

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:
Prince Hall Free &
Accepted Order of the
Eastern Star Title
Holding Company
1000 U Street NW : Protest (Status)
Retailer CX - ANC 1B : Hearing
License #124767
Case # 23-PRO-00066
(Application for a New
License)
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Wednesday
September 20, 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:

- JOSE ORELLANA, DC ABCA Staff
FRANK CHAUVIN, Protestant
MARQUIS MCCANTS, Applicant

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

2 10:46 a.m.

3 CHAIRPERSON ANDERSON: All right. The  
4 next case in our calendar is Case Number 23-PRO-  
5 00066, Prince Hall Free & Accepted Order of the  
6 Eastern Star Title Holding Company, License  
7 Number 124767.

8 This is an application for a new  
9 license. And, Mr. Orellana, can you elevate the  
10 rights of the parties in this case, please?

11 MR. ORELLANA: Sure thing. Marquis  
12 McCants, so, your access has been elevated.  
13 Frank Chauvin, your access has been elevated.

14 And, that appears to be all, Chairman.

15 CHAIRPERSON ANDERSON: I only see --  
16 I'm not -- where are the other parties? I'm only  
17 seeing Mr. McCants.

18 Mr. Orellana, I have not seen the  
19 other parties. They are not online. If you have  
20 --

21 MR. ORELLANA: It looks like --

22 CHAIRPERSON ANDERSON: Elevated their  
23 rights.

24 MR. ORELLANA: It looks like Mr.  
25 Chauvin dropped off. I'm going to elevate him

1 again.

2 There we go.

3 CHAIRPERSON ANDERSON: Was there --  
4 so, there were only two parties? I thought there  
5 was another party that you had elevated.

6 I thought there were three people.  
7 Or, was I incorrect?

8 MR. ORELLANA: Well, there is a Tanya  
9 Shand (phonetic) on the list. But, I don't see  
10 her in the waiting area.

11 CHAIRPERSON ANDERSON: all right.  
12 That's fine. Okay. Thanks.

13 All right, good morning. Good morning  
14 everyone. Mr. McCants, can you please spell and  
15 state your name for the record and identify your  
16 affiliation, sir?

17 MR. MCCANTS: Marquis McCants, M-A-R-  
18 Q-U-I-S last name McCants, M-C-C-A-N-T-S. And,  
19 I am the Vice President of the Prince Hall Free &  
20 Accepted Order of the Eastern Star Charitable --  
21 I'm sorry, Title Holding Company.

22 CHAIRPERSON ANDERSON: Good morning,  
23 sir.

24 MR. MCCANTS: Good morning.

25 CHAIRPERSON ANDERSON: And, Mr.

1 Chauvin, can you please spell and state your name  
2 for the record, and your affiliation with this  
3 case, please.

4 MR. CHAUVIN: Yes. Frank Chauvin, F-  
5 R-A-N-K C-H-A-U-V- as in Victor, I-N. And, I am  
6 one of the three representatives for a group of  
7 36 individuals, the Protestants for this case.

8 And, Ms. Shand apologizes. She had a  
9 conflict and could not make it. And, Brian is on  
10 a vacation for the first time in six months.

11 So, was not -- sent me to the table  
12 today.

13 CHAIRPERSON ANDERSON: All right.  
14 That's fine. All right. This is an application  
15 for a new license. Are there, Mr. McCants, are  
16 there any preliminary matters in this case you  
17 want to bring to the attention of the Board?

18 A preliminary matter meaning that any  
19 questions or problems you're having that's  
20 substantive.

21 MR. MCCANTS: Nothing at this time.

22 CHAIRPERSON ANDERSON: Mr. Chauvin, on  
23 the part of the Protestants, any preliminary  
24 matters you want to bring to the attention?

25 MR. CHAUVIN: No. Just that we're

1 working well. I think we're proceeding. So, I  
2 think you'll hear that in further comments  
3 between both parties, Mr. McCants and myself.

4 CHAIRPERSON ANDERSON: All right.  
5 This matter then is scheduled for a protest  
6 hearing on October 4. So, that is in about two  
7 weeks.

8 So, if this matter, if the parties  
9 truly believe that this matter is going to be  
10 settled, then you have a very short timeline to  
11 work, have -- to have discussions and to advise  
12 the Board whether or not this matter will be  
13 settled.

14 That's all -- that's important in the  
15 sense that now that we've scheduled this matter  
16 for a protest hearing, there are a few things  
17 that I would like to instruct the Applicant and  
18 the Protestants about so that the protest hearing  
19 is focused and addresses only those issues that  
20 are being protested.

21 The Board doesn't have the intent to  
22 hear testimony in matters that are not relevant  
23 to this case.

24 You should receive, by electronic or  
25 regular mail, a letter explaining the protest

1 process, a copy of the Protest Information Form,  
2 and a copy of the Exhibit Form.

3 Okay. And, a copy of the Exhibit  
4 Form. If you do not have these documents, please  
5 contact our legal office following this hearing.

6 It is imperative that you review these  
7 rules closely and adhere to them before and  
8 during the Protest Hearing.

9 You are also required to complete and  
10 submit a Protest Information Form, PIF, and the  
11 Exhibit Form, seven days before the date of the  
12 hearing.

13 These two forms and accompanying  
14 documents need to be submitted to ABRA's legal  
15 division and to all opposing parties in this  
16 matter. If we do not receive a copy of your PIF,  
17 your Application, or your protest, whichever side  
18 you're representing may be subject to dismissal.

19 Likewise, if we do not receive a copy  
20 of the Exhibit Form and the Exhibits themselves,  
21 your Exhibits may be excluded from the record,  
22 upon a finding that the opposing party has been  
23 prejudiced, or no good cause for failure to  
24 submit has been shown.

25 Likewise, witnesses, other than a

1 party, may also be subject to exclusion if not  
2 identified on the PIF.

3 Accordingly, these forms are very  
4 important. They greatly assist the Board in  
5 narrowing the protest issues, facilitating the  
6 process, and keeping the parties on point during  
7 the hearing.

8 They likewise provide notice to the  
9 opposing party, enabling them to better prepare  
10 for the hearing. As you are all aware, all of  
11 our hearings are now conducted virtually.

12 You have one hour to present your  
13 case. And, you will have -- you will only be  
14 allowed to call five witnesses.

15 If we do not, if you require more time  
16 to present your case and require more than five  
17 witnesses, please file a motion with the Board  
18 requesting additional time and witnesses.

19 Any -- yes, Mr. Short?

20 MEMBER SHORT: Yes. For the record,  
21 I would like to disclose that I have been a  
22 member of the Masonic Order for better than 50  
23 years.

24 And, that will have no bearing on how  
25 I will vote if we come to a vote on this

1 particular case. I can do it honestly and  
2 completely without any hesitation or reservation  
3 whatsoever.

4 CHAIRPERSON ANDERSON: Thank you for  
5 making that representation, Mr. Short.

6 Any questions by any party on what I  
7 just read?

8 (No response.)

9 CHAIRPERSON ANDERSON: Again, I just  
10 want to re -- if this matter -- the Board  
11 supports settlement. If this matter can be  
12 settled, we support the parties having  
13 discussions to settle the matter.

14 If this matter cannot be settled, then  
15 we will have a protest hearing on October 4 at  
16 1:30 p.m.

17 All right. Thank you very much for  
18 being here this morning. And, have a great day.

19 MR. CHAUVIN: Quick question.

20 CHAIRPERSON ANDERSON: Yes, Mr.  
21 Chauvin?

22 MR. CHAUVIN: If the parties are  
23 getting close and need to extend the hearing  
24 date, the protest hearing, just for the record,  
25 both of us are pretty new at this, both Mr.



1 McCants and I.

2 And, wanted to ensure that we -- you  
3 just need a request by both parties to extend or  
4 ask for a rescheduled hearing date. Am I  
5 correct?

6 CHAIRPERSON ANDERSON: All right.  
7 This is an application for a new license. So,  
8 the Board is under a timeline when we have to  
9 issue a decision in this particular case.

10 If the parties jointly make a motion  
11 to the Board to extend the timeline, of course,  
12 the Board will grant that motion.

13 However, if your -- if the Protestants  
14 request an extension, and if the Applicant does  
15 not agree, if it's not a mutual -- if it's not a  
16 mutual request, the Board is unlikely to grant  
17 that extension, because this is a new license and  
18 we are on, under a specific statutory timeline  
19 when we have to issue this decision.

20 But again, if the parties jointly  
21 agree, then the Board, of course, will -- will  
22 grant whatever motion that's requested from the  
23 mutual motion that's requested from the parties.

24 MR. CHAUVIN: Thank you.

25 CHAIRPERSON ANDERSON: You're welcome.

1 All right. Thank you very much. Have a great  
2 day.

3 MR. CHAUVIN: Thank you.

4 MR. MCCANTS: Thank you.

5 (Whereupon, the above-entitled matter  
6 went off the record at 10:55 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: Prince Hall Free

Before: DC ABCA

Date: 09-20-23

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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