

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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ROLL CALL HEARING

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IN THE MATTER OF: :
 :
Badsri Incorporated, :
t/a 4 Seasons Convenience :
Store :
4975 South Dakota Ave, NE :
License #ABRA-109434 :
Retailer B - New :
Application :
Case #18-PRO-00038 :

MONDAY, JUNE 4, 2018

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The Alcoholic Beverage Control Board
met in Alcoholic Beverage Control Hearing Room,
Reeves Building, 2000 14th Street N.W.,
Washington, D.C., Ms. LaVerne Fletcher, Agent,
presiding.

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

2 10:20 a.m.

3 AGENT FLETCHER: Would the parties in
4 the matter of 4 Seasons Convenience Store,
5 please, come forward? 4 Seasons Convenience
6 Store. This is Case No. 18-PRO-00038, Badsri
7 Incorporated, 4975 South Dakota Avenue, N.E.,
8 License No. ABRA-109434. This is a Retailer
9 Class B new application.

10 The protest issues are adverse impact
11 on peace, order and quiet.

12 My name is LaVerne Fletcher. I'm
13 conducting the Roll Call Hearing as the Board's
14 Agent.

15 Introductions beginning with the
16 applicant, please.

17 MR. DIETZ: My name is Bernard C.
18 Dietz. I'm representing the applicant, Badsri,
19 Inc. I have with me Ms. Saba Bocure, who is the
20 president of Badsri, Inc., and Mr. Petros Kiflu,
21 who is the principal of Badsri, Inc.

22 AGENT FLETCHER: Thank you. Mr.

1 Dietz, would you spell your last name for the
2 record, please?

3 MR. DIETZ: D-I-E-T-Z.

4 AGENT FLETCHER: Thank you. And could
5 you state your name, please, and spell it?

6 MR. KIFLU: Kiflu, K-I-F, like Frank,
7 L-U.

8 AGENT FLETCHER: Is that the last name
9 or first name?

10 MR. KIFLU: Last name.

11 AGENT FLETCHER: And what's the first
12 name?

13 MR. KIFLU: P-E-T-R-O-S.

14 AGENT FLETCHER: P-E-T-R?

15 MR. KIFLU: O-S.

16 AGENT FLETCHER: O-L.

17 MS. BOCURE: Saba, the first name is
18 S-A-B-A. My last name is Bocure, B-O-C-U-R-E.

19 AGENT FLETCHER: B-O-C-U?

20 MS. BOCURE: R-E.

21 AGENT FLETCHER: And the first name is
22 S-A?

1 MS. BOCURE: B-A.

2 AGENT FLETCHER: B like boy?

3 MS. BOCURE: Yeah.

4 AGENT FLETCHER: Okay. Thank you very
5 much.

6 Is anyone present on behalf of ANC-5A?

7 Is anyone present on behalf of ANC-5A?

8 MR. LEWIS: I was trying to reach the
9 chair. I don't think he is here at the moment,
10 but I'm an ANC-5A02.

11 AGENT FLETCHER: Is anyone present on
12 behalf of the North Michigan Park Civic
13 Association?

14 MR. LEWIS: I'm Grace Lewis.

15 AGENT FLETCHER: You are present on
16 behalf of the North Michigan Park Civic
17 Association?

18 MR. LEWIS: Yes, I am.

19 AGENT FLETCHER: And your name,
20 please?

21 MR. LEWIS: Grace J. Lewis.

22 AGENT FLETCHER: Thank you, Ms. Lewis.

1 Would you spell your name for the record?

2 MR. LEWIS: G-R-A-C-E.

3 AGENT FLETCHER: Uh-huh.

4 MR. LEWIS: Initial J, L-E-W-I-S.

5 AGENT FLETCHER: Thank you very much.

6 Is anyone present on behalf of ANC-5A?

7 Ms. Lewis, I have a couple of
8 questions for you. In order to determine whether
9 or not your association has standing as a
10 protestant, I have a couple of questions for you.

11 MR. LEWIS: Okay.

12 AGENT FLETCHER: Are you incorporated
13 in D.C.?

14 MR. LEWIS: No, we are not.

15 AGENT FLETCHER: I just have a couple
16 more questions. Did your association hold a
17 meeting concerning this application where you
18 voted?

19 MR. LEWIS: Yes.

20 AGENT FLETCHER: Was it a duly called
21 meeting?

22 MR. LEWIS: Yes.

1 AGENT FLETCHER: Was the applicant
2 given at least a 7-day notice to attend the
3 meeting?

4 MR. LEWIS: No.

5 AGENT FLETCHER: Okay. Thank you.
6 What that means, Ms. Lewis, is that your
7 association cannot be granted standing as a
8 protestant.

9 In order to be granted standing as a
10 protestant, as a community association, you have
11 to be incorporated in D.C. And this is for
12 future reference you can --

13 MR. LEWIS: Okay.

14 AGENT FLETCHER: -- get these things
15 done. You have to be incorporated in D.C. If
16 you are going to hold a meeting concerning this
17 application, you have to give the applicant at
18 least a 7-day notice of the meeting that you are
19 going to hold and invite them to the meeting to
20 give them an opportunity to attend the meeting.

21 If they don't attend the meeting,
22 that's not a requirement, but it is a requirement

1 that you let them know when the meeting is that
2 you are going to hold concerning the application.

3 The North Michigan Park Civic
4 Association is dismissed as a protestant.

5 ANC-5A is dismissed, because they
6 failed to appear today.

7 So as of today, there are no
8 protestants in this matter.

9 Ms. Lewis, your association has the
10 right to petition the ABC Board to be granted
11 standing as a protestant, but based --

12 MR. LEWIS: May I ask you a question?

13 AGENT FLETCHER: Yes.

14 MR. LEWIS: Since I'm a member of ANC-
15 5A and Commissioner of ANC-5A02, can I represent
16 5A?

17 AGENT FLETCHER: Well, they didn't
18 designate you as a representative. They
19 designated, I believe, the chair. Yes, they have
20 to be present. Give me one second.

21 I'm going to dismiss 5A. 5A and also
22 your association will receive an order from the

1 ABC Board dismissing your protest, but you will
2 have 10 days to seek reinstatement if for some
3 reason you would like the Board to reconsider --

4 MR. LEWIS: Okay.

5 AGENT FLETCHER: -- the decision today
6 to dismiss the protest. ANC-5A is dismissed,
7 because they are not here and they didn't
8 designate you as a representative.

9 MR. LEWIS: So we have 10 days to --

10 AGENT FLETCHER: Once you receive the
11 Board Order dismissing the protest, the Board
12 Order will tell you that you have 10 days to ask
13 the Board to grant you standing as a protestant.

14 MR. LEWIS: Okay.

15 AGENT FLETCHER: And if you decide to
16 do that, then you have got to inform, Mr. Dietz,
17 so that he will have an opportunity to respond to
18 your request to be reinstated as a protestant or
19 to be granted standing as a protestant.

20 MR. LEWIS: Okay.

21 AGENT FLETCHER: Any questions at all?

22 MR. LEWIS: Okay. But as far as the

1 association, we have to be incorporated in D.C.?

2 AGENT FLETCHER: In order to file a
3 protest in the future, if say you want to file a
4 protest beyond today --

5 MR. LEWIS: Um-hum.

6 AGENT FLETCHER: -- the requirements
7 are that you are incorporated in D.C., that's
8 first. The second thing is that you have to give
9 the applicant at least a 7-day notice of the
10 meeting that you have regarding the application
11 that they are filing, so that they have an
12 opportunity to attend the meeting.

13 MR. LEWIS: Okay. So is it too late
14 to do that now?

15 AGENT FLETCHER: It's too late. It
16 would need to have been done before the petition
17 deadline. The petition deadline in this case was
18 March -- May, May 21st.

19 MR. LEWIS: Okay.

20 AGENT FLETCHER: So it's too late.

21 MR. LEWIS: Okay.

22 AGENT FLETCHER: Okay. Anything else?

1 MR. LEWIS: No, that's it.

2 MR. DIETZ: Um --

3 AGENT FLETCHER: Mr. Dietz?

4 MR. DIETZ: Just for the record, I did
5 not receive notice of this protest. Okay. The
6 application filed has my Notice of Appearance and
7 today I filed a separate Notice of Appearance for
8 the protest, so to make sure that I get copies of
9 whatever notices you are sending.

10 AGENT FLETCHER: Okay. Thank you, Mr.
11 Dietz. Did you put your contact information on
12 that sheet also today?

13 MR. DIETZ: Yes, I did.

14 AGENT FLETCHER: Okay.

15 MR. DIETZ: And I just gave the --
16 gave her a copy of that also.

17 AGENT FLETCHER: Okay. Will do.

18 MR. DIETZ: Okay?

19 AGENT FLETCHER: Yes.

20 MR. DIETZ: Just so I know what is
21 going on.

22 AGENT FLETCHER: Absolutely.

1 MR. DIETZ: Thank you very much.

2 AGENT FLETCHER: Okay. Thank you.

3 The Roll Call Hearing is concluded. Thank you.

4 (Whereupon, the hearing briefly went
5 off the record.)

6 Can we reopen the record for a moment
7 in the matter of 4 Seasons Convenience Store?

8 I just want to clarify for the record
9 that the North Michigan Park Civic Association
10 was dismissed, but in their Protest Letter, they
11 indicated that there were a group of residents
12 that signed a petition and the association
13 attached a copy of a petition to its Protest
14 Letter.

15 I'm checking now to see if there are
16 any individuals here connected to the North
17 Michigan Park Civic Association. Any
18 individuals?

19 Thank you. And just for the record,
20 I will note that if either one of those
21 individuals had appeared today, they would not
22 have been recognized as protestants, because they

1 did not claim to be protestants and did not state
2 a claim under the Appropriateness Standard.

3 So the fact that they are not here
4 today is fine, because they are not recognized as
5 protestants.

6 We can close the record now. Thank
7 you.

8 (Whereupon, the Roll Call Hearing was
9 concluded at 10:31 a.m.)

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<p>a.m 2:2 12:9 ABC 7:10 8:1 ABRA-109434 1:11 2:8 Absolutely 10:22 adverse 2:10 Agent 1:18 2:3,14,22 3:4,8,11,14,16,19,21 4:2,4,11,15,19,22 5:3 5:5,12,15,20 6:1,5,14 7:13,17 8:5,10,15,21 9:2,6,15,20,22 10:3 10:10,14,17,19,22 11:2 Alcoholic 1:3,16,17 ANC-7:14 ANC-5A 4:6,7 5:6 7:5 8:6 ANC-5A02 4:10 7:15 appear 7:6 Appearance 10:6,7 appeared 11:21 applicant 2:16,18 6:1 6:17 9:9 application 1:12 2:9 5:17 6:17 7:2 9:10 10:6 Appropriateness 12:2 association 4:13,17 5:9 5:16 6:7,10 7:4,9,22 9:1 11:9,12,17 attached 11:13 attend 6:2,20,21 9:12 Ave 1:10 Avenue 2:7</p>	<p>C 2:17 Call 1:5 2:13 11:3 12:8 called 5:20 case 1:12 2:6 9:17 chair 4:9 7:19 checking 11:15 Civic 4:12,16 7:3 11:9 11:17 claim 12:1,2 clarify 11:8 Class 2:9 close 12:6 COLUMBIA 1:1 come 2:5 Commissioner 7:15 community 6:10 concerning 5:17 6:16 7:2 concluded 11:3 12:9 conducting 2:13 connected 11:16 contact 10:11 Control 1:3,16,17 Convenience 1:9 2:4,5 11:7 copies 10:8 copy 10:16 11:13 couple 5:7,10,15</p>	<p>failed 7:6 far 8:22 file 9:2,3 filed 10:6,7 filing 9:11 fine 12:4 first 3:9,11,17,21 9:8 Fletcher 1:18 2:3,12,22 3:4,8,11,14,16,19,21 4:2,4,11,15,19,22 5:3 5:5,12,15,20 6:1,5,14 7:13,17 8:5,10,15,21 9:2,6,15,20,22 10:3 10:10,14,17,19,22 11:2 forward 2:5 Frank 3:6 future 6:12 9:3</p>	<p>late 9:13,15,20 LaVerne 1:18 2:12 Letter 11:10,14 Lewis 4:8,14,14,18,21 4:21,22 5:2,4,7,11,14 5:19,22 6:4,6,13 7:9 7:12,14 8:4,9,14,20 8:22 9:5,13,19,21 10:1 License 1:11 2:8</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: 4 Seasons Convenience Store

Before: DCABRA

Date: 06-04-18

Place: Washington, DC

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

Neal R Gross

Court Reporter

NEAL R. GROSS

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