

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

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IN THE MATTER OF:                   :  
  :  
Sohal, Inc.,                           :  
t/a Mood Swings Food Hall:  
(Formerly - Glassey)               :  
1625 1st Street NW                :  
Retailer CR - ANC 5E               :  
License #117346                     :  
Case # 23-CMP-00057               :  
  :  
(Substantial Change                :  
-Sidewalk Cafe,)                   :  
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Wednesday  
April 3, 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 P. CELO, DC OAG  
INVESTIGATOR MARK RUIZ, DC ABCA

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2 11:00 a.m.

3 CHAIRPERSON ANDERSON: And we now move  
4 into a show cause hearing, and it's now, is this  
5 your case, Mr. Celo?

6 MR. CELO: Yes, Mr. Chair.

7 CHAIRPERSON ANDERSON: All right, so  
8 this is Case Number 23-CMP-00057, Mood Swing's  
9 Food Hall, formerly Glassey, License Number  
10 117346.

11 Mr. Orellana, is the representative of  
12 Glassey available to testify?

13 MR. ORELLANA: No representative, but  
14 I do see Investigator Mark Ruiz.

15 CHAIRPERSON ANDERSON: And, you can  
16 bring Mr. Ruiz on. And I think there is the name  
17 of the licensee is Taj Sohal, S-O-H-A-L.

18 So can you just do me a favor and Mr.  
19 Orellana, can you please once again put an all  
20 call bulletin to see if that person is available?

21 I know this matter was scheduled for  
22 10:30, it's now 11:01.

23 MR. ORELLANA: Will do.

24 CHAIRPERSON ANDERSON: Thank you, sir.

25 (Pause.)

1 MR. ORELLANA: Not getting a reply.

2 CHAIRPERSON ANDERSON: All right, thank  
3 you, sir.

4 Is the government ready to move  
5 forward?

6 MR. CELO: Yes, Your Honor.

7 CHAIRPERSON ANDERSON: All right.

8 Pursuant to D.C. Official Code Section  
9 25447, the Board has authority to proceed ex  
10 parte where the licensee waives the hearing or  
11 fails to appear, unless a hearing is extended for  
12 good and sufficient cause.

13 The Board's records reflect that the  
14 licensee was properly and personally served on  
15 March 8, 2024.

16 Seeing no licensee here today, and  
17 having no good and sufficient cause to extend  
18 this hearing, the Board will proceed with the  
19 show cause hearing.

20 All right, does the government wish to  
21 make an opening statement?

22 MR. CELO: The government will waive  
23 opening.

24 CHAIRPERSON ANDERSON: Does the  
25 government have a witness the government wish to

1 call?

2 MR. CELO: Yes.

3 Prior to calling our witness, the  
4 government would just not for the record that as  
5 a matter of law, the investigative report and all  
6 attachments are already admitted as an exhibit  
7 onto the record.

8 CHAIRPERSON ANDERSON: I'm sorry, Mr.  
9 Celo, can you identify yourself for the record?  
10 I did not do that.

11 All right, thanks.

12 MR. CELO: Assistant Attorney General  
13 Anthony Celo, A-N-T-H-O-N-Y C-E-L-O, on behalf of  
14 the government.

15 CHAIRPERSON ANDERSON: All right, good  
16 morning, thank you sir.

17 All right, yes, sir, by operation of  
18 law, the case report has been submitted and it is  
19 part of the Board's records that will be  
20 considered for whatever determination that's  
21 made.

22 So, do you have a witness you wish to  
23 call?

24 MR. CELO: Yes, at this time the  
25 government calls Investigator Ruiz to the stand.

1 CHAIRPERSON ANDERSON: Mr. Ruiz, can  
2 you raise your right hand please?

3 Do you swear or affirm to tell the  
4 truth and nothing but the truth?

5 MR. RUIZ: Yes.

6 CHAIRPERSON ANDERSON: All right, your  
7 witness, sir.

8 MR. CELO: Please state and spell your  
9 name for the record?

10 MR. RUIZ: Mark Ruiz, M-A-R-K R-U-I-Z.

11 DIRECT EXAMINATION

12 BY MR. CELO:

13 Q And, you're an investigator with ABCA,  
14 correct?

15 A That's correct.

16 Q On July 13, 2023, are you aware of an  
17 incident involving the establishment in question,  
18 Mood Swings, formerly known as Glassey?

19 A Yes.

20 Q Can you tell us what happened?

21 A So, while going to the establishment  
22 to deal with a quarterly statement violation,  
23 upon arrival I observed that the sidewalk caf,  
24 area was being utilized with individuals  
25 drinking.

1                   Upon meeting with the owner upstairs  
2                   inside the establishment and reviewing the  
3                   license, I observed that there were no sidewalk  
4                   caf, endorsement on the license.

5                   And spoke with Ms. Sohal, the owner in  
6                   regards to it and she stated that she had it in  
7                   the process, but was awaiting on a public space  
8                   permit from DDOT.

9                   Q        So, she did not deny that people were  
10                  drinking in the summer garden without and  
11                  endorsement, she simply said that she had applied  
12                  for one?

13                  A        That's correct.

14                  Q        I believe I misspoke, I apologize.  
15                  This was a sidewalk caf,, not a summer garden,  
16                  correct?

17                  A        Yes, at the time I wasn't sure exactly  
18                  but after further information I determined it's  
19                  a sidewalk caf,.

20                  Q        Okay.

21                  No further questions.

22                  CHAIRPERSON ANDERSON: Mr. Ruiz, are  
23                  you, do you know whether or not this property has  
24                  been properly permitted by our agency?

25                  MR. RUIZ: I did not look at a recent.

1 I can look it up and see, but I don't know off  
2 hand.

3 CHAIRPERSON ANDERSON: All right, sir.  
4 Any other questions by any other Board  
5 members?

6 Go ahead, Mr. Short.

7 MEMBER SHORT: Good morning,  
8 Investigator Ruiz.

9 MR. RUIZ: Good morning, Mr. Short.

10 MEMBER SHORT: Investigator Ruiz, how  
11 long have you been an investigator with ABCA?

12 MR. RUIZ: A little over 5 years now.

13 MEMBER SHORT: And in your 5 years,  
14 have you ever been to this particular address or  
15 this business, this license for an inspection, or  
16 have any knowledge of it?

17 MR. RUIZ: Yes.

18 MEMBER SHORT: Can you just briefly  
19 give us what you know about the license and this  
20 address?

21 MR. RUIZ: Anything specific wise?

22 MEMBER SHORT: When did it first open  
23 up as a business? Who has owned it? And, what  
24 license or endorsements do they have on the  
25 license since they've been open?



1 MR. RUIZ: I don't know exactly the  
2 time of opening. I know the owner's Ms. Taj  
3 Sohal. I know it operates as a restaurant.

4 And that's basically it. And there's  
5 no other endorsements on the license. It's just  
6 a simple restaurant license.

7 MEMBER SHORT: How long has this  
8 current licensee owned this business?

9 MR. RUIZ: I don't know.

10 MEMBER SHORT: Has anyone ever applied  
11 for and been refused, an endorsement for sidewalk  
12 caf, at this address?

13 MR. RUIZ: Not to my current knowledge.

14 MEMBER SHORT: Okay, that's all I have.  
15 Thank you, Mr. Chair.

16 CHAIRPERSON ANDERSON: Any other  
17 questions by any other Board members?

18 (No audible response.)

19 CHAIRPERSON ANDERSON: Mr. Celso, any  
20 redirect?

21 MR. CELO: No, Mr. Chair.

22 CHAIRPERSON ANDERSON: Mr. Ruiz, thank  
23 you very much for your testimony. You are free  
24 to go.

25 What is it that the government wants

1 the Board to do?

2 MR. CELO: Mr. Chair, the facts have  
3 been established. The government believes that  
4 an appropriate fine for a second primary  
5 violation is appropriate.

6 And given the history of this  
7 establishment, there was previously a primary  
8 violation that was resolved back in 2023.

9 So, the government asks for an  
10 appropriate fine for operating without the  
11 sidewalk caf, endorsement.

12 CHAIRPERSON ANDERSON: All right, thank  
13 you, sir.

14 All right, this case is, the record is  
15 now closed.

16 As Chairperson of the Alcohol Beverage  
17 and Cannabis Board for the District of Columbia,  
18 and in accordance with D.C. Code Section 2575 of  
19 the Open Meetings Act, I move that ABC Board hold  
20 a closed meeting for the purpose of seeking legal  
21 advice from our counsel on Case Number 23-CMP-  
22 00057, Mood Swings Food Hall, formerly Glassey,  
23 pursuant to D.C. Official Code Section  
24 2575(b)(4)(a) of the Open Meetings Act.

25 And, deliberating upon Case Number 23-

1 CMP-00057, Mood Swings Food Hall, formerly  
2 Glassey, for the reasons cited in D.C. Official  
3 Code Section 2575(b)(13) of the Open Meetings  
4 Act.

5 Is there a second?

6 MEMBER SHORT: Mr. Short, I second.

7 CHAIRPERSON ANDERSON: Mr. Short and  
8 Mr. Grant have second the motion. We will now  
9 have a roll call vote.

10 Mr. Short?

11 MEMBER SHORT: Mr. Short, I agree.

12 CHAIRPERSON ANDERSON: Mr. Grant?

13 MEMBER GRANT: Mr. Grant, I agree.

14 CHAIRPERSON ANDERSON: And, Mr.

15 Anderson, I agree.

16 As it appears that a motion has passed  
17 3-0, I hereby give notice that the ABC Board will  
18 recess this proceeding to hold a closed meeting,  
19 pursuant to Section 2575 of the Open Meetings  
20 Act.

21 Thank you very much, Mr. Celso, for  
22 your presentation this morning. You have a great  
23 day, sir.

24 Thank you.

25 MR. CELO: Thank you, Mr. Chair.



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**7**

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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: Mood Swings Food Hall

Before: DC ABCA

Date: 04-03-24

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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