

DISTRICT OF COLUMBIA  
+ + + + +  
ALCOHOLIC BEVERAGE AND CANNABIS BOARD  
+ + + + +  
ROLL CALL HEARING

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IN THE MATTER OF:                   :  
  :  
MEG & AN, LLC                        :  
t/a Gray's Market                    :  
3306 Georgia Avenue, NW            :  
Retailer B - ANC 1E                  :  
License #120092                      :  
Case #23-PRO-00092                  :  
  :  
(License Renewal)                    :  
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Monday  
December 11, 2023

The Alcoholic Beverage and Cannabis Board met via WebEx videoconference, LaVerne Fletcher, Board's Agent, presiding.

PRESENT:

LAVERNE FLETCHER, ABC Board's Agent

ALSO PRESENT:

MARC HYMAN, Protestant

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

2 10:32 a.m.

3 MS. FLETCHER: Thank you everyone,  
4 we're finally ready to get started. And again, I  
5 apologize, we've had an update in Webex, and have  
6 had some connectivity issues this morning, but  
7 we're all here now, thank you. My name is  
8 LaVerne Fletcher, and I'll be conducting the roll  
9 call hearings as the board's agent this morning.

10 There are two cases on the calendar,  
11 the first case -- before I get started, Ms.  
12 Mahmoud, and Ms. Edwards, can you hear me?

13 MS. EDWARDS: I can, yes.

14 MS. MAHMOUD: Yes, I can.

15 MS. FLETCHER: And can the court  
16 reporter hear me too?

17 COURT REPORTER: Yes, I can.

18 MS. FLETCHER: Thank you very much.  
19 Mr. Hyman, I know you're having some issues with  
20 you being able to hear me, but I can hear you.  
21 If you have any questions you can just put them  
22 in the chat, okay? Thank you. The first case on  
23 the calendar is Gray's Market, this is case  
24 number 23-PRO-00092, MEG & AN, LLC., 3306 Georgia  
25 Avenue Northwest, license number ABRA 120092.

1                   This is a retailer class B grocery  
2 store, this I a license renewal, and the protest  
3 issues are adverse impact on peace, order, and  
4 quiet, real property values, and pedestrian  
5 safety. My name is LaVerne Fletcher, conducting  
6 the roll call hearing as the board's agent. Is  
7 there anyone present on behalf of Gray's Market?

8                   Is there anyone present on behalf of  
9 MD Homes? Mr. Hyman, you're present? Mr. Hyman,  
10 I'm going to -- I see you, I'm going to state  
11 your name for the record, and spell it for the  
12 record. Mr. Hyman is present on behalf of MD  
13 Homes. Mr. Hyman's name is spelled M-A-R-C, the  
14 middle initial is A, the last name is spelled H-  
15 Y-M-A-N.

16                   Mr. Hyman, can you clarify something  
17 for me? You're representing MD Homes as the  
18 abutting property owner, or are you the abutting  
19 property owner? You are the abutting property  
20 owner? Okay, thank you, Mr. Hyman. You're the  
21 sole owner of the LLC., and the LLC., is that  
22 3302 Georgia Avenue, LLC.? Okay, thank you. And  
23 so, that also includes 3304 Georgia Avenue  
24 Northwest, the LLC. includes both?

25                   Thank you. Mr. Hyman said that is

1 correct. Mr. Hyman, those two locations are  
2 abutting property owners according to the D.C.  
3 Geographic Information System. And just to  
4 clarify for the record, the addresses of 3302  
5 Georgia Avenue Northwest, and 3304 Georgia Avenue  
6 Northwest, those two addresses are abutting  
7 property owners.

8 Which means that Mr. Hyman, the LLC.  
9 has standing as a protestant. The time is  
10 approximately 10:35, and there is no one present  
11 on behalf of Gray's Market. Therefore the  
12 license renewal application is dismissed. What  
13 that means, Mr. Hyman, is that the board will  
14 issue an order dismissing the application. And  
15 upon receipt of the order, the applicant will  
16 have ten days to seek reinstatement of the  
17 application with an explanation for why they're  
18 not present today.

19 You'll receive a copy of the order,  
20 and you'll also have an opportunity to respond to  
21 their request to reinstate. And do you have any  
22 questions related to what happens next, Mr.  
23 Hyman? Mr. Hyman, are you sending me a message  
24 in the chat? Take your time, I'm waiting. Okay,  
25 I see it now. So, Mr. Hyman's question is so then

1 will this roll call meeting happen a second time  
2 should Gray's Market wish to reinstate?

3 No, Mr. Hyman, the roll call hearing  
4 will not happen a second time. You're being  
5 granted standing as a protestant today, so that's  
6 one thing that was supposed to happen today. So,  
7 the next thing that will happen is the board  
8 reinstates the application, is that I will  
9 contact you, provide you with dates for a  
10 mediation, a status hearing, and a protest  
11 hearing, because those are the things that happen  
12 next after the roll call.

13 So, if they reinstate, I'll contact  
14 you to just put the case back on track. But  
15 you've already been granted standing as a  
16 protestant, so there won't be any need for a  
17 second roll call hearing. Mr. Hyman is saying  
18 okay to that, that's very good, and he  
19 understands. Right, Mr. Hyman?

20 Okay, thank you very much, Mr. Hyman,  
21 for coming. You're welcome to log off now, this  
22 roll call hearing is concluded, or you're welcome  
23 to stay, but this case is concluded.

24 (Whereupon, the above-entitled matter  
25 went off the record at 10:38 a.m.)

<p style="text-align: center;"><b>A</b></p> <p>a.m 2:2 5:25  <b>ABC</b> 1:16  <b>able</b> 2:20  <b>above-entitled</b> 5:24  <b>ABRA</b> 2:25  <b>abutting</b> 3:18,18,19 4:2 4:6  <b>addresses</b> 4:4,6  <b>adverse</b> 3:3  <b>agent</b> 1:14,16 2:9 3:6  <b>Alcoholic</b> 1:2,13  <b>ANC</b> 1:7  <b>apologize</b> 2:5  <b>applicant</b> 4:15  <b>application</b> 4:12,14,17 5:8  <b>approximately</b> 4:10  <b>Avenue</b> 1:7 2:25 3:22 3:23 4:5,5</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p><b>B</b> 1:7 3:1  <b>back</b> 5:14  <b>behalf</b> 3:7,8,12 4:11  <b>Beverage</b> 1:2,13  <b>board</b> 1:2,13 4:13 5:7  <b>board's</b> 1:14,16 2:9 3:6</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p><b>calendar</b> 2:10,23  <b>call</b> 1:3,7 2:9 3:6 5:1,3 5:12,17,22  <b>Cannabis</b> 1:2,13  <b>case</b> 1:8 2:11,22,23 5:14,23  <b>cases</b> 2:10  <b>chat</b> 2:22 4:24  <b>clarify</b> 3:16 4:4  <b>class</b> 3:1  <b>COLUMBIA</b> 1:1  <b>coming</b> 5:21  <b>concluded</b> 5:22,23  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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: Gray's Market

Before: DC ABCA

Date: 12-11-23

Place: teleconference

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



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Court Reporter

**NEAL R. GROSS**

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