

IN THE MATTER OF: :

Liff's Market LLC :

t/a Liff's Market :

600 Alabama Avenue, SE :

License No. ABRA-088858 :

Retailer B - ANC 8C :

Case #20-PRO-00049 :

(Application to Renew :

License) :

Monday
January 4, 2021

The Alcoholic Beverage Control Board met via Videoconference, LaVerne Fletcher, Board's Agent, presiding.

PRESENT:

LAVERNE FLETCHER, ABRA Board's Agent

ALSO PRESENT:

SALIM ADOFO, ANC 8C
HABTOM HAILE, Applicant
EMANUEL MPRAS, Applicant

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

2 10:14 a.m.

3 MS. FLETCHER: First of all, let me
4 tell you that we are conducting roll call
5 hearings via the online Webex platform which was
6 provided by the office of open government.

7 This case is Liff's Market. That's
8 Liff's Market, Case #20-PRO-00049, Liff's Market
9 LLC t/a Liff's Market, 600 Alabama Avenue, SE,
10 License No. ABRA-088858, Retailer Class B,
11 Application to Renew License. Is Mr. Mpras

12 MR. MPRAS: Yes.

13 MS. FLETCHER: Great. I see that you
14 made it in. Is your client present as well?

15 MR. HAILE: Yes.

16 MR. MPRAS: Yes.

17 MS. FLETCHER: Thank you. Mr. Mpras,
18 would you please spell your name for the record?

19 MR. MPRAS: Sure. First name is
20 Emanuel, E-M-A-N-U-E-L, M P-R-A-S.

21 MS. FLETCHER: Okay. And if you can
22 have your client state his name and spell it for
23 the record?

24 MR. HAILE: My name is Habtom Haile.
25 First name is H-A-B-T-O-M, last name is Haile, H-

1 A-I-L-E.

2 MS. FLETCHER: Thank you very much. And
3 who's present on behalf of the ANC 8C? Mr. Adofo,
4 are you present?

5 COMMISSIONER ADOFO: Commissioner Salim
6 Adofo is present on behalf of Neighborhood
7 Commission 8C.

8 MS. FLETCHER: Mr. Adofo, would you
9 spell your name for the record?

10 COMMISSIONER ADOFO: S-A-L-I-M, last
11 name Adofo, A-D-O-F-O.

12 MS. FLETCHER: Thank you very much. ANC
13 8C does have standing as a Protestant. I'm going
14 to set a date for the mediation. I'm going to
15 give you the next available day. Next available
16 day for mediation in Thursday, January 14, for
17 any time between 9am and 1pm. That's on Thursday,
18 January 14.

19 MR. MPRAS: This will be virtual,
20 correct?

21 MS. FLETCHER: I'm sorry, what was
22 that?

23 MR. MPRAS: This will be a virtual
24 mediation, correct?

25 MS. FLETCHER: Yes, and I'll send you

1 a WebEx invitation.

2 MR. MPRAS: Ms. Fletcher, before we get
3 started, I would like to bring to your attention
4 and object to the ground for protest, because the
5 ANC has not stated their applicable matter for
6 protest.

7 MS. FLETCHER: Just a second, please.

8 MR. MPRAS: This is a license renewal
9 application, and this specifically falls in the
10 lines of 25.2.1.4, which is digital
11 considerations for new license applications for
12 transfer of license to new locations only.

13 The appropriate protest standard for
14 renewal is 25.3.1.3 and/or 25.3.1.5. We ask that
15 the protest be dismissed for failing to state a
16 valid protest claim.

17 MS. FLETCHER: Okay, while I'm
18 reviewing this, Mr. Adofo, do you have a response
19 to that?

20 COMMISSIONER ADOFO: Not at this time.

21 MS. FLETCHER: Thank you. Mr. Mpras,
22 the Board in the past has allowed Protestants to
23 file protests based on over-concentration. That's
24 one of the bases of this protest, and based on
25 that, I'm going to go ahead and grant standing to

1 ANC 8C. As you know, the Board has the final say.

2 MR. MPRAS: I understand.

3 MS. FLETCHER: I'm going to grant
4 standing to ANC 8C, based on the fact that the
5 Board has allowed over-concentration as a basis
6 in the past. I will proceed in setting the date
7 for mediation. Is January 14 going to be okay?

8 MR. MPRAS: It will, ma'am. But I just
9 want to let you know that pursuant to 25.3.1.4,
10 over-concentration, 4(a), does not apply to
11 retailers class B, which is this.

12 MS. FLETCHER: I understand. And Mr.
13 Mpras, I assume you're going to file a motion to
14 dismiss the protest, but I'm making a decision
15 based on my past experience.

16 MR. MPRAS: Yes, ma'am.

17 MS. FLETCHER: The 14th is an option.
18 Mr. Mpras, that would give you time to file a
19 motion to dismiss the ANC, if that is your
20 intention.

21 MR. MPRAS: Yes, ma'am. The 14th is
22 fine for me. What time? 10am, preferably.

23 MS. FLETCHER: Would 10:00 be okay for
24 you, Mr. Adofo?

25 COMMISSIONER ADOFO: No, ma'am. I would

1 need to have a list of all the available dates
2 for mediation so I can see which one will work
3 best for us.

4 MS. FLETCHER: Well, there are many
5 dates available, but I'll give you the next
6 available day. The next available day is Tuesday,
7 January 19.

8 COMMISSIONER ADOFO: I think that would
9 be better. But our commission meets Wednesday, so
10 I would need to talk with the commission to find
11 out which is the best day for us as a commission.
12 I am unable to confirm a date right now.

13 MS. FLETCHER: Who's going to attend
14 the mediation?

15 MS. FLETCHER: So the commission has to
16 vote on when you're going to attend the
17 mediation?

18 COMMISSIONER ADOFO: No, ma'am, but I
19 would like to have some other commissioners there
20 as well.

21 MS. FLETCHER: Okay, so when do you
22 meet?

23 COMMISSIONER ADOFO: We meet on
24 Wednesday.

25 MS. FLETCHER: Wednesday the 13th?

1 COMMISSIONER ADOFO: The 6th. We meet
2 in two days.

3 MS. FLETCHER: You think you would know
4 before the 14th? If you meet on the 6th, does
5 that give you enough time to know?

6 COMMISSIONER ADOFO: Yes, ma'am.

7 MS. FLETCHER: So can we go with the
8 14th? The 19th would be better?

9 COMMISSIONER ADOFO: What I'm saying is
10 that we meet on this Wednesday and I would like
11 to bring it up in our meeting, so that --

12 (Telephonic interference)

13 MS. FLETCHER: You don't think the 14th
14 will be enough time? We can move it to the 19th.

15 COMMISSIONER ADOFO: Well, I don't know
16 if we'll be available until we meet this
17 Wednesday.

18 MS. FLETCHER: Exactly. And so the
19 mediation will be after this Wednesday.

20 COMMISSIONER ADOFO: Correct. And I
21 will tell them I was given the dates of the 14th
22 or the 19th.

23 MS. FLETCHER: Okay, so I'm going to
24 give you one day. I'm going to give y9u the day
25 of the 19, anytime between nine and one. Is 10:00

1 okay for you? I know you have to check first, but
2 can we start with that?

3 COMMISSIONER ADOFO: Yes, ma'am.

4 MS. FLETCHER: Mr. Mpras, is 10:00 on
5 the 19th okay for you?

6 MR. MARAS: That's fine. No problem.

7 MS. FLETCHER: Mediation is set for
8 Tuesday, January 19, at 10:00 a.m. At that time I
9 may have the status and protest basis for you,
10 but I don't have those today. Okay? Any questions
11 in the room? I'm going to conclude this roll call
12 hearing. Please feel free to stay on the line.
13 I'm concluding this roll call hearing and moving
14 on to the next case. Thank you for coming.

15 (Whereupon the hearing for Liff's
16 Market went off the record at 10:23
17 a.m.)

<p>A</p> <p>A-D-O-F-O 3:11</p> <p>A-I-L-E 3:1</p> <p>a.m 2:2 8:8,17</p> <p>ABRA 1:17</p> <p>ABRA-088858 1:7 2:10</p> <p>Adofa 1:19 3:3,5,6,8,10 3:11 4:18,20 5:24,25 6:8,18,23 7:1,6,9,15 7:20 8:3</p> <p>Agent 1:14,17</p> <p>ahead 4:25</p> <p>Alabama 1:7 2:9</p> <p>Alcoholic 1:2,13</p> <p>allowed 4:22 5:5</p> <p>ANC 1:8,19 3:3,12 4:5 5:1,4,19</p> <p>and/or 4:14</p> <p>anytime 7:25</p> <p>applicable 4:5</p> <p>Applicant 1:19,20</p> <p>application 1:9 2:11 4:9</p> <p>applications 4:11</p> <p>apply 5:10</p> <p>appropriate 4:13</p> <p>assume 5:13</p> <p>attend 6:13,16</p> <p>attention 4:3</p> <p>available 3:15,15 6:1,5 6:6,6 7:16</p> <p>Avenue 1:7 2:9</p>	<p>7:1,6,9,15,20 8:3</p> <p>commissioners 6:19</p> <p>conclude 8:11</p> <p>concluding 8:13</p> <p>conducting 2:4</p> <p>confirm 6:12</p> <p>considerations 4:11</p> <p>Control 1:2,13</p> <p>correct 3:20,24 7:20</p>	<p>Haile 1:19 2:15,24,24 2:25</p> <p>hearing 1:3 8:12,13,15</p> <p>hearings 2:5</p>	<p>new 4:11,12</p> <p>nine 7:25</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: Liff's Market

Before: DCABRA

Date: 01-04-21

Place: teleconference

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



Court Reporter

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