

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE AND CANNABIS BOARD
+ + + + +
MEETING

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IN THE MATTER OF: :
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Sohal, Inc. :
t/a Mood Swings Food :
Hall (Formerly - Glassey):
1625 1st Street NW : Show Cause
Retailer CR - ANC 5E : Hearing
License No. 117346 :
Case #23-CIT-00509 :
:
(Failed to File :
Quarterly Statement) :
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Wednesday
March 13, 2024

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

PRESENT:

DONOVAN W. ANDERSON, Chairperson
SILAS GRANT, JR., Member
JAMES SHORT, JR., Member

ALSO PRESENT:

JOSE ORELLANA, DC ABCA Staff
ANTHONY CELO, DC OAG
DETECTIVE GEORGE GARCIA, MPD

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

2 11:11 a.m.

3 CHAIRPERSON ANDERSON: The next case  
4 on our calendar is case number 23-CIT-00509, Mood  
5 Swings Food Hall, formerly Glassey, license  
6 number 117346. This is a full show cause  
7 hearing, so Mr. Orellana, good morning, can you  
8 elevate the rights of the government, the  
9 licensee, or any witnesses that are being called  
10 for this case?

11 MR. ORELLANA: Anthony Celo, your  
12 access has been elevated. Investigator George  
13 Garcia, your access has been elevated. And that  
14 will be all, Mr. Chairman.

15 CHAIRPERSON ANDERSON: Thank you.

16 MR. CELO: Good morning, Mr. Chair.

17 CHAIRPERSON ANDERSON: Good morning,  
18 sir. This matter was scheduled for a show cause  
19 hearing at 10:30, it's 11:11. Have you had any  
20 conversation with the licensee? Because it does  
21 not appear that the licensee is here to contest  
22 this case.

23 MR. CELO: I had initial negotiations  
24 with the licensee, but I have not had  
25 communication on this case since the initial

1 outreach, probably more than a month ago at this  
2 point. I would note that this licensee did  
3 continue the hearing that they had last week, so  
4 they presumably know how to continue the hearing  
5 if they're not going to attend.

6 CHAIRPERSON ANDERSON: All right,  
7 thank you. So, let me formally -- please  
8 identify yourself for the record, sir.

9 MR. CELO: Assistant Attorney General  
10 Anthony Celo on behalf of the District, A-N-T-H-  
11 O-N-Y C-E-L-O.

12 CHAIRPERSON ANDERSON: Thank you, good  
13 morning, sir. Is the government prepared to move  
14 forward with this hearing, although the licensee  
15 is not here?

16 MR. CELO: Yes, Mr. Chair.

17 CHAIRPERSON ANDERSON: Okay, give me  
18 one minute, sir. Pursuant to D.C. Official Code  
19 Section 25-447, the board has authority to  
20 proceed ex parte where the licensee waives the  
21 hearing, or fails to appear unless the hearing is  
22 extended for good and sufficient cause. The  
23 board's records reflect that the licensees were  
24 properly served.

25 Seeing no licensee here today, and

1 having no good and sufficient cause to extend the  
2 hearing, the board will proceed with the show  
3 cause hearing. Do you wish to do an opening  
4 statement, Mr. Celo?

5 MR. CELO: Mr. Chair, I'll waive the  
6 opening. The only preliminary matter is to note  
7 for the record that the case report is part of  
8 the record as a matter of law.

9 CHAIRPERSON ANDERSON: Good morning,  
10 sir. All right, does the government wish to call  
11 a witness?

12 MR. CELO: Yes, government calls  
13 Investigator George Garcia to the stand.

14 CHAIRPERSON ANDERSON: Mr. Garcia, can  
15 you raise your right hand? Do you swear or  
16 affirm to tell the truth, and nothing but the  
17 truth?

18 WHEREUPON,

19 GEORGE GARCIA  
20 was called for examination by Counsel for the  
21 Agency, having been first duly sworn, assumed the  
22 witness stand, was examined and testified as  
23 follows:

24 CHAIRPERSON ANDERSON: Thank you, your  
25 witness, sir.

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DIRECT EXAMINATION

MR. CELO: Investigator Garcia, when was the quarterly statement due in this case?

MR. GARCIA: It was due any date prior to July 30th.

MR. CELO: Was the quarterly statement timely filed?

MR. GARCIA: It was not.

MR. CELO: How do you know that?

MR. GARCIA: Because after contacting our IT specialist, we received that the quarterly statement was filed on August 15th.

MR. CELO: No further questions, Mr. Chair.

CHAIRPERSON ANDERSON: So, Mr. Garcia, when was the quarterly statement required to be filed?

MR. GARCIA: It was required to be filed for quarter two at any time prior to July 30th.

CHAIRPERSON ANDERSON: So, July 30th, okay.

MR. GARCIA: Yeah.

CHAIRPERSON ANDERSON: Any other questions by any board members? Do you wish to

1 make a closing, Mr. Celo? Does the government  
2 rest?

3 MR. CELO: Government rests, we'll  
4 waive closing argument.

5 CHAIRPERSON ANDERSON: All right. As  
6 chairperson of the Alcoholic Beverage and  
7 Cannabis Board for the District of Columbia in  
8 accordance with D.C. Code Section 2575 of the  
9 Open Meetings Act, I move that ABC Board hold a  
10 closed meeting for the purpose of seeking legal  
11 advice from our counsel on case number 23-CIT-  
12 00509, Mood Swings Food Hall, formerly Glassey.

13 Pursuant to D.C. Official Code Section  
14 2575B4A of the Open Meetings Act, and  
15 deliberating upon case number 23-CIT-00509, Mood  
16 Swings Food Hall, formerly Glassey, for the  
17 reasons cited in D.C. Official Code Section  
18 2575B13 of the Open Meetings Act. Is there a  
19 second?

20 MEMBER SHORT: Short, I second.

21 CHAIRPERSON ANDERSON: Mr. Short has  
22 seconded the motion, I will take a roll call vote  
23 in the motion before us now that it has been  
24 seconded. Mr. Short?

25 MEMBER SHORT: Short, I agree.

1                   CHAIRPERSON ANDERSON: Mr. Grant? And  
2 Mr. Anderson, I agree. As it appears that the  
3 motion has passed, I hereby give notice that the  
4 ABC Board will recess these proceedings to hold a  
5 closed meeting pursuant to Section 2575 of the  
6 Open Meetings Act. Good morning, have a great  
7 day. The board will take this matter under  
8 advisement and issue a decision within 90 days.  
9 Thank you very much, have a great day.

10                   MR. CELO: Thank you, good day.

11                   (Whereupon, the above-entitled matter  
12 went off the record at 11:17 a.m.)  
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**A**

**A-N-T-H** 3:10  
**a.m** 2:2 7:12  
**ABC** 6:9 7:4  
**ABCA** 1:20  
**above-entitled** 7:11  
**access** 2:12,13  
**Act** 6:9,14,18 7:6  
**advice** 6:11  
**advisement** 7:8  
**affirm** 4:16  
**Agency** 4:21  
**ago** 3:1  
**agree** 6:25 7:2  
**Alcoholic** 1:2,14 6:6  
**ANC** 1:8  
**Anderson** 1:15,17 2:3  
     2:15,17 3:6,12,17 4:9  
     4:14,24 5:15,21,24  
     6:5,21 7:1,2  
**Anthony** 1:21 2:11 3:10  
**appear** 2:21 3:21  
**appears** 7:2  
**argument** 6:4  
**Assistant** 3:9  
**assumed** 4:21  
**attend** 3:5  
**Attorney** 3:9  
**August** 5:12  
**authority** 3:19

**B**

**behalf** 3:10  
**Beverage** 1:2,14 6:6  
**board** 1:2,14 3:19 4:2  
     5:25 6:7,9 7:4,7  
**board's** 3:23

**C**

**C-E-L-O** 3:11  
**calendar** 2:4  
**call** 4:10 6:22  
**called** 2:9 4:20  
**calls** 4:12  
**Cannabis** 1:2,14 6:7  
**case** 1:9 2:3,4,10,22,25  
     4:7 5:3 6:11,15  
**cause** 1:7 2:6,18 3:22  
     4:1,3  
**Celo** 1:21 2:11,16,23  
     3:9,10,16 4:4,5,12 5:2  
     5:6,9,13 6:1,3 7:10  
**Chair** 2:16 3:16 4:5 5:14  
**Chairman** 2:14  
**chairperson** 1:14,17  
     2:3,15,17 3:6,12,17  
     4:9,14,24 5:15,21,24  
     6:5,6,21 7:1

**cited** 6:17  
**closed** 6:10 7:5  
**closing** 6:1,4  
**Code** 3:18 6:8,13,17  
**Columbia** 1:1 6:7  
**communication** 2:25  
**contacting** 5:10  
**contest** 2:21  
**continue** 3:3,4  
**conversation** 2:20  
**counsel** 4:20 6:11  
**CR** 1:8

**D**

**D.C** 3:18 6:8,13,17  
**date** 5:4  
**day** 7:7,9,10  
**days** 7:8  
**DC** 1:20,21  
**decision** 7:8  
**deliberating** 6:15  
**DETECTIVE** 1:21  
**DIRECT** 5:1  
**District** 1:1 3:10 6:7  
**Donovan** 1:15,17  
**due** 5:3,4  
**duly** 4:21

**E**

**elevate** 2:8  
**elevated** 2:12,13  
**ex** 3:20  
**examination** 4:20 5:1  
**examined** 4:22  
**extend** 4:1  
**extended** 3:22

**F**

**Failed** 1:10  
**fails** 3:21  
**File** 1:10  
**filed** 5:7,12,17,19  
**first** 4:21  
**follows** 4:23  
**Food** 1:6 2:5 6:12,16  
**formally** 3:7  
**formerly** 1:7 2:5 6:12  
     6:16  
**forward** 3:14  
**full** 2:6  
**further** 5:13

**G**

**Garcia** 1:21 2:13 4:13  
     4:14,19 5:2,4,8,10,15  
     5:18,23  
**General** 3:9  
**George** 1:21 2:12 4:13

4:19  
**give** 3:17 7:3  
**Glassey** 1:7 2:5 6:12,16  
**going** 3:5  
**good** 2:7,16,17 3:12,22  
     4:1,9 7:6,10  
**government** 2:8 3:13  
     4:10,12 6:1,3  
**Grant** 1:18 7:1  
**great** 7:6,9

**H**

**Hall** 1:7 2:5 6:12,16  
**hand** 4:15  
**hearing** 1:8 2:7,19 3:3,4  
     3:14,21,21 4:2,3  
**hold** 6:9 7:4

**I**

**identify** 3:8  
**initial** 2:23,25  
**Investigator** 2:12 4:13  
     5:2  
**issue** 7:8

**J**

**JAMES** 1:18  
**JOSE** 1:20  
**JR** 1:18,18  
**July** 5:5,19,21

**K**

**know** 3:4 5:9

**L**

**law** 4:8  
**legal** 6:10  
**license** 1:8 2:5  
**licensee** 2:9,20,21,24  
     3:2,14,20,25  
**licensees** 3:23

**M**

**March** 1:12  
**matter** 1:5 2:18 4:6,8  
     7:7,11  
**meeting** 1:3 6:10 7:5  
**Meetings** 6:9,14,18 7:6  
**Member** 1:18,18 6:20  
     6:25  
**members** 5:25  
**met** 1:14  
**minute** 3:18  
**month** 3:1  
**Mood** 1:6 2:4 6:12,15  
**morning** 2:7,16,17 3:13  
     4:9 7:6  
**motion** 6:22,23 7:3

**move** 3:13 6:9  
**MPD** 1:21

**N**

**negotiations** 2:23  
**note** 3:2 4:6  
**notice** 7:3  
**number** 2:4,6 6:11,15  
**NW** 1:7

**O**

**O-N-Y** 3:11  
**OAG** 1:21  
**Official** 3:18 6:13,17  
**okay** 3:17 5:22  
**Open** 6:9,14,18 7:6  
**opening** 4:3,6  
**Orellana** 1:20 2:7,11  
**outreach** 3:1

**P**

**P-R-O-C-E-E-D-I-N-G-S**  
     2:1  
**part** 4:7  
**parte** 3:20  
**passed** 7:3  
**please** 3:7  
**point** 3:2  
**preliminary** 4:6  
**prepared** 3:13  
**PRESENT** 1:16,19  
**presiding** 1:15  
**presumably** 3:4  
**prior** 5:4,19  
**probably** 3:1  
**proceed** 3:20 4:2  
**proceedings** 7:4  
**properly** 3:24  
**purpose** 6:10  
**pursuant** 3:18 6:13 7:5

**Q**

**quarter** 5:19  
**quarterly** 1:10 5:3,6,11  
     5:16  
**questions** 5:13,25

**R**

**raise** 4:15  
**reasons** 6:17  
**received** 5:11  
**recess** 7:4  
**record** 3:8 4:7,8 7:12  
**records** 3:23  
**reflect** 3:23  
**report** 4:7  
**required** 5:16,18  
**rest** 6:2



<b>rests</b> 6:3	<b>Wednesday</b> 1:12	
<b>Retailer</b> 1:8	<b>week</b> 3:3	
<b>right</b> 3:6 4:10,15 6:5	<b>went</b> 7:12	
<b>rights</b> 2:8	<b>wish</b> 4:3,10 5:25	
<b>roll</b> 6:22	<b>witness</b> 4:11,22,25	
	<b>witnesses</b> 2:9	
<b>S</b>		
<b>scheduled</b> 2:18	<b>X</b>	
<b>second</b> 6:19,20		
<b>seconded</b> 6:22,24	<b>Y</b>	
<b>Section</b> 3:19 6:8,13,17 7:5	<b>Yeah</b> 5:23	
<b>Seeing</b> 3:25	<b>Z</b>	
<b>seeking</b> 6:10		
<b>served</b> 3:24	<b>0</b>	
<b>Short</b> 1:18 6:20,20,21 6:24,25,25	<b>00509</b> 6:12	
<b>show</b> 1:7 2:6,18 4:2	<b>1</b>	
<b>SILAS</b> 1:18	<b>10:30</b> 2:19	
<b>sir</b> 2:18 3:8,13,18 4:10 4:25	<b>11:11</b> 2:2,19	
<b>Sohal</b> 1:6	<b>11:17</b> 7:12	
<b>specialist</b> 5:11	<b>117346</b> 1:8 2:6	
<b>Staff</b> 1:20	<b>13</b> 1:12	
<b>stand</b> 4:13,22	<b>15th</b> 5:12	
<b>statement</b> 1:10 4:4 5:3 5:6,12,16	<b>1625</b> 1:7	
<b>Street</b> 1:7	<b>1st</b> 1:7	
<b>sufficient</b> 3:22 4:1	<b>2</b>	
<b>swear</b> 4:15	<b>2024</b> 1:12	
<b>Swings</b> 1:6 2:5 6:12,16	<b>23-CIT-</b> 6:11	
<b>sworn</b> 4:21	<b>23-CIT-00509</b> 1:9 2:4 6:15	
	<b>25-447</b> 3:19	
<b>T</b>	<b>2575</b> 6:8 7:5	
<b>t/a</b> 1:6	<b>2575B13</b> 6:18	
<b>take</b> 6:22 7:7	<b>2575B4A</b> 6:14	
<b>tell</b> 4:16	<b>3</b>	
<b>testified</b> 4:22	<b>30th</b> 5:5,20,21	
<b>thank</b> 2:15 3:7,12 4:24 7:9,10	<b>4</b>	
<b>time</b> 5:19		
<b>timely</b> 5:7	<b>5</b>	
<b>today</b> 3:25	<b>5E</b> 1:8	
<b>truth</b> 4:16,17	<b>6</b>	
<b>two</b> 5:19	<b>7</b>	
	<b>8</b>	
<b>U</b>	<b>9</b>	
	<b>90</b> 7:8	
<b>V</b>		
<b>videoconference</b> 1:14		
<b>vote</b> 6:22		
<b>W</b>		
<b>W</b> 1:15,17		
<b>waive</b> 4:5 6:4		
<b>waives</b> 3:20		
<b>we'll</b> 6:3		
<b>WebEx</b> 1:14		

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Mood Swings Food Hall

Before: DC ABRA

Date: 03-13-24

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.

*Neal R Gross*

-----  
Court Reporter

**NEAL R. GROSS**

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