



**ALSO PRESENT:**

**FARHAD MIRZADEH, APPLICANT**

**KIETH LIVELY, APPLICANT**

**MED LAHLOU, APPLICANT**

**INGRID CARDENAS, APPLICANT**

**ED HANLON, PROTESTANT**

**GLENN ENGELMANN, PROTESTANT**

**ELWYN FERRIS, PROTESTANT**

**DWIGHT BARBOUR, PROTESTANT**

**FELICIA DANTZLER, PROTESTANT**

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

2 4:06 p.m.

3 CHAIRPERSON ANDERSON: Our next case,  
4 we had a protest hearing scheduled for Protest  
5 Case No. 19-PRO-00067 and Case No. 19-PRO-00068,  
6 Lupo Verde, License No. 88527. Would the parties  
7 please identify themselves for the record,  
8 please?

9 MR. HANLON: Ed Hanlon, ANC  
10 commissioner for 2B09, representing ANC 2B.

11 CHAIRPERSON ANDERSON: I'm sorry?

12 MR. HANLON: Ed Hanlon, ANC  
13 commissioner for ANC 2B09, representing ANC 2B.

14 CHAIRPERSON ANDERSON: Good afternoon,  
15 Mr. Hanlon.

16 MR. HANLON: Good afternoon.

17 MR. FERRIS: Elwyn Ferris representing  
18 a group of five or more, and also here  
19 representing SDCA in lieu of President  
20 Jones-Sterling.

21 CHAIRPERSON ANDERSON: Good afternoon,  
22 Mr. Ferris.

23 MR. FERRIS: Good afternoon.

24 MR. BARBOUR: Dwight Barbour, from the  
25 Residents Group.

1 CHAIRPERSON ANDERSON: Do you  
2 represent another group? Good afternoon, Mr.  
3 Barbour.

4 MR. ENGELMANN: Glenn Engelmann,  
5 president of the Dupont Circle Citizens  
6 Association, representing DCCA.

7 CHAIRPERSON ANDERSON: Good afternoon  
8 --

9 MS. DANTZLER: Felicia Dantzler, ABRA  
10 investigator.

11 CHAIRPERSON ANDERSON: Good afternoon,  
12 Mr. Engelmann. Good afternoon, Ms. Dantzler.  
13 Who do we have on the other side?

14 MR. LIVELY: Keith Lively, attorney  
15 for Lupo Verde.

16 CHAIRPERSON ANDERSON: Good afternoon,  
17 Mr. Lively.

18 PARTICIPANT: I'm sorry; could I get  
19 -- what's your name, Miss?

20 MS. DANTZLER: Felicia Dantzler, F,  
21 like Frank, E-L-I-C-I-A, last name D, like David,  
22 A, like Adam, N, like Nora, T, like time, Z, like  
23 zebra, L-E-R.

24 PARTICIPANT: Thank you.

25 CHAIRPERSON ANDERSON: Who else do we

1 have?

2 MR. MIRZADEH: Farhad Mirzadeh.

3 CHAIRPERSON ANDERSON: Mr. Mirzadeh.

4 Good afternoon, sir. All right, this matter was  
5 scheduled for a protest hearing at 1:30. The  
6 Board gave the parties some time to talk, hoping  
7 that the parties would have settled this matter,  
8 come to some agreement. Where are we?

9 MR. HANLON: The parties would like a  
10 five-hour hearing.

11 (Laughter.)

12 MR. HANLON: Mr. Chairman, the parties  
13 believe they reached a settlement. The parties  
14 would like a continuance for two weeks, more than  
15 one week, because some people are going out of  
16 town. If we could have approximately a two-week  
17 continuance, so that we can make sure we finalize  
18 the agreement in writing, so that we can submit  
19 it to the Board.

20 (Simultaneous Speaking.)

21 MR. HANLON: -- appear to have agreed  
22 on all terms.

23 CHAIRPERSON ANDERSON: You're speaking  
24 on behalf of the protestants.

25 MR. HANLON: Yes.

1 CHAIRPERSON ANDERSON: Is that the  
2 licensee? I'm going to make a motion that the  
3 Board grants the postponement. Is there a second?

4 MEMBER SHORT: Second.

5 CHAIRPERSON ANDERSON: Mr. Short  
6 seconded the motion. All those in favor say aye.

7 (Chorus of ayes.)

8 CHAIRPERSON ANDERSON: Those opposed.

9 (No audible response.)

10 CHAIRPERSON ANDERSON: The matter  
11 passes 5-0-0. Our general counsel will work with  
12 the parties if the matter is not settled to come  
13 up with a reasonable date to reschedule this  
14 matter.

15 MR. HANLON: I would really like to  
16 thank the general counsel. She was very helpful  
17 today in helping the parties reach an agreement.

18 CHAIRPERSON ANDERSON: Thank you on  
19 behalf of the Agency. In all seriousness, what  
20 I've always stated to individuals, there are five  
21 of us up here. It's not necessarily -- we don't  
22 necessarily live in your neighborhood. Both of  
23 you, at the end of the day, both sides have to  
24 co-exist in the neighborhood.

25 I always think it's better if you

1 settle the matter because if the Board makes a  
2 decision, then someone is going to leave unhappy  
3 because -- by stating that the Board did not  
4 listen to me. I thought that this is what I  
5 needed and the Board didn't pay us any attention.  
6 But when the parties sit and negotiate, I believe  
7 that at least both sides would come to an  
8 agreement where there's give and take on both  
9 sides, but both sides are happy because this is  
10 where they are -- we want the licensee to operate  
11 in the area and the residents who live there to  
12 be happy, to make sure that everything works out.  
13 I really appreciate the matter -- the fact that  
14 the parties had an opportunity and they decided  
15 to continue talking.

16 I don't have a problem with the Board  
17 staying here and making a decision that has to be  
18 made, but I prefer if the parties can work the  
19 matter out because at least they will leave and  
20 everyone is happy because this is an  
21 establishment that we want to remain in the  
22 neighborhood, and we also want the residents who  
23 live in the neighborhood believe that the  
24 licensee is a good neighbor. I want to thank you  
25 for taking the time to have this discussion.

1 MR. HANLON: Mr. Chair, I think that  
2 the raise pins and the parties here want to thank  
3 the Board and ABRA because I think this is -- the  
4 Board -- at least the protestants, I believe the  
5 Applicant, as well, have felt they've been  
6 treated very fairly and very professionally by  
7 the staff, including the investigator, who did a  
8 wonderful job, and the general counsel, who was  
9 very helpful.

10 CHAIRPERSON ANDERSON: Thank you for  
11 making that representation. With that, good  
12 luck. I've always said to people, if I don't see  
13 you again, I will not take it personally. Have a  
14 great day. I need to close the record. You guys  
15 can -- I need to officially close the record.

16 As chairperson of the Alcoholic  
17 Beverage Control Board for the District of  
18 Columbia, in accordance with D.C. Code Section  
19 2574(b) of the Open Meetings Act, I move that the  
20 ABC Board hold a closed meeting on October 30,  
21 2019, for the purpose of seeking legal action  
22 from our Board on the matters identified on the  
23 Board's legal, licensing, and investigative  
24 agenda for October 30, 2019, as published in the  
25 D.C. Register on October 25, 2019. Is there a



1 second?

2 MEMBER SHORT: Second.

3 CHAIRPERSON ANDERSON: Mr. Short has  
4 seconded the motion. I will now take a roll call  
5 vote in the motion before us now that has been  
6 seconded. Ms. Wahabzadah.

7 MEMBER WAHABZADAH: I agree.

8 CHAIRPERSON ANDERSON: Mr. Short.

9 MEMBER SHORT: I agree.

10 CHAIRPERSON ANDERSON: Mr. Cato.

11 MEMBER CATO: I agree.

12 CHAIRPERSON ANDERSON: Ms. Crockett.

13 MEMBER CROCKETT: I agree.

14 CHAIRPERSON ANDERSON: Mr. Anderson.

15 I agree. As it appears that the motion has  
16 passed, I hereby give notice that the ABC Board  
17 will hold this closed meeting, pursuant to the  
18 Open Meetings Act. Notice will also be posted on  
19 the ABC Board Hearing Room bulletin board, placed  
20 on electronic calendar on ABRA's website, and  
21 published in the D.C. Register in as timely a  
22 matter as practical. It is 4:15 p.m., and we are  
23 adjourned for the day. Thank you.

24 (Whereupon, the above-entitled matter  
25 went off the record at 4:15 p.m.)

<b>A</b>	bulletin 9:19	<b>F</b>	leave 7:2,19 legal 8:21,23 License 1:8,11 3:6 licensee 6:2 7:10,24 licensing 8:23 lieu 3:19 listen 7:4 live 6:22 7:11,23 Lively 2:9 4:14,14,17 LLC 1:6 luck 8:12 Lupo 1:6 3:6 4:15
ABC 8:20 9:16,19 above-entitled 9:24 ABRA 4:9 8:3 ABRA's 9:20 Act 8:19 9:18 action 8:21 Adam 4:22 adjourned 9:23 afternoon 3:14,16,21 3:23 4:2,7,11,12,16 5:4 Agency 6:19 agenda 8:24 agree 9:7,9,11,13,15 agreed 5:21 agreement 1:11 5:8,18 6:17 7:8 Alcoholic 1:2,15,15 8:16 ALIYA 1:21 Amend 1:10 ANC 1:7 3:9,10,12,13 3:13 Anderson 1:17,20 3:3 3:11,14,21 4:1,7,11 4:16,25 5:3,23 6:1,5,8 6:10,18 8:10 9:3,8,10 9:12,14,14 appear 5:21 appears 9:15 Applicant 2:8,9,10,11 8:5 Application 1:11 appreciate 7:13 approximately 5:16 area 7:11 Association 4:6 attention 7:5 attorney 4:14 audible 6:9 aye 6:6 eyes 6:7	<b>C</b>	F 4:20 fact 7:13 fairly 8:6 Farhad 2:8 5:2 favor 6:6 Felicia 2:16 4:9,20 felt 8:5 Ferris 2:14 3:17,17,22 3:23 finalize 5:17 five 3:18 6:20 five-hour 5:10 Frank 4:21	<b>M</b>
<b>B</b>	<b>D</b>	<b>G</b>	<b>N</b>
Barbour 2:15 3:24,24 4:3 behalf 5:24 6:19 believe 5:13 7:6,23 8:4 better 6:25 Beverage 1:2,15,15 8:17 board 1:2,15 5:6,19 6:3 7:1,3,5,16 8:3,4,17,20 8:22 9:16,19,19 Board's 8:23 BOBBY 1:22 Building 1:16	D 4:21 D.C 1:16 8:18,25 9:21 Dantzler 2:16 4:9,9,12 4:20,20 date 6:13 David 4:21 day 6:23 8:14 9:23 DCCA 4:6 decided 7:14 decision 7:2,17 discussion 7:25 District 1:1 8:17 Donovan 1:17,20 Dupont 4:5 Dwight 2:15 3:24	general 6:11,16 8:8 give 7:8 9:16 Glenn 2:13 4:4 grants 6:3 group 3:18,25 4:2	N 4:22 N.W 1:16 name 4:19,21 necessarily 6:21,22 need 8:14,15 needed 7:5 negotiate 7:6 neighbor 7:24 neighborhood 6:22,24 7:22,23 Nora 4:22 notice 9:16,18 NW 1:7
<b>E</b>	<b>I</b>	<b>H</b>	<b>O</b>
E-L-I-C-I-A 4:21 Ed 2:12 3:9,12 electronic 9:20 Elwyn 2:14 3:17 Engelmann 2:13 4:4,4 4:12 establishment 7:21	identified 8:22 identify 3:7 including 8:7 individuals 6:20 INGRID 2:11 investigative 8:23 investigator 4:10 8:7	Hanlon 2:12 3:9,9,12,12 3:15,16 5:9,12,21,25 6:15 8:1 happy 7:9,12,20 hearing 1:7,15 3:4 5:5 5:10 9:19 helpful 6:16 8:9 helping 6:17 hold 8:20 9:17 hoping 5:6	October 1:13 8:20,24 8:25 officially 8:15 Open 8:19 9:18 operate 7:10 opportunity 7:14 opposed 6:8
<b>J</b>	<b>K</b>	<b>L</b>	<b>P</b>
JAMES 1:23 job 8:8 Jones-Sterling 3:20 JR 1:22	Keith 4:14 KIETH 2:9	L-E-R 4:23 LAHLOU 2:10 Laughter 5:11	P-R-O-C-E-E-D-I-N-G-S 3:1 p.m 3:2 9:22,25 PARTICIPANT 4:18,24

**parties** 3:6 5:6,7,9,12  
5:13 6:12,17 7:6,14  
7:18 8:2

**passed** 9:16

**passes** 6:11

**pay** 7:5

**people** 5:15 8:12

**personally** 8:13

**Petition** 1:10

**pins** 8:2

**placed** 9:19

**please** 3:7,8

**posted** 9:18

**postponement** 6:3

**practical** 9:22

**prefer** 7:18

**PRESENT** 1:18 2:6

**president** 3:19 4:5

**presiding** 1:17

**problem** 7:16

**professionally** 8:6

**protest** 1:7 3:4,4 5:5

**PROTESTANT** 2:12,13  
2:14,15,16

**protestants** 5:24 8:4

**published** 8:24 9:21

**purpose** 8:21

**pursuant** 9:17

---

**Q**

---



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**R**

---

**RAFI** 1:21

**raise** 8:2

**reach** 6:17

**reached** 5:13

**reasonable** 6:13

**record** 3:7 8:14,15 9:25

**Reeves** 1:16

**Register** 8:25 9:21

**REMA** 1:24

**remain** 7:21

**Renew** 1:11

**represent** 4:2

**representation** 8:11

**representing** 3:10,13  
3:17,19 4:6

**reschedule** 6:13

**residents** 3:25 7:11,22

**response** 6:9

**Retailer** 1:7

**roll** 9:4

**Room** 1:16 9:19

---

**S**

---

**scheduled** 3:4 5:5

**SDCA** 3:19

**second** 6:3,4 9:1,2

**seconded** 6:6 9:4,6

**Section** 8:18

**seeking** 8:21

**seriousness** 6:19

**settle** 7:1

**settled** 5:7 6:12

**settlement** 1:10 5:13

**Short** 1:23 6:4,5 9:2,3,8  
9:9

**side** 4:13

**sides** 6:23 7:7,9,9

**Simultaneous** 5:20

**sir** 5:4

**sit** 7:6

**sorry** 3:11 4:18

**speaking** 5:20,23

**staff** 8:7

**stated** 6:20

**stating** 7:3

**staying** 7:17

**Street** 1:7,16

**Stubs** 1:6

**submit** 5:18

**Suite** 1:16

---

**T**

---

**T** 1:7 4:22

**t/a** 1:6

**talk** 5:6

**talking** 7:15

**Terminate** 1:10

**terms** 5:22

**thank** 4:24 6:16,18 7:24  
8:2,10 9:23

**thought** 7:4

**timely** 9:21

**today** 6:17

**town** 5:16

**treated** 8:6

**two** 5:14

**two-week** 5:16

---

**U**

---

**unhappy** 7:2

---

**V**

---

**Verde** 1:6 3:6 4:15

**vote** 9:5

---

**W**

---

**W** 1:17,20

**Wahabzadah** 1:24 9:6,7

**Washington** 1:16

**website** 9:20

**Wednesday** 1:13

**week** 5:15

**weeks** 5:14

**went** 9:25

**wonderful** 8:8

**work** 6:11 7:18

**works** 7:12

**writing** 5:18

---

**X**

---



---

**Y**

---



---

**Z**

---

**Z** 4:22

**zebra** 4:23

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**0**

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---

**1**

---

**1:30** 5:5

**1401** 1:7

**14th** 1:16

**19-PRO-00067** 1:8 3:5

**19-PRO-00068** 1:9 3:5

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**2**

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**2000** 1:16

**20009** 1:16

**2019** 1:13 8:21,24,25

**23** 1:13

**25** 8:25

**2574(b)** 8:19

**2B** 1:7 3:10,13

**2B09** 3:10,13

---

**3**

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**30** 8:20,24

---

**4**

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**4:06** 3:2

**4:15** 9:22,25

**400S** 1:16

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**5**

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**5-0-0** 6:11

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**6**

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**7**

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**8**

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**88527** 1:8 3:6

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Lupo Verde

Before: DCABRA

Date: 10-23-19

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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