

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

2 10:06 a.m.

3 CHAIRPERSON ANDERSON: The next case on
4 our calendar is a Cease and Desist Hearing for
5 Case Number 21-CMP-00017, S & G Wine and Liquors,
6 License Number 111012.

7 And, Ms. Andrews, good morning. Can
8 you please elevate the rights of the licensee,
9 the licensee's attorney and the investigator for
10 this case, please.

11 MS. ANDREWS: Sure, stand by.

12 Mr. Lee, your rights have been
13 elevated. Mr. Brashears, your rights have been
14 elevated.

15 That's all I have for this case, Mr.
16 Chair.

17 CHAIRPERSON ANDERSON: Thank you.

18 Good morning, Mr. Lee. Is the owner
19 going to appear today?

20 MR. LEE: Yes.

21 CHAIRPERSON ANDERSON: Can you have the
22 owner identify him or herself on the chat so we
23 can elevate their rights, please.

24 Who is the owner so I can have Ms.
25 Andrews -- can you have the owner identify

1 themselves on the chat so we're able to elevate
2 their rights, please.

3 MR. DEMISSIE: Mr. Demissie, can you
4 hear me? Hello.

5 CHAIRPERSON ANDERSON: You can mute
6 yourself, Mr. Lee, so we don't need to hear your
7 conversation.

8 MR. LEE: Yes, okay. So, I was just
9 talk to him and he was on the cell, that's why.

10 MS. ANDREWS: I do see a Mr. Woundim
11 on the line. Is that him, Mr. Lee? Mr.
12 Lockhart. Yes, okay. Stand by.

13 CHAIRPERSON ANDERSON: Yes, if you have
14 a camera, sir. You can elevate. Do you have a
15 camera?

16 MR. DEMISSIE: My mom was using the
17 computer but the computer doesn't see the voice
18 from you guys.

19 Now, we are using the phone because
20 the computer is not giving me the voice for my
21 mom. She's here.

22 CHAIRPERSON ANDERSON: Well, sir, I
23 don't need to hear from you because you're not
24 the person. I need to hear from your mom so --

25

1 MR. DEMISSIE: I understand.

2 CHAIRPERSON ANDERSON: I don't need to
3 hear any other -- I don't need to hear any other
4 sounds from you, sir. I need your mom is the
5 person who is identified as the person, the
6 owner. So, that's the only voice I want to hear
7 moving forward, sir, so, where is she?

8 MS. BISHAW: I am here.

9 CHAIRPERSON ANDERSON: And who are you,
10 ma'am?

11 MS. BISHAW: I'm good.

12 CHAIRPERSON ANDERSON: I'm sorry, who
13 are you?

14 MS. BISHAW: I am Genet.

15 CHAIRPERSON ANDERSON: I'm sorry,
16 you're what?

17 MS. BISHAW: I am Genet Bishaw.

18 CHAIRPERSON ANDERSON: All right. Hold
19 on for a second, Ms. Bishaw.

20 Good morning, everyone. We're here --
21 this is a Cease and Desist Hearing. The Board
22 has issued -- I'm sorry.

23 All right. We're here -- good
24 morning, everyone. We're here today at the
25 request of Mr. Kevin Lee, Counsel for S & G Wine

1 and Liquors, located at 421 Georgia Avenue.

2 Mr. Lee and his client desired to
3 challenge the Board Cease and Desist Order issued
4 on May 21st, 2021. The Board Order Number 2021-
5 301 was issued in response to Investigative
6 Report Number 21-CMP-00017.

7 On the night of May 5th, 2021,
8 Investigator Danzler+ was investigating a
9 complaint regarding illegal nightclub activity
10 next door at, next to the S & G Wine and Liquors.
11 Her investigation led her to the licensee's
12 establishment where she discovered an employee,
13 Mr. Ali with an expired ABC Manager License.

14 Investigator Danzler+ further spoke
15 telephonically with an individual who purported
16 to be the sole owner, Mr. Demissie. Mr. Demissie
17 is not listed as an owner of record in ABC's
18 official licensing file.

19 The Board subsequently issued a Cease
20 and Desist Order on May 26, 2021, in order to
21 determine the true and accurate owner of the
22 business, of the license and whether it is being
23 lawfully managed by someone other than the owner.

24 I will start this hearing by taking
25 sworn testimony from ABRA Investigator Mr. Mark

1 Brashears and then you, Mr. Lee, will have the
2 opportunity to cross-examine the Board's
3 witnesses as with any witness of your own also
4 subject to cross-examination by the Board.

5 Any questions, Mr. Lee, on what we're
6 going to do today?

7 MR. LEE: Actually, my client, 100
8 percent owner of the Genet I Inc.

9 CHAIRPERSON ANDERSON: I'm sorry, who
10 is your client?

11 MR. LEE: My client is Genet, Inc.
12 That's 100 percent owner is the Genet Bishaw.

13 CHAIRPERSON ANDERSON: Right, I just
14 want to -- I just want to --

15 MR. LEE: And then Mr. Demissie is also
16 here because he mentions on the investigator
17 report and what happened. He can -- he can
18 testify about it. So, Mr. Demissie is a son of
19 Mr. Bishaw so he wanted to join this hearing
20 today so his name is on the screen as Woundim
21 Demissie, so it's allowed, he can speak it today.

22 CHAIRPERSON ANDERSON: If you decide to
23 call witnesses --

24 MR. LEE: Okay.

25 CHAIRPERSON ANDERSON: -- you can --

1 you can call -- you can call whoever you want as
2 witnesses.

3 MR. LEE: All right.

4 CHAIRPERSON ANDERSON: I was just
5 saying to him in this, he's not the owner of
6 record so he has -- I should not be speaking to
7 him, but since you represent the owner you can
8 call whatever witness that you want at that time.
9 But currently the only person I need to hear is
10 the owner. Mr. Demissie, okay.

11 CHAIRPERSON ANDERSON: Before we start,
12 do you have any other questions or concerns
13 before we start the hearing?

14 MR. LEE: Sir, I don't have any other
15 so we can move on.

16 CHAIRPERSON ANDERSON: All right. So, the
17 Board will call its first witness, and we're going to
18 call Mr. Mark Brashears.

19 Mr. Brashears, can you raise your right
20 hand, please.

21 Do you swear or affirm to tell the truth
22 and nothing but the truth?

23 MR. BRASHEARS: I do, sir.

24 CHAIRPERSON ANDERSON: Good morning, Mr.
25 Brashears. Can you say and spell your name for the

1 record, please.

2 MR. BRASHEARS: My name is Mark Brashears.
3 That's M-A-R-K B-R-A-S-H-E-A-R-S.

4 CHAIRPERSON ANDERSON: And, Mr. Brashears,
5 where are you currently employed?

6 MR. BRASHEARS: I am currently employed
7 with ABRA as a Supervisory Investigator.

8 CHAIRPERSON ANDERSON: And how long have
9 you been employed at ABRA?

10 MR. BRASHEARS: Seven years, ten months.

11 CHAIRPERSON ANDERSON: Now, are you
12 familiar with this establishment S & G Wine and
13 Liquors?

14 MR. BRASHEARS: I am, sir.

15 CHAIRPERSON ANDERSON: Can you tell us how
16 did you become aware of this establishment, please?

17 MR. BRASHEARS: Lead Investigator Danzler+
18 works on my team. She conducted the investigation and
19 authored this investigative report. As such, she
20 confirmed to me and I approved the report.
21 Unfortunately she's in dispose today so I'm here to
22 speak on her behalf.

23 CHAIRPERSON ANDERSON: All right. So, you
24 said that you approved the report. Tell me -- just
25 tell me you approved report, tell me a little bit

1 about that -- that process, please.

2 MR. BRASHEARS: So, when she and I
3 discussed the investigation, when she completed the
4 report I reviewed the report, made recommendations and
5 ultimately signed and approved the report.

6 CHAIRPERSON ANDERSON: So, are you her
7 immediate supervisor, sir?

8 MR. BRASHEARS: Yes, sir, I am.

9 CHAIRPERSON ANDERSON: All right. Can you
10 share with us why we're here about the case report
11 that was generated by the Agency. How did the Agency
12 become aware of S & G Wine and Liquors?

13 MR. BRASHEARS: Basically, Investigator
14 Danzler was looking into allegations of an illegal
15 after-hours location on Georgia Avenue, a barber shop
16 that was allegedly operating after hours. Her
17 investigation led her to S & G Liquors and a Mr.
18 Woundim Demissie. So, as part of that investigation
19 from April 6, 2021 to April 19th, 2021, Investigator
20 Danzler visited S & G Liquors several times. She met
21 an individual named Mr. Ali with an expired ABC
22 Manager's license who was running the business and he
23 subsequently admitted that he did the ordering of the
24 alcohol for the establishment.

25 LI Danzler also met a man named Woundim

1 Demissie who claimed to be the owner of the
2 establishment. It was subsequently learned that he
3 was the son of establishment owner Genet Bishaw. Mr.
4 Demissie produced a Power of Attorney from Genet
5 Bishaw allowing him to run the business.

6 The review of the Power of Attorney showed
7 that he had been in fact for a little over two years.
8 During an conversation with LI Danzler on April 19th,
9 Mr. Demissie admitted that he could not get an ABC
10 Manager's License but did not say why.

11 LI Danzler reviewed ABRA records and
12 learned that Genet Bishaw was the sole owner of S & G
13 Wine and Liquors and that no action had been started
14 to change ownership. There was no copy of the Power
15 of Attorney in ABRA records, nor was there a copy of
16 any type of management agreement.

17 During all of LI Danzler's visits she did
18 not encounter the owner or an ABC Manager. It was
19 basically LI Danzler's belief that a transfer of
20 ownership occurred without Board approval or at the
21 very least there was no one approved by the ABC Board
22 intending the business.

23 LI Danzler's supervisor authorized the
24 investigation, approved the report that was submitted
25 to the Board and I concurred with her assessment of

1 the facts.

2 CHAIRPERSON ANDERSON: How many times again
3 physically did an ABRA investigator go to this
4 establishment, visit this establishment?

5 MR. BRASHEARS: That I'm aware of, three
6 separate occasions and then the fourth occasion I went
7 to the establishment to serve the Peace and Desist
8 Order and during that time there was no ABC manager.
9 I waited approximately 35 minutes for an individual to
10 arrive to receive the document. And that was the
11 first interaction between either myself or
12 Investigator Danzler where someone with an ABC
13 Manager's License was present.

14 CHAIRPERSON ANDERSON: And who was that?
15 I'm sorry, who was present when you -- when you served
16 the Cease and Desist Order?

17 MR. BRASHEARS: It was AB Manager Yohannes
18 Teclu.

19 CHAIRPERSON ANDERSON: And you're saying
20 that you went there during the hours that they were
21 approved to operate and there was no ABC manager
22 there, is that correct?

23 MR. BRASHEARS: Yes, sir. I went there on
24 May 26 at approximately 4:10 p.m.

25 CHAIRPERSON ANDERSON: And for the record

1 are you aware of what time -- what their operating
2 hours are?

3 MR. BRASHEARS: I don't know offhand. I
4 would have to look that up, sir.

5 CHAIRPERSON ANDERSON: What type of
6 establishment is it?

7 MR. BRASHEARS: This is a Class Liquor
8 Store, sir.

9 CHAIRPERSON ANDERSON: It's a liquor store
10 so generally what are the hours for liquor stores,
11 since it's a liquor store, just asking?

12 MR. BRASHEARS: This would typically be
13 anywhere from -- it could be anywhere from 8:00 a.m.
14 to midnight.

15 CHAIRPERSON ANDERSON: All right. That's
16 fine. And this establishment is a liquor store so --
17 all right. So, you went there during business hours.
18 While you were there on the 26th at 4:10 did you --
19 and you said you waited approximately half an hour for
20 the ABC manager to appear. Did you see any sales of
21 alcohol during that period of time?

22 MR. BRASHEARS: No. While I was there and
23 because I had asked for an ABC manager, the clerk that
24 was there basically locked the door and stopped sales
25 until such time that the ABC manager arrived.

1 CHAIRPERSON ANDERSON: So, when you went
2 there did you have to buzz in or did you -- did you
3 just walk in the establishment?

4 MR. BRASHEARS: No, sir. I was able to --
5 I was able to walk in. The establishment was
6 operating but when I went in no sales were occurring
7 and once I stated who I was and why I was there the
8 individual said the ABC manager had stepped out. He
9 would call him and as such he locked the door and
10 turned people away for sales until such time as the
11 ABC manager arrived.

12 CHAIRPERSON ANDERSON: Okay. All right.
13 Okay. All right.

14 Do the Board Members have any questions of
15 Mr. Brashears?

16 MEMBER SHORT: Yes, I'd like to ask a
17 question, yes.

18 CHAIRPERSON ANDERSON: Go ahead, Mr. Short.

19 MEMBER SHORT: Good morning, Investigator
20 Brashears.

21 MR. BRASHEARS: Good morning, sir.

22 MEMBER SHORT: Again, would you state what
23 the license -- what is the licensee -- license to do
24 and what is it's classification?

25 MR. BRASHEARS: Well, they are a -- they

1 are a Class A Retailer which means they can sell beer,
2 wine and spirits.

3 MEMBER SHORT: Okay. So, as I understand
4 your testimony, the original complaint was they were
5 operating as a nightclub?

6 MR. BRASHEARS: Let me clarify, sir.

7 There is a former barber shop a few doors
8 down. Investigator Danzler was initially looking into
9 complaints that the barber shop was operating as a
10 speak-easy. MPD had been involved. No one could
11 subsequently get into the establishment, but upon
12 talking to the neighbors, they learned that --
13 Investigator Danzler learned that Mr. Demissie was the
14 owner of the barber shop. When Investigator Danzler
15 spoke to him about that he stated that he had
16 subleased the barber shop to another tenant and that
17 was the person that was potentially running the speak-
18 easy. But once Investigator Danzler had visited the
19 establishment and spoke with Mr. Demissie the
20 neighbors stated that there were no further instances
21 of the alleged speak-easy operating.

22 MEMBER SHORT: So, the license before the
23 Cease and Desist is a Retail A. And they have no --
24 they have no -- they have nothing on the license that
25 would allow them to operate as a nightclub or to

1 sublease their license to a nightclub, is that
2 correct?

3 MR. BRASHEARS: Correct, sir. And the
4 barber shop is a few doors down. It's a different
5 physical address.

6 MEMBER SHORT: And the owner of that
7 property for that address?

8 MR. BRASHEARS: Investigator Danzler found
9 that to be Mr. Demissie.

10 MEMBER SHORT: Thank you very much. Thank
11 you for addressing the report, Mr. Brashears.

12 MR. BRASHEARS: Yes, sir.

13 MEMBER SHORT: That's all I have, Mr.
14 Chair.

15 CHAIRPERSON ANDERSON: Thank you, Ms.
16 Short.

17 Any other questions by any other Board
18 Members? Any questions of Mr. Brashears?

19 MR. LEE: Yes. First of all, best on your
20 hard work, Mr. Brashears. I look to be the licensee.
21 And actually I was making sure because I heard that
22 the Board Members were confused about what initiated
23 this allegation. That is the barber shop two doors
24 down, not the S & G Liquor Store, right? So, I'm,
25 just make it clear that. And then the Investigative

1 Report. I want to focus on that alleged violation is
2 (audio interference) the 25-45 of the application for
3 transfer to new owner. That is the issue here and
4 then it says that substitute, yes. So, I'm just
5 wondering what kind of fact you find that there is an
6 illegal transfer without Board approve for the new
7 owner?

8 MR. BRASHEARS: Well, again, we visited the
9 establishment numerous times and was told the owner
10 was out of the country in Ethiopia on vacation. The
11 documents that were provided stated that the power of
12 attorney had been place for over two years and during
13 our visits we did not encounter the owner or any ABC
14 manager. So, at the very least if this is not a
15 transfer of ownership we could not find anyone
16 operating that was approved by the Board.

17 MR. LEE: Well, actually, I thought that
18 it's out of place, it's out of order, the owner
19 absent, the manager should handle all price of the
20 business. But in this case the then manager, the
21 manager license has been expired. He did not know and
22 he fixed it on the same day to pick up the manager's
23 license. But --

24 CHAIRPERSON ANDERSON: Mr. Lee.

25 MR. LEE: Yes.

1 CHAIRPERSON ANDERSON: She's asked the
2 questions. She's going to testify.

3 MR. LEE: Okay. And then you look at the
4 power of attorney and then ask Mr. Demissie the
5 license with his son about what happened. Where is
6 the owner and the why they use a power of attorney.
7 He actually used a power of attorney to operate the
8 business. Did you find it and did you substantiate
9 for it?

10 MR. BRASHEARS: Well, I did not conduct the
11 investigation. LI Danzler did. And what she stated
12 and what she put into the report was that he presented
13 -- Mr. Demissie presented the power of attorney as his
14 authority or approval to run the business.

15 MR. LEE: Actually, with the power of
16 attorney did you see he actually operate the business
17 because of there is an ABC manager there.

18 MR. BRASHEARS: Well, again, sir, we did
19 not see -- we encountered Mr. Demissie who identified
20 himself to LI Danzler as the owner which he is not the
21 owner on record. We did not find during our visit an
22 ABC manager present. So, again, it was enough -- it
23 was enough instances of someone not being in charge of
24 the establishment plus an individual with an expired
25 ABC Manager's License stating that he was doing the

1 purchasing of alcohol that we submitted a report to
2 put it to the Board to try to find out what was going
3 on.

4 MR. LEE: Well, actually, Mr. Demissie or
5 any licensee staff they want to transfer ownership.

6 MR. BRASHEARS: No, but Mr. Demissie
7 claimed to be the owner and provided a document giving
8 him what he believed the ability to manage the
9 business and he is, in fact, not the owner.

10 MR. LEE: So, owner was not there, right or
11 on vacation? Did you find that?

12 MR. BRASHEARS: We were told the owner was
13 in Ethiopia.

14 MR. LEE: Yes. And then during that time,
15 a limited time, can someone can operate with ABC
16 manager license, that's correct?

17 MR. BRASHEARS: Correct.

18 MR. LEE: Yeah. So, manager doesn't have
19 manager license because it expired. And he just fix
20 it on the same day. Did you find that managers permit
21 they can provide you investigator?

22 MR. BRASHEARS: No. I -- again, I did not
23 investigate this.

24 MR. LEE: Right, understand.

25 MR. BRASHEARS: This report was written by

1 -- but during the times that LI Danzler visited, three
2 times, and my subsequent visit there was no one that
3 identified themselves as the ABC Manager and Ms.
4 Bishaw, the owner was not present.

5 MR. LEE: Yes. So, based on your
6 experience if you go to the establishment, if you
7 didn't find the owner and there is an ABC manager plus
8 ABD manager's license is expired you said there's just
9 a no manager on duty violation or just a, new owner
10 illegal transfer of the license to the new owner?
11 That's to be, right? I think it's just a simple no
12 manager on duty case.

13 MR. BRASHEARS: Well, again, there were
14 enough instances where we could not locate the owner,
15 an individual claimed to be the owner who was not,
16 documents were not submitted to ABRA to change
17 ownership so it was enough that LI Danzler believed it
18 warranted the Board looking into it. And as such
19 authorized her investigation.

20 MR. LEE: So, I'm just wondering Ms.
21 Danzler says that Mr. Demissie he claimed that he is
22 the owner to transfer ownership?

23 MR. BRASHEARS: No, no. He held himself
24 out to be the owner and when that was questioned he
25 produced the power of attorney and the other thing

1 that was concerning to LI Danzler was that the power
2 of attorney had been in place for over two years.

3 MR. LEE: Actually, you look at the power
4 of attorney. That's not the limit of time in there.
5 It's a general power of attorney. So, is it good for
6 that and then your investigator explained to Mr.
7 Demissie that you can operate with power of attorney
8 because the ABC Board does not recognize you have to
9 fine a management agreement for the time. So, your
10 investigator explained, because of some owner who are
11 ABC manager's license know about this. It's a
12 management agreement. They have to buy out. So, if
13 she explain to Mr. Demissie to fix it?

14 MR. BRASHEARS: Well, LI Danzler confirmed
15 with our legal -- our adjudication staff and found
16 that a power of attorney would not suffice. Again,
17 she checked the records and found there was no
18 transfer, no management agreement in place and she
19 told Mr. Demissie that he cannot operate the
20 establishment on a power of attorney. It would not be
21 recognized.

22 MR. LEE: So, actually, my indication is
23 ABC Board tried to fix it his mistake by providing the
24 management agreement instead of a power of attorney.

25 MR. BRASHEARS: Well, again, sir, none of

1 these things were received at ABRA so I can't speak to
2 what he may or may not have tried to do.

3 MR. LEE: I'm sorry about the -- actually,
4 though the investigative report and then based --
5 decision based on investigative report allege the
6 violation is application for transfer to new owner.
7 So, it says, yes. So, I think it's not sufficient
8 fact or a finding based on that to allege the
9 violation.

10 So, I'm just asking you that is there any
11 sufficient to fact. It's not mere speculation. Okay.
12 The owner might change about other approval. It's not
13 the situation because I was surprised when Mr.
14 Demissie explained to me that this isn't just a (audio
15 interference) case.

16 So, based on your experience if something
17 happen like that and we gave them a little bit chance
18 to come back with a manager, with an ABC manager
19 License, but this is case is application for transfer
20 of new owner. It's just too much.

21 MR. BRASHEARS: Well, again, I think -- I
22 think we're talking semantics at this point. Again,
23 like I said, he held himself out to be the owner which
24 he is not. He was allegedly running the business and
25 he did not have the documentation to do it. And,

1 again, that's why the report was authored for the
2 Board to make whatever decision they would make based
3 on what's provided.

4 MR. LEE: Okay. No further questions.
5 Thank you very much.

6 MR. BRASHEARS: Yes, sir.

7 CHAIRPERSON ANDERSON: All right. Hold on.
8 Hold on, Mr. Brashears.

9 Mr. Brashears, are you aware of whether or
10 not a management agreement was filed with the Agency?
11 Are you aware?

12 MR. BRASHEARS: When LI Danzler did the
13 ABRA records review checking all of those things she
14 found no management agreement, no copy of the power of
15 attorney and no initiation of any type of transfer of
16 ownership.

17 CHAIRPERSON ANDERSON: Thank you. Now,
18 you're saying that based on the visits to the
19 establishment and also by the assertion of Mr.
20 Demissie that he was the owner that the Agency was led
21 to believe there was a legal transfer, is that what
22 you're saying based on the recommendation of Ms.
23 Demissie to the investigator?

24 MR. BRASHEARS: Yes, sir. Especially,
25 based on the fact that during one of the

1 conversations, Mr. Demissie, LI Danzler stated that he
2 had said he could not get an ABC Manager's license but
3 did not elaborate as to why. So, the fact the
4 establishment -- he was operating with a power of
5 attorney. It looks suspect in the fact that maybe
6 ownership had changed and the proper documents hadn't
7 been filled out for whatever reason. And, again, it
8 was enough of a -- enough anomalies that we wanted to
9 bring it to the Board's attention so that it could be
10 looked into.

11 CHAIRPERSON ANDERSON: Than you, Mr.
12 Brashears. All right. I don't have any more
13 questions for Mr. Brashears so that the extend of the
14 Board's witness.

15 This is a hearing that you requested, Mr.
16 Lee, so do you have a witness you want to call?

17 MR. LEE: Yes. I have two witnesses to
18 testify today so first one is owner of the Genet, Inc.
19 That's the Licensee. Ms. Bishaw.

20 CHAIRPERSON ANDERSON: I'm sorry, what's
21 the name, I'm sorry.

22 MR. LEE: Ms. Bishaw. That's the
23 Licensee.

24 CHAIRPERSON ANDERSON: Ms. Bishaw. Ms.
25 Bishaw? I see the name on the screen but I'm not

1 getting a response, Mr. Lee.

2 MR. LEE: Okay. We can move on.

3 CHAIRPERSON ANDERSON: Mr. Lee. Mr. Lee?

4 MR. LEE: Yes. All right. Ms. Bishaw.

5 MS. BISHAW: Yes. Did you hear me?

6 MR. LEE: All right. Ms. Bishaw --

7 MS. BISHAW: Yes.

8 MR. LEE: Can you get closer to the phone,
9 please, ma'am? I can hardly hear you. Hello? Hello?

10 MS. BISHAW: Yes, can you hear me?

11 CHAIRMAN ANDERSON: I cannot hear you,
12 ma'am. I need you to be closer to the -- I need you
13 to speak into the microphone. I cannot hear you and
14 we cannot have this hearing if I cannot hear you.

15 Ms. Bishaw?

16 MS. ANDREWS: Mr. Chair, I hate to
17 interrupt but it seems like Mr. Demissie and Ms.
18 Bishaw are in the same space on two different devices.

19 CHAIRPERSON ANDERSON: Then one person
20 needs to log on. Ms. Bishaw need to log off and we
21 can use the device that Mr. Demissie is using
22 because --

23 MR. LEE: I think that if Ms. Bishaw comes
24 to my door, I will do that.

25 CHAIRPERSON ANDERSON: I don't care. I

1 need her on the phone so figure out how to do it.

2 MR. LEE: I think we need to unmute Mr.
3 Woundim's phone. Because that phone is not working
4 for it.

5 MS. BISHAW: You hear me?

6 CHAIRPERSON ANDERSON: Hello, Ms. Bishaw?

7 MS. BISHAW: Yes.

8 CHAIRPERSON ANDERSON: Can you raise your
9 right hand, please?

10 Ms. Bishaw?

11 MS. BISHAW: Yes.

12 CHAIRPERSON ANDERSON: All right. I need
13 her to log off the other. She's on the -- she's on
14 -- she's here on my screen twice. I need her to log
15 off. How can we do that? Can someone tell her she
16 needs to log off her login so I can hear her on the
17 other line.

18 MS. ANDREWS: Ms. Bishaw, access your
19 desktop right now.

20 MR. DEMISSIE: Can you please unmute mine
21 so my mom can use my phone because she's not --

22 MS. ANDREWS: Sir, you're already unmute.
23 That's how we can hear you right now.

24 MR. DEMISSIE: Okay. Perfect. My mom is
25 here. Now you talk to her.

1 MS. ANDREWS: Okay, sir. I'm just going to
2 take away the rights of the other one. You guys can
3 log off of that one.

4 MR. DEMISSIE: All right. Okay. We log
5 off the other one.

6 CHAIRPERSON ANDERSON: All right. Ms.
7 Bishaw, I need -- is Ms. Bishaw there?

8 MS. BISHAW: Yes, I'm here.

9 CHAIRPERSON ANDERSON: All right. Ms.
10 Bishaw, can you raise your right hand, please. I
11 can't see you so you need to let me know when you're
12 doing it, ma'am.

13 MS. BISHAW: Now.

14 CHAIRPERSON ANDERSON: Hello?

15 MS. BISHAW: You see --

16 CHAIRPERSON ANDERSON: I'm sorry?

17 MS. BISHAW: You see my hand?

18 CHAIRPERSON ANDERSON: I can't see you,
19 ma'am. I just need you to tell me that you have done
20 it. Okay? All right.

21 Do you swear or affirm to tell the truth
22 and nothing but the truth?

23 MS. BISHAW: Yes. Yes.

24 CHAIRPERSON ANDERSON: I'm sorry? What did
25 you say, ma'am? +

1 MS. BISHAW: I said, yes.

2 CHAIRPERSON ANDERSON: All right. So, you
3 swear to tell the truth and nothing but the truth, is
4 that correct? So, you said, yes, is that all right?

5 MS. BISHAW: On --

6 CHAIRPERSON ANDERSON: It's your witness,
7 Mr. Lee. If this is not going to work, if this
8 doesn't work I'm going to reschedule this hearing.
9 But let's see what's going on. Go ahead.

10 MR. LEE: I'll just ask several questions.

11 MS. BISHAW: Yes, I do.

12 MR. LEE: Ms. Bishaw, this is Kevin Lee.
13 I'm your attorney to ask several questions. Can you
14 hear me?

15 MS. BISHAW: Yes.

16 MR. LEE: Okay. Do you own 100 percent of
17 the Genet, Inc.?

18 CHAIRPERSON ANDERSON: Hold on, Mr. Lee.
19 Mr. Lee can you ask -- can you please have her state
20 and spell her name for the record, please.

21 MR. LEE: Okay. Would you say your name
22 and spell out for me?

23 MS. BISHAW: My name is Genet Bishaw.

24 MR. LEE: Can you spell out --

25 MS. BISHAW: G-E-N-E-T B-I-S-H-A-W.

1 MR. LEE: Okay. Are you the owner of the
2 Genet, Inc.?

3 MS. BISHAW: Yes.

4 MR. LEE: Is there any other owner share
5 that with you?

6 MS. BISHAW: No.

7 MR. LEE: You are the only one?

8 MS. BISHAW: No.

9 MR. LEE: You are the only one?

10 MS. BISHAW: Yes.

11 MR. LEE: Okay. And you tried to transfer
12 the business to your son?

13 MS. BISHAW: No.

14 MR. LEE: Okay. What happened to you, why
15 -- how long you been on vacation in Ethiopia?

16 MS. BISHAW: I went to December.

17 MR. LEE: December 2020?

18 MS. BISHAW: Because I was -- I was sick
19 COVID. Because -- because of COVID I go to Ethiopia.
20 Okay. When you came back?

21 MS. BISHAW: I came June 1, 2021.

22 MR. LEE: Why you sign the power of
23 attorney to your son?

24 MS. BISHAW: Because I talked to people, my
25 lawyer, and the lawyer said because of emergency, my

1 mom is sick on that, in Ethiopia, and then I said to
2 my lawyer, the lawyer say this to the power of
3 attorney to my son. He say like that. When he say
4 like that I give to my son power of attorney.

5 MR. LEE: And did you give your manager,
6 Mr. Ali and sign the check to purchase alcohol?

7 MS. BISHAW: Yes. I sign it to my manager
8 that's part of. He's a good manager.

9 MR. LEE: So, you want him to operate your
10 business?

11 MS. BISHAW: Yes.

12 MR. LEE: And then your son operate the
13 business, too?

14 MS. BISHAW: No.

15 MR. LEE: Because ABRA says that your son
16 presented power of attorney to operate the business,
17 is it true?

18 MS. BISHAW: No. No.

19 MR. LEE: So, your son was in -- at the
20 business all the time?

21 MS. BISHAW: No. He has work. No. The
22 manager is responsible. I give to the manager because
23 the manager is a good manager for me. He's a good
24 manager. I give to him.

25 MR. LEE: What's your manager's name?

1 MS. BISHAW: Tessmellme Ali.

2 MR. LEE: What he spell?

3 MS. BISHAW: That's Tessmellme, T-E-S-S-M-
4 E-L-L-M-E. Tessmellme.

5 MR. LEE: The last name?

6 MS. BISHAW: Ali, A-L-I.

7 MR. LEE: Okay. And does he still work
8 there?

9 MS. BISHAW: Yes.

10 MR. LEE: And then he has a manager,
11 manager coming now?

12 MS. BISHAW: Yes.

13 MR. LEE: You tried to transfer ownership
14 in the future to your son?

15 MS. BISHAW: No.

16 MR. LEE: So, you operate by yourself or
17 with a manager?

18 MS. BISHAW: Yes.

19 MR. LEE: Do you have any health problem to
20 operate the business?

21 MS. BISHAW: No.

22 MR. LEE: So, you COVID is all recovered,
23 right>

24 MS. BISHAW: Yes.

25 MR. LEE: All right. Do you know what

1 happened to your license now?

2 MS. BISHAW: No, I need to know because of
3 coronavirus, it is not renewed.

4 MR. LEE: So, actually, do you know why we
5 are at the hearing now?

6 MS. BISHAW: What you say? ABRA is heard.

7 MR. LEE: Okay. No further questions to
8 her. Thank you.

9 MS. BISHAW: you're welcome.

10 CHAIRPERSON ANDERSON: I have some
11 questions for you, ma'am.

12 Who is Mr. Ali?

13 MS. BISHAW: Who is manager? He's the
14 manager of --

15 CHAIRPERSON ANDERSON: I'm sorry, who is
16 he? He's the manager of what? Who is Mr. Ali? Who
17 is Mr. Ali?

18 MS. BISHAW: He is the manager of S & G
19 Liquors and manager. He's manager of my liquor store.

20 CHAIRPERSON ANDERSON: And how long has he
21 been the manager of your liquor store?

22 MS. BISHAW: Again, again the question.

23 CHAIRPERSON ANDERSON: You said, what is
24 it?

25 Ma'am, the question I asked you. How long

1 has he been a manager in your liquor store?

2 MS. BISHAW: Three years.

3 CHAIRPERSON ANDERSON: So, he's been a
4 manager in your liquor store for three years, that's
5 what you said?

6 MS. BISHAW: Yes, I know.

7 CHAIRPERSON ANDERSON: Is that correct?

8 MS. BISHAW: Yes, I know.

9 CHAIRPERSON ANDERSON: I'm sorry?

10 MS. BISHAW: 2003.

11 CHAIRPERSON ANDERSON: All right. Who did
12 you give a power of attorney to?

13 MS. BISHAW: To my son.

14 CHAIRPERSON ANDERSON: And why did you give
15 your son a power of attorney?

16 MS. BISHAW: Because I'm to go to Ethiopia
17 because of emergency. My mom is sick. So --

18 CHAIRPERSON ANDERSON: So, what --

19 MS. BISHAW: -- when I take to my lawyer
20 he said you give power of attorney to your son and go
21 he said. And he say I give this.

22 CHAIRPERSON ANDERSON: So, what is it that
23 your son can do? When you gave him this power of
24 attorney what is it that -- what was he supposed to do
25 with this power of attorney?

1 MS. BISHAW: It's for attorney to (audio
2 interference).

3 CHAIRPERSON ANDERSON: What?

4 MS. BISHAW: Because the manager sometimes
5 he goes roll mine, my manager. He's a project manager
6 in a bank. He taught me that something and so--

7 CHAIRPERSON ANDERSON: So, why did your son
8 tell the investigator that he was the owner of the
9 business?

10 MS. BISHAW: No, I don't know that.

11 CHAIRPERSON ANDERSON: I didn't understand
12 what you say, ma'am.

13 MS. BISHAW: I don't know that.

14 CHAIRPERSON ANDERSON: You don't know that?
15 Are you saying you don't know what --

16 MS. BISHAW: The power -- I give the power
17 to the owner.

18 CHAIRPERSON ANDERSON: I'm sorry. Who is
19 the owner you gave the power to?

20 MS. BISHAW: Me.

21 CHAIRPERSON ANDERSON: All right. Your
22 son told the investigator that he was the owner of the
23 liquor store. Why is you are the owner why did he
24 tell the investigator that he was the owner?

25 MS. BISHAW: That is misunderstanding.

1 CHAIRPERSON ANDERSON: How is it a
2 misunderstanding?

3 MS. BISHAW: He's not the owner. I give
4 power of attorney only.

5 CHAIRPERSON ANDERSON: How -- all right.
6 You stated that you were sick and you were gone for
7 six months, is that correct?

8 MS. BISHAW: Yes.

9 CHAIRPERSON ANDERSON: You left in December
10 and you came back on June 1st.

11 MS. BISHAW: Yes, sir.

12 CHAIRPERSON ANDERSON: So, who was running
13 the business between December and June 1st?

14 MS. BISHAW: Tessmellme Ali is the manager
15 of that store.

16 CHAIRPERSON ANDERSON: I'm sorry, who?

17 MS. BISHAW: Tessmellme Ali is the manager
18 of that store.

19 CHAIRPERSON ANDERSON: So, you were gone
20 for six months and you left Mr. Ali in charge?

21 MS. BISHAW: Yes.

22 CHAIRPERSON ANDERSON: I'm sorry?

23 MS. BISHAW: He's a good manager because of
24 that I left him up because when I'm gone on he call me
25 and I sick.

1 CHAIRPERSON ANDERSON: Ma'am, I'm not
2 asking about you being sick. I'm asking you, ma'am.
3 You said you were gone for six months. You said
4 that-- let me. I'm confused. Why did you go to
5 Ethiopia for six months?

6 MS. BISHAW: Because of my family. I was
7 sick. I was sick COVID and I go to Ethiopia because
8 of my family.

9 CHAIRPERSON ANDERSON: So, when were you
10 sick?

11 MS. BISHAW: COVID.

12 CHAIRPERSON ANDERSON: I said when were you
13 sick, ma'am? Ma'am, you should know when you were
14 sick. You said you were sick. When were you sick?

15 MS. BISHAW: May.

16 CHAIRPERSON ANDERSON: I'm sorry?

17 MS. BISHAW: When the COVID is happen I am
18 too. May. May. The month is May.

19 CHAIRPERSON ANDERSON: So, you were sick in
20 May. You recovered in December and you went on
21 vacation to Ethiopia for six months in December, is
22 that what you're saying?

23 MS. BISHAW: I go to vacation.

24 CHAIRPERSON ANDERSON: you're stating that
25 you were sick in May. You recovered and you went to

1 -- I'm sorry?

2 MS. BISHAW: Let me explain, okay? I got
3 COVID in May and then I survive. I go to vacation to
4 December.

5 CHAIRPERSON ANDERSON: What did you say
6 ma'am, I'm sorry? I didn't hear.

7 MS. BISHAW: I got sick in May. I decided
8 to go to vacation in December.

9 CHAIRPERSON ANDERSON: And you're on
10 vacation. You're on vacation for six months. You're
11 on vacation in Ethiopia from December until June 1st,
12 is that correct?

13 MS. BISHAW: Yes.

14 CHAIRPERSON ANDERSON: So, why did you come
15 back on June 1st?

16 MS. BISHAW: Yes.

17 CHAIRPERSON ANDERSON: Ma'am, whoever is
18 talking to you, I don't want to hear them -- ma'am?
19 Miss, miss, miss? Hold on. I'm talking to you. I'm
20 not talking to your son or anyone else. I can't see
21 you. I don't know who is talking to you. But I heard
22 somebody talking to you, ma'am. So, I'm asking you a
23 question and I need you to answer the question. I
24 don't want to hear a male voice in the background
25 speaking to you because you're the one that said you

1 were sick. You're the one said that you were on
2 vacation. You should know when you were sick and you
3 should also know when you're on vacation. Someone
4 shouldn't have to tell you when you were sick and when
5 you were on vacation, ma'am. So, I'm asking you a
6 question.

7 MS. BISHAW: Not on --

8 CHAIRPERSON ANDERSON: Miss? Miss? Miss,
9 hold on one minute, please.

10 I heard a male voice in the background
11 speaking to you. So, someone is talking to you. I
12 heard a male voice in the background. If your son is
13 there with you he need not to give you answers, ma'am.
14 I only need to hear answers from you. He cannot
15 speak. He can't tell you any answers. If your son is
16 there with you he need not to give you answers, ma'am.
17 I only need to hear answers from you. He cannot
18 speak. He cannot tell you any answers. He cannot
19 tell you what to say. I need you to answer my
20 question and speak to me alone. Is that correct?

21 MS. BISHAW: Okay. Nobody in my place.
22 Okay.

23 CHAIRPERSON ANDERSON: How often -- prior
24 to you being sick in May how often are you in the
25 liquor store?

1 MS. BISHAW: Five days a week.

2 CHAIRPERSON ANDERSON: I'm sorry?

3 MS. BISHAW: Five days in a week.

4 CHAIRPERSON ANDERSON: So, you're saying
5 you're in the liquor store five -- so, five -- prior
6 to you getting sick in May you were in the liquor
7 store five days a week?

8 MS. BISHAW: When I come here I work five
9 days in a week.

10 CHAIRPERSON ANDERSON: And how often are
11 you -- how often do you travel? How often do you
12 leave the country, ma'am and for how long? Usually,
13 you said this time you're gone for six months. But
14 prior to that how often do you travel and how long are
15 you going for?

16 MS. BISHAW: Our operation is sometimes
17 from 10 -- from 10:00 a.m. up to 7:00, midnight.

18 CHAIRPERSON ANDERSON: That's not the
19 question I asked you, ma'am. The question I asked
20 you. How often do you travel? You said that you were
21 sick in May and that you went on vacation in December
22 and you came back in June. So, the question I'm
23 asking you, prior to you being sick in May how often
24 -- prior to you going to Ethiopia for six months in
25 December how often do you travel?

1 MS. BISHAW: Only once I travel.

2 CHAIRPERSON ANDERSON: The reason why I'm
3 confused, ma'am, on one hand you're saying that your
4 mother is sick or somebody is sick or someone is sick.
5 That's why you went to Ethiopia. Now you're saying
6 that you went to Ethiopia for a vacation for six
7 months so which one is it? Did you go home to
8 Ethiopia for six months because somebody is sick or
9 did you go home to Ethiopia for six months because you
10 were on vacation? Which was is it?

11 MS. BISHAW: Again, now the question.

12 CHAIRPERSON ANDERSON: I'm sorry, ma'am.

13 This is the question I'm asking you,
14 ma'am. Did you go to Ethiopia for six months because
15 you were on vacation or did you go to Ethiopia for six
16 months because someone in your family was sick. Which
17 one is it?

18 MS. BISHAW: I go to Ethiopia only the
19 first time. My mom -- my mom is sick with COVID 19.
20 And then I came back.

21 CHAIRPERSON ANDERSON: And when did you
22 go --

23 MS. BISHAW: And then I got the COVID and
24 then I go to Ethiopia in 2020.

25 CHAIRPERSON ANDERSON: Now, do you intend

1 to maintain ownership of this liquor store, ma'am?

2 MS. BISHAW: Again?

3 CHAIRPERSON ANDERSON: I'm sorry.

4 MS. BISHAW: Again the question.

5 CHAIRPERSON ANDERSON: Are you planning to
6 sell this liquor store or do you plan to keep -- to
7 continue owning it?

8 MS. BISHAW: No.

9 CHAIRPERSON ANDERSON: No, what?

10 MS. BISHAW: I'm not selling. This is my
11 business. I'm not selling.

12 CHAIRPERSON ANDERSON: All right so, when
13 you're not there who is in charge of the business?

14 MS. BISHAW: The manager and sometimes
15 Tessmellme Ali and me.

16 CHAIRPERSON ANDERSON: So, now is there any
17 -- did you sign any -- did you sign any paperwork
18 transferring ownership or management of the business
19 to Mr. Ali?

20 MS. BISHAW: No. No. I am the one.

21 CHAIRPERSON ANDERSON: Now, do you
22 understand that's illegal to operate the business
23 without a licensed manager?

24 MS. BISHAW: Yes, I do.

25 CHAIRPERSON ANDERSON: So, if you do why is

1 it that -- why is it that when the Agency, Mr.
2 Brashears, testified today that when he went there on
3 May 26 at 4:10 that there was no ABC manager there?

4 MS. BISHAW: That I -- repeat again the
5 question. I didn't get it.

6 CHAIRPERSON ANDERSON: Mr. Brashears
7 testified earlier that on April 16, when he came there
8 to issue the Cease and Desist Order that there was no
9 ABC manager at the establishment. Why was that so?

10 MS. BISHAW: He's going and I went out. He
11 going to bring a lunch at that time.

12 CHAIRPERSON ANDERSON: So, are you aware
13 that you cannot -- what time does your business open,
14 ma'am? What are your hours?

15 MS. BISHAW: The business 10:00 to
16 midnight.

17 CHAIRPERSON ANDERSON: Every day?

18 MS. BISHAW: Every day.

19 CHAIRPERSON ANDERSON: So, the business
20 open from 10:00 a.m. to midnight every day, is that
21 correct?

22 MS. BISHAW: Yes.

23 CHAIRPERSON ANDERSON: Do you know that
24 between 10:00 a.m. and midnight every day if there is
25 not an owner or an ABC manager there that you cannot

1 operate. Are you aware of that, ma'am?

2 MS. BISHAW: Yes, I know that.

3 CHAIRPERSON ANDERSON: So, if you know --
4 I'm sorry, you said what? What did you say, ma'am?

5 MS. BISHAW: Yes.

6 CHAIRPERSON ANDERSON: So, if you are aware
7 of that why is it that every time ABRA came to your
8 establishment they have never been an ABC manager or
9 an owner present? Why is that so?

10 MS. BISHAW: Because one time the license
11 is expired. The next time they bring lunch to go to
12 this lunch because of that.

13 CHAIRPERSON ANDERSON: But if he goes to
14 get lunch so why is the business still open? If he's
15 not there why is the business open if he's not there?

16 MS. BISHAW: Because other guy --

17 CHAIRPERSON ANDERSON: I'm sorry, what?

18 MS. BISHAW: The other guy is going to sell
19 the groceries.

20 CHAIRPERSON ANDERSON: The other guy is
21 going to sell the groceries?

22 MS. BISHAW: Yes.

23 CHAIRPERSON ANDERSON: What does that mean?

24 MS. BISHAW: When the sum -- the money that
25 he's going to buy lunch it's 30 minutes. Within 30

1 minutes this -- the other guy is later.

2 CHAIRPERSON ANDERSON: So, why doesn't the
3 other guy -- go ahead.

4 MS. BISHAW: The other guy is not selling
5 liquor. He knows the rules.

6 CHAIRPERSON ANDERSON: So, why doesn't the
7 other guy go buy the lunch if you know that you can't
8 operate without an ABC manager or owner? Why is it
9 the ABC manager is not there? How many ABC managers
10 do you have for the establishment, ma'am.

11 MS. BISHAW: I have one. The ABC manager
12 again the question?

13 CHAIRPERSON ANDERSON: How many ABC
14 managers do you have for your establishment?

15 MS. BISHAW: Two. Two.

16 CHAIRPERSON ANDERSON: And what are the two
17 ABC managers?

18 MS. BISHAW: What did you say?

19 CHAIRPERSON ANDERSON: Who are the two ABC
20 managers?

21 MS. BISHAW: Because when I go --

22 CHAIRPERSON ANDERSON: No, ma'am. Who are
23 the two ABC managers?

24 MS. BISHAW: Because when I go to Ethiopia
25 I add one manager. ABC manager.

1 CHAIRPERSON ANDERSON: Ma'am, who are the
2 two ABC managers that you have in your establishment?

3 MS. BISHAW: That is Yohanne.

4 CHAIRPERSON ANDERSON: Who?

5 MS. BISHAW: Yohanne and Tessmellme Ali.

6 CHAIRPERSON ANDERSON: What's Yohanne's
7 what's his name? Who is Yohannes? How to you say,
8 what is his first and last name?

9 MS. BISHAW: Yohannes Yebr.

10 CHAIRPERSON ANDERSON: How do you spell
11 that?

12 MS. BISHAW: Yohannes, Y-O-H-A-N-N-E-S.
13 Yohannes.

14 CHAIRPERSON ANDERSON: And that did you ask
15 him? I'm sorry, ma'am?

16 MS. BISHAW: His first name is Yohannes.

17 CHAIRPERSON ANDERSON: And what's the last
18 name?

19 MS. BISHAW: The last name Y-E-B-R.
20 Yohannes Yebr.

21 CHAIRPERSON ANDERSON: Since you've been
22 back on June 1st how many days have you been into the
23 store?

24 MS. BISHAW: Five days.

25 CHAIRPERSON ANDERSON: So, you came back,

1 you came back from -- so, what was the days that you
2 came back -- you came back last week Tuesday. So,
3 when were you -- tell me what days were you in the
4 liquor store?

5 MS. BISHAW: Since I have the license?

6 CHAIRPERSON ANDERSON: No, ma'am. The
7 question I asked you --

8 MS. BISHAW: Please wait me, please. And
9 I understand. Please waiting, not like part, the new
10 part. This is no answer. I'm going to -- since I
11 come I go every day.

12 CHAIRPERSON ANDERSON: What day was that?

13 MS. BISHAW: Since I come I go every day to
14 make sure.

15 CHAIRPERSON ANDERSON: Make sure what?

16 MS. BISHAW: What you say?

17 CHAIRPERSON ANDERSON: You go every day to
18 make so what?

19 MS. BISHAW: To make sure they are not
20 selling because -- because I have the license. I do
21 have the license. Because I do have the license.

22 CHAIRPERSON ANDERSON: So, what have you
23 been selling since -- what have you been selling in
24 the store? What have you been selling?

25 MS. BISHAW: What you say?

1 MR. NAGEL: What have you been selling?

2 MS. BISHAW: What are you selling?

3 CHAIRPERSON ANDERSON: All right. You
4 don't have a license to sell. You don't have a
5 license to sell liquor. And you say you've been there
6 every day. So, what is it you've been selling in the
7 liquor store?

8 MS. BISHAW: I sell today grocers and
9 tobacco. To pay rent, to sell groceries and tobacco.

10 CHAIRPERSON ANDERSON: All right. Does
11 anyone else have a question for her?

12 MS. BISHAW: What did you say?

13 CHAIRPERSON ANDERSON: Not you, ma'am. I'm
14 asking the Board members if they have any questions
15 for you.

16 MS. BISHAW: Okay. Sorry.

17 CHAIRPERSON ANDERSON: So, all right. No
18 one has any questions for her. All right. Do you
19 have any other follow-up questions, Mr. Lee or do you
20 have another witness?

21 MR. LEE: Yeah, I have a witness because
22 Mr. Demissie is on the report.

23 CHAIRPERSON ANDERSON: Okay.

24 MR. LEE: Ms. Bishaw, you're done. Thanks
25 for your testifying.

1 CHAIRPERSON ANDERSON: So who is the next
2 person you're calling now?

3 MR. LEE: Yeah, I want to call Mr.
4 Demissie. He's the licensee's son.

5 CHAIRPERSON ANDERSON: Mr. Demissie.

6 MR. DEMISSIE: Hi, how are you? I'm Mr.
7 Demissie.

8 CHAIRPERSON ANDERSON: Can you raise your
9 right hand please?

10 MR. DEMISSIE: Yes, sir.

11 CHAIRPERSON ANDERSON: Do you swear or
12 affirm that to tell the truth and nothing but the
13 truth?

14 MR. DEMISSIE: Yes, I do.

15 CHAIRPERSON ANDERSON: All right. Your
16 witness, Mr. Lee.

17 MR. LEE: Please state your name and spell
18 out for the record.

19 MR. DEMISSIE: My name is Woundim Demissie,
20 W-O-U-N-D-I-M last name D-E-M-I-S-S-I-E.

21 MR. LEE: Actually, we just talk about that
22 you heard that you are the owner of the business. Is
23 it correct? What happened?

24 MR. DEMISSIE: No. I didn't say I'm the
25 owner of the business. Actually, I'm the one that

1 told her, I am the owner's son. That's the reason she
2 write on the report.

3 MR. LEE: Okay. And you have several
4 chance, several opportunity to talk with the
5 Investigator Danzler and that you -- did you reach out
6 as the owner?

7 MR. DEMISSIE: Never. I told her I'm the
8 owner's son.

9 MR. LEE: Okay. And about the power of
10 attorney, why did you make a power of attorney under
11 what course?

12 MR. DEMISSIE: Okay. When my mom decide --
13 she talked to attorney and she's leaving for six
14 months. So, attorney so ask the family and as a good
15 son I control some of her other stuff. Let's say, the
16 accounting. You know, the tax paid on time. And the
17 employees are doing the right job. And other things.
18 I never sell liquor. I never order liquor. And I
19 don't even know how to do that. But I am a very good
20 business man. I run four 7-11's so it's true when my
21 mom absent other people don't take advantage of my mom
22 so I just supervise you her business as a good son.
23 Any son can do for his mom. But I never have any
24 ownership interest in that business.

25 MR. LEE: So, actually you operate the

1 business and that instructing manages on duty, Mr. Ali
2 to do something?

3 MR. DEMISSIE: No, I -- that's -- Mr. Ali,
4 you know, doing the right thing. Like every morning
5 I go to the store. I say hi to Mr. Ali. I ask him if
6 he need anything. I talk to him. That's all I can
7 do. This power of attorney I contact counsel my mom
8 attorney to make sure, you know, Mr. Ali records the
9 money on time. D do know Mr. Ali of a good managers
10 but he's not all that fond of me so I want to make
11 sure my mom's business is on the right leg until she
12 coming back because this is only place, business to
13 support herself. She supports her family.

14 MR. LEE: So, why your mom's the absences
15 were you in the store all the time or how often you
16 check the store?

17 MR. DEMISSIE: Every time I drive by in the
18 morning. They open 10:00. I stop by. I said hi. I
19 said did you need anything? And if it's okay I left
20 to myself. I'm a very busy guy, running four 7-11's,
21 24 hours. I don't even have time to eat breakfast.
22 I have more than 60 employees to control. And I
23 wasn't going to have time to run my business -- my
24 mom's business.

25 MR. LEE: I'm just wondering. So, Mr. Ali

1 whenever he purchased I call he asked you to your
2 permission?

3 MR. DEMISSIE: No. Mr. Ali manages the
4 store the way that is done anybody because he has been
5 there since before it opened.

6 MR. LEE: And one more thing is, who made
7 the power of -- and what kind of explanation you heard
8 that because you didn't -- do you that you have to
9 file management agreement and that's the power of
10 attorney with the ABC Board, why your mom absence.

11 MR. DEMISSIE: No, I don't know before but
12 I said I met with Kevin, he explained for us this is
13 the right way to do it. But as our owner she said,
14 yeah, I'm not an attorney. The other attorney, now we
15 understand that in this case, that's not going to
16 happen. That's what I did, but before I don't know.

17 MR. LEE: As your power of attorney drafted
18 in 2019, what happened? Why you made the file with
19 attorney at the time?

20 MR. DEMISSIE: Because that was the first
21 time my mom left this notice when her mom is sick
22 2019. That was the time and we made this power of
23 attorney in spite of whole class, I submit it to ABRA
24 on -- and they say they don't have that but I submit
25 it to ABRA on 2019 July 23 at 3:03 p.m. I go to ABRA,

1 I submit it, they stamped it for me.

2 MR. LEE: So, actually you submitted it to
3 of writing the store. Why you need the power of
4 attorney do that?

5 MR. DEMISSIE: Because it's not for the
6 liquor store, the power of attorney. It's to control
7 -- anything happen to my mom business when she's
8 outside, the lawyer said yes, better you do power of
9 attorney for your blessed family. It's not only for
10 prank.

11 MR. LEE: So, this time you consulted with
12 your attorney before your mom left country?

13 MR. DEMISSIE: Yes, 2019. Before she left
14 because always I want to do the right thing.

15 MR. LEE: No, I -- I'm talking about 2020
16 this time.

17 MR. DEMISSIE: This time we didn't talk
18 because that power of attorney has been there since
19 2019. We never do another power of attorney.

20 MR. LEE: But you just ask your attorney if
21 it's still effective in this case?

22 MR. DEMISSIE: Yes, he told me yes. This
23 power of attorney is respective, it's not only to run
24 that business. But to make sure that's good and she's
25 coming back.

1 MR. LEE: So, you just follow your
2 attorney's advice for power of attorney, is that
3 correct?

4 MR. DEMISSIE: Yes. Yes. But finally you
5 explain for me ABRA law which I don't know. I'm not
6 a lawyer. I'm supposed to have in my agreement to do
7 this kind of job and that's our mistake and it never
8 going to happen.

9 MR. LEE: So, now you understand what you
10 need whenever it happen again?

11 MR. DEMISSIE: Yes, Kevin.

12 MR. LEE: And -- who -- who purchase the
13 cold beverage?

14 MR. DEMISSIE: Mr. Tessmellme Ali.

15 MR. LEE: Okay. It's not you? You never
16 write the check?

17 MR. DEMISSIE: Never.

18 MR. LEE: You never would write?

19 MR. DEMISSIE: Never.

20 MR. LEE: Okay. And then the investigator
21 explain that your ABC Manager License was denied on
22 having --

23 MR. DEMISSIE: Never it was denied. I
24 never applied and now I start the process of going
25 after thing happen. I start the process. I'm waiting

1 for my fingerprints. I never applied. I never get
2 denied.

3 MR. LEE: Did you have ABC Manager License
4 before?

5 MR. DEMISSIE: Before in 2018 I have ABC
6 Manager License, yes.

7 MR. LEE: And what happened to now?

8 MR. DEMISSIE: Because I don't work for the
9 store. I never order in the store. That time I have
10 ABC Manager because my mom was new for the business
11 and I start working nights over there to help my mom
12 until she get manager. Once she got the right manager
13 my ABC license expired. I never renewed it.

14 MR. LEE: Okay. And so kind of question
15 about the barber shop. Are you the landlord for that?

16 MR. DEMISSIE: Yes, Kevin. I own the
17 property in D.C. That's one of my properties.

18 MR. LEE: And what happened?

19 MR. DEMISSIE: I get a call like any
20 landlord can get a call from DCRA first to controlling
21 of D.C. Department of everything. They told me there
22 is something going on at the nightclub. I told them
23 I didn't aware of this but they asking me can you send
24 out the lease. I emailed them the lease. They turn
25 on the gas for me. Then finally they communicate with

1 the parent. And they check the broker fee and they
2 told us, no, nothing is wrong, I'm good.

3 MR. LEE: So, did you talk with Mr. Ali
4 after this whether he got the license, manager's
5 permit?

6 MR. DEMISSIE: Yes. Mr. Ali, you know, is
7 very, honest to God. He asked to take everything
8 because of COVID. He pay everything by mail. But he
9 was accepting his license is mailed, too, so that's
10 why he didn't go but the same day the investigator
11 come Mr. Ali closed the store, ride by to ABRA, bring
12 his license. The same day.

13 MR. LEE: So, actually, Mr. Ali and you
14 recognize that there was a no manager on duty at the
15 time?

16 MR. DEMISSIE: Yes, yes.

17 MR. LEE: But you fix it right after that,
18 right?

19 MR. DEMISSIE: I dealt with -- it go down
20 ABRA pick up his license.

21 MR. LEE: Okay. Have you ever tried to
22 transfer license from your mother to you?

23 MR. DEMISSIE: Never.

24 MR. LEE: Why not?

25 MR. DEMISSIE: Because like I say if I want

1 I can have my own license in my place to run my own
2 business. This is my mom's business. This is where
3 she lives. But if I need to have a liquor license I
4 can have it whenever I am able to in the future.

5 MR. LEE: So, when you got -- your mother
6 and you got the Cease and Desist Order what's your
7 feeling?

8 MR. DEMISSIE: Sure. Because as soon as
9 the investigator come I call for my mom and she give
10 me her phone and number. I told him. I told him what
11 happened. He say, don't worry. D.C. manager no duty.
12 When you receive a report you are going to send it to
13 me. I was expecting the report is coming to us with
14 the five answers. But when they told me the thing
15 really all the stuff she write, in first place, my
16 family reading is very good. You can pay me a million
17 dollars. I never lie. Everything she put on the
18 report except the way it's transmitted is what I told
19 her.

20 MR. LEE: So, you think there is kind of
21 misunderstanding going on --

22 MR. DEMISSIE: Misunderstanding. I will
23 not lie, nothing. I told her who are you? I am the
24 owner's son.

25 MR. LEE: Okay. That's okay. Once we have

1 a decision this is the owner, I'll ask you that's
2 before your mom come back how instructed you manager
3 to do something or what happened to the store?

4 MR. DEMISSIE: As soon as I get that I
5 really think, you know, I look at it. Notice what she
6 tell anything. So, the same day we close the store.
7 Right.

8 MR. LEE: I --

9 MR. DEMISSIE: Yes?

10 MR. LEE: And that you're still operating?

11 MR. DEMISSIE: Then we opened the store
12 after we put a caution sign on the view, on the liquor
13 only grocery and tobacco because we explain for my
14 mom's customers we have a problem. It's coming so she
15 don't need to lose the customers. The store is open
16 for groceries and liquor, right, for grocery and
17 tobacco, I mean.

18 MR. LEE: And that's how you see it? That
19 was before your mom come in and you found that it's a
20 seriousness of this Cease and Desist Order. Did you
21 observe how you lock up the -- the coolers and the
22 walk-in closet and that kind of stuff?

23 MR. DEMISSIE: Yes --

24 MR. LEE: So, to make sure not to sell
25 liquors?

1 MR. DEMISSIE: Yes. Everything I talk to
2 Mr. Ali to remove all the beer from walk-in coolers
3 behind the store. We put a caution -- a yellow
4 caution sign on everywhere where we sell beer, liquor
5 so that's what we did.

6 MR. LEE: Okay. Do you have anything to
7 ask for the Board about the cease and desist order?

8 MR. DEMISSIE: I want the board to
9 understand is that, you know, like I say. I lived
10 through a good family and God Bless me a lot of food.
11 And there is nothing I do wrong and the only thing I
12 do wrong is if the owner missed it we can tell by my
13 previous authority that I tried to make it even legal
14 before that we told attorney what can we do, my mom is
15 leaving. He supposed to guide us. You have to have
16 management agreement but he give us the power of
17 attorney. So, that's our mistake and my mistake was
18 I supposed to have ABC Manager. I will have it but
19 I'm not working on the liquor store. I never order.
20 But now I understand that even though I don't order,
21 I go every morning to pick up my mom to see my mom.
22 I will have ABC Manager within two or three weeks now.

23 MR. LEE: Okay. No further questions.

24 CHAIRPERSON ANDERSON: All right. I just
25 have a quick question, sir. Do you own -- do you own

1 a liquor store. Do you own a liquor establishment in
2 D.C.?

3 MR. DEMISSIE: Yes, sir.

4 CHAIRPERSON ANDERSON: What establishment
5 do you own?

6 MR. DEMISSIE: Own Venus 2, Inc.

7 CHAIRPERSON ANDERSON: I'm sorry, what
8 establishment?

9 MR. DEMISSIE: Venus 2, Inc.

10 CHAIRPERSON ANDERSON: Venus 2, Inc. What
11 type of establishment is it, sir?

12 MR. DEMISSIE: It's a liquor store.

13 CHAIRPERSON ANDERSON: And where is this
14 liquor store you own, sir?

15 MR. DEMISSIE: 1428 9th Street.

16 CHAIRPERSON ANDERSON: Do you own any other
17 -- do you own any other liquor establishments in D.C.
18 outside of this one?

19 MR. DEMISSIE: No, sir.

20 CHAIRPERSON ANDERSON: This is the only one
21 that you say you own?

22 MR. DEMISSIE: yes, sir.

23 CHAIRPERSON ANDERSON: All right. So,
24 you're saying that you never told Ms. Danzler that you
25 were the owner of the liquor store when -- she --

1 MR. DEMISSIE: No, sir.

2 CHAIRPERSON ANDERSON: -- went. What did
3 you tell her, sir?

4 MR. DEMISSIE: Okay. As soon as the
5 inspector come to S & G Liquor Store she talk to Mr.
6 Ali. At that time I in my 7/11 store. Mr. Ali told
7 her his manager license has expired. Then the
8 investigator explained to him he cannot sell liquor so
9 you have to call the owner or anybody because my mom
10 is not here, Mr. Ali call to me. Then the
11 investigator think because she calling to call
12 somebody the owner she thinks I'm the owner, at that
13 point she's only talking to Mr. Ali. Right.

14 As soon as I talk to her, hi, how are you?
15 I'm fine. Who are you? I'm Woundim Demissie. Who
16 are you for the business?

17 MR. DEMISSIE: I'm the owner's son. Oh,
18 I'm looking for the owner. She's gone on vacation.
19 Everything I told her was to me I'm not the owner for
20 the business. But she kept me confused because she
21 told Mr. Ali you cannot sell liquor so you have to
22 call the owner. My mom's not in the city so he call
23 for me to let me know what happened.

24 CHAIRPERSON ANDERSON: All right, sir. I
25 don't have any further questions.

1 Does anybody else have any questions for
2 him?

3 MEMBER SHORT: Yes, I have one question for
4 him, Mr. Chair.

5 CHAIRPERSON ANDERSON: Go ahead, Mr. Short.

6
7 MEMBER SHORT: Mr. Demissie, what is the
8 address of your property on Georgia Avenue?

9 MR. DEMISSIE: I own two properties. 5419
10 Georgia Avenue and 5417 Georgia Avenue.

11 MEMBER SHORT: So, when DCRA called you and
12 told you that illegal activities were going on in your
13 property what did you do?

14 MR. DEMISSIE: As soon as I hear that I
15 call my tenant. And I asked her, I received this
16 thing, what's going on? She told me she's waiting for
17 a permit to do the job other times that she didn't do
18 anything. I call back the investigator, he told me to
19 email him the lease. I give it to my tenant and I
20 email it.

21 MEMBER SHORT: Okay. Now, when your tenant
22 -- did you ask your tenant what they were doing with
23 your property?

24 MR. DEMISSIE: Yes. I asked her.

25 MEMBER SHORT: What did she say?

1 MR. DEMISSIE: She said she didn't do
2 anything.

3 MEMBER SHORT: So, why did DCRA call you if
4 she hadn't done anything?

5 MR. DEMISSIE: Because they receive a
6 complaint from the neighborhood so they first
7 communicate the landlord. Then after that I have to
8 provide all the information for them. That was the
9 reason they come and get me.

10 MEMBER SHORT: So, do you still have the
11 same tenant in that location?

12 MR. DEMISSIE: Yes, because I talk to my
13 lawyer, can he contact this lady. The lawyer told me,
14 yes we do after we receive a report from DCRA. She
15 did something because she have a legal lease. You
16 cannot exist without no evil.

17 Then finally we didn't receive any
18 evidence from DCRA through Victor.

19 MEMBER SHORT: Okay. And your business at
20 1428 9th Street, Northwest, what kind of business is
21 that?

22 MR. DEMISSIE: It's a liquor store, Class
23 A license.

24 MEMBER SHORT: Okay. And so you know all
25 the requirements for a liquor store for the District

1 of Columbia, correct?

2 MR. DEMISSIE: Yes, sir.

3 MEMBER SHORT: And you talked to Mr. Ali
4 every day because he buys the liquor and manages for
5 your mother, correct ?

6 MR. DEMISSIE: Yes.

7 MEMBER SHORT: Hos is it that he have an
8 expired license and you are his boss and you didn't
9 know he had an expired license?

10 MR. DEMISSIE: Because of this COVID, you
11 know, a lot of things are backed up. But actually,
12 Mr. Ali is very active that. He sends by mail before
13 it was expired.

14 MEMBER SHORT: So, does anything else
15 working for you as an ABC Manager have an expired
16 license and did you check on those?

17 MR. DEMISSIE: Most of the time we check it
18 and our people are very good, yes.

19 MEMBER SHORT: So, most of the time you
20 check it but you didn't check Mr. Ali?

21 MR. DEMISSIE: Yeah, because, you know,
22 it's not my business most of the time. It's my mom
23 business. I just keep that, you know, overall
24 activity. You know, it's not like running a business
25 so when you give a big responsibility for the store

1 manager, you know, that's our fault and I learn from
2 that and my mom learn from that. We have to check it
3 every time now.

4 MEMBER SHORT: So, how long have you had
5 your business on 9th Street? How long have you had
6 the ABC license on 9th Street?

7 MR. DEMISSIE: Oh, since 2000 what, almost
8 five years?

9 MEMBER SHORT: So, in five years you don't
10 know enough about the ABC licenses to know you
11 physically are responsible for checking. So, if you
12 were running your mother's store for her while she was
13 away for six months you or no one else checked to see
14 if Mr. Ali was running the business with an expired
15 ABC license?

16 MR. DEMISSIE: No, it just expired like one
17 month because of this COVID. It's not like it expired
18 for all day or all year.

19 MEMBER SHORT: how long has COVID been
20 going on, Mr. Demissie?

21 MR. DEMISSIE: Almost one year since it
22 start. But his license just expired on March and then
23 investigator came on April.

24 MEMBER SHORT: When did you check his
25 license before March? When was the last time you

1 checked his license before March?

2 MR. DEMISSIE: Personally, I don't check
3 his license every time because he's also responsible
4 to do that.

5 MEMBER SHORT: Can you tell this Board when
6 was the last time you checked his license before
7 March?

8 MR. DEMISSIE: I never checked it.

9 MEMBER SHORT: You never checked it?

10 MR. DEMISSIE: Before that I never -- I
11 never remember I check that because like I said. My
12 mom is the owner of that business. I'm just looking
13 for her until she coming back. This is her
14 responsibility to check it.

15 MEMBER SHORT: Well, how could she check it
16 if she was on vacation?

17 MR. DEMISSIE: Understand.

18 MEMBER SHORT: How could she check
19 anybody's licenses if she was on vacation?

20 MR. DEMISSIE: Understand that but how
21 should I check it, somebody owner license when she's
22 not there. But if I'm supposed to check it now I
23 understand I have to do that. But I'm sorry not
24 checking his license at that time.

25 MEMBER SHORT: So, you've been an ABC

1 license, you owned property and been in business for
2 five years for ABC license on 9th Street and you
3 didn't have the idea the responsibility that you or
4 your mother or anyone else selling alcohol in the
5 District of Columbia, ask, is that correct?

6 MR. DEMISSIE: No, I have -- I know all the
7 responsibility and I know all the stuff in my own
8 establishment because I go and I do the work over
9 there. But with my mom's business, you know, I'm not
10 that much involved with all the liquor activity over
11 there. That's the reason.

12 MEMBER SHORT: Well, do you realize, sir,
13 that someone had to be responsible for a license and
14 for the people that work under that license and that
15 the owner has to pay a fine if found guilty by this
16 Board?

17 MR. DEMISSIE: Yes.

18 MEMBER SHORT: Do you think that's correct
19 or incorrect?

20 MR. DEMISSIE: Sorry, I don't understand
21 the last question.

22 MEMBER SHORT: Do you think it's correct
23 that people who operate alcohol businesses in the
24 District of Columbia and don't keep their licenses up
25 should be fined?

1 MR. DEMISSIE: Yes, sir.

2 MEMBER SHORT: Thank you very much. That's
3 all I have, Mr. Chair.

4 CHAIRPERSON ANDERSON: Thank you, Mr.
5 Short.

6 Any other questions by any other Board
7 Members?

8 All right. I don't have any other
9 questions.

10 Mr. Lee, do you have any other questions?
11 Do you have any other witnesses?

12 MR. LEE: No further witnesses to testify
13 today.

14 CHAIRPERSON ANDERSON: All right. Okay.
15 But before I bring this hearing to a close what is it
16 that you wanted -- the Cease and Desist Order that the
17 Board issued so what is it that you want to occur?

18 MR. LEE: Actually, we request vacate the
19 Cease and Desist Order because they just mistake made
20 it and then they never transfer -- illegal transfer
21 without Board approval. And they didn't know that
22 it's a management agreement that should be filed, not
23 a power of attorney. So, they keep saying that they
24 won't make any same violation again.

25 But no manager on duty, that's no other

1 excuse and that they will recognize that.

2 CHAIRPERSON ANDERSON: All right. Thank
3 you, Mr. Lee. All right.

4 As Chair of the Alcoholic and Beverage
5 Control Board for the District of Columbia and
6 accordance with DCS's Official Code 2574-D of the Open
7 Meetings Act I move that ABC Board hold a closed
8 meeting for the purpose of seeking legal advice from
9 our counsel in Case Number 21-CMD-00017, S & G Wine
10 and Liquors, pursuant to D.C. Official Code Section
11 2574-D of the Open Meetings Act and deliberate upon
12 case Number 21-CMD-00017, S & G Wine and Liquors for
13 the reasons cited in D.C. Official Code Section 2574-D
14 13 of the Open Meetings Act. Is there a second?

15 MEMBER SHORT: Mr. Short, I second.

16 CHAIRPERSON ANDERSON: Mr. Short has
17 seconded the motion. I will now take a Roll Call Vote
18 on the motion now that it's been seconded.

19 Mr. Short?

20 MEMBER SHORT: Mr. Short, I agree.

21 CHAIRPERSON ANDERSON: Mr. Cato?

22 MEMBER CATO: Bobby Cato, I agree.

23 CHAIRPERSON ANDERSON: Ms. Crockett?

24 MEMBER CROCKETT: Rafi Crockett, I agree.

25 CHAIRPERSON ANDERSON: Ms. Hansen?

1 MS. HANSEN: Jeni Hansen, I agree.

2 CHAIRPERSON ANDERSON: And, I, Mr.

3 Anderson, I agree. As it appears the motion has
4 passed I hereby give notice that the ABC Board will
5 recess this proceeding to hold a closed meeting in the
6 ABC Conference Room pursuant to Section 2574-D of the
7 Open Meetings Act.

8 Thank you very much, Mr. Lee. The Board
9 -- we will issue an order accordingly whether or not
10 we will list the Cease and Desist Order.

11 Thank you very much, sir.

12 MR. LEE: Thank you very much. Thanks for
13 your time.

14 (Whereupon, the above-entitled matter went
15 off the record at 11:35 a.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: S&G Wine and Liquors

Before: DCABRA

Date: 06-10-21

Place: teleconference

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