

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

-----=  
 IN THE MATTER OF:                   :  
   :  
 Your District Space, LLC           :  
 t/a District Space                   :  
 3622 12th Street NE               :  
 Retailer Caterer - ANC CB:  
 License No. 102051                 :  
 Case #21-CMP-00012                :  
   :  
 (No ABC Manager on                 :  
 Duty, Stored Alcoholic             :  
 Beverages in the                   :  
 District of Columbia               :  
 Without Board Approval,           :  
 Failed to Provide Food             :  
 at an Event, Operated             :  
 without a copy of the               :  
 Caterer's License,                  :  
 Transfer of Ownership              :  
 Without Board's Approval):  
 -----=

Wednesday

April 27, 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  
 ANTHONY CELO, DC OAG  
 DMAZANA LUMUKANDA, Respondent

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

2 11:00 a.m.

3 CHAIRPERSON ANDERSON: The next case  
4 on our calendar is Case No. 21-CMP-00079,  
5 District Space, License No. 112204.

6 Ms. Fashbaugh, can you please elevate  
7 the rights of the Licensee in this case?

8 MS. FASHBAUGH: Please stand by.  
9 Dmazana Lumukanda, your rights have been  
10 elevated. That is all, Mr. Chair.

11 CHAIRPERSON ANDERSON: Thank you.

12 MR. LUMUKANDA: Good morning. Dmazana  
13 Lumukanda here.

14 CHAIRPERSON ANDERSON: Dmazana, do you  
15 have a camera?

16 MR. LUMUKANDA: Yes, sir.

17 CHAIRPERSON ANDERSON: Can you please  
18 -- your rights have been elevated. So can you  
19 turn your camera so I can see you, sir?

20 MR. LUMUKANDA: Okay.

21 CHAIRPERSON ANDERSON: Good morning.  
22 Mr. Celo, can you please identify yourself for  
23 the record, please?

24 MR. CELO: District Attorney General  
25 Anthony Celo, A-N-T-H-O-N-Y, C-E-L-O, on behalf

1 of the Government.

2 CHAIRPERSON ANDERSON: Mr. Lumukanda,  
3 can you please spell and state your name for the  
4 record? And who do you represent, sir?

5 MR. LUMUKANDA: Sure. Dmazana  
6 Lumukanda, D-M-A-Z-A-N-A, last name is Lumukanda,  
7 L-U-M-U-K-A-N-D-A, on behalf of the Licensee as  
8 agent and also as prospective owner for Your  
9 District Space.

10 CHAIRPERSON ANDERSON: Mr. Celo, are  
11 there any preliminary matters in this case?

12 MR. CELO: Yes, Mr. Chair. I would  
13 note for the Board that an offer in compromise  
14 has been presented. We are in negotiations  
15 concerning the same. And at this time, it does  
16 look like there is a decent chance that we will  
17 be able to resolve this in advance of the show  
18 cause hearing.

19 CHAIRPERSON ANDERSON: All right.  
20 Thank you for the representation, sir.

21 This matter is then scheduled for a  
22 show cause hearing on May 11, 2022 at 1:30 p.m.  
23 If the parties are unable to reach a settlement,  
24 if an OIC, if the parties are unable to agree on  
25 an OIC, then seven days before the hearing each

1 side are required to provide the Agency with a  
2 disclosure notice that discloses to each other  
3 and to the Agency the witnesses and documents  
4 that they will rely on if this matter goes to a  
5 hearing on May 11, 2022 at 1:30 p.m.

6 However, as I am being told, the  
7 representation of the parties, they believe that  
8 this matter will be settled. If the parties  
9 settle the matter before, we can have a paper OIC  
10 that both parties have signed off on. It is  
11 presented to the Agency. And the Board will vote  
12 on it in its, on its Legal Agenda.

13 Do you have any representation you  
14 want to make, Mr. Lumukanda, before we (audio  
15 interference) this case?

16 MR. LUMUKANDA: Yes, sir. I would  
17 actually like to request a continuance on that  
18 particular date. Is that possible now during  
19 this open forum?

20 CHAIRPERSON ANDERSON: Well, yes, you  
21 can if you're saying, if you believe that this  
22 matter will not be settled before that date. The  
23 representation from Mr. Celo is that he believes  
24 that the matter will be settled, and we're not  
25 going to have that hearing.

1                   But if the parties are unable to meet  
2                   on May 11, 2022, we would ask that a joint  
3                   motion, you and Mr. -- is this your case, Mr.  
4                   Celo?

5                   MR. CELO: Yes, Mr. Chair.

6                   CHAIRPERSON ANDERSON: Then you and  
7                   Mr. Celo can communicate. And if you guys, if  
8                   the parties can bring a motion to the Agency to  
9                   continue this matter, then the Board will  
10                  consider the motion.

11                  But your representation at this  
12                  juncture, you're saying that if it goes to a  
13                  hearing you're not available, then it's more  
14                  likely than not that the Board will grant the  
15                  request for the extension.

16                  MR. LUMUKANDA: Yes, sir. I just know  
17                  for a fact that I will be out of the country on  
18                  that particular date. But we will more than  
19                  likely resolve it prior to that.

20                  CHAIRPERSON ANDERSON: Right. If the  
21                  parties are unable to, I'm sorry, if the parties  
22                  are unable to resolve this matter prior to the  
23                  date, your representation here, hopefully, you  
24                  and Mr. Celo could agree to a joint continuance,  
25                  then the Board will favorably look on that

1 motion.

2 So, like I said before, if you're  
3 unable to agree to an OIC and if, since you have  
4 told us that you are not available that date, if  
5 either yourself or Mr. Celo, if a motion comes to  
6 the Board for a continuance, we will grant it.

7 Okay?

8 MR. LUMUKANDA: Thank you, sir.

9 CHAIRPERSON ANDERSON: All right. So,  
10 remember, you have to make a request in -- I  
11 can't give you a date currently. But I'll ask  
12 you to, if it's not going to settle, put  
13 something in writing to the Agency and we will  
14 favorably consider that. Okay?

15 MR. LUMUKANDA: Yes, sir.

16 CHAIRPERSON ANDERSON: All right.  
17 Thank you very much. Hold on. Hold on one  
18 minute. Hold on one minute, please. All right.  
19 Thank you. Just contact legal and we will  
20 favorably consider that because of your  
21 unavailability. All right. But good luck in  
22 your negotiation. All right.

23 MR. LUMUKANDA: Thank you, sir.

24 CHAIRPERSON ANDERSON: Thank you.  
25 Have a great day.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

(Whereupon, the above-entitled matter  
went off the record at 11:05 a.m.)

<b>A</b>	<p>chance 3:16  <b>Columbia</b> 1:1,10  <b>comes</b> 6:5  <b>communicate</b> 5:7  <b>compromise</b> 3:13  <b>concerning</b> 3:15  <b>consider</b> 5:10 6:14,20  <b>contact</b> 6:19  <b>continuance</b> 4:17 5:24 6:6  <b>continue</b> 5:9  <b>Control</b> 1:2,17  <b>copy</b> 1:12  <b>country</b> 5:17  <b>CROCKETT</b> 1:20  <b>currently</b> 6:11</p>	<b>H</b>	<p><b>HANSEN</b> 1:21  <b>hearing</b> 3:18,22,25 4:5 4:25 5:13  <b>Hold</b> 6:17,17,18  <b>hopefully</b> 5:23</p>	<p><b>offer</b> 3:13  <b>OIC</b> 3:24,25 4:9 6:3  <b>open</b> 4:19  <b>Operated</b> 1:12  <b>owner</b> 3:8  <b>Ownership</b> 1:13</p>
<b>B</b>	<b>D</b>	<b>I</b>	<b>P</b>	
<p><b>ABRA</b> 1:23  <b>advance</b> 3:17  <b>Agency</b> 4:1,3,11 5:8 6:13  <b>Agenda</b> 4:12  <b>agent</b> 3:8  <b>agree</b> 3:24 5:24 6:3  <b>Alcoholic</b> 1:2,9,17  <b>ALIYA</b> 1:20  <b>ANC</b> 1:7  <b>Anderson</b> 1:18,19 2:3 2:11,14,17,21 3:2,10 3:19 4:20 5:6,20 6:9 6:16,24  <b>Anthony</b> 1:24 2:25  <b>Approval</b> 1:11,14  <b>April</b> 1:16  <b>Attorney</b> 2:24  <b>audio</b> 4:14  <b>available</b> 5:13 6:4</p>	<p><b>D-M-A-Z-A-N-A</b> 3:6  <b>date</b> 4:18,22 5:18,23 6:4,11  <b>day</b> 6:25  <b>days</b> 3:25  <b>DC</b> 1:23,24  <b>decent</b> 3:16  <b>discloses</b> 4:2  <b>disclosure</b> 4:2  <b>District</b> 1:1,5,6,10 2:5 2:24 3:9  <b>Dmazana</b> 1:24 2:9,12 2:14 3:5  <b>documents</b> 4:3  <b>Donovan</b> 1:18,19  <b>Duty</b> 1:9</p>	<p><b>identify</b> 2:22  <b>interference</b> 4:15</p>	<p><b>P-R-O-C-E-E-D-I-N-G-S</b> 2:1  <b>p.m</b> 3:22 4:5  <b>paper</b> 4:9  <b>particular</b> 4:18 5:18  <b>parties</b> 3:23,24 4:7,8,10 5:1,8,21,21  <b>please</b> 2:6,8,17,22,23 3:3 6:18  <b>possible</b> 4:18  <b>preliminary</b> 3:11  <b>PRESENT</b> 1:19,23  <b>presented</b> 3:14 4:11  <b>presiding</b> 1:18  <b>prior</b> 5:19,22  <b>prospective</b> 3:8  <b>provide</b> 1:11 4:1  <b>put</b> 6:12</p>	
<b>C</b>	<b>E</b>	<b>J</b>	<b>R</b>	
<p><b>C-E-L-O</b> 2:25  <b>calendar</b> 2:4  <b>camera</b> 2:15,19  <b>case</b> 1:8 2:3,4,7 3:11 4:15 5:3  <b>Caterer</b> 1:7  <b>Caterer's</b> 1:13  <b>CATO</b> 1:20  <b>cause</b> 3:18,22  <b>CB</b> 1:7  <b>Celo</b> 1:24 2:22,24,25 3:10,12 4:23 5:4,5,7 5:24 6:5  <b>Chair</b> 2:10 3:12 5:5  <b>Chairperson</b> 1:17,19 2:3,11,14,17,21 3:2 3:10,19 4:20 5:6,20 6:9,16,24</p>	<p><b>EDWARD</b> 1:21  <b>either</b> 6:5  <b>elevate</b> 2:6  <b>elevated</b> 2:10,18  <b>Event</b> 1:12  <b>extension</b> 5:15</p>	<p><b>JAMES</b> 1:22  <b>JENI</b> 1:21  <b>joint</b> 5:2,24  <b>JR</b> 1:20,22  <b>junction</b> 5:12</p>	<p><b>RAF</b> 1:20  <b>reach</b> 3:23  <b>record</b> 2:23 3:4 7:2  <b>rely</b> 4:4  <b>remember</b> 6:10  <b>represent</b> 3:4  <b>representation</b> 3:20 4:7 4:13,23 5:11,23  <b>request</b> 4:17 5:15 6:10  <b>required</b> 4:1  <b>resolve</b> 3:17 5:19,22  <b>Respondent</b> 1:24  <b>Retailer</b> 1:7  <b>rights</b> 2:7,9,18</p>	
<b>F</b>	<b>G</b>	<b>K</b>	<b>S</b>	
<p><b>fact</b> 5:17  <b>Failed</b> 1:11  <b>Fashbaugh</b> 1:23 2:6,8  <b>favorably</b> 5:25 6:14,20  <b>Food</b> 1:11  <b>forum</b> 4:19</p>	<p><b>General</b> 2:24  <b>give</b> 6:11  <b>Government</b> 3:1  <b>GRANDIS</b> 1:21  <b>grant</b> 5:14 6:6</p>	<p><b>L-U-M-U-K-A-N-D-A</b> 3:7  <b>legal</b> 4:12 6:19  <b>License</b> 1:7,13 2:5  <b>Licensee</b> 2:7 3:7  <b>LLC</b> 1:5  <b>look</b> 3:16 5:25  <b>luck</b> 6:21  <b>Lumukanda</b> 1:24 2:9,12 2:13,16,20 3:2,5,6,6 4:14,16 5:16 6:8,15 6:23</p>	<p><b>S</b> 1:21  <b>SARAH</b> 1:23  <b>saying</b> 4:21 5:12  <b>scheduled</b> 3:21  <b>settle</b> 4:9 6:12  <b>settled</b> 4:8,22,24  <b>settlement</b> 3:23  <b>seven</b> 3:25  <b>SHORT</b> 1:22  <b>show</b> 3:17,22  <b>side</b> 4:1  <b>signed</b> 4:10</p>	
<b>M</b>	<b>N</b>	<b>L</b>	<b>O</b>	
<p><b>Manager</b> 1:9  <b>matter</b> 1:4 3:21 4:4,8,9 4:22,24 5:9,22 7:1  <b>matters</b> 3:11  <b>meet</b> 5:1  <b>MEETING</b> 1:3  <b>Member</b> 1:20,20,21,21 1:22  <b>met</b> 1:17  <b>minute</b> 6:18,18  <b>morning</b> 2:12,21  <b>motion</b> 5:3,8,10 6:1,5</p>	<p><b>name</b> 3:3,6  <b>NE</b> 1:6  <b>negotiation</b> 6:22  <b>negotiations</b> 3:14  <b>note</b> 3:13  <b>notice</b> 4:2</p>	<p><b>look</b> 3:16 5:25  <b>luck</b> 6:21  <b>Lumukanda</b> 1:24 2:9,12 2:13,16,20 3:2,5,6,6 4:14,16 5:16 6:8,15 6:23</p>	<p><b>OAG</b> 1:24</p>	



**sir** 2:16,19 3:4,20 4:16  
5:16 6:8,15,23  
**sorry** 5:21  
**Space** 1:5,6 2:5 3:9  
**spell** 3:3  
**Staff** 1:23  
**stand** 2:8  
**state** 3:3  
**Stored** 1:9  
**Street** 1:6

**3**  
**3622** 1:6

**T**

**t/a** 1:6  
**Thank** 2:11 3:20 6:8,17  
6:19,23,24  
**told** 4:6 6:4  
**Transfer** 1:13  
**turn** 2:19

**U**

**unable** 3:23,24 5:1,21  
5:22 6:3  
**unavailability** 6:21

**V**

**videoconference** 1:17  
**vote** 4:11

**W**

**W** 1:18,19  
**WebEx** 1:17  
**Wednesday** 1:15  
**went** 7:2  
**witnesses** 4:3  
**writing** 6:13

**X**

**Y**

**Z**

**0**

**1**

**1:30** 3:22 4:5  
**102051** 1:7  
**11** 3:22 4:5 5:2  
**11:00** 2:2  
**11:05** 7:2  
**112204** 2:5  
**12th** 1:6

**2**

**2022** 1:16 3:22 4:5 5:2  
**21-CMP-00012** 1:8  
**21-CMP-00079** 2:4  
**27** 1:16

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: District Space

Before: DC ABRA

Date: 04-27-22

Place: teleconference

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



-----  
Court Reporter

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701