

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE AND CANNABIS BOARD
+ + + + +
MEETING

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IN THE MATTER OF:
Rosebud Liquor, Inc.,
t/a Rosebud Liquor
1700 17th Street NW
License #60751 : Protest Hearing
Retailer A - ANC 2B
Case #23-PRO-00032
(Transfer Application
from 1711 17th Street NW
to 1700 17th Street NW)
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Wednesday
May 24, 2023

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

PRESENT:

- DONOVAN W. ANDERSON, Chairperson
BOBBY CATO, JR., Member
EDWARD S. GRANDIS, Member
JENI HANSEN, Member
JAMES SHORT, JR., Member

ALSO PRESENT:

- MARTA MENDOZA, Applicant
JOSE ORELLANA, DC ABCA Staff
TATIANA REYES, Interpreter for Applicant
JEREMY ZOLLARCOFFER, DC ABCA Investigator

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

2 1:35 p.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our calendar is case number 23-PRO-00032,
5 Rosebud Liquor, license number 60751.

6 Good afternoon, Mr. Orellana. Can you
7 please elevate the rights of the Interpreter, the
8 Applicant, and the Investigator, and the
9 Protestant, in this case, please.

10 MR. ORELLANA: Rosebud, your access
11 has been elevated. Tatiana Reyes, your access
12 has been elevated. Investigator Jeremy
13 Zollarcoffer, your access has been elevated.
14 That is all, Chairman.

15 CHAIRPERSON ANDERSON: Can you please
16 do me one other favor? Sir, can you put
17 something in the chat if the Protestant is here
18 for Rosebud. Can they please identify
19 themselves, please, so they can be elevated?

20 MR. ORELLANA: No reply, Chairman.

21 CHAIRPERSON ANDERSON: Thank you, sir.
22 Can I have all the parties turn their cameras on,
23 please?

24 Ms. Reyes, I need you to turn your
25 camera on, ma'am.

1 Ms. Reyes, can you raise your right
2 hand, please? I'm sorry. Can you state your
3 name for the record, please?

4 MS. REYES: Sure. It's Tatiana Reyes.

5 CHAIRPERSON ANDERSON: And can you
6 raise your right hand, please?

7 Do you swear or affirm to faithfully
8 interpret these proceedings from English into
9 Spanish?

10 MS. REYES: I do.

11 CHAIRPERSON ANDERSON: And then from
12 Spanish into English, to the best of your
13 abilities?

14 MS. REYES: I do.

15 CHAIRPERSON ANDERSON: Can you please
16 ask Ms. Mendoza to turn her camera on, please?

17 MS. REYES: (Interpreting.)

18 MS. MENDOZA: I do not have access to
19 a camera.

20 CHAIRPERSON ANDERSON: All right. Can
21 you have her identify herself for the record,
22 please, by asking her to spell and state her name
23 and her relationship to the establishment,
24 please?

25 MS. REYES: (Interpreting.)

1 MS. MENDOZA: My name is Martha
2 Mendoza, and I'm the owner of Rosebud Liquor.

3 CHAIRPERSON ANDERSON:
4 Mr. Zollarcoffer, can you please spell and state
5 your name for the record, please?

6 INVESTIGATOR ZOLLARCOFFER: It's
7 Jeremy Zollarcoffer. It's J-E-R-E-M-Y
8 Z-O-L-L-A-R-C-O-F-F-E-R.

9 CHAIRPERSON ANDERSON: And,
10 Mr. Zollarcoffer, what is your current
11 relationship to this case, please?

12 INVESTIGATOR ZOLLARCOFFER: I was
13 assigned the protest investigation for Rosebud
14 Liquor's transfer to a new location.

15 CHAIRPERSON ANDERSON: Ms. Reyes, can
16 you please?

17 MS. REYES: Sure. (Interpreting.)

18 MS. MENDOZA: Very well.

19 CHAIRPERSON ANDERSON:
20 Mr. Zollarcoffer, have you met the owner of this
21 establishment?

22 INVESTIGATOR ZOLLARCOFFER: I have met
23 Ms. Martha Mendoza.

24 CHAIRPERSON ANDERSON: Have you spoken
25 to Ms. Mendoza on the telephone, or have you met

1 her in person?

2 INVESTIGATOR ZOLLARCOFFER: In person.
3 I visited her establishment and conducted a
4 regulatory inspection, and tried to gather some
5 more information in regards to the protest
6 matters.

7 MS. REYES: (Interpreting.)

8 MS. MENDOZA: Yes.

9 CHAIRPERSON ANDERSON: Are you able to
10 identify the person on the telephone, that this
11 might be Mendoza?

12 INVESTIGATOR ZOLLARCOFFER: Oh, by
13 voice?

14 CHAIRPERSON ANDERSON: Yes.

15 INVESTIGATOR ZOLLARCOFFER: I'd have
16 to listen a little bit closer, but yeah, I mean,
17 I'd have to listen to it again.

18 MS. REYES: (Interpreting.)

19 CHAIRPERSON ANDERSON: I'm sorry, go
20 ahead. What was she saying?

21 MS. MENDOZA: Yes, it's me.

22 INVESTIGATOR ZOLLARCOFFER: Yeah.

23 CHAIRPERSON ANDERSON: We're having a
24 proceeding and I can't see the person. I've
25 never met the person, so I'm trying to ascertain

1 that the person who's on the phone who's
2 identified themselves as the owner of the
3 establishment, is actually who that person is.

4 MS. REYES: (Interpreting.)

5 MS. MENDOZA: Very well.

6 CHAIRPERSON ANDERSON: All right.

7 Well, I will take the representation that this is
8 actually the owner of the establishment.

9 MS. REYES: (Interpreting.)

10 CHAIRPERSON ANDERSON: And this was a
11 protest hearing. And it's my understanding that
12 the protester was Carolyn Karbel, I think
13 K-A-R-B-E-L.

14 And just one more time, Mr. Orellana,
15 can you please, again, place something in the
16 chat to see if the protestant for this case is
17 trying to access this line.

18 MS. REYES: (Translating.)

19 CHAIRPERSON ANDERSON: Thank you.

20 MS. REYES: (Translating.)

21 CHAIRPERSON ANDERSON: All right, this
22 matter was scheduled for a protest hearing for
23 1:30. The case was called. It is 1:43 p.m. and
24 the protester has not appeared.

25 MS. REYES: (Translating.)

1 CHAIRPERSON ANDERSON: Rosebud Liquor
2 applied for a new license to move to a new
3 location.

4 MS. REYES: (Translating.)

5 CHAIRPERSON ANDERSON: No, I stand
6 corrected. This is a transfer application to
7 transfer its license from one location to
8 another.

9 MS. REYES: (Translating.)

10 MS. MENDOZA: Yes.

11 CHAIRPERSON ANDERSON: All right, hold
12 on one minute. I need to get the name of the
13 (audio interference).

14 And this matter was protested by the
15 Admiral Dupont Condominium Association.

16 MS. REYES: (Translating.)

17 MS. MENDOZA: Yes.

18 CHAIRPERSON ANDERSON: All right.
19 Based on the failure of the protestant to
20 prosecute this matter because they have failed to
21 appear at this hearing today, and they have not
22 given the Board notice, or requested a
23 continuance in writing, I'm making a motion that
24 their protest be dismissed for failure to
25 prosecute.

1 MS. REYES: (Translating.)

2 MS. MENDOZA: Very well.

3 CHAIRPERSON ANDERSON: We're not done
4 yet, ma'am.

5 MS. REYES: (Translating.)

6 MS. MENDOZA: Okay.

7 CHAIRPERSON ANDERSON: All right, so
8 therefore I'm making a motion that the protest be
9 dismissed for failure to prosecute, and that the
10 Agency be directed to move forward with the
11 transfer application.

12 MS. REYES: (Translating.)

13 CHAIRPERSON ANDERSON: Is there a
14 second?

15 MEMBER CATO: Bobby Cato seconds.

16 CHAIRPERSON ANDERSON: Mr. Cato
17 seconds the motion.

18 MS. REYES: (Translating.)

19 CHAIRPERSON ANDERSON: I'm now going
20 to take a roll call vote on the motion.

21 Mr. Short? I can't hear you, Mr. Short.

22 Mr. Cato?

23 MEMBER CATO: Bobby Cato, I agree.

24 CHAIRPERSON ANDERSON: Ms. Hansen?

25 MEMBER HANSEN: Jeni Hansen, I agree.

1 CHAIRPERSON ANDERSON: Mr. Grandis?

2 MEMBER GRANDIS: Edward Grandis, I
3 agree.

4 CHAIRPERSON ANDERSON: Mr. Anderson,
5 I agree. The matter passes 5-0-0. The Board has
6 voted to dismiss the protest and to instruct the
7 Agency to move forward with the transfer
8 application.

9 MS. REYES: (Translating.)

10 CHAIRPERSON ANDERSON: The Board will
11 issue a decision, and the protestant will have
12 ten days to give reasonable notice to the Board
13 why she failed to show up today to defend, to
14 prosecute this matter.

15 Failure on the protestant to do that
16 within the ten days, and to give us reasonable
17 notice, the Agency will move forward to process
18 the transfer application.

19 MS. REYES: (Translating.)

20 CHAIRPERSON ANDERSON: This matter is
21 adjourned. Thank you very much. Have a great
22 day.

23 MS. REYES: (Translating.)

24 MS. MENDOZA: All right, thank you.

25 CHAIRPERSON ANDERSON: Thank you.

1 Bye-bye.

2 With that, we are at the end of the --
3 Ms. Reyes, you are dismissed, ma'am. Thank you.

4 MS. REYES: All right, thank you.

5 CHAIRPERSON ANDERSON: Yes. With
6 that, we're now at the end of the Board's
7 afternoon agenda. And if there's no further
8 business, I will close the record.

9 As Chairperson of the Alcoholic
10 Beverage and Cannabis Board for the District of
11 Columbia, and in accordance with Title 3,
12 Chapter 405, Office of Open Government, I move
13 that ABC Board hold a closed meeting on June 7th
14 for the purpose of discussing and hearing reports
15 concerning ongoing or planned investigations of
16 alleged criminal or civil misconduct, or
17 violations of law or regulations, and seeking
18 legal advice from our legal counsel on the
19 Board's investigative agenda, legal agenda, and
20 licensing agenda, for June 7th, as published in
21 the DC Registry on June 2nd. Is there a second?

22 MEMBER CATO: Bobby Cato seconds.

23 CHAIRPERSON ANDERSON: Mr. Cato and
24 Mr. Grandis have seconded the motion. I will now
25 take a roll call vote on the motion before us,

1 now that it's been properly seconded. Mr. Short?

2 MEMBER SHORT: Mr. Short, I agree.

3 CHAIRPERSON ANDERSON: Mr. Cato?

4 MEMBER CATO: Bobby Cato, I agree.

5 CHAIRPERSON ANDERSON: Ms. Hansen?

6 Mr. Grandis?

7 MEMBER GRANDIS: Edward Grandis, I

8 agree.

9 CHAIRPERSON ANDERSON: Mr. Anderson,
10 I agree. As it appears that the motion has
11 passed 5-0-0, I hereby give notice that the ABC
12 Board will hold this closed meeting, pursuant to
13 the Open Meetings Act.

14 Notice will also be posted on the ABC
15 Board hearing room bulletin board, place on the
16 electronic calendar and ABCA's website, and
17 published in DC Register, in as timely a manner
18 as practicable.

19 We're adjourned for the day. Thank
20 you very much. Have a great day. I now ask all
21 Board members to return to executive session for
22 further development. Thank you.

23 (Whereupon, the above-entitled matter
24 went off the record at 1:51 p.m.)

25

A	C	E	J
ABC 10:13 11:11,14 ABCA 1:22,23 ABCA's 11:16 abilities 3:13 able 5:9 above-entitled 11:23 access 2:10,11,13 3:18 6:17 Act 11:13 adjourned 9:21 11:19 Admiral 7:15 advice 10:18 affirm 3:7 afternoon 2:6 10:7 Agency 8:10 9:7,17 agenda 10:7,19,19,20 agree 8:23,25 9:3,5 11:2,4,8,10 ahead 5:20 Alcoholic 1:2,14 10:9 alleged 10:16 ANC 1:8 Anderson 1:15,17 2:3 2:15,21 3:5,11,15,20 4:3,9,15,19,24 5:9,14 5:19,23 6:6,10,19,21 7:1,5,11,18 8:3,7,13 8:16,19,24 9:1,4,4,10 9:20,25 10:5,23 11:3 11:5,9,9 appear 7:21 appeared 6:24 appears 11:10 Applicant 1:21,22 2:8 application 1:9 7:6 8:11 9:8,18 applied 7:2 ascertain 5:25 asking 3:22 assigned 4:13 Association 7:15 audio 7:13	calendar 2:4 11:16 call 8:20 10:25 called 6:23 camera 2:25 3:16,19 cameras 2:22 Cannabis 1:2,14 10:10 Carolyn 6:12 case 1:8 2:3,4,9 4:11 6:16,23 Cato 1:18 8:15,15,16,22 8:23,23 10:22,22,23 11:3,4,4 Chairman 2:14,20 Chairperson 1:14,17 2:3,15,21 3:5,11,15 3:20 4:3,9,15,19,24 5:9,14,19,23 6:6,10 6:19,21 7:1,5,11,18 8:3,7,13,16,19,24 9:1 9:4,10,20,25 10:5,9 10:23 11:3,5,9 Chapter 10:12 chat 2:17 6:16 civil 10:16 close 10:8 closed 10:13 11:12 closer 5:16 Columbia 1:1 10:11 concerning 10:15 Condominium 7:15 conducted 5:3 continuance 7:23 corrected 7:6 counsel 10:18 criminal 10:16 current 4:10	elevated 2:11,12,13,19 English 3:8,12 establishment 3:23 4:21 5:3 6:3,8 executive 11:21	Jeremy 1:23 2:12 4:7 JOSE 1:22 JR 1:18,19 June 10:13,20,21
B	D	F	K
Based 7:19 best 3:12 Beverage 1:2,14 10:10 bit 5:16 board 1:2,14 7:22 9:5 9:10,12 10:10,13 11:12,15,15,21 Board's 10:6,19 Bobby 1:18 8:15,23 10:22 11:4 bulletin 11:15 business 10:8 Bye-bye 10:1	day 9:22 11:19,20 days 9:12,16 DC 1:22,23 10:21 11:17 decision 9:11 defend 9:13 development 11:22 directed 8:10 discussing 10:14 dismiss 9:6 dismissed 7:24 8:9 10:3 District 1:1 10:10 Donovan 1:15,17 Dupont 7:15	failed 7:20 9:13 failure 7:19,24 8:9 9:15 faithfully 3:7 favor 2:16 forward 8:10 9:7,17 further 10:7 11:22	K-A-R-B-E-L 6:13 Karbel 6:12
C	E	G	L
ABC 10:13 11:11,14 ABCA 1:22,23 ABCA's 11:16 abilities 3:13 able 5:9 above-entitled 11:23 access 2:10,11,13 3:18 6:17 Act 11:13 adjourned 9:21 11:19 Admiral 7:15 advice 10:18 affirm 3:7 afternoon 2:6 10:7 Agency 8:10 9:7,17 agenda 10:7,19,19,20 agree 8:23,25 9:3,5 11:2,4,8,10 ahead 5:20 Alcoholic 1:2,14 10:9 alleged 10:16 ANC 1:8 Anderson 1:15,17 2:3 2:15,21 3:5,11,15,20 4:3,9,15,19,24 5:9,14 5:19,23 6:6,10,19,21 7:1,5,11,18 8:3,7,13 8:16,19,24 9:1,4,4,10 9:20,25 10:5,23 11:3 11:5,9,9 appear 7:21 appeared 6:24 appears 11:10 Applicant 1:21,22 2:8 application 1:9 7:6 8:11 9:8,18 applied 7:2 ascertain 5:25 asking 3:22 assigned 4:13 Association 7:15 audio 7:13	Edward 1:18 9:2 11:7 electronic 11:16 elevate 2:7	gather 5:4 give 9:12,16 11:11 given 7:22 go 5:19 going 8:19 Good 2:6 Government 10:12 Grandis 1:18 9:1,2,2 10:24 11:6,7,7 great 9:21 11:20	law 10:17 legal 10:18,18,19 license 1:7 2:5 7:2,7 licensing 10:20 line 6:17 Liquor 1:6,6 2:5 4:2 7:1 Liquor's 4:14 listen 5:16,17 little 5:16 location 4:14 7:3,7
D	F	H	M
day 9:22 11:19,20 days 9:12,16 DC 1:22,23 10:21 11:17 decision 9:11 defend 9:13 development 11:22 directed 8:10 discussing 10:14 dismiss 9:6 dismissed 7:24 8:9 10:3 District 1:1 10:10 Donovan 1:15,17 Dupont 7:15	hand 3:2,6 Hansen 1:19 8:24,25,25 11:5 hear 8:21 hearing 1:7 6:11,22 7:21 10:14 11:15 hold 7:11 10:13 11:12	hand 3:2,6 Hansen 1:19 8:24,25,25 11:5 hear 8:21 hearing 1:7 6:11,22 7:21 10:14 11:15 hold 7:11 10:13 11:12	ma'am 2:25 8:4 10:3 making 7:23 8:8 manner 11:17 MARTA 1:21 Martha 4:1,23 matter 1:5 6:22 7:14,20 9:5,14,20 11:23 matters 5:6 mean 5:16 meeting 1:3 10:13 11:12 Meetings 11:13 Member 1:18,18,19,19 8:15,23,25 9:2 10:22 11:2,4,7 members 11:21 Mendoza 1:21 3:16,18 4:1,2,18,23,25 5:8,11 5:21 6:5 7:10,17 8:2,6 9:24 met 1:14 4:20,22,25 5:25 minute 7:12 misconduct 10:16 motion 7:23 8:8,17,20 10:24,25 11:10 move 7:2 8:10 9:7,17 10:12
E	G	I	N
Edward 1:18 9:2 11:7 electronic 11:16 elevate 2:7	identified 6:2 identify 2:18 3:21 5:10 information 5:5 inspection 5:4 instruct 9:6 interference 7:13 interpret 3:8 Interpreter 1:22 2:7 Interpreting 3:17,25 4:17 5:7,18 6:4,9 investigation 4:13 investigations 10:15 investigative 10:19 Investigator 1:23 2:8 2:12 4:6,12,22 5:2,12 5:15,22 issue 9:11	identified 6:2 identify 2:18 3:21 5:10 information 5:5 inspection 5:4 instruct 9:6 interference 7:13 interpret 3:8 Interpreter 1:22 2:7 Interpreting 3:17,25 4:17 5:7,18 6:4,9 investigation 4:13 investigations 10:15 investigative 10:19 Investigator 1:23 2:8 2:12 4:6,12,22 5:2,12 5:15,22 issue 9:11	name 3:3,22 4:1,5 7:12 need 2:24 7:12 never 5:25 new 4:14 7:2,2 notice 7:22 9:12,17 11:11,14

number 2:4,5
NW 1:7,10,10

O

Office 10:12
Oh 5:12
Okay 8:6
ongoing 10:15
Open 10:12 11:13
Orellana 1:22 2:6,10,20
6:14
owner 4:2,20 6:2,8

P

P-R-O-C-E-E-D-I-N-G-S
2:1
p.m 2:2 6:23 11:24
parties 2:22
passed 11:11
passes 9:5
person 5:1,2,10,24,25
6:1,3
phone 6:1
place 6:15 11:15
planned 10:15
please 2:7,9,15,18,19
2:23 3:2,3,6,15,16,22
3:24 4:4,5,11,16 6:15
posted 11:14
practicable 11:18
PRESENT 1:16,20
presiding 1:15
proceeding 5:24
proceedings 3:8
process 9:17
properly 11:1
prosecute 7:20,25 8:9
9:14
protest 1:7 4:13 5:5
6:11,22 7:24 8:8 9:6
protestant 2:9,17 6:16
7:19 9:11,15
protested 7:14
protester 6:12,24
published 10:20 11:17
purpose 10:14
pursuant 11:12
put 2:16

Q

R

raise 3:1,6
reasonable 9:12,16
record 3:3,21 4:5 10:8
11:24
regards 5:5
Register 11:17

Registry 10:21
regulations 10:17
regulatory 5:4
relationship 3:23 4:11
reply 2:20
reports 10:14
representation 6:7
requested 7:22
Retailer 1:8
return 11:21
Reyes 1:22 2:11,24 3:1
3:4,4,10,14,17,25
4:15,17 5:7,18 6:4,9
6:18,20,25 7:4,9,16
8:1,5,12,18 9:9,19,23
10:3,4

right 3:1,6,20 6:6,21
7:11,18 8:7 9:24 10:4
rights 2:7
roll 8:20 10:25
room 11:15
Rosebud 1:6,6 2:5,10
2:18 4:2,13 7:1

S

S 1:18
saying 5:20
scheduled 6:22
second 8:14 10:21
seconded 10:24 11:1
seconds 8:15,17 10:22
see 5:24 6:16
seeking 10:17
session 11:21
Short 1:19 8:21,21 11:1
11:2,2
show 9:13
sir 2:16,21
sorry 3:2 5:19
Spanish 3:9,12
spell 3:22 4:4
spoken 4:24
Staff 1:22
stand 7:5
state 3:2,22 4:4
Street 1:7,10,10
Sure 3:4 4:17
swear 3:7

T

t/a 1:6
take 6:7 8:20 10:25
Tatiana 1:22 2:11 3:4
telephone 4:25 5:10
ten 9:12,16
thank 2:21 6:19 9:21,24
9:25 10:3,4 11:19,22
themselves 6:2

think 6:12
time 6:14
timely 11:17
Title 10:11
today 7:21 9:13
transfer 1:9 4:14 7:6,7
8:11 9:7,18
Translating 6:18,20,25
7:4,9,16 8:1,5,12,18
9:9,19,23
tried 5:4
trying 5:25 6:17
turn 2:22,24 3:16

U

understanding 6:11

V

videoconference 1:14
violations 10:17
visited 5:3
voice 5:13
vote 8:20 10:25
voted 9:6

W

W 1:15,17
we're 5:23 8:3 10:6
11:19
WebEx 1:14
website 11:16
Wednesday 1:12
went 11:24
writing 7:23

X

Y

yeah 5:16,22

Z

Z-O-L-L-A-R-C-O-F-F...
4:8
Zollarcoffer 1:23 2:13
4:4,6,7,10,12,20,22
5:2,12,15,22

0

1

1:30 6:23
1:35 2:2
1:43 6:23
1:51 11:24
1700 1:7,10
1711 1:10
17th 1:7,10,10

2

2023 1:12
23-PRO-00032 1:8 2:4
24 1:12
2B 1:8
2nd 10:21

3

3 10:11

4

405 10:12

5

5-0-0 9:5 11:11

6

60751 1:7 2:5

7

7th 10:13,20

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Rosebud Liquor

Before: DC ABCA

Date: 05-24-23

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

NEAL R. GROSS

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