

ALSO PRESENT:

SUKHMOHINBER MUDNEJA, PROTESTANT

KARLA LEWIS, ANC 5E

ROD POWELL, PROTESTANT

MATTHEW MURPHY, APPLICANT

BRITTANY RYAN, APPLICANT

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

2 10:09 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our protest hearing status calendar is Case
5 No. 19-PRO-00095, the Pub and the People, License
6 No. 94089. Will the parties please approach and
7 identify themselves for the record, please?
8 Let's start with the licensee, please.

9 MR. MURPHY: My name is Matthew Murphy
10 for Cornerstone Bar Group and the Pub and the
11 People.

12 CHAIRPERSON ANDERSON: Good morning,
13 Mr. Murphy.

14 MS. RYAN: I'm Brittany Ryan, partner,
15 Cornerstone Bar Group and the Pub and the People.

16 CHAIRPERSON ANDERSON: Good morning,
17 Ms. Ryan.

18 MS. LEWIS: My name is Karla M. Lewis,
19 ANC 5E. The establishment is in my single-member
20 district, 5E06.

21 CHAIRPERSON ANDERSON: Good morning,
22 Ms. Lewis.

1 MR. POWELL: Good morning, Rod Powell.
2 I'm a resident near the pub and one of the
3 protestants.

4 CHAIRPERSON ANDERSON: Good morning,
5 Mr. Powell.

6 MR. MUDNEJA: My name is Sukhmohinber
7 Mudneja. I'm the building property owner at 4 R
8 Street, Northwest.

9 CHAIRPERSON ANDERSON: I did not get
10 your last name, sir.

11 MR. MUDNEJA: Mudneja.

12 CHAIRPERSON ANDERSON: Rud --

13 MR. MUDNEJA: Neja.

14 CHAIRPERSON ANDERSON: Neja?

15 MR. MUDNEJA: Yes.

16 CHAIRPERSON ANDERSON: Good morning,
17 Mr. Neja. There are three protestants in the
18 case. It's a group of five or more at ANC and
19 the abutting property owner. Just as an FYI, I
20 just want to inform the -- you, Mr. Powell, if
21 there's a settlement agreement between the ANC
22 and the licensee, your protest falls because the

1 law says that as a group of five or more, if
2 there's a settlement agreement with the ANC, and
3 if you're not a part of it, then you no longer
4 have standing to move forward with the hearing.
5 I just want to let you know that, as an FYI. You
6 can sign on a settlement agreement. The Board
7 cannot tell the parties that -- at least we can't
8 tell the ANC that if there's a settlement
9 agreement, you have to be part of it. Just an
10 FYI, I just want you to know that, okay? For Mr.
11 Mudneja, because you're an abutted property
12 owner, even if there's a settlement agreement
13 with the ANC, and if you do not agree with that,
14 we'll still move forward with a protest hearing
15 because you have your own standing.

16 That will not fall, irrespective of
17 the fact if there's a settlement agreement by the
18 ANC, if you're not a part of it. I want both
19 parties to know that's how the law operates,
20 okay? I just want you to know that. This matter
21 is scheduled for a protest hearing on November
22 6th, at 1:30.

1 Do I need to repeat the instructions
2 about a protest hearing that -- so seven days
3 before the hearing, you need to provide documents
4 and witnesses to each side and to the Board.
5 Secondly, and most importantly, if you do not
6 understand this process, please contact our
7 assistant general counsel, Ms. April Randall.
8 Her phone number is 202-442-4353. She's here to
9 help both sides. She's here to talk to the
10 licensee about the process and the protestants
11 about the process. Any questions you have,
12 please reach out to our office and we'll work
13 with you. If this matter, then, is not settled,
14 then the Board will see you on November 6th at
15 1:30. Yes, Mr. Powell.

16 MR. POWELL: Priority today was to
17 confirm his status. Has that been done by his
18 presence?

19 CHAIRPERSON ANDERSON: I'm sorry; what
20 status?

21 MR. POWELL: He was not here for the
22 original.

1 MS. LEWIS: For the roll call hearing.

2 CHAIRPERSON ANDERSON: I was not told
3 there were any preliminary matters. I assumed
4 that he had gotten standing at the roll call.
5 But because he's here today at the show cause
6 hearing status, then the Board then -- then I
7 will make a motion that the Board grant -- I'm
8 sorry, just let me ask just some preliminary
9 issues because I was not aware of that. Where do
10 you live, sir?

11 MR. MUDNEJA: I don't live at 4 R
12 Street, exactly, now, but I live in Fairfax.

13 CHAIRPERSON ANDERSON: I'm sorry, do
14 you own the property -- do you currently own the
15 property?

16 MR. MUDNEJA: I do own the property.

17 CHAIRPERSON ANDERSON: What property
18 do you own?

19 MR. MUDNEJA: 4 R Street, Northwest.

20 CHAIRPERSON ANDERSON: I'm sorry?

21 MR. MUDNEJA: 4 R Street, Northwest.

22 CHAIRPERSON ANDERSON: You're the

1 owner of 4 R Street, Northwest. Where is the
2 establishment located?

3 MR. MURPHY: Address is 1648 North
4 Capitol.

5 CHAIRPERSON ANDERSON: 1648 North
6 Capitol. Is 4 R Street, Northwest, is that an
7 abutting property to your property?

8 MR. MURPHY: Yes.

9 CHAIRPERSON ANDERSON: There's an
10 agreement that he owns the property that abuts
11 your property, is that correct?

12 CHAIRPERSON ANDERSON: With that said,
13 I then make a motion -- just hold on a minute, as
14 far as -- I need to get some clarification. You
15 were not at the roll call hearing, sir?

16 MR. MUDNEJA: I was not there.

17 MR. POWELL: He was granted
18 conditional standing.

19 MS. LEWIS: Yes.

20 CHAIRPERSON ANDERSON: How can he be
21 granted conditional standing if he wasn't there?

22 MR. POWELL: Because I was his

1 representative.

2 CHAIRPERSON ANDERSON: You were --

3 MR. POWELL: Yes.

4 MR. MURPHY: I was just going to say
5 I don't know if it is relevant, but we haven't
6 had a chance to meet, see, or communicate with
7 this protestant --

8 CHAIRPERSON ANDERSON: All right. Mr.
9 Powell, you're confusing me. You have to be
10 clear. I was not at the roll call hearing. When
11 I look at my notes here, it says that Mr. Mudneja
12 -- I'm bad with names.

13 MR. MUDNEJA: You can call me Singh.

14 CHAIRPERSON ANDERSON: Singh?

15 MR. MUDNEJA: Yes. Is that good?

16 CHAIRPERSON ANDERSON: You were his --
17 it does say that you were his designated
18 representative. It does say that you were his
19 designated representative at the roll call
20 hearing, so he was told that he had to be here
21 today.

22 MR. POWELL: Yes.

1 CHAIRPERSON ANDERSON: He's here
2 today, so, therefore, what I will do, I will then
3 make a motion that we provide the abutting
4 property owner -- we confirm standing on the
5 abutting property owner, Mr. Mudneja. Is there a
6 second?

7 MR. SHORT: Second.

8 CHAIRPERSON ANDERSON: Mr. Short has
9 seconded the motion. All those in favor say aye.

10 (Chorus of aye.)

11 CHAIRPERSON ANDERSON: Those opposed?

12 The matter passes 4-0-0. Okay, fine.
13 Standing, then, is provided to the ANC, the group
14 of five or more, and the abutting property
15 owners.

16 MR. POWELL: I just wanted to
17 formalize that today.

18 CHAIRPERSON ANDERSON: Thank you for
19 clarifying the record, sir, because I was not
20 aware of that. That information was not passed
21 along to me. Then it became confusing because I
22 wasn't -- it wasn't clear to me that you had made

1 representation at the roll call hearing that you
2 were his designated representative. I appreciate
3 the clarity that you brought today. Thank you
4 for that.

5 I will suggest that the parties -- I
6 don't know if there's mediation, but the agency
7 will work toward facilitating the process for
8 mediation and facilitating the process for you to
9 have conversations.

10 MS. LEWIS: We've already met.

11 CHAIRPERSON ANDERSON: Oh, all right.
12 I see the licensee said that he had not met with
13 someone.

14 (Simultaneous speaking.)

15 CHAIRPERSON ANDERSON: Oh, with the
16 abutting property owner. I would ask that
17 occurs, that you find some way to continue
18 talking. If the matter is not settled, then
19 we'll have a protest hearing on November 6th, at
20 1:30.

21 As I said to all cases, I do support
22 having settlement agreements because this is your

1 neighborhood. You can set the terms and
2 conditions of the operation of the business in
3 your neighborhood, rather than leave the six of
4 us, when we're here, to make the decision. But
5 if not, we'll make a decision. Good luck in your
6 negotiations, and if not, we'll see you on
7 November 6th, at 1:30.

8 MR. POWELL: Thank you.

9 MR. MURPHY: Thank you.

10 CHAIRPERSON ANDERSON: Have a great
11 day. Thank you.

12 (Whereupon, the above-entitled matter
13 went off the record at 10:18 a.m.)
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<p style="text-align: center;">A</p> <p>a.m 3:2 12:13 above-entitled 12:12 abuts 8:10 abutted 5:11 abutting 4:19 8:7 10:3,5 10:14 11:16 Address 8:3 agency 11:6 agree 5:13 agreement 4:21 5:2,6,9 5:12,17 8:10 agreements 11:22 Alcoholic 1:2,16,17 ALIYA 1:21 ANC 1:9 2:11 3:19 4:18 4:21 5:2,8,13,18 10:13 Anderson 1:18,20 3:3 3:12,16,21 4:4,9,12 4:14,16 6:19 7:2,13 7:17,20,22 8:5,9,12 8:20 9:2,8,14,16 10:1 10:8,11,18 11:11,15 12:10 APPLICANT 2:13,14 appreciate 11:2 approach 3:6 April 6:7 assistant 6:7 assumed 7:3 aware 7:9 10:20 aye 10:9,10</p>	<p>4:14,16 6:19 7:2,13 7:17,20,22 8:5,9,12 8:20 9:2,8,14,16 10:1 10:8,11,18 11:11,15 12:10 chance 9:6 Change 1:11 Chorus 10:10 clarification 8:14 clarifying 10:19 clarity 11:3 clear 9:10 10:22 COLUMBIA 1:1 communicate 9:6 conditional 8:18,21 conditions 12:2 confirm 6:17 10:4 confusing 9:9 10:21 contact 6:6 continue 11:17 Control 1:2,16,17 conversations 11:9 Cornerstone 1:6 3:10 3:15 correct 8:11 counsel 6:7 CROCKETT 1:21 CT 1:9 currently 7:14</p>	<p>forward 5:4,14 FYI 4:19 5:5,10</p> <p style="text-align: center;">G</p> <p>general 6:7 gotten 7:4 grant 7:7 granted 8:17,21 group 1:6 3:10,15 4:18 5:1 10:13</p>	<p>meet 9:6 MEETING 1:3 Member 1:21,21,22 met 1:17 11:10,12 minute 8:13 morning 3:12,16,21 4:1 4:4,16 motion 7:7 8:13 10:3,9 move 5:4,14 Mudneja 2:10 4:6,7,11 4:11,13,15 5:11 7:11 7:16,19,21 8:16 9:11 9:13,15 10:5 Murphy 2:13 3:9,9,13 8:3,8 9:4 12:9</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: The Pub and the People

Before: DCABRA

Date: 09-25-19

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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