

IN THE MATTER OF: :
 :
 :
 MAHK Meetings, LLC, :
 t/a TBD :
 1807 Florida Ave NW : Roll Call
 Retailer CT - ANC 1C : Hearing
 License No. ABRA-115363 :
 Case #20-PRO-00009 :
 :
 :
 (New Application) :

Tuesday
February 18, 2020

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, La Verne Fletcher, Board's Agent, presiding.

PRESENT:

LA VERNE FLETCHER, ABRA Board's Agent

ALSO PRESENT:

SIDON YOHANNES, Applicant Counsel
TED GUTHRIE, ANC 1C
DENNIS JAMES, Kalorama Citizens Association
SUZANNE FARMER, Protestant
PIPER HENDRICKS, Protestant
ALAN ROTH, Protestant
ANDREW SCHUMAN, Protestant
LEIGH CARTER, Protestant
GEORGE BOWMAN, Protestant
FELICIA MEIER, Protestant
SELMA THOMAS, Protestant
ALLAN COMP, Protestant
LAURIE CLARKE, Protestant

JUDITH CARLSSON, Protestant

MICHAEL RODGERS, Protestant

DAVID BLUMENTHAL, Protestant

TORBJORN CARLSSON, Protestant

GEOFF MERRILL, Protestant

KYLIE HIEMSTRA, Protestant

SAM HART, Protestant

CASSANDRA JONES, Protestant

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

2 10:02 a.m.

3 MS. FLETCHER: Would the parties in
4 the matter of MAHK please come forward, would the
5 parties in the matter -- would the parties in the
6 matter of MAHK Meetings, LLC, please come
7 forward.

8 This is Case No. 20-PRO-00009, 1807
9 Florida Ave., NW, License No. ABRA-115363. This
10 is a Retailer Class CT new application. The
11 protest issues are adverse impact on peace,
12 order, and quiet; residential parking and
13 vehicular and pedestrian safety; real property
14 values; and overconcentration.

15 My name is La Verne Fletcher
16 conducting the roll call hearing as the Board's
17 agent. Introductions beginning with the
18 Applicant, please.

19 MS. YOHANNES: Sidon Yohannes on
20 behalf of the Applicant.

21 MS. FLETCHER: Yohannes, would you
22 spell your name for the Reporter, please.

23 MS. YOHANNES: S-I-D-O-N Y-O-H-A-N-N-
24 E-S.

25 MS. FLETCHER: Thank you, and present

1 on behalf of ANC 1C.

2 MR. GUTHRIE: Ted Guthrie, T-E-D G-U-
3 T-H-R-I-E.

4 MS. FLETCHER: Thank you, Mr. Guthrie.
5 And on behalf of the Kalorama Citizens
6 Association.

7 MR. JAMES: Good morning, Denis James,
8 D-E-N-I-S J-A-M-E-S.

9 MS. FLETCHER: Thank you, Mr. James.
10 Is Suzanne Farmer present?

11 MS. FARMER: Right here.

12 MS. FLETCHER: Ms. Farmer, would you
13 spell your name for the record, please.

14 MS. FARMER: S-U-Z-A-N-N-E, last name
15 is F-A-R-M-E-R.

16 MS. FLETCHER: Okay, thank you, Ms.
17 Farmer. You filed your protest as an abutting
18 property owner, and it was determined that your
19 property does abut the establishment, and so
20 you're granted standing as an abutting property
21 owner.

22 Is Piper Hendricks here? Hi, Ms.
23 Hendricks, would you spell your name.

24 MS. HENDRICKS: It's P-I-P-E-R H-E-N-
25 D-R-I-C-K-S.

1 MS. FLETCHER: Thank you. You also
2 filed your protest as an abutting property owner
3 and it has been determined that your property
4 does abut as well. Thank you. And there's a
5 group of 23. Is Mr. Roth present?

6 MR. ROTH: Yes, ma'am.

7 MS. FLETCHER: Good morning, Mr. Roth.
8 Could you spell your name for the record.

9 MR. ROTH: Yes, A-L-A-N R-O-T-H.

10 MS. FLETCHER: Thank you. Mr. Roth,
11 are there any other individuals from your group
12 present today?

13 MR. ROTH: There are several.

14 MS. FLETCHER: There's a microphone --
15 oh, it's right, actually beside Mr. Roth. If you
16 could stand between Mr. Roth and Mr. James,
17 whoever is present, and state your name for the
18 record. State your name and spell it for the
19 record, please.

20 MR. SCHUMAN: Andrew Schuman, A-N-D-R-
21 E-W, last name Schuman, S-C-H-U-M-A-N.

22 MS. FLETCHER: Thank you.

23 MS. CARTER: Leigh Carter, L-E-I-G-H,
24 Carter, C-A-R-T-E-R.

25 MR. BOWMAN: Hi, I'm George Bowman, G-

1 E-O-R-G-E B-O-W-M-A-N.

2 MS. MEIER: Hi, Felicia Meier, F-E-L-
3 I-C-I-A M-E-I-E-R.

4 MS. FLETCHER: M-E-I?

5 MS. MEIER: E-R.

6 MS. FLETCHER: E-R?

7 MS. MEIER: Mm hm.

8 MS. FLETCHER: Thank you.

9 MS. THOMAS: Good morning.

10 MS. FLETCHER: Morning.

11 MS. THOMAS: Selma Thomas, S-E-L-M-A
12 T-H-O-M-A-S.

13 MR. COMP: Good morning, Allan Comp,
14 A-L-L-A-N C-O-M-P.

15 MS. FLETCHER: What was the first name
16 again?

17 MR. COMP: Allan, A-L-L-A-N.

18 MS. FLETCHER: Oh, A double L A-N.

19 And spell the last name one more time.

20 MR. COMP: Comp, C-O-M-P, like comp in
21 competition.

22 MS. FLETCHER: Thank you.

23 MS. CLARKE: Laurie Clarke, L-A-U-R-I-
24 E, Clarke, C-L-A-R-K-E.

25 MS. CARLSSON: Judith Carlsson, C-A-R-

1 L-S-S-O-N.

2 MS. FLETCHER: Thank you.

3 MR. RODGERS: Michael Rodgers, M-I-C-
4 H-A-E-L R-O-D-G-E-R-S.

5 MS. FLETCHER: I'm sorry, what's the
6 last name again?

7 MR. RODGERS: Rodgers, R-O-D-G-E-R-S.

8 MS. FLETCHER: Thank you.

9 MR. BLUMENTHAL: David Blumenthal, D-
10 A-V-I-D B-L-U-M-E-N-T-H-A-L.

11 MS. FLETCHER: Thank you.

12 MR. CARLSSON: Torbjorn Carlsson, T-O-
13 R-B-J-O-R-N, Carlsson is C-A-R-L-S-S-O-N.

14 MS. FLETCHER: Thank you.

15 MR. MERRILL: Geoff Merrill, G-E-O-F-F
16 M-E-R-R-I-L-L.

17 MS. FLETCHER: I'm sorry, what did you
18 say your last name is again?

19 MR. MERRILL: Merrill like Merrill
20 Lynch.

21 (Laughter.)

22 MS. FLETCHER: Thank you.

23 MS. HIEMSTRA: Kylie Hiemstra, K-Y-L-
24 I-E H-I-E-M-S-T-R-A.

25 MR. HART: Sam Hart, S-A-M H-A-R-T.

1 MS. JONES: Cassandra Jones, that's C-
2 A-S-S-A-N-D-R-A.

3 MS. FLETCHER: And the last name is
4 Jones?

5 MS. JONES: Jones.

6 MS. FLETCHER: Okay, thank you, thank
7 you very much.

8 MS. FLETCHER: And, Mr. Roth, you
9 signed the protest letter also?

10 MR. ROTH: Yes, I did.

11 MS. FLETCHER: Okay. If you cannot
12 move the microphone, I'm sorry. So I count 16
13 individuals present from the group of 23, which
14 means that the group of 23 has standing as a
15 protestant.

16 And so as protestants we have ANC 1C
17 -- oh, Mr. James, I meant to ask you --

18 MR. ROTH: You said you count 16?

19 MS. FLETCHER: Sixteen present.

20 MR. ROTH: Okay, thank you.

21 MS. FLETCHER: Is that good? Mr.
22 James, I did not ask you if you invited the
23 applicant to your meeting concerning the protest,
24 the seven-day notice?

25 MR. ROTH: Right. We did actually

1 invite. That's actually not a requirement in the
2 law. It's to notify seven days in advance, but
3 we always do say that the applicant's welcome to
4 attend, applicant or their representative.

5 MS. FLETCHER: Well, they're saying
6 the same thing. Okay, thank you.

7 MR. ROTH: Good deal.

8 MS. FLETCHER: The protestants are ANC
9 1C, the Kalorama Citizens Association, Suzanne
10 Farmer, Piper Hendricks, and a group of 23. We
11 need to set a date for mediation, a status
12 hearing, and a protest hearing. I'll give you
13 the dates for the status and protest hearing --

14 MR. ROTH: Ms. Fletcher?

15 MS. FLETCHER: Yes, Mr. Roth?

16 MR. ROTH: Before we get to that
17 point, the protestants, ANC 1C, Kalorama Citizens
18 Association, Ms. Farmer, and the group of Vernon
19 Street protestants have a motion that they'd like
20 to serve on you and on the applicant. If I could
21 approach you?

22 MS. FLETCHER: Mm-hmm, thank you.

23 (Off-mic comments.)

24 MR. ROTH: Excuse me, serve a copy to
25 Ms. Yohannes. It's a motion to dismiss the

1 application or request summary denial of the
2 application.

3 The motion alleges that the Board
4 committed several areas in placarding -- in
5 allowing the placarding of this application in
6 the first instance. And it's our view that
7 before we even get to the point of mediation and
8 status hearing, that the Board should hear this
9 motion and decide it.

10 MS. FLETCHER: Yes.

11 MR. ROTH: And so I think we're
12 willing to set a date for mediation and status
13 hearing, but our suggestion would be that that
14 mediation and status hearing take place perhaps
15 later in the month of March so that the Board
16 have the opportunity to hear and decide this
17 motion.

18 MS. FLETCHER: Okay, thank you, Mr.
19 Roth. Any comment, Ms. Yohannes, any response?

20 MS. YOHANNES: Being that I just
21 received this motion, I'll respond accordingly in
22 writing. Regarding the status hearing, I believe
23 that date is already set. So we can just take
24 that date regarding mediation, happy to respond
25 to motions and have a hearing on motions and then

1 move to a mediation hearing.

2 MS. FLETCHER: So what I'll do, I
3 agree with you, Mr. Roth that the dates -- the
4 mediation date in particular will be held in
5 abeyance. But since I was already given the
6 status hearing date, I'm going to give you that
7 date. And the Board may rule on your motion
8 before then, or they could choose to rule on it
9 at the status hearing.

10 So I'll give you the date for the
11 status hearing. The date of the status hearing
12 in this case is March 18. It's March 18 at 9:30
13 a.m.

14 MR. ROTH: Unfortunately, ma'am, I'm
15 going to be in Mexico that day.

16 MS. FLETCHER: You're going to be in
17 Mexico, Mr. Roth. Is there anybody else in your
18 group that could represent you, or no?

19 MR. ROTH: Can we push it to the 25th?

20 MS. FLETCHER: The dates for the
21 status hearing are provided to me as the Board's
22 next available date. I actually don't set the
23 Board's date on its calendar. So what I'm going
24 to do, I'm just going to give you that date, Mr.
25 Roth, but can you ask Martha Jenkins to

1 reschedule that date?

2 That request will go through Martha
3 Jenkins. You have Martha Jenkins's email
4 address?

5 MR. ROTH: Yeah, I do.

6 MS. FLETCHER: Okay, and so she can
7 change the date on the Board's calendar. But
8 I'll let her know that it's coming.

9 And then Ms. Yohannes, would you be
10 opposed to changing the date of the status
11 hearing?

12 MS. YOHANNES: No.

13 MS. FLETCHER: So you can make it a
14 joint request if everybody's in agreement and
15 just send it to Martha.

16 MR. ROTH: Okay, thank you.

17 MR. JAMES: Doesn't the possibility
18 also exist that the Board might set a different
19 time for a motions hearing?

20 MS. FLETCHER: It's possible, or they
21 may do it at the status hearing. But yes, it's
22 possible, it is a possibility.

23 And then I may as well give you the
24 date for the protest hearing as well. If it's
25 cancelled, then it'll just be cancelled. The

1 date on the Board's calendar for this protest
2 hearing is April 8, that's April 8, 2020 at 1:30.

3 MR. ROTH: One-thirty.

4 MS. FLETCHER: At 1:30, uh huh.

5 MR. ROTH: Can I raise another issue,
6 scheduling issue then?

7 MS. FLETCHER: Yeah.

8 MR. ROTH: I know the Board probably
9 didn't have this in mind when they set that date.

10 MS. FLETCHER: Yes.

11 MR. ROTH: But that evening is the
12 beginning of Passover, which for me is a
13 religious holiday.

14 MS. FLETCHER: Yes.

15 MR. ROTH: And throughout the next two
16 days.

17 MS. FLETCHER: Yes.

18 MR. ROTH: So I'm perfectly happy to
19 proceed at 1:30. I don't know whether there are
20 other hearings scheduled that day, but at sundown
21 that evening, I plan to be gone. And for the
22 next two days --

23 MS. FLETCHER: Yes.

24 MR. ROTH: I plan to be gone as well.
25 So I would appreciate a religious accommodation

1 by the Board.

2 MS. FLETCHER: Yes. And Mr. Roth, in
3 that motion to, in that motion related to the
4 status hearing, can you include that in the same,
5 in the same request? And I'll let Martha Jenkins
6 know it's coming.

7 MR. ROTH: I appreciate that, thank
8 you.

9 MS. FLETCHER: You're welcome. Okay,
10 so the status hearing is set for March 18 at
11 9:30, and the protest hearing April 8 at 1:30.
12 Mr. Roth, you're going to be submitting motions
13 to change those dates, but just stating them for
14 the record.

15 MR. ROTH: Thank you.

16 MS. FLETCHER: Any questions?

17 MS. YOHANNES: No questions, thank
18 you.

19 MS. FLETCHER: Okay, well, thank you
20 for coming. Your hearing is concluded.

21 (Whereupon, the above-entitled matter
22 went off the record at 10:17 a.m.)
23
24
25

<p>A</p> <p>A-L-A-N 5:9 A-L-L-A-N 6:14,17 A-N 6:18 A-N-D-R- 5:20 A-S-S-A-N-D-R-A 8:2 A-V-I-D 7:10 a.m 3:2 11:13 14:22 abeyance 11:5 above-entitled 14:21 ABRA 1:17 ABRA-115363 1:8 3:9 abut 4:19 5:4 abutting 4:17,20 5:2 accommodation 13:25 address 12:4 advance 9:2 adverse 3:11 agent 1:15,17 3:17 agree 11:3 agreement 12:14 ALAN 1:22 Alcoholic 1:2,13,13 Allan 1:25 6:13,17 alleges 10:3 allowing 10:5 ANC 1:7,20 4:1 8:16 9:8 9:17 Andrew 1:22 5:20 anybody 11:17 applicant 1:19 3:18,20 8:23 9:4,20 applicant's 9:3 application 1:9 3:10 10:1,2,5 appreciate 13:25 14:7 approach 9:21 April 13:2,2 14:11 areas 10:4 Association 1:20 4:6 9:9,18 attend 9:4 available 11:22 Ave 1:7 3:9</p>	<p>Bowman 1:23 5:25,25 Building 1:14</p> <p>C</p> <p>C- 8:1 C-A-R- 6:25 C-A-R-L-S-S-O-N 7:13 C-A-R-T-E-R 5:24 C-L-A-R-K-E 6:24 C-O-M-P 6:14,20 calendar 11:23 12:7 13:1 call 1:3,7 3:16 cancelled 12:25,25 Carlsson 2:6,9 6:25,25 7:12,12,13 Carter 1:23 5:23,23,24 case 1:8 3:8 11:12 Cassandra 2:13 8:1 change 12:7 14:13 changing 12:10 choose 11:8 Citizens 1:20 4:5 9:9,17 Clarke 1:25 6:23,23,24 Class 3:10 COLUMBIA 1:1 come 3:4,6 coming 12:8 14:6,20 comment 10:19 comments 9:23 committed 10:4 comp 1:25 6:13,13,17 6:20,20,20 competition 6:21 concerning 8:23 concluded 14:20 conducting 3:16 Control 1:2,13,13 copy 9:24 Counsel 1:19 count 8:12,18 CT 1:7 3:10</p>	<p>decide 10:9,16 denial 10:1 Denis 4:7 DENNIS 1:20 determined 4:18 5:3 different 12:18 dismiss 9:25 DISTRICT 1:1 double 6:18</p> <p>E</p> <p>E 6:24 E-O-R-G-E 6:1 E-R 6:5,6 E-S 3:24 E-W 5:21 email 12:3 establishment 4:19 evening 13:11,21 everybody's 12:14 Excuse 9:24 exist 12:18</p> <p>F</p> <p>F-A-R-M-E-R 4:15 F-E-L- 6:2 Farmer 1:21 4:10,11,12 4:14,17 9:10,18 February 1:11 Felicia 1:24 6:2 filed 4:17 5:2 first 6:15 10:6 Fletcher 1:15,17 3:3,15 3:21,25 4:4,9,12,16 5:1,7,10,14,22 6:4,6,8 6:10,15,18,22 7:2,5,8 7:11,14,17,22 8:3,6,8 8:11,19,21 9:5,8,14 9:15,22 10:10,18 11:2 11:16,20 12:6,13,20 13:4,7,10,14,17,23 14:2,9,16,19 Florida 1:7 3:9 forward 3:4,7</p>	<p>H</p> <p>H-A-E-L 7:4 H-A-R-T 7:25 H-E-N- 4:24 H-I-E-M-S-T-R-A 7:24 happy 10:24 13:18 Hart 2:12 7:25,25 hear 10:8,16 hearing 1:3,7,13 3:16 9:12,12,13 10:8,13,14 10:22,25 11:1,6,9,11 11:11,21 12:11,19,21 12:24 13:2 14:4,10,11 14:20 hearings 13:20 held 11:4 Hendricks 1:21 4:22,23 4:24 9:10 Hi 4:22 5:25 6:2 Hiemstra 2:11 7:23,23 hm 6:7 holiday 13:13 huh 13:4</p>
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In the matter of: MAHK Meetings

Before: DCABRA

Date: 02-18-20

Place: Washington, DC

was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
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