

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

2 10:31 a.m.

3 MS. FLETCHER: The next case on the
4 calendar is Green Theory. This is Case No. 24-
5 PRO-00033, Sequential, LLC, 4828 MacArthur
6 Boulevard, N.W., first floor, License No. ABRA-
7 126813. This is a Retailer Class MC for a new
8 medical cannabis application.

9 My name is LaVerne Fletcher conducting
10 the roll call hearing as the board's agent. The
11 protest issues in this case are adverse impact on
12 peace, order, and quiet. Is anyone here on
13 behalf of the establishment, on behalf of Green
14 Theory?

15 MR. CRANDALL: Hi. I'm here.
16 Jonathan Crandall, owner of Green Theory. J-O-N-
17 A-T-H-A-N, C-R-A-N-D-A-L-L.

18 MS. FLETCHER: Thank you, Mr.
19 Crandall. We have a group of five or more. Who
20 is the designated representative for this group?
21 Is that person present?

22 MS. ADAMS: Hey, Ms. Fletcher. My
23 name is Christina Adams. I believe Caroline
24 Wolverton, who is our designated representative,
25 provided my name and information to you. I'm

1 here today on behalf of Ms. Wolverton and the
2 five-plus protestants.

3 MS. FLETCHER: Okay. Christina, could
4 you spell your name for the record, please?

5 MS. ADAMS: Sure. It's C-H-R-I-S-T-I-
6 N-A, and the last name is Adams, A-D-A-M-S.

7 MS. FLETCHER: Okay. Thank you very
8 much. There are other members of the group
9 present today?

10 MS. ADAMS: Correct. We also have,
11 and, if you need them to speak, they can, but I
12 see them on the WebEx. We have Christina
13 Muedeking --

14 MS. FLETCHER: Ms. Adams, give me one
15 second. I see somebody's hand raised.

16 (Whereupon, the above-entitled matter
17 went off the record at 10:33 a.m. and then went
18 back on the record at 10:34 a.m.)

19 MS. FLETCHER: I'm going to recall the
20 case of Green Theory and pick up where I left off
21 with Christina Adams. You were about to tell me
22 that there are some other people present from
23 your group. If you would have those individuals
24 state their names and spell them for the record,
25 please.

1 MS. ADAMS: Sure. Christina Muedeking
2 Christina, are you prepared to state your name
3 for the record?

4 MS. MUEDEKING: Certainly. Christina,
5 C-H-R-I-S-T-I-N-A, last name, M, as in Mary, U-E-
6 D-E-K-I-N-G.

7 MS. FLETCHER: Thank you.

8 MS. ADAMS: Okay. And next we have
9 John Fagan. John, are you prepared to state your
10 name for the record?

11 MR. FAGAN: Yes. John Fagan, spelling
12 J-O-H-N, F, as in France, A-G-A-N. Thank you.

13 MS. FLETCHER: Thank you.

14 MS. ADAMS: Thank you. Next, we have
15 Lucy Martinez Sullivan.

16 MS. FLETCHER: Lucy, spell your name
17 for the record, please.

18 MS. ADAMS: Okay. If Lucy is not
19 prepared right now, I'll move on to our next --

20 MS. FLETCHER: But, Ms. Adams, she is
21 present, though?

22 MS. ADAMS: She is. Absolutely. I
23 show her right here on the WebEx. I can spell
24 her name --

25 MS. FLETCHER: So what's her name

1 again?

2 MS. ADAMS: It's Lucy, L-U-C-Y, and
3 Martinez, M-A-R-T-I-N-E-Z, Sullivan, S-U-L-L-I-V-
4 A-N.

5 MS. FLETCHER: Okay. Thank you.

6 MS. ADAMS: Okay. And then next we
7 have Sarah Shaw.

8 MS. SHAW: Hi. Sarah Shaw, S-A-R-A-H,
9 S-H-A-W.

10 MS. FLETCHER: Thank you, Ms. Shaw.

11 MS. ADAMS: Okay. And then next we
12 have Michelle Fagan.

13 MS. FAGAN: Hi. I'm Michelle Fagan,
14 and that is spelled M-I-C-H-E-L-L-E, F, as in
15 Frank, A-G-A-N, as in Nancy.

16 MS. FLETCHER: Thank you.

17 MS. FAGAN: Thank you.

18 MS. ADAMS: And we also have Maya
19 Salameh. Maya?

20 MS. FLETCHER: Ms. Sullivan, are you
21 going to state your name and spell it for the
22 record?

23 MS. ADAMS: I'm sorry, Ms. Fletcher.
24 I'm actually referring to another member now.
25 Her name is Maya Salameh, and I can spell her

1 name for you. She is in attendance.

2 MS. FLETCHER: Okay. I'm ready.

3 MS. ADAMS: Okay. It's Maya, M-A-Y-A.

4 And her last name is S-A-L-A-M-E-H.

5 MS. FLETCHER: S-A?

6 MS. ADAMS: L-A-M-E-H.

7 MS. FLETCHER: Thank you.

8 MS. ADAMS: Great. Thank you.

9 MS. FLETCHER: Anyone else, Ms. Adams?

10 MS. ADAMS: Well, we have other people

11 from our group. Their names are not on the
12 protest letter, but I'm happy to introduce them.

13 MS. FLETCHER: Did they sign the
14 protect letter?

15 MS. ADAMS: No.

16 MS. FLETCHER: Okay. There's no need
17 for them to introduce themselves.

18 MS. ADAMS: Great.

19 MS. FLETCHER: But everybody that
20 signed the protest letter has been introduced?

21 MS. ADAMS: Well, we don't have all
22 present, but we have at least five, so we have --

23 MS. FLETCHER: So for the record that
24 we're trying to create, Ms. Adams, we're trying
25 to create a record to reflect everyone who is

1 present today. But the individuals who did not
2 sign the protest letters, we don't need to know
3 their names. But if there's anybody here today
4 that signed the protest letter, you or they can
5 tell me who they are.

6 MS. ADAMS: Sure. No, I've explained
7 to you all the names who have signed the letter.

8 MS. FLETCHER: Okay.

9 MS. ADAMS: Sure.

10 MS. FLETCHER: Thank you. Ms. Adams,
11 will you be the designated representative from
12 this point going forward, or will it still be
13 Caroline Wolverton?

14 MS. ADAMS: It will still be Caroline
15 Wolverton. I'm here today on her behalf because
16 she could not make the meeting. But she is the
17 designated representative.

18 MS. FLETCHER: I'm going to spell her
19 name for the record. What I have is Caroline, C-
20 A-R-O-L-I-N-E, Wolverton, which is W-O-L-V-E-R-T-
21 O-N; is that correct?

22 MS. ADAMS: It is. Thank you.

23 MS. FLETCHER: Thank you. So, Ms.
24 Adams, you've heard what happened in the prior
25 cases related to who can be a protestant. I'm

1 going to restate it here because each record has
2 to be individual.

3 At the present time, only advisory
4 neighborhood commissions can file protests, which
5 means that the group of five or more is
6 dismissed. I have the code for you to reference,
7 and I have the name of the assistant general
8 counsel in our office if you have any additional
9 questions about that.

10 MS. ADAMS: Ms. Fletcher, I do have a
11 question about process. You had noted that the
12 group of five is dismissed. Is this something
13 that the ABC board voted on previously?

14 MS. FLETCHER: It's a regulation.
15 It's a regulation. It's gone through the city
16 council. It's not the most recent; there are
17 other regulations. So, no, it's not just
18 something that the board voted on.

19 MS. ADAMS: Okay. But did the board
20 vote on it at all to dismiss us as protestants?
21 I'm just trying to understand --

22 MS. FLETCHER: So I am the board's
23 agent. I am the board's agent, so I am making
24 this decision on behalf of the board. And so the
25 protest is dismissed, but you will be able to

1 petition the board for reinstatement, if you
2 would like, upon receipt of the board order. But
3 as the board's agent, I am making the decision on
4 behalf of the board today.

5 MS. ADAMS: Okay. So you're making
6 the decision. That's what I was trying to figure
7 out is who at ABC made the decision that we were
8 not protestants.

9 MS. FLETCHER: That would be the
10 board's agent, but, upon the issuance of the
11 board order dismissing the protest for the
12 reasons that I stated, you would petition the
13 board for reconsideration of the decision made
14 today that the board would vote on.

15 MS. ADAMS: Okay. And you had
16 mentioned the D.C. Council legislation.

17 MS. FLETCHER: Yes, that's the D.C.
18 Official Code that I referenced earlier, which
19 I'm going to give to you. It's on our website.
20 You can look it up.

21 MS. ADAMS: Okay. Could you just
22 state it for the record? Sorry.

23 MS. FLETCHER: Sure. I'm ready. Are
24 you ready?

25 MS. ADAMS: I am.

1 MS. FLETCHER: Okay. That's going to
2 be D.C. Official Code 7-1671 -- I'm sorry. It's
3 not a dash. It's 7-1671.05. I'm sorry.

4 MS. ADAMS: Okay.

5 MS. FLETCHER: That's Section 18(c).
6 Ms. Adams, did you need me to state that code
7 again? I stated it over again. I'm not sure if
8 you got it.

9 MS. ADAMS: I think I have it. Is it
10 7-1671.05?

11 MS. FLETCHER: Yes.

12 MS. ADAMS: Section 18(c).

13 MS. FLETCHER: Okay. You got it.
14 Thank you.

15 MS. ADAMS: So if I could, Ms.
16 Fletcher, because I know this is for the record,
17 I looked at this code, and we will bring it to
18 the attention of Mr. Berman and the board, but I
19 think it's important to note for the record that
20 there is nothing in the legislation that
21 prohibits ABCA from giving D.C. residents the
22 right to protest cannabis applications. So I
23 know you're the agent and --

24 MS. FLETCHER: Actually, there is,
25 there is. When you speak with Jonathan Berman,

1 you can get additional information. There is.

2 Did you write down Section 18(c), as well?

3 MS. ADAMS: I did. And that prohibits
4 ABCA from giving the same protest rights to D.C.
5 residents?

6 MS. FLETCHER: So there are different
7 regulations and different places. There have
8 been some emergency legislation, so this is sort
9 of evolving. But at the present time, only
10 advisory neighborhood commissions can file a
11 protest. When you contact Jonathan Berman, he
12 can provide you with additional information, but,
13 if you look at Section 18(c) of the code that you
14 just wrote, you will see it. You will see a
15 reference to it.

16 MS. ADAMS: We'll follow up with the
17 board and Mr. Berman.

18 MS. FLETCHER: Yes. So he can provide
19 you with some additional information and maybe
20 even some additional citations related to that,
21 but, at the present time, only ANCs can file a
22 protest. I know it's not easy to find in the
23 regulation, but it's there.

24 MS. ADAMS: No, we actually found --
25 so we're familiar with the D.C. Code and we're

1 familiar with the ABCA regulations, and our point
2 is that the D.C. Code gives ABCA, it says you can
3 set up the protest framework to involve ANCs, but
4 it does not prohibit ABCA from giving protest
5 rights to D.C. residents, which have been done
6 for alcohol applicants.

7 And so I just want to say for the
8 record, which, again, we'll follow up with Mr.
9 Berman, that there is nothing prohibiting ABCA
10 from giving protest rights to D.C. residents.

11 MS. FLETCHER: And I understand 100
12 percent what you're saying.

13 MS. ADAMS: Okay.

14 MS. FLETCHER: And when you, if you
15 decide to seek reinstatement of your protest, you
16 can make that point to the ABC Board. I do
17 understand what you're saying.

18 MS. ADAMS: Thank you, Ms. Fletcher.

19 MS. FLETCHER: You're very welcome.
20 Does any other member of the group have any
21 questions or concerns? Okay.

22 Mr. Crandall, do you have any
23 questions?

24 MR. CRANDALL: I do not.

25 MS. FLETCHER: Okay. Well, if there's

1 no one else here I need to speak with -- I see a
2 lot of names or initials here. I just want to
3 make sure before I conclude for today that
4 there's no one else that needs to speak with me
5 about anything.

6 Ms. Adams, if there are no more
7 questions from you and there are no more from Mr.
8 Crandall, I'll go ahead and conclude the roll
9 call hearing in the matter of Green Theory.

10 MS. ADAMS: So before you do, I just
11 want to confirm next steps. So our next step is
12 that we can appeal this to the ABC Board and to
13 the general counsel. I just want to make sure.

14 MS. FLETCHER: So the next step is
15 that the board will issue an order dismissing the
16 protest because only ANCs can file a protest at
17 the present time. When you receive that board
18 order, it will tell you that you have ten days
19 from the date of receipt of the order to request
20 reinstatement of the protest if you would like to
21 do that.

22 MS. ADAMS: Okay. Great. Thank you
23 so much.

24 MS. FLETCHER: You're very welcome.
25 Anything else, Ms. Adams?

1 MS. ADAMS: I don't believe so. Thank
2 you.

3 MS. FLETCHER: Okay. Well, thank you
4 for coming and thank everyone for coming today.

5 MS. ADAMS: Thank you.

6 MS. FLETCHER: We'll see what happens
7 next. Okay. I'll conclude the roll call hearing
8 in the matter of Green Theory. Have a nice day,
9 everyone.

10 MS. ADAMS: Thank you. You, too.

11 MS. FLETCHER: Thank you.

12 (Whereupon, the above-entitled matter
13 went off the record at 10:47 a.m.)

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This is to certify that the foregoing transcript

In the matter of: Green Theory

Before: DC ABCA

Date: 04-08-24

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.



Court Reporter

NEAL R. GROSS

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