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IN THE MATTER OF:                :
                                   :
Eat at Creme, LLC t/a            :
Creme                            :
1660 33rd Street NW              : Protest
Retailer CT - ANC 2E             : Hearing (Status)
License No. 128670               :
Case #24-PRO-00078              :
                                   :
(Application for a               :
New License)                    :
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Wednesday
September 11, 2024

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

PRESENT:

DONOVAN W. ANDERSON, Chairperson
SILAS GRANT, JR., Member
JAMES SHORT, JR., Member

ALSO PRESENT:

JOSE ORELLANA, DC ABCA Staff
RASSAM RAD, Applicant
MICHELINE KLAGSBURN, Abutting Neighbor
KAREN CRUSE, CAG
CHRISTOPHER MATTHEWS, ANC 2E
SAMANTHA ALVERS, Group of Five

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

11:15 a.m.

CHAIRPERSON ANDERSON: The next case on our calendar is Case Number 24-PRO-00078, Creme, License Number 128670. Mr. Orellana, can you please elevate the Licensee and the protestant, please?

MR. ORELLANA: Sure thing. Rassam Rad, your access has been elevated, Topher Matthews, Micheline Klagsburn, your access has been elevated, Karen Cruse, your access has been elevated. That appears to be all Chairman.

CHAIRPERSON ANDERSON: Thank you. Mr. Rad, can you please spell and state your name for the record?

MR. RAD: Yes, how are you? Hi everybody. My name is Rassam Rad, R-A-S-S-A-M, R-A-D. I am the owner of the Creme.

CHAIRPERSON ANDERSON: Good morning, sir. All right, Mr. Rad, how many protestants are in this case?

MR. RAD: I believe there was a group of five, abutting neighbor, and ANC of the Georgetown, and the CAG. I believe on the mediation the group of five of the protest was

1 dropped, and then we already reached a settlement
2 agreement, I believe, based off the email that we
3 have.

4 CHAIRPERSON ANDERSON: No, I know that
5 we are having this hearing today, I just want to
6 make sure I know who the parties are. I want to
7 make sure everyone is represented. All right, so
8 you are saying it is the ANC and who? Is it the
9 Georgetown Civic Association, and who else?

10 MR. RAD: Abutting neighbors.

11 CHAIRPERSON ANDERSON: Abutting
12 neighbors, all right. All right, so let me have
13 the ANC. There was --

14 MR. MATTHEWS: Yes, sir, I'm here.

15 (Simultaneous speaking.)

16 CHAIRPERSON ANDERSON: Okay, sir.
17 Please state your name for the record.

18 MR. MATTHEWS: Full name is
19 Christopher Matthews, C-H-R-I-S-T-O-P-H-E-R, M-A-
20 T-T-H-E-W-S. I represent the 2E-02, and I am
21 representing the ANC 2E in his matter.

22 CHAIRPERSON ANDERSON: All right, good
23 morning. Thank you, sir. I think we have, is
24 that Ms. Cruse, can you please spell and state
25 your name for the record, ma'am, and who do you

1 represent? Ms. Cruse? Could be you are muted.

2 Yes, ma'am, I can hear you.

3 MS. CRUSE: Okay, I'm sorry. Ms.

4 Karen Cruse, K-A-R-E-N, C-R-U-S-E. I am

5 representing the Citizens Association of

6 Georgetown, and I am also authorized to represent

7 Sam Freeman who is an abutting neighbor.

8 CHAIRPERSON ANDERSON: Can you spell

9 Mr. Freeman's name, ma'am?

10 MS. CRUSE: Okay, S-A-M, F-R-E-E-M-A-

11 N.

12 CHAIRPERSON ANDERSON: All right, so

13 we have the ANC. I'm sorry, what group are --

14 MS. CRUSE: Citizens Association of

15 Georgetown, which is referred to as CAG.

16 CHAIRPERSON ANDERSON: Thank you. Who

17 is the next -- I know, Mr. Rad, you had stated

18 something and I do not have, but in the chat is

19 there a group of five or more? Is there someone

20 from a group of five or more here?

21 MR. ORELLANA: Samantha Alvers?

22 MS. ALVERS: Yes, I'm here.

23 CHAIRPERSON ANDERSON: Can you

24 identify yourself for the record, ma'am?

25 MS. ALVERS: Sure. My name is

1 Samantha Alvers, S-A-M-A-N-T-H-A, Alvers, A-L-V-
2 E-R-S.

3 CHAIRPERSON ANDERSON: All right,
4 thank you. Also, Mr. Rad, I'm sorry, you stated
5 something happened at the mediation, and I do not
6 have the transcript. Maybe I can request the
7 transcript. What are you saying happened at the
8 mediation, sir?

9 MR. RAD: Just what I am saying is I
10 believe in mediation and after mediation we went
11 back and forth. We reached a settlement
12 agreement based off the communication that I have
13 with Mr. Pope, the ANC I think it is already
14 signed. The abutting neighbor was already signed
15 that is on the agreement, and they mentioned to
16 me, the ANC, mentioned to me that they could not
17 find the person to sign on behalf of the CAG. We
18 are just waiting for them and everything. We
19 reached a settlement agreement and we are good to
20 go.

21 CHAIRPERSON ANDERSON: All right, that
22 is fine. Go ahead, Ms. Cruse, you want to make a
23 representation, ma'am?

24 MS. CRUSE: Yes, to answer what Mr.
25 Rad said. The Citizens Association is definitely

1 ongoing with the settlement agreement, and it is
2 signed by the president of CAG and it is back and
3 forth just getting it, the logistics of it, but
4 we are definitely signing off on the settlement
5 agreement hopefully in a day or two.

6 CHAIRPERSON ANDERSON: I think the
7 group of five or more had something to say. What
8 is it that they have to say? Whatever
9 representation the group of five or more wants to
10 make if they want to make? Is there someone from
11 the group of five or more who wants to say
12 something?

13 (No response.)

14 CHAIRPERSON ANDERSON: Who is here
15 from the group of five or more? Ma'am, you are
16 on mute. I cannot hear you.

17 MS. CRUSE: I'm sorry. I'm here from
18 the group of five. We haven't seen the
19 settlement agreement, but I think we would like
20 to take a look at that.

21 CHAIRPERSON ANDERSON: All right, as
22 I said before, I do not have the transcript, so I
23 apologize for that. The group of five or more
24 were they granted standing at the -- were the
25 group of five or more granted -- ma'am, were the

1 group of five or more granted standing at the
2 roll call hearing?

3 (Pause.)

4 CHAIRPERSON ANDERSON: Can somebody,
5 I mean, the folks who were out there --

6 MR. MATTHEWS: Yes. This is
7 Christopher Matthews from ANC, the answer is yes.

8 CHAIRPERSON ANDERSON: Okay, fine.
9 All right, so those are the groups. I just want
10 to inform the group of five or more that if there
11 is a settlement agreement that is reached by the
12 ANC, and if you do not sign off on the agreement
13 your standing to move forward with this hearing
14 will fall.

15 Okay, just as an FYI, as an
16 operational law. So if you are able to, and the
17 Board cannot force the parties to include the
18 group of five or more in a settlement, but I am
19 just saying that if the ANC reaches a settlement
20 and if the group of five or more if they do not
21 agree with the terms of the agreement I just want
22 to let you know that your reason to have a
23 hearing, your standing to move forward with this
24 hearing will fall once a settlement agreement
25 have been reached with the ANC, okay?

1 All right, but I am asking the parties
2 that the settlement agreement needs to be shared.
3 If there is a proposed settlement agreement then
4 all the parties should see it, but just as an FYI
5 if the group of five or more does not want to
6 sign off on the agreement just to let them know
7 that their standing will fall to move forward
8 with the hearing. So from what I am told is that
9 they are close to settlement agreement. This
10 matter is scheduled for a hearing on September
11 25th, which is I guess in two weeks, so I am
12 hoping that if there is --

13 MR. MATTHEWS: We are just one
14 signature away from having this finished.

15 CHAIRPERSON ANDERSON: Thank you for
16 doing that answer. Thank you for making that
17 representation. So it appears that a settlement
18 will reach, but if a settlement agreement is not
19 reached this matter is scheduled for protest
20 hearing on September 25th at 1:30 p.m., and that
21 would mean that you would have to do your PIP
22 seven days before the hearing which is next week.
23 So thanks for the representation, and I am hoping
24 that this matter settles so we do not have to
25 move forward with the hearing. The Board

1 supports settlement agreement because it says
2 that the parties are able to co-exist in a
3 community, so I like that. All right. Just on a
4 personal note I see Mr. Matthews. What shirt are
5 you wearing, Mr. Matthews?

6 MR. MATTHEWS: My college.

7 CHAIRPERSON ANDERSON: Mr. Matthews,
8 I do not know who you are, but I did graduate
9 from there in 1986, sir. So I am a proud
10 Colgate. I am taking a personal privilege. I am
11 a proud Colgate graduate from 1986, sir.

12 MR. MATTHEWS: I was 13 years later.
13 We were just having a conversation with somebody
14 the other day, does this look like the right
15 color to you to Colgate?

16 CHAIRPERSON ANDERSON: No, sir.

17 MR. MATTHEWS: It has gone more red.

18 CHAIRPERSON ANDERSON: They used to be
19 more maroon. All right. So, yes.

20 MR. MATTHEWS: It has gone red, I do
21 not get it.

22 CHAIRPERSON ANDERSON: I apologize,
23 but I do hope that you wear this shirt on Friday,
24 sir. You are wearing it the wrong day you are
25 supposed to wear the shirt on Friday the 13th.

1 So on Friday the 13th -- I apologize for doing
2 this, but I am proud for Colgate. The 13th is
3 actually very important to Colgate. So on Friday
4 the 13th we all proudly wear our shirt. I do
5 apologize for taking personal liberty.

6 MR. MATTHEWS: I will grant you the
7 indulgence.

8 CHAIRPERSON ANDERSON: All right,
9 thank you. Thank, everyone -- Ms. Klagsburn, you
10 want to say something, ma'am?

11 MS. KLAGSBURN: I do not know if it
12 makes a difference, but I am present. I am one
13 of the abutting neighbors, and I am a signatory
14 to the agreement, but I do not know if that has
15 to be on the record.

16 CHAIRPERSON ANDERSON: Yes, ma'am. I
17 apologize, I thought that someone said they were
18 representing. You can spell and state your name
19 for the record, ma'am. Go ahead.

20 MS. KLAGSBURN: Yes, my name is
21 Micheline Klagsburn, that is M-I-C-H-E-L-I-N-E,
22 K-L-A-G-S-B-U-R-N. I just wanted to say that I
23 am present. I am one of the signatories to this
24 settlement agreement. I am the abutting
25 neighbor.

1 CHAIRPERSON ANDERSON: All right.
2 Thank you for making that representation, ma'am,
3 thank you.

4 Anyway, thank the parties for being
5 here today. Good luck with your negotiations,
6 and as I am told that there is one more
7 signature, and I am not going to be upset if I do
8 not see you on September 25th because what that
9 says to me is that the parties have been able to
10 settle this matter. As I stated before the Board
11 supports settlement, because it says that the
12 parties are able to amicably discuss and agree to
13 their concerns, okay? So thank you very much and
14 have a great day.

15 MR. MATTHEWS: Most importantly, Go
16 'Gate.

17 CHAIRPERSON ANDERSON: Go 'Gate.
18 Thank you. All right, thank you, everyone. Have
19 a great day.

20 MS. CRUSE: Thank you, Chair.

21 MR. RAD: Thank you, Chair.

22 (Whereupon, the above-entitled matter
23 went off the record at 11:28 a.m.)
24
25

<p>A</p> <p>A-L-V 5:1 a.m 2:2 11:23 ABCA 1:20 able 7:16 9:2 11:9,12 above-entitled 11:22 abutting 1:21 2:23 3:10 3:11 4:7 5:14 10:13 10:24 access 2:9,10,11 agree 7:21 11:12 agreement 3:2 5:12,15 5:19 6:1,5,19 7:11,12 7:21,24 8:2,3,6,9,18 9:1 10:14,24 ahead 5:22 10:19 Alcoholic 1:2,13 Alvers 1:22 4:21,22,25 5:1,1 amicably 11:12 ANC 1:7,22 2:23 3:8,13 3:21 4:13 5:13,16 7:7 7:12,19,25 Anderson 1:14,17 2:3 2:13,19 3:4,11,16,22 4:8,12,16,23 5:3,21 6:6,14,21 7:4,8 8:15 9:7,16,18,22 10:8,16 11:1,17 answer 5:24 7:7 8:16 Anyway 11:4 apologize 6:23 9:22 10:1,5,17 appears 2:12 8:17 Applicant 1:20 Application 1:9 asking 8:1 Association 3:9 4:5,14 5:25 authorized 4:6</p>	<p>Cannabis 1:2,13 case 1:8 2:3,4,21 Chair 11:20,21 Chairman 2:12 Chairperson 1:14,17 2:3,13,19 3:4,11,16 3:22 4:8,12,16,23 5:3 5:21 6:6,14,21 7:4,8 8:15 9:7,16,18,22 10:8,16 11:1,17 chat 4:18 Christopher 1:22 3:19 7:7 Citizens 4:5,14 5:25 Civic 3:9 close 8:9 co-exist 9:2 Colgate 9:10,11,15 10:2 10:3 college 9:6 color 9:15 COLUMBIA 1:1 communication 5:12 community 9:3 concerns 11:13 conversation 9:13 Creme 1:6 2:5,18 CrSme 1:6 Cruse 1:21 2:11 3:24 4:1,3,4,10,14 5:22,24 6:17 11:20 CT 1:7</p>	<p>fine 5:22 7:8 finished 8:14 five 1:22 2:23,25 4:19 4:20 6:7,9,11,15,18 6:23,25 7:1,10,18,20 8:5 folks 7:5 force 7:17 forth 5:11 6:3 forward 7:13,23 8:7,25 Freeman 4:7 Freeman's 4:9 Friday 9:23,25 10:1,3 Full 3:18 FYI 7:15 8:4</p> <p>G</p> <p>Gate 11:16,17 Georgetown 2:24 3:9 4:6,15 getting 6:3 go 5:20,22 10:19 11:15 11:17 going 11:7 good 2:19 3:22 5:19 11:5 graduate 9:8,11 grant 1:17 10:6 granted 6:24,25 7:1 great 11:14,19 group 1:22 2:22,25 4:13 4:19,20 6:7,9,11,15 6:18,23,25 7:1,10,18 7:20 8:5 groups 7:9 guess 8:11</p>	<p>JOSE 1:20 JR 1:17,18</p> <p>K</p> <p>K-A-R-E-N 4:4 K-L-A-G-S-B-U-R-N 10:22 Karen 1:21 2:11 4:4 Klagsburn 1:21 2:10 10:9,11,20,21 know 3:4,6 4:17 7:22 8:6 9:8 10:11,14</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: Creme

Before: DC ABCA

Date: 09-11-24

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.



Court Reporter

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