

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

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IN THE MATTER OF:                   :  
  :  
Hillview Market, LLC               :  
t/a Indigo Chapter 2               :  
2324 North Capitol                 :  
Street NW                           :  
Retailer CR - ANC 5E               : Roll Call  
License No. 128552                 : Hearing  
Case #24-PRO-00084                :  
  :  
(New Application)                   :  
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Monday  
August 19, 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:

MANALLE MAHMOUD, Applicant Counsel  
FRED CARVER, ANC 5E  
KARLA LEWIS, ANC 5E  
KEVIN RAPP, ANC 5E  
GLORIA BURNS, Stronghold 5  
ELEANOR FERAR, Stronghold 5  
WANDA MURPHY, Stronghold 5  
KIRBY VINING, Stronghold 5  
KATHERINE YOUNG, Stronghold 5  
SYLVIA BAFFOUR, Protestant  
EVELYN BROWN, Protestant  
MICHAEL MENDELSON, Protestant  
PAM MENDELSON, Protestant  
AYA KAVALER, Protestant  
TERI QUINN, Protestant  
JANICE SMITH, Protestant  
RICHARD SMITH, Protestant

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

2 10:07 a.m.

3 MS. FLETCHER: And now we can get  
4 started. Thank you for participating in ABCA's  
5 public roll call hearings via the WebEx platform.  
6 My name is Laverne Fletcher. I'll be conducting  
7 the roll call hearing as the board's agent.

8 There are three cases on the calendar  
9 today. The first case on the calendar is Indigo  
10 Chapter 2, case number 24-PRO-00084, Hillview  
11 Market, LLC, 2324 North Capitol Street, NW,  
12 license number ABRA128552.

13 This is a retailer class CR for a new  
14 application. My name is Laverne Fletcher,  
15 conducting the roll call hearing as the board's  
16 agent. The protest issues in this case are  
17 adverse impact on peace, order, and quiet;  
18 residential parking and vehicular and pedestrian  
19 safety; and real property values.

20 Does anyone present on behalf of  
21 Indigo Chapter 2?

22 MS. MAHMOUD: Hi, good morning, Ms.  
23 Fletcher. I'm Manalle Mahmoud with Malleus  
24 O'Brien Sandground on behalf of Indigo Chapter 2.  
25 First name Manalle, M-A-N-A-L-L-E. Last name

1 Mahmoud, M-A-H-M-O-U-D.

2 MS. FLETCHER: I expect the  
3 representative for Indigo Chapter 2 to appear in  
4 a moment. I don't know if she's here at the  
5 beginning.

6 MS. MAHMOUD: Ms. Fletcher?

7 MS. FLETCHER: Ms. Mahmoud?

8 MS. MAHMOUD: Yes, good morning, Ms.  
9 Fletcher. This is Manalle Mahmoud with  
10 Malleus --

11 MS. FLETCHER: I see you, but I don't  
12 hear you. You don't appear to be muted. Let me  
13 check. Can you hear me?

14 MS. MAHMOUD: I can hear you.

15 MS. FLETCHER: I see you, but I don't  
16 hear you. I'm just going to make a note of that.  
17 You're very low for me. I'm having some  
18 connectivity issues, but I'm going to note that  
19 you're present. I'm going to spell your name for  
20 the court report.

21 MS. MAHMOUD: Thank you.

22 MS. MENDELSON: Ms. Fletcher?

23 MS. FLETCHER: Present on behalf of  
24 Indigo Chapter 2 is Manalle Mahmoud. I'm going  
25 to spell her name for the record. It's spelled

1 M-A-N-A-L-L-E. The last name is Mahmoud, spelled  
2 M-A-H-M-O-U-D. Present on behalf of the  
3 establishment.

4 Is anyone present on behalf of ANC 5E?

5 MS. LEWIS: Yes, this is Commissioner  
6 Lewis, Karla Lewis, K-A-R-L-A L-E-W-I-S. Also  
7 here are the commissioners for ANC 5E-05, Kevin  
8 Rapp. He can introduce himself.

9 MS. FLETCHER: Okay, if the other  
10 commissioners would state their names and spell  
11 it for the record, please.

12 MR. RAPP: Yes, this is Kevin Rapp,  
13 ANC 5E-05. It's K-E-V-I-N R-A-P-P.

14 MS. FLETCHER: R-A-P-P. Okay, thank  
15 you, Mr. Rapp.

16 There was another commissioner?

17 MR. CARVER: This is Fred Carver,  
18 5E-05, spelling is F-R-E-D.

19 MS. FLETCHER: And could you spell it?

20 MR. CARVER: F-R-E-D C-A-R-V-E-R.

21 MS. FLETCHER: Fred Carver, thank you.  
22 Mr. Carver. I'm hearing background noise in two  
23 different places. If anybody can hear anything  
24 in the background -- okay, I don't hear it  
25 anymore, thank you.

1 MS. LEWIS: Okay, we have one more  
2 commissioner here.

3 MS. FLETCHER: Ms. Lewis, is that you  
4 speaking? And before you speak, if you could  
5 state your name for the court reporter. Ms.  
6 Lewis, did you mention there's one other person?

7 MS. LEWIS: Yes, this is Commissioner  
8 Lewis. We also have Commissioner Vining that's  
9 here.

10 MS. FLETCHER: Okay, Commissioner,  
11 would you please state your name and spell it for  
12 the record?

13 MR. VINING: This is Kirby Vining,  
14 ANC 5-E06, K-I-R-B-Y --

15 MS. FLETCHER: So, hold on, hold on,  
16 hold on, hold on. One second. Mr. Vining, do  
17 you have noise in your background?

18 MR. VINING: I hear a little bit, not  
19 at this moment.

20 MS. FLETCHER: Okay, good, because I  
21 couldn't hear what you --

22 MS. BROWN: It might be me because I'm  
23 in a hotel lobby.

24 MS. LEWIS: This is Commissioner  
25 Lewis. There are two telephones that I see.

1 MS. FLETCHER: Just a second, just a  
2 second. Excuse me, Ms. Lewis, everybody hold up  
3 just a minute. For the court reporter, state  
4 your name first and then speak.

5 Now, Ms. Lewis, what were you saying?

6 MS. LEWIS: Yes, I see that there's  
7 noise coming from two different telephones.

8 MS. FLETCHER: Yeah, I'm just asking  
9 everyone to mute yourself unless you know that  
10 you're having sound in your background. If  
11 everyone would mute themselves. I can't figure  
12 out where it's coming from this morning.  
13 Sometimes I can, now I can't.

14 Ms. Lewis, you mentioned that someone  
15 else is present and I believe someone by the name  
16 of Kirby was about to introduce himself.

17 MS. LEWIS: Commissioner Lewis. Yes,  
18 that is correct.

19 MR. VINING: Yes, I am Commissioner  
20 for ANC 5D-06, but I'm not here this morning in  
21 that capacity. I'm here with the Stronghold  
22 Group of Five. I'm in that capacity.

23 MS. FLETCHER: Okay, so I'm not going  
24 to recognize you as being present on behalf of  
25 ANC 5E then. You're here representing the Group

1 of Five or more.

2 MR. VINING: That's correct, thank  
3 you.

4 MS. FLETCHER: Is that correct? Okay,  
5 thank you. So let's go next to the Group of Five  
6 that you're representing. Mr. Kirby, if you  
7 would state your name and spell it, please, on  
8 behalf of the Group of Five.

9 MR. VINING: Yes, my name is Kirby  
10 Vining. I spell it K-I-R-B-Y, last name V as in  
11 Victor, I-N-I-N-G, representative of the  
12 Stronghold Group of Five.

13 MS. FLETCHER: Mr. Vining, is there  
14 anyone else present with you today?

15 MR. VINING: Yes, there are five  
16 members in our group, and all five are here,  
17 that's including myself. Katherine Young is the  
18 alternative representative. She is here.

19 MS. FLETCHER: So Mr. Vining, you can  
20 just have each of them state their names and  
21 spell it for the record.

22 MR. VINING: Katherine Young, if you  
23 would introduce yourself and spell it.

24 MS. MURPHY: Yes, good morning, this  
25 is Wanda Murphy, W-A-N-D-A, Murphy, M-U-R-P-H-Y.



1 MS. FLETCHER: Thank you. Anyone  
2 else?

3 MR. VINING: Katherine Young.

4 MS. YOUNG: Katherine Young.  
5 K-A-T-H-E-R-I-N-E, last name Young, Y-O-U-N-G.

6 MS. FLETCHER: What's your first name  
7 Ms. Young, did you say Katherine?

8 MS. YOUNG: Correct,  
9 K-A-T-H-E-R-I-N-E.

10 MR. VINING: And we also have Eleanor  
11 Ferar.

12 MS. FLETCHER: So Mr. Vining, you  
13 don't need to state their names, just have them  
14 -- just if you would state your name. Who's the  
15 next person?

16 MR. VINING: Eleanor Ferar.

17 MS. FERAR: Good morning, my name  
18 is --

19 MS. FLETCHER: Excuse me, just a  
20 second, just a second. Mr. Vining, did you just  
21 state the person's name?

22 MR. VINING: Yeah, I'm calling her to  
23 state her name for you.

24 MS. FLETCHER: We have to keep this  
25 record straight for the court report. Don't

1 state anybody's name, Mr. Vining, we need to keep  
2 this record straight for the court reporter. If  
3 that person would just state her name for the  
4 record and spell it.

5 MS. FERAR: My name is Eleanor Ferar,  
6 and that's spelled E-L-E-A-N-O-R, last name  
7 Ferar, F like in Frank, A-R-A-R.

8 MS. FLETCHER: The next person.

9 MS. BURNS: Gloria Burns, G-L-O-R-I-A,  
10 Burns, B-U-R-N-S.

11 MS. FLETCHER: Anyone else from Mr.  
12 Vining's group present?

13 MR. VINING: That is all.

14 MR. SMITH: No, Richard Smith is here.

15 MS. SMITH: That's -- no, there's two  
16 more. This is Janice Smith, J-A-N-I-C-E  
17 S-M-I-T-H.

18 MS. MENDELSON: No, wrong group.

19 MS. FLETCHER: Hey, listen everybody.  
20 Listen. I'm going to say this one more time.  
21 Please, do not all speak at one time. Do not say  
22 anything unless you state your name first so that  
23 the court reporter can know who's speaking.

24 So what I'm going to start with right  
25 now, somebody was about to introduce themselves

1 as being another member of Mr. Vining's group.

2 Only that person speak only. Who was that?

3 MR. SMITH: I'll go. Richard Smith,  
4 R-I-C-H-A-R-D S-M-I-T-H.

5 MS. MENDELSON: Excuse me, Richard  
6 Smith is in my --

7 MS. FLETCHER: Excuse me, don't say  
8 anything unless you state your names first.

9 MS. MENDELSON: My name is Pam  
10 Mendelson.

11 MS. FLETCHER: But don't speak right  
12 now, please.

13 MS. MENDELSON: My name is Pam  
14 Mendelson and Richard Smith is in my group. He  
15 made a mistake.

16 MS. FLETCHER: Ms. Mendelson, Ms.  
17 Mendelson, Ms. Mendelson, you can't hear me or  
18 can you hear me?

19 MS. MENDELSON: No, Richard --

20 MS. FLETCHER: Don't speak.

21 Richard, would you state your last  
22 name, please?

23 MS. SMITH: Evidently, I'm not with --  
24 I'm in the wrong group. I'm with Pam Mendelson.

25 MS. FLETCHER: Okay.

1 MR. SMITH: My apologies.

2 MS. FLETCHER: Okay. Just a minute.

3 So, Mr. Vining, in your group, we have  
4 Wanda Murphy, Katherine Young, Eleanor Ferar, and  
5 Gloria Burns. Those are the members from your  
6 group present today, including yourself.

7 MR. VINING: Yes.

8 MS. FLETCHER: Okay, thank you.

9 Your group, Mr. Vining, there are five  
10 of you present today, which means that your group  
11 is granting standing as the protestant. I'm  
12 going to move to the next group.

13 There's a second group of individuals  
14 represented by Ms. Mendelson. Ms. Mendelson,  
15 would you please introduce yourself for the  
16 record, please?

17 MS. MENDELSON: Hi, this is Pam  
18 Mendelson. My first name is spelled P-A-M. Last  
19 name is M-E-N-D-E-L-S-O-N.

20 MS. FLETCHER: Thank you. Is anyone  
21 else present from your group today, Ms.  
22 Mendelson?

23 MS. MENDELSON: Yes.

24 MS. FLETCHER: Ms. Mendelson, before  
25 you say that, there is a person whose telephone

1 number ends in the number 47 that is periodically  
2 having noise or sound in the background. If you  
3 would please place yourself on mute. Okay.

4 Ms. Mendelson, you can continue.

5 MS. BROWN: I'm not able to put myself  
6 on mute.

7 MS. MENDELSON: She's the first person  
8 in my group.

9 Evelyn, would it be all right for her  
10 to give her name?

11 MS. FLETCHER: Yes, who else is  
12 present in your group?

13 MS. MENDELSON: Okay, go ahead.

14 MS. FLETCHER: Please state her name  
15 for the record.

16 MS. BROWN: Evelyn Brown. Yes,  
17 E-V-E-L-Y-N B-R-O-W-N. And I apologize, I'm in  
18 the hotel lobby and I can't mute the phone.

19 MS. FLETCHER: Oh, I understand.  
20 Thank you very, very much. Thank you, Ms.  
21 Brown.

22 The next person.

23 MR. SMITH: My name is Richard Smith,  
24 R-I-C-H-A-R-D S-M-I-T-H.

25 MS. FLETCHER: Thank you, Mr. Smith.

1 MR. SMITH: Thank you.

2 MS. FLETCHER: Anyone else from Ms.  
3 Mendelson's group?

4 MS. SMITH: Yes, my name is Janice  
5 Smith. J-A-N-I-C-E S-M-I-T-H.

6 MS. FLETCHER: Thank you, Ms. Smith.  
7 Anyone else?

8 MS. KAVALER: Hi. Yes, my name is  
9 Maya Kavalier, M-A-Y-A. My last name is Kavalier,  
10 K-A-V-A-L-E-R.

11 MS. FLETCHER: Thank you, Ms. Kavalier.  
12 Anyone else?

13 MS. BAFFOUR: Yes, Sylvia Baffour.  
14 That's spelled S-Y-L-V-I-A. Last name is  
15 B-A-F-F-O-U-R.

16 MS. FLETCHER: Thank you.  
17 Anyone else from Ms. Mendelson's  
18 group?

19 MR. MENDELSON: Sure, this is Michael  
20 Mendelson, M-I-C-H-A-E-L. Last name is  
21 M-E-N-D-E-L-S-O-N. Thank you.

22 MS. FLETCHER: Thank you.  
23 Anyone else from Ms. Mendelson's  
24 group?

25 Okay, Ms. Mendelson, from your group

1 today, I count seven, which means that your group  
2 is granted full standing as protestants.

3 MS. MENDELSON: Thank you.

4 MS. FLETCHER: You're very welcome.

5 Is anyone present on behalf of the  
6 Bloomingdale Civic Association?

7 MS. QUINN: Yes, this is Teri Janine  
8 Quinn. It's T-E-R-I J-A-N-I-N-E, Quinn,  
9 Q-U-I-N-N. And we also have an alternate who has  
10 already introduced herself.

11 MS. FLETCHER: Okay. Okay. And the  
12 alternate is present, Ms. Quinn?

13 MS. BROWN: Evelyn Brown.

14 MS. FLETCHER: Good morning, Ms.  
15 Brown.

16 MS. BROWN: E-V-E-L-Y-N B-R-O-W-N.

17 MS. FLETCHER: Okay, Ms. Quinn, I have  
18 a question for you about your protest letter.

19 MS. QUINN: Yes. Give me a minute.

20 MS. FLETCHER: So your protest letter,  
21 you're a civic association, you're incorporated  
22 in the District of Columbia?

23 MS. QUINN: That is correct.

24 MS. FLETCHER: Your protest letter  
25 does not say that you held a meeting concerning

1 the application to which you invited the  
2 applicant. Did that happen?

3 MS. QUINN: It did, and I was certain  
4 that it did say that, so my apologies if it  
5 didn't. I didn't take that out. Absolutely, he  
6 was definitely present at the meeting.

7 MS. FLETCHER: Okay, thank you.

8 Okay, the applicant was in attendance.  
9 Okay, and the applicant's council was present for  
10 the same meeting?

11 MS. QUINN: I was.

12 MS. FLETCHER: Okay. Bloomingdale  
13 Civic Association had standing as a protestant.

14 Okay, Ms. Lewis, ANC 5E had standing  
15 as a protestant, and so we have four protestants;  
16 ANC 5E, a group of five represented by Pam  
17 Mendelson, and a group of five represented by  
18 Kirby Vining, and the Bloomingdale Civic  
19 Association as protestants in this matter.

20 We need to schedule some dates for a  
21 mediation, a status hearing, and a protest  
22 hearing. I'm going to give you the dates for the  
23 status and protest hearing first.

24 The status hearing is scheduled for  
25 September 11, 2024 at 10:30 a.m. That's for the



1 status hearing. The protest hearing is set for  
2 October the 9th. October the 9th at 1:30 p.m.

3 I will give you the next available day  
4 for mediation. The next available day for  
5 mediation is Wednesday, September 4. That's  
6 Wednesday, September 4 at any time between 10:30  
7 and 1:30.

8 MS. QUINN: This is Teri Janine Quinn  
9 from the BCA. As late as possible is good for  
10 me.

11 MS. FLETCHER: So the latest is 1:30,  
12 Ms. Quinn, so that 1:30 is good for you?

13 MS. QUINN: Yes, it is.

14 MS. FLETCHER: What about you, Ms.  
15 Mahmoud?

16 MS. MAHMOUD: Yes, that's great for us  
17 as well. Thank you so much, Ms. Fletcher.

18 MS. FLETCHER: You're welcome.

19 Ms. Lewis, what about you?

20 MS. LEWIS: Yes, Wednesday, September  
21 4 at 1:30 works for me. Is this going to be via  
22 Zoom or in person?

23 MS. FLETCHER: Zoom -- I mean WebEx.

24 MS. LEWIS: WebEx.

25 MS. FLETCHER: All of our hearings are

1 being conducted via WebEx for the time being.

2 MS. LEWIS: Okay, thank you.

3 MS. FLETCHER: So it will be via  
4 WebEx.

5 Ms. Mendelson, what about you?

6 MS. MENDELSON: That works for me, and  
7 it's not my entire group, it's just me, right?  
8 Or is it me and my alternate also?

9 MS. FLETCHER: Either. Yeah, that's  
10 fine.

11 MS. MENDELSON: Okay, great.

12 And I just got your message, Evelyn.  
13 It sounds like it's that September 4 at 1:30 p.m.  
14 Eastern Time by WebEx is good for you as well.

15 MS. BROWN: Yes.

16 MS. MENDELSON: Perfect. We're all  
17 good. Thank you, Ms. Fletcher.

18 MS. FLETCHER: You're welcome, Ms.  
19 Mendelson. So hopefully the court reporter got  
20 that you were just speaking. And you were just  
21 speaking to who, Ms. Brown?

22 MS. MENDELSON: Yes.

23 MS. BROWN: Evelyn Brown.

24 MS. FLETCHER: And Ms. Brown, what was  
25 your response?

1 MS. BROWN: Yes.

2 MS. FLETCHER: Your response is that  
3 Tuesday at 1:30 is fine for you?

4 MS. BROWN: I'm available. 1:30 is  
5 fine for me.

6 MS. FLETCHER: Thank you very much.  
7 Okay, so Mr. Vining, is that okay for  
8 you?

9 MR. VINING: Yes, the mediation at  
10 Wednesday, September 4 at 1:30 works for me fine.  
11 Thank you.

12 MS. FLETCHER: Thank you very much.  
13 Mediation is set for Wednesday, September 4 at  
14 1:30 p.m. I'll send you the WebEx invites for  
15 that, and I will see you then. Thank you for  
16 coming.

17 MS. LEWIS: May I say something?  
18 Commissioner Rapp, this is his single-member  
19 district.

20 MS. FLETCHER: Is that you, Ms.  
21 Lewis?

22 MS. LEWIS: This is Commissioner  
23 Lewis. Sorry, Commissioner Lewis, Commissioner  
24 Lewis. I would like to ask Commissioner Rapp,  
25 since it's his single-member district, if it's

1 okay with him as well.

2 MS. FLETCHER: Yes. And what was the  
3 commissioner's name? I didn't get that.

4 MS. LEWIS: Commissioner Kevin Rapp,  
5 R-A-P-P.

6 MS. FLETCHER: Okay.

7 Mr. Rapp, is that okay for you? 1:30  
8 on September 4 for mediation?

9 MR. RAPP: I'm trying to speak here,  
10 but it's not unmuting.

11 MS. FLETCHER: I'll just send you the  
12 invite.

13 Ms. Lewis?

14 MS. LEWIS: Yes, that's fine. I did  
15 hear a voice, but yes.

16 MS. FLETCHER: Okay. I'm just going  
17 to send Mr. Rapp the invite. If that doesn't  
18 work, you can let me know. I'm going to send it  
19 to both of you.

20 MR. RAPP: I missed --

21 MS. FLETCHER: So, Mr. Rapp, you're  
22 really breaking up, so there's no need for you to  
23 speak at this point. If you can hear me, I'm  
24 going to send you an invite to attend the  
25 mediation on September 4 at 1:30 along with Ms.

1 Lewis. Don't say anything. Okay, thank you.  
2 Thank you for that thumbs up. Thank you.

3 Does anybody else have any questions  
4 in the matter of Indigo Chapter 2? Okay. Well,  
5 the matter of Indigo Chapter 2 is concluded. I'm  
6 calling the next case on the calendar. Everybody  
7 on the line related to Indigo Chapter 2 is  
8 welcome to disconnect or stay on the line. This  
9 is a public hearing. I'm calling the next case  
10 on the calendar.

11 MS. BROWN: Thank you, Ms. Fletcher.

12 MS. FLETCHER: You're very welcome.

13 (Whereupon, the above-entitled matter went  
14 off the record at 10:32 a.m.)  
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**A**

**A-R-A-R** 10:7  
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**B**

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**B-R-O-W-N** 13:17 15:16  
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was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate complete record of the proceedings.

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**NEAL R. GROSS**

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