

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE AND CANNABIS BOARD
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MEETING

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IN THE MATTER OF: :

Philippe DC, LLC, :
t/a Philippe by Philippe :
Chow/Merchants Marina :
635 Wharf Street SW : Protest
Retailer CR - ANC 6D : Hearing (Status)
License No. 121216 :
Case #26-PRO-00054 :
:

(Substantial Change - :
increase occupancy from :
266 to 415; expansion :
includes an interior :
increase in capacity :
from 194 to 266; the use :
of two (2) summer :
gardens, one with an :
occupancy of 74 and :
the other with an :
occupancy of 85) :
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Wednesday
September 16, 2026

The Alcoholic Beverage and Cannabis
Board met via WebEx videoconference, Chairperson
Donovan W. Anderson presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson
SILAS GRANT, JR., Member
RYAN JONES, Member
DAVID MEADOWS, Member
TERI JANINE QUINN, Member
JAMES TURNER, Member

1 ALSO PRESENT :

2 JOSE ORELLANA, DC ABCA Staff
3 SEAN MORRIS, Licensee's Counsel
4 COMMISSIONER GOTTLIEB SIMON, ANC 6D
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1 P-R-O-C-E-E-D-I-N-G-S

2 10:44 a.m.

3 CHAIRPERSON ANDERSON: All right.

4 The next case on our calendar is Case No. 26-PRO-
5 00054, Philippe by Philippe Chow, Merchants
6 Marina, License No. 121216. Mr. Orellana, can
7 you please elevate the parties in this case?

8 MR. ORELLANA: Sure thing. Gottlieb
9 Simon, access elevated; and Sean Morris, access
10 elevated. That appears to be all, chairman.

11 CHAIRPERSON ANDERSON: All right.
12 Thank you, sir. Can the parties come on camera
13 if they're able to?

14 MR. MORRIS: Good morning, Mr.
15 Chairman.

16 CHAIRPERSON ANDERSON: Good morning.
17 Good morning, Mr. Morris. Can you please spell
18 and state your name and identify yourself for the
19 record?

20 MR. MORRIS: Certainly. The name is
21 Sean Morris. First name S-E-A-N, last name
22 Morris, M-O-R-R-I-S. I am here as counsel for
23 the licensee.

24 CHAIRPERSON ANDERSON: Good morning,
25 sir. Is your client going to be here, plan to

1 join us today?

2 COMMISSIONER SIMON: No, I think this
3 was just scheduled for a status conference --

4 (Simultaneous speaking.)

5 CHAIRPERSON ANDERSON: Right. I was
6 just inquiring. It's not required.

7 COMMISSIONER SIMON: Thank you. No,
8 but they are not. I hope that's okay.

9 CHAIRPERSON ANDERSON: No, no,
10 they're fine. For this hearing, it's fine.

11 COMMISSIONER SIMON: Thank you.

12 CHAIRPERSON ANDERSON: But as you
13 know, if this matter goes to a protest, I need to
14 have a client, okay?

15 COMMISSIONER SIMON: Certainly.
16 Certainly. We're hoping we don't get to that
17 point, though, Mr. Chairman.

18 CHAIRPERSON ANDERSON: Okay. All
19 right. Thank you. Good morning, Mr. Simon. Can
20 you please spell and state your name for the
21 record?

22 COMMISSIONER SIMON: Good morning,
23 Mr. Chairman. My name is Gottlieb Simon. First
24 name is G-O-T-T-L-I-E-B, last name is Simon,
25 S-I-M-O-N.

1 CHAIRPERSON ANDERSON: And you
2 represent, sir?

3 COMMISSIONER SIMON: I'm representing
4 Advisory Neighborhood Commission 6D as the
5 chairperson.

6 CHAIRPERSON ANDERSON: All right.
7 Thank you. Good morning, sir. And good morning
8 again, Mr. Morris. You had made some
9 representation. Are there any preliminary
10 matters you wish to bring to the attention of the
11 Board, sir?

12 MR. MORRIS: Just to update the
13 Board, we have not had a mediation on this
14 matter. I've been dealing with -- I'm working
15 with Commissioner Bruce Levine from the ANC. Mr.
16 Levine is on travel internationally, as I
17 understand it. So Mr. Simon has taken over the
18 matter. Mr. Simon and I have yet to have any
19 substantive discussions about the matter.

20 Mr. Levine and I, however, have had
21 some productive conversations. We've narrowed
22 the issues. Just to make a representation to the
23 Board, from the licensee's perspective, this is
24 largely an administrative matter. There were two
25 summer gardens approved by the Board, but one was

1 not yet open, and it is recently opened and we're
2 just seeking to have the license updated to
3 reflect the certificate of occupancy now that the
4 entire establishment has been opened. I've
5 worked with Mr. Levine on that. He understands
6 that. We've had some discussions on maybe some
7 concerns about capacity, and I just need to
8 follow through on those with Mr. Simon and
9 hopefully reach a resolution.

10 So I think what we'd like to do, if
11 possible, is hopefully, just as a placeholder,
12 and I don't want to speak for Mr. Simon, but
13 maybe schedule a mediation a month or six weeks
14 from now to give us a chance to work through
15 these final issues and get to either have the
16 protest dismissed or have an amended cooperative
17 agreement in place to allow for the protest to be
18 dismissed.

19 And I've been in touch with Ms.
20 Fletcher, as well, about scheduling that
21 mediation. There was a mediation scheduled, but,
22 because it was scheduled in August and because of
23 conflicting travel and vacations, we weren't able
24 to really make much progress in advance of that
25 mediation and we didn't want to waste staff time

1 on that if we hadn't had those substantive
2 discussions. So I just think we need to have a
3 mediation rescheduled, which I hope will just be
4 as a placeholder to allow us to work through this
5 separately.

6 CHAIRPERSON ANDERSON: All right.
7 Fine. Mr. Simon, any preliminary matters you
8 want to bring to the attention of the Board?

9 COMMISSIONER SIMON: No. Mr. Morris
10 set out the situation fine. Thank you.

11 CHAIRPERSON ANDERSON: All right.
12 Fine. I'll make sure that the mediation is
13 rescheduled. And in the interim, this matter is
14 scheduled for a protest hearing on October 28th
15 at 1:30 p.m. But I'll have our legal office
16 inquire whether or not we should make some
17 changes to this date, based on representation and
18 the case and your presentation, Mr. Morris, as
19 you're saying that it's an update of the
20 certificate of occupancy. So I don't know, but
21 I'll have the legal office more so explore this
22 matter.

23 MR. MORRIS: Thank you, Mr. Chairman.
24 Should I just coordinate and reach out to Ms.
25 Fletcher on that?

1 CHAIRPERSON ANDERSON: I will make
2 sure that the legal office ensures that we
3 reschedule the mediation. So I'll have legal
4 make sure that they reach out to the parties to
5 reschedule this matter. And I know that the
6 contact will be made to Mr. Simon since he's a
7 chair -- is your name listed, Mr. Simon, as one
8 of the representatives for this matter?

9 COMMISSIONER SIMON: Yes.

10 CHAIRPERSON ANDERSON: Okay. So
11 either you or the advisory neighborhood
12 commissioner will be contacted. But I'll contact
13 our legal office to make sure that the mediation
14 is rescheduled, and then I'll have also look at
15 them further the issues in this case. All right.

16 But thank you. As I said before,
17 this matter is scheduled for a protest hearing on
18 October 28th at 1:30, but I think that we're
19 going to -- I'll talk to the legal office to see
20 if we need to make some changes to this date.
21 All right.

22 MR. MORRIS: Thank you, Mr. Chairman.

23 CHAIRPERSON ANDERSON: All right.

24 Thank you.

25 COMMISSIONER SIMON: Thank you all.

1 CHAIRPERSON ANDERSON: All right.

2 Thanks. Bye.

3 (Whereupon, the above-referred to
4 matter was concluded at 10:51 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 was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings; and that I am neither counsel for, related to, nor employed by any of the parties to this action in which this matter was taken; and further that I am not a relative nor an employee of any of the parties nor counsel employed by the parties, and I am not financially or otherwise interested in the outcome of the action.



Lauryn Barnes

0	attention 5:10	conflicting 6:23	give 6:14
00054 3:5	August 6:22	conversations 5:21	good 3:14,16,17,24 4:19,22 5:7
1	B	cooperative 6:16	Gottlieb 3:8 4:23
10:44 3:2	Board 5:11,13,23,25	counsel 3:22	H
121216 3:6	bring 5:10	D	hearing 4:10
2	Bruce 5:15	dealing 5:14	hope 4:8
26-PRO- 3:4	C	discussions 5:19 6:6	hoping 4:16
6	calendar 3:4	dismissed 6:16,18	I
6D 5:4	camera 3:12	E	identify 3:18
A	capacity 6:7	elevate 3:7	inquiring 4:6
a.m. 3:2	case 3:4,7	elevated 3:9,10	internationally 5:16
access 3:9	certificate 6:3	entire 6:4	issues 5:22 6:15
administrative 5:24	chairman 3:10,15 4:17,23	establishment 6:4	it's 4:10
advance 6:24	chairperson 3:3,11,16,24 4:5,9,12, 18 5:1,5,6	F	J
Advisory 5:4	chance 6:14	final 6:15	join 4:1
agreement 6:17	Chow 3:5	fine 4:10	L
amended 6:16	client 3:25 4:14	Fletcher 6:20	largely 5:24
ANC 5:15	Commission 5:4	follow 6:8	Levine 5:15,16,20 6:5
ANDERSON 3:3,11,16,24 4:5,9,12, 18 5:1,6	Commissioner 4:2,7,11,15,22 5:3,15	G	license 3:6 6:2
appears 3:10	concerns 6:7	G-O-T-T-L-I-E-B 4:24	licensee 3:23
approved 5:25	conference 4:3	gardens 5:25	licensee's 5:23

M M-O-R-R-I-S 3:22 made 5:8 make 5:22 6:24 Marina 3:6 matter 4:13 5:14,18,19,24 matters 5:10 mediation 5:13 6:13,21,25 Merchants 3:5 month 6:13 morning 3:14,16,17,24 4:19,22 5:7 Morris 3:9,14,17,20,21,22 5:8, 12	P P-R-O-C-E-E-D-I-N-G-S 3:1 parties 3:7,12 perspective 5:23 Philippe 3:5 place 6:17 placeholder 6:11 plan 3:25 point 4:17 preliminary 5:9 productive 5:21 progress 6:24 protest 4:13 6:16,17	resolution 6:9 S S-E-A-N 3:21 S-I-M-O-N 4:25 schedule 6:13 scheduled 4:3 6:21,22 scheduling 6:20 Sean 3:9,21 seeking 6:2 Simon 3:9 4:2,7,11,15,19,22, 23,24 5:3,17,18 6:8,12 simultaneous 4:4 sir 3:12,25 5:2,7,11 speak 6:12 speaking 4:4 spell 3:17 4:20 staff 6:25 state 3:18 4:20 status 4:3 substantive 5:19 summer 5:25	3:8 time 6:25 today 4:1 touch 6:19 travel 5:16 6:23 U understand 5:17 understands 6:5 update 5:12 updated 6:2 V vacations 6:23 W waste 6:25 weeks 6:13 work 6:14 worked 6:5 working 5:14
N narrowed 5:21 Neighborhood 5:4 O occupancy 6:3 open 6:1 opened 6:1,4 Orellana 3:6,8	R reach 6:9 recently 6:1 record 3:19 4:21 reflect 6:3 represent 5:2 representation 5:9,22 representing 5:3 required 4:6	T thing	