



Bout Pleasant

Hear No Upheaval: Laurie Collins fights to turn down the volume.

(Darrow Montgomery)

A long-standing live-music feud escalates between Mount Pleasant's neighborhood groups.

BY **AMANDA HESS**

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One of Mount Pleasant's most riveting civic disputes may come down to the case of a couple of returned checks.

Several years back, **Claudia Schlosberg** and **Wayne Kahn** decided to join the Mount Pleasant Neighborhood Alliance, a group that has long crusaded against live music in the area. So the couple, well-known music fans, sent in their check. As far as they were concerned, they were now members of the community organization.

Shortly thereafter, there was a hearing before the District's Alcoholic Beverage Regulation Administration (ABRA) regarding a restaurant on Mount Pleasant Street NW.

Says Schlosberg: "My husband, out of curiosity, went down to that hearing. The board said, 'Who's here from MPNA?' And since he sent his check in, and they claim to be open to everyone who lives within Mount Pleasant, [he] said 'yes' [he was]." Kahn wasn't alone: According to MPNA President **Laurie Collins**, pro-nightlife lawyer **Rick Massumi**, who was also present at that meeting, had also sent a check to MPNA and also attested to be a member.

Later, Massumi and Kahn found their money back in their mailboxes. The MPNA board had voted to return Kahn's and Massumi's checks, denying them membership under the organization's bylaws.

The return-to-sender incident was among the more colorful episodes in Mount Pleasant's protracted fight over live music in the neighborhood. At the center of the brawl is Mount Pleasant's famous "voluntary agreements" signed by the MPNA and nine neighborhood restaurants to turn down the volume. "These voluntary agreements are not voluntary," insists Schlosberg.

Last year, Schlosberg joined the steering committee of Hear Mount Pleasant, a new entity that's trying to overturn those agreements—and now, the pro-live-tunes folks are citing their returned checks in an attempt to take the MPNA down. They're arguing that the MPNA is essentially an illegitimate organization, a cabal of like-minded people who want to rule the neighborhood—and turn away those who don't agree with their policies.

The whole business with the checks has become a burning issue because a few joints along the Mount Pleasant Street strip have gotten tired of MPNA and its policies. Last April, Haydee's, Don Jaime's, and Don Juan's announced their intentions to terminate their decade-long voluntary agreements with the MPNA. MPNA's current voluntary agreements with the three restaurants—signed in 1997, 2000, and 2001, respectively—stipulate that no live music be played, no dancing occur, and no cover be charged at each establishment.

Hear Mount Pleasant hopes to draft its own voluntary agreements with the three establishments that will allow for live music. "We feel our approach is incompatible with the 'gotcha' approach of the MPNA," says Schlosberg. "What we are trying to do is to create a different structure under which we can work collaboratively."

Collins sees a different dynamic in the relationship: "Haydee's, Don Juan's, and Don Jaime's have been pawned by Hear Mount Pleasant."

In December, a hearing of the D.C. Alcoholic Beverage Regulation Administration took up an application by Haydee's, a Mexican/Salvadoran joint, for a license that would allow it to host live music and to charge a cover.

Massumi was ready. An attorney with Sutherland, Asbill & Brennan, Massumi now provides pro bono legal counsel to the three establishments in an effort to undo MPNA's voluntary agreements.

"I came here with one motion: to terminate MPNA. That is my goal, that's what my clients need, that's what our neighborhood needs," Massumi stated in the Dec. 12 hearing. "The tyranny of the MPNA is coming to an end in these proceedings."

Added Massumi, "We want the freedom of our community back. We want the freedom of our licensees back. We want our licensees to flourish. And equally as important, we want MPNA ousted. The neighborhood is sick of them."

"We've never said we want to destroy MPNA," insists Schlosberg. Still, she says, "The MPNA has functioned as a small, very private organization that didn't allow the people in the community to participate in the voluntary agreements. And all the while, they've purported to represent the community."

Massumi's challenge of the MPNA's standing as an organization centers around MPNA's membership policies.

In order to terminate the MPNA's voluntary agreements, Collins explains, the establishments would have to show that the MPNA's membership is not open. Collins claims that the only two members she's turned down are Massumi and Kahn, though she says that a mix-up involving incorrect mailing addresses may have inadvertently returned some other applications. Schlosberg counters, "Membership is not open, and until very recently, they didn't have open meetings." She adds, "Members and nonmembers of Hear Mount Pleasant have come forward to say their attempts to work with MPNA or join MPNA have met with total resistance."

In last December's hearing, Massumi indicated that he would no longer cooperate with the organization that returned his application for membership. "I will not negotiate with MPNA, because it is logically contrary to the motion I have filed...to have to be forced to mediate with someone I'm trying to get rid of." There were other groups of citizens present at the hearing that Massumi claimed were secretly affiliated with the MPNA. He referred to them in the hearing as "viruses."

As a result, negotiations between MPNA and the three establishments have reached a standstill. "Now, Massumi has stated outright that we're not allowed to speak with these establishments," says Collins. "We would be happy to negotiate the agreements, but we're not even allowed to talk to the applicants. It's too bad because, really, we're almost on the same page." In the hearing, Collins said she was "looking forward to mediation."

A mediation hearing on the entertainment license—as well as a separate hearing on MPNA's standing—was slated for Wednesday.

The conflict has "become extremely personal," says Collins, who has come under scrutiny for relocating from the Mount Pleasant neighborhood after separating from her husband and has battled all sorts of nasty allegations. "I've been attacked. I have been threatened. I've been in screaming matches you wouldn't believe," says Collins.

"There are things that Laurie has said that would really make your hair stand on end," counters Schlosberg. "There's a huge undercurrent of racism and classism here," she adds.

Mount Pleasant ANC Vice Chair **Gregg Edwards**, also present at the December hearing, framed the problem this way: "For God's sake, let's pull these things together," he said. "Let's start talking together like adults."

MPNA President Laurie Collins Reply:

Name of Neighborhood Increasingly Inaccurate

I write with regard to your Feb. 1 Show & Tell article “Bout Pleasant.” It is unfortunate that a handful of latecomers to the issues surrounding ABC licensing in Mount Pleasant have attempted to intimidate our neighborhood in the past year with their single-issue agenda, that live music in our restaurants with no limitation will cure all of our social problems, when our neighborhood faces so many other important, serious problems, such as public safety, the redevelopment of Columbia Heights, and how that is going to affect our economic vitality and the traffic it will bring through our neighborhood.

The group Hear Mount Pleasant argues that Mount Pleasant has absolutely no means or venues to articulate cultural expression. They claim that cultural expression can only happen in establishments that serve alcohol. Anything contrary to that is a ban.

Hear Mount Pleasant argues that D.C. law and regulation should only be enforced upon the non-immigrant business owner. Anything contrary to that is racist and discriminatory.

Hear Mount Pleasant wants the residents of Mount Pleasant to not exercise their rights under the law as to who may file a complaint or protest against an ABC license. Anything contrary to that is secret, harassment, racist, and an attack on immigrant-owned businesses and on our neighborhood “culture.”

Hear Mount Pleasant wants everyone else to operate transparently and be accountable to them. The political history of a community cannot be erased on the whim of a few activists, whether they are recent arrivals or couldn't be bothered to get involved in earlier times. Hear Mount Pleasant seems to think that any decisions that were made in the past, without their input, are divisive, secret, unlawful, and deny them their rights of expression and freedom of speech.

Our neighborhood is filled with cultural expression. Anyone who lives, works, or walks down the streets of our community will attest to that. The diversity of the cultures present is self-evident. D.C. law does not discriminate against class and race. Nor do ABC voluntary agreements, which must be approved by the ABC Board and found to be in compliance with D.C. law. The Mount Pleasant Neighborhood Alliance has worked with various ABC licensees who wish to provide live music to Mount Pleasant in a way that we feel balances the needs of the businesses with the needs of the community, yet Hear Mount Pleasant says that still isn't enough.

They HEAR, but they do not LISTEN.

Laurie Collins

President, Mount Pleasant Neighborhood Alliance