### DISTRICT OF COLUMBIA

+ + + + +

## ALCOHOLIC BEVERAGE CONTROL BOARD

+ + + + + MEETING

IN THE MATTER OF:

:

Good Food Market, LLC: t/a Good Food Markets: 2006 Rhode Island Ave NE:

Retailer B - ANC 5C : Show Cause Hearing

License No. 83133 : (Status)

Case #19-CC-00116

:

(Sale to Minor Violation,: No ABC Manager on Duty) :

Wednesday
December 11, 2019

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Donovan W. Anderson, presiding.

#### PRESENT:

DONOVAN W. ANDERSON, Chairperson RAFI ALIYA CROCKETT, Member JAMES SHORT, JR., Member REMA WAHABZADAH, Member

#### ALSO PRESENT:

JOHN FIELDING, Applicant JASON FACCI, OAG

| 1  | P-R-O-C-E-E-D-I-N-G-S                            |  |  |  |  |  |
|----|--|--|--|--|--|--|
| 2  | 10:08 a.m.                                       |  |  |  |  |  |
| 3  | MR. ANDERSON: All right, let's go                |  |  |  |  |  |
| 4  | back to the order that our calendar was in. So   |  |  |  |  |  |
| 5  | the next case on our calendar is case number 19- |  |  |  |  |  |
| 6  | CC-00116, Good Food Markets. Would parties       |  |  |  |  |  |
| 7  | please approach and identify themselves for the  |  |  |  |  |  |
| 8  | record, please?                                  |  |  |  |  |  |
| 9  | MR. FIELDING: Good morning, my name              |  |  |  |  |  |
| 10 | is John Fielding. I am the president of Good     |  |  |  |  |  |
| 11 | Food Markets.                                    |  |  |  |  |  |
| 12 | MR. ANDERSON: Mr. Field?                         |  |  |  |  |  |
| 13 | MR. FIELDING: Fielding.                          |  |  |  |  |  |
| 14 | MR. ANDERSON: Fielding. Good                     |  |  |  |  |  |
| 15 | morning, sir.                                    |  |  |  |  |  |
| 16 | MR. FIELDING: Hello, how are you?                |  |  |  |  |  |
| 17 | MR. ANDERSON: Good morning, I am                 |  |  |  |  |  |
| 18 | well.  |  |  |  |  |  |
| 19 | (Simultaneous speaking.)                         |  |  |  |  |  |
| 20 | MR. FACCI: Good morning, members of              |  |  |  |  |  |
| 21 | the board. Jason Facci on behalf of the          |  |  |  |  |  |
| 22 | District.  |  |  |  |  |  |
| 23 | MR. ANDERSON: Good morning, Mr.                  |  |  |  |  |  |
| 24 | Facci. Are there any preliminary matters in this |  |  |  |  |  |
| 25 | case?  |  |  |  |  |  |
|    |  |  |  |  |  |  |

| _          | MR. FACCI: No, Mr. Chairman. Only                 |  |  |  |
|------------|---|--|--|--|
| 2          | recently spoke with the establishment this week.  |  |  |  |
| 3          | We are currently negotiating an offer in          |  |  |  |
| 4          | compromise, but we have not come to one yet.      |  |  |  |
| 5          | MR. ANDERSON: All right. Then this                |  |  |  |
| 6          | matter is scheduled for a show cause hearing on   |  |  |  |
| 7          | January the 5th, 2020 at 11:00 a.m. And if if     |  |  |  |
| 8          | we are going to have a show cause hearing, I      |  |  |  |
| 9          | expect both sides to exchange documents and       |  |  |  |
| LO         | witnesses seven days before the hearing, if we're |  |  |  |
| L1         | going to move forward.                            |  |  |  |
| L2         | MR. FACCI: Sir, I just                            |  |  |  |
| L3         | MR. ANDERSON: I am sorry. I am                    |  |  |  |
| L <b>4</b> | sorry, February February                          |  |  |  |
| L5         | February 5th. February 5th, 2020 at 11:00 a.m.    |  |  |  |
| L6         | I apologize.                                      |  |  |  |
| L7         | MR. FIELDING: And our plan is to be               |  |  |  |
| L8         | in contact with the attorney to settle this       |  |  |  |
| L9         | before then. We just have to meet with our board  |  |  |  |
| 20         | on Friday, so                                     |  |  |  |
| 21         | MR. ANDERSON: Whatever the parties                |  |  |  |
| 22         | agree to.   |  |  |  |
| 23         | MR. FIELDING: Okay.                               |  |  |  |
| 24         | MR. ANDERSON: But I am just saying,               |  |  |  |
| 25         | if we are going to go to a full hearing, the      |  |  |  |

| 1  | expectations is that we exchange documents and |
|----|--|
| 2  | witnesses seven days before the hearing.       |
| 3  | MR. FIELDING: Understood.                      |
| 4  | MR. ANDERSON: Have a good day.                 |
| 5  | MR. FIELDING: Thank you.                       |
| 6  | MR. ANDERSON: Thank you very much.             |
| 7  | (Whereupon, the above-entitled matter          |
| 8  | went off the record at 10:10 a.m.)             |
| 9  |  |
| 10 |  |
| 11 |  |
| 12 |  |
| 13 |  |
| 14 |  |
| 15 |  |
| 16 |  |
| 17 |  |
| 18 |  |
| 19 |  |
| 20 |  |
| 21 |  |
| 22 |  |
| 23 |  |
| 24 |  |
| 25 |  |
|    |  |

|                           |                               |                       | i                                     |
|---------------------------|-------------------------------|-----------------------|---------------------------------------|
| Α                         | Facci 1:22 2:20,21,24         | negotiating 3:3       | W                                     |
| <b>a.m</b> 2:2 3:7,15 4:8 | 3:1,12                        | number 2:5            | <b>W</b> 1:15,18                      |
| <b>ABC</b> 1:10           | <b>February</b> 3:14,14,14,15 |                       | <b>WAHABZADAH</b> 1:19                |
| above-entitled 4:7        | 3:15                          | О                     | Washington 1:15                       |
|                           | Field 2:12                    | <b>OAG</b> 1:22       |                                       |
| agree 3:22                | Fielding 1:21 2:9,10,13       | offer 3:3             | Wednesday 1:11                        |
| Alcoholic 1:2,13,14       | 2:13,14,16 3:17,23            | order 2:4             | week 3:2                              |
| <b>ALIYA</b> 1:18         | 4:3,5                         | Older Z               | went 4:8                              |
| ANC 1:7                   | Food 1:6,6 2:6,11             | P                     | witnesses 3:10 4:2                    |
| Anderson 1:15,18 2:3      | forward 3:11                  | P-R-O-C-E-E-D-I-N-G-S |                                       |
| 2:12,14,17,23 3:5,13      | Friday 3:20                   | 2:1                   | X                                     |
| 3:21,24 4:4,6             | full 3:25                     |                       |                                       |
| apologize 3:16            | Tuli 3.23                     | parties 2:6 3:21      | ΥΥ                                    |
| Applicant 1:21            |                               | plan 3:17             |                                       |
| approach 2:7              |                               | please 2:7,8          | Z                                     |
| attorney 3:18             | Н                             | preliminary 2:24      |                                       |
| <b>Ave</b> 1:7            |                               | PRESENT 1:17,20       | 0                                     |
|                           | hearing 1:7,14 3:6,8,10       | president 2:10        |                                       |
| B                         | 3:25 4:2                      | presiding 1:15        | 1                                     |
| <b>B</b> 1:7              | <b>Hello</b> 2:16             |                       | 10:08 2:2                             |
| back 2:4                  |                               | Q                     | <b>10:10</b> 4:8                      |
| behalf 2:21               | I                             |                       | <b>11</b> 1:12                        |
| Beverage 1:2,13,14        | identify 2:7                  | R                     | <b>11:00</b> 3:7,15                   |
| board 1:2,13 2:21 3:19    | Island 1:7                    | <b>RAFI</b> 1:18      | <b>14th</b> 1:14                      |
| Building 1:14             |                               | record 2:8 4:8        | <b>19-</b> 2:5                        |
| Danaing IIII              | J                             | Reeves 1:14           | <b>19-2</b> .3 <b>19-CC-00116</b> 1:8 |
| C                         | <b>JAMES</b> 1:19             | <b>REMA</b> 1:19      | 19-00-001101.8                        |
| calendar 2:4,5            | January 3:7                   | Retailer 1:7          | 2                                     |
| case 1:8 2:5,5,25         | Jason 1:22 2:21               | Rhode 1:7             | <b>2000</b> 1:14                      |
| cause 1:7 3:6,8           | John 1:21 2:10                | Room 1:14             | <b>2000</b> 1.14<br><b>20009</b> 1:15 |
| CC-00116 2:6              | <b>JR</b> 1:19                |                       | <b>20009</b> 1.15<br><b>2006</b> 1:7  |
| <b>Chairman</b> 3:1       |                               | S                     |                                       |
| Chairperson 1:15,18       | K                             | <b>Sale</b> 1:9       | <b>2019</b> 1:12                      |
| COLUMBIA 1:1              |                               | saying 3:24           | <b>2020</b> 3:7,15                    |
| come 3:4                  | L                             | scheduled 3:6         | 3                                     |
|                           | let's 2:3                     | settle 3:18           |                                       |
| compromise 3:4            | License 1:8                   | seven 3:10 4:2        | 4                                     |
| contact 3:18              | LLC 1:6                       | <b>SHORT</b> 1:19     | <u> </u>                              |
| Control 1:2,13,14         | 1.0                           | show 1:7 3:6,8        | <b>400S</b> 1:15                      |
| CROCKETT 1:18             | M                             | sides 3:9             |                                       |
| currently 3:3             |                               | Simultaneous 2:19     | 5                                     |
|                           | Manager 1:10<br>Market 1:6    | sir 2:15 3:12         | <b>5C</b> 1:7                         |
| D                         |                               | sorry 3:13,14         | <b>5th</b> 3:7,15,15                  |
| <b>D.C</b> 1:15           | Markets 1:6 2:6,11            | speaking 2:19         |                                       |
| day 4:4                   | matter 1:5 3:6 4:7            |                       | 6                                     |
| days 3:10 4:2             | matters 2:24                  | spoke 3:2             |                                       |
| December 1:12             | meet 3:19                     | Status 1:8            | 7                                     |
| <b>District</b> 1:1 2:22  | MEETING 1:3                   | Street 1:14           |                                       |
| documents 3:9 4:1         | Member 1:18,19,19             | <b>Suite</b> 1:15     | 8                                     |
| <b>Donovan</b> 1:15,18    | members 2:20                  |                       | <b>83133</b> 1:8                      |
| <b>Duty</b> 1:10          | met 1:14                      |                       |                                       |
|                           | Minor 1:9                     | t/a 1:6               |                                       |
| E                         | morning 2:9,15,17,20          | <b>Thank</b> 4:5,6    |                                       |
| establishment 3:2         | 2:23                          |                       |                                       |
| <b>exchange</b> 3:9 4:1   | move 3:11                     | U                     |                                       |
| expect 3:9                |                               | Understood 4:3        |                                       |
| expectations 4:1          | N                             |                       |                                       |
|                           | <b>N.W</b> 1:14               | V                     |                                       |
| F                         | <b>name</b> 2:9               | Violation 1:9         |                                       |
|                           | <b>NE</b> 1:7                 |                       |                                       |
|                           |                               |                       |                                       |

# ${\color{red} \underline{C} \hspace{0.1cm} \underline{E} \hspace{0.1cm} \underline{R} \hspace{0.1cm} \underline{T} \hspace{0.1cm} \underline{I} \hspace{0.1cm} \underline{F} \hspace{0.1cm} \underline{I} \hspace{0.1cm} \underline{C} \hspace{0.1cm} \underline{A} \hspace{0.1cm} \underline{T} \hspace{0.1cm} \underline{E}}$

This is to certify that the foregoing transcript

In the matter of: Good Food

Before: DCABRA

Date: 12-11-19

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.

Court Reporter

near Nous &