DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Your District Space, LLC:

3622 12th Street NE:

Retailer Caterer - ANC CB:

License No. 102051:

Case #21-CMP-00012:

(No ABC Manager on Duty, Stored Alcoholic Beverages in the District of Columbia Without Board Approval, Failed to Provide Food at an Event, Operated without a copy of the Caterer's License, Transfer of Ownership Without Board's Approval):

Wednesday April 27, 2022

The Alcoholic Beverage Control Board met via WebEx videoconference, Chairperson Donovan W. Anderson presiding.

PRESENT:
DONOVAN W. ANDERSON, Chairperson
BOBBY CATO, JR., Member
RAFI ALIYA CROCKETT, Member
EDWARD S. GRANDIS, Member
JENI HANSEN, Member
JAMES SHORT, JR., Member

ALSO PRESENT:
SARAH FASHBAUGH, DC ABRA Staff
ANTHONY CELO, DC OAG
DMAZANA LUMUKANDA, Respondent
11:00 a.m.

CHAIRPERSON ANDERSON: The next case on our calendar is Case No. 21-CMP-00079, District Space, License No. 112204.

Ms. Fashbaugh, can you please elevate the rights of the Licensee in this case?

MS. FASHBAUGH: Please stand by.

Dmazana Lumukanda, your rights have been elevated. That is all, Mr. Chair.

CHAIRPERSON ANDERSON: Thank you.

MR. LUMUKANDA: Good morning. Dmazana Lumukanda here.

CHAIRPERSON ANDERSON: Dmazana, do you have a camera?

MR. LUMUKANDA: Yes, sir.

CHAIRPERSON ANDERSON: Can you please -- your rights have been elevated. So can you turn your camera so I can see you, sir?

MR. LUMUKANDA: Okay.

CHAIRPERSON ANDERSON: Good morning.

Mr. Celo, can you please identify yourself for the record, please?

MR. CELO: District Attorney General Anthony Celo, A-N-T-H-O-N-Y, C-E-L-O, on behalf
of the Government.

CHAIRPERSON ANDERSON: Mr. Lumukanda, can you please spell and state your name for the record? And who do you represent, sir?


CHAIRPERSON ANDERSON: Mr. Celó, are there any preliminary matters in this case?

MR. CELO: Yes, Mr. Chair. I would note for the Board that an offer in compromise has been presented. We are in negotiations concerning the same. And at this time, it does look like there is a decent chance that we will be able to resolve this in advance of the show cause hearing.

CHAIRPERSON ANDERSON: All right. Thank you for the representation, sir.

This matter is then scheduled for a show cause hearing on May 11, 2022 at 1:30 p.m. If the parties are unable to reach a settlement, if an OIC, if the parties are unable to agree on an OIC, then seven days before the hearing each
side are required to provide the Agency with a disclosure notice that discloses to each other and to the Agency the witnesses and documents that they will rely on if this matter goes to a hearing on May 11, 2022 at 1:30 p.m.

However, as I am being told, the representation of the parties, they believe that this matter will be settled. If the parties settle the matter before, we can have a paper OIC that both parties have signed off on. It is presented to the Agency. And the Board will vote on it in its, on its Legal Agenda.

Do you have any representation you want to make, Mr. Lumukanda, before we (audio interference) this case?

MR. LUMUKANDA: Yes, sir. I would actually like to request a continuance on that particular date. Is that possible now during this open forum?

CHAIRPERSON ANDERSON: Well, yes, you can if you're saying, if you believe that this matter will not be settled before that date. The representation from Mr. Celo is that he believes that the matter will be settled, and we're not going to have that hearing.
But if the parties are unable to meet on May 11, 2022, we would ask that a joint motion, you and Mr. -- is this your case, Mr. Celo?

MR. CELO: Yes, Mr. Chair.

CHAIRPERSON ANDERSON: Then you and Mr. Celo can communicate. And if you guys, if the parties can bring a motion to the Agency to continue this matter, then the Board will consider the motion.

But your representation at this juncture, you're saying that if it goes to a hearing you're not available, then it's more likely than not that the Board will grant the request for the extension.

MR. LUMUKANDA: Yes, sir. I just know for a fact that I will be out of the country on that particular date. But we will more than likely resolve it prior to that.

CHAIRPERSON ANDERSON: Right. If the parties are unable to, I'm sorry, if the parties are unable to resolve this matter prior to the date, your representation here, hopefully, you and Mr. Celo could agree to a joint continuance, then the Board will favorably look on that
motion.

So, like I said before, if you're unable to agree to an OIC and if, since you have told us that you are not available that date, if either yourself or Mr. Celo, if a motion comes to the Board for a continuance, we will grant it. Okay?

MR. LUMUKANDA: Thank you, sir.

CHAIRPERSON ANDERSON: All right. So, remember, you have to make a request in -- I can't give you a date currently. But I'll ask you to, if it's not going to settle, put something in writing to the Agency and we will favorably consider that. Okay?

MR. LUMUKANDA: Yes, sir.

CHAIRPERSON ANDERSON: All right. Thank you very much. Hold on. Hold on one minute. Hold on one minute, please. All right. Thank you. Just contact legal and we will favorably consider that because of your unavailability. All right. But good luck in your negotiation. All right.

MR. LUMUKANDA: Thank you, sir.

CHAIRPERSON ANDERSON: Thank you.

Have a great day.
(Whereupon, the above-entitled matter went off the record at 11:05 a.m.)
CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: District Space

Before: DC ABRA

Date: 04-27-22

Place: teleconference

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

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