



## CONTENTS

		PAGE
Opening Statement		
Applicant . . . . .		.35
Protestant . . . . .		.37
<b>WITNESS</b>	<b>DIRECT    CROSS    REDIRECT    RECROSS</b>	
Earl Jones	13	
Gebre Kahassai	40      43      70	
Jerry Malmo	73      74	
<b>EXHIBIT NO.</b>	<b>DESCRIPTION</b>	<b>MRKD    RCVD</b>
1	Petition dated 5/21/2021	26
2	Malmo protest letter	26
3	Livingston protest letter	26
4	Email Jones to Malmo	26
5	Email Jones to Livingston	26
6	Email Jones to Kahassai	26
7	Response from Malmo	26
8	Photo of graffiti	26
9	Photo of front	27
10	Photo of establishment	28
11	Photo of side	29
12	Photo of dumpster	29
13	Neuhauser/Beasley letter	29
14	Glen Shields letter	29
15	Dr. Fritz letter	29
16	William Brown letter	29
17	Zoning for Park Market	31

18	Residential zoning	31
19	ABC establishments nearby	31
20	Schools, et cetera nearby (None)	31
21	Photo north on 13th St.	31
22	Photo south on 13th St.	31
23	Photo east on Park Rd.	31
24	Photo west on Park Rd.	31
25	Inside of Park Market	31
26	Inside of Park Market	32
27	Restroom in Park Market	32
28	Downstairs storage	32
29	Calls for trash service Sept. 2020 to Oct. 2021	32

Closing Statement	PAGE
Applicant	93
Protestant	95

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

2 10:10 a.m

3 CHAIRPERSON ANDERSON: Good morning.

4 As chairperson of the Alcoholic Beverage Control  
5 Board fo the District of Columbia, and in  
6 accordance with DC Code Section 2576 of the Open  
7 Meetings Act, I'm welcoming you to the regular  
8 scheduled meeting of the Alcoholic Beverage  
9 Control Board.

10 This meeting is being conducted  
11 pursuant to guidance made available by the  
12 district of Columbia's Office of Open Government  
13 regarding electronic meetings held by public  
14 bodies during the public emergency. Pursuant to  
15 this guidance, notice of today's meeting was  
16 provided 48 hours in advance of the meeting on  
17 ABRA's website and on the District's central  
18 meeting calendar. The notice included the time,  
19 date, agenda and call-in or log-in information  
20 for public participation. This electronic  
21 meeting is being hosted by a Webex account  
22 provided by the District of Columbia government.  
23 Please address any questions or complaints to the  
24 OOG at [opengovoffice@dc.gov](mailto:opengovoffice@dc.gov).

25 My name is Donovan Anderson, and I'm

1 the chairman of the Board. I would like to  
2 introduce the other members of the ABC Board who  
3 are also participating electronically, pursuant  
4 to Mayor's Order 2020-119.

5 Please respond when I call your name.

6 Mr. Bobby Cato?

7 MEMBER CATO: Bobby Cato present.

8 CHAIRPERSON ANDERSON: Ms. Rafi  
9 Crockett?

10 MEMBER CROCKETT: Rafi Crockett  
11 present.

12 CHAIRPERSON ANDERSON: Ms. Jeni  
13 Hansen?

14 MEMBER HANSEN: Jeni Hansen present.

15 CHAIRPERSON ANDERSON: Mr. Edward  
16 Grandis?

17 MEMBER GRANDIS: Edward Grandis  
18 present.

19 CHAIRPERSON ANDERSON: The Board has  
20 five members for the conduct of business today,  
21 and that constitutes a quorum.

22 Before we get underway with today's  
23 hearing calendar, I need to make a few  
24 instructions very clear so that the conduct of  
25 these hearings is understood by everyone. We

1 have three cases on our calendar.

2           Once your case is called, I will take  
3 a moment for our IT specialist to elevate the  
4 rights for each party to enable their camera and  
5 microphone. Then and only then will you have the  
6 ability to enable your equipment.

7           If your case is not being heard, you  
8 will remain mute and your camera will be  
9 disabled. At the conclusion of each case, the  
10 parties will have the opportunity to leave. If a  
11 party chooses to stay, all cameras and  
12 microphones for the concluded case will be  
13 disabled.

14           Should you have any questions or  
15 require technical assistance during the hearing,  
16 please submit that using the question and answer  
17 feature or email Simone at Andrews2@dc.gov.

18           Our first order of business is a  
19 protest hearing, Case #21-PRO-00046, Uncle Lee's  
20 Seafood, License #85918. This hearing is  
21 canceled due to submission of the settlement  
22 agreement to the Board for the Board's review and  
23 approval.

24           And the next case on the calendar, an  
25 additional case on our calendar is Case

1 #21-PRO-00056, BJH Waterfront, LLC, trade name to  
2 be determined, License #118143. This hearing is  
3 canceled. The Board approved the settlement  
4 agreement on October 20, 2021.

5 And so the next case on our calendar  
6 is #21-PRO-00064, Park Market, License #94178.

7 Ms. Andrews, can you please elevate  
8 the rights of the parties in this case, please.

9 MS. ANDREWS: Sure. Stand by.

10 Investigator Jones, your rights have  
11 been elevated.

12 Mr. Malmo, your rights have been  
13 elevated.

14 Mr. Jackson, your rights have been  
15 elevated.

16 And Mr. or Ms. Kahassai, your rights  
17 have been elevated.

18 That's all, Mr. Chairman.

19 CHAIRPERSON ANDERSON: Thank you.

20 Mr. Jackson, Mr. Malmo.

21 MR. JACKSON: Yes.

22 CHAIRPERSON ANDERSON: Do you have a  
23 camera, Mr. Jackson?

24 MR. JACKSON: Yes. I'm sorry.

25 CHAIRPERSON ANDERSON: If we're having

1 a protest hearing and it's going to be a minute,  
2 so I would like to see folks if you have the  
3 ability.

4 Mr. Malmo?

5 MR. MALMO: Good morning, Mr.  
6 Chairman. No, I do not have a camera.

7 CHAIRPERSON ANDERSON: You do not have  
8 a camera, sir? Okay, that's fine.

9 All right. Good morning, everyone.  
10 I'm going to record this hearing this morning and  
11 so I would like the parties to identify  
12 themselves, and so I'll start with you, Mr.  
13 Jackson.

14 MR. JACKSON: Yes. Jeff Jackson,  
15 representing the Applicant, S&G, Inc, trading as  
16 Park Market.

17 CHAIRPERSON ANDERSON: And who is the  
18 Applicant.

19 MR. KAHASSAI: Gebre Kahassai.

20 CHAIRPERSON ANDERSON: All right.  
21 Hold on a minute. Mr. Kahassai, can you please  
22 spell your name for the record, please?

23 MR. KAHASSAI: First name is Gebre,  
24 which is G-E-B-R-E, and last name  
25 K-A-H-A-S-S-A-I.



1 CHAIRPERSON ANDERSON: And again,  
2 what's your relationship to the establishment,  
3 sir?

4 MR. KAHASSAI: I'm an owner.

5 CHAIRPERSON ANDERSON: Thank you.

6 Mr. Malmo, can you state and spell  
7 your name for the record, please?

8 MR. MALMO: Sure. My name is Jerry  
9 with a J, J-E-R-R-Y, Malmo, M-A-L-M-O.

10 CHAIRPERSON ANDERSON: Mr. Jones.

11 INVESTIGATOR JONES: Lead Investigator  
12 Earl Jones with the Alcoholic Beverage Regulation  
13 Administration. Good day to the Board.

14 CHAIRPERSON ANDERSON: Good morning,  
15 Mr. Jones.

16 All right. So we have this protest  
17 hearing this morning, and are there any  
18 preliminary matters that either party wishes to  
19 bring to the attention fo the Board?

20 MR. JACKSON: No, sir, not that I  
21 have.

22 CHAIRPERSON ANDERSON: Thank you.

23 Mr. Malmo?

24 MR. MALMO: No, not at this time.

25 CHAIRPERSON ANDERSON: All right.

1 This is the way the process will work this  
2 morning. We will have opening statements, so the  
3 licensee will have five minutes.

4 Are you still there, Mr. Jackson?

5 MR. JACKSON: Yes.

6 CHAIRPERSON ANDERSON: The reason why,  
7 you disappeared from my screen.

8 MR. JACKSON: I have it on.

9 CHAIRPERSON ANDERSON: I'm just saying  
10 you weren't on it, and it appeared that you were  
11 having some technical difficulties, so that's one  
12 of the reasons why I asked.

13 All right. The way the process will  
14 work is that we'll have a five-minute opening  
15 statement by the Applicant. We will also have,  
16 after the Applicant has had a five-minute opening  
17 statement, the Protestant will also have a five-  
18 minute opening statement.

19 Then the Board will call its first  
20 witness, the Board will call Mr. Jones as its  
21 first witness. The Board will question Mr.  
22 Jones, all members of the Board, if they so  
23 desire, will question Mr. Jones on his report.  
24 Once the Board has concluded its examination of  
25 Mr. Jones, then you, Mr. Jackson, will have an

1 opportunity to ask questions of Mr. Jones. Once  
2 you, Mr. Jackson, are done asking questions of  
3 Mr. Jones, then you, Mr. Malmo, will have the  
4 opportunity to ask questions of Mr. Jones.

5           Once that's done, then Mr. Jackson,  
6 you will have the opportunity to present your  
7 case. You have one hour to present your case.  
8 You have -- as I stated in the pre-hearing  
9 conference, you can only call four witnesses  
10 maximum so you have one hour to present your  
11 case, so I'll ask you to spend more of your time  
12 in doing direct examination rather than cross-  
13 examination because your time is running while  
14 you're doing cross-examination, meaning that the  
15 time doesn't start until the B side begins to  
16 present its case, so therefore, during the cross-  
17 examination of the Board's witness, that's not a  
18 portion of your time, but once you start to  
19 present your case, that's when you have an hour.  
20 So Mr. Jackson will present his witnesses.

21           Mr. Malmo, you'll have an opportunity  
22 to cross-examine Mr. Jackson's witnesses. Once  
23 you have cross-examined Mr. Jackson's witnesses,  
24 then, Mr. Malmo, you then have an opportunity to  
25 present your case, you have one hour also to

1 present your case. You are only allowed to call  
2 no more than four witnesses, and you call your  
3 witnesses, Mr. Jackson will have the opportunity  
4 to cross-examine your witnesses. And once Mr.  
5 Jackson has cross-examined your witnesses and the  
6 Board will have an ability to cross-examine that  
7 witnesses.

8 And once all the witnesses are done,  
9 then the Applicant will have five minutes to  
10 close its case, the Protestant will have five  
11 minutes to close its case, and then we'll just  
12 wrap up this case for the day.

13 Are there any questions by either  
14 party on the process that we will follow today?

15 MR. JACKSON: No.

16 MR. MALMO: Nothing, no.

17 CHAIRPERSON ANDERSON: Hold on one  
18 minute. Let me find my report so we can start.  
19 So hold on one minute, please, let me get my  
20 thoughts ready. Just give me one minute and let  
21 me prepare myself with my documents.

22 (Pause.)

23 CHAIRPERSON ANDERSON: I am ready, so  
24 the Board will call its first witness, Mr. Earl  
25 Jones.

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

4           INVESTIGATOR JONES: Yes, sir.

5                           DIRECT EXAMINATION

6           CHAIRPERSON ANDERSON: Can you state  
7 your name for the record, Mr. Jones?

8           INVESTIGATOR JONES: Investigator Earl  
9 Jones.

10          CHAIRPERSON ANDERSON: And where are  
11 you currently employed?

12          INVESTIGATOR JONES: With the  
13 Alcoholic Beverage Regulation Administration.

14          CHAIRPERSON ANDERSON: And how long  
15 have you been employed with the Agency, sir?

16          INVESTIGATOR JONES: Going on 12  
17 years, sir.

18          CHAIRPERSON ANDERSON: And what do you  
19 do in your responsibility at the Agency?

20          INVESTIGATOR JONES: I conduct  
21 inspections and investigations of licensed ABC  
22 establishments within the District of Columbia.

23          CHAIRPERSON ANDERSON: And are you  
24 familiar with the Park Market?

25          INVESTIGATOR JONES: Yes, sir.

1 CHAIRPERSON ANDERSON: And how did you  
2 become familiar with this establishment?

3 INVESTIGATOR JONES: I recently  
4 conducted a protest investigation of the  
5 establishment within the last month, sir.

6 CHAIRPERSON ANDERSON: Did there come  
7 a time that you wrote a case report regarding  
8 this case, sir?

9 INVESTIGATOR JONES: Yes, sir.

10 CHAIRPERSON ANDERSON: Do you have the  
11 ability to -- do you have a copy of the report  
12 you can upload and share with the Board?

13 INVESTIGATOR JONES: Yes, sir.

14 CHAIRPERSON ANDERSON: Can you please  
15 do that?

16 Ms. Andrews, can you please give Mr.  
17 Jones the ability to share his screen, please?  
18 Ms. Andrews?

19 MS. ANDREWS: I'm here. One second,  
20 please. Stand by.

21 CHAIRPERSON ANDERSON: Can you please  
22 give Mr. Jones the ability to share his screen,  
23 please?

24 MS. ANDREWS: Sure.

25 Mr. Jones, you now can share your

1 screen.

2 INVESTIGATOR JONES: Thank you.

3 CHAIRPERSON ANDERSON: Why don't you  
4 go to the front page of your report, sir?

5 INVESTIGATOR JONES: Okay.

6 CHAIRPERSON ANDERSON: The document  
7 that's on the screen, is this a copy of the case  
8 report that you drafted regarding this case?

9 INVESTIGATOR JONES: Yes, it is, sir.

10 CHAIRPERSON ANDERSON: All right. So  
11 what are the hours of operation of this  
12 establishment?

13 INVESTIGATOR JONES: One more time,  
14 sir?

15 CHAIRPERSON ANDERSON: What are the  
16 hours of operation for this establishment?

17 INVESTIGATOR JONES: The hours of  
18 operation are from 9:00 a.m. to 12:00 a.m. daily.

19 CHAIRPERSON ANDERSON: And those are  
20 the same hours for sales and consumption?

21 INVESTIGATOR JONES: Yes, sir.

22 CHAIRPERSON ANDERSON: And just tell  
23 us what type of establishment is the Park Market?  
24 What type of establishment is this?

25 INVESTIGATOR JONES: This is a Class

1 A retailer, which basically means they can sell  
2 everything from beer, wine and spirits, sir.

3 CHAIRPERSON ANDERSON: Now, who's  
4 protesting? Did you have an opportunity to speak  
5 to the Protestant in this case?

6 INVESTIGATOR JONES: Yes. So it  
7 appeared that there were -- from the information  
8 provided, it appeared that there were two  
9 separate groups of groups of eight individuals  
10 that were that were led by Mr. Malmo, as well as  
11 Mr. Livingston, but it appears that they were  
12 intertwined to some degree, because they were  
13 using the same protest letter to ABRA. So I did  
14 speak with Mr. Jerry Malmo, who is a designated  
15 representative for a group of eight.

16 CHAIRPERSON ANDERSON: And based on  
17 your conversation with Mr. Malmo, what  
18 information were you able to gather regarding the  
19 reason for this protest?

20 INVESTIGATOR JONES: So I didn't speak  
21 with him verbally, it was through email, but he  
22 did indicate that the issues that surround all  
23 involved with regards to the license renewal  
24 application for Park Market had to do with  
25 violations of their settlement agreement, to



1 include the trash receptacle not being placed in  
2 the rear of the establishment per what the  
3 settlement agreement states, graffiti on the  
4 exterior front walls, and trash and litter not  
5 being picked up regularly, as well as trash and  
6 litter also being in the front tree boxes.

7 CHAIRPERSON ANDERSON: All right. So  
8 one of the concerns, as you stated that Mr. Malmo  
9 stated, was a violation of the settlement  
10 agreement. Did you ever independently  
11 investigate this alleged violation of the  
12 settlement agreement?

13 INVESTIGATOR JONES: Yes, I did. I  
14 did visit the establishment and spoke to Mr.  
15 Kahassai, who is the owner, and there was also  
16 monitoring periods, about eight monitoring  
17 periods for the establishment during all hours of  
18 the day to determine some of these issues that  
19 were brought up.

20 Not at any point that I noticed that  
21 there was trash on the exterior of the  
22 establishment or in the tree boxes. There was no  
23 graffiti on the exterior walls of the  
24 establishment, although the information that was  
25 submitted by Mr. Malmo did, in fact, have

1 graffiti on the walls when he submitted it, but  
2 however, when the establishment was monitored, it  
3 was clearly painted over.

4 The only thing from the settlement  
5 agreement, if you go by the letter of the law  
6 with the settlement agreement, there was a  
7 dumpster that was in the front of the  
8 establishment to the side of the establishment.

9 CHAIRPERSON ANDERSON: So what did --  
10 if you recall, where did the settlement agreement  
11 state that the dumpster should have been located?

12 INVESTIGATOR JONES: So there's a --  
13 in the settlement agreement on page 2 at the very  
14 top on number 6, it indicates dealing with public  
15 space and trash that the Applicant shall keep the  
16 sidewalk up to and including the curb, tree boxes  
17 and abutting alley clean and free of litter,  
18 bottles and other debris, in compliance with DC  
19 Code and municipal regulations.

20 It also indicates that the Applicant  
21 agrees to obtain a dumpster to be placed in the  
22 rear of the building. And it says -- going  
23 further it indicates that the area around the  
24 dumpster should be kept clean at all times and  
25 the dumpster is placed such that it does not

1 encroach upon the abutting properties and so that  
2 no garbage is placed on abutting properties.  
3 Applicant shall maintain regular tree -- excuse  
4 me -- regular trash removal service.

5 So from that, I spoke with both the  
6 owner as well as his representative, Mr.  
7 Jackson, about this issue, and Mr. Jackson  
8 advised me that due to the way that the building  
9 is situated, there are residential properties  
10 with new construction recently that adjoin on  
11 both sides of Park Market, so therefore, there is  
12 no rear to the establishment, so they've had to  
13 keep the dumpster to the side of the building  
14 which is still in the front of the establishment.  
15 So there's no way to put a dumpster in the rear  
16 of the establishment per what the settlement  
17 agreement is asking.

18 CHAIRPERSON ANDERSON: One of the --  
19 let me ask, in your investigation what are the  
20 nearby establishments within the footprint of  
21 this establishment?

22 INVESTIGATOR JONES: So there are no  
23 ABC establishments on any of the surrounding  
24 block of Park Market, in the 3400 block of Park  
25 Market, it's just all residential properties,

1       however, you do have -- the closest you have Red  
2       Rocks, which is 1036 Park Road; you have Zeba  
3       Bar, which is on 14th Street 3423; you have Giant  
4       which is up the street from the establishment;  
5       Giant Food Store, which is 1345 Park Road, but  
6       however, there are no ABC establishments on that  
7       current block.

8                   CHAIRPERSON ANDERSON: Now, you stated  
9       earlier that you or the Agency had monitored the  
10      establishment. How many times did the Agency  
11      monitor the establishment, and what is it that  
12      you were able to find as were there any ABRA  
13      violations found? Tell me when the establishment  
14      was monitored and what the investigator found.

15                   INVESTIGATOR JONES: So the  
16      establishment was monitored from September 24,  
17      2020 through October 10, 2021, and again, they  
18      were monitored during all different hours.  
19      During these times, which went from 9:25 in the  
20      morning to after 10:50 at night, and so during  
21      these times there were no ABRA violations that  
22      were found, there was no loitering, no trash  
23      issues or concerns, no graffiti that was on the  
24      walls. The only thing, as I mentioned  
25      previously, was the dumpster being in the

1 frontage of the area.

2 CHAIRPERSON ANDERSON: Okay.

3 INVESTIGATOR JONES: The other thing  
4 I'd like to add, sir, was that after speaking  
5 with Mr. Jackson, he did tell me that they did  
6 have -- the dumpster was in a certain place to  
7 the side of the establishment, but when, I guess,  
8 they had done the construction to the residence  
9 that are attached to the building, you know, they  
10 were getting complaints because the dumpster was  
11 at that point directly under one of the  
12 resident's windows, and so they had to move it to  
13 the other side, so it's kind of jockeying  
14 positions where they can put that dumpster.

15 CHAIRPERSON ANDERSON: Okay. I  
16 thought you said that the settlement agreement  
17 said that the dumpster should have been at the  
18 back of the building.

19 INVESTIGATOR JONES: Yes, sir.

20 CHAIRPERSON ANDERSON: So do you know  
21 what that dumpster -- so why did the dumpster --  
22 why is it that the dumpster could not be in the  
23 back of the building, if you know?

24 INVESTIGATOR JONES: From what I'm  
25 understanding, there is no rear to the building.

1                   CHAIRPERSON ANDERSON: I'm confused,  
2 I'm confused, and the reason I'm confused -- and  
3 it's not from you -- go back to the settlement  
4 agreement that talks about the dumpster, please.

5                   INVESTIGATOR JONES: Yes, sir.

6                   CHAIRPERSON ANDERSON: So where does  
7 the settlement agreement state that the dumpster  
8 should be located?

9                   INVESTIGATOR JONES: I'm getting ready  
10 to pull it up for you, sir. Right here at the  
11 top. So if you go through -- I'll go through the  
12 statement that says it. It's probably the third  
13 or fourth sentence, it's in the middle of this  
14 paragraph the top, number 6, under public space  
15 and trash.

16                   CHAIRPERSON ANDERSON: Right.

17                   INVESTIGATOR JONES: So it indicates:  
18 "Applicant agrees to obtain a dumpster to be  
19 placed in the rear of the building." And that's  
20 pretty much all it says.

21                   CHAIRPERSON ANDERSON: When was the  
22 settlement agreement signed?

23                   INVESTIGATOR JONES: This looks like  
24 this was signed on 2/10/2016.

25                   CHAIRPERSON ANDERSON: And I guess

1 what I'm saying is that in speaking to either the  
2 Protestant or the Applicant was it possible at  
3 any point for this dumpster to be placed at the  
4 rear of the building?

5 And maybe I don't know what rear is  
6 because I heard you say side, so is the side the  
7 rear? And I'm asking, I'm just saying based on  
8 your conversations did you ever ask them was  
9 there ever an ability for the dumpster to be  
10 placed at the rear of the building?

11 INVESTIGATOR JONES: Based on  
12 conversations, my understanding is that for them  
13 the rear is to the side of the building.

14 CHAIRPERSON ANDERSON: Okay. I will  
15 ask -- I guess once the Protestant or the  
16 Licensee testifies, then we'll find some more  
17 clarification --

18 INVESTIGATOR JONES: Yes, sir.

19 CHAIRPERSON ANDERSON: -- what is  
20 considered the rear of the building if there is  
21 no rear of the building. But that's for someone  
22 later on.

23 All right. Were you able to find  
24 any -- did you inquire whether or not any noise  
25 complaints were filed against this establishment,

1 and if there were, were there any ABRA violations  
2 found regarding this?

3 INVESTIGATOR JONES: Well, you know,  
4 a couple of factors come out of that because --  
5 well, number one, I will say there were no noise  
6 complaints logged associated with 3400 13th  
7 Street in which our Noise Task Force responded  
8 from September of 2020 to October of 2021, and  
9 also during that time, you know, with COVID being  
10 a huge issue, there were times where our Noise  
11 Task Force hadn't come into play during that time  
12 as well, but from what I'm understanding, either  
13 way we didn't have any calls during that period  
14 of time, sir.

15 CHAIRPERSON ANDERSON: All right,  
16 fine. I'm not sure if I asked you. You had --  
17 did you have any conversation with either the  
18 owner or his representative?

19 INVESTIGATOR JONES: Yes. The  
20 information I just gave you with regards to the  
21 trash and the dumpster came from --

22 CHAIRPERSON ANDERSON: Came from the  
23 owner.

24 INVESTIGATOR JONES: Yes.

25 CHAIRPERSON ANDERSON: All right.



1 Thank you.

2 Now, are there any exhibits attached  
3 to your report? What I'd like to do is just  
4 introduce the exhibits that are attached to your  
5 report, please.

6 INVESTIGATOR JONES: Will do.

7 So here I have Exhibit 1, which is the  
8 petition for the license renewal for Park Market.  
9 That was done on 5/21/2021.

10 Number 2 is the letter of opposition  
11 or the protest letter from Mr. Malmo, as well as  
12 Mr. Livingston, as well as representing the group  
13 of eight or more, to ABRA. This also includes  
14 the settlement agreement and pictures that they  
15 supplied ABRA as far as violations that they had  
16 seen or they had observed.

17 Exhibit 3 is a letter I sent for the  
18 calls for service for the area.

19 Exhibit 4 is the email I sent to Mr.  
20 Malmo requesting communication with reference to  
21 their opposition. This is the email I also sent  
22 to Mr. Livingston asking the exact same thing.

23 Exhibit 6 is an email I sent to Mr.  
24 Kahassai with regards to needing to speak with  
25 him, as well as trying to tour the space for an

1 interview with regards to this protest.

2 Exhibit 7 is the response that I got  
3 from Mr. Malmo for my report.

4 Exhibit 8 is a picture of the graffiti  
5 that Mr. Malmo submitted.

6 (Whereas, the above-referred to  
7 documents were marked as Exhibit Nos. 1 through 8  
8 for identification.)

9 CHAIRPERSON ANDERSON: Hold on.

10 INVESTIGATOR JONES: Yes, sir.

11 CHAIRPERSON ANDERSON: Is this -- what  
12 are we looking at?

13 INVESTIGATOR JONES: So this is the --  
14 if you're looking north on 13th Street you're  
15 looking up towards the front of the  
16 establishment, what you're looking at is the  
17 corner of the establishment and the front is to  
18 the right side of that area kind of sticking up  
19 where you can see the graffiti on the side of it  
20 and it has that sign in front.

21 CHAIRPERSON ANDERSON: Okay.

22 INVESTIGATOR JONES: The front of the  
23 establishment is right behind that area right  
24 there.

25 CHAIRPERSON ANDERSON: So what's the

1 graffiti? I see something that looks like a  
2 wall, a mural.

3 INVESTIGATOR JONES: I'm sorry. That  
4 is a mural, that is a mural that I believe the  
5 owner may have done. The graffiti is on the part  
6 that is sticking out from the building, so if you  
7 can see kind of the scratch, the black where the  
8 sign is, the red sign, the graffiti is to the  
9 left of the red sign.

10 CHAIRPERSON ANDERSON: Okay.

11 INVESTIGATOR JONES: Right here in  
12 this area.

13 CHAIRPERSON ANDERSON: All right. So  
14 that's the graffiti. Thanks.

15 INVESTIGATOR JONES: Yes, sir.

16 Exhibit 9 is picture of the front of  
17 the establishment that was sent to me by Mr.  
18 Malmo.

19 (Whereupon, the above-referred to  
20 document was marked as Exhibit No. 9 for  
21 identification.)

22 CHAIRPERSON ANDERSON: Okay.

23 INVESTIGATOR JONES: Exhibit 10 is  
24 another picture of the establishment. This  
25 picture was sent -- yeah, this picture was sent

1 by Mr. Jackson. This is kind of indicating where  
2 the dumpster is, and also if you see the wall  
3 where it has the -- sorry about that, sir -- if  
4 you see the wall here where the yellow and the  
5 leaves are painted, that's where, from what I'm  
6 understanding, and I could be corrected, but I  
7 believe this is my understanding, what Mr.  
8 Jackson told me, was that the dumpster used to be  
9 here but it was under someone's window and so  
10 they were asked to move it. So this is where the  
11 side of the building was, which I would assume  
12 could be the rear.

13 (Whereupon, the above-referred to  
14 document was marked as Exhibit No. 10 for  
15 identification.)

16 CHAIRPERSON ANDERSON: Okay.

17 INVESTIGATOR JONES: So this is a  
18 picture of the side of the building, again where  
19 the dumpster used to be, and this is the building  
20 where the two are attached. You've got a  
21 residential space here as well as Park Market  
22 right here.

23 And so this is where the dumpster --  
24 this picture was also sent to me, again by Mr.  
25 Jackson -- this is where the dumpster had been

1 placed because it was asked to be moved by the  
2 residents from the other side. So this is on the  
3 right side to the building, on the right side of  
4 the front door here, if that makes sense to you.

5 (Whereupon, the above-referred to  
6 documents were marked as Exhibit Nos. 11 and 12  
7 for identification.)

8 CHAIRPERSON ANDERSON: That's fine.

9 INVESTIGATOR JONES: Number 13 is a  
10 letter of support from one of the neighbors that  
11 was sent to me by Mr. Jackson from Allen Neusbaum  
12 and Terry Beasley from 3404 13th Street, which is  
13 pretty much two doors down.

14 You have another letter of support  
15 from another neighbor, Glen Shields from 3406  
16 13th Street.

17 This is a third letter of support from  
18 Dr. Fritz from 3211 13th Street.

19 And this is the fourth letter from Mr.  
20 William Brown from 1215 Lamonte Street for  
21 support for Park Market.

22 (Whereupon, the above-referred to  
23 documents were marked as Exhibit Nos. 13 through  
24 16 for identification.)

25 CHAIRPERSON ANDERSON: Okay.

1                   INVESTIGATOR JONES: Exhibit 17 is the  
2 zoning for Park Market.

3                   Exhibit 18 is the residential zoning  
4 explanation for Park Market, so as you see, it's  
5 all residential properties in this area.

6                   Exhibit 19, so this is all of the  
7 establishments -- ABC establishments that are in  
8 a 1,200 radius of Park Market.

9                   Exhibit 20 is the same thing, however,  
10 this is for schools, recreation centers, public  
11 libraries or daycares within a 400-foot radius of  
12 Park Market, which there are none.

13                   Exhibit 21 is just a Google shot of  
14 the surrounding areas of Park Market. This is a  
15 shot of 13th Street going northbound and Park  
16 Market is to the left, so there's just all  
17 residential area. This is all residential  
18 property.

19                   This is going south and Park Market is  
20 there to the right.

21                   This is Park Road going up towards  
22 14th Street, again, all residential property.

23                   And the same thing going westbound,  
24 all residential property.

25                   Exhibit 25 is the inside of the

1 establishment.

2 (Whereupon, the above-referred to  
3 documents were marked as Exhibit Nos. 17 through  
4 25 for identification.)

5 CHAIRPERSON ANDERSON: Can you  
6 describe what -- describe what we're looking at,  
7 what's the inside.

8 INVESTIGATOR JONES: So when you  
9 initially walk in, it's pretty much an open  
10 concept space. It's a rectangular-shaped  
11 establishment, it's not that large. When you  
12 walk in you have various shelving in the middle  
13 of the establishment that house, you know, little  
14 small market items, chips, candies, those types  
15 of things; you have sodas and drinks in coolers  
16 to the right and to the left of the main space.

17 Directly in front of you to the right  
18 is the main counter, and behind that counter are  
19 spirits and certain things that, you know, should  
20 be kept behind the counter. There are shelving  
21 units that line the walls that also have wine and  
22 spirits that could be purchased and brought to  
23 the counter.

24 Outside of that, right behind that  
25 main wall right there is a bathroom area and the

1 basement area for storage. And that's pretty  
2 much it.

3 CHAIRPERSON ANDERSON: Okay.

4 INVESTIGATOR JONES: That's just  
5 another shot of the space inside when you walk  
6 in.

7 This is going towards the rear when  
8 you go past the main counter, just the restroom.

9 And then you have your downstairs  
10 storage area, and that's it.

11 Exhibit 29 are the calls for service  
12 for 3400 13th Street from September of 2020 to  
13 October of 2021. And that's your last exhibit,  
14 sir.

15 (Whereupon, the above-referred to  
16 documents were marked as Exhibit Nos. 26 through  
17 29 were marked for identification.)

18 CHAIRPERSON ANDERSON: Anything else,  
19 any other comments you want to make, Mr. Jones?

20 INVESTIGATOR JONES: No, sir. I think  
21 that pretty much wraps it up, sir.

22 CHAIRPERSON ANDERSON: Thank you. You  
23 can close your screen, please.

24 INVESTIGATOR JONES: Yes, sir.

25 CHAIRPERSON ANDERSON: Do any of the



1 Board members have questions of Mr. Jones?

2 (No response.)

3 CHAIRPERSON ANDERSON: Mr. Jackson?

4 MR. JACKSON: No, I don't. I believe  
5 it was a pretty thorough report and complete.

6 CHAIRPERSON ANDERSON: Mr. Malmo?

7 MR. MALMO: Yes, thanks. I do have  
8 one question for Investigator Jones.

9 On page 38 of the report in the  
10 section that talks about the zoning, it's a  
11 zoning map, and it shows that it's zoned District  
12 R1 residential. In your investigation -- were  
13 you able to identify any sort of zoning variance  
14 that had been granted to the business to operate  
15 a Class A liquor store in a residential area?

16 INVESTIGATOR JONES: I can't say that  
17 I did, sir. I know that that establishment has  
18 been there for some time, but no, I didn't look  
19 into if that space was totally zoned out to be  
20 there or not.

21 I know that Mr. Kahassai said he's  
22 been there for over eight years, and so I  
23 didn't -- you know, again, looking at this I  
24 didn't go into if this establishment was supposed  
25 to be here or not. He was granted an alcohol

1 license, and so that was just my assumption that  
2 that was -- he was clear to do that.

3 MR. MALMO: Okay. Thank you. That's  
4 all.

5 MR. JACKSON: Chairman Anderson, may  
6 I speak on that?

7 CHAIRPERSON ANDERSON: No, Mr.  
8 Jackson. When you present your case you can.

9 All right. I don't have any further  
10 questions for you, Mr. Jones. Thank you very  
11 much for your presentation today. Have a great  
12 day.

13 INVESTIGATOR JONES: Thank you. Have  
14 a good day.

15 (Whereupon, the witness was excused.)

16 CHAIRPERSON ANDERSON: I just remember  
17 I did not do something, although I told each side  
18 that they had five minutes to do an opening, I  
19 never allowed each side to do their opening.

20 So Mr. Jackson, I apologize. I need  
21 you to do your opening, and then once you do your  
22 opening, then I will have Mr. Malmo do his  
23 opening, and then you can start presenting our  
24 case, sir. I apologize for that.

25 MR. JACKSON: No problem, sir.

1                   OPENING STATEMENT - APPLICANT

2                   MR. JACKSON: Well, good morning,  
3 everyone. Commissioner Donovan and members of  
4 the ABC Board, my name is Jeff Jackson, and I'm  
5 the representative for S&G, Inc. trading as Park  
6 Market.

7                   I would like to thank the Board  
8 members for scheduling this protest and also  
9 apologize for not being able to reach a  
10 settlement agreement, but from the beginning that  
11 this protest was filed and during the mediation,  
12 after the mediation we felt that the issues or  
13 some of the concerns that the Protestant was  
14 asking of the Applicant, we felt that they did  
15 not have anything to do with the protest issues  
16 of peace, order and quiet.

17                  At that point we shut down our ability  
18 or decision to try to reach a settlement  
19 agreement because the things, like I said, he was  
20 asking was unacceptable and unreasonable.

21                  My client has been in this location  
22 for approximately ten years, and at no time did  
23 he have any ABRA violations. By evidence of the  
24 investigative report, not at one time did the  
25 investigator observe any violation of peace,

1 order and quiet.

2 One of the issues that was  
3 concerned -- and I'd like to give some  
4 clarification on the settlement agreement that  
5 was spoke about. I was party to the first  
6 settlement agreement, and the side of the  
7 establishment at the time was considered the rear  
8 of the establishment; there was never no rear to  
9 the establishment.

10 A nd when the settlement agreement was  
11 drafted, we decided that we would put the rear,  
12 but it was really the side. So the photos that  
13 was shown is actually the rear of the  
14 establishment, which is to the side.

15 Also, I would like to state that  
16 during the mediation certain things was asked of  
17 my client that we felt that was unacceptable, and  
18 one of the things that was mentioned --

19 CHAIRPERSON ANDERSON: Mr. Jackson.

20 MR. JACKSON: Yes, sir.

21 CHAIRPERSON ANDERSON: Please, I don't  
22 want to hear about -- we can't discuss what  
23 happened during the mediation for settlement.

24 MR. JACKSON: Okay.

25 CHAIRPERSON ANDERSON: If you want to

1 generally state that we were not able to mediate,  
2 but that is confidential. I normally do not  
3 interrupt someone's opening or closing, but we  
4 should not be discussing what occurred at the  
5 mediation, sir.

6 MR. JACKSON: I understand, sir.

7 Okay. So that being said, we would  
8 like to ask the Board members that the protest  
9 that was provided or placed upon the  
10 establishment we believe is frivolous and we  
11 would like to allow the Applicant to continue to  
12 renew his license and conduct business as usual.

13 Thank you.

14 CHAIRPERSON ANDERSON: Thank you.

15 Mr. Malmo, you have five minutes to do  
16 an opening, sir.

17 OPENING STATEMENT - PROTESTANT

18 MR. MALMO: Thanks.

19 So I think it's a pretty  
20 straightforward issue, and it has to do with  
21 whether or not the business takes the settlement  
22 agreement seriously. As a member of the  
23 community, they negotiated it in good faith, but  
24 be that as it may, I think what the record will  
25 show is that they're in violation of the

1 letter -- of the settlement agreement. Whether  
2 it's the spirit or the letter of the agreement,  
3 they're not following the settlement agreement.  
4 And it's our contention that the license  
5 shouldn't be renewed while they're in violation  
6 of a settlement agreement.

7 CHAIRPERSON ANDERSON: That's it?

8 MR. MALMO: That's it.

9 CHAIRPERSON ANDERSON: All right. Mr.  
10 Jackson, do you have a witness you wish to call?

11 MR. JACKSON: No, I don't, sir. All  
12 of the witness statements was provided to  
13 Investigator Jones, and they were made part of  
14 the investigative report.

15 CHAIRPERSON ANDERSON: Mr. Jackson,  
16 the burden is on you to present your case, the  
17 burden is on you, sir. I mean, I asked you do  
18 you have a witness. You're not even calling the  
19 owner? I'm not telling you how to present your  
20 case.

21 MR. JACKSON: No, no, no. I'm going  
22 to call the owner, but I didn't know that you was  
23 asking me -- I couldn't hear you. Are you asking  
24 me to conduct my presentation?

25 CHAIRPERSON ANDERSON: Yes. I said

1 now it's your case, you're going to present your  
2 case, and I said, Do you have a witness you wish  
3 to call?

4 MR. JACKSON: Yes, sir.

5 CHAIRPERSON ANDERSON: And who is the  
6 witness?

7 MR. JACKSON: The first witness I  
8 would like to call is the owner of the  
9 establishment, Mr. Gebre Kahassai.

10 CHAIRPERSON ANDERSON: All right. Mr.  
11 Kahassai, can you please raise your right hand,  
12 please. Do you swear or affirm to tell the truth  
13 and nothing but the truth?

14 MR. KAHASSAI: Yes.

15 CHAIRPERSON ANDERSON: Your witness,  
16 sir.

17 MR. JACKSON: I can't see him.

18 CHAIRPERSON ANDERSON: It's your  
19 witness, sir. I don't know, I can't see you, but  
20 he's here so you can.

21 MR. JACKSON: Mr. Kahassai?

22 CHAIRPERSON ANDERSON: Mr. Kahassai is  
23 here.

24 DIRECT EXAMINATION

25 BY MR. JACKSON:

1 Q How long -- could you state your first  
2 and last name, please, and spell it for me.

3 A Yes. First name is Gebre, the last  
4 name is Kahassai.

5 Q And how long have you been the owner  
6 of the establishment?

7 A I have since December 2013.

8 Q And during your time of ownership,  
9 have you had anyone complain about your  
10 establishment as to loitering or selling alcohol  
11 to intoxicated people or people that appear to be  
12 intoxicated?

13 A Not at all.

14 Q At any time during your ownership have  
15 you had any complaints or anyone come into your  
16 establishment to file a complaint saying that you  
17 were out of compliance with anything?

18 A Not at all.

19 Q After every evening when you vacate  
20 the establishment, do you ensure that your area  
21 of responsibility is free and clear of litter?

22 A Yes, I do.

23 Q At the time do you recall which year  
24 that you were approached by the neighbor to ask  
25 you to move your trash dumpster to the front of



1 the establishment because of the disturbance when  
2 it was to the side?

3 A Yes, sir. That's why we just moved to  
4 the other side. People come, they take a  
5 picture, that's why they told me that I need to  
6 do it. I said, Okay, I just move it.

7 Q Okay. Also, Mr. Kahassai, at any time  
8 do you recall anyone coming inside your  
9 establishment complaining?

10 A Not at all.

11 Q Do you have a good rapport with the  
12 neighbors in the community?

13 A Yes, I have with all of them.

14 Q When it was brought to your attention  
15 of the graffiti that was written on the wall of  
16 the establishment, how long did it take for you  
17 to abate that situation?

18 A I don't understand.

19 Q How long did it take you to remove the  
20 graffiti once you were made aware of the graffiti  
21 that was on the side of the wall?

22 A You mean the trash?

23 Q No. The graffiti that was on the  
24 outside.

25 A I did it within 24 hours, less than 24

1 hours.

2 Q Okay. Is there anything else you want  
3 to add concerning your ownership and how long the  
4 store has been there?

5 A The store has been there over 30  
6 years, and the business has been running that  
7 same, but actually we renovated, we changed a lot  
8 of things in the store. The store used to be a  
9 different way, and we remodel, we clean it up,  
10 and that's why it looks much better than it used  
11 to be.

12 Q Okay. Also, did you ever have a rear  
13 to the building?

14 A Never.

15 Q How many days of the weeks is trash  
16 collected?

17 A Three days a week.

18 Q And how about the box out in front of  
19 the establishment, the flower plant box, is that  
20 on public space or is that on private property?

21 A That's a public space.

22 Q Public space. And do you ensure that  
23 space is kept clear and free of litter?

24 A Since they were complaining, yes,  
25 because I didn't know I was supposed to do that

1 on the city or government property, so since they  
2 told me, we just do it almost every other day  
3 every week. Before I didn't know that I was  
4 supposed to do.

5 CHAIRPERSON ANDERSON: Okay. I don't  
6 have any further questions, Chairman.

7 CHAIRPERSON ANDERSON: Thank you.

8 Mr. Malmo, your witness, please.

9 MR. MALMO: Thanks.

10 CROSS-EXAMINATION

11 BY MR. MALMO:

12 Q Do you own the building?

13 A Is that for me the question?

14 Q Yes. I'm directing my questions to  
15 you, Mr. Kahassai.

16 A No, I don't.

17 Q Does your building have -- are you  
18 able to access the back of your building from the  
19 inside of your building?

20 A No. There's no access.

21 Q There's no access?

22 A No. You go in, sir, go into the  
23 basement and then you come back to front, that's  
24 it.

25 Q Can you access the back of the

1 building from the basement?

2 A No, not at all.

3 Q Can you access the front of the  
4 building from the basement?

5 A No.

6 Q I'm sorry. I didn't hear you.

7 A No.

8 Q So that access door in the front of  
9 your building doesn't go down into your basement?

10 A The front door you can go the  
11 basement, you go into the store and then you go  
12 into the basement, then you come back to the  
13 front door.

14 Q But I mean, the steel -- that steel  
15 access door in the front of your building doesn't  
16 go to your basement?

17 A You mean by the trash?

18 Q Yes.

19 A That's been closed forever.

20 Q I know it's closed, but if it's opened  
21 does it access to your basement?

22 A Of course if you want to open that and  
23 then you can go into from the trash container.

24 Q So you can access your basement from  
25 the sidewalk in the front of your building?

1           A       Yes, you can access that.

2           Q       And you can also access the basement  
3 from the inside of your building?

4           A       From inside, yes.

5           Q       So since you've been -- since you've  
6 been -- but you don't own the building, but  
7 you're a tenant. Is that right?

8           A       Yes.

9           Q       So since you've been a tenant, have  
10 you been aware that there was a back of the  
11 building?

12          A       No, that's not a back. That's a front  
13 door, to the trash it's just a front door, like  
14 you go to the front door, and by the window there  
15 is closed forever so never had a chance to open  
16 it because is always --

17          Q       So I guess my question is why would  
18 you enter into a settlement agreement and agree  
19 to place the trash in the back of the building  
20 when you have no access or way to get to the back  
21 of the building?

22          A       To my understanding, I might not read  
23 it properly, or I really don't understand. So  
24 there is no back door, there is nothing you can  
25 do, just maybe it was by the recycle or the trash

1 so that's where we had that, sir, on the side.  
2 So when they told me to move it, then we moved it  
3 to the other side.

4 Q To the front of the building.

5 A Yeah, in front of the building.

6 Q Someone asked you to move it from the  
7 back of the building to the front of the  
8 building?

9 A Yeah, from the side, which is the  
10 container, a couple of containers for the  
11 recycle -- I mean, for the clothes donation, it  
12 used to be the trash container next to it.

13 Q When you say the side of your  
14 building, do you mean the north side of your  
15 building or the south side of your building?

16 A The side.

17 Q The south side of the building is  
18 where the mural is, the north side of the  
19 building has a property directly abutting and  
20 attached to your building.

21 A I'm talking about the mural, used to  
22 be the trash container by the mural.

23 Q So when you say the side, you used to  
24 place it to the south side of your building.

25 A I don't know if you call it south or

1 north, I don't know, I really don't, I'm  
2 confused. So that's just the front, nothing else  
3 that building, so it used to be by the mural, the  
4 trash container like a few years ago, two, three  
5 years. Then they asked to move to the other side  
6 if you could do it, and I said, No problem. Then  
7 we moved it to the one we just right now.

8 Q So when you applied to change your  
9 liquor license from a Class B Commercial to a  
10 Class A Retail liquor license, was there a  
11 protest?

12 A No. Actually I got support; nobody  
13 complained about it against the license.

14 Q So the ANC-1A did not protest your  
15 permit to apply to change your permit from a  
16 Class B to a Class A?

17 A Never complain.

18 Q So then why -- how did you enter into  
19 a settlement agreement?

20 A Really the trash what I was thinking  
21 it was just by the mural, that's where it used to  
22 be before even I took over the establishment,  
23 that's where we thought that's the side, I don't  
24 know how they call it, but that's where the trash  
25 used to be, and then we just signed the

1 settlement agreement.

2 Q So Mr. Kahassai, you're aware that you  
3 have a settlement agreement that's in place?

4 A Yes.

5 Q And in the settlement agreement you've  
6 agreed to do certain things?

7 A Yes, the agreement to, yeah. I make  
8 sure take care of that business operating, all  
9 the noise and stuff, underage and drunk, all  
10 those things we make sure, and I've been doing  
11 business over 25 years, and I never had any issue  
12 with a license at different locations.

13 Q Well, in the settlement agreement  
14 where it talked about the trash container, the  
15 dumpster being placed in the rear of the  
16 building, it also says that you'll keep the  
17 sidewalk up to and including the curb, the tree  
18 boxes, the curb, the abutting alley clean and  
19 free of litter, bottles, et cetera. I mean,  
20 that's -- is that the settlement agreement that  
21 you signed?

22 A About the trash order, there is no  
23 trash at all in the location. Every morning I  
24 open, before I open I clean up, before I leave I  
25 make sure. About the tree you're talking about,



1 that I didn't know we were supposed to do that  
2 because the city did it and then I didn't know, I  
3 never had before, and then they told me that, no,  
4 you're supposed to do it.

5 And we cut it immediately, I did it  
6 the next day, I didn't even stay longer. Since  
7 that day we clean up everything, the sign off the  
8 front of the door we make sure we painted, we  
9 moved that sign used to be. The trash container  
10 used to be by the donation, which is the side,  
11 and we moved to the side because they told me to  
12 do --

13 Q I wasn't talking --

14 CHAIRPERSON ANDERSON: Mr. Malmo,  
15 please give him an opportunity -- let him finish  
16 answering the question, sir. When he's done  
17 answering the question, then you can ask him a  
18 different question. Let him finish, please sir.

19 THE WITNESS: Want me to continue?

20 CHAIRPERSON ANDERSON: Go ahead, sir.

21 THE WITNESS: And then that trash  
22 container, as I said twice, they want me to move  
23 it because of the mural. The mural, the city,  
24 people walk, they like, children stop, they take  
25 a picture, so would you please move it so it

1 looks good.

2 And I said, Okay. I thought I was  
3 working with the people to anyone, so I just  
4 moved on the side and that side is nothing wrong,  
5 but if you think that is a violation, I have to  
6 move back to where it used to be --

7 BY MR. MALMO:

8 Q Thank you, Mr. Kahassai.

9 A -- but here is no access to the back.

10 Q Okay. Mr. Kahassai, did you paint the  
11 front of your building or did your landlord paint  
12 the front of your building?

13 A I painted.

14 Q You personally painted it?

15 A Yeah, I just did it. Yeah, I spent my  
16 money and I did myself. I got someone to do it  
17 and I take care of it.

18 Q When did you do that?

19 A Okay. Are you talking about -- we did  
20 a few years ago and also since they complain  
21 about the -- again it's the license and then they  
22 want me, and it was Jeff Jackson I was talking,  
23 oh, the complaint was this. Oh, okay, I'm  
24 supposed to do it? Yes.

25 When we moved all the sign, the

1 lottery, they put a DC Lottery sign, and then the  
2 liquor and then the sign with the banner, I  
3 removed that, and then I painted, which I painted  
4 in September, I believe.

5 Q When in September?

6 A Honestly I don't have the date to tell  
7 you, but since they complain or this is a  
8 complaint because of the license to renew,  
9 immediately I just -- I didn't even stay one day;  
10 called my guy and then he removed it, he painted  
11 it, and also, I cut the grass, make sure.

12 Q So you painted it after the protest  
13 was filed?

14 A Yes.

15 Q How many days after the protest was  
16 filed?

17 A The next day we just -- Mr. Malmo --  
18 I don't know, I can't say, pronounce his name --  
19 I see that he was taking a picture of the front  
20 door of the license, then sent some kind letter,  
21 I will be complaining about neighborhood, the  
22 trash, the glass.

23 And my landlord, he told me the  
24 grass -- they sent DC government to my landlord,  
25 and they call me, you have to take care of this.

1 They sent me the picture, and then I cut right  
2 away immediately, and then I painted; I removed  
3 the sign which I didn't even stay a day, next  
4 day, just to action.

5 Q So the DC government they issued a  
6 notice to clean the tree box?

7 A The tree box, they sent it to the  
8 landlord, not to me, because they have a  
9 connection with them. So immediately when I got  
10 that, oh, okay, and then I call my guy, and he  
11 just cut the grass, and every week we take care  
12 of it, and I didn't know we were supposed to do  
13 it.

14 Q Okay. All right. Thanks.

15 One other question. So when you  
16 applied to change your liquor license from a  
17 Class B to a Class A back in 2016, did you apply  
18 to the DC zoning board for a zoning variance to  
19 operate a Class A liquor license at that  
20 location?

21 A Did I apply for the application? Yes.

22 Q Did you apply for a zoning variance to  
23 operate a Class A license at the location?

24 A I don't understand that. I'd have to  
25 ask him. Jeff Jackson was helping me with this

1 application.

2 CHAIRPERSON ANDERSON: If you can't  
3 answer the question, you can't answer the  
4 question, simple as that. If you don't  
5 understand the question, tell him you don't  
6 understand the question, and let's move on.

7 MR. MALMO: I don't have any other  
8 questions. Thank you very much.

9 CHAIRPERSON ANDERSON: Mr. Kahassai,  
10 explain to me where was the dumpster supposed to  
11 be placed?

12 THE WITNESS: Okay. The dumpster,  
13 like before we took over the spot, it was next to  
14 the mural, by the mural and also the donation  
15 boxes there.

16 CHAIRPERSON ANDERSON: I'm asking  
17 where was the dumpster was supposed to be place.  
18 That's the question. Where was the dumpster  
19 supposed to be placed, exactly where?

20 THE WITNESS: Okay. When you go to  
21 the store, it used to be on the left-hand side,  
22 the side of the building.

23 CHAIRPERSON ANDERSON: The side of the  
24 building?

25 THE WITNESS: Yes.

1                   CHAIRPERSON ANDERSON: Where is the  
2 back of your building?

3                   THE WITNESS: There is no back of the  
4 building.

5                   CHAIRPERSON ANDERSON: So if there's  
6 no back of your building, why did the settlement  
7 said the back of your building, why didn't it say  
8 the side of the building?

9                   THE WITNESS: I don't understand about  
10 the side; there's no back.

11                  CHAIRPERSON ANDERSON: No. This is  
12 what I'm asking you. You signed a settlement  
13 agreement. Your settlement agreement says  
14 specifically the dumpster should be placed at the  
15 back of the building. So if the building didn't  
16 have a back, why did you sign settlement  
17 agreement that says you should place the dumpster  
18 in the back of the building?

19                  THE WITNESS: I don't understand about  
20 that, how it was complicated that.

21                  CHAIRPERSON ANDERSON: You don't  
22 understand what, sir? You signed something, you  
23 signed something saying that I'm going to place  
24 the dumpster -- let me ask the question, sir, did  
25 you purchase the dumpster or was it there when

1 you had the building?

2 THE WITNESS: Did I purchase? We  
3 rented.

4 (Simultaneous talking.)

5 CHAIRPERSON ANDERSON: Did you  
6 purchase the dumpster or was the dumpster there  
7 when you rented the building?

8 THE WITNESS: Yes. It was a trash  
9 can, yeah.

10 CHAIRPERSON ANDERSON: When you rented  
11 the building was there a dumpster that came  
12 with -- I'm sorry. When you rented the building,  
13 was there a dumpster that came with the building?

14 THE WITNESS: Yeah.

15 CHAIRPERSON ANDERSON: Where was the  
16 dumpster -- when you rented the building, where  
17 was the dumpster when you start to operate the  
18 building, your business?

19 THE WITNESS: On the side of the  
20 building by the mural.

21 CHAIRPERSON ANDERSON: So the dumpster  
22 was by the mural?

23 THE WITNESS: It was there, yeah.

24 CHAIRPERSON ANDERSON: That's where it  
25 was, it's always been there.

1 THE WITNESS: Yes.

2 CHAIRPERSON ANDERSON: So when did you  
3 move the dumpster from the mural?

4 THE WITNESS: Okay. The mural, one  
5 different mural used to be and then we -- the  
6 city also --

7 CHAIRPERSON ANDERSON: No. Listen,  
8 listen, listen, listen, listen. You just said to  
9 me, sir -- okay -- the dumpster was placed by the  
10 mural. Is that correct?

11 THE WITNESS: Yes.

12 CHAIRPERSON ANDERSON: Okay. I don't  
13 care about any other mural. I'm asking about  
14 that mural where the dumpster was placed by the  
15 mural. Is that right? So the dumpster was at  
16 the mural. Is that correct?

17 THE WITNESS: Yes.

18 CHAIRPERSON ANDERSON: Why did you  
19 move the dumpster from that mural?

20 THE WITNESS: The neighborhood just  
21 asked me, and I said --

22 (Simultaneous talking.)

23 CHAIRPERSON ANDERSON: Who asked you?  
24 Who asked you?

25 THE WITNESS: The neighborhood, my



1 neighborhood said, Can you just put on the side?  
2 And I said, I didn't know it was in violation.

3 CHAIRPERSON ANDERSON: No, no.  
4 Listen, listen, listen to the question I'm asking  
5 you, sir. Let's start -- okay, listen to the  
6 question I'm asking you. How long have you been  
7 at your location?

8 THE WITNESS: A little over eight  
9 years.

10 CHAIRPERSON ANDERSON: Eight years.

11 THE WITNESS: Yes.

12 CHAIRPERSON ANDERSON: When you rented  
13 the property eight years ago, where was the  
14 dumpster? Was there a dumpster and where was it?

15 THE WITNESS: By the mural.

16 CHAIRPERSON ANDERSON: By the mural.

17 THE WITNESS: Yes.

18 CHAIRPERSON ANDERSON: There came a  
19 time when you moved the dumpster. Is that  
20 correct? You moved it from the mural. Is that  
21 correct?

22 THE WITNESS: Yes.

23 CHAIRPERSON ANDERSON: Why did you  
24 move the dumpster from the mural?

25 THE WITNESS: As I said, the

1 neighborhood just asked me to move it, and I  
2 said, Okay. That's the only reason.

3 CHAIRPERSON ANDERSON: The  
4 neighborhood asked you to move the dumpster from  
5 in front of the mural. Is that correct?

6 THE WITNESS: Yes.

7 CHAIRPERSON ANDERSON: So when they  
8 asked -- when did they ask you to move the  
9 dumpster from the mural?

10 THE WITNESS: I would say roughly  
11 about two years or three years in between.

12 CHAIRPERSON ANDERSON: So three years  
13 ago the neighborhood asked you to move the  
14 dumpster from the mural. Is that correct?

15 THE WITNESS: Yes.

16 CHAIRPERSON ANDERSON: Where did you  
17 move the dumpster to?

18 THE WITNESS: I moved to the spot  
19 right now in front of -- by the building and by  
20 the entrance on the right side in the corner.

21 CHAIRPERSON ANDERSON: So the  
22 neighborhood asked you to move it from in front  
23 of the mural, and you moved it in front of the  
24 building. Right?

25 THE WITNESS: Yes. On the side, yes.

1                   CHAIRPERSON ANDERSON: Tell me exactly  
2 where -- Mr. Jackson?

3                   MR. JACKSON: Yes.

4                   CHAIRPERSON ANDERSON: The pictures  
5 that Mr. -- I just want to ask you a question, I  
6 want to see if I need to bring this up -- the  
7 pictures that Mr. -- that was in the  
8 investigator's report, is that -- do you have an  
9 exhibit, sir, that shows where the dumpster is in  
10 your exhibits?

11                   MR. JACKSON: The investigative  
12 report, Exhibit 11. I'm sorry. Investigative  
13 report, Exhibit 11.

14                   CHAIRPERSON ANDERSON: All right. I'm  
15 just asking a question. Do you have access -- do  
16 you have access to -- do you have -- because Mr.  
17 Jones is no longer here, because I dismissed him.  
18 Do you have access to those documents? Did you  
19 disclose -- what documents did you disclose in  
20 your exhibits?

21                   MR. JACKSON: Yes.

22                   CHAIRPERSON ANDERSON: I'm sorry.  
23 What documents --

24                   MR. JACKSON: The documents I provided  
25 was on Exhibit 11 that I provided to Investigator

1 Jones to show where the old dumpster used to be  
2 and to show that was the area that was considered  
3 in the settlement agreement as being the back.

4 I originally was party to the original  
5 settlement agreement that was written, and when  
6 we went into -- when we discussed it with the  
7 ANC, we agreed -- the ANC and I agreed that being  
8 that he didn't have a rear that the side of the  
9 establishment was considered the back of the  
10 establishment, so that's the language that we  
11 agreed upon.

12 CHAIRPERSON ANDERSON: Okay, Mr.  
13 Jackson.

14 MR. JACKSON: It's Exhibit 11.

15 CHAIRPERSON ANDERSON: Exhibit 11.  
16 Okay. I was just asking for a document, not  
17 necessarily testimony.

18 So Mr. Kahassai, so once you moved --  
19 so do you remember who told you to move the  
20 dumpster initially?

21 THE WITNESS: On the side of our --  
22 exactly I can't say the address --

23 (Simultaneous talking.)

24 CHAIRPERSON ANDERSON: Sir, listen to  
25 what I'm asking. Listen to what I'm asking, sir.

1 Just listen clearly to what I'm asking and answer  
2 the question. Okay?

3 Do you recall who asked you to  
4 remove -- to move the dumpster from under the  
5 mural and place it in another location? Do you  
6 remember who asked you to do that?

7 THE WITNESS: Right now I believe he  
8 sold the building, he left.

9 CHAIRPERSON ANDERSON: I'm sorry?

10 THE WITNESS: I don't know the name of  
11 the person but used to be owning the building.

12 CHAIRPERSON ANDERSON: Which building?

13 THE WITNESS: What's the address?

14 CHAIRPERSON ANDERSON: Sir, you can't  
15 ask anybody. I'm asking you.

16 THE WITNESS: No, I don't know the  
17 address to tell you the address.

18 CHAIRPERSON ANDERSON: Listen, listen,  
19 listen, listen to me, sir, listen to me. I'm not  
20 trying to confuse you, and I'm not trying to play  
21 any tricks on you. Okay? I'm just trying to  
22 find out what's going on.

23 You said that when you moved -- the  
24 trash can was placed -- the dumpster was placed  
25 under the mural. Right? That's where it was.

1 THE WITNESS: Yes.

2 CHAIRPERSON ANDERSON: Then who asked  
3 you to move it from the mural? Who asked you to  
4 do that?

5 THE WITNESS: The was a neighbor, but  
6 I don't know the name of the person right now.

7 CHAIRPERSON ANDERSON: Okay. So the  
8 folks -- hold on, hold on, hold on -- the folks  
9 in the neighborhood asked you to move it from the  
10 mural, and did they tell you where to place it?

11 THE WITNESS: Yeah. He told me the  
12 one we put it right now, he said the mural is  
13 kind of nice and beautiful, you put the trash, it  
14 doesn't look so okay. Can we move over here? I  
15 said okay. And then innocently I just moved over  
16 there like two, three years ago, so I didn't know  
17 it was a violation.

18 CHAIRPERSON ANDERSON: Okay. So you  
19 moved the trash can from the mural because it was  
20 blocking the beautiful mural in the neighborhood.  
21 Is that correct?

22 THE WITNESS: Yes.

23 CHAIRPERSON ANDERSON: And so when you  
24 moved it, you moved it to the front of the  
25 building? You moved it to the location. Right?

1 THE WITNESS: Yes.

2 CHAIRPERSON ANDERSON: So did anyone  
3 ever come to you and say to you, oh, by the way,  
4 your trash can can't be in front of the building;  
5 you need to move it back to where the mural was?

6 THE WITNESS: Nobody say any word  
7 since I moved there. Nobody.

8 CHAIRPERSON ANDERSON: Mr. Malmo is  
9 saying that -- we're in this protest hearing, and  
10 Mr. Malmo is saying that you violated the  
11 settlement agreement because your trash can is in  
12 front of the building, so how are you saying  
13 nobody has said?

14 I'm just trying to find out from you,  
15 sir, like did anyone come to you and say, oh, by  
16 the way, you can't have your trash can in front  
17 of the building; you need to move it back?

18 THE WITNESS: If he told there is a  
19 problem why I did this, I could put it back, but  
20 he didn't come and say anything, and I didn't  
21 know that he was complaining about the trash  
22 because of the front.

23 What I found after he submitted or  
24 have information and that he was complaining, I  
25 didn't know he was complaining about the trash,

1 he was complaining about the grass, complaining  
2 about the front of the door, the building, the  
3 sign, the banner, the DC Lottery, all those  
4 things.

5 I didn't know the trash is complaint,  
6 so if I did, I could put it back.

7 CHAIRPERSON ANDERSON: So would you  
8 have a problem moving the trash can from in front  
9 of your building and move it back in front of the  
10 mural?

11 THE WITNESS: I could do it right now  
12 in a minute. I don't have a problem.

13 CHAIRPERSON ANDERSON: But if you  
14 move it back in front of the mural, is someone  
15 going to complain to say you need to move the  
16 trash can from in front of the mural?

17 THE WITNESS: I wouldn't do it.

18 CHAIRPERSON ANDERSON: No. Listen,  
19 listen. I'm saying if you move the trash can  
20 from in front of the building and put it back --  
21 and put it in front of the mural, is someone  
22 going to complain that you need to move the trash  
23 can from the mural, because you said someone in  
24 the neighborhood asked you to move it from in  
25 front of the mural?



1                   THE WITNESS: What I can do, the trash  
2 container where it used to be by the mural I  
3 could put it back, but if someone came and, oh,  
4 you were supposed to do this, then I don't know  
5 what to do after.

6                   CHAIRPERSON ANDERSON: Okay. Well,  
7 whatever decision we make today, sir, we're going  
8 to make a decision where the trash can is going  
9 to be. Okay? The purpose of this -- one of the  
10 protest issues is this trash can. Okay?

11                   So the Board has to make a  
12 determination where this trash -- what's going to  
13 happen with this trash can. So I don't know what  
14 we're going to do but we have to make a decision  
15 today because you guys couldn't figure it out.

16                   Well, let me ask you another question.  
17 Where can this trash can be? Tell me, based on  
18 where your building is, where can this trash can  
19 be? It can be in front of your building or under  
20 the mural. Is there anywhere else you can put  
21 your trash can?

22                   THE WITNESS: Not at all. You can't  
23 do anywhere else, because there's not access --

24                   CHAIRPERSON ANDERSON: I'm sorry?

25                   THE WITNESS: No, you cannot do

1 anything anywhere else. You only have to do the  
2 spot right now or have to bring it back to the  
3 mural.

4 CHAIRPERSON ANDERSON: All right.  
5 Okay.

6 Do any Board members have any  
7 questions?

8 MEMBER GRANDIS: Mr. Chairman?

9 CHAIRPERSON ANDERSON: Yes, Mr.  
10 Grandis.

11 MEMBER GRANDIS: Thank you.

12 The question would be to Mr. Malmo.

13 CHAIRPERSON ANDERSON: No, Mr.  
14 Grandis. You can't ask any questions to Mr.  
15 Malmo.

16 MEMBER GRANDIS: At this time.

17 CHAIRPERSON ANDERSON: You have to ask  
18 the owner. That's the only person you can ask a  
19 question to.

20 MEMBER GRANDIS: I'm just trying to  
21 follow the script. So thank you. I'll wait till  
22 we can ask questions of Mr. Malmo. Thank you.

23 CHAIRPERSON ANDERSON: All right.  
24 Thank you.

25 Any other questions by any of the

1 Board members?

2 (No response.)

3 CHAIRPERSON ANDERSON: Mr. Malmo, do  
4 you have any follow-up questions for the owner  
5 based on the questions that I asked? Mr. Malmo?

6 MR. MALMO: Yes, Mr. Chairman. I'm  
7 thinking right now. So based on what you asked?

8 CHAIRPERSON ANDERSON: Yes.

9 MR. MALMO: No. I don't think I have  
10 any questions based on what you asked.

11 CHAIRPERSON ANDERSON: All right.

12 I'm sorry. Mr. Kahassai -- if I  
13 pronounce your name wrong, I apologize, sir --  
14 how many doors do you have, egress, how many  
15 doors do you have to access or depart your  
16 establishment? How many doors do you have?

17 THE WITNESS: One door, front door.

18 CHAIRPERSON ANDERSON: Just the front  
19 door?

20 THE WITNESS: Yes.

21 CHAIRPERSON ANDERSON: There's no  
22 other door?

23 THE WITNESS: There is on the side but  
24 it's been -- we never tried, but there is a big  
25 metal; it's been shut down for a lifetime there.

1 Like if you look at it that will take you to  
2 basement, but that never happened the door, we  
3 never use that door.

4 CHAIRPERSON ANDERSON: So where does  
5 that door lead to? Even if you don't use, where  
6 does that lead to?

7 THE WITNESS: Okay. When you go to  
8 the store on the right side by the trash  
9 container next to it, it's right underground.

10 CHAIRPERSON ANDERSON: So where does  
11 it lead? Although you don't use it, but if I  
12 wanted to use that door, where does that door  
13 take you to? If you were to use that door, where  
14 would that door take you to?

15 THE WITNESS: It would take you to the  
16 basement, and then you just come back.

17 CHAIRPERSON ANDERSON: So you cannot  
18 exit your building using that door? I know you  
19 don't use it, I said you don't use it, but you're  
20 saying to me that you cannot exit your building  
21 using that door. Is that correct?

22 THE WITNESS: Yes.

23 CHAIRPERSON ANDERSON: The only door  
24 that you can exit your building through is the  
25 front door. This is what you're saying, right?

1 THE WITNESS: Yes, yes.

2 CHAIRPERSON ANDERSON: Okay.

3 All right. Mr. Malmo, I'll give you  
4 another opportunity. Do you have any questions  
5 based on the questions I just asked?

6 MR. MALMO: Yes, because I think he  
7 contradicted himself from his previous testimony  
8 when I asked him --

9 CHAIRPERSON ANDERSON: Mr. Malmo, Mr.  
10 Malmo.

11 MR. MALMO: Okay, I'll ask him.

12 CHAIRPERSON ANDERSON: Ask the  
13 question, sir. Don't make statements, sir. Ask  
14 the question if you have a question to ask, sir.

15 MR. MALMO: Okay.

16 FURTHER CROSS-EXAMINATION

17 BY MR. MALMO:

18 Q If you were to open that door to the  
19 basement that's on the sidewalk, could you go  
20 down into your basement from the front of your  
21 building?

22 A Yes.

23 CHAIRPERSON ANDERSON: I'm sorry.  
24 What was the question you asked, Mr. Malmo? I  
25 apologize.

1 MR. MALMO: I asked him if he were to  
2 open that door that's in the front of his  
3 building could you go into the basement, and he  
4 said yes.

5 CHAIRPERSON ANDERSON: All right.  
6 Okay, fine. Do you have any other questions,  
7 sir, based on the questions that I asked?

8 MR. MALMO: No.

9 CHAIRPERSON ANDERSON: No.

10 Mr. Jackson, do you have any follow-up  
11 questions based on the questions that were asked?

12 MR. JACKSON: Yes.

13 REDIRECT EXAMINATION

14 BY MR. JACKSON:

15 Q Mr. Kahassai.

16 A Yes.

17 Q I just want to make it clear. How  
18 many entrances or exits do you have to your  
19 establishment?

20 A Okay. One, the main door we use right  
21 now, which I've been using the last -- since I go  
22 into the business. And the other side by the  
23 trash container right now there is an access but  
24 it's been abandoned like 30, 40 years. Since we  
25 were there we never open, but even if you go to

1 basement you can look at it, you can go in and  
2 out, so there's another also, but just to get in  
3 and come out, that's it, not anywhere else.

4 Q Okay. Just want to clarify. You do  
5 not have a back or rear to your establishment?

6 A Not at all.

7 Q I'm saying you do not have a rear of  
8 your establishment?

9 A No.

10 MR. JACKSON: Okay. Thank you.

11 That's all I have, Chairman.

12 CHAIRPERSON ANDERSON: Thank you, sir,  
13 for your testimony.

14 (Whereupon, the witness was excused.)

15 CHAIRPERSON ANDERSON: Mr. Jackson, do  
16 you have another witness?

17 MR. JACKSON: No, sir.

18 CHAIRPERSON ANDERSON: Do you rest?

19 MR. JACKSON: Yes, sir.

20 CHAIRPERSON ANDERSON: Mr. Malmo, do  
21 you have a witness you wish to call? Mr. Malmo?

22 MR. MALMO: Actually, after hearing  
23 the presentation from Mr. Jackson and Mr.  
24 Kahassai, I would have gone back and asked the  
25 investigator --

1 CHAIRPERSON ANDERSON: You can't go  
2 back and ask a question to the investigator.

3 MR. MALMO: I know I can't. Sorry.

4 CHAIRPERSON ANDERSON: It's your case  
5 now. Do you have a witness you wish to present,  
6 yourself or anyone else?

7 MR. MALMO: No, I don't.

8 CHAIRPERSON ANDERSON: No?

9 MR. MALMO: Well, I will present  
10 myself. Okay.

11 CHAIRPERSON ANDERSON: Can you raise  
12 your right hand, please. You're testifying, I  
13 need to swear you in, and once you're done, Mr.  
14 Jackson will cross-examine you, and the Board  
15 will also cross-examine you. Okay?

16 MR. MALMO: Okay. Thanks.

17 CHAIRPERSON ANDERSON: Can you raise  
18 your right hand, please.

19 THE WITNESS: Yes.

20 CHAIRPERSON ANDERSON: Do you swear or  
21 affirm to tell the truth and nothing but the  
22 truth?

23 MR. MALMO: I do.

24 CHAIRPERSON ANDERSON: All right, sir.

25 DIRECT TESTIMONY



1                   THE WITNESS: So as I presented with  
2 my -- as an attached exhibit the settlement  
3 agreement that was entered into by the Park  
4 Market with the ANC-1A, and this settlement  
5 agreement was also -- that I attached as an  
6 exhibit was issued as an order from the ABCB  
7 Order No. 2016093.

8                   As a matter of the record I just want  
9 to state, even though I think we've heard in  
10 testimony that there wasn't a settlement  
11 agreement with the ANC, there was actually a  
12 settlement agreement with the ANC, and in the  
13 settlement agreement that I attached as the  
14 exhibit has Section 6 that deals with public  
15 space and trash. I guess I didn't understand  
16 that the license holder has a different  
17 definition of rear than I understand the rear of  
18 the building.

19                   I walk by that building many times,  
20 oftentimes more than once a day. There is  
21 actually a space between those three buildings as  
22 it comes together there in the corner. Whether  
23 or not they can access the building, I don't  
24 know.

25                   Mr. Kahassai has testified that there

1 is no way to get to the back of that space. I  
2 just don't understand why they would enter into a  
3 settlement agreement that would place the  
4 dumpster in the rear when he says that they have  
5 no way to access the rear. I just don't  
6 understand that.

7 That's all that I have. I think it's  
8 pretty straightforward that they're operating in  
9 violation of the settlement agreement, if not the  
10 letter, the spirit.

11 CHAIRPERSON ANDERSON: Is that what  
12 you have to say, sir?

13 THE WITNESS: That's all I have to  
14 say.

15 CHAIRPERSON ANDERSON: Mr. Jackson?

16 MR. JACKSON: Yes.

17 CHAIRPERSON ANDERSON: Your questions.

18 MR. JACKSON: Yes.

19 CROSS-EXAMINATION

20 BY MR. JACKSON:

21 Q Mr. Malmo, good morning.

22 A Good morning.

23 Q Have you ever visited the  
24 establishment to enter inside the establishment  
25 and communicate a dialogue with the owner?

1           A       No. I've never been inside the  
2 establishment.

3           Q       Okay. Have you spoke with any  
4 community members or any residents of the area  
5 concerning the establishment and concerning the  
6 trash as what you thought was a violation?

7           A       I've only spoken to the other  
8 Protestants about the nature of our protest that  
9 has to do with the trash can being in the front  
10 of the building, not in the rear.

11          Q       Okay. Have you ever been to an ANC  
12 meeting?

13          A       Yes, I have.

14          Q       Okay. Did you ever mention this  
15 settlement agreement during the ANC meeting and  
16 ask them their definition or bring up your  
17 concerns during the ANC meeting?

18          A       During the ANC meeting, prior to  
19 filing this protest, I had asked the ANC if they  
20 would be willing to protest the license renewal  
21 so that they could renegotiate the settlement  
22 agreement, and the ANC-1A voted no, that they  
23 were not willing to protest the settlement  
24 agreement.

25          Q       So you asked them to protest the

1 establishment based upon the trash?

2 A The settlement agreement, that they  
3 were in violation of the settlement.

4 Q Right. So I'm asking you did you ask  
5 them to define what was considered the rear of  
6 the establishment, or did you bring up your  
7 concerns to the ANC?

8 A So I brought up my concerns, the  
9 concerns had to do with the trash can, also the  
10 graffiti and the tree box. So I had -- when I  
11 had taken those pictures was prior to filing the  
12 protest, and you could clearly see that the  
13 building had been tagged on the south side that  
14 was shown in one of the exhibits.

15 You could see that the trash can was  
16 in the front, you could also see the tree box had  
17 weeds that were one to two feet high, there was  
18 trash in the tree box, and so in my opinion the  
19 Park Market was not following the terms that they  
20 had agreed to in the settlement agreement.

21 I know the ANCs that they will  
22 routinely require -- will protest liquor license  
23 applications to get the applicants to enter into  
24 settlement agreements for, I guess, the benefit  
25 of the community to make sure that the licensees

1 operate consistent with what the other businesses  
2 are usually required to follow that have entered  
3 into similar settlement agreements.

4 And so my contention that I had made  
5 to the ANC is that here's a business that's not  
6 following the terms of the settlement agreement,  
7 you should take some sort of action, but they  
8 weren't willing to take action.

9 I spoke with the commissioner that  
10 represents the single member district. He said  
11 he was going to walk down and talk to the --

12 Q But you mentioned you brought to --  
13 (Simultaneous talking.)

14 CHAIRPERSON ANDERSON: Mr. Jackson,  
15 let him finish answering the question, sir.

16 MR. JACKSON: Okay. I'm sorry. My  
17 mic went out. I'm sorry. Hold on.

18 THE WITNESS: So I spoke with the ANC  
19 commissioner who represents the single member  
20 district where the business is located. He said  
21 that he wasn't willing to protest the license  
22 renewal, but that he was going to walk down or he  
23 was going to talk to the owner.

24 MR. JACKSON: I'm sorry. My speaker  
25 went out.

1 THE WITNESS: He was going to talk  
2 to --

3 CHAIRPERSON ANDERSON: Hold on, Mr.  
4 Malmo.

5 It's your system, Mr. Jackson. I  
6 heard clearly what he's saying.

7 MR. JACKSON: Okay.

8 CHAIRPERSON ANDERSON: Okay. So it's  
9 your system; it's not his.

10 Go ahead, Mr. Malmo.

11 THE WITNESS: Anyway, so I can't speak  
12 for the ANC, only the fact that I did approach  
13 the ANC, felt that because they weren't willing  
14 to protest at least to get the enforcement of the  
15 settlement agreement, that I would talk to my  
16 neighbors to see if we couldn't get the business  
17 to at least follow the terms of the settlement  
18 agreement.

19 BY MR. JACKSON:

20 Q And when it was brought to the  
21 attention of the owner, did he abate all of the  
22 concerns?

23 A All of the concerns except the trash  
24 can. For some reason the trash can has remained  
25 in the front of the building this entire time.

1 And I would also contend that abating the  
2 graffiti took longer than 48 hours, but that's my  
3 opinion.

4 Q Okay. So did you ever present a  
5 dialogue between myself or the owner asking about  
6 the trash or talking about the trash?

7 A Only during the mediation.

8 Q And what was explained about the trash  
9 during that time?

10 MR. JACKSON: But I don't think we can  
11 speak about that. Is that correct, Chairman?

12 CHAIRPERSON ANDERSON: That is  
13 correct, sir. We can't discuss mediation.

14 BY MR. JACKSON:

15 Q So being that we can't talk about  
16 that, I'm saying did you enter into a dialogue  
17 between myself personally or the owner of the  
18 establishment, or visit the establishment?

19 A Here lies one of the -- I guess the  
20 point I'm trying to make, it's up to the business  
21 owner who entered into the settlement agreement  
22 to approach the parties to renegotiate the  
23 settlement agreement. It shouldn't be up to the  
24 neighbors to get the business to change the  
25 settlement agreement.

1                   I think a good neighbor who has agreed  
2                   to follow the terms of the settlement agreement  
3                   would then open a dialogue with the ANC and  
4                   renegotiate the settlement agreement, or  
5                   negotiate a new settlement agreement, but we  
6                   weren't able to come to those terms.

7                   MR. JACKSON: Well, a new settlement  
8                   agreement we believed wasn't necessary, because  
9                   there was no problem with the settlement  
10                  agreement that we had in place. So I don't have  
11                  no further questions for the Protestant, Mr.  
12                  Chairman.

13                  CHAIRPERSON ANDERSON: Mr. Malmo?

14                  THE WITNESS: Okay.

15                  CHAIRPERSON ANDERSON: I'm asking you  
16                  a question, sir.

17                  THE WITNESS: Yes.

18                  CHAIRPERSON ANDERSON: Where is it you  
19                  believe that this dumpster can be placed?

20                  THE WITNESS: In my opinion, I don't  
21                  think he even needs a dumpster.

22                  CHAIRPERSON ANDERSON: Well, that's  
23                  not the question I'm asking. Please answer the  
24                  question I asked you, sir. Where -- you've heard  
25                  what's been said, and I'm asking you a question,



1 and the Board needs to make a decision: Where  
2 is it do you believe that this dumpster can be  
3 placed, sir?

4 THE WITNESS: It could be placed in  
5 the basement or in the rear of the building.

6 CHAIRPERSON ANDERSON: The basement,  
7 but I'm asking, based on what I'm told, sir,  
8 there is no access from the basement to the  
9 outside, and there's no rear of the -- well,  
10 okay, let me ask you a question because you are a  
11 neighbor. In your view where is the rear of the  
12 building?

13 THE WITNESS: The rear of the building  
14 is a triangle piece of property where the Park  
15 Market building is one side of that triangle,  
16 there's a condo building, a four-story condo  
17 building to the west of the Park Market, and then  
18 there's a two-story condo building north of the  
19 Park Market.

20 Those properties come together.  
21 There's a triangle piece of property that  
22 according to the maps that were presented in the  
23 investigator's report, there's a triangle piece  
24 of property that belongs to the owner of the Park  
25 Market.

1                   They could place a dumpster in the  
2 back. At some point I would contend -- I haven't  
3 been there, I don't know the configuration of the  
4 building, but I would guess that one point you  
5 were able to access that triangle piece of  
6 property from this building since it's part of  
7 the legal plot.

8                   CHAIRPERSON ANDERSON: I'm sorry. Go  
9 ahead.

10                  THE WITNESS: And you can -- I mean,  
11 you can't see it from the pictures, and had I  
12 known that we were going to be arguing over  
13 whether there's a rear or not, I would have  
14 attached an exhibit to show that there is a  
15 triangle piece of property in the back of the  
16 Park Market.

17                  CHAIRPERSON ANDERSON: Mr. Malmo, you  
18 filed a protest, and one of the reasons why you  
19 filed the protest is that you're saying they're  
20 not complying with the settlement agreement to  
21 place the trash can at the rear of the building

22                               And then you're telling me if you  
23 knew -- if you know that there's going to be an  
24 argument about whether or not the rear of the  
25 building you would have provided us an exhibit.

1                   And I'm asking you is there a rear of  
2 the building to place this trash can, and you're  
3 unable to answer me because you're telling me  
4 you've never been there, you don't even know  
5 what -- you're telling me -- I'm sorry, sir. I'm  
6 not trying to get argumentative with you, but I'm  
7 asking you a question about the location of the  
8 trash can.

9                   I mean, we have -- because the parties  
10 were unable to settle this matter, the Board has  
11 to make a decision. To the best of my knowledge,  
12 none of the Board members live in this  
13 neighborhood and they're not aware of this  
14 neighborhood and so therefore, you have to  
15 tell -- you have to bring this information, you  
16 have to inform the Board what's the information  
17 so we can make the decision.

18                   So I can't have you telling me that if  
19 you knew that we were going to question the rear  
20 of the building you would have presented  
21 evidence, because now the Board is left with the  
22 position that we're supposed to make a decision,  
23 and you're not providing us sufficient  
24 information for us to make a decision, sir.

25                   THE WITNESS: But, sir, I didn't enter

1 into the agreement to agree to put the dumpster  
2 in the rear of the building.

3 I mean, to me it's a clear violation  
4 of the settlement agreement and the letter and  
5 the spirit of the settlement agreement that the  
6 Park Market maintains a dumpster in the front of  
7 the building.

8 CHAIRPERSON ANDERSON: Yeah, but the  
9 question I asked you, sir, is that the rear of  
10 the building, I see from what I am told is that  
11 there is no rear of the building.

12 Maybe whoever drafted the settlement  
13 agreement shouldn't have placed the rear of the  
14 building. I don't know, but I'm being told by  
15 the licensee that there's no rear of the  
16 building. That's what the licensee testified to,  
17 sir.

18 You, however -- your testimony, you're  
19 saying that there is a piece of land that you  
20 believe is at the back of the building that you  
21 have never seen, you don't know who owns it, and  
22 you believe that that is the rear of the  
23 building.

24 That's all I'm asking you, sir, for  
25 you to tell me, because I've never been there,

1 I've never been there, so I need you to tell me,  
2 sir, that there is a rear of the building, this  
3 is the rear of the building, they have access to  
4 the rear, and he has violated the settlement  
5 agreement because he has not placed his trash can  
6 at the rear of the building.

7 And you're saying to me that I don't  
8 even know -- all I know is that there's a  
9 settlement agreement saying that it needs to be  
10 placed at the rear of the building, it's not  
11 placed at the rear of the building but there's no  
12 rear -- the licensee, the applicant is telling me  
13 that the rear of the building is the side, that's  
14 what he said, the side. That's what I'm being  
15 told is that the rear of the building is the  
16 side.

17 Now, because you live in the  
18 neighborhood, sir, if they were to move the trash  
19 can in front of the mural, would that be -- would  
20 you consider that the rear of the building?

21 THE WITNESS: No.

22 CHAIRPERSON ANDERSON: No. All right.

23 Any other questions by any of the  
24 Board members?

25 Go ahead, Ms. Crockett.

1 MEMBER CROCKETT: Good morning, Mr.  
2 Malmo.

3 How long have you lived in this  
4 neighborhood, sir?

5 THE WITNESS: Pardon me?

6 MEMBER CROCKETT: How long have you  
7 lived in this neighborhood?

8 THE WITNESS: Since 2011.

9 MEMBER CROCKETT: And you today are  
10 representing a group of five or more. Is that  
11 correct?

12 THE WITNESS: That's correct.

13 MEMBER CROCKETT: Are any of the other  
14 members of your group of five or more here today  
15 to serve as witnesses?

16 THE WITNESS: No.

17 MEMBER CROCKETT: You are the only  
18 representative of the group today that's  
19 testifying?

20 THE WITNESS: Correct.

21 MEMBER CROCKETT: Okay. Thank you.

22 CHAIRPERSON ANDERSON: All right. Any  
23 other questions from any of the Board members?

24 MEMBER GRANDIS: Mr. Chairman?

25 CHAIRPERSON ANDERSON: Yes, Mr.

1 Grandis.

2 MEMBER GRANDIS: Thank you.

3 Mr. Malmo, I want to thank you for  
4 coming here today to share your concerns. So  
5 you've lived, I guess, near this particular  
6 licensee since 2011. Is that correct? Did I  
7 hear that correctly?

8 THE WITNESS: Yes, that's correct.

9 MEMBER GRANDIS: And I think the  
10 record shows that the current bond -- I'm  
11 sorry -- settlement agreement is from 2013?

12 THE WITNESS: I think it's from 2016.

13 MEMBER GRANDIS: 2016. Thank you for  
14 that correction.

15 Were you aware at the time that there  
16 was a renewal of a license at that time?

17 THE WITNESS: In 2016?

18 MEMBER GRANDIS: That's after 2011.

19 Yes.

20 THE WITNESS: In 2016 it was an  
21 application to be changed from a Class B to a  
22 Class A license. When I moved into the  
23 neighborhood, it was a small neighborhood market  
24 with a Class B retailer's license.

25 MEMBER GRANDIS: And did you

1 participate in that application process?

2 THE WITNESS: No, I did not.

3 MEMBER GRANDIS: And the ANC is the  
4 signatory of the agreement from 2016?

5 THE WITNESS: That's correct.

6 MEMBER GRANDIS: And you stated for  
7 the record that you went to an ANC meeting to  
8 speak to the ANC about this particular licensee?

9 Yes, yes. When we say we go, we are  
10 virtual, yes. So yes. You did bring up this  
11 licensee at an ANC meeting regarding its renewal?

12 THE WITNESS: Yes, I did.

13 MEMBER GRANDIS: And just to make sure  
14 I understand, how did the ANC respond to your  
15 request?

16 THE WITNESS: I wasn't able to stay  
17 for the whole meeting; I was only able to bring  
18 the issue up during my two minutes prior to the  
19 meeting starting. It was on the agenda for  
20 later, so I can't really speak to the discussion  
21 that went on, I wasn't there for that part of it.  
22 I just know that they did not take any action to  
23 protest the renewal of the Class A license.

24 MEMBER GRANDIS: Once again, this is  
25 the ANC that is the signatory of this current



1 settlement agreement. Correct?

2 THE WITNESS: That's right.

3 MEMBER GRANDIS: From your knowledge,  
4 do you know when the new construction occurred  
5 regarding -- as I understood in the record  
6 correctly that there was new construction on each  
7 side of this establishment?

8 THE WITNESS: So based on my  
9 recollection, I really don't believe during 2016  
10 on that there was any, quote-unquote, new  
11 construction. The only construction I was aware  
12 of is the building directly to the north of the  
13 Park Market was gutted and converted to condos,  
14 but the walls -- the outside walls never moved.

15 MEMBER GRANDIS: Which -- if I  
16 understand correctly looking at photographs, it's  
17 contiguous to the market.

18 THE WITNESS: Yeah. So if you went  
19 back and looked at the investigator's Exhibit 23,  
20 that gives you a good front look at the corner  
21 and the buildings that are abutting the market.

22 MEMBER GRANDIS: And just so I can  
23 have some clarification, you seem to stress a big  
24 concern about where this dumpster is placed, and  
25 we can understand those kind of concerns, but in

1 relation to where it is placed, either under the  
2 mural or on the other wall, how close do you live  
3 to either of those locations?

4 THE WITNESS: So Park Market is  
5 located at the corner of Park Road and 13th  
6 Street. If you were go west, the next block is  
7 Holmead Place. My home is right there on the  
8 corner of Park Road and Holmead.

9 MEMBER GRANDIS: So just so I can have  
10 better clarification of your concern, why is this  
11 dumpster a concern to you?

12 THE WITNESS: I think as a matter of  
13 principle. If the ANC is going to negotiate into  
14 settlement agreements and the District of  
15 Columbia, through the Alcohol Beverage Control  
16 Board, is going to enforce and is charged with  
17 enforcing terms of the settlement agreement, if  
18 the Board chooses not to -- I mean, I just don't  
19 understand how you could renew a license when the  
20 licensee is in violation of the settlement  
21 agreement.

22 MEMBER GRANDIS: And you're suggesting  
23 that the Board should deny renewal based solely  
24 on the location of the dumpster?

25 THE WITNESS: Based on the violation

1 of the settlement agreement. I think it's been  
2 established that the licensee is not complying  
3 with the settlement agreement. I don't know  
4 what -- I mean, the Board could probably do a  
5 couple of things, even a show-cause letter I  
6 think might be appropriate.

7 MEMBER GRANDIS: Isn't the record  
8 clear that based on your own presentation and the  
9 presentation by the inspector that there is no  
10 accessible rear to this building?

11 THE WITNESS: When the licensee  
12 applied to change the license from a Class B to a  
13 Class A, to remove the protest, entered into a  
14 settlement agreement. I mean, if they couldn't  
15 meet the terms of the settlement agreement to get  
16 the Class A license, why would they sign the  
17 settlement agreement?

18 MEMBER GRANDIS: I appreciate your  
19 perspective, sir, but also I think the record has  
20 been made clear that the ANC that signed the  
21 settlement agreement has not protested that this  
22 establishment, this licensee, is in violation of  
23 its settlement agreement.

24 So I can accept your concerns, but I  
25 don't know if I can accept the concern that the

1 ANC has not brought a protest and that therefore  
2 they're concerned.

3 My last question is have you  
4 approached DPW which actually handles waste  
5 management? ABRA does not handle waste  
6 management. Have you approached DPW regarding  
7 this situation?

8 THE WITNESS: No.

9 MEMBER GRANDIS: Thank you.

10 Thank you, Mr. Chairman.

11 CHAIRPERSON ANDERSON: Thank you, Mr.  
12 Grandis.

13 Any other questions by any other Board  
14 members?

15 (No response.)

16 CHAIRPERSON ANDERSON: Let me see if  
17 I have another question.

18 Mr. Jackson, any follow-up questions  
19 based on the questions that were asked by the  
20 Board?

21 MR. JACKSON: No, sir.

22 (Whereupon, the witness was excused.)

23 CHAIRPERSON ANDERSON: Mr. Malmo, do  
24 you rest, and do you have any other witnesses you  
25 wish to bring forth?

1 MR. MALMO: No other witnesses.

2 CHAIRPERSON ANDERSON: All right.

3 Each side will then have five minutes to do a  
4 closing statement, and this is what I need from  
5 both sides:

6 I need you to specifically inform the  
7 Board what is it that you want us to do. So in  
8 the sense that I need the licensee to  
9 specifically tell the Board what it's requesting  
10 of us, and I need the Protestant to specifically  
11 tell the Board what it is asking the Board to do,  
12 because remember, we have to make a decision and  
13 the decision will be made on the renewal  
14 application solely based on the presentation that  
15 was made here today.

16 Go ahead, Mr. Jackson. You have five  
17 minutes.

18 CLOSING STATEMENT - APPLICANT

19 MR. JACKSON: Yes. Thank you.

20 My closing arguments, I would like to  
21 recommend that the Board allow Park Market to  
22 renew their Class A license. Based upon the  
23 testimony and the exhibits and the evidence that  
24 was presented, there's no clear reason why the  
25 Applicant should not be allowed to renew his

1 license.

2 The trash dumpster can be either  
3 placed back on the side of the establishment or  
4 on the front of the establishment, so the  
5 Applicant is more than willing to move that trash  
6 dumpster.

7 And that's my closing arguments. I  
8 just wish that it never came upon us that we had  
9 to take all this time based upon a trash  
10 dumpster, but in closing, I think that we're  
11 willing to move the trash dumpster wherever the  
12 Board decides or whatever we can do just to be a  
13 good neighbor.

14 And that's the original reason why the  
15 trash dumpster was moved in the first place,  
16 because he was trying to be a good neighbor.

17 Thank you.

18 CHAIRPERSON ANDERSON: So you're  
19 asking the Board to amend the settlement  
20 agreement because the settlement agreement says  
21 that the trash dumpster needs to be placed at the  
22 back of the building and you're saying that there  
23 is no rear of the building to place the trash  
24 dumpster, sir?

25 MR. JACKSON: Yes, correct, to the

1 side of the building. So the language could be  
2 changed from "the back" to "the side."

3 CHAIRPERSON ANDERSON: Because you're  
4 saying that there is no rear of the building to  
5 place the dumpster?

6 MR. JACKSON: Yes, sir.

7 CHAIRPERSON ANDERSON: Mr. Malmo.

8 CLOSING STATEMENT - PROTESTANT

9 MR. MALMO: Yeah, thanks.

10 But yeah, it's just a dumpster but  
11 really the residents of the district and  
12 businesses that are operating under the authority  
13 of the Alcohol Beverage Regulation  
14 Administration, the ABRA, we place a lot of faith  
15 in settlement agreements, and I think if we  
16 didn't they wouldn't have been codified in the  
17 regulations, they wouldn't have been charged --  
18 ordered and been charged with enforcing those,  
19 and violations of the settlement agreements  
20 wouldn't be enforced through the issuance of -- I  
21 know it's like a Class 2 violation, but be that  
22 as it may, I think if you're going to look to the  
23 integrity of settlement agreements, they  
24 shouldn't be entered into lightly, all parties  
25 should go into them with eyes open, do their due

1 diligence, and not make agreements in the  
2 settlement agreements that they know they can't  
3 handle.

4 And so you may look at this as, okay,  
5 it's just a trash bin. I know that other  
6 businesses, apartments on the block keep their  
7 trash in the back, they walk it through the  
8 building for collection twice a week; there's  
9 many options.

10 But at the very least I think if the  
11 Board is going to take seriously settlement  
12 agreements that are negotiated, I believe, by the  
13 ANCs or any other entities in good faith, they  
14 should be followed.

15 I don't believe that until we filed  
16 this protest that the Applicant was willing to  
17 follow the terms of the settlement agreement.  
18 The building had been tagged, been tagged for  
19 over 48 hours, the tree box wasn't maintained,  
20 there was trash around the dumpster, there was  
21 trash in the tree box, and it was only until the  
22 neighbors and I filed the protest that we were  
23 even able to get anyone to look into the  
24 situation.

25 And at the very least -- and I do



1 commend Mr. Kahassai that he did start taking  
2 seriously his obligations under the settlement  
3 agreement and removed the tagging, cleaned up the  
4 area around the building. And I will concede  
5 that it does look a lot better than it did prior  
6 to when we filed the protest.

7 I would only ask the Board to take  
8 seriously the settlement agreement that you have  
9 put in place and your obligation to enforce the  
10 settlement agreements when you see there's a  
11 violation of a settlement agreement, or at the  
12 very least ask the -- don't make a decision  
13 today, hold this decision in abeyance and let's  
14 let the Applicant, as the regulations allow,  
15 reopen the settlement agreement, renegotiate the  
16 settlement agreement so that the terms of the  
17 settlement agreement are clear and they could be  
18 met by the Applicant.

19 That's what I would ask.

20 CHAIRPERSON ANDERSON: Thank you, Mr.  
21 Malmo.

22 CHAIRPERSON ANDERSON: Does the  
23 Board -- do the parties wish to file proposed  
24 findings of fact and conclusions of law, meaning  
25 that, Mr. Malmo, do you want to wait until the

1 transcript is available for you to read the  
2 transcript so you can make some legal arguments  
3 to say this is what was proven in the hearing, or  
4 do you want -- both parties -- or do you just  
5 want the Board to make its decision based on the  
6 presentation that was made today?

7 MR. MALMO: I don't think I need to  
8 see the transcript to know that it's been proven  
9 that the Applicant is in violation of the  
10 settlement agreement.

11 CHAIRPERSON ANDERSON: That's fine.

12 So the Board will issue -- thank you.

13 And, Mr. Jackson, the Protestant  
14 didn't exercise. My assumption is that you're in  
15 agreement to move forward with closing?

16 MR. JACKSON: Yes, sir.

17 CHAIRPERSON ANDERSON: The Board will  
18 issue a decision within 90 days, so let me close  
19 the record.

20 As Chairperson of the Alcoholic  
21 Beverage Control Board of the District of  
22 Columbia, and in accordance with DC Official Code  
23 Section 2574(b) of the Open Meetings Act, I move  
24 that the ABC Board hold a closed meeting for the  
25 purpose of seeking legal advice from our counsel

1 on Case #21-PRO-00064 Park Market, pursuant to DC  
2 Official Code Section 2574(b)(4) of the Open  
3 Meetings Act, and deliberate upon Case #21-PRO-  
4 00064 Park Market for the reasons cited in DC  
5 Official Code Section 2574(b)(13) of the Open  
6 Meetings Act.

7 Is there a second?

8 MEMBER CROCKETT: Ms. Crockett  
9 seconds.

10 CHAIRPERSON ANDERSON: Ms. Crockett  
11 has seconded the motion. I will now take a roll  
12 call vote on the motion that has been properly  
13 seconded by Ms. Crockett.

14 Mr. Cato?

15 MEMBER CATO: Bobby Cato, I agree.

16 CHAIRPERSON ANDERSON: Ms. Crockett?

17 MEMBER CROCKETT: Rafi Crockett, I  
18 agree.

19 CHAIRPERSON ANDERSON: Ms. Hansen?

20 MEMBER HANSEN: Jeni Hansen, I agree.

21 CHAIRPERSON ANDERSON: Mr. Grandis?

22 MEMBER GRANDIS: Edward Grandis, I  
23 agree.

24 CHAIRPERSON ANDERSON: And Mr.  
25 Anderson, I agree. The matter passed five-zero.

1           As it appears the motion has passed,  
2 I hereby give notice that the ABC Board will -- I  
3 apologize -- as it appears that the motion has  
4 passed, I hereby give notice that the ABC Board  
5 will recess this proceeding to hold a closed  
6 meeting in the ABC Board conference room pursuant  
7 to Section 2574(b) of the Open Meetings Act.

8           Thank you very much. This matter is  
9 adjourned.

10           (Whereupon, the above-entitled matter  
11 went off the record at 12:16 p.m.)

12           CHAIRPERSON ANDERSON: We are now at  
13 the end of our agenda for the day, and so I'm  
14 going to close the meeting.

15           As Chairperson of the Alcoholic  
16 Beverage Control Board for the District of  
17 Columbia, and in accordance with Title 3, Chapter  
18 405 Office of Open Government, I move the ABC  
19 Board hold a closed meeting on October 27, 2021  
20 for the purpose of discussing and hearing reports  
21 concerning ongoing or planned investigations of  
22 alleged criminal or civil misconduct or  
23 violations of law or regulations and seek legal  
24 advice from our legal counsel on the Board's  
25 investigative agenda, legal agenda, licensing

1 agenda for October 27, 2021, as published in the  
2 DC Register on October 22, 2021.

3 Is there a second?

4 MEMBER CROCKETT: Second.

5 MEMBER GRANDIS: Second.

6 CHAIRPERSON ANDERSON: Ms. Crockett  
7 and Mr. Grandis have seconded the motion. I will  
8 now take a roll call vote on the motion before us  
9 now that it has been properly seconded.

10 Mr. Cato?

11 MEMBER CATO: Bobby Cato, I agree.

12 CHAIRPERSON ANDERSON: Ms. Crockett?

13 MEMBER CROCKETT: Rafi Crockett, I  
14 agree.

15 CHAIRPERSON ANDERSON: Ms. Hansen?

16 MEMBER HANSEN: Jeni Hansen, I agree.

17 CHAIRPERSON ANDERSON: Mr. Grandis?

18 MEMBER GRANDIS: Edward Grandis, I  
19 agree.

20 CHAIRPERSON ANDERSON: Mr. Anderson,  
21 I agree.

22 As it appears that the motion has  
23 passed, I hereby give notice that the ABC Board  
24 will hold this aforementioned closed meeting  
25 pursuant to the Open Meetings Act. Notice will

1 also be posted on the ABC Board hearings board,  
2 placed on the electronic calendar and ABRA's  
3 website, and published in the DC Register in as  
4 timely manner as practical.

5 I'd like to thank the members of the  
6 public who participated in this hearing today,  
7 and I would also like to thank the members of the  
8 Board who participated actively in this hearing  
9 today.

10 We are now adjourned for the day, and  
11 I now ask all Board members to return to  
12 executive session for further development. Thank  
13 you very much, and have a great day.

14 (Whereupon, at 12:19 p.m., the meeting  
15 was adjourned.)  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**A**

**a.m** 4:2 15:18,18  
**abandoned** 70:24  
**abate** 41:17 78:21  
**abating** 79:1  
**ABC** 3:2 5:2 13:21  
 19:23 20:6 30:7 35:4  
 98:24 100:2,4,6,18  
 101:23 102:1  
**ABCB** 73:6  
**abeyance** 97:13  
**ability** 6:6 8:3 12:6  
 14:11,17,22 23:9  
 35:17  
**able** 16:18 20:12 23:23  
 33:13 35:9 37:1 43:18  
 80:6 82:5 88:16,17  
 96:23  
**above-entitled** 100:10  
**above-referred** 26:6  
 27:19 28:13 29:5,22  
 31:2 32:15  
**ABRA** 1:21,22 16:13  
 20:12,21 24:1 25:13  
 25:15 35:23 92:5  
 95:14  
**ABRA's** 4:17 102:2  
**abutting** 18:17 19:1,2  
 46:19 48:18 89:21  
**accept** 91:24,25  
**access** 43:18,20,21,25  
 44:3,8,15,21,24 45:1  
 45:2,20 50:9 59:15,16  
 59:18 65:23 67:15  
 70:23 73:23 74:5 81:8  
 82:5 85:3  
**accessible** 91:10  
**account** 4:21  
**Act** 4:7 98:23 99:3,6  
 100:7 101:25  
**action** 52:4 77:7,8  
 88:22  
**actively** 102:8  
**add** 21:4 42:3  
**additional** 6:25  
**address** 4:23 60:22  
 61:13,17,17  
**adjoin** 19:10  
**adjourned** 100:9  
 102:10,15  
**Administration** 9:13  
 13:13 95:14  
**advance** 4:16  
**advice** 98:25 100:24  
**advised** 19:8  
**affirm** 13:2 39:12 72:21  
**aforementioned** 101:24  
**Agency** 13:15,19 20:9

20:10  
**agenda** 4:19 88:19  
 100:13,25,25 101:1  
**ago** 47:4 50:20 57:13  
 58:13 62:16  
**agree** 45:18 84:1 99:15  
 99:18,20,23,25  
 101:11,14,16,19,21  
**agreed** 48:6 60:7,7,11  
 76:20 80:1  
**agreement** 6:22 7:4  
 16:25 17:3,10,12 18:5  
 18:6,10,13 19:17  
 21:16 22:4,7,22 25:14  
 35:10,19 36:4,6,10  
 37:22 38:1,2,3,6  
 45:18 47:19 48:1,3,5  
 48:7,13,20 54:13,13  
 54:17 60:3,5 63:11  
 73:3,5,11,12,13 74:3  
 74:9 75:15,22,24 76:2  
 76:20 77:6 78:15,18  
 79:21,23,25 80:2,4,5  
 80:8,10 82:20 84:1,4  
 84:5,13 85:5,9 87:11  
 88:4 89:1 90:17,21  
 91:1,3,14,15,17,21,23  
 94:20,20 96:17 97:3,8  
 97:11,15,16,17 98:10  
 98:15  
**agreements** 76:24 77:3  
 90:14 95:15,19,23  
 96:1,2,12 97:10  
**agrees** 18:21 22:18  
**ahead** 49:20 78:10 82:9  
 85:25 93:16  
**alcohol** 33:25 40:10  
 90:15 95:13  
**Alcoholic** 1:2,13 4:4,8  
 9:12 13:13 98:20  
 100:15  
**ALIYA** 1:18  
**alleged** 17:11 100:22  
**Allen** 29:11  
**alley** 18:17 48:18  
**allow** 37:11 93:21 97:14  
**allowed** 12:1 34:19  
 93:25  
**amend** 94:19  
**ANC** 1:7 60:7,7 73:11  
 73:12 75:11,15,17,18  
 75:19 76:7 77:5,18  
 78:12,13 80:3 88:3,7  
 88:8,11,14,25 90:13  
 91:20 92:1  
**ANC-1A** 47:14 73:4  
 75:22  
**ANCs** 76:21 96:13

**Andrews** 1:21 7:7,9  
 14:16,18,19,24  
**Andrews2@dc.gov**  
 6:17  
**answer** 6:16 53:3,3  
 61:1 80:23 83:3  
**answering** 49:16,17  
 77:15  
**anybody** 61:15  
**Anyway** 78:11  
**apartments** 96:6  
**apologize** 34:20,24  
 35:9 67:13 69:25  
 100:3  
**appear** 40:11  
**appeared** 10:10 16:7,8  
**appears** 16:11 100:1,3  
 101:22  
**applicant** 1:22 2:2 3:24  
 8:15,18 10:15,16 12:9  
 18:15,20 19:3 22:18  
 23:2 35:1,14 37:11  
 85:12 93:18,25 94:5  
 96:16 97:14,18 98:9  
**applicants** 76:23  
**application** 1:9 16:24  
 52:21 53:1 87:21 88:1  
 93:14  
**applications** 76:23  
**applied** 47:8 52:16  
 91:12  
**Applicant** 1:24  
**apply** 47:15 52:17,21  
 52:22  
**appreciate** 91:18  
**approach** 78:12 79:22  
**approached** 40:24 92:4  
 92:6  
**appropriate** 91:6  
**approval** 6:23  
**approved** 7:3  
**approximately** 35:22  
**area** 18:23 21:1 25:18  
 26:18,23 27:12 30:5  
 30:17 31:25 32:1,10  
 33:15 40:20 60:2 75:4  
 97:4  
**areas** 30:14  
**arguing** 82:12  
**argument** 82:24  
**argumentative** 83:6  
**arguments** 93:20 94:7  
 98:2  
**asked** 10:12 24:16  
 28:10 29:1 36:16  
 38:17 46:6 47:5 56:21  
 56:23,24 58:1,4,8,13  
 58:22 61:3,6 62:2,3,9

64:24 67:5,7,10 69:5  
 69:8,24 70:1,7,11  
 71:24 75:19,25 80:24  
 84:9 92:19  
**asking** 11:2 19:17 23:7  
 25:22 35:14,20 38:23  
 38:23 53:16 54:12  
 56:13 57:4,6 59:15  
 60:16,25,25 61:1,15  
 76:4 79:5 80:15,23,25  
 81:7 83:1,7 84:24  
 93:11 94:19  
**assistance** 6:15  
**associated** 24:6  
**assume** 28:11  
**assumption** 34:1 98:14  
**attached** 21:9 25:2,4  
 28:20 46:20 73:2,5,13  
 82:14  
**attention** 9:19 41:14  
 78:21  
**authority** 95:12  
**available** 4:11 98:1  
**aware** 41:20 45:10 48:2  
 83:13 87:15 89:11

**B**

**B** 11:15 47:9,16 52:17  
 87:21,24 91:12  
**back** 21:18,23 22:3  
 43:18,23,25 44:12  
 45:10,12,19,20,24  
 46:7 50:6,9 52:17  
 54:2,3,6,7,10,15,16  
 54:18 60:3,9 63:5,17  
 63:19 64:6,9,14,20  
 65:3 66:2 68:16 71:5  
 71:24 72:2 74:1 82:2  
 82:15 84:20 89:19  
 94:3,22 95:2 96:7  
**banner** 51:2 64:3  
**Bar** 20:3  
**based** 16:16 23:7,11  
 65:17 67:5,7,10 69:5  
 70:7,11 76:1 81:7  
 89:8 90:23,25 91:8  
 92:19 93:14,22 94:9  
 98:5  
**basement** 32:1 43:23  
 44:1,4,9,11,12,16,21  
 44:24 45:2 68:2,16  
 69:19,20 70:3 71:1  
 81:5,6,8  
**basically** 16:1  
**bathroom** 31:25  
**Beasley** 29:12  
**beautiful** 62:13,20  
**beer** 16:2

**beginning** 35:10  
**begins** 11:15  
**believe** 27:4 28:7 33:4  
 37:10 51:4 61:7 80:19  
 81:2 84:20,22 89:9  
 96:12,15  
**believed** 80:8  
**belongs** 81:24  
**benefit** 76:24  
**best** 83:11  
**better** 42:10 90:10 97:5  
**Beverage** 1:2,13 4:4,8  
 9:12 13:13 90:15  
 95:13 98:21 100:16  
**big** 67:24 89:23  
**bin** 96:5  
**BJH** 7:1  
**black** 27:7  
**block** 19:24,24 20:7  
 90:6 96:6  
**blocking** 62:20  
**board** 1:2,13 4:5,9 5:1,2  
 5:19 6:22 7:3 9:13,19  
 10:19,20,21,22,24  
 12:6,24 14:12 33:1  
 35:4,7 37:8 52:18  
 65:11 66:6 67:1 72:14  
 81:1 83:10,12,16,21  
 85:24 86:23 90:16,18  
 90:23 91:4 92:13,20  
 93:7,9,11,11,21 94:12  
 94:19 96:11 97:7,23  
 98:5,12,17,21,24  
 100:2,4,6,16,19  
 101:23 102:1,1,8,11  
**Board's** 6:22 11:17  
 100:24  
**Bobby** 1:17 5:6,7 99:15  
 101:11  
**bodies** 4:14  
**bond** 87:10  
**bottles** 18:18 48:19  
**box** 42:18,19 52:6,7  
 76:10,16,18 96:19,21  
**boxes** 17:6,22 18:16  
 48:18 53:15  
**bring** 9:19 59:6 66:2  
 75:16 76:6 83:15  
 88:10,17 92:25  
**brought** 17:19 31:22  
 41:14 76:8 77:12  
 78:20 92:1  
**Brown** 2:24 29:20  
**buildings** 73:21 89:21  
**burden** 38:16,17  
**business** 5:20 6:18  
 33:14 37:12,21 42:6  
 48:8,11 55:18 70:22

77:5,20 78:16 79:20  
 79:24  
**businesses** 77:1 95:12  
 96:6

---

**C**


---

**calendar** 4:18 5:23 6:1  
 6:24,25 7:5 102:2  
**call** 5:5 10:19,20 11:9  
 12:1,2,24 38:10,22  
 39:3,8 46:25 47:24  
 51:25 52:10 71:21  
 99:12 101:8  
**call-in** 4:19  
**called** 6:2 51:10  
**calling** 38:18  
**calls** 3:20 24:13 25:18  
 32:11  
**camera** 6:4,8 7:23 8:6,8  
**cameras** 6:11  
**canceled** 6:21 7:3  
**candies** 31:14  
**care** 48:8 50:17 51:25  
 52:11 56:13  
**case** 1:8 6:2,7,9,12,19  
 6:24,25,25 7:5,8 11:7  
 11:7,11,16,19,25 12:1  
 12:10,11,12 14:7,8  
 15:7,8 16:5 34:8,24  
 38:16,20 39:1,2 72:4  
 99:1,3  
**cases** 6:1  
**Cato** 1:17 5:6,7,7 99:14  
 99:15,15 101:10,11  
 101:11  
**centers** 30:10  
**central** 4:17  
**certain** 21:6 31:19  
 36:16 48:6  
**cetera** 3:3 48:19  
**chairman** 5:1 7:18 8:6  
 34:5 43:6 66:8 67:6  
 71:11 79:11 80:12  
 86:24 92:10  
**chance** 45:15  
**change** 47:8,15 52:16  
 79:24 91:12  
**changed** 42:7 87:21  
 95:2  
**Chapter** 100:17  
**charged** 90:16 95:17,18  
**children** 49:24  
**chips** 31:14  
**chooses** 6:11 90:18  
**cited** 99:4  
**city** 43:1 49:2,23 56:6  
**civil** 100:22  
**clarification** 23:17 36:4

89:23 90:10  
**clarify** 71:4  
**Class** 15:25 33:15 47:9  
 47:10,16,16 52:17,17  
 52:19,23 87:21,22,24  
 88:23 91:12,13,16  
 93:22 95:21  
**clean** 18:17,24 42:9  
 48:18,24 49:7 52:6  
**cleaned** 97:3  
**clear** 5:24 34:2 40:21  
 42:23 70:17 84:3 91:8  
 91:20 93:24 97:17  
**clearly** 18:3 61:1 76:12  
 78:6  
**client** 35:21 36:17  
**close** 12:10,11 32:23  
 90:2 98:18 100:14  
**closed** 44:19,20 45:15  
 98:24 100:5,19  
 101:24  
**closest** 20:1  
**closing** 3:23 37:3 93:4  
 93:18,20 94:7,10 95:8  
 98:15  
**clothes** 46:11  
**Code** 4:6 18:19 98:22  
 99:2,5  
**codified** 95:16  
**collected** 42:16  
**collection** 96:8  
**Columbia** 1:1 4:5,22  
 13:22 90:15 98:22  
 100:17  
**Columbia's** 4:12  
**come** 14:6 24:4,11  
 40:15 41:4 43:23  
 44:12 63:3,15,20  
 68:16 71:3 80:6 81:20  
**comes** 73:22  
**coming** 41:8 87:4  
**commend** 97:1  
**comments** 32:19  
**Commercial** 47:9  
**commissioner** 35:3  
 77:9,19  
**communicate** 74:25  
**communication** 25:20  
**community** 37:23 41:12  
 75:4 76:25  
**complain** 40:9 47:17  
 50:20 51:7 64:15,22  
**complained** 47:13  
**complaining** 41:9 42:24  
 51:21 63:21,24,25  
 64:1,1  
**complaint** 40:16 50:23  
 51:8 64:5

**complaints** 4:23 21:10  
 23:25 24:6 40:15  
**complete** 33:5  
**compliance** 18:18  
 40:17  
**complicated** 54:20  
**complying** 82:20 91:2  
**concede** 97:4  
**concept** 31:10  
**concern** 89:24 90:10,11  
 91:25  
**concerned** 36:3 92:2  
**concerning** 42:3 75:5,5  
 100:21  
**concerns** 17:8 20:23  
 35:13 75:17 76:7,8,9  
 78:22,23 87:4 89:25  
 91:24  
**concluded** 6:12 10:24  
**conclusion** 6:9  
**conclusions** 97:24  
**condo** 81:16,16,18  
**condos** 89:13  
**conduct** 5:20,24 13:20  
 37:12 38:24  
**conducted** 4:10 14:4  
**conference** 11:9 100:6  
**confidential** 37:2  
**configuration** 82:3  
**confuse** 61:20  
**confused** 22:1,2,2 47:2  
**connection** 52:9  
**consider** 85:20  
**considered** 23:20 36:7  
 60:2,9 76:5  
**consistent** 77:1  
**constitutes** 5:21  
**construction** 19:10  
 21:8 89:4,6,11,11  
**consumption** 15:20  
**container** 44:23 46:10  
 46:12,22 47:4 48:14  
 49:9,22 65:2 68:9  
 70:23  
**containers** 46:10  
**contend** 79:1 82:2  
**contention** 38:4 77:4  
**CONTENTS** 2:1  
**contiguous** 89:17  
**continue** 37:11 49:19  
**contradicted** 69:7  
**Control** 1:2,13 4:4,9  
 90:15 98:21 100:16  
**conversation** 16:17  
 24:17  
**conversations** 23:8,12  
**converted** 89:13  
**coolers** 31:15



**copy** 14:11 15:7  
**corner** 26:17 58:20  
 73:22 89:20 90:5,8  
**correct** 56:10,16 57:20  
 57:21 58:5,14 62:21  
 68:21 79:11,13 86:11  
 86:12,20 87:6,8 88:5  
 89:1 94:25  
**corrected** 28:6  
**correction** 87:14  
**correctly** 87:7 89:6,16  
**counsel** 98:25 100:24  
**counter** 31:18,18,20,23  
 32:8  
**couple** 24:4 46:10 91:5  
**course** 44:22  
**COVID** 24:9  
**criminal** 100:22  
**Crockett** 1:18 5:9,10,10  
 85:25 86:1,6,9,13,17  
 86:21 99:8,8,10,13,16  
 99:17,17 101:4,6,12  
 101:13,13  
**CROSS** 2:4  
**cross-** 11:12,16  
**cross-examination**  
 11:14 43:10 69:16  
 74:19  
**cross-examine** 11:22  
 12:4,6 72:14,15  
**cross-examined** 11:23  
 12:5  
**CT** 1:7  
**curb** 18:16 48:17,18  
**current** 20:7 87:10  
 88:25  
**currently** 13:11  
**cut** 49:5 51:11 52:1,11

---

**D**


---

**daily** 15:18  
**date** 4:19 51:6  
**dated** 2:9  
**day** 9:13 12:12 17:18  
 34:12,14 43:2 49:6,7  
 51:9,17 52:3,4 73:20  
 100:13 102:10,13  
**daycares** 30:11  
**days** 42:15,17 51:15  
 98:18  
**DC** 1:21,22 4:6 18:18  
 51:1,24 52:5,18 64:3  
 98:22 99:1,4 101:2  
 102:3  
**dealing** 18:14  
**deals** 73:14  
**debris** 18:18  
**December** 40:7

**decided** 36:11  
**decides** 94:12  
**decision** 35:18 65:7,8  
 65:14 81:1 83:11,17  
 83:22,24 93:12,13  
 97:12,13 98:5,18  
**define** 76:5  
**definition** 73:17 75:16  
**degree** 16:12  
**deliberate** 99:3  
**deny** 90:23  
**depart** 67:15  
**describe** 31:6,6  
**DESCRIPTION** 2:8  
**designated** 16:14  
**desire** 10:23  
**determination** 65:12  
**determine** 17:18  
**determined** 7:2  
**development** 102:12  
**dialogue** 74:25 79:5,16  
 80:3  
**different** 20:18 42:9  
 48:12 49:18 56:5  
 73:16  
**difficulties** 10:11  
**diligence** 96:1  
**direct** 2:4 11:12 13:5  
 39:24 72:25  
**directing** 43:14  
**directly** 21:11 31:17  
 46:19 89:12  
**disabled** 6:9,13  
**disappeared** 10:7  
**disclose** 59:19,19  
**discuss** 36:22 79:13  
**discussed** 60:6  
**discussing** 37:4 100:20  
**discussion** 88:20  
**dismissed** 59:17  
**district** 1:1 4:5,12,22  
 13:22 33:11 77:10,20  
 90:14 95:11 98:21  
 100:16  
**District's** 4:17  
**disturbance** 41:1  
**document** 15:6 27:20  
 28:14 60:16  
**documents** 12:21 26:7  
 29:6,23 31:3 32:16  
 59:18,19,23,24  
**doing** 11:12,14 48:10  
**donation** 46:11 49:10  
 53:14  
**Donovan** 1:14,17 4:25  
 35:3  
**door** 29:4 44:8,10,13,15  
 45:13,13,14,24 49:8

51:20 64:2 67:17,17  
 67:19,22 68:2,3,5,12  
 68:12,13,14,18,21,23  
 68:25 69:18 70:2,20  
**doors** 29:13 67:14,15  
 67:16  
**downstairs** 3:18 32:9  
**DPW** 92:4,6  
**Dr** 2:23 29:18  
**drafted** 15:8 36:11  
 84:12  
**drinks** 31:15  
**drunk** 48:9  
**due** 6:21 19:8 95:25  
**dumpster** 2:20 18:7,11  
 18:21,24,25 19:13,15  
 20:25 21:6,10,14,17  
 21:21,21,22 22:4,7,18  
 23:3,9 24:21 28:2,8  
 28:19,23,25 40:25  
 48:15 53:10,12,17,18  
 54:14,17,24,25 55:6,6  
 55:11,13,16,17,21  
 56:3,9,14,15,19 57:14  
 57:14,19,24 58:4,9,14  
 58:17 59:9 60:1,20  
 61:4,24 74:4 80:19,21  
 81:2 82:1 84:1,6  
 89:24 90:11,24 94:2,6  
 94:10,11,15,21,24  
 95:5,10 96:20

---

**E**


---

**Earl** 1:22 2:5 9:12 12:24  
 13:8  
**earlier** 20:9  
**east** 3:8  
**Edward** 1:18 5:15,17  
 99:22 101:18  
**egress** 67:14  
**eight** 16:9,15 17:16  
 25:13 33:22 57:8,10  
 57:13  
**either** 9:18 12:13 23:1  
 24:12,17 90:1,3 94:2  
**electronic** 4:13,20  
 102:2  
**electronically** 5:3  
**elevate** 6:3 7:7  
**elevated** 7:11,13,15,17  
**email** 2:12,13,14 6:17  
 16:21 25:19,21,23  
**emergency** 4:14  
**employed** 13:11,15  
**enable** 6:4,6  
**encroach** 19:1  
**enforce** 90:16 97:9  
**enforced** 95:20

**enforcement** 78:14  
**enforcing** 90:17 95:18  
**ensure** 40:20 42:22  
**enter** 45:18 47:18 74:2  
 74:24 76:23 79:16  
 83:25  
**entered** 73:3 77:2 79:21  
 91:13 95:24  
**entire** 78:25  
**entities** 96:13  
**entrance** 58:20  
**entrances** 70:18  
**equipment** 6:6  
**established** 91:2  
**establishment** 2:18 9:2  
 14:2,5 15:12,16,23,24  
 17:2,14,17,22,24 18:2  
 18:8,8 19:12,14,16,21  
 20:4,10,11,13,16 21:7  
 23:25 26:16,17,23  
 27:17,24 31:1,11,13  
 33:17,24 36:7,8,9,14  
 37:10 39:9 40:6,10,16  
 40:20 41:1,9,16 42:19  
 47:22 60:9,10 67:16  
 70:19 71:5,8 74:24,24  
 75:2,5 76:1,6 79:18  
 79:18 89:7 91:22 94:3  
 94:4  
**establishments** 3:2  
 13:22 19:20,23 20:6  
 30:7,7  
**et** 3:3 48:19  
**evening** 40:19  
**evidence** 35:23 83:21  
 93:23  
**exact** 25:22  
**exactly** 53:19 59:1  
 60:22  
**examination** 10:24  
 11:12,13,17 13:5  
 39:24 70:13  
**excuse** 19:3  
**excused** 34:15 71:14  
 92:22  
**executive** 102:12  
**exercise** 98:14  
**exhibit** 2:8 25:7,17,19  
 25:23 26:2,4,7 27:16  
 27:20,23 28:14 29:6  
 29:23 30:1,3,6,9,13  
 30:25 31:3 32:11,13  
 32:16 59:9,12,13,25  
 60:14,15 73:2,6,14  
 82:14,25 89:19  
**exhibits** 25:2,4 59:10  
 59:20 76:14 93:23  
**exit** 68:18,20,24

**exits** 70:18  
**explain** 53:10  
**explained** 79:8  
**explanation** 30:4  
**exterior** 17:4,21,23  
**eyes** 95:25

---

**F**


---

**fact** 17:25 78:12 97:24  
**factors** 24:4  
**faith** 37:23 95:14 96:13  
**familiar** 13:24 14:2  
**far** 25:15  
**feature** 6:17  
**fee** 76:17  
**felt** 35:12,14 36:17  
 78:13  
**figure** 65:15  
**file** 40:16 97:23  
**filed** 23:25 35:11 51:13  
 51:16 82:18,19 96:15  
 96:22 97:6  
**filing** 75:19 76:11  
**find** 12:18 20:12 23:16  
 23:23 61:22 63:14  
**findings** 97:24  
**fine** 8:8 24:16 29:8 70:6  
 98:11  
**finish** 49:15,18 77:15  
**first** 6:18 8:23 10:19,21  
 12:24 36:5 39:7 40:1  
 40:3 94:15  
**five** 5:20 10:3 12:9,10  
 34:18 37:15 86:10,14  
 93:3,16  
**five-** 10:17  
**five-minute** 10:14,16  
**five-zero** 99:25  
**flower** 42:19  
**fo** 4:5 9:19  
**folks** 8:2 62:8,8  
**follow** 12:14 66:21 77:2  
 78:17 80:2 96:17  
**follow-up** 67:4 70:10  
 92:18  
**followed** 96:14  
**following** 38:3 76:19  
 77:6  
**Food** 20:5  
**footprint** 19:20  
**Force** 24:7,11  
**forever** 44:19 45:15  
**forth** 92:25  
**forward** 98:15  
**found** 20:13,14,22 24:2  
 63:23  
**four** 11:9 12:2  
**four-story** 81:16

**fourth** 22:13 29:19  
**free** 18:17 40:21 42:23  
 48:19  
**Fritz** 2:23 29:18  
**frivolous** 37:10  
**front** 2:17 15:4 17:4,6  
 18:7 19:14 26:15,17  
 26:20,22 27:16 29:4  
 31:17 40:25 42:18  
 43:23 44:3,8,10,13,15  
 44:25 45:12,13,14  
 46:4,5,7 47:2 49:8  
 50:11,12 51:19 58:5  
 58:19,22,23 62:24  
 63:4,12,16,22 64:2,8  
 64:9,14,16,20,21,25  
 65:19 67:17,18 68:25  
 69:20 70:2 75:9 76:16  
 78:25 84:6 85:19  
 89:20 94:4  
**frontage** 21:1  
**further** 18:23 34:9 43:6  
 69:16 80:11 102:12

---

**G**


---

**G-E-B-R-E** 8:24  
**garbage** 19:2  
**gather** 16:18  
**Gebre** 1:24 2:6 8:19,23  
 39:9 40:3  
**generally** 37:1  
**getting** 21:10 22:9  
**Giant** 20:3,5  
**give** 12:20 14:16,22  
 36:3 49:15 69:3 100:2  
 100:4 101:23  
**gives** 89:20  
**glass** 51:22  
**Glen** 2:22 29:15  
**Google** 30:13  
**government** 4:12,22  
 43:1 51:24 52:5  
 100:18  
**graffiti** 2:16 17:3,23  
 18:1 20:23 26:4,19  
 27:1,5,8,14 41:15,20  
 41:20,23 76:10 79:2  
**Grandis** 1:18 5:16,17  
 5:17 66:8,10,11,14,16  
 66:20 86:24 87:1,2,9  
 87:13,18,25 88:3,6,13  
 88:24 89:3,15,22 90:9  
 90:22 91:7,18 92:9,12  
 99:21,22,22 101:5,7  
 101:17,18,18  
**granted** 33:14,25  
**grass** 51:11,24 52:11  
 64:1

**group** 16:15 25:12  
 86:10,14,18  
**groups** 16:9,9  
**guess** 21:7 22:25 23:15  
 45:17 73:15 76:24  
 79:19 82:4 87:5  
**guidance** 4:11,15  
**gutted** 89:13

---

**H**


---

**hand** 13:2 39:11 72:12  
 72:18  
**handle** 92:5 96:3  
**handles** 92:4  
**Hansen** 1:19 5:13,14,14  
 99:19,20,20 101:15  
 101:16,16  
**happen** 65:13  
**happened** 36:23 68:2  
**hear** 36:22 38:23 44:6  
 87:7  
**heard** 6:7 23:6 73:9  
 78:6 80:24  
**hearing** 1:7 5:23 6:15  
 6:19,20 7:2 8:1,10  
 9:17 63:9 71:22 98:3  
 100:20 102:6,8  
**hearings** 5:25 102:1  
**held** 4:13  
**helping** 52:25  
**high** 76:17  
**hold** 8:21 12:17,19 26:9  
 62:8,8,8 77:17 78:3  
 97:13 98:24 100:5,19  
 101:24  
**holder** 73:16  
**Holmead** 90:7,8  
**home** 90:7  
**Honestly** 51:6  
**hosted** 4:21  
**hour** 11:7,10,19,25  
**hours** 4:16 15:11,16,17  
 15:20 17:17 20:18  
 41:25 42:1 79:2 96:19  
**house** 31:13  
**huge** 24:10

---

**I**


---

**identification** 26:8  
 27:21 28:15 29:7,24  
 31:4 32:17  
**identify** 8:11 33:13  
**immediately** 49:5 51:9  
 52:2,9  
**include** 17:1  
**included** 4:18  
**includes** 25:13  
**including** 18:16 48:17

**independently** 17:10  
**indicate** 16:22  
**indicates** 18:14,20,23  
 22:17  
**indicating** 28:1  
**individuals** 16:9  
**inform** 83:16 93:6  
**information** 4:19 16:7  
 16:18 17:24 24:20  
 63:24 83:15,16,24  
**initially** 31:9 60:20  
**innocently** 62:15  
**inquire** 23:24  
**inside** 3:12,14 30:25  
 31:7 32:5 41:8 43:19  
 45:3,4 74:24 75:1  
**inspections** 13:21  
**inspector** 91:9  
**instructions** 5:24  
**integrity** 95:23  
**interrupt** 37:3  
**intertwined** 16:12  
**interview** 26:1  
**intoxicated** 40:11,12  
**introduce** 5:2 25:4  
**investigate** 17:11  
**investigation** 14:4  
 19:19 33:12  
**investigations** 13:21  
 100:21  
**investigative** 35:24  
 38:14 59:11,12  
 100:25  
**investigator** 1:22 7:10  
 9:11,11 13:4,8,8,12  
 13:16,20,25 14:3,9,13  
 15:2,5,9,13,17,21,25  
 16:6,20 17:13 18:12  
 19:22 20:14,15 21:3  
 21:19,24 22:5,9,17,23  
 23:11,18 24:3,19,24  
 25:6 26:10,13,22 27:3  
 27:11,15,23 28:17  
 29:9 30:1 31:8 32:4  
 32:20,24 33:8,16  
 34:13 35:25 38:13  
 59:25 71:25 72:2  
**investigator's** 59:8  
 81:23 89:19  
**involved** 16:23  
**issuance** 95:20  
**issue** 19:7 24:10 37:20  
 48:11 88:18 98:12,18  
**issued** 52:5 73:6  
**issues** 16:22 17:18  
 20:23 35:12,15 36:2  
 65:10  
**items** 31:14

**J**

**J** 9:9  
**J-E-R-Y** 9:9  
**Jackson** 1:22 7:14,20  
 7:21,23,24 8:13,14,14  
 9:20 10:4,5,8,25 11:2  
 11:5,20 12:3,5,15  
 19:7,7 21:5 28:1,8,25  
 29:11 33:3,4 34:5,8  
 34:20,25 35:2,4 36:19  
 36:20,24 37:6 38:10  
 38:11,15,21 39:4,7,17  
 39:21,25 50:22 52:25  
 59:2,3,11,21,24 60:13  
 60:14 70:10,12,14  
 71:10,15,17,19,23  
 72:14 74:15,16,18,20  
 77:14,16,24 78:5,7,19  
 79:10,14 80:7 92:18  
 92:21 93:16,19 94:25  
 95:6 98:13,16  
**Jackson's** 11:22,23  
**Jeff** 1:22 8:14 35:4  
 50:22 52:25  
**Jeni** 1:19 5:12,14 99:20  
 101:16  
**Jerry** 1:23 2:7 9:8 16:14  
**jockeying** 21:13  
**Jones** 1:22 2:5,12,13  
 2:14 7:10 9:10,11,12  
 9:15 10:20,22,23,25  
 11:1,3,4 12:25 13:1,4  
 13:7,8,9,12,16,20,25  
 14:3,9,13,17,22,25  
 15:2,5,9,13,17,21,25  
 16:6,20 17:13 18:12  
 19:22 20:15 21:3,19  
 21:24 22:5,9,17,23  
 23:11,18 24:3,19,24  
 25:6 26:10,13,22 27:3  
 27:11,15,23 28:17  
 29:9 30:1 31:8 32:4  
 32:19,20,24 33:1,8,16  
 34:10,13 38:13 59:17  
 60:1  
**JR** 1:17

**K**

**K-A-H-A-S-S-A-I** 8:25  
**Kahassai** 1:24 2:6,14  
 7:16 8:19,19,21,23  
 9:4 17:15 25:24 33:21  
 39:9,11,14,21,22 40:4  
 41:7 43:15 48:2 50:8  
 50:10 53:9 60:18  
 67:12 70:15 71:24  
 73:25 97:1  
**keep** 18:15 19:13 48:16

96:6

**kept** 18:24 31:20 42:23  
**knew** 82:23 83:19  
**knowledge** 83:11 89:3  
**known** 82:12

**L**

**Lamonte** 29:20  
**land** 84:19  
**landlord** 50:11 51:23,24  
 52:8  
**language** 60:10 95:1  
**large** 31:11  
**law** 18:5 97:24 100:23  
**lead** 9:11 68:5,6,11  
**leave** 6:10 48:24  
**leaves** 28:5  
**led** 16:10  
**Lee's** 6:19  
**left** 27:9 30:16 31:16  
 61:8 83:21  
**left-hand** 53:21  
**legal** 82:7 98:2,25  
 100:23,24,25  
**let's** 53:6 57:5 97:13  
**letter** 2:10,11,21,22,23  
 2:24 16:13 18:5 25:10  
 25:11,17 29:10,14,17  
 29:19 38:1,2 51:20  
 74:10 84:4 91:5  
**libraries** 30:11  
**license** 1:8,9 6:20 7:2,6  
 16:23 25:8 34:1 37:12  
 38:4 47:9,10,13 48:12  
 50:21 51:8,20 52:16  
 52:19,23 73:16 75:20  
 76:22 77:21 87:16,22  
 87:24 88:23 90:19  
 91:12,16 93:22 94:1  
**licensed** 13:21  
**licensee** 10:3 23:16  
 84:15,16 85:12 87:6  
 88:8,11 90:20 91:2,11  
 91:22 93:8  
**licensees** 76:25  
**licensing** 100:25  
**lies** 79:19  
**lifetime** 67:25  
**lightly** 95:24  
**line** 31:21  
**liquor** 33:15 47:9,10  
 51:2 52:16,19 76:22  
**listen** 56:7,8,8,8,8 57:4  
 57:4,4,5 60:24,25  
 61:1,18,18,19,19,19  
 64:18,19  
**litter** 17:4,6 18:17 40:21  
 42:23 48:19

**little** 31:13 57:8  
**live** 83:12 85:17 90:2  
**lived** 86:3,7 87:5  
**Livingston** 2:11,13  
 16:11 25:12,22  
**LLC** 7:1  
**located** 18:11 22:8  
 77:20 90:5  
**location** 35:21 48:23  
 52:20,23 57:7 61:5  
 62:25 83:7 90:24  
**locations** 48:12 90:3  
**log-in** 4:19  
**logged** 24:6  
**loitering** 20:22 40:10  
**long** 13:14 40:1,5 41:16  
 41:19 42:3 57:6 86:3  
 86:6  
**longer** 49:6 59:17 79:2  
**look** 33:18 62:14 68:1  
 71:1 89:20 95:22 96:4  
 96:23 97:5  
**looked** 89:19  
**looking** 26:12,14,15,16  
 31:6 33:23 89:16  
**looks** 22:23 27:1 42:10  
 50:1  
**lot** 42:7 95:14 97:5  
**lottery** 51:1,1 64:3

**M**

**M-A-L-M-O** 9:9  
**main** 31:16,18,25 32:8  
 70:20  
**maintain** 19:3  
**maintained** 96:19  
**maintains** 84:6  
**Malmo** 1:23 2:7,10,12  
 2:15 7:12,20 8:4,5 9:6  
 9:8,9,23,24 11:3,21  
 11:24 12:16 16:10,14  
 16:17 17:8,25 25:11  
 25:20 26:3,5 27:18  
 33:6,7 34:3,22 37:15  
 37:18 38:8 43:8,9,11  
 49:14 50:7 51:17 53:7  
 63:8,10 66:12,15,22  
 67:3,5,6,9 69:3,6,9,10  
 69:11,15,17,24 70:1,8  
 71:20,21,22 72:3,7,9  
 72:16,23 74:21 78:4  
 78:10 80:13 82:17  
 86:2 87:3 92:23 93:1  
 95:7,9 97:21,25 98:7  
**management** 92:5,6  
**manner** 102:4  
**map** 33:11  
**maps** 81:22  
**marked** 26:7 27:20  
 28:14 29:6,23 31:3  
 32:16,17  
**market** 1:6 2:25 3:12,14  
 3:16 7:6 8:16 13:24  
 15:23 16:24 19:11,24  
 19:25 25:8 28:21  
 29:21 30:2,4,8,12,14  
 30:16,19 31:14 35:6  
 73:4 76:19 81:15,17  
 81:19,25 82:16 84:6  
 87:23 89:13,17,21  
 90:4 93:21 99:1,4  
**matter** 1:5 73:8 83:10  
 90:12 99:25 100:8,10  
**matters** 9:18  
**maximum** 11:10  
**Mayor's** 5:4  
**mean** 38:17 41:22  
 44:14,17 46:11,14  
 48:19 82:10 83:9 84:3  
 90:18 91:4,14  
**meaning** 11:14 97:24  
**means** 16:1  
**mediate** 37:1  
**mediation** 35:11,12  
 36:16,23 37:5 79:7,13  
**meet** 91:15  
**meeting** 1:3 4:8,10,15  
 4:16,18,21 75:12,15  
 75:17,18 88:7,11,17  
 88:19 98:24 100:6,14  
 100:19 101:24 102:14  
**meetings** 4:7,13 98:23  
 99:3,6 100:7 101:25  
**member** 1:17,18,18,19  
 5:7,10,14,17 37:22  
 66:8,11,16,20 77:10  
 77:19 86:1,6,9,13,17  
 86:21,24 87:2,9,13,18  
 87:25 88:3,6,13,24  
 89:3,15,22 90:9,22  
 91:7,18 92:9 99:8,15  
 99:17,20,22 101:4,5  
 101:11,13,16,18  
**members** 5:2,20 10:22  
 33:1 35:3,8 37:8 66:6  
 67:1 75:4 83:12 85:24  
 86:14,23 92:14 102:5  
 102:7,11  
**mention** 75:14  
**mentioned** 20:24 36:18  
 77:12  
**met** 1:14 97:18  
**metal** 67:25  
**mic** 77:17  
**microphone** 6:5  
**microphones** 6:12

**middle** 22:13 31:12  
**minute** 8:1,21 10:18  
 12:18,19,20 64:12  
**minutes** 10:3 12:9,11  
 34:18 37:15 88:18  
 93:3,17  
**misconduct** 100:22  
**moment** 6:3  
**money** 50:16  
**monitor** 20:11  
**monitored** 18:2 20:9,14  
 20:16,18  
**monitoring** 17:16,16  
**month** 14:5  
**morning** 4:3 8:5,9,10  
 9:14,17 10:2 20:20  
 35:2 48:23 74:21,22  
 86:1  
**motion** 99:11,12 100:1  
 100:3 101:7,8,22  
**move** 21:12 28:10  
 40:25 41:6 46:2,6  
 47:5 49:22,25 50:6  
 53:6 56:3,19 57:24  
 58:1,4,8,13,17,22  
 60:19 61:4 62:3,9,14  
 63:5,17 64:9,14,15,19  
 64:22,24 85:18 94:5  
 94:11 98:15,23  
 100:18  
**moved** 29:1 41:3 46:2  
 47:7 49:9,11 50:4,25  
 57:19,20 58:18,23  
 60:18 61:23 62:15,19  
 62:24,24,25 63:7  
 87:22 89:14 94:15  
**moving** 64:8  
**MRKD** 2:8  
**municipal** 18:19  
**mural** 27:2,4,4 46:18,21  
 46:22 47:3,21 49:23  
 49:23 53:14,14 55:20  
 55:22 56:3,4,5,10,13  
 56:14,15,16,19 57:15  
 57:16,20,24 58:5,9,14  
 58:23 61:5,25 62:3,10  
 62:12,19,20 63:5  
 64:10,14,16,21,23,25  
 65:2,20 66:3 85:19  
 90:2  
**mute** 6:8

---

**N**


---

**name** 4:25 5:5 7:1 8:22  
 8:23,24 9:7,8 13:7  
 35:4 40:2,3,4 51:18  
 61:10 62:6 67:13  
**nature** 75:8

**nd** 36:10  
**near** 87:5  
**nearby** 3:2,3 19:20  
**necessarily** 60:17  
**necessary** 80:8  
**need** 5:23 34:20 41:5  
 59:6 63:5,17 64:15,22  
 72:13 85:1 93:4,6,8  
 93:10 98:7  
**needing** 25:24  
**needs** 80:21 81:1 85:9  
 94:21  
**negotiate** 80:5 90:13  
**negotiated** 37:23 96:12  
**neighbor** 29:15 40:24  
 62:5 80:1 81:11 94:13  
 94:16  
**neighborhood** 51:21  
 56:20,25 57:1 58:1,4  
 58:13,22 62:9,20  
 64:24 83:13,14 85:18  
 86:4,7 87:23,23  
**neighbors** 29:10 41:12  
 78:16 79:24 96:22  
**Neuhauser/Beasley**  
 2:21  
**Neusbaum** 29:11  
**never** 34:19 36:8 42:14  
 45:15 47:17 48:11  
 49:3 67:24 68:2,3  
 70:25 75:1 83:4 84:21  
 84:25 85:1 89:14 94:8  
**new** 19:10 80:5,7 89:4,6  
 89:10  
**nice** 62:13  
**night** 20:20  
**noise** 23:24 24:5,7,10  
 48:9  
**normally** 37:2  
**north** 3:4 26:14 46:14  
 46:18 47:1 81:18  
 89:12  
**northbound** 30:15  
**Nos** 26:7 29:6,23 31:3  
 32:16  
**notice** 4:15,18 52:6  
 100:2,4 101:23,25  
**noticed** 17:20  
**number** 18:14 22:14  
 24:5 25:10 29:9  
**NW** 1:7

---

**O**


---

**obligation** 97:9  
**obligations** 97:2  
**observe** 35:25  
**observed** 25:16  
**obtain** 18:21 22:18

**occurred** 37:4 89:4  
**Oct** 3:21  
**October** 1:12 7:4 20:17  
 24:8 32:13 100:19  
 101:1,2  
**Office** 4:12 100:18  
**Official** 98:22 99:2,5  
**oftentimes** 73:20  
**old** 60:1  
**once** 6:2 10:24 11:1,5  
 11:18,22 12:4,8 23:15  
 34:21 41:20 60:18  
 72:13 73:20 88:24  
**ongoing** 100:21  
**OOG** 4:24  
**open** 4:6,12 31:9 44:22  
 45:15 48:24,24 69:18  
 70:2,25 80:3 95:25  
 98:23 99:2,5 100:7,18  
 101:25  
**opened** 44:20  
**opengovoffice@dc.g...**  
 4:24  
**opening** 2:2 10:2,14,16  
 10:18 34:18,19,21,22  
 34:23 35:1 37:3,16,17  
**operate** 33:14 52:19,23  
 55:17 77:1  
**operating** 48:8 74:8  
 95:12  
**operation** 15:11,16,18  
**opinion** 76:18 79:3  
 80:20  
**opportunity** 6:10 11:1,4  
 11:6,21,24 12:3 16:4  
 49:15 69:4  
**opposition** 25:10,21  
**options** 96:9  
**order** 5:4 6:18 35:16  
 36:1 48:22 73:6,7  
**ordered** 95:18  
**original** 60:4 94:14  
**originally** 60:4  
**outside** 31:24 41:24  
 81:9 89:14  
**owner** 9:4 17:15 19:6  
 24:18,23 27:5 38:19  
 38:22 39:8 40:5 66:18  
 67:4 74:25 77:23  
 78:21 79:5,17,21  
 81:24  
**ownership** 40:8,14 42:3  
**owning** 61:11  
**owns** 84:21

---

**P**


---

**P-R-O-C-E-E-D-I-N-G-S**  
 4:1

**p.m** 100:11 102:14  
**page** 2:2 3:23 15:4  
 18:13 33:9  
**paint** 50:10,11  
**painted** 18:3 28:5 49:8  
 50:13,14 51:3,3,10,12  
 52:2  
**paragraph** 22:14  
**Pardon** 86:5  
**Park** 1:6 2:25 3:8,10,12  
 3:14,16 7:6 8:16  
 13:24 15:23 16:24  
 19:11,24,24 20:2,5  
 25:8 28:21 29:21 30:2  
 30:4,8,12,14,15,19,21  
 35:5 73:3 76:19 81:14  
 81:17,19,24 82:16  
 84:6 89:13 90:4,5,8  
 93:21 99:1,4  
**part** 27:5 38:13 82:6  
 88:21  
**participate** 88:1  
**participated** 102:6,8  
**participating** 5:3  
**participation** 4:20  
**particular** 87:5 88:8  
**parties** 6:10 7:8 8:11  
 79:22 83:9 95:24  
 97:23 98:4  
**party** 6:4,11 9:18 12:14  
 36:5 60:4  
**passed** 99:25 100:1,4  
 101:23  
**Pause** 12:22  
**peace** 35:16,25  
**people** 40:11,11 41:4  
 49:24 50:3  
**period** 24:13  
**periods** 17:16,17  
**permit** 47:15,15  
**person** 61:11 62:6  
 66:18  
**personally** 50:14 79:17  
**perspective** 91:19  
**petition** 2:9 25:8  
**Photo** 2:16,17,18,19,20  
 3:4,6,8,10  
**photographs** 89:16  
**photos** 36:12  
**picked** 17:5  
**picture** 26:4 27:16,24  
 27:25,25 28:18,24  
 41:5 49:25 51:19 52:1  
**pictures** 25:14 59:4,7  
 76:11 82:11  
**piece** 81:14,21,23 82:5  
 82:15 84:19  
**place** 21:6 45:19 46:24

48:3 53:17 54:17,23  
 61:5 62:10 74:3 80:10  
 82:1,21 83:2 90:7  
 94:15,23 95:5,14 97:9  
**placed** 17:1 18:21,25  
 19:2 22:19 23:3,10  
 29:1 37:9 48:15 53:11  
 53:19 54:14 56:9,14  
 61:24,24 80:19 81:3,4  
 84:13 85:5,10,11  
 89:24 90:1 94:3,21  
 102:2  
**planned** 100:21  
**plant** 42:19  
**play** 24:11 61:20  
**please** 4:23 5:5 6:16 7:7  
 7:8 8:21,22 9:7 12:19  
 13:1,2 14:14,16,17,20  
 14:21,23 22:4 25:5  
 32:23 36:21 39:11,12  
 40:2 43:8 49:15,18,25  
 72:12,18 80:23  
**plot** 82:7  
**point** 17:20 21:11 23:3  
 35:17 79:20 82:2,4  
**portion** 11:18  
**position** 83:22  
**positions** 21:14  
**possible** 23:2  
**posted** 102:1  
**practical** 102:4  
**pre-hearing** 11:8  
**preliminary** 9:18  
**prepare** 12:21  
**present** 1:16,20 5:7,11  
 5:14,18 11:6,7,10,16  
 11:19,20,25 12:1 34:8  
 38:16,19 39:1 72:5,9  
 79:4  
**presentation** 34:11  
 38:24 71:23 91:8,9  
 93:14 98:6  
**presented** 73:1 81:22  
 83:20 93:24  
**presenting** 34:23  
**presiding** 1:14  
**pretty** 22:20 29:13 31:9  
 32:1,21 33:5 37:19  
 74:8  
**previous** 69:7  
**previously** 20:25  
**principle** 90:13  
**prior** 75:18 76:11 88:18  
 97:5  
**private** 42:20  
**probably** 22:12 91:4  
**problem** 34:25 47:6  
 63:19 64:8,12 80:9

**proceeding** 100:5  
**process** 10:1,13 12:14  
 88:1  
**pronounce** 51:18 67:13  
**properly** 45:23 99:12  
 101:9  
**properties** 19:1,2,9,25  
 30:5 81:20  
**property** 30:18,22,24  
 42:20 43:1 46:19  
 57:13 81:14,21,24  
 82:6,15  
**proposed** 97:23  
**protest** 1:7 2:10,11 6:19  
 8:1 9:16 14:4 16:13  
 16:19 25:11 26:1 35:8  
 35:11,15 37:8 47:11  
 47:14 51:12,15 63:9  
 65:10 75:8,19,20,23  
 75:25 76:12,22 77:21  
 78:14 82:18,19 88:23  
 91:13 92:1 96:16,22  
 97:6  
**Protestant** 1:23 2:3  
 3:25 10:17 12:10 16:5  
 23:2,15 35:13 37:17  
 80:11 93:10 95:8  
 98:13  
**Protestants** 75:8  
**protested** 91:21  
**protesting** 16:4  
**proven** 98:3,8  
**provided** 4:16,22 16:8  
 37:9 38:12 59:24,25  
 82:25  
**providing** 83:23  
**public** 4:13,14,20 18:14  
 22:14 30:10 42:20,21  
 42:22 73:14 102:6  
**published** 101:1 102:3  
**pull** 22:10  
**purchase** 54:25 55:2,6  
**purchased** 31:22  
**purpose** 65:9 98:25  
 100:20  
**pursuant** 4:11,14 5:3  
 99:1 100:6 101:25  
**put** 19:15 21:14 36:11  
 51:1 57:1 62:12,13  
 63:19 64:6,20,21 65:3  
 65:20 84:1 97:9

---

**Q**

---

**question** 6:16 10:21,23  
 33:8 43:13 45:17  
 49:16,17,18 52:15  
 53:3,4,5,6,18 54:24  
 57:4,6 59:5,15 61:2

65:16 66:12,19 69:13  
 69:14,14,24 72:2  
 77:15 80:16,23,24,25  
 81:10 83:7,19 84:9  
 92:3,17  
**questions** 4:23 6:14  
 11:1,2,4 12:13 33:1  
 34:10 43:6,14 53:8  
 66:7,14,22,25 67:4,5  
 67:10 69:4,5 70:6,7  
 70:11,11 74:17 80:11  
 85:23 86:23 92:13,18  
 92:19  
**quiet** 35:16 36:1  
**quorum** 5:21  
**quote-unquote** 89:10

---

**R**

---

**R1** 33:12  
**radius** 30:8,11  
**Rafi** 1:18 5:8,10 99:17  
 101:13  
**raise** 13:1 39:11 72:11  
 72:17  
**rapport** 41:11  
**RCVD** 2:8  
**Rd** 3:8,10  
**reach** 35:9,18  
**read** 45:22 98:1  
**ready** 12:20,23 22:9  
**rear** 17:2 18:22 19:12  
 19:15 21:25 22:19  
 23:4,5,7,10,13,20,21  
 28:12 32:7 36:7,8,11  
 36:13 42:12 48:15  
 60:8 71:5,7 73:17,17  
 74:4,5 75:10 76:5  
 81:5,9,11,13 82:13,21  
 82:24 83:1,19 84:2,9  
 84:11,13,15,22 85:2,3  
 85:4,6,10,11,12,13,15  
 85:20 91:10 94:23  
 95:4  
**reason** 10:6 16:19 22:2  
 58:2 78:24 93:24  
 94:14  
**reasons** 10:12 82:18  
 99:4  
**recall** 18:10 40:23 41:8  
 61:3  
**receptacle** 17:1  
**recess** 100:5  
**recollection** 89:9  
**recommend** 93:21  
**record** 8:10,22 9:7 13:7  
 37:24 73:8 87:10 88:7  
 89:5 91:7,19 98:19  
 100:11

**recreation** 30:10  
**RECROSS** 2:4  
**rectangular-shaped**  
 31:10  
**recycle** 45:25 46:11  
**red** 20:1 27:8,9  
**REDIRECT** 2:4 70:13  
**reference** 25:20  
**regarding** 4:13 14:7  
 15:8 16:18 24:2 88:11  
 89:5 92:6  
**regards** 16:23 24:20  
 25:24 26:1  
**Register** 101:2 102:3  
**regular** 4:7 19:3,4  
**regularly** 17:5  
**Regulation** 9:12 13:13  
 95:13  
**regulations** 18:19  
 95:17 97:14 100:23  
**relation** 90:1  
**relationship** 9:2  
**remain** 6:8  
**remained** 78:24  
**remember** 34:16 60:19  
 61:6 93:12  
**remodel** 42:9  
**removal** 19:4  
**remove** 41:19 61:4  
 91:13  
**removed** 51:3,10 52:2  
 97:3  
**renegotiate** 75:21  
 79:22 80:4 97:15  
**renew** 37:12 51:8 90:19  
 93:22,25  
**renewal** 1:10 16:23  
 25:8 75:20 77:22  
 87:16 88:11,23 90:23  
 93:13  
**renewed** 38:5  
**renovated** 42:7  
**rented** 55:3,7,10,12,16  
 57:12  
**reopen** 97:15  
**report** 10:23 12:18 14:7  
 14:11 15:4,8 25:3,5  
 26:3 33:5,9 35:24  
 38:14 59:8,12,13  
 81:23  
**reports** 100:20  
**representative** 1:22,23  
 16:15 19:6 24:18 35:5  
 86:18  
**representing** 8:15  
 25:12 86:10  
**represents** 77:10,19  
**request** 88:15

**requesting** 25:20 93:9  
**require** 6:15 76:22  
**required** 77:2  
**residence** 21:8  
**resident's** 21:12  
**residential** 3:1 19:9,25  
 28:21 30:3,5,17,17,22  
 30:24 33:12,15  
**residents** 29:2 75:4  
 95:11  
**respond** 5:5 88:14  
**responded** 24:7  
**response** 2:15 26:2  
 33:2 67:2 92:15  
**responsibility** 13:19  
 40:21  
**rest** 71:18 92:24  
**restroom** 3:16 32:8  
**Retail** 47:10  
**retailer** 1:7 16:1  
**retailer's** 87:24  
**return** 102:11  
**review** 6:22  
**rights** 6:4 7:8,10,12,14  
 7:16  
**Road** 20:2,5 30:21 90:5  
 90:8  
**Rocks** 20:2  
**roll** 99:11 101:8  
**room** 100:6  
**roughly** 58:10  
**routinely** 76:22  
**running** 11:13 42:6

---

**S**

---

**S** 1:18  
**S&G** 1:6 8:15 35:5  
**sales** 15:20  
**saying** 10:9 23:1,7  
 40:16 54:23 63:9,10  
 63:12 64:19 68:20,25  
 71:7 78:6 79:16 82:19  
 84:19 85:7,9 94:22  
 95:4  
**says** 18:22 22:12,20  
 48:16 54:13,17 74:4  
 94:20  
**scheduled** 4:8  
**scheduling** 35:8  
**schools** 3:3 30:10  
**scratch** 27:7  
**screen** 10:7 14:17,22  
 15:1,7 32:23  
**script** 66:21  
**Seafood** 6:20  
**second** 14:19 99:7  
 101:3,4,5  
**seconded** 99:11,13

101:7,9  
**seconds** 99:9  
**section** 4:6 33:10 73:14  
 98:23 99:2,5 100:7  
**seek** 100:23  
**seeking** 98:25  
**seen** 25:16 84:21  
**sell** 16:1  
**selling** 40:10  
**sense** 29:4 93:8  
**sent** 25:17,19,21,23  
 27:17,25,25 28:24  
 29:11 51:20,24 52:1,7  
**sentence** 22:13  
**separate** 16:9  
**Sept** 3:21  
**September** 20:16 24:8  
 32:12 51:4,5  
**seriously** 37:22 96:11  
 97:2,8  
**serve** 86:15  
**service** 3:20 19:4 25:18  
 32:11  
**session** 102:12  
**settle** 83:10  
**settlement** 6:21 7:3  
 16:25 17:3,9,12 18:4  
 18:6,10,13 19:16  
 21:16 22:3,7,22 25:14  
 35:10,18 36:4,6,10,23  
 37:21 38:1,3,6 45:18  
 47:19 48:1,3,5,13,20  
 54:6,12,13,16 60:3,5  
 63:11 73:2,4,10,12,13  
 74:3,9 75:15,21,23  
 76:2,3,20,24 77:3,6  
 78:15,17 79:21,23,25  
 80:2,4,5,7,9 82:20  
 84:4,5,12 85:4,9  
 87:11 89:1 90:14,17  
 90:20 91:1,3,14,15,17  
 91:21,23 94:19,20  
 95:15,19,23 96:2,11  
 96:17 97:2,8,10,11,15  
 97:16,17 98:10  
**share** 14:12,17,22,25  
 87:4  
**shelving** 31:12,20  
**Shields** 2:22 29:15  
**shot** 30:13,15 32:5  
**show** 37:25 60:1,2  
 82:14  
**show-cause** 91:5  
**shown** 36:13 76:14  
**shows** 33:11 59:9 87:10  
**shut** 35:17 67:25  
**side** 2:19 11:15 18:8  
 19:13 21:7,13 23:6,6

23:13 26:18,19 28:11  
 28:18 29:2,3,3 34:17  
 34:19 36:6,12,14 41:2  
 41:4,21 46:1,3,9,13  
 46:14,15,16,17,18,23  
 46:24 47:5,23 49:10  
 49:11 50:4,4 53:21,22  
 53:23 54:8,10 55:19  
 57:1 58:20,25 60:8,21  
 67:23 68:8 70:22  
 76:13 81:15 85:13,14  
 85:16 89:7 93:3 94:3  
 95:1,2  
**sides** 19:11 93:5  
**sidewalk** 18:16 44:25  
 48:17 69:19  
**sign** 26:20 27:8,8,9  
 49:7,9 50:25 51:1,2  
 52:3 54:16 64:3 91:16  
**signatory** 88:4,25  
**signed** 22:22,24 47:25  
 48:21 54:12,22,23  
 91:20  
**similar** 77:3  
**Simone** 1:21 6:17  
**simple** 53:4  
**Simultaneous** 55:4  
 56:22 60:23 77:13  
**single** 77:10,19  
**sir** 8:8 9:3,20 13:4,15  
 13:17,25 14:5,8,9,13  
 15:4,9,14,21 16:2  
 21:4,19 22:5,10 23:18  
 24:14 26:10 27:15  
 28:3 32:14,20,21,24  
 33:17 34:24,25 36:20  
 37:5,6,16 38:11,17  
 39:4,16,19 41:3 43:22  
 46:1 49:16,18,20  
 54:22,24 56:9 57:5  
 59:9 60:24,25 61:14  
 61:19 63:15 65:7  
 67:13 69:13,13,14  
 70:7 71:12,17,19  
 72:24 74:12 77:15  
 79:13 80:16,24 81:3,7  
 83:5,24,25 84:9,17,24  
 85:2,18 86:4 91:19  
 92:21 94:24 95:6  
 98:16  
**situated** 19:9  
**situation** 41:17 92:7  
 96:24  
**small** 31:14 87:23  
**sodas** 31:15  
**sold** 61:8  
**solely** 90:23 93:14  
**someone's** 28:9 37:3

**sorry** 7:24 27:3 28:3  
 44:6 55:12 59:12,22  
 61:9 65:24 67:12  
 69:23 72:3 77:16,17  
 77:24 82:8 83:5 87:11  
**sort** 33:13 77:7  
**south** 3:6 30:19 46:15  
 46:17,24,25 76:13  
**space** 18:15 22:14  
 25:25 28:21 31:10,16  
 32:5 33:19 42:20,21  
 42:22,23 73:15,21  
 74:1  
**speak** 16:4,14,20 25:24  
 34:6 78:11 79:11 88:8  
 88:20  
**speaker** 77:24  
**speaking** 21:4 23:1  
**specialist** 6:3  
**specifically** 54:14 93:6  
 93:9,10  
**spell** 8:22 9:6 40:2  
**spend** 11:11  
**spent** 50:15  
**spirit** 38:2 74:10 84:5  
**spirits** 16:2 31:19,22  
**spoke** 17:14 19:5 36:5  
 75:3 77:9,18  
**spoken** 75:7  
**spot** 53:13 58:18 66:2  
**St** 3:4,6  
**Staff** 1:21  
**Stand** 7:9 14:20  
**start** 8:12 11:15,18  
 12:18 34:23 55:17  
 57:5 97:1  
**starting** 88:19  
**state** 9:6 13:6 18:11  
 22:7 36:15 37:1 40:1  
 73:9  
**stated** 11:8 17:8,9 20:8  
 88:6  
**statement** 2:2 3:23  
 10:15,17,18 22:12  
 35:1 37:17 93:4,18  
 95:8  
**statements** 10:2 38:12  
 69:13  
**states** 17:3  
**stay** 6:11 49:6 51:9 52:3  
 88:16  
**steel** 44:14,14  
**sticking** 26:18 27:6  
**stop** 49:24  
**storage** 3:18 32:1,10  
**store** 20:5 33:15 42:4,5  
 42:8,8 44:11 53:21  
 68:8

**straightforward** 37:20  
74:8  
**street** 1:7 20:3,4 24:7  
26:14 29:12,16,18,20  
30:15,22 32:12 90:6  
**stress** 89:23  
**stuff** 48:9  
**submission** 6:21  
**submit** 6:16  
**submitted** 17:25 18:1  
26:5 63:23  
**sufficient** 83:23  
**suggesting** 90:22  
**supplied** 25:15  
**support** 29:10,14,17,21  
47:12  
**supposed** 33:24 42:25  
43:4 49:1,4 50:24  
52:12 53:10,17,19  
65:4 83:22  
**surround** 16:22  
**surrounding** 19:23  
30:14  
**swear** 13:2 39:12 72:13  
72:20  
**system** 78:5,9

---

**T**

---

**t/a** 1:6  
**tagged** 76:13 96:18,18  
**tagging** 97:3  
**taken** 76:11  
**takes** 37:21  
**talk** 77:11,23 78:1,15  
79:15  
**talked** 48:14  
**talking** 46:21 48:25  
49:13 50:19,22 55:4  
56:22 60:23 77:13  
79:6  
**talks** 22:4 33:10  
**Task** 24:7,11  
**technical** 6:15 10:11  
**tell** 13:3 15:22 20:13  
21:5 39:12 51:6 53:5  
59:1 61:17 62:10  
65:17 72:21 83:15  
84:25 85:1 93:9,11  
**telling** 38:19 82:22 83:3  
83:5,18 85:12  
**ten** 35:22  
**tenant** 45:7,9  
**terms** 76:19 77:6 78:17  
80:2,6 90:17 91:15  
96:17 97:16  
**Terry** 29:12  
**testified** 73:25 84:16  
**testifies** 23:16

**testifying** 72:12 86:19  
**testimony** 60:17 69:7  
71:13 72:25 73:10  
84:18 93:23  
**thank** 7:19 9:5,22 15:2  
25:1 32:22 34:3,10,13  
35:7 37:13,14 43:7  
50:8 53:8 66:11,21,22  
66:24 71:10,12 86:21  
87:2,3,13 92:9,10,11  
93:19 94:17 97:20  
98:12 100:8 102:5,7  
102:12  
**thanks** 27:14 33:7  
37:18 43:9 52:14  
72:16 95:9  
**things** 31:15,19 35:19  
36:16,18 42:8 48:6,10  
64:4 91:5  
**third** 22:12 29:17  
**thorough** 33:5  
**thought** 21:16 47:23  
50:2 75:6  
**thoughts** 12:20  
**three** 6:1 42:17 47:4  
58:11,12 62:16 73:21  
**Thursday** 1:11  
**till** 66:21

**timely** 102:4  
**times** 18:24 20:10,19  
20:21 24:10 73:19  
**Title** 100:17  
**today** 5:20 12:14 34:11  
65:7,15 86:9,14,18  
87:4 93:15 97:13 98:6  
102:6,9  
**today's** 4:15 5:22  
**told** 28:8 34:17 41:5  
43:2 46:2 49:3,11  
51:23 60:19 62:11  
63:18 81:7 84:10,14  
85:15  
**top** 18:14 22:11,14  
**totally** 33:19  
**tour** 25:25  
**trade** 7:1  
**trading** 8:15 35:5  
**transcript** 98:1,2,8  
**trash** 3:20 17:1,4,5,21  
18:15 19:4 20:22  
22:15 24:21 40:25  
41:22 42:15 44:17,23  
45:13,19,25 46:12,22  
47:4,20,24 48:14,22  
48:23 49:9,21 51:22  
55:8 61:24 62:13,19  
63:4,11,16,21,25 64:5  
64:8,16,19,22 65:1,8

65:10,12,13,17,18,21  
68:8 70:23 73:15 75:6  
75:9 76:1,9,15,18  
78:23,24 79:6,6,8  
82:21 83:2,8 85:5,18  
94:2,5,9,11,15,21,23  
96:5,7,20,21  
**tree** 17:6,22 18:16 19:3  
48:17,25 52:6,7 76:10  
76:16,18 96:19,21  
**triangle** 81:14,15,21,23  
82:5,15  
**tricks** 61:21  
**tried** 67:24  
**truth** 13:3,3 39:12,13  
72:21,22  
**try** 35:18  
**trying** 25:25 61:20,20  
61:21 63:14 66:20  
79:20 83:6 94:16  
**twice** 49:22 96:8  
**two** 16:8 28:20 29:13  
47:4 58:11 62:16  
76:17 88:18  
**two-story** 81:18  
**type** 15:23,24  
**types** 31:14

---

**U**

---

**unable** 83:3,10  
**unacceptable** 35:20  
36:17  
**Uncle** 6:19  
**underage** 48:9  
**underground** 68:9  
**understand** 37:6 41:18  
45:23 52:24 53:5,6  
54:9,19,22 73:15,17  
74:2,6 88:14 89:16,25  
90:19  
**understanding** 21:25  
23:12 24:12 28:6,7  
45:22  
**understood** 5:25 89:5  
**underway** 5:22  
**units** 31:21  
**unreasonable** 35:20  
**upload** 14:12  
**use** 68:3,5,11,12,13,19  
68:19 70:20  
**usual** 37:12  
**usually** 77:2

---

**V**

---

**vacate** 40:19  
**variance** 33:13 52:18  
52:22  
**various** 31:12

**verbally** 16:21  
**videoconference** 1:14  
**view** 81:11  
**violated** 63:10 85:4  
**violation** 17:9,11 35:25  
37:25 38:5 50:5 57:2  
62:17 74:9 75:6 76:3  
84:3 90:20,25 91:22  
95:21 97:11 98:9  
**violations** 16:25 20:13  
20:21 24:1 25:15  
35:23 95:19 100:23  
**virtual** 88:10  
**visit** 17:14 79:18  
**visited** 74:23  
**vote** 99:12 101:8  
**voted** 75:22

---

**W**

---

**W** 1:14,17  
**wait** 66:21 97:25  
**walk** 31:9,12 32:5 49:24  
73:19 77:11,22 96:7  
**wall** 27:2 28:2,4 31:25  
41:15,21 90:2  
**walls** 17:4,23 18:1  
20:24 31:21 89:14,14  
**wanted** 68:12  
**wasn't** 49:13 73:10  
77:21 80:8 88:16,21  
96:19  
**waste** 92:4,5  
**Waterfront** 7:1  
**way** 10:1,13 19:8,15  
24:13 42:9 45:20 63:3  
63:16 74:1,5  
**Webex** 1:14 4:21  
**website** 4:17 102:3  
**weeds** 76:17  
**week** 42:17 43:3 52:11  
96:8  
**weeks** 42:15  
**welcoming** 4:7  
**went** 20:19 60:6 77:17  
77:25 88:7,21 89:18  
100:11  
**weren't** 10:10 77:8  
78:13 80:6  
**west** 3:10 81:17 90:6  
**westbound** 30:23  
**William** 2:24 29:20  
**willing** 75:20,23 77:8,21  
78:13 94:5,11 96:16  
**window** 28:9 45:14  
**windows** 21:12  
**wine** 16:2 31:21  
**wish** 38:10 39:2 71:21  
72:5 92:25 94:8 97:23

**wishes** 9:18  
**witnesses** 11:9,20,22  
 11:23 12:2,3,4,5,7,8  
 86:15 92:24 93:1  
**word** 63:6  
**work** 10:1,14  
**working** 50:3  
**wouldn't** 64:17 95:16  
 95:17,20  
**wrap** 12:12  
**wraps** 32:21  
**written** 41:15 60:5  
**wrong** 50:4 67:13  
**wrote** 14:7

---

**X**

---

---

**Y**

---

**year** 40:23  
**years** 13:17 33:22  
 35:22 42:6 47:4,5  
 48:11 50:20 57:9,10  
 57:13 58:11,11,12  
 62:16 70:24  
**yellow** 28:4

---

**Z**

---

**Zeba** 20:2  
**zoned** 33:11,19  
**zoning** 2:25 3:1 30:2,3  
 33:10,11,13 52:18,18  
 52:22

---

**0**

---

**00064** 99:4

---

**1**

---

**1,200** 30:8  
**10** 2:18 20:17 27:23  
 28:14  
**10:10** 4:2  
**10:50** 20:20  
**1036** 20:2  
**11** 2:19 29:6 59:12,13  
 59:25 60:14,15  
**118143** 7:2  
**12** 2:20 13:16 29:6  
**12:00** 15:18  
**12:16** 100:11  
**12:19** 102:14  
**1215** 29:20  
**13** 2:5,21 29:9,23  
**1345** 20:5  
**13th** 1:7 3:4,6 24:6  
 26:14 29:12,16,18  
 30:15 32:12 90:5  
**14** 2:22  
**14th** 20:3 30:22

**15** 2:23  
**16** 2:24 29:24  
**17** 2:25 30:1 31:3  
**18** 3:1 30:3  
**19** 3:2 30:6

---

**2**

---

**2** 2:10 18:13 25:10  
 95:21  
**2/10/2016** 22:24  
**20** 3:3 7:4 30:9  
**2011** 86:8 87:6,18  
**2013** 40:7 87:11  
**2016** 52:17 87:12,13,17  
 87:20 88:4 89:9  
**2016093** 73:7  
**2020** 3:21 20:17 24:8  
 32:12  
**2020-119** 5:4  
**2021** 1:12 3:21 7:4  
 20:17 24:8 32:13  
 100:19 101:1,2  
**21** 1:12 3:4 30:13  
**21-PRO-** 99:3  
**21-PRO-00046** 6:19  
**21-PRO-00056** 7:1  
**21-PRO-00064** 1:8 7:6  
 99:1

**22** 3:6 101:2  
**23** 3:8 89:19  
**24** 3:10 20:16 41:25,25  
**25** 3:12 30:25 31:4  
 48:11  
**2574(b)** 98:23 100:7  
**2574(b)(13)** 99:5  
**2574(b)(4)** 99:2  
**2576** 4:6  
**26** 2:9,10,11,12,13,14  
 2:15,16 3:14 32:16  
**27** 2:17 3:16 100:19  
 101:1  
**28** 2:18 3:18  
**29** 2:19,20,21,22,23,24  
 3:20 32:11,17

---

**3**

---

**3** 2:11 25:17 100:17  
**30** 42:5 70:24  
**31** 2:25 3:1,2,3,4,6,8,10  
 3:12  
**32** 3:14,16,18,20  
**3211** 29:18  
**3400** 1:7 19:24 24:6  
 32:12  
**3404** 29:12  
**3406** 29:15  
**3423** 20:3  
**35** 2:2

**37** 2:3  
**38** 33:9

---

**4**

---

**4** 2:12 25:19  
**40** 2:6 70:24  
**400-foot** 30:11  
**405** 100:18  
**43** 2:6  
**48** 4:16 79:2 96:19

---

**5**

---

**5** 2:13  
**5/21/2021** 2:9 25:9  
**5C** 1:7

---

**6**

---

**6** 2:14 18:14 22:14  
 25:23 73:14

---

**7**

---

**7** 2:15 26:2  
**70** 2:6  
**73** 2:7  
**74** 2:7

---

**8**

---

**8** 2:16 26:4,7  
**85918** 6:20

---

**9**

---

**9** 2:17 27:16,20  
**9:00** 15:18  
**9:25** 20:19  
**90** 98:18  
**93** 3:24  
**94178** 1:8 7:6  
**95** 3:25



C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Park Market

Before: DC ABRA

Date: 10-21-21

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

  
-----  
Court Reporter

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701