

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

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IN THE MATTER OF: :
:
Aldi Inc. (Maryland) :
t/a Aldi #179 :
5300 South Dakota Ave NE : Roll Call
Retailer B ANC 5A : Hearing
License No. 127377 :
Case #24-PRO-00089 :
:
(New Application) :
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Monday
August 12, 2024

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:

- SHELAGH BOCOUM, Protestant
SEAN CAHILL, Morris and Gwendolyn Cafritz
Foundation
JAMES COLTEN, Protestant
ALEX DAVIDSON, Applicant
LAURIE GRIFFIN, Real Estate Director
MICHAEL MARRIOTT, Protestant
MATT MINORA, Applicant Counsel
ERICA SCHROEDER, MS Consultants
DEBRA WHITFORD, Protestant

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

2 10:12 a.m.

3 MS. FLETCHER: The next case on the
4 calendar is Aldi, case number 24-PRO-00089, Aldi
5 Inc. Maryland, trading as Aldi number 179, 5300
6 South Dakota Avenue Northeast, license number
7 127377. This is the Retailer Class B Grocery New
8 Application. The protest issues are adverse
9 impact on peace, order, and quiet, and
10 residential parking, and vehicular and pedestrian
11 safety.

12 My name is LaVerne Fletcher,
13 conducting the roll call hearing as the Board's
14 agent. Is anyone present on behalf of Aldi?

15 MR. MINORA: Good morning, Ms.
16 Fletcher. My name is Matt Minora from the law
17 firm of Mallios O'Brien and Sandground, and we're
18 ABCA license counsel for the Applicant.

19 MS. FLETCHER: Thank you. Mr. Minora,
20 would you spell the name of the firm for the
21 record, please?

22 MR. MINORA: Mallios is M-A-L-L-I-O-S,
23 O'Brien is O-B-R-I-E-N, and Sandground is S-A-N-
24 D-G-R-O-U-N-D.

25 MS. FLETCHER: Thank you very much.

1 Are there any other individuals present from Aldi
2 today?

3 MS. GRIFFIN: Yep. I'm Laurie
4 Griffin, the real estate director. Laurie is L-
5 A-U-R-I-E. Griffin, G-R-I-F-F-I-N.

6 MS. FLETCHER: Thank you, Ms. Griffin.

7 MR. CAHILL: And Sean Cahill. S-E-A-
8 N, C-A-H-I-L-L. I represent the owner of the
9 property, the Morris and Gwendolyn Cafritz
10 Foundation.

11 MS. SCHROEDER: And Erica Schroeder
12 from MS Consultants, we are the architect for
13 Aldi. And the consultant firm name is M-S
14 Consultants.

15 MS. FLETCHER: So, Erica, what's your
16 last name again?

17 MS. SCHROEDER: It's Schroeder. S-C-
18 H-R-O-E-D-E-R.

19 MS. FLETCHER: Is Erica spelled E-R-I-
20 C-A?

21 MS. SCHROEDER: That's correct.

22 MS. FLETCHER: And you mentioned the
23 name of the architecture firm?

24 (Simultaneous speaking.)

25 MS. SCHROEDER: Yes. The architecture

1 firm is MS Consultants.

2 MS. FLETCHER: Did you say M, like
3 Mary, and S?

4 MS. SCHROEDER: Correct.

5 MS. FLETCHER: Consultants. Anyone
6 else from Aldi?

7 MR. DAVIDSON: And finally, Alex
8 Davidson. A-L-E-X, D-A-V-I-D-S-O-N. Aldi
9 district manager.

10 MS. FLETCHER: Thank you, Mr. Davidson.
11 We have a group of five as the protestor, is
12 anyone present on behalf of the group of five?

13 MR. BOCOUM: Hi, I'm Shelagh Bocoum.
14 It's S-H-E-L-A-G-H, B-O-C-O-U-M.

15 MS. FLETCHER: Okay, Ms. Bocoum, are
16 you the designated representative of the group?

17 MR. BOCOUM: Yes.

18 MS. FLETCHER: Thank you. Anyone else
19 present from your group today?

20 MR. BOCOUM: Two people.

21 MR. COLTEN: Yeah, hi. James Colten
22 here. J-A-M-E-S. Colten, C-O-L-T-E-N.

23 MS. FLETCHER: Thank you, Mr. Colten.
24 And the next person?

25 MR. MARRIOTT: Michael Marriott. M-I-

1 C-H-A-E-L, M-A-R-R-I-O-T-T.

2 MS. FLETCHER: Did you say Marriott or

3 --

4 (Simultaneous speaking.)

5 MR. MARRIOTT: Yes.

6 MS. FLETCHER: Was that an M, like

7 Michael?

8 MR. MARRIOTT: M, like Michael --

9 (Simultaneous speaking.)

10 MS. FLETCHER: Okay, thank you.

11 MR. MARRIOTT: M, like Marriott.

12 MS. FLETCHER: Thank you, I got it.

13 MS. WHITFORD: Debra Whitford. D-E-B-
14 R-A, last name W-H-I-T-F-O-R-D.

15 MS. FLETCHER: Thank you, Ms. Whitford.
16 Anyone else?

17 Okay, I count four individuals present
18 today from the group which means that the group
19 is granted conditional standing today. The Board
20 needs to see at least five people --

21 MR. MINORA: Ms. Fletcher?

22 MS. FLETCHER: Yes?

23 (Simultaneous speaking.)

24 MR. MINORA: Sorry to interrupt. Mrs.
25 Whitford was -- Ms. Whitford is not listed on the

1 protest letter as a protestant.

2 MS. FLETCHER: Thank you.

3 MR. MINORA: At least the copy that we
4 have.

5 MR. BOCOUM: No, that's correct.

6 MS. FLETCHER: Oh, is that correct?

7 MR. BOCOUM: There's two other people
8 that were supposed to be here.

9 MS. FLETCHER: Oh. Well, Ms.
10 Whitford, then you're not a party, and so, the
11 fact that you're present doesn't count. And so,
12 we have three people present from the group today
13 which means that the group is granted conditional
14 standing, because the Board needs to see at least
15 five people in person.

16 What that means, Ms. Bocoum, is that
17 at the upcoming status hearing, the two people
18 that are not here today will need to appear in
19 person in order for five people to have appeared.
20 At which time, the Board will grant full standing
21 to the group.

22 If those two additional individuals do
23 not appear, the protest may be dismissed. Any
24 questions about that?

25 MR. BOCOUM: And what's the date of

1 that?

2 MS. FLETCHER: I'm going to -- I'll
3 give you the dates in just one minute.

4 MR. BOCOUM: Okay, and --

5 MS. FLETCHER: So, the group of five
6 -- I'm sorry, go ahead.

7 MR. BOCOUM: Do they have to be there
8 in person like, in-person, or is it on Zoom?

9 MS. FLETCHER: Oh, right now,
10 everything's on Zoom. So, if they just show up
11 right here.

12 MR. BOCOUM: Okay, thank you.

13 MS. FLETCHER: The other thing. Just
14 so that you know, Ms. Bocoum, is that the WebEx
15 invitation will be sent to you, and you can
16 forward it to the other two individuals.

17 MR. BOCOUM: Okay.

18 MS. FLETCHER: But Mr. Colten and Mr.
19 Marriott, you don't need to reappear unless you
20 want to. So, I will give you the date for the
21 upcoming proceedings. I'm going to give you a
22 date for a mediation, the status hearing, and a
23 protest hearing.

24 I'll give you the date for the status
25 and protest hearing first. The status hearing is

1 scheduled for September 18, 2024 at 10:30 a.m.
2 The protest hearing is scheduled for October 2,
3 2024 at 1:30 p.m.

4 I will give you the next available day
5 for mediation. So, the next available day is
6 going to be the week of the Labor Day holiday.
7 The next available day is -- no, that's not
8 available. Well, we could do Tuesday, September
9 3 at 1:30 in the afternoon, if that's good for
10 everybody. If not, I'll just keep moving through
11 the calendar. That's Tuesday, September 3 at 1:30
12 in the afternoon.

13 MR. MINORA: That works for the
14 Applicant, Ms. Fletcher.

15 MS. FLETCHER: Thank you --
16 (Simultaneous speaking.)

17 MR. BOCOUM: That works for me.

18 MS. FLETCHER: So, let me do something
19 for a minute, so that the Court Reporter knows
20 who is speaking. Mr. Minora, you said 1:30 is
21 okay for you?

22 MR. MINORA: Yes. 1:30 on September
23 3 works for the Applicant.

24 MS. FLETCHER: And who was the next
25 person that said okay?

1 MR. BOCOUM: Shelagh Bocoum.

2 MS. FLETCHER: Ms. Bocoum, that's okay
3 for you?

4 MR. BOCOUM: Mm-hmm.

5 MS. FLETCHER: Mediation is set for
6 Tuesday, September 3 at 1:30. And I will send
7 you the WebEx invitations to attend the mediation
8 and -- did I say already what the basis of the
9 protester is? Peace, order, and quiet --

10 MR. BOCOUM: Yes.

11 MS. FLETCHER: Okay. Well then, if
12 there are not any questions, the roll call
13 hearing in this matter is concluded. And I will
14 see you on September 3.

15 MR. MINORA: Thank you, Ms. Fletcher

16 MS. FLETCHER: Thank you for coming.
17 Thank you, Mr. Minora.

18 MR. BOCOUM: Thank you.

19 MS. FLETCHER: All right. Bye,
20 everybody.

21 (Simultaneous speaking.)

22 MR. BOCOUM: Thank you. Bye.

23 MS. FLETCHER: Bye-bye. Good day.

24 (Whereupon, the above-entitled matter
25 went off the record at 10:22 a.m.)

<p style="text-align: center;">A</p> <p>A-L-E-X 4:8 A-U-R-I-E 3:5 a.m 2:2 8:1 9:25 ABC 1:16 ABCA 2:18 above-entitled 9:24 additional 6:22 adverse 2:8 afternoon 8:9,12 agent 1:14,16 2:14 ahead 7:6 Alcoholic 1:2,13 Aldi 1:6,6 2:4,4,5,14 3:1 3:13 4:6,8 Alex 1:20 4:7 ANC 1:7 appear 6:18,23 appeared 6:19 Applicant 1:20,22 2:18 8:14,23 Application 1:9 2:8 architect 3:12 architecture 3:23,25 attend 9:7 August 1:11 available 8:4,5,7,8 Ave 1:7 Avenue 2:6</p>	<p>Class 2:7 Colten 1:20 4:21,21,22 4:23 7:18 COLUMBIA 1:1 coming 9:16 concluded 9:13 conditional 5:19 6:13 conducting 2:13 consultant 3:13 Consultants 1:22 3:12 3:14 4:1,5 copy 6:3 correct 3:21 4:4 6:5,6 counsel 1:22 2:18 count 5:17 6:11 Court 8:19</p>	<p style="text-align: center;">G</p> <p>G-R-I-F-F-I-N 3:5 give 7:3,20,21,24 8:4 go 7:6 going 7:2,21 8:6 good 2:15 8:9 9:23 grant 6:20 granted 5:19 6:13 Griffin 1:21 3:3,4,5,6 Grocery 2:7 group 4:11,12,16,19 5:18,18 6:12,13,21 7:5 Gwendolyn 1:19 3:9</p>	<p>M-S 3:13 Mallios 2:17,22 manager 4:9 Marriott 1:21 4:25,25 5:2,5,8,11,11 7:19 Mary 4:3 Maryland 1:6 2:5 Matt 1:22 2:16 matter 1:5 9:13,24 means 5:18 6:13,16 mediation 7:22 8:5 9:5 9:7 mentioned 3:22 met 1:13 Michael 1:21 4:25 5:7,8 Minora 1:22 2:15,16,19 2:22 5:21,24 6:3 8:13 8:20,22 9:15,17 minute 7:3 8:19 Mm-hmm 9:4 Monday 1:11 morning 2:15 Morris 1:19 3:9 moving 8:10</p>
<p style="text-align: center;">B</p> <p>B 1:7 2:7 B-O-C-O-U-M 4:14 basis 9:8 behalf 2:14 4:12 Beverage 1:2,13 Board 1:2,13 5:19 6:14 6:20 Board's 1:14,16 2:13 Bocoum 1:18 4:13,13 4:15,17,20 6:5,7,16 6:25 7:4,7,12,14,17 8:17 9:1,1,2,4,10,18 9:22 Bye 9:19,22 Bye-bye 9:23</p>	<p style="text-align: center;">D</p> <p>D-A-V-I-D-S-O-N 4:8 D-E-B- 5:13 D-G-R-O-U-N-D 2:24 Dakota 1:7 2:6 date 6:25 7:20,22,24 dates 7:3 Davidson 1:20 4:7,8,10 day 8:4,5,6,7 9:23 Debra 1:23 5:13 designated 4:16 director 1:21 3:4 dismissed 6:23 district 1:1 4:9</p>	<p style="text-align: center;">H</p> <p>H-R-O-E-D-E-R 3:18 hearing 1:3,7 2:13 6:17 7:22,23,25,25 8:2 9:13 hi 4:13,21 holiday 8:6</p>	<p style="text-align: center;">N</p> <p>N 3:8 name 2:12,16,20 3:13 3:16,23 5:14 NE 1:7 need 6:18 7:19 needs 5:20 6:14 New 1:9 2:7 Northeast 2:6 number 2:4,5,6</p>
<p style="text-align: center;">C</p> <p>C-A 3:20 C-A-H-I-L-L 3:8 C-H-A-E-L 5:1 C-O-L-T-E-N 4:22 Cafritz 1:19 3:9 Cahill 1:19 3:7,7 calendar 2:4 8:11 call 1:3,7 2:13 9:12 Cannabis 1:2,13 case 1:8 2:3,4</p>	<p style="text-align: center;">E</p> <p>E-R-I- 3:19 Erica 1:22 3:11,15,19 estate 1:21 3:4 everybody 8:10 9:20 everything's 7:10</p> <p style="text-align: center;">F</p> <p>fact 6:11 finally 4:7 firm 2:17,20 3:13,23 4:1 first 7:25 five 4:11,12 5:20 6:15 6:19 7:5 Fletcher 1:14,16 2:3,12 2:16,19,25 3:6,15,19 3:22 4:2,5,10,15,18 4:23 5:2,6,10,12,15 5:21,22 6:2,6,9 7:2,5 7:9,13,18 8:14,15,18 8:24 9:2,5,11,15,16 9:19,23 forward 7:16 Foundation 1:19 3:10 four 5:17 full 6:20</p>	<p style="text-align: center;">I</p> <p>impact 2:9 in-person 7:8 individuals 3:1 5:17 6:22 7:16 interrupt 5:24 invitation 7:15 invitations 9:7 issues 2:8</p> <p style="text-align: center;">J</p> <p>J-A-M-E-S 4:22 James 1:20 4:21</p>	<p style="text-align: center;">O</p> <p>O'Brien 2:17,23 O-B-R-I-E-N 2:23 October 8:2 Oh 6:6,9 7:9 okay 4:15 5:10,17 7:4 7:12,17 8:21,25 9:2 9:11 order 2:9 6:19 9:9 owner 3:8</p>
		<p style="text-align: center;">K</p> <p>keep 8:10 know 7:14 knows 8:19</p> <p style="text-align: center;">L</p> <p>L- 3:4 Labor 8:6 Laurie 1:21 3:3,4 LaVerne 1:13,16 2:12 law 2:16 letter 6:1 license 1:8 2:6,18 listed 5:25</p>	<p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-I-N-G-S 2:1 p.m 8:3 parking 2:10 party 6:10 peace 2:9 9:9 pedestrian 2:10 people 4:20 5:20 6:7,12 6:15,17,19 person 4:24 6:15,19 7:8</p>
		<p style="text-align: center;">M</p> <p>M 4:2 5:6,8,11 M-A-L-L-I-O-S 2:22 M-A-R-R-I-O-T-T 5:1 M-I- 4:25</p>	

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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: Aldi #179

Before: DC ABCA

Date: 08-12-24

Place: teleconference

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

Neal R Gross

Court Reporter

NEAL R. GROSS

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