

DISTRICT OF COLUMBIA  
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 ALCOHOLIC BEVERAGE CONTROL BOARD  
 + + + + +  
 ROLL CALL HEARING  
 + + + + +

IN THE MATTER OF:	:
	:
Red & Black, LLC,	:
t/a 12 Twelve DC/	:
Kyss Kyss	:
1210-1212 H Street, NE	: Roll Call
Retailer CT - ANC 6A	: Hearing
License No. ABRA-072734	:
Case #19-PRO-00081	:
	:
(Substantial Change -	:
(Sidewalk Café With 4	:
Seats)	:

MONDAY, JULY 8, 2019

+ + + + +

The Alcoholic Beverage Control Board  
 met in Alcoholic Beverage Control Hearing Room,  
 Reeves Building, 2000 14th Street N.W.,  
 Washington, D.C., Ms. LaVerne Fletcher, Agent,  
 presiding.

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

2 10:10 a.m.

3 AGENT FLETCHER: Would the parties in  
4 the matter of 12 Twelve DC/Kyss Kyss, please,  
5 come forward? Is the applicant present in the  
6 matter of 12 Twelve DC/Kyss Kyss? This is Case  
7 No. 19-PRO-00081, Red & Black, LLC, 1210-1212 H  
8 Street, N.E., License No. ABRA-072734. This is a  
9 Retailer Class CT substantial change, sidewalk  
10 cafe with 4 seats.

11 The protest issues are adverse impact  
12 on peace, order and quiet.

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

15 Present on behalf of ANC-6A?

16 MR. WILLIAMS: Good morning, ms.  
17 Fletcher. Jay Williams, J-A-Y W-I-L-L-I-A-M-S,  
18 on behalf of ANC 6A.

19 AGENT FLETCHER: Thank you, Mr.  
20 Williams. Any communication with 12 Twelve DC?

21 MR. WILLIAMS: No, ma'am, not so far.

22 AGENT FLETCHER: Thank you. The

1 application is dismissed because the applicant is  
2 not present.

3 Thank you for coming, Mr. Williams.  
4 We will keep you posted.

5 MR. WILLIAMS: Thank you very much.

6 AGENT FLETCHER: Thank you.

7 (Whereupon, the above-entitled matter  
8 went off the record at 10:11 a.m. and resumed at  
9 10:59 a.m.)

10 AGENT FLETCHER: We are reopening the  
11 case of 12 Twelve DC/Kyss Kyss. We are reopening  
12 the case. It is approximately 11:00. The  
13 applicant just appeared, so we are reopening the  
14 case to give the applicant an opportunity to  
15 introduce herself. And if you could state your  
16 name and spell it for the record, please?

17 MS. FLETCHER: Michele Fletcher.

18 AGENT FLETCHER: How do you spell  
19 Michele?

20 MS. FLETCHER: M-I-C-H-E-L-E.

21 AGENT FLETCHER: Uh-huh.

22 MS. FLETCHER: Fletcher, F-L-E-T-C-H-

1 E-R.

2 AGENT FLETCHER: Okay. Ms. Fletcher,  
3 the time is approximately 11:00, just so that you  
4 know, Ms. Fletcher, prior to your arrival, your  
5 application was dismissed because you weren't  
6 present, but you are here now.

7 MS. FLETCHER: Yes, ma'am.

8 AGENT FLETCHER: And so your -- that  
9 is retracted. Your application stands, because  
10 you appeared.

11 MS. FLETCHER: Yes, ma'am.

12 AGENT FLETCHER: Can you -- do you  
13 have any particular reason for why you arrived at  
14 11:00? I mean, did you have any -- well --

15 MS. FLETCHER: I was here since 9:30,  
16 but when you were not sitting there, my phone  
17 rung for the lady that I paid to come and --

18 AGENT FLETCHER: Oh.

19 MS. FLETCHER: -- I went out, because  
20 I know no phones are supposed to be here.

21 AGENT FLETCHER: Yes.

22 MS. FLETCHER: So I was standing

1 there. I saw you start --

2 AGENT FLETCHER: Yes.

3 MS. FLETCHER: -- and in my head, I  
4 went down the calendar and it was No. 3.

5 AGENT FLETCHER: Oh.

6 MS. FLETCHER: So I said okay, it will  
7 be one, two and I'm saying yeah, well, they say  
8 it's going to be a different date, then I hung  
9 up. And I was sitting --

10 AGENT FLETCHER: Yes.

11 MS. FLETCHER: -- there every since.

12 AGENT FLETCHER: Yes. I actually saw  
13 you.

14 MS. FLETCHER: Yeah.

15 AGENT FLETCHER: I just didn't know  
16 which case you were here for. I did see you.

17 MS. FLETCHER: Yeah. So that's --

18 AGENT FLETCHER: So thank you.

19 MS. FLETCHER: -- I thought it was  
20 like well, three, but it was not three. I don't  
21 know. Okay.

22 AGENT FLETCHER: Well, thank you very

1 much.

2 MS. FLETCHER: Yes.

3 AGENT FLETCHER: ANC-6A filed a  
4 protest.

5 MS. FLETCHER: Yes.

6 AGENT FLETCHER: As you know, and so  
7 Jay Williams was present on behalf of the ANC. I  
8 didn't set any dates for upcoming proceedings  
9 since you weren't here, but I'm going to give you  
10 the dates.

11 MS. FLETCHER: Okay.

12 AGENT FLETCHER: And I'm going to give  
13 Mr. Williams those dates. I'll contact him and  
14 let him know that you did show up.

15 MS. FLETCHER: Okay.

16 AGENT FLETCHER: And I'm going to give  
17 him the dates that I give you right now.

18 MS. FLETCHER: Okay.

19 AGENT FLETCHER: There is going to be  
20 a Status Hearing before the ABC Board on  
21 September the 18th at 9:30. That's September 18th  
22 at 9:30 a.m.

1 MS. FLETCHER: Status Hearing, right?

2 AGENT FLETCHER: On September 18 at  
3 9:30 a.m. --

4 MS. FLETCHER: Uh-huh.

5 AGENT FLETCHER: -- for the Status  
6 Hearing.

7 MS. FLETCHER: Yes, ma'am.

8 AGENT FLETCHER: The Protest Hearing  
9 is set for October 30, that's the Protest  
10 Hearing.

11 MS. FLETCHER: Okay.

12 AGENT FLETCHER: October 30 at 1:30  
13 p.m. And we will need to set a date for  
14 mediation, but I'm going to send you and Mr.  
15 Williams an email --

16 MS. FLETCHER: Okay.

17 AGENT FLETCHER: -- to give you some  
18 dates to consider for mediation, because it has  
19 to be date that you are both available on.

20 MS. FLETCHER: Okay. No problem. And  
21 you will email this address or the one you have  
22 on file?

1                   AGENT FLETCHER:  Whichever one you  
2                   give.  Whichever one you tell us to use, we will  
3                   just use one.

4                   MS. FLETCHER:  You can use the  
5                   1212bosses.

6                   AGENT FLETCHER:  Well, let me see if  
7                   we have that on file.  Let me see.  Put it on the  
8                   sign-in sheet anyway.

9                   MS. FLETCHER:  Okay.

10                  AGENT FLETCHER:  But I'm just going to  
11                  look and see.  Yes, so we -- in our protest file,  
12                  we actually don't have an email address for you,  
13                  although you may have put one on your  
14                  application.

15                  MS. FLETCHER:  Okay.

16                  AGENT FLETCHER:  So whatever address  
17                  you put on that sign-in sheet is the one we are  
18                  going to use.

19                  MS. FLETCHER:  Okay.  It doesn't make  
20                  a difference.  It's either the business or my  
21                  personal.

22                  AGENT FLETCHER:  Hum?



1 MS. FLETCHER: I said both of them are  
2 going to be at my business and personal.

3 AGENT FLETCHER: Which one do you want  
4 us to use?

5 MS. FLETCHER: Oh, business will be  
6 fine.

7 AGENT FLETCHER: Okay. Thank you.

8 MS. FLETCHER: Okay.

9 AGENT FLETCHER: At least we have a  
10 backup.

11 MS. FLETCHER: Okay.

12 AGENT FLETCHER: Okay. Well, Ms.  
13 Fletcher, thank you for coming.

14 MS. FLETCHER: Yes.

15 AGENT FLETCHER: We will be in touch.

16 MS. FLETCHER: All right, Ms.  
17 Fletcher.

18 AGENT FLETCHER: Okay.

19 MS. FLETCHER: Thank you.

20 AGENT FLETCHER: All right. Take  
21 care.

22 MS. FLETCHER: Bye-bye.

1                   AGENT FLETCHER: The Roll Call Hearing  
2 is concluded. Thank you.

3                   (Whereupon, the Roll Call Hearing was  
4 concluded at 11:03 a.m.)

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<p style="text-align: center;"><b>A</b></p> <p>a.m 2:2 3:8,9 6:22 7:3 10:4 ABC 6:20 above-entitled 3:7 ABRA-072734 1:9 2:8 address 7:21 8:12,16 adverse 2:11 Agent 1:18 2:3,14,19,22 3:6,10,18,21 4:2,8,12 4:18,21 5:2,5,10,12 5:15,18,22 6:3,6,12 6:16,19 7:2,5,8,12,17 8:1,6,10,16,22 9:3,7,9 9:12,15,18,20 10:1 Alcoholic 1:2,17,17 ANC 1:9 2:18 6:7 ANC-6A 2:15 6:3 anyway 8:8 appeared 3:13 4:10 applicant 2:5 3:1,13,14 application 3:1 4:5,9 8:14 approximately 3:12 4:3 arrival 4:4 arrived 4:13 available 7:19</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p>backup 9:10 behalf 2:15,18 6:7 Beverage 1:2,17,17 Black 1:7 2:7 Board 1:2,17 6:20 Board's 2:14 Building 1:18 business 8:20 9:2,5 Bye-bye 9:22</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p>cafe 2:10 Café 1:11 calendar 5:4 Call 1:3,8 2:14 10:1,3 care 9:21 case 1:10 2:6 3:11,12 3:14 5:16 change 1:11 2:9 Class 2:9 COLUMBIA 1:1 come 2:5 4:17 coming 3:3 9:13 communication 2:20 concluded 10:2,4 conducting 2:13 consider 7:18 contact 6:13 Control 1:2,17,17</p>	<p>CT 1:9 2:9</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p>D.C 1:18 date 5:8 7:13,19 dates 6:8,10,13,17 7:18 DC 2:20 DC/ 1:7 DC/Kyss 2:4,6 3:11 difference 8:20 different 5:8 dismissed 3:1 4:5 DISTRICT 1:1</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p>E-R 4:1 either 8:20 email 7:15,21 8:12</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p>F-L-E-T-C-H- 3:22 far 2:21 file 7:22 8:7,11 filed 6:3 fine 9:6 Fletcher 1:18 2:3,13,17 2:19,22 3:6,10,17,17 3:18,20,21,22,22 4:2 4:2,4,7,8,11,12,15,18 4:19,21,22 5:2,3,5,6 5:10,11,12,14,15,17 5:18,19,22 6:2,3,5,6 6:11,12,15,16,18,19 7:1,2,4,5,7,8,11,12,16 7:17,20 8:1,4,6,9,10 8:15,16,19,22 9:1,3,5 9:7,8,9,11,12,13,14 9:15,16,17,18,19,20 9:22 10:1 forward 2:5</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p>give 3:14 6:9,12,16,17 7:17 8:2</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p>H 1:8 2:7 head 5:3 Hearing 1:3,9,17 2:14 6:20 7:1,6,8,10 10:1,3 Hum 8:22 hung 5:8</p> <hr/> <p style="text-align: center;"><b>I</b></p> <p>impact 2:11 introduce 3:15 issues 2:11</p>	<hr/> <p style="text-align: center;"><b>J</b></p> <p>J-A-Y 2:17 Jay 2:17 6:7 JULY 1:14</p> <hr/> <p style="text-align: center;"><b>K</b></p> <p>keep 3:4 Kyss 1:8,8 2:4,6 3:11</p> <hr/> <p style="text-align: center;"><b>L</b></p> <p>lady 4:17 LaVerne 1:18 2:13 License 1:9 2:8 LLC 1:7 2:7 look 8:11</p> <hr/> <p style="text-align: center;"><b>M</b></p> <p>M-I-C-H-E-L-E 3:20 ma'am 2:21 4:7,11 7:7 matter 1:6 2:4,6 3:7 mean 4:14 mediation 7:14,18 met 1:17 Michele 3:17,19 MONDAY 1:14 morning 2:16</p> <hr/> <p style="text-align: center;"><b>N</b></p> <p>N.E 2:8 N.W 1:18 name 2:13 3:16 NE 1:8 need 7:13</p> <hr/> <p style="text-align: center;"><b>O</b></p> <p>October 7:9,12 opportunity 3:14 order 2:12</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p>P-R-O-C-E-E-D-I-N-G-S 2:1 p.m 7:13 paid 4:17 particular 4:13 parties 2:3 peace 2:12 personal 8:21 9:2 phone 4:16 phones 4:20 please 2:4 3:16 posted 3:4 present 2:5,15 3:2 4:6 6:7 presiding 1:19 prior 4:4 problem 7:20</p>	<p>proceedings 6:8 protest 2:11 6:4 7:8,9 8:11 put 8:7,13,17</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <p>quiet 2:12</p> <hr/> <p style="text-align: center;"><b>R</b></p> <p>reason 4:13 record 3:8,16 Red 1:7 2:7 Reeves 1:18 reopening 3:10,11,13 resumed 3:8 Retailer 1:9 2:9 retracted 4:9 Roll 1:3,8 2:14 10:1,3 Room 1:17 rung 4:17</p> <hr/> <p style="text-align: center;"><b>S</b></p> <p>saw 5:1,12 saying 5:7 seats 1:12 2:10 send 7:14 September 6:21,21 7:2 set 6:8 7:9,13 sheet 8:8,17 show 6:14 sidewalk 1:11 2:9 sign-in 8:8,17 sitting 4:16 5:9 spell 3:16,18 standing 4:22 stands 4:9 start 5:1 state 3:15 Status 6:20 7:1,5 Street 1:8,18 2:8 substantial 1:11 2:9 supposed 4:20</p> <hr/> <p style="text-align: center;"><b>T</b></p> <p>t/a 1:7 tell 8:2 thank 2:19,22 3:3,5,6 5:18,22 9:7,13,19 10:2 thought 5:19 three 5:20,20 touch 9:15 Twelve 1:7 2:4,6,20 3:11 two 5:7</p> <hr/> <p style="text-align: center;"><b>U</b></p> <p>upcoming 6:8</p>
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**use** 8:2,3,4,18 9:4

**9:30** 4:15 6:21,22 7:3

**V**

**W**

**W-I-L-L-I-A-M-S** 2:17

**Washington** 1:18

**went** 3:8 4:19 5:4

**weren't** 4:5 6:9

**Whichever** 8:1,2

**Williams** 2:16,17,20,21  
3:3,5 6:7,13 7:15

**X**

**Y**

**Z**

**0**

**1**

**1:30** 7:12

**10:10** 2:2

**10:11** 3:8

**10:59** 3:9

**11:00** 3:12 4:3,14

**11:03** 10:4

**12** 1:7 2:4,6,20 3:11

**1210-1212** 1:8 2:7

**1212bosses** 8:5

**14th** 1:18

**18** 7:2

**18th** 6:21,21

**19-PRO-00081** 1:10 2:7

**2**

**2000** 1:18

**2019** 1:14

**3**

**3** 5:4

**30** 7:9,12

**4**

**4** 1:11 2:10

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**6**

**6A** 1:9 2:18

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**8**

**8** 1:14

**9**

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Kyss Kyss

Before: DC ABRA

Date: 07-08-19

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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