#### DISTRICT OF COLUMBIA

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### ALCOHOLIC BEVERAGE CONTROL BOARD

+ + + + + MEETING

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IN THE MATTER OF:

:

EZRA S, Inc., t/a Dix Market

t/a Dix Market :
6221 Dix Street, N.E. : Protest
Retailer A - ANC 7C : Hearing

License #11640 : Case #21-PRO-00081 ::

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(Application for a License : Renewal) :

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# Wednesday January 12, 2022

The Alcoholic Beverage Control Board met via Videoconference, Chairperson Donovan W. Anderson presiding.

#### PRESENT:

DONOVAN W. ANDERSON, Chairperson BOBBY CATO, JR., Member RAFI ALIYA CROCKETT, Member EDWARD S. GRANDIS, Member JENI HANSEN, Member JAMES SHORT, JR., Member

#### ALSO PRESENT:

SARAH FASHBAUGH, DC ABRA Staff CHRISSIE CHANG, Licensee Counsel MARY GAFFNEY, ANC Commissioner DAWIT GGIORGS, Licensee ANTAWAN HOLMES, Chair of ANC7C FASEKA SHEFERAW, Licensee

	P-R-U-C-E-E-D-I-N-G-5
2	CHAIRPERSON ANDERSON: All right. The
3	next case on our calendar is Case Number 21-PRO-
4	00081, Dix Market, License Number 116408.
5	Ms. Fashbaugh, can you please elevate
6	the rights of the parties in this case, please.
7	MS. FASHBAUGH: One moment, Mr. Chair.
8	We have an interpreter on the line. That's Lidia
9	Bellod. You are your rights are elevated.
10	MS. BELLOD: Good morning. This is
11	Lidia, the Spanish interpreter.
12	CHAIRPERSON ANDERSON: Hold on a
13	minute, please, ma'am. If you have a camera, can
14	you please turn your camera on, please, ma'am?
15	MS. BELLOD: Uh-huh.
16	MS. FASHBAUGH: Alexis Larios, your
17	rights have been elevated.
18	Janika Jordan, your rights have been
19	elevated.
20	Investigator Felicia Dantzler, your
21	rights have been elevated.
22	That is all, Chairperson.
23	CHAIRPERSON ANDERSON: I'm sorry.
24	Hold on a minute. Hold on. This is this
25	is this is Dix Liquor. Is that is that

1	correct?
2	MS. FASHBAUGH: It is not. I made a
3	mistake. My apologies.
4	CHAIRPERSON ANDERSON: All right. So
5	this is the
6	MS. FASHBAUGH: That was Villa
7	Tuscana. Let me de-escalate.
8	CHAIRPERSON ANDERSON: Yeah. So I
9	apologize. We're not ready for this case as yet
10	So the case we're calling is Dix Liquor, which is
11	another protest hearing status. And this your
12	case will be next, okay?
13	So I apologize for the inconvenience.
14	All right? All right.
15	So Dix Liquor so, Dix please
16	elevate the rights for Dix Market, please.
17	MS. FASHBAUGH: Chrissie Chang, your
18	rights have been elevated. I do not see
19	CHAIRPERSON ANDERSON: I believe Ms.
20	Chang is probably the designated representative
21	of that person.
22	MS. FASHBAUGH: Mary Gaffney, your
23	rights have been elevated, and Antawan Holmes,
24	your rights have been elevated. That is all,

Chairperson.

1	CHAIRPERSON ANDERSON: All right.
2	Thank you very much. All right. Let's have the
3	parties identify themselves for the record.
4	Let's start with the licensee or the licensee's
5	representative.
6	MS. CHANG: My name is Chrissie Chang,
7	C-H-R-I-S-S-I-E C-H-A-N-G, and renewal applicant,
8	EZRA S, Inc. Mr. Dawit Ggiorgs, he is here. He
9	is right here.
10	Hello?
11	CHAIRPERSON ANDERSON: I'm sorry. So,
12	Ms. Chang, who is it that you represent? You're
13	the representative for
14	MS. CHANG: Yes, the renewal
15	applicant, the business owner of this market,
16	EZRA X you know, EZRA S, Inc., sir.
17	CHAIRPERSON ANDERSON: All right. So
18	is it well, who's
19	MS. CHANG: Ms. Faseka.
20	CHAIRPERSON ANDERSON: Hold on, ma'am.
21	MS. CHANG: Hello?
22	CHAIRPERSON ANDERSON: Ms. Chang?
23	UNIDENTIFIED PARTICIPANT: Is he the
24	guy that lives on the 1600 block that's Mary
25	Ann's friend

1	MS. CHANG: Yes.
2	UNIDENTIFIED PARTICIPANT: that has
3	a dog?
4	CHAIRPERSON ANDERSON: I'm sorry.
5	Who's that speaking? I'm sorry. The only person
6	who should be speaking is Ms. Chang. I heard
7	someone talking about the dog in the background.
8	I'm going to ask that if you're not
9	if I've not called on you, I need everyone to
10	mute their microphone, please. The only person's
11	microphone who should be unmuted currently is Ms.
12	Chang.
13	All right. So let's start again, Ms.
14	Chang. Who do you represent?
15	MS. CHANG: Okay. Yes, the renewal
16	applicant, Faseka. Are you there?
17	CHAIRPERSON ANDERSON: All right. So
18	who's the person
19	MS. CHANG: Hello?
20	CHAIRPERSON ANDERSON: All right, Ms.
21	Chang so, is Mr. Faseka or Ms. Faseka is
22	that person supposed to be on the line?
23	MS. CHANG: Yes.
24	CHAIRPERSON ANDERSON: Ms. Fashbaugh,
25	do you see

1	MS. CHANG: Yes, Ms. Faseka and
2	yes.
3	CHAIRPERSON ANDERSON: Ms who is
4	the other person?
5	MS. CHANG: Mr. Ggiorgs and Ms.
6	Faseka. They are owners of Dix Market.
7	CHAIRPERSON ANDERSON: Are they on the
8	line? Are they
9	MS. CHANG: Both of them, yes.
10	CHAIRPERSON ANDERSON: All right. Can
11	they identify themselves? Because we haven't
12	identified
13	MS. CHANG: Okay. Sir?
14	CHAIRPERSON ANDERSON: Yes, ma'am?
15	MS. CHANG: Okay. The okay. Okay.
16	My clients is calling you right now, and he
17	said she said she's has been trouble to
18	unmute herself. Could you please
19	CHAIRPERSON ANDERSON: So what's her
20	name? What is her name?
21	MR. GGIORGS: My name is Dawit
22	MS. CHANG: Hello?
23	MR. GGIORGS: Dix Market.
24	CHAIRPERSON ANDERSON: Hold on, hold
25	on, hold on. Dawit. Is that the person who

	needs to be unmuted, Ms. Chang?
2	MR. GGIORGS: Yes.
3	MS. CHANG: Okay.
4	CHAIRPERSON ANDERSON: All right. All
5	right. Fine. So can you please if this is
6	Dawit I'm sorry. Can you please spell and
7	state your name
8	MS. CHANG: Yes, please.
9	CHAIRPERSON ANDERSON: Can you please
10	spell and state your name for the record, and
11	your relationship, please.
12	MR. GGIORGS: Okay. My name is Dawit,
13	D-A
14	MS. CHANG: My name is Chrissie Chang.
15	CHAIRPERSON ANDERSON: No, hold on,
16	hold on. Not you, Ms. Chang. I'm talking
17	about you've already
18	MS. CHANG: Okay. Okay.
19	CHAIRPERSON ANDERSON: I'm talking
20	about Dawit. Go ahead. Dawit, go ahead.
21	MR. GGIORGS: Okay. My name is Dawit,
22	D-A-W-I-T, last name G-G-I-O-R-G-S.
23	CHAIRPERSON ANDERSON: And who are
24	you, sir?
25	MR. GGIORGS: I'm owner.

1	CHAIRPERSON ANDERSON: You're the
2	owner of Dix Market?
3	MR. GGIORGS: Yes.
4	CHAIRPERSON ANDERSON: Who else is
5	all right. Who is the other person, Ms. Chang,
6	who we're looking for?
7	MS. CHANG: Sure. Ms. Faseka is the
8	wife of Mr. Dawit Ggiorgs, the owner of Dix
9	Market. They are
10	CHAIRPERSON ANDERSON: All right. So
11	it's
12	MS. CHANG: you know, operating the
13	business.
14	CHAIRPERSON ANDERSON: Right. Is Ms.
15	Faseka is she on the line? Is she trying to
16	be on the line?
17	MS. SHEFERAW: Yes, but I'm having an
18	issue. I can't connect.
19	CHAIRPERSON ANDERSON: I can hear you.
20	So, can you please
21	MS. SHEFERAW: Uh-huh.
22	CHAIRPERSON ANDERSON: spell and
23	state your name for record, then, ma'am?
24	MS. SHEFERAW: My name is Faseka
25	Sheferaw, F-A-S-E-K-A, last name, S-H-E-F-E-R-A-

1	w.
2	CHAIRPERSON ANDERSON: And what's your
3	relationship to the establishment, please?
4	MS. SHEFERAW: Are you able to hear
5	me?
6	CHAIRPERSON ANDERSON: Yes. What's
7	your relationship to the establishment?
8	MS. SHEFERAW: I'm the wife of the
9	owner.
10	CHAIRPERSON ANDERSON: All right. So
11	you're also the owner of the establishment?
12	MS. SHEFERAW: Yes, sir.
13	CHAIRPERSON ANDERSON: All right.
14	Okay, thank you. All right.
15	Dr. Gaffney, can you please spell and
16	state your name for the record, please?
17	(No response.)
18	CHAIRPERSON ANDERSON: Mary Gaffney,
19	can you please spell and state your name
20	MS. GAFFNEY: Are you speaking to me?
21	I'm sorry. I'm having
22	CHAIRPERSON ANDERSON: Can you please
23	spell your spell and state the name your
24	name for the record, please.
25	MS. GAFFNEY: Mary Gaffney, M-A-R-Y

1	(Simultaneous speaking.)
2	CHAIRPERSON ANDERSON: Hold on, hold
3	on, hold on. The only person who needs to be
4	speaking right now is Mary Gaffney. All right.
5	Go ahead, Ms. Gaffney.
6	MS. SHEFERAW: Okay. I'm going to
7	respond. My name is Faseka
8	CHAIRPERSON ANDERSON: Who's speaking?
9	MS. SHEFERAW: F-A-S-E-K-A.
10	CHAIRPERSON ANDERSON: No, stop. Hold
11	on, hold on. Okay. Hold on, hold on.
12	MS. SHEFERAW: Last name, Sheferaw.
13	S-H
14	MS. CHANG: Faseka, not please, not
15	you.
16	CHAIRPERSON ANDERSON: Hold on, hold
17	on.
18	MS. CHANG: Sorry. She misunderstood.
19	Okay. Please, go ahead. Ms. Mary Gaffney.
20	CHAIRPERSON ANDERSON: All right.
21	Hold on. Hold on. Who is Ms. Chang, who is
22	that person? Who is that the name who is
23	that person
24	MS. CHANG: I'm the you know, I am
25	on behalf of

1	CHAIRPERSON ANDERSON: Ms. Chang, who
2	was the person who was trying to speak?
3	
4	MS. CHANG: Okay. Chairman, are you
5	asking my name?
6	CHAIRPERSON ANDERSON: No, Ms. Chang.
7	Ms. Chang hold on, Ms. Gaffney. Ms. Chang,
8	while Ms. Gaffney
9	MS. CHANG: Yes, sir?
10	CHAIRPERSON ANDERSON: was trying
11	to speak, someone else was trying to speak. Who
12	is that person?
13	MS. CHANG: Ms. Faseka. She
14	understood. Sorry.
15	CHAIRPERSON ANDERSON: All right.
16	MS. CHANG: She's not she yeah.
17	
18	CHAIRPERSON ANDERSON: Who's Ms.
19	Faseka? Who is Ms. Faseka?
20	MS. CHANG: Who is Ms. Faseka? It's
21	the wife of the owner of Dix Market.
22	CHAIRPERSON ANDERSON: All right. So
23	she doesn't need to speak anymore.
24	MS. CHANG: Ms. Faseka is the wife
25	of

1	CHAIRPERSON ANDERSON: Fine.
2	MS. CHANG: Okay.
3	CHAIRPERSON ANDERSON: Ms. Faseka does
4	not need to
5	MS. CHANG: Okay.
6	CHAIRPERSON ANDERSON: anymore
7	until I tell until I ask the questions. All
8	right.
9	MS. CHANG: Okay.
10	CHAIRPERSON ANDERSON: Go ahead
11	MS. CHANG: Okay.
12	CHAIRPERSON ANDERSON: Ms. Gaffney.
13	I apologize. Ms. Gaffney, please, spell and
14	state your name and your relationship, please.
15	MS. GAFFNEY: All right. Mary my
16	name is Mary, M-A-R-Y, initial L, Gaffney,
17	G-A-F-F-N-E-Y. I am the commissioner for the
18	area that the liquor store is in.
19	CHAIRPERSON ANDERSON: All right.
20	You're ANC commissioner. I saw that Mr. Holmes
21	was on the line.
22	Mr. Holmes, can you please spell and
23	state your name for record, please.
24	MR. HOLMES: Yes, Antawan Holmes,
25	ANC7 chair of ANC7C.

CHAIRPERSON ANDERSON: Is there anyone 1 2 else on the line who needs to identify themselves 3 for the record? 4 (No response.) 5 CHAIRPERSON ANDERSON: So this renewal is being protested by the ANC alone. 6 Is that 7 correct? I believe it was -- I 8 MR. HOLMES: 9 believe the Northeast Boundary Civic Association also had party status for this case. 10 11 CHAIRPERSON ANDERSON: So who is --12 so, who represents the Northeast Boundary Civic Association? 13 14 MR. HOLMES: They can be represented 15 by Commissioner Gaffney. She's also the 16 president of Northeast Boundary Civic 17 Association. 18 CHAIRPERSON ANDERSON: All right. Mr. 19 Holmes, I appreciate that, but I don't expect you 20 to say that. If Ms. Gaffney is representing the Northeast Boundary Civic Association, then Ms. 21 22 Gaffney needs to put that on the record. 23 Ms. Gaffney said that she's a 24 single-member district ANC representative. So 25 who is Ms. Gaffney representing at this hearing?

MS. GAFFNEY: Ms. Gaffney's 1 2 representing Northeast Boundary Civic 3 Association. CHAIRPERSON ANDERSON: Thank you very 4 5 much, Ms. Gaffney. MS. GAFFNEY: Thank you. 6 7 CHAIRPERSON ANDERSON: We have everything -- this has been -- this hearing has 8 9 been transcribed, one of the reasons -- that's 10 why I ask everyone to state their name and their 11 relationship. 12 And Ms. Gaffney, if Mr. Holmes did not 13 make that clarification to the record, I was 14 going to make a motion to dismiss the Northeast 15 Boundary Civic Association because they did not 16 show up at this hearing, ma'am. 17 So that's why it's important, when I 18 ask everyone to state your name and your 19 affiliation to this case. Is that correct? 20 Everyone understands? 21 Thank you so much. MS. GAFFNEY: 22 CHAIRPERSON ANDERSON: All right. 23 Thank you very much. All right. This matter is 24 scheduled for a protest hearing on February 16 at 25 1:30 p.m.

Are there any preliminary -- Ms. 1 2 Chang, do you have any preliminary matters you 3 want to bring to the attention of the Board? MS. CHANG: Yes. I would like to 4 5 inform you all that we are in negotiation for a settlement agreement, and the protesters and I 6 7 do -- we do hope that very soon, in the very near 8 future, the settlement agreement can be signed. 9 We are in negotiation. 10 CHAIRPERSON ANDERSON: All right. 11 Thank you, Ms. Chang. 12 And, Ms. Gaffney, on behalf of the 13 Northeast Boundary Civic Association, any 14 questions, any preliminary issues you want to 15 bring to the attention of the Agency? 16 MS. GAFFNEY: No, no more than she 17 said we in the negotiation. But we were supposed 18 to have this done before now, you know? And they 19 were supposed to come back with one week, and we 20 have not heard from them until today. 21 CHAIRPERSON ANDERSON: Well, I would 22 hope that the parties before -- let me say something. Mr. Holmes, any preliminary matters 23 24 that you want to bring to the attention?

Not at this time.

MR. HOLMES:

CHAIRPERSON ANDERSON: All right. 1 Ιf 2 the parties -- the Board supports settlement 3 agreement --4 MS. GAFFNEY: Yes. CHAIRPERSON ANDERSON: 5 -- if the parties are able to settle this matter. 6 So the 7 Board will just let all parties know that if you 8 intend to settle this matter, speak. And -- so, 9 you can bring agreement, if the parties are able 10 to settle this matter, okay? 11 So I just want to bring that to say if 12 what -- if you need an additional mediation from 13 the Agency, the Agency will work with doing that. 14 If you're able to do it informally, that's up to 15 you. 16 Let me -- let us know. We will help 17 to facilitate -- whatever this Agency can do to 18 facilitate the process, we will do that, okay? 19 MS. GAFFNEY: Thank you so much. 20 CHAIRPERSON ANDERSON: All right. 21 Thank you. MS. CHANG: 22 CHAIRPERSON ANDERSON: Thank you. All 23 right. All right. Now, that we've scheduled 24 this matter for protest hearing, there are a few 25 things that I would like to instruct you about,

because the Board's practices under the COVID-19 restrictions have changed.

As you know, the Board's hearings are conducted virtually, so it is more important than ever that protest hearings are focused and addresses only those issues that are being protested.

Following this hearing, you will receive an email from ABRA Legal assistant, Imani Moreland, that will include a copy of a protest information form, PIF, and a copy of an exhibit form, as well as specific instructions for the hearing.

You are required to complete and submit the PIF and exhibit forms at least seven days before the date of the hearing. If we do not receive a copy of your forms seven days before the hearing, your application or your protest may be subject to dismissal.

These documents need to be submitted to ABRA Legal and to the opposing parties.

Please know that these documents greatly assist the Board in narrowing the protest issues, facilitating the process, and keeping the parties on point during the hearing.

Each side is limited to no more than five witnesses, and you will only have 60 minutes to present your case. This includes all direct and cross-examination.

The Board does not intend to hear testimony of matters that are not relevant to those issues that are being protested. Any issues -- any questions or concerns for anyone?

(No response.)

CHAIRPERSON ANDERSON: All right.
Hearing none --

MS. CHANG: No, sir.

CHAIRPERSON ANDERSON: -- we thank you greatly for your cooperation. If at any time, you have any questions leading up to the hearing, please do not hesitate to contact Ms. Moreland at 202-442-6942 or contact her by email.

Again, the Board supports settlement.

If the parties are able to settle this matter, we do support that you have -- that conversations are held, and if there's anything the Agency can do, you can contact Ms. Moreland to assist you.

If you need to have another mediation, you can contact Ms. Moreland just to ask her to help facilitate another mediation session, if

1 that's required. But whatever this Agency can do 2 to assist the parties if the parties really want 3 to settle this matter, we will do that. If not, we'll see you for hearing on 4 5 February 16 at 1:30 p.m. Okay? 6 MS. GAFFNEY: Yes. 7 CHAIRPERSON ANDERSON: Thank you, 8 everyone, for your presentation and --9 MS. CHANG: Thank you. CHAIRPERSON ANDERSON: 10 -- for your 11 appearance this morning. Happy new year, and 12 have a great day. Thank you very much. 13 MS. CHANG: Thank you. 14 MR. HOLMES: Thank you. 15 (Whereupon, the above-entitled matter 16 went off the record.) 17 18 19 20 21 22 23 24 25

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In the matter of: Dix Market

Before: DCABRA

Date: 01-12-22

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Court Reporter

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