

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

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 IN THE MATTER OF: :  
 :  
 NAI Saturn Eastern, LLC, :  
 t/a Safeway :  
 1701 Corcoran Street NW : Protest (Status)  
 Retailer B - ANC 2B : Hearing  
 License #105295 :  
 Case # 23-PRO-00090 :  
 :  
 (Application to Renew the:  
 License) :  
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Wednesday  
 February 28, 2024

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

PRESENT:

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

ALSO PRESENT:

JOSE ORELLANA, DC ABCA Staff  
 ZACHARY WILLIAMS, Applicant's Counsel

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

2 (10:57 a.m.)

3 CHAIRPERSON ANDERSON: The next case  
4 on our calendar is Case No. 23-PRO-00090,  
5 Safeway, License No. 105295.

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

9 MR. ORELLANA: Sure.

10 Zachary Williams, your access has been  
11 elevated.

12 And I don't see the protestant in the  
13 waiting area. I'll reach out again.

14 CHAIRPERSON ANDERSON: All right.  
15 This is ANC 2B. I'll wait one more minute. It's  
16 10:58, so I'll wait till 10:59.

17 MR. ORELLANA: No response, Chair.

18 CHAIRPERSON ANDERSON: All right.  
19 I'll wait till 10:59, then I will - it's 10:58  
20 and probably some seconds. All right, it's  
21 10:59.

22 Mr. Williams, can you please spell and  
23 state your name for the record? You're on mute,  
24 sir.

25 MR. WILLIAMS: Apologies for that. My

1 name is Zachary Williams, Z-A-C-H-A-R-Y W-I-L-L-  
2 I-A-M-S, Attorney representing the applicant.

3 CHAIRPERSON ANDERSON: All right.

4 And I see that the protestant is not  
5 here. Sir, what this means all parties are  
6 required that for a protest hearing, they are  
7 instructed at the roll call that they must show  
8 at the protest hearing status, and so because the  
9 protestant is not here, I'm going to make a  
10 motion that the protest be dismissed.

11 Is there a second?

12 MEMBER GRANT: Mr. Grant, I second the  
13 motion.

14 CHAIRPERSON ANDERSON: Mr. Grant has  
15 seconded the motion. We'll now have a roll call  
16 vote.

17 Mr. Short?

18 MEMBER SHORT: Mr. Short, I agree.

19 CHAIRPERSON ANDERSON: Mr. Grant?

20 MEMBER GRANT: Mr. Grant, I agree.

21 CHAIRPERSON ANDERSON: Mr. Anderson,  
22 I agree.

23 The matter passed 3-0.

24 What this means, Mr. Williams, is that  
25 the Board has dismissed the protest. The Board

1 will issue an order. The order will be submitted  
2 to yourself and the protestant. The protestant  
3 will have ten days to respond to give the Board  
4 reasonable cause why it failed to appear today at  
5 the protest hearing status.

6 If the ANC fails to respond or if the  
7 Board determines that the reasoning for not  
8 appearing today is not reasonable, the protest  
9 will be formally dismissed and the Board will  
10 instruct the Agency to move forward to issue the  
11 renewal of the license without any further  
12 restrictions. I do not know if there are any  
13 restrictions on the license, but the Board will  
14 renew the license without imposing any further  
15 restrictions.

16 Any questions, sir?

17 MR. WILLIAMS: No questions. Thank  
18 you.

19 CHAIRPERSON ANDERSON: All right.  
20 Thank you, sir. Have a great day.

21 (Whereupon, the above-entitled matter  
22 went off the record at 11:01 a.m.)  
23  
24  
25

<b>A</b> a.m 2:2 4:22 <b>ABCA</b> 1:20 <b>above-entitled</b> 4:21 <b>access</b> 2:10 <b>Agency</b> 4:10 <b>agree</b> 3:18,20,22 <b>Alcoholic</b> 1:2,13 <b>ANC</b> 1:7 2:15 4:6 <b>Anderson</b> 1:14,17 2:3 2:14,18 3:3,14,19,21 3:21 4:19 <b>Apologies</b> 2:25 <b>appear</b> 4:4 <b>appearing</b> 4:8 <b>applicant</b> 3:2 <b>Applicant's</b> 1:20 <b>Application</b> 1:9 <b>area</b> 2:13 <b>Attorney</b> 3:2	<b>fails</b> 4:6 <b>February</b> 1:12 <b>formally</b> 4:9 <b>forward</b> 4:10 <b>further</b> 4:11,14 <b>G</b> <b>give</b> 4:3 <b>going</b> 3:9 <b>Grant</b> 1:17 3:12,12,14 3:19,20,20 <b>great</b> 4:20 <b>H</b> <b>hearing</b> 1:7 3:6,8 4:5 <b>I</b> <b>I-A-M-S</b> 3:2 <b>imposing</b> 4:14 <b>instruct</b> 4:10 <b>instructed</b> 3:7 <b>issue</b> 4:1,10 <b>J</b> <b>JAMES</b> 1:18 <b>JOSE</b> 1:20 <b>JR</b> 1:18 <b>K</b> <b>know</b> 4:12 <b>L</b> <b>license</b> 1:8,10 2:5 4:11 4:13,14 <b>licensee</b> 2:7 <b>LLC</b> 1:6 <b>M</b> <b>matter</b> 1:5 3:23 4:21 <b>means</b> 3:5,24 <b>MEETING</b> 1:3 <b>Member</b> 1:17,18 3:12 3:18,20 <b>met</b> 1:14 <b>minute</b> 2:15 <b>motion</b> 3:10,13,15 <b>move</b> 4:10 <b>mute</b> 2:23 <b>N</b> <b>NAI</b> 1:6 <b>name</b> 2:23 3:1 <b>NW</b> 1:7 <b>O</b> <b>order</b> 4:1,1 <b>Orellana</b> 1:20 2:6,9,17	<b>P</b> <b>P-R-O-C-E-E-D-I-N-G-S</b> 2:1 <b>parties</b> 3:5 <b>passed</b> 3:23 <b>please</b> 2:6,22 <b>PRESENT</b> 1:16,19 <b>presiding</b> 1:14 <b>probably</b> 2:20 <b>protest</b> 1:7 3:6,8,10,25 4:5,8 <b>protestant</b> 2:7,12 3:4,9 4:2,2 <b>Q</b> <b>questions</b> 4:16,17 <b>R</b> <b>reach</b> 2:13 <b>reasonable</b> 4:4,8 <b>reasoning</b> 4:7 <b>record</b> 2:23 4:22 <b>renew</b> 1:9 4:14 <b>renewal</b> 4:11 <b>representing</b> 3:2 <b>required</b> 3:6 <b>respond</b> 4:3,6 <b>response</b> 2:17 <b>restrictions</b> 4:12,13,15 <b>Retailer</b> 1:7 <b>right</b> 2:14,18,20 3:3 4:19 <b>rights</b> 2:7 <b>roll</b> 3:7,15 <b>S</b> <b>Safeway</b> 1:6 2:5 <b>Saturn</b> 1:6 <b>second</b> 3:11,12 <b>seconded</b> 3:15 <b>seconds</b> 2:20 <b>see</b> 2:12 3:4 <b>Short</b> 1:18 3:17,18,18 <b>show</b> 3:7 <b>SILAS</b> 1:17 <b>sir</b> 2:24 3:5 4:16,20 <b>spell</b> 2:22 <b>Staff</b> 1:20 <b>state</b> 2:23 <b>status</b> 1:7 3:8 4:5 <b>Street</b> 1:7 <b>submitted</b> 4:1 <b>Sure</b> 2:9 <b>T</b> <b>t/a</b> 1:6 <b>ten</b> 4:3	<b>Thank</b> 4:17,20 <b>till</b> 2:16,19 <b>today</b> 4:4,8 <b>U</b> <b>V</b> <b>videoconference</b> 1:14 <b>vote</b> 3:16 <b>W</b> <b>W</b> 1:14,17 <b>W-I-L-L-</b> 3:1 <b>wait</b> 2:15,16,19 <b>waiting</b> 2:13 <b>We'll</b> 3:15 <b>WebEx</b> 1:14 <b>Wednesday</b> 1:11 <b>went</b> 4:22 <b>Williams</b> 1:20 2:10,22 2:25 3:1,24 4:17 <b>X</b> <b>Y</b> <b>Z</b> <b>Z-A-C-H-A-R-Y</b> 3:1 <b>Zachary</b> 1:20 2:10 3:1 <b>0</b> <b>1</b> <b>10:57</b> 2:2 <b>10:58</b> 2:16,19 <b>10:59</b> 2:16,19,21 <b>105295</b> 1:8 2:5 <b>11:01</b> 4:22 <b>1701</b> 1:7 <b>2</b> <b>2024</b> 1:12 <b>23-PRO-00090</b> 1:8 2:4 <b>28</b> 1:12 <b>2B</b> 1:7 2:15 <b>3</b> <b>3-0</b> 3:23
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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: Safeway

Before: DC ABCA

Date: 02-28-24

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.

  
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Court Reporter

**NEAL R. GROSS**

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