

ALSO PRESENT:

MICHAEL WRAY, ANC 1A

MERCEDEZ RAMIREZ, APPLICANT

BLANCA AVILES, APPLICANT

ERIK SEJAS, INTERPRETER

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

2 9:43 a.m.

3 CHAIRMAN ANDERSON: Good morning,
4 everyone. I would like to welcome you to the
5 regularly scheduled meeting of the District of
6 Columbia Alcohol and Beverage Control Board.
7 Today is September 25, 2019. I would like to
8 introduce members of the board with us today. To
9 my far right is Ms. Rafi Crockett.

10 To my immediate right is Mr. Bobby
11 Cato, and to my immediate left is Mr. James
12 Short. My name is Donovan Anderson. I'm
13 chairman of the Board. We have four members in
14 attendance today, and we do have a quorum to
15 conduct business. I would like to mention three
16 things before we get started.

17 First of all, if you have any
18 electronic devices, pagers, cell phones or such,
19 please make certain they're turned off to avoid
20 any interruption of the proceeding. Secondly,
21 there is a piece of paper on each table.

22 When you come forward, as your case is

1 called, please take a seat at the table and
2 please sign in. This is to ensure the correct
3 spelling of your name for the record. Lastly,
4 please note that today's hearings -- today's
5 meeting of the Alcohol and Beverage Control Board
6 is governed by the Open Meetings Act. Please
7 address any concerns or complaints to the Office
8 of Open Government at opengovoffice@dc.gov. I
9 will note that our approximate time is 9:46 a.m.
10 Our first order of business is a protest hearing
11 status case, No. 19-PRO-00088, La Morenita
12 Restaurant, License No. 86595. Would all parties
13 who are here for La Morenita Restaurant please
14 appear.

15 INTERPRETER: Good morning, Mr.
16 Chairman. I'm Erik Sejas, the Spanish
17 interpreter hired by ABRA.

18 CHAIRMAN ANDERSON: Hold on one
19 minute, please. I'm sorry; your name again,
20 please?

21 INTERPRETER: Yes, Mr. Chairman, my
22 name is Erik Sejas.

1 CHAIRMAN ANDERSON: Can you raise your
2 right hand, please? Do you -- I can't speak this
3 morning. Do you solemnly affirm that you will
4 faithfully and accurately interpret the
5 proceedings in this matter from English to
6 Spanish, and from Spanish to English, to the best
7 of your ability?

8 INTERPRETER: Yes, I do, Mr. Chairman.

9 CHAIRMAN ANDERSON: All right, have a
10 seat, please. Could the parties please identify
11 themselves for the record? I'll start with the
12 licensee. I'm sorry; you're the protestant, I'm
13 sorry. Go ahead, sir.

14 MR. WRAY: Michael Wray, W-R-A-Y, ANC
15 1A.

16 CHAIRMAN ANDERSON: Good morning, Mr.
17 Wray. I would like the -- to introduce
18 themselves for the record.

19 MS. AVILES: My name is Blanca Aviles.

20 CHAIRMAN ANDERSON: Who is Ms. Aviles?

21 MS. AVILES: I am.

22 CHAIRMAN ANDERSON: No, what's your

1 relationship to the establishment?

2 MS. AVILES: I am the owner.

3 CHAIRMAN ANDERSON: All right, thank
4 you. Who is the next person?

5 MS. RAMIREZ: Should I say my name?

6 CHAIRMAN ANDERSON: Yes.

7 MS. RAMIREZ: Mercedes Segura Ramirez.

8 CHAIRMAN ANDERSON: Who is she,
9 please, to the establishment?

10 MS. AVILES: She works for me. She is
11 in charge.

12 CHAIRMAN ANDERSON: All right, fine.
13 There's a sign-in sheet on the table. Make sure
14 that both people sign in their names, please.
15 Are there any preliminary matters that need to be
16 brought to the attention of the Board? This is
17 not about -- when I ask preliminary matters, not
18 about the substance, just if there's any
19 issues/concerns you want to bring to the
20 attention of the Board.

21 MS. AVILES: That we were going to
22 come to an agreement, and we were going to pay a

1 fine.

2 CHAIRMAN ANDERSON: We don't need to
3 -- I was just asking not -- if you guys are going
4 to come to an agreement, then you do that. That
5 doesn't concern us. From the protestant, at
6 least at this juncture, from the protestant's
7 perspective, was there any preliminary matters
8 that needs to be brought to the attention of the
9 Board?

10 MR. WRAY: No, sir.

11 CHAIRMAN ANDERSON: No? Okay. This
12 matter is scheduled for a protest hearing on
13 October 30th, at 1:30 p.m.

14 INTERPRETER: The interpreter requests
15 repetition, please, the date and the time.

16 CHAIRMAN ANDERSON: October 30th, at
17 1:30. I always -- the Board supports settlements
18 because this is your neighborhood. You live in
19 -- I'm sorry. I prefer both parties working
20 together to settle the matter. If you're unable
21 to do that, then the Board, of course, will make
22 this decision. Now that we have scheduled this

1 matter for a protest hearing, there are a few
2 things that I would like to instruct you about,
3 so that the protest hearing is focused and
4 addresses only those issues that are being
5 protested.

6 You either have already received or
7 will be receiving an email from Imani Moreland
8 that contains a copy of the protest information
9 form and a copy of the exhibit form. Both
10 parties are required to complete and submit the
11 protest information form and the exhibit form at
12 least seven days before the date of the hearing.

13 If we do not receive a copy of your
14 forms seven days before the hearing, your
15 application or your protest may be subject to
16 dismissal. These documents not only need to be
17 submitted to ABRA, but to the opposing party, as
18 well. Please note that these documents greatly
19 assist the board in narrowing the protest issues,
20 facilitating the process, and keeping the parties
21 on point during the hearing.

22 Each side will have 90 minutes to

1 present its case. This includes all direct and
2 cross-examination of witnesses. The Board does
3 not intend to hear testimony on matters that are
4 not relevant to those issues that are being
5 protested, nor will the Board tolerate repetitive
6 testimony. Are there any questions?

7 MS. AVILES: No.

8 CHAIRMAN ANDERSON: We thank you very
9 much for your cooperation. If you have any
10 questions at any point, please contact Assistant
11 General Counsel April Randall.

12 INTERPRETER: Just want to confirm,
13 this is October 30th, 1:30.

14 CHAIRMAN ANDERSON: Yes, if the matter
15 is not settled, if you do not have a settlement
16 agreement, then we'll have a hearing here October
17 30th, at 1:30. What this means is that seven
18 days before, both sides need to exchange the
19 documents that they're going to rely upon. Our
20 office is here to work with you if you do not
21 understand the process.

22 MS. AVILES: Thank you.

1 CHAIRMAN ANDERSON: I'm going to give
2 you, again, Ms. Randall's phone number. It's
3 202-442-4353.

4 INTERPRETER: Interpreter requests
5 repetition, please, 202-442 --

6 CHAIRMAN ANDERSON: 4353. This is for
7 both sides. I will just support the fact that
8 you can continue to talk. If you have a
9 settlement agreement, then we won't have a
10 hearing. Good luck, and if not, I will see you
11 on October 30th, at 1:30.

12 MS. AVILES: Thank you.

13 MR. WRAY: Thank you.

14 INTERPRETER: Thank you, Mr. Chairman.

15 CHAIRMAN ANDERSON: Thank you very
16 much.

17 (Whereupon, the above-entitled matter
18 went off the record at 9:56 a.m.)

19

20

21

22

<p style="text-align: center;">A</p> <p>a.m 3:2 4:9 10:18 ability 5:7 above-entitled 10:17 ABRA 4:17 8:17 accurately 5:4 Act 4:6 address 4:7 addresses 8:4 affirm 5:3 agreement 6:22 7:4 9:16 10:9 ahead 5:13 Alcohol 3:6 4:5 Alcoholic 1:2,14,15 ALIYA 1:19 ANC 1:8 2:11 5:14 Anderson 1:16,18 3:3 3:12 4:18 5:1,9,16,20 5:22 6:3,6,8,12 7:2,11 7:16 9:8,14 10:1,6,15 appear 4:14 APPLICANT 2:12,13 application 1:10 8:15 approximate 4:9 April 9:11 asking 7:3 assist 8:19 Assistant 9:10 attendance 3:14 attention 6:16,20 7:8 Avenue 1:8 Aviles 2:13 5:19,19,20 5:21 6:2,10,21 9:7,22 10:12 avoid 3:19</p>	<p>4:18,21 5:1,8,9,16,20 5:22 6:3,6,8,12 7:2,11 7:16 9:8,14 10:1,6,14 10:15 Chairperson 1:16,18 charge 6:11 Columbia 1:1 3:6 come 3:22 6:22 7:4 complaints 4:7 complete 8:10 concern 7:5 concerns 4:7 conduct 3:15 confirm 9:12 contact 9:10 contains 8:8 continue 10:8 Control 1:2,14,15 3:6 4:5 cooperation 9:9 copy 8:8,9,13 correct 4:2 Counsel 9:11 course 7:21 CR 1:8 Crockett 1:19 3:9 cross-examination 9:2</p>	<p>first 3:17 4:10 focused 8:3 form 8:9,9,11,11 forms 8:14 forward 3:22 four 3:13</p> <p style="text-align: center;">G</p> <p>General 9:11 Georgia 1:8 give 10:1 governed 4:6 Government 4:8 greatly 8:18</p> <p style="text-align: center;">H</p> <p>hand 5:2 hear 9:3 hearing 1:8,15 4:10 7:12 8:1,3,12,14,21 9:16 10:10 hearings 4:4 hired 4:17 Hold 4:18</p>	<p>luck 10:10</p> <p style="text-align: center;">M</p> <p>matter 1:5 5:5 7:12,20 8:1 9:14 10:17 matters 6:15,17 7:7 9:3 means 9:17 meeting 1:3 3:5 4:5 Meetings 4:6 Member 1:19,19,20 members 3:8,13 mention 3:15 Mercedez 2:12 6:7 met 1:15 Michael 2:11 5:14 minute 4:19 minutes 8:22 Moreland 8:7 Morenita 1:6,7 4:11,13 morning 3:3 4:15 5:3 5:16</p>
<p style="text-align: center;">B</p> <p>best 5:6 Beverage 1:2,14,15 3:6 4:5 Blanca 2:13 5:19 board 1:2,14 3:6,8,13 4:5 6:16,20 7:9,17,21 8:19 9:2,5 Bobby 1:19 3:10 bring 6:19 brought 6:16 7:8 Building 1:15 business 3:15 4:10</p>	<p style="text-align: center;">D</p> <p>D.C 1:16 date 7:15 8:12 days 8:12,14 9:18 decision 7:22 devices 3:18 direct 9:1 dismissal 8:16 District 1:1 3:5 documents 8:16,18 9:19 Donovan 1:16,18 3:12</p>	<p style="text-align: center;">I</p> <p>identify 5:10 Imani 8:7 immediate 3:10,11 includes 9:1 information 8:8,11 instruct 8:2 intend 9:3 interpret 5:4 interpreter 2:14 4:15,17 4:21 5:8 7:14,14 9:12 10:4,4,14 interruption 3:20 introduce 3:8 5:17 issues 8:4,19 9:4 issues/concerns 6:19</p>	<p style="text-align: center;">N</p> <p>N.W 1:15 name 3:12 4:3,19,22 5:19 6:5 names 6:14 narrowing 8:19 need 6:15 7:2 8:16 9:18 needs 7:8 neighborhood 7:18 note 4:4,9 8:18 number 10:2 NW 1:8</p>
<p style="text-align: center;">C</p> <p>called 4:1 case 1:9 3:22 4:11 9:1 Cato 1:19 3:11 cell 3:18 certain 3:19 chairman 3:3,13 4:16</p>	<p style="text-align: center;">E</p> <p>either 8:6 electronic 3:18 email 8:7 English 5:5,6 ensure 4:2 Erik 2:14 4:16,22 establishment 6:1,9 exchange 9:18 exhibit 8:9,11</p>	<p style="text-align: center;">J</p> <p>James 1:20 3:11 JR 1:19 junction 7:6</p>	<p style="text-align: center;">O</p> <p>October 7:13,16 9:13 9:16 10:11 office 4:7 9:20 Open 4:6,8 opengovoffice@dc.g... 4:8 opposing 8:17 order 4:10 owner 6:2</p>
<p style="text-align: center;">C</p> <p>called 4:1 case 1:9 3:22 4:11 9:1 Cato 1:19 3:11 cell 3:18 certain 3:19 chairman 3:3,13 4:16</p>	<p style="text-align: center;">F</p> <p>facilitating 8:20 fact 10:7 faithfully 5:4 far 3:9 fine 6:12 7:1</p>	<p style="text-align: center;">K</p> <p>keeping 8:20</p>	<p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-I-N-G-S 3:1 p.m 7:13 paggers 3:18 paper 3:21 parties 4:12 5:10 7:19 8:10,20 party 8:17 pay 6:22 people 6:14 person 6:4</p>
<p style="text-align: center;">C</p> <p>called 4:1 case 1:9 3:22 4:11 9:1 Cato 1:19 3:11 cell 3:18 certain 3:19 chairman 3:3,13 4:16</p>	<p style="text-align: center;">F</p> <p>facilitating 8:20 fact 10:7 faithfully 5:4 far 3:9 fine 6:12 7:1</p>	<p style="text-align: center;">L</p> <p>La 1:6,7 4:11,13 Lastly 4:3 left 3:11 License 1:9,11 4:12 licensee 5:12 live 7:18 LLC 1:6</p>	<p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-I-N-G-S 3:1 p.m 7:13 paggers 3:18 paper 3:21 parties 4:12 5:10 7:19 8:10,20 party 8:17 pay 6:22 people 6:14 person 6:4</p>

perspective 7:7
phone 10:2
phones 3:18
piece 3:21
please 3:19 4:1,2,4,6,13
 4:19,20 5:2,10,10 6:9
 6:14 7:15 8:18 9:10
 10:5
point 8:21 9:10
prefer 7:19
preliminary 6:15,17 7:7
present 1:17 2:9 9:1
presiding 1:16
proceeding 3:20
proceedings 5:5
process 8:20 9:21
protest 1:8 4:10 7:12
 8:1,3,8,11,15,19
protestant 5:12 7:5
protestant's 7:6
protested 8:5 9:5

Q

questions 9:6,10
quorum 3:14

R

Rafi 1:19 3:9
raise 5:1
Ramirez 2:12 6:5,7,7
Randall 9:11
Randall's 10:2
receive 8:13
received 8:6
receiving 8:7
record 4:3 5:11,18
 10:18
Reeves 1:15
regularly 3:5
relationship 6:1
relevant 9:4
rely 9:19
Renew 1:10
repetition 7:15 10:5
repetitive 9:5
requests 7:14 10:4
required 8:10
Restaurant 1:6,7 4:12
 4:13
Retailer 1:8
Room 1:15

S

scheduled 3:5 7:12,22
seat 4:1 5:10
Secondly 3:20
Segura 6:7
Sejas 2:14 4:16,22

September 1:13 3:7
settle 7:20
settled 9:15
settlement 9:15 10:9
settlements 7:17
seven 8:12,14 9:17
sheet 6:13
Short 1:20 3:12
side 8:22
sides 9:18 10:7
sign 4:2 6:14
sign-in 6:13
sir 5:13 7:10
solemnly 5:3
sorry 4:19 5:12,13 7:19
Spanish 4:16 5:6,6
speak 5:2
spelling 4:3
start 5:11
started 3:16
status 1:8 4:11
Street 1:15
subject 8:15
submit 8:10
submitted 8:17
substance 6:18
Suite 1:16
support 10:7
supports 7:17

T

t/a 1:7
table 3:21 4:1 6:13
talk 10:8
testimony 9:3,6
thank 6:3 9:8,22 10:12
 10:13,14,15
things 3:16 8:2
three 3:15
today 3:7,8,14
today's 4:4,4
tolerate 9:5
turned 3:19

U

unable 7:20
understand 9:21

V

W

W 1:16,18
W-R-A-Y 5:14
Washington 1:16
Wednesday 1:12
welcome 3:4
went 10:18
witnesses 9:2

work 9:20
working 7:19
works 6:10
Wray 2:11 5:14,14,17
 7:10 10:13

X

Y

Z

0

1

1:30 7:13,17 9:13,17
 10:11
14th 1:15
19-PRO-00088 1:9 4:11
1A 1:8 2:11 5:15

2

2000 1:15
20009 1:16
2019 1:13 3:7
202-442 10:5
202-442-4353 10:3
25 1:13 3:7

3

30th 7:13,16 9:13,17
 10:11
3539 1:8

4

400S 1:16
4353 10:6

5

6

7

8

86595 1:9 4:12

9

9:43 3:2
9:46 4:9
9:56 10:18
90 8:22

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: La Morenita Restaurant

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.



Court Reporter

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701