



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

2 10:36 a.m.

3 CHAIRPERSON ANDERSON: The second case  
4 on our calendar is protest hearing, Case Number  
5 20-PRO-00053, DC Food Market, License Number  
6 106962.

7 Ms. Andrews, can you please elevate  
8 the rights of the Licensee and the Protestants in  
9 this case, please?

10 MS. ANDREWS: Sure, standby.

11 Mr. Kassaye, your line has been  
12 unmuted.

13 MR. KASSAYE: Ephrame Kassaye.

14 CHAIRPERSON ANDERSON: Hold on,  
15 please, sir.

16 MS. ANDREWS: Mr. Chair, Mr. Prestwood  
17 is not on the line.

18 CHAIRPERSON ANDERSON: The Protestant,  
19 Mr. who?

20 MS. ANDREWS: Mr. Prestwood, Troy  
21 Prestwood. He's not on the line.

22 CHAIRPERSON ANDERSON: What I'm going  
23 to do, and this is something that I have always  
24 done, I'm going to recall this case. This case  
25 was scheduled for a protest hearing at -- We have

1 a short calendar today, and this is what I'm  
2 going to do. And I apologize to Mr. Kassaye.  
3 I'm going to recall this case. And when I recall  
4 this case, if the Protestant does not appear, I  
5 will dismiss the case. I don't know --

6 (Simultaneous speaking.)

7 CHAIRPERSON ANDERSON: I'm sorry?

8 MR. KASSAYE: No, it's okay. So why  
9 do we have to do it now?

10 CHAIRPERSON ANDERSON: I'm sorry, sir?

11 MR. KASSAYE: Do we have to schedule  
12 also another date?

13 CHAIRPERSON ANDERSON: No, sir, we're  
14 not going to schedule for another date. What I'm  
15 going to do is that this matter was scheduled for  
16 a 10:30 protest hearing --

17 MR. KASSAYE: Correct.

18 CHAIRPERSON ANDERSON: -- status.  
19 Normally, what I normally do is that I will give  
20 the person half an hour, and I'll recall the  
21 case.

22 MR. KASSAYE: Okay.

23 CHAIRPERSON ANDERSON: And if they  
24 don't show after a half an hour, I will dismiss  
25 the -- hold on a minute, please. Sorry, hold on.

1 Ms. Andrews, it appears that the court  
2 reporter is having some concerns.

3 MS. ANDREWS: I'm in contact with her.  
4 Could we stand by for just a second.

5 CHAIRPERSON ANDERSON: Okay then.

6 (Whereupon, the above-entitled matter  
7 went off the record at 10:39 a.m. and resumed at  
8 10:40 a.m.)

9 CHAIRPERSON ANDERSON: All right. Ms.  
10 Andrews, it appears the ANC Commissioner has  
11 appeared. So maybe you need to elevate the ANC  
12 Commissioner's rights. Are you able to --

13 (Simultaneous speaking.)

14 CHAIRPERSON ANDERSON: It appears that  
15 ANC Commissioner is on the --

16 MS. ANDREWS: Okay. There was some  
17 confusion. Our records show that it should be  
18 Mr. Troy Prestwood, and Ms. Laniece Moore is the  
19 new Commissioner. So I'm just going to go ahead  
20 and elevate her rights. Okay.

21 MR. KASSAYE: Is it okay if I can  
22 speak?

23 CHAIRPERSON ANDERSON: Hold on, sir.  
24 Hold on.

25 MS. ANDREWS: And the court reporter,

1 we unmuted your line. Could you please let us  
2 know that everything is okay? I'm sorry, I see  
3 you are. The court reporter, could you announce  
4 yourself, please? Could the court reporter  
5 please announce yourself, please?

6 MR. KASSAYE: Ephrame G. Kassaye.

7 COURT REPORTER: Yes, I have both  
8 connections now. Thank you.

9 MS. ANDREWS: Thank you, so much.

10 CHAIRPERSON ANDERSON: Okay.

11 MS. ANDREWS: And, Mr. Chair, sir,  
12 you're good to go.

13 CHAIRPERSON ANDERSON: Thank you, Ms.  
14 Andrews. Will Ms. Moore, can you please open  
15 your camera, if you have a camera. And do you  
16 have camera?

17 MS. MOORE: Yes, hi. Here I am.

18 CHAIRPERSON ANDERSON: I can't see  
19 you. So if you have a camera, can you --

20 MS. MOORE: Camera, no I don't think  
21 it's, hold on. Oh, wow. I don't think my camera  
22 is accessed. Can you hear me?

23 CHAIRPERSON ANDERSON: Yes, ma'am, we  
24 can hear. That's fine.

25 All right, can you introduce yourself

1 for the record, please?

2 MS. MOORE: I'm sorry?

3 CHAIRPERSON ANDERSON: Can you  
4 introduce yourself for the record and give me  
5 your position?

6 MS. MOORE: Yes, hi, good morning. My  
7 name is Laniece Moore. I'm the current ANC  
8 Commissioner for 8A-04, Washington, D.C.,  
9 Southeast.

10 CHAIRPERSON ANDERSON: Mr. Kassaye,  
11 can you introduce yourself for the record,  
12 please?

13 MR. KASSAYE: Yes, sir. My name is  
14 Ephrame G. Kassaye. I'm the business owner, DC  
15 Food Market, located on 2200 16th Street SE, DC  
16 20020.

17 CHAIRPERSON ANDERSON: Can you spell  
18 your first and last name, please?

19 MR. KASSAYE: My first name is spelled  
20 E-P-H-R-A-M-E, middle initial, G, last name K-A-  
21 S-S-A-Y-E.

22 CHAIRPERSON ANDERSON: All right,  
23 thank you, Mr. Kassaye.

24 MR. KASSAYE: You're welcome, sir.

25 CHAIRPERSON ANDERSON: You said that

1 you wanted to speak. What is it that you want to  
2 bring to my attention?

3 MR. KASSAYE: No, no, no, it was just  
4 the fact that the video image wasn't working.  
5 That was it.

6 CHAIRPERSON ANDERSON: All right.  
7 Okay, Ms. Moore and Mr. Kassaye, are there any -  
8 this is a preliminary status hearing. Is this  
9 anything -- I cannot see you, Ms. Moore. Are  
10 there any preliminary or procedural matters you  
11 want to bring to the Board's attention?

12 MS. MOORE: Okay. I oppose DC  
13 Market's request for a liquor license at this  
14 time.

15 CHAIRPERSON ANDERSON: All right.  
16 Well, I know, that's why you're here. And I know  
17 we're going through the process. So I was just,  
18 so that's fine.

19 Is there anything you want to bring to  
20 our attention, Mr. Kassaye?

21 MR. KASSAYE: Not at this time.

22 CHAIRPERSON ANDERSON: All right. I  
23 just want to remind both parties that this matter  
24 is scheduled for a mediation on January 12th.  
25 Are both parties aware that that mediation is

1 scheduled for --

2 MR. KASSAYE: I am aware of that.

3 CHAIRPERSON ANDERSON: Ms. Moore --

4 MS. MOORE: I'm back.

5 CHAIRPERSON ANDERSON: Are you, all  
6 right, Ms. Moore --

7 MS. MOORE: No, sir.

8 CHAIRPERSON ANDERSON: Mediation is  
9 scheduled for January 12th at 11:00 a.m. If you  
10 don't know how to participate in the process, I  
11 will make sure that the Agency provides you the  
12 information, how to participate in the mediation  
13 on January 12th, okay?

14 MS. MOORE: Thank you.

15 CHAIRPERSON ANDERSON: All right, so  
16 I will make sure. Does the Agency have your  
17 contact information?

18 MS. MOORE: Yes, it does.

19 CHAIRPERSON ANDERSON: All right, so  
20 I'll make sure that the Agency provides, send  
21 you're -- and as an ANC Commissioner, it will be  
22 sent to your government email address. I just  
23 want to remind you, that's where the information  
24 will be sent.

25 MS. MOORE: Yes, would you like for me



1 to put it in the chat?

2 CHAIRPERSON ANDERSON: Well, you can  
3 put it in the chat and I'll make sure. You can  
4 put it in the chat, and I'll make sure that  
5 someone -- And I know that there are other Agency  
6 personnel who are on the line. So I would hope  
7 that someone picks that information up, someone  
8 from Agency picks that information up.

9 And please ensure the Ms. Moore is  
10 provided the information, how to participate in  
11 the mediation on January 12th. I don't know what  
12 time it's scheduled for, I just know that it's  
13 scheduled for January 12th.

14 MS. MOORE: Okay.

15 CHAIRPERSON ANDERSON: Is there any  
16 other preliminary issue that need to be brought  
17 to the Board's attention?

18 MR. KASSAYE: No. When we have the  
19 first hearing, I think I've been told that  
20 generally they start about 11 o'clock, and that  
21 is the time that I set up.

22 CHAIRPERSON ANDERSON: Okay, fine. So  
23 it's 11 o'clock, Ms. Moore. But I'll make sure  
24 that the Agency provides you instructions, how to  
25 participate in the mediation meeting, okay?

1 MS. MOORE: Yes, sir. I'm sorry, for  
2 the confusion. Thank you.

3 CHAIRPERSON ANDERSON: That's fine.  
4 I do not have a date for, because of COVID, I do  
5 not have a specific date at this moment for the  
6 show cause, I'm sorry, for the protest hearing.  
7 However, we will provide you both with a date  
8 shortly, of the date and time of the protest  
9 hearing.

10 But in the interim, if the parties are  
11 able to settle this matter, then the Board  
12 supports that. If you're unable to settle it,  
13 we'll have a hearing. But I would support both  
14 parties going to mediation, discuss what the  
15 issues are, and hopefully you can come to a  
16 resolution. If you're unable to come to a  
17 resolution, then we'll have a protest hearing,  
18 okay?

19 MS. MOORE: Okay.

20 CHAIRPERSON ANDERSON: Okay. So let  
21 me give the -- I'll give you the instructions.  
22 So now that we have scheduled this matter for a  
23 protest hearing, there are a few things that I  
24 would like to instruct you about. Because the  
25 Board practices under COVID-19 restrictions have

1 changed.

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

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

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

19 These documents need to be submitted  
20 to [abra.legal@dc.gov](mailto:abra.legal@dc.gov) and to the opposing parties.  
21 Please note that these documents greatly assist  
22 the Board in narrowing the protest issues,  
23 facilitating the process, and keeping the parties  
24 on point during the hearing.

25 Three, each side is limited to no more

1 than five witnesses, and you will only have 60  
2 minutes to present your case. This includes all  
3 direct and cross examination. The Board does not  
4 intend to hear testimony on matters that are not  
5 relevant to these issues that are being  
6 protested. Are there any questions?

7 MR. KASSAYE: No questions, sir.

8 MS. MOORE: No, sir.

9 CHAIRPERSON ANDERSON: We thank you  
10 greatly for your cooperation. If you have any  
11 questions at any time leading up to the hearing,  
12 please do not hesitate to contact Assistant  
13 General Counsel April Randall at 202-329-6354.  
14 Again, her phone number is 202-329-6354, or  
15 contact her by email at april.randall@dc.gov,  
16 okay?

17 MS. MOORE: Okay.

18 CHAIRPERSON ANDERSON: Good luck in  
19 your mediation. As I've said to everyone, if I  
20 don't see you at the protest hearing, I will not  
21 take that personally. It will show that the  
22 process works and that the parties decided to  
23 have an agreement.

24 And one of the things I've said to all  
25 parties, listen to your community. If you agree

1 to a settlement agreement, at least both sides  
2 will be happy. If you come to a due process, if  
3 you come to a protest hearing, one side might be  
4 happy and the other side might be unhappy. I  
5 prefer if you have -

6 MR. KASSAYE: Both to be happy.

7 (Simultaneous speaking.)

8 CHAIRPERSON ANDERSON: -- for a  
9 settlement, because at least everyone will be  
10 happy.

11 MR. KASSAYE: That's correct.

12 CHAIRPERSON ANDERSON: So good luck  
13 with the mediation.

14 MR. KASSAYE: Thank you.

15 CHAIRPERSON ANDERSON: And good luck.  
16 If not, we'll see at the protest hearing. And  
17 happy New Year, and have a great day.

18 MR. KASSAYE: All right, so are we  
19 going see a new date or is it going to be set on  
20 the 11th?

21 CHAIRPERSON ANDERSON: Yes. No, it's  
22 still, the mediation is scheduled for the 12th.  
23 And we have not scheduled the protest hearing as  
24 yet. So your next meeting is the mediation. And  
25 we will provide you a date shortly of the protest

1 hearing if it goes to a hearing, okay?

2 MR. KASSAYE: Okay.

3 CHAIRPERSON ANDERSON: Have a good  
4 day. Thank you.

5 MR. KASSAYE: Thank you.

6 MS. MOORE: Thank you.

7 CHAIRPERSON ANDERSON: All right.

8 (Whereupon, the above-entitled matter  
9 went off the record at 10:51 a.m.)

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<p style="text-align: center;"><b>A</b></p> <p><b>a.m</b> 2:2 4:7,8 8:9 14:9  <b>able</b> 4:12 10:11  <b>above-entitled</b> 4:6 14:8  <b>ABRA</b> 1:21  <b>abra.legal@dc.gov</b>  11:20  <b>accessed</b> 5:22  <b>address</b> 8:22  <b>addressing</b> 11:5  <b>Agency</b> 8:11,16,20 9:5  9:8,24  <b>agree</b> 12:25  <b>agreement</b> 12:23 13:1  <b>ahead</b> 4:19  <b>Alcoholic</b> 1:2,13  <b>ANC</b> 1:7,22 4:10,11,15  6:7 8:21  <b>Anderson</b> 1:14,17 2:3  2:14,18,22 3:7,10,13  3:18,23 4:5,9,14,23  5:10,13,18,23 6:3,10  6:17,22,25 7:6,15,22  8:3,5,8,15,19 9:2,15  9:22 10:3,20 12:9,18  13:8,12,15,21 14:3,7  <b>Andrews</b> 1:21 2:7,10,16  2:20 4:1,3,10,16,25  5:9,11,14  <b>announce</b> 5:3,5  <b>apologize</b> 3:2  <b>appear</b> 3:4  <b>appeared</b> 4:11  <b>appears</b> 4:1,10,14  <b>application</b> 11:17  <b>April</b> 11:9 12:13  <b>april.randall@dc.gov</b>  12:15  <b>assist</b> 11:21  <b>Assistant</b> 11:8 12:12  <b>attention</b> 7:2,11,20 9:17  <b>aware</b> 7:25 8:2</p>	<p><b>case</b> 1:8 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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: 01-07-21

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

**NEAL R. GROSS**

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