



**ALSO PRESENT:**

**ANITA NORMAN, COMMISSIONER, ANC 1B**

**JOHN SHAW, PROTESTANT**

**IVY KAYIRA, PROTESTANT**

**ALEX MEJIA, PROTESTANT**

**ANNA ELEW, PROTESTANT**

**DAVID RUDDY, PROTESTANT**

**SCOTT FROST, PROTESTANT**

**JAMES BAILEY, PROTESTANT**

**COLLEEN HENDRICKS, APPLICANT**

**SIDON YOHANNES, COUNSEL FOR APPLICANT**

**ROY ELLIS, APPLICANT**

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

2 9:56 a.m.

3 CHAIRMAN ANDERSON: Our next protest  
4 status hearing is Case No. 19-PRO-00090, Howard  
5 Theatre, License No. 88646. Would the parties  
6 please approach and identify themselves for the  
7 record, please? We'll start with the licensee.

8 MS. YOHANNES: Good morning, Sidon  
9 Yohannes on behalf of the licensee.

10 CHAIRMAN ANDERSON: Good morning, Ms.  
11 Yohannes.

12 MR. ELLIS: I'm Roy Ellis, on behalf  
13 of the Howard Theatre.

14 CHAIRMAN ANDERSON: Good morning, Mr.  
15 Ellis.

16 MS. HENDRICKS: Colleen Hendricks,  
17 from Howard Theatre.

18 CHAIRMAN ANDERSON: Good morning, Ms.  
19 Hendricks. Protestants.

20 MS. NORMAN: Anita Norman, ANC  
21 commissioner, 1B01.

22 CHAIRMAN ANDERSON: Good morning, Ms.

1 Norman.

2 MS. NORMAN: Also, Anita Norman, party  
3 of five representative.

4 CHAIRMAN ANDERSON: Good morning,  
5 again, Ms. Norman. Who are the protestants?  
6 It's just a party of five and the ANC? Who are  
7 the people here with you today?

8 MR. RUDDY: Good morning, sir. My  
9 name is David Ruddy. I'm a resident of 1811  
10 Wiltberger Street.

11 CHAIRMAN ANDERSON: Good morning, Mr.  
12 Ruddy.

13 MR. SHAW: John Shaw, 1801 Wiltberger  
14 Street.

15 CHAIRMAN ANDERSON: Good morning, Mr.  
16 Shaw. Can't hear you, ma'am.

17 MS. KAYIRA: Ivy Kayira, 617 F Street,  
18 Northwest.

19 CHAIRMAN ANDERSON: I did not hear  
20 your last name.

21 MS. KAYIRA: Kayira.

22 CHAIRMAN ANDERSON: Good morning, Ms.

1 Kayira. There's a sign-in sheet. I need  
2 everyone to also sign in, too. Who else do we  
3 have here?

4 MR. FROST: Scott Frost, 1803  
5 Wiltberger Street.

6 CHAIRMAN ANDERSON: Good morning, Mr.  
7 Frost.

8 MR. BAILEY: James Bailey, 1807  
9 Wiltberger.

10 CHAIRMAN ANDERSON: Good morning, Mr.  
11 Bailey.

12 MS. ELEW: Anna Bondurant 5825 Elew,  
13 1811 Wiltberger Street.

14 CHAIRMAN ANDERSON: I didn't get the  
15 last name.

16 MS. ELEW: My last name is Elew.

17 CHAIRMAN ANDERSON: Good morning, Ms.  
18 Elew.

19 MR. MEJIA: Alexander Mejia, 1801  
20 Wiltberger.

21 CHAIRMAN ANDERSON: Good morning, Mr.  
22 Mejia. Are there any preliminary matters that

1 needs to be brought to the Board's attention?

2 MS. YOHANNES: No preliminary matters  
3 for us.

4 CHAIRMAN ANDERSON: Yes, Ms. Norman.

5 MS. NORMAN: We worked diligently on  
6 a settlement agreement. There are several issues  
7 that we have compromised on. There are two  
8 remaining issues of concern that we have not come  
9 to an agreement on. They are permitting a  
10 settlement agreement from being put in place.

11 CHAIRMAN ANDERSON: This matter is  
12 scheduled for a protest hearing on October 30th,  
13 at 4:30. You still have a month to continue  
14 talking and continue to try to have a settlement  
15 agreement, which -- as you know, in the four  
16 years I've been here, I do support having  
17 settlement agreements.

18 If the matter cannot be settled, then  
19 the Board will make a decision. One of the  
20 reasons why I support settlement agreements is  
21 that this is your neighborhood. None of us  
22 necessarily live in that neighborhood. So it's

1 best if you can come together and make decisions  
2 about your neighborhood.

3 Because if you make the decision  
4 through a settlement agreement, then everyone  
5 leaves happy. If the Board makes a decision, one  
6 side of the other is not going to be happy. But  
7 if the Board has to make a decision, the Board  
8 will make the decision.

9 As I stated, this matter is scheduled  
10 for a short -- I'm sorry, protest hearing on  
11 October 30th, at 4:30 p.m. Now that we've  
12 scheduled this matter for a protest hearing,  
13 there are a few things that I would like to  
14 instruct you about, so that the protest hearing  
15 is focused and addresses only those issues that  
16 are being protested. You either have already  
17 received or will soon be receiving an email from  
18 Imani Moreland that contains a copy of the  
19 protest form and a copy of the exhibit form.

20 Both parties are required to complete  
21 and submit the protest information form and the  
22 exhibit form seven days before the hearing. If

1 we do not receive a copy of your PIF seven days  
2 before your application, your protest may be  
3 subject to dismissal. These forms not only need  
4 to be submitted to ABRA, but to the opposing  
5 parties, as well.

6 Please know that these documents  
7 greatly assist the Board in narrowing the protest  
8 issues, facilitating the process, and keeping the  
9 parties on point during the hearing. Each side  
10 will have 90 minutes to present its case. As you  
11 know, if this matter goes to a protest hearing,  
12 we have a protest hearing at 1:30 that day, too.  
13 Therefore, that tells us that the Board is going  
14 to have a very long day. Therefore, I will need  
15 the parties -- if we go to a protest hearing, to  
16 keep your arguments and testimony to the 90  
17 minutes because we're going to hold you to that.  
18 The Board does not intend to hear testimony on  
19 matters that is not relevant and that are being  
20 protested.

21 My position, also, too, if you're  
22 saying that if there are ten issues and if you



1       come to the hearing and you can agree on eight  
2       issues, let the Board know what the eight issues  
3       are. We can memorialize that as a part of the  
4       decision, and then the protest would only be on  
5       the other two issues.

6                 At least that would streamline it.  
7       That's something that the Board can do. If you  
8       have an agreement, you can let us know that we  
9       have agreed on this issue. If we have to make a  
10      decision, then we can put those agreements in an  
11      order. Then we just have the hearing on the  
12      remaining outstanding issues. Are there any  
13      questions by anyone?

14                MS. YOHANNES: No questions for us.

15                CHAIRMAN ANDERSON: Thank you very  
16      much for your cooperation. Again, if you have  
17      any questions at any point, please do not  
18      hesitate to contact Ms. April Randall, at  
19      202-442-4353. Thank you very much. If I do not  
20      see you on October 30th, the day before  
21      Halloween, I will not take it personal. That  
22      will tell me that the parties have worked the

1 matter out. But if not, I'll see you on October  
2 30th.

3 MS. YOHANNES: Thank you.

4 CHAIRMAN ANDERSON: Have a great day.  
5 Thank you.

6 (Whereupon, the above-entitled matter  
7 went off the record at 10:02 a.m.)

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<b>A</b>	<b>concern</b> 6:8 <b>contact</b> 9:18 <b>contains</b> 7:18 <b>continue</b> 6:13,14 <b>Control</b> 1:2,14,14 <b>cooperation</b> 9:16 <b>copy</b> 7:18,19 8:1 <b>COUNSEL</b> 2:14 <b>CROCKETT</b> 1:20 <b>CX</b> 1:8	<b>hold</b> 8:17 <b>Howard</b> 1:6,7 3:4,13,17	<b>7:2</b> <b>Norman</b> 2:5 3:20,20 4:1 4:2,2,5 6:4,5 <b>Northwest</b> 4:18 <b>NW</b> 1:7
<b>a.m</b> 3:2 10:7 <b>above-entitled</b> 10:6 <b>ABRA</b> 8:4 <b>addresses</b> 7:15 <b>agree</b> 9:1 <b>agreed</b> 9:9 <b>agreement</b> 6:6,9,10,15 7:4 9:8 <b>agreements</b> 6:17,20 9:10 <b>Alcoholic</b> 1:2,14,14 <b>ALEX</b> 2:8 <b>Alexander</b> 5:19 <b>ALIYA</b> 1:20 <b>ANC</b> 1:8 2:5 3:20 4:6 <b>Anderson</b> 1:16,19 3:3 3:10,14,18,22 4:4,11 4:15,19,22 5:6,10,14 5:17,21 6:4,11 9:15 10:4 <b>Anita</b> 2:5 3:20 4:2 <b>Anna</b> 2:9 5:12 <b>APPLICANT</b> 2:13,14,15 <b>application</b> 1:10 8:2 <b>approach</b> 3:6 <b>April</b> 9:18 <b>arguments</b> 8:16 <b>assist</b> 8:7 <b>attention</b> 6:1	<b>D</b>	<b>I</b>	<b>O</b>
<b>B</b>	<b>D.C</b> 1:15 <b>David</b> 2:10 4:9 <b>day</b> 8:12,14 9:20 10:4 <b>days</b> 7:22 8:1 <b>decision</b> 6:19 7:3,5,7,8 9:4,10 <b>decisions</b> 7:1 <b>diligently</b> 6:5 <b>dismissal</b> 8:3 <b>DISTRICT</b> 1:1 <b>documents</b> 8:6 <b>Donovan</b> 1:16,19	<b>J</b>	<b>P</b>
<b>Bailey</b> 2:12 5:8,8,11 <b>behalf</b> 3:9,12 <b>best</b> 7:1 <b>Beverage</b> 1:2,14,14 <b>Board</b> 1:2,14 6:19 7:5,7 7:7 8:7,13,18 9:2,7 <b>Board's</b> 6:1 <b>BOBBY</b> 1:21 <b>Bondurant</b> 5:12 <b>brought</b> 6:1 <b>Building</b> 1:15	<b>E</b>	<b>James</b> 1:22 2:12 5:8 <b>John</b> 2:6 4:13 <b>JR</b> 1:21	<b>P-R-O-C-E-E-D-I-N-G-S</b> 3:1 <b>p.m</b> 7:11 <b>part</b> 9:3 <b>parties</b> 3:5 7:20 8:5,9 8:15 9:22 <b>party</b> 4:2,6 <b>people</b> 4:7 <b>permitting</b> 6:9 <b>personal</b> 9:21 <b>PIF</b> 8:1 <b>place</b> 6:10 <b>please</b> 3:6,7 8:6 9:17 <b>point</b> 8:9 9:17 <b>position</b> 8:21 <b>preliminary</b> 5:22 6:2 <b>present</b> 1:17 2:3 8:10 <b>presiding</b> 1:16 <b>process</b> 8:8 <b>protest</b> 1:7 3:3 6:12 7:10,12,14,19,21 8:2 8:7,11,12,15 9:4 <b>PROTESTANT</b> 2:6,7,8 2:9,10,11,12 <b>protestants</b> 3:19 4:5 <b>protested</b> 7:16 8:20 <b>put</b> 6:10 9:10
<b>C</b>	<b>eight</b> 9:1,2 <b>either</b> 7:16 <b>Elew</b> 2:9 5:12,12,16,16 5:18 <b>Ellis</b> 2:15 3:12,12,15 <b>email</b> 7:17 <b>Entertainment</b> 1:6 <b>exhibit</b> 7:19,22	<b>K</b>	<b>Q</b>
<b>case</b> 1:9 3:4 8:10 <b>CATO</b> 1:21 <b>CHAIRMAN</b> 3:3,10,14 3:18,22 4:4,11,15,19 4:22 5:6,10,14,17,21 6:4,11 9:15 10:4 <b>Chairperson</b> 1:15,19 <b>Colleen</b> 2:13 3:16 <b>COLUMBIA</b> 1:1 <b>come</b> 6:8 7:1 9:1 <b>commissioner</b> 2:5 3:21 <b>complete</b> 7:20 <b>compromised</b> 6:7	<b>F</b>	<b>Kayira</b> 2:7 4:17,17,21 4:21 5:1 <b>keep</b> 8:16 <b>keeping</b> 8:8	<b>R</b>
<b>D</b>	<b>F</b> 4:17 <b>facilitating</b> 8:8 <b>five</b> 4:3,6 <b>focused</b> 7:15 <b>form</b> 7:19,19,21,22 <b>forms</b> 8:3 <b>four</b> 6:15 <b>Frost</b> 2:11 5:4,4,7	<b>L</b>	<b>questions</b> 9:13,14,17
<b>E</b>	<b>G</b>	<b>leaves</b> 7:5 <b>License</b> 1:8,10 3:5 <b>licensee</b> 3:7,9 <b>live</b> 6:22 <b>LLC</b> 1:6 <b>long</b> 8:14	<b>RAFI</b> 1:20 <b>Randall</b> 9:18 <b>reasons</b> 6:20 <b>receive</b> 8:1 <b>received</b> 7:17 <b>receiving</b> 7:17 <b>record</b> 3:7 10:7 <b>Reeves</b> 1:15 <b>relevant</b> 8:19 <b>remaining</b> 6:8 9:12 <b>Renew</b> 1:10 <b>representative</b> 4:3
<b>F</b>	<b>greatly</b> 8:7	<b>M</b>	
<b>Board</b> 1:2,14 6:19 7:5,7 7:7 8:7,13,18 9:2,7 <b>Board's</b> 6:1 <b>BOBBY</b> 1:21 <b>Bondurant</b> 5:12 <b>brought</b> 6:1 <b>Building</b> 1:15	<b>H</b>	<b>ma'am</b> 4:16 <b>matter</b> 1:5 6:11,18 7:9 7:12 8:11 10:1,6 <b>matters</b> 5:22 6:2 8:19 <b>MEETING</b> 1:3 <b>Mejia</b> 2:8 5:19,19,22 <b>Member</b> 1:20,21,22 <b>memorialize</b> 9:3 <b>met</b> 1:14 <b>minutes</b> 8:10,17 <b>month</b> 6:13 <b>Moreland</b> 7:18 <b>morning</b> 3:8,10,14,18 3:22 4:4,8,11,15,22 5:6,10,17,21	
<b>G</b>	<b>Halloween</b> 9:21 <b>happy</b> 7:5,6 <b>hear</b> 4:16,19 8:18 <b>hearing</b> 1:8,14 3:4 6:12 7:10,12,14,22 8:9,11 8:12,15 9:1,11 <b>Hendricks</b> 2:13 3:16,16 3:19 <b>hesitate</b> 9:18	<b>N</b>	
<b>H</b>		<b>N.W</b> 1:15 <b>name</b> 4:9,20 5:15,16 <b>narrowing</b> 8:7 <b>necessarily</b> 6:22 <b>need</b> 5:1 8:3,14 <b>needs</b> 6:1 <b>neighborhood</b> 6:21,22	

<p><b>required</b> 7:20  <b>resident</b> 4:9  <b>Retailer</b> 1:8  <b>Room</b> 1:15  <b>Roy</b> 2:15 3:12  <b>Ruddy</b> 2:10 4:8,9,12</p> <hr/> <p style="text-align: center;"><b>S</b></p> <p><b>saying</b> 8:22  <b>scheduled</b> 6:12 7:9,12  <b>Scott</b> 2:11 5:4  <b>September</b> 1:12  <b>settled</b> 6:18  <b>settlement</b> 6:6,10,14,17  6:20 7:4  <b>seven</b> 7:22 8:1  <b>Shaw</b> 2:6 4:13,13,16  <b>sheet</b> 5:1  <b>short</b> 1:22 7:10  <b>side</b> 7:6 8:9  <b>Sidon</b> 2:14 3:8  <b>sign</b> 5:2  <b>sign-in</b> 5:1  <b>sir</b> 4:8  <b>soon</b> 7:17  <b>sorry</b> 7:10  <b>start</b> 3:7  <b>stated</b> 7:9  <b>status</b> 1:8 3:4  <b>streamline</b> 9:6  <b>Street</b> 1:7,15 4:10,14,17  5:5,13  <b>subject</b> 8:3  <b>submit</b> 7:21  <b>submitted</b> 8:4  <b>Suite</b> 1:15  <b>support</b> 6:16,20</p> <hr/> <p style="text-align: center;"><b>T</b></p> <p><b>T</b> 1:7  <b>t/a</b> 1:7  <b>talking</b> 6:14  <b>tell</b> 9:22  <b>tells</b> 8:13  <b>ten</b> 8:22  <b>testimony</b> 8:16,18  <b>Thank</b> 9:15,19 10:3,5  <b>Theatre</b> 1:6,7 3:5,13,17  <b>things</b> 7:13  <b>today</b> 4:7  <b>try</b> 6:14  <b>two</b> 6:7 9:5</p> <hr/> <p style="text-align: center;"><b>U</b></p> <hr/> <p style="text-align: center;"><b>V</b></p> <hr/> <p style="text-align: center;"><b>W</b></p>	<p><b>W</b> 1:16,19  <b>Washington</b> 1:15  <b>Wednesday</b> 1:12  <b>went</b> 10:7  <b>Wiltberger</b> 4:10,13 5:5  5:9,13,20  <b>worked</b> 6:5 9:22</p> <hr/> <p style="text-align: center;"><b>X</b></p> <hr/> <p style="text-align: center;"><b>Y</b></p> <hr/> <p><b>years</b> 6:16  <b>Yohannes</b> 2:14 3:8,9,11  6:2 9:14 10:3</p> <hr/> <p style="text-align: center;"><b>Z</b></p> <hr/> <p style="text-align: center;"><b>0</b></p> <hr/> <p style="text-align: center;"><b>1</b></p> <hr/> <p><b>1:30</b> 8:12  <b>10:02</b> 10:7  <b>14th</b> 1:15  <b>1801</b> 4:13 5:19  <b>1803</b> 5:4  <b>1807</b> 5:8  <b>1811</b> 4:9 5:13  <b>19-PRO-00090</b> 1:9 3:4  <b>1B</b> 1:8 2:5  <b>1B01</b> 3:21</p> <hr/> <p style="text-align: center;"><b>2</b></p> <hr/> <p><b>2000</b> 1:15  <b>20009</b> 1:15  <b>2019</b> 1:12  <b>202-442-4353</b> 9:19  <b>25</b> 1:12</p> <hr/> <p style="text-align: center;"><b>3</b></p> <hr/> <p><b>30th</b> 6:12 7:11 9:20  10:2</p> <hr/> <p style="text-align: center;"><b>4</b></p> <hr/> <p><b>4:30</b> 6:13 7:11  <b>400S</b> 1:15</p> <hr/> <p style="text-align: center;"><b>5</b></p> <hr/> <p><b>5825</b> 5:12</p> <hr/> <p style="text-align: center;"><b>6</b></p> <hr/> <p><b>617</b> 4:17  <b>620</b> 1:7</p> <hr/> <p style="text-align: center;"><b>7</b></p> <hr/> <p style="text-align: center;"><b>8</b></p> <hr/> <p><b>88646</b> 1:8 3:5</p>	<hr/> <p style="text-align: center;"><b>9</b></p> <hr/> <p><b>9:56</b> 3:2  <b>90</b> 8:10,16</p>
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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: Howard Theatre

Before: DCABRA

Date: 09-25-19

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.



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Court Reporter

**NEAL R. GROSS**

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