

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

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IN THE MATTER OF: :
 :
DC Market, Inc., :
t/a DC Food Market :
2200 16th Street SE : Roll Call
Retailer Class B - ANC 8A: Hearing
License #ABRA-106932 :
Case #23-PRO-00096 :
 :
(License Renewal) :
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Tuesday
December 26, 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:

DANIEL MCGEE, Protestant
EMILY MCGEE, Protestant
EMANUEL MPRAS, Licensee Counsel
ANDREW NGUYEN, Protestant
ANGELA NGUYEN, Protestant
PATRICK O'KEEFE, Protestant's Counsel

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

2 10:28 a.m.

3 MS. FLETCHER: The next case on the
4 calendar is DC Food Market, Case Number 23-PRO-
5 00096, DC Market, Inc., 2200 16th Street
6 Southeast, license number ABRA-106932. The is a
7 Retailer Class B Grocery. The protest issues are
8 adverse impact on peace, order, and quiet.

9 My name is LaVerne Fletcher,
10 conducting the roll call hearing as the Board's
11 agent. Is anyone present on behalf of DC Food
12 Market?

13 MR. MPRAS: Emanuel Mpras,
14 representing DC Food Market.

15 MS. FLETCHER: Thank you, Mr. Mpras.
16 Could you spell that for the record, please?

17 MR. MPRAS: E-M-A-N-U-E-L, last name
18 is M-P-R-A-S.

19 MS. FLETCHER: Thank you, Mr. Mpras.
20 Is anyone else present from the establishment?

21 MR. MPRAS: No, ma'am. The Licensee
22 is out of the country. I contacted him this
23 morning, he's having technical issues.

24 MS. FLETCHER: Okay. So, I lost a
25 little bit of what you said, Mr. Mpras. The

1 Licensee is not present today?

2 MR. MPRAS: No, the Licensee is out of
3 the country --

4 MS. FLETCHER: He's out of the
5 country? Okay.

6 MR. MPRAS: Contacted him this
7 morning, he's having technical issues.

8 MS. FLETCHER: Okay, thank you. We
9 have a group of five or more, is anyone present
10 on behalf of the group?

11 MR. O'KEEFE: Yes. Good morning, Ms.
12 Fletcher. This is Patrick O'Keefe, spelled P-A-
13 T-R-I-C-K, last name O-K-E-E-F-E, representing
14 the group of five. Thank you.

15 MS. FLETCHER: Thank you very much.
16 Mr. O'Keefe, are there any other individuals
17 present from your group today?

18 MR. O'KEEFE: Yes. I am joined by
19 four other residents and our Commissioner,
20 representing the ANC.

21 MS. FLETCHER: Would each person state
22 their name and spell it for the record, please?

23 MR. NGUYEN: Andrew Nguyen, A-N-D-R-E-
24 W, N-G-U-Y-E-N.

25 MS. FLETCHER: N-G-U?

1 MR. NGUYEN: N-G-U-Y-E-N.

2 MS. FLETCHER: Thank you.

3 MS. NGUYEN: Angela Nguyen, A-N-G-E-L-
4 A, N-G-U-Y-E-N.

5 MS. FLETCHER: Thank you. The next
6 person?

7 MS. MCGEE: My name is Emily McGee, E-
8 M-I-L-Y, M-C --

9 MS. FLETCHER: Excuse me. I'm sorry,
10 one minute. You said E-what?

11 MS. MCGEE: Emily McGee, E-M-I-L-Y, M-
12 C-G-E-E.

13 MS. FLETCHER: Thank you. And the
14 next person?

15 MR. MCGEE: And this is Daniel McGee,
16 D-A-N-I-E-L, M-C-G-E-E.

17 MS. FLETCHER: Thank you. And you
18 each signed the protest letter?

19 MS. NGUYEN: Yes.

20 MR. NGUYEN: Yes.

21 MS. MCGEE: Yes, that's correct.

22 MS. FLETCHER: I'm just verifying
23 signatures. One second, please. Okay, I
24 verified your signatures.

25 There are a group of seven being

1 granted standing in this case. Mr. O'Keefe,
2 there are other names on your protest letter, but
3 there are no signatures for all --

4 (Simultaneous speaking.)

5 MR. O'KEEFE: Yes.

6 MS. FLETCHER: Okay. So you're aware
7 of that already, okay.

8 MR. O'KEEFE: Yes.

9 MS. FLETCHER: Thank you. So we have
10 a group of seven that are being granted standing.
11 There are at least five of you present today,
12 which is required in order to be granted full
13 standing.

14 MR. MPRAS: Ms. Fletcher, if I may?

15 MS. FLETCHER: Yes, Mr. Mpras?

16 MR. MPRAS: Rather than just -- we
17 went through this last week. I'm just going to
18 state that this is a mirror image protest of the
19 King (phonetic) convenience store. And just for
20 the record, I reserve the right to challenge the
21 standing before the Board.

22 MS. FLETCHER: Okay. And I'll just
23 note for the record, the difference between this
24 case and the one that you referred to, Mr. Mpras
25 is that, in this case there are actually

1 signatures that were signed. In the previous
2 case --

3 (Simultaneous speaking.)

4 MR. MPRAS: Ms. Fletcher, I have a
5 copy of the protest that's sent to me, and I
6 don't have any -- the signatures are all
7 automated, no actual signatures.

8 MS. FLETCHER: So, Mr. Mpras, I'll
9 make sure this gets sent to you today. There are
10 names on this list, Mr. Mpras where there are no
11 signatures at all and there's some where there
12 are.

13 MR. MPRAS: There is some where they
14 are. The issue on the last one is the same as
15 this one, they're not actual handwritten
16 signatures. Nor are they electronic signatures,
17 as required by the DC Code. That's all.

18 MS. FLETCHER: Okay, thank you. The
19 signatures appear to be handwritten, and they
20 appear to be acceptable as electronic signatures,
21 Mr. Mpras. But, I know that you're going to file
22 your motion, I'm just noting that for the record
23 --

24 MR. MPRAS: Yeah. We'll need a copy
25 of that plea, because I was never provided with a

1 copy. The only thing I have is a -- and I just
2 want to make sure that that copy was submitted
3 within the protest period.

4 MS. FLETCHER: I'll make sure you get
5 that, I'm going to make a note of that right now.
6 Just one second.

7 MR. MPRAS: Great.

8 MS. FLETCHER: So, Mr. O'Keefe?

9 MR. O'KEEFE: Yes, Ms. Fletcher?

10 MS. FLETCHER: If Mr. Mpras files a
11 motion to dismiss your protest, you'll receive a
12 copy of the motion and you will have an
13 opportunity to respond.

14 MR. O'KEEFE: Understood. Thank you,
15 Ms. Fletcher.

16 MS. FLETCHER: Very welcome. I'm
17 going to give you the date for a status hearing,
18 protest hearing, and a mediation. I'm going to
19 give you the status hearing first, which is
20 February 7, 2024 at 10:30 a.m. The protest
21 hearing is scheduled for March 6, 2024 at 1:30
22 p.m.

23 I will give you the next available
24 date for mediation, Mr. Mpras allowing time for
25 you to file your motion. Let's see. What about

1 Wednesday, January 31st, for a mediation? But,
2 let me say this first. Mr. Mpras, are you aware,
3 at this point, of whether or not you have any
4 hearings before the Board on the 31st? That is a
5 Wednesday, would you prefer --

6 (Simultaneous speaking.)

7 MR. MPRAS: -- Wednesday. I'm
8 checking my calendar and as of now I do not.

9 MS. FLETCHER: Okay. We can do
10 Monday, January 29 at 1:30 in the afternoon.

11 MR. MPRAS: That's fine for me, if
12 it's fine with everybody else.

13 MS. FLETCHER: Is that fine for you,
14 Mr. O'Keefe?

15 MR. O'KEEFE: Yes, thank you.

16 MS. FLETCHER: Welcome. I am
17 scheduling mediation for Monday, January 29 at
18 1:30 in the afternoon, and I'll send you the
19 WebEx invitation to attend. Okay, any questions
20 at all?

21 So unless the Board dismisses the
22 protest as a result of Mr. Mpras's motion, then I
23 will see you then.

24 MR. O'KEEFE: Thank you.

25 MR. MPRAS: Ms. Fletcher, when will I

1 be receiving a copy of the protest that you have?

2 MS. FLETCHER: I'm going to send it to
3 you today.

4 MR. MPRAS: Great.

5 MS. FLETCHER: When I get back to my
6 desk.

7 MR. MPRAS: Thank you.

8 MS. FLETCHER: You're welcome. Well
9 thank you for coming this matter is concluded.

10 (Whereupon, the above-entitled matter
11 went off the record at 10:39 a.m.)

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<p style="text-align: center;">A</p> <p>A-N-D-R-E 3:23 A-N-G-E-L 4:3 a.m 2:2 7:20 9:11 ABC 1:16 above-entitled 9:10 ABRA-106932 1:8 2:6 acceptable 6:20 actual 6:7,15 adverse 2:8 afternoon 8:10,18 agent 1:14,16 2:11 Alcoholic 1:2,13 allowing 7:24 ANC 1:7 3:20 Andrew 1:20 3:23 Angela 1:20 4:3 appear 6:19,20 attend 8:19 automated 6:7 available 7:23 aware 5:6 8:2</p>	<p>D-A-N-I-E-L 4:16 Daniel 1:18 4:15 date 7:17,24 DC 1:6,6 2:4,5,11,14 6:17 December 1:11 desk 9:6 difference 5:23 dismiss 7:11 dismisses 8:21 DISTRICT 1:1</p>	<p style="text-align: center;">I</p> <p>image 5:18 impact 2:8 individuals 3:16 invitation 8:19 issue 6:14 issues 2:7,23 3:7</p>	<p>N-G-U 3:25 N-G-U-Y-E-N 3:24 4:1,4 name 2:9,17 3:13,22 4:7 names 5:2 6:10 need 6:24 never 6:25 Nguyen 1:20,20 3:23,23 4:1,3,3,19,20 note 5:23 7:5 noting 6:22 number 2:4,6</p>
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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: DC Food Market

Before: DC ABCA

Date: 12-26-23

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.



Court Reporter

NEAL R. GROSS

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