DISTRICT OF COLUMBIA + + + + + ALCOHOLIC BEVERAGE CONTROL BOARD + + + + + MEETING

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IN THE MATTER OF:	:
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Alchemist DC, LLC	:
t/a The Alchemist	:
1334 U Street NW	: Protest Hearing
License #118276	: (Status)
Retailer CT - ANC 1B	:
Case #21-PRO-00066	:
	:
(Application for New	:
License)	:
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Wednesday October 6, 2021

The Alcoholic Beverage Control Board met via WebEx videoconference, Chairperson Donovan W. Anderson presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson BOBBY CATO, JR., Member RAFI ALIYA CROCKETT, Member EDWARD S. GRANDIS, Member JENI HANSEN, Member JAMES SHORT, JR., Member

ALSO PRESENT:

SIMONE ANDREWS, DC ABRA Staff ELWYN FERRIS, Protestant, Shaw Dupont Citizens Alliance AUSTIN HAAG, Applicant SABEL HARRIS, ANC 1B ELY HURWITZ, Applicant Counsel BRIAN RACILLA, Protestant

	2
1	P-R-O-C-E-E-D-I-N-G-S
2	10:55 a.m.
3	CHAIRPERSON ANDERSON: All right, let
4	me call the next case on our calendar. It's case
5	number 21-PRO-00066, The Alchemist, license
6	number 118276. I am not sure if there is any one
7	else. Are all the parties for this case, are we
8	missing any parties for this case, The Alchemist?
9	Is someone supposed to be here, who is not
10	currently here? (Pause.)
11	All right, so we'll start off with the
12	attorney for the licensee.
13	MR. HURWITZ: Yes, (Simultaneous
14	<pre>speaking.)</pre>
15	CHAIRPERSON ANDERSON: Can you please
16	speak up?
17	MR. HURWITZ: Good afternoon again.
18	CHAIRPERSON ANDERSON: I'm sorry, sir.
19	Please spell and state your name for the record.
20	MR. HURWITZ: Yes, this is Ely
21	Hurwitz, attorney for the applicant. It's
22	spelled E-L-Y H-U-R-W-I-T-Z.
23	CHAIRPERSON ANDERSON: Good morning,
24	Mr. Hurwitz. Can we have the licensee please
25	spell and state his name for the record, please?
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MR. HAAG: Yes, sir. My name is 1 2 Austin Haag, that's A-U-S-T-I-N H-A-A-G. 3 CHAIRPERSON ANDERSON: What's your 4 relationship to this case, sir? 5 Mr. Haynes: Owner. CHAIRPERSON ANDERSON: All right, 6 7 Let's have the ANC. (Pause.) thank you. This is Commissioner 8 MS. HARRIS: 9 Sabel Harris S-A-B as in boy-E-L H-A-R-R-I-S and 10 I am representing ANC 1B. 11 CHAIRPERSON ANDERSON: And the 12 representative for the group of five or more? MR. RACILLA: Good morning, this is 13 Brian Racilla B-R-I-A-N last name Racilla R-A-C-14 15 I-L-L-A. 16 CHAIRPERSON ANDERSON: And who do you 17 represent, sir? 18 MR. RACILLA: Representing the group 19 of five or more protesters. 20 CHAIRPERSON ANDERSON: All right, 21 Mr. Ferris? thank you. 22 MR. FERRIS: Yes, representing the 23 Shaw Dupont Citizens Alliance. This is Elwyn 24 Ferris E-L-W-Y-N F-E-R-R-I-S. 25 CHAIRPERSON ANDERSON: Good morning,

Good morning, everyone. You know, I 1 Mr. Ferris. 2 just want to let everyone know that one of the 3 reasons why I ask you to spell your names and also I ask you to state your relationship to this 4 5 case, we have a court reporter so everything is being transcribed. Therefore, once the 6 7 transcription comes out, then if one reads it, 8 then your name is spelled correctly and once it's 9 read, folks are easily identified.

10 So that's one of the reasons why I go 11 through this exercise, just to make sure that we 12 have a clear record of who is participating. If 13 you think, well you know my name, you know who I 14 am, it's because it's a separate case and it's 15 going to be a separate transcript once this case 16 is over. Okay? Thank you.

17 So are there any preliminary matters 18 that need to be brought to the attention of the 19 Board? We can start with you, Mr. Hurwitz.

20 MR. HURWITZ: No, sir. Just generally 21 speaking we're trying to negotiate a voluntary 22 agreement with the ANC and the community and we 23 look forward to receiving their proposed draft of 24 that agreement as soon as possible so that we 25 proceed.

1	CHAIRPERSON ANDERSON: Thank you very
2	much. Ms. Harris?
3	MS. HARRIS: No, nothing further than
4	we have a draft and we will be sending that soon.
5	CHAIRPERSON ANDERSON: Thank you. Mr.
6	Racilla?
7	MR. RACILLA: Nothing beyond what's
8	already been said in the record. Thank you.
9	CHAIRPERSON ANDERSON: Thank you. Mr.
10	Ferris?
11	MR. FERRIS: Yes, no, we are on board
12	with the other parties and we have nothing
13	further at this point.
14	CHAIRPERSON ANDERSON: Thank you. All
15	right, then this matter then is scheduled for a
16	protest hearing for November 17th at 1:30 p.m.
17	The Agency believes that since it's the same, all
18	the parties are the same, so both protest
19	hearings are scheduled for the same time, but I'm
20	hoping that based on what's been stated it
21	appears that this matter will be settled. If it's
22	not settled, we're going to have a very long
23	afternoon on November 17, 2021, but I'm fine with
24	that. The Board is fine with that because we're
25	public servants and we're here to serve the

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public so we will do whatever needs to be done. 1 2 Since I just read the instructions for 3 the protest hearing, do the parties wish for me to review the instructions again? What needs to 4 5 be done prior to the hearing? MR. HURWITZ: I'm okay with your 6 7 previous description, sir. 8 CHAIRPERSON ANDERSON: Okay, thank 9 Everyone fine with that? you. SDCA as well. 10 MR. FERRIS: 11 CHAIRPERSON ANDERSON: Well, thank 12 you, everyone. Again, if you have any questions 13 or concerns, please reach out to our legal office 14 and we will provide you with whatever assistance, 15 if any, that either side requires to make this as 16 smooth a process as possible. 17 I want to again thank you for your 18 participation today. Good luck with your 19 discussions and negotiations. I hope the matter 20 is settled, but if the matter is not settled, we 21 will see you on November 17, 2021 at 1:30 p.m. 22 Thank you very much and have a great day. 23 MR. HURWITZ: Thank you. 24 (Whereupon, the above-entitled matter 25 went off the record at 11:00 a.m.)

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CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: The Alchemist

Before: DCABRA

Date: 10-06-21

Place: teleconference

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

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