DISTRICT OF COLUMBIA + + + + + ALCOHOLIC BEVERAGE CONTROL BOARD + + + + + MEETING

:

IN THE MATTER OF:

Stubs, LLC, t/a Lupo Verde 1401 T Street NW Retailer CR - ANC 2B License No. 88527 Case #19-PRO-00067 and Case #19-PRO-00068 : (Petition to Amend or :

(Petition to Amend or : Terminate the Settlement : Agreement; Application : to Renew the License) :

> Wednesday, September 11, 2019

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Donovan W. Anderson, presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson BOBBY CATO, JR., Member JAMES SHORT, Member RAFI CROCKETT, Member ALSO PRESENT:

KEITH LIVELY, Applicant Counsel

ALIF FARHAD MIRZADEH, Applicant

EDWARD HANLON, ANC 2B

GLENN ENGELMANN, Dupont Circle Citizens Assn.

DWIGHT BARBOUR, Group of Five or More Protestants

ELWYN FERRIS, Group of Five or More Protestants

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1	P-R-O-C-E-E-D-I-N-G-S
2	9:44 a.m.
3	CHAIRPERSON ANDERSON: Our next case
4	is another Protest Hearing (Status), Case No. 19-
5	PRO-00067, Lupo Verde, License No. 88527.
6	Would the parties, please for Lupo
7	and also for Case No. 19-PRO-00068, Lupo Verde.
8	Would the parties, please, approach
9	for both cases to identify themselves for the
10	record, please?
11	All right. Let's start with who
12	wants to start? And again, there is a sign-in
13	sheet. I need everyone to also sign in on the
14	sign-in sheet that is on the table. So let's
15	start for Lupo Verde, please.
16	MR. LIVELY: Good morning, Mr. Chair.
17	My name is Keith Lively. I'm an attorney with
18	Doyle, Barlow & Mazard for Stubs.
19	CHAIRPERSON ANDERSON: Good morning,
20	Mr. Lively.
21	MR. LIVELY: And taking the lead on
22	this is my associate, Farhad Mirzadeh, who is a
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Neal R. Gross and Co., Inc. Washington DC

1 newly Bar Texas attorney and is waiting for his 2 D.C. Bar to come through and expecting it any 3 day. 4 CHAIRPERSON ANDERSON: Good luck to 5 you, sir. All right. I'm sorry, what was the 6 name again? 7 MR. LIVELY: My name is Keith Lively. 8 CHAIRPERSON ANDERSON: No, not -- I 9 heard your name. His name I didn't hear. Alif Farhad, F-A-R-H-A-10 MR. MIRZADEH: 11 D, Farhad Mirzadeh. 12 CHAIRPERSON ANDERSON: Now, you -- you 13 know, that's interesting that you spell the easy 14 part. 15 Let me --MR. MIRZADEH: CHAIRPERSON ANDERSON: You spelled the 16 17 -- I think I can get the first name. You spelled 18 the easy part. Now, I'm still sitting here for the more difficult part. 19 20 MR. MIRZADEH: I'll get there. 21 MR. LIVELY: Assuming he knows how to spell it. 22

1	MR. MIRZADEH: M-I-R-Z-A-D-E-H.		
2	CHAIRPERSON ANDERSON: All right.		
3	Yes, sir?		
4	MR. HANLON: Edward Hanlon for ANC-2B.		
5	CHAIRPERSON ANDERSON: Yes, Mr.		
6	Hanlon.		
7	MR. HANLON: Good morning.		
8	CHAIRPERSON ANDERSON: Good morning.		
9	Who else do we have?		
10	MR. ENGELMANN: Glenn Engelmann,		
11	President, Dupont Circle Citizens Association.		
12	CHAIRPERSON ANDERSON: Mr. Engelmann.		
13	MR. BARBOUR: Dwight Barbour, Party of		
14	5 or More residents.		
15	MR. FERRIS: Elwyn Ferris on behalf of		
16	a Group of 5 or More, also here representing the		
17	Shaw Dupont Citizens Alliance.		
18	CHAIRPERSON ANDERSON: Is there one or		
19	two Group of 5 or More?		
20	MR. FERRIS: There's two.		
21	CHAIRPERSON ANDERSON: There is two?		
22	MR. FERRIS: Yes.		

1	CHAIRPERSON ANDERSON: Hum. I need to			
2	get some clarification, because I only have one,			
3	we've got one, two, three, four. How many			
4	separate groups are protesting this license?			
5	MR. FERRIS: Well, there are two, but			
6	I think we have submitted a joint claim with			
7	seven people.			
8	CHAIRPERSON ANDERSON: Okay. All			
9	right. So because I have four groups and I guess			
10	you guys were saying five, because I'm hearing			
11	like two Group of Five or More, but I only have			
12	one at least on my sheet here that there is,			
13	but we're fine.			
14	MR. FERRIS: I think the way we did it			
15	was we combined the two groups with two			
16	designated representatives.			
17	CHAIRPERSON ANDERSON: Okay. Then			
18	that's fine. Then that makes sense. Okay,			
19	that's fine.			
20	All right. All right. I just gave			
21	this matter is are there any preliminary			
22	matters that needs to be brought to our			

attention?

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2 MR. HANLON: Not that I'm aware of, 3 sir.

4 CHAIRPERSON ANDERSON: All right. This matter is scheduled for -- both matters are 5 jointly scheduled for Protest Hearing on October 6 7 23rd at 1:30 p.m. And I guess that you guys are 8 going to be -- yeah, I just scheduled the other 9 one for 4:30, but anyway, do I need to read the instructions regarding our Protest Hearings that 10 11 was just read a couple minutes ago for the 12 previous case?

13MR. FERRIS: Don't do it for us, no.14CHAIRPERSON ANDERSON: I'm sorry?15MR. HANLON: No, sir.

16 CHAIRPERSON ANDERSON: All right. And 17 both sides are aware that seven days before the 18 hearing that you need to exchange the documents, 19 your documents and witnesses.

And if you have any questions
regarding this matter, please, contact Ms. April
Randall at (202) 442-4353.

1	If this matter is not settled, I will		
2	see you at a Protest Hearing on October 23rd and		
3	I guess we will pack our lunches, because we have		
4	a Protest Hearing at 1:30 and also at 4:30, so		
5	that tells us that the Board might not make it		
6	home that night.		
7	But in all seriousness, we will be		
8	here as long as it takes to litigate this matter.		
9	So I just want folks to know that when these		
10	hearings are scheduled, the Board will listen and		
11	as long as it takes, within reason, we will make		
12	sure that we listen and make a decision that		
13	hopefully both sides will be happy with, if you		
14	can't come to a settlement agreement.		
15	Okay. Have a good day and thank you		
16	for being here.		
17	MR. HANLON: Thank you.		
18	MR. FERRIS: Thank you.		
19	(Whereupon, the Protest (Status)		
20	Hearing was concluded at 9:49 a.m.)		
21			
22			

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## CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: ABRA Hearing

Before: Alcoholic Beverage Control Board

Date: 09-11-19

Place: Washington, D.C.

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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