

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

IN THE MATTER OF: :
: :
TGW Convenience Store, :
LLC, t/a A & S Grocery :
4748 Sheriff Rd NE :
License #101367 : Protest Hearing
Retailer B - ANC 7C : (Status)
Case #21-PRO-00047 :
: :
(Application for a Class :
Change from a Class A to :
a Class B License) :

Wednesday
August 18, 2021

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

PRESENT:

DONOVAN W. ANDERSON, Chairperson
BOBBY CATO, JR., Member
RAFI ALIYA CROCKETT, Member
EDWARD S. GRANDIS, Member
JAMES SHORT, JR., Member

ALSO PRESENT:

SIMONE ANDREWS, DC ABRA Staff
ANTAWAN HOLMES, ANC 7C
MAX RICHMAN, Deanwood Citizens Association
WENDELL ROBINSON, Licensee's Counsel

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

2 10:43 a.m.

3 CHAIRPERSON ANDERSON: All right, the
4 next case on our calendar is case number 21-PRO-
5 00047, A&S Grocery, license number 101367. Ms.
6 Andrews, can you please elevate the rights of the
7 parties. I believe it should be the Licensee and
8 the ANC.

9 MS. ANDREWS: Sure, stand by. This is
10 for A&S Grocery?

11 CHAIRPERSON ANDERSON: Yes, A&S
12 Grocery, yes.

13 MS. ANDREWS: (Pause.) Mr. Robinson,
14 your rights have been elevated. (Pause.) Mr.
15 Max Richman, your rights have been elevated.
16 (Pause.) Mr. Holmes, your rights have been
17 elevated. (Pause.) That's all I have, Mr.
18 Chair.

19 CHAIRPERSON ANDERSON: All right,
20 thank you. For all the parties, if you have a
21 camera, can you please turn your camera on,
22 please? (Pause.) All right, so let's have all
23 the parties identify themselves. Let's start
24 with the representative of the Licensee.
25 (Pause.) Mr. Robinson? (Pause.) Mr. Robinson,

1 can you identify yourself for the record, please?
2 (Simultaneous speaking.)

3 MR. ROBINSON: Yes, can you hear me,
4 Mr. Chairman?

5 CHAIRPERSON ANDERSON: Yes, I can
6 hear you. Do you have -

7 MR. ROBINSON: Okay.

8 CHAIRPERSON ANDERSON: A camera, sir?
9 I can't see you. Do you have a camera?

10 MR. ROBINSON: Do I put start video on
11 here, Mr. Chairman? I'm trying to figure it out.

12 CHAIRPERSON ANDERSON: Yes, yes, sir.

13 MR. ROBINSON: Okay, I have--and I hit
14 camera?

15 CHAIRPERSON ANDERSON: Yes, sir.

16 MR. ROBINSON: Okay, I've hit that.

17 (Pause.)

18 CHAIRPERSON ANDERSON: We're not
19 seeing you, but that's fine.

20 MR. ROBINSON: Okay.

21 CHAIRPERSON ANDERSON: Can you please
22 identify yourself (Simultaneous speaking.)

23 MR. ROBINSON: Now, now I'm there.
24 (Simultaneous speaking.) Wendell Robinson--I'm
25 sorry. Wendell Robinson, I'm attorney for A&S.

1 First name is W-E-N-D-E-L-L, last name is
2 Robinson R-O-B-I-N-S-O-N. Thank you.

3 CHAIRPERSON ANDERSON: All right. So
4 let's go with your representative, is your client
5 joining you this morning, sir?

6 MR. ROBINSON: I'm not sure, Your
7 Honor. I told him to try to join, but I don't
8 know if he had difficulty joining the hearing
9 thing.

10 CHAIRPERSON ANDERSON: What's the
11 name of your client?

12 MR. ROBINSON: Thomas Woldu W-O-L-D-U.

13 CHAIRPERSON ANDERSON: Ms. Andrews,
14 did you see a Thomas Woldu or Mr. Woldu, if you
15 are on line, can you please identify through the
16 chat and we will elevate your rights.

17 All right. Let's have the other
18 parties identify themselves. Let's go with the
19 ANC, Mr. Holmes, please spell and state your
20 name, please?

21 MR. HOLMES: Good morning, Antawan
22 Holmes, Chair of ANC 7C. A-N-T-A-W-A-N H-O-L-M-
23 E-S.

24 CHAIRPERSON ANDERSON: And Mr. Max
25 Richman, please. Spell and state your name.

1 MR. RICHMAN: Good morning. My name
2 is Max Richman that's spelled out M-A-X, last
3 name Richman R-I-C-H-M-A-N.

4 CHAIRPERSON ANDERSON: All right,
5 good morning. Mr. Richman, it is my
6 understanding that the civic association
7 presented a settlement agreement to the Agency
8 and so therefore you do not have to appear this
9 morning, sir, because at least your protest will
10 be settled by the Board once the Board has signed
11 off on the settlement agreement, so you do not
12 need to be here today, but thank you for your
13 appearance -

14 MR. RICHMAN: Thank you.

15 CHAIRPERSON ANDERSON: Anyway. And
16 are there any preliminary matters that need to be
17 discussed between the Licensee and the ANC?

18 MR. ROBINSON: No, Your Honor.
19 Wendell Robinson. As you indicated, we sent a
20 copy of the executed agreement to Ms. Fletcher
21 and Mr. Holmes and Mr. Richman, so I'm just not
22 sure how quickly the Board will get it.

23 CHAIRPERSON ANDERSON: Oh, I'm sorry,
24 did Mr. Holmes, Mr. Holmes, did you sign off on
25 the settlement agreement or do you plan to sign

1 off on the settlement agreement, sir?

2 MR. HOLMES: The settlement agreement,
3 I believe, the Deanwood Citizens association has
4 party status directly to this case, so the
5 settlement agreement is between them and the
6 Applicant.

7 CHAIRPERSON ANDERSON: I'm aware of
8 that, sir. I am asking you, sir, if you have--I
9 know that you have status, they have status, so
10 I'm asking you, have you seen the settlement
11 agreement? Are you going to sign off on the
12 settlement agreement or do you believe that
13 you're going to move forward with the hearing?
14 Or are you going to do a separate settlement
15 agreement? I was just asking a question, sir.

16 MR. HOLMES: Okay. Sure, excellent.
17 What we plan on doing is, we are going to
18 continue to have a discussion with the Applicant
19 about ours, so we're going to go to the next
20 hearing.

21 CHAIRPERSON ANDERSON: All right.
22 Hold on. (Pause.) I'm sorry, okay. (Pause.)
23 All right, I skipped over a case on the calendar
24 so someone was just reminding me that I skipped
25 over a case. All right, okay so this is A&S, I'm

1 sorry.

2 MR. ROBINSON: A&S Grocery.

3 CHAIRPERSON ANDERSON: Yeah, this is
4 A&S Grocery. All right this matter then is
5 scheduled for a Show Cause Hearing, for a Protest
6 Hearing, I'm sorry, on September 30th, 2021 at
7 10:00 a.m.

8 MR. ROBINSON: Your Honor.

9 CHAIRPERSON ANDERSON: So September--
10 of course if this matter goes to a Protest
11 Hearing we will have the hearing, but the Board
12 always supports settlement agreements because one
13 of the reasons the Board supports settlement
14 agreements because this is your community, you
15 live in your community, you can determine what it
16 is that you are willing to live with within the
17 confines of your community. I don't believe that
18 any of the Board members live in the confines of
19 where this establishment is concerned, so that's
20 one of the reasons why the Board supports
21 settlement agreements, but if the parties aren't
22 able to settle this matter then we'll have a
23 Protest Hearing.

24 All right. So any other preliminary
25 matter that needs to be brought to the attention

1 of the Board?

2 MR. ROBINSON: Not from A&S, Mr.
3 Chairman.

4 CHAIRPERSON ANDERSON: Mr. Holmes?

5 MR. HOLMES: None.

6 CHAIRPERSON ANDERSON: All right,
7 thank you. (Simultaneous speaking.)

8 MR. ROBINSON: Thank you, sir.

9 CHAIRPERSON ANDERSON: All right,
10 thank you. All right now that we have scheduled
11 this matter for a Protest Hearing, there are a
12 few things I would like to instruct you about
13 because the Board's practices under the Public
14 Emergency have changed.

15 As you know, the Board's hearings are
16 conducted virtually so it is more important than
17 ever that Protest Hearings are focused and
18 address only those issues that are being
19 protested. Following this hearing, you will
20 receive an e-mail from Assistant General Counsel
21 April Randall that will include a copy of the
22 protest information form and a copy of an exhibit
23 form as well as specific instructions for the
24 hearing. You are required to complete and
25 submit the protest information form and the

1 exhibit form at least seven days before the date
2 of the hearing. If we do not receive a copy of
3 your forms seven days before the hearing, your
4 application or your protest may be subject to
5 dismissal. These documents not only need to be
6 submitted to ABRALegal@dc.gov but to the opposing
7 parties as well.

8 Please know that these documents
9 greatly assist the Board in narrowing the protest
10 issues, facilitating the process and keeping the
11 parties on point during the hearing. Each side
12 is limited to no more than five witnesses and you
13 will only have 60 minutes to present your case.
14 This includes all direct and cross examination of
15 witnesses. The Board does not intend to hear
16 testimony on matters that are not relevant to
17 those issues that are being protested, nor will
18 the Board tolerate repetitive testimony. Are
19 there any questions?

20 MR. ROBINSON: Not from A&S Groceries,
21 thank you.

22 CHAIRPERSON ANDERSON: All right.

23 MR. ROBINSON: Mr. Chairman.

24 CHAIRPERSON ANDERSON: Mr. Holmes?

25 MR. HOLMES: None, thank you.

1 CHAIRPERSON ANDERSON: All right.
2 Thank you. We thank you greatly for your
3 cooperation. If you have any questions at any
4 time leading up to the hearing, please do not
5 hesitate to contact Assistant General Counsel
6 April Randall, at 202-329-6354 or contact her by
7 e-mail at April.Randall2@dc.gov. Thank you very
8 much and have a great day.

9 MR. ROBINSON: Thank you, sir.

10 CHAIRPERSON ANDERSON: All right, Mr.
11 Holmes, you can stay on line. I'm going to call
12 the other case. So the other parties can leave
13 and Mr. Holmes, you can stay on the line please.

14 MR. HOLMES: Thank you.

15 (Whereupon, the above-entitled matter
16 went off the record at 10:53 a.m.)
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<p>A</p> <p>A-N-T-A-W-A-N 4:22 A&S 2:5,10,11 3:25 6:25 7:2,4 8:2 9:20 a.m 2:2 7:7 10:16 able 7:22 above-entitled 10:15 ABRA 1:21 ABRALegal@dc.gov 9:6 address 8:18 Agency 5:7 agreement 5:7,11,20,25 6:1,2,5,11,12,15 agreements 7:12,14,21 Alcoholic 1:2,14 ALIYA 1:18 ANC 1:8,22 2:8 4:19,22 5:17 Anderson 1:15,17 2:3 2:11,19 3:5,8,12,15 3:18,21 4:3,10,13,24 5:4,15,23 6:7,21 7:3,9 8:4,6,9 9:22,24 10:1 10:10 Andrews 1:21 2:6,9,13 4:13 Antawan 1:22 4:21 Anyway 5:15 appear 5:8 appearance 5:13 Applicant 6:6,18 application 1:9 9:4 April 8:21 10:6 April.Randall2@dc.g... 10:7 asking 6:8,10,15 assist 9:9 Assistant 8:20 10:5 association 1:23 5:6 6:3 attention 7:25 attorney 3:25 August 1:12 aware 6:7</p>	<p>calendar 2:4 6:23 call 10:11 camera 2:21,21 3:8,9 3:14 case 1:8 2:4,4 6:4,23,25 9:13 10:12 CATO 1:18 Cause 7:5 Chair 2:18 4:22 Chairman 3:4,11 8:3 9:23 Chairperson 1:14,17 2:3,11,19 3:5,8,12,15 3:18,21 4:3,10,13,24 5:4,15,23 6:7,21 7:3,9 8:4,6,9 9:22,24 10:1 10:10 Change 1:10 changed 8:14 chat 4:16 Citizens 1:23 6:3 civic 5:6 Class 1:9,10,10 client 4:4,11 COLUMBIA 1:1 community 7:14,15,17 complete 8:24 concerned 7:19 conducted 8:16 confines 7:17,18 contact 10:5,6 continue 6:18 Control 1:2,14 Convenience 1:6 cooperation 10:3 copy 5:20 8:21,22 9:2 Counsel 1:24 8:20 10:5 course 7:10 CROCKETT 1:18 cross 9:14</p>	<p>E</p> <p>e-mail 8:20 10:7 E-S 4:23 EDWARD 1:19 elevate 2:6 4:16 elevated 2:14,15,17 Emergency 8:14 establishment 7:19 examination 9:14 excellent 6:16 executed 5:20 exhibit 8:22 9:1</p>	<p>includes 9:14 indicated 5:19 information 8:22,25 instruct 8:12 instructions 8:23 intend 9:15 issues 8:18 9:10,17</p>
		<p>F</p> <p>facilitating 9:10 figure 3:11 fine 3:19 First 4:1 five 9:12 Fletcher 5:20 focused 8:17 Following 8:19 form 8:22,23,25 9:1 forms 9:3 forward 6:13</p>	<p>J</p> <p>JAMES 1:19 join 4:7 joining 4:5,8 JR 1:18,19</p>
			<p>K</p> <p>keeping 9:10</p>
			<p>L</p> <p>leading 10:4 leave 10:12 let's 2:22,23 4:4,17,18 license 1:7,10 2:5 Licensee 2:7,24 5:17 Licensee's 1:24 limited 9:12 line 4:15 10:11,13 live 7:15,16,18 LLC 1:6</p>
		<p>G</p> <p>General 8:20 10:5 GRANDIS 1:19 greatly 9:9 10:2 Groceries 9:20 Grocery 1:6 2:5,10,12 7:2,4</p>	<p>M</p> <p>M-A-X 5:2 matter 1:5 7:4,10,22,25 8:11 10:15 matters 5:16 9:16 Max 1:23 2:15 4:24 5:2 MEETING 1:3 Member 1:18,18,19,19 members 7:18 met 1:14 minutes 9:13 morning 4:5,21 5:1,5,9 move 6:13</p>
	<p>D</p>	<p>H</p> <p>H-O-L-M- 4:22 have--and 3:13 have--I 6:8 hear 3:3,6 9:15 hearing 1:7 4:8 6:13,20 7:5,6,11,11,23 8:11 8:19,24 9:2,3,11 10:4 hearings 8:15,17 hesitate 10:5 hit 3:13,16 Hold 6:22 Holmes 1:22 2:16 4:19 4:21,22 5:21,24,24 6:2,16 8:4,5 9:24,25 10:11,13,14 Honor 4:7 5:18 7:8</p>	<p>N</p> <p>name 4:1,1,11,20,25 5:1,3 narrowing 9:9 NE 1:7 need 5:12,16 9:5 needs 7:25 number 2:4,5</p>
<p>B</p> <p>B 1:8,10 believe 2:7 6:3,12 7:17 Beverage 1:2,14 Board 1:2,14 5:10,10 5:22 7:11,13,18,20 8:1 9:9,15,18 Board's 8:13,15 BOBBY 1:18 brought 7:25</p>	<p>date 9:1 day 10:8 days 9:1,3 DC 1:21 Deanwood 1:23 6:3 determine 7:15 difficulty 4:8 direct 9:14 directly 6:4 discussed 5:17 discussion 6:18 dismissal 9:5 DISTRICT 1:1 documents 9:5,8 doing 6:17 Donovan 1:15,17</p>	<p>I</p> <p>identify 2:23 3:1,22 4:15,18 important 8:16 include 8:21</p>	<p>O</p> <p>once 5:10 opposing 9:6</p>
<p>C</p>			<p>P</p> <p>P-R-O-C-E-E-D-I-N-G-S</p>

2:1	seen 6:10	understanding 5:6
parties 2:7,20,23 4:18	sent 5:19	V
7:21 9:7,11 10:12	separate 6:14	video 3:10
party 6:4	September 7:6	videoconference 1:14
Pause 2:13,14,16,17,22	September-- 7:9	virtually 8:16
2:25,25 3:17 6:22,22	settle 7:22	W
plan 5:25 6:17	settled 5:10	W 1:15,17
please 2:6,21,22 3:1,21	settlement 5:7,11,25	W-E-N-D-E-L-L 4:1
4:15,19,20,25 9:8	6:1,2,5,10,12,14 7:12	W-O-L-D-U 4:12
10:4,13	7:13,21	WebEx 1:14
point 9:11	seven 9:1,3	Wednesday 1:12
practices 8:13	Sheriff 1:7	Wendell 1:24 3:24,25
preliminary 5:16 7:24	SHORT 1:19	5:19
present 1:16,20 9:13	Show 7:5	went 10:16
presented 5:7	side 9:11	willing 7:16
presiding 1:15	sign 5:24,25 6:11	witnesses 9:12,15
process 9:10	signed 5:10	Woldu 4:12,14,14
protest 1:7 5:9 7:5,10	SIMONE 1:21	X
7:23 8:11,17,22,25	Simultaneous 3:2,22	Y
9:4,9	3:24 8:7	Z
protested 8:19 9:17	sir 3:8,12,15 4:5 5:9 6:1	0
Public 8:13	6:8,8,15 8:8 10:9	00047 2:5
put 3:10	skipped 6:23,24	1
Q	sorry 3:25 5:23 6:22 7:1	10:00 7:7
question 6:15	7:6	10:43 2:2
questions 9:19 10:3	speaking 3:2,22,24 8:7	10:53 10:16
quickly 5:22	specific 8:23	101367 1:7 2:5
R	spell 4:19,25	18 1:12
R-I-C-H-M-A-N 5:3	spelled 5:2	2
R-O-B-I-N-S-O-N 4:2	Staff 1:21	202-329-6354 10:6
RAFI 1:18	stand 2:9	2021 1:12 7:6
Randall 8:21 10:6	start 2:23 3:10	21-PRO- 2:4
Rd 1:7	state 4:19,25	21-PRO-00047 1:8
reasons 7:13,20	status 1:8 6:4,9,9	3
receive 8:20 9:2	stay 10:11,13	30th 7:6
record 3:1 10:16	Store 1:6	4
relevant 9:16	subject 9:4	4748 1:7
reminding 6:24	submit 8:25	5
repetitive 9:18	submitted 9:6	6
representative 2:24 4:4	supports 7:12,13,20	60 9:13
required 8:24	T	7
Retailer 1:8	t/a 1:6	7C 1:8,22 4:22
Richman 1:23 2:15 4:25	testimony 9:16,18	
5:1,2,3,5,14,21	TGW 1:6	
rights 2:6,14,15,16 4:16	thank 2:20 4:2 5:12,14	
Robinson 1:24 2:13,25	8:7,8,10 9:21,25 10:2	
2:25 3:3,7,10,13,16	10:2,7,9,14	
3:20,23,25 4:2,6,12	things 8:12	
5:18,19 7:2,8 8:2,8	Thomas 4:12,14	
9:20,23 10:9	today 5:12	
Robinson--I'm 3:24	told 4:7	
S	tolerate 9:18	
S 1:6,19	try 4:7	
scheduled 7:5 8:10	trying 3:11	
seeing 3:19	turn 2:21	
	U	

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: A&S Grocery

Before: DCABRA

Date: 08-18-21

Place: teleconference

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



Court Reporter

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