

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
+ + + + +
MEETING

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IN THE MATTER OF: :
:
ZMBE, LLC, :
t/a AXUM Restaurant :
1934 9th Street NW : Protest Hearing
Retailer CR - ANC 1B : (Status)
License No. 119716 :
Case #22-PRO-00006 :
:
(Application for a New :
License) :
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Wednesday
March 16, 2022

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

PRESENT:
DONOVAN W. ANDERSON, Chairperson
BOBBY CATO, JR., Member
RAFI ALIYA CROCKETT, Member
EDWARD S. GRANDIS, Member
JENI HANSEN, Member
JAMES SHORT, JR., Member

ALSO PRESENT:

SARAH FASHBAUGH, DC ABRA Staff
ADANECH GEBEREMESKEL, Applicant representative
MULUGETA MICHEL, Applicant
EVAN SCHLOM, Protestant

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

2 10:51 a.m.

3 CHAIRPERSON ANDERSON: We're on the
4 record. Good morning everyone. As Chairperson
5 of the Alcoholic Beverage Control Board for the
6 District of Columbia, and in accordance with D.C.
7 Code Section 2576 of the open meetings act, I am
8 welcoming you to the regular scheduled meeting of
9 the Alcoholic Beverage Control Board.

10 And this meeting has been conducted
11 pursuant to guidance made available by the
12 District of Columbia Office of Open Government
13 regarding electronic meetings held by public
14 bodies.

15 Although the Mayor's declared public
16 emergency expired February 25, 2022, public
17 bodies may continue to meet remotely pursuant to
18 the Electronic Meeting Requirement of the OMA.
19 Electronic meetings by the ABC Board are also
20 authorized under Title 25-204.1.

21 Pursuant to the OMA's requirements,
22 notice of today's meeting was provided 48 hours
23 in advance of the meeting on ABRA's website and
24 on the District's central meeting calendar. The
25 notice includes the time, date, agenda and a call

1 in or log in information for public
2 participation.

3 This electronic meeting has been
4 posted by a WebEx account provided the District
5 of Columbia government. Please direct any
6 question or complaint to the OOG at
7 Opengovoffice@dc.gov.

8 My name is Donovan Anderson. I'm
9 Chairman of the Board. I would like to introduce
10 the other ABC Board Members who are also
11 participating electronically pursuant to Mayor's
12 Order 2022-007.

13 Please respond when I announce your
14 name. Mr. James Short.

15 MEMBER SHORT: Mr. James Short,
16 present.

17 CHAIRPERSON ANDERSON: Mr. Bobby Cato.

18 MEMBER CATO: Bobby Cato present.

19 CHAIRPERSON ANDERSON: Ms. Rafi
20 CROCKETT.

21 MEMBER CROCKETT: Rafi Crockett
22 present.

23 CHAIRPERSON ANDERSON: Ms. Jeni
24 Hansen.

25

1 MEMBER HANSEN: Jeni Hansen present.

2 CHAIRPERSON ANDERSON: And Mr. Edward
3 Grandis.

4 MEMBER GRANDIS: Edward Grandis
5 present.

6 CHAIRPERSON ANDERSON: The Board has
7 six members in attendance for the conduct of
8 business today, and that constitutes a quorum.

9 Before we get underway with this
10 morning's hearing calendar, I need to make a few
11 instructions very clear so that the conduct of
12 the hearings is understood by everyone.

13 There are seven cases scheduled for
14 this morning. Once a case is called, I will take
15 a moment for IT specialists to elevate the rights
16 for each party to enable their camera and
17 microphone.

18 Then and only then will you have the
19 ability to enable your equipment. If your case
20 has not been heard, you will remain mute and your
21 camera will be disabled.

22 At the conclusion of each case, the
23 parties will have the option to leave. If a
24 party chooses to stay all cameras and microphones
25 for the concluded case will be disabled.

1 Should you have any questions or
2 require technical assistance in the hearing,
3 please submit them using the question and answer
4 feature.

5 Our first order of business today is
6 a protest hearing status, Case Number 22-PRO-
7 00006, Axum Restaurant, License Number 119716.

8 Could you please elevate the rights of
9 the participants in this case, please?

10 MS. FASHBAUGH: Good morning Board
11 Members, please stand by.

12 CHAIRPERSON ANDERSON: Thank you.

13 MS. FASHBAUGH: Adanech Geberemeskel,
14 your rights have been elevated. Mulugeta Michel,
15 your rights have been elevated.

16 Evan Schlom, your rights have been
17 elevated. I do not see Commissioner James Turner
18 at this time. Thank you

19 CHAIRPERSON ANDERSON: Thank you.

20 MS. FASHBAUGH: That is all, Mr.
21 Chairperson.

22 CHAIRPERSON ANDERSON: Thank you. I
23 believe those are the parties in this case, thank
24 you.

25 Okay, good morning. All right so this is --

1 we had some technical difficulties last week, so
2 hopefully we'll move forward without any further
3 technical difficulties.

4 Let's have the parties identify
5 themselves for the record. Let's start with the
6 Licensee.

7 I would like you to spell and state
8 your name for the record, please, starting with
9 the Licensee. You're on mute.

10 MS. GEBEREMESKEL: Good morning. My
11 name is Adanech.

12 CHAIRPERSON ANDERSON: All right, hold
13 on. Hold on. Hold on a minute. I see that you
14 are logged in on two computers.

15 I think -- so, there's no reason for
16 you to log in, since you're together, what I'll
17 ask you Ms. Geberemeskel, you're also logged in
18 twice, is that correct?

19 MS. GEBEREMESKEL: Yes.

20 CHAIRPERSON ANDERSON: All right. Why
21 don't you log out of that site. Stay with your
22 husband on this site, but the other site, why
23 don't you log out on the other site.

24 So, you don't need to -- you don't
25 need to be logged in twice. You're fine with you

1 staying next to each other.

2 So, on the other line that you're
3 logged in, can you log out?

4 MS. GEBEREMESKEL: Okay.

5 (Off mic comments)

6 MS. GEBEREMESKEL: Hello?

7 CHAIRPERSON ANDERSON: Yes.

8 MS. GEBEREMESKEL: Can you hear me
9 now?

10 CHAIRPERSON ANDERSON: But you're
11 still logged in on two sites. That's the reason
12 why -- that's one of the reasons -- I need you to
13 --

14 MS. GEBEREMESKEL: Oh please, I would
15 like to invite Mr. Mulugeta to speak at this
16 point.

17 CHAIRPERSON ANDERSON: Okay. All
18 right, let him identify -- let him spell and
19 state his name for the record, please.

20 MS. GEBEREMESKEL: Okay.

21 CHAIRPERSON ANDERSON: All right,
22 ma'am -- ma'am?

23 MS. GEBEREMESKEL: Yes?

24 CHAIRPERSON ANDERSON: All right,
25 you're in -- you are on camera with him. And

1 that line is mute. So, I can't hear him.

2 I can hear you when you speak on the
3 other line. One of the lines needs to be -- why
4 don't you -- why don't you mute the other line
5 and open this line that he's about to speak?

6 Are you using the same computer? Are
7 you open in two computers?

8 MS. GEBEREMESKEL: No. You know, I am
9 attending from my place, and Mr. Mulugeta, the
10 owner, is attending from his place.

11 CHAIRPERSON ANDERSON: All right. So,
12 okay. Because you know, on my screen, you appear
13 -- I'm sorry, I can't -- well, okay.

14 Ask him to -- ask him to unmute the
15 phone.

16 MS. GEBEREMESKEL: Yes. I'm trying to
17 contact him. And when he -- he don't -- he --

18 (Off mic comments)

19 MS. GEBEREMESKEL: I'm just calling to
20 him, because he is on -- he is just on mute
21 himself. I'm trying to contact him.

22 CHAIRPERSON ANDERSON: All right.

23 MS. GEBEREMESKEL: Just give me just
24 few minutes, please. Let me --

25 CHAIRPERSON ANDERSON: Okay. That's

1 fine. All right, that's fine. All right, I
2 thought that -- all right, okay.

3 (Off mic comment)

4 CHAIRPERSON ANDERSON: Hello?

5 MS. GEBEREMESKEL: Are you there?

6 CHAIRPERSON ANDERSON: Okay, all
7 right.

8 MS. GEBEREMESKEL: Hello? (Off mic
9 speaking) Hello Mulugeta, you are -- you know,
10 you are -- your camera is on mute. And you have
11 to be cleared, unmute and --

12 (Off mic comment)

13 MS. GEBEREMESKEL: Hello?

14 CHAIRPERSON ANDERSON: Yes?

15 MS. GEBEREMESKEL: Mr. Mulugeta told
16 me he is not elevated. He cannot unmute himself.

17 CHAIRPERSON ANDERSON: All right. Ms.
18 -- can you please unmute, can you please unmute
19 the other line, please?

20 MS. GEBEREMESKEL: My line?

21 CHAIRPERSON ANDERSON: No, not you,
22 ma'am. I'm speaking to our IT specialist.

23 MS. GEBEREMESKEL: Okay.

24 CHAIRPERSON ANDERSON: Can you -- can
25 you speak loud? Sir? Sir, can you please -- can

1 you please spell your name for the record, sir?

2 MR. MICHEL: Hello?

3 CHAIRPERSON ANDERSON: Yes, okay. I
4 need you to -- all right, speak louder, sir.

5 (No response)

6 CHAIRPERSON ANDERSON: I still can't
7 hear you. Your line is unmuted, but I can't hear
8 you.

9 MR. MICHEL: Hello? Hello?

10 MS. GEBEREMESKEL: I am talking with
11 him by my phone. He could not unmute himself.

12 CHAIRPERSON ANDERSON: He has been
13 unmuted. But, I can't hear it. He's unmute now.
14 He's unmuted now.

15 MS. GEBEREMESKEL: No. Mulugeta, you
16 have to unmute yourself. Sir, can you give me
17 one minute?

18 Let me explain to him. One minute.

19 CHAIRPERSON ANDERSON: Sure. Why
20 don't you put yourself on mute while you're
21 speaking with him.

22 MS. GEBEREMESKEL: Hello sir?

23 CHAIRPERSON ANDERSON: Yes?

24 MS. GEBEREMESKEL: Okay. Mr. Mulugeta
25 laptop sir, it is mute. But, whenever he speaks,

1 no one hear. No one hear, he cannot log in.

2 CHAIRPERSON ANDERSON: It is unmuted,
3 because at least from my end -- at least from my
4 end it says that -- at least from my end it says
5 that he's unmuted.

6 So, Ms. Fashbaugh, is that line
7 unmuted? Ms. Fashbaugh, is that muted?

8 MS. FASHBAUGH: Chairperson, his line
9 is unmuted.

10 CHAIRPERSON ANDERSON: All right,
11 thank you. Sir, can you -- can you speak?

12 (No response)

13 CHAIRPERSON ANDERSON: No, I can't --
14 it's from -- all right, it's from -- it's from
15 their line.

16 Can they -- ask them can -- it's
17 something on their end. I think that they need
18 to call in.

19 What is the --

20 MS. GEBEREMESKEL: Okay.

21 CHAIRPERSON ANDERSON: What is the
22 phone number for them to call in?

23 It's some -- it's some -- I can see
24 them, it is something on their line where they
25 are unmuted, and I don't know why I can't hear

1 them.

2 But, it's from -- it's from their end.
3 So, what I suggest is --

4 MS. GEBEREMESKEL: Can I -- um-hum.

5 CHAIRPERSON ANDERSON: Is that they --
6 they use a phone number to call in.

7 MS. GEBEREMESKEL: Can I have the
8 phone number? They're going to call.

9 CHAIRPERSON ANDERSON: All right.
10 What's the phone -- what is the phone number for
11 them to call in, please?

12 MS. FASHBAUGH: The phone number is
13 650-479-3208, with an access code of 23031368587.

14 MS. GEBEREMESKEL: 85?

15 MS. FASHBAUGH: 87. 8587.

16 MS. GEBEREMESKEL: Can I repeat the
17 access number? 23031368587, is that correct?

18 MS. FASHBAUGH: This is correct.

19 Thank you.

20 MS. GEBEREMESKEL: Thank you so much.

21 CHAIRPERSON ANDERSON: Have they
22 called in? Are they calling in? I see that
23 they're dialing some numbers.

24 So, are they -- are they on the line?

25 MS. GEBEREMESKEL: Yes. They are

1 trying to -- they are trying to call, yes.

2 CHAIRPERSON ANDERSON: Tell us when
3 they are connected, and then I'll have their line
4 elevated.

5 MS. GEBEREMESKEL: Hello?

6 CHAIRPERSON ANDERSON: Yes.

7 MS. GEBEREMESKEL: Mr. Mulugeta told
8 me the access code, he struggled with the access
9 code. He couldn't -- he's not -- the access is
10 not working for him.

11 MR. MICHEL: Hello? Hello?

12 CHAIRPERSON ANDERSON: Yes, I can hear
13 him. Hello sir? Hello? Hello? I heard his
14 voice a minute ago. Hello?

15 (No response)

16 MS. GEBEREMESKEL: Hello?

17 CHAIRPERSON ANDERSON: Yes. I thought
18 I heard him a minute ago.

19 MS. GEBEREMESKEL: Yes. Can he act in
20 -- can he act in by -- he called me. Can he act
21 in the meeting by my phone?

22 CHAIRPERSON ANDERSON: Yes, if I can
23 hear him through your phone.

24 MS. GEBEREMESKEL: Okay.

25 CHAIRPERSON ANDERSON: Yes, he can.

1 MS. GEBEREMESKEL: Okay. I will do
2 that.

3 CHAIRPERSON ANDERSON: Yes.

4 MS. GEBEREMESKEL: Hello?

5 CHAIRPERSON ANDERSON: Yes, ma'am, if
6 you can -- if you can get him on your phone, yes
7 you can.

8 MS. GEBEREMESKEL: Hello sir?

9 CHAIRPERSON ANDERSON: Yes, ma'am.
10 Yes, he can do that.

11 MS. GEBEREMESKEL: Mr. Mulugeta is now
12 in my phone. You can talk with him.

13 MR. MICHEL: Hello, hello?

14 CHAIRPERSON ANDERSON: Sir, can you --
15 can you spell your name for the record, please?

16 MR. MICHEL: Yes, sir. It is Mulugeta
17 Michel, M-U-L-U-G-E-T-A. And my last name is
18 Michel. And next to me is my wife --(inaudible,
19 echo on line)

20 CHAIRPERSON ANDERSON: Okay. All
21 right, okay. I don't know why I can't hear.
22 Ma'am, let me ask you a question.

23 Where are you in doing this call?

24 MS. GEBEREMESKEL: I am doing this
25 call all at my place. He is in his place.

1 CHAIRPERSON ANDERSON: No, I know.
2 I'm getting -- I'm getting some -- I'm getting
3 some feedback from your line.

4 I've always been getting feedback from
5 your line. So, therefore it's difficult for me
6 to hear.

7 I was going to ask you -- I thought
8 you and him were in the same location because I'm
9 hearing the feedback.

10 MS. GEBEREMESKEL: No.

11 CHAIRPERSON ANDERSON: So, that's the
12 reasons why -- that's one of the reasons why I'm
13 now, I'm getting some feedback with your line.

14 And so, I can't -- I -- are you able
15 to move to a different location?

16 MS. GEBEREMESKEL: No, because we are
17 far away. He's somewhere and I'm --

18 CHAIRPERSON ANDERSON: No, no, no.
19 I'm asking you if you're able to -- just where --
20 physically, are you able to change your location
21 a little bit?

22 MS. GEBEREMESKEL: Yes.

23 CHAIRPERSON ANDERSON: Because I'm
24 getting feedback from your line. And so the
25 feedback I'm getting from your line, like

1 something is wrong with the connection.

2 So therefore, I'm hearing him, but he
3 sounds so far away.

4 MS. GEBEREMESKEL: Maybe let me tell
5 him to close his laptop, no?

6 CHAIRPERSON ANDERSON: All right,
7 okay. Yeah, all right.

8 MR. SCHLOM: Mr. Chairman, if I may?
9 I -- Ms. -- my understanding is Ms. Geberemeskel
10 is the authorized representative of the Licensee.

11 I'm perfectly willing to stipulate
12 that she can appear on behalf of the Licensee for
13 the purposes of the status hearing.

14 I just don't want to waste more time
15 on what's the -- with the status hearing, so.

16 CHAIRPERSON ANDERSON: All right. Ms.
17 -- okay. Ms. -- all right, okay. All right, Ms.
18 --

19 MR. SCHLOM: I'm just trying to be
20 mindful of the Board's time.

21 CHAIRPERSON ANDERSON: All right. Ms.
22 -- Ms. Geberemeskel?

23 MS. GEBEREMESKEL: Yes, sir?

24 CHAIRPERSON ANDERSON: State your name
25 again for the record.

1 MS. GEBEREMESKEL: My name is Adanech
2 A-D-A-N-E-C-H. And my last name G-E-B-E-R-E-M-E-
3 S-K-E-L.

4 CHAIRPERSON ANDERSON: And who are
5 you, ma'am?

6 MS. GEBEREMESKEL: I am the one who
7 submits the applications.

8 CHAIRPERSON ANDERSON: And you're the
9 representative for the Licensee?

10 MS. GEBEREMESKEL: Yes. I'm attending
11 this meeting, but I let them to explain all the
12 situation with the -- with the protest -- all the
13 issues there. Um-hum.

14 CHAIRPERSON ANDERSON: Have you sent
15 the let --

16 MS. GEBEREMESKEL: Yes, yes.

17 CHAIRPERSON ANDERSON: Have you sent
18 the letter to the Agency to say that you're the
19 authorized representative?

20 MS. GEBEREMESKEL: Yes.

21 CHAIRPERSON ANDERSON: And who is the
22 -- what's the name of the Licensee? Can you
23 spell and state their name for the record,
24 please?

25 MS. GEBEREMESKEL: Okay. The Licensee

1 owner name?

2 CHAIRPERSON ANDERSON: Yes.

3 MS. GEBEREMESKEL: Mulugeta M-U-L-U-G-
4 E-T-A, first name. And last name M-I-C-H-E-L,
5 Michel.

6 CHAIRPERSON ANDERSON: And it's
7 correct that you -- I see them looking at me, and
8 it's correct that they're -- they're also
9 participating in this hearing, is that correct?

10 MS. GEBEREMESKEL: That's correct,
11 yes.

12 CHAIRPERSON ANDERSON: Okay. All
13 right, Mr. Schlom, can you spell and state your
14 name for the record, please?

15 MR. SCHLOM: Yes, good morning. My
16 name is Evan E-V-A-N, last name is Schlom S-C-H-
17 L-O-M as in Mary. And I'm the abutting property
18 owner protestant.

19 CHAIRPERSON ANDERSON: All right.
20 Good morning everyone. This is a protest status
21 hearing. It is my understanding that there was a
22 -- that this is the only live protest that is
23 going on.

24 Are there any -- are there any
25 preliminary matters that we need to address

1 before scheduling a hearing?

2 MR. SCHLOM: None from me, Mr.
3 Chairman.

4 CHAIRPERSON ANDERSON: Ms.
5 Geberemeskel, do you have any preliminary matters
6 that you want to bring to the attention of the
7 Board?

8 MS. GEBEREMESKEL: You know, yes.
9 Because we're -- we got a chance to speak with
10 the ANC --

11 CHAIRPERSON ANDERSON: Yes, ma'am.

12 MS. GEBEREMESKEL: Last time. And we
13 just signed the ANC settlement agreement. And we
14 provide the -- we got the chance to discuss these
15 issues with Mr. Schlom, sorry for that
16 pronunciation.

17 CHAIRPERSON ANDERSON: Yes.

18 MS. GEBEREMESKEL: And we are waiting
19 anything -- anything issues which is included to
20 the -- in addition to the ANC.

21 But, we would like to proceed and get
22 our license as soon as possible, because we are a
23 small business owner. We are struggle to open
24 the business.

25 That --

1 CHAIRPERSON ANDERSON: Okay.

2 MS. GEBEREMESKEL: That is our issues,
3 yes.

4 CHAIRPERSON ANDERSON: Yes, I'm aware
5 that there's a settlement agreement with the ANC.
6 But, because -- because he's the abutting
7 property owner, he still has standing to move
8 forward.

9 So, I will -- I would, since you were
10 able to sign a settlement agreement with the ANC,
11 I'm hoping that you will be able to also be able
12 to -- I will instruct the -- support the parties
13 to continue to speak.

14 And hopefully, you'll be able to reach
15 a settlement with this party the same way you
16 were able to reach a settlement with the ANC.

17 So, I'll just support having more
18 conversations with -- with the abutting property
19 owner.

20 So hopefully you'll be able to reach
21 settlement as you were able to do regarding --
22 regarding the ANC. Okay?

23 MS. GEBEREMESKEL: Right.

24 CHAIRPERSON ANDERSON: So, we support
25 the continued conversations. All right, if

1 there's no settlement, and this matter is not
2 settled, then we'll have a hearing on April 6,
3 2022 at 1:30 p.m.

4 MS. GEBEREMESKEL: Okay.

5 CHAIRPERSON ANDERSON: All right. And
6 so if we have the hearing, then seven days prior
7 to the hearing, each side is -- each side must
8 disclose documents and witnesses that they're
9 going to rely on at the hearing.

10 So, it's very important that if you're
11 going to have -- if we have this hearing, each
12 side disclose the documents and witnesses to both
13 sides, to the other side and also to the Agency.
14 Okay?

15 MS. GEBEREMESKEL: Okay.

16 CHAIRPERSON ANDERSON: If for some
17 reason, if you need to have any assistance the
18 Agency can provide, you can contact Ms. Imani
19 Moreland at 202-442-6942. She can provide
20 whatever assistance that each side needs.

21 But, as I said before, since the
22 parties were able to reach settlement with the
23 ANC, I would support the parties to continue
24 speaking.

25 And hopefully a settlement will be

1 reached with the abutting property owner as one
2 was -- was reached with the ANC. Okay?

3 MS. GEBEREMESKEL: Okay.

4 CHAIRPERSON ANDERSON: All right. You
5 have a great day. And I -- I'm hopeful so that
6 the parties will be able to settle this matter
7 since the ANC, it was settled with the ANC.

8 Okay, so continue to speak. If not
9 we'll see you on April 2 -- April 6, I'm sorry,
10 at 1:30 p.m. All right?

11 MS. GEBEREMESKEL: Okay. Thank you so
12 much.

13 CHAIRPERSON ANDERSON: Thank you.
14 Have a great day.

15 MR. SCHLOM: Thank you Mr. Chair.

16 CHAIRPERSON ANDERSON: Thank you, bye
17 bye.

18 (Whereupon, the above-entitled matter
19 went off the record at 11:18 a.m.)
20
21
22
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25

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This is to certify that the foregoing transcript

In the matter of: AXUM Restaurant

Before: DCABRA

Date: 03-16-22

Place: teleconference

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Court Reporter

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