

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE AND CANNABIS BOARD
+ + + + +
ROLL CALL HEARING

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IN THE MATTER OF: :
 :
GothWine Limited :
Liability Company :
t/a Aperio DC :
2622 P Street NW : Roll Call
Retailer CR - ANC 2E : Hearing
License No. 116925 :
Case #25-PRO-00047 :
 :
(License Renewal) :
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Monday
June 11, 2025

The Alcoholic Beverage and Cannabis
Board met via WebEx videoconference, LaVerne
Fletcher, Board's Agent, presiding.

PRESENT:

LAVERNE FLETCHER, ABC Board's Agent

ALSO PRESENT:

ELLI BENCHIMOL, Applicant
GEWNDOLYN LOHSE, ANC 2E
NEEL LUND, Protestant
MAKHBUBA LUND, Protestant

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

2 10:49 a.m.

3 MS. FLETCHER: The next case on the
4 calendar is Aperio DC. This is Case number 25-
5 PRO-00047, GothWine Limited Liability Company,
6 2622 P Street Northwest, License number ABRA
7 116925. This is a Retailer Class CR Restaurant
8 for a license renewal.

9 My name's LaVerne Fletcher,
10 conducting the roll call hearing as the Board's
11 Agent. Is anyone present on behalf of Aperio DC?

12 MS. BENCHIMOL: Yes, ma'am. I'm Elli
13 Benchimol, owner and licensee for Aperio GothWine.

14 MS. FLETCHER: If you would just
15 pronounce your name one more time? I have the
16 spelling. If you could just pronounce it again?

17 MS. BENCHIMOL: Elli Benchimol.

18 MS. FLETCHER: Okay. Now we have
19 Elizabeth. What are you going by?

20 MS. BENCHIMOL: It's just shortened.
21 It's the same name, sorry. My legal name's
22 Elizabeth. Thanks.

23 MS. FLETCHER: Okay. So we'll go
24 with that. Is anyone present on behalf of ANC
25 2E?

1 MS. LOHSE: Hi. Gwendolyn Lohse,
2 Chair of ANC 2E, Commissioner for ANC 2E 06. And
3 it's Gwendolyn, G-W-E-N-D-O-L-Y-N, Lohse, L-O-H-
4 S-E. And I'm the Commissioner that's
5 representing this as assigned by ANC 2E.

6 MS. FLETCHER: Thank you,
7 Commissioner Lohse. We also have a couple of
8 individuals. Is Neel Lund present?

9 MR. LUND: Yes, ma'am.

10 MS. FLETCHER: Mr. Lund, is, thank
11 you. Is Ms. Makhbuba present?

12 MS. LUND: Yes. Here.

13 MR. LUND: Makhbuba, yes.

14 MS. FLETCHER: Thank you very much.
15 Now you filed your protest as abutting property
16 owners.

17 MR. LUND: Correct.

18 MS. FLETCHER: According to the DC
19 Geographic Information System your properties
20 actually do not abut. They're not touching.
21 There is a street between them, which means that
22 the properties are not touching in any way.

23 MR. LUND: Ma'am, the, you mean the
24 back yard. So, where the summer garden is. So
25 they're actually right against each other.

1 MS. FLETCHER: Okay. That doesn't
2 come through in the DC Geographic Information
3 System. According to it the properties that you
4 actually live in do not abut.

5 I understand what you're saying. But
6 you're saying that your properties abut on the
7 outside where the summer garden --

8 MR. LUND: Exactly.

9 (Simultaneous speaking)

10 MS. FLETCHER: -- your property.

11 MR. LUND: Yes. Exactly.

12 MS. FLETCHER: And so what you're
13 going to need to do is provide us with evidence
14 to that effect. According, the DC Geographic
15 System does not show that your properties abut in
16 that way. Although based on what you're saying
17 they actually do.

18 MS. LOHSE: Ms. Fletcher, can I -- I
19 don't want to interrupt. But based on the --

20 MS. FLETCHER: Just a second. Just a
21 second. Just a second.

22 MS. LOHSE: Okay.

23 MS. FLETCHER: Who's speaking?

24 MS. LOHSE: Gwendolyn Lohse, ANC 2E.

25 MS. FLETCHER: Oh. Yes,

1 Commissioner.

2 MS. LOHSE: They signed the
3 settlement. So I would think that that is, as an
4 abutting property --

5 MR. LUND: Yes.

6 MS. LOHSE: -- neighbor. So I would
7 think that would be evidence enough for ABCA,
8 that they are abutting, since they signed as, the
9 settlement in that role.

10 MR. LUND: Yes.

11 MS. FLETCHER: So you're saying that
12 in this particular case a settlement agreement
13 has been signed? Or was that in some previous
14 case?

15 MS. LOHSE: It was an existing
16 settlement agreement.

17 MS. FLETCHER: I mean for this case
18 that we're here for today?

19 MS. LOHSE: Correct.

20 MS. FLETCHER: Nobody told -- So
21 you're saying --

22 (Audio interference)

23 MS. FLETCHER: So you're saying that
24 Mr. and Mrs. Lund have entered into a settlement
25 agreement to resolve the protest that we're here

1 about today?

2 (Audio interference)

3 MS. LOHSE: I can't hear. I'm sorry.

4 MS. FLETCHER: Can you excuse me for
5 one minute? Ms. Bryan, that's B-R-Y-A-N for the
6 court reporter. Can you mute yourself, please?
7 I hear a conversation going on in the background.

8 Commissioner Lohse, what were you
9 saying?

10 MS. LOHSE: I don't know what the
11 records you are referring to are. But --

12 MS. FLETCHER: Yes. So what --

13 MS. LOHSE: -- I'm seeing that they
14 are referenced in a ABCA document as abutting
15 neighbors. So to try to save people time,
16 because I think this is a dialogue between the
17 applicant and the people with the agreement to
18 update the agreement. It is a protest of an
19 existing agreement.

20 MS. FLETCHER: So we're here about
21 Apero DC. What I'm asking is whether or not
22 there's a settlement agreement between Neel and
23 Makhbuba?

24 MS. BENCHIMOL: Yes, there is. They
25 already signed the settlement agreement. This is

1 Elli --

2 MR. LUND: Yes.

3 MS. BENCHIMOL: -- Benchimol.

4 MS. FLETCHER: So you've already
5 resolved this matter with Aperio?

6 MS. BENCHIMOL: We're about to.

7 MS. LOHSE: We're protesting to get,
8 in order to --

9 MS. FLETCHER: Well, who's speaking?
10 Who's speaking right now?

11 MS. LOHSE: Sorry. ANC 2E is
12 speaking. Commissioner Lohse.

13 MS. FLETCHER: The name, who, the
14 name of the person speaking.

15 MS. LOHSE: Commissioner Lohse.

16 MS. FLETCHER: Okay. Commissioner
17 Lohse, for some reason I can't see your mouth
18 moving. Okay. So can you say what you were
19 saying again?

20 MS. LOHSE: We're protesting in order
21 to update and discuss the current settlement,
22 which is within our right as signers.

23 MS. FLETCHER: So we're here today to
24 determine who has standing as protestants. And
25 so --

1 MS. LOHSE: Correct.

2 MS. FLETCHER: -- at this point for
3 the purpose of roll call there is no agreement.
4 So we're only here to determine who has standing
5 as protestants.

6 And based on what you're saying,
7 Commissioner Lohse, Mr. and Mrs. Lund you believe
8 had standing because they entered into a prior
9 agreement with Apero DC as abutting property
10 owners. Is that what you're saying?

11 MS. LOHSE: Correct.

12 MS. FLETCHER: Mr. Lund, that's
13 correct?

14 MR. LUND: Correct, correct, correct.

15 MS. FLETCHER: Ms. Benchimol.

16 MS. BENCHIMOL: Yes, ma'am.

17 MS. FLETCHER: Is that correct?

18 MS. BENCHIMOL: That is correct. We
19 have a signed settlement agreement that I have
20 been following.

21 MS. FLETCHER: Okay. And in that
22 settlement agreement the Lunds are noted as
23 abutting property owners?

24 MS. BENCHIMOL: Yes. Against the
25 summer garden in the back, yes.

1 MS. FLETCHER: So is that indicated
2 in the settlement agreement?

3 MS. BENCHIMOL: Yes, it is.

4 MS. FLETCHER: Because you both
5 agree? Because you both agree?

6 MS. BENCHIMOL: We both agree that
7 they are abutting to the back summer garden, yes.

8 MS. FLETCHER: Okay. Because you
9 both agree, as does Commissioner Lohse, I am
10 going to grant standing to Mr. and Mrs. Lund as
11 abutting property owners in this case.

12 I'll verify by checking the
13 settlement agreement following the roll call
14 hearing. If you're not there as abutting
15 property owners I'm going to get back with you.
16 Okay?

17 MR. LUND: Perfect. Thank you.

18 MS. FLETCHER: Okay. Thank you. ANC
19 2E does have standing as a protestant. Give me
20 one second to make a note here. Okay. We need
21 to set a date for the status hearing, protest
22 hearing, and the mediation.

23 MS. BENCHIMOL: Can I just clarify?
24 Are they protesting my actual license, or --

25 MS. FLETCHER: Who's --

1 MS. BENCHIMOL: -- updating an
2 agreement?

3 MS. FLETCHER: Who's speaking,
4 please?

5 MS. BENCHIMOL: This is Elli
6 Benchimol.

7 MS. FLETCHER: And what's your
8 question?

9 MS. BENCHIMOL: Are we protesting the
10 current agreement in place or the actual liquor
11 license?

12 MS. FLETCHER: No. The protest is
13 filed against the application to renew the
14 license.

15 MS. BENCHIMOL: Okay. Thank you.

16 MS. FLETCHER: You're welcome. We
17 need to set a date for a status hearing, protest
18 hearing, and mediation. I'll give you the dates
19 for the status and protest hearing first.

20 The status hearing is scheduled for
21 July 23rd, 2025 at 10:30 a.m.

22 MS. BENCHIMOL: I apologize. This is
23 Elli Benchimol. I am out of the country at that
24 time.

25 MS. FLETCHER: Okay. Ms. Benchimol,

1 when do you return?

2 MS. BENCHIMOL: I'll be back on the
3 27th.

4 MS. FLETCHER: What you're going to
5 need to do is petition the ABC Board. Excuse me
6 one second. I'm hearing a lot of noise in the
7 background here.

8 Unfortunately I can't identify the
9 names of the individuals because I only have
10 telephone numbers. If you have any noise in your
11 background please place yourself on mute. Thank
12 you.

13 MS. LOHSE: Ms. Fletcher, this is
14 Commissioner Lohse. If Aperio and the protestants
15 can agree on a time for roll call? I don't want
16 scheduling issues.

17 I know people have a lot of travel.
18 And I heard she's not available until she's back
19 on the 27th. Should we communicate together for
20 some proposed times?

21 MS. FLETCHER: What you're going to
22 need to do together, Commissioner, is submit a
23 petition to the ABC Board to reschedule the date
24 of the status hearing. You may do that jointly.
25 And they will give you the next available day for

1 a status hearing.

2 I've just made a note that that
3 request is coming. And that the applicant will
4 be out of the country until the 27th --

5 MS. LOHSE: Thank you.

6 MS. FLETCHER: -- of May. You're
7 welcome. So the status hearing, just so that you
8 know, it is scheduled for July 23 or 27th. But
9 you are going to petition the Board to change
10 that to a different date.

11 The protest hearing is scheduled for
12 September 10, September 10 at 1:30 p.m. I'm
13 going to give you the next available day for
14 mediation.

15 The next available day for mediation
16 is Thursday, July 3rd. If that's good we can
17 look at times between 10:30 a.m. and 1:30 p.m.
18 If not I will move to the following week.

19 MS. BENCHIMOL: This is Elli
20 Benchimol. And that day works fine for me, any
21 time.

22 MR. LUND: Same for us.

23 MS. FLETCHER: Is that the Lunds?

24 MR. LUND: Yes. Sorry, yes. The
25 Lunds, same for us.

1 MS. FLETCHER: Thank you.
2 Commissioner Lohse?

3 MS. LOHSE: Same for me. Thank you.

4 MS. FLETCHER: You're welcome. I am
5 setting mediation for Thursday, July 3rd at 10:30
6 a.m. And I will send you WebEx invitations to
7 attend.

8 If you're able to resolve this matter
9 prior to that just let us know and we'll cancel
10 the mediation. And if the Board approves the
11 settlement agreement then the status hearing and
12 the protest hearing will be cancelled as well.

13 MS. BENCHIMOL: Thank you very much.

14 MS. FLETCHER: You're very welcome.
15 Okay. If there's nothing more the roll call
16 hearing in this matter is concluded.

17 (Whereupon, the above-entitled matter
18 went off the record at 11:03 a.m.)
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25

1 C E R T I F I C A T E

2 This is to certify that the foregoing transcript
3 was duly recorded and accurately transcribed
4 under my direction; further, that said transcript
5 is a true and accurate record of the proceedings;
6 and that I am neither counsel for, related to,
7 nor employed by any of the parties to this action
8 in which this matter was taken; and further that
9 I am not a relative nor an employee of any of the
10 parties nor counsel employed by the parties, and
11 I am not financially or otherwise interested in
12 the outcome of the action.

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19 Court Reporter
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