

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

2 10:51 a.m.

3 CHAIRPERSON ANDERSON: All right. The
4 next case on our calendar is Case No.
5 24-PRO-00094, Seta Oasis, License No. 129034.

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

8 MR. ORELLANA: Manalle Mahmoud, your
9 access is -- oh, there we go -- your access has
10 been elevated.

11 And, Jeff Green, your access has been
12 elevated.

13 That is all, Chairman.

14 CHAIRPERSON ANDERSON: Thank you.

15 Mr. Green, do you have a camera you
16 can turn on, sir?

17 MR. GREEN: Not today.

18 CHAIRPERSON ANDERSON: All right.
19 Okay.

20 Ms. Mahmoud, can you please spell and
21 state your name for the record?

22 MS. MAHMOUD: Chair, Members of the
23 Board, Manalle Mahmoud with Mallios O'Brien &
24 Sandground, on behalf of Seta Oasis.
25 M-A-N-A-L-L-E M-A-H-M-O-U-D.

1 CHAIRPERSON ANDERSON: Good morning,
2 ma'am.

3 Mr. Green, can you please spell and
4 state your name for the record?

5 MR. GREEN: Sure. The full name is
6 Jeffrey, J-E-F-F-R-E-Y, Green, G-R-E-E-N, and I'm
7 representing the community protestor.

8 CHAIRPERSON ANDERSON: Actually, it
9 appears that -- Ms. Mahmoud, was the group, were
10 they granted standing at the protestor roll call?

11 MS. MAHMOUD: They were granted
12 conditional standing, Mr. Chair.

13 CHAIRPERSON ANDERSON: Okay.

14 MS. MAHMOUD: I believe that it's
15 showing other members.

16 CHAIRPERSON ANDERSON: How many
17 members were supposed to show up today?

18 MR. GREEN: There should be, I'm
19 sorry, five other members of the protest on the
20 line waiting to join the call, if necessary.

21 CHAIRPERSON ANDERSON: Okay. All
22 right. Well, hold up.

23 Ms. Mahmoud, how many people were at
24 the protest hearing status?

25 MS. MAHMOUD: Just Mr. Green, Mr.

1 Chair.

2 CHAIRPERSON ANDERSON: So, there
3 should be four other people today. So, where are
4 the folks? Who needs to be elevated?

5 MR. GREEN: They're on the call, from
6 my understanding.

7 CHAIRPERSON ANDERSON: Then, can they
8 identify themselves, so they can be elevated,
9 sir? So, why don't you state who they are, the
10 people who need to be elevated? They need to
11 identify themselves in the chat, so we can
12 elevate them.

13 And if all those folks have cameras,
14 please turn the cameras on.

15 But we need at least four people who
16 need to be elevated.

17 (Pause.)

18 All right. Ms. Kone, can you please
19 spell and state your name for the record?

20 MS. KONE: Sure. It's Natalie Kone,
21 N-A-T-A-L-I-E, and the last name is K-O-N-E.

22 CHAIRPERSON ANDERSON: Good morning,
23 ma'am.

24 MS. KONE: Good morning.

25 CHAIRPERSON ANDERSON: Ms. Cragin, can

1 you please spell and state your name for the
2 record?

3 MS. CRAGIN: Cragin, C-R-A-G-I-N,
4 Caroline, C-A-R-O-L-I-N-E. And I'll be on and
5 off camera today.

6 CHAIRPERSON ANDERSON: You're here
7 today, ma'am. So, as long you identify yourself,
8 that's sufficient.

9 Mr. Ringger, can you please spell your
10 -- identify yourself for the record?

11 MR. RINGGER: Yes. Hello.

12 My name is Devin Ringger, D-E-V-I-N
13 R-I-N-G-G-E-R. And I will also be on and off
14 camera.

15 CHAIRPERSON ANDERSON: Good morning,
16 sir.

17 MR. RINGGER: Good morning.

18 CHAIRPERSON ANDERSON: Mr. Leland, can
19 you please spell and state your name for the
20 record?

21 MR. LELAND: Yes, sir. My name is
22 Joshua Leland. My name is spelled J-O-S-H-U-A,
23 and the last name is L-E-L-A-N-D.

24 Thank you for having us.

25 CHAIRPERSON ANDERSON: Good morning,

1 sir.

2 Ms. Mahmoud, are these the folks who
3 had signed the protest letter?

4 MS. MAHMOUD: Yes.

5 CHAIRPERSON ANDERSON: I, therefore,
6 make a motion that we provide full standing to
7 the group of five or more.

8 Is there a second?

9 MR. SHORT: Mr. Short. I second.

10 CHAIRPERSON ANDERSON: Mr. Short has
11 seconded the motion.

12 We'll have a roll call vote.

13 Mr. Short?

14 MR. SHORT: Mr. Short. I agree.

15 CHAIRPERSON ANDERSON: Mr. Grant?

16 MR. GRANT: Mr. Grant. I agree.

17 CHAIRPERSON ANDERSON: And Mr.

18 Anderson. I agree.

19 The matter passed 3-0. And so,
20 therefore, full standing is now granted to the
21 group of five or more.

22 All right. Fine.

23 Ms. Mahmoud, are there any preliminary
24 matters in this case?

25 MS. MAHMOUD: No, Mr. Chair. We have

1 had extensive settlement talks with Mr. Green,
2 but we have not yet reached a final settlement
3 agreement.

4 CHAIRPERSON ANDERSON: All right.
5 Thank you.

6 Mr. Green, any preliminary matters you
7 want to bring to the attention of the Board.

8 MR. GREEN: We're working on the
9 settlement agreement and I think we're getting
10 close to something final that satisfies all
11 parties.

12 CHAIRPERSON ANDERSON: All right. Do
13 the parties believe that this matter will be
14 settled? Or do you believe that we'll end up
15 going to a protest hearing?

16 MR. GREEN: I can't say at this point
17 until we get to, you know, an agreement.

18 CHAIRPERSON ANDERSON: Well, I'm just
19 asking, sir. I'll just say sometimes --

20 MR. GREEN: We are, we are --

21 CHAIRPERSON ANDERSON: Go ahead, sir.

22 MR. GREEN: We are optimistic that
23 we'll get to an agreement.

24 CHAIRPERSON ANDERSON: All right.
25 Then, that's the answer I was asking. I didn't

1 say -- nothing is sure. Okay? Nothing is sure.

2 But the reason why I ask is to know
3 whether or not -- I'm not sure if you're aware,
4 once we have a protest hearing, I mean, it gets
5 closer to a protest hearing, the Board will
6 assign an investigator who will contact both
7 parties to find out what the protest issues are.

8 And so, if the agency is aware that
9 settlement is going to be reached and that we're
10 not going to have a protest hearing, then,
11 there's no need to assign an investigator. So,
12 that's one of the reasons why I was asking the
13 question, sir.

14 It's just some information for the
15 Board, for the Board to know whether or not we
16 should -- we believe this case is going to be
17 settled, or in about two weeks or so, do we need
18 to assign an investigator who will contact both
19 parties, draft a report, and get ready for a
20 protest hearing? Okay? So, that was the reason
21 for asking. Okay?

22 MR. GREEN: Okay. I understand. I
23 understand.

24 CHAIRPERSON ANDERSON: You're welcome,
25 sir.

1 All right. If this matter is not
2 settled, then, a protest is scheduled for October
3 30th at 1:30 p.m.

4 Now, that we've scheduled the matter
5 for a protest hearing, there are a few things
6 that I would like to instruct the Applicant and
7 the protestors about, so that the protest hearing
8 is focused and addresses only those issues that
9 are being protested.

10 The Board does not intend to hear
11 testimony on matters that are not relevant to
12 this case.

13 You should have received via
14 electronic or regular mail a letter explaining
15 the protest process, a copy of the protest
16 information form, and a copy of the exhibit form.
17 If we do not have these documents, please contact
18 our Legal Office following the hearing.

19 It is imperative that you review the
20 rules closely and adhere to them before and
21 during the protest hearing.

22 You are also required to complete and
23 submit the protest information form, PIP, and the
24 exhibit form, seven days before the date of the
25 hearing. These two forms and accompanying

1 documents must be submitted to our Legal Division
2 and all opposing parties in this matter.

3 If we do not receive a copy of your
4 PIP, your application, or your protest, whichever
5 side you're representing may be subject to
6 dismissal.

7 Likewise, if we do not receive a copy
8 of the exhibit form and the exhibits themselves,
9 your exhibits may be excluded from the record
10 upon a finding that the opposing party has been
11 prejudiced or no good cause for the failure to
12 submit has been shown.

13 Likewise, witnesses other than the
14 parties may also be subject to exclusion if not
15 identified on the PIP.

16 Accordingly, these forms are very
17 important and they greatly assist the Board in
18 narrowing the protest issues, facilitating the
19 process, and keeping the parties on point during
20 the hearing.

21 They, likewise, provide notice to the
22 opposing parties and they allow them better
23 prepare for the hearing.

24 As you are aware, all our hearings are
25 now conducted virtually.

1 You will have one hour to present your
2 case and you will only be allowed to call five
3 witnesses. If you require more time to present
4 your case and require more than five witnesses,
5 please file a motion with the agency, with the
6 Board, requesting additional time and/or
7 additional witnesses.

8 Are there any questions?

9 MS. MAHMOUD: No, Mr. Chair.

10 MR. GREEN: No, no, there's no
11 additional questions.

12 CHAIRPERSON ANDERSON: All right. We
13 thank you greatly for your cooperation.

14 If you have any questions today or at
15 anytime leading up to the hearing, please do not
16 hesitate to contact our Legal Division.

17 Thank you very much.

18 Good luck with your discussion.

19 And if this matter is not settled, I
20 will see you at the protest hearing on October
21 30th, 2024.

22 But again, as I said, if you truly
23 believe that this case will be settled, please
24 let our Legal Office know as soon as possible.
25 All right?

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MS. MAHMOUD: Thank you.

MR. GREEN: Thank you.

CHAIRPERSON ANDERSON: Thank you very much, and have a great day.

All right.

(Whereupon, at 11:01 a.m., the hearing was concluded.)

A

a.m 2:2 12:6
ABCA 1:20
access 2:9,9,11
accompanying 9:25
additional 11:6,7,11
addresses 9:8
adhere 9:20
agency 8:8 11:5
agree 6:14,16,18
agreement 7:3,9,17,23
ahead 7:21
Alcoholic 1:2,13
allow 10:22
allowed 11:2
ANC 1:7
and/or 11:6
Anderson 1:14,17 2:3
 2:14,18 3:1,8,13,16
 3:21 4:2,7,22,25 5:6
 5:15,18,25 6:5,10,15
 6:17,18 7:4,12,18,21
 7:24 8:24 11:12 12:3
answer 7:25
anytime 11:15
appears 3:9
Applicant 1:20 9:6
application 1:9 10:4
asking 7:19,25 8:12,21
assign 8:6,11,18
assist 10:17
attention 7:7
Ave 1:7
aware 8:3,8 10:24

B

behalf 2:24
believe 3:14 7:13,14
 8:16 11:23
better 10:22
Beverage 1:2,13
Board 1:2,14 2:23 7:7
 8:5,15,15 9:10 10:17
 11:6
bring 7:7

C

C-A-R-O-L-I-N-E 5:4
C-R-A-G-I-N 5:3
calendar 2:4
call 3:10,20 4:5 6:12
 11:2
camera 2:15 5:5,14
cameras 4:13,14
Cannabis 1:2,13
Caroline 1:22 5:4
case 1:8 2:4,4,7 6:24
 8:16 9:12 11:2,4,23

cause 10:11
Chair 2:22 3:12 4:1 6:25
 11:9
Chairman 2:13
Chairperson 1:14,17
 2:3,14,18 3:1,8,13,16
 3:21 4:2,7,22,25 5:6
 5:15,18,25 6:5,10,15
 6:17 7:4,12,18,21,24
 8:24 11:12 12:3
chat 4:11
close 7:10
closely 9:20
closer 8:5
COLUMBIA 1:1
community 3:7
complete 9:22
concluded 12:7
conditional 3:12
conducted 10:25
contact 8:6,18 9:17
 11:16
cooperation 11:13
copy 9:15,16 10:3,7
Counsel 1:20
CR 1:7
Cragin 1:22 4:25 5:3,3

D

D-E-V-I-N 5:12
date 9:24
day 12:4
days 9:24
DC 1:20
Devin 1:22 5:12
discussion 11:18
dismissal 10:6
DISTRICT 1:1
Division 10:1 11:16
documents 9:17 10:1
Donovan 1:14,17
draft 8:19

E

electronic 9:14
elevate 2:6 4:12
elevated 2:10,12 4:4,8
 4:10,16
excluded 10:9
exclusion 10:14
exhibit 9:16,24 10:8
exhibits 10:8,9
explaining 9:14
extensive 7:1

F

facilitating 10:18
failure 10:11

file 11:5
final 7:2,10
find 8:7
finding 10:10
Fine 6:22
five 3:19 6:7,21 11:2,4
focused 9:8
folks 4:4,13 6:2
following 9:18
form 9:16,16,23,24 10:8
forms 9:25 10:16
four 4:3,15
full 3:5 6:6,20

G

G-R-E-E-N 3:6
Georgia 1:7
getting 7:9
go 2:9 7:21
going 7:15 8:9,10,16
good 3:1 4:22,24 5:15
 5:17,25 10:11 11:18
Grant 1:17 6:15,16,16
granted 3:10,11 6:20
great 12:4
greatly 10:17 11:13
Green 1:21 2:11,15,17
 3:3,5,6,18,25 4:5 7:1
 7:6,8,16,20,22 8:22
 11:10 12:2
group 3:9 6:7,21

H

hear 9:10
hearing 1:7 3:24 7:15
 8:4,5,10,20 9:5,7,18
 9:21,25 10:20,23
 11:15,20 12:6
hearings 10:24
Hello 5:11
hesitate 11:16
hold 3:22
hour 11:1

I

identified 10:15
identify 4:8,11 5:7,10
imperative 9:19
important 10:17
information 8:14 9:16
 9:23
instruct 9:6
intend 9:10
investigator 8:6,11,18
issues 8:7 9:8 10:18

J

J-E-F-F-R-E-Y 3:6

J-O-S-H-U-A 5:22
JAMES 1:18
Jeff 2:11
Jeffrey 1:21 3:6
join 3:20
JOSE 1:20
Joshua 1:23 5:22
JR 1:17,18

K

K-O-N-E 4:21
keeping 10:19
know 7:17 8:2,15 11:24
Kone 1:21 4:18,20,20
 4:24

L

L-E-L-A-N-D 5:23
leading 11:15
Legal 9:18 10:1 11:16
 11:24
Leland 1:23 5:18,21,22
letter 6:3 9:14
License 1:8,10 2:5
likewise 10:7,13,21
line 3:20
LLC 1:6
long 5:7
luck 11:18

M

M-A-H-M-O-U-D 2:25
M-A-N-A-L-L-E 2:25
ma'am 3:2 4:23 5:7
Mahmoud 1:20 2:8,20
 2:22,23 3:9,11,14,23
 3:25 6:2,4,23,25 11:9
 12:1
mail 9:14
Mallios 2:23
Manalle 1:20 2:8,23
matter 1:5 6:19 7:13 9:1
 9:4 10:2 11:19
matters 6:24 7:6 9:11
mean 8:4
MEETING 1:3
Member 1:17,18
members 2:22 3:15,17
 3:19
met 1:14
morning 3:1 4:22,24
 5:15,17,25
motion 6:6,11 11:5

N

N-A-T-A-L-I-E 4:21
name 2:21 3:4,5 4:19
 4:21 5:1,12,19,21,22

5:23 narrowing 10:18 Natalie 1:21 4:20 necessary 3:20 need 4:10,10,15,16 8:11,17 needs 4:4 New 1:10 notice 10:21 NW 1:7	question 8:13 questions 11:8,11,14	spelled 5:22 Staff 1:20 standing 3:10,12 6:6,20 state 2:21 3:4 4:9,19 5:1,19 status 1:7 3:24 subject 10:5,14 submit 9:23 10:12 submitted 10:1 sufficient 5:8 supposed 3:17 sure 3:5 4:20 8:1,1,3	<hr/> 0 <hr/> <hr/> 1 <hr/> 1:30 9:3 10:51 2:2 11:01 12:6 129034 1:8 2:5 <hr/> 2 <hr/> 2024 1:12 11:21 24-PRO-00094 1:8 2:5 25 1:12 <hr/> 3 <hr/> 3-0 6:19 30th 9:3 11:21 3813-3815 1:7 <hr/> 4 <hr/> 4C 1:7
<hr/> O <hr/> O'Brien 2:23 Oasis 1:6,6 2:5,24 October 9:2 11:20 Office 9:18 11:24 oh 2:9 Okay 2:19 3:13,21 8:1 8:20,21,22 once 8:4 opposing 10:2,10,22 optimistic 7:22 Orellana 1:20 2:6,8	<hr/> R <hr/> R-I-N-G-G-E-R 5:13 reached 7:2 8:9 ready 8:19 reason 8:2,20 reasons 8:12 receive 10:3,7 received 9:13 record 2:21 3:4 4:19 5:2 5:10,20 10:9 regular 9:14 relevant 9:11 report 8:19 representing 3:7 10:5 requesting 11:6 require 11:3,4 required 9:22 Retailer 1:7 review 9:19 right 2:3,18 3:22 4:18 6:22 7:4,12,24 9:1 11:12,25 12:5 rights 2:7 Ringger 1:22 5:9,11,12 5:17 roll 3:10 6:12 rules 9:20	<hr/> T <hr/> t/a 1:6 talks 7:1 testimony 9:11 thank 2:14 5:24 7:5 11:13,17 12:1,2,3 things 9:5 think 7:9 time 11:3,6 today 2:17 3:17 4:3 5:5 5:7 11:14 truly 11:22 turn 2:16 4:14 two 8:17 9:25	<hr/> U <hr/> understand 8:22,23 understanding 4:6
<hr/> P <hr/> P-R-O-C-E-E-D-I-N-G-S 2:1 p.m 9:3 parties 2:7 7:11,13 8:7 8:19 10:2,14,19,22 party 10:10 passed 6:19 Pause 4:17 people 3:23 4:3,10,15 PIP 9:23 10:4,15 please 2:6,20 3:3 4:14 4:18 5:1,9,19 9:17 11:5,15,23 point 7:16 10:19 possible 11:24 prejudiced 10:11 preliminary 6:23 7:6 prepare 10:23 present 1:16,19 11:1,3 presiding 1:14 process 9:15 10:19 protest 1:7 3:19,24 6:3 7:15 8:4,5,7,10,20 9:2 9:5,7,15,15,21,23 10:4,18 11:20 Protestant 1:21,21,22 1:22,23 protested 9:9 protestor 3:7,10 protestors 9:7 provide 6:6 10:21	<hr/> S <hr/> Sandground 2:24 satisfies 7:10 scheduled 9:2,4 second 6:8,9 seconded 6:11 see 11:20 September 1:12 Seta 1:6,6 2:5,24 settled 7:14 8:17 9:2 11:19,23 settlement 7:1,2,9 8:9 seven 9:24 Short 1:18 6:9,9,10,13 6:14,14 show 3:17 showing 3:15 shown 10:12 side 10:5 signed 6:3 SILAS 1:17 sir 2:16 4:9 5:16,21 6:1 7:19,21 8:13,25 soon 11:24 sorry 3:19 spell 2:20 3:3 4:19 5:1,9 5:19	<hr/> V <hr/> videoconference 1:14 virtually 10:25 vote 6:12	<hr/> W <hr/> W 1:14,17 waiting 3:20 want 7:7 we'll 6:12 7:14,23 we're 7:8,9 8:9 we've 9:4 Webex 1:14 Wednesday 1:11 weeks 8:17 welcome 8:24 whichever 10:4 witnesses 10:13 11:3,4 11:7 working 7:8
<hr/> Q <hr/>		<hr/> X <hr/> <hr/> Y <hr/> <hr/> Z <hr/>	

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Seta Oasis

Before: DC ABCA

Date: 09-25-24

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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