

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 MEETING

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 IN THE MATTER OF: :
 :
 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

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 speaking.)

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?

1 MR. HAAG: Yes, sir. My name is
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.

6 CHAIRPERSON ANDERSON: All right,
7 thank you. Let's have the ANC. (Pause.)

8 MS. HARRIS: This is Commissioner
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?

13 MR. RACILLA: Good morning, this is
14 Brian Racilla B-R-I-A-N last name Racilla R-A-C-
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 thank you. Mr. Ferris?

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,

1 Mr. Ferris. Good morning, everyone. You know, I
2 just want to let everyone know that one of the
3 reasons why I ask you to spell your names and
4 also I ask you to state your relationship to this
5 case, we have a court reporter so everything is
6 being transcribed. Therefore, once the
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

1 public so we will do whatever needs to be done.

2 Since I just read the instructions for
3 the protest hearing, do the parties wish for me
4 to review the instructions again? What needs to
5 be done prior to the hearing?

6 MR. HURWITZ: I'm okay with your
7 previous description, sir.

8 CHAIRPERSON ANDERSON: Okay, thank
9 you. Everyone fine with that?

10 MR. FERRIS: SDCA as well.

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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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: 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.



Court Reporter

NEAL R. GROSS

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