

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 ROLL CALL HEARING

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 IN THE MATTER OF: :
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 Miss Toya's Southern :
 Cajun Kitchen, LLC :
 t/a Miss Toya's Southern :
 Cajun Restaurant :
 3212 Pennsylvania Ave, SE: Roll Call
 Retailer CR - ANC 7B :
 License No. ABRA-119669 :
 Case #22-PRO-00003 :
 :
 (New Application) :
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Tuesday
 January 18, 2022

The Alcoholic Beverage Control Board
 met via WebEx videoconference, LaVerne Fletcher,
 Board's Agent, presiding.

PRESENT:

LAVERNE FLETCHER, ABRA Board's Agent

ALSO PRESENT:

TIFFANY BROWN, ANC 7B

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

2 10:29 a.m.

3 MS. FLETCHER: The next case on the
4 calendar is Miss Toya's Southern Cajun
5 Restaurant. The Case No. is 22-PRO-00003, Miss
6 Toya's Southern Cajun Kitchen, LLC, 3212
7 Pennsylvania Avenue, Southeast, License No. ABRA-
8 119669. This is a Retailer Class CR, a new
9 application.

10 The protest issues are adverse impact
11 on peace, order, and quiet. My name is LaVerne
12 Fletcher, conducting the roll call hearing as the
13 Board's agent. Is anyone present on behalf of
14 the establishment?

15 Is anyone present on behalf of Miss
16 Toya's Southern Cajun Restaurant?

17 The time is approximately 10:30. The
18 applicant was given notice of the roll call
19 hearing and was sent the Webex invitation to
20 attend. The applicant is not present.
21 Therefore, the application is dismissed. And who
22 is present on behalf of ANC 7B?

23 MS. BROWN: Tiffany Brown, Chair of
24 ANC 7B.

25 MS. FLETCHER: Ms. Brown, would you

1 spell your name for the record, please?

2 MS. BROWN: Sure. Tiffany, T-I-F-F-A-
3 N-Y, middle initial L, last name, Brown, B-R-O-W-
4 N.

5 MS. FLETCHER: Ms. Brown, is there a
6 settlement agreement between the ANC and the
7 applicant?

8 MS. BROWN: We're looking to do one.
9 This is, as you said, a new applicant. And this
10 is, I want to say, the first, I guess, Class C
11 application we've had in a while. So we're
12 looking to work with them to make sure that the
13 community and the ANC come to an agreement with
14 the licensee. I'm surprised they're not on.

15 MS. FLETCHER: Well, what's going to
16 happen because they're not here, the application
17 is going to be dismissed because they're not
18 present today. They're going to receive a Board
19 order dismissing the application. They'll have
20 ten days to seek reinstatement of the
21 application.

22 Ms. Brown, you'll get a copy of that
23 order. If they seek reinstatement of the
24 application, then you'll have an opportunity to
25 respond to that as well. If you're able to reach

1 an agreement out there in the community while all
2 this is going on, that's fine. You can just
3 submit it to the Board for review.

4 MS. BROWN: Okay. So just to make
5 sure I got what you're saying. So within the ten
6 days if we come to a settlement agreement, they
7 can reply back to the Board for reinstatement
8 with the settlement agreement that we come up
9 with. And their application will be granted or
10 will go through --

11 MS. FLETCHER: Yeah, so --

12 MS. BROWN: -- the approval process?

13 MS. FLETCHER: Yeah, so there --
14 thanks for asking about this. So there are two
15 different things going on right now. So the
16 application, that's going to be dismissed because
17 they weren't here today. If you're in the
18 process of working on a settlement agreement out
19 there with the applicant outside of ABRA, if you
20 enter into a settlement agreement, you may still
21 go ahead and submit it for Board review.

22 The Board will still review it and
23 make a decision about whether or not to approve
24 it, even though the application is dismissed.
25 But let's just say you don't enter into an

1 agreement. When the applicant seeks
2 reinstatement and provides the Board with an
3 explanation of why they weren't present, the
4 Board will decide whether or not to accept that
5 application -- I mean, the explanation or not,
6 and what the next step is.

7 And so we don't know what that will
8 be. The Board could ask them to start all over.
9 We're replacarding, just starting from the
10 beginning because they weren't present. But the
11 Board decides at that point. So if you don't
12 reach an agreement, the Board will decide what it
13 wants to do because he wasn't present today.

14 MS. BROWN: Okay. I have another
15 question. So what if we don't reach a settlement
16 agreement just because of timing, not because of
17 any other issue? Will the ANC have to come back
18 and reissue our protest, or will our protest
19 stand?

20 MS. FLETCHER: It will stand.

21 MS. BROWN: All right.

22 MS. FLETCHER: So if the -- if you
23 don't reach an agreement and the Board decides
24 that the applicant should replacard, you can ask
25 to be grandfathered in so you don't have to start

1 over because you already filed the protest. So
2 you could just ask to be grandfathered in as
3 opposed to having to -- as opposed to a
4 determination having to be made as to whether or
5 not you have standing.

6 MS. BROWN: Okay. All righty.

7 MS. FLETCHER: Anything else, Ms.
8 Brown?

9 MS. BROWN: No, that's it.

10 MS. FLETCHER: Well, thank you for
11 coming. It's nice to see you as always.

12 MS. BROWN: Nice to see you too. I
13 left my classroom to come. I was, like, I'm
14 getting out of here. I can't do this. Too many
15 gloves (phonetic). I'm in my car. Like I --

16 (Simultaneous speaking.)

17 MS. FLETCHER: I see. Glad you could
18 make it.

19 MS. BROWN: Thank you. I will see you
20 I guess in a couple of weeks. I have another one
21 in February.

22 MS. FLETCHER: Okay. Well, then --
23 oh, and one other thing I didn't tell you, Ms.
24 Brown, is if you decide that you -- if the
25 application is reinstated and it still hasn't

1 been settled, the case, you can always seek
2 mediation. Well, you know that process.

3 MS. BROWN: Yeah, that sounds good.

4 MS. FLETCHER: Okay. Well, thanks for
5 coming.

6 MS. BROWN: Thank you.

7 MS. FLETCHER: The roll call hearing
8 in the matter of Miss Toya's Southern Cajun
9 Restaurant is concluded. Have a great day.

10 MS. BROWN: You too. Bye-bye.

11 (Whereupon, the above-entitled matter
12 went off the record at 10:36 a.m.)

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<p style="text-align: center;">A</p> <p>a.m 2:2 7:12 able 3:25 above-entitled 7:11 ABRA 1:17 4:19 ABRA- 2:7 ABRA-119669 1:9 accept 5:4 adverse 2:10 agent 1:15,17 2:13 agreement 3:6,13 4:1,6 4:8,18,20 5:1,12,16 5:23 ahead 4:21 Alcoholic 1:2,14 ANC 1:8,19 2:22,24 3:6 3:13 5:17 applicant 2:18,20 3:7,9 4:19 5:1,24 application 1:10 2:9,21 3:11,16,19,21,24 4:9 4:16,24 5:5 6:25 approval 4:12 approve 4:23 approximately 2:17 asking 4:14 attend 2:20 Ave 1:8 Avenue 2:7</p>	<p>6:13 coming 6:11 7:5 community 3:13 4:1 concluded 7:9 conducting 2:12 Control 1:2,14 copy 3:22 couple 6:20 CR 1:8 2:8</p>	<p style="text-align: center;">J</p> <p>January 1:12</p> <p style="text-align: center;">K</p> <p>Kitchen 1:6 2:6</p> <p style="text-align: center;">L</p> <p>L 3:3 LaVerne 1:14,17 2:11 left 6:13 let's 4:25 License 1:9 2:7 licensee 3:14 LLC 1:6 2:6 looking 3:8,12</p>	<p style="text-align: center;">R</p> <p>reach 3:25 5:12,15,23 receive 3:18 record 3:1 7:12 reinstated 6:25 reinstatement 3:20,23 4:7 5:2 reissue 5:18 replacard 5:24 replacarding 5:9 reply 4:7 respond 3:25 Restaurant 1:7 2:5,16 7:9 Retailer 1:8 2:8 review 4:3,21,22 righty 6:6 roll 1:3,8 2:12,18 7:7</p>
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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: Ms. Toya's Southern Cajun Restuarant

Before: DCABRA

Date: 01-18-22

Place: teleconference

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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