



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

2 10:40 a.m.

3 AGENT FLETCHER: Would the parties in  
4 the matter of Pratt Group, LLC, please, come  
5 forward? This is Case No. 19-PRO-00010, 2121  
6 14th Street, N.W., License No. ABRA-112258. This  
7 is a Retailer Class CT new application.

8 The protest issues are adverse impact  
9 on peace, order and quiet; residential parking;  
10 and vehicular and pedestrian safety; and real  
11 property values.

12 My name is LaVerne Fletcher conducting  
13 the Roll Call Hearing as the Board's Agent.

14 Introductions beginning with the  
15 applicant, please.

16 MS. YOHANNES: Sidon Yohannes on  
17 behalf of the applicant.

18 AGENT FLETCHER: Ms. Yohannes, would  
19 you spell your name for the record, please?

20 MS. YOHANNES: Sure. S-I-D-O-N  
21 Yohannes, Y-O-H-A-N-N-E-S.

22 AGENT FLETCHER: Thank you. And

1 present on behalf of the Meridian Hill  
2 Neighborhood Association?

3 MS. HAROUCH: Janet Harouch, H-A-R-O-  
4 U-C-H.

5 AGENT FLETCHER: Thank you, Ms.  
6 Harouch.

7 MS. HAROUCH: I have a Letter of  
8 Designation also.

9 AGENT FLETCHER: Well, yes, I'll take  
10 it.

11 MS. HAROUCH: Okay.

12 AGENT FLETCHER: Thank you. Okay.  
13 Thank you very much.

14 MS. YOHANNES: And I'm not sure if I  
15 have a copy of that. Can I get a copy of that?

16 AGENT FLETCHER: Yes. This is the  
17 letter from Christina Parascandola, I'll spell  
18 that, designating Ms. Harouch as the designated  
19 representative for the Meridian Hill Neighborhood  
20 Association. Christina is C-H-R-I-S-T-I-N-A.  
21 Parascandola is P-A-R-A-S-C-A-N-D-O-L-A.

22 And on behalf of ANC-1B?

1 MR. SQUICCIARINI: Jon Squicciarini.

2 AGENT FLETCHER: Can you spell your  
3 last name, please?

4 MR. SQUICCIARINI: It's Jon, J-O-N,  
5 and then the last name is S-Q-U-I -- it's Jon, J-  
6 O-N.

7 AGENT FLETCHER: I'm sorry, one more  
8 time?

9 MR. SQUICCIARINI: Jon, J-O-N, and  
10 then the last name is Squicciarini, S-Q-U-I-C-C-  
11 I-A-R-I-N-I.

12 AGENT FLETCHER: And could you write  
13 your name -- you already did?

14 MR. SQUICCIARINI: Yeah.

15 AGENT FLETCHER: Okay. Thank you.  
16 And your name, sir?

17 MR. BRANDT: I am Craig Brandt. The  
18 first name is spelled C-R-A-I-G last name Brandt,  
19 B-R-A-N-D-T. And I am the president of the Flats  
20 at Union Row Condominium Association.

21 AGENT FLETCHER: Oh, and don't move  
22 the microphone.

1 MR. BRANDT: Sorry.

2 MR. SQUICCIARINI: Sorry.

3 AGENT FLETCHER: Mr. Brandt, you are  
4 the president of which association?

5 MR. BRANDT: Flats at Union Row.

6 AGENT FLETCHER: How do you spell  
7 that?

8 MR. BRANDT: Flats, F-L-A-T-S, at, A-  
9 T, Union, U-N-I-O-N, Row, R-O-W.

10 AGENT FLETCHER: You filed the  
11 protest?

12 MR. BRANDT: Yes.

13 MR. COURTNEY: To clarify, the  
14 residents filed the protest.

15 MS. HAROUCH: He is part of our Group  
16 of Five.

17 MR. COURTNEY: So we have a letter  
18 from 228 Union Row residents.

19 AGENT FLETCHER: I'll clarify all that  
20 in a minute. Now, I understand, Mr. Craig, how  
21 you fit in. Thank you. Ms. Harouch, you also  
22 represent the Group of 231?

1 MS. HAROUCH: Yes, I do.

2 AGENT FLETCHER: Are there any other  
3 individuals from the Group of 231 that you  
4 represent present today?

5 MS. HAROUCH: I believe so, yes.

6 AGENT FLETCHER: Okay. So --

7 MS. HAROUCH: Should they just stand?

8 AGENT FLETCHER: No, you have to speak  
9 into the microphone, because for the record we  
10 have to have a record. So if you could stand  
11 right beside Mr. Brandt, there is a microphone on  
12 the table with the little green light. If you  
13 could state your name and spell it for the  
14 record, please?

15 MR. CHHATWAL: My name is Rishi  
16 Chhatwal, R-I-S-H-I C-H-H-A-T-W-A-L, and I'm an  
17 owner at the Flats at Union Row.

18 AGENT FLETCHER: And so you are an  
19 owner? You are the owner of your unit?

20 MR. CHHATWAL: Yes, that's right.

21 AGENT FLETCHER: Okay. Thank you.

22 MR. DIAMOND: Ross Diamond, R-O-S-S

1 D-I-A-M-O-N-D, and I am also an owner at --

2 AGENT FLETCHER: Oh, excuse me, one  
3 second. Ms. Harouch, the court reporter can't  
4 hear more than one person talking. Thank you.

5 MR. DIAMOND: I am also an owner at  
6 the Flats at Union Row.

7 AGENT FLETCHER: And Ross, did you  
8 spell your last name as Diamond?

9 MR. DIAMOND: Yes.

10 AGENT FLETCHER: As in a diamond?

11 MR. DIAMOND: Yes, Diamond.

12 AGENT FLETCHER: Okay. Thank you very  
13 much.

14 MR. PEABODY: Hi. My name is Justin  
15 Peabody. I am an owner at Union Row. It's J-U-  
16 S-T-I-N P-E-A-B-O-D-Y.

17 AGENT FLETCHER: P-E-A?

18 MR. PEABODY: B-O-D-Y.

19 AGENT FLETCHER: Oh, Peabody?

20 MR. PEABODY: Yes.

21 AGENT FLETCHER: Okay. Thank you.

22 MR. LINK: Hi. Greg Link, G-R-E-G L-

1 I-N-K. I'm an owner at Union Row.

2 AGENT FLETCHER: Thank you, Mr. Link.

3 MR. PLOEN: Michael Ploen, M-I-C-H-A-  
4 E-L P-L-O-E-N.

5 AGENT FLETCHER: P-L-O-E-N?

6 MR. PLOEN: Yes.

7 AGENT FLETCHER: And, Mr. Ploen, are  
8 you an owner of your unit?

9 MR. PLOEN: Yes.

10 MR. FOX: Good morning. My name is  
11 Christopher Fox. C-H-R-I-S-T-O-P-H-E-R last name  
12 F-O-X. And I'm an owner at Union Row.

13 AGENT FLETCHER: Thank you.

14 MR. RODKIN: Hello. My name is Howard  
15 Rodkin. H-O-W-A-R-D R-O-D-K-I-N. And I'm an  
16 owner at Flats at Union Row.

17 AGENT FLETCHER: Thank you.

18 MS. GRIFFITH: Hello. Natalie  
19 Griffith, N-A-T-A-L-I-E Griffith, G-R-I-F-F-I-T-  
20 H. I'm a resident at Union Row.

21 AGENT FLETCHER: Are you an owner or  
22 a renter?



1 MS. GRIFFITH: Renter.

2 AGENT FLETCHER: Thank you.

3 MR. GANNOT: Good morning. I'm Israel  
4 Gannot. First name Israel, I-S-R-A-E-L, last  
5 name is Gannot, G-A-N-N-O-T, Gannot.

6 AGENT FLETCHER: G-A-N-N-O?

7 MR. GANNOT: T. T like Tom.

8 AGENT FLETCHER: T like Tom?

9 MR. GANNOT: Yes.

10 AGENT FLETCHER: Owner or resident?

11 MR. GANNOT: I'm an owner.

12 AGENT FLETCHER: Thank you. I mean or  
13 renter. Thank you.

14 MR. BABCOCK: Good morning. Chris  
15 Babcock, C-H-R-I-S B-A-B-C-O-C-K.

16 AGENT FLETCHER: I got off to a really  
17 bad start on that one. What's the first name?

18 MR. BABCOCK: Chris.

19 AGENT FLETCHER: C-H-R-I-S?

20 MR. BABCOCK: Correct.

21 AGENT FLETCHER: Okay. I'm ready for  
22 the last name.

1 MR. BABCOCK: B-A-B --

2 AGENT FLETCHER: What's the first  
3 letter?

4 MR. BABCOCK: B as in boy.

5 AGENT FLETCHER: Uh-huh.

6 MR. BABCOCK: A as in apple, B as in  
7 boy, C as in Charlie, O as in Oscar, C as in  
8 Charlie, K as in kilo.

9 AGENT FLETCHER: Okay. Thank you very  
10 much. Owner or renter?

11 MR. BABCOCK: Owner.

12 AGENT FLETCHER: Thank you.

13 MR. PRICE: Hi, I'm an owner. My  
14 first name is John, J-O-H-N, last name is Price,  
15 P-R-I-C-E.

16 AGENT FLETCHER: Thank you.

17 MS. SHOEMAKER: Anne Shoemaker, A-N-N-  
18 E last name S-H-O-E-M-A-K-E-R. I'm an owner.

19 MR. McILVAINE: John McIlvaine, J-O-H-  
20 N M-C-I-L-V-A-I-N-E. And I'm an owner.

21 MS. SAYLORS: Christine Saylor, C-H-  
22 R-I-S-T-I-N-E S-A-Y-L-O-R-S. I'm a resident.

1                   AGENT FLETCHER: A renter? A renter  
2 or owner?

3                   MS. SAYLORS: I'm a resident.

4                   AGENT FLETCHER: A renter or owner?  
5 Do you live -- do you own the unit or are you  
6 renting the unit?

7                   MS. SAYLORS: I live in the unit with  
8 the owner.

9                   AGENT FLETCHER: So okay. Do you own  
10 the unit?

11                   MS. SAYLORS: I don't own.

12                   AGENT FLETCHER: Are you the owner of  
13 the unit?

14                   MS. SAYLORS: No, I'm not.

15                   AGENT FLETCHER: Thank you. Thank you  
16 very much.

17                   MR. HOEHN: Hi. I'm an owner. John,  
18 J-O-H-N, Eric, E-R-I-C, Hoehn, H-O-E-H-N.

19                   AGENT FLETCHER: Okay. Mr. Hoehn,  
20 owner or renter?

21                   MR. HOEHN: Owner.

22                   AGENT FLETCHER: Thank you.

1 MR. KIMURA: Kenji Kimura, K-E-N-J-I  
2 K-I-M-U-R-A.

3 AGENT FLETCHER: K-I? What's the last  
4 name? K-I?

5 MR. KIMURA: Oh, Kimura, K-I-M-U-R-A.

6 AGENT FLETCHER: Okay. I'm sorry, one  
7 more time. Just a little bit louder.

8 MR. KIMURA: Oh, K --

9 AGENT FLETCHER: K-I?

10 MR. KIMURA: I-M-U-R-A.

11 AGENT FLETCHER: K-I-M-U-R?

12 MR. KIMURA: A.

13 AGENT FLETCHER: A?

14 MR. KIMURA: Yeah.

15 AGENT FLETCHER: That's the last name?

16 MR. KIMURA: Yes, Kimura.

17 AGENT FLETCHER: Okay. Mr. Kimura,  
18 are you owner or renter?

19 MR. KIMURA: Owner.

20 AGENT FLETCHER: Thank you very much.

21 MR. COURTNEY: And Paul Courtney, P-A-  
22 U-L C-O-U-R-T-N-E-Y. And I'm an owner.

1                   AGENT FLETCHER: Thank you, Mr.  
2 Courtney. And Mr. Brandt?

3                   MR. BRANDT: Yes?

4                   AGENT FLETCHER: You are part of the  
5 group?

6                   MR. BRANDT: Yes.

7                   AGENT FLETCHER: And you are an owner  
8 or a renter?

9                   MR. BRANDT: I'm an owner.

10                  MS. HAROUCH: And I'm also an owner.

11                  AGENT FLETCHER: Oh, Ms. Harouch  
12 you're an owner as well?

13                  MS. HAROUCH: Yes.

14                  AGENT FLETCHER: And you are a  
15 protestant in this matter as well?

16                  MS. HAROUCH: Yes, I am.

17                  AGENT FLETCHER: And Ms. Harouch, you  
18 said you are an owner as well?

19                  MS. HAROUCH: Yes, I am.

20                  AGENT FLETCHER: Did I get your name,  
21 sir?

22                  MR. KELNER: Yes, ma'am.

1                   AGENT FLETCHER: Oh, I'm sorry, hi.

2                   MR. KELNER: My name is Mark, M-A-R-K,  
3 last name K-E-L-N-E-R. I have been designated as  
4 proxy by the Langston Lofts Condominium Board.

5                   AGENT FLETCHER: Yes.

6                   MR. KELNER: And we have 85 residents.

7                   AGENT FLETCHER: Yes.

8                   MR. KELNER: We are probably -- we  
9 understand as a condo board we can't achieve  
10 standing.

11                  AGENT FLETCHER: Um-hum.

12                  MR. KELNER: But we have five  
13 protestants signed here.

14                  AGENT FLETCHER: Um-hum.

15                  MR. KELNER: Like this was emailed to  
16 -- earlier this morning.

17                  AGENT FLETCHER: Um-hum.

18                  MR. KELNER: I just want to make sure  
19 that Ms. Fletcher has seen this.

20                  AGENT FLETCHER: I'll take it.

21                  MR. KELNER: Thank you.

22                  AGENT FLETCHER: Mr. Kelner, what you

1 are giving me right now, what is this document?

2 MR. KELNER: It's dated on the 14th.

3 AGENT FLETCHER: This is dated on the  
4 14th?

5 MR. KELNER: Yes. We had a change of  
6 management in our building.

7 AGENT FLETCHER: Uh-huh.

8 MR. KELNER: And we have a new board  
9 chair who is here and we wanted to make sure that  
10 we have a list, hopefully, adjudicating status is  
11 five plus participants.

12 AGENT FLETCHER: So this -- you can  
13 just stay right here while you are here and let  
14 me ask you something.

15 MR. KELNER: Okay.

16 AGENT FLETCHER: So this letter that  
17 you are giving me right now, this is the Protest  
18 Letter filed by the Langston Lofts Condominium?

19 MR. KELNER: Yes.

20 AGENT FLETCHER: It's dated February?

21 MR. KELNER: 14th.

22 AGENT FLETCHER: 14th.

1 MR. KELNER: It would have been  
2 emailed on the 14th.

3 AGENT FLETCHER: It would have been  
4 emailed to us on the 14th.

5 MR. KELNER: That's correct.

6 AGENT FLETCHER: Do you have any  
7 record of when you emailed it?

8 MR. KELNER: Dr. Litvak, who is our  
9 board secretary, and again we had a completely  
10 new board structure.

11 AGENT FLETCHER: Um-hum.

12 MR. KELNER: She \*(10:53:48).

13 AGENT FLETCHER: One second. And so  
14 the record does show that you are the designated  
15 representative. So you are the only person  
16 present here today?

17 MR. KELNER: No. I have --

18 AGENT FLETCHER: One other person is  
19 present today?

20 MR. KELNER: -- we have three other,  
21 we have our board chair, the other resident, and  
22 another gentleman as part of -- with the hope of



1 achieving status as a --

2 MS. HAROUCH: As a Group of Five.

3 MR. KELNER: -- Group of Five.

4 AGENT FLETCHER: And that would  
5 include you, Mr. Kelner?

6 MR. KELNER: That's correct.

7 AGENT FLETCHER: Okay. And based on  
8 your understanding, this Protest Letter is dated  
9 February 14, it was actually emailed to us on  
10 February 14th?

11 MR. KELNER: Yes, it was.

12 AGENT FLETCHER: I say that because we  
13 received, actually received, it this morning.

14 MR. KELNER: Okay.

15 AGENT FLETCHER: February 19th.

16 MR. KELNER: All right.

17 AGENT FLETCHER: And so I'm just  
18 trying to get some information on the record.

19 MR. KELNER: I think when Dr. Litvak--  
20 when I go to speak with her this evening, I'll  
21 make sure that she provided a record that it was  
22 sent and when it was dated.

1                   AGENT FLETCHER: Okay. And, Mr.  
2 Kelner, you are a part of the group of  
3 individuals?

4                   MR. KELNER: That's right.

5                   AGENT FLETCHER: And you also  
6 designated to represent the association today?

7                   MR. KELNER: That's correct.

8                   AGENT FLETCHER: And there are other  
9 members from the association who are present  
10 today?

11                  MR. KELNER: Yes.

12                  AGENT FLETCHER: Okay. Well, then if  
13 you could stand right next to Mr. Brandt by that  
14 microphone and state your name and spell it for  
15 the record. Thank you.

16                  MS. YOHANNES: Ms. Fletcher, could I  
17 take a look at the letter that you have in front  
18 of you or can I get some --

19                  AGENT FLETCHER: Mr. Kelner, can you  
20 show this to Ms. Yohannes? So Ms. Yohannes, it's  
21 the same letter that you have, but it's dated  
22 February 14, but we received it, as far as we can

1 sell, this morning. But according to Mr. Kelner,  
2 it was actually emailed to us on February 14.

3 MS. YOHANNES: After the protest  
4 petition deadline?

5 AGENT FLETCHER: Yes, the petition --  
6 it -- we received it this morning. If that's  
7 correct, then it's untimely.

8 MR. KELNER: It was after the deadline  
9 of the protest. We just wanted your -- we were  
10 hoping to achieve status as a Group of Five  
11 individuals.

12 AGENT FLETCHER: Um-hum.

13 MR. KELNER: We understand the conduct  
14 boards can't receive standing, but we hope to  
15 just have a voice and lend our names to the  
16 neighborhood association as well.

17 AGENT FLETCHER: But the letter that  
18 you just gave me dated February 14th was  
19 submitted to us on February 14th.

20 MR. KELNER: That's correct after the  
21 expiration of the petition.

22 AGENT FLETCHER: The petition deadline

1 in this case was February 4th.

2 MR. KELNER: That's right.

3 AGENT FLETCHER: And so what that  
4 means, after February 4, we can't accept any  
5 other protestants. So it's impossible. That is  
6 a statutory limitation, so we can't change it.  
7 We can't accept any other protests beyond the  
8 petition deadline.

9 But what I would like to do, you can  
10 still put your names on the record, because you  
11 have a right to ask the ABC Board to reconsider  
12 anything that happens today.

13 MR. KELNER: Great. That's fine.

14 AGENT FLETCHER: So I'm going to still  
15 let you introduce yourselves and state your name  
16 for the record.

17 MS. YOHANNES: And, Ms. Fletcher, I'm  
18 going to give this letter back to you, but if I  
19 can get a copy as well?

20 AGENT FLETCHER: Okay. Thank you.  
21 Okay. I'm ready.

22 MR. SEHGAL: All right. I want to

1       thank you for allowing us to speak on the record.  
2       My name is Neil Sehgal, N-E-I-L S-E-H-G-A-L.  
3       I'm president of the Langston Hughes Association  
4       Board and \*(10:57:25).

5                   AGENT FLETCHER:  And, Mr. Sehgal?

6                   MR. SEHGAL:  Sehgal.

7                   AGENT FLETCHER:  You are the incoming  
8       president of the Langston Lofts?

9                   MR. SEHGAL:  As of 5:30.

10                  AGENT FLETCHER:  And not that it  
11       really matters, I'm just going to confirm  
12       something, at this point.

13                  MR. SEHGAL:  Yes.

14                  AGENT FLETCHER:  Mr. Kelner said that  
15       that letter was actually emailed on February  
16       14th.  The Protest Letter that we just received a  
17       copy.

18                  MR. SEHGAL:  I can attest to that as  
19       our board secretary, Dr. Litvak and I had a  
20       conversation about that.

21                  AGENT FLETCHER:  It was received on  
22       the 14th?

1 MR. SEHGAL: Yes.

2 AGENT FLETCHER: It's not going to  
3 make much of a difference.

4 MR. SEHGAL: I understand.

5 AGENT FLETCHER: I'm just trying to  
6 clarify something for the record.

7 MR. SEHGAL: Yes.

8 AGENT FLETCHER: After the petition  
9 deadline, which was February 4, we can't accept  
10 any more protests.

11 MR. SEHGAL: I understand.

12 AGENT FLETCHER: Anyway. But I'm  
13 taking all this information. No matter what I  
14 say, you are going to ask the ABC Board to  
15 reconsider. So I'm taking the information down.

16 MR. SEHGAL: Thank you. I appreciate  
17 it.

18 AGENT FLETCHER: Okay. Thank you very  
19 much. And there was one other person present  
20 today. Good morning.

21 MS. DIMIC: Good morning. My name is  
22 Jamela spelled J-A-M-E-L-A last name Dimic, D-I-

1 M-I-C. I am a resident, a renter.

2 AGENT FLETCHER: Ms. Dimic?

3 MS. DIMIC: Yes.

4 AGENT FLETCHER: Are you with the  
5 Group of 231 or are you with the Langston Lofts?

6 MS. DIMIC: I'm with Langston Lofts.

7 AGENT FLETCHER: You're with Langston  
8 Lofts. So from Langston Lofts present here  
9 today, Neil Sehgal, Jamela Dimic.

10 MS. DIMIC: Yes.

11 AGENT FLETCHER: And Mr. Kelner.

12 MR. KELNER: Yes, and one more.

13 MR. AUSLANDER: And one more.

14 AGENT FLETCHER: And one more. Okay.  
15 Where is the one more?

16 MR. AUSLANDER: One more, me.

17 AGENT FLETCHER: Oh.

18 MR. AUSLANDER: Scott last name is  
19 Auslander, A-U-S-L-A-N-D-E-R.

20 AGENT FLETCHER: Neil Sehgal, Jamela  
21 Dimic, Scott Auslander and Mr. Kelner are all  
22 here on behalf of Langston Lofts.

1           Our office received the Protest Letter  
2           that you just gave me, Mr. Kelner. We actually  
3           received that this morning, February 19th.  
4           That's the only record that we have right now  
5           when we received it. I'm just stating all this  
6           for the record.

7           MR. KELNER: Sure.

8           AGENT FLETCHER: So our records shows  
9           that we received the Protest Letter filed by  
10          Langston Lofts Condominium this morning, February  
11          19. Condominium associations do not have  
12          standing as protestants, so the protest filed by  
13          the condominium association is dismissed, because  
14          condominiums don't have standing as protestants.

15          But at the same time, there was a list  
16          of individuals that signed a Protest Letter and  
17          attached it to the protest filed by Langston  
18          Lofts Condominiums.

19          And what you are saying, Mr. Kelner,  
20          is what your group is going to do is petition the  
21          ABC Board to consider you as a Group of Five?

22          MR. KELNER: That's correct.



1 MS. YOHANNES: And, Ms. Fletcher, I'm  
2 sure you said it, but just for the record, the  
3 group should also be dismissed because no protest  
4 was filed, no letter was filed.

5 AGENT FLETCHER: Yes, that's what I'm  
6 actually getting to next. What happens so that  
7 Mr. Kelner will know all the bases to request a  
8 reconsideration.

9 For the group, the group's protest was  
10 filed at the same time as the condominium  
11 association. It was filed together. So you  
12 filed it -- you may have emailed it on the 14th,  
13 we have a record of receiving it on the 19th. So  
14 even for the group of individuals, the protest  
15 would have been untimely because it came after  
16 February 4th.

17 But as I said before, you may petition  
18 the ABC Board to reconsider anything that I say.  
19 I'm just stating all of this for the record.

20 MR. KELNER: Okay.

21 AGENT FLETCHER: And, Mr. Kelner, just  
22 so that you know, if the ABC Board should look at

1 your request and decide to grant you standing as  
2 protestants, four of you were present today.

3 MR. KELNER: Right.

4 AGENT FLETCHER: That would mean that  
5 at the next hearing that the Board has, one more  
6 of you would need to appear. The Board needs to  
7 see five faces before they will grant standing.  
8 So that's just FYI for the future.

9 MR. KELNER: Thank you.

10 AGENT FLETCHER: I'm counting the  
11 people present from the Group of 31 who  
12 introduced themselves. Give me a minute, because  
13 we also have abutting property owners who filed  
14 protests as well.

15 MS. HAROUCH: Yes.

16 AGENT FLETCHER: So I'm just letting  
17 you know I haven't forgotten about the abutting,  
18 I'm just looking at the group right now.

19 MS. HAROUCH: I wasn't going to let  
20 you forget.

21 AGENT FLETCHER: So I counted 19  
22 individuals present from the Group of 231. We

1 need to see at least five in order to grant  
2 standing, so I counted 19.

3 If you have a different number that's  
4 fine, but the group will be granted standing just  
5 by the fact that there are at least five.

6 MS. HAROUCH: Okay. Thank you.

7 AGENT FLETCHER: So far we have the  
8 Meridian Hill Neighborhood Association granted  
9 standing as a protestant.

10 We have ANC-1B granted standing as a  
11 protestant.

12 And the Group of 231 is granted  
13 standing as a protestant.

14 Now, I'm going to move onto the condo  
15 -- I mean to the abutting property owners. And  
16 we have to determine who is abutting and who  
17 isn't.

18 MS. HAROUCH: There are two of them  
19 present, shall we start with them?

20 AGENT FLETCHER: Start with who? Who  
21 is it?

22 MS. HAROUCH: There are two abutting

1 property owners present.

2 AGENT FLETCHER: We have two present,  
3 let's start with those two, yes. Are any  
4 abutting property owners present? That's a good  
5 place to start.

6 MR. PEABODY: Justin Peabody. I'm an  
7 abutting property owner.

8 AGENT FLETCHER: And what's the last  
9 name again?

10 MR. PEABODY: Peabody, P-E-A-B-O-D-Y.

11 AGENT FLETCHER: Okay. So Mr.  
12 Peabody, you are part of the group and you are an  
13 abutting property owner. Okay. And you are an  
14 owner?

15 MR. PEABODY: Yes.

16 AGENT FLETCHER: Okay. Thank you.  
17 And what's your unit number?

18 MR. PEABODY: 212.

19 AGENT FLETCHER: 212. Thank you.

20 MR. BABCOCK: Hi, Chris Babcock, B-A-  
21 B-C-O-C-K.

22 AGENT FLETCHER: B-A-B?

1 MR. BABCOCK: C-O-C-K.

2 AGENT FLETCHER: B-A-B-T as in Tom?

3 MR. BABCOCK: No. B as in boy, A as  
4 in apple, B as in boy, Charlie, Oscar, Charlie,  
5 kilo, C-O-C-K.

6 AGENT FLETCHER: Okay. Thank you.  
7 Mr. Babcock, you are an owner?

8 MR. BABCOCK: Yes, I'm an owner.

9 AGENT FLETCHER: And what's your unit  
10 number?

11 MR. BABCOCK: 214.

12 AGENT FLETCHER: 214. Okay. Thank  
13 you very much.

14 MS. HAROUCH: We have one more.

15 AGENT FLETCHER: Oh, one more? Okay.  
16 Thank you. Hi.

17 MR. KIMURA: Kenji Kimura.

18 AGENT FLETCHER: What's the first  
19 name?

20 MR. KIMURA: Kenji, K-E-N-J-I.

21 AGENT FLETCHER: And could you spell  
22 the last name again, please?

1 MR. KIMURA: Kimura, K-I-M-U-R-A.

2 AGENT FLETCHER: K-I?

3 MR. KIMURA: M.

4 AGENT FLETCHER: M.

5 MR. KIMURA: U.

6 AGENT FLETCHER: U.

7 MR. KIMURA: R.

8 AGENT FLETCHER: R.

9 MR. KIMURA: A.

10 AGENT FLETCHER: A. Thank you. And,

11 Mr. Kimura, you are an owner?

12 MR. KIMURA: 206. Oh, yes, owner.

13 AGENT FLETCHER: You're an owner. And

14 what's your unit number?

15 MR. KIMURA: 206.

16 AGENT FLETCHER: 202?

17 MR. KIMURA: 206.

18 AGENT FLETCHER: 203?

19 MS. HAROUCH: 206.

20 MR. KIMURA: 206.

21 AGENT FLETCHER: Thank you very much.

22 Thank you. So, Ms. Harouch, you are also

1 representing the abutting property owners?

2 MS. HAROUCH: Yes, that's correct.

3 And we do have one renter present here also in an  
4 abutting unit. Do you want to deal with that  
5 separately?

6 AGENT FLETCHER: Separately.

7 MS. HAROUCH: Okay.

8 AGENT FLETCHER: Yes, thank you. So  
9 the question is whether or not the properties  
10 actually abut. So I'm just going to look at Unit  
11 212, 214 and 206, because you're present today.

12 Do the units share a common wall?

13 MS. HAROUCH: Yes, we looked at the  
14 drawings and all the \*(11:08:27) that we  
15 identified as abutting owners do share a common  
16 wall or --

17 AGENT FLETCHER: They touch in some  
18 way?

19 MS. HAROUCH: -- touch in some way.

20 MR. BRANDT: It's the floor or  
21 ceiling.

22 MS. HAROUCH: The floor.

1                   AGENT FLETCHER: The floor/ceiling.

2                   MR. BRANDT: Yeah.

3                   AGENT FLETCHER: Okay. So these three  
4 units share a floor/ceiling, they touch in some  
5 way.

6                   MS. HAROUCH: Um-hum.

7                   AGENT FLETCHER: 212, 214 and 206. At  
8 this point, at least Ms. Yohannes just for the  
9 purpose of the Roll Call Hearing, do you disagree  
10 with that or do you oppose that at this point?

11                   MS. YOHANNES: I'm just going to  
12 object. I don't have -- I'm going to object  
13 because I don't think that it does.

14                   AGENT FLETCHER: Okay.

15                   MS. HAROUCH: We went through this  
16 previously with Mulebone and these units were  
17 also identified as abutting units.

18                   AGENT FLETCHER: Yeah, so we will have  
19 a record of that and I just have to go through  
20 this record. And so what I'm going to do is I'm  
21 going to -- for Unit 212, 214 and 206, because  
22 there is an objection, I'm going to grant



1 conditional standing to Units 212, 214 and 206  
2 and that will be to John Peabody, Chris Babcock  
3 and Kenji Kimura. I'm granting conditional  
4 standing to those three. They are present, so  
5 that is happening with those three.

6 And we have 11 -- abutting property  
7 owners. We have additional abutting property  
8 owners who are not here, which is okay, because  
9 Ms. Harouch, you are here, so we know their unit  
10 numbers.

11 MS. HAROUCH: Um-hum.

12 AGENT FLETCHER: I'm just going to say  
13 what the unit numbers are for the remaining  
14 abutting property owners. And then we will talk  
15 about whether or not their properties actually  
16 touch ceiling/floor or you can tell me. So I'm  
17 just going to give a list of the unit numbers  
18 first.

19 There is Unit No. 205, Unit No. 206,  
20 Mr. Babcock is in 206, there is 207, 210, Unit  
21 211, Unit 208, Unit 212, Unit 211, Unit 214, Unit  
22 213 and 205, Unit 210.

1 MS. HAROUCH: I think you did mention  
2 them all. You are probably looking through the  
3 renters.

4 AGENT FLETCHER: Yeah, I'm just --  
5 they are separate. I'm just going through the  
6 unit numbers right now.

7 MS. HAROUCH: You did capture them  
8 all.

9 AGENT FLETCHER: Okay. Both of the  
10 residents claiming to be abutting.

11 Ms. Yohannes, are you -- well, first  
12 of all, let me ask the protestants, the abutting  
13 property owners are not here, but Ms. Harouch is  
14 representing them. To your knowledge, are their  
15 properties touching by the ceiling, wall or in  
16 any way, to your knowledge?

17 MS. HAROUCH: Yes. Our board looked  
18 at the drawings and confirmed that there were  
19 abutting.

20 AGENT FLETCHER: Okay.

21 MS. HAROUCH: As I mentioned on the  
22 prior case, they were also approved as abutting.

1                   AGENT FLETCHER: Thank you. And that  
2 was the Mulebone case?

3                   MS. HAROUCH: Correct. And we would  
4 just like to state for the record that we don't  
5 think that the applicant's counsel has provided  
6 sufficient grounds to object.

7                   AGENT FLETCHER: So they would have to  
8 later. For the purpose of the Roll Call Hearing,  
9 if there is any objection, any standing would  
10 have to be conditional. And then you will get a  
11 chance to -- the applicant would have an  
12 opportunity to state the -- provide proof of the  
13 evidence that they have, whether they do any --  
14 they have that would show that the properties do  
15 not abut.

16                   MS. HAROUCH: Okay.

17                   AGENT FLETCHER: And so what I'm going  
18 to do today for the purpose of the Roll Call  
19 Hearing, I'm granting conditional standing to all  
20 of the abutting property owners, but we will have  
21 to check. Ms. Yohannes will check. And when you  
22 appear for your Status Hearing, it is at that

1 point that the Board would determine if you  
2 should be granted full standing.

3 So whenever a party is granted  
4 conditional standing today, you go forward  
5 through the process, but at the point of the  
6 Status Hearing, the ABC Board will decide if you  
7 should be granted full standing or not.

8 MS. HAROUCH: Okay. Do we submit any  
9 additional evidence at that time?

10 AGENT FLETCHER: Yeah, you should if  
11 you have any.

12 MS. HAROUCH: Okay.

13 AGENT FLETCHER: Yes, because it's  
14 conditional as of today. So we will check, I  
15 think we can. For us, the standard for abutting  
16 is that there has -- the properties have to abut  
17 somewhere. Some times it's a ceiling, floor,  
18 sometimes it's walls.

19 And there were some renters that filed  
20 protests.

21 MS. HAROUCH: Yes.

22 AGENT FLETCHER: They filed them along

1 with the abutting property owners. The renter of  
2 a condominium cannot file as abutting. They can  
3 file as a part of the Group of Five, but not as  
4 an abutting property owner. In order to be an  
5 abutting property owner, you actually have to be  
6 the owner, but your tenant doesn't have the right  
7 to file the protest as an abutting property  
8 owner, but the tenant can file the protest as a  
9 part of -- could file the protest as a part of  
10 this Group of 231.

11 So do you know whether or not any --  
12 I'll give you the tenants names who filed as  
13 renters and if you know if they are a part of the  
14 Group of 231, they could be included, could still  
15 be included in that group, but just not as an  
16 abutting property owners.

17 So I'm just going to state the name of  
18 the renters for the record. So there is: Athena  
19 Grace, A-T-H-E-N-A Grace, G-R-A-C-E. Ms. Grace  
20 lives in Unit 205. She said she is a renter.

21 MS. HAROUCH: Correct.

22 AGENT FLETCHER: Natalie Mulloy, N-A-

1 T-A-L-I-E M-U-L-L-O-Y. She lives in Unit 209.  
2 She said that she is a renter.

3 MS. HAROUCH: Correct.

4 AGENT FLETCHER: Toby Tyler lives in  
5 Unit 209. He or she said that they are a renter.

6 Elizabeth Chiomenti, that's C-H-I-O-M-  
7 E-N-T-I, said that she lives in Unit 210 and that  
8 she is a renter.

9 Natalie Griffith lives in Unit 212.  
10 She said she is a renter.

11 And Damon, D-A-M-O-N Marx, M-A-R-X,  
12 also lives in Unit 212 and said that he is a  
13 renter.

14 If any of those individuals are a part  
15 of the Group of 231, that's fine. But if -- you  
16 can't claim to be abutting as a renter. And so  
17 their Protest Letter said that they filed as  
18 abutting, but they are renters.

19 MS. HAROUCH: Okay. Is there any  
20 distinction between renter and lessee in terms of  
21 the lease hold on the property? Can you derive a  
22 distinction there?

1                   AGENT FLETCHER: For us it just has to  
2 be the owner of the property.

3                   MS. HAROUCH: Okay.

4                   AGENT FLETCHER: Yeah, the owner of  
5 the property can always file a protest.

6                   MS. HAROUCH: Okay.

7                   AGENT FLETCHER: If the property  
8 abuts, but the renter can't file. The owner has  
9 to do it.

10                  MS. HAROUCH: Okay. It was worth a  
11 shot.

12                  AGENT FLETCHER: So in terms of the  
13 individuals that I just named, Grace, Mulloy,  
14 Tyler, Chiomenti, Griffith and Marx, they cannot  
15 be granted standing as abutting property owners,  
16 because they are renters. So they would be  
17 dismissed as property -- abutting property  
18 owners.

19                  At this moment, I don't know if they  
20 signed that protest of 231, but if they did, they  
21 are already in that group, so there is nothing  
22 you need to do if they are already in the group.

1 The entire group has been granted standing  
2 because of the number of people present today.

3 Justin Peabody is here, Natalie  
4 Griffith is here and Damon Marx is here? Is  
5 Damon Marx here?

6 MS. HAROUCH: No.

7 AGENT FLETCHER: Okay. Those three  
8 individuals: Justin Peabody Natalie Griffith and  
9 Damon Marx, they actually did not designate a  
10 representative.

11 MS. HAROUCH: Right, um-hum.

12 AGENT FLETCHER: Justin Peabody and  
13 Natalie Griffith are here today, so they are  
14 fine, because they are here. And if they weren't  
15 here, they would still be fine in their granting  
16 of conditional standing, because you are  
17 representing them, but they are here.

18 Damon Marx did not designate a  
19 representative and he is not here. Damon Marx  
20 has to be dismissed, because he is not here and  
21 he didn't designate a representative. So he is  
22 not accountable or is he?



1 MS. HAROUCH: He might be a part of  
2 our larger group. I'm not sure.

3 AGENT FLETCHER: Okay.

4 MS. HAROUCH: Now, in the case of  
5 Justin, does he need to be present at future  
6 meetings in order to retain his standing or can  
7 he --

8 AGENT FLETCHER: For the abutting, you  
9 know, property owners?

10 MS. HAROUCH: Correct.

11 AGENT FLETCHER: The abutting property  
12 owners, and I'll just get to that now since you  
13 brought it up, Ms. Harouch. It is okay today if  
14 abutting property owners are represented. It's  
15 okay today if anybody is represented. But at the  
16 point of the Status Hearing, in the case of the  
17 abutting property owners only, they have to  
18 appear in person.

19 It's okay for you to come today on  
20 behalf of all of them, but at the upcoming Status  
21 Hearing, the abutting property owners have to  
22 appear in person. They are being granted

1 conditional standing, because you are here today  
2 on their behalf.

3 If you weren't here today, they would  
4 all have to be dismissed if they weren't present,  
5 but you are representing all of them. So they  
6 need to actually appear in person, except the  
7 ones who already did appear today, which is  
8 Natalie Griffith.

9 MS. HAROUCH: No, she isn't here.

10 AGENT FLETCHER: She didn't -- she,  
11 Natalie Griffith, according to their Protest  
12 Letter, Ms. Harouch, you weren't representing  
13 Peabody, Griffith or Marx. They didn't designate  
14 a representative --

15 MS. HAROUCH: That's correct.

16 AGENT FLETCHER: -- at all.

17 MS. HAROUCH: That's correct.

18 AGENT FLETCHER: All right.

19 MR. COURTNEY: Just to clarify,  
20 Natalie Griffith and Damon Marx rent from Justin  
21 Peabody and Justin Peabody is present here today.  
22 He is the owner.

1                   AGENT FLETCHER: So Justin Peabody is  
2 here today?

3                   MR. COURTNEY: Yes.

4                   MS. HAROUCH: Yes.

5                   AGENT FLETCHER: And Justin Peabody is  
6 an owner?

7                   MR. COURTNEY: Yes.

8                   AGENT FLETCHER: And he is present  
9 today.

10                  MR. COURTNEY: Correct.

11                  AGENT FLETCHER: All right. So that's  
12 what I -- so he is granted conditional standing  
13 as an abutting property owner. He is granted  
14 standing as an abutting property owner, because  
15 he is here today. He didn't designate a  
16 representative to represent him --

17                  MS. HAROUCH: Right.

18                  AGENT FLETCHER: -- but he is here.

19                  MS. HAROUCH: Gotcha.

20                  AGENT FLETCHER: Natalie Griffith and  
21 Damon Marx also did not designate  
22 representatives, so whether or not they are

1 present today determines whether or not they get  
2 granted standing today.

3 MR. COURTNEY: Natalie is here.

4 AGENT FLETCHER: Yes, that's what I --  
5 yeah, Natalie is here, that's what I was saying.  
6 Natalie Griffith is present today.

7 MS. HAROUCH: Yes. So she is a  
8 representative.

9 AGENT FLETCHER: Exactly. So Natalie  
10 Griffith is present, so although she didn't  
11 designate a representative, she is here in  
12 person.

13 MS. HAROUCH: Um-hum.

14 AGENT FLETCHER: So she is actually  
15 granted conditional standing as well. All the  
16 abutting property owners are granted conditional  
17 standing.

18 MR. COURTNEY: Oh, Natalie Griffith --

19 MS. HAROUCH: She is a renter, not an  
20 owner.

21 AGENT FLETCHER: She is a renter?

22 MS. HAROUCH: Yes.

1           AGENT FLETCHER: Just a second, just  
2 a second, just a second. Yes, Natalie Griffith  
3 and Damon Marx are renters.

4           MS. YOHANNES: In Unit 212.

5           AGENT FLETCHER: 212 is a renter.

6           MS. HAROUCH: Correct.

7           AGENT FLETCHER: Natalie Griffith is  
8 a renter.

9           MS. YOHANNES: But Justin Peabody is  
10 the owner.

11          MR. COURTNEY: Yeah, the owner of 212.

12          MS. YOHANNES: Correct.

13          AGENT FLETCHER: Okay. And so he is  
14 granted conditional standing. I'm trying to keep  
15 all these names straight. Yes, Justin Peabody is  
16 an abutting property owner and he is granted  
17 conditional standing along with all the other  
18 abutting property owners today.

19                   And Natalie Griffin and Damon Marx are  
20 renters, so the renters are not granted standing,  
21 but they can be a part of the Group of 231, which  
22 we don't know today if they all signed that

1 letter or not, but that group is granted standing  
2 regardless of whether they are in it or not.

3 And I just got clarification regarding  
4 the -- Mr. Kelner just clarification regarding  
5 the Langston Lofts Condominium Association  
6 protest, yes, we did actually receive it on  
7 February 15th, so it did come in before today. I  
8 just wanted to state that for the record.

9 MR. KELNER: Thank you.

10 AGENT FLETCHER: Any questions so far?

11 MS. HAROUCH: May I just clarify in  
12 the representation?

13 AGENT FLETCHER: Yes.

14 MS. HAROUCH: So the representation  
15 designation indicated that I could represent the  
16 abutting owners in future matters as well related  
17 to the protest?

18 AGENT FLETCHER: Um-hum.

19 MS. HAROUCH: So they don't have to be  
20 present at subsequent hearings?

21 AGENT FLETCHER: Yeah, they -- yeah,  
22 you can represent them in future proceedings.

1 You can come with them to the upcoming Status  
2 Hearing is you want and I'll give you the date of  
3 that.

4 MS. HAROUCH: Okay.

5 AGENT FLETCHER: But they themselves  
6 have to show up for the Status Hearing. The  
7 Board needs to see the face of each one of them,  
8 because they are being granted standing as  
9 individuals. Each one is a stand alone  
10 protestant, each one. They are not a group as  
11 each one has filed a protest individually and so  
12 the Board will need to see them individually in  
13 person, will need to see their faces, you know,  
14 as opposed to the Group of 231, they only need to  
15 see five of them.

16 But for an abutting property owner, a  
17 stand alone protestant, that person has to show  
18 up in person.

19 MS. HAROUCH: And is there any special  
20 dispensation if they are out of the country or --

21 AGENT FLETCHER: Well, what will  
22 happen is when you come to the Status Hearing,

1 the abutting property owners will need to be in  
2 person. But if you are here and you just tell  
3 the Board that one of your abutting property  
4 owners is out of the country, they can take that  
5 into consideration.

6 So they can take -- if there is a  
7 reason for them not being here, they can take it  
8 into consideration. Ms. Yohannes can object to  
9 that and the Board will make a decision, but  
10 yeah, they take all those situations into  
11 consideration.

12 MS. HAROUCH: Okay.

13 AGENT FLETCHER: Any other questions,  
14 Ms. Harouch?

15 MS. HAROUCH: No.

16 AGENT FLETCHER: For ANC-1B, John, did  
17 you put your contact information on that sheet  
18 already?

19 MR. SQUICCIARINI: Yes.

20 AGENT FLETCHER: I'm just going  
21 through my list to make sure I didn't miss  
22 anyone. Mr. Kelner, do you have any questions at



1 all about Langston Lofts Condominium, anything I  
2 have said today? Any questions at all?

3 MR. KELNER: No questions.

4 AGENT FLETCHER: Is your contact  
5 information on that sheet as well?

6 MR. KELNER: It is. My one signatory  
7 is at the bottom of the page.

8 AGENT FLETCHER: Ms. Yohannes, do I  
9 need to clarify anything for --

10 MS. YOHANNES: No, I think it's fine.

11 AGENT FLETCHER: So we have Meridian  
12 Hill Neighborhood Association as a protestant,  
13 granted standing as a protestant. The ANC-1B  
14 granted standing as a protestant. A Group of 231  
15 is granted full standing as a protestant, because  
16 at least five of them were present today.

17 What that means, Mr. Harouch, is that  
18 at the upcoming Status Hearing, only you need to  
19 appear for that group. No one else from the  
20 group needs to appear, because at least five were  
21 here today.

22 For the abutting property owners, Ms.

1 Harouch, you are representing all of the abutting  
2 property owners except for -- you're representing  
3 all of them. So they need to say that to us.  
4 You are representing all of them. And all the  
5 ones that are not here today, they have to appear  
6 at the upcoming Status Hearing in their own  
7 right, because they are individual protestants,  
8 so they have to come, so that the Board can see  
9 their faces.

10 For the ones that do not come to the  
11 Status Hearing, the Board may dismiss them. The  
12 ones that do come will be granted full standing.

13 Today, all abutting property owners,  
14 except the one that was here, is granted  
15 conditional standing.

16 Any questions about that at all?

17 MS. HAROUCH: No.

18 MR. COURTNEY: There are three  
19 abutting property owners here today.

20 AGENT FLETCHER: Right and I'm going  
21 to get to those in a minute. And could you state  
22 your name?

1 MR. COURTNEY: Paul Courtney.

2 AGENT FLETCHER: Mr. Courtney, the  
3 court reporter has to know who is speaking at all  
4 times. Okay. And so, Mr. Courtney, what three  
5 abutting property owners do you have that are  
6 present today?

7 MR. COURTNEY: Mr. Kenji Kimura,  
8 Justin Peabody and Chris Babcock.

9 Mr. Kimura is in Unit 206. Mr.  
10 Peabody is in Unit 212. Mr. Babcock is in Unit  
11 214. They are all abutting owners who are  
12 present today.

13 AGENT FLETCHER: Mr. Peabody is  
14 present today. Mr. Babcock is present today.  
15 And which other person did you have that is  
16 present today?

17 MR. COURTNEY: Mr. Kimura in Unit 206.

18 AGENT FLETCHER: Kenji?

19 MR. COURTNEY: Yes.

20 AGENT FLETCHER: All right. I have  
21 the same thing, just trying to compare and make  
22 sure we have the same information.

1 MR. COURTNEY: It's a lot of people  
2 involved.

3 MS. YOHANNES: And for the record,  
4 they are all granted conditional standing, right?

5 AGENT FLETCHER: Yes.

6 MS. YOHANNES: We haven't determined--

7 AGENT FLETCHER: They -- all the  
8 abutting property owners are granted conditional  
9 standing --

10 MS. YOHANNES: Okay.

11 AGENT FLETCHER: -- because as of this  
12 moment, we don't have proof with us today that  
13 they actually abut. They are granted conditional  
14 standing. When you show up for the Status  
15 Hearing, Ms. Harouch, you will get to show why  
16 all of the abutting property owners do abut. You  
17 said that they touch by ceiling, floor, walls.

18 So that's what happens at the Status  
19 Hearing. That's what the Board is going to want  
20 evidence of. Whatever you have to show that they  
21 are abutting.

22 And the applicant will have an

1 opportunity to respond to whatever you have. So  
2 but all of the abutting property owners are  
3 granted conditional standing today, because the  
4 applicant is opposed to the granting of standing  
5 of the abutting property owners without any  
6 evidence today that they actually abut.

7 Am I right, Ms. Yohannes?

8 MS. YOHANNES: That's correct.

9 AGENT FLETCHER: Okay. I'm just  
10 trying to get everything straight. So all  
11 abutting property owners are granted conditional  
12 standing.

13 Any questions from anybody? Okay.  
14 And okay, then we have the contact information  
15 for everybody. Okay. Well, then thank you for  
16 coming.

17 MS. YOHANNES: Dates?

18 AGENT FLETCHER: And we need to do one  
19 more thing. We need to set dates for the  
20 hearings now. Ms. Yohannes, you thought I forgot  
21 that, didn't you?

22 We need to set a date for a Status

1 Hearing, a Protest Hearing and a mediation. So  
2 let me give you the date for the Status and  
3 Protest Hearing first.

4 The date for the Status Hearing is  
5 March 20. March 20, 2019 at 9:30, that's the  
6 Status Hearing.

7 And the Protest Hearing is set for  
8 April 10. April 10 at 1:30 for the Protest  
9 Hearing.

10 We need to set a date for the  
11 mediation. I'll give you the next date  
12 available. Ideally, the mediation would happen  
13 before the Status Hearing, but in cases where  
14 that is not possible, it's okay with the Board if  
15 it comes after the Status Hearing.

16 When you show up to the Status  
17 Hearing, you would just tell the Board that  
18 mediation is coming.

19 I'll give you the dates available  
20 before the Status Hearing, which is on March the  
21 20th. What about February 28? Is that date good  
22 for anybody at all, February 28? It could be at

1 9:00 or 12:00 or 10:00 on the 28th.

2 MR. SQUICCIARINI: I just have a quick  
3 question.

4 AGENT FLETCHER: Yes?

5 MR. SQUICCIARINI: It could be anyone  
6 from 1B, right?

7 AGENT FLETCHER: Yes.

8 MR. SQUICCIARINI: Great. Okay.

9 AGENT FLETCHER: Uh-huh.

10 MR. BRANDT: And I guess a question  
11 for me on behalf of Flats at Union Row, our legal  
12 counsel will be representing us in mediation. Is  
13 there anything special we need to do with regards  
14 to that?

15 AGENT FLETCHER: Yeah. So let me  
16 clarify something, Mr. Brandt, since you said  
17 that, I need to clarify one more thing.

18 Mr. Brandt, you are a member of the  
19 Group of 231?

20 MR. BRANDT: Correct.

21 AGENT FLETCHER: When you say your  
22 attorney, do you mean Ms. Harouch?

1 MS. HAROUCH: No.

2 MR. BRANDT: No.

3 AGENT FLETCHER: So we have two  
4 different --

5 MR. BRANDT: Separate counsel, yes.

6 AGENT FLETCHER: Okay. So who does  
7 the separate counsel represent?

8 MR. BRANDT: They would represent the  
9 board of directors.

10 MS. HAROUCH: Basically, the  
11 residents.

12 MR. BRANDT: Yes.

13 AGENT FLETCHER: Okay. Well, that  
14 makes a difference for us though, because the  
15 board of directors can't be represented, because  
16 they don't have standing.

17 MS. HAROUCH: Yes, it's the residents.

18 MR. COURTNEY: Yeah, it will be the  
19 residents in that case. The entire board of  
20 directors is part of the Group of 231. And the  
21 board of directors would provide counsel for the  
22 Group of 231.



1                   AGENT FLETCHER: So the board of  
2 directors are representing the residents?

3                   MR. COURTNEY: Right. We are -- there  
4 are five directors.

5                   AGENT FLETCHER: Um-hum.

6                   MR. COURTNEY: And each of the five  
7 directors signed the group letter of 231.

8                   AGENT FLETCHER: Are they also  
9 residents?

10                  MR. COURTNEY: Yeah, they are owners.  
11 They are all owners and residents.

12                  AGENT FLETCHER: So they signed the  
13 Protest Letter also as residents?

14                  MR. COURTNEY: Yes.

15                  AGENT FLETCHER: So they are also  
16 residents when you filed this --

17                  MR. COURTNEY: Correct.

18                  AGENT FLETCHER: -- Group of 231. I'm  
19 just trying to keep it straight.

20                  MR. COURTNEY: Yeah.

21                  AGENT FLETCHER: And, Mr. Brandt, what  
22 you are saying is that in addition to Ms.

1 Harouch, there is other legal counsel for that  
2 Group of 231?

3 MR. BRANDT: I'm not sure of the best  
4 way to put it, because I'm not a lawyer.

5 AGENT FLETCHER: Well, you mentioned  
6 that -- when you talked about legal counsel and  
7 as far as our records show, that's Ms. Harouch,  
8 so when you said --

9 MS. HAROUCH: Oh, I'm not here as  
10 legal counsel.

11 AGENT FLETCHER: -- you had legal  
12 counsel --

13 MS. HAROUCH: I'm here as the  
14 designated representative.

15 AGENT FLETCHER: Okay. So then let's  
16 really clear this up.

17 So legal counsel will be representing  
18 who? You have two representatives.

19 MR. BRANDT: The group of residents.

20 AGENT FLETCHER: The group of  
21 residents?

22 MR. BRANDT: The 231.

1                   AGENT FLETCHER: So Ms. Harouch -- so  
2 we are going to have two designated  
3 representatives for the Group of 231, Ms. Harouch  
4 and legal counsel? So there are going to be two.

5                   Okay. So what's the name of the legal  
6 counsel?

7                   MR. BRANDT: That will be Tiffany  
8 Releford.

9                   AGENT FLETCHER: Okay. How do you  
10 spell that?

11                   MR. BRANDT: One second, let me find  
12 it. T-I-F-F-A-N-Y.

13                   AGENT FLETCHER: Um-hum.

14                   MR. BRANDT: Releford, R-E-L-E-F-O-R-  
15 D.

16                   AGENT FLETCHER: R-E-L-E?

17                   MR. BRANDT: F-O-R-D.

18                   AGENT FLETCHER: F like Frank?

19                   MR. BRANDT: Yes.

20                   AGENT FLETCHER: So Tiffany Releford  
21 is the attorney representing the Group of 231?

22                   MR. BRANDT: Correct.

1                   AGENT FLETCHER: She hasn't entered  
2 her appearance yet, but she is going to enter her  
3 appearance as the attorney representing the Group  
4 of 231?

5                   MR. BRANDT: Correct.

6                   AGENT FLETCHER: Along with Ms.  
7 Harouch. So we have got two designated  
8 representatives for the Group of 231.

9                   MS. HAROUCH: Do we need a letter for  
10 Tiffany?

11                  AGENT FLETCHER: Yes, we are going to  
12 need, yeah, because we didn't know who was  
13 representing the group. A solution, are you  
14 designated in the Protest Letters? It's okay if  
15 Tiffany Releford is representing the group, too.  
16 We just need to know who is representing who.

17                  And so Ms. Yohannes will need to be  
18 provided with her information as well, because at  
19 some point, we will need to be in communication  
20 with any designated representative. So today,  
21 any -- you are going to be receiving official  
22 notice of all the dates that were given out

1 today. As of today, that notice will go to you,  
2 Ms. Harouch, representing 231 and the abutting  
3 property owners. They would go to you. It would  
4 go to Meridian Hill Neighborhood Association.

5 Yes, so the protest dates, the  
6 schedule and hearing notices will go to the  
7 designated representatives present today. So  
8 Tiffany would have to be provided the hearing  
9 notice by you, Ms. Harouch, because we don't have  
10 her information.

11 MS. HAROUCH: Okay.

12 AGENT FLETCHER: And that's okay. I'm  
13 just trying to make sure that we keep everything.  
14 So I made a note, Mr. Brandt, that Tiffany  
15 Releford is who will be letting us know she is  
16 representing a Group of 231, that she is not  
17 representing the abutting property owners, just  
18 the Group of 231.

19 MS. HAROUCH: Yes, technically, she is  
20 representing --

21 AGENT FLETCHER: But she is going to--

22 MS. HAROUCH: -- Union Row residents,

1 including abutting property owners.

2 AGENT FLETCHER: Okay. So she -- so  
3 you all are doing the same thing? Ms. Harouch  
4 and Ms. Tiffany Releford are representing the  
5 Group of 231 and the abutting property owners?

6 MR. COURTNEY: Correct.

7 AGENT FLETCHER: Is that right? Okay.  
8 Thank you. Ms. Yohannes?

9 MS. YOHANNES: That's fine. I mean  
10 I'll await any designation that comes in when she  
11 enters her appearance.

12 AGENT FLETCHER: Thank you. Okay.  
13 Well, Mr. Brandt, thanks for bringing that up.  
14 Thank you very much. So we have that now on the  
15 record.

16 MR. BRANDT: Thank you. Did we ever  
17 set a time for mediation on the 28th?

18 AGENT FLETCHER: No, we are looking at  
19 -- we can look at February 28th at actually 9:00  
20 or 10:00, that's a Thursday. If that is not  
21 good, we could actually do Wednesday, the 27th,  
22 that's a Wednesday and sometimes Ms. Yohannes or

1 others have business here on Wednesdays already,  
2 so they can't come to a mediation.

3 But we could actually do it on  
4 Wednesday the 27th.

5 MS. YOHANNES: I prefer Thursday at  
6 10:00 a.m. I can't do Wednesday.

7 MR. BRANDT: I think that would be our  
8 preference.

9 AGENT FLETCHER: Thursday?

10 MS. YOHANNES: Yes.

11 MR. BRANDT: The 28th.

12 AGENT FLETCHER: At 10:00 a.m.  
13 Mediation is set for Thursday, February 28th at  
14 10:00. And if you have any questions, my card is  
15 on the table. Feel free to give me a call or  
16 send me an email. Okay. And I'll see you on the  
17 28th at 10:00.

18 MS. YOHANNES: Thank you.

19 AGENT FLETCHER: Thank you for coming.  
20 The Roll Call is concluded. Thank you.

21 (Whereupon, the Roll Call Hearing was  
22 concluded at 11:42 a.m.)

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**A**


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Before: DC ABRA

Date: 02-19-19

Place: Washington, DC

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