18-PRO-00066, Omar,
8 LLC, 5201 Georgia Avenue, N.W., License No. ABRA-
9 100259. This is a Retailer Class CT, substantial
10 change, change of hours of operation, sales and
11 consumption and live entertainment inside the
12 premises only.

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

17 Present on -- is the applicant
18 present? Present on behalf of the Group of 21?
19 You can just state your name and spell it for the
20 record right into the microphone, please.

21 MR. BARDEN: Jamie Barden. I'm one of
22 the representatives in the letter and also the

1 Advisory Neighborhood Commissioner for 4D04.

2 AGENT FLETCHER: Thank you, Mr. Barden.

3 Would you spell that for the record, please?

4 MR. BARDEN: J-A-M-I-E first name,
5 Barden, B-A-R-D-E-N.

6 AGENT FLETCHER: Thank you very much.

7 MS. WALLACE: Annie Wallace.

8 AGENT FLETCHER: Can you spell that
9 for the record, please?

10 MS. WALLACE: A-N-N-I-E W-A-L-L-A-C-E.

11 AGENT FLETCHER: Thank you.

12 MS. ELLIOTT: Tawana Elliott, T-A-W-A-
13 N-A, Elliott, E-L-L-I-O-T-T.

14 AGENT FLETCHER: Ms. Elliott, you
15 signed the Protest Letter?

16 MS. ELLIOTT: Actually, my husband
17 did, but he couldn't come, so I'm coming on his
18 behalf and I have the letter that we received on
19 -- regarding this.

20 AGENT FLETCHER: Okay. I'll -- do you
21 have it?

22 MS. ELLIOTT: Yes.

1 AGENT FLETCHER: I'll take it now.

2 MS. ELLIOTT: You will take it?

3 AGENT FLETCHER: Um-hum, but Mr. --

4 MS. ELLIOTT: James.

5 AGENT FLETCHER: -- just so that you
6 know, Mr. Barden also has the ability to
7 represent your husband. In the Protest Letter,
8 you were one of the individuals named to
9 represent everyone.

10 MR. BARDEN: Uh-huh.

11 AGENT FLETCHER: So I'm just letting
12 you, Ms. Elliott, know that Mr. Barden also is
13 authorized to represent your husband. But I'll
14 take what you have. And so is Ms. Wallace.
15 Thank you.

16 Okay. And your name, sir?

17 MR. ZAGOREN: Okay. Go ahead and make
18 sure that she can hear.

19 MR. JOHN: My name is Nicholas John,
20 N-I-C-H-O-L-A-S last name is John, J-O-H-N.

21 AGENT FLETCHER: Mr. John, you signed
22 the Protest Letter?

1 MR. JOHN: Yes, and my wife also.

2 AGENT FLETCHER: And your wife?

3 MR. JOHN: Yes.

4 AGENT FLETCHER: Thank you.

5 MR. ZAGOREN: And I'm Daniel Zagoren,

6 D-A-N-I-E-L Z-A-G-O-R-E-N.

7 AGENT FLETCHER: Did you say V or Z?

8 MR. ZAGOREN: Z as in zebra.

9 AGENT FLETCHER: Okay. So what is it
10 again? Z what?

11 MR. ZAGOREN: A-G --

12 AGENT FLETCHER: Uh-huh.

13 MR. ZAGOREN: -- O-R-E-N.

14 AGENT FLETCHER: Thank you very much.

15 There are at least five members from your group
16 present, which means that your group is granted
17 standing as a protestant.

18 The applicant is not present, which
19 means that the application is dismissed. The
20 application is dismissed. The Board will issue
21 an order dismissing the application and, Mr.
22 Barden, you --

1 MR. BARDEN: Um-hum.

2 AGENT FLETCHER: -- Ms. Wallace, you
3 are also a designated representative, so the
4 designated -- normally, we have just one, but a
5 designated representative, one of you present,
6 will receive a Board Order dismissing the
7 application.

8 The applicant will have 10 days to
9 seek reinstatement of their application, but you
10 will be kept informed. If they seek
11 reinstatement, you will have an opportunity to be
12 opposed to it as well.

13 MR. BARDEN: Okay.

14 AGENT FLETCHER: So --

15 MR. BARDEN: Thank you.

16 AGENT FLETCHER: -- if the Board
17 reinstates the application, you would hear from
18 me to set a date for mediation, the Status
19 Hearing and the Protest Hearing.

20 So I won't provide those dates today.

21 MR. BARDEN: And how do we state our
22 opposition? What did you say opposition --

1 AGENT FLETCHER: The opposition.

2 MR. BARDEN: -- to the reinstatement?

3 AGENT FLETCHER: The applicant will
4 have 10 days to let the Board know why they
5 weren't present today for good cause. The Board
6 will decide if the reason is acceptable.

7 If the Board decides that the reason
8 is not acceptable, then I imagine you wouldn't be
9 opposed to that, but if the Board were to decide
10 that it is acceptable, then you have a chance to
11 say why you think it should not be accepted.
12 Whatever the reason is, we don't know what that
13 is going to be yet, but you will have a chance to
14 respond.

15 MR. BARDEN: Thank you.

16 AGENT FLETCHER: You are very welcome.
17 And thank you for coming and have a nice day.

18 MS. ELLIOTT: Thank you.

19 MR. BARDEN: Thank you.

20 AGENT FLETCHER: Thank you.

21 (Whereupon, the Roll Call Hearing was
22 concluded at 10:14 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: Costello Restaurant and Lounge

Before: DCABRA

Date: 09-17-18

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.



Court Reporter

NEAL R. GROSS

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