DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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ROLL CALL HEARING

IN THE MATTER OF:

NAI Saturn Eastern LLC,
t/a Safeway
2845 Alabama Ave SE
Retailer B
License No. ABRA-097704
Case #20-PRO-00059

(License Renewal)

Monday
December 21, 2020

The Alcoholic Beverage Control Board
met via Video/Teleconference, LaVerne Fletcher,
Board's Agent, presiding.

PRESENT:

LAVERNE FLETCHER, ABRA Board's Agent

ALSO PRESENT:

JERRY MOORE, III, Applicant
TIFFANY BROWN, Protestant
10:31 a.m.

MS. FLETCHER: Are parties present in the matter of Safeway?

MR. MOORE: Yes.

MS. BROWN: Yes.

MS. FLETCHER: Both. Thank you.

Oh, that's right. That's you too, Ms. Brown.

Okay, I see you, Mr. Moore.

This is Case Number 20-PRO-00059, NAI Saturn Eastern LLC, trading as Safeway, 2845 Alabama Avenue, Southeast, License Number ABRA-097704. This is a Retail of Class B License Renewal, and the protest issues are adverse impact on peace, order, and quiet.

Mr. Moore, will you please state your name and spell it for the record?

MR. MOORE: I'm Jerry A. Moore, III, J-E-R-R-Y, M-O-O-R-E, III. Counsel to Safeway.

MS. FLETCHER: Okay. Thank you.

And, Ms. Brown, will you please state your name and spell it for the record, please?

MS. BROWN: Sure. Tiffany L. Brown, T-I-F-F-A-N-Y, middle initial L, last name Brown,
B-R-O-W-N, ANC Commissioner for 7B-02, also ANC 7B vice chair.

MS. FLETCHER: Okay. Thank you very much. ANC 7B does have standing as a protestant. We need to set a date for a mediation and a status hearing. The date for the status hearing is February 11. February 11, 2021 at 10:30 a.m. for the status hearing.

Let's see here. I'll give you the next available day for mediation. One second.

The next available date for mediation is Tuesday, January 5. If that's too soon, we can move to the -- actually, any day that week. That's just the next day available, any time between 9:00 and 2:00.

Ms. Brown, did you need something further out?

MS. BROWN: No, not necessarily. There is already a settlement agreement that's not being followed, so I guess we would be looking to have the settlement agreement-followed. So Wednesdays simply are better days for me.

MS. FLETCHER: Okay. Well, let's --

MS. BROWN: So I'm already coming on
the 13th, so can we do it that day?

MS. FLETCHER: Yes. We can do it that day. You're coming -- if that works for you, Mr. Moore.

Ms. Brown, you're coming on the 13th at 10:00 for a Patron Convenience?

MS. BROWN: Correct. Yes.

MR. MOORE: I'm sorry. What date for Ms. Brown?

MS. BROWN: The 13th of January.

MR. MOORE: Okay.

MS. FLETCHER: So January 13th. So, Ms. Brown, you're already coming at 10:00. Do you want to make it 12:00 or 1:00?

MS. BROWN: Let me check one thing.

MS. FLETCHER: Actually 1 o'clock would be better, either 1 o'clock or any time after, if that's okay with you, Mr. Moore?

MR. MOORE: Yes.

MS. BROWN: That sounds -- 1 o'clock is fine.

MS. FLETCHER: Okay. So, Mr. Moore, 1 o'clock is okay for you too?

MR. MOORE: On the 13th of January?

MS. FLETCHER: Yes.
MR. MOORE: Okay. Mr. Ley is also on the line. Is that all right with you, Tim?

MR. LEY: Yes, sir.

MS. FLETCHER: Okay. Okay, Mr. Ley is on the line. Mr. Ley, could you please state your name and spell it for the record, please?

MR. LEY: Sure. Tim Ley, T-I-M, last name L-E-Y.

MS. FLETCHER: Oh, okay. Thank you.

MR. MOORE: You know, Ms. Fletcher, if Ms. Brown was available before the 13th, Safeway would be happy to meet with her and talk about these issues, and hopefully we can avoid the mediation session on the 13th. Let's settle it now, and then letting it drag on.

MS. FLETCHER: Yes, if you're able to do that, that works also. And we would not have to -- if you're able to accomplish that before the 13th, then we would cancel the mediation for the 13th. And if you submit the settlement agreement then the status hearing would be canceled as well.

MR. MOORE: Well, everybody's got something to do, so that's up to Ms. Brown. We'd
be happy to meet with her.

MS. BROWN: That's fine. That would work. We could come up with another date and time that we can meet. And also the commissioner --

MS. FLETCHER: That's okay.

MR. MOORE: If you just provide us with your contact information, we can follow up.

MS. FLETCHER: Well, hopefully that works out. If it does, we'll cancel the mediation and the status hearing. Otherwise, I'll see you on the --

MR. MOORE: Can I get Ms. Brown's contact information?

MS. BROWN: Sure. I'll give it to you. Are you ready?

MS. FLETCHER: Ms. Brown, did you want to provide that now or would you like for me to send it to Mr. Moore after the roll call?

MS. BROWN: Is there another hearing? I mean I could give it to him now. It's not an issue.

MS. FLETCHER: You can go -- no, that's fine. Some people don't. You can go ahead and do it now.
MS. BROWN: Okay. It's 7b02@anc.dc.gov.

MR. MOORE: Okay.

MS. FLETCHER: Ms. Brown?

MS. BROWN: Yes.

MS. FLETCHER: I received a note here regarding the status date for -- this is related to Patron Convenience.

MS. BROWN: Okay.

MS. FLETCHER: The status hearing for Patron Convenience is actually going to be on January 14. It's going to be on January 14 at 10:30.

MS. BROWN: Okay. That's --

MS. FLETCHER: Sorry, Mr. Moore. This has nothing to do with Safeway, but while I had you on the line I wanted to tell you that.

MR. MOORE: Thank you.

MS. FLETCHER: I told you 3 -- March 18 is actually going to be January 14.

MS. BROWN: That's fine.

MS. FLETCHER: Okay. And I'll let the applicant know.

MS. BROWN: Okay. Any questions from anyone?
MR. MOORE: I just want to confirm Ms. Brown's contact. It's 7D, as in delta, 02@anc.dc.gov?

MS. BROWN: It's 7B, as in boy.

MR. MOORE: Oh, I'm sorry. All right.

And, Ms. Brown, if you want, you can tell your fellow commissioners that Safeway is hard on the case.

MS. BROWN: All righty, I sure will.

MS. FLETCHER: Okay. Well, thank you for joining. I hope everything works out. And if not, I'll see you on the 13th of January.

(Whereupon, the above-entitled matter went off the record at 10:38 a.m.)
wanted 7:17
Wednesdays 3:22
week 3:13
went 8:14
work 6:3
works 4:3 5:18 6:10
8:11

X

Y

Z

0
02@anc.dc.gov 8:3
097704 2:14

1
1:00 4:14
10:00 4:6,13
10:30 3:7 7:13
10:31 2:2
10:38 8:14
11 3:7,7
12:00 4:14
13th 4:1,5,10,12,24
 5:12,15,20,21 8:12
14 7:12,12,20
18 7:20

2
2:00 3:15
20-PRO-00059 1:8 2:11
2020 1:11
2021 3:7
21 1:11
2845 1:7 2:12

3
3 7:19

4

5
5 3:12

6

7
7B 3:2,4 8:4
7B-02 3:1
7b02@anc.dc.gov 7:2
7D 8:2
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In the matter of: Safeway

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.

______________________________
Court Reporter

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