DISTRIBUTION OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF:        :
18th & D Liquors, Inc., :
t/a Master Liquors  :
1806 D Street, N.E. : Protest Status
License #74594 : Hearing
Retailer A - ANC 6A :
Case # 21-PRO-00029 :

(Application for License :
Renewal)
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Wednesday
June 30, 2021

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

PRESENT:

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

NICK ALBERTI, ANC 6A
BRIAN ALCORN, ANC 6A
SIMONE ANDREWS, DC ABRA Staff
RENAE BLACK, Protestant
JOHNNIE BRILEY, Applicant
BRYCE HUGHES, Protestant
LEAH KRYNICKY, Protestant
ALEX MACKEY, Protestant
RACHEL MACKEY, Protestant
ANALIESE MARCHESSEAULT, Protestant
ANDY MARCHESSEAULT, Protestant
CLARE PARKER, Protestant
ALIX PRESTON, Protestant
JENNIFER ROMAINE, Protestant
JORDAN STONE, Protestant
KAROLYN TEUFEL, Protestant
NOELLE TRENT, Protestant
P-R-O-C-E-E-D-I-N-G-S

11:38 a.m.

CHAIRPERSON ANDERSON: The next case on the calendar is -- You can leave, sir.

(Telephone interruption)

CHAIRPERSON ANDERSON: Thank you.

All right. Can, I need everyone to put their phone on, they need to mute their line. If you're not speaking your line needs to be muted.

All right. Thank you.

The next case on our calendar is Case number 21PRO00029, Master Liquors, License number 074594. Ms. Andrews, can you please elevate the rights of the licensee?

And there's a group of five or more protestants, Mr. Alex, Ms. or Mr. Alix Preston. There should be four additional members, and the ANC. And the ANC, please.

MS. ANDREWS: Sure. Stand by.

MR. PRESTON: Good morning. This is Alix Preston, here as a representative. I put the others --

MS. ANDREWS: One second, sir.

CHAIRPERSON ANDERSON: Hold on, Mr. Preston. Hold on, please.
MS. ANDREWS: Mr. Alberti, your rights have been elevated.

MR. ALBERTI: Thank you.

MS. ANDREWS: Mr. Briley, your rights have been elevated. Ms. Clare Parker, your rights have been elevated. Mr. Leah Krynicky, your rights have been elevated. Mr. Alcorn, your rights have been elevated. Ms. Mackey, your rights have been elevated. Ms. Alex Mackey, your rights have been elevated. Ms. Romaine, your line has been unmuted. (Audio interference) your rights have been elevated. Mr. Trent, your rights have been elevated. Mr. or Ms. Jordan Stone, your rights have been elevated. Almost there, Mr. Chair.

CHAIRPERSON ANDERSON: Thanks.

MS. ANDREWS: Renee Black, your rights have been elevated. Ms. Renee Black, your rights have been elevated. Karolyn Teufel, your rights have been elevated. Mr. Andy, I'm not sure how to pronounce your last name, your rights have been elevated. And one more. Ms. Emily Wilcox, your rights have been elevated.

That's all, Mr. Chair.

CHAIRPERSON ANDERSON: Thank you,
Ms. Andrews. For everyone, if you have a camera
you can turn your cameras on. Upload your
cameras, please. I would also ask the parties,
if you are not speaking, please mute your phone,
your phone line. Sorry.

All right. Good morning, everyone.

All right. This is the Master Liquors case,
Number 21PRO000029, Master Liquors, License
number 074594. Let's start with the licensee.

Could the licensee please step, spell or state
his name for the record, please?

MR. BRILEY: Johnnie Briley, J-O-H-
N-N-I-E. Last name B-R-I-L-E-Y.

CHAIRPERSON ANDERSON: And what is
your relationship to the establishment, sir?

MR. BRILEY: Manager/Owner.

CHAIRPERSON ANDERSON: All right.

Thank you, Mr. Briley. Okay. Let's start with
the ANC and Mr. Alberti. You're muted, Mr.
Alberti.

MR. ALBERTI: My apologies. It's

CHAIRPERSON ANDERSON: All right.

Good morning, Mr. Alberti. And I just want the
record to reflect that I've been the ABC Board
for the past six years.

And I believe for four years when I served as Chair, Mr. Alberti was a member of this ABC Board, was a member of the ABC Board. I do know Mr. Alberti as a fellow Board Member. But as Mr. Alberti knows very well, the fact that I know him will in no way influence my decision as Chair of the ABC Board.

So, but I just want the record to reflect that I do know Mr. Alberti, based on his honorable service to the ABC Board for I believe 11 years. And I served as Chair for the last four years that he was on the Board. So yes, Mr. Short --

MR. ALBERTI: Thank you.

CHAIRPERSON ANDERSON: Yes. Thank you, Mr. Alberti. Hold on Mr. Short.

MEMBER SHORT: I too would like to say, I served with Mr. Nick Alberti on this ABC Board. And I know him quite well. And it will have no implications one way or the other about the decision I will make as a Board Member today.

CHAIRPERSON ANDERSON: Thank you for that explanation, Mr. Short. And I believe that
the other Board Members did not serve with Mr. Alberti. Yes, Mr. Alberti. Do you need to make another statement?

MR. ALBERTI: Thank you, Board Members. It's good to see everyone. And I hope this hearing goes smoothly. Thank you.

CHAIRPERSON ANDERSON: All right. Thank you, Mr. Alberti. Okay. All right. All right. Okay. Is anyone else with you from the ANC, Mr. Alberti? Or you're the only representative from the ANC?

MR. ALBERTI: No. The ANC Commissioner, Brian Alcorn, is here. And the establishment is in his ANC. And he will actually be representing, speaking for the ANC, on behalf of the ANC at this appearance.

CHAIRPERSON ANDERSON: All right. Thank you, so, Mr. Alcorn, can you please state and spell your name for the record, please?

MR. ALCORN: Yes, thanks, Chairman Anderson. I am Brian Alcorn. First name, B-R-I-A-N, last name A-L-C-O-R-N. And as Mr. Alberti stated, I am an ANC Commissioner in ANC 6A. And I am a single member District Commissioner for 6A08, which is where the
establishment is located.

CHAIRPERSON ANDERSON: And thank you, Mr. Alcorn. And I was not trying to highlight Mr. Alberti. But the cheat sheet they gave me, it listed Mr. Alberti as the representative of the ANC.

So, that's one of the reasons why I immediately went to Mr. Alberti. I was not overlooking you, or usurping your authority, sir, as the representative of the ANC.

MR. ALCORN: Sure. Mr. Chairman, I appreciate that. We will also acknowledge, however, that Mr. Alberti is a co-representative of the ANC, and a valued member of the community at that. So, thank you.

CHAIRPERSON ANDERSON: Thank you, Mr. Alcorn. All right. Now, we now have the group of five or more. And Alix Preston, please spell or state your name for the record.

MR. PRESTON: Yes. This is Alix Preston, A-L-I-X, P-R-E-S-T-O-N.

CHAIRPERSON ANDERSON: All right, Mr. Preston, it's my understanding that at the roll call hearing you were given conditional standing because only, you were the only person
at the hearing. So, you then have at least four
members who signed the petition, must be present
here today.

So, could you please state who the
additional members are. So, what else we want
you to do is to call their name one by one,
after you call their name. But then I need that
person, those folks to identify themself for the
record, and to spell their name, please.

MR. PRESTON: Okay. The first one
is Leah Krynicky.

CHAIRPERSON ANDERSON: Ms. Krynicky,
can you please spell or state the name for the
record, please, and spell your name for the
record, please.

MS. KRYNICKY: Yes. Leah Krynicky,

CHAIRPERSON ANDERSON: Good morning,
Ms. Krynicky. Mr. Preston, who's the other
member?

MR. PRESTON: Clare Parker.

CHAIRPERSON ANDERSON: Parker, you
said?

(Simultaneous speaking)

CHAIRPERSON ANDERSON: Ms. Parker
can you please spell and state your name for the record, please?

MS. PARKER: Yes. First name Clare, C-L-A-R-E, last name Parker, P-A-R-K-E-R.

CHAIRPERSON ANDERSON: Who's the next member, Mr. Preston?

MR. PRESTON: Renae Black.

CHAIRPERSON ANDERSON: Ms. Black, can you please state and spell your name for the record, please?


CHAIRPERSON ANDERSON: Thank you, Ms. Black. Who else, sir?

MR. PRESTON: Bryce Hughes.

CHAIRPERSON ANDERSON: Mr., is it Mr. Hughes?

MR. HUGHES: Yes, that's me. Bryce Hughes, B-R-Y-C-E, H-U-G-H-E-S.

CHAIRPERSON ANDERSON: Thank you, Mr. Hughes. Who else, Mr. Preston?

MR. PRESTON: Jenny Romaine.

CHAIRPERSON ANDERSON: Ms. Romaine.

Ms. Romaine.

MR. HUGHES: Give me one second.
She's my wife. Let me grab her. I believe she may be on the call.

MS. ROMAINE: Can you all hear me now?

CHAIRPERSON ANDERSON: I can hear. Ms. Romaine?

MS. ROMAINE: Hello.

CHAIRPERSON ANDERSON: Yes. Can you please state and spell your name for the record, please?


CHAIRPERSON ANDERSON: Thank you.

Anyone else, Mr. Preston?

MR. PRESTON: Yes. Rachel Mackey.

CHAIRPERSON ANDERSON: Ms. Mackey.


CHAIRPERSON ANDERSON: Anyone else, Mr. Preston?

MR. PRESTON: Alex Mackey.


CHAIRPERSON ANDERSON: Anyone else,
Mr. Preston?

MR. PRESTON: Noelle Trent.

CHAIRPERSON ANDERSON: I'm sorry. I Didn't hear the person's name.

MR. PRESTON: Noelle Trent.

CHAIRPERSON ANDERSON: Noelle Trent.

MS. TRENT: Yes. Noelle Trent, N-O-E-L-L-E, T-R-E-N-T.

CHAIRPERSON ANDERSON: Good morning, Ms. Trent. Anyone else, Mr. Preston?

MR. PRESTON: Yes. Andy Marchesseault.

CHAIRPERSON ANDERSON: Andy Marchesseault. We have with us --

MR. MARCHESSEAULT: Hi.

CHAIRPERSON ANDERSON: Good morning.

MR. MARCHESSEAULT: Good morning.


CHAIRPERSON ANDERSON: Good morning, Mr. March -- Spell, pronounce your last name for me one more time, sir?

MR. MARCHESSEAULT: Marchesseault.

CHAIRPERSON ANDERSON: Marchesseault. Good morning, sir.

MR. MARCHESSEAULT: Good morning.
CHAIRPERSON ANDERSON: Anyone else that we have, sir?

MR. PRESTON: Yes. Analiese Marchesseault.

CHAIRPERSON ANDERSON: Now, you know, I'm glad I did that. Because now I shouldn't have any problem. Ms. Marchesseault.

MS. MARCHESSEAULT: Beautiful pronunciation, Alix.

CHAIRPERSON ANDERSON: All right. Spell and state your name, please, ma'am.


CHAIRPERSON ANDERSON: Good morning, ma'am.

MS. MARCHESSEAULT: Thank you.

CHAIRPERSON ANDERSON: Anyone else, Mr. Preston?


CHAIRPERSON ANDERSON: Mr. or Ms. Stone.


CHAIRPERSON ANDERSON: Anyone else,
Mr., good morning, Mr. Stone. Anyone else, Mr. Preston?

MR. PRESTON: Yes. I believe there's one other person on the line. But I didn't see it.

CHAIRPERSON ANDERSON: And who is that person?

MR. PRESTON: One second. Sorry about that. Teufel, I believe. All right.

CHAIRPERSON ANDERSON: Is that Karoly Teufel?

MR. PRESTON: Yes.

CHAIRPERSON ANDERSON: Can you state and spell your name for the record, please?


CHAIRPERSON ANDERSON: Good morning. All right. Is that the extent of your group, sir?

MR. PRESTON: I believe so.

CHAIRPERSON ANDERSON: All right. So, Mr., the group of five or more was granted conditional standing at the roll call hearing. They were supposed to -- Mr. Stone, can you please lower your screen, please?
All right.

So, all right. At the roll call hearing conditional standing was granted to the group of five or more because only one member attended. And Mr. Preston was supposed to have four other members appear today.

There are 13 other members who appeared today along with Mr. Preston. So, there are 14 members of this group of five or more. And so therefore, I'm going to make a motion to the Board that full standing be granted to the group of five or more. Is there a second?

MEMBER SHORT: Mr. Short. I'll second.

CHAIRPERSON ANDERSON: Mr. Short has second the motion. We'll now have a roll call vote on the motion that was properly second by Mr. Short. Mr. Short.

MEMBER SHORT: Mr. Short. I agree.

CHAIRPERSON ANDERSON: Ms. Crockett.

MEMBER CROCKETT: Rafi Crockett. I agree.

CHAIRPERSON ANDERSON: Ms. Hansen.

MEMBER HANSEN: Jenny Hansen. I
agree.

CHAIRPERSON ANDERSON: Mr. Grandis.

MEMBER GRANDIS: Edward Grandis. I agree.

CHAIRPERSON ANDERSON: And Mr. Anderson. I agree. The matter passes five, zero, zero. So, full standing is now granted to the license, I'm sorry, to the group of five or more.

Is there any, are there any preliminary matters that need to be brought to the attention of the Board? Let me start with the licensee. Mr. Briley, any preliminary matters that you have you want to bring to the attention of the Board, sir?

MR. BRILEY: No. We're still trying to work out an arrangement for the settlement agreement. We have a individual meeting on the 20th. So, we think we can come to terms.

CHAIRPERSON ANDERSON: All right. Thank you, Mr. Briley. Ms., what about the, as far as the ANC is concerned, any preliminary matters?

MR. ALCORN: Sure. I'll just state for the record that the ANC, members of the
community, and reps for the licensee met
yesterday in a mediation session facilitated by
LaVerne Fletcher.

Parties did not reach an agreement
or accommodation on the matter in that session.
And talks between the representative of the
licensee, ANC, and community will continue.

I believe the July 20th meeting is
the next planned. This will give the licensee
some time to address issues that have been
raised by the ANC and the community.

CHAIRPERSON ANDERSON: Perfect.
Thank you. Mr. Preston, any preliminary matters
that you need to bring to the attention of the
Board?

MR. PRESTON: No, I don't think so.
I think everything's already been said.

CHAIRPERSON ANDERSON: All right.
As just, I just want to invite you, Mr. Preston,
if there's a, if a settlement agreement is
reached between the ANC and the licensee, and if
you are not a part of that settlement agreement,
then your protest will fall.

So, I just want to let you know the
Board cannot force a licensee and the ANC to
make you a part of a settlement agreement. But
I'm just stating that by operation of the law,
if there's a settlement agreement that, if it's
reached between the ANC and the licensee, and if
your group does not, is not a part of it, or if
you do not agree with it, your, you'd have, your
standing to move forward with the protest will
fall. Just as an FYI, sir. Okay?

MR. PRESTON: Okay. Thank you.

CHAIRPERSON ANDERSON: Right. This
matter then is scheduled for a protest hearing
on August 5th at 10:00 a.m. So, August 5th at
10:00 a.m. All right. All right.

Now that we've scheduled this matter
for a protest hearing there are a few things
that I would like to instruct the parties about,
because the Board's practices under the COVID 19
restrictions have changed.

As you know, the Board's hearings
are conducted virtually. So, it is more
important than ever that protest hearings are
focused, and addressing only those issues that
are being protested.

Following this hearing you will be
receiving an email from Assistant General
Counsel April Randall that will include a copy of the protest information form, PIF, and a copy of the exhibit form, as well as specific instructions for the hearing.

You are required to complete and submit the PIF and exhibit forms at least seven days before the date of the hearing. If we do not receive a copy of your forms seven days before the hearing, your application or your protest may be subject to dismissal.

These documents need to be submitted to ABRA Legal and to the opposing parties. Please note that these documents greatly assist the Board, and narrow the protest issues, facilitating the process, and keeping the parties on point during the hearing.

Each side is limited to no more than five witnesses. And you will only have 60 minutes to present your case, which includes all your witness and cross examination. The Board does not intend to hear testimony in matters that are not relevant to these, to those issues that are being protested.

And I know, Mr. Preston, I know that you have, there are 14 of you in the group of
five or more. But because of the new regulations only five people can testify at, if we go to a protest hearing.

And you'll only have an hour to present your case. I just wanted to let you know only five folks can testify at the hearing if we were to go to a hearing, sir. And the same thing for the ANC also.

MR. PRESTON: Understood.

CHAIRPERSON ANDERSON: All right.
Thank you. Any other questions by any of the parties? All right. And thank you for your cooperation. If you have any questions that are in timely enough to the appearance, please do not hesitate Assistant General Counsel, April Randall at 202-329-6354, or contact her by email.

I want to thank everybody, everyone who participated today for their attendance. It's my understanding that there's further conversations that will be held between the parties. I wish you well in your settlement discussions.

The Board supports settlement, because this is your neighborhood. You know
what occurs there. And if you're able to settle
the matter, then you can come up with some terms
and conditions that's workable for both sides.

    You know if it comes to a hearing
the Board's going to listen, and the Board is
going to make a determination on what the Board
believes is in the best interest of the
residents of the District of Columbia generally.

    So, I do support settlements if you
are able to do that. But if not, we will have a
hearing on August 5th. All right. So, thank
you again for being here today. And have a safe
holiday weekend. Thank you very much.

    (Whereupon, the above-entitled
matter went off the record at 11:58 a.m.)
CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: Master Liquors

Before: DCABRA

Date: 06-30-21

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

[Signature]
Court Reporter