



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

2 3:26 p.m.

3 CHAIRPERSON ANDERSON: The next case on  
4 our calendar is Case No. 20-PRO-00048, Wonder  
5 Mart, License No. 116997. Ms. Andrews, can you  
6 please elevate the rights of the parties in this  
7 case, please?

8 MS. ANDREWS: Sure, stand by. That's  
9 all, Mr. Chair.

10 CHAIRPERSON ANDERSON: Thank you. Can  
11 I have the parties identify themselves for the  
12 record? Let's start with the Licensee? Can you  
13 spell your name for the record, please?

14 MS. GEBREMESKEL: Thank you so much.  
15 My first name is A-D-A-N-E-C-H and last name G-E-  
16 B-E-R-E-M-E-S-K-E-L from Wonder Mart.

17 CHAIRPERSON ANDERSON: And who else is  
18 here from Wonder Mart?

19 MR. KETEMA: Thank you. My name is  
20 Estegenet Ketema, E-T-S-E-G-E-N-E-T K-E-T-E-M-A.  
21 I'm the owner of Wonder Mart.

22 CHAIRPERSON ANDERSON: Just as an FYI,  
23 do you own at least more than one business in DC,  
24 Mr. Ketema? Is that correct?

25 MR. KETEMA: Yes, sir.

1                   CHAIRPERSON ANDERSON: The only reason  
2 I'm asking you is because you were on another  
3 case before, so I just want to make sure.

4                   MR. KETEMA: No, I was wrongly called  
5 upon to join the hearing. That's why I muted and  
6 I left the hearing, the hearing.

7                   CHAIRPERSON ANDERSON: So you weren't  
8 supposed to be on the other case?

9                   MR. KETEMA: No, I was not supposed to  
10 be there.

11                   CHAIRPERSON ANDERSON: That's why you  
12 were quiet when I was asking. Well, my apologies  
13 then, sir.

14                   MR. KETEMA: No problem.

15                   CHAIRPERSON ANDERSON: For the first  
16 case. Who else is on the line?

17                   COMMISSIONER ADOFO: This is Salim  
18 Adofo, the (audio interference) commissioner.

19                   CHAIRPERSON ANDERSON: Can you please  
20 spell your name, sir?

21                   COMMISSIONER ADOFO: Yes, S-A-L-I-M A-  
22 D-O-F-O.

23                   CHAIRPERSON ANDERSON: Thank you, sir.  
24 You are from ANC what, please?

25                   COMMISSIONER ADOFO: Yes, sir.

1 CHAIRPERSON ANDERSON: What ANC are you  
2 from, sir?

3 COMMISSIONER ADOFO: 8C.

4 CHAIRPERSON ANDERSON: Thank you. Are  
5 there any preliminary matters in this case?  
6 Preliminary matters are -- I'm just saying are  
7 there any issues that you believe that should be  
8 addressed by the Board?

9 COMMISSIONER ADOFO: Yes, sir.

10 CHAIRPERSON ANDERSON: Hold on. I know  
11 that there has not been a mediation as yet, so we  
12 will work towards scheduling a mediation in this  
13 case. Any other issues, please?

14 COMMISSIONER ADOFO: I apologize, sir.  
15 I may not be clear on the question. When you say  
16 preliminary matters, what does that include?

17 CHAIRPERSON ANDERSON: I'm just saying  
18 is there any particular problem that you have in  
19 this moving forward that you need to bring to my  
20 attention? Not the substance of the case, but  
21 just are there any procedural issues that you're  
22 having? That's what that is.

23 COMMISSIONER ADOFO: Oh okay. Not on  
24 my end, sir.

25 CHAIRPERSON ANDERSON: Mr. Ketema and

1 Ms. Gebremeskel?

2 MR. KETEMA: Not for this time.

3 CHAIRPERSON ANDERSON: We will schedule  
4 this matter for a mediation. If this matter can  
5 be settled at mediation it will be, but the  
6 Agency will work towards scheduling mediation in  
7 this case. This is an application for a new  
8 establishment.

9 COMMISSIONER ADOFO: I have a question.

10 CHAIRPERSON ANDERSON: Yes, sir.

11 COMMISSIONER ADOFO: I didn't -- is  
12 mediation mandatory that we participate in it?  
13 I'm not opposed to it --

14 CHAIRPERSON ANDERSON: Yes.

15 COMMISSIONER ADOFO: Okay, I'm just  
16 trying to understand the process.

17 CHAIRPERSON ANDERSON: One of the  
18 things that I would ask that you do, we offer  
19 mediation. It does help. I'm sorry; it does  
20 help to offer mediation because at least each  
21 side will know where each side is. At least  
22 there's an opportunity to speak, but I would  
23 encourage the parties to go to mediation because  
24 at least you'll know what each sides are.

25 If you have never done a protest

1 hearing before, at least you can find some more  
2 information. At the end of this I'm going to  
3 give both sides some instructions to let you know  
4 who within our Agency will work with both sides  
5 to walk you through the process if you have any  
6 questions.

7 COMMISSIONER ADOFO: Yeah, I have a  
8 question before we get to mediation.

9 CHAIRPERSON ANDERSON: What is the  
10 question, sir?

11 COMMISSIONER ADOFO: My question is  
12 this establishment is already present in the  
13 community. From what I've gathered from some of  
14 the residents that we've surveyed and talked to,  
15 it's not an issue if the establishment can stay  
16 or not. It's the issue can the establishment  
17 have the retail license to sell alcoholic  
18 beverages right next to a school and with a  
19 liquor store right next to it, as well.

20 I don't have a problem -- nobody in  
21 the community has a problem with the store being  
22 there. It's that there's a liquor store right  
23 next to it already, so we didn't see a need for  
24 another liquor store. So we can go to mediation,  
25 I'm just trying to understand what would we

1 mediate if we're happy that the store can provide  
2 services, but not that particular service?

3 CHAIRPERSON ANDERSON: There are  
4 regulations that exist about how many feet you  
5 can be in front of a school. I don't know what  
6 type of license -- I guess this is a --

7 MS. GEBREMESKEL: It is a Class B --

8 CHAIRPERSON ANDERSON: Hold on one  
9 minute, please, ma'am. This is a B license  
10 that's being requested, so this is a grocery  
11 store. It's a little bit different, so there are  
12 different rules and regulations about what type  
13 of -- because say if it was an A license it  
14 probably would be no. A B license I'm not sure,  
15 but that is something that you can talk to our  
16 representative about.

17 The Agency will determine whether or  
18 not by statute, whether or not a license can be  
19 granted to that location if you're saying that  
20 there is an A or B within certain feet of a  
21 school. That's something that you can bring to  
22 the attention of the Agency and dependent on  
23 where it is from a legal perspective, the Agency  
24 will make a decision to say this can or cannot  
25 move forward. That's something that I will say

1 as part of our investigation. That's part of the  
2 investigation that we will do before the license  
3 will be granted. That's something that you can  
4 find out from our Agency.

5 COMMISSIONER ADOFO: Yes, sir. Thank  
6 you.

7 CHAIRPERSON ANDERSON: Yes, ma'am, what  
8 were you saying?

9 MS. GEBREMESKEL: Just explaining about  
10 my application. It is Class B, 25 percent retail  
11 class B license.

12 CHAIRPERSON ANDERSON: I'm aware of  
13 that, ma'am. As I said before, I can't give you  
14 an answer right now whether or not based on the  
15 location of your establishment whether or not  
16 this is a license that can be granted. The  
17 Agency will make the determination whether or not  
18 based on what is within the vicinity of your  
19 establishment whether or not you can get that  
20 license.

21 There are two issues. One issue from  
22 a legal perspective, can you get the license?  
23 The second issue is if you can get the license,  
24 then the Board, if it goes to a protest then the  
25 Board will make a determination based on the



1 presentation that's made by the ANC whether or  
2 not we're going to grant the license. There's  
3 two different analyses. One analysis will say  
4 you can get the license because of your location.  
5 If that's the case, that's what the law says, the  
6 matter is over.

7 The second issue is that yes, you're  
8 eligible to get the license, but should we, based  
9 on the information that's provided by the ANC,  
10 should the ABC Board grant this license? That's  
11 something that both sides can discuss in  
12 mediation, both sides can discuss with Ms.  
13 Randall, and she can at least let you know  
14 whether or not from a legal perspective you can  
15 even have this license, okay? That's basically  
16 where we are.

17 MS. GEBREMESKEL: Thank you so much.

18 CHAIRPERSON ANDERSON: Anyway, so as I  
19 was stating, we will schedule a mediation. I am  
20 unable to provide you with a date for the protest  
21 hearing, but the Board will provide you shortly a  
22 date when we will have the protest hearing. We  
23 will provide that date to you, okay?

24 MS. GEBREMESKEL: Okay, thank you.

25 CHAIRPERSON ANDERSON: Let me find the

1 instructions to read to you. Now that we have  
2 scheduled this matter for a protest hearing,  
3 there are a few things that I would like to  
4 instruct you about so that the protest hearing is  
5 focused and addresses only those issues that are  
6 being protested. You either have already  
7 received or will soon be receiving an email from  
8 Imani Moreland that contains a copy of a Protest  
9 Information Form, PIF, and a copy of an exhibit  
10 form. Both parties are required to complete and  
11 submit the Protest Information Form, PIF, and the  
12 exhibit form at least seven days before the date  
13 of the hearing.

14 If we do not receive a copy of your  
15 forms seven days before the hearing, your  
16 application or your protest may be subject to  
17 dismissal. These documents not only need to be  
18 submitted to ABRA, but to the opposing party, as  
19 well. Please note that these documents greatly  
20 assist the Board in narrowing the protest issues,  
21 facilitating the process, and keeping the parties  
22 on point during the hearing.

23 Each side will have 90 minutes to  
24 present their case. This includes all direct and  
25 cross-examination witnesses. The Board does not

1 intend to hear testimony on matters that are not  
2 relevant to these issues that are being  
3 protested, nor will the Board tolerate repetitive  
4 testimony. Are there any questions by anyone?  
5 We thank you greatly for your cooperation.

6 If you have any questions at any time  
7 leading up to the hearing, please do not hesitate  
8 to contact AGC April Randall. Both sides can  
9 contact Ms. Randall at 202-442-4353. So Mr.  
10 Adofo, the legal question that you were asking  
11 before with whether or not there is another store  
12 there, she can let you know from a legal  
13 perspective whether or not -- I know that once  
14 the application comes in, we do -- the ABC Board,  
15 our GIS map tells us what other licenses are  
16 within that location.

17 Because of the type of license that  
18 they are applying for, they might be eligible for  
19 it because of the particular -- although there  
20 might be a liquor store next to it. But based on  
21 the type of license that they're applying for,  
22 they might be eligible for it. But that's  
23 something that Ms. Randall can provide you more  
24 clarification on. The second issue, even if this  
25 license is available to them based on if we go to

1 a protest hearing, the Board can decide that  
2 we're not going to give them that license. As I  
3 said before, it's two analyses.

4 COMMISSIONER ADOFO: Yes, sir.

5 CHAIRPERSON ANDERSON: Yes, there's a  
6 license that they can apply for, but then the  
7 Board could decide based on if we go to a protest  
8 hearing, based on the documents and witnesses  
9 that you provide, then you might be able to  
10 convince the Board that the Board should not  
11 grant another license in that location, okay?

12 COMMISSIONER ADOFO: I have a question  
13 to that. I was not made aware of all of the  
14 things that we can bring to the table to state  
15 our case. Is there some place written that I can  
16 go to find out all of this information?

17 CHAIRPERSON ANDERSON: Yes. I gave you  
18 the phone number for Ms. Randall. Call Ms.  
19 Randall at 202-442-

20 COMMISSIONER ADOFO: I have her  
21 information, okay.

22 CHAIRPERSON ANDERSON: She can point  
23 you -- whatever information that you require, she  
24 can give it to you. And that's the same thing  
25 for the owner, too; whatever information that you

1 need, if you don't understand something, please  
2 contact Ms. Randall. She will provide whatever  
3 information that you need. She's probably  
4 listening on this -- she said she normally  
5 listens in on these hearings, so she's probably  
6 listening. It's just a matter of getting in  
7 contact with her. She will help facilitate the  
8 process to assist you, okay?

9 COMMISSIONER ADOFO: All right, thank  
10 you. I appreciate it.

11 CHAIRPERSON ANDERSON: She will assist  
12 you as the ANC, and she will also assist the  
13 Licensee, okay?

14 COMMISSIONER ADOFO: Yes, sir.

15 CHAIRPERSON ANDERSON: Have a great day  
16 and thank you for your participation today.

17 (Whereupon, the above-entitled matter  
18 went off the record at 3:42 p.m.)  
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This is to certify that the foregoing transcript

In the matter of: Wonder Mart

Before: DCABRA

Date: 12-10-20

Place: teleconference

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



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Court Reporter

**NEAL R. GROSS**

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