

DISTRICT OF COLUMBIA  
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 ALCOHOLIC BEVERAGE AND CANNABIS BOARD  
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 MEETING

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IN THE MATTER OF:      :
                        :
Zingo Pizzeria, LLC    :
t/a Minya's Pizza      :
1932 9th Street NW     : Protest
Retailer CR - ANC 1B   : Hearing (Status)
License No. 125665     :
Case #23-PRO-00077    :
                        :
(Application for a New  :
License)                :
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Wednesday  
 November 8, 2023

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

PRESENT:

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

ALSO PRESENT:

JOSE ORELLANA, DC ABCA Staff  
 STEVEN WALKER, DC ABCA Staff  
 YOSEIF ARADOM, Applicant  
 TEDROF HABTEMARIAM, Applicant  
 SEAN HOLIHAN, ANC 1B

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

2 10:37 a.m.

3 CHAIRPERSON ANDERSON: Good morning,  
4 Mr. Orellana. Are you able to elevate either Mr.  
5 James Bassett (phonetic) or Mr. Steve Walker?

6 MR. ORELLANA: Steven Walker, your  
7 access has been elevated.

8 MR. WALKER: Good morning.

9 CHAIRPERSON ANDERSON: Good morning  
10 Mr. Walker.

11 MR. WALKER: How are you, Mr.  
12 Chairman?

13 CHAIRPERSON ANDERSON: I'm doing well,  
14 thank you.

15 MR. WALKER: Great. Mr. Grant, how  
16 are you?

17 MEMBER GRANT: I'm great. How are  
18 you?

19 MR. WALKER: Good. Congratulations on  
20 your confirmation.

21 MEMBER GRANT: Thank you, again.

22 MR. WALKER: Good, we're glad to have  
23 you. Are we ready to start, Mr. Chairman, with  
24 the swearing in?

25 CHAIRPERSON ANDERSON: Yes, we are.

1 MR. WALKER: Mr. Short, how are you?  
2 Good to see you.

3 MEMBER SHORT: Good morning.

4 MR. WALKER: All right. Well, let's

5 --

6 (Simultaneous speaking.)

7 MEMBER SHORT: Good to see you also.

8 MR. WALKER: Make the two of you  
9 official. Once again, for Mr. Grant and -- I'm  
10 sorry, Mr. Anderson, and welcome to the  
11 Commission, for Mr. Grant. So, if you both raise  
12 your right hands and repeat after me.

13 (Whereupon Chairman Anderson and  
14 Member Grant were duly sworn.)

15 MR. WALKER: Very good.  
16 Congratulations. Welcome back, Mr. Chairman.

17 CHAIRPERSON ANDERSON: Thank you very  
18 much.

19 MR. WALKER: Welcome to the Board, Mr.  
20 Grant.

21 MEMBER GRANT: Thank you.

22 MR. WALKER: You will receive a  
23 printed copy of the oath that I issued, that  
24 you'll just need to sign and get back to our  
25 team. And I'm looking forward to your successful

1 tenures on the member -- as a member of the ABC  
2 Board.

3 CHAIRPERSON ANDERSON: Thank you very  
4 much, Mr. Walker. Have a great day.

5 MR. WALKER: Thank you, and you have  
6 a good one.

7 CHAIRPERSON ANDERSON: Good morning,  
8 everyone. As Chairperson of the Alcoholic  
9 Beverage and Cannabis Board for the District of  
10 Columbia and in accordance with D.C. Code Section  
11 2-571 et seq. of the Open Meetings Act, OMA, I am  
12 welcoming you to the regular scheduled meeting of  
13 the Alcoholic Beverage and Cannabis Board.

14 This meeting is being conducted  
15 pursuant to guidance made available by the  
16 District of Columbia's Office of Open Government  
17 regarding electronic meetings held by public  
18 bodies. Electronic meetings by the ABC Board are  
19 authorized pursuant to Section 2577(a) of the  
20 D.C. Code.

21 Pursuant to the OMA requirements,  
22 notice of today's meeting was provided 48 hours  
23 in advance of the meeting on ABCA's website and  
24 on the District's Central Meeting Calendar. The  
25 notice included the time, date agenda, and call-

1 in or login information for public participation.  
2 This electronic meeting is being hosted by a  
3 WebEx account provided by the District of  
4 Columbia Government. Please address any  
5 questions or complaints to the OOG at  
6 [opengovoffice@dc.gov](mailto:opengovoffice@dc.gov).

7 My name is Donovan Anderson, I am  
8 Chairperson of the Board. I would like to  
9 introduce the other members of the ABC Board who  
10 are also participating electronically. Please  
11 respond when I announce your name. Mr. James  
12 Short?

13 MEMBER SHORT: Mr. James Short,  
14 present.

15 CHAIRPERSON ANDERSON: Mr. Silas  
16 Grant?

17 MEMBER GRANT: Silas Grant, present.

18 CHAIRPERSON ANDERSON: The Board has  
19 three members in attendance for the conduct of  
20 business, and that constitutes a quorum.

21 And I would like to formally welcome  
22 you to the Board this morning, Mr. Grant. Both  
23 of us were confirmed by the D.C. City Council  
24 yesterday for four year terms, and I do look  
25 forward to working with you for the next four

1 years. So again, welcome to the Board, sir.

2 MEMBER GRANT: Thank you for the warm  
3 welcome.

4 CHAIRPERSON ANDERSON: All right.  
5 Before we get underway with today's hearing  
6 calendar, I need to make a few instructions very  
7 clear so that the conduct of these hearings is  
8 understood by everyone.

9 There are five cases scheduled for  
10 this morning's calendar. Once your case is  
11 called, it will take a moment for our IT  
12 specialist to elevate the rights for each party  
13 to enable their camera and microphone. Then, and  
14 only then, will you have the ability to enable  
15 your equipment. If your case is not being heard,  
16 you will remain mute and your camera will be  
17 disabled.

18 At the conclusion of each case, the  
19 parties will have the option to leave. If the  
20 party chooses to stay, all cameras and  
21 microphones for the concluded case will be  
22 disabled.

23 Should you have any questions or  
24 require technical assistance during the hearing,  
25 please submit them using the question and answers

1 feature.

2 The first case on our calendar this  
3 morning is Case Number 23-PRO-00077, Minya's  
4 Pizza, License Number 125665.

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

8 MR. ORELLANA: Sure. Good morning.  
9 Sean Holihan, your access has been elevated.

10 MR. HOLIHAN: Morning.

11 MR. ORELLANA: Not seeing any of the  
12 other folks.

13 CHAIRPERSON ANDERSON: All right. Mr.  
14 Gabriel Mescal is not online?

15 MR. ORELLANA: No.

16 CHAIRPERSON ANDERSON: This is -- all  
17 right, I -- Mr. Holihan, have you had any  
18 conversation with Mr. Mescal? Gabriel Mescal?

19 MR. HOLIHAN: Yeah. We're working on  
20 a settlement agreement. I've got a couple issues  
21 that I'm just trying to work with neighborhood  
22 association members with. I do think that we can  
23 reach a settlement agreement pretty easily, I  
24 hate to see the establishment punished. I feel  
25 like there's not really any problems with it

1 being here, it's just selling pizza and alcohol.  
2 So, I think we just have some issues with trash  
3 pickup and we should be okay.

4 CHAIRPERSON ANDERSON: I think part of  
5 the -- one of the problems that we have this  
6 morning, and we've had this concern before -- the  
7 parties have to show up at the roll call and the  
8 protest hearing status. And if the party does  
9 not show up, I have no choice -- I'm sorry, he  
10 said that he's here. Is that Ted?

11 All right. Who is Ted? Can you turn  
12 your camera on, please?

13 MR. HABTEMARIAM: Okay.

14 CHAIRPERSON ANDERSON: Do you have a  
15 camera, sir?

16 MR. HABTEMARIAM: Yes.

17 CHAIRPERSON ANDERSON: Good morning,  
18 sir. What is your name? And could you please  
19 identify yourself for the record by spelling and  
20 stating your name?

21 MR. HABTEMARIAM: Okay. My name is  
22 Tedrof Habtemariam, I'm the manager of Minya's  
23 Pizza. And my first name is T-E-D-R-O-F, and my  
24 last name is H-A-B-T-E-M-A-R-I-A-M. I can type  
25 it here, if it's a problem.



1 CHAIRPERSON ANDERSON: All right. You  
2 said that you're the manager, what does that  
3 mean, sir? Are you -- is your name on the  
4 license?

5 MR. HABTEMARIAM: No, but the owner is  
6 here --

7 CHAIRPERSON ANDERSON: Where is the  
8 owner, sir?

9 MR. HABTEMARIAM: Think he should --

10 CHAIRPERSON ANDERSON: Where's the  
11 owner?

12 MR. HABTEMARIAM: Do you see him?  
13 Yoseif?

14 CHAIRPERSON ANDERSON: All right.

15 MR. HABTEMARIAM: I think he's right  
16 here. He's right here.

17 CHAIRPERSON ANDERSON: Okay. So the  
18 individual whose name is Yoseif, if you have a  
19 camera, can you please turn the camera on?

20 The individual whose name is Yoseif,  
21 do you have a camera? If you don't have a  
22 camera, are you able to speak?

23 MR. ORELLANA: I've sent him a unmute  
24 request.

25 CHAIRPERSON ANDERSON: Okay, thank

1 you, sir. All right, Mr. Yoseif? All right, can  
2 you unmute yourself, sir, and please spell and  
3 state your name for the record? You need to  
4 unmute yourself.

5 Yes, sir. Spell and state your name  
6 for the record.

7 MR. ARADOM: Hi, everyone. My name is  
8 Yoseif Aradom, Y-O-S-E-I-F, and my last name is  
9 Aradom, A-R-A-D-O-M.

10 CHAIRPERSON ANDERSON: And what is  
11 your relationship to this establishment, sir?

12 MR. ARADOM: I'm the sole owner --  
13 first owner of this business.

14 CHAIRPERSON ANDERSON: All right thank  
15 you sir. Mr. Holihan, can you identify yourself  
16 for the record by spelling and stating your name?

17 MR. HOLIHAN: Sean Holihan, S-E-A-N,  
18 H-O-L-I-H-A-N. And I'm the ANC commissioner for  
19 1B02 and the Chair of the ABR committee for ANC  
20 1B.

21 CHAIRPERSON ANDERSON: Good morning,  
22 sir. All right, this was an application --  
23 before we start, there's some procedural issues,  
24 procedure concerns, that I need to address. The  
25 Applicant was dismissed from this case and it's

1 my understanding that the Applicant had filed a  
2 motion to be reinstated, and that motion is on  
3 our legal agenda today.

4 But, before we start this case, I need  
5 to make a motion to formally reinstate your  
6 application. And so, therefore, I make a motion  
7 that the Applicant's application in Case Number  
8 23-PRO-00077, Minya's Pizza, be reinstated. Is  
9 there a second?

10 MEMBER SHORT: Mr. Short, I second.

11 CHAIRPERSON ANDERSON: Mr. Short has  
12 second the motion, we'll now have a roll call  
13 vote. Mr. Short?

14 MEMBER SHORT: Mr. Short, I agree.

15 CHAIRPERSON ANDERSON: Mr. Grant?

16 MEMBER GRANT: I agree.

17 CHAIRPERSON ANDERSON: Mr. Anderson,  
18 I agree. The matter passes three-zero-zero. So,  
19 therefore, sir, we have now reinstated your  
20 application to move forward in this case.

21 MR. ARADOM: Thanks.

22 CHAIRPERSON ANDERSON: So, are there  
23 any preliminary issues or just matters that you  
24 have to bring to the attention -- not  
25 substantive, just preliminary? I know that

1 earlier, Mr. Holihan, you had stated that it  
2 appears that the parties might reach an  
3 agreement, you just have some other -- just some  
4 fine details that you need to work on it. Is  
5 that -- that's correct?

6 MR. HOLIHAN: Yes, sir. The  
7 establishment has sent ANC 1B their settlement  
8 agreement, I'm currently working with members of  
9 the local neighborhood association on that  
10 license. I do believe that we should be able to  
11 reach an agreement in short time.

12 CHAIRPERSON ANDERSON: All right,  
13 thank you. I'm sorry, Mr. Yoseif -- and I  
14 apologize, I did not write your name down so I  
15 could call you by your proper name. So, I do  
16 apologize, sir.

17 MR. ARADOM: No problem.

18 CHAIRPERSON ANDERSON: Any matters  
19 that you want -- not substantive, just any  
20 preliminary matters that you have that you want  
21 to bring to the attention?

22 No? I think --

23 MR. ARADOM: No.

24 CHAIRPERSON ANDERSON: All right. As  
25 stated, it appears that the parties are moving

1       towards settling this matter. If this matter is  
2       not settled, then it will be scheduled for a  
3       protest hearing on December 6, 2023 at 1:30 p.m.  
4       Now, if this matter goes to a protest hearing,  
5       seven days before the hearing -- or, let me read  
6       these instructions. Because, I know this is a  
7       new license and also the matter might be settled,  
8       but I need to make sure that the parties are  
9       aware that, if it's not settled and we go to a  
10      protest, that you are aware of the process.

11               Now that we have scheduled this matter  
12      for a protest hearing, there are a few things  
13      that I would like to instruct the Applicant and  
14      the Protestants about, so that the protest  
15      hearing is focused and addresses only those  
16      issues that are being protested.

17               The Board does not intend to hear  
18      testimony on matters that are not relevant to the  
19      case. You should have received, by electronic or  
20      regular mail, a letter explaining the protest  
21      process, a copy of the protest information form,  
22      add a copy of the exhibit form. If you do not  
23      have these documents, please contact our legal  
24      office following this hearing.

25               It is imperative that you review the

1 rules closely and adhere to them before and  
2 during the protest hearing. You're also required  
3 to complete and submit the protest information  
4 form, PIF, and the exhibit form seven days before  
5 the date of the hearing. These two forms, and  
6 accompanying documents, need to be submitted to  
7 ABCA's legal division and to all opposing parties  
8 in this matter. If we do not receive a copy of  
9 your PIF, your application or your protest --  
10 whichever side you're representing -- may be  
11 subject to dismissal.

12 Likewise, if we do not receive a copy  
13 of the exhibit forms and the exhibit themselves,  
14 your exhibits may be excluded from the record  
15 upon a finding that the opposing party has been  
16 prejudiced, or no good cause for the failure to  
17 submit have been shown.

18 Likewise, witnesses other than a party  
19 may also be subject to exclusion if not  
20 identified on the PIF. Accordingly, these forms  
21 are very important, they greatly assist the Board  
22 in narrowing the protest issues, facilitating the  
23 process, and keeping the parties on point during  
24 the hearing. They likewise provide notice to  
25 opposing parties, enabling them to better prepare

1 for the hearing.

2 As you're aware, all of our hearings  
3 are now being conducted virtually. You will have  
4 one hour to present your case and you'll only be  
5 allowed to call five witnesses. If you require  
6 more time to present your case, and require more  
7 than five witnesses, please file a motion with  
8 the Board requesting additional time and  
9 additional witnesses. Any questions?

10 All right. We thank you greatly for  
11 your cooperation. If you have any questions  
12 today, or at any time leading up to the hearing,  
13 please do not hesitate to contact ABCA's legal  
14 division.

15 So, as I stated before, it appears  
16 that this matter will be settled. So, if it's  
17 settled, I look forward to reviewing a -- the  
18 Board will review the settlement and approve it.  
19 Good luck with your discussion, and if this  
20 matter is not settled, I will see you at the  
21 protest hearing on December 6. Have a great day  
22 and good luck with your discussions.

23 (Simultaneous speaking.)

24 MR. HOLIHAN: Thank you.

25 CHAIRPERSON ANDERSON: You're welcome.

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MR. ARADOM: Thank you.

CHAIRPERSON ANDERSON: You're welcome.

(Whereupon, the above-entitled matter  
went off the record at 10:54 a.m.)



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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Minya's Pizza

Before: DC ABCA

Date: 11-08-23

Place: videoconference

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



-----  
Court Reporter

**NEAL R. GROSS**

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