

## 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:

Cook's Group, Inc.  
t/a Tequila & Mezcal  
Restaurant Bar  
3475 14th Street, NW  
License #ABRA - 112331  
Retailer CR - Substantial  
Change (Class DR to CR)  
Case #19-PRO-00054

MONDAY, JUNE 10, 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, Board  
Agent, presiding.

## ALSO PRESENT:

JAMES LOOTS, Applicant's Counsel  
WILLIAM MARTINEZ  
CHAD ALAN  
LAUREN SALAY

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

2 11:07 a.m.

3 MS. FLETCHER: Would the parties in  
4 the matter of Tequila & Mezcal Restaurant and  
5 Bar, please come forward, the parties in the  
6 matter of Tequila & Mezcal Restaurant. This is  
7 case number 19-PRO-00054. Cook's Group, Inc.  
8 3475 14th Street, NW, license number ABRA-112331.

9 This is a Retailer Class CR License --  
10 no, this is actually a Substantial Change  
11 Application, to change the license class from  
12 Class DR to Class CR.

13 My name is LaVerne Fletcher,  
14 conducting the roll call hearing as the board's  
15 agent. Introductions beginning with the  
16 Applicant, please.

17 MR. LOOTS: James Loots, L-O-O-T-S, on  
18 behalf of the Applicant.

19 MS. FLETCHER: Thank you, Mr. Loots.  
20 And your name, sir?

21 MR. MARTINEZ: William Martinez.

22 MS. FLETCHER: Martinez, and what is

1 the first name, Mr. Martinez?

2 MR. MARTINEZ: William, and Martinez,  
3 M-A-R-T-I-N-E-Z.

4 MS. FLETCHER: Thank you very much.  
5 Chad Alan?

6 MR. ALAN: Yes.

7 MS. FLETCHER: Hi, Mr. Alan. Would  
8 you just spell your name for the record, please.

9 MR. ALAN: C-H-A-D, A-L-A-N.

10 MS. FLETCHER: Thank you very much.

11 And you name, ma'am?

12 MS. SALAY: Lauren Salay.

13 MS. FLETCHER: L-A-

14 MS. SALAY: L-A-U-R-E-N.

15 MS. FLETCHER: And what is the last  
16 name?

17 MS. SALAY: Salay, S-A-L-A-Y.

18 MS. FLETCHER: S-A-L-L--, S-A

19 MS. SALAY: S-A-L-A-Y.

20 MS. FLETCHER: S-A-L-A-Y. And, Ms.

21 Salay, so, are you a protestant?

22 MS. SALAY: I am not signed on the

1 letter, but I am also an owner at the residence.

2 MS. FLETCHER: Okay, well, you didn't  
3 file a protest, just so that you know, so you're  
4 not considered a protestant. It is okay that you  
5 are here today, because this is a public hearing.

6 MS. SALAY: Okay.

7 MS. FLETCHER: You, on the other hand,  
8 Mr. Alan, you are an abutting property owner --

9 MR. ALAN: Yes.

10 MS. FLETCHER: -- and so you do have  
11 standing as a protestant. We need to set a date  
12 for a mediation, a status hearing and a protest  
13 hearing. And I'm going to give you the date for  
14 the status and the protest hearing first.

15 The date for the upcoming status  
16 hearing is August 14. August 14 at 9:30 a.m.,  
17 that is the status hearing, August 14 at 9:30  
18 a.m. The protest hearing is set for September 11  
19 at 4:30 p.m., September 11 at 4:30.

20 MR. ALAN: I will be on a plane to  
21 Germany at that point. Is there another day that  
22 is possible?

1 MS. FLETCHER: What -- you --

2 MR. ALAN: I can do earlier that  
3 morning.

4 MS. FLETCHER: So, what you need to do  
5 Mr. Alan, is, you just need to request a new  
6 date. You would do that through our general  
7 counsel, but I'll give you her email address.  
8 You would need to copy Mr. Loots on your request,  
9 just explaining that you will be in Germany and -  
10 - then we will go from there.

11 MR. ALAN: All right. You didn't have  
12 anything earlier in the morning?

13 MS. FLETCHER: Yes, so these dates  
14 were provided to me based on --

15 MR. ALAN: Oh, okay.

16 MS. FLETCHER: -- the availability of  
17 the board at this time. So, once you make your  
18 request, the board will check -- the general  
19 counsel will check the board's calendar to see  
20 what is next available.

21 MR. ALAN: Okay, thank you.

22 MS. FLETCHER: We will go ahead and

1 set the date for a mediation, and if the matter  
2 is resolved in some way, then there won't be a  
3 protest hearing.

4 MR. ALAN: Right.

5 MS. FLETCHER: I'll give you the next  
6 available day. Mr. Loots, is your contact  
7 information on that sheet already?

8 MR. LOOTS: It's on -- I just wrote  
9 it down here on -- and I entered an appearance.

10 MS. FLETCHER: Thank you.

11 (Pause.)

12 MS. FLETCHER: The next available day  
13 for mediation is Thursday, July 25, pretty much  
14 anytime in the morning or the afternoon. Nine,  
15 10:00, 10:30, 11:00 -

16 MR. LOOTS: If we could do it in the  
17 morning, that would be better for my schedule.

18 MR. ALAN: It works.

19 MS. FLETCHER: Any preference for  
20 9:00, 10:00, 10:30?

21 MR. ALAN: Nine is fine.

22 MS. FLETCHER: Nine is good?

1 Mediation is set for 9:00 on Thursday, July 25.

2 MR. ALAN: And all of this happens  
3 here, again?

4 MS. FLETCHER: Yes. The only  
5 difference is that, most likely, it will be in  
6 this room, but just check in out front, just in  
7 case it will be somewhere else. But, more than  
8 likely, it will be right here.

9 MR. ALAN: Okay.

10 MS. FLETCHER: Any questions at all?

11 MR. LOOTS: Yes, if you happen to know  
12 there, I can check the record, the date and means  
13 of the filing of the protest?

14 MS. FLETCHER: The protest -- the date  
15 the protest was filed? Did you receive a copy of  
16 the protest -

17 MR. LOOTS: Well, I got a copy of the  
18 protest. It had a date on it, but it did not  
19 indicate the day it was actually received.

20 MS. FLETCHER: It was received on May  
21 28th.

22 MR. LOOTS: Very good, thank you.

1 MS. FLETCHER: Uh-huh, you are  
2 welcome. May 28th, which was the petition day,  
3 it lies where it was timely filed.

4 MR. LOOTS: Understood.

5 MS. FLETCHER: Anything else? Okay,  
6 thank you for coming.

7 PARTICIPANT: Thank you.

8 MS. FLETCHER: Roll call hearing  
9 concluded, thank you.

10 (Whereupon, the above-entitled matter  
11 went off the record at 11:13 a.m.)  
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<b>A</b>	<b>D.C</b> 1:18 <b>date</b> 4:11,13,15 5:6 6:1 7:12,14,18 <b>dates</b> 5:13 <b>day</b> 4:21 6:6,12 7:19 8:2 <b>difference</b> 7:5 <b>DISTRICT</b> 1:1 <b>DR</b> 1:12 2:12	<b>L-A</b> 3:13 <b>L-A-U-R-E-N</b> 3:14 <b>L-O-O-T-S</b> 2:17 <b>Lauren</b> 1:22 3:12 <b>LaVerne</b> 1:18 2:13 <b>letter</b> 4:1 <b>license</b> 1:11 2:8,9,11 <b>lies</b> 8:3 <b>Loots</b> 1:20 2:17,17,19 5:8 6:6,8,16 7:11,17 7:22 8:4	<b>protest</b> 4:3,12,14,18 6:3 7:13,14,15,16,18 <b>protestant</b> 3:21 4:4,11 <b>provided</b> 5:14 <b>public</b> 4:5
<b>A-L-A-N</b> 3:9 <b>a.m</b> 2:2 4:16,18 8:11 <b>above-entitled</b> 8:10 <b>ABRA</b> 1:11 <b>ABRA-112331</b> 2:8 <b>abutting</b> 4:8 <b>address</b> 5:7 <b>afternoon</b> 6:14 <b>agent</b> 1:18 2:15 <b>ahead</b> 5:22 <b>Alan</b> 1:21 3:5,6,7,9 4:8 4:9,20 5:2,5,11,15,21 6:4,18,21 7:2,9 <b>Alcoholic</b> 1:3,16,17 <b>anytime</b> 6:14 <b>appearance</b> 6:9 <b>Applicant</b> 2:16,18 <b>Applicant's</b> 1:20 <b>Application</b> 2:11 <b>August</b> 4:16,16,17 <b>availability</b> 5:16 <b>available</b> 5:20 6:6,12	<b>E</b>	<b>M</b>	<b>Q</b>
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<b>C</b>	<b>file</b> 4:3 <b>filed</b> 7:15 8:3 <b>filing</b> 7:13 <b>fine</b> 6:21 <b>first</b> 3:1 4:14 <b>Fletcher</b> 1:18 2:3,13,19 2:22 3:4,7,10,13,15 3:18,20 4:2,7,10 5:1,4 5:13,16,22 6:5,10,12 6:19,22 7:4,10,14,20 8:1,5,8 <b>forward</b> 2:5 <b>front</b> 7:6	<b>N.W</b> 1:17 <b>name</b> 2:13,20 3:1,8,11 3:16 <b>need</b> 4:11 5:4,5,8 <b>new</b> 5:5 <b>Nine</b> 6:14,21,22 <b>number</b> 2:7,8 <b>NW</b> 1:10 2:8	<b>receive</b> 7:15 <b>received</b> 7:19,20 <b>record</b> 3:8 7:12 8:11 <b>Reeves</b> 1:17 <b>request</b> 5:5,8,18 <b>residence</b> 4:1 <b>resolved</b> 6:2 <b>Restaurant</b> 1:10 2:4,6 <b>Retailer</b> 1:11 2:9 <b>roll</b> 1:5 2:14 8:8 <b>room</b> 1:17 7:6
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<b>D</b>	<b>H</b>	<b>once</b> 5:17 <b>owner</b> 4:1,8	<b>S-A</b> 3:18 <b>S-A-L-A-Y</b> 3:17,19,20 <b>S-A-L-L--</b> 3:18 <b>Salay</b> 1:22 3:12,12,14 3:17,17,19,21,22 4:6 <b>schedule</b> 6:17 <b>September</b> 4:18,19 <b>set</b> 4:11,18 6:1 7:1 <b>sheet</b> 6:7 <b>signed</b> 3:22 <b>sir</b> 2:20 <b>spell</b> 3:8 <b>standing</b> 4:11 <b>status</b> 4:12,14,15,17 <b>Street</b> 1:10,17 2:8 <b>Substantial</b> 1:11 2:10
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	<b>I</b>	<b>P-R-O-C-E-E-D-I-N-G-S</b> 2:1 <b>p.m</b> 4:19 <b>PARTICIPANT</b> 8:7 <b>parties</b> 2:3,5 <b>Pause</b> 6:11 <b>petition</b> 8:2 <b>plane</b> 4:20 <b>please</b> 2:5,16 3:8 <b>point</b> 4:21 <b>possible</b> 4:22 <b>preference</b> 6:19 <b>PRESENT</b> 1:19 <b>presiding</b> 1:18 <b>pretty</b> 6:13 <b>property</b> 4:8	<b>t/a</b> 1:9 <b>Tequila</b> 1:9 2:4,6 <b>thank</b> 2:19 3:4,10 5:21 6:10 7:22 8:6,7,9 <b>Thursday</b> 6:13 7:1 <b>timely</b> 8:3 <b>today</b> 4:5
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	<b>L</b>		<b>W</b>
			<b>Washington</b> 1:18 <b>way</b> 6:2

welcome 8:2  
went 8:11  
William 1:21 2:21 3:2  
works 6:18  
wrote 6:8

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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: Tequila & Mezcal

Before: DCABRA

Date: 06-10-19

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.



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Court Reporter

**NEAL R. GROSS**

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