

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

2 10:03 a.m.

3 AGENT FLETCHER: Would the parties in
4 the matter of Sandbox Restaurant, please, come
5 forward? This is Case No. 18-PRO-00081, Wyoming
6 Cube & Bale, LLC, 3251 Prospect Street, N.W.,
7 License No. ABRA-110062. This is a Retailer
8 Class CR new application.

9 The protest issues are adverse impact
10 on peace, order and quiet.

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

13 Introductions beginning with the
14 applicant, please.

15 MR. ELLIOTT: Robert Elliott, owner.

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

18 MR. ELLIOTT: E-L-L-I-O-T-T. And with
19 me is Rona Leff, who works with us.

20 AGENT FLETCHER: Thank you. Mr.
21 Elliott, did you say Robert Elliott lawyer? What
22 did you say the last thing? You said your name

1 and?

2 MR. ELLIOTT: I am a lawyer, but I
3 don't think I said so.

4 AGENT FLETCHER: But you said Robert
5 Elliott and then something.

6 MR. ELLIOTT: With me is Rona Leff.

7 AGENT FLETCHER: Okay. Thank you.

8 MR. ELLIOTT: L-E-F-F. Who works
9 closely with me.

10 AGENT FLETCHER: L-E-F-F?

11 MS. LEFF: Yes.

12 AGENT FLETCHER: Thank you. And
13 what's the first name?

14 MS. LEFF: Rona, R-O-N-A.

15 AGENT FLETCHER: Thank you very much.
16 Thank you. Present on behalf of the Citizens
17 Association of Georgetown?

18 MS. CRUSE: Karen Cruse representing
19 the Citizens Association of Georgetown.

20 AGENT FLETCHER: Good morning, Ms.
21 Cruse. Would you spell your name for the court
22 reporter? Thank you.

1 MS. CRUSE: Karen, K-A-R-E-N, C-R-U-S-
2 E.

3 AGENT FLETCHER: Thank you, Ms. Cruse.
4 And I'll just note for the record that the Board
5 did grant your request to be grandfathered in.

6 MS. CRUSE: Okay.

7 AGENT FLETCHER: Because there was the
8 initial Roll Call Hearing was on August 6, 2018
9 at which time the Citizens Association of
10 Georgetown was granted standing and so you have
11 been grandfathered in for today.

12 MS. CRUSE: Thank you.

13 AGENT FLETCHER: Thank you, Ms. Cruse.
14 Present on behalf of Edward Emes?

15 MS. EMES: No. Yes, Elizabeth Emes.

16 AGENT FLETCHER: Yes. Mr. Emes?

17 MS. EMES: Mr. Emes couldn't be here.
18 He is not well.

19 AGENT FLETCHER: Oh, you know, you
20 were grandfathered in as well. You know that
21 your group was also grandfathered in by the Board
22 and so --

1 MS. EMES: Everybody has to show up?

2 AGENT FLETCHER: You are grandfathered
3 in 100 percent your group is grandfathered in,
4 because you were here for the August 6th Roll Call
5 Hearing.

6 MS. EMES: Does everybody need to show
7 up again?

8 AGENT FLETCHER: Today would have been
9 the date that -- if you hadn't shown up today,
10 you would have been granted standing anyway,
11 because you were -- you requested to be
12 grandfathered in because you were here on August
13 6th.

14 MS. EMES: You know, I called and they
15 said we had to be here, all of us.

16 AGENT FLETCHER: I don't know what --
17 I --

18 MS. EMES: There were certain ones
19 that couldn't come today, had to go to the Status
20 Hearing.

21 AGENT FLETCHER: Well, let's see, when
22 we left off, the last time I don't have that

1 folder with me, Ms. Emes, but the only way that
2 would be the case is if when you were here last
3 time on August 6th of 2018, do you recall if you--
4 if at least five people from your group were
5 present?

6 MS. EMES: Yes, they were.

7 AGENT FLETCHER: So then you did not
8 need -- you -- it's okay that no one else is here
9 but you. And if you were not here, you would
10 still be granted standing, your group, I mean,
11 because the Board grandfathered you in.

12 MS. EMES: And that's great to know
13 because whoever I called on the phone said we all
14 had to be here.

15 AGENT FLETCHER: So I wonder if
16 somebody knew that the Board had grandfathered
17 you in.

18 MS. EMES: No.

19 AGENT FLETCHER: Well, it's nice to
20 see you anyway.

21 MS. EMES: Thanks.

22 AGENT FLETCHER: Is anyone else here

1 from your group or just you today?

2 MS. EMES: Yes.

3 MS. RIVERA: Rosalinda Rivera.

4 AGENT FLETCHER: Okay.

5 MS. RIVERA: Rosalinda Rivera.

6 AGENT FLETCHER: Thank you. I'm just
7 going to -- I'll just make a note of it anyway.

8 Ms. Rivera, since your name has been
9 mentioned, could you state it and spell it for
10 the record right into that microphone next to Ms.
11 Cruse? If you could state your name?

12 MS. RIVERA: My name is spelled R-O-S-
13 A-L-I-N-D-A and my last name spelled R-I-V-E-R-A.

14 AGENT FLETCHER: How is the last name
15 spelled?

16 MS. RIVERA: R-I-V-E-R-A.

17 AGENT FLETCHER: Okay. Thank you very
18 much. I just made a note that you were present
19 today. Thank you.

20 And on behalf of ANC-2E?

21 MR. MURPHY: Rick Murphy.

22 AGENT FLETCHER: Mr. Murphy, ANC-2E

1 does have standing as a protestant. And so there
2 is a third group this time, a fourth group, a
3 Group of Five. Mr. Dower?

4 MR. DOWER: Yes.

5 AGENT FLETCHER: Are you representing
6 that group?

7 MR. DOWER: I am.

8 AGENT FLETCHER: Would you state your
9 name into the microphone and spell it for the
10 record, please?

11 MR. DOWER: My name is Benjamin Dower,
12 B-E-N-J-A-M-I-N D-O-W-E-R.

13 AGENT FLETCHER: Thank you. Anybody
14 else from your group present today, Mr. Dower?

15 MR. DOWER: No.

16 AGENT FLETCHER: That's fine. You may
17 know that that means that at the upcoming Status
18 Hearing at least four more need to appear, but
19 for the purpose of today, the group is granted
20 conditional standing.

21 And conditional standing is being
22 granted to the Group of Five, just noting for the

1 record in your Protest Letter you referred to the
2 Meadowlawn --

3 MR. DOWER: Yes.

4 AGENT FLETCHER: -- Meadowlawn
5 Condominium Residential Association. I'm just
6 noting for the record that the association
7 doesn't have standing as a protestant, but the
8 Group of Five does.

9 MR. DOWER: Thank you.

10 AGENT FLETCHER: Thank you. So we
11 have three protestants: A Citizens Association
12 of Georgetown, I'm going to refer to this as the
13 Elizabeth Emes group, and ANC-2E are granted
14 standing. The Group of Five represented by
15 Benjamin Dower is granted conditional standing.
16 Four more individuals must appear at the upcoming
17 Status Hearing.

18 We need to set a date for a mediation,
19 a Status Hearing and a Protest Hearing. I'll
20 give you the date for the Status and Protest
21 Hearing first.

22 The Status Hearing is set for January

1 16, 2019 at 9:30.

2 The Protest Hearing is set for
3 February 13, 2019 at 1:30.

4 I'll give you the next available date
5 for mediation. Let's see, do you want to --
6 well, let's begin with the week of January 7, if
7 that's good for everybody? I know the previous
8 week is right -- is the week of New Year's and
9 some people are not available that week.

10 What about January 10, that's a
11 Thursday, January 10 at 9:00, 10:00, 11:00, 1:00,
12 2:00?

13 MR. MURPHY: January 10 for me first
14 thing in the morning would be best.

15 MS. EMES: It would be better for us
16 later.

17 MR. MURPHY: Okay. Well, I can do it
18 later.

19 MS. EMES: This is for the mediation?

20 MR. MURPHY: This is for the
21 mediation. Okay.

22 AGENT FLETCHER: Do you want to do

1 later?

2 MS. EMES: Later.

3 AGENT FLETCHER: Later is good. So
4 what's later? Like 11:00, 1:00?

5 MS. CRUSE: 1:00 is really bad.

6 MS. EMES: Can you do it another time?

7 MR. MURPHY: I can do it the morning.

8 AGENT FLETCHER: So we are going to go
9 with early afternoon?

10 MS. EMES: 11:00, is that better?

11 MR. MURPHY: Does that work for you?

12 That's fine for me.

13 AGENT FLETCHER: Mr. Elliott, is 11:00
14 good for you?

15 MR. ELLIOTT: Any time that the
16 protestants can agree on is fine with us.

17 AGENT FLETCHER: Okay. Then the
18 mediation is set for January 10 at 11:00.

19 Mr. Elliott, did you put your contact
20 information on that sheet?

21 MR. ELLIOTT: I did.

22 AGENT FLETCHER: Okay. Did you, Mr.--

1 MR. ELLIOTT: Home phone and email.

2 AGENT FLETCHER: Yes, that's perfect.

3 Thank you. You, Mr. Dower? Are you on there
4 already?

5 MR. DOWER: I'll do it right now.

6 AGENT FLETCHER: Okay. Thank you.

7 Okay. Any questions at all? Okay. The Roll
8 Call Hearing is concluded. And Happy Holidays.

9 MR. MURPHY: The same to you. Thank
10 you.

11 AGENT FLETCHER: Thank you.

12 (Whereupon, the Roll Call Hearing was
13 concluded at 10:12 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: Sandbox Restaurant

Before: DCABRA

Date: 12-17-18

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

NEAL R. GROSS

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