

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

9:43 a.m.

CHAIRMAN ANDERSON: Good morning, everyone. This is the meeting of the District of Columbia Alcoholic Beverage Control Board.

Today is January 8, 2020 and I would like to introduce to you the members of the board with us today.

To my far right is Ms. Rafi Crockett, and to my immediate right is Mr. Bobby Cato.

To my far left is Ms. Rema Wahabzadah. To her and to Ms. Wahabzadah's immediate -- and to my immediate left is Mr. James Short.

It's a new year. It's the first meeting for the year so I apologize.

My name is Donovan Anderson. I'm the chairman of the board. We have five members in attendance today to conduct business. So with the five members we do have a quorum to conduct business.

I would like to mention three things before we get started.

First of all, if you have any electronic devices, pagers, cell phones, or such please make certain that they're turned off to

1 avoid any interruption of the proceeding.

2 Secondly, there is a piece of paper on
3 each table. When you come forward as your case
4 is called please take a seat at the table and
5 please sign in. This is to ensure the correct
6 spelling of your name for the record.

7 Lastly, please know that today's
8 meeting of the Alcoholic Beverage Control Board
9 is governed by the Open Meetings Act.

10 Please address any questions or
11 complaints to the Office of Open Government at
12 opengovoffice@dc.gov.

13 I would note that the approximate time
14 is 9:43 and our first order of business, purchase
15 hearing status, case no. 19-PRO-00113, Mirror
16 Lounge, license number 111950.

17 Will all parties here for Mirror
18 Lounge please appear.

19 MS. YOHANNES: Good morning and happy
20 new year.

21 CHAIRMAN ANDERSON: Happy new year.

22 MS. YOHANNES: Sidon Yohannes here on
23 behalf of the applicant.

24 CHAIRMAN ANDERSON: Good morning, Ms.
25 Yohannes.

1 MR. SCHLOM: Good morning, Mr. Chair,
2 members of the board. Happy new year. Evan
3 Schlom on behalf of both groups of five or more.
4 There's a group of five and a group of eight.
5 I'm here on behalf of both groups.

6 CHAIRMAN ANDERSON: All right, Mr.
7 Schlom. All right. It's my understanding that
8 the group of five or more of the Espinoza Group
9 was provided standing.

10 And your group was given conditional
11 standing. And we need two additional people.
12 Are they here today?

13 MR. SCHLOM: Yes. We have one --

14 CHAIRMAN ANDERSON: Who are the two
15 additional people? They need to come up.

16 MS. YOHANNES: Sure. So the first one
17 is Megan Elise Howard.

18 MS. HOWARD: Do you need me to state
19 my name for the record?

20 CHAIRMAN ANDERSON: Yes, ma'am.

21 MS. HOWARD: Yes. I'm Megan Elise
22 Howard. And the spelling is M-E-G-A-N E-L-I-S-E
23 H-O-W-A-R-D.

24 CHAIRMAN ANDERSON: And who is the
25 second person?

1 MR. SCHLOM: The second one, Mr.
2 Chairman, is Dan Orlaski who should be on his
3 way. If there's a way to recall this later in
4 the docket my understanding is that he's on his
5 way. But he would be the fifth person.

6 CHAIRMAN ANDERSON: What I normally
7 do, I give both parties -- I recall a case. I
8 will recall this case at 10 o'clock. If he's not
9 here at 10 o'clock I'm going to dismiss. So I'll
10 recall this case at 10 o'clock.

11 MR. SCHLOM: Thank you.

12 CHAIRMAN ANDERSON: That's routine
13 what I do for all cases. We're supposed to start
14 at 9:30. I call the case. If not, then I recall
15 the case at 10. If they're not here then I'll
16 dismiss it.

17 All right, you can step back. I'll
18 recall the case.

19 MR. SCHLOM: Thank you very much.

20 MS. HOWARD: Thank you.

21 (Whereupon, the above-entitled matter
22 went off the record at 9:45 a.m. and resumed at
23 10:00 a.m.)

24 CHAIRMAN ANDERSON: All right, I'm
25 recalling case no. 19-PRO-00113, Mirror Lounge,

1 license number 111950. Will the parties please
2 approach and identify themselves for the record,
3 please?

4 MS. YOHANNES: Sidon Yohannes on
5 behalf of the applicant.

6 CHAIRMAN ANDERSON: Ms. Yohannes.

7 MR. SCHLOM: Mr. Evan Schlom on behalf
8 of both groups of protestants, the group of five
9 and the group of eight.

10 CHAIRMAN ANDERSON: All right, Mr.
11 Schlom. It's my understanding that the Espinoza
12 Group was granted standing and conditional
13 standing was granted to the Schlom Group with the
14 exception of that for the Schlom Group two
15 individuals were -- two new people were supposed
16 to appear this morning. Do we have those two
17 individuals here this morning, sir?

18 MR. SCHLOM: We have one additional
19 individual here this morning, Mr. Chairman.

20 CHAIRMAN ANDERSON: All right, then
21 because we did a group of five and this matter
22 was scheduled for a protest hearing status at
23 9:30. The parties were not prepared at 9:30. I
24 recalled this case as a courtesy to provide a 30-
25 minute grace period.

1 Recalled the case, the persons are
2 still not here, so therefore I'm making a motion
3 that the Schlom Group of Five be dismissed.

4 MS. CROCKETT: Second.

5 MR. SCHLOM: Mr. Chairman, if I may.

6 CHAIRMAN ANDERSON: Yes, sir.

7 MR. SCHLOM: Just for the record I
8 want to make sure that there is on the record
9 that a fourth person is here in case Mr. Orlaski
10 does in fact have good cause for failing to
11 appear and we file a motion within the necessary
12 time that we have on the record that we only gave
13 one additional person who may have had good cause
14 for failing to appear.

15 CHAIRMAN ANDERSON: I'm not going to
16 say good cause. I mean, the bottom line is that
17 you have -- the parties are given two chances for
18 five people to show up.

19 So ideally the person needs to be at
20 roll call. If there are five people not at roll
21 call we give you another opportunity to show up.

22 And so I don't really see how one can
23 provide good cause when you have had two
24 opportunities to show up and you have not shown
25 up in two opportunities. There is really no good

1 cause.

2 I'm not even sure if that's part of
3 the regulations. But I'm not quite even sure
4 what good cause. Yes, I know good cause.

5 So the motion to dismiss has been
6 seconded by Ms. Crockett. All those in favor say
7 aye.

8 (Chorus of ayes)

9 CHAIRMAN ANDERSON: Those opposed.
10 The matter passed 5-0-0. So therefore the Schlom
11 Group has been dismissed. So therefore this
12 matter, the only party that has standing is the
13 Espinoza Group. Okay? All right.

14 So do I need to -- this matter then is
15 scheduled for a protest hearing on February 12 at
16 1:30 p.m. Do I need to read the instructions, or
17 does everyone understand the instructions for a
18 protest hearing?

19 MR. SCHLOM: You don't need to read
20 them on our account, Mr. Chairman, but I will say
21 because the applicant failed to appear at the
22 roll call hearing and was subsequently reinstated
23 we do not have a date for the mandatory mediation
24 session which I understand per the regulations we
25 must have prior to the protest hearing.

1 CHAIRMAN ANDERSON: Well, I believe
2 that the agency, if there was no -- but you want
3 to make a -- Ms. Yohannes.

4 MS. YOHANNES: No, I don't.

5 CHAIRMAN ANDERSON: I don't know
6 what's going on. I'm just asking if you have a
7 comment you want to make. I just want to give
8 you an opportunity to speak.

9 MS. YOHANNES: I just want to say I'll
10 contact Ms. Fletcher and we will set a mediation
11 date. I think that we need to do that. If I'm
12 correct, through Ms. Fletcher.

13 CHAIRMAN ANDERSON: Yes. I'm just
14 saying I don't know the minutiae of what's going
15 on, but I see that you wanted to say something so
16 I'm giving you an opportunity.

17 Remember, this is just a status. I
18 don't get involved in the minutiae. I don't know
19 what's going on. I just -- go ahead. But you
20 want to say -- I will give you the opportunity to
21 say something.

22 MS. YOHANNES: Thank you. I
23 appreciate it.

24 CHAIRMAN ANDERSON: This matter then
25 is scheduled for a protest hearing on February 12

1 at 1:30 p.m.

2 And I'll remind both parties that
3 seven days before the hearing we need to exchange
4 our documents and witnesses with each side and
5 provide the board with a copy of the documents
6 and witnesses. Okay?

7 Happy new year to everyone. Hopefully
8 I won't see you on the 20th, but if I do then we
9 realize that we'll do the protest hearing -- I'm
10 sorry, on the 12th at 1:30 p.m. All right, thank
11 you.

12 MS. YOHANNES: Thank you.

13 CHAIRMAN ANDERSON: Have a good day.

14 (Whereupon, the above-entitled matter
15 went off the record at 10:04 a.m.)
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A	cell 2:24 certain 2:25 Chair 4:1 chairman 2:3,17 3:21 3:24 4:6,14,20,24 5:2 5:6,12,24 6:6,10,19 6:20 7:5,6,15 8:9,20 9:1,5,13,24 10:13 Chairperson 1:15,18 chances 7:17 Chorus 8:8 Columbia 1:1 2:5 come 3:3 4:15 comment 9:7 complaints 3:11 conditional 4:10 6:12 conduct 2:18,19 contact 9:10 Control 1:2,13,14 2:5 3:8 copy 10:5 correct 3:5 9:12 Counsel 1:23 courtesy 6:24 Crockett 1:19 2:9 7:4 8:6 CT 1:7	B	favor 8:6 February 8:15 9:25 fifth 5:5 file 7:11 first 2:14,23 3:14 4:16 five 2:17,19 4:3,4,8 6:8 6:21 7:3,18,20 Fletcher 9:10,12 fod 2:15 forward 3:3 fourth 7:9	C	LLC 1:6 Lounge 1:6,6 3:16,18 5:25
<p>a.m 2:2 5:22,23 10:15 above-entitled 5:21 10:14 account 8:20 Act 3:9 additional 4:11,15 6:18 7:13 address 3:10 agency 9:2 ahead 9:19 Alcoholic 1:2,13,14 2:5 3:8 ALIYA 1:19 ANC 1:7 Anderson 1:15,18 2:3 2:16 3:21,24 4:6,14 4:20,24 5:6,12,24 6:6 6:10,20 7:6,15 8:9 9:1 9:5,13,24 10:13 apologize 2:15 appear 3:18 6:16 7:11 7:14 8:21 applicant 1:23 3:23 6:5 8:21 Application 1:9 appreciate 9:23 approach 6:2 approximate 3:13 asking 9:6 attendance 2:18 avoid 3:1 aye 8:7 eyes 8:8</p>	D	G	H	M	
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<p>call 5:14 7:20,21 8:22 called 3:4 case 1:8 3:3,15 5:7,8,10 5:14,15,18,25 6:24 7:1,9 cases 5:13 Cato 1:18 2:10 cause 7:10,13,16,23 8:1 8:4,4</p>	D	G	H	M	
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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Mirror Lounge

Before: DCABRA

Date: 01-08-20

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

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