

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

9:47 a.m.

CHAIRPERSON ANDERSON: Good morning, everyone. I would like to welcome you to the regularly scheduled meeting of the District of Columbia Alcoholic Beverage Control Board. Today is October 2, 2019.

I first 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 far left is Ms. Rema Wahabzadah and to her immediate left is Mr. James Short.

My name is Donovan Anderson. I'm Chairman of the Board. The Board has five Members in attendance today for the conduct of business and that constitutes a quorum.

I would like to mention three things before we first get started.

First, 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 as your case

1 is called, please, take a seat at the table and,
2 please, sign-in. This is to ensure the correct
3 spelling of your name for the record.

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

9 I would note that the approximate time
10 is 9:50 a.m. and our first order of business is a
11 Protest Hearing (Status) Case No. 19-PRO-00097,
12 Mama `San, License No. 114205.

13 Will the parties, please, approach and
14 identify themselves for the record, please?

15 MR. BAILEY: Good morning, Board. I'm
16 David Bailey. A representative for Mama `San.

17 CHAIRPERSON ANDERSON: Good morning,
18 Mr. Bailey. Do we have the ANC here? Let me
19 see, Mr. Bailey, were you the one who contacted
20 the Agency to say that you were running late?

21 MR. BAILEY: Yes, that I would be
22 about five minutes late.

23 CHAIRPERSON ANDERSON: Oh, no, I just
24 wanted to make sure. I knew someone contacted
25 us. I wasn't sure if it was you or the ANC.

1 Okay. What I'm going to do is that
2 let me -- I'm going to pass this case and recall
3 this case probably in about 10 minutes and if the
4 ANC is not here, then we will vote to dismiss the
5 ANC.

6 So you can step back, Mr. Bailey, and
7 I'll recall the case in a couple of minutes. All
8 right. Thank you. Which is my normal procedure.
9 I usually give 30 minutes, but I didn't take the
10 Bench at 9:30 this morning, but I'll give them a
11 reasonable period of time to show up, which is
12 probably in the next 15 minutes. If not, I will
13 recall the case. Okay. All right.

14 (Whereupon, the above-entitled matter
15 went off the record at 9:50 a.m. and resumed at
16 9:57 a.m.)

17 CHAIRPERSON ANDERSON: All right.
18 Before moving on to our 10:00 hearing, let me
19 once again recall our Protest Hearing (Status)
20 Case, Case No. 19-PRO-00097, Mama `San, License
21 No. 114205.

22 Would the parties, please, approach
23 and identify themselves for the record?

24 MR. BAILEY: Yes. Again, my name is
25 David Bailey, the representing agent for Mama

1 `San.

2 CHAIRPERSON ANDERSON: Good morning,
3 Mr. Bailey.

4 All right. I see that the ANC who is
5 protesting this matter is still not here.

6 So therefore, the matter was scheduled
7 for a Show Cause -- I'm sorry, a Protest Hearing
8 (Status) at 9:30. I took the Bench at -- we took
9 the Bench about 9:48. We called the case. The
10 licensee has been here. The Protestant has not
11 appeared. I recalled the case at again 9:58 and
12 the licensee is still here and the protestant is
13 still not here.

14 So therefore, I make a motion that we
15 dismiss the protestant in this case. Is there a
16 second?

17 MEMBER CROCKETT: Second.

18 CHAIRPERSON ANDERSON: Ms. Crockett
19 has seconded the motion.

20 All those in favor say aye.

21 ALL: Aye.

22 CHAIRPERSON ANDERSON: Those opposed?
23 The matter passes 5-0-0.

24 What this means, Mr. Bailey, is that
25 unless the protestant has -- can provide -- we

1 will issue an order dismissing the protest. The
2 protestant will have 10 days to give us good
3 cause why they were not here today.

4 If they have not responded and even if
5 they respond and this Board determines that good
6 cause did not exist for them to be here, the
7 Agency will move forward and issue you your
8 license without any conditions, meaning that
9 there will be no settlement agreement that you
10 have to sign, sir.

11 MR. BAILEY: Okay.

12 CHAIRPERSON ANDERSON: All right.

13 MR. BAILEY: All right, sir.

14 CHAIRPERSON ANDERSON: Have a good
15 day.

16 MR. BAILEY: Thank you.

17 CHAIRPERSON ANDERSON: So as I said
18 before, we will issue a decision in 10 days
19 dismissing the ANC. They then have to respond
20 and give us good cause why they were not here
21 today. And if the Board determines that's no
22 good cause, we will dismiss their protest and the
23 license will be issued without any conditions.

24 MR. BAILEY: Thank you.

25 CHAIRPERSON ANDERSON: Have a good

1 day, sir. Thank you for being here.

2 MR. BAILEY: Thank you.

3 (Whereupon, the Protest (Status)

4 Hearing was concluded at 10:00 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: Mama San

Before: DCABRA

Date: 10-02-19

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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