

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

-----=
IN THE MATTER OF: :
 :
TMB DC Chinatown, LLC, :
t/a Tom's Watch Bar :
781 7th Street NW :
Retailer CR - ANC 2C :
License #119403 :
Case #23-PRO-00015 and : Protest Hearing
#23-PRO-00046 : (Status)
 :
(Application to Renew :
the License, Substantial :
Change - Request for an :
Entertainment Endorsement :
Inside Only) :
-----=

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:

- MICHELLE LaRUE, Protestant, Representative of Group of Five or More Protestants
- CAMERON MIXON, Applicant's Counsel
- JOSE ORELLANA, DC ABCA Staff
- MICHAEL SHANKLE, ANC 2C

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

2 10:50 a.m.

3 CHAIRPERSON ANDERSON: Good morning,
4 everyone. As Chairperson of the Alcoholic
5 Beverage and Cannabis Board for the District of
6 Columbia, and in accordance with D.C. Official
7 Code Section 2-571 et. seq. of the Open Meetings
8 Act, OMA, I'm welcoming you to the regularly
9 scheduled meeting of the Alcoholic Beverage
10 Cannabis Board.

11 This meeting is being conducted
12 pursuant to guidance made available by the
13 District of Columbia's Office of Open Government
14 regarding electronic meetings held by public
15 bodies. Electronic meetings by the ABC Board are
16 authorized pursuant to Section 2577(a) of the
17 D.C. Code.

18 Pursuant to the OMA requirements,
19 notice of today's meeting was provided 48 hours
20 in advance of the meeting on ABCA's website and
21 on the District's Central Meeting Calendar. The
22 notice included the time, date agenda, and
23 call-in or login information for public
24 participation.

25 This electronic meeting is being

1 hosted by a WebEx account provided by the
2 District of Columbia Government. Please address
3 any questions or complaints to the OOG at
4 opengovoffice@dc.gov.

5 My name is Donovan Anderson, I'm
6 chairman of the Board. I would like to introduce
7 the other members of the ABC Board who are also
8 participating electronically. Please respond
9 when I announce your name. Mr. James Short?

10 MEMBER SHORT: Mr. James Short,
11 present.

12 CHAIRPERSON ANDERSON: Mr. Bobby Cato?

13 MEMBER CATO: Bobby Cato, present.

14 CHAIRPERSON ANDERSON: Ms. Jeni
15 Hansen?

16 MEMBER HANSEN: Jeni Hansen, present.

17 CHAIRPERSON ANDERSON: The Board has
18 -- Mr. Edward Grandis?

19 MEMBER GRANDIS: Edward Grandis,
20 present.

21 CHAIRPERSON ANDERSON: The Board has
22 five members in attendance for the conduct of
23 business, and that constitutes a quorum.

24 Before we get underway with today's
25 hearing calendar, I need to make a few

1 instructions very clear so that the conduct of
2 these hearings is understood by everyone. There
3 are currently eight cases on this morning's
4 calendar. Once your case is called, it will take
5 a moment for our IT specialist to elevate the
6 rights for each party to enable their camera and
7 microphone. Then, and only then, will you have
8 the ability to enable your equipment. If your
9 case is not being heard, you will remain mute and
10 your calendar will be disabled -- your camera
11 will be disabled.

12 At the conclusion of each case, the
13 parties will have the option to leave. If the
14 party chooses to stay, all cameras and
15 microphones for the concluded case will be
16 disabled. Should you have any questions or
17 require technical assistance during the hearing,
18 please submit them using the question and answer
19 feature.

20 I'd like to apologize to the public
21 for starting late this morning. The Board has
22 been on recess for the past two weeks. And so,
23 therefore, there was a lot of work that we had to
24 do in our executive committee meeting this
25 morning. So, I apologize for our tardiness and

1 not starting at 9:30. All right. Our first --
2 I'm sorry, at 10:30.

3 Our first order today is a Protest
4 Hearing Status. The first case is Case Number
5 23-PRO-00015 and Case Number 23-PRO-00046, Tom's
6 Watch Bar, License Number 119403.

7 Good morning, Mr. Orellana. Can you
8 please elevate the rights of the parties in this
9 case, please?

10 MR. ORELLANA: Access has been
11 elevated. Michelle LaRue, your access has been
12 elevated. And that appears to be all, Chairman.
13 I'm not sure who's here on behalf of the Veritas
14 Law Firm.

15 CHAIRPERSON ANDERSON: All right,
16 thank you. I think there is Cameron Mixon. Sir,
17 you need to elevate Cameron Mixon, please.

18 MR. ORELLANA: Thank you, Chairman.

19 CHAIRPERSON ANDERSON: All right, good
20 morning. All right. Good morning, everyone. I
21 would like the parties to identify themselves for
22 the record.

23 Let's start with Mr. Mixon. Mr.
24 Mixon, can you please spell and state your name,
25 sir, and your representation?

1 MR. MIXON: Mixon. It's Cameron, C-A-
2 M-E-R-O-N, Mixon, M I-X-O-N. I'm an attorney
3 with Veritas Law Firm, counsel to the Applicant.

4 CHAIRPERSON ANDERSON: Good morning,
5 sir. Mr. Shankle, can you please identify --
6 spell and state your name, and identify yourself
7 for the record, please?

8 MR. SHANKLE: Sure. My name is
9 Michael Shankle, M I-C-H-A-E-L, Shankle, S-H-A-N-
10 K-L-E. I'm the Chair of ANC 2C.

11 CHAIRPERSON ANDERSON: Good morning,
12 sir. Ms. LaRue, can you please spell and state
13 your name for the record, and your
14 identification, please?

15 MS. LARUE: Sure. Good morning, my
16 name is Michelle LaRue, M I-C-H-E-L-L-E, last
17 name L-A-R-U-E. I am counsel for the Protestant,
18 the group of five or more residents at Gallery
19 Place Condominium.

20 CHAIRPERSON ANDERSON: Good morning.

21 MS. LARUE: Good morning.

22 CHAIRPERSON ANDERSON: All right. Mr.
23 Mixon, are there any preliminary matters in this
24 case?

25 MR. MIXON: Not at this time.

1 CHAIRPERSON ANDERSON: Mr. Shankle?

2 MR. SHANKLE: No.

3 CHAIRPERSON ANDERSON: Ms. LaRue?

4 MS. LARUE: No.

5 CHAIRPERSON ANDERSON: All right.

6 This matter, then, is scheduled for a Protest

7 Hearing on August 9, 2023 at 1:30 p.m.

8 Are there any questions by anyone?

9 MR. SHANKLE: I have no questions.

10 MS. LARUE: None.

11 CHAIRPERSON ANDERSON: I'm sorry?

12 MS. LARUE: No questions.

13 CHAIRPERSON ANDERSON: Do I need to --

14 all right. If this matter goes to a Protest

15 Hearing, because there are two Protestants in

16 this case, so what I'm requesting is that a

17 designated representative be identified to

18 represent both parties.

19 You'll have 90 minutes to -- I'm

20 sorry, 60 minutes to present your case. You'll

21 have four witnesses. If you believe that you

22 need more time to present your case, then you can

23 make a formal motion to the Board to ask for more

24 time and for more witnesses.

25 Do I need to provide the ones with the

1 directions -- I'm sorry, more instructions are
2 also seven days prior to a hearing. Both parties
3 are required to exchange -- they need to do the
4 PIP and they need to exchange documents and
5 witnesses with each other, and also with the
6 Board.

7 And failure by either party to provide
8 a PIF, the Board -- unless good cause is shown --
9 the Board is empowered to prevent that party from
10 relying on documents and witnesses that have not
11 been disclosed. Any questions by anyone?

12 MR. MIXON: No.

13 MS. LARUE: No.

14 CHAIRPERSON ANDERSON: All right. And
15 Mr. Mixon, not to pick on you, sir, but I pick on
16 attorneys. And so, therefore, when someone
17 appears before the Board as an attorney, we're
18 asking for more -- maybe I'm old-fashioned, but
19 I'll ask for more formal attire, sir, okay?

20 MR. MIXON: Understood. I just moved
21 into a new location; I don't have all of my
22 clothes available.

23 CHAIRPERSON ANDERSON: All right, sir.
24 And you're not the only one, and I've been trying
25 to figure out how to advise attorneys what is

1 expected from the Board. So, you are actually
2 the first person that I'm picking on today, but
3 you're not the first person who has done that.
4 But I'm going to make sure that most parties, at
5 least for the attorneys, that when they appear
6 before the Board, that we have some type of --

7 MR. MIXON: Yeah, understood.

8 CHAIRPERSON ANDERSON: Dress decor.
9 Okay?

10 MR. MIXON: Duly noted.

11 CHAIRPERSON ANDERSON: It's not
12 personal, sir, okay?

13 All right. Any questions by anyone?

14 MEMBER HANSEN: No.

15 CHAIRPERSON ANDERSON: I will say to
16 the parties, if this matter can be settled, the
17 Board supports settlement. So, if this is a
18 matter that can be settled, the Board supports
19 settlement. But, if not, we will see you at a
20 Protest Hearing on August 9 at 1:30 p.m., okay?

21 MR. SHANKLE: Thank you.

22 MS. LARUE: Thank you.

23 CHAIRPERSON ANDERSON: Have a great
24 day, thank you very much.

25 MS. LARUE: You, too. Bye-bye.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. SHANKLE: Bye.

(Whereupon, the above-entitled matter
went off the record at 10:59 a.m.)

<p style="text-align: center;">A</p> <p>a.m 2:2 10:3 ABC 2:15 3:7 ABCA 1:24 ABCA's 2:20 ability 4:8 above-entitled 10:2 access 5:10,11 account 3:1 Act 2:8 address 3:2 advance 2:20 advise 8:25 agenda 2:22 Alcoholic 1:2,15 2:4,9 ANC 1:7,25 6:10 Anderson 1:16,19 2:3 3:5,12,14,17,21 5:15 5:19 6:4,11,20,22 7:1 7:3,5,11,13 8:14,23 9:8,11,15,23 announce 3:9 answer 4:18 apologize 4:20,25 appear 9:5 appears 5:12 8:17 Applicant 6:3 Applicant's 1:24 Application 1:10 asking 8:18 assistance 4:17 attendance 3:22 attire 8:19 attorney 6:2 8:17 attorneys 8:16,25 9:5 August 7:7 9:20 authorized 2:16 available 2:12 8:22</p>	<p>called 4:4 camera 4:6,10 cameras 4:14 Cameron 1:24 5:16,17 6:1 Cannabis 1:2,15 2:5,10 case 1:8 4:4,9,12,15 5:4 5:4,5,9 6:24 7:16,20 7:22 cases 4:3 Cato 1:19 3:12,13,13 cause 8:8 Central 2:21 Chair 6:10 chairman 3:6 5:12,18 Chairperson 1:16,19 2:3,4 3:12,14,17,21 5:15,19 6:4,11,20,22 7:1,3,5,11,13 8:14,23 9:8,11,15,23 Change 1:11 Chinatown 1:6 chooses 4:14 clear 4:1 clothes 8:22 Code 2:7,17 Columbia 1:1 2:6 3:2 Columbia's 2:13 committee 4:24 complaints 3:3 concluded 4:15 conclusion 4:12 Condominium 6:19 conduct 3:22 4:1 conducted 2:11 constitutes 3:23 counsel 1:24 6:3,17 CR 1:7 currently 4:3</p>	<p style="text-align: center;">E</p> <p>Edward 1:20 3:18,19 eight 4:3 either 8:7 electronic 2:14,15,25 electronically 3:8 elevate 4:5 5:8,17 elevated 5:11,12 empowered 8:9 enable 4:6,8 Endorsement 1:11 Entertainment 1:11 equipment 4:8 et 2:7 exchange 8:3,4 executive 4:24 expected 9:1</p> <p style="text-align: center;">F</p> <p>failure 8:7 feature 4:19 figure 8:25 Firm 5:14 6:3 first 5:1,3,4 9:2,3 five 1:23 3:22 6:18 formal 7:23 8:19 four 7:21</p> <p style="text-align: center;">G</p> <p>Gallery 6:18 goes 7:14 going 9:4 good 2:3 5:7,19,20 6:4 6:11,15,20,21 8:8 Government 2:13 3:2 Grandis 1:20 3:18,19 3:19 great 9:23 group 1:23 6:18 guidance 2:12</p>	<p>identified 7:17 identify 5:21 6:5,6 included 2:22 information 2:23 Inside 1:12 instructions 4:1 8:1 introduce 3:6</p> <p style="text-align: center;">J</p> <p>James 1:21 3:9,10 Jeni 1:20 3:14,16 JOSE 1:24 JR 1:19,21 June 1:14</p> <p style="text-align: center;">K</p> <p>K-L-E 6:10</p> <p style="text-align: center;">L</p> <p>L-A-R-U-E 6:17 LaRUE 1:23 5:11 6:12 6:15,16,21 7:3,4,10 7:12 8:13 9:22,25 late 4:21 Law 5:14 6:3 leave 4:13 Let's 5:23 License 1:8,10 5:6 LLC 1:6 location 8:21 login 2:23 lot 4:23</p> <p style="text-align: center;">M</p> <p>M 6:2,9,16 M-E-R-O-N 6:2 matter 1:5 7:6,14 9:16 9:18 10:2 matters 6:23 meeting 1:3 2:9,11,19 2:20,21,25 4:24 meetings 2:7,14,15 Member 1:19,20,20,21 3:10,13,16,19 9:14 members 3:7,22 met 1:16 Michael 1:25 6:9 Michelle 1:23 5:11 6:16 microphone 4:7 microphones 4:15 minutes 7:19,20 Mixon 1:24 5:16,17,23 5:24 6:1,1,2,23,25 8:12,15,20 9:7,10 moment 4:5 morning 2:3 4:21,25 5:7,20,20 6:4,11,15 6:20,21</p>
<p style="text-align: center;">B</p> <p>Bar 1:6 5:6 behalf 5:13 believe 7:21 Beverage 1:2,15 2:5,9 Board 1:2,16 2:5,10,15 3:6,7,17,21 4:21 7:23 8:6,8,9,17 9:1,6,17,18 Bobby 1:19 3:12,13 bodies 2:15 business 3:23 Bye 10:1 Bye-bye 9:25</p> <p style="text-align: center;">C</p> <p>C-A 6:1 calendar 2:21 3:25 4:4 4:10 call-in 2:23</p>	<p style="text-align: center;">D</p> <p>D.C 2:6,17 date 2:22 day 9:24 days 8:2 DC 1:6,24 decor 9:8 designated 7:17 directions 8:1 disabled 4:10,11,16 disclosed 8:11 District 1:1 2:5,13 3:2 District's 2:21 documents 8:4,10 Donovan 1:16,19 3:5 Dress 9:8 Duly 9:10</p>	<p style="text-align: center;">H</p> <p>Hansen 1:20 3:15,16,16 9:14 heard 4:9 hearing 1:8 3:25 4:17 5:4 7:7,15 8:2 9:20 hearings 4:2 held 2:14 hosted 3:1 hours 2:19</p> <p style="text-align: center;">I</p> <p>I-C-H-A-E-L 6:9 I-C-H-E-L-L-E 6:16 I-X-O-N 6:2 identification 6:14</p>	

morning's 4:3
 motion 7:23
 moved 8:20
 mute 4:9

N

name 3:5,9 5:24 6:6,8
 6:13,16,17
 need 3:25 5:17 7:13,22
 7:25 8:3,4
 new 8:21
 noted 9:10
 notice 2:19,22
 Number 5:4,5,6
 NW 1:7

O

Office 2:13
 Official 2:6
 okay 8:19 9:9,12,20
 old-fashioned 8:18
 OMA 2:8,18
 Once 4:4
 ones 7:25
 OOG 3:3
 Open 2:7,13
 opengovoffice@dc.g...
 3:4
 option 4:13
 order 5:3
 Orellana 1:24 5:7,10,18

P

P-R-O-C-E-E-D-I-N-G-S
 2:1
 p.m 7:7 9:20
 participating 3:8
 participation 2:24
 parties 4:13 5:8,21 7:18
 8:2 9:4,16
 party 4:6,14 8:7,9
 person 9:2,3
 personal 9:12
 pick 8:15,15
 picking 9:2
 PIF 8:8
 PIP 8:4
 Place 6:19
 please 3:2,8 4:18 5:8,9
 5:17,24 6:5,7,12,14
 preliminary 6:23
 present 1:18,22 3:11,13
 3:16,20 7:20,22
 presiding 1:16
 prevent 8:9
 prior 8:2
 Protest 1:8 5:3 7:6,14
 9:20

Protestant 1:23 6:17
 Protestants 1:23 7:15
 provide 7:25 8:7
 provided 2:19 3:1
 public 2:14,23 4:20
 pursuant 2:12,16,18

Q

question 4:18
 questions 3:3 4:16 7:8
 7:9,12 8:11 9:13
 quorum 3:23

R

recess 4:22
 record 5:22 6:7,13 10:3
 regarding 2:14
 regularly 2:8
 relying 8:10
 remain 4:9
 Renew 1:10
 represent 7:18
 representation 5:25
 representative 1:23
 7:17
 Request 1:11
 requesting 7:16
 require 4:17
 required 8:3
 requirements 2:18
 residents 6:18
 respond 3:8
 Retailer 1:7
 right 5:1,15,19,20 6:22
 7:5,14 8:14,23 9:13
 rights 4:6 5:8

S

S 1:20
 S-H-A-N 6:9
 scheduled 2:9 7:6
 Section 2:7,16
 see 9:19
 seq 2:7
 settled 9:16,18
 settlement 9:17,19
 seven 8:2
 Shankle 1:25 6:5,8,9,9
 7:1,2,9 9:21 10:1
 Short 1:21 3:9,10,10
 shown 8:8
 sir 5:16,25 6:5,12 8:15
 8:19,23 9:12
 sorry 5:2 7:11,20 8:1
 specialist 4:5
 spell 5:24 6:6,12
 Staff 1:24
 start 5:23

starting 4:21 5:1
 state 5:24 6:6,12
 Status 1:9 5:4
 stay 4:14
 Street 1:7
 submit 4:18
 Substantial 1:10
 supports 9:17,18
 sure 5:13 6:8,15 9:4

T

t/a 1:6
 take 4:4
 tardiness 4:25
 technical 4:17
 thank 5:16,18 9:21,22
 9:24
 think 5:16
 time 2:22 6:25 7:22,24
 TMB 1:6
 today 5:3 9:2
 today's 2:19 3:24
 Tom's 1:6 5:5
 trying 8:24
 two 4:22 7:15
 type 9:6

U

understood 4:2 8:20
 9:7
 underway 3:24

V

Veritas 5:13 6:3
 videoconference 1:16

W

W 1:16,19
 Watch 1:6 5:6
 we're 8:17
 WebEx 1:16 3:1
 website 2:20
 Wednesday 1:13
 weeks 4:22
 welcoming 2:8
 went 10:3
 witnesses 7:21,24 8:5
 8:10
 work 4:23

X

Y

Yeah 9:7

Z

0

1
 1:30 7:7 9:20
 10:30 5:2
 10:50 2:2
 10:59 10:3
 119403 1:8 5:6

2

2-571 2:7
 2023 1:14 7:7
 23-PRO-00015 1:8 5:5
 23-PRO-00046 1:9 5:5
 2577(a) 2:16
 28 1:14
 2C 1:7,25 6:10

3

4

48 2:19

5

6

60 7:20

7

781 1:7
 7th 1:7

8

9

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Tom's Watch

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

COURT REPORTERS AND TRANSCRIBERS

1716 14TH ST., N.W., STE. 200

WASHINGTON, D.C. 20009-7831