

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE AND CANNABIS BOARD
+ + + + +
MEETING

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IN THE MATTER OF: :
 :
YD Progress, LLC, :
t/a Lucky Corner Store :
5433 Georgia Ave NW :
Retailer B - ANC 4D :
License #93115 :
Case # 23-PRO-00080 :
 :
(Application to Renew :
the License) :
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Wednesday
January 10, 2024

The Alcoholic Beverage and Cannabis Board met via WebEx videoconference, Chairperson Donovan W. Anderson presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson
SILAS GRANT, JR., Member
JAMES SHORT, JR., Member

ALSO PRESENT:

MESKEREM BALKEW, Interpreter
ROBERT CLAYTON, Counsel for Licensee
CHRYSANTHE COURNIOTES, Protestant, ANC 4D
YOSEF ENDALE, Licensee
JOSE ORELLANA, DC ABCA Staff

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

2 10:58 a.m.

3 CHAIRPERSON ANDERSON: All right, the
4 next case on our calendar is Case Number 23-PRO-
5 00080, Lucky Corner Store, License Number 93115.

6 Mr. Orellana, can you please elevate
7 the rights of the Licensee and the Protestant in
8 this case?

9 MR. ORELLANA: Robert Clayton, your
10 access has been elevated.

11 And Meskerem Balkew, your access has
12 been elevated.

13 That is all, Chairman.

14 CHAIRPERSON ANDERSON: Thank you.

15 MR. ORELLANA: Commissioner
16 Courniotes, your access has been elevated.

17 COMMISSIONER COURNIOTES: Thank you.

18 CHAIRPERSON ANDERSON: I'm sorry, this
19 is -- all right, so, do we have everyone?

20 All right, all right.

21 So, I would like everyone to turn
22 their cameras on, if they haven't. Mr. Clayton
23 and -- all right.

24 Commissioner Courniotes, do you have
25 a camera you can turn on?

1 (NO AUDIBLE RESPONSE)

2 CHAIRPERSON ANDERSON: Okay, thank
3 you.

4 Let's see, who are we interpreting
5 for? I see an interpreter on the line. So, who
6 are these -- who needs -- Mr. Clayton, is your
7 client going to -- is your client here today,
8 sir?

9 MR. CLAYTON: He's supposed to be. He
10 had trouble getting the link to work. So, I
11 believe he's calling in or he has called in.

12 CHAIRPERSON ANDERSON: Where is he?
13 Is the -- has he called in?

14 Mr. Orellana, is there someone else on
15 the line waiting for this case?

16 MR. ORELLANA: This may be the court
17 reporter, but I just elevated another call in
18 user.

19 CHAIRPERSON ANDERSON: Is that your
20 client, sir? Is that -- do you recognize --

21 MR. CLAYTON: Is it Mr. Endale?

22 CHAIRPERSON ANDERSON: Do you
23 recognize the phone number, sir? Is it a 415
24 phone number?

25 MR. CLAYTON: No, I don't off hand

1 recognize the number.

2 If you'll give me a second, no, I
3 don't recognize the number, but I believe Mr.
4 Endale -- he's -- actually, he's calling me now.
5 I'm sorry.

6 Yes, Mr. Commissioner, or Mr.
7 Chairman, I believe my client is on the line.

8 CHAIRPERSON ANDERSON: Mr. Orellana,
9 can you ask him to --

10 MR. ORELLANA: Yes, I just the request
11 on mute.

12 CHAIRPERSON ANDERSON: All right.

13 MR. ORELLANA: Could the interpreter
14 potentially translate that on mute?

15 CHAIRPERSON ANDERSON: Ms. Balkew, can
16 you ask Mr. -- your person to unmute their line,
17 please?

18 (SIMULTANEOUS SPEAKING)

19 CHAIRPERSON ANDERSON: All right,
20 hold, okay, all right.

21 I think he is unmuted.

22 MR. ENDALE: Yes, am I on now?

23 CHAIRPERSON ANDERSON: Yes.

24 Just tell him to hold on, please.

25 All right.

1 (SIMULTANEOUS SPEAKING)

2 CHAIRPERSON ANDERSON: Just tell him
3 to hold on, please, ma'am. Ma'am, just tell him
4 to hold on.

5 All right, Ms. Balkew, can you spell
6 and state your name for the record, please?

7 MS. BALKEW: My name is Meskerem
8 Balkew, E-S-K-E-R-E-M, first name. Last name,
9 B-A-L-K-E-W.

10 CHAIRPERSON ANDERSON: And what
11 language are you going to interpret from, ma'am?

12 MS. BALKEW: Amharic.

13 CHAIRPERSON ANDERSON: Can you raise
14 your right hand, please?

15 Do you swear or affirm that you will
16 faithfully interpret these proceedings from
17 English to Amharic and from Amharic to English?

18 MS. BALKEW: I do.

19 CHAIRPERSON ANDERSON: All right,
20 thank you.

21 All right, Mr. Clayton, can you please
22 identify yourself for the record, please?

23 MR. CLAYTON: Yes, good morning.

24 Robert Clayton, General Counsel for YD
25 Progress.

1 CHAIRPERSON ANDERSON: Can you spell
2 your name for the record, please, sir?

3 MR. CLAYTON: Yes, Robert, R-O-B-E-R-
4 T, Clayton, C-L-A-Y-T-O-N.

5 CHAIRPERSON ANDERSON: And you are the
6 attorney representing the Licensee, is that
7 correct, sir?

8 MR. CLAYTON: That's correct.

9 CHAIRPERSON ANDERSON: All right, Ms.
10 Balkew, can you please have the Licensee identify
11 himself for the record, please?

12 MR. ENDALE: Yosef Endale, Y-O-S-E-F,
13 my last name's Endale, E-N-D-A-L-E.

14 CHAIRPERSON ANDERSON: And can you ask
15 him to state what is his relationship to this
16 establishment?

17 MR. ENDALE: Yes, I'm the owner.

18 CHAIRPERSON ANDERSON: All right,
19 thank you.

20 Commissioner, can you please spell and
21 state your name for the record, please?

22 COMMISSIONER COURNIOTES: Yes,
23 Commissioner Courniotes, C-O-U-R --

24 CHAIRPERSON ANDERSON: What is your
25 first name, ma'am? First and last name, ma'am?

1 COMMISSIONER COURNIOTES: Okay,
2 Commissioner Chrysanthe Courniotes, C-H-R-Y-S-A-
3 N-T-H-E C-O-U-R-N-I-O-T-E-S.

4 And I'm representing Commission 4D in
5 this matter.

6 CHAIRPERSON ANDERSON: Good morning.

7 COMMISSIONER COURNIOTES: Good
8 morning.

9 CHAIRPERSON ANDERSON: All right, Mr.
10 Clayton --

11 And ma'am, I would like you to -- Ms.
12 Balkew, I need you to interpret everything that's
13 being stated, okay, ma'am?

14 MS. BALKEW: Okay.

15 CHAIRPERSON ANDERSON: All right, Mr.
16 Clayton, are there any preliminary matters in
17 this case?

18 MR. CLAYTON: There are no preliminary
19 matters.

20 CHAIRPERSON ANDERSON: Ms. Courniotes,
21 are there any preliminary matters in this case,
22 ma'am?

23 COMMISSIONER COURNIOTES: Not that I'm
24 aware of.

25 We did meet recently for a mediation

1 and it looks as though, you know, we are moving
2 towards that in this case.

3 So, that's my update.

4 CHAIRPERSON ANDERSON: All right,
5 thank you.

6 If this matter then is not settled, it
7 is -- it's scheduled for a protest hearing on
8 February 7, 2024 at 1:30 p.m.

9 MR. CLAYTON: I'd like say, Chairman,
10 that the parties have, in fact, reached a
11 settlement at the mediation that was held last
12 Thursday, I believe.

13 The -- at this point, the only thing
14 we need to do is finalize the terms of the
15 agreement.

16 So, we did reach an agreement at the
17 mediation.

18 CHAIRPERSON ANDERSON: All right,
19 thank you for that representation, Mr. Clayton.

20 Hold on one minute, please.

21 All right, if this matter then is
22 settled, then I'll ask the parties to provide us
23 the agreement as soon as possible so we can take
24 this matter off our calendar. Okay?

25 COMMISSIONER COURNIOTES: If an

1 agreement is not finalized, then, you know, if
2 the protest hearing is to be held on February 7th
3 at 1:30, correct?

4 CHAIRPERSON ANDERSON: That is
5 correct.

6 And one thing I wanted to inform the
7 parties, if you believe that this case is going
8 to be settled and if you need more time past
9 February 7th, let us know and we can continue
10 this case.

11 This is to renew a license. So, if
12 the parties truly believe that this case can be
13 settled and if you need more time beyond the
14 February 7th date, send us a mutual extension of
15 time and the Board will grant that. Okay?

16 COMMISSIONER COURNIOTES: And do we
17 send it to ABCA Law? Is that the email or --

18 CHAIRPERSON ANDERSON: Yes, yes.

19 And it should be a joint motion by
20 both parties and we will grant it. Okay?

21 COMMISSIONER COURNIOTES: Okay.

22 And that is true for the settlement
23 agreement itself, also, right?

24 CHAIRPERSON ANDERSON: Once -- yes.

25 Okay?

1 COMMISSIONER COURNIOTES: Okay.

2 CHAIRPERSON ANDERSON: And I think --
3 Go ahead, ma'am.

4 CHAIRPERSON ANDERSON: And the email
5 information is presented in the chat. So, you
6 can find it in the chat.

7 All right, any other questions by
8 anyone?

9 COMMISSIONER COURNIOTES: I have just
10 one, sorry.

11 CHAIRPERSON ANDERSON: Yes, ma'am?

12 COMMISSIONER COURNIOTES: Just once
13 clarifying question, Chairman.

14 I was just curious, is that mutually
15 agreed upon settlement agreement, I apologize for
16 the similar wording, but that should be submitted
17 by the Commission, correct?

18 CHAIRPERSON ANDERSON: Either party.

19 Once it's signed, once the document --
20 once there are two signatures on the document,
21 either party can -- as long as we get it, either
22 party can submit it.

23 COMMISSIONER COURNIOTES: Okay, sounds
24 good.

25 I just, in the past, that we've done

1 these over the past years, so we've always
2 submitted. So, I was just wondering.

3 CHAIRPERSON ANDERSON: All right, any
4 other questions?

5 (NO AUDIBLE RESPONSE)

6 CHAIRPERSON ANDERSON: All right, good
7 luck with your negotiation.

8 And as I said before, if this matter
9 is not settled, February 7th, if you need more
10 time, just let us know and we will grant it if
11 the parties truly believe this matter will be
12 settled. Okay?

13 COMMISSIONER COURNIOTES: Thank you,
14 Chairman Anderson.

15 CHAIRPERSON ANDERSON: Thank you.

16 You're very welcome, ma'am.

17 Thank you.

18 All right, thank you very much, have
19 a great day.

20 COMMISSIONER COURNIOTES: You, too.

21 Bye-bye.

22 (Whereupon, the above-entitled matter
23 went off the record at 11:12 a.m.)

24

25

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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: Lucky Corner Store

Before: DC ABCA

Date: 01-10-24

Place: teleconference

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



Court Reporter

NEAL R. GROSS

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