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

- - - - -X
IN THE MATTER OF: :
CAPITOL MARKET, LLC, : Case #16-PRO-00016
t/a Capitol Market :
2501 North Capitol St Northeast:
License #ABRA-091021 :
Retailer Class B :
Substantial Change :
- - - - -X

Wednesday, May 25, 2016

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

1 BOARD MEMBERS PRESENT

2 NICK ALBERTI, BOARD MEMBER

3 RUTHANNE MILLER, BOARD MEMBER

4 JAMES SHORT, BOARD MEMBER

5 MIKE SILVERSTEIN, BOARD MEMBER

6

7 ALSO PRESENT:

8 MEBRAHTIALEN GEBREKIDAN

9 EFREM ABRAHAM

10 KIRBY VINING

11

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

2 PROTEST HEARING STATUS

3 CHAIRPERSON ANDERSON: Good morning,
4 everyone. I would like to welcome you to the
5 regularly scheduled meeting of the District of
6 Columbia Alcoholic Beverage Control Board.
7 Please note that today's hearings will be
8 conducted accordance with D.C. Official Code
9 section 2574 of the Open Meetings Act. Today is
10 May 25, 2016. I would like to introduce members
11 of the board with us today. To my far right is
12 Ms. Roseanne Miller, to my immediate right is Mr.
13 Nick Alberti, to my far left is Mr. Mike
14 Silverstein and to my immediate left is Mr. James
15 Short. My name is Donovan Anderson and I am the
16 Chairman of the Board. The Board has five
17 members in attendance for the conduct of business
18 today and that constitutes a quorum.

19 I would like to mention two things before
20 we get started. First of all, if you have any
21 electronic devices, pagers, cells phones or such,
22 please make certain that they are turned off to

1 avoid any interruption of the proceedings.

2 Second, there is a piece of paper on each
3 table. When you come forward as your case is
4 called, please take a seat at the table and
5 please sign in. This is to ensure the correct
6 spelling of your name for the record.

7 Additionally, when you introduce yourself
8 for the record, please spell your name aloud for
9 the court reporter. I would like to note that
10 the approximate time is 9:37 and our first order
11 of business today is we have a Protest Hearing
12 Status Case #16-PRO-00016, Capitol Market,
13 License #91021. Would the parties please
14 approach? I'll wait 'til you're done, sir, go
15 ahead.

16 MR. GEBREKIDAN: Mebrahtialen Gebrekidan.

17 CHAIRPERSON ANDERSON: And, who are you
18 sir?

19 MR. GEBREKIDAN: I'm the partner of the
20 Capitol Market.

21 CHAIRPERSON ANDERSON: Okay, thank you,
22 sir. And you, sir?

1 MR. ABRAHAM: My name is Efrem. I am his
2 partner in Capitol Market.

3 CHAIRPERSON ANDERSON: You're the what?
4 I can't hear you, that's --

5 MR. ABRAHAM: Okay. My name's Efrem
6 Abraham. I'm his partner in Capitol Market.

7 CHAIRPERSON ANDERSON: Oh, you're his
8 partner.

9 MR. ABRAHAM: Yes.

10 CHAIRPERSON ANDERSON: I'm sorry, I
11 apologize. I did not hear, that's why I'm
12 asking. And, sir?

13 MR. VINING: Kirby Vining. K-I-R-B-Y, V-
14 I-N-I-N-G. Representing the Stronghold Civic
15 Association.

16 CHAIRPERSON ANDERSON: Good morning. Any
17 preliminary matters in this case? I said, are
18 there any preliminary matters? No? All right,
19 this matter is scheduled for a Protest Hearing on
20 June 29th at 1:30. June 29th at 1:30. This
21 means that you have to be here on June 29th at
22 1:30 if this matter is not settled, okay? Mr. --

1 I'm sorry, I didn't get your name, again, sir.

2 MR. VINING: Vining, V-I-N --

3 CHAIRPERSON ANDERSON: Vining. So, the
4 protest and you were granted standing at the Roll
5 Call Hearing, that's correct?

6 MR. VINING: That's right.

7 CHAIRPERSON ANDERSON: And, parties who
8 did not sign the protest petition but who did not
9 make an appearance at the Roll Call Hearing or
10 who did not submit a letter of designated
11 representative, and who are not present here
12 today at this status hearing are being dismissed
13 from the protest. The purpose of the protest
14 hearing that we're going to have on June 29th at
15 1:30 is to determine the appropriateness of the
16 establishment in the section of the District
17 where the establishment is located pursuant to
18 2316.07.

19 There are a few things that I would like
20 to mention to you about the protest hearing that
21 we're going to have on the 26th. The issues
22 should be the appropriateness of the -- the Board

1 does not intend to hear testimony in matters that
2 are not relevant to the case. You should have
3 received by electronic or regular mail a letter
4 explaining the protest process, a copy of the
5 protest information form, a copy of the exhibit
6 form. If you do not have these document, please
7 contact our assistant general counsel, Ms. April
8 Randall, following the hearing and Ms. Randall if
9 you have any questions contact her once you have
10 left here so she can give you information -- more
11 information -- about the process and proceeding
12 of the protest hearing.

13 It is imperative that you review the
14 rules closely and adhere to them before and
15 during the protest hearing. You are also
16 required to complete and submit the protest
17 information form and exhibits form seven days
18 before the date of the hearing. So, if the
19 hearing is June 29th, June 22nd you're supposed
20 to by no later than June 22nd you're supposed to
21 exchange the documents and witnesses that you're
22 going to exchange, you're going to rely on for

1 the hearing on the 29th.

2 These two forms and accompanying
3 documents need to be submitted to ABRA's legal
4 division and all opposing parties in this matter.
5 If we do not receive a copy of your PIP, your
6 application or your protest, whichever side
7 you're representing may be subject to dismissal.
8 Likewise, if we do not receive a copy of the
9 exhibit form and the exhibits themselves, your
10 exhibits may be excluded from the record. Upon
11 findings that the opposing party has been
12 prejudiced or no good cause for the failure to
13 submit has been shown. Likewise, witnesses other
14 than the parties may be subject to exclusion, if
15 not identified in the PIP. Accordingly, these
16 forms are very important. They greatly assist
17 the Board in narrowing the protest issues,
18 facilitating the process and keeping the parties
19 on point during the hearing. They likewise
20 provide notice to opposing parties enabling them
21 to better prepare for the hearing. Do you guys
22 have any questions? Do you understand the

1 process? Do -- and I want -- although you have
2 not requested, but I want to ask, do you need an
3 interpreter for the proceeding or are you fluent
4 in English so you can understand the process?

5 MR. GEBREKIDAN: We do understand the
6 process.

7 MR. ABRAHAM: We understand.

8 CHAIRPERSON ANDERSON: And so you do
9 understand the process?

10 MR. GEBREKIDAN: Yes.

11 MR. ABRAHAM: Yes.

12 CHAIRPERSON ANDERSON: Okay, fine.

13 MR. GEBREKIDAN: I would like --

14 CHAIRPERSON ANDERSON: All right. Yes,
15 sir.

16 MR. GEBREKIDAN: I would like to ask you
17 a similar question that you mentioned but if it's
18 possible we'd like to have the direct contact of
19 the person who's --

20 CHAIRPERSON ANDERSON: Her phone number
21 is 202-442-4353. And I'll have -- I'll make sure
22 she gives you her card and so if you have any

1 problems, either side, if you have any problems,
2 please speak to Ms. Randall and she will provide
3 you more information and explain the process to
4 you.

5 MR. GEBREKIDAN: Thank you.

6 CHAIRPERSON ANDERSON: Okay?

7 MR. ABRAHAM: Thank you.

8 CHAIRPERSON ANDERSON: All right. So,
9 unless the case is settled I'll see you guys on
10 June 29th at 1:30. All right, thank you. You're
11 free to go.

12 MR. ABRAHAM: Thanks so much.

13

14 (Whereupon, the above-entitled matter was
15 concluded.)

16