

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE REGULATION

ADMINISTRATION BOARD

IN THE MATTER OF:

Ez Group, LLC t/a Creme New Application

2438 14th Street, N.W.

License # ABRA-093542

Retailer CR

Case #13-PRO-00182

Monday,

December 30, 2013

ABRA Hearing Room, 400 South

Reeves Municipal Center

2000 14th Street, N.W.

Washington, D.C. 20009

The above-entitled matter convened at
10:07 a.m., before the District of Columbia
Alcoholic Beverage Regulation Administration
Board.

BEFORE:

LA VERNE FLETCHER, Board Mediator

P R O C E E D I N G S

[10:07 a.m.]

1
2
3 MS. FLETCHER: Will the parties in
4 the matter of Creme come forward. The parties
5 in the matter of Creme.

6 This is Case No. 13-PRO-00182, EZ
7 Group LLC trading as Creme, 2438 14th Street,
8 N.W., License No. ABRA-093542. This is a
9 Retailer CR, new application. The protest
10 issues are adverse impact on--actually, the
11 protest issue in this case is related to the
12 settlement agreement.

13 My name is LaVerne Fletcher. I'm
14 conducting the roll call hearing as the
15 Board's agent, pursuant to D.C. Official Code
16 1601.2. And you may be seated. Thank you.

17 Present on behalf of the
18 establishment? Are you with Creme?

19 (No audible response)

20 MS. FLETCHER: Okay. So who's the
21 Protestant?

22 COMMISSIONER REINOSO: ANC 1B.

1 MS. FLETCHER: Okay. You can stay
2 where you are; but you're on--

3 COMMISSIONER REINOSO: Okay. Oh,
4 we're supposed to--

5 MS. FLETCHER: Exactly. But that's
6 fine for now. I'm just going to--okay. So
7 beginning with--you're the Applicant?

8 MS. AYALEW: Yes.

9 MS. FLETCHER: Okay. Can you state
10 your name and spell it for the court reporter,
11 please.

12 MS. AYALEW: Tegist Ayalew. T-e-g-
13 i-s-t, the first name.

14 MS. FLETCHER: I'm sorry. P-e-g?

15 MS. AYALEW: No. T like Tom, e-g-
16 i-s-t.

17 MS. FLETCHER: Okay. Just a second.
18 Give me one minute. Okay. What's the first
19 name again?

20 MS. AYALEW: T-e-g-i-s-t.

21 MS. FLETCHER: P-e-g-i...?

22 MS. AYALEW: s-t.

1 MS. FLETCHER: That's P as in Paul?

2 MR. TILAYE: T as in Tom.

3 MS. FLETCHER: As in Tom. That's
4 your first name?

5 MS. AYALEW: Yes.

6 MS. FLETCHER: And what's the last
7 name?

8 MS. AYALEW: A-y-a-l-e-w. Ayalew.

9 MS. FLETCHER: Thank you. Thank you
10 very much. And your name, sir.

11 MR. TILAYE: My name is Ezra
12 Tilaye. First name is E-z as in zebra--

13 MS. FLETCHER: I'm sorry. E...--is
14 your microphone on? Thank you.

15 MR. TILAYE: There we go. All
16 right.

17 MS. FLETCHER: What is it?

18 MR. TILAYE: E as in echo, z as in
19 zebra, r as in rocky, a as in alpha. Last
20 name's T as in tango, i as in igloo, l as in
21 lima, a as in alpha, y as in Yankee, e as in
22 echo.

1 MS. FLETCHER: And what's the last
2 letter?

3 MR. TILAYE: Echo.

4 MS. FLETCHER: Okay. Thank you.
5 You are the Applicant?

6 MR. TILAYE: Correct.

7 MS. AYALEW: And we've got this
8 transfer.

9 MS. FLETCHER: Okay. You're
10 the you're applying for the license?

11 MS. AYALEW: Transfer.

12 MS. FLETCHER: Are you both
13 applying for the license?

14 MS. AYALEW: Yes.

15 MS. FLETCHER: Okay. Thank you.

16 Thank you very much. And on behalf
17 of ANC 1B?

18 COMMISSIONER REINOSO: Yes. I am
19 Commissioner Ricardo, R-i-c-a-r-d-o, Reinoso,
20 R-e-i-n-o-s-o.

21 MS. FLETCHER: Commissioner
22 Reinoso.

1 Mr. Reinoso, I read the protest
2 letter--

3 COMMISSIONER REINOSO: Yes.

4 MS. FLETCHER: --and ANC 1B is
5 filing its protest based on--well, according
6 to the letter, until a settlement agreement is
7 reached. That is not a basis upon which you
8 may file a protest. So I'm going to have to
9 dismiss the protest. But first of all, I'm
10 going to dismiss the protest and you'll have--
11 you'll receive an order from the ABC Board
12 dismissing the protest, and you'll have ten
13 days to seek reinstatement of the protest, if
14 you wish.

15 However, it is still possible that
16 you all can resolve your issue with respect to
17 any settlement agreement outside ABRA. It's
18 just that the basis upon which to file a
19 protest is not--cannot be in order to get a
20 settlement agreement. But you may still work
21 toward that, if you wish.

22 And if you're able to enter in to

1 a settlement agreement outside of ABRA, the
2 ABC Board will still review it, and approve it
3 if it's within its jurisdiction to do so.

4 So I'm just saying, you can still
5 accomplish your goal but you cannot file a
6 protest for the purpose of getting a
7 settlement agreement. It has to be filed under
8 the appropriate standards, which includes
9 things like you believe the establishment will
10 have an adverse impact on peace, order, and
11 quiet in the neighborhood, or residential
12 parking, or there are other bases. But they
13 have to be under the appropriate standard.

14 COMMISSIONER REINOSO: Specific
15 grounds.

16 MS. FLETCHER: Exactly.

17 COMMISSIONER REINOSO: Got you.

18 MS. FLETCHER: But as I said,
19 because it's based on a settlement agreement,
20 you still have--you can still attempt to
21 accomplish that, if you wish.

22 But for the purpose of the roll

1 call hearing, the protest itself has to be
2 dismissed for that reason.

3 COMMISSIONER REINOSO: Thank you.

4 MS. FLETCHER: Any questions at
5 all?

6 COMMISSIONER REINOSO: No, ma'am.

7 MS. FLETCHER: Okay. Did you put
8 your contact information on that sheet?

9 MS. AYALEW: Yes.

10 MS. FLETCHER: Thank you very much.

11 MS. AYALEW: Thank you, Your
12 Honor.

13 MS. FLETCHER: You're welcome.

14 MS. FLETCHER: So you put your
15 contact information on that sheet?

16 MS. AYALEW: Yes.

17 MS. FLETCHER: Thank you.

18 And excuse me, sir. Are you with
19 the Applicant?

20 MR. HUNTER: Yes, Your Honor.

21 MS. FLETCHER: Okay. Please--you
22 can step forward and introduce yourself for

1 the record.

2 MR. HUNTER: My name is "Dee"
3 Hunter, Your Honor. I'm a business consultant
4 for Creme Café.

5 MS. FLETCHER: Hi, Mr. Hunter. It's
6 D-e-e; right?

7 MR. HUNTER: Yes.

8 MS. FLETCHER: H-u-n-t-e-r?

9 MR. HUNTER: Correct.

10 MS. FLETCHER: And so Commissioner
11 Reinoso, you're going to be here for the other
12 two cases.

13 COMMISSIONER REINOSO: Yes.

14 MS. FLETCHER: So you can just stay
15 at the table; but just at that one.

16 COMMISSIONER REINOSO: This one.

17 MS. FLETCHER: And the roll call
18 hearing in this matter is concluded.

19 [Whereupon, at 10:15 a.m., the
20 roll call hearing was concluded.]
21
22

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