

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF: :
: :
Wi Mila, Inc., :
t/a New Seven Market :
1406 Good Hope Road, SE : Protest Hearing
License # 113576 : (Status)
Retailer B - ANC 8A :
Case # 21-PRO-00005 :
: :
(Application to Renew :
License) :

Thursday
February 25, 2021

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

PRESENT:

DONOVAN W. ANDERSON, Chairperson
BOBBY CATO, JR., Member
EDWARD S. GRANDIS, Member
JENI HANSEN, Member
REMA WAHABZADAH, Member

ALSO PRESENT:

SIMONE ANDREWS, DC ABRA Staff
KEVIN LEE, Applicant's Counsel
JAMILA WHITE, ANC 8A05

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

10:07 a.m.

CHAIRPERSON ANDERSON: The next case on our calendar is Case Number 21-PRO-00005, New Seven Market, License Number 113576.

Ms. Andrews, can you please elevate the rights of the protestants and the licensee in this case, please.

MS. ANDREWS: Sure, stand by please. Ms. White, your rights have been elevated. Mr. Lee, your rights have been elevated. That's all, Mr. Chair.

CHAIRPERSON ANDERSON: Thank you, Ms. Andrews.

Good morning, everyone. This is a protest hearing for New Seven Market, and I would like the parties to introduce themselves for the record. We'll start with the licensee's representatives.

MR. LEE: Good morning, Board Members. My name is Kevin Lee, K-E-V-I-N, L-E-E. I'm attorney for protest matter and New Seven Market.

CHAIRPERSON ANDERSON: Good morning, Mr. Lee. Is the licensee going to be here today, or is it just you?

1 MR. LEE: Unfortunately she couldn't
2 join today due to her doctor's appointment.

3 CHAIRPERSON ANDERSON: That's fine.
4 Ms. White, can you please identify yourself for
5 the record, please?

6 MS. WHITE: Good morning, everyone.
7 I'm Jamila White, Commissioner 8A05.

8 CHAIRPERSON ANDERSON: Good morning,
9 Ms. White. This is a protest hearing status.
10 Are there any preliminary matters that either
11 side needs to bring to the attention of the
12 Board?

13 MR. LEE: Yeah, we had a mediation,
14 and we decided to get another mediation on March
15 2nd, and we agreed to negotiate it further.

16 CHAIRPERSON ANDERSON: Well, I'm glad
17 to hear that, and I wish you continued success on
18 your mediation efforts (audio interference)
19 parties are able to come to a settlement
20 agreement, the Board of course endorses and
21 supports that. If it has to go to hearing, then
22 of course the Board will do that.

23 I do not have a date at this moment
24 for the protest hearing, but so the parties --
25 the Board, however, will provide the parties with

1 a date and time of the protest hearing if it goes
2 to a protest hearing.

3 But what I will say though is that, as
4 I said before, the Board supports settlements.
5 At the end of the day this is a establishment
6 that's within the community, and if the community
7 and the licensee can come up to some type of an
8 agreement, at least both sides will leave this
9 matter happy with the results of their
10 discussion.

11 All right, now we're scheduling this
12 matter for a protest hearing, there are a few
13 things that I would like to instruct you about
14 because the Board's practices under the COVID-19
15 restrictions have changed. As you know, the
16 Board's hearings are conducted virtually, so it
17 is more important than ever that protest hearings
18 are focused and addresses only to those issues
19 that are being protested.

20 Following this hearing you will be
21 receiving an email from April Randall that will
22 include a copy of the protest information form,
23 PIP, and a copy of an exhibit form, as well as
24 specific instructions for the hearing. You are
25 required to complete this and submit the PIP and

1 exhibit forms at least 7 days before the date of
2 the hearing.

3 If we do not receive a copy of your
4 form 7 days before the hearing, your application,
5 and/or your protest may be subject to dismissal.
6 These documents need to be submitted to
7 abra.legal@dc.gov and to the opposing parties.
8 Please note that these documents will assist the
9 Board in narrowing the protest issues,
10 facilitating the process, and keeping the parties
11 on point during the hearing.

12 Each side is limited to no more than
13 five witnesses, and you will only have 60 minutes
14 to present your case. This includes all direct
15 and cross examination. The Board does not intend
16 to hear testimony on matters that are not
17 relevant to these issues that are being
18 protested.

19 Does anyone have any questions on what
20 I just stated?

21 (Chorus of no.)

22 CHAIRPERSON ANDERSON: Okay. Thank
23 you. We thank you greatly for your cooperation.
24 If you have any questions at any time leading up
25 to the hearing, please do not hesitate to contact

1 Assistant General Counsel April Randall at 202-
2 329-6354, or you can also contact her by her
3 email.

4 Again, I'm glad that I see that you
5 guys had mediation on the 16th, and then another
6 mediation is scheduled for March 2nd. I want to
7 wish you good luck in your mediation. If the
8 matter -- if you are unable to mediate this
9 matter, and you have to go to a protest hearing I
10 will see you, but as I always say, if this matter
11 doesn't result in a protest hearing then the
12 Board is happy because it says that the parties
13 were able to come to a mutually agreeable
14 agreement on the operation of the establishment.

15 Thank you very much, and have a great
16 day. Thank you.

17 (Whereupon, the above-entitled matter
18 went off the record at 10:12 a.m.)
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<p>A</p> <p>a.m 2:2 6:18 able 3:19 6:13 above-entitled 6:17 ABRA 1:21 abra.legal@dc.gov 5:7 addresses 4:18 agreeable 6:13 agreed 3:15 agreement 3:20 4:8 6:14 Alcoholic 1:2,13 ANC 1:8,22 and/or 5:5 Anderson 1:14,17 2:3 2:13,23 3:3,8,16 5:22 Andrews 1:21 2:6,9,14 Applicant's 1:21 application 1:9 5:4 appointment 3:2 April 4:21 6:1 assist 5:8 Assistant 6:1 attention 3:11 attorney 2:22 audio 3:18</p>	<p>Counsel 1:21 6:1 course 3:20,22 COVID-19 4:14 cross 5:15</p> <p>D</p> <p>date 3:23 4:1 5:1 day 4:5 6:16 days 5:1,4 DC 1:21 decided 3:14 direct 5:14 discussion 4:10 dismissal 5:5 DISTRICT 1:1 doctor's 3:2 documents 5:6,8 Donovan 1:14,17 due 3:2</p>	<p>happy 4:9 6:12 hear 3:17 5:16 hearing 1:7 2:16 3:9,21 3:24 4:1,2,12,20,24 5:2,4,11,25 6:9,11 hearings 4:16,17 hesitate 5:25 Hope 1:7</p> <p>I</p> <p>identify 3:4 important 4:17 include 4:22 includes 5:14 information 4:22 instruct 4:13 instructions 4:24 intend 5:15 interference 3:18 introduce 2:17 issues 4:18 5:9,17</p>	<p>met 1:14 Mila 1:6 minutes 5:13 moment 3:23 morning 2:15,20,23 3:6 3:8 mutually 6:13</p> <p>N</p> <p>name 2:21 narrowing 5:9 need 5:6 needs 3:11 negotiate 3:15 New 1:6 2:4,16,22 note 5:8 Number 2:4,5</p>
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This is to certify that the foregoing transcript

In the matter of: Hearing

Before: Alcoholic Beverage Control Board

Date: 02-25-21

Place: Videoconference

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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