

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

2 3:02 p.m.

3 CHAIRPERSON ANDERSON: We're back on
4 the record. Our next case is a protest hearing,
5 Case No. 19PRO-00098, GLO-Lalibela Ethiopian
6 Restaurant and Lounge, License No. 104701. Would
7 the parties please approach and identify
8 themselves for the record. We'll start with the
9 licensee.

10 MR. JACKSON: Jeff Jackson representing
11 the Applicant.

12 CHAIRPERSON ANDERSON: Mr. Jackson.

13 MS. TESFA: Marie Tesfa.

14 CHAIRPERSON ANDERSON: I'm sorry? Who
15 are you?

16 MS. TESFA: Marie, M-A-R-I-E Tesfa T-E-
17 S-F-A.

18 CHAIRPERSON ANDERSON: T-S-F and who
19 are you, ma'am?

20 MS. TESFA: The owner.

21 CHAIRPERSON ANDERSON: Who else?

22 MS. TESFA: S-I-N-A-Y-E-T Tesfa, T-E-S-
23 F-A.

24 CHAIRPERSON ANDERSON: Speak up, ma'am.

25 MS. TESFA: S-I-N-A-Y-E-T T-E-S-F-A.

1 CHAIRPERSON ANDERSON: And who are you,
2 ma'am?

3 MS. TESFA: Manager.

4 CHAIRPERSON ANDERSON: There's a sign-
5 in sheet. Could everyone please sign in, please?
6 And the protestant.

7 MS. SOLOMON: Good afternoon. My name
8 is Effie, E-F-F-I-E, last name Solomon, S-O-L-O-
9 M-O-N.

10 CHAIRPERSON ANDERSON: And who are you,
11 ma'am?

12 MS. SOLOMON: From DC International
13 Hostel.

14 CHAIRPERSON ANDERSON: What's your role
15 there?

16 MS. SOLOMON: Manager.

17 CHAIRPERSON ANDERSON: And who else do
18 we have?

19 MR. BHOLA: Terry, T-E-R-R-Y Bhola, B-
20 H-O-L-A.

21 CHAIRPERSON ANDERSON: I'm sorry, can
22 you spell your last name again, sir?

23 MR. BHOLA: Sure. B-H-O-L-A.

24 CHAIRPERSON ANDERSON: B-H-O, pull the
25 microphone between the two of you.

1 MR. BHOLA: B-H-O-L-A.

2 CHAIRPERSON ANDERSON: L-A? How do you
3 pronounce that?

4 MR. BHOLA: Bhola.

5 CHAIRPERSON ANDERSON: Bhola? And who
6 are you, sir?

7 MR. BHOLA: Yes. I am the manager of
8 DC International Hostel.

9 CHAIRPERSON ANDERSON: I mean, you're
10 the manager. Who is the owner of DC
11 International?

12 MS. SOLOMON: He's not here.

13 CHAIRPERSON ANDERSON: Is he coming?

14 MS. SOLOMON: No. He's out of town.

15 CHAIRPERSON ANDERSON: Do we have a
16 letter stating that you can represent them at
17 this matter today?

18 MR. BHOLA: No.

19 MR. JACKSON: Excuse me. That's why I
20 wanted to have the protest dismissed, because the
21 owner of the property never was present during
22 the status hearing, nor was he ever present
23 during the negotiations. And they just manage
24 the property for him, and that's who I initially
25 was in contact with. But he never drafter a

1 letter giving the managers permission to
2 represent him in this protest.

3 MS. SOLOMON: You never talked to the
4 owner of the building.

5 CHAIRPERSON ANDERSON: But hold on a
6 minute, hold on a minute, hold on. We had a
7 protest status hearing. So who was at the
8 protest status hearing, because I would not have
9 --

10 MR. JACKSON: Their manager.

11 MS. SOLOMON: The business owner.

12 CHAIRPERSON ANDERSON: Who was at the
13 protest status hearing?

14 MS. SOLOMON: The business owner.

15 MR. JACKSON: He was never here.

16 MS. SOLOMON: He was the business
17 owner.

18 CHAIRPERSON ANDERSON: Can we get a
19 transcript? We don't need to do that.

20 MR. JACKSON: You said the business
21 owner, not the property owner.

22 CHAIRPERSON ANDERSON: I'm sorry, we
23 don't need to do that. I mean, I know that when
24 I have -- Maybe someone can pull me the
25 transcript from the protest status hearing,

1 because I know when I have a protest status
2 hearing, I always go through the process and ask
3 who folks are. If the person doesn't identify
4 themselves as an owner, if they say that they're
5 the manager, then I'm going to say if you come to
6 the hearing, the owner needs to show up or you
7 need to have a letter of representation saying
8 that you are empowered to do this.

9 So let me see, let me read the
10 transcript from the last time you guys were in
11 front of me. Let me see what I said, let me see
12 who was here, and I'll make a decision based on
13 what was there.

14 MR. JACKSON: Okay.

15 CHAIRPERSON ANDERSON: So rather than
16 we say who was there or who wasn't there, let me
17 see because that's one of the reasons why every
18 time people come in front of me, you tell me your
19 name. The first thing I ask you, who are you in
20 relation to this establishment.

21 MR. JACKSON: I agree.

22 CHAIRPERSON ANDERSON: And I always do
23 that. So we're off the record for a minute.

24 (Whereupon, the above-entitled matter
25 went off the record at 3:07:35 p.m. and resumed

1 at 3:14:58 p.m.)

2 CHAIRPERSON ANDERSON: We're back on
3 the record. At our show cause hearing status, we
4 had Mr. Farid Salin. And who is Mr. Salin?

5 MS. SOLOMON: He's the business owner.

6 CHAIRPERSON ANDERSON: He is the owner
7 of --

8 MS. SOLOMON: The business.

9 CHAIRPERSON ANDERSON: -- the business.
10 And is Mr. Salin in here today?

11 MS. SOLOMON: No, he's out of town.

12 CHAIRPERSON ANDERSON: And you're Ms.
13 Solomon?

14 MS. SOLOMON: Yes, sir.

15 CHAIRPERSON ANDERSON: And you are Mr.
16 Bhola?

17 MR. BHOLA: Yeah.

18 CHAIRPERSON ANDERSON: Do either of you
19 have a letter from the owner stating that you are
20 able to represent them today? Represent the
21 owner at this protest hearing?

22 MS. SOLOMON: No, sir.

23 CHAIRPERSON ANDERSON: You have nothing
24 in writing?

25 MS. SOLOMON: It's an old one. I do

1 have an old one, but --

2 CHAIRPERSON ANDERSON: What old one
3 what?

4 MS. SOLOMON: I do have a presentation.
5 He gave me power of attorney.

6 CHAIRPERSON ANDERSON: You have a what?

7 MS. SOLOMON: He did give me power of
8 attorney, just to do for anything, but not
9 specifically this.

10 CHAIRPERSON ANDERSON: But not -- You
11 don't have --

12 MS. SOLOMON: We didn't know that we
13 had to get that, but I am his legal power of
14 attorney.

15 CHAIRPERSON ANDERSON: But you have not
16 provided this. You don't have a power of
17 attorney where Mr. Fahid, I'm sorry, Mr. Salin,
18 has stated that he authorizes you to represent
19 him today in this protest hearing, is that
20 correct?

21 MS. SOLOMON: No, sir. Yeah, that's
22 correct.

23 CHAIRPERSON ANDERSON: You don't have
24 that.

25 MS. SOLOMON: Yes.

1 MR. BHOLA: Can I say something?

2 CHAIRPERSON ANDERSON: What do you need
3 to say, sir?

4 MR. BHOLA: We are included in the
5 email conversation.

6 CHAIRPERSON ANDERSON: No, sir. No,
7 sir. Sir, I had the -- at the show cause hearing
8 status, he was here. Every time I go to a
9 hearing, I always, when I have a hearing, I ask
10 people who are you? Can you tell me who you are?
11 If you are not the owner, then I need to get a
12 letter from someone authorizing us, saying that I
13 authorize Ms. Solomon and Mr. Bhola to represent
14 me here today at this protest hearing status.

15 MR. BHOLA: Okay, let --

16 CHAIRPERSON ANDERSON: Let you what?

17 MR. BHOLA: Obviously, we're clearly at
18 a disadvantage, so would it be possible to
19 reschedule again for the last time?

20 CHAIRPERSON ANDERSON: What do you mean
21 you're at a disadvantage?

22 MR. BHOLA: Well, I mean that we do not
23 have the letter that can show --

24 CHAIRPERSON ANDERSON: Why you don't
25 have the letter? I mean, I'm just asking. Why

1 you don't have the letter? Can I come to your
2 home and say, you're not there, and say I'm the
3 homeowner, I can make all the decisions for you?

4 MR. BHOLA: Right, no, I get your
5 point. Is there a way which we can reschedule so
6 we can get that letter? We can have that letter
7 by tomorrow.

8 MEMBER SHORT: Please speak up, sir.
9 Speak into the mic.

10 MR. BHOLA: Sure. We can have that
11 letter as soon as tomorrow or by this afternoon
12 if that would help the situation.

13 CHAIRPERSON ANDERSON: Mr. Jackson, I
14 mean? Mr. Jackson, what is it that you want me
15 to do?

16 MR. JACKSON: Dismiss the protest.

17 MR. BHOLA: Let me add to that again.

18 CHAIRPERSON ANDERSON: I'm sorry, you
19 said what?

20 MR. BHOLA: I just want to say we are
21 at a disadvantage, but we're very adamant about -
22 -

23 CHAIRPERSON ANDERSON: Adamant about
24 what?

25 MR. BHOLA: About seeing this through

1 to the very end.

2 CHAIRPERSON ANDERSON: Well, part of
3 the problem is that adamant about seeing this
4 through to the end is that I know you're adamant,
5 but you're not the owner. I can't take -- and
6 this is a protest hearing that was scheduled for
7 today.

8 MR. BHOLA: Clear.

9 CHAIRPERSON ANDERSON: And the owner is
10 not here, and you're unable to give me a letter
11 of authorization saying that you can represent
12 the owner today here. And the owner of the other
13 business is saying that because you can't prove
14 that you can represent this entity, that I should
15 dismiss the protest. I shouldn't continue the
16 hearing. That's what they're telling me.

17 MR. JACKSON: In addition to, Mr.
18 Chairman, they never submitted the PIF, either.

19 MS. SOLOMON: The what?

20 CHAIRPERSON ANDERSON: So you're saying
21 there's no PIF?

22 MR. JACKSON: There's no PIF from the
23 protestant.

24 MR. BHOLA: What is a PIF?

25 CHAIRPERSON ANDERSON: Any other

1 representation you want to make, Mr. Jackson?

2 MR. JACKSON: Yes. Based upon the
3 investigative reports, based upon the evidence
4 that we presented, we don't feel that the
5 applicant had a adverse impact on peace, order,
6 and quiet, and I'd like for the board to consider
7 renewing the application and dismissing the
8 protest.

9 CHAIRPERSON ANDERSON: Anything else
10 you want to say? Mr. Bhola? Ms. Solomon?
11 Anything else you want to say?

12 MR. BHOLA: No.

13 MS. SOLOMON: No.

14 CHAIRPERSON ANDERSON: As Chairperson
15 of the Alcoholic Beverage Control Board for the
16 District of Columbia, in accordance with DC
17 Official Code Section 2574B4 of the Open Meetings
18 Act, I move that ABC Board hold a closed meeting
19 for the purpose of seeking legal advice from our
20 counsel, excuse me, on Case No. 19PRO-00098, GLO-
21 Lalibela Ethiopian Restaurant and Lounge, License
22 No. 104701, pursuant to DC Official Code Section
23 2547B4 of the Open Meetings Act. And
24 deliberating on just, yeah -- is there a second?

25 MEMBER SHORT: Second.

1 CHAIRPERSON ANDERSON: Mr. Short has
2 seconded the motion. I will now take a roll call
3 vote on the motion before us now that has been
4 seconded. Mr. Short?

5 MEMBER SHORT: I agree.

6 CHAIRPERSON ANDERSON: Mr. Cato?

7 MEMBER CATO: I agree.

8 CHAIRPERSON ANDERSON: Mr. Anderson, I
9 agree. As it appears that the motion has passed,
10 I hereby give notice that ABC Board will recess
11 these proceedings to hold a closed meeting in the
12 ABC Board conference room, pursuant to Section
13 2547B of the Open Meetings Act. I'll be right
14 back, okay? We can wait, thank you.

15 (Whereupon, the above-entitled matter
16 went off the record at 3:21:06 p.m. and resumed
17 at 3:25:07 p.m.)

18 CHAIRPERSON ANDERSON: We're back on
19 the record in GLO Case No. 19PRO-00098. This
20 matter was scheduled for a protest hearing today.
21 We had a protest status hearing on October 9th.
22 On October 9th, the owner of the establishment,
23 Mr. Salin, who is a protestant in this matter,
24 appeared for the protest hearing. I informed him
25 today, he was aware that a protest hearing was

1 scheduled today. Today Mr. Salin is not here for
2 this protest. I have two present, Ms. Solomon
3 and Mr. Bhola. Ms. Solomon introduced herself as
4 an employee of DC International, and Mr. Bhola
5 also introduced himself as a manager of that
6 establishment.

7 I did ask Ms. Solomon and Mr. Bhola
8 whether or not they have a letter of
9 representation from the owner stating that they
10 are able to represent him today at this hearing.
11 I have been informed that they do not have that
12 letter. They have asked for the board to
13 continue this matter so they can provide this
14 information, and the owner of the establishment
15 is not in agreement. So therefore, my
16 recommendation is that we're going to dismiss the
17 protest.

18 The reason we're going to dismiss the
19 protest is because the abutting property owner
20 has failed to appear at the protest hearing. So
21 that's my recommendation to the board, so
22 therefore, I make a motion that the protest be
23 dismissed and that the license be renewed because
24 failure of the protestant to appear at the
25 hearing. Is there a second?

1 MEMBER CATO: Second.

2 CHAIRPERSON ANDERSON: Mr. Cato
3 seconded the motion. All of those in favor, say
4 aye.

5 (Chorus of aye.)

6 CHAIRPERSON ANDERSON: Those opposed?
7 The matter passed, 3, zero, zero. What this
8 means to the protestant, we will issue a decision
9 dismissing the protest. The protestant has 10
10 days to appeal this decision to provide the board
11 with good cause why the owner was not here today.
12 If the protestant has failed to respond to our
13 order in 10 days and provide us good cause why he
14 was not here today, the license will be renewed.
15 Okay? Have a good day. Thank you very much.
16 And with that, the board is adjourned for the
17 day. Thank you.

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<p style="text-align: center;">A</p> <p>ABC 12:18 13:10,12 able 7:20 14:10 above-entitled 6:24 13:15 abutting 14:19 Act 12:18,23 13:13 adamant 10:21,23 11:3 11:4 add 10:17 addition 11:17 adjourned 15:16 adverse 12:5 advice 12:19 afternoon 3:7 10:11 agree 6:21 13:5,7,9 agreement 14:15 Alcoholic 1:2,13,14 12:15 ANC 1:7 Anderson 1:15,18 2:3 2:12,14,18,21,24 3:1 3:4,10,14,17,21,24 4:2,5,9,13,15 5:5,12 5:18,22 6:15,22 7:2,6 7:9,12,15,18,23 8:2,6 8:10,15,23 9:2,6,16 9:20,24 10:13,18,23 11:2,9,20,25 12:9,14 13:1,6,8,8,18 15:2,6 appeal 15:10 appear 14:20,24 appeared 13:24 appears 13:9 applicant 1:22,23,23 2:11 12:5 application 1:9 12:7 approach 2:7 asked 14:12 asking 9:25 attorney 8:5,8,14,17 authorization 11:11 authorize 9:13 authorizes 8:18 authorizing 9:12 aware 13:25 aye 15:4,5</p>	<p>9:1,4,13,15,17,22 10:4,10,17,20,25 11:8 11:24 12:10,12 14:3,4 14:7 board 1:2,13 12:6,15,18 13:10,12 14:12,21 15:10,16 BOBBY 1:18 building 1:14 5:4 business 5:11,14,16,20 7:5,8,9 11:13</p>	<p>10:21 dismiss 10:16 11:15 14:16,18 dismissed 4:20 14:23 dismissing 12:7 15:9 District 1:1 12:16 Donovan 1:15,18 drafter 4:25</p>	<p>homeowner 10:3 Hostel 3:13 4:8</p>
<p style="text-align: center;">B</p> <p>B- 3:19 B-H-O 3:24 B-H-O-L-A 3:23 4:1 back 2:3 7:2 13:14,18 based 6:12 12:2,3 Beverage 1:2,13,14 12:15 Bhola 1:22 3:19,19,23 4:1,4,4,5,7,18 7:16,17</p>	<p style="text-align: center;">C</p> <p>call 13:2 case 1:8 2:4,5 12:20 13:19 Cato 1:18 13:6,7 15:1,2 cause 7:3 9:7 15:11,13 Chairman 11:18 Chairperson 1:15,18 2:3,12,14,18,21,24 3:1,4,10,14,17,21,24 4:2,5,9,13,15 5:5,12 5:18,22 6:15,22 7:2,6 7:9,12,15,18,23 8:2,6 8:10,15,23 9:2,6,16 9:20,24 10:13,18,23 11:2,9,20,25 12:9,14 12:14 13:1,6,8,18 15:2,6 Chorus 15:5 Clear 11:8 clearly 9:17 closed 12:18 13:11 Code 12:17,22 Columbia 1:1 12:16 come 6:5,18 10:1 coming 4:13 conference 13:12 consider 12:6 contact 4:25 continue 11:15 14:13 Control 1:2,13,14 12:15 conversation 9:5 correct 8:20,22 counsel 12:20 CR 1:7</p>	<p style="text-align: center;">E</p> <p>E-F-F-I-E 3:8 Effie 1:21 3:8 either 7:18 11:18 email 9:5 employee 14:4 empowered 6:8 entity 11:14 establishment 6:20 13:22 14:6,14 Ethiopia 1:6 Ethiopian 2:5 12:21 evidence 12:3 excuse 4:19 12:20</p>	<p style="text-align: center;">I</p> <p>identify 2:7 6:3 impact 12:5 included 9:4 information 14:14 informed 13:24 14:11 initially 4:24 International 3:12 4:8 4:11 14:4 introduced 14:3,5 investigative 12:3 issue 15:8</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: ABRA Hearing

Before: Alcoholic Beverage Control Board

Date: 11-07-19

Place: Washington, D.C.

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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