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    DISTRICT OF COLUMBIA
    + + + + +
ALCOHOLIC BEVERAGE CONTROL BOARD
    + + + + +
    ROLL CALL HEARING
    + + + + +
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| IN THE MATTER OF: | $:$ |
| :--- | :--- |
| Express Convenience | $\vdots$ |
| Store, LLC, |  |
| t/a Express Convenience | $\vdots$ |
| Store | $\vdots$ |
| 2031 Benning Road, NE | $\vdots$ |
| Retailer B - ANC 5D | $\vdots$ |
| License No. 113544 | $\vdots$ |
| Case \#19-PRO-00085 | $\vdots$ |
| (New Application) |  |

MONDAY, JULY 15, 2019

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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.
P-R-O-C-E-E-D-I-N-G-S
10:20 a.m.

AGENT FLETCHER: Would the parties in the matter of Express Convenience, please, come forward? The parties in the matter of Express Convenience. The applicant is going to sit on this side.

Are the parties present in the matter of Express Convenience? You are the applicant, yes?

MR. BAYETA: Yes.
CHAIRPERSON ANDERSON: Okay. If you could just sit on this side of the table, that will be great. Thank you. Just have a seat right there. Thank you very much.

This is Case No. 19-PRO-00085, Express Convenience Store, LLC, 2031 Benning Road, N.E., License No. ABRA-113544. This is a Retailer Class B new application.

The protest issues are adverse impact on peace, order and quiet; real property values; residential parking and vehicular and pedestrian
safety.
My name is LaVerne Fletcher conducting the Roll Call Hearing as the Board's Agent. Introductions beginning with you, sir. If you could just state your name and spell it for the record?

MR. BAYETA: My name is Tadele Bayeta.
AGENT FLETCHER: Could you spell that, please?

MR. BAYETA: T-A-D-E-L-E.
AGENT FLETCHER: Did you say T-A?
MR. BAYETA: D-E-L-E.
AGENT FLETCHER: Did you say T-A?
MR. BAYETA: Yes.
AGENT FLETCHER: Uh-huh.
MR. BAYETA: T-A-D-E-L-E. Last name Bayeta, B-A-Y-E-T-A.

AGENT FLETCHER: B-A-Y-E?
MR. BAYETA: E-T-A.
AGENT FLETCHER: Okay. Could you, please, fill in that -- there is a sign-in sheet right there on the table. If you could put your
contact information on that sheet?
MR. BAYETA: Okay.
AGENT FLETCHER: Appreciate it. Thank you very much.

Present on behalf of the Langston Civic Association?

MS. MOORE: Yes, Sydelle Moore.
AGENT FLETCHER: Thank you. Ms. Moore, would you spell your name for the record, please?

MS. MOORE: S, as in Sam, $Y$, as in yellow, $D$, as in dog, E-L-L-E last name Moore, M-0-O-R-E.

AGENT FLETCHER: Thank you, Ms. Moore.
And on behalf of ANC-5D?
MS. MOORE: Sydelle Moore, the same.
AGENT FLETCHER: Thank you. Present on behalf of the Friends of Kingman Park?

MS. YEAKLEY: Hi, Melissa Yeakley.
AGENT FLETCHER: Melissa, would you, please, spell your name for the record?

MS. YEAKLEY: Sure. M-E-L-I-S-S-A
last name is $\mathrm{Y}-\mathrm{E}-\mathrm{A}-\mathrm{K}-\mathrm{L}-\mathrm{E}-\mathrm{Y}$.
AGENT FLETCHER: Thank you very much.
And there is a group of individuals also. Is Tamara Blair here?

MS. BLAIR: Tamara Blair.
AGENT FLETCHER: Oh, hi, Ms. Blair.
Could you state your name and spell it for the record, please?

MS. BLAIR: Tamara Blair, $T$, as in Tom, A-M-A-R-A Blair, B, as in boy, L-A-I-R. AGENT FLETCHER: Are there other individuals present from your group today, Ms. Blair?

MS. BLAIR: Yes, ma'am.
AGENT FLETCHER: If you could stand right beside Ms. Moore, there is a-- well, the microphone is over there now, so if you could stand right in front of that microphone and just state your name and spell it for the record for all the individuals present from the Group of $\mathbf{2 6 ?}$

MS. PAYNE: Hi, good morning. Ebony Payne, E-B-O-N-Y P-A-Y-N-E.

AGENT FLETCHER: Thank you.
MS. HIBBS: Diana Hibbs, D-I-A-N-A H-I-B, as in boy, B-S, as in Sam.

AGENT FLETCHER: Diana what is the last name again?

MS. HIBBS: Hibbs, H-I-B-B-S.
AGENT FLETCHER: Thank you.
MS. NUNN: Lora Nunn, L-O-R-A N-U-N-
N.

AGENT FLETCHER: $\mathbf{N - U - N} \mathbf{N}$ ?
MS. NUNN: That's correct.
AGENT FLETCHER: Thank you.
Ms. DAVIS: Denise Davis, D-E-N-I-S-E
D-A-V-I-S.
AGENT FLETCHER: What's the first
name?
MS. DAVIS: Denise.
AGENT FLETCHER: Oh, Denise. I don't know what $I$ thought you said, Denise. What's the last name?

MS. DAVIS: Davis, D-A-V-I-S.
AGENT FLETCHER: Thank you.

MS. MOSES: Helen Moses, H-E-L-E-N M-O-S-E-S.

AGENT FLETCHER: Thank you.
MR. TILLERY: Ricky Tillery, R-I-C-K-Y T-I-L-L-E-R-Y.

AGENT FLETCHER: Thank you, Mr.
Tillery. You are also a designated representative?

MR. TILLERY: (No audible answer.)
AGENT FLETCHER: You are also a designated representative for the group?

MR. TILLERY: Correct.
CHAIRPERSON ANDERSON: Okay. Thank you. Good morning.

MS. GHEBRETINSAE: Good morning. Yodit Ghebretinsae, Y-O-D-I-T last name G, as in George, H, as in Hector, E, as in Elmo, B, as in boy, R, as in Roger, E, Elmo, T, Tom --

AGENT FLETCHER: Okay. You lost me. MS. GHEBRETINSAE: Sorry.

AGENT FLETCHER: It's G -- I have most of it. It's G-H-E-B?

MS. GHEBRETINSAE: B, as in boy. AGENT FLETCHER: Uh-huh.

MS. GHEBRETINSAE: R-E-T-I-N-S-A-E. That's it.

AGENT FLETCHER: What's the last letter?

MS. GHEBRETINSAE: E.
AGENT FLETCHER: Thank you. There are eight individuals present from the Group of 26, which means that the Group is granted full standing. We only needed to see five people inperson. Ms. Blair, the group is granted full standing as protestants.

What that means is that at the upcoming Status Hearing, only the designated representative needs to appear. At the mediation, only the designated representatives need to appear. The group already has full standing.

We have the Langston Civic Association with standing as a protestant.

ANC-5D with standing as a protestant
and also the Friends of Kingman Park have standing as a protestant.

Mr. Bayeta?
MR. BAYETA: Yes?
AGENT FLETCHER: Do you have any questions about what just happened? Do you understand what just happened? Do you need -- so just for the record, Mr. Bayeta requested an interpreter for today.

It slipped completely through the crack. And interpreter was not requested for you for today.

MR. BAYETA: Okay.
AGENT FLETCHER: I talked with you earlier today and we talked about just getting started with this process to see if you had any questions.

What I did today is we determined who filed the protest today. So you know you are here because a protest was filed against the new application, yes?

MR. BAYETA: Yes.

AGENT FLETCHER: So what I did today was to identify the individuals and the groups that filed a protest. But I think you met with them already, yes?

MR. BAYETA: Yes.
AGENT FLETCHER: So you know who they are?

MR. BAYETA: Yeah, and I under --
AGENT FLETCHER: Okay. So that's -so today I just introduced them for the record. So I just wanted to make it clear that you met, you know who they are, so that's number one.

MR. BAYETA: Okay.
AGENT FLETCHER: So that's what I did today. You knew who they were, now I know who they are.

MR. BAYETA: Okay.
AGENT FLETCHER: And what we do next is we set a date for some hearings. Am I doing okay so far or do you need an interpreter to understand what $I$ 'm saying right now?

MR. BAYETA: No, that's okay, no.

AGENT FLETCHER: So I'm just going to give you a couple of dates and you can write those down. And with that contact information that you put on that sheet, we are going to send you an official notice. I'm just going to tell you some dates now, but you are going to get a notice in the -- by email to give you these dates again.

MR. BAYETA: Okay.
AGENT FLETCHER: And when you come for your mediation, your Status Hearing and your Protest Hearing, if there is going to be one, there will be an Amharic Interpreter present for you.

MR. BAYETA: Okay.
AGENT FLETCHER: We have the request.
MR. BAYETA: Okay.
AGENT FLETCHER: I'm going to give you the date for the Status Hearing and the Protest Hearing first.

The Status Hearing is going to be on August 14.

MR. BAYETA: Can I write on here?
AGENT FLETCHER: No, that's mine, but I can give you something to write on though. Here you go.

MR. BAYETA: Okay.
AGENT FLETCHER: You know, if you write on that, I'll be taking it. One second, here you go.

MR. BAYETA: Thank you.
AGENT FLETCHER: You're very welcome.
The Status Hearing is August 14th, that's August 14 at 9:30 a.m. for the Status Hearing, August 14 at 9:30 a.m. for the status.

MR. BAYETA: 9?

AGENT FLETCHER: At 9:30 a.m.
MR. BAYETA: Okay.
AGENT FLETCHER: It will be right here in this room, the Status Hearing.

The Protest Hearing is set for September 11, September 11 at 4:30 p.m. for the Protest Hearing.

Ms. Moore?

MS. MOORE: I know that that date doesn't work for several of us.

AGENT FLETCHER: For the Status?
MS. MOORE: For the Protest.
AGENT FLETCHER: For the Protest Hearing? So what I'm going to do, Ms. Moore, I'm going to give you that date for today, because at this moment, it's the next available day on the Board's calendar.

But what you can do is ask the Board to change the date. So who is it not good for?

MS. MOORE: Both Commissioner Blair and myself.

AGENT FLETCHER: Okay. All right. So what you can do is petition the ABC Board for a new date, but explain the reason.

MS. MOORE: Okay.
AGENT FLETCHER: And they will respond to you. Okay. So for the purpose of the Roll Call Hearing, the Protest Hearing date is September 11 at 4:30 p.m.

And, Ms. Moore, when you and Ms. Blair
-- you can file a joint request to change the date, but can you copy Mr. Badea?

MR. BAYETA: Bayeta.
AGENT FLETCHER: Bayeta?
MR. BAYETA: Yes.
AGENT FLETCHER: Okay. Thank you. So if you can copy Mr. Badea, because once he gets your request, he has an opportunity to say he is good with it or he is not, so just copy him on the request. Do you have his contact information?

MS. MOORE: Yes, I do.
AGENT FLETCHER: Okay. And, Ms.
Yeakley, you are okay with changing the date as well?

MS. YEAKLEY: Yes.
AGENT FLETCHER: Okay. Thank you. We need to set a date for mediation. I'll give you the next available day. The next available day for mediation is Thursday, August 8, that's Thursday, August 8. Any time in the morning or afternoon. It can be 9:00, 10:00, 10:30, 11:00,

11:30, 1:00, 2:00?
MS. MOORE: Anytime during the day at all?

AGENT FLETCHER: Um-hum, before 4:00. Before 4:00.

MS. YEAKLEY: Does 4:00 work or does it need to be --

AGENT FLETCHER: We can make it 4:00.
MS. YEAKLEY: Okay.
AGENT FLETCHER: If that's okay with Mr. Bayeta.

MR. BAYETA: Bayeta.
AGENT FLETCHER: Is that a good time? We can -- or would a better time on that day be better?

MR. BAYETA: I think 10:00 is more, because $I$ work the daytime and afternoon, so --

AGENT FLETCHER: Well --
MS. MOORE: I can make that work on the 8th, but if we move forward --

AGENT FLETCHER: We can move forward to another day. 10:00 works better for you in
the morning, rather than afternoon? I can move to another day.

MS. MOORE: Okay.
MS. YEAKLEY: I can do the morning.
MR. BAYETA: Actually, $I$ don't think longer date like the 10 or like that, but --

AGENT FLETCHER: Yes, so earlier during the day is better for you. Okay. So let me try another day, earlier. You prefer like 10:00 or 11:00 in the morning?

MR. BAYETA: In the morning, yeah.
AGENT FLETCHER: Okay. I will --
okay, let's see. All right. In that case, so we can do Tuesday, August 13 at 10:00? That's Tuesday, August 13 we can do it at 10:00.

MR. BAYETA: Okay.
AGENT FLETCHER: Does that work for you, Ms. Moore? Ms. Yeakley? Mediation is scheduled for 10:30 on Tuesday, August 13.

So the mediation most likely will take place in this room. Just check in with the person out front.

MR. BAYETA: Okay.
AGENT FLETCHER: When you come. And we will have an interpreter here for you for the mediation.

Any questions at all?
MS. MOORE: I just have two questions.
AGENT FLETCHER: Yes.
MS. MOORE: Mediation will be on the 13th and then the Status Hearing will be the following day?

AGENT FLETCHER: Yeah, so what happens, yes, because this is a new application, everything happens very fast. So that's the reason.

MS. MOORE: Okay.
AGENT FLETCHER: Now, let me say this, Ms. Moore. If that back-to-back creates a problem, the mediation can occur after the Status Hearing, if you could still appear for the Status Hearing and tell the Board that your mediation is upcoming.

So but we can change the date of the
mediation.
MS. MOORE: No, I think that that's fine.

AGENT FLETCHER: Is that okay?
MS. MOORE: Yes.
AGENT FLETCHER: Yes, you are right. It's one day right after the other.

MS. MOORE: Okay. It works.
AGENT FLETCHER: Yes, okay. Is it
okay, too, for you, Mr. -- pronounce your last name for me again.

MR. BAYETA: Yes, Bayeta.
AGENT FLETCHER: Is that okay for you?
MR. BAYETA: Yes.
AGENT FLETCHER: Okay. That's it, Ms. Moore? Ms. Yeakley, were you going to say something?

MS. YEAKLEY: I have a question as well. Is it possible to add anyone here who are also members of Friends of Kingman Park as a backup designee?

AGENT FLETCHER: Yes, um-hum.

MS. YEAKLEY: Okay.
AGENT FLETCHER: Yeah.
MS. YEAKLEY: Can we do that just
whenever is a good time?
AGENT FLETCHER: Oh, yes, so you -for Kingman Park you want a backup?

MS. YEAKLEY: Yes.
AGENT FLETCHER: Oh, that's fine with us.

MS. YEAKLEY: Okay.
AGENT FLETCHER: Do you have anybody in mind right now?

MS. YEAKLEY: Yes.
AGENT FLETCHER: Okay. Let me make a note of that.

MS. YEAKLEY: Do you need their names again?

AGENT FLETCHER: We have you and William Knudsen.

MS. YEAKLEY: Yes. He is not going to be able to participate.

AGENT FLETCHER: Oh, that's fine. I'm
just going to spell his last name, since I said it.

MS. YEAKLEY: Okay.
AGENT FLETCHER: His last name is spelled K-N-U-D, like dog, S-E-N. So yeah, whoever you choose is fine.

MS. YEAKLEY: Okay.
AGENT FLETCHER: Are they here today?
MS. YEAKLEY: Yes, ma'am.
AGENT FLETCHER: Who is it?
MS. YEAKLEY: It's Lora Nunn.
AGENT FLETCHER: How do you spell the first name?

MS. YEAKLEY: L-O-R-A.
AGENT FLETCHER: N-U-N-N?
MS. YEAKLEY: Yes.
AGENT FLETCHER: So, Ms. Nunn, you are going to be the backup?

MS. NUNN: Yes.
AGENT FLETCHER: So what that means, Ms. Yeakley, if Ms. Nunn could put her contact information on that sheet --

MS. YEAKLEY: Okay.
AGENT FLETCHER: -- just so that we know.

MS. YEAKLEY: Okay. So I just -- I have one backup?

AGENT FLETCHER: Yeah.
MS. YEAKLEY: Okay.
AGENT FLETCHER: So you can have as many as you want, but just let us know who they are as you go.

MS. YEAKLEY: Oh, okay.
AGENT FLETCHER: Yeah, so that's fine. It's okay with us.

MS. YEAKLEY: Okay.
AGENT FLETCHER: Yeah, you can just add them as you go.

MS. YEAKLEY: Okay. Perfect.
AGENT FLETCHER: So right now we have you as the -- you are the person that we are going to contact. If you want us to contact somebody else, you can let us know or you can contact them. We just need one person to be in
touch with.
MS. YEAKLEY: Okay. Okay. Great.
Thank you.
AGENT FLETCHER: But I made a note that Lora Nunn is also a designated representative.

MS. YEAKLEY: Okay.
MS. BLAIR: Ms. Fletcher, I have a question.

AGENT FLETCHER: Yes, Ms. Blair?
MS. BLAIR: I named Ricky Tillery in my petition as a backup, so I don't need to add him to that list?

AGENT FLETCHER: No, because for your group I have Rick Tillery already as one of the designated representatives. That's T-I-L-L-E-R$Y$ ?

MS. BLAIR: Yes, ma'am.
AGENT FLETCHER: Yeah, he is already listed.

Any questions on this side?
Okay. Well, thank you for coming. See you soon. The Roll Call Hearing is concluded. Thank you. (Whereupon, the Roll Call Hearing was concluded at 10:39 a.m.)


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Neal R. Gross and Co., Inc.


Neal R. Gross and Co., Inc. Washington DC

This is to certify that the foregoing transcript

In the matter of: Express Convenience Store

Before: DC ABRA

Date: 07-15-19

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 N Gurs -----------------Court Reporter

NEAL R. GROSS

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