

DISTRICT OF COLUMBIA  
+ + + + +  
ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

IN THE MATTER OF:                         :  
  :  
The Elroy Bar, LLC,                         :  
t/a The Elroy                                 :  
1423 H Street NE                            :  
Retailer CT - ANC 6A                       :  
License No. 96771                           :  
Case #19-CMP-00076                        :  
  :  
(Failed to Obtain a                         :  
Summer Garden Endorsement):

Wednesday  
October 2, 2019

The Alcoholic Beverage Control Board  
met in the Alcoholic Beverage Control Hearing  
Room, Reeves Building, 2000 14th Street, N.W.,  
Suite 400S, Washington, D.C. 20009, Chairperson  
Donovan W. Anderson, presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson  
RAFI ALIYA CROCKETT, Member  
BOBBY CATO, JR., Member  
JAMES SHORT, Member  
REMA WAHABZADAH, Member

ALSO PRESENT:

DONNA DURANTE-MILLER, APPLICANT  
LINDSAY MARKS, DC OAG

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

2 9:55 a.m.

3 CHAIRPERSON ANDERSON: The next case  
4 on our calendar is Case No. 19-CMP-00076, The  
5 Elroy, License No. 96771.

6 Will the parties, please, approach and  
7 identify themselves for the record, please? Go  
8 ahead, Ms. Marks.

9 MS. MARKS: Lindsay Marks for the  
10 District of Columbia.

11 CHAIRPERSON ANDERSON: Good morning,  
12 Ms. Marks.

13 MS. DURANTE-MILLER: Good morning,  
14 Board. Donna Durante-Miller.

15 CHAIRPERSON ANDERSON: I'm sorry, your  
16 last name, ma'am?

17 MS. DURANTE-MILLER: Donna Durante-  
18 Miller.

19 CHAIRPERSON ANDERSON: Ms. Miller,  
20 good morning.

21 What's your relationship to this  
22 establishment, ma'am?

23 MS. DURANTE-MILLER: I'm the new owner.

24 CHAIRPERSON ANDERSON: You are the new  
25 owner. Have you -- let me ask you a question.

1 Have you -- has the ABC Board approved you as the  
2 new owner? The reason I'm asking that, ma'am,  
3 I'm going with this sheet and I see names and  
4 your name is not a name that I see there, so I'm  
5 just asking for clarification whether or not the  
6 ABC Board has approved you as the owner of this  
7 establishment?

8 MS. DURANTE-MILLER: Yes, and I have  
9 a new license.

10 CHAIRPERSON ANDERSON: All right. All  
11 right. All right. Then we need to update our  
12 information.

13 Are there any preliminary matters in  
14 this case?

15 MS. MARKS: No, Mr. Chairman.

16 CHAIRPERSON ANDERSON: Then this  
17 matter then is scheduled for a Show Cause Hearing  
18 on November 6th at 11:00 a.m.

19 And what that means, ma'am, if you are  
20 -- since you are challenging this case, seven  
21 days before the hearing, you -- is this your  
22 case, Ms. Marks?

23 MS. MARKS: It is not.

24 CHAIRPERSON ANDERSON: All right. Can  
25 you let -- I'm sorry, Miss?

1 MS. DURANTE-MILLER: Durante-Miller.

2 CHAIRPERSON ANDERSON: Ms. Miller.

3 Can you let her know who she needs to contact,  
4 send information to? But seven days before this  
5 hearing, you are supposed to exchange the  
6 documents and witnesses you will be relying on at  
7 the hearing with the Office of the Attorney  
8 General and vice versa and share a copy of those  
9 documents and witnesses to -- with the Board.

10 And the ABC Board, if these documents  
11 and witnesses are not exchanged, unless either  
12 side can provide good cause why it was not done,  
13 then the Board will be inclined not to allow  
14 documents and witnesses to testify that has not  
15 been disclosed. Is that clear, ma'am?

16 MS. DURANTE-MILLER: Yes, sir.

17 CHAIRPERSON ANDERSON: Is that clear  
18 to the Attorney General's Office?

19 Okay. So as I said before, this  
20 matter is scheduled for a Show Cause Hearing on  
21 November 6th at 11:00 a.m. Thank you.

22 MS. MARKS: Thank you.

23 MS. DURANTE-MILLER: Thank you.

24 (Whereupon, the Show Cause (Status)  
25 Hearing was concluded at 9:57 a.m.)

<b>A</b>	<b>Durante-Miller</b> 1:22 2:13,14,17,23 3:8 4:1 4:1,16,23	<b>names</b> 3:3 <b>NE</b> 1:7 <b>need</b> 3:11 <b>needs</b> 4:3 <b>new</b> 2:23,24 3:2,9 <b>November</b> 3:18 4:21	<b>Thank</b> 4:21,22,23
<b>a.m</b> 2:2 3:18 4:21,25 <b>ABC</b> 3:1,6 4:10 <b>ahead</b> 2:8 <b>Alcoholic</b> 1:2,13,14 <b>ALIYA</b> 1:18 <b>allow</b> 4:13 <b>ANC</b> 1:7 <b>Anderson</b> 1:15,18 2:3 2:11,15,19,24 3:10,16 3:24 4:2,17 <b>APPLICANT</b> 1:22 <b>approach</b> 2:6 <b>approved</b> 3:1,6 <b>asking</b> 3:2,5 <b>Attorney</b> 4:7,18	<b>E</b>	<b>O</b>	<b>U</b>
<b>B</b>	<b>either</b> 4:11 <b>Elroy</b> 1:6,6 2:5 <b>Endorsement</b> 1:10 <b>establishment</b> 2:22 3:7 <b>exchange</b> 4:5 <b>exchanged</b> 4:11	<b>OAG</b> 1:22 <b>Obtain</b> 1:9 <b>October</b> 1:12 <b>Office</b> 4:7,18 <b>owner</b> 2:23,25 3:2,6	<b>update</b> 3:11
<b>Bar</b> 1:6 <b>Beverage</b> 1:2,13,14 <b>Board</b> 1:2,13 2:14 3:1,6 4:9,10,13 <b>BOBBY</b> 1:19 <b>Building</b> 1:14	<b>F</b>	<b>P</b>	<b>V</b>
<b>C</b>	<b>Failed</b> 1:9	<b>P-R-O-C-E-E-D-I-N-G-S</b> 2:1 <b>parties</b> 2:6 <b>please</b> 2:6,7 <b>preliminary</b> 3:13 <b>PRESENT</b> 1:17,21 <b>presiding</b> 1:15 <b>provide</b> 4:12	<b>versa</b> 4:8 <b>vice</b> 4:8
<b>calendar</b> 2:4 <b>case</b> 1:8 2:3,4 3:14,20 3:22 <b>CATO</b> 1:19 <b>cause</b> 1:7 3:17 4:12,20 4:24 <b>Chairman</b> 3:15 <b>Chairperson</b> 1:15,18 2:3,11,15,19,24 3:10 3:16,24 4:2,17 <b>challenging</b> 3:20 <b>clarification</b> 3:5 <b>clear</b> 4:15,17 <b>Columbia</b> 1:1 2:10 <b>concluded</b> 4:25 <b>contact</b> 4:3 <b>Control</b> 1:2,13,14 <b>copy</b> 4:8 <b>CROCKETT</b> 1:18 <b>CT</b> 1:7	<b>G</b>	<b>Q</b>	<b>W</b>
<b>D</b>	<b>identify</b> 2:7 <b>inclined</b> 4:13 <b>information</b> 3:12 4:4	<b>question</b> 2:25	<b>W</b> 1:15,18 <b>WAHABZADAH</b> 1:20 <b>Washington</b> 1:15 <b>Wednesday</b> 1:11 <b>witnesses</b> 4:6,9,11,14
<b>D.C</b> 1:15 <b>days</b> 3:21 4:4 <b>DC</b> 1:22 <b>disclosed</b> 4:15 <b>District</b> 1:1 2:10 <b>documents</b> 4:6,9,10,14 <b>Donna</b> 1:22 2:14,17 <b>Donovan</b> 1:15,18 <b>Durante-</b> 2:17	<b>H</b>	<b>R</b>	<b>X</b>
	<b>H</b> 1:7 <b>hearing</b> 1:7,14 3:17,21 4:5,7,20,25	<b>RAFI</b> 1:18 <b>reason</b> 3:2 <b>record</b> 2:7 <b>Reeves</b> 1:14 <b>relationship</b> 2:21 <b>relying</b> 4:6 <b>REMA</b> 1:20 <b>Retailer</b> 1:7 <b>Room</b> 1:14	<b>Y</b>
	<b>I</b>	<b>S</b>	<b>Z</b>
	<b>JAMES</b> 1:19 <b>JR</b> 1:19	<b>scheduled</b> 3:17 4:20 <b>send</b> 4:4 <b>seven</b> 3:20 4:4 <b>share</b> 4:8 <b>sheet</b> 3:3 <b>SHORT</b> 1:19 <b>Show</b> 1:7 3:17 4:20,24 <b>side</b> 4:12 <b>sir</b> 4:16 <b>sorry</b> 2:15 3:25 <b>Status</b> 1:7 4:24 <b>Street</b> 1:7,14 <b>Suite</b> 1:15 <b>Summer</b> 1:10 <b>supposed</b> 4:5	<b>0</b>
	<b>J</b>	<b>T</b>	<b>1</b>
	<b>license</b> 1:8 2:5 3:9 <b>Lindsay</b> 1:22 2:9 <b>LLC</b> 1:6	<b>t/a</b> 1:6 <b>testify</b> 4:14	<b>11:00</b> 3:18 4:21 <b>1423</b> 1:7 <b>14th</b> 1:14 <b>19-CMP-00076</b> 1:8 2:4
	<b>K</b>		<b>2</b>
	<b>L</b>		<b>2</b> 1:12 <b>2000</b> 1:14 <b>20009</b> 1:15 <b>2019</b> 1:12
	<b>M</b>		<b>3</b>
<b>ma'am</b> 2:16,22 3:2,19 4:15 <b>Marks</b> 1:22 2:8,9,9,12 3:15,22,23 4:22 <b>matter</b> 1:5 3:17 4:20 <b>matters</b> 3:13 <b>means</b> 3:19 <b>MEETING</b> 1:3 <b>Member</b> 1:18,19,19,20 <b>met</b> 1:14 <b>Miller</b> 2:18,19 4:2 <b>morning</b> 2:11,13,20	<b>N</b>		<b>4</b>
	<b>N.W</b> 1:14 <b>name</b> 2:16 3:4,4		<b>5</b>
			<b>6</b>
			<b>7</b>
			<b>8</b>
			<b>9</b>
			<b>9:55</b> 2:2 <b>9:57</b> 4:25 <b>96771</b> 1:8 2:5

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: The Elroy Bar

Before: DCABRA

Date: 10-02-19

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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