

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

IN THE MATTER OF:                        :  
   :  
 Town2.0, LLC,                             :  
 t/a TBD   :  
 1001 North Capitol Street:  
 NE   : Protest  
 Retailer CT - ANC 6C                    : Hearing (Status)  
 License No. 114559                       :  
 Case #19-PRO-00101                    :  
   :  
 (Application for a New                 :  
 License)                                       :

Wednesday  
 November 6, 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

ALSO PRESENT:

STEPHEN ORTIZ, PROTESTANT  
 JOHN GUGGENMOS, APPLICANT  
 MATTHEW MINORA, COUNSEL FOR APPLICANT  
 DREW COURTNEY, DC OAG  
 MATTHEW RIDER, DC MPD  
 INVESTIGATOR KEVIN PUENTE, DC ABRA

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

2 9:35 a.m.

3 CHAIRPERSON ANDERSON: -- District of  
4 Columbia Alcoholic Beverage Control Board. Today  
5 is November 6, 2019.

6 I would like to introduce members of  
7 the Board with us today. To my far right is Ms.  
8 Rafi Crockett, and to my immediate right is Mr.  
9 Bobby Cato. To my left is Mr. James Short. My  
10 name is Donovan Anderson, and I'm chairman of the  
11 Board. We have four members in attendance today  
12 for the conduct of business, and we do have a  
13 quorum.

14 I would like to mention three things  
15 before we get started. First of all, if you have  
16 any electronic devices, pagers, cell phones or  
17 such, please make certain that they're turned off  
18 to avoid any interruption of the proceedings.

19 Secondly, there is a piece of paper on  
20 each table. When you come forward as your case  
21 is called, please take a seat at the table and  
22 please sign in. This is to ensure the correct  
23 spelling of your name for the record.

24 Lastly, please know that today's  
25 hearings of the Alcoholic Beverage Control Board

1 is governed by the Open Meetings Act. Please  
2 address any concerns or complaints to the Office  
3 of Open Government at [opengovoffice@dc.gov](mailto:opengovoffice@dc.gov).

4 I will note that the approximately  
5 time is 9:30 a.m., although the clock that's in  
6 the room has not been changed because of Eastern  
7 Standard Time.

8 Anyway, our first order of business  
9 today is a protest hearing status. Our first  
10 case is Case No. 19-PRO-01 -- I'm sorry, 00101,  
11 Town2.0, LLC, To be Determined, License No.  
12 114559. Will all parties for this matter please  
13 step forward and identify yourself for the  
14 record, please.

15 MR. MINORA: Matt Minora from the law  
16 firm of Mallios & O'Brien, D.C. licensed counsel.

17 CHAIRPERSON ANDERSON: Good morning,  
18 Mr. Minora.

19 MR. GUGGENMOS: John Guggenmos for the  
20 establishment.

21 CHAIRPERSON ANDERSON: Your last name,  
22 sir?

23 MR. GUGGENMOS: It's Guggenmos, G-U-G-  
24 G-E-N-M-O-S.

25 CHAIRPERSON ANDERSON: Guggenmos.

1 Good morning, sir.

2 MR. GUGGENMOS: Good morning.

3 MR. COURTNEY: My name is Drew  
4 Courtney. I'm Commissioner for ANC 6C06.

5 CHAIRPERSON ANDERSON: Good morning,  
6 Mr. Courtney.

7 MR. BLANCHE: Good morning. Lyle  
8 Blanche (phonetic) for two of the protestants, a  
9 group of six and North Capitol Commons Limited  
10 Partnership.

11 CHAIRPERSON ANDERSON: North Capitol  
12 Commons. Just for my edification, what is North  
13 Capitol Commons, LLC?

14 MR. BLANCHE: It is a -- so the  
15 property, it operates a residential housing  
16 building.

17 CHAIRPERSON ANDERSON: Right. So  
18 they're the abutting property owner?

19 MR. BLANCHE: They are the abutting  
20 property owner.

21 CHAIRPERSON ANDERSON: I'm just trying  
22 to get -- I don't have a problem with it. I'm  
23 just trying to figure out who they are. That's  
24 all.

25 MR. BLANCHE: That's quite all right.

1 CHAIRPERSON ANDERSON: Okay.

2 MR. BLANCHE: So the applicant is  
3 located at 1001 North Capitol Street at the  
4 northeast corner of North Capitol and K Street.

5 CHAIRPERSON ANDERSON: Okay.

6 MR. BLANCHE: Just to the north of that  
7 property and immediately abutting it is my  
8 client's building at 1005 North Capitol. And  
9 it's a residential building. Over 50 percent of  
10 its residents are formerly homeless veterans.  
11 And those veterans are also senior citizens.  
12 It's for formerly homeless veterans. Fifty  
13 percent of those are senior citizens.

14 CHAIRPERSON ANDERSON: Okay. That's  
15 fine. Thank you.

16 MR. BLANCHE: You're welcome.

17 CHAIRPERSON ANDERSON: Are there any  
18 preliminary matters in this case?

19 MR. MINORA: No.

20 CHAIRPERSON ANDERSON: All right.  
21 Then this matter is scheduled for a protest  
22 hearing on December 4th at 1:30 p.m. Are the  
23 parties familiar with the protest hearing  
24 process, or do I need to read the instructions  
25 for a protest hearing?

1 MR. MINORA: You don't have to read  
2 them on our account.

3 CHAIRPERSON ANDERSON: Thank you. All  
4 right. Just the only thing I'll say is that if  
5 either side if you have any questions about the  
6 process, please do not hesitate to contact April  
7 Randall at 202-442-4353.

8 And then both parties are aware that  
9 seven days before the hearing you're supposed to  
10 disclose your documents and witnesses and a PIP  
11 to both sides and also to the ABC Board.

12 I wish you -- you are free to continue  
13 negotiating. If you're unable to negotiate,  
14 we'll see you on December 4th at 1:30. Have a  
15 great day. Thank you.

16 MR. GUGGENMOS: Thank you.

17 MR. MINORA: Thank you.

18 (Whereupon, the above-entitled matter  
19 went off the record at 9:40 a.m.)  
20  
21  
22  
23  
24  
25

<p style="text-align: center;"><b>A</b></p> <p>a.m 2:2 3:5 6:19  <b>ABC</b> 6:11  <b>above-entitled</b> 6:18  <b>ABRA</b> 1:24  <b>abutting</b> 4:18,19 5:7  <b>account</b> 6:2  <b>Act</b> 3:1  <b>address</b> 3:2  <b>Alcoholic</b> 1:2,14,14 2:4  2:25  <b>ALIYA</b> 1:18  <b>ANC</b> 1:8 4:4  <b>Anderson</b> 1:16,18 2:3  2:10 3:17,21,25 4:5  4:11,17,21 5:1,5,14  5:17,20 6:3  <b>Anyway</b> 3:8  <b>applicant</b> 1:22,22 5:2  <b>Application</b> 1:10  <b>approximately</b> 3:4  <b>April</b> 6:6  <b>attendance</b> 2:11  <b>avoid</b> 2:18  <b>aware</b> 6:8</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p><b>Beverage</b> 1:2,14,14 2:4  2:25  <b>Blanche</b> 4:7,8,14,19,25  5:2,6,16  <b>Board</b> 1:2,14 2:4,7,11  2:25 6:11  <b>Bobby</b> 1:19 2:9  <b>building</b> 1:15 4:16 5:8,9  <b>business</b> 2:12 3:8</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p><b>called</b> 2:21  <b>Capitol</b> 1:7 4:9,11,13  5:3,4,8  <b>case</b> 1:9 2:20 3:10,10  5:18  <b>Cato</b> 1:19 2:9  <b>cell</b> 2:16  <b>certain</b> 2:17  <b>chairman</b> 2:10  <b>Chairperson</b> 1:15,18  2:3 3:17,21,25 4:5,11  4:17,21 5:1,5,14,17  5:20 6:3  <b>changed</b> 3:6  <b>citizens</b> 5:11,13  <b>client's</b> 5:8  <b>clock</b> 3:5  <b>Columbia</b> 1:1 2:4  <b>come</b> 2:20  <b>Commissioner</b> 4:4</p>	<p><b>Commons</b> 4:9,12,13  <b>complaints</b> 3:2  <b>concerns</b> 3:2  <b>conduct</b> 2:12  <b>contact</b> 6:6  <b>continue</b> 6:12  <b>Control</b> 1:2,14,14 2:4  2:25  <b>corner</b> 5:4  <b>correct</b> 2:22  <b>counsel</b> 1:22 3:16  <b>Courtney</b> 1:23 4:3,4,6  <b>Crockett</b> 1:18 2:8  <b>CT</b> 1:8</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p><b>D.C</b> 1:15 3:16  <b>day</b> 6:15  <b>days</b> 6:9  <b>DC</b> 1:23,23,24  <b>December</b> 5:22 6:14  <b>Determined</b> 3:11  <b>devices</b> 2:16  <b>disclose</b> 6:10  <b>District</b> 1:1 2:3  <b>documents</b> 6:10  <b>Donovan</b> 1:16,18 2:10  <b>Drew</b> 1:23 4:3</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p><b>Eastern</b> 3:6  <b>edification</b> 4:12  <b>either</b> 6:5  <b>electronic</b> 2:16  <b>ensure</b> 2:22  <b>establishment</b> 3:20</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p><b>familiar</b> 5:23  <b>far</b> 2:7  <b>Fifty</b> 5:12  <b>figure</b> 4:23  <b>fine</b> 5:15  <b>firm</b> 3:16  <b>first</b> 2:15 3:8,9  <b>formerly</b> 5:10,12  <b>forward</b> 2:20 3:13  <b>four</b> 2:11  <b>free</b> 6:12</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p><b>G-E-N-M-O-S</b> 3:24  <b>G-U-G-</b> 3:23  <b>Good</b> 3:17 4:1,2,5,7  <b>governed</b> 3:1  <b>Government</b> 3:3  <b>great</b> 6:15  <b>group</b> 4:9</p>	<p><b>Guggenmos</b> 1:22 3:19  3:19,23,23,25 4:2  6:16</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p><b>hearing</b> 1:8,14 3:9 5:22  5:23,25 6:9  <b>hearings</b> 2:25  <b>hesitate</b> 6:6  <b>homeless</b> 5:10,12  <b>housing</b> 4:15</p> <hr/> <p style="text-align: center;"><b>I</b></p> <p><b>identify</b> 3:13  <b>immediate</b> 2:8  <b>immediately</b> 5:7  <b>instructions</b> 5:24  <b>interruption</b> 2:18  <b>introduce</b> 2:6  <b>INVESTIGATOR</b> 1:24</p> <hr/> <p style="text-align: center;"><b>J</b></p> <p><b>James</b> 1:19 2:9  <b>John</b> 1:22 3:19  <b>JR</b> 1:19</p> <hr/> <p style="text-align: center;"><b>K</b></p> <p><b>K</b> 5:4  <b>KEVIN</b> 1:24  <b>know</b> 2:24</p> <hr/> <p style="text-align: center;"><b>L</b></p> <p><b>Lastly</b> 2:24  <b>law</b> 3:15  <b>left</b> 2:9  <b>License</b> 1:8,10 3:11  <b>licensed</b> 3:16  <b>Limited</b> 4:9  <b>LLC</b> 1:6 3:11 4:13  <b>located</b> 5:3  <b>Lyle</b> 4:7</p> <hr/> <p style="text-align: center;"><b>M</b></p> <p><b>Mallios</b> 3:16  <b>Matt</b> 3:15  <b>matter</b> 1:5 3:12 5:21  6:18  <b>matters</b> 5:18  <b>MATTHEW</b> 1:22,23  <b>MEETING</b> 1:3  <b>Meetings</b> 3:1  <b>Member</b> 1:18,19,19  <b>members</b> 2:6,11  <b>mention</b> 2:14  <b>met</b> 1:14  <b>Minora</b> 1:22 3:15,15,18  5:19 6:1,17  <b>morning</b> 3:17 4:1,2,5,7</p>	<p><b>MPD</b> 1:23</p> <hr/> <p style="text-align: center;"><b>N</b></p> <p><b>N.W</b> 1:15  <b>name</b> 2:10,23 3:21 4:3  <b>NE</b> 1:7  <b>need</b> 5:24  <b>negotiate</b> 6:13  <b>negotiating</b> 6:13  <b>New</b> 1:10  <b>north</b> 1:7 4:9,11,12 5:3  5:4,6,8  <b>northeast</b> 5:4  <b>note</b> 3:4  <b>November</b> 1:12 2:5</p> <hr/> <p style="text-align: center;"><b>O</b></p> <p><b>O'Brien</b> 3:16  <b>OAG</b> 1:23  <b>Office</b> 3:2  <b>Okay</b> 5:1,5,14  <b>Open</b> 3:1,3  <b>opengovoffice@dc.g...</b>  3:3  <b>operates</b> 4:15  <b>order</b> 3:8  <b>ORTIZ</b> 1:21  <b>owner</b> 4:18,20</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p><b>P-R-O-C-E-E-D-I-N-G-S</b>  2:1  <b>p.m</b> 5:22  <b>paggers</b> 2:16  <b>paper</b> 2:19  <b>parties</b> 3:12 5:23 6:8  <b>Partnership</b> 4:10  <b>percent</b> 5:9,13  <b>phones</b> 2:16  <b>phonetic</b> 4:8  <b>piece</b> 2:19  <b>PIP</b> 6:10  <b>please</b> 2:17,21,22,24  3:1,12,14 6:6  <b>preliminary</b> 5:18  <b>PRESENT</b> 1:17,20  <b>presiding</b> 1:16  <b>problem</b> 4:22  <b>proceedings</b> 2:18  <b>process</b> 5:24 6:6  <b>property</b> 4:15,18,20 5:7  <b>protest</b> 1:7 3:9 5:21,23  5:25  <b>PROTESTANT</b> 1:21  <b>protestants</b> 4:8  <b>PUENTE</b> 1:24</p> <hr/> <p style="text-align: center;"><b>Q</b></p>
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<p><b>questions</b> 6:5  <b>quite</b> 4:25  <b>quorum</b> 2:13</p> <hr/> <p style="text-align: center;"><b>R</b></p> <p><b>Rafi</b> 1:18 2:8  <b>Randall</b> 6:7  <b>read</b> 5:24 6:1  <b>record</b> 2:23 3:14 6:19  <b>Reeves</b> 1:15  <b>residential</b> 4:15 5:9  <b>residents</b> 5:10  <b>Retailer</b> 1:8  <b>RIDER</b> 1:23  <b>right</b> 2:7,8 4:17,25 5:20          6:4  <b>room</b> 1:15 3:6</p> <hr/> <p style="text-align: center;"><b>S</b></p> <p><b>scheduled</b> 5:21  <b>seat</b> 2:21  <b>Secondly</b> 2:19  <b>see</b> 6:14  <b>senior</b> 5:11,13  <b>seven</b> 6:9  <b>Short</b> 1:19 2:9  <b>side</b> 6:5  <b>sides</b> 6:11  <b>sign</b> 2:22  <b>sir</b> 3:22 4:1  <b>six</b> 4:9  <b>sorry</b> 3:10  <b>spelling</b> 2:23  <b>Standard</b> 3:7  <b>started</b> 2:15  <b>status</b> 1:8 3:9  <b>step</b> 3:13  <b>STEPHEN</b> 1:21  <b>Street</b> 1:7,15 5:3,4  <b>Suite</b> 1:15  <b>supposed</b> 6:9</p> <hr/> <p style="text-align: center;"><b>T</b></p> <p><b>t/a</b> 1:6  <b>table</b> 2:20,21  <b>take</b> 2:21  <b>TBD</b> 1:6  <b>Thank</b> 5:15 6:3,15,16          6:17  <b>thing</b> 6:4  <b>things</b> 2:14  <b>three</b> 2:14  <b>time</b> 3:5,7  <b>today</b> 2:4,7,11 3:9  <b>today's</b> 2:24  <b>Town2.0</b> 1:6 3:11  <b>trying</b> 4:21,23  <b>turned</b> 2:17</p>	<p><b>two</b> 4:8</p> <hr/> <p style="text-align: center;"><b>U</b></p> <p><b>unable</b> 6:13</p> <hr/> <p style="text-align: center;"><b>V</b></p> <p><b>veterans</b> 5:10,11,12</p> <hr/> <p style="text-align: center;"><b>W</b></p> <p><b>W</b> 1:16,18  <b>Washington</b> 1:15  <b>we'll</b> 6:14  <b>Wednesday</b> 1:12  <b>welcome</b> 5:16  <b>went</b> 6:19  <b>wish</b> 6:12  <b>witnesses</b> 6:10</p> <hr/> <p style="text-align: center;"><b>X</b></p> <hr/> <p style="text-align: center;"><b>Y</b></p> <hr/> <p style="text-align: center;"><b>Z</b></p> <hr/> <p style="text-align: center;"><b>0</b></p> <p><b>00101</b> 3:10</p> <hr/> <p style="text-align: center;"><b>1</b></p> <p><b>1:30</b> 5:22 6:14  <b>1001</b> 1:7 5:3  <b>1005</b> 5:8  <b>114559</b> 1:8 3:12  <b>14th</b> 1:15  <b>19-PRO-00101</b> 1:9  <b>19-PRO-01</b> 3:10</p> <hr/> <p style="text-align: center;"><b>2</b></p> <p><b>2000</b> 1:15  <b>20009</b> 1:15  <b>2019</b> 1:12 2:5  <b>202-442-4353</b> 6:7</p> <hr/> <p style="text-align: center;"><b>3</b></p> <hr/> <p style="text-align: center;"><b>4</b></p> <p><b>400S</b> 1:15  <b>4th</b> 5:22 6:14</p> <hr/> <p style="text-align: center;"><b>5</b></p> <p><b>50</b> 5:9</p> <hr/> <p style="text-align: center;"><b>6</b></p> <p><b>6</b> 1:12 2:5  <b>6C</b> 1:8  <b>6C06</b> 4:4</p> <hr/> <p style="text-align: center;"><b>7</b></p>	<hr/> <p style="text-align: center;"><b>8</b></p> <hr/> <p style="text-align: center;"><b>9</b></p> <hr/> <p><b>9:30</b> 3:5  <b>9:35</b> 2:2  <b>9:40</b> 6:19</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: ABRA Hearing

Before: Alcoholic Beverage Control Board

Date: 11-06-19

Place: Washington, D.C.

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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