

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

-----=
IN THE MATTER OF:
Privateer 4400, LLC,
t/a To Be Determined
4400 Jenifer Street NW : Protest
Retailer CT - ANC 3E : Hearing (Status)
License #119655
Case # 22-PRO-00013
(Application for a
New License)
-----=

Wednesday
April 6, 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
SIDON YOHANNES, Applicant Counsel
JONATHAN BENDER, ANC 3E

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

2 10:43 a.m.

3 CHAIRPERSON ANDERSON: We're in 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 DC  
7 Code Section 2-571 of the Open Meetings Act, OMA,  
8 I am welcoming you to regular scheduled meeting  
9 of the Alcoholic Beverage Control Board.

10 This meeting is being conducted  
11 pursuant to guidance made available the District  
12 of Columbia's Office of Open Government regarding  
13 electronic meetings held by public bodies.  
14 Electronic meetings by the ABC Board are  
15 authorized pursuant to Section 2-577(a) of the DC  
16 Code.

17 Pursuant to the OMA requirements,  
18 notice of today's meeting was provided 48 hours  
19 in advance of the meeting on ABRA's website and  
20 on the District's central meeting calendar. The  
21 notice included the time, date, agenda, and call-  
22 in or login information for public participation.

23 This electronic meeting is being  
24 hosted by a Webex account provided by the  
25 District of Columbia government. Please address

1 any questions or complaints to the OOG at  
2 opengovoffice@dc.gov.

3 My name is Donovan Anderson, I'm  
4 Chairman of the Board. I would like to introduce  
5 the other members of the ABC Board, who are also  
6 participating electronically. Please respond  
7 when I announce your name.

8 Mr. James Short.

9 MEMBER SHORT: Mr. James Short,  
10 present.

11 CHAIRPERSON ANDERSON: Mr. Bobby Cato.

12 MEMBER CATO: Bobby Cato, present.

13 CHAIRPERSON ANDERSON: Ms. Rafi  
14 Crockett.

15 MEMBER CROCKETT: Rafi Crockett,  
16 present.

17 CHAIRPERSON ANDERSON: Ms. Jeni  
18 Hansen.

19 MEMBER HANSEN: Jeni Hansen, present.

20 CHAIRPERSON ANDERSON: Mr. Edward  
21 Grandis.

22 MEMBER GRANDIS: Edward Grandis,  
23 present.

24 CHAIRPERSON ANDERSON: The Board has  
25 six members in attendance for the conduct of

1 business today, and that constitutes a quorum.

2 Before we get underway with today's  
3 hearing calendar, I need to make a few  
4 instructions very clear so that the conduct of  
5 these hearings is understood by everyone.

6 There are six cases scheduled for this  
7 morning's calendar. Once a case, it will take a  
8 moment for our IT specialist to elevate the  
9 rights for this party to enable their camera and  
10 microphone. Then and only then will you have the  
11 ability to enable your equipment. If your case  
12 is not being heard, you will remain mute and your  
13 camera will be disabled.

14 At the conclusion of each case, the  
15 parties will have the option to leave. If the  
16 party chooses to stay, all cameras and  
17 microphones from the concluded case will be  
18 disabled.

19 Should you have any questions or  
20 require technical assistance during the hearing,  
21 please submit them using the question and answer  
22 feature.

23 Our first order of business this  
24 morning is a protest hearing status, Case No. 22-  
25 PRO-00013, Privateer, 4400, LLC, Trade Name To Be

1 Determined, License No. 119655.

2 Could our IT specialist please elevate  
3 the rights of the parties in this case, please.

4 MS. FASHBAUGH: Good morning, Board  
5 members, please stand by.

6 Sidon Yohannes, your rights have been  
7 elevated. I'm unable to elevate Sidon Yohannes,  
8 but I will unmute her.

9 CHAIRPERSON ANDERSON: Thank you.

10 MS. FASHBAUGH: Jonathan Bender, your  
11 rights have been elevated.

12 That is all, Mr. Chair.

13 CHAIRPERSON ANDERSON: Thank you.

14 Ms. Yohannes, are you there? I can't  
15 see you, but are you -- are you on, online?

16 MS. FASHBAUGH: I think she's having  
17 technical difficulties because I can't unmute her  
18 or make her a panelist.

19 CHAIRPERSON ANDERSON: But -- she's in  
20 the room, is that correct?

21 MS. FASHBAUGH: That looks to be the  
22 case.

23 CHAIRPERSON ANDERSON: Ms. Yohannes,  
24 can you -- can you connect us -- contact us  
25 through the question and answer? I'm not quite

1       sure what's going on since I'm told that you are  
2       online for us to figure out how to enable your  
3       equipment.

4               All right, we're going to -- Mr.  
5       Bender, you can stay there. I'm just going to  
6       call some other cases that don't -- that don't  
7       require us to elevate the rights of any parties.  
8       And so hopefully during this period of time we'll  
9       be able to connect with Ms. Yohannes.

10              Have we heard anything from Ms.  
11       Yohannes?

12              MS. FASHBAUGH: She's left the room.

13              CHAIRPERSON ANDERSON: I just want to  
14       let the parties know that I'm going to call -- I  
15       saw something in the chat regarding Good Food  
16       Market. Yes, I will be calling the case. So I  
17       haven't passed that case, it's on the calendar.

18              I will be calling the case, but I  
19       wanted to -- since -- I called the other cases  
20       since they were penciled and we did not have to  
21       elevate the rights of any parties.

22              So I know I'll try to see -- I'll wait  
23       a couple more minutes for Ms. Yohannes to try to  
24       access the site for us to move forward. If she  
25       does not, I'll give her maybe two more minutes.

1 If she's unable, I will pass that case on and  
2 then call the other case. And then we'll try to  
3 figure out how to get her to participate.

4 What I'm going to do, Mr. Bender, I'm  
5 going to -- I'm going to call another case. I'm  
6 going to call another case that -- let me call --  
7 let me call another case, because it appears that  
8 the parties are there. And I will recall your  
9 case, okay, so I'll recall your case.

10 All right, so the next case, hopefully  
11 that -- I'm trying to find out, let me see. All  
12 right, let me -- it's my understanding our IT  
13 person is trying to get her to -- to get her back  
14 online. So let me wait a couple of minutes  
15 before I pass this case.

16 All right, I'm going to call our other  
17 case, and hopefully -- all right, so I'm going to  
18 call another case, and hopefully Ms. Yohannes  
19 will able to -- to -- we'll be able to connect  
20 her. So let me call -- so Mr. Bender, you can  
21 stay in the room. We're going to move on.

22 All right, I'm going to recall No. 22-  
23 PRO-00013, Privateer, 4400 LLC, Trade Name To  
24 Determined, License No. 119655. We do have Mr.  
25 Bender in the -- in the -- already here, and I

1 see, I believe that Ms. Yohannes, okay, thank  
2 you.

3 All right, let's have the parties  
4 introduce themselves for the record. Let's start  
5 with the representative of the licensee.

6 MS. YOHANNES: Hi, good morning, Sidon  
7 Yohannes on behalf of the licensee, and that's S-  
8 I-D-O-N Y-O-H-A-N-N-E-S.

9 CHAIRPERSON ANDERSON: Good morning,  
10 Ms. Yohannes.

11 Mr. Bender, can you please spell and  
12 state your name for the record, please.

13 MR. BENDER: Yes, good morning, Mr.  
14 Chair. My name is Jonathan Bender, J-O-N-A-T-H-  
15 A-N B-E-N-D-E-R. And I'm here representing ANC  
16 3E.

17 CHAIRPERSON ANDERSON: All right, good  
18 morning. Are there any preliminary matters that  
19 the parties would like us to address, Mr. -- Ms.  
20 Yohannes?

21 MS. YOHANNES: No, not at this time.

22 CHAIRPERSON ANDERSON: Mr. Bender?

23 MR. BENDER: I don't know if this  
24 something that the Board plays -- could play a  
25 role in, but we just had a sort of slow process



1 with settlement discussions. The parties are  
2 involved with settlement, but it's taken a long  
3 time to get responses on things.

4 And you know, just if the Board could  
5 -- I mean, this could be taken as seriously as  
6 whatever else, what other commitments the -- our  
7 other opposing party has.

8 MS. YOHANNES: I would recommend that  
9 we move forward with this matter and we can --  
10 initially we were doing -- just having settlement  
11 discussions outside of mediation. And I think a  
12 mediation needs to now be set.

13 CHAIRPERSON ANDERSON: All right, I  
14 was not aware. So we'll -- the agency will -- if  
15 mediation has not been scheduled. Because this  
16 matter is scheduled for a protest hearing on May  
17 4. If mediation has not been scheduled, I will  
18 infer that the agency scheduled a mediation  
19 session in due course.

20 The Board supports settlement, because  
21 of that, basically stated, if this matter can be  
22 settled, at least the parties can mutually agree  
23 on the terms of -- because after they send you a  
24 license, other parties can -- could mutually  
25 agree on whether on not this license will be

1 granted and what the terms are -- what the terms  
2 are.

3 I will -- I -- the Board will suggest  
4 and nudge both parties to be as responsive as  
5 possible to these matters. And I'm not saying  
6 that the other side -- and I'm not saying, Mr.  
7 Bender, that they have not been responsive,  
8 because I don't know that.

9 MR. BENDER: Understood.

10 CHAIRPERSON ANDERSON: But I'm just --  
11 but I'm just stating that for the record, we  
12 would like to parties to be responsive as ever.  
13 And I would also, because this is a new license,  
14 so therefore we're going -- we are going to have,  
15 if this matter is not settled, we are going to  
16 have a protest hearing on May 4.

17 Because for a new license we have a  
18 timeline that we have to move forward with. So  
19 we are going to move forward.

20 And so the parties, if they're -- if  
21 the parties believe that this matter can be  
22 settled prior to the hearing, then we support  
23 that, and we support the parties to do whatever  
24 that they can to ensure that there's  
25 conversation.

1           And if this matter can be settled, it  
2 will be settled. If it cannot be settled, then  
3 we'll have a hearing on May 4, 2022.

4           As I stated before, if a mediation has  
5 not been scheduled, we will -- we -- the agency  
6 will schedule a mediation session forthwith. So  
7 I'll ensure that if one has not been done, we  
8 will schedule one forthwith, and --

9           MS. YOHANNES: Just for the record to  
10 be clear that a mediation was set, but upon  
11 request from the parties it was moved or sort of  
12 -- we're awaiting a new date due the parties'  
13 intentions to just settle outside of a mediation.  
14 So that was our -- upon our request. So one was  
15 set, but now I think that one should be reset.

16           CHAIRPERSON ANDERSON: All right.  
17 Well, a mediation session was scheduled by the  
18 Board on -- for March 24.

19           MS. YOHANNES: Right.

20           CHAIRPERSON ANDERSON: As I -- I guess  
21 I've stated, Ms. Yohannes that you have stated  
22 that you've had -- you had asked to change that.  
23 So the Board -- and the Board will, the agency  
24 will schedule another mediation session. And I  
25 guess I'll, on the record, once the agency sets

1 another mediation session, will both parties  
2 attend?

3 MR. BENDER: Yes.

4 CHAIRPERSON ANDERSON: Ms. Yohannes?

5 MS. YOHANNES: Yes.

6 CHAIRPERSON ANDERSON: All right,  
7 fine. So we will -- we will schedule one and  
8 forthwith. And so the dates will be provided and  
9 we'll provide a date hopefully that works for  
10 both parties. But we will schedule one  
11 forthwith.

12 And we -- both parties have now  
13 confirmed on the record that they will attend the  
14 next mediation session that's scheduled by the  
15 Board. All right, thank you. All right --

16 MR. BENDER: Mr. Chair, just as  
17 regards the schedule, will they -- will somebody  
18 reach out to us about dates or?

19 CHAIRPERSON ANDERSON: Yes, Mr.  
20 Bender.

21 MR. BENDER: But I mean before they  
22 schedule one? Because I'm going to be away next  
23 week.

24 CHAIRPERSON ANDERSON: All right, I'm  
25 not sure is Ms. LaVerne -- I know the mediations

1 are held by -- I'm sorry, convened by LaVerne  
2 Fletcher. But I would, if there are dates that  
3 are not workable for you, please reach out to the  
4 agency.

5 I will make sure that -- I will make  
6 sure that the agency reach out with both -- to  
7 both parties and try to come up with a mutual  
8 agreeable date prior to scheduling. Because I  
9 know that because of schedule -- of scheduling  
10 conflicts. But we -- I will inform the agency to  
11 reach out to the parties before they schedule the  
12 date.

13 MR. BENDER: Thank you.

14 CHAIRPERSON ANDERSON: Both parties  
15 will be able -- all right so, yeah, we'll let Ms.  
16 Fletcher, we'll let her know that she should  
17 reach out to the parties to get dates prior to --  
18 to doing it. And all right.

19 And so that's basically where we are.  
20 So as I stated before, this matter is scheduled  
21 for a protest hearing on -- on May 4, 2022 at  
22 1:30 p.m. Ms. Fletcher will contact both parties  
23 to schedule -- to schedule the next mediation.

24 Now, are there any questions that  
25 anyone has?

1 MR. BENDER: No.

2 MS. YOHANNES: No, no questions, sir.

3 CHAIRPERSON ANDERSON: I just read the  
4 instructions regarding protest hearings. Do the  
5 parties need me to review that again?

6 MR. BENDER: No.

7 MS. YOHANNES: No.

8 CHAIRPERSON ANDERSON: All right,  
9 again, thank you very much for your participation  
10 this morning. We will schedule -- we'll schedule  
11 a mediation, and the Board supports settlement  
12 agreement. If this matter is always not settled,  
13 we will have a protest hearing on May 4, 2022 at  
14 1:30 p.m.

15 All right, thank you very much, have  
16 a great day.

17 MS. YOHANNES: Thank you.

18 MR. BENDER: Thank you, Mr. Chair,  
19 Commissioners.

20 CHAIRPERSON ANDERSON: All right,  
21 thank you. Ms. Yohannes, I'm not sure if we're  
22 going to call an afternoon case for you. I'm  
23 trying to get some clarification whether or not.  
24 I was told there's a case that you have here in  
25 the afternoon that we were trying to move, and I

1 don't know if that was confirmed.

2 MS. YOHANNES: With me or with?

3 CHAIRPERSON ANDERSON: With you, and  
4 I guess if you don't know then I assume we're not  
5 moving the case. We're not moving the afternoon  
6 case from -- we're not moving the case from the  
7 afternoon to this morning. Hold on. All right.

8 MS. YOHANNES: If the Chairman wants  
9 to give me a few minutes, we can --

10 CHAIRPERSON ANDERSON: I don't know if  
11 we've contacted the government. I don't know if  
12 the government has -- I don't -- I do not know.  
13 I thought that the parties had agreed to move the  
14 case from this afternoon to this morning. But if  
15 you're not -- if you're not aware of that, then  
16 we will have this case in the afternoon. Okay,  
17 that's fine.

18 MS. YOHANNES: Okay.

19 CHAIRPERSON ANDERSON: All right.  
20 Thank you very much. But we're going to -- I'm  
21 going to read the agenda. I'm going to now read  
22 the agenda. And so the parties, if they believe  
23 that they can move the afternoon case to this  
24 morning, then the Board will be open to doing  
25 that. Okay?

1 MS. YOHANNES: Great, thank you.

2 CHAIRPERSON ANDERSON: Thank you. All  
3 right. All right so let's now do our agenda. So  
4 that's the end of our -- I'm sorry, that is the  
5 end of our morning -- just want to make sure I've  
6 called the cases that were on our morning agenda,  
7 our morning calendar. Because those -- we're now  
8 at the end of our morning calendar.

9 (Whereupon, the above-entitled matter  
10 went off the record at 11:08 a.m.)

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25



<b>A</b>			<b>G</b>
<b>A-N</b> 8:15	8:22,23 10:7,9 12:3	<b>conflicts</b> 13:10	<b>give</b> 6:25 15:9
<b>a.m</b> 2:2 16:10	12:16,20,21 13:13	<b>connect</b> 5:24 6:9 7:19	<b>government</b> 2:12,25
<b>ABC</b> 2:14 3:5	14:1,6,18	<b>constitutes</b> 4:1	15:11,12
<b>ability</b> 4:11	<b>Beverage</b> 1:2,13 2:5,9	<b>contact</b> 5:24 13:22	<b>Grandis</b> 1:18 3:21,22
<b>able</b> 6:9 7:19,19 13:15	<b>Board</b> 1:2,13 2:5,9,14	<b>contacted</b> 15:11	3:22
<b>above-entitled</b> 16:9	3:4,5,24 5:4 8:24 9:4	<b>Control</b> 1:2,13 2:5,9	<b>granted</b> 10:1
<b>ABRA</b> 1:21	9:20 10:3 11:18,23,23	<b>convened</b> 13:1	<b>guess</b> 11:20,25 15:4
<b>ABRA's</b> 2:19	12:15 14:11 15:24	<b>conversation</b> 10:25	<b>guidance</b> 2:11
<b>access</b> 6:24	<b>Bobby</b> 1:17 3:11,12	<b>correct</b> 5:20	
<b>account</b> 2:24	<b>bodies</b> 2:13	<b>Counsel</b> 1:22	<b>H</b>
<b>Act</b> 2:7	<b>business</b> 4:1,23	<b>couple</b> 6:23 7:14	<b>Hansen</b> 1:19 3:18,19,19
<b>address</b> 2:25 8:19	<b>C</b>	<b>course</b> 9:19	<b>heard</b> 4:12 6:10
<b>advance</b> 2:19	<b>calendar</b> 2:20 4:3,7	<b>Crockett</b> 1:18 3:14,15	<b>hearing</b> 1:7 4:3,20,24
<b>afternoon</b> 14:22,25	6:17 16:7,8	3:15	9:16 10:16,22 11:3
15:5,7,14,16,23	<b>call</b> 6:6,14 7:2,5,6,6,7	<b>CT</b> 1:7	13:21 14:13
<b>agency</b> 9:14,18 11:5,23	7:16,18,20 14:22	<b>D</b>	<b>hearings</b> 4:5 14:4
11:25 13:4,6,10	<b>call-</b> 2:21	<b>date</b> 2:21 11:12 12:9	<b>held</b> 2:13 13:1
<b>agenda</b> 2:21 15:21,22	<b>called</b> 6:19 16:6	13:8,12	<b>Hi</b> 8:6
16:3,6	<b>calling</b> 6:16,18	<b>dates</b> 12:8,18 13:2,17	<b>Hold</b> 15:7
<b>agree</b> 9:22,25	<b>camera</b> 4:9,13	<b>day</b> 14:16	<b>hopefully</b> 6:8 7:10,17
<b>agreeable</b> 13:8	<b>cameras</b> 4:16	<b>DC</b> 1:21 2:6,15	7:18 12:9
<b>agreed</b> 15:13	<b>case</b> 1:8 4:7,11,14,17	<b>Determined</b> 1:6 5:1	<b>hosted</b> 2:24
<b>agreement</b> 14:12	4:24 5:3,22 6:16,17	7:24	<b>hours</b> 2:18
<b>Alcoholic</b> 1:2,13 2:5,9	6:18 7:1,2,5,6,7,9,9	<b>difficulties</b> 5:17	
<b>ALIYA</b> 1:18	7:10,15,17,18 14:22	<b>disabled</b> 4:13,18	<b>I</b>
<b>ANC</b> 1:7,22 8:15	14:24 15:5,6,6,14,16	<b>discussions</b> 9:1,11	<b>I-D-O-N</b> 8:8
<b>Anderson</b> 1:14,17 2:3	15:23	<b>District</b> 1:1 2:6,11,25	<b>included</b> 2:21
3:3,11,13,17,20,24	<b>cases</b> 4:6 6:6,19 16:6	<b>District's</b> 2:20	<b>infer</b> 9:18
5:9,13,19,23 6:13 8:9	<b>Cato</b> 1:17 3:11,12,12	<b>doing</b> 9:10 13:18 15:24	<b>inform</b> 13:10
8:17,22 9:13 10:10	<b>central</b> 2:20	<b>Donovan</b> 1:14,17 3:3	<b>information</b> 2:22
11:16,20 12:4,6,19,24	<b>Chair</b> 5:12 8:14 12:16	<b>due</b> 9:19 11:12	<b>initially</b> 9:10
13:14 14:3,8,20 15:3	14:18	<b>E</b>	<b>instructions</b> 4:4 14:4
15:10,19 16:2	<b>Chairman</b> 3:4 15:8	<b>Edward</b> 1:18 3:20,22	<b>intentions</b> 11:13
<b>announce</b> 3:7	<b>Chairperson</b> 1:14,17	<b>electronic</b> 2:13,14,23	<b>introduce</b> 3:4 8:4
<b>answer</b> 4:21 5:25	2:3,4 3:11,13,17,20	<b>electronically</b> 3:6	<b>involved</b> 9:2
<b>appears</b> 7:7	3:24 5:9,13,19,23	<b>elevate</b> 4:8 5:2,7 6:7,21	
<b>Applicant</b> 1:22	6:13 8:9,17,22 9:13	<b>elevated</b> 5:7,11	<b>J</b>
<b>Application</b> 1:9	10:10 11:16,20 12:4,6	<b>enable</b> 4:9,11 6:2	<b>J-O-N-A-T-H-</b> 8:14
<b>April</b> 1:12	12:19,24 13:14 14:3,8	<b>ensure</b> 10:24 11:7	<b>James</b> 1:19 3:8,9
<b>asked</b> 11:22	14:20 15:3,10,19 16:2	<b>equipment</b> 4:11 6:3	<b>Jeni</b> 1:19 3:17,19
<b>assistance</b> 4:20	<b>change</b> 11:22	<b>F</b>	<b>Jenifer</b> 1:7
<b>assume</b> 15:4	<b>chat</b> 6:15	<b>FASHBAUGH</b> 1:21 5:4	<b>Jonathan</b> 1:22 5:10
<b>attend</b> 12:2,13	<b>chooses</b> 4:16	5:10,16,21 6:12	8:14
<b>attendance</b> 3:25	<b>clarification</b> 14:23	<b>feature</b> 4:22	<b>JR</b> 1:17,19
<b>authorized</b> 2:15	<b>clear</b> 4:4 11:10	<b>figure</b> 6:2 7:3	<b>K</b>
<b>available</b> 2:11	<b>Code</b> 2:7,16	<b>find</b> 7:11	<b>L</b>
<b>awaiting</b> 11:12	<b>Columbia</b> 1:1 2:6,25	<b>fine</b> 12:7 15:17	<b>LaVerne</b> 12:25 13:1
<b>aware</b> 9:14 15:15	<b>Columbia's</b> 2:12	<b>first</b> 4:23	<b>leave</b> 4:15
<b>B</b>	<b>come</b> 13:7	<b>Fletcher</b> 13:2,16,22	<b>left</b> 6:12
<b>B-E-N-D-E-R</b> 8:15	<b>Commissioners</b> 14:19	<b>Food</b> 6:15	<b>let's</b> 8:3,4 16:3
<b>back</b> 7:13	<b>commitments</b> 9:6	<b>forthwith</b> 11:6,8 12:8	<b>license</b> 1:8,10 5:1 7:24
<b>basically</b> 9:21 13:19	<b>complaints</b> 3:1	12:11	9:24,25 10:13,17
<b>behalf</b> 8:7	<b>concluded</b> 4:17	<b>forward</b> 6:24 9:9 10:18	<b>licensee</b> 8:5,7
<b>believe</b> 8:1 10:21 15:22	<b>conclusion</b> 4:14	10:19	<b>LLC</b> 1:6 4:25 7:23
<b>Bender</b> 1:22 5:10 6:5	<b>conduct</b> 3:25 4:4		
7:4,20,25 8:11,13,14	<b>conducted</b> 2:10		
	<b>confirmed</b> 12:13 15:1		

login 2:22  
long 9:2  
looks 5:21

---

**M**

---

**March** 11:18  
**Market** 6:16  
**matter** 1:5 9:9,16,21  
10:15,21 11:1 13:20  
14:12 16:9  
**matters** 8:18 10:5  
**mean** 9:5 12:21  
**mediation** 9:11,12,15  
9:17,18 11:4,6,10,13  
11:17,24 12:1,14  
13:23 14:11  
**mediations** 12:25  
**meeting** 1:3 2:8,10,18  
2:19,20,23  
**meetings** 2:7,13,14  
**Member** 1:17,18,18,19  
1:19 3:9,12,15,19,22  
**members** 3:5,25 5:5  
**met** 1:14  
**microphone** 4:10  
**microphones** 4:17  
**minutes** 6:23,25 7:14  
15:9  
**moment** 4:8  
**morning** 2:4 4:24 5:4  
8:6,9,13,18 14:10  
15:7,14,24 16:5,6,7,8  
**morning's** 4:7  
**move** 6:24 7:21 9:9  
10:18,19 14:25 15:13  
15:23  
**moved** 11:11  
**moving** 15:5,5,6  
**mute** 4:12  
**mutual** 13:7  
**mutually** 9:22,24

---

**N**

---

**name** 3:3,7 4:25 7:23  
8:12,14  
**need** 4:3 14:5  
**needs** 9:12  
**new** 1:10 10:13,17  
11:12  
**notice** 2:18,21  
**nudge** 10:4  
**NW** 1:7

---

**O**

---

**Office** 2:12  
**OMA** 2:7,17  
**once** 4:7 11:25  
**online** 5:15 6:2 7:14

**OOG** 3:1  
**open** 2:7,12 15:24  
**opengovoffice@dc.g...**  
3:2  
**opposing** 9:7  
**option** 4:15  
**order** 4:23  
**outside** 9:11 11:13

---

**P**

---

**P-R-O-C-E-E-D-I-N-G-S**  
2:1  
**p.m** 13:22 14:14  
**panelist** 5:18  
**participate** 7:3  
**participating** 3:6  
**participation** 2:22 14:9  
**parties** 4:15 5:3 6:7,14  
6:21 7:8 8:3,19 9:1,22  
9:24 10:4,12,20,21,23  
11:11 12:1,10,12 13:7  
13:11,14,17,22 14:5  
15:13,22  
**parties'** 11:12  
**party** 4:9,16 9:7  
**pass** 7:1,15  
**passed** 6:17  
**penciled** 6:20  
**period** 6:8  
**person** 7:13  
**play** 8:24  
**plays** 8:24  
**please** 2:25 3:6 4:21 5:2  
5:3,5 8:11,12 13:3  
**possible** 10:5  
**preliminary** 8:18  
**present** 1:16,20 3:10,12  
3:16,19,23  
**presiding** 1:14  
**prior** 10:22 13:8,17  
**Privateer** 1:6 4:25 7:23  
**PRO-00013** 4:25 7:23  
**process** 8:25  
**protest** 1:7 4:24 9:16  
10:16 13:21 14:4,13  
**provide** 12:9  
**provided** 2:18,24 12:8  
**public** 2:13,22  
**pursuant** 2:11,15,17

---

**Q**

---

**question** 4:21 5:25  
**questions** 3:1 4:19  
13:24 14:2  
**quite** 5:25  
**quorum** 4:1

---

**R**

---

**Rafi** 1:18 3:13,15  
**reach** 12:18 13:3,6,11  
13:17  
**read** 14:3 15:21,21  
**recall** 7:8,9,22  
**recommend** 9:8  
**record** 2:4 8:4,12 10:11  
11:9,25 12:13 16:10  
**regarding** 2:12 6:15  
14:4  
**regards** 12:17  
**regular** 2:8  
**remain** 4:12  
**representative** 8:5  
**representing** 8:15  
**request** 11:11,14  
**require** 4:20 6:7  
**requirements** 2:17  
**reset** 11:15  
**respond** 3:6  
**responses** 9:3  
**responsive** 10:4,7,12  
**Retailer** 1:7  
**review** 14:5  
**rights** 4:9 5:3,6,11 6:7  
6:21  
**role** 8:25  
**room** 5:20 6:12 7:21

---

**S**

---

**S** 1:18  
**S-** 8:7  
**SARAH** 1:21  
**saw** 6:15  
**saying** 10:5,6  
**schedule** 11:6,8,24  
12:7,10,17,22 13:9,11  
13:23,23 14:10,10  
**scheduled** 2:8 4:6 9:15  
9:16,17,18 11:5,17  
12:14 13:20  
**scheduling** 13:8,9  
**Section** 2:7,15  
**send** 9:23  
**seriously** 9:5  
**session** 9:19 11:6,17  
11:24 12:1,14  
**set** 9:12 11:10,15  
**sets** 11:25  
**settle** 11:13  
**settled** 9:22 10:15,22  
11:1,2,2 14:12  
**settlement** 9:1,2,10,20  
14:11  
**Short** 1:19 3:8,9,9  
**side** 10:6  
**Sidon** 1:22 5:6,7 8:6  
**sir** 14:2

**site** 6:24  
**six** 3:25 4:6  
**slow** 8:25  
**somebody** 12:17  
**sorry** 13:1 16:4  
**sort** 8:25 11:11  
**specialist** 4:8 5:2  
**spell** 8:11  
**Staff** 1:21  
**stand** 5:5  
**start** 8:4  
**state** 8:12  
**stated** 9:21 11:4,21,21  
13:20  
**stating** 10:11  
**status** 1:7 4:24  
**stay** 4:16 6:5 7:21  
**Street** 1:7  
**submit** 4:21  
**suggest** 10:3  
**support** 10:22,23  
**supports** 9:20 14:11

---

**T**

---

**t/a** 1:6  
**taken** 9:2,5  
**technical** 4:20 5:17  
**terms** 9:23 10:1,1  
**thank** 5:9,13 8:1 12:15  
13:13 14:9,15,17,18  
14:21 15:20 16:1,2  
**things** 9:3  
**thought** 15:13  
**timeline** 10:18  
**today** 4:1  
**today's** 2:18 4:2  
**told** 6:1 14:24  
**Trade** 4:25 7:23  
**try** 6:22,23 7:2 13:7  
**trying** 7:11,13 14:23,25  
**two** 6:25

---

**U**

---

**unable** 5:7 7:1  
**understanding** 7:12  
**understood** 4:5 10:9  
**underway** 4:2  
**unmute** 5:8,17

---

**V**

---

**videoconference** 1:14

---

**W**

---

**W** 1:14,17  
**wait** 6:22 7:14  
**wanted** 6:19  
**wants** 15:8  
**WebEx** 1:14 2:24

**website** 2:19  
**Wednesday** 1:11  
**week** 12:23  
**welcoming** 2:8  
**went** 16:10  
**words** 12:9  
**workable** 13:3

---

**X**

---

---

**Y**

---

**Y-O-H-A-N-N-E-S** 8:8  
**Yohannes** 1:22 5:6,7,14  
5:23 6:9,11,23 7:18  
8:1,6,7,10,20,21 9:8  
11:9,19,21 12:4,5  
14:2,7,17,21 15:2,8  
15:18 16:1

---

**Z**

---

---

**0**

---

---

**1**

---

**1:30** 13:22 14:14  
**10:43** 2:2  
**11:08** 16:10  
**119655** 1:8 5:1 7:24

---

**2**

---

**2-571** 2:7  
**2-577(a)** 2:15  
**2022** 1:12 11:3 13:21  
14:13  
**22-** 4:24 7:22  
**22-PRO-00013** 1:8  
**24** 11:18

---

**3**

---

**3E** 1:7,22 8:16

---

**4**

---

**4** 9:17 10:16 11:3 13:21  
14:13  
**4400** 1:6,7 4:25 7:23  
**48** 2:18

---

**5**

---

---

**6**

---

**6** 1:12

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Privateer

Before: DC ABRA

Date: 04-06-22

Place: teleconference

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

*Neal R Gross*

-----  
Court Reporter

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701