

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

2 (10:00 a.m.)

3 MS. FLETCHER: Would the parties in
4 the matter please come forward? This is Case
5 Number 18-PRO-00062; 1327 Connecticut, LLC; 1327
6 Connecticut Avenue NW license number ABRA-099536.

7 This is Retailer Class CT, substantial
8 change for summer garden with 75 seats. The
9 protest issues are adverse impact on peace,
10 order, and quiet.

11 My name is LaVerne Fletcher.
12 Conducting the roll call hearing is the Board's
13 Agent. Introductions beginning with the
14 applicant, please.

15 MR. WARWICK: The applicant is not
16 here. You have two of the protesting groups.

17 MS. FLETCHER: Okay. Thank you.
18 Present on the behalf of ANC 2B?

19 MR. WARWICK: Daniel Warwick. Chair
20 of ANC 2B.

21 MS. FLETCHER: Thank you, Mr. Warwick.
22 And the Dupont Circle Citizens Association?

1 MS. VOLMAN: Yes, I'm Susan Volman.

2 MR. FLETCHER: Susan -- is that Susan
3 -- how do you -- is that G-O-L-D-E-N?

4 MS. VOLMAN: No, No. It's Volman.
5 V as in Victor, O-L-M-A-N.

6 MS. FLETCHER: Oh, I'm sorry.

7 MS. VOLMAN: And first name S-U-S-A-N.

8 MR. ENGELMANN: And Glenn Engelmann.
9 First Vice President.

10 MS. VOLMAN: And Glenn is with me,
11 too.

12 MR. FLETCHER: Thank you, MR.
13 Engelmann. Susan, what's your last name one more
14 time?

15 MS. VOLMAN: Volman. V, as in Victor,
16 O-L-M-A-N.

17 MS. FLETCHER: Thank you very much.
18 And, okay, so, Ms. Volman, you already signed in
19 the contact -- the sign-in sheet. So any
20 communication with the applicant at all? I mean,
21 any -- is there a settlement agreement?

22 MR. WARWICK: None that I am aware of.

1 I'm not the person running this for the ANC. The
2 single member district commissioner is out of
3 town right now.

4 MS. FLETCHER: Okay.

5 MR. WARWICK: I do know the applicant
6 received this hearing because I received it and
7 it's publically noticed.

8 MS. FLETCHER: Okay. And, Ms. Volman
9 and Mr. Engelmann, same thing for you, you're not
10 -- you don't have a settlement agreement with the
11 applicant?

12 MS. VOLMAN: No, we did invite them to
13 our meeting. Although, in the end, several of us
14 met with them at their place just before the
15 meeting and discussed all the particulars, so,
16 but anyway it's in the letter that were noticed.

17 MS. FLETCHER: Thank you.

18 MS. VOLMAN: So we've been talking to
19 them, but haven't worked on any particulars.

20 MS. FLETCHER: The application is
21 dismissed because the applicant is not present.

22 What that means is the applicant is

1 going to receive a dismissal order from the Board
2 dismissing the application and you'll get a copy
3 of it.

4 And the applicant will have ten days
5 from receiving the order to seek reinstatement of
6 the application and you'll be kept informed.

7 MR. WARWICK: Thank you very much.

8 MS. FLETCHER: Okay. Thank you. Any
9 questions at all?

10 MR. ENGELMANN: If it's reinstated, do
11 we have to re-file a protest, or the --

12 MS. FLETCHER: If it's reinstated than
13 I will contact you. You'll get -- you'll be
14 informed by our office that it was reinstated,
15 and you'll hear from me because we'll then need
16 to set a date for a mediation --

17 MR. ENGELMANN: Okay.

18 MS. FLETCHER: -- status hearing and
19 protest hearing and those are the dates I
20 actually have today, but we don't need them
21 because he's not here.

22 MR. ENGELMANN: Right. Very good.

1 MS. FLETCHER: Okay.

2 MS. VOLMAN: And you'll contact the --
3 we sent the protest letters, so the emails that
4 are on that --

5 MS. FLETCHER: Oh, I'm sorry, Ms.
6 Volman, say that again.

7 MS. VOLMAN: How you will contact?

8 MS. FLETCHER: How we'll contact you.

9 MS. VOLMAN: The emails that are on
10 our protest letter with this?

11 MS. FLETCHER: Yes.

12 MS. VOLMAN: Okay.

13 MS. FLETCHER: Yes. So however we --
14 yes, so --

15 MS. VOLMAN: However, you did it the
16 first time.

17 MS. FLETCHER: Exactly. Yes. So if
18 your email addresses are here, we'll contact you
19 that way. Either way we'll contact you --

20 MS. VOLMAN: Okay.

21 MS. FLETCHER: -- because you filed
22 the protest.

1 MS. VOLMAN: Okay. All right.

2 MS. FLETCHER: Okay and with that
3 contact information there, we'll start with that
4 because you were here today.

5 MS. VOLMAN: Oh, okay.

6 MS. FLETCHER: So we'll start with
7 what you put on that sign-in sheet.

8 MS. VOLMAN: All right. Okay. Yes,
9 then I'll share it with the others, so.

10 MS. FLETCHER: Okay. All right.
11 Well, thank you for coming. The roll call
12 hearing is concluded.

13 (Whereupon, the above-entitled matter
14 went off the record at 10:04 a.m. and resumed at
15 10:05 a.m.)

16 MS. FLETCHER: Oh, hi, we're reopening
17 the record to grant ANC 2B standing as a
18 protestant and to grant standing to the Dupont
19 Circle Citizens Association. Thank you very
20 much. We're now off the record. Thank you.

21 MR. ENGELMANN: Thank you.

22 MS. VOLMAN: Thank you.

1 (Whereupon, the above-entitled matter
2 went off the record at 10:05 a.m. and resumed at
3 10:08 a.m.)

4 MS. FLETCHER: I am reopening the case
5 of the Manor because the applicant has now
6 arrived. The time is approximately 10:09.

7 Would you introduce yourself, sir, by
8 stating your name and spelling it for the record,
9 please?

10 MR. JAMES: Yes, my name is Michael
11 James. M-I-C-H-A-E-L J-A-M-E-S.

12 MS. FLETCHER: Thank you, Mr. James.
13 And, Mr. James, are you the owner?

14 MR. JAMES: No, I am the General
15 Manager.

16 MS. FLETCHER: The General Manager?

17 MR. JAMES: Yes.

18 MS. FLETCHER: Thank you. Mr. James,
19 just so that you know, just before you came, the
20 hearing had been concluded and your application
21 had been dismissed, but because you're here, that
22 decision has been retracted.

1 MR. JAMES: Okay.

2 MS. FLETCHER: So your application is
3 no longer dismissed.

4 MR. JAMES: Okay.

5 MS. FLETCHER: I'm going to contact
6 the Protestants, which was ANC 2B and the Dupont
7 Circle Citizens Association. I'll be contacting
8 them to let them know that you did come.

9 MR. JAMES: Okay.

10 MS. FLETCHER: And I'm going to send
11 you an email using the address you put on that
12 sign-in sheet.

13 MR. JAMES: Okay.

14 MS. FLETCHER: To give you the dates
15 of a mediation. We need to set up a status
16 hearing and protest hearing.

17 MR. JAMES: Okay.

18 MS. FLETCHER: And also, just so that
19 you know, I'm LaVerne Fletcher, the Board's
20 Agent, conducting the hearing on behalf of the
21 board.

22 MR. JAMES: Yes, ma'am.

1 MS. FLETCHER: Mr. James, did you have
2 any questions at all?

3 MR. JAMES: No, ma'am.

4 MS. FLETCHER: Okay. Well, thank you
5 for coming and I'll be in touch.

6 MR. JAMES: Okay.

7 MS. FLETCHER: Thank you. The hearing
8 is concluded. Thank you.

9 (Whereupon, the above-entitled matter
10 was concluded at 10:10 a.m.)

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<p style="text-align: center;">A</p> <p>a.m 2:2 7:14,15 8:2,3 10:10 ABC 1:17 above-entitled 7:13 8:1 10:9 ABRA-099536 1:8 2:6 address 9:11 addresses 6:18 adverse 2:9 Agent 1:14 2:13 9:20 agreement 3:21 4:10 Alcoholic 1:2,13,13 ANC 1:21 2:18,20 4:1 7:17 9:6 anyway 4:16 applicant 2:14,15 3:20 4:5,11,21,22 5:4 8:5 application 4:20 5:2,6 8:20 9:2 approximately 8:6 arrived 8:6 Association 1:20,20 2:22 7:19 9:7 August 1:11 Ave 1:7 Avenue 2:6 aware 3:22</p>	<p>6:8,18,19 7:3 9:5 contacting 9:7 Control 1:2,13,13 copy 5:2 CT 1:7 2:7</p> <p style="text-align: center;">D</p> <p>D.C 1:14 Daniel 1:21 2:19 date 5:16 dates 5:19 9:14 days 5:4 decision 8:22 discussed 4:15 dismissal 5:1 dismissed 4:21 8:21 9:3 dismissing 5:2 district 1:1 4:2 Dupont 1:19,20 2:22 7:18 9:6</p> <p style="text-align: center;">E</p> <p>Either 6:19 email 6:18 9:11 emails 6:3,9 Engelmann 1:19 3:8,8 3:13 4:9 5:10,17,22 7:21 Exactly 6:17</p>	<p>9:16,16,20 10:7 hi 7:16</p> <p style="text-align: center;">I</p> <p>impact 2:9 information 7:3 informed 5:6,14 introduce 8:7 Introductions 2:13 invite 4:12 issues 2:9</p> <p style="text-align: center;">J</p> <p>J-A-M-E-S 8:11 James 8:10,11,12,13,14 8:17,18 9:1,4,9,13,17 9:22 10:1,3,6</p> <p style="text-align: center;">K</p> <p>kept 5:6 know 4:5 8:19 9:8,19</p> <p style="text-align: center;">L</p> <p>La 1:15,17 LaVerne 2:11 9:19 letter 4:16 6:10 letters 6:3 license 1:8 2:6 LLC 1:6 2:5 longer 9:3</p>	<p>O-L-M-A-N 3:5,16 office 5:14 Oh 3:6 6:5 7:5,16 okay 2:17 3:18 4:4,8 5:8 5:17 6:1,12,20 7:1,2,5 7:8,10 9:1,4,9,13,17 10:4,6 order 2:10 5:1,5 owner 8:13</p> <p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-I-N-G-S 2:1 particulars 4:15,19 parties 2:3 peace 2:9 person 4:1 place 4:14 please 2:4,14 8:9 present 1:16,18 2:18 4:21 President 1:19 3:9 presiding 1:15 protest 2:9 5:11,19 6:3 6:10,22 9:16 protestant 7:18 Protestants 9:6 protesting 2:16 publically 4:7 put 7:7 9:11</p>
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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: 1327 Connecticut, LLC

Before: Alcoholic Beverage Control Board

Date: 08-13-18

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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