

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
+ + + + +
ROLL CALL HEARING
+ + + + +

IN THE MATTER OF: :
 :
Rito Loco, LLC, :
t/a Rito Loco-El Techo :
606 Florida Avenue, NW : Roll Call
Retailer CR - ANC 6E : Hearing
License No. ABRA-104119 :
Case #19-PRO-00083 :
 :
(License Renewal) :

MONDAY, JULY 8, 2019

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The Alcoholic Beverage Control Board
met in Alcoholic Beverage Control Hearing Room,
Reeves Building, 2000 14th Street N.W.,
Washington, D.C., Ms. LaVerne Fletcher, Agent,
presiding.

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

2 10:14 a.m.

3 AGENT FLETCHER: Would the parties in
4 the matter of Rito Loco-El Techo, please, come
5 forward? The parties in the matter of Rito Loco-
6 El Techo. This is Case No. 19-PRO-00083, Rito
7 Loco, LLC, 606 Florida Avenue, N.W., License No.
8 ABRA-104119, Retailer Class CR License renewal.

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

13 Present on behalf of the applicant,
14 please?

15 MS. YOHANNES: Sidon Yohannes.

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

18 MS. YOHANNES: S-I-D-O-N Y-O-H-A-N-N-
19 E-S.

20 AGENT FLETCHER: Thank you very much.
21 And present on behalf of the group of
22 protestants?

1 MR. STEED: Jeremy Steed, J-E-R-E-M-Y
2 S-T-E-E-D.

3 AGENT FLETCHER: I'm sorry, Jeremy,
4 what's the last name again?

5 MR. STEED: Steed, S-T-E-E-D.

6 AGENT FLETCHER: Okay. Thank you.
7 And did you put your contact information on that
8 sheet?

9 MR. STEED: I will put it right now.

10 AGENT FLETCHER: Thank you. And your
11 name, ma'am?

12 MS. DELINE: Amy Deline, D, as in dog,
13 E-L-I-N-E.

14 AGENT FLETCHER: Thank you very much.
15 Are there any other individuals from your group
16 present today?

17 MR. STEED: Yes.

18 MS. DELINE: Yes.

19 AGENT FLETCHER: Okay. Then you can
20 just stand right in front of the microphone on
21 the table and just state your name and spell it
22 for the record.

1 MR. HORSFORD: Jonathan, J-O-N-A-T-H-
2 A-N, Horsford, H-O-R-S-F-O-R-D.

3 AGENT FLETCHER: Thank you.

4 MR. COPENHAVER: John Copenhaver, J-O-
5 H-N C-O-P-E-N-H-A-V-E-R.

6 AGENT FLETCHER: Thank you.

7 MS. BARNES: Crystal Barnes, C-R-Y-S-
8 T-A-L.

9 AGENT FLETCHER: I'm sorry, what was
10 the first name?

11 MS. BARNES: Yes.

12 AGENT FLETCHER: Crystal?

13 MS. BARNES: C-R-Y-S-T-A-L.

14 AGENT FLETCHER: Uh-huh.

15 MS. BARNES: Barnes, B-A-R-N-E-S.

16 AGENT FLETCHER: Thank you. Okay.

17 MS. SIMINO: Hi, I'm Margaret Simino.

18 That's M-A-R-G-A-R-E-T last name S-I-M-I-N-O.

19 AGENT FLETCHER: S-I-M?

20 MS. SIMINO: I-N-O.

21 AGENT FLETCHER: I-N-O?

22 MS. SIMINO: Yes.

1 AGENT FLETCHER: Okay. Thank you.

2 And you all signed the Protest Letter?

3 MS. DELINE: We did.

4 MR. STEED: Yes.

5 AGENT FLETCHER: Thank you. So I
6 count six individuals present from your protest
7 group today?

8 MR. STEED: Yes, that's correct.

9 AGENT FLETCHER: That means that the
10 group -- I counted 22 individuals that actually
11 signed the Protest letter.

12 MR. STEED: Yes.

13 AGENT FLETCHER: That means that that
14 entire group is granted standing as protestants.

15 MR. STEED: Thank you.

16 MS. DELINE: That's great.

17 AGENT FLETCHER: When you -- well, let
18 me ask you this also. So the Protest Letter does
19 not designate a representative, but you two are
20 the designated -- who is going to be the
21 designated representative for the group?

22 MR. STEED: I will and in turn Anita

1 Norman --

2 AGENT FLETCHER: Um-hum.

3 MR. STEED: -- our ANC rep has also
4 signed this letter.

5 AGENT FLETCHER: Um-hum.

6 MR. STEED: And she said she could not
7 attend today, so I will speak with her and either
8 Anita or I will continue on as the
9 representative.

10 AGENT FLETCHER: So then what we will
11 do, Mr. Steed --

12 MR. STEED: Yes.

13 AGENT FLETCHER: -- with your contact
14 information, we will send the original notices to
15 you.

16 MR. STEED: Great.

17 AGENT FLETCHER: And then you can --
18 you and Ms. Norman can work it out.

19 MR. STEED: Great.

20 AGENT FLETCHER: Is that okay with
21 everybody present?

22 MS. DELINE: That's perfect, that's

1 great.

2 AGENT FLETCHER: So the group of 22 is
3 granted standing as protestants.

4 We need to set a date for mediation,
5 a Status Hearing and a Protest Hearing. I'll
6 give you the date for the Status and Protest
7 Hearing first.

8 The date for the Status Hearing is
9 September 18, September 18 at 9:30.

10 MS. DELINE: That's here again?

11 AGENT FLETCHER: Yes.

12 MS. DELINE: Okay.

13 AGENT FLETCHER: Um-hum. The Protest
14 Hearing is scheduled for October 30, October 30
15 at 4:30 p.m.

16 MS. DELINE: Sorry, 30 or 3rd?

17 AGENT FLETCHER: 30, 3-0.

18 MS. DELINE: And can you say the time
19 again? I'm sorry.

20 AGENT FLETCHER: Oh, yeah. October 30
21 at 4:30 --

22 MS. DELINE: Great.

1 AGENT FLETCHER: -- p.m., October 30.

2 MS. DELINE: Thank you.

3 AGENT FLETCHER: You're welcome.

4 We need to set a date for mediation.

5 I'll give you the next available day. The next
6 available day for mediation is Thursday, August 8
7 at 9:00, 10:00, 10:30, 11:00, 11:30, 1:00 or
8 2:00. Pretty much any time that day.

9 MR. STEED: The morning will work best
10 for me.

11 MS. DELINE: That's great.

12 AGENT FLETCHER: The morning?

13 MS. YOHANNES: That date doesn't work
14 for the applicant.

15 AGENT FLETCHER: Okay. The next
16 available day is Thursday, August the 15th, same
17 times, 9:00, 10:00, 11:00.

18 MR. STEED: 9:00 a.m. on the 15th would
19 work.

20 AGENT FLETCHER: Is that good for you,
21 Ms. Yohannes?

22 MS. YOHANNES: 10:00 a.m. Any time

1 after 10:30 would work.

2 AGENT FLETCHER: Any time after?

3 MS. YOHANNES: Yes.

4 AGENT FLETCHER: 10:30 or later?

5 MS. YOHANNES: So 10:30 or later, yes.

6 AGENT FLETCHER: So this is -- would
7 that work for you, Mr. Steed?

8 MS. DELINE: Yes.

9 MR. STEED: I can make that work, yes.

10 AGENT FLETCHER: So mediation is set
11 for 10:30 on Thursday, August 15.

12 Any questions at all?

13 MR. STEED: How long does mediation
14 typically last?

15 AGENT FLETCHER: Well, it sort of
16 depends on the parties. I would say generally at
17 least a couple hours.

18 MR. STEED: Understood.

19 AGENT FLETCHER: It could be less.

20 MS. DELINE: Can we get the rules for
21 mediation online?

22 AGENT FLETCHER: So mediation -- so

1 there are no -- there is in your protest -- in
2 the Hearing Notice that you are going to get --

3 MS. DELINE: Uh-huh.

4 AGENT FLETCHER: -- there will be some
5 discussion about mediation.

6 MS. DELINE: Okay. Great.

7 AGENT FLETCHER: But I can just tell
8 you just in general about the purpose of the
9 mediation is to try and resolve your protest
10 issues with the respondent. It's not
11 evidentiary. It's informal.

12 MS. DELINE: Okay.

13 AGENT FLETCHER: The whole point is to
14 just sit down and talk about your concerns.

15 MS. DELINE: Okay.

16 AGENT FLETCHER: And to see if they
17 can't be resolved with the applicant.

18 MS. DELINE: Great.

19 AGENT FLETCHER: That's the whole
20 purpose of it. The Board likes the parties to
21 have an opportunity to talk about and resolve the
22 problems before a case goes to a Protest Hearing.

1 It is mandatory that you appear for
2 mediation, but it's not a requirement that you
3 resolve the matter.

4 MS. DELINE: Sure.

5 AGENT FLETCHER: You just have to try.

6 MS. DELINE: Gotcha.

7 AGENT FLETCHER: If the matter is
8 resolved, it's reduced to writing and put in a
9 settlement agreement, which the parties sign,
10 submit to the ABC Board. The ABC Board has to
11 approve any settlement agreement. And if they
12 do, that closes out the case. The Protest
13 Hearing is canceled. The settlement agreement
14 becomes a part of the license and is enforced by
15 the ABC Board.

16 MR. STEED: Got it.

17 MS. DELINE: Great.

18 AGENT FLETCHER: Anything else, Ms.
19 Deline?

20 MS. DELINE: No, nothing else from me.

21 AGENT FLETCHER: My card is on the
22 table if you have any questions beyond today.

1 MS. DELINE: We took one.

2 AGENT FLETCHER: Okay. Okay. Then
3 thank you for coming and I'll see you soon.

4 MS. DELINE: Okay.

5 MR. STEED: Great. Thank you.

6 MS. DELINE: Thank you so much.

7 MS. YOHANNES: Thank you.

8 AGENT FLETCHER: You're welcome. The
9 Roll Call Hearing is concluded.

10 (Whereupon, the Roll Call Hearing was
11 concluded at 10:23 a.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: Rito Loco

Before: DC ABRA

Date: 07-08-19

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

Court Reporter

NEAL R. GROSS

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