

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

9:46 a.m.

CHAIRPERSON ANDERSON: Good morning, everyone, I'd like to welcome you to the regular scheduled meeting of the District of Columbia Alcoholic Beverage Control Board. Today is October 9th, 2019.

I would like to introduce members of the Board with us today. To my far right is Ms. Rafi Crockett, and to my immediate right is Mr. Bobby Cato. To my immediate left is Mr. James short, my name is Donovan Anderson, I'm chairman of the Board. We have four members in attendance today. And we do have a quorum to conduct business.

I'd like to mention three things before we get started. First of all, if you have any electronic devices, pagers, cell phones, or such, please make certain that they are turned off to avoid any interruption of the proceeding.

Secondly, there is a piece of paper on each table. When you come forward after your case is called, please take a seat at the table, and please sign in. This is to ensure the correct spelling of your name for the record.

1 Lastly, please know that today's
2 hearings of the Alcoholic Beverage Control Board
3 is governed by the Open Meetings Act. Please
4 address any questions or complaints to the Office
5 of Open Government at opengovoffice@dc.gov.

6 I will note that our approximate time
7 is 9:49 a.m. And our first order of business
8 today is protest hearing status, Case Number
9 19-PRO-00098, Lalibela Ethiopian Restaurant &
10 Lounge, License Number 104701. Would all the
11 parties please approach and identify themselves
12 for the record, please?

13 Let's start with the Licensee. Can
14 the Licensee introduce herself for the record,
15 please?

16 MS. M. TESFA: Marie Tesfa.

17 CHAIRPERSON ANDERSON: I can't hear
18 you, ma'am.

19 MS. M. TESFA: Marie Tesfa.

20 CHAIRPERSON ANDERSON: Good morning,
21 Ms. Tesfa.

22 MS. M. TESFA: Good morning, for -
23 (Simultaneous speaking.)

24 CHAIRPERSON ANDERSON: I'm sorry?

25 MS. M. TESFA: GLO Lalibela.

1 CHAIRPERSON ANDERSON: Who is that?

2 MS. M. TESFA: The restaurant.

3 CHAIRPERSON ANDERSON: Oh. And who's
4 the person next to you?

5 MS. S. TESFA: Sinayet Tesfa.

6 CHAIRPERSON ANDERSON: Good morning,
7 ma'am. So please make sure that you both sign
8 in. And who do we have, the Protestants?

9 MR. SALIN: Farid from DC
10 International.

11 CHAIRPERSON ANDERSON: The name, sir?

12 MR. SALIN: Farid Salin, DC
13 International.

14 CHAIRPERSON ANDERSON: Can you make
15 sure you sign in on the bottom sheet, please?

16 MR. SALIN: All right.

17 CHAIRPERSON ANDERSON: An you, ma'am?

18 MS. SOLOMON: Good morning, Efrate
19 Solomon from DC International.

20 CHAIRPERSON ANDERSON: Good morning.
21 All right, this is a protest hearing status. And
22 this matter is scheduled for April. Are there
23 any preliminary matters that need to be brought
24 to the Board's attention? Yes, ma'am?

25 MS. M. TESFA: Our lawyer is in the

1 hospital. So he couldn't make it for this
2 hearing.

3 CHAIRPERSON ANDERSON: Okay.

4 MS. M. TESFA: He just texted us. So
5 if we can, yes.

6 CHAIRPERSON ANDERSON: Well, it's just
7 a status, so --

8 MS. M. TESFA: He's not needed?

9 CHAIRPERSON ANDERSON: There is
10 nothing to be done here with the exception of
11 that - and that's probably in the garage -- I'm
12 sorry. Yes, this is just a status hearing. And
13 so I note it, so thank you for bringing that to
14 our attention.

15 Is there any other issue that the
16 other side wants to bring to our attention? No?

17 MR. SALIN: My concern is the sound
18 levels at the same --

19 CHAIRPERSON ANDERSON: All right, I
20 get what -

21 (Simultaneous speaking.)

22 MR. SALIN: The sound, yes.

23 CHAIRPERSON ANDERSON: So that's why
24 you're protesting this matter. Well, okay, this
25 matter is scheduled for a protest hearing on

1 November 6th at 4:30 p.m., meaning that if the
2 parties are unable to settle this matter, then it
3 will come to the Board to make a decision and
4 make a decision on the renewal, so whether or not
5 the license will be renewed or whether or not the
6 license will be renewed with condition.

7 I have always advised, and I support
8 having settlement agreements, because this is
9 your community. And you can make decisions about
10 what works best for the community rather than
11 have the Board make a decision.

12 However, if the parties aren't able to
13 settle this matter through a settlement
14 agreement, then we'll see you November 6th at
15 4:30.

16 Are you familiar with the proceedings
17 for a protest hearing? Have you guys ever
18 participated in a protest hearing before? No?
19 Yes or no?

20 MS. M. TESFA: Yes.

21 MR. SALIN: A couple of years ago,
22 yes.

23 CHAIRPERSON ANDERSON: All right.
24 I'll just read the instruction for a protest
25 hearing. But I said before, the matter is

1 scheduled for November 6th at 4:30 p.m.

2 You should have already received or
3 will soon be receiving an email from Imani
4 Moreland, the content, a copy of a protest
5 information form, PIF, and a copy of the exhibit
6 form.

7 Both parties are required to complete
8 and submit the protest information form, PIF, and
9 the exhibit form at least seven days before the
10 date of the hearing. If we do not receive a copy
11 of your forms seven days before the hearing, your
12 application or your protest may be subject to
13 dismissal.

14 These documents not only need to be
15 submitted to ABRA but to the opposing party as
16 well. Please note that these documents greatly
17 assist the Board in narrowing the protest issues,
18 facilitating the protest process, and keeping the
19 parties on point during the hearing.

20 Each side will be allotted 90 minutes
21 to present their case. This includes all direct
22 and cross examination of witnesses. The Board
23 does not intend to hear testimony on matters that
24 are not relevant to these issues that are being
25 protested nor will the Board tolerate repetitive

1 testimony. Are there any questions?

2 (No audible response.)

3 CHAIRPERSON ANDERSON: We thank you
4 for your cooperation. If you have any questions
5 at any time leading up to the hearing, please do
6 not hesitate to contact Assistant General Counsel
7 Ms. April Randall, at 202-442-4353. All right.

8 MR. SALIN: Could you tell us that
9 number again?

10 CHAIRPERSON ANDERSON: 202-442-4353.
11 And her name is April Randall.

12 One of the things that I state, it's
13 just to remind the parties, seven days before the
14 hearing you are supposed to introduce, you are
15 supposed to disclose the documents and witnesses
16 each side will be relying upon.

17 If those documents and witnesses are
18 not disclosed to the other side seven days before
19 the hearing, if we have this hearing and if you
20 just show up with the document, unless you can
21 show good cause why it was not disclosed, the
22 Board, more likely than not, will not allow you
23 to utilize those documents and witnesses.

24 If you do not understand the process,
25 or if you need any guidance, both sides, please

1 contact Ms. Randall. She will walk you through
2 the process to make sure that you comply with it,
3 okay? All right.

4 Have a good day. If the matter is now
5 settled, I'll see you on November 6th at 4:30.

6 (Whereupon, the above-entitled matter
7 went off the record at 9:54 a.m.)

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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: Lalibela

Before: DCABRA

Date: 10-09-19

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 R Gross

Court Reporter

NEAL R. GROSS

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