

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

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IN THE MATTER OF: :
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NAI Saturn Eastern, LLC, :
t/a Safeway :
1100 4th Street SW : Roll Call
Retailer Class B - ANC 6D: Hearing
License #ABRA-097697 :
Case #23-PRO-00099 :
 :
(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:

AMY BURKE, Applicant's Counsel
ANDREA PAWLEY, ANC 6D
ZACHARY WILLIAMS, Applicant's Counsel

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

2 10:23 a.m.

3 MS. FLETCHER: The next case on the
4 calendar is Safeway, NAI Saturn Eastern, LLC,
5 Case Number 23-PRO-00099, 1100 4th Street
6 Southwest, license number ABRA-097697. This is a
7 Retailer Class B grocery license renewal, the
8 protest issues are adverse impact on peace,
9 order, and quiet.

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

13 MS. BURKE: Amy Burke --

14 MR. WILLIAMS: Yes. Zachary -- Go
15 ahead, Amy.

16 MS. BURKE: I'm sorry, Zach. I'm
17 still here.

18 MR. WILLIAMS: Zachary Williams, I'm
19 with the law firm of Venable, representing
20 Safeway.

21 MS. FLETCHER: Mr. Williams, would you
22 please restate the name of your law firm and
23 spell it for the record?

24 MR. WILLIAMS: Yes, it's Venable LLP,
25 and that's V-E-N-A-B-L-E, LLP.

1 MS. FLETCHER: Thank you. Ms. Burke,
2 I'm ready for you to state your name and spell
3 it.

4 MS. BURKE: Amy Burke, A-M-Y, B-U-R-K-
5 E.

6 MS. FLETCHER: Thank you very much.
7 Is anyone present on behalf of ANC 6D?

8 MS. PAWLEY: Yes, this is Commissioner
9 Andrea Pawley. My name is spelled A-N-D-R-E-A,
10 last name is spelled P-A-W-L-E-Y. I'm here on
11 behalf of ANC 6D; I'm the Commissioner for 6D04.

12 MS. FLETCHER: Thank you very much.

13 MS. PAWLEY: Thank you, Ms. Fletcher.

14 MS. FLETCHER: ANC 6D does have
15 standing as a protestant. I'm going to give you
16 the date for the status and protest hearing
17 first. The status hearing is scheduled for
18 February 28, 2024 at 10:30, the protest hearing
19 is scheduled for March 27, 2024 at 1:30 p.m.

20 We need to set a date for mediation.
21 Mr. Williams and Ms. Burke, I have a question for
22 you. You have a mediation scheduled on the 17 in
23 another matter, would you want to do both of
24 these cases on the same day or different day?

25 MS. BURKE: I'm fine doing them the

1 same day.

2 MS. PAWLEY: I would prefer to do it
3 the following week, if that's possible.

4 MS. FLETCHER: That is possible. I
5 just wanted to --

6 (Simultaneous speaking.)

7 MS. PAWLEY: But I haven't spoken with
8 the law firm about that. That's kind of a mutual
9 decision.

10 MS. FLETCHER: So who's speaking right
11 now, for the Court Reporter?

12 MS. PAWLEY: Oh, I apologize. This is
13 Commissioner Pawley.

14 MS. FLETCHER: I have to remember to
15 ask you, too. But thank you. Thank you,
16 Commissioner.

17 MS. PAWLEY: I apologize.

18 MS. FLETCHER: So let's just move to
19 the next week, and I'll let you --

20 MS. PAWLEY: This is Commissioner
21 Pawley again. I had not actually spoken with the
22 law firm about that, I don't know if that works
23 into their schedule.

24 MS. FLETCHER: I was going to check
25 with them next, so I'll do that then. So, Mr.

1 Williams, would you want to do both Safeways on
2 the same day or would you prefer a different day?

3 MR. WILLIAMS: The following week is
4 fine, if that works better for the Commissioner.
5 Although, I have limited availability that week,
6 I could do Tuesday the 23 and then possibly the
7 26, as well.

8 MS. FLETCHER: Then let's move to the
9 week of January 29. The first date available is
10 the next date available after that, anytime
11 between 10:30 and 1:30, that would be on Tuesday,
12 January 30. Anytime between 10:30 and 1:30.

13 MR. WILLIAMS: This is Zach Williams
14 again. That works for me, I don't know about Ms.
15 Burke or the Commissioner.

16 MS. FLETCHER: Ms. Burke, what about
17 you, on the 30?

18 MS. BURKE: Tuesday the 30 would be
19 fine.

20 MS. FLETCHER: Does that work for you,
21 Ms. Pawley?

22 MS. PAWLEY: Yes, that -- Tuesday the
23 30, anytime then would work.

24 MS. FLETCHER: What about 10:30?

25 MS. PAWLEY: Yes, thank you. This is

1 Commissioner Pawley.

2 MS. FLETCHER: Is that good for
3 everyone? This good for you, Mr. Williams and
4 Ms. Burke, 10:30 on January 30?

5 MS. BURKE: Yes.

6 MS. FLETCHER: And good for you also,
7 Mr. Williams?

8 MR. WILLIAMS: Yes, it is.

9 MS. FLETCHER: Mediation is set for
10 Tuesday, January 30 at 10:30 a.m. I should tell
11 you that I'll send you the WebEx invitations to
12 attend the mediations. I mean, some of you know
13 that I'm the Board's mediator, so I will see you
14 on the 30. Any questions in this matter?

15 MR. WILLIAMS: No.

16 MS. FLETCHER: Well, thank you for
17 coming. The roll call hearing in this matter is
18 concluded.

19 MR. WILLIAMS: Thank you.

20 MS. FLETCHER: You're very welcome.

21 (Whereupon, the above-entitled matter
22 went off the record at 10:28 a.m.)
23
24
25

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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: Safeway

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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