

ALSO PRESENT:

BENJAMIN SCHWARTZ, Licensee

MICHAEL BROWN, ANC 6E02

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

9:37 a.m.

CHAIRPERSON ANDERSON: Good morning, everyone. I would like to welcome you to the regularly scheduled meeting of the District of Columbia Alcoholic Beverage Control Board. Please know that today's hearings will be conducted in accordance with D.C. Official Code Section 2-574 of the Open Meetings Act.

Today is March 13, 2019. I would like to introduce Members of the Board with us today.

To my far right is Mr. Bobby Cato. To my immediate right is Mr. Nick Alberti. To my far left is Ms. Rema Wahabzadah. To her right is Mr. Mike Silverstein and to my immediate left is Mr. James Short. My name is Donovan Anderson. I'm the Chairman of the Board. We have six Members in attendance today and so we do have a quorum.

I would like to mention two things before we get started. First of all, if you have any electronic devices, pagers, cell phones or

1 such, please, make certain that they are turned
2 off to avoid any interruption of the proceedings.

3 Secondly, there is a piece of paper on
4 each table. When you come forward as your case
5 is called, please, take a seat at the table and,
6 please, sign-in. This is to ensure the correct
7 spelling of your name for the recorder.

8 Additionally, when you introduce
9 yourself for the record, please, spell your name
10 aloud for the court reporter.

11 I will note that the approximate time
12 is 9:40 a.m.

13 The first case is a Protest Hearing
14 (Status) Calendar, Case No. 19-PRO-00006. Is
15 there anyone here for Electric Cool-Aid? You can
16 move forward, please.

17 We received -- introduce yourself for
18 the record, please. You can have a seat and
19 introduce yourself for the record, please.

20 MEMBER SHORT: And write his name on
21 the --

22 CHAIRPERSON ANDERSON: Yeah, there is

1 a sign-in sheet and then introduce yourself for
2 the record, please.

3 MR. SCHWARTZ: My name is Benjamin
4 Schwartz. Last name is S-C-H-W-A-R-T-Z.

5 CHAIRPERSON ANDERSON: And who are
6 you, sir?

7 MR. SCHWARTZ: I'm the owner of
8 Electric Cool-Aid.

9 CHAIRPERSON ANDERSON: All right. Oh,
10 you are being represented by an attorney. Is
11 that correct?

12 Is the ANC here?

13 MR. BROWN: Present.

14 CHAIRPERSON ANDERSON: Didn't I say is
15 there anyone here from Electric Cool-Aid?

16 MR. BROWN: I'm sorry, I thought you
17 were just referring to the owner. I'm sorry.

18 CHAIRPERSON ANDERSON: And who are
19 you, sir?

20 MR. BROWN: My name is Michael Brown.
21 I'm the neighborhood commissioner for Single
22 Member District 6E02.

1 CHAIRPERSON ANDERSON: All right.

2 Good morning. Please, sign-in.

3 I'm sorry, your name again, sir?

4 MR. SCHWARTZ: Mr. Schwartz.

5 CHAIRPERSON ANDERSON: All right. Mr.

6 Schwartz, I got an email from your attorney to

7 say that she is running late and she probably

8 won't be here until 10:30. I did not realize you

9 were going to be here. So I don't think it is

10 appropriate for me to have the ANC to wait an

11 hour. I mean, normally, I would have folks wait

12 just 30 minutes, but I did -- we were informed,

13 so I was going to move forward with the hearing.

14 I know that your attorney is not here,

15 so I'm not -- so I was just basically going to

16 give the date for the -- and I'm not -- you don't

17 need to respond, because since I know that you

18 have an attorney, so I'm not going to ask you to

19 speak out of turn without your attorney, but at

20 least Mr. Brown from the ANC's perspective is

21 there any preliminary issues from your

22 perspective, sir?

1 MR. BROWN: We wanted to ask Mr.
2 Schwartz if he could delay the -- if it's okay if
3 we could delay the Protest Hearing.

4 CHAIRPERSON ANDERSON: All right.
5 This is a new license. I mean, well, you can
6 talk to the attorney. This is a new license, so
7 both sides would have to agree to that.

8 MR. BROWN: Okay.

9 CHAIRPERSON ANDERSON: So I think that
10 you can make -- so basically, what I'm going to
11 do is that I'm going to schedule -- the Protest
12 Hearing is scheduled for April 10, 2019 at 4:30.

13 MR. BROWN: Okay.

14 CHAIRPERSON ANDERSON: It's a new
15 license, meaning that he has not opened, so
16 therefore by law we have to move on an expedited
17 basis.

18 MR. BROWN: Okay.

19 CHAIRPERSON ANDERSON: You can speak
20 to him and his attorney and if he agrees to delay
21 it, then the Board will delay it.

22 However, if he does not agree to it,

1 then the Board cannot move forward -- the Board
2 would have to move forward with the date, because
3 we are -- there is a specific time line that we
4 have to have these hearings, because it is a new
5 license.

6 MR. BROWN: Okay.

7 CHAIRPERSON ANDERSON: All right. All
8 right. So the matter is scheduled for -- then
9 for Show Cause -- I'm sorry, for a Protest
10 Hearing on April 10th at 4:30. All right. And
11 so once Mr. -- you can put the request to him and
12 his attorney and whatever you guys decide, the
13 Board will move along with the recommendation.
14 Okay?

15 MR. BROWN: Okay.

16 CHAIRPERSON ANDERSON: Any other
17 questions?

18 MR. BROWN: No.

19 CHAIRPERSON ANDERSON: All right.
20 Thank you. Thank you for being here. All right.

21 (Whereupon, the Protest (Status)
22 Hearing was concluded at 9:42 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: ADBHS, LLC, t/a Electric Cool-Aid

Before: DC ABRA

Date: 03-13-19

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

NEAL R. GROSS

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