

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

X

IN THE MATTER OF :  
Eritrean Cultural Center: Case #16-PRO-00090  
t/a Eritrean Cultural :  
& Civic Center :  
2154 24th Place N.E. :  
License #ABRA-015698 :  
Retailer Class CX :  
Substantial Change :  
- - - - -X

Monday, SEPTEMBER 12, 2016

Whereupon, the abovereferenced matter  
came on for hearing at the Alcoholic Beverage  
Control Board, Reeves Center, 2000 14th Street,  
N.W., Suite 400S, Washington, D.C. 20009.

CHAIRPERSON:

LAVERNE FLETCHER, Presiding

ALSO PRESENT:

EMANUEL MPRAS

DAWIT HAILE

KEVIN MULLONE

CHOYCE COLE

SAMUEL COLE

YOLANDA ODUNSI

PHYLLIS WOLFE

CAROLE SNEED

ERICA DAYE

YOLANDA THORNTON

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

MEDIATOR FLETCHER: Would the parties in the matter of Eritrean Cultural & Civic Center please come forward? The parties in the matter of Eritrean Cultural & Civic Center. This is Case #16-PRO-00090, 2154 24th Place Northeast, license #ABRA-015698. This is retailer class C multipurpose facility. This is a substantial change, transferring from 1214 18th Street Northwest with a total capacity of 1000. My name is Laverne Fletcher and I'm the board's agent conducting the roll call hearing on behalf of the board. Introductions beginning with the applicant, please.

MR. MPRAS: Emanuel Mprs, representing the Eritrean & Cultural Civic Center.

MR. HAILE: Dawit Haile, chairperson of the board of the Eritrean & Cultural Civic Center.

MEDIATOR FLETCHER: Mr. Mpras, would you spell your name for the record, please?

MR. MPRAS: Yes. First name is EMANUEL, last name is MPRAS.

MEDIATOR FLETCHER: Thank you. And let me get your name one more time.

MR. HAILE: Dawit Haile. It's spelled DAWIT, last name HAILE.

MEDIATOR FLETCHER: Thank you very much. And present on behalf of the Langdon Park Community Association?

MR. MULLONE: Hi, my name is Kevin Mullone. I'm the president of the Langdon Park Community Association, representing the group of five or more.

My first name is Kevin, spelled K-E-V-I-N, and the last name is spelled M-U-L-L-O-N-E.

MEDIATOR FLETCHER: And Mr. Mullone, are there any individuals from your group of 70 present today?

MR. MULLONE: Yes, ma'am.

MEDIATOR FLETCHER: If you would stand behind Mr. Mullone, there's a microphone on the table, if you would just state your name and spell it for the record.

MS. COLE: My name is Choyce Cole. It's

spelled C-H-O-Y-C-E, and the last name is C-O-L-E.

MEDIATOR FLETCHER: Ms. Cole did you say P-H-Y?

MS. COLE: No, I said C-H-O-Y-C-E.

MEDIATOR FLETCHER: T-H-O-Y-C-E. Thoyce.

MS. COLE: Choyce, yes.

MEDIATOR FLETCHER: Okay, T-H-O-Y.

MS. COLE: C as in cat.

MEDIATOR FLETCHER: Oh, C. Okay, thank you.

MS. COLE: H like Henry.

MEDIATOR FLETCHER: Thank you.

MR. COLE: Good morning, my name is Samuel Cole. S-A-M-U-E-L, C-O-L-E.

MEDIATOR FLETCHER: Thank you.

MS. ODUNSI: Hi, my name is Yolanda Odunsi. Y-O-L-A-N-D-A, last name O-D-U-N-S-I.

MEDIATOR FLETCHER: Yolanda, let me spell your last name again?

MS. ODUNSI: O, D as in dog --

MEDIATOR FLETCHER: Just a second, I'm sorry. O-D.

MS. ODUNSI: U, N as in Nancy, S as in Sam,  
I.

MS. WOLFE: Phyllis Wolfe. P-H-Y-L-L-I-S.  
W-O-L-F-E.

MEDIATOR FLETCHER: Thank you, Ms. Wolfe.

MS. SNEED: Good morning, my name is Carole  
Sneed. C-A-R-O-L-E. And my last name is Sneed,  
S-N-E-E-D.

MEDIATOR FLETCHER: S-N-E-E?

MS. SNEED: D as in daddy.

MEDIATOR FLETCHER: Oh, it has a D on the  
end?

MS. SNEED: Say that again.

MEDIATOR FLETCHER: S-N-E-E-D?

MS. SNEED: Thank you.

MS. DAYE: Erica Daye. E-R-I-C-A. Last name,  
D as in David, AYE.

MEDIATOR FLETCHER: Thank you, Ms. Daye.  
And each of you signed the protest letter?  
Everybody signed the protest letter?

UNKNOWN: Yes.

MEDIATOR FLETCHER: Thank you. Mr. Mullone,

your group of 70 is granted standing today because at least five of you from the group appeared today.

MR. MULLONE: Thank you.

MEDIATOR FLETCHER: And the Langdon Park Community Association is granted standing --

MR. MPRAS: I'm sorry to interrupt.

MEDIATOR FLETCHER: Yes?

MR. MPRAS: May I have a chance to speak regarding that? I have a few questions.

MEDIATOR FLETCHER: Yes.

MR. MPRAS: Okay. Directed to Mr. Mullone regarding the standing, I'd like to know first pursuant to your protest letter was the August 10th meeting a regular monthly meeting or a special meeting?

MR. MULLONE: It was a special meeting.

MR. MPRAS: Okay.

MR. MULLONE: But it was also a regular monthly meeting and that's for two reasons. It was a special meeting because during the month of August -- we have regular meetings -- but during

the month of August DPR reached out to us --

MEDIATOR FLETCHER: Mm hmm.

MR. MULLONE: -- regarding a Chuck Brown event that was going to be sponsored by the city on August the 20th. So, I think this is a difference in semantics. We have normal and regular meetings. It became a special meeting because our meetings are typically at the end of the month. DPR reached out to us and said, "hey, we need to have a community meeting, can you move your meeting up because we want to let your neighbors know about the Chuck Brown event and what we plan to do to make sure that the neighborhood is not adversely impacted. So, it was for the month of August a normal , regular meeting but because DPR had a time scheduled it was semantics as a special meeting.

MEDIATOR FLETCHER: Let me do ask one other thing, Mr. Mpras, before you continue. I was about to say that you have standing provided that you gave the applicant at least a seven day notice of that meeting that you just discussed.

Did the applicant get at least a seven day notice?

MR. MULLONE: That's incorrect. We've had e-mails and we've had phone conversations with Mr. Mpras himself trying to get him to a community agreement prior to this roll call hearing.

Unfortunately, Mr. Mpras did not seem to want to be flexible enough which is why we're here. But we let Mr. Mpras know at the very outset that our goal was to enter into a community agreement and we let him know also that we would be filing a petition to protest.

MEDIATOR FLETCHER: That's helpful. The association is required to give the applicant at least a seven-day notice of that meeting you held. Did you say it was held on August 10th?

MR. MULLONE: It was held on August 10th.

MEDIATOR FLETCHER: So the regulations require that the applicant is given at least a seven-day notice of that meeting and has an opportunity to attend that meeting, so that's -- and I know you reached out to Mr. Mpras, but

you're required to let the applicant know that -- to give the applicant at least a seven-day notice of that meeting, so that's the question.

MR. MULLONE: Ms. Fletcher can you also quote the regulation? Can you let me know the regulation?

MEDIATOR FLETCHER: I'll send it to you when I get back to my desk, I don't have it.

MR. MULLONE: Would you like me to cite it?

MEDIATOR FLETCHER: Yes, if you have it.

MR. MULLONE: 25-601-3b.

MEDIATOR FLETCHER: Yes, that's it.

MR. MULLONE: In fact, since we're having a conversation, I believe, Manny, I spoke to you in July about a community agreement and I let you know over the phone of our intent. I let him know over the phone of our intent, over the phone, that we were interested in a community agreement and that if we couldn't reach one then we would be protesting.

MEDIATOR FLETCHER: Well, then you can still do that. It's just that in terms of it being --

you can still do that, Mr. Mullone. In terms of it being granted standing as an association, that is the correct citation. It says -- it's relatively new. Now, the community association has to give an applicant at least seven days notice of that meeting that you refer to.

MR. MULLONE: So, it's written notice.

MEDIATOR FLETCHER: It's written notice. So, you can continue your efforts to resolve the matter by way of a settlement agreement but because of that provision, if that did not occur, then the board cannot grant standing to the association as protestants. However, standing to your group can still be granted but not to the association.

MR. MULLONE: Okay. Very good.

MEDIATOR FLETCHER: So, for the purpose of the roll call hearing I am going to dismiss the Langdon Park Community Association and grant full standing to the group of 70.

MR. MULLONE: Okay.

MEDIATOR FLETCHER: If you're going to say

something, just state your name into the microphone.

MS. DAYE: Hi, my name is Erica Daye, and I want to ask a question about the notification. You say it has to be in writing?

MEDIATOR FLETCHER: Mm hmm.

MS. DAYE: Were we publicly acknowledged in that group which this group is a part of, when we're going to have a meeting, what the meeting is going to consist of. The regulations state exactly that it should be a letter formalized or as long as notified.

MEDIATOR FLETCHER: Yeah, it had to be a letter.

MS. DAYE: If they are a part of the community then we make the notification in that way, so is that considered notification?

MEDIATOR FLETCHER: Well, that's notification but it's not the kind of notification required for the applicant. For the applicant, he has to be given written notification from the association that 'we're

holding a meeting on August the 10th' and he has to be invited to attend the meeting, so -- it's not that you give a public notice to the public. It's not the same thing.

MS. DAYE: Not the public but to the community.

MEDIATOR FLETCHER: It has to be to the applicant.

MR. MULLONE: Ms. Fletcher, are those the same rules for the ANC? If the ANC plans on protesting?

MEDIATOR FLETCHER: Now, the ANCs are not required to give a seven day notice, this is only -- this only applies to an association.

MR. MULLONE: Gotcha.

MEDIATOR FLETCHER: Community association.

MR. MULLONE: Okay, we still have standing with our group.

MEDIATOR FLETCHER: So, Ms. Daye --

MS. DAYE: Yes ma'am.

MEDIATOR FLETCHER: -- the notification is good but there is an additional requirement for

an association that something has to be given directly to the applicant of the notice of that meeting.

MS. DAYE: Okay.

MEDIATOR FLETCHER: They have to have an opportunity to show up and talk to you.

MS. DAYE: So, when we've invited them several times, that's not the same when they don't show up.

MEDIATOR FLETCHER: Not the same.

MS. DAYE: All right, thank you.

MEDIATOR FLETCHER: You're welcome. Are you a member of this protesting group?

MS. THORNTON: Yes.

MEDIATOR FLETCHER: And could you state your name and spell it for the record please.

MS. THORNTON: Yolanda Thornton. Y-O-L-A-N-D-A. Last name, T-H-O-R-N-T-O-N.

MEDIATOR FLETCHER: The last name is?

MS. THORNTON: Thornton. Thornton.

MEDIATOR FLETCHER: T-H-R-

MS. THORNTON: T-H-O-R-N-T-O-N.

MEDIATOR FLETCHER: And, Ms. Thornton, did you sign the protest letter?

MS. THORNTON: I did.

MEDIATOR FLETCHER: Okay, thank you. So, Ms. Thornton is a member of the group of 70 that was just granted standing.

MS. THORNTON: Yes.

MR. MULLONE: Ms. Fletcher, may I ask Mr. Mpras to please cite the regulation again? With the seven-day notice for the community association.

MR. MPRAS: 25-601-3b.

MR. MULLONE: Thank you.

MEDIATOR FLETCHER: We need to set a date for a status hearing, a protest hearing and a mediation. I'll give you the date for the status and protest hearings first. The date for the status hearing is October 26 at 9:30 a.m. That's October 26 at 9:30. The date for the protest hearing is November 30. You would need to come up to the table and state your name and then speak.

MS. THORNTON: Yolanda Thornton.

MEDIATOR FLETCHER: Yes.

MS. THORNTON: Should we be able to hear you in the back or only these people up here should be able to hear you?

MEDIATOR FLETCHER: Well, you should be able to hear me in the back. I don't know why you can't, but I'll stand up and talk louder.

MS. THORNTON: Okay, thank you.

MEDIATOR FLETCHER: So, what I'm doing is scheduling dates.

MS. THORNTON: Okay.

MEDIATOR FLETCHER: So I'm going to stand up and talk loud so you can hear me back there and thanks for letting me know.

MR. MPRAS: Did you set a time for the 30th yet?

MEDIATOR FLETCHER: The protest hearing?

MR. MPRAS: Yes.

MEDIATOR FLETCHER: That's going to be at 4:30.

MR. MPRAS: Okay.

MEDIATOR FLETCHER: So, what we've done, for those in the back that can't hear me, is we're setting dates for a status hearing, a protest hearing and a mediation. The date for the status hearing is going to be October 26 at 9:30 in the morning. The date for the protest hearing is going to be November 30 at 4:30 in the afternoon. And we need to set a date for a mediation. And I'll give you the next available date for the mediation. The mediation is where the parties come together to try to negotiate a settlement to resolve the protest. The next available date for mediation is September 29. It's on a Thursday at 9:00, 10:00 or 11:00 .

MR. MPRAS: Ms. Fletcher, would 11:00 be possible?

MEDIATOR FLETCHER: Is that good for you, Mr. Mullone?

MR. MULLONE: Actually, no. I am not going to be in town --

MEDIATOR FLETCHER: Okay.

MR. MULLONE: -- on the 29th. My next

availability is the following week which is the first week in October.

MEDIATOR FLETCHER: Okay. The only date available that week is on a Monday at 2:00 in the afternoon or we can move to the next week.

MR. MULLONE: Yeah, the next week, because I'm not back until Monday October 3rd.

MEDIATOR FLETCHER: So, for the week of October 10, October 13 is available at 9:00, 10:00 or 11:00.

MR. MULLONE: The 13th would be fine. 11:00 would be preferred.

MR. MPRAS: I can do 11:00.

MEDIATOR FLETCHER: So, it's 11:00 on Thursday, October 13. Any questions at all from anyone?

MR. MULLONE: Just as a matter of procedure does the group have to join me on October the 13th?

MEDIATOR FLETCHER: We prefer the designated representatives only.

MR. MULLONE: Okay.

MEDIATOR FLETCHER: But everyone that's a protestant I think can come, but everybody would not be at the table. Ideally, it would be pretty much set up just like it is right now, where you'd be there.

MR. MULLONE: I just want to make sure for their schedules, because it took a lot to get them here today.

MEDIATOR FLETCHER: Yeah, only you need to come for the mediation.

MR. MULLONE: Okay.

MEDIATOR FLETCHER: We prefer the designated representatives only.

MR. MULLONE: Okay.

MEDIATOR FLETCHER: But, if anybody in this room wants to come but everybody is not at the table, who may be in this room at this table.

MR. MULLONE: Okay.

MEDIATOR FLETCHER: It will be the same people that are here today.

MR. MULLONE: All right.

MEDIATOR FLETCHER: Okay, Mr. Mullone

anything else?

MR. MULLONE: My final question I guess is a matter of procedure and I don't know if I need to reach out to ABRA legal, because the commission was on summer recess and they were unable to be here today, are they able to join the protest once they reconvene?

MEDIATOR FLETCHER: Which ANC?

MR. MULLONE: It's 5C.

MEDIATOR FLETCHER: Yeah, after the petition deadline there can be no protestants.

MR. MULLONE: Okay, so just the group of 70.

MEDIATOR FLETCHER: Yeah, just the group of 70, the group that has standing right now, so that won't change.

MR. MULLONE: All right. That's it.

MEDIATOR FLETCHER: Mr. Mpras, were you going to say something?

MR. MPRAS: No.

MEDIATOR FLETCHER: Okay. Anything from the back? You need to come forward. You'll need -- whatever you say you need to say it on the

record, so if you could stand behind Mr. Mullone and just state your name.

MS. ODUNSI: My name is Yolanda Odunsi and I'm just asking is it a group of seven or a group of eight?

MR. MULLONE: Seventy.

MEDIATOR FLETCHER: Seven-0.

MS. ODUNSI: Oh, seventy, okay.

MEDIATOR FLETCHER: A group of 70.

MR. MULLONE: Ms. Fletcher, do I need to sign this?

MEDIATOR FLETCHER: Yes, you can put your contact information on that because the communication with you beyond today is going to be by e-mail.

MR. MULLONE: Okay.

MEDIATOR FLETCHER: Mr. Mpras, is your contact information there?

MR. MPRAS: It is.

MEDIATOR FLETCHER: It's still the same?

MR. MPRAS: It's still the same.

MEDIATOR FLETCHER: Okay. Anything else?

MR. MULLONE: That's it.

MEDIATOR FLETCHER: Thank you very much the  
roll call hearing is concluded.

[Whereupon, the aboveentitled matter  
concluded.]