

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
+ + + + +
MEETING

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IN THE MATTER OF: :
:
Brilliant, LLC :
t/a Flash :
645 Florida Ave NW : Protest
Retailer CT - ANC 1B : Hearing (Status)
License No. 90823 :
Case #22-PRO-00112 :
:
(Application to Renew :
the License) :
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Wednesday
February 15, 2023

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

- PRESENT:
DONOVAN W. ANDERSON, Chairperson
BOBBY CATO, JR., Member
EDWARD S. GRANDIS, Member
JENI HANSEN, Member
JAMES SHORT, JR., Member

- ALSO PRESENT:
JOSE ORELLANA, DC ABRA Staff
AFSHIN MOTTAGHI, Applicant
SIDON YOHANNES, Applicant Counsel
LARRY HANDERHAN, ANC 1B
RACHEL SCHECKMAN, Group of 40

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

2 (11:16 a.m.)

3 CHAIRPERSON ANDERSON: All right. The  
4 next case on our calendar is Case Number 22-PRO-  
5 00112, Flash, License Number 90823.

6 Mr. Orellana, can you please elevate  
7 the, I guess, the protestant in this case,  
8 please?

9 MR. ORELLANA: Mottaghi, your access  
10 has been elevated. Rachel Scheckman, your access  
11 has been elevated. Larry Handerhan, your access  
12 has been elevated. That appears to be all,  
13 Chair.

14 CHAIRPERSON ANDERSON: Okay. All right.  
15 Good morning. This is the protest hearing status  
16 of Flash. We'll start with the licensee.

17 Ms. Yohannes, you're representing the  
18 licensee, please?

19 MS. YOHANNES: Yes.

20 CHAIRPERSON ANDERSON: Please identify  
21 yourself for the record, please?

22 MS. YOHANNES: Yes. Sidon Yohannes,  
23 here as counsel to the licensee. And that is S-  
24 I-D-O-N Y-O-H-A-N-N-E-S.

25 CHAIRPERSON ANDERSON: Mr. Mottaghi,

1 do you have a camera, sir? Can you please, if  
2 you do, please turn it on and, please spell and ,  
3 please spell and state your name for the record,  
4 please?

5 MR. MOTTAGHI: Yes. Hi. My camera is  
6 on. I'm not sure why the image is not coming  
7 through.

8 CHAIRPERSON ANDERSON: Then, please  
9 spell and state your name for the record.

10 MR. MOTTAGHI: Oh, I see. I see. I'm  
11 sorry. There we go, I got it. Yes, my name is  
12 Afshin Mottaghi, A-F-S-H-I-N, last name Mottaghi,  
13 M-O-T-T-A-G-H-I.

14 CHAIRPERSON ANDERSON: Good morning,  
15 sir.

16 MR. MOTTAGHI: Good morning.

17 CHAIRPERSON ANDERSON: All right.

18 Let's have the --

19 The ANC 1B, Mr. Handerhan?

20 MR. HANDERHAN: Larry Handerhan,  
21 Commissioner for ANC 1B, L-A-R-R-Y H-A-N-D-E-R-H-  
22 A-N.

23 CHAIRPERSON ANDERSON: Good morning.

24 Ms. Scheckman, can you please spell  
25 and state your name for the record, please?

1 MS. SCHECKMAN: Rachel Scheckman, R-A-  
2 C-H-E-L S-C-H-E-C-K-M-A-N. I'm part of the party  
3 of 4.

4 CHAIRPERSON ANDERSON: Good morning.  
5 Ms. Yohannes, are there any  
6 preliminary matters in this case, please?

7 MS. YOHANNES: (Audio interference).

8 CHAIRPERSON ANDERSON: ANC, are there  
9 any preliminary matters?

10 MR. MOTTAGHI: None for us.

11 CHAIRPERSON ANDERSON: Group of Five  
12 or More, any preliminary matters? Ms. Scheckman?

13 Ma'am, I can't hear you.

14 Thank you. All right. Thank you. All  
15 right. This matter is scheduled - as this matter  
16 is not settled, it is scheduled for a protest  
17 hearing on March 15, 2023, at 1:30 p.m.

18 Now that we have scheduled this matter  
19 for a protest hearing, there are a few things  
20 that I would like to instruct you about because  
21 the Board's practices have changed. As you're  
22 aware, all our hearings are - could everyone  
23 please put their, please mute their microphones,  
24 please?

25 As you know, the Board's hearings are

1 conducted virtually, so it's more important than  
2 ever that protest hearings are focused and  
3 addresses only those issues that are being  
4 protested.

5           Following this hearing, you'll receive  
6 an email from ABRA Legal that will include a copy  
7 of our protest information form PIP and a copy of  
8 an exhibit form, as well as specific instructions  
9 for the hearing. You are required to complete  
10 and submit the PIP and exhibit forms at least  
11 seven - excuse me - at least seven days before  
12 the date of hearing.

13           If we do not receive a copy of your  
14 forms seven days before the hearing, your  
15 application or your protest may be subject to  
16 dismissal. These documents need to be submitted  
17 to ABRA Legal and to the opposing parties.  
18 Please know that these documents greatly assist  
19 the Board in narrowing the protest issues,  
20 facilitating the process, and keeping the parties  
21 on point during the hearing.

22           Each side is also limited to 60  
23 minutes to present your case. The Board does not  
24 intend to hear testimony on matters that are not  
25 relevant to those issues that have been

1 protested.

2 And because this matter has been  
3 protested by the ANC and the Group of Five or  
4 More, I just wanted to let you know just as an  
5 FYI, the settlement agreement with the ANC and  
6 the licensee, your protest fall just as an - and  
7 the Board cannot force - this matter, by  
8 operation of law, the Board cannot force the  
9 licensee - I'm sorry - cannot force the  
10 licensee to make you part of settlement agreement  
11 if they refuse to, but just as an operation.

12 I mention this because there are  
13 settlements and then the Group of Five or More  
14 that come to the Board, ask the Board to continue  
15 the protests, and we're just in the operation of  
16 law, we cannot do that. Just as an FYI.

17 Anyway, if there are no other  
18 questions, good luck with your settlement  
19 discussions if those are active. If not, we'll  
20 see you for a hearing on March 15th at 1:30.

21 MS. YOHANNES: Thank you.

22 CHAIRPERSON ANDERSON: Have a great  
23 day. Thank you very much.

24 (Whereupon, the above-entitled matter  
25 went off the record at 11:22 a.m.)

<b>A</b>	<b>D</b>	<b>J</b>	<b>O</b>
<b>A-F-S-H-I-N</b> 3:12	<b>date</b> 5:12	<b>JAMES</b> 1:19	<b>NW</b> 1:7
<b>A-N</b> 3:22	<b>day</b> 6:23	<b>JENI</b> 1:18	
<b>a.m</b> 2:2 6:25	<b>days</b> 5:11,14	<b>JOSE</b> 1:21	
<b>above-entitled</b> 6:24	<b>DC</b> 1:21	<b>JR</b> 1:17,19	
<b>ABRA</b> 1:21 5:6,17	<b>discussions</b> 6:19		
<b>access</b> 2:9,10,11	<b>dismissal</b> 5:16	<b>K</b>	<b>Oh</b> 3:10
<b>active</b> 6:19	<b>DISTRICT</b> 1:1	<b>keeping</b> 5:20	<b>Okay</b> 2:14
<b>addresses</b> 5:3	<b>documents</b> 5:16,18	<b>know</b> 4:25 5:18 6:4	<b>operation</b> 6:8,11,15
<b>Afshin</b> 1:21 3:12	<b>Donovan</b> 1:14,17		<b>opposing</b> 5:17
<b>agreement</b> 6:5,10		<b>L</b>	<b>Orellana</b> 1:21 2:6,9
<b>Alcoholic</b> 1:2,13	<b>E</b>	<b>L-A-R-R-Y</b> 3:21	
<b>ANC</b> 1:7,22 3:19,21 4:8 6:3,5	<b>EDWARD</b> 1:18	<b>Larry</b> 1:22 2:11 3:20	
<b>Anderson</b> 1:14,17 2:3 2:14,20,25 3:8,14,17 3:23 4:4,8,11 6:22	<b>elevate</b> 2:6	<b>law</b> 6:8,16	
<b>Anyway</b> 6:17	<b>elevated</b> 2:10,11,12	<b>Legal</b> 5:6,17	
<b>appears</b> 2:12	<b>email</b> 5:6	<b>Let's</b> 3:18	
<b>Applicant</b> 1:21,22	<b>excuse</b> 5:11	<b>License</b> 1:8,10 2:5	
<b>application</b> 1:9 5:15	<b>exhibit</b> 5:8,10	<b>licensee</b> 2:16,18,23 6:6 6:9,10	
<b>assist</b> 5:18	<b>F</b>	<b>limited</b> 5:22	
<b>Audio</b> 4:7	<b>facilitating</b> 5:20	<b>LLC</b> 1:6	
<b>Ave</b> 1:7	<b>fall</b> 6:6	<b>luck</b> 6:18	
<b>aware</b> 4:22	<b>February</b> 1:12		
<b>B</b>	<b>Five</b> 4:11 6:3,13	<b>M</b>	
<b>Beverage</b> 1:2,13	<b>Flash</b> 1:6 2:5,16	<b>M-O-T-T-A-G-H-I</b> 3:13	
<b>Board</b> 1:2,13 5:19,23 6:7,8,14,14	<b>Florida</b> 1:7	<b>Ma'am</b> 4:13	
<b>Board's</b> 4:21,25	<b>focused</b> 5:2	<b>March</b> 4:17 6:20	
<b>BOBBY</b> 1:17	<b>Following</b> 5:5	<b>matter</b> 1:5 4:15,15,18 6:2,7,24	
<b>Brilliant</b> 1:6	<b>force</b> 6:7,8,9	<b>matters</b> 4:6,9,12 5:24	
<b>C</b>	<b>form</b> 5:7,8	<b>MEETING</b> 1:3	
<b>C-H-E-L</b> 4:2	<b>forms</b> 5:10,14	<b>Member</b> 1:17,18,18,19	
<b>calendar</b> 2:4	<b>FYI</b> 6:5,16	<b>mention</b> 6:12	
<b>camera</b> 3:1,5	<b>G</b>	<b>met</b> 1:14	
<b>case</b> 1:8 2:4,4,7 4:6 5:23	<b>go</b> 3:11	<b>microphones</b> 4:23	
<b>CATO</b> 1:17	<b>good</b> 2:15 3:14,16,23 4:4 6:18	<b>minutes</b> 5:23	
<b>Chair</b> 2:13	<b>GRANDIS</b> 1:18	<b>morning</b> 2:15 3:14,16 3:23 4:4	
<b>Chairperson</b> 1:14,17 2:3,14,20,25 3:8,14 3:17,23 4:4,8,11 6:22	<b>great</b> 6:22	<b>Mottaghi</b> 1:21 2:9,25 3:5,10,12,12,16 4:10	
<b>changed</b> 4:21	<b>greatly</b> 5:18	<b>mute</b> 4:23	
<b>COLUMBIA</b> 1:1	<b>Group</b> 1:23 4:11 6:3,13	<b>N</b>	
<b>come</b> 6:14	<b>guess</b> 2:7	<b>name</b> 3:3,9,11,12,25	
<b>coming</b> 3:6	<b>H</b>	<b>narrowing</b> 5:19	
<b>Commissioner</b> 3:21	<b>H-A-N-D-E-R-H-</b> 3:21	<b>need</b> 5:16	
<b>complete</b> 5:9	<b>Handerhan</b> 1:22 2:11 3:19,20,20	<b>Number</b> 2:4,5	
<b>conducted</b> 5:1	<b>HANSEN</b> 1:18		
<b>continue</b> 6:14	<b>hear</b> 4:13 5:24		
<b>Control</b> 1:2,13	<b>hearing</b> 1:7 2:15 4:17 4:19 5:5,9,12,14,21 6:20		
<b>copy</b> 5:6,7,13	<b>hearings</b> 4:22,25 5:2		
<b>counsel</b> 1:22 2:23	<b>Hi</b> 3:5		
<b>CT</b> 1:7	<b>I</b>		
	<b>I-D-O-N</b> 2:24		

**see** 3:10,10 6:20  
**settled** 4:16  
**settlement** 6:5,10,18  
**settlements** 6:13  
**seven** 5:11,11,14  
**SHORT** 1:19  
**side** 5:22  
**Sidon** 1:22 2:22  
**sir** 3:1,15  
**sorry** 3:11 6:9  
**specific** 5:8  
**spell** 3:2,3,9,24  
**Staff** 1:21  
**start** 2:16  
**state** 3:3,9,25  
**status** 1:7 2:15  
**subject** 5:15  
**submit** 5:10  
**submitted** 5:16  
**sure** 3:6

---

**T**

---

**t/a** 1:6  
**testimony** 5:24  
**Thank** 4:14,14 6:21,23  
**things** 4:19  
**turn** 3:2

---

**U**

---



---

**V**

---

**videoconference** 1:14  
**virtually** 5:1

---

**W**

---

**W** 1:14,17  
**wanted** 6:4  
**we'll** 2:16 6:19  
**we're** 6:15  
**WebEx** 1:14  
**Wednesday** 1:11  
**went** 6:25

---

**X**

---



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**Y**

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**Y-O-H-A-N-N-E-S** 2:24  
**Yohannes** 1:22 2:17,19  
 2:22,22 4:5,7 6:21

---

**Z**

---



---

**0**

---

**00112** 2:5

---

**1**

---

**1:30** 4:17 6:20  
**11:16** 2:2

**11:22** 6:25  
**15** 1:12 4:17  
**15th** 6:20  
**1B** 1:7,22 3:19,21

---

**2**

---

**2023** 1:12 4:17  
**22-PRO-** 2:4  
**22-PRO-00112** 1:8

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**3**

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**4**

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**4** 4:3  
**40** 1:23

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**60** 5:22  
**645** 1:7

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**90823** 1:8 2:5



C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Flash

Before: DCABRA

Date: 02-15-23

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate complete record of the proceedings.



-----  
Court Reporter

**NEAL R. GROSS**

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