

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:
Treehouse 2473, LLC,
t/a Air Restaurant
2473 18th Street NW
License #117404
Retailer CR - ANC 1C
Case #23-251-00003
(Allowed Establishment
to be Used for Unlawful
or Disorderly Purpose)
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Wednesday
June 28, 2023

The Alcoholic Beverage and Cannabis
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:

CAMERON MIXON, Licensee's Counsel
JOSE ORELLANA, DC ABCA Staff
CHRIS SOUTHCOTT, DC OAG

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

2 11:22 a.m.

3 CHAIRPERSON ANDERSON: We now move to
4 our Show Cause Hearing Status Calendar. The
5 first case on that calendar is Case No. 23-251-
6 00003, Air Restaurant, License No. 117404.

7 Mr. Orellana, can you please elevate
8 the rights of the Government and the Licensee in
9 this case.

10 MR. ORELLANA: Mr. Cameron Mixon, your
11 access has been elevated. And Mr. Chris
12 Southcott, your access has been elevated.

13 That is all Chairman.

14 CHAIRPERSON ANDERSON: Thank you.

15 Good morning Mr. Southcott. Can you
16 please identify yourself for the record.

17 MR. SOUTHCOTT: My name is Chris
18 Southcott, first name C-H-R-I-S, last name S-O-U-
19 T-H-C-O-T-T from D.C. Office of the Attorney
20 General.

21 CHAIRPERSON ANDERSON: Mr. Mixon,
22 please identify yourself for the record.

23 MR. MIXON: Hello. Cameron Mixon,
24 first name C-A-M-E-R-O-N, last name Mixon, M-I-X-
25 O-N, counsel to the licensee.

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CHAIRPERSON ANDERSON: Good morning, sir.

Mr. Southcott, are there any preliminary matters in this case?

MR. SOUTHCOTT: I believe that the parties have reached an Offer in Compromise. That's what my colleague communicated to me. My understanding is that we will be reading the terms of the OIC into the record.

CHAIRPERSON ANDERSON: Mr. Mixon, is that correct from your perspective?

MR. MIXON: That's correct. I extended the Licensee's acceptance yesterday.

CHAIRPERSON ANDERSON: Mr. Southcott, what is the Offer in Compromise?

MR. SOUTHCOTT: There is one charge. The establishment was used for an unlawful purpose in violation of D.C. Code 25-823(a)(2). It is a first primary tier violation and the OIC is \$1,000 within 30 days or the license shall be suspended indefinitely until the fine is paid.

CHAIRPERSON ANDERSON: Thank you.

Mr. Mixon, it's my understanding there is an Offer in Compromise and the Offer in

1 Compromise is that there is a fine of \$1,000
2 payable within 30 days of the. The license will
3 be suspended indefinitely until the fine has been
4 paid.

5 Is this your client's understanding,
6 sir, of the Offer in Compromise?

7 MR. SOUTHCOTT: It is.

8 CHAIRPERSON ANDERSON: Is your client
9 aware that by accepting an Offer in Compromise
10 they give up their right to a hearing?

11 MR. SOUTHCOTT: He does.

12 CHAIRPERSON ANDERSON: Is your client
13 also aware that by accepting an Offer in
14 Compromise that they give up their right to
15 appeal this matter?

16 MR. SOUTHCOTT: They do.

17 CHAIRPERSON ANDERSON: Thank you. Any
18 questions by any Board Members? Hearing none, I
19 then make a motion that the Offer in Compromise
20 be accepted as a fine of \$1,000 payable within 30
21 days. If the fine has not been paid within 30
22 days, the license will be suspended indefinitely
23 until the fine has been paid.

24 Is there a second?

25 MEMBER GRANDIS: Ed Grandis will

1 second.

2 MEMBER SHORT: Mr. Short will second.

3 CHAIRPERSON ANDERSON: Mr. Short and
4 Mr. Grandis have seconded the motion. We'll now
5 have a roll call vote.

6 Mr. Short.

7 MEMBER SHORT: Mr. Short. I agree.

8 CHAIRPERSON ANDERSON: Mr. Cato.

9 MEMBER CATO: Bobby Cato. I agree.

10 CHAIRPERSON ANDERSON: Ms. Hansen.

11 MEMBER HANSEN: Jenni Hansen. I

12 agree.

13 CHAIRPERSON ANDERSON: Mr. Grandis.

14 MEMBER GRANDIS: Edward Grandis. I

15 agree.

16 CHAIRPERSON ANDERSON: And Mr.

17 Anderson, I agree. The matter passed 5-0-0.

18 I want to thank the parties for
19 resolving this matter. We'll issue a court order
20 30 days from today but the fine has to be paid.
21 Thank you very much. Have a great day.

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

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25

<p style="text-align: center;">A</p> <p>\$1,000 3:21 4:1,20 a.m 2:2 5:23 ABCA 1:23 above-entitled 5:22 acceptance 3:14 accepted 4:20 accepting 4:9,13 access 2:11,12 agree 5:7,9,12,15,17 Air 1:6 2:6 Alcoholic 1:2,14 Allowed 1:9 ANC 1:8 Anderson 1:15,17 2:3 2:14,21 3:2,11,15,23 4:8,12,17 5:3,8,10,13 5:16,17 appeal 4:15 Attorney 2:19 aware 4:9,13</p> <hr/> <p style="text-align: center;">B</p> <p>believe 3:6 Beverage 1:2,14 Board 1:2,14 4:18 Bobby 1:18 5:9</p> <hr/> <p style="text-align: center;">C</p> <p>C-A-M-E-R-O-N 2:24 C-H-R-I-S 2:18 calendar 2:4,5 call 5:5 Cameron 1:22 2:10,23 Cannabis 1:2,14 case 1:8 2:5,5,9 3:5 Cato 1:18 5:8,9,9 Cause 1:7 2:4 Chairman 2:13 Chairperson 1:14,17 2:3,14,21 3:2,11,15 3:23 4:8,12,17 5:3,8 5:10,13,16 charge 3:17 Chris 1:24 2:11,17 client 4:8,12 client's 4:5 Code 3:19 colleague 3:8 COLUMBIA 1:1 communicated 3:8 Compromise 3:7,16,25 4:1,6,9,14,19 correct 3:12,13 counsel 1:22 2:25 court 5:19 CR 1:8</p>	<p style="text-align: center;">D</p> <p>D.C 2:19 3:19 day 5:21 days 3:21 4:2,21,22 5:20 DC 1:23,24 Disorderly 1:10 DISTRICT 1:1 Donovan 1:15,17</p> <hr/> <p style="text-align: center;">E</p> <p>Ed 4:25 Edward 1:18 5:14 elevate 2:7 elevated 2:11,12 establishment 1:9 3:18 extended 3:14</p> <hr/> <p style="text-align: center;">F</p> <p>fine 3:22 4:1,3,20,21,23 5:20 first 2:5,18,24 3:20</p> <hr/> <p style="text-align: center;">G</p> <p>General 2:20 give 4:10,14 Good 2:15 3:2 Government 2:8 Grandis 1:18 4:25,25 5:4,13,14,14 great 5:21</p> <hr/> <p style="text-align: center;">H</p> <p>Hansen 1:19 5:10,11,11 hearing 1:8 2:4 4:10,18 Hello 2:23</p> <hr/> <p style="text-align: center;">I</p> <p>identify 2:16,22 indefinitely 3:22 4:3,22 issue 5:19</p> <hr/> <p style="text-align: center;">J</p> <p>JAMES 1:19 JENI 1:19 Jenni 5:11 JOSE 1:23 JR 1:18,19 June 1:12</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p style="text-align: center;">L</p> <p>license 1:7 2:6 3:21 4:2 4:22 licensee 2:8,25 Licensee's 1:22 3:14</p>	<p>LLC 1:6</p> <hr/> <p style="text-align: center;">M</p> <p>M-I-X 2:24 matter 1:5 4:15 5:17,19 5:22 matters 3:5 MEETING 1:3 Member 1:18,18,19,19 4:25 5:2,7,9,11,14 Members 4:18 met 1:14 Mixon 1:22 2:10,21,23 2:23,24 3:11,13,24 morning 2:15 3:2 motion 4:19 5:4 move 2:3</p> <hr/> <p style="text-align: center;">N</p> <p>name 2:17,18,18,24,24 NW 1:7</p> <hr/> <p style="text-align: center;">O</p> <p>O-N 2:25 OAG 1:24 Offer 3:7,16,25,25 4:6,9 4:13,19 Office 2:19 OIC 3:10,20 order 5:19 Orellana 1:23 2:7,10</p> <hr/> <p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-I-N-G-S 2:1 paid 3:22 4:4,21,23 5:20 parties 3:7 5:18 passed 5:17 payable 4:2,20 perspective 3:12 please 2:7,16,22 preliminary 3:5 PRESENT 1:16,20 presiding 1:15 primary 3:20 purpose 1:10 3:19</p> <hr/> <p style="text-align: center;">Q</p> <p>questions 4:18</p> <hr/> <p style="text-align: center;">R</p> <p>reached 3:7 reading 3:9 record 2:16,22 3:10 5:23 resolving 5:19 Restaurant 1:6 2:6</p>	<p>Retailer 1:8 right 4:10,14 rights 2:8 roll 5:5</p> <hr/> <p style="text-align: center;">S</p> <p>S 1:18 S-O-U 2:18 second 4:24 5:1,2 seconded 5:4 Short 1:19 5:2,2,3,6,7,7 Show 1:7 2:4 sir 3:3 4:6 Southcott 1:24 2:12,15 2:17,18 3:4,6,15,17 4:7,11,16 Staff 1:23 Status 1:8 2:4 Street 1:7 suspended 3:22 4:3,22</p> <hr/> <p style="text-align: center;">T</p> <p>T-H-C-O-T-T 2:19 t/a 1:6 terms 3:10 thank 2:14 3:23 4:17 5:18,21 tier 3:20 today 5:20 Treehouse 1:6</p> <hr/> <p style="text-align: center;">U</p> <p>understanding 3:9,24 4:5 unlawful 1:10 3:18</p> <hr/> <p style="text-align: center;">V</p> <p>videoconference 1:14 violation 3:19,20 vote 5:5</p> <hr/> <p style="text-align: center;">W</p> <p>W 1:15,17 want 5:18 We'll 5:4,19 WebEx 1:14 Wednesday 1:12 went 5:22</p> <hr/> <p style="text-align: center;">X</p> <hr/> <p style="text-align: center;">Y</p> <p>yesterday 3:14</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p style="text-align: center;">0</p> <p>00003 2:6</p>
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11:22 2:2
11:25 5:23
117404 1:7 2:6
18th 1:7
1C 1:8

2

2023 1:12
23-251 2:5
23-251-00003 1:8
2473 1:6,7
25-823(a)(2) 3:19
28 1:12

3

30 3:21 4:2,20,21 5:20

4

5

5-0-0 5:17

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Air Restaurant

Before: DC ABCA

Date: 06-28-2023

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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