

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
+ + + + +
ROLL CALL HEARING

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IN THE MATTER OF: :
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Alchemist DC LLC, :
t/a The Alchemist :
1334 U Street NW : Roll Call
Retailer CT - ANC 1B : Hearing
License #118276 :
Case #21-PRO-00066 :
:
(New Application) :
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Tuesday
September 14, 2021

The Alcoholic Beverage Control Board
met via WebEx videoconference, LaVerne Fletcher,
Board's Agent, presiding.

PRESENT:

LaVerne FLETCHER, ABRA Board's Agent

ALSO PRESENT:

- DWIGHT BARBOUR, Protestant
CRAIG BROWNSTEIN, Protestant
ELWYN FERRIS, Protestant, Shaw Dupont Citizens
Alliance
AUSTIN HAAG, Applicant
SABEL HARRIS, ANC 1B
ELY HURWITZ, Applicant's Counsel
WILLIAM ISASI, Protestant
AILEEN JOHNSON, Protestant
EBONY JOHNSON, Observer
GUY PODGORNIK, Protestant
BRIAN RACILLA, Protestant
JANICE REYES, Protestant
DAN WITTELS, Protestant

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

2 9:59 a.m.

3 MS. FLETCHER: Good morning, everyone.

4 My name is LaVerne Fletcher. I'm the Board's  
5 Agent and I'll be conducting the roll call  
6 hearing this morning. And thank you for joining  
7 or participating in ABRA's roll call hearing via  
8 the Webex platform provided by the DC Office of  
9 Open Government. Can you mute your microphone if  
10 you're not speaking, please? Thank you.

11 Okay. I'm going to call the first  
12 case this morning, The Alchemist, Case Number 21-  
13 PRO-00066, Alchemist DC LLC trading as The  
14 Alchemist, 1334 you Street NW, License Number  
15 ABRA-118276. This is a Retailer Class CT new  
16 application. The protest issues are adverse  
17 impact on peace, order, and quiet, real property  
18 values, residential parking, and vehicular and  
19 pedestrian safety, and over-concentration. Who  
20 is present on behalf of The Alchemist?

21 MR. HURWITZ: Good morning, Ms.  
22 Fletcher. This is Ely Hurwitz speaking. Nice to  
23 see you again.

24 MS. FLETCHER: Good morning. It's  
25 nice to see you, too, Mr. Hurwitz. Is anyone

1 else with you today?

2 MR. HURWITZ: Yes. The principal  
3 owner of both The Alchemist, Mr. Austin Haag, is  
4 on the screen with us.

5 MS. FLETCHER: Can Mr. Haag spell his  
6 name for the record?

7 MR. HURWITZ: Austin, unmute.

8 MR. HAAG: Yes, ma'am. It's H-A-A-G.

9 MS. FLETCHER: And what's the -- and  
10 Austin?

11 MR. HAAG: Yes, ma'am.

12 MS. FLETCHER: Could you spell it,  
13 please?

14 MR. HAAG: A-U-S-T-I-N.

15 MS. FLETCHER: Thank you. Mr.  
16 Hurwitz, I already have the spelling of your  
17 name.

18 MR. HURWITZ: Thank you.

19 MR. ISASI: Good morning. This is  
20 William Isasi joining the call.

21 MS. FLETCHER: One minute, please.  
22 And who's present on behalf of the Shaw Dupont  
23 Citizens Alliance?

24 (No response.)

25 MS. FLETCHER: Is anyone present on

1       behalf of the Shaw Dupont Citizens Alliance?

2                   MR. FERRIS: Good morning --

3                   MS. FLETCHER: Mr. Ferris, do I see  
4       you?

5                   MR. FERRIS: Yes. Can you hear me?

6                   MS. FLETCHER: I do.

7                   MR. FERRIS: Okay. Yes. I'm here on  
8       behalf of SDCA.

9                   MS. FLETCHER: Thank you very much.  
10      And who's present on behalf of ANC 1B?

11                   COMMISSIONER HARRIS: Hi. This is  
12      Commissioner Sabel Harris for ANC 1B.

13                   MS. FLETCHER: Thank you, Ms. Harris.  
14      And there is also a Group of 9. Who's present on  
15      behalf of the Group of 9?

16                   MR. RACILLA: Hi. This is Brian  
17      Racilla. I apologize. My camera is not working  
18      right now so.

19                   MS. FLETCHER: Oh, that's okay.  
20      You're coming through loud and clear.

21                   MR. RACILLA: Excellent. And then I  
22      believe we have a few other people who have  
23      signed on to that letter who are present as well.

24                   MS. FLETCHER: Yes. I'm going to get  
25      their names in one minute. Okay. I'm ready.

1 From the Group of 9?

2 MR. FERRIS: Would it be easier for me  
3 to run through them, or should they each  
4 themselves --

5 MS. FLETCHER: Either way that works  
6 best for you, Mr. Racilla.

7 MR. RACILLA: Okay. Well, I see from  
8 the participants that we've got Aileen Johnson  
9 present?

10 MS. FLETCHER: Ms. Johnson, are you  
11 there:

12 MS. JOHNSON: Yes. Hello, how are you  
13 --

14 MS. FLETCHER: Okay.

15 MS. JOHNSON: -- Ms. Fletcher?

16 MS. FLETCHER: Hi, Ms. Johnson. I'm  
17 doing good.

18 MS. JOHNSON: Good to see you, too.

19 MS. FLETCHER: Nice to see you.

20 MR. RACILLA: Then --

21 MS. FLETCHER: Okay. And then --

22 MR. RACILLA: Oh, I'm sorry. And then  
23 we've got Dan Wittels.

24 MR. WITTELS: Hi, Ms. Fletcher --

25 MS. FLETCHER: Mr. Wittels, are you

1       there?

2                   MR. WITTELS:  -- how are you today?

3                   MS. FLETCHER:  Fine, thank you.  Yes.

4                   MR. RACILLA:  And I'm confirm -- this  
5       is -- we're talking about The Alchemist right  
6       now, correct?

7                   MS. FLETCHER:  We're talking about --

8                   MR. RACILLA:  Okay.

9                   MS. FLETCHER:  -- The Alchemist.

10                  MR. RACILLA:  Then we also have Guy  
11       Podgornik.

12                  MR. PODGORIK:  I'm here.

13                  MS. FLETCHER:  Okay.  Thank you.

14                  MR. RACILLA:  We have Janice Reyes.

15                  MS. REYES:  Hi.  I'm here.  This is  
16       Janice Reyes.

17                  MS. FLETCHER:  Thank you very much.

18       Okay.

19                  MR. RACILLA:  We have got Elwyn

20       Ferris.

21                  MS. FLETCHER:  Yes.  I know Mr. Ferris  
22       is here.

23                  MR. RACILLA:  All right.  And then is  
24       Craig Brownstein on?

25                  (No response.)

1 MR. RACILLA: I don't know if he's  
2 made it on yet. And I think -- and we've got  
3 William Isasi on as well.

4 MR. ISASI: Good morning. Can  
5 everyone hear me?

6 MS. FLETCHER: Mr. Isasi. Yes.

7 MR. ISASI: Good morning, Ms.  
8 Fletcher. Good morning, Wallach Place neighbors.

9 MS. FLETCHER: Good morning. Okay.  
10 And --

11 MR. RACILLA: And then I see Craig --

12 MS. FLETCHER: -- so we have --

13 MR. RACILLA: -- I think Craig  
14 Brownstein just joined. I just saw his name pop  
15 up.

16 MR. BROWNSTEIN: Yes. Apologies for  
17 my tardiness.

18 MS. FLETCHER: Oh, no problem, Mr.  
19 Brownstein. Thank you.

20 MS. JOHNSON: Also, Ebony Johnson  
21 here.

22 MS. FLETCHER: Ebony Johnson for The  
23 Alchemist, right?

24 MR. RACILLA: Ebony, you're on  
25 Elements.

1 MS. JOHNSON: Oh --

2 MR. RACILLA: I was going to call you  
3 for the next one.

4 MS. JOHNSON: -- sorry.

5 MR. BARBOUR: Dwight Barbour is here  
6 also for The Alchemist.

7 MS. FLETCHER: Okay. Dwight Barbour  
8 is here.

9 MR. BARBOUR: Hi, LaVerne.

10 MS. FLETCHER: Thank you, Mr. Barbour.  
11 Anybody else for The Alchemist?

12 (No response.)

13 MS. FLETCHER: Okay. Thank you. So  
14 I'm counting nine present on behalf of The  
15 Alchemist. The Alchemist has full standing as a  
16 protestant by the fact that at least five of you  
17 are present today. So as protestants in this  
18 matter, we have the Shaw Dupont Citizens Alliance  
19 which has standing as a protestant, and ANC 1B  
20 which has standing as a protestant.

21 We need to set a date for mediation,  
22 status hearing, and a protest hearing. I'll give  
23 you the date for the status and protest hearings  
24 first. The date of the status hearing is October  
25 6, 2021 at 10:30 a.m.; that's for the status



1 hearing. The protest hearing is set for November  
2 17, 2021. I actually don't -- haven't been given  
3 a time for you yet for November 17, but that is  
4 going to be the day. You'll be informed  
5 regarding the time though. I'll send the  
6 designated representatives a message of the time  
7 following the roll call, but the protest hearing  
8 will be on November 17.

9 We need to set a date for mediation,  
10 and I will give you the next available day. The  
11 next available day for mediation is Monday,  
12 September 20, anytime between 9:00 a.m. and 2:00  
13 p.m., beginning at 9:00, 9:30 and so on, 10:00,  
14 10:30. That's on a Monday. Is that date not  
15 good for anybody?

16 MR. HURWITZ: That date is fine for  
17 me, Ms. Fletcher.

18 MS. FLETCHER: Okay. Thank you, Mr.  
19 Hurwitz. What about you, Mr. Ferris?

20 MR. FERRIS: Yes, Ms. Fletcher, that  
21 would be acceptable, the 20th at -- what time we  
22 say?

23 MS. FLETCHER: IT could be anywhere  
24 beginning at 9:00 through 2:00 p.m.

25 MR. FERRIS: The latter part of the

1 day would be preferable for me, but I'll be  
2 totally flexible.

3 MS. FLETCHER: What about -- Ms.  
4 Harris, what about ANC 1B, are you available on  
5 the 20th?

6 COMMISSIONER HARRIS: Yes. And  
7 preferably, either at 1:00 p.m. or 11:00 a.m.

8 MS. FLETCHER: Okay. Thank you. And  
9 Mr. Racilla, what about you?

10 MR. RACILLA: I'm available on the  
11 20th, both at 11:00 a.m. and at 1:00 p.m.

12 MS. FLETCHER: Mr. Ferris, would 1:00  
13 p.m. be better for you?

14 MR. FERRIS: That would be fine, yes.

15 MS. FLETCHER: It looks like everyone  
16 else would be available at 1:00 p.m., so we'll  
17 schedule mediation for September the 20th at 1:00  
18 p.m.

19 MR. HAAG: Excuse me, ma'am. I'm so  
20 sorry. Is it possible to set it --

21 MS. FLETCHER: So who's speaking?  
22 Just so that you identify yourself for the court  
23 reporter.

24 MR. HAAG: Okay. Yes, ma'am. This is  
25 Austin Haag.

1 MS. FLETCHER: Okay.

2 MR. HAAG: Yes. I'm a professor at  
3 Baylor and I teach class at 1:00 p.m. Is it  
4 possible to do 11:00 a.m.? I'm so sorry. Is  
5 that --

6 MS. FLETCHER: No problem at all. Mr.  
7 Haag, which case are you here for?

8 MR. HAAG: The Alchemist as well as  
9 The Elements.

10 MS. FLETCHER: Are you on for -- okay,  
11 just a second.

12 MR. HURWITZ: He's the principal, Ms.  
13 Fletcher.

14 MS. FLETCHER: Oh, okay. Thank you. I  
15 was looking on the protestants. Thank you very  
16 much. So what time is better for you, Mr. Haag.

17 MR. HAAG: Yes, 11:00 a.m., as I  
18 mentioned, is fine.

19 MS. FLETCHER: So is 11:00 going to be  
20 okay for everybody?

21 MR. HURWITZ: This is Ely Hurwitz;  
22 11:00 a.m. is fine with me.

23 MS. FLETCHER: Okay. Then 11:00 a.m.  
24 it is. Mediation is set for Monday, September 20  
25 at 11:00 a.m.

1 MR. FERRIS: Thank you, all.

2 MS. FLETCHER: Thank you, everybody.

3 Any questions, anybody? So the Webex invitation  
4 is going to go to the designated representatives  
5 just so you know. Generally, the designated  
6 representatives appear for mediation, but anybody  
7 that's filed a protest is welcome to attend as  
8 well. So if there are any individuals from the  
9 Group of 9 that also want to come, you can let me  
10 know now, and I'll make a note to send you an  
11 invitation, or you can get your invitation from  
12 Mr. Racilla. Okay. I'm going to send the  
13 invitation to Mr. Racilla, and I'll see you on  
14 September 20 at 11:00.

15 Thanks, everybody, for coming. I know  
16 that a lot of the protestants in this case are  
17 going to stay on the line, because you're also  
18 protestants in the next case that I'm going to  
19 call, but anybody that's not a part to the next  
20 case is free to leave. This is a public hearing  
21 and you're free to stay.

22 I'm concluding the roll call hearing  
23 in the matter of The Alchemist.

24 (Whereupon, the above-entitled matter  
25 went off the record at 10:13 a.m.)

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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: The Alchemist

Before: DCABRA

Date: 09-14-21

Place: teleconference

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



-----  
Court Reporter

**NEAL R. GROSS**

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