

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

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IN THE MATTER OF: :
 :
Canna-Art, LLC, :
t/a Canaart DC :
5008 Connecticut Ave NW :
Retailer MC - ANC 3F :
License No. 130807 :
Case # 25-PRO-00053 :
 :
(Application for a New :
License) :
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Wednesday
October 1st, 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
COURTNEY CARLSON, ANC 3F
SUE GUZMAN, ANC 3F
CAMERON MIXON, Protestant's Counsel
INVESTIGATOR DEMARCUS PARKER, DC ABCA
INVESTIGATOR JASON PERU, DC ABCA
SAJMIR RRAGAMI, Applicant
JACOBIE WHITLEY, Applicant's Counsel

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

2 2:32 p.m.

3 CHAIRPERSON ANDERSON: The next case in
4 our calendar this afternoon is Case No.
5 25-PRO-00053, Canaart DC, License No. 130807. Good
6 afternoon, Mr. Orellana. Can you please elevate
7 the rights of the parties in this case? Thank you.

8 MR. ORELLANA: Cameron Mixon, your access
9 has been elevated. Jacobie Whitley, your access
10 elevated. Investigator Demarcus Parker, access
11 elevated. Sue Guzman, access elevated. Courtney
12 Carlson, access elevated.

13 Sajmir Rragami, access elevated. Paul
14 Harrison, access elevated. Jason Levine, access
15 elevated. And I believe that is all, Chairman.
16 There's a Yared Besatay, but they're not on the
17 attendee log.

18 CHAIRPERSON ANDERSON: Okay. All right.
19 Thank you. Good afternoon, everyone. All right.
20 So let me have the parties identify themselves for
21 the record. So let me start first with the
22 representative of the applicant. And so where are
23 you, Ms. --

24 MR. WHITLEY: Attorney Jacobie Whitley,
25 attorney for the applicant, Canaart.

1 CHAIRPERSON ANDERSON: I apologize, Mr.
2 -- I don't know why. I knew -- that what I was
3 looking for. I don't know why I was looking for
4 someone else. So I do apologize, Mr. Whitley. I
5 apologize. Can you please spell and state your name
6 for the record.

7 MR. WHITLEY: Yes, sir, Mr. Chairman. My
8 name is Jacobie. That's J-A-C-O-B-I-E. My last
9 name is Whitley. That's W-H-I-T-L-E-Y. And I am
10 the attorney for the applicant. On behalf of the
11 applicant, we have one of the owners, Mr. Sajmir
12 Rragami, who's also present.

13 CHAIRPERSON ANDERSON: All right. So
14 where is he, Mr. Sajmir Rragami? Can you please
15 spell and state your name for the record, sir.

16 MR. RRAGAMI: Good afternoon, sir. My
17 name is Sajmir Rragami. I'm the owner and partner
18 of Canaart.

19 CHAIRPERSON ANDERSON: I need you to spell
20 your name. So we have a court reporter.

21 MR. RRAGAMI: S-A-J-M-I-R. Last name,
22 R-R-A-G-A-M-I.

23 CHAIRPERSON ANDERSON: Good. Thank you
24 very much. And I just want to remind everyone, we
25 have a court reporter. So when I ask you to spell

1 your name for the record, it's to make sure that
2 when we have the transcript, your name is spelled
3 properly, correctly in the transcript. All right.

4 So let's start then. The protestant, Mr. Mixon,
5 please identify yourself for the record.

6 MR. MIXON: Cameron Mixon, counsel for
7 Advisory Neighborhood Commission 3F, the
8 protestant. First name, Cameron, C-A-M-E-R-O-N.

9 Last name, Mixon, M-I-X-O-N. On behalf of the ANC
10 3F, we Courtney Carlson and Sue Guzman, and then
11 Stan Wall, Paul Harrison, and Jason Lavine are our
12 witnesses.

13 CHAIRPERSON ANDERSON: All right. So let
14 me have the ANC representative identify themselves.
15 We can start with you, Ms. Carlson. Ms. Carlson,
16 you're from the ANC. Is that correct?

17 MS. CARLSON: Yes, I am.

18 CHAIRPERSON ANDERSON: Yeah, go ahead.
19 Identify yourself for the record, please, ma'am.

20 MS. CARLSON: Hi, my name is Courtney
21 Carlson, C-O-U-R-T-N-E-Y, Carlson, C-A-R-L-S-O-N.

22 I'm the chair of ANC 3F.

23 CHAIRPERSON ANDERSON: Ms. Guzman? I
24 cannot hear you, Ms. Guzman. Although you're
25 unmute, I cannot hear you. I still can't hear you,

1 ma'am. So maybe you need to -- okay. All right.

2 So I know that Ms. Guzman from ANC is also there
3 too. So ma'am, maybe you can log off and come back
4 on because --

5 MS. GUZMAN: Can you hear me now?

6 CHAIRPERSON ANDERSON: Yes, I can hear
7 you, ma'am. So please identify yourself for the
8 record.

9 MS. GUZMAN: Okay. Sue Guzman,
10 Commissioner of Single Member District 3F-02,
11 S-U-E, last name, G-U-Z-M-A-N.

12 CHAIRPERSON ANDERSON: Good afternoon.
13 All right. I'm going to let -- good afternoon,
14 ma'am. Welcome. I want to let -- I know that this
15 hearing was supposed to start at 1:30. But as you
16 know, our morning ran late.

17 And today, based on matters that's beyond
18 my control, we have to end this hearing at 5:30.

19 Okay. It's a hard stop at 5:30. And it is -- as
20 you know, when I try to have hearings, we try to
21 finish hearings.

22 But unfortunately today, it's the
23 beginning of the fiscal year. And so we have a hard
24 stop that we need to end this hearing at 5:30. So
25 if we do not -- if we're unable to end this hearing

1 by 5:30, it has to be continued to another part --
2 to another day.

3 So I just want to advise the parties if
4 we're able to present your evidence -- your
5 testimony evidence. And if we can finish this
6 hearing today, we will try to finish it today. But
7 if not, it has to be continued to a different --
8 to another day. I guess let's start off with you,
9 Mr. Whitley. Are there any preliminary matters
10 that you want to bring to the attention of the Board?
11 You're on mute, Mr. Whitley.

12 MR. WHITLEY: Chairman Anderson, I do have
13 one preliminary matter. It's up to the Board, of
14 course. But I would ask the Board to make a proffer
15 of the protestant's witnesses because it seems as
16 though the testimony that they plan to offer is
17 irrelevant on its face and completely based on
18 speculation. And I know I have the chance to test
19 the veracity of that. But I just wanted to bring
20 that to -- especially since we have a curtailed time
21 frame, bring that to the Board's attention to see
22 if they agree that any of this testimony would be
23 irrelevant on its face based on speculation.

24 CHAIRPERSON ANDERSON: Well, I think we
25 pretty much are there, Mr. Whitley, in a sense that

1 -- or you know what? I was supposed to do something
2 which I have not done. So maybe once I've done this,
3 it will answer your question. I have some new
4 instruction that I need to review.

5 So let me review these instructions and
6 maybe -- hold on one minute. Let me see. All
7 right. All right. So this case will begin with
8 opening statements starting with the applicant.
9 Hold on one minute, please. Hold on.

10 All right. This case will begin with
11 opening statements starting with the applicant.
12 The Board will then call its witness to present the
13 protest report, and then the applicant will present
14 its case in chief followed by the protestant. The
15 applicant may then elect to present a rebuttal case.

16 And if so, the applicant may then elect
17 to present a rebuttal case. And if so, the
18 protestant will be afforded the same opportunity.

19 The parties will then proceed to closing
20 statements.

21 And afterwards, they'll ask the parties
22 if they intend to file proposed findings of fact
23 and conclusion of law. Please note that each
24 party's case in chief, cross examination, and
25 rebuttal case are limited to no more than one and

1 a half hours. Therefore, please manage your time
2 accordingly.

3 Please remember that evidence introduced
4 in the PIP will not be considered by the Board unless
5 it is introduced into evidence as an exhibit during
6 the hearing. This means that you should remember
7 to formally introduce all evidence that you intend
8 for the Board to consider during your case in chief.

9 Furthermore, to the extent any third party has sent
10 letters or emails regarding this case or comments
11 appeared on the Board's agenda, the Board will not
12 consider any of these submissions in deciding this
13 case unless they are provided by a witness or
14 introduced by a party as an exhibit.

15 If there are no questions, we'll begin and
16 proceed with the applicant's opening statement.
17 So what I'm saying to Whitley, the way the protest
18 hearing goes is that the Board will call each witness
19 which is the investigator. The investigator will
20 present his case report and we'll ask some questions
21 of the investigator of his case report.

22 The Board members will also have questions
23 of the investigator of his case report. After the
24 Board members have asked questions, you'll have an
25 opportunity to ask questions of the investigator.

1 Once you have asked questions of the investigator,
2 then Mr. Mixon will have an opportunity to ask
3 questions of the investigator.

4 Once that's dispensed with, then you will
5 put your case in chief on. And then we can find
6 out what witnesses you have after you put your case
7 in chief on. Then the protestant will put their
8 case in chief on.

9 And then we can ask for -- at that juncture,
10 we can ask for a proffer of what witnesses they have
11 and what each witness is going to testify. So it's
12 somewhat premature. So why don't we wait until the
13 protestant is going to put their case on which is
14 hopefully today.

15 Or I'm not sure if we'll be able to complete
16 that today. Are there any other preliminary
17 matters that can be addressed? Yes, Mr. Mixon.

18 MR. MIXON: Regarding witness
19 availability and the time frame to complete today,
20 due to the unexpected delay in the commencement of
21 today's hearing, multiple witnesses are
22 experiencing time delays -- time crunches around
23 hard stops. We anticipated that we would've
24 already gotten around to protestant's case in chief
25 at some point today. And so we're afraid that

1 several witnesses necessary to meet our case will
2 be unavailable very shortly. So we'd ask that
3 applicant's case in chief be presented today and
4 protestant's be continued to the next available
5 Board date to accommodate the limited time.

6 CHAIRPERSON ANDERSON: That works. I
7 don't see a problem with that. Excuse me. Then
8 that will make our life even that much easier in
9 a sense that -- all right. So let me -- it's a
10 protest hearing. And I guess I'm going to ask a
11 question.

12 Questions are made to be asked. And so
13 I'm going to ask a question. Is it that -- Mr.
14 Mixon, as far as the protestant is concerned, is
15 it the protestant's position that the Board should
16 not grant this license?

17 MR. MIXON: The protestant is seeking
18 denial. Yes, Mr. Chair.

19 CHAIRPERSON ANDERSON: Fine. Then I
20 don't need to -- all right. That's fine. All
21 right. So all right. So the way the case will move
22 then is that we'll do opening statements.

23 And so once Mr. Whitley -- you can do an
24 opening statement. And then once you've done your
25 opening statement, Mr. Mixon can -- either can do

1 an opening statement today or whenever he's
2 presenting his case. He can reserve to do his
3 opening statement at that time. All right. So Mr.
4 Whitley, do you have an opening statement you wish
5 to make, sir?

6 MR. WHITLEY: Yes, Chairman. So yes, the
7 applicant contends that the protestant's challenge
8 to the applicants are based on outdated information
9 based on speculation and not actual fact or actual
10 harm based on alleged violations that have long
11 since been mitigated, prejudicially omits material
12 facts.

13 And the protestant's alleged harm is not
14 traceable to the applicant who has ceased their
15 business operations during the application process.

16 Specifically, the protestants claim that the
17 applicant has previously violated Title VII of the
18 D.C. Code is stale as it is based on information
19 over a year old and a notice of infraction that was
20 dismissed. Also, protestants claim that the
21 applicant will have an adverse impact on vehicular
22 or pedestrian safety is also rebutted.

23 Because by the protest report filed by
24 Investigator Parker, this information that
25 contradicts that there would be any adverse impact

1 on vehicular or pedestrian safety and that any
2 claims raised by the protestants are based
3 completely on speculation because Canaart, the
4 applicant, has been not operating since October --
5 I'm sorry, since August of 2024 in order to maintain
6 strict compliance with Title VII and ABCA's policies
7 and regulations. And we will ask that the Board
8 decline to reject or deny the applicant's
9 application and allow them to proceed.

10 CHAIRPERSON ANDERSON: Thank you. Do you
11 wish to -- Mr. Mixon, do you wish to make an opening
12 statement?

13 MR. MIXON: Yes, I will at this time.

14 CHAIRPERSON ANDERSON: Go ahead, please.

15 MR. MIXON: Thank you, Mr. Chair. Mr.
16 Chair, members of the Board, the evidence and
17 testimony in today's hearing, we'll show that the
18 medical cannabis retailer license with which the
19 applicant, Canaart, has applied for is
20 inappropriate for the proposed location, both for
21 reasons of vehicular and pedestrian safety because
22 of the applicant's track record of violations of
23 D.C. Code, Title VII. You will hear from two
24 residents from the neighborhood, one of whom is an
25 expert in pedestrian safety who will describe the

1 ongoing concerns residents have with vehicular
2 pedestrian safety around the complex, high traffic
3 intersections between Connecticut Ave. and
4 Fessenden Street as well as Connecticut Ave. and
5 Nebraska Ave.

6 These intersections are regularly
7 trafficked by school children walking to the nearby
8 Murch Elementary School, Deal Middle School, and
9 Jackson Reed High School as well as senior citizens
10 walking to nearby senior centers. And longstanding
11 concerns about their safety as they cross these busy
12 streets raises questions about the appropriateness
13 of adding a new licensed establishment to this
14 location. Furthermore, you will hear how this
15 establishment has been the subject of an
16 investigation by the Department of Licensing and
17 Consumer Protection and ABCA for business
18 operations in violation of District licensing laws.

19 You will see evidence demonstrating that
20 the applicant has previously operated this business
21 as a cannabis retailer without licensure by ABCA
22 and has received a formal warning letter for the
23 following infractions. One, illegally selling
24 cannabis in violation of D.C. Code 7-1671.08(f) and
25 48-904.01(a) and (b). Two, illegally distributing

1 or dispensing cannabis on the premises in a manner
2 not authorized by D.C. law in violation of D.C. Code
3 7-1671.08.

4 Three, illegally displaying advertising
5 related to cannabis in violation of D.C. Code
6 7-1671.06(b). And four, illegally making claims
7 that they operated in compliance with the
8 legalization of possession of minimal amounts of
9 marijuana for personal use initiative of 2014 or
10 I-71 in violation of 7-1671.06(c-1). This
11 applicant did not apply during the open application
12 period for unlicensed establishments to transition
13 to legal operations established by D.C. Code
14 7-1671.06(b) and as such was not entitled to operate
15 as a cannabis retailer between May and August of
16 2024.

17 This record of noncompliance with District
18 laws has raised serious concerns about the ability
19 of this business to abide by the law going forward.

20 And those concerns have been voiced by numerous
21 community stakeholders, including neighbors, D.C.
22 Council Member for Ward 3, Matthew Frumin, and Van
23 Ness Main Street whose board member, Stan Wall, is
24 here today to testify. Mr. Wall's testimony will
25 emphasize how the continued operation of a business

1 that flouts the law, threatens to interfere with
2 the continued safety and economic prosperity of the
3 Connecticut Avenue corridor. After the close of
4 today's proceedings, we ask that you deny this
5 application for licensure.

6 CHAIRPERSON ANDERSON: All right. Thank
7 you. Thank you, sir. I'm trying to --

8 (Pause.)

9 CHAIRPERSON ANDERSON: I'm sorry. Just
10 I'm trying to get some information. I apologize.

11 All right. The Board will start with its first
12 witness. Sorry. Mr. Parker, are you the individual
13 who wrote the case report?

14 Okay. Hold on. I'm trying to get a hold
15 of the case report. So just give me one minute,
16 sir. But while I'm waiting, can you please identify
17 yourself for the record, please?

18 INVESTIGATOR PARKER: Demarcus Parker,
19 Applicant Investigator.

20 CHAIRPERSON ANDERSON: Spell your name
21 for the record, please, sir.

22 INVESTIGATOR PARKER: First name,
23 Demarcus, D-E-M-A-R-C-U-S. Last name, Parker,
24 P-A-R-K-E-R.

25 CHAIRPERSON ANDERSON: And where are you

1 currently employed, sir?

2 INVESTIGATOR PARKER: With ABCA.

3 CHAIRPERSON ANDERSON: All right. So
4 hold on one minute. Okay. All right, sir. Do you
5 have access to your case report?

6 INVESTIGATOR PARKER: Yes. Oh, I'm
7 sorry.

8 CHAIRPERSON ANDERSON: No, that's fine.
9 Can you identify the document -- can you identify
10 the document that's on the screen, sir?

11 INVESTIGATOR PARKER: This is the protest
12 report that was prepared by myself for Canaart.

13 CHAIRPERSON ANDERSON: All right. So let
14 me ask you a question. All right, sir. So do you
15 know who the protestants are in this case?

16 INVESTIGATOR PARKER: Yes, hold on,
17 please. The protestants are -- I think it's the
18 ANC 3F.

19 CHAIRPERSON ANDERSON: And what is -- so
20 did you get an opportunity to speak to the
21 protestant?

22 INVESTIGATOR PARKER: Yes.

23 CHAIRPERSON ANDERSON: Who did you speak
24 to?

25 INVESTIGATOR PARKER: I spoke with Sue

1 Guzman.

2 CHAIRPERSON ANDERSON: And so what
3 information, if any, were you able to gather based
4 on your conversation with the ANC?

5 INVESTIGATOR PARKER: The information
6 that was informed to me that the -- when I spoke
7 with her, that the ANC would be moving -- will be
8 moving forward with the protest due to school
9 zoning.

10 CHAIRPERSON ANDERSON: What do you mean
11 by school zoning?

12 INVESTIGATOR PARKER: That the business
13 itself was inside of a school zone and it should
14 not be operating as a cannabis medical retailer.

15 CHAIRPERSON ANDERSON: All right. Okay.
16 So let's move on then. So tell me about the zoning
17 of the proposed area for this establishment?

18 INVESTIGATOR PARKER: The zoning is a
19 mixed use. It's in a mixed use area, 3A zone. It
20 provides the development of -- permit a broad range
21 of commercial institution and multiple dwelling
22 units, residential development and varying
23 densities and permit medium density mixed use
24 development and be located on material streets in
25 uptown and regional centers at rapid transit stops.

1 Schools, according to the zoning --

2 CHAIRPERSON ANDERSON: Hold on. Hold on.
3 I'm going to ask the questions, sir. So I don't
4 necessarily --

5 INVESTIGATOR PARKER: Okay.

6 CHAIRPERSON ANDERSON: -- need you to read
7 your report. I know this is first hearing because
8 I've never had a hearing with you. But just wait
9 for me to ask the questions and then I'll guide you
10 where I want to go. So tell me about -- I think
11 in your report then, it says -- it talks about
12 schools. Share with me about schools in the area,
13 sir.

14 INVESTIGATOR PARKER: According to my
15 investigation, the schools that -- there were no
16 schools within the 400 feet of that proposed
17 location.

18 CHAIRPERSON ANDERSON: But your report
19 says -- explain to me your report because you stated
20 that the protestant said that there is a school.
21 And then I'm reading report. So explain to me what
22 -- this section regarding the schools, sir.

23 INVESTIGATOR PARKER: According to the
24 GIS information created on June 26th of 2024, there
25 was no recreation centers within the 400 feet of

1 the proposed location. But Janney Elementary
2 School is located within the 400 feet according to
3 Exhibit 3 once we get to that part.

4 CHAIRPERSON ANDERSON: So explain that to
5 me. So if there is a school located within 400 feet,
6 I mean, is this is a -- how can this establishment
7 -- how can we grant a license if there's a school
8 located within 400 feet?

9 INVESTIGATOR PARKER: I'm not sure if you
10 can grant a license if it's within 400 feet per my
11 investigation.

12 CHAIRPERSON ANDERSON: Well, I guess --
13 explain -- you said Exhibit 3. So let's go to
14 Exhibit 3. Maybe you can explain to me what Exhibit
15 3 is.

16 INVESTIGATOR PARKER: Okay. Before we
17 get to Exhibit 3, I need to put on the record one
18 of my exhibits was not entered to the exhibits.
19 But it was -- let's see, which was Exhibit 3 would
20 be -- not Exhibit 3, which will be Exhibit 2.

21 CHAIRPERSON ANDERSON: All right. Well,
22 we'll get there. I'm at Exhibit 3. So we're
23 talking about schools and you talked about Exhibit
24 3. So what is Exhibit 3?

25 INVESTIGATOR PARKER: Exhibit 3 according

1 -- it should be the GIS mapping which is showing
2 here, which is showing Exhibit 2. According to the
3 GIS mapping, there are no recreation centers which
4 I read previously from the establishment. There's
5 one cannabis facility within the 400 feet. There
6 are no ABC license establishments located at this
7 address. This appears to be a retail space that
8 is addressed in the zone of mixed use.

9 CHAIRPERSON ANDERSON: All right. So
10 you're saying -- so I guess what's labeled here?
11 What is Exhibit 2 that's labeled here in your
12 report?

13 INVESTIGATOR PARKER: Exhibit 2 that is
14 labeled here is the GIS mapping. The actual Exhibit
15 2 that was supposed to be listed here was supposed
16 to be the zoning map which is not listed at this
17 time.

18 CHAIRPERSON ANDERSON: All right. Okay.
19 So Exhibit -- so what's the purpose of the GIS map?

20 INVESTIGATOR PARKER: The purpose of the
21 GIS map is to show the area in which the zoning
22 covers, if there's any schools, if there's any
23 businesses -- other businesses within the area that
24 actually just to show the areas of the school if
25 there's any schools in the area that is not permitted

1 to be -- for the business not to be permitted to
2 be as a retail establishment.

3 CHAIRPERSON ANDERSON: All right. Hold
4 on. Okay. Close your screen for a minute, please.
5 All right. Hold on. Okay. Hold on. Close your
6 screen for a minute, please, sir. I need to go into
7 executive session for a minute. So hold on, sir.
8 The board needs to go into executive session. Hold
9 on, please.

10 As the Chairperson of the Alcoholic
11 Beverage and Cannabis Board for the District -- hold
12 on, Mr. Parker. The Board is going to go into
13 executive session. So hold on, please.

14 As Chairperson of the Alcoholic Beverage
15 and Cannabis Board for the District of Columbia in
16 accordance with D.C. Official Code Section 2-575
17 of the Open Meetings Act, I move that ABC Board hold
18 a closed meeting for the purpose of seeking legal
19 advice from our counsel on Case No. 25-PRO-00053,
20 Canaart, pursuant to D.C. Official Code Section
21 2-575(b)(4)(A) of the Open Meetings Act and, well,
22 just to go into executive to get some legal advice.

23 So I will now take -- is there a second? Mr. Grant
24 has second the motion. We'll have a roll call vote.
25 Mr. Grant.

1 MR. GRANT: Mr. Grant, I agree.

2 CHAIRPERSON ANDERSON: Ms. Quinn.

3 MEMBER QUINN: Ms. Quinn, I agree.

4 CHAIRPERSON ANDERSON: Mr. Meadows.

5 MR. MEADOWS: Agree.

6 CHAIRPERSON ANDERSON: Mr. Jones.

7 (No audible response.)

8 CHAIRPERSON ANDERSON: And Mr. Anderson,
9 I agree. The matter passed 5-0. The Board is going
10 to log off. We're going to go into executive
11 session and we'll be right back. Okay. So
12 everyone stay online. All the Board members log
13 off and log into executive session and we'll be right
14 back. Okay. Thank you.

15 (Whereupon, the above-entitled matter
16 went off the record at 3:00 p.m. and resumed at 3:13
17 p.m.)

18 CHAIRPERSON ANDERSON: We're back on the
19 record. I'm waiting for one additional -- I don't
20 see you, Mr. Mixon. There are you. I'm waiting
21 for Ms. Quinn to log back on. All right. Excuse
22 me.

23 The Board went into executive session.
24 And because based on the testimony that I was
25 eliciting from the investigator, I was concerned

1 and concerned in the sense that by operational law
2 if there is a school located within 400 feet of an
3 establishment, a license cannot be granted. And
4 so when in asking questions of the investigator,
5 he stated that Janney Elementary School was located
6 within 400 feet of the -- I mean, Mr. -- I'm sorry.

7 Mr. -- how do you pronounce your name, sir? Yes,
8 thank you.

9 I need everyone -- if you're not speaking,
10 I need everyone to mute their lines. Okay? All
11 right. And so that's the reason I went to executive
12 session because it is, like, why are we moving
13 forward with a hearing if our investigator is
14 stating that there is a school within 400 feet of
15 the establishment? And so therefore, that's why
16 the Board went into executive session to consult
17 with our legal office to get some clarification
18 whether or not why we're moving forward with this
19 hearing.

20 And so we're now back. And so I now need
21 to -- I need to go back to the investigator to --
22 I need you, sir, to provide some clarification on
23 the GIS map and the school that you state is located
24 within 400 feet of this establishment. So can you
25 -- you stated that the GIS map that's in the record

1 is Exhibit 2.

2 And so can you -- so explain to me. You
3 said Janney Elementary School is located within 400
4 feet of this establishment. Where is this? Where
5 is Janney Elementary School and where is it? And
6 what does the GIS map state, sir?

7 INVESTIGATOR PARKER: I want to apologize
8 for the report. The report has a typo. This is
9 the second report I have written and the first one
10 I'm testifying to. But it has a typo. So going
11 back to that, Janney Elementary School is not
12 located in the 400 feet zone.

13 (Simultaneous speaking.)

14 CHAIRPERSON ANDERSON: So -- I'm sorry.
15 So let's go back to Exhibit 2 which is -- explain
16 to me what is Exhibit 2?

17 INVESTIGATOR PARKER: Exhibit 2 here is
18 the GIS mapping which shows there's no recreation
19 centers or schools located within 400 feet from the
20 establishment. There is -- go ahead.

21 CHAIRPERSON ANDERSON: Go ahead. Go
22 ahead, sir.

23 INVESTIGATOR PARKER: Okay. There is one
24 cannabis facility within the 400 feet. There are
25 no ABC licensed establishments located at this

1 address. This appears to be a retail space. The
2 address is zoned which is mixed use 3A.

3 CHAIRPERSON ANDERSON: Okay. All right.
4 So let's -- I'm going back to your report, sir.
5 Can you describe the -- and can you describe the
6 characteristics, sir, of the neighborhood?

7 INVESTIGATOR PARKER: The characteristic
8 of the neighborhood is a retail establishment with
9 businesses around in the area as far as convenience
10 stores, other retail establishments, coffee shops.

11 CHAIRPERSON ANDERSON: So what are the --
12 is this establishment open?

13 INVESTIGATOR PARKER: It is open as a art
14 store.

15 CHAIRPERSON ANDERSON: So what are the
16 proposed hours of operation for this establishment?

17 INVESTIGATOR PARKER: The proposed
18 operations, let me go back to my report. It's from
19 10:00 a.m. to 9:00 -- hours of operation is 10:00
20 a.m. to 9:00 p.m. Hours to sell to the public are
21 from 11:00 a.m. to 8:00 p.m.

22 CHAIRPERSON ANDERSON: Now is this within
23 the established hours of operation for a cannabis
24 establishment?

25 INVESTIGATOR PARKER: Yes.

1 CHAIRPERSON ANDERSON: Have you had an
2 opportunity to observe the space?

3 INVESTIGATOR PARKER: Yes, sir.

4 CHAIRPERSON ANDERSON: And when did you
5 have that -- when did you go visit the space?

6 INVESTIGATOR PARKER: I visited on 8-5,
7 August the 5th of 2025. My arrival time was 12:15.

8 I observed the area for 10 minutes which there was
9 no activity in the area, no foot traffic at the time.

10 And that was on a Tuesday. Then I went
11 back on a Thursday of 8-7-2025, 2:50 p.m. and during
12 the operating of the art -- during the operating
13 hours of the art store. I entered the premises at
14 3:12 p.m.

15 CHAIRPERSON ANDERSON: Now did you
16 actually go inside the establishment?

17 INVESTIGATOR PARKER: Yes.

18 CHAIRPERSON ANDERSON: So you said it's
19 operating now as an art store. Explain that to me,
20 please.

21 INVESTIGATOR PARKER: Yes. I went into
22 the establishment and spoke with the clerk there.

23 And when I went in, she was speaking with some other
24 clients that was there. They were actually looking
25 at art and stuff inside the store. As I was speaking

1 -- as she came to me, I actually spoke with her.

2 She stated that the other business was opening as
3 an art store and that the owner of the business was
4 trying to move into a cannabis retail establishment.

5 CHAIRPERSON ANDERSON: All right. Let me
6 see. All right. I don't have any other questions.

7 Any questions by any other Board member? Go ahead,
8 Mr. Meadows.

9 MEMBER MEADOWS: Yes. Good afternoon.
10 Investigator Parker, when you went into the store,
11 the only items you saw for sale was artwork? You
12 didn't see anything else, pipes, bongs, hookahs,
13 tobacco product accessories?

14 INVESTIGATOR PARKER: No, sir. When I
15 went in, all I observed was paintings and whatnot
16 inside the business. I actually went down into the
17 basement, observed where paintings and stuff were.

18 Actually, as she was, I guess, trying to get her
19 stuff together to move their establishment to
20 another facility.

21 MEMBER MEADOWS: Thank you. Thank you
22 very much.

23 CHAIRPERSON ANDERSON: Any other
24 questions by Board members? Mr. Whitley, any
25 questions of the investigator?

1 MR. WHITLEY: Hello. Good afternoon or
2 good evening to you, Investigator Parker. So I just
3 have another -- just some questions about this 400
4 feet thing. I just want to establish something.
5 Are you familiar --

6 CHAIRPERSON ANDERSON: Mr. Whitley,
7 there's nothing to establish. There is no school
8 within 400 feet of this establishment. So we don't
9 need to go there, sir. Okay?

10 MR. WHITLEY: Okay.

11 CHAIRPERSON ANDERSON: It was confirmed
12 through the GIS system. So this is not an issue.
13 I mean, there might be issues regarding a school.
14 But there is no issue regarding whether or not there
15 is a school within 400 feet of the establishment,
16 sir. So let's move on from there.

17 MR. WHITLEY: Yes, Chair Anderson. But
18 just one question. Would it be reasonable that I
19 confirm that the applicant is actually
20 grandfathered under the 300 foot rule? And the 300
21 foot rule is actually applicable in this case and
22 not the 400 foot rule.

23 CHAIRPERSON ANDERSON: I don't know, sir.
24 So I'm just saying that the information that was
25 -- the information that was provided to us is that

1 there is no school within 400 feet of this
2 establishment. And if that's the case, we don't
3 need to go into that, any discussion regarding that,
4 sir. Okay?

5 MR. WHITLEY: Very well. Investigator
6 Parker, so you said that the makeup of the area that
7 where Canaart is, where the applicant is, you said
8 that the makeup of that area contained other
9 businesses. Is that correct?

10 INVESTIGATOR PARKER: That is correct.

11 MR. WHITLEY: And you said that there were
12 coffee businesses, other retail businesses, and
13 other restaurants, correct?

14 INVESTIGATOR PARKER: Correct.

15 MR. WHITLEY: Now was that consistent on
16 both sides of the street or just one side of the
17 street? Like, so is one side of the street
18 commercial and the other side of the street retail?
19 Or is the whole block, both sides of the street
20 commercial instead of retail I should say?

21 INVESTIGATOR PARKER: In that area, both
22 sides of the street are retail.

23 MR. WHITLEY: Okay. Now you said that you
24 did go inside the building. And you said that you
25 were on, I guess, the entry floor that you walked

1 in. And you said that you went to the basement.

2 Were there any other floors that were associated
3 with the business?

4 INVESTIGATOR PARKER: No.

5 MR. WHITLEY: Okay. So to the best of
6 your knowledge, you basically canvassed the entire
7 premises of the applicant?

8 INVESTIGATOR PARKER: Yes.

9 MR. WHITLEY: Okay. Now while you -- on
10 either visit to the establishment, did you see --
11 first of all, did you observe the odor of marijuana?

12 INVESTIGATOR PARKER: I did not.

13 MR. WHITLEY: Did you observe anyone
14 consuming marijuana?

15 INVESTIGATOR PARKER: No.

16 MR. WHITLEY: Did you see anyone consuming
17 or using any other illicit drugs?

18 INVESTIGATOR PARKER: No.

19 MR. WHITLEY: Right. Now you said that
20 when you entered the establishment the second time,
21 it was during ongoing business operation. You said
22 that there were some clients that were in there.

23 Did you notice anything cannabis related with those
24 clients whatsoever in that -- I guess -- I don't
25 know who's transacting. I don't know if they

1 actually purchased something or were just browsing.

2 But did you notice any cannabis exchanges? Did
3 you hear any verbiage related to cannabis or
4 anything like that?

5 INVESTIGATOR PARKER: No.

6 MR. WHITLEY: Okay. Now the art that you
7 spoke of, you said that you observed art in the
8 building. Now was that art general art? Or was
9 that art just cannabis related art? Like, could
10 you speak to the nature of the art in the building?

11 INVESTIGATOR PARKER: The nature of the
12 art was basically paintings of musical artists, I
13 think basketball players, multiple paintings of
14 everything. I can't say that I observed anything
15 cannabis related as far as a painting.

16 MR. WHITLEY: Understood. Now did
17 anything about the building seem attractive to
18 children? For instance, were there, like, pictures
19 of candy or pictures of cartoons or any -- whether
20 it's cannabis related or not. But was there
21 anything that promoted -- that the business was
22 promoting that would attract children?

23 INVESTIGATOR PARKER: No.

24 MR. WHITLEY: All right. During your
25 investigation, did you happen to be on that -- in

1 that neighborhood when school was either -- people
2 were either going to school in the morning or they
3 were coming from school in the afternoon?

4 INVESTIGATOR PARKER: Yes.

5 MR. WHITLEY: Okay. Did anything about
6 the business impeded the traffic of those -- or
7 impede the travel of those school aged children
8 either going to school in the morning or coming from
9 school in the afternoon?

10 INVESTIGATOR PARKER: No.

11 MR. WHITLEY: When you observed those
12 children that were either coming from school or
13 going from school, were they accompanied by parents?
14 Or were they just mostly just walking by
15 themselves?

16 INVESTIGATOR PARKER: Actually, I didn't
17 observe any students or parents at that time going
18 into a school except I was -- the hours that I was
19 there was noontime. Mostly time around noontime,
20 most of those kids are in school. And at 2:50 p.m.
21 hours that I was there, they're normally exiting
22 school. But I didn't see anything that would impede
23 any school traffic for students.

24 MR. WHITLEY: And so based on your report
25 too, you also reported on the effects of the

1 establishment on the peace, order, and quiet of the
2 neighborhood. What was your conclusions in your
3 report related to the peace, order, and quiet of
4 the establishment as it relates to the neighborhood?

5 INVESTIGATOR PARKER: The conclusion on
6 my report was that the establishment is located --
7 the area is not a high traffic area as far as foot
8 traffic from what I observed throughout my
9 investigation. It seems to be a more
10 community-based type area, like I said, with light
11 foot traffic. You do have a Metro bus area there.
12 But as I said, once again, it's light foot traffic
13 from my investigation.

14 MR. WHITLEY: Understood. Now you also
15 gave a conclusion about the investigative history,
16 whether the applicant has any violations on record
17 related to ABCA, related to any ABCA investigations.
18 What were your conclusions there?

19 INVESTIGATOR PARKER: I did not have any
20 conclusion as -- hold on. Let me make sure. Let
21 me --

22 MR. WHITLEY: I'm looking at page 5 of your
23 report.

24 INVESTIGATOR PARKER: Page 5? Okay.
25 Yeah, there was no ABCA violations upon my

1 investigation that I saw.

2 MR. WHITLEY: Absolutely. And now going
3 to the -- in your report, right? So on page 3 in
4 you report, you list the proposed hours of operation
5 of the business. And we have two columns, right?

6 We have the hours of operation then the hours of
7 sales open to the public. Can you explain the
8 difference between hours of operation and hours of
9 sales open to the public?

10 INVESTIGATOR PARKER: The hours of
11 operation, I'm thinking as far as the hours of
12 operation as meaning opening the employees into the
13 business, opening up, setting up, getting things
14 prepared for the public. The 11:00 o'clock hour
15 is the hours of them -- the public coming in and
16 for the business to be able to make the sales within
17 those hours.

18 MR. WHITLEY: Absolutely. And with your
19 observance and your experience, if a business began
20 operating at 11:00 a.m., would it typically avoid
21 the morning school traffic?

22 INVESTIGATOR PARKER: No.

23 MR. WHITLEY: So at 11:00 a.m. --

24 INVESTIGATOR PARKER: You said would it
25 avoid the school traffic at 11:00?

1 MR. WHITLEY: I could ask it that way.
2 If a business opens hours of operation at 11:00 a.m.,
3 would it typically avoid the morning school traffic?

4 INVESTIGATOR PARKER: Yes, it would.

5 MR. WHITLEY: And my last question is as
6 an investigator, do you also enforce the ABCA
7 policies and the laws in the District of Columbia?

8 INVESTIGATOR PARKER: Yes.

9 MR. WHITLEY: Okay. So are there
10 regulations in enforcement against medical cannabis
11 companies displaying or advertising products that
12 would be enticing or attractive to children? Isn't
13 that prohibited in the medical cannabis market?

14 INVESTIGATOR PARKER: It is.

15 MR. WHITLEY: And if a business were to
16 do that, that business would be enforced upon,
17 correct?

18 INVESTIGATOR PARKER: Repeat that one
19 more time.

20 MR. WHITLEY: So if you or any other ABCA
21 investigator, right, observed a medical cannabis
22 company that was displaying imagery to children that
23 were attractive to children or doing things that
24 were enticing to children, that's an enforceable
25 offense. And if an investigator saw that, they

1 would have to enforce against that company, correct?

2 INVESTIGATOR PARKER: Yes.

3 MR. WHITLEY: Indeed. Just to be clear,
4 I know I asked this before. But I just want to make
5 sure. In your record in your report, there are no
6 violations against the applicant, Canaart, with
7 ABCA based on your knowledge, correct?

8 INVESTIGATOR PARKER: Well, prior to this
9 investigation, it was -- there was none. But
10 afterwards, after the report was filed, I did
11 observe that there was a warning issued later after
12 the report was submitted.

13 MR. WHITLEY: Okay. So let me clarify
14 that. So are you saying that you discovered the
15 existence of a warning letter after you submitted
16 your report? Or was a warning letter issued to the
17 applicant after you completed your report?

18 INVESTIGATOR PARKER: Yes.

19 MR. WHITLEY: Which one?

20 INVESTIGATOR PARKER: After I completed
21 my report.

22 MR. WHITLEY: So --

23 (Simultaneous speaking.)

24 CHAIRPERSON ANDERSON: Mr. Parker, listen
25 to the question, please. Listen carefully to the

1 question and answer the question.

2 MR. WHITLEY: Yes. So my question is
3 this. You spoke of a warning letter, right? And
4 we're trying to get the timing of the warning letter,
5 right? So my question is, did you discover the
6 existence of the warning letter? Let me ask you
7 this. Let me be specific. Do you know when that
8 warning letter was issued?

9 INVESTIGATOR PARKER: It was -- according
10 to my knowledge, it was issued on -- it was issued
11 last year. I can't remember the exact date. But
12 it was -- I recall it was issued last year.

13 MR. WHITLEY: Roger that.

14 INVESTIGATOR PARKER: But I discovered it
15 -- like I -- once again, like I said, I discovered
16 it after the fact.

17 MR. WHITLEY: Okay. So yes, I just want
18 to be clear. There was a warning letter issued last
19 year, right, to your knowledge. And you only
20 discovered the existence of that warning letter
21 after you conducted your inspection, correct?

22 INVESTIGATOR PARKER: Correct.

23 MR. WHITLEY: Okay. But the warning
24 letter itself was not issued after your inspection?

25 INVESTIGATOR PARKER: No.

1 MR. WHITLEY: Roger that. No further
2 questions.

3 CHAIRPERSON ANDERSON: Mr. Mixon.

4 MR. MIXON: I'd just ask that the Board
5 take judicial notice of page 2 of the --
6 administrative notice, apologies, of the page 2,
7 the protest report, specifically the header that
8 says, protest issues. It notes two protest factors
9 that would be applicable with this for an
10 application for an alcohol license. However, the
11 medical cannabis licensing statute, a different set
12 of protest issues are relevant. And to correct the
13 record, those two protest issues are report of
14 violations of Title VII and vehicular and pedestrian
15 safety.

16 CHAIRPERSON ANDERSON: Hold on. Hold on.
17 Hold on. Hold on. Hold on. All right, Mr.
18 Mixon. Hold on. Let's put a pause in that for
19 a minute. Do you have any questions for the
20 investigator?

21 MR. MIXON: None at this time.

22 CHAIRPERSON ANDERSON: You don't? Okay.
23 Thank you, Mr. Parker, for your testimony today.
24 All right. Okay. What's the issue that you --
25 what's the clarification you're trying to bring to

1 the attention of the Board, sir?

2 MR. MIXON: Just that the to make sure that
3 the Board and all parties are on the same page with
4 respect to the relevant protest issues in this case
5 of which it seems that a set of protest issues
6 relevant to an alcohol license are listed in the
7 protest report that is relevant to a cannabis
8 license.

9 CHAIRPERSON ANDERSON: So you're saying
10 that -- so Mr. Mixon, if the investigator made an
11 error, why didn't you just -- he was here to testify.
12 Why don't you ask him to clarify that issue, sir?

13 MR. MIXON: Judicial economy.

14 CHAIRPERSON ANDERSON: You're just making
15 my life even more interesting as the afternoon goes
16 along, not because you're spending the entire day
17 with us, Mr. Mixon. All right. Okay. Exhibit 1
18 in the report has the protest notice, the protest
19 issue why the ANC is protesting the issue.

20 I'm not quite sure what is in the case
21 report. But we are here today because standing was
22 granted to the protestant at the roll call hearing.

23 So because standing was granted to the ANC at the
24 roll call hearing, it's clear to me that the ANC
25 met the standard for a cannabis protest. So if

1 there's an error in the case report itself, I stand
2 with the fact that the ANC was granted standing at
3 the protest hearing -- I'm sorry, the roll call
4 hearing because the Board agent at that hearing
5 determined that the standards to protest a cannabis
6 establishment was met by the ANC. Okay?

7 MR. MIXON: Understood. Thank you, Mr.
8 Chair.

9 CHAIRPERSON ANDERSON: Thank you for
10 that. All right. Hold on one minute. Let me see
11 here. Hold on, please. All right. Okay. Mr.
12 Whitley, how many witnesses do you have, Mr.
13 Whitley?

14 MR. WHITLEY: So two, if Special
15 Investigator -- I'm sorry, Supervisory Investigator
16 Peru testifies, then two. If not, one, Mr. Rragami.

17 CHAIRPERSON ANDERSON: All right. No, I
18 just wanted to make sure so I can finish your case
19 today. All right. So I know that you had
20 subpoenaed witnesses. And I believe that -- I'll
21 find out from -- we'll call your first witness.
22 And let me get clarification with that Supervisory
23 Investigator Peru is available as per your subpoena.
24 So call your first witness, sir.

25 MR. WHITLEY: Yes, Mr. Chairman. I'll

1 call --

2 CHAIRPERSON ANDERSON: Hold on. Hold on.
3 Hold on, please. Hold on. Do you want to -- all
4 right. I was told that Supervisory Investigator
5 Peru is available. Do you want to call your
6 witnesses out of order so we can have --

7 MR. WHITLEY: I can call my witness out
8 of order to accommodate, yes.

9 CHAIRPERSON ANDERSON: So then
10 Supervisory Investigator Peru is available. So Mr.
11 Peru, can you raise your right hand, please? Do
12 you swear or affirm to tell the truth and nothing
13 but the truth? Your witness, sir. Okay.

14 MR. WHITLEY: Great. Good evening,
15 Supervisory Investigator Peru.

16 (Simultaneous speaking.)

17 MR. WHITLEY: Could you please -- I can't
18 complain. Good to see you. So could you please
19 state and spell your name for the record?

20 INVESTIGATOR PERU: Jason Peru, J-A-S-O-N
21 P-E-R-U.

22 MR. WHITLEY: Outstanding. So right now,
23 you are a supervisory investigator at ABCA. Is that
24 correct?

25 INVESTIGATOR PERU: Correct.

1 MR. WHITLEY: All right. How long have
2 you served in that role?

3 INVESTIGATOR PERU: Since 2018.

4 MR. WHITLEY: And what are your duties in
5 that role?

6 INVESTIGATOR PERU: To conduct
7 investigations and inspections of businesses in the
8 District of Columbia that are licensed by ABCA.

9 MR. WHITLEY: And does your role or your
10 duties include enforcement actions in, I guess,
11 serving or initiating enforcement actions?

12 INVESTIGATOR PERU: Correct.
13 Enforcement against cannabis enforcement actions
14 on licensed establishments in the District.

15 MR. WHITLEY: Okay. And so some of the
16 -- is issuing a warning letter one of the enforcement
17 practices that you have authority to do?

18 INVESTIGATOR PERU: It is.

19 MR. WHITLEY: Outstanding. Besides
20 warning letters, are there other forms of
21 enforcement that you're capable of?

22 INVESTIGATOR PERU: There are.

23 MR. WHITLEY: What are some of those other
24 types of enforcement?

25 INVESTIGATOR PERU: Issuing cease and

1 desist against businesses, padlocking and closing
2 businesses for illegal activities, the Board as it
3 defined businesses.

4 MR. WHITLEY: Okay. So if you were to --
5 from a scale of one to ten, right, one being the
6 least severe, ten being the most severe, where would
7 a warning letter lie?

8 INVESTIGATOR PERU: I think it's pretty
9 obvious. A warning letter is the beginning of a
10 process of enforcement. It's a start of an
11 enforcement action notifying the business of their
12 infraction and giving them a chance to correct that
13 infraction.

14 MR. WHITLEY: Okay. So a warning letter
15 is not necessarily punitive. It's more, for lack
16 of a better term -- I don't want to say educational
17 but it's notice, right? It's notice essentially,
18 right, more so than punitive. Would you agree or
19 not?

20 INVESTIGATOR PERU: I agree. I like the
21 word educational. That's the way I presented it
22 when we started doing enforcement last year.

23 MR. WHITLEY: Okay, okay. And let me ask.
24 So part of the reason why you were doing the warning
25 letter, is that because there was confusion?

1 People were at least claiming that there was
2 confusion on what was legal and what was not legal?

3 And I don't know what was going on behind the
4 scenes. But was the warning letter part of, as you
5 said, educating the public on what was legal and
6 what was not legal and trying to dispel rumors?

7 INVESTIGATOR PERU: Correct. February
8 1st of 2024, the laws got changed. An enforcement
9 bill was enacted. And as part of that bill to give
10 everybody a fair opportunity to shut down businesses
11 on their own, we started a task force.

12 And the first step of the task force per
13 the statute was to issue warnings. So I went around
14 and issued over, I don't know. A hundred something
15 warnings got issued during the time period.

16 MR. WHITLEY: Outstanding. Now if you
17 appeared at a location, you didn't just have to issue
18 a warning letter. If there's something egregious
19 or something like that, you could use all the quills
20 -- all the arrows in your quiver, right? Is that
21 true?

22 INVESTIGATOR PERU: Yes and no. At the
23 beginning, the statute required mandated warnings
24 be issued first until the statute was later changed
25 and the enforcement actions made a little more

1 direct and aggressive. And a warning letter was
2 actually eliminated from the law at some point last
3 year.

4 MR. WHITLEY: Okay, okay. Do you recall
5 issuing a warning letter against Canaart, the
6 applicant?

7 INVESTIGATOR PERU: I do.

8 MR. WHITLEY: Okay. Do you recall
9 whether that was around on or about August 6, 2024?

10 INVESTIGATOR PERU: It was.

11 MR. WHITLEY: Okay. And again, I know you
12 kind of said it. But just specifically with
13 Canaart, what was the point and what was the purpose
14 of issuing this warning letter?

15 INVESTIGATOR PERU: Well, Canaart was on
16 my list of unlicensed operators in the District of
17 Columbia like many others. And I took my joint
18 cannabis task force to pay them a visit like I did
19 to other shops in the District. And during that
20 visit, there was cannabis product and cannabis
21 flower being offered for sale. And at that point
22 in time, a warning was issued by myself.

23 MR. WHITLEY: Indeed. And do you recall
24 the infractions that you listed in that warning
25 letter?

1 INVESTIGATOR PERU: I mean, I have a copy
2 of the warning letter pulled up. So I can cite it
3 if you want. Or you can pull if you have it to show
4 it. But --

5 MR. WHITLEY: Sure.

6 INVESTIGATOR PERU: -- it was essentially
7 engaging in illegal activity of selling,
8 exchanging, delivering cannabis.

9 MR. WHITLEY: Okay. Now after you issued
10 that warning letter on August 6th, 2024, were you
11 notified or did you have any conversation with
12 Canaart? Did they reach out to you after receiving
13 that warning letter? Do you recall?

14 INVESTIGATOR PERU: Yeah, it's been a
15 while. But yes, I remember conversations,
16 absolutely. Because they had a -- about applying
17 and getting a conditional license at some point.

18 I offered, as part of education, guidance on how
19 an operator that we're issuing infractions to can,
20 in fact, apply for a license.

21 MR. WHITLEY: Okay. And so after the
22 warning letter, did you ever return to Canaart to
23 issue any subsequent enforcement actions?

24 INVESTIGATOR PERU: I returned, of
25 course, inspections. However, no actions were seen

1 that warranted further action.

2 MR. WHITLEY: Okay. And so to your
3 knowledge, even after these inspections by
4 yourself, by Investigator Parker, ABCA has not
5 issued any other infractions, fines, enforcement
6 actions whatsoever against Canaart. Is that
7 correct?

8 INVESTIGATOR PERU: That is correct.

9 MR. WHITLEY: And while you were visiting
10 Canaart, was the business operating or was it closed
11 when you inspected?

12 INVESTIGATOR PERU: At which time are you
13 referring to?

14 MR. WHITLEY: Either time. Either time
15 that you inspected. Was the business open? Like,
16 so similar to Investigator Parker, he made two
17 trips. One trip, the business wasn't open. One
18 trip, the business was open. So was that similar
19 with you? One trip, the business was open. One
20 trip, the business wasn't open.

21 INVESTIGATOR PERU: Yeah, it was open the
22 day of the task force and the day of the warning.
23 I was physically inside.

24 MR. WHITLEY: Okay.

25 INVESTIGATOR PERU: Other attempts to

1 visit the place, it was closed. And then some days,
2 it was found open. So it wasn't consistently open
3 after that juncture. And once again, no illegal
4 activity was confirmed by myself from my team.

5 MR. WHITLEY: Okay. Now what do you mean
6 by that? When you say no illegal activity was
7 confirmed, allegations of illegal activity?

8 INVESTIGATOR PERU: Correct.

9 MR. WHITLEY: And that's what prompted the
10 inspections. But upon your inspections, no illegal
11 activity was observed?

12 INVESTIGATOR PERU: Correct.

13 MR. WHITLEY: Indeed. Have you gotten
14 any -- so besides allegations, have you gotten any
15 direct complaints against Canaart? Has a random
16 citizen approached you? Are you the applicant's
17 inspector? Can I get a business card? These
18 people just sold my son cannabis. And I want you
19 to go enforce them. Has anything like that happened
20 with you and Canaart?

21 INVESTIGATOR PERU: Not in that capacity,
22 but in the capacity of anonymous complaints have
23 come into ABCA with concerns that they continue to
24 sell and continue to operate as an unlicensed
25 cannabis retailer.

1 MR. WHITLEY: Gotcha. And when were
2 those complaints? When was the most recent
3 complaint?

4 INVESTIGATOR PERU: It's been a couple
5 months. I can't -- I can't pinpoint the times of
6 the complaint because the complaints come in many
7 forms. And sometimes it comes in the form of just
8 a phone call saying, hey, I think these guys are
9 operating still or, you know, a message. But yeah,
10 there's multiple forms of complaints the way they
11 come in to me.

12 MR. WHITLEY: Okay. So all the
13 complaints that come into you, are they credible?

14 INVESTIGATOR PERU: All complaints are
15 looked into it. Not everything is -- is -- is found
16 to be or discovered to be for what it is.

17 MR. WHITLEY: Right. And that's the case
18 of Canaart. It seems like you've gotten numerous
19 complaints, anonymous, what have you. But based
20 on ABCA's inspection, those complaints didn't match
21 up with what you observed?

22 INVESTIGATOR PERU: Mr. Whitley, like I
23 stated, I've served one action against Canaart.
24 And that one action was served based on my
25 investigation, based on my continued investigation.

1 And therefore, I issued that warning letter.
2 Since then, no other actions have been conducted
3 by me. No other enforcement has been taken by me
4 based on any investigations that I conducted.

5 MR. WHITLEY: Okay. Now when you say by
6 you, right, are you speaking for -- because you are
7 the supervisory investigator. So that means you
8 personally or you the department of ABCA
9 enforcement?

10 INVESTIGATOR PERU: Me personally setting
11 up operations or investigations to determine if
12 illegal sales are taking place.

13 MR. WHITLEY: Okay. And none of those --
14 other than the warning letter, an initial task
15 force, none of those operations, investigations as
16 you think have turned up anything negative towards
17 Canaart, correct?

18 INVESTIGATOR PERU: Correct.

19 MR. WHITLEY: All right. And I asked
20 Investigator Parker this. But I just want to be
21 sure. There are already regulations that prohibit
22 a medical cannabis from doing anything that
23 essentially would attract children, right? As a
24 matter of fact, can a child enter a medical
25 establishment?

1 INVESTIGATOR PERU: You must be 18 and
2 over with a doctor's medical note or 21 and over
3 to self certify.

4 MR. WHITLEY: Okay. So no one under 21.
5 But if you're under 21, if you're between 18 and
6 21, you needed a parent to accompany you. Is that
7 correct?

8 INVESTIGATOR PERU: You need a doctor's
9 note to --

10 MR. WHITLEY: Doctor's note.

11 INVESTIGATOR PERU: -- certify that you
12 can obtain medical cannabis.

13 MR. WHITLEY: Okay. But
14 regulatory-wise, a medical cannabis establishment
15 does not let children in?

16 INVESTIGATOR PERU: Correct.

17 MR. WHITLEY: Have you ever issued any
18 type of enforcement act against any medical cannabis
19 company that's a licensed medical cannabis company
20 that's operating? Have you ever issued an
21 infraction because they let someone in that was
22 under 21?

23 INVESTIGATOR PERU: No. As of today, I
24 have not.

25 MR. WHITLEY: Okay. And there's also

1 medical cannabis laws that regulate against or
2 prohibit the advertisement of products that are
3 attractive to children. Is that correct?

4 INVESTIGATOR PERU: Correct.

5 MR. WHITLEY: Okay. And is that
6 something that you monitor pretty excessively? I
7 know at the last hearing, you guys were talking about
8 packaging and everything like that. Is that
9 something that you monitor heavily?

10 INVESTIGATOR PERU: Yeah, anything -- all
11 packaging and labeling must be approved by ABCA
12 licensing, not by me, not by Jason Peru himself.

13 It is submitted through the ABCA licensing portal.
14 It's reviewed by the Board.

15 And then the licensing is approved. And
16 the approval is based on a statute like you stated.

17 Images depicting children, cartoon images, or
18 anything that could -- that could attract a child
19 is a prohibited.

20 MR. WHITLEY: Okay. And also in your
21 experience, right, with the medical cannabis
22 companies in general, do you observe often when
23 you're investigating these companies people
24 loitering in front of these companies and smoking
25 marijuana?

1 (Simultaneous speaking.)

2 MR. WHITLEY: Medical cannabis companies.

3 INVESTIGATOR PERU: No, the medical
4 retailers, that kind of activity is not -- is not
5 observed, no.

6 MR. WHITLEY: Have you had any enforcement
7 with -- because I'm sure there are some medical
8 cannabis companies that are within 300 feet of a
9 school. In your history of enforcement and
10 observations, have there been any children that have
11 wandered into a medical -- licensed medical cannabis
12 store or had a negative interaction with a medical
13 cannabis store in the District of Columbia?

14 INVESTIGATOR PERU: Not to my direct
15 knowledge.

16 MR. WHITLEY: And we just want to be
17 certain, right? This whole hearing is about
18 Canaart's application as a medical licensed
19 establishment, correct?

20 INVESTIGATOR PERU: Yes, sir.

21 MR. WHITLEY: Indeed. I have no further
22 questions.

23 CHAIRPERSON ANDERSON: Mr. Mixon.

24 MR. MIXON: Yes, I have a question.
25 Investigator Peru, could you please -- if you could,

1 could you estimate approximately how many
2 complaints the agency may have received related to
3 this establishment?

4 INVESTIGATOR PERU: Probably -- I mean,
5 maybe less than -- less than 20 maybe, maybe more
6 than 10, give or take. You know, it's always the
7 same type of complaint that would come in, you know,
8 from the neighborhood, from the ANCs, or from
9 anonymous sources, concern that the illegal
10 operations were still taking place.

11 MR. MIXON: Have you personally observed
12 violations of D.C. Code Title VII at the
13 establishment?

14 INVESTIGATOR PERU: Not since the
15 original -- the original warning was issued. No
16 other violations were observed.

17 MR. MIXON: But at that time, though,
18 correct?

19 INVESTIGATOR PERU: I'm sorry. Yes, at
20 the time.

21 MR. MIXON: At the time of the warning?

22 INVESTIGATOR PERU: Yes, yes, yes.

23 MR. MIXON: Was the establishment held
24 open for business after the period of time ABCA
25 allowed for licensed establishments to be

1 grandfathered in to continue operation until
2 licensure?

3 INVESTIGATOR PERU: You're talking about
4 the March 31st deadline?

5 MR. MIXON: Yes, did they apply after a
6 period of time that ABCA would've permitted licensed
7 establishments to be safe from enforcement?

8 INVESTIGATOR PERU: I'm not sure. I'm
9 not sure what application period they applied. And
10 to be honest with you, I'd have to -- I'd have to
11 check back on that. I'm assuming the application
12 period for unlicensed businesses was from November
13 of '23 to January of '24. I do not believe Canaart
14 applied in that time period.

15 MR. MIXON: Thank you. Are you familiar
16 with the principle operator of the establishment?

17 INVESTIGATOR PERU: The gentleman on the
18 screen that you're referring to?

19 MR. MIXON: Yes. Could you say his name?

20 INVESTIGATOR PERU: Yeah, Sajmir Rragami.
21 I believe I spoke to him once or twice. I cannot
22 remember. You know, so many people, I get so many
23 calls as you can imagine.

24 MR. MIXON: Right.

25 INVESTIGATOR PERU: I believe after the

1 first actions, we had a couple conversations. But
2 recently, I have not spoken to him, no.

3 MR. MIXON: Are you familiar with him from
4 the operation of any other cannabis establishments,
5 licensed or unlicensed in the District?

6 INVESTIGATOR PERU: Not ringing a bell.
7 Maybe you can ring it for me if -- if -- if he is
8 associated with somewhere else.

9 MR. MIXON: No, that'll be all for no.
10 No further questions, Mr. Chair.

11 CHAIRPERSON ANDERSON: Any other questions
12 by any of the Board members? Let me see. Mr. Peru,
13 normally you stated that you received maybe more
14 than 10 but less than 20 complaints regarding this
15 establishments. So once ABCA receives a complaint,
16 what happens? Walk us through the process.

17 INVESTIGATOR PERU: Well, we get so many
18 complaints about unlicensed businesses or
19 potentially or allegedly doing stuff. So it gets
20 queued in. And I flag it for follow-up
21 investigation, a follow-up. Lately, to be quite
22 frank, my follow-up just goes straight to doing an
23 undercover operation.

24 You know, I'm no longer popping in on
25 places and saying, hey, how are you doing, guys?

1 This is who I am, that kind of -- so essentially,
2 I'll initiate an undercover operation. I'll do
3 surveillance on the business to look for activity
4 to see if the business is operating, if anybody --
5 if it's even open for business at all, and go from
6 there.

7 And if I deem that there's no activity,
8 then, you know, there's no further actions. If --
9 if I -- if I continue to get complaints, I'll try
10 again in multiple times to do undercover operations
11 and undercover buys. And to be quite frank, in this
12 case, I did. There was -- I made multiple attempts
13 to purchase cannabis out of this location after --
14 long after my warning was given and with negative
15 result.

16 CHAIRPERSON ANDERSON: Any other
17 questions by any other Board members?

18 MEMBER JONES: What do you mean by
19 negative result?

20 CHAIRPERSON ANDERSON: Mr. Jones.

21 INVESTIGATOR PERU: Yes, sir. Sorry.
22 No sales were made.

23 CHAIRPERSON ANDERSON: Any other
24 questions by any other Board members? Mr. Mixon.

25 MR. MIXON: No, Mr. Chair.

1 CHAIRPERSON ANDERSON: Any questions?
2 Mr. Whitley, any redirect? Brief redirect if you
3 have any, Mr. Whitley. You are on mute, Mr.
4 Whitley.

5 MR. WHITLEY: I have one thing that's
6 pertinent. Mr. Peru, you said that the unlicensed
7 application round was from November 2023, I believe,
8 to January 2024, correct?

9 INVESTIGATOR PERU: Yes, sir.

10 MR. WHITLEY: But there were other
11 licensing rounds after that. After the unlicensed
12 round ended in January, I think, 31st or 30th,
13 2024, there were two subsequent rounds, correct,
14 that people could apply, right?

15 INVESTIGATOR PERU: Social equity to
16 standard, correct.

17 MR. WHITLEY: Correct. And standing here
18 today, that means they had to submit an application
19 in one of those other rounds, correct?

20 INVESTIGATOR PERU: Correct. But to Mr.
21 Mixon's point, they were not protected under the
22 law that allowed unlicensed operators to continue
23 to operate until March 31st of this year. So only
24 unlicensed operators were allowed to do that per
25 the statute. The other -- the other application

1 rounds from standard to social equity could not
2 operate under that law.

3 MR. WHITLEY: I appreciate that, Mr. Peru.
4 But I'm asking -- Attorney Mixon has had his
5 opportunity to ask the questions, right? So I'm
6 asking a different line of questioning, right? And
7 so I just wanted to establish that like there were
8 other rounds outside of the January 2024 deadline.

9 INVESTIGATOR PERU: Yes, sir.

10 MR. WHITLEY: And even though you might
11 not know when the applicant submitted their
12 application, it's clear that they must've submitted
13 it during the open rounds to be here, correct?

14 INVESTIGATOR PERU: Yes, sir.

15 MR. WHITLEY: Indeed. No further
16 questions.

17 CHAIRPERSON ANDERSON: Thank you. Thank
18 you very much, Mr. Peru, for your testimony. Have
19 a great day.

20 INVESTIGATOR PERU: Thank you, sir. You
21 too.

22 CHAIRPERSON ANDERSON: Mr. Whitley, do
23 you have another witness?

24 MR. WHITLEY: Yes, sir. Mr. Rragami.

25 CHAIRPERSON ANDERSON: Mr. Rragami, can

1 you please raise your right hand, please? Do you
2 swear or affirm to tell the truth and nothing but
3 the truth?

4 MR. RRAGAMI: I do, sir.

5 CHAIRPERSON ANDERSON: Your witness, sir.

6 MR. WHITLEY: Thank you. Mr. Rragami,
7 could you please state your full and spell it for
8 the record?

9 MR. RRAGAMI: Sajmir Rragami, S-A-J-M-I-R
10 R-R-A-G-A-M-I.

11 MR. WHITLEY: Indeed. What is your
12 relationship with the applicant, Canaart?

13 MR. RRAGAMI: I am the owner and partner.

14 MR. WHITLEY: And where is Canaart
15 located?

16 MR. RRAGAMI: It's located 5008
17 Connecticut Avenue, Northwest, Washington, D.C.
18 20008 ZIP code.

19 MR. WHITLEY: Okay. And when did Canaart
20 LLC begin its business operations --

21 (Simultaneous speaking.)

22 MR. WHITLEY: -- at 5008 Connecticut
23 Avenue? I apologize.

24 MR. RRAGAMI: We open our doors in May
25 2024.

1 MR. WHITLEY: Okay. You were breaking
2 up. Did you say May 2024?

3 MR. RRAGAMI: Correct.

4 MR. WHITLEY: Okay. Are you the
5 individual who submitted the application for a
6 medical cannabis retailer license?

7 MR. RRAGAMI: Yes, I'm the individual that
8 submitted the application through a consulting
9 agency.

10 MR. WHITLEY: Okay. Do you recall when
11 the application was submitted?

12 MR. RRAGAMI: Application was submitted,
13 I remember it was a deadline or starting line of
14 July 1st, 2024.

15 MR. WHITLEY: Okay. And then were there
16 any issues with that submission?

17 MR. RRAGAMI: Yes. After Mr. Peru's
18 visit to our establishment, we discovered -- in
19 communicating with Mr. Peru, we discovered -- was
20 incorrect. I guess there's -- there's two
21 buildings. They're next to each other. And there
22 was something -- a problem with a civic number which
23 we later corrected. So that was a problem we had
24 with the application. The civic number was
25 incorrect.

1 CHAIRPERSON ANDERSON: Hold on a minute,
2 sir. There's something going on with your
3 connection because it's --

4 MR. RRAGAMI: With mine?

5 CHAIRPERSON ANDERSON: Yes. With your
6 wifi connection so you're not clear.

7 MR. RRAGAMI: It's -- I can restate the
8 statement again. I have four bars here. I'm not
9 sure if -- doable.

10 CHAIRPERSON ANDERSON: Am I the only one
11 or is there a delay in his speech?

12 (Simultaneously speaking.)

13 CHAIRPERSON ANDERSON: There's a delay so
14 your wife -- so you might have four bars, so your
15 wifi is not -- so what I'm going to ask you to do
16 and against my best judgment, why don't you turn
17 your camera off unless you have a problem with that,
18 Mr. Mixon?

19 SPEAKER: No, sir. Thank you for the
20 suggestion.

21 CHAIRPERSON ANDERSON: Hold on, hold on,
22 hold on, hold on. Unless you have a problem with
23 that, Mr. Mixon. Why don't you turn your camera
24 off and let me see if it gets any better, okay,
25 because you're breaking up. And so maybe if we --

1 MR. RRAGAMI: All right.

2 CHAIRPERSON ANDERSON: -- turn the camera
3 off, maybe it will be better. Okay. Go ahead --

4 MR. RRAGAMI: Thank you, sir.

5 MR. RRAGAMI: -- and tell your camera off
6 and let me see. Okay.

7 MR. RRAGAMI: Camera's off.

8 CHAIRPERSON ANDERSON: Go ahead, Mr.
9 Whitley:

10 MR. WHITLEY: Okay. Very well. Because
11 the testimony was broken up, let me just re-ask.

12 When was the application submitted Mr. Rragami?

13 MR. RRAGAMI: Mr. Whitley, the
14 application was submitted July 1, 2024.

15 BY MR. WHITLEY:

16 Q Okay. Were there any particularities or
17 anything abnormal about the application submission?

18 A The only particularity was that the
19 application, the civic number was the -- incorrect
20 and when talking to -- chain with Mr. Peru, he did
21 not -- he discovered that we did not have an
22 application and we then later discovered that yes,
23 we did have the application but the error was the
24 --

25 Q Okay. So just so we got the timeline

1 right, looks like you guys open in May of 2024,
2 submitted a medical cannabis application in July
3 of -- July --

4 CHAIRPERSON ANDERSON: Mr. Whitley, are
5 you testifying or are you asking questions, sir?
6 Can you ask --

7 MR. WHITLEY: I'm just making sure we got
8 the timeline. Okay.

9 CHAIRPERSON ANDERSON: But he didn't --
10 hold on, Mr. Whitley. He didn't put in a timeline.
11 So if you ask the witness -- let -- you just ask
12 the witness questions, sir. Don't give him -- he
13 hasn't -- I don't even know when -- I'm not -- I
14 don't know if it's relevant, but if you're going
15 to ask a question, sir, you ask him a question.
16 You don't give him the information, sir, okay? All
17 right.

18 MR. WHITLEY: Yes, Chairman. When did
19 you begin the -- what was the date that you began
20 the business? I'm trying to establish the timeline
21 Mr. Anderson. So when was the date that you opened
22 the business?

23 MR. RRAGAMI: Yes. That was in 8/24/2024
24 and the application was submitted in July 1, 2024.
25 And to your third question, yes, there was no

1 problem submitting the application but -- through
2 seamlessly but later found out through Mr. Peru that
3 the application did not have the correct civic
4 number on the address, so that's it.

5 BY MR. WHITLEY:

6 Q And did you find that out after the August
7 6th warning letter was issued?

8 A Correct, sir. In communicating with Mr.
9 Peru, we found that out, yes.

10 Q Okay. Now after August 6, 2024, did you
11 continue operating the business?

12 A No -- no, Mr. Whitley. We shut operations
13 right away. We might have been open for art.
14 Somebody came to pick up art or stuff like that,
15 one here and there but no. We shut doors Bold Alley
16 offered to take the sublease.

17 Q Okay. And what was your goal when you were
18 applying for your medical cannabis license?

19 A Well, the goal is to -- our goal was to
20 provide -- have, you know, a great knowledge of the
21 plant and its safe usage, and we want to share that
22 knowledge with our community and our -- the public
23 and our clients -- usage of cannabis based on an
24 individual basis and, you know, hoping to make a
25 profitable business to continue to inform and

1 operate and sell cannabis regulated by ABCA.

2 Q I'm not sure the Board was able to hear
3 you because you were intermittent again, so I just
4 want to raise that. I don't know what you want to
5 do Mr. -- Chairman Anderson.

6 CHAIRPERSON ANDERSON: Well, you can come
7 back and -- your -- Mr. Rragami, your internet
8 connection is poor.

9 MR. RRAGAMI: Yes. That sounds good or
10 I can try to put it on -- just on -- set it for data,
11 see if that helps.

12 CHAIRPERSON ANDERSON: On what, sir? I
13 didn't hear what you said.

14 MR. RRAGAMI: I apologize, sir. Could
15 you give me just one -- 10 seconds here, try to --

16 SPEAKER: He's on a mobile device.

17 MR. RRAGAMI: -- my wifi. I am on mobile
18 device.

19 SPEAKER: He's going to switch to cellular
20 to see if that's better.

21 MR. RRAGAMI: Is this any better -- is this
22 any better?

23 CHAIRPERSON ANDERSON: Well, why -- it is
24 better, so let's go ahead.

25 MR. WHITLEY: Okay.

1 CHAIRPERSON ANDERSON: So your -- the
2 answer to Mr. Whitley's question -- Mr. Whitley,
3 could you please ask the question again?

4 MR. WHITLEY: Sure. What was your goal
5 in applying for a medical cannabis retail license.

6 MR. RRAGAMI: Oh, yes. Well, the goal is
7 for us to share our knowledge and our experience
8 with the plant. We believe in the cannabis retail
9 regulated market. We want to have the community,
10 individuals, you know, learn -- teaching them so
11 they can learn its safe usage and, you know, to make
12 a profitable business, to continue to operate.

13 BY MR. WHITLEY:

14 Q Absolutely. Now, we spoke about August
15 6th and you receiving a warning letter. Did you
16 receive any other documents besides the warning
17 letter on August 6, 2024?

18 A No -- no, Mr. Whitley, no warning letters
19 -- no warning letters and no complaints either.

20 Q August 6th, that was the only thing that
21 was issued to you was the warning letter on August
22 6th, is that correct?

23 A Correct -- correct.

24 Q Are you sure? If I showed you a document,
25 would it refresh your memory?

1 A Of other warning letters after the 6th?

2 Q No. What I'm asking is this, was there
3 anything -- any other document besides the warning
4 letter that was issued on August 6, 2024 or
5 thereabout?

6 A Well, there was a -- you know, in response
7 to our retail -- to our -- I was asking ABCA for
8 a retail cannabis license. We received the placard
9 from ABCA but no other warning or anything like that
10 I can think of.

11 Q Did you receive any information from the
12 Department of Licensing and Consumer Protection?

13 A Yes. We have received another letter
14 actually that followed up with the warning letter
15 that was a dismissal of the case.

16 Q Okay. Let me share my screen. I'm
17 actually going to ask to share my screen.

18 CHAIRPERSON ANDERSON: Mr. Orellana, can
19 you please allow Mr. Whitley to share his screen?

20 And Mr. Rragami, you can come back on camera, sir,
21 if you can, because I think we have -- I think you
22 have corrected whatever the issue is. I think it
23 has been corrected.

24 MR. ORELLANA: Access granted.

25 CHAIRPERSON ANDERSON: Okay. So you can

1 share your screen.

2 THE COMPLAINANT: Great. I have to grant
3 myself permission now.

4 SPEAKER: You may have to log out, log back
5 in potentially. I believe he logged out, Chairman.
6 He's going to log back in.

7 CHAIRPERSON ANDERSON: Okay.

8 SPEAKER: He's back.

9 CHAIRPERSON ANDERSON: Just share your
10 screen, sir.

11 MR. WHITLEY: Yes, Chairman. Thank you.
12 Now, Mr. Rragami, I have a document on the screen.
13 Are you familiar with this document?

14 MR. RRAGAMI: Yes, I am, Mr. Whitley.

15 BY MR. WHITLEY:

16 Q What is this document?

17 A Well, the document on the screen is the
18 -- cause it was to -- that is an infraction which
19 has the -- it's a note -- it's the initial notice
20 of infraction that we received by DLCP.

21 Q Does this look like the same notice of
22 infraction that you received with no changes or
23 additions to it?

24 A Correct. That's the one.

25 Q This is a true and accurate representation

1 of the notice of infraction that you received?

2 A Yes. That is the exact correct one.

3 Q Okay. So I have this marked as
4 Applicant's Exhibit 10, and I'm not showing Mr.
5 Rragami what's marked as Applicant's Exhibit 11.

6 Do you recognize this document, Mr. Rragami, that's
7 now on your screen?

8 A I do, sir. That is the document that I
9 referred to as the follow-up, correct.

10 (Whereupon, the above referred to
11 documents were marked for identification as
12 Applicant's Exhibits 10.)

13 BY MR. WHITLEY:

14 Q And what do you mean by the follow-up; what
15 does this document indicate?

16 A Well, this document indicates that it was
17 dismissed without prejudice, that we were found not
18 guilty of the infractions.

19 Q Okay. Now is this document in the same
20 -- relative same condition, same substance as the
21 document that you recall, correct?

22 A Yes, correct. It's the same exact one.

23 MR. WHITLEY: At this point, Chairman
24 Anderson, I would like to move Exhibits --
25 Applicant's Exhibits 10 and 11 into as evidence.

1 CHAIRPERSON ANDERSON: Mr. Mixon, any
2 objection?

3 MR. MIXON: (No audible response.)

4 CHAIRPERSON ANDERSON: Without
5 objection, Exhibit 10 and 11 are in -- are moved
6 into evidence.

7 (Whereupon, the above referred to
8 documents were received in evidence as Applicant's
9 Exhibits 10 and 11.)

10 MR. WHITLEY: Thank you. Now, moving on
11 -- now did you notify the ANC about the dismissal
12 of the notice of infraction?

13 MR. RRAGAMI: Not me directly but my
14 partner, Yard, had attempted. It was also an
15 article on Forest Hill that stated something to that
16 nature.

17 BY MR. WHITLEY:

18 Q All right. Bear with me one second. So
19 what is the Forest Hill connection, Mr. Rragami?

20 A It's the -- it's a -- to my understanding,
21 it's a neighborhood informational online journal
22 for things that are happening into the neighborhood.

23 Q And when you say "the neighborhood,"
24 exactly what neighborhood is that?

25 A Well, the ANC 3F.

1 Q Okay. So I have on the screen what's
2 Applicant's Exhibit 8, and this -- are you familiar
3 with this document that shows a website; are you
4 familiar with this document and site?

5 A Yes, I am, yes.

6 Q All right. Do you see the date of this
7 document hovering around it? What's the date of
8 the document?

9 A I'll have to zoom in because -- March 25,
10 2024.

11 Q Okay. Now what's this photo of, Mr.
12 Rragami, in this article?

13 A Well, that looks like our store with a name
14 on it and still closed.

15 Q Okay. Now, what is the name of your
16 business partner again, Mr. Rragami?

17 A Yared Betsate.

18 Q Okay.

19 CHAIRPERSON ANDERSON: Can you spell that
20 for the record, sir, please?

21 MR. RRAGAMI: Yared, Y-A-R-E-D, Betsate,
22 B-E-T-S-A-T-E.

23 MR. WHITLEY: I'm going to show you a
24 similar but different article. So is this that same
25 website? I'm showing you now Applicant's Exhibit

1 9. Is this the same website, the Forest Hills
2 Connection; is this the same website?

3 MR. RRAGAMI: Correct.

4 BY MR. DAVIDSON:

5 Q Do you know the date of this article?

6 A As everyone can see, June 12, 2025.

7 Q Okay. Do you know what this article was
8 in response to?

9 A I believe this was in response to our
10 meeting with the ANC. I don't have it fully present
11 in my mind right now, but it was saying that -- what
12 happened in that meeting with the ANC.

13 Q Absolutely. Now you stated that Mr. Yared
14 was your business partner, and it looks like you
15 guys are quoted in this article. What is this quote
16 about, the highlighted quote that you should see
17 on your screen right now?

18 A Yared Betsate attended the meeting with
19 co-owner, Sajmir Rragami, countered that this
20 infraction was dropped by ABCA. And it looks like
21 that we notified the -- our neighborhood, ANC 3F,
22 that -- when they brought up the infraction, I
23 personally was speaking to Ms. Guzman and let her
24 know that these infraction has been dropped.

25 Q Indeed. And now I want to show you --

1 going back to Exhibit 8, could you read the -- this
2 last line right here that was also communicated by
3 your business partner?

4 A The last line that states Kenna -- Kenna
5 Yared Betsate told Forest Hill Connection that the
6 business is in the process of applying for an ABCA
7 license.

8 Q And that -- this was in --

9 A March 25, 2024.

10 Q So does this predate the opening of the
11 business?

12 A March 25, 2024 predates the opening of the
13 business, correct, and as is shown, we're not open
14 on the picture, yes.

15 Q Indeed. I would, at this point in time,
16 like to move into evidence Applicant's Exhibits 8
17 and 9.

18 CHAIRPERSON ANDERSON: Mr. Mixon?

19 MR. MIXON: No objection.

20 CHAIRPERSON ANDERSON: without
21 objection, Exhibit 8 and 9 is moved into evidence.

22 (Whereupon, the above referred to
23 documents were received in evidence as Applicant's
24 Exhibits 8 and 9.)

25 MR. WHITLEY: All right. So after you

1 were contacted by investigators on -- in August of
2 2024, what steps did you take regarding your
3 business operations?

4 MR. RRAGAMI: We -- well, we hired an
5 architectural firm, a security firm to lay out a
6 plan, a security plan. We have learned the law,
7 how to operate within the parameters that the ABCA
8 and the city have put on, identifying local
9 cultivators that are licensed by ABCA. We -- pretty
10 much all our research has been extensive and all
11 our focus has been extensive to open as a legal
12 medical cannabis dispensary. So everything that
13 we did from that point on was to operate within to
14 the parameters that the city had established.

15 BY MR. WHITLEY:

16 Q And after August 2024, did you continue
17 operating as an I-71 cannabis retailer?

18 A No -- no, sir. Not at all. After the
19 infraction, we immediately stopped that model as
20 we thought it was okay, but it was not based on the
21 visit that we received. And what we had operate
22 -- with the operation right now is actually not under
23 us, some of our art is sold in the store, but is
24 Bold Alley offered to sub-rent the space so -- and
25 we agreed to that because, you know, we want to pay

1 rent and all that. So no, the answer is not as a
2 I-71 but Bold Alley took over as an art store and
3 used the artifacts and stuff like that.

4 Q Okay. Now, where inside of the location
5 do you guys plan to conduct the medical cannabis
6 transactions inside of the store?

7 A Well, per the city's regulations and our
8 security, it's -- we have a second room all the way
9 to the back of the store that would not be visible
10 from the street or from anybody that enters, and
11 that's where we -- so all transactions are private.

12 Q Okay. So I am showing another Exhibit,
13 Applicant's Exhibit Number 3 on the screen. What
14 is this a picture of?

15 A That's a front window, bay window display
16 and on the right, there is the entry, the doorway.

17 Q Okay. And this is Exhibit Number 4.
18 Could you tell me what this picture is?

19 A That is the Bold Alley, you know, selling
20 their stuff, the artifacts and beautiful stuff they
21 have.

22 Q And is this your front window that's facing
23 the street?

24 A Correct, it is.

25 Q So this is what passersby and potential

1 customers, this is what they're met with, this is
2 what they see, this is the face of the business?

3 A Yes. That's the face of the business that
4 they see, that you can actually see to this day,
5 yes, the present.

6 Q What is this picture?

7 A That is from inside, the reverse picture
8 it looks like. Yes. The same picture but taken
9 from the inside out.

10 Q Okay. Now I'm showing you Applicant's
11 Exhibit 6. What are we looking at here?

12 A Here we're looking at the -- from that bay
13 window inside the store, the picture all the way
14 to the back where you can see our back door.

15 Q So this is -- is this the floor length of
16 the -- is this the length of the building, or is
17 this the sideways?

18 A Length. This -- it's the length, from
19 entryway all the way to the end.

20 Q Okay. And is this an accurate
21 representation of the business today?

22 A Yes. It's exactly how it looks. That is
23 the building, correct.

24 Q Was this the accurate representation of
25 how the business looked three months ago?

1 A Three months ago, yes, correct. Bold
2 Alley was still there, yes.

3 Q Indeed. I have one more picture to show
4 you. So where would -- based on this picture, where
5 would the -- under the medical regime, where would
6 the cannabis transactions take place?

7 A So the cannabis actions would take place
8 if you follow the ceiling all the way to the end,
9 there is a break right there, and there's about --

10 Q Okay.

11 A -- a 8-foot room in the back there. So
12 where -- yes, correct, where you're pulling that
13 -- the sidebar. Yes. Right there in the back
14 there, that's where the cannabis transactions will
15 take place. So we plan to have this front area as
16 a waiting room and where people can sign up and
17 everything with the security of the door not to allow
18 anybody under 21 or as Mr. Peru stated, anybody over
19 -- 18 and over with doctor's notice that allows them
20 to purchase cannabis. And so that's the waiting
21 room and the registration room, and no one is allowed
22 to go in there without the proper, you know,
23 identification, 21 and over, and without the
24 regulation through the ABCA.

25 Q Outstanding. All right. Let me just

1 handle this real quick, working on getting one
2 picture up that closed out. Give me one second.

3 Court's indulgence one second.

4 All right. So now I'm showing you
5 Applicant's Exhibit 7. What area is this in
6 comparison to the other pictures, especially the
7 last picture, what area is this?

8 A Well, that's that area that I talked about
9 that has the divider where we will be conducting
10 the sales that is -- it's like caved in. It's a
11 complete different section of the store all the way
12 to the back, and where the chandelier is and the
13 glass is and all that on that desk, that's where
14 the -- our retailers or our bartenders will be to
15 conduct the sales.

16 Q Absolutely. I just want to confirm is
17 there cannabis in the building right now anywhere
18 on the premises?

19 A No -- no -- no. There's no cannabis in
20 the building, no, sir.

21 MR. WHITLEY: At this point in time, I
22 would like to move into evidence Applicant's
23 Exhibits 3, 4, 5, 6, and 7.

24 CHAIRPERSON ANDERSON: Five, I don't
25 recall 5. You did 5? What was Exhibit 5?

1 MR. WHITLEY: Let me bring it back up.
2 Maybe I am incorrect. Let's see. Should have been
3 a picture of the interior.

4 CHAIRPERSON ANDERSON: Cause I wrote 3,
5 4, 6, and 7. I don't recall 5. So what is Exhibit
6 5.

7 MR. WHITLEY: Absolutely. Do you want me
8 to answer or would you like Mr. Rragami to answer?

9 CHAIRPERSON ANDERSON: If you put -- is
10 this Exhibit 5?

11 MR. WHITLEY: Yes.

12 CHAIRPERSON ANDERSON: Mr. Mixon, we
13 didn't have any testimony on Exhibit 5, is that
14 correct, or am I -- did I miss Exhibit 5?

15 MR. MIXON: I don't recall but we have no
16 objections to any further testimony you need to lay
17 a foundation.

18 CHAIRPERSON ANDERSON: All right, fine.
19 So -- okay, so you -- we can move Exhibits 3, 4,
20 5, 6, and 7 in evidence without -- okay. All right.
21 Go ahead with -- so those --

22 MR. WHITLEY: Thank you.

23 CHAIRPERSON ANDERSON: -- so those 3, 4,
24 5, 6, and 7, yes.

25 (Whereupon, the above referred to

1 documents were received in evidence as Applicant's
2 Exhibits 3 through 7.)

3 MR. WHITLEY: Thank you. So you're
4 saying that medical -- the transfers of the medical
5 cannabis will take place in the back of the business,
6 is that correct, is that what you said? I'm just
7 --

8 MR. RRAGAMI: Yes, Mr. Whitley.

9 MR. WHITLEY: Okay.

10 MR. RRAGAMI: All the way to the back.

11 BY MR. WHITLEY:

12 Q Okay. Now, in that location, will any of
13 those transactions be visible to anyone on the
14 street including pedestrians or children walking
15 by?

16 A No, sir. Not from the street and not even
17 in the store in the waiting area.

18 Q Now what will be your policy regarding
19 people that are allowed to enter your medical
20 cannabis retail location?

21 A Yes. It's pretty straightforward. No
22 one under 21 and no one -- anybody from 18 to 21
23 with a doctor's note as Mr. Peru stated.

24 Q And how will you address issues as far as
25 cannabis consumption outside of the establishment

1 or within the establishment?

2 A No. Within the establishment, as law
3 requires, you cannot consume within -- outside of
4 the establishment, obviously, the law says that you
5 cannot consume if -- you know, if, for any reason,
6 anybody is consuming outside of the establishment,
7 we would, you know, direct our security staff to
8 tell them to not consume in the street and especially
9 in front of our store that is a cannabis retail
10 store.

11 Q Will you have any security protocols in
12 place?

13 A Yes. Absolutely, sir, strict security
14 protocols.

15 Q And what would those security protocols
16 include?

17 A Well, 100 percent I.D. check at the door
18 no matter of who it is, how they look, how old and
19 all that. We're then moving into the registration
20 as the city requires, and once everybody has met
21 all their standards, then they can go ahead into
22 the purchasing area. This is just an overview, but
23 we have some more internal stuff that, you know,
24 it's our internal policy as well.

25 Q Now, what area would you instruct your

1 security to patrol, if any; would it -- for example,
2 would it just be around the business itself; would
3 they patrol the entire block; what would you have
4 your security -- what would be their territory?

5 A Well, our perimeter-- and we can't
6 control. What we are allowed to control is
7 definitely all inside of our business within to the
8 waiting area and into the purchasing area and
9 obviously in front of our store, we have a patio
10 there that is part of our perimeter that we pay rent
11 for, so that part as well, and that is -- what we
12 can control.

13 As far as, you know, going further in the
14 street and all that stuff, we can't -- there's not
15 much we can do about that, but we will -- you know,
16 security is -- are professionals and this is related
17 to somebody smoking, we will, you know, encourage
18 them not to smoke or to move to their cars or their
19 personal property, because it's illegal to smoke
20 in the street in the federal district.

21 Q Did you or a representative for Canaart
22 attend an Advisory Neighborhood Commission public
23 meeting on July 15, 2025?

24 A Yes. I did -- I did and my partner did,
25 correct.

1 Q Do you know whether that meeting was
2 recorded?

3 A Yes. I think -- I believe all the meetings
4 are recorded from ANC 3F or other ANCs in the
5 District.

6 Q And do you recall some of the parties --
7 first, did you speak at that meeting?

8 A Yes, I did.

9 Q Do you recall some of the other parties
10 that were present and spoke at that meeting?

11 A Well, obviously, the Commissioners from
12 the ANC that are also present today. There were
13 some residents that spoke. They just wanted
14 clarification on what's going on, why is this such
15 a big issue. And business owners as well across
16 the street, and there was a council member as well
17 that spoke in the end.

18 Q Outstanding. Now I would like to direct
19 your attention to your proposed orders -- hours of
20 operation. So let me get that up. They were in
21 the report by Mr. Parker, but I'm going to pull up
22 Applicant's Exhibit 1. Before I zoom in, do you
23 recognize this picture?

24 A Yes.

25 Q Can you tell me what it is?

1 A Yes. It's the placard issued by ABCA, the
2 regulatory agency of the city for cannabis and
3 alcohol.

4 Q And where is this posted?

5 A On the window, right on front on the bottom
6 right corner I believe.

7 Q Window of what?

8 A On our stores at 5008 Connecticut Avenue,
9 Canaart.

10 Q Okay.

11 A It posted within that timeline. You know,
12 we -- yes, it's been posted as instructed from ABCA.

13 Q Okay. And so as I zoomed in, it says --
14 could you -- what are your hours of retail sales
15 open to the public?

16 A Well, the hours that the ABCA allowed is,
17 you know, 8:00 a.m. and on. We requested -- because
18 we heard these issues and all that from the
19 neighbors, so we requested 10:00, but just to
20 eliminate that school traffic. And we're willing
21 to work with the neighborhood to be even to 11:00
22 a.m. We just want to work and get the stores open.

23 So anyway, we -- the hours that ABCA allows us are
24 earlier, but we would like to take these issues as
25 the ANC is presenting and open a little bit later.

1 Q And are you doing that voluntarily or --

2 A Correct.

3 Q -- has the ANC -- okay.

4 A No -- yes, no agreement has come yet but
5 it's voluntarily, correct.

6 Q Are you aware of any complaints -- so as
7 you heard Mr. Peru testify to complaints, are you
8 familiar with any complaints about your business?

9 A No. My phone number and email address are
10 also on that placard and no, no one has complained
11 to me or I did not hear any complaints through ABCA.

12 So no, I'm not aware of the 20 -- 10 to 20 complaints
13 that Mr. Peru was referring to.

14 Q And is this your correct email address on
15 the placard?

16 A Yes. And it was the same one that I logged
17 in today, correct.

18 MR. WHITLEY: At this point, I request to
19 move Applicant's Exhibit 1 into evidence.

20 CHAIRPERSON ANDERSON: There's no need to
21 move the placard into evidence. It is part of our
22 record so we don't need to move that into evidence.

23 MR. WHITLEY: Thank you.

24 CHAIRPERSON ANDERSON: That's just --
25 that's a placard and notice that -- that's fine.

1 MR. WHITLEY: So winding up, to your
2 knowledge Mr. Rragami, has the protestant of any
3 expert on their behalf conducted any formal studies
4 on specific impact proposed by your medical cannabis
5 license?

6 MR. RRAGAMI: No.

7 BY MR. WHITLEY:

8 Q As the owner, what is your commitment to
9 the Board and to the community regarding lawful and
10 responsible operation of your business?

11 A Well, as I repeatedly have tried to tell
12 the ANC and everyone involved in this case, our
13 commitment is to operate a clear, legal cannabis
14 business that applies to the city rules. We've been
15 working with the ANC and the neighborhood so yes,
16 that's our commitment.

17 Q And so I know you're not operating right
18 now and you're subleasing the space?

19 A Yes.

20 Q Have you had any pedestrian traffic, has
21 there been any incidents regarding pedestrian
22 traffic or vehicle or traffic related to your store
23 or your neighborhood?

24 A No -- no. I don't think -- I don't' think
25 -- to my knowledge, been talking to the business

1 owners on our side of the street, there has not been
2 any issues in anything like that, in pedestrian
3 traffic and stuff like that.

4 Q Do you plan to have any sidewalk signs or
5 anything on the sidewalk that would impede traffic?

6 A On the sidewalk, no -- no.

7 Q That's all the questions at this time.

8 CHAIRPERSON ANDERSON: Mr. Mixon, any
9 questions? You're on mute, Mr. Mixon.

10 MR. MIXON: Apologies. Yes, Mr.
11 Anderson, I have some questions.

12 CHAIRPERSON ANDERSON: Go ahead, sir.

13 MR. MIXON: Mr. Rragami, I'd like to refer
14 back to the Exhibit previously entered into the
15 record as Applicant's Exhibit 11. With the Board's
16 indulgence, I will share my screen. And is
17 Applicant's Exhibit 11 visible to your Mr. Rragami?

18 MR. RRAGAMI: Yes. It's the same one that
19 Mr. Whitley was showing, correct.

20 BY MR. MIXON:

21 Q Yes. Okay. And after the word "ordered"
22 at the bottom of the page, what conclusion does it
23 reach regarding the case?

24 A Dismissal without prejudice.

25 Q Okay. Do you know what dismissal without

1 prejudice means?

2 A If you can explain it, sir, a little bit
3 better, maybe I understand it, but I --

4 MR. WHITLEY: Objection.

5 CHAIRPERSON ANDERSON: What's the nature
6 of the objection?

7 MR. WHITLEY: I mean --

8 CHAIRPERSON ANDERSON: All right. Okay.

9 Mr. Mixon, why don't you just rephrase the
10 question. The bottom line is that the -- it states
11 that it's dismissed without prejudice. So what
12 does that mean to you, Mr. Rragami?

13 MR. RRAGAMI: That the case was dismissed
14 without going to a judgment. Is that correct, sir?

15 MR. RRAGAMI: What is your understanding
16 of what it means, sir? I think that's what Mr. Mixon
17 is trying to get to you. What does that mean to
18 you that it's dismissed without prejudice?

19 MR. RRAGAMI: Meaning that I did not have
20 to show the court or to have a hearing or anything
21 like that so it's dismissed without that -- without
22 my appearance. Is that correct, sir?

23 CHAIRPERSON ANDERSON: You're answering
24 the question. So go ahead, Mr. Mixon. I guess I
25 didn't get -- I thought I would try and shorten it

1 but go ahead, Mr. Mixon.

2 MR. MIXON: No. That's -- that was quite
3 helpful. Thank you, Mr. Chair.

4 Now -- so Mr. Rragami, would it be correct
5 to say that there was no finding, that -- no finding
6 of liability either that you were or were not liable
7 with the action described --

8 MR. WHITLEY: Objection, calls for a legal
9 conclusion.

10 CHAIRPERSON ANDERSON: Well, I'm going to
11 overrule it. I mean I think the bottom line is that
12 -- I mean we have a matter. It was dismissed without
13 prejudice. I know -- I'm an attorney. I know what
14 it means. Okay. Mr. Mixon knows what it means and
15 you, Mr. Whitley, know what it means. And so I think
16 we're just trying to figure out -- this is from the
17 witness's perspective -- it's your business, what
18 does it mean? I mean I think that's where we're
19 getting to.

20 MR. RRAGAMI: Yes, sir.

21 CHAIRPERSON ANDERSON: You had -- there's
22 an infraction.

23 MR. RRAGAMI: Correct.

24 CHAIRPERSON ANDERSON: An order was
25 issued. It says it was dismissed without

1 prejudice. Okay. As an attorney, I know what that
2 means.

3 MR. RRAGAMI: Yes.

4 CHAIRPERSON ANDERSON: All the attorneys
5 know what it means. As a layperson, sir, what does
6 that mean to you? And I think that's --

7 MR. RRAGAMI: I just responded to that,
8 sir, that to my understanding -- I'm not an attorney
9 -- when a case is dismissed, it's dismissed. We
10 did not receive any further notices to appear or
11 anything like that. So for me, when I read
12 dismissed, the case is dismissed. Now the words
13 "without prejudice," it's a little new to me at the
14 time and, you know, you guys know what it means.

15 I don't know but I thought that it was with -- was
16 dismissed without a -- without me appearing or with
17 -- like without any evidence or without -- you know,
18 it was just dismissed. Without taking anything in
19 consideration, it was just dismissed.

20 CHAIRPERSON ANDERSON: do you have
21 another question, Mr. Mixon?

22 MR. MIXON: Yes. Mr. Rragami, was there
23 a period of time relevant to this DLCP action --
24 2024 DLCP 0069 in which your business operated
25 without an appropriate business license?

1 MR. RRAGAMI: No, sir.

2 BY MR. MIXON:

3 Q Was there a period of time in which you
4 operated without a certificate of occupancy?

5 A No, sir.

6 Q Okay. Mr. Rragami, in -- earlier in your
7 testimony, I understand that there was discussion
8 of artists operating in the space, is that correct,
9 the space of the premises?

10 A Yes. Bold Alley, correct, sir.

11 Q Okay. And to what extent do these artists
12 have control of the space?

13 A As of right now, sir, they have full
14 control of the space within to our parameters on
15 the contract that we set together.

16 Q And will that contract extend into a period
17 in which -- should you receive a license, during
18 your licensed operations?

19 A Yes. We have a mutual agreement that we
20 -- when we receive a license as a cannabis store,
21 while we still have to follow certain things
22 regarding the zoning and all that, but they will
23 give us the space back. This was just a
24 transitional period for as to cover some of our
25 overhead expenses and allow them, our neighborhood

1 base, to showcase their artifacts and used goods
2 and stuff like that.

3 Q So they will -- they won't be performing
4 operations such as security during licensed
5 operations?

6 A Bold Alley? No, sir.

7 Q Have you ever been the operator or
8 otherwise involved in the operations of other
9 cannabis establishments within the District?

10 A Well, I'm a very well-informed from the
11 planter. I'm a grower myself. Since the
12 Initiative-71 came up, I follow it to a "T" and
13 learned how to grow cannabis and all that. And may
14 you repeat the question again, sir? What was my
15 involvement again?

16 Q Have you ever owned or operated other
17 cannabis businesses in the District?

18 A Yes. I have, sir, yes. And within to the
19 partnership but I was part of a partnership,
20 correct.

21 Q Can you name any of those other businesses?

22 A I think it's irrelevant to the case, sir.

23 CHAIRPERSON ANDERSON: Mr. Rragami, that
24 is not your --

25 MR. RRAGAMI: Yes, sir.

1 CHAIRPERSON ANDERSON: -- call, sir. If
2 your attorney has a problem, he needs to object.

3 If your attorney does not object --

4 MR. RRAGAMI: Yes, sir.

5 CHAIRPERSON ANDERSON: -- sir, you answer
6 the question, sir.

7 MR. RRAGAMI: Okay. So, sir, what is the
8 -- what would you like to know again?

9 MR. MIXON: What is the names of other
10 businesses you've operated in the District?

11 MR. RRAGAMI: The business that I was part
12 of the management is called --

13 MR. WHITLEY: Objection, relevance.

14 MR. MIXON: Speaks to fitness and
15 compliance with D.C. Code Title 7.

16 MR. WHITLEY: It's not related to the
17 applicant.

18 CHAIRPERSON ANDERSON: I'm going to
19 overrule the objection. The witness can answer the
20 question.

21 CHAIRPERSON ANDERSON: So -- so to answer
22 your question, Mr. Cameron, there was a partnership
23 that I was into as a manager of a, like you said,
24 a cannabis facility. But that cannabis facility
25 does not exist today and, you know, also in that

1 establishment, we have done anything that we could
2 -- you know, we could to follow all the rules and
3 regulations that were presented by the city.

4 MR. MIXON: Was that establishment every
5 the subject of an ABCA investigation or enforcement
6 action?

7 MR. RRAGAMI: Yes. Correct, sir. Same
8 exactly as what happened here in this -- in this
9 case happened there but again, like that partnership
10 is dissolved and all that, so that's why I don't
11 -- I don't know why you bring that up.

12 BY MR. MIXON:

13 Q When you say the thing, would it be fair
14 to say that that was --

15 A It was -- it was exactly how -- this
16 happened to where a warning issue was issued and
17 then the establishment closed the doors.

18 Q Okay. Understood. Thank you. No
19 further questions. Thank you.

20 CHAIRPERSON ANDERSON: All right. I have
21 a question, Mr. Rragami, because, you know, I'm
22 going to --

23 MR. RRAGAMI: Yes, sir.

24 CHAIRPERSON ANDERSON: -- ask the
25 elephant in the room. So let's go back to Exhibit

1 10. Why did DLCP issue -- why was -- why did you
2 -- why was that infraction issued, sir?

3 MR. RRAGAMI: So the infraction, I was --
4 and I'm still actually kind of like unclear why was
5 it issued, because the infraction came from the
6 Department of DLCP, and the infraction -- I mean
7 the -- the -- the agent of enforcement was ABCA so.

8 CHAIRPERSON ANDERSON: No. What was the
9 infraction that was issued, sir -- what was the
10 infraction that was issued?

11 MR. RRAGAMI: Okay. Got it. The
12 infraction that was issued is because Mr. Peru,
13 during his investigation, concluded that we were
14 -- we had cannabis products within to the store and
15 our retail license did not allow that.

16 CHAIRPERSON ANDERSON: Okay, fine. All
17 right. Any other questions by any other Board
18 Members? Go ahead, Mr. Meadows.

19 MEMBER MEADOWS: Yes. First of all, Mr.
20 Chairman, I wanted to point out I find it kind of
21 appalling that on Exhibit Number 11 that they spell
22 Marion S. Barry --

23 CHAIRPERSON ANDERSON: Well, that's --

24 MEMBER MEADOWS: -- B-E-R-R-Y, and it's
25 B-A-R-R-Y, Shepilov Barry. So I'd like to

1 highlight that. I think it's -- the Office of
2 Hearings really needs to make that correction.

3 But to your Mr. Rragami, I want to know
4 what the name of the business that you -- at one
5 point you said you were a part -- a co-partner of
6 it, and then you said you were a manager of it.
7 So which one was it and what was the business?

8 MR. RRAGAMI: A managing partner, sir.
9 The name is -- was Giving Tree.

10 MEMBER MEADOWS: Giving Tree, okay.

11 MR. RRAGAMI: Correct.

12 MEMBER MEADOWS: Thank you.

13 MR. RRAGAMI: You're welcome, sir.

14 MEMBER MEADOWS: Thank you, Mr. Chairman.

15 CHAIRPERSON ANDERSON: Thank you. Any
16 other questions by any other Board Member?

17 CHAIRPERSON ANDERSON: All right. Mr.
18 Mixon, any questions based on the questions that
19 were asked by the Board?

20 MR. MIXON: No, Mr. Chair.

21 CHAIRPERSON ANDERSON: Mr. Whitley, any
22 redirect, brief redirect? Mr. Whitley, any
23 redirect, sir?

24 MR. WHITLEY: I was just reviewing my
25 notes before I answered, Chairman. My apologies.

1 So yes, I will actually ask a redirect based on
2 the line of questioning.

3 So Mr. Rragami, Giving Tree, since that
4 came up, did Giving Tree voluntarily close --

5 (Simultaneous speaking)

6 -- operation?

7 MR. RRAGAMI: Correct, sir. Yes.

8 BY MR. WHITLEY:

9 Q And so is it a sublease like this
10 situation, or is it completely shut down?

11 A No -- no -- no.

12 Q What's the status?

13 A Giving Tree was completely shut down
14 because there was -- again, very up in the air but
15 another establishment within 400 feet had applied
16 for a medical license before my partner had. My
17 partner had applied for the license. Then we still
18 -- he still holds the conditional license, but we
19 had to move or completely shut down the building
20 because it no longer fell into the parameters of
21 ABCA within to that 400-foot rule. Later I
22 understand that that business also moved, so just
23 -- just a mess.

24 Q But just to be clear, are you saying that
25 -- well, did Giving Tree get a conditional medical

1 cannabis license?

2 A Yes. Giving Tree got a conditional
3 cannabis license, yes, sir.

4 Q Does it still hold that conditional
5 cannabis license?

6 A Giving Tree still holds that conditional
7 cannabis license, yes.

8 Q And has Given Tree received any
9 enforcement action, has it like received a summary
10 closure or cease and desist?

11 A No -- no, none of that. As -- to answer
12 your question, yes, it was a voluntary closure
13 because the -- as I said, because the city rules
14 did not allow within to 400 feet from another
15 establishment, and it was chicken or the egg who
16 applied first here in this situation.

17 Q I don't know if you know this anymore, is
18 -- are they still looking to open up, or they just
19 --

20 CHAIRPERSON ANDERSON: Mr. Whitley, where
21 are we going with this now? It's --

22 MR. WHITLEY: That's my final question,
23 Chairman. I was just trying to establish -- since
24 Giving Tree got brought up, I was just trying to
25 understand whether Giving Tree was compliant or not.

1 CHAIRPERSON ANDERSON: I don't know where
2 we're going. I don't know why that's relevant here.

3 I understand that you -- it's out there, you want
4 to clarify the record, but we don't need to ask 20
5 questions, sir, cause I don't -- it's not relevant
6 for this hearing. I was just giving some leeway
7 for the parties, but I think that we have heard
8 enough regarding that.

9 Any other questions you wish to ask, sir?

10 MR. WHITLEY: No, Mr. Chairman.

11 CHAIRPERSON ANDERSON: Mr. Rragami, thank
12 you very much for your testimony today.

13 MR. RRAGAMI: Thank you, Mr. Anderson, Mr.
14 Whitley, and Nixon.

15 CHAIRPERSON ANDERSON: Mr. Whitley, do
16 you have any other witnesses you wish to call?

17 MR. WHITLEY: No, Chairman.

18 CHAIRPERSON ANDERSON: Do you rest?

19 MR. WHITLEY: I rest, yes, sir.

20 CHAIRPERSON ANDERSON: All right. Fine.

21 All right. Mr. Nixon, you don't -- you wish to
22 just -- you don't wish to call any witnesses today,
23 sir? We do have some time if you wanted or we could,
24 when we reconvene, then we can just have your entire
25 case.

1 MR. MIXON: If possible, protestant would
2 ask that it presents its entire case in chief at
3 the next available hearing date.

4 CHAIRPERSON ANDERSON: All right. So how
5 many witnesses do you have?

6 MR. MIXON: Three, maybe four.

7 CHAIRPERSON ANDERSON: Four. We -- I
8 haven't been given a date as yet by our legal office,
9 but we were tentatively thinking about next week.

10 But there is another protest hearing so I'm not
11 sure if that's -- let me ask you a question. Would
12 the parties be available on the 8th if October 8th
13 -- this will be tentative. Would -- are the parties
14 available October 8th?

15 MR. WHITLEY: No, Mr. Chairman.

16 CHAIRPERSON ANDERSON: Okay, fine. All
17 right. So we will -- our legal office will provide
18 -- will work with the parties to find a date.
19 Hopefully, it's a Wednesday. If not -- if we --
20 if you're unable to find a Wednesday within a short
21 period of time -- because by law, we're supposed
22 to issue a decision -- because it's a new license
23 -- within a short -- within 75 days. Well, that's
24 -- within a period of time. But we will work with
25 the parties to try to reschedule -- reschedule this

1 matter as soon as possible. Hold on. All right.

2 So as I -- we were trying to do October 8th but
3 since you're not available, we will try to look at
4 the schedule to see -- and we're -- so it won't be
5 October 8th. The Board is on recess the following
6 week, so the earliest -- and I don't know what our
7 -- what the calendar looks like because as said,
8 the Board's going to be in recess October 8th, so
9 the earliest that this matter can be reconvened is
10 the 22nd. And I don't know if that's an available
11 date, but I just want to put that out to the parties.

12 But the legal office will connect with the parties
13 and find a mutual date that we can have the four
14 witnesses testify.

15 Okay. Thank you for your presentation
16 today. As I said, the legal office will get back
17 to you and we'll continue this hearing for a
18 different date.

19 I apologize to the parties. I mean we
20 started late because our morning calendar stretched
21 towards the afternoon and because -- not because
22 of the Government shutdown but because of some other
23 -- today is the first day of the fiscal year, so
24 we had -- we have some other issues. That's why
25 there was a hard stop for our hearing today.

1 Okay. So I want to thank the parties again
2 for their presentation, and we will see you when
3 the hearing has -- at the date to reconvene this
4 hearing. Okay. With that said, let me now close
5 -- let me adjourn for the day. So the parties can
6 sign off if you want to. Just the Board Members
7 can stay so we can get some dates for us to adjourn.

8 As Chairperson of the Alcoholic Beverage
9 and Cannabis Board for the District of Columbia and
10 in accordance with Title 3, Chapter 405, Office of
11 Open Government, I move that the ABC Board hold a
12 closed meeting on October 8th for the purpose of
13 discussing and hearing reports concerning ongoing
14 or planned investigations of alleged criminal or
15 civil misconduct or violations of law or regulations
16 and seeking legal advice from our legal counsel on
17 the Board's investigative agenda, legal agenda, and
18 licensing agenda for October 8th as published in
19 the DC Register on October 3rd. Is there a second?

20 MEMBER GRANT: Member Grant. I second
21 the motion.

22 CHAIRPERSON ANDERSON: Mr. Grant has
23 second the motion. We'll now have a roll call vote.
24 Mr. Grant?

25 MEMBER GRANT: Mr. Grant. I agree.

1 CHAIRPERSON ANDERSON: Ms. Quinn.

2 MS. QUINN: (No audible response.)

3 CHAIRPERSON ANDERSON: Mr. Meadows?

4 MEMBER MEADOWS: Mr. Meadows. I agree.

5 CHAIRPERSON ANDERSON: Mr. Jones?

6 MEMBER JONES: (No audible response.)

7 CHAIRPERSON ANDERSON: And Mr. Anderson.

8 I agree. As the motion has passed 5-0, I hereby
9 give notice that the ABC Board will hold this closed
10 meeting pursuant to Open Meetings Act. Notice will
11 also be posted on the ABC Board Hearing Room Bulletin
12 Board, placed on electronic calendar and ABCA's
13 website and published in the DC Register in as timely
14 a manner as practical.

15 We're now adjourned for the day. I would
16 like to thank the members of the public who
17 participated in our hearings today and also I
18 especially thank our Board Members for their
19 attention and participation in our hearings today.

20 We're now adjourned. I ask all Board Members to
21 return to executive session.

22 (Whereupon, at 4:58 p.m., the
23 above-entitled proceedings were adjourned.)

24

25

1 C E R T I F I C A T E

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

13

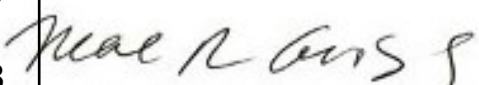
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