

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE AND CANNABIS BOARD
+ + + + +
MEETING

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IN THE MATTER OF: :

DC Garden Hill NOMA, LLC, :
t/a DC Garden Hill :
1534 14th Street, NW : Protest (Status)
Retailer MC - ANC 2F : Hearing
License No. 128404 :
Case #25-PRO-00077 :
:
(Application for a New :
License) :
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Wednesday
September 17, 2025

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

PRESENT:

DONOVAN W. ANDERSON, Chairperson
SILAS GRANT, JR., Member
RYAN JONES, Member
DAVID MEADOWS, Member
TERI JANINE QUINN, Member

ALSO PRESENT:

JOSE ORELLANA, DC ABCA Staff
MARK LUMPKINS, Licensee
DARREL RIPPETEAU, Protestant
JUDITH RIPPETEAU, Protestant

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

2 10:57 a.m.

3 CHAIRPERSON ANDERSON: The next case on
4 our calendar is Case Number 25-PRO-00077, DC Garden
5 Hill, License Number 128404.

6 Mr. Orellana, can you please elevate the
7 rights of the parties in this case?

8 MR. ORELLANA: Sure thing. Mark
9 Lumpkins, access elevated. And, Darrel Rippeteau,
10 access elevated. That is all, Chair.

11 CHAIRPERSON ANDERSON: Thank you.

12 (Pause.)

13 MR. LUMPKINS: Yes, hello, Mark Lumpkins
14 here.

15 CHAIRPERSON ANDERSON: Hold on a minute,
16 hold on one minute, please. Do you have a camera
17 you can turn on, sir?

18 Can the parties if you have a camera, can
19 you please come on camera?

20 MR. LUMPKINS: Yes, one moment, one
21 moment.

22 CHAIRPERSON ANDERSON: Thank you.

23 (Pause.)

24 MR. RIPPETEAU: Well, we're unable to turn
25 on the camera.

1 CHAIRPERSON ANDERSON: All right, all
2 right, okay, that's fine. If this matter goes to,
3 if this matter however goes to a hearing, I'm asking
4 that the parties ensure that since our hearings are
5 virtual, I'm hoping that the parties are able to
6 go on camera so I can see who it is that's being.

7 All right, who is the licensee, the
8 applicant in this case?

9 MR. LUMPKINS: All right, I'm here.

10 CHAIRPERSON ANDERSON: Are you the
11 applicant, sir?

12 MR. LUMPKINS: Yes.

13 CHAIRPERSON ANDERSON: Ah yes, you are,
14 yes.

15 MR. LUMPKINS: Yes, sir.

16 CHAIRPERSON ANDERSON: I remember. And
17 can you please spell and state your name for the
18 record, sir?

19 MR. LUMPKINS: My name is Mark Lumpkins,
20 that's Mark, M-A-R-K, Lumpkins, L-U-M-P-K-I-N-S.

21 CHAIRPERSON ANDERSON: All right, good
22 morning, sir.

23 And, the protestant, can you please
24 identify yourself for the record?

25 MR. RIPPETEAU: Darrel Rippeteau, and my

1 wife Judy Rippeteau. We're both here and we live
2 next door.

3 CHAIRPERSON ANDERSON: Can you please
4 spell your name for the record?

5 MR. RIPPETEAU: Darrel is D-A-R-R-E-L,
6 Rippeteau is R-I-P-P-E-T-E-A-U.

7 CHAIRPERSON ANDERSON: Thank you.

8 MS. RIPPETEAU: And, my name is Judith
9 Rippeteau, J-U-D-I-T-H R-I-P-P-E-T-E-A-U.

10 MR. RIPPETEAU: In the past, we've been
11 able to do the video.

12 CHAIRPERSON ANDERSON: All right, yes,
13 sir, and I do recall seeing you on video before so
14 we'll figure out if this matter goes to a hearing,
15 I'm hoping that you'll be able to figure it out to
16 get on camera. Okay.

17 MR. RIPPETEAU: Is it one of the devices,
18 sir, at the bottom? Is it start video or?

19 CHAIRPERSON ANDERSON: Yes.

20 MR. ORELLANA: Yes, start video.

21 MS. RIPPETEAU: Integrate?

22 MR. RIPPETEAU: Let's do it again.

23 CHAIRPERSON ANDERSON: All right, well
24 it's not mandatory. It's not mandatory for you to
25 be on camera today but I'm just saying if we, if

1 this matter goes to a protest hearing, then we'll
2 try to see what is, or our IT specialist will.

3 MR. ORELLANA: Yes, I messaged you
4 directly just in case if you have any issues, let
5 me know.

6 MR. RIPPETEAU: I see a picture of us on
7 our own TV screen, on our own computer, but I do
8 not see that you see it.

9 CHAIRPERSON ANDERSON: No, we're unable
10 to see you, sir.

11 MR. RIPPETEAU: We clicked on show with
12 others and camera. It's showing that we're on it,
13 but it's --

14 CHAIRPERSON ANDERSON: All right, I'm
15 still, I'm waiting a little bit. I'm still waiting
16 to get --

17 MR. RIPPETEAU: Sorry for this delay.

18 CHAIRPERSON ANDERSON: Okay, that's fine.
19 No, it's not your delay, sir. All right, are there
20 any preliminary matters in this case? Mr.
21 Lumpkins, are there any preliminary matters you need
22 to bring to the attention of the Board?

23 MR. LUMPKINS: Yes, sir. If I will, so
24 I appreciate you taking the time this morning --

25 (Simultaneous speaking.)

1 CHAIRPERSON ANDERSON: Mr. --

2 MR. LUMPKINS: I'm sorry?

3 CHAIRPERSON ANDERSON: Hold on, hold on
4 one minute please. This is just if you're having
5 any preliminary issues.

6 So this is not, you don't need to --

7 MR. LUMPKINS: Well, I just -- go ahead.

8 CHAIRPERSON ANDERSON: Hold on, hold on.
9 I'm just, I'm trying to state to you the difference
10 in this hearing and other hearings that I've had
11 with you.

12 So, basically you have applied for a
13 license and the Rippeteaus have protested it. And
14 so, you're going to go through the process in a sense
15 that you're going to go the process to have a protest
16 hearing.

17 And so, what this process is just a status.

18 MR. LUMPKINS: Sure.

19 CHAIRPERSON ANDERSON: I don't take
20 arguments so if you have like any specific problems
21 in getting in contact, or something is going wrong,
22 that's what I ask for here.

23 But not for explanation for you to explain
24 to me what is going on with the license. It's just
25 that do you have like any procedural type of problem

1 in moving through this process.

2 So, that's what this purpose of this
3 hearing is for, sir.

4 MR. LUMPKINS: Yes, and I completely
5 understand. I was just going to just ask you for
6 a motion to dismiss this case. That's all.

7 CHAIRPERSON ANDERSON: All right.

8 MR. LUMPKINS: Dismiss this protest.

9 CHAIRPERSON ANDERSON: All right, and so
10 if you want to dismiss the protest, then you have
11 to do something in writing.

12 You have to file something in writing to
13 tell us why is it that the Rippeteaus as abutting
14 property owners, that they have not provided the
15 Board with the appropriateness standard to protest
16 your license application.

17 So, I would ask you could put something
18 in writing, send it to us, send it to the Rippeteaus,
19 and we will review it and then the Board will make
20 a determination on your motion.

21 MR. LUMPKINS: Sure.

22 CHAIRPERSON ANDERSON: Okay, because I
23 think that you can make the motion but then they
24 will have an opportunity, they're going to need an
25 opportunity to respond.

1 And so, if it was, if they had made the
2 motion to dismiss your application, it's the same
3 standard. I would ask that they provide it in
4 writing.

5 So by providing it in writing, you'll
6 provide a copy to the Board. You provide a copy
7 to the Rippeteaus, and the Board will give them an
8 opportunity to respond in writing to your motion.

9 And if they don't respond, or whatever
10 response is given, then we will review and make a
11 determination whether or not we're going to grant
12 your motion, or deny your motion.

13 MR. LUMPKINS: Understood.

14 CHAIRPERSON ANDERSON: All right. Mr.
15 and Mrs. Rippeteau, do you have an procedural
16 questions that you'll need to bring to the attention
17 of the Board?

18 MR. RIPPETEAU: Yes, sir. We understood
19 that this was a meeting to, a status hearing meeting
20 today.

21 CHAIRPERSON ANDERSON: Yes.

22 MR. RIPPETEAU: And, that we are, we have
23 the right to appear on Wednesday, October 1 at 1:30,
24 to formally protest.

25 CHAIRPERSON ANDERSON: All right, sir,

1 you will have the protest hearing. So the protest
2 hearing is scheduled for October 1.

3 Have you guys had the mediation as yet?

4 MR. LUMPKINS: Yes.

5 MR. RIPPETEAU: We did, yes.

6 CHAIRPERSON ANDERSON: And, it was not
7 successful?

8 MR. RIPPETEAU: It was not, I guess. I
9 mean --

10 CHAIRPERSON ANDERSON: Well, meaning that
11 the parties didn't agree.

12 MS. RIPPETEAU: Right.

13 MR. LUMPKINS: Well, I'm going to say
14 this. Mr. Anderson, I'm going to say this. That
15 Mrs. Fletcher said that this matter is not with ABCA.

16 CHAIRPERSON ANDERSON: All right, so I
17 have not, I don't know what the issue is. And so,
18 but Ms. Fletcher did not dismiss them as a protestor,
19 is that correct?

20 MR. LUMPKINS: Yes.

21 CHAIRPERSON ANDERSON: All right, so I
22 don't know what the issues that are being raised
23 by the Rippeteaus, and I don't know whether or not
24 it is a protestable issue.

25 So what I would ask for you to do sir, is

1 that you can raise that in writing to us.

2 MR. LUMPKINS: Sure.

3 CHAIRPERSON ANDERSON: You can raise that
4 in writing to us if you know what the issue is, and
5 you can state, yes, I can now see you both.

6 MS. RIPPETEAU: Thank you.

7 CHAIRPERSON ANDERSON: So, you can --

8 MR. RIPPETEAU: Amazing technological
9 leap by us. Amazing.

10 CHAIRPERSON ANDERSON: All right, that's
11 fine.

12 So Mr. Lumpkins, so you can put that in
13 writing and we can, the Board, yes, as I stated
14 before, yes.

15 As I stated, file your motion and we will
16 address it in writing. And if, and the Board will
17 make a determination as to whether or not we're going
18 to dismiss, whether or not we're going to dismiss
19 the protest.

20 I don't know what the, I don't know the,
21 my assumption is that because we are here today,
22 that as abutting property owners, the agency granted
23 them standing for us to move forward.

24 And so, I guess at the hearing, that's when
25 I will know what the issues are. And you, sir, can

1 also even if the Board, say for example if you're
2 right and issue a motion, if you draft a motion and
3 ask us to dismiss it and even if the Board denies
4 it, you can still raise that motion at the hearing.

5 You can renew the motion at the hearing
6 once the testimony has been presented, okay?

7 MR. LUMPKINS: Yes.

8 CHAIRPERSON ANDERSON: Because --

9 MR. LUMPKINS: So one more question. So
10 even at this status hearing, I can't ask for a motion
11 to be, for the case, for this protest to be
12 dismissed?

13 CHAIRPERSON ANDERSON: You'll --
14 (Simultaneous speaking.)

15 MR. LUMPKINS: Even at this motion?

16 CHAIRPERSON ANDERSON: -- get a motion but
17 I'm asking you sir, to put it in writing.

18 MR. LUMPKINS: Sure.

19 CHAIRPERSON ANDERSON: Because I don't
20 know, you can raise the motion and I think you're
21 going to raise some legal issues, and I'm not in
22 a position to address the legal issues you're going
23 to raise in your motion.

24 So that's why I'm saying that I need you
25 to write it in. So yes, you have raised the motion

1 but I'm asking you to put it in writing.

2 MR. LUMPKINS: Okay.

3 CHAIRPERSON ANDERSON: Because then we
4 can do the proper research to respond with the legal
5 reasoning, whether or not we agree or disagree with
6 your motion.

7 MR. LUMPKINS: Okay.

8 CHAIRPERSON ANDERSON: So that's what I'm
9 saying. So I'm not denying your request. I'm just
10 saying please put it in writing.

11 MR. LUMPKINS: Okay.

12 CHAIRPERSON ANDERSON: All right. All
13 right, Mr. and Mrs. Rippeteau, do you have any
14 procedural matters you need to bring to the
15 attention of the Board?

16 MR. RIPPETEAU: Yes, sir, we'd just like
17 to confirm we understand that we need to prepare
18 a form that lists our protests --

19 CHAIRPERSON ANDERSON: The witnesses, and
20 the documents you're going to rely upon, and the
21 witnesses you're going to rely upon.

22 And you need to provide that document to
23 ABCA legal, and to Mr. Lumpkins, seven days before
24 the date of the hearing.

25 MR. RIPPETEAU: Seven days before. And

1 we'll get that via Ms. Fletcher?

2 CHAIRPERSON ANDERSON: Not from Ms.
3 Fletcher. Did you receive an email from Ms.
4 Goodwin, to tell you about the hearing today?

5 MR. RIPPETEAU: Yes.

6 CHAIRPERSON ANDERSON: Reach out to Ms.
7 Goodwin and tell Ms. Goodwin, ask her to provide
8 you a copy of the PIP.

9 MR. RIPPETEAU: Thank you, sir.

10 CHAIRPERSON ANDERSON: So, and Mr.
11 Lumpkins, that's the same for you, too. Seven days
12 before the hearing, you are required to provide us
13 a copy, you have to do a PIP.

14 MR. LUMPKINS: Okay.

15 CHAIRPERSON ANDERSON: Okay, sir? So
16 that document must list if you're going to call any
17 other witnesses besides yourself.

18 If you're going to rely on documents and
19 witnesses, those documents and witnesses must be
20 disclosed seven days before the hearing, through
21 the form of the PIP.

22 You can call Ms. Goodwin, who provided you
23 information about this hearing today, and ask her
24 to provide you with that document.

25 But both parties, if you don't know how

1 to do the document, you can reach out to our office.
2 Our office will provide, will provide you the
3 guidance how to file these documents.

4 I don't want when we have this hearing for
5 either party to say that I did not know what to do
6 because no one told me.

7 So I'm letting you know if you don't know
8 how to do it, reach out to our legal office and we
9 will provide you with the guidance how to complete
10 these documents.

11 And you have to ensure that these documents
12 are provided to the opposing party, and to ABCA
13 legal, seven days before the hearing.

14 MS. RIPPETEAU: Sir, is that calendar
15 days?

16 CHAIRPERSON ANDERSON: Seven calendar
17 days before the hearing.

18 MS. RIPPETEAU: Okay, and who would --
19 (Simultaneous speaking.)

20 CHAIRPERSON ANDERSON: This hearing, so
21 this hearing is scheduled for October 1 at 1:30,
22 so, which is Wednesday, let's see, Wednesday,
23 October 1.

24 So, it must be provided by September 24,
25 which is seven days before.

1 MR. LUMPKINS: And, this is in addition
2 to the motion document, right?

3 CHAIRPERSON ANDERSON: The motion is
4 separate and apart, sir.

5 MR. LUMPKINS: Right, all right.

6 CHAIRPERSON ANDERSON: So the motion, you
7 can do the motion tomorrow. Or you can do your PIP
8 tomorrow, too.

9 But I'm just saying though, these, this
10 document if you don't, you can reach out to our legal
11 office who has provided you guidance and
12 instructions of how to do, for this hearing today.

13 Have them provide you the PIP document.

14 And this document is to, it must be provided to
15 us seven days prior to the hearing, okay?

16 MR. LUMPKINS: Understood.

17 CHAIRPERSON ANDERSON: And when we have
18 the hearing, each side you'll have 90 minutes to
19 present your case, and you can call five witnesses.

20 MS. RIPPETEAU: And sir?

21 CHAIRPERSON ANDERSON: Yes, sir? Yes,
22 ma'am?

23 MS. RIPPETEAU: I have a question.

24 CHAIRPERSON ANDERSON: Yes, ma'am?

25 MS. RIPPETEAU: I just lost it. Give me

1 a minute, please.

2 (Pause.)

3 MR. RIPPETEAU: I have a brief question,
4 sir. Is it Ms. Goodwin next that we can contact
5 for guidance?

6 MS. RIPPETEAU: That was my guidance.

7 CHAIRPERSON ANDERSON: I believe so, but
8 you can reach out to her and she can provide you
9 with the answer. She's in our legal office so if
10 she can't provide you with the response that you
11 need --

12 MR. RIPPETEAU: And she --

13 (Simultaneous speaking.)

14 CHAIRPERSON ANDERSON: -- she'll find
15 someone in the legal office who can provide you the
16 response that you require.

17 MS. RIPPETEAU: Thank you.

18 MR. RIPPETEAU: Thanks, very much.

19 CHAIRPERSON ANDERSON: Any other
20 questions, Mr. Lumpkins?

21 MR. LUMPKINS: No, sir.

22 CHAIRPERSON ANDERSON: All right, well
23 good luck. As I said to the parties, although you
24 had mediation it was not settled.

25 You guys can continue talking and you can,

1 if you believe the matter can be settled, then it
2 can be settled as I said, all right.

3 But if not, I'll see you on October 1 and
4 Mr. Lumpkins, you can file your motion at any point
5 to why is it you believe that they do not have the
6 proper standing to move forward with a protest
7 hearing, okay?

8 MR. LUMPKINS: Absolutely. Thank you.

9 CHAIRPERSON ANDERSON: All right, thank
10 you then.

11 MR. RIPPETEAU: Thank you very much.

12 MS. RIPPETEAU: Thank you.

13 CHAIRPERSON ANDERSON: All right, have a
14 great day, bye.

15 (Whereupon, the above-entitled matter
16 went off the record at 1:19 p.m.)
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C E R T I F I C A T E

This is to certify that the foregoing transcript was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings; and that I am neither counsel for, related to, nor employed by any of the parties to this action in which this matter was taken; and further that I am not a relative nor an employee of any of the parties nor counsel employed by the parties, and I am not financially or otherwise interested in the outcome of the action.

A handwritten signature in dark ink, appearing to read "Neal R. Gross", is written over a horizontal line.

Christian Johnson

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