

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

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IN THE MATTER OF: :
: :
Kidy Lounge, LLC :
t/a Kidst Lounge :
5503 Georgia Ave NW : Show Cause
Retailer CR - ANC 4D : Hearing (Status)
License No. 119361 :
Case #22-CMP-00059 :
: :
(Change of Hours of :
Operation, Provided :
False Statement to ABRA, :
Failure to Comply with :
Structural Requirements) :
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Wednesday
March 22, 2023

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:

JOSE ORELLANA, DC ABRA Staff
MESKEREM BALKEW, Interpreter
KIDST SHAY, Applicant
CHRIS SOUTHCOTT, DC OAG

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

11:33 a.m.

CHAIRPERSON ANDERSON: All right. The next case in our calendar is Case Number 22CMP00059, Kidst, K-I-D-S-T, Lounge, License No. 1193601. Mr. Orellana, can you please elevate the licensee and there's an interpreter in this case, please.

MR. ORELLANA: Meskerem Balkew your license has been elevated. That appears to be all chairman. There is one more member in the waiting area. Yirga Tesema. Not sure if they're related.

CHAIRPERSON ANDERSON: Who's the interpreter?

MR. ORELLANA: Meskerem Balkew.

CHAIRPERSON ANDERSON: Did you say there's another person in the waiting room?

MR. ORELLANA: Yes. I'll elevate them to see. Yirga Tesema, your access has been elevated.

CHAIRPERSON ANDERSON: All right. Where the -- can the interpreter put the -- turn the camera on please. If Mr. -- or who is it or miss -- can you please spell and state

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1 your name for the record ma'am, please.

2 MS. BALKEW: Meskerem Balkew, M-
3 E-S-K-E-R-E-M, first name. Last name, B-A-L-K-
4 E-W.

5 CHAIRPERSON ANDERSON: And what is
6 your role today, ma'am?

7 MS. BALKEW: I'm the Amharic
8 interpreter.

9 CHAIRPERSON ANDERSON: All right.
10 Hold on ma'am please. Can you raise your right
11 hand please, ma'am? Do you solemnly affirm
12 that you will faithfully and accurately
13 interpret the proceeding in this matter from
14 English into Amharic and from Amharic into
15 English to the best of your abilities?

16 MS. BALKEW: I do.

17 (Whereupon, the interpreter was
18 sworn in to interpret Amharic to English.)

19 CHAIRPERSON ANDERSON: All right.
20 Thank you. All right. Mr. Southcott can you
21 please identify yourself for the record please.

22 MR. SOUTHCOTT: General Chris
23 Southcott. First name C-H-R-I-S, last name, S-
24 O-U-T-H-C-O-T-T from DC's office, the Attorney
25 General.

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1 CHAIRPERSON ANDERSON: Good morning.
2 Ma'am, can you please ask the licensee to
3 identify themselves for the record by spelling
4 and stating their name please?

5 INTERPRETER: This is the owner of
6 the bar, the lounge, Kidst Shay.

7 CHAIRPERSON ANDERSON: Yeah, just tell
8 the -- I need -- ma'am, I need you to tell him,
9 or you spell his name for the record, ma'am.

10 INTERPRETER: He's not the
11 licensee, she is --

12 CHAIRPERSON ANDERSON: I don't -- so,
13 okay -- so who is he? Ma'am who was he? No.
14 Wait. Hold on. If he's not the licensee, I
15 don't want hear nothing from him. Okay. I
16 want the licensee to identify themselves for
17 the record. Okay. You tell her that.

18 Hold ma'am. Hold on. Okay. I want
19 the licensee to identify themself for the
20 record. I do not want to hear from anyone else
21 who is not the licensee. So tell them -- the
22 person who has an iPhone or the phone who has
23 it in front of their face, tell them to move
24 away from the screen. I don't want to see or
25 talk to them. I need her to tell me what her

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1 name is and her relationship to this
2 establishment.

3 INTERPRETER: Kidst Shay, K-I-D-I-
4 S-T, S-H-A-Y.

5 CHAIRPERSON ANDERSON: And what's her
6 relationship to this case, ma'am?

7 INTERPRETER: I am the owner.

8 CHAIRPERSON ANDERSON: Thank you. Mr.
9 Southcott. Where's the government? Mr.
10 Southcott, are there any preliminary matters in
11 this case?

12 MR. SOUTHCOTT: I cannot hear the
13 board. I can see video and I see people
14 leaving but I can't hear anything.

15 CHAIRPERSON ANDERSON: Are you there
16 Mr. Southcott? Where is the government?

17 MR. SOUTHCOTT: Hello.

18 CHAIRPERSON ANDERSON: All right.
19 Sir, are there any preliminary matters in this
20 case?

21 MR. SOUTHCOTT: Nothing from the
22 government.

23 CHAIRPERSON ANDERSON: Can ma'am, can
24 you ask the miss -- the owner, if she has any
25 preliminary matters she needs, she wants to

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1 bring to our attention, just any problems, not
2 substantive, but just any preliminary issues.

3 INTERPRETER: About what?

4 CHAIRPERSON ANDERSON: Just any
5 preliminary matters. Okay, fine. It's fine.
6 Can you let her know that this matter is
7 scheduled for a show cause hearing on April
8 12th, 2023 at 10:30 a.m.

9 INTERPRETER: Chairman, would you
10 repeat one more time, please?

11 CHAIRPERSON ANDERSON: The hearing is
12 scheduled for April 12th at 10:30 a.m. And
13 also tell her that seven days before the
14 hearing, she needs to exchange the documents
15 and witnesses that she's going to rely on at
16 the hearing with the government and with the
17 agency. Does she have any questions?

18 INTERPRETER: How do you -- I let
19 you know, do I e-mail it or how?

20 CHAIRPERSON ANDERSON: I just -- I
21 don't understand you, ma'am.

22 INTERPRETER: She's asking how do
23 she exchange documents and witnesses with the
24 office -- the, the government and the agency by
25 email --

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1 CHAIRPERSON ANDERSON: She needs to
2 email them to the government and she needs to
3 email a copy to us or drop a copy off at our
4 office seven days before the hearing. If this
5 is what -- if this -- if these are -- if she's
6 going to rely on documents and witnesses to --
7 that she's going to defend herself at the
8 hearing. Can you tell her I don't want her to
9 be talking to that person. Okay.

10 INTERPRETER: Okay. Where is the
11 address of the government office.

12 CHAIRPERSON ANDERSON: Mr. Southcott,
13 is this your case or whose case is this?

14 MR. SOUTHCOTT: This is attorney AG
15 Anthony Cell -- this is his case. I know that
16 he had previously been in some form of
17 communication with the establishment to forward
18 them and relay the offer and compromise that
19 was presented. I think he's spoken to them via
20 phone, but I believe he's also sent emails.

21 CHAIRPERSON ANDERSON: Can you ma'am,
22 can -- ma'am, you're an interpreter. Can you
23 tell her what's been said ma'am.

24 INTERPRETER: Okay.

25 CHAIRPERSON ANDERSON: Does she have

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1 any questions?

2 INTERPRETER: No, I don't have.

3 CHAIRPERSON ANDERSON: And does she
4 understand that we're having a hearing on --
5 that we're -- when we we're having a hearing on
6 -- I'm sorry, on April 12th, and that's when
7 she's going to testify why she believed that
8 her office didn't -- her -- she did not commit
9 the violation that she was charged with, does
10 she understand that?

11 INTERPRETER: It is my husband who
12 are in discussion with this, who knows about
13 the matter. Can he represent me at the
14 hearing?

15 CHAIRPERSON ANDERSON: Yes, her
16 husband can be there if she tells us that he is
17 representing her.

18 INTERPRETER: It's okay.

19 CHAIRPERSON ANDERSON: She can bring
20 anyone to the hearing to represent her, but she
21 has to tell us that this person is representing
22 her, or that this person is speaking for her,
23 but she has to tell us that.

24 INTERPRETER: Where do I appear on
25 the -- appear to the hearing?

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1 CHAIRPERSON ANDERSON: I'm sorry.

2 Where what?

3 INTERPRETER: Where do I appear --
4 where do we appear to the hearing?

5 CHAIRPERSON ANDERSON: Is this the
6 same -- on April 12th, we will send her a link
7 and she will do the hearing online, just like
8 she's doing this hearing this morning.

9 INTERPRETER: How do I let you
10 know that my husband is representing me. In a
11 letter or in an e-mail?

12 CHAIRPERSON ANDERSON: At the hearing
13 she can -- if we go to the hearing after she
14 introduce herself to say she's the owner, she
15 can tell her that she wants her husband to
16 represent her.

17 INTERPRETER: Okay.

18 CHAIRPERSON ANDERSON: Thank you.
19 Have a good day.

20 INTERPRETER: Thank you.

21 CHAIRPERSON ANDERSON: All right.
22 Thank you.

23 (Whereupon, the above-entitled
24 matter went off the record at 11:50 a.m.)

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: Kidst Lounge

Before: DC ABRA

Date: 03-22-23

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.

Neal R Gross

Court Reporter

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