



**PRESENT:**

**LAVERNE FLETCHER, ABRA Board Agent**

**ALSO PRESENT:**

**LUCKY BARBIERI, Commissioner, ANC 2B**

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

2 10:08 a.m.

3 MS. FLETCHER: Would the parties in  
4 the Matter -- excuse me -- would the parties in  
5 the Matter of Raku-Ya please come forward, the  
6 parties in the Matter of Raku-Ya?

7 This is Case No. 19-PRO-00109 DMM,  
8 LLC, 1900 Q Street, Northwest, License No.  
9 ABRA-023943. This is a substantial change to  
10 expand the sidewalk cafe seating from 38 to 68.  
11 The protest issues are adverse impact on peace,  
12 order, and quiet.

13 My name is LaVerne Fletcher,  
14 conducting the roll call hearing as the Board's  
15 Agent.

16 Introductions beginning with the  
17 Applicant. If you could just state your name and  
18 spell it for the record, please?

19 MR. BARBIERI: I'm not the Applicant.  
20 I'm the ANC Commissioner.

21 MS. FLETCHER: You're the ANC  
22 Commissioner. Oh, well, is the Applicant here?

23 MR. BARBIERI: I believe that he's  
24 not.

25 MS. FLETCHER: Okay. Thank you.

1                   Can you state your name and spell it  
2                   for the record?

3                   MR. BARBIERI:    Sure.   Lucky Barbieri.  
4                   Do you want me to spell it, too?   Should I spell  
5                   it?

6                   MS. FLETCHER:    Yes, spell it, please.

7                   MR. BARBIERI:    L-U-C-K-Y.   B, as in  
8                   boy, A-R-B, as in boy, I-E-R-I.

9                   MS. FLETCHER:    Thank you very much.

10                  The Applicant is not present.   The  
11                  application for the substantial change is  
12                  dismissed.

13                  MR. BARBIERI:    Okay.

14                  MS. FLETCHER:    The Board will issue an  
15                  order dismissing the application, and ANC 2B will  
16                  receive a copy of the order.   The Applicant will  
17                  have 10 days to seek reinstatement of the  
18                  application.   You will be informed.

19                  MR. BARBIERI:    Okay.

20                  MS. FLETCHER:    If they seek  
21                  reinstatement of the application, you will have  
22                  an opportunity to respond to their request to  
23                  reinstate the application.

24                  MR. BARBIERI:    Great.   Great.   Okay.

25                  MS. FLETCHER:    But, for the purpose of

1 roll call, the application is dismissed.

2 MR. BARBIERI: Great. Wonderful.  
3 Thank you.

4 MS. FLETCHER: Did you put your  
5 contact information on that sheet?

6 MR. BARBIERI: Let me put it now.

7 MS. FLETCHER: Thank you.

8 Mr. Barbieri, before you leave, have  
9 you had any communication with the ANC, I mean,  
10 with the Applicant?

11 MR. BARBIERI: Before, yes, I talked  
12 to him once --

13 MS. FLETCHER: There's not a pending  
14 settlement agreement?

15 MR. BARBIERI: No.

16 MS. FLETCHER: Okay. Thank you.

17 MR. BARBIERI: No, no, no. From my  
18 understanding, actually, there isn't even a  
19 change in the outdoor seating.

20 MS. FLETCHER: Okay.

21 MR. BARBIERI: I think they must have  
22 made an error in the original application, and  
23 they were trying to rectify that application.  
24 But, then, I guess it became too complicated for  
25 them to do that. So, they just wanted to drop

1 it.

2 MS. FLETCHER: Okay.

3 MR. BARBIERI: And I guess, in the  
4 end, they forgot to drop it.

5 MS. FLETCHER: Okay. Well, then, if  
6 we hear anything from them, if they withdraw it  
7 or drop the application, we'll let you know.

8 MR. BARBIERI: Wonderful. Thank you  
9 so much.

10 MS. FLETCHER: Okay. Well, thank you  
11 for coming.

12 MR. BARBIERI: Thank you. Thank you.

13 MS. FLETCHER: The roll call hearing  
14 is concluded.

15 (Whereupon, at 10:11 a.m., the  
16 proceedings in the above-entitled matter were  
17 concluded.)

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<b>A</b>	<b>DISTRICT</b> 1:1 <b>DMM</b> 1:6 3:7 <b>drop</b> 5:25 6:4,7	<b>O</b>	<b>U</b>
<b>A-R-B</b> 4:8 <b>a.m</b> 3:2 6:15 <b>above-entitled</b> 6:16 <b>ABRA</b> 2:8 <b>ABRA-023943</b> 1:7 3:9 <b>adverse</b> 3:11 <b>Agent</b> 1:22 2:8 3:15 <b>agreement</b> 5:14 <b>Alcoholic</b> 1:2,18,19 <b>ANC</b> 2:14 3:20,21 4:15 5:9 <b>Applicant</b> 3:17,19,22 4:10,16 5:10 <b>application</b> 4:11,15,18 4:21,23 5:1,22,23 6:7	<b>E</b>	<b>October</b> 1:15 <b>once</b> 5:12 <b>opportunity</b> 4:22 <b>order</b> 3:12 4:15,16 <b>original</b> 5:22 <b>outdoor</b> 5:19	<b>understanding</b> 5:18
<b>B</b>	<b>F</b>	<b>P</b>	<b>V</b>
<b>B</b> 4:7 <b>Barbieri</b> 2:14 3:19,23 4:3,3,7,13,19,24 5:2,6 5:8,11,15,17,21 6:3,8 6:12 <b>beginning</b> 3:16 <b>believe</b> 3:23 <b>Beverage</b> 1:2,18,19 <b>Board</b> 1:2,18 2:8 4:14 <b>Board's</b> 1:22 3:14 <b>boy</b> 4:8,8 <b>Building</b> 1:20	<b>Fletcher</b> 1:22 2:8 3:3,13 3:21,25 4:6,9,14,20 4:25 5:4,7,13,16,20 6:2,5,10,13 <b>forgot</b> 6:4 <b>forward</b> 3:5	<b>P-R-O-C-E-E-D-I-N-G-S</b> 3:1 <b>parties</b> 3:3,4,6 <b>peace</b> 3:11 <b>pending</b> 5:13 <b>please</b> 3:5,18 4:6 <b>present</b> 2:6,12 4:10 <b>presiding</b> 1:22 <b>proceedings</b> 6:16 <b>protest</b> 3:11 <b>purpose</b> 4:25 <b>put</b> 5:4,6	<b>W</b>
<b>C</b>	<b>G</b>	<b>Q</b>	<b>wanted</b> 5:25 <b>Washington</b> 1:21 <b>withdraw</b> 6:6 <b>Wonderful</b> 5:2 6:8
<b>cafe</b> 1:9 3:10 <b>call</b> 1:6 3:14 5:1 6:13 <b>Case</b> 1:8 3:7 <b>change</b> 1:9 3:9 4:11 5:19 <b>Class</b> 1:7 <b>COLUMBIA</b> 1:1 <b>come</b> 3:5 <b>coming</b> 6:11 <b>Commissioner</b> 2:14 3:20,22 <b>communication</b> 5:9 <b>complicated</b> 5:24 <b>concluded</b> 6:14,17 <b>conducting</b> 3:14 <b>contact</b> 5:5 <b>Control</b> 1:2,18,19 <b>copy</b> 4:16 <b>CR</b> 1:7	<b>guess</b> 5:24 6:3	<b>quiet</b> 3:12	<b>X</b>
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	<b>I</b>	<b>S</b>	<b>0</b>
	<b>I-E-R-I</b> 4:8 <b>impact</b> 3:11 <b>information</b> 5:5 <b>informed</b> 4:18 <b>Introductions</b> 3:16 <b>issue</b> 4:14 <b>issues</b> 3:11	<b>seating</b> 1:10 3:10 5:19 <b>seek</b> 4:17,20 <b>settlement</b> 5:14 <b>sheet</b> 5:5 <b>sidewalk</b> 1:9 3:10 <b>spell</b> 3:18 4:1,4,4,6 <b>state</b> 3:17 4:1 <b>Street</b> 1:6,20 3:8 <b>substantial</b> 1:9 3:9 4:11 <b>Suite</b> 1:21	<b>1</b>
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	<b>L</b>		<b>2000</b> 1:20 <b>20009</b> 1:21 <b>2019</b> 1:15 <b>21</b> 1:15 <b>2B</b> 2:14 4:15
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			<b>6</b>
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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: Raku-Ya

Before: DCABRA

Date: 10-21-19

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.

*Neal R Gross*

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Court Reporter

**NEAL R. GROSS**

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