



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

2 10:15 a.m.

3 MS. FLETCHER: Are the parties present  
4 in the matter of DC Food Market? This is case  
5 number 20-PRO-00053, DC Food Market, 220 16th  
6 Street, Southeast, License Number ABRA-106962.  
7 This is a Retail Class B Substantial Change,  
8 Class change from B to A.

9 Is anyone present on behalf of DC Food  
10 Market?

11 MR. KASSAYE: Yes, ma'am.

12 COMMISSIONER PRESTWOOD: Yes,  
13 Commissioner Prestwood is present.

14 MS. FLETCHER: Thank you, Mr.  
15 Prestwood.

16 And is it Mr. Kassaye?

17 MR. KASSAYE: Yes, ma'am.

18 MS. FLETCHER: Okay. And you're  
19 present on behalf of DC Food Market?

20 MR. KASSAYE: Yes, ma'am.

21 MS. FLETCHER: Okay, thank you.

22 MR. KASSAYE: You're welcome.

23 MS. FOWLER: Thank you very much.

24 MR. KASSAYE: You're welcome, ma'am.

25 MS. FLETCHER: The protest issues in

1 this matter are adverse impact on peace, order,  
2 and quiet. ANC 8A has standing as a protestant.

3 We need to set a date for mediation  
4 and a status hearing. I'm going to give you the  
5 date for mediation first. We'll set that date  
6 first.

7 MR. KASSAYE: Thank you, ma'am.

8 MS. FLETCHER: You're very welcome.  
9 I'll look at the next available date on the  
10 calendar. I'll give you the next available dates  
11 in January.

12 MR. KASSAYE: Okay.

13 MS. FLETCHER: The next available date  
14 in January is January the 5th. That's on a  
15 Tuesday, January 5th at -- 9:00, 10:00, 11:00,  
16 12:00, 1:00 -- pretty much anytime between 9:00  
17 and 2:00 on January 5 is available for mediation.

18 MR. KASSAYE: That works for me okay,  
19 yes.

20 COMMISSIONER PRESTWOOD: Okay. I do  
21 have a question on that. So January 5th, a new  
22 commissioner will be in this seat and I think  
23 they may need just a little bit more time to get  
24 up to speed. Although they are definitely in  
25 purport of the protest, I do not know what their

1 schedule is and so it might be unfair for me to  
2 schedule something during that time. Can you  
3 tell me if the mediation is just for this body or  
4 is that just mediation on our own?

5 MS. FLETCHER: The mediation is with  
6 the Board's mediator, that's me. The mediation  
7 is with the mediator and the parties.

8 COMMISSIONER PRESTWOOD: Okay. Yes,  
9 I would ask if we could schedule it out a little  
10 bit further than the 5th.

11 MS. FLETCHER: Because you're going to  
12 have a new commissioner?

13 COMMISSIONER PRESTWOOD: That's  
14 correct.

15 MS. FLETCHER: Uh-huh. Well, your  
16 status hearing is scheduled for January 14.

17 COMMISSIONER PRESTWOOD: Okay.

18 MS. FLETCHER: Normally, mediation  
19 takes place before the 14th. Would it help to  
20 push it out to January 12? You said this person  
21 needs to be brought up to speed?

22 COMMISSIONER PRESTWOOD: Yes.

23 MS. FLETCHER: So would that be  
24 helpful if we make it January 12? Is that enough  
25 time to bring them up to speed?

1                   COMMISSIONER PRESTWOOD: I will  
2 certainly present that information to the  
3 commissioner-elect.

4                   MS. FLETCHER: Would someone else  
5 who's already up to speed be able to participate  
6 as well?

7                   COMMISSIONER PRESTWOOD: If the -- so  
8 I'll be the outgoing commissioner. If the  
9 commissioner-elect will say that the former  
10 commissioner, being myself, can speak on this  
11 matter that wouldn't be a problem.

12                   MR. KASSAYE: I have -- I mean, I  
13 don't know.

14                   MS. FLETCHER: Well, Mr. Prestwood?  
15 Mr. Prestwood?

16                   COMMISSIONER PRESTWOOD: I'm here.

17                   MS. FLETCHER: Do you know who the  
18 incoming commissioner would be?

19                   COMMISSIONER PRESTWOOD: Yes, Laneice  
20 Moore.

21                   MS. FLETCHER: So I will -- Mr.  
22 Kassaye, if you're available on January 12, I'll  
23 set the mediation for January 12. Ideally --

24                   MR. KASSAYE: Yes. And, ma'am -- I'm  
25 sorry. Go ahead, ma'am.

1 MS. FLETCHER: Is January 12 okay for  
2 you?

3 MR. KASSAYE: Ma'am, anytime you're  
4 giving me, I'm available. Any day, any time.  
5 I'm okay with whatever dates that you're giving  
6 to me.

7 MS. FLETCHER: Okay.

8 MR. KASSAYE: Yes. So I guess then if  
9 the new ANC commissioner's was going to be  
10 effectively taking over, then I guess that will  
11 be the individual who, you know, who'll have to  
12 face the hearings, I guess. I don't know. I  
13 don't know how it works, but I'm available  
14 though, on the 12th.

15 MS. FLETCHER: Okay. Well, Mr.  
16 Prestwood. Mr. Prestwood?

17 COMMISSIONER PRESTWOOD: I'm here.

18 MS. FLETCHER: So January 12, anytime  
19 between 9:00 and 2:00. Do you have a preference,  
20 the time?

21 COMMISSIONER PRESTWOOD: Could we do  
22 say 11:00?

23 MS. FLETCHER: 11:00 is fine on this  
24 end. I guess, Mr. Kassaye, 11:00 is fine with  
25 you?

1 MR. KASSAYE: Yes, ma'am. Whatever  
2 time you give me, I'm fine with it.

3 MS. FLETCHER: Well, then we're set  
4 for January 12, 2021, at 11:00. And I'm going to  
5 give you the date for your status hearing.

6 The status hearing's set for January  
7 14, 2021, at 10:30 a.m.

8 MR. KASSAYE: You say 10:00 a.m.?

9 MS. FLETCHER: 10:30.

10 MR. KASSAYE: 10:30, okay.

11 MR. KASSAYE: Okay, just one second.

12 Any questions at all? Oh, the  
13 mediation's going to take place by Webex, same as  
14 today. Did I see somebody raise their hand?

15 Oh, never mind.

16 Okay, just a second, please.

17 MR. KASSAYE: Okay.

18 COMMISSIONER PRESTWOOD: Will you send  
19 this order out in email?

20 MS. FLETCHER: Yes, you'll receive an  
21 invitation for the mediation the same way that  
22 you received it for the roll call.

23 COMMISSIONER PRESTWOOD: Okay. No, I  
24 mean like an official communique. I'll --

25 MS. FLETCHER: Then you can -- what

1 about an official communique?

2 COMMISSIONER PRESTWOOD: Oh, no. I'm  
3 just curious, would it be an official communique  
4 outlining the dates as I receive for the protest  
5 opportunity?

6 MS. FLETCHER: Yes, you're going to  
7 receive a Webex invitation just like you received  
8 for the roll call hearing. It's going to come  
9 from Webex, same way. It's just going to be for  
10 mediation.

11 COMMISSIONER PRESTWOOD: Okay.

12 MS. FLETCHER: You'll join the  
13 mediation the same way you joined the roll call  
14 today.

15 COMMISSIONER PRESTWOOD: Okay.

16 MS. FLETCHER: Did that answer your  
17 question though?

18 COMMISSIONER PRESTWOOD: It did. And  
19 just so that I know, if the commission, they can  
20 elect to either have a commissioner, or a member  
21 of the community representing the commission,  
22 speak at this hearing, at the mediation, and then  
23 also the --

24 MS. FLETCHER: What we want is  
25 somebody that has the -- what we need is somebody

1 that has the ability to negotiate on behalf of  
2 the ANC and has the ability to -- I know that the  
3 ANC has to vote, so no person can enter into a  
4 settlement agreement before you all vote.

5 But we need somebody with authority to  
6 negotiate on behalf of the ANC. If it's not  
7 going to be an ANC commissioner, you're going to  
8 need to send us something in writing designating  
9 that person to represent the ANC.

10 COMMISSIONER PRESTWOOD: Understood.

11 MS. FLETCHER: But Laneice Moore will  
12 become a commissioner, yes?

13 COMMISSIONER PRESTWOOD: That's  
14 correct.

15 MS. FLETCHER: Okay.

16 (Pause.)

17 MS. FLETCHER: Okay, there's been a  
18 change with the date for the status hearing. The  
19 status hearing is now set for January 7th.  
20 That's Thursday, January 7th.

21 COMMISSIONER PRESTWOOD: How --

22 MS. FLETCHER: The status hearing is  
23 now set for Thursday, January 7, instead of the  
24 14th.

25 COMMISSIONER PRESTWOOD: Excuse me.

1 How would the -- if the mediation is not until  
2 the 12th?

3 MS. FLETCHER: What that means is  
4 this. You'll appear for the status hearing on  
5 January 7 and inform the Board of your mediation.  
6 They just want to know the status of the case,  
7 and the status of your case will be that  
8 mediation is going to occur on January 12 at  
9 11:00.

10 COMMISSIONER PRESTWOOD: Okay.

11 MR. KASSAYE: So the January 7 is  
12 changed from the 14th to the 7th, what time that  
13 will be?

14 MS. FLETCHER: Yes. So the 14th is  
15 canceled and the status hearing is now going to  
16 be on January 7.

17 MR. KASSAYE: What time?

18 MS. FLETCHER: At 10:30 a.m.

19 MR. KASSAYE: Okay, that works for me.  
20 And then the actual hearing will be on the 12th  
21 at 10:21 a.m., right? I mean --

22 MS. FLETCHER: That's the --

23 COMMISSIONER PRESTWOOD: That's the  
24 mediation.

25 MR. KASSAYE: Okay.

1 MS. FLETCHER: That's the mediation  
2 where the parties get together to try to resolve  
3 the protest issues.

4 MR. KASSAYE: Okay.

5 COMMISSIONER PRESTWOOD: 11 o'clock.

6 MS. FLETCHER: At 11 o'clock for the  
7 mediation, yes.

8 COMMISSIONER PRESTWOOD: Okay.

9 MS. FLETCHER: Okay. Any other  
10 questions?

11 MR. KASSAYE: No, ma'am. Merry  
12 Christmas. See you next year.

13 MS. FLETCHER: Okay, well, thank you  
14 very much. And the roll call hearing is  
15 concluded. You may leave the meeting or stay on  
16 the line, if you wish. But I'm going to call the  
17 next case.

18 (Whereupon, the above-entitled matter  
19 went off the record at 10:26 a.m.)  
20  
21  
22  
23  
24  
25

<p style="text-align: center;"><b>A</b></p> <p>a.m 2:2 7:7,8 10:18,21 11:19  <b>ability</b> 9:1,2  <b>able</b> 5:5  <b>above-entitled</b> 11:18  <b>ABRA</b> 1:18  <b>ABRA-10692</b> 1:8  <b>ABRA-106962</b> 2:6  <b>actual</b> 10:20  <b>adverse</b> 3:1  <b>Agent</b> 1:15,18  <b>agreement</b> 9:4  <b>ahead</b> 5:25  <b>Alcoholic</b> 1:2,14  <b>ANC</b> 3:2 6:9 9:2,3,6,7,9  <b>answer</b> 8:16  <b>anytime</b> 3:16 6:3,18  <b>appear</b> 10:4  <b>Applicant</b> 1:20  <b>authority</b> 9:5  <b>available</b> 3:9,10,13,17 5:22 6:4,13</p>	<p><b>commissioner's</b> 6:9  <b>commissioner-elect</b> 5:3,9  <b>communiqué</b> 7:24 8:1 8:3  <b>community</b> 8:21  <b>concluded</b> 11:15  <b>Control</b> 1:2,14  <b>correct</b> 4:14 9:14  <b>CRESTWOOD</b> 1:20  <b>curious</b> 8:3</p>	<p>10:4,15,20 11:14  <b>hearing's</b> 7:6  <b>hearings</b> 6:12  <b>help</b> 4:19  <b>helpful</b> 4:24</p>	<p><b>meeting</b> 11:15  <b>member</b> 8:20  <b>Merry</b> 11:11  <b>met</b> 1:15  <b>mind</b> 7:15  <b>Monday</b> 1:12  <b>Moore</b> 5:20 9:11</p>
<p style="text-align: center;"><b>B</b></p> <p><b>B</b> 1:7,10 2:7,8  <b>Beer</b> 1:10,10  <b>behalf</b> 2:9,19 9:1,6  <b>Beverage</b> 1:2,14  <b>bit</b> 3:23 4:10  <b>Board</b> 1:2,14 10:5  <b>Board's</b> 1:15,18 4:6  <b>body</b> 4:3  <b>bring</b> 4:25  <b>brought</b> 4:21</p>	<p style="text-align: center;"><b>D</b></p> <p><b>date</b> 3:3,5,5,9,13 7:5 9:18  <b>dates</b> 3:10 6:5 8:4  <b>day</b> 6:4  <b>DC</b> 1:6,6 2:4,5,9,19  <b>December</b> 1:13  <b>definitely</b> 3:24  <b>designating</b> 9:8  <b>DISTRICT</b> 1:1</p>	<p style="text-align: center;"><b>I</b></p> <p><b>Ideally</b> 5:23  <b>impact</b> 3:1  <b>incoming</b> 5:18  <b>individual</b> 6:11  <b>inform</b> 10:5  <b>information</b> 5:2  <b>invitation</b> 7:21 8:7  <b>issues</b> 2:25 11:3</p>	<p style="text-align: center;"><b>N</b></p> <p><b>need</b> 3:3,23 8:25 9:5,8  <b>needs</b> 4:21  <b>negotiate</b> 9:1,6  <b>never</b> 7:15  <b>new</b> 3:21 4:12 6:9  <b>Normally</b> 4:18  <b>number</b> 2:5,6</p>
<p style="text-align: center;"><b>C</b></p> <p><b>calendar</b> 3:10  <b>call</b> 1:3,7 7:22 8:8,13 11:14,16  <b>canceled</b> 10:15  <b>case</b> 1:8 2:4 10:6,7 11:17  <b>certainly</b> 5:2  <b>change</b> 1:9 2:7,8 9:18  <b>changed</b> 10:12  <b>Christmas</b> 11:12  <b>Class</b> 1:10,10 2:7,8  <b>COLUMBIA</b> 1:1  <b>come</b> 8:8  <b>commission</b> 8:19,21  <b>commissioner</b> 2:12,13 3:20,22 4:8,12,13,17 4:22 5:1,7,8,10,16,18 5:19 6:17,21 7:18,23 8:2,11,15,18,20 9:7 9:10,12,13,21,25 10:10,23 11:5,8</p>	<p style="text-align: center;"><b>E</b></p> <p><b>effectively</b> 6:10  <b>either</b> 8:20  <b>elect</b> 8:20  <b>email</b> 7:19  <b>enter</b> 9:3  <b>EPHRAME</b> 1:20  <b>Excuse</b> 9:25</p>	<p style="text-align: center;"><b>J</b></p> <p><b>January</b> 3:11,14,14,15 3:17,21 4:16,20,24 5:22,23 6:1,18 7:4,6 9:19,20,23 10:5,8,11 10:16  <b>join</b> 8:12  <b>joined</b> 8:13</p>	<p style="text-align: center;"><b>O</b></p> <p><b>o'clock</b> 11:5,6  <b>occur</b> 10:8  <b>official</b> 7:24 8:1,3  <b>opportunity</b> 8:5  <b>order</b> 3:1 7:19  <b>outgoing</b> 5:8  <b>outlining</b> 8:4</p>
<p style="text-align: center;"><b>H</b></p> <p><b>hand</b> 7:14  <b>hearing</b> 1:3,7 3:4 4:16 7:5 8:8,22 9:18,19,22</p>	<p style="text-align: center;"><b>F</b></p> <p><b>face</b> 6:12  <b>fine</b> 6:23,24 7:2  <b>first</b> 3:5,6  <b>Fletcher</b> 1:15,18 2:3,14 2:18,21,25 3:8,13 4:5 4:11,15,18,23 5:4,14 5:17,21 6:1,7,15,18 6:23 7:3,9,20,25 8:6 8:12,16,24 9:11,15,17 9:22 10:3,14,18,22 11:1,6,9,13  <b>Food</b> 1:6 2:4,5,9,19  <b>former</b> 5:9  <b>FOWLER</b> 2:23  <b>further</b> 4:10</p>	<p style="text-align: center;"><b>K</b></p> <p><b>Kassaye</b> 1:20 2:11,16 2:17,20,22,24 3:7,12 3:18 5:12,22,24 6:3,8 6:24 7:1,8,10,11,17 10:11,17,19,25 11:4 11:11</p>	<p style="text-align: center;"><b>P</b></p> <p><b>P-R-O-C-E-E-D-I-N-G-S</b> 2:1  <b>participate</b> 5:5  <b>parties</b> 2:3 4:7 11:2  <b>Pause</b> 9:16  <b>peace</b> 3:1  <b>person</b> 4:20 9:3,9  <b>place</b> 4:19 7:13  <b>please</b> 7:16  <b>preference</b> 6:19  <b>present</b> 1:17,19 2:3,9 2:13,19 5:2  <b>presiding</b> 1:15  <b>Prestwood</b> 2:12,13,15 3:20 4:8,13,17,22 5:1 5:7,14,15,16,19 6:16 6:16,17,21 7:18,23 8:2,11,15,18 9:10,13 9:21,25 10:10,23 11:5 11:8  <b>pretty</b> 3:16  <b>problem</b> 5:11  <b>protest</b> 2:25 3:25 8:4 11:3  <b>protestant</b> 1:20 3:2  <b>purport</b> 3:25  <b>push</b> 4:20</p>
	<p style="text-align: center;"><b>G</b></p> <p><b>give</b> 3:4,10 7:2,5  <b>giving</b> 6:4,5  <b>guess</b> 6:8,10,12,24</p>	<p style="text-align: center;"><b>L</b></p> <p><b>Laneice</b> 5:19 9:11  <b>LaVerne</b> 1:15,18  <b>leave</b> 11:15  <b>License</b> 1:8 2:6  <b>line</b> 11:16  <b>little</b> 3:23 4:9  <b>look</b> 3:9</p>	<p style="text-align: center;"><b>Q</b></p> <p><b>question</b> 3:21 8:17  <b>questions</b> 7:12 11:10</p>
	<p style="text-align: center;"><b>H</b></p> <p><b>hand</b> 7:14  <b>hearing</b> 1:3,7 3:4 4:16 7:5 8:8,22 9:18,19,22</p>	<p style="text-align: center;"><b>M</b></p> <p><b>ma'am</b> 2:11,17,20,24 3:7 5:24,25 6:3 7:1 11:11  <b>Market</b> 1:6,6 2:4,5,10 2:19  <b>matter</b> 1:5 2:4 3:1 5:11 11:18  <b>mean</b> 5:12 7:24 10:21  <b>means</b> 10:3  <b>mediation</b> 3:3,5,17 4:3 4:4,5,6,18 5:23 7:21 8:10,13,22 10:1,5,8 10:24 11:1,7  <b>mediation's</b> 7:13  <b>mediator</b> 4:6,7</p>	<p style="text-align: center;"><b>M</b></p> <p><b>ma'am</b> 2:11,17,20,24 3:7 5:24,25 6:3 7:1 11:11  <b>Market</b> 1:6,6 2:4,5,10 2:19  <b>matter</b> 1:5 2:4 3:1 5:11 11:18  <b>mean</b> 5:12 7:24 10:21  <b>means</b> 10:3  <b>mediation</b> 3:3,5,17 4:3 4:4,5,6,18 5:23 7:21 8:10,13,22 10:1,5,8 10:24 11:1,7  <b>mediation's</b> 7:13  <b>mediator</b> 4:6,7</p>

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: DC Food Market

Before: DCABRA

Date: 12-21-20

Place: teleconference

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

*Neal R Gross*

-----  
Court Reporter

**NEAL R. GROSS**

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