

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

2 9:59 a.m.

3 AGENT FLETCHER: Would the parties in
4 the matter of Etto, please, come forward? E-T-T-
5 O, the parties in the matter of Etto. This is
6 Case No. 19-PRO-00022, 1514 Q, LLC, License No.
7 ABRA-088504. This is a Retailer Class CR License
8 renewal.

9 The protest issues are adverse impact
10 on peace, order and quiet.

11 My name is LaVerne Fletcher conducting
12 the Roll Call Hearing as the Board's Agent.

13 Introductions beginning with the
14 applicant, please? If you could just state your
15 name and spell it for the record?

16 MR. ROSNER: Good morning. David
17 Rosner, R-O-S-N-E-R, and I'm the owner.

18 AGENT FLETCHER: Mr. Rosner, have you
19 been in communication with ANC-2F?

20 MR. ROSNER: Not yet.

21 AGENT FLETCHER: So there is no
22 settlement agreement?

1 MR. ROSNER: No.

2 AGENT FLETCHER: Okay. Let me ask you
3 something. Would you be willing to wait an
4 additional 10 minutes to give them time to
5 appear? The hearing is set for 10:00. We
6 started at 10:00, but we are willing to wait an
7 additional 10 minutes if you are. It's up to
8 you.

9 MR. ROSNER: I would prefer not to,
10 but I'm more than happy to wait 10 minutes.

11 AGENT FLETCHER: If you would prefer
12 not to, the hearing was set for 10:00. The time
13 is approximately 10:02. ANC-2F is not present.

14 What that means is I will go ahead and
15 dismiss the protest filed by ANC-2F. The ABC
16 Board will issue an order dismissing them,
17 because they failed to appear today.

18 MR. ROSNER: Okay.

19 AGENT FLETCHER: You will receive a
20 copy of the order. ANC-2F will have 10 days to
21 seek reinstatement of the protest.

22 MR. ROSNER: Okay.

1 AGENT FLETCHER: You will be kept
2 informed. If ANC-2F happens to appear after you
3 leave, I will reopen the case, grant them
4 standing if they appear before we are done and
5 I'll let you know about that as well.

6 MR. ROSNER: Okay.

7 AGENT FLETCHER: But what I need you
8 to do, Mr. Rosner, if you didn't, if fill in that
9 sign-in sheet. You did already?

10 MR. ROSNER: I did, yeah.

11 AGENT FLETCHER: Okay. Thank you very
12 much for coming.

13 MR. ROSNER: All right. And if they
14 do come, please, have them contact me.

15 AGENT FLETCHER: Thank you. The Roll
16 Call Hearing is concluded. Thank you.

17 (Whereupon, the above-entitled matter
18 went off the record at 10:01 a.m. and resumed at
19 10:08 a.m.)

20 AGENT FLETCHER: Would the parties in
21 the matter of Etto, please, come forward? You
22 are the ANC?

1 MR. SIMON: Yes, I am.

2 AGENT FLETCHER: Thank you. And would
3 you state your name and spell it for the record,
4 please?

5 MR. SIMON: Ian, I-A-N, Simon, S-I-M-
6 O-N.

7 AGENT FLETCHER: Mr. Ian, at around
8 10:02, the protest was dismissed because you
9 weren't here. The applicant was not willing to
10 wait to allow you time to arrive, but we talked
11 about the fact that you may arrive shortly. And
12 that if you did, I would reopen the case and
13 grant standing to the ANC. So that's what I'm
14 doing now.

15 Before you came, I dismissed the ANC
16 for failure to appear, but you will not get an
17 order dismissing your protest.

18 MR. SIMON: Okay.

19 AGENT FLETCHER: But that's just what
20 happened before you arrived.

21 ANC-2F does have standing as a
22 protestant. I'm going to give you some dates for

1 a Status Hearing and a Protest Hearing. And I'll
2 contact the owner, David Rosner, to let him know
3 what happened after he left.

4 The date for the Status Hearing is
5 June 12, 2019 at 9:30. June 12 at 9:30 for the
6 Status Hearing.

7 The Protest Hearing is set for July
8 17. July 17 at 1:30 p.m.

9 We also need to set a date for
10 mediation, but I'm not going to give you that
11 date right now. Instead, I'm going to send you
12 some dates by email to both you and Mr. Rosner to
13 let you pick a date that is most convenient.

14 MR. SIMON: Okay.

15 AGENT FLETCHER: Mr. Simon?

16 MR. SIMON: Yes.

17 AGENT FLETCHER: Did you fill in that
18 sign-in sheet?

19 MR. SIMON: No, but I will now.

20 AGENT FLETCHER: Okay. Thank you very
21 much because our further communication will be by
22 email. And so you are going to be the designated

1 representative in this matter?

2 MR. SIMON: Yes.

3 AGENT FLETCHER: Okay. Thank you. So
4 then communication will be with you.

5 MR. SIMON: I will also -- just to
6 clarify, so myself and one other ANC
7 Commissioner.

8 AGENT FLETCHER: Oh, that's fine.

9 MR. SIMON: Okay.

10 AGENT FLETCHER: Um-hum. Because you
11 are the commissioner that appeared today, you are
12 the one that is going to receive the Hearing
13 Notice and any information, at this stage.

14 Any questions, Mr. Simon?

15 MR. SIMON: May I just confirm the
16 dates?

17 AGENT FLETCHER: Um-hum.

18 MR. SIMON: Status Hearing June 12th?

19 AGENT FLETCHER: Um-hum.

20 MR. SIMON: 9:30 a.m.

21 AGENT FLETCHER: Yes.

22 MR. SIMON: Protest Hearing July 17th,

1 1:30 p.m.?

2 AGENT FLETCHER: That's it. Okay.

3 Well, thank you very much for coming.

4 MR. SIMON: Thank you.

5 AGENT FLETCHER: The Roll Call Hearing
6 is concluded. I'll be in touch.

7 (Whereupon, the Roll Call Hearing was
8 concluded at 10:11 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: Etto

Before: DC ABRA

Date: 05-13-19

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.

Neal R Gross

Court Reporter

NEAL R. GROSS

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