

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

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IN THE MATTER OF:                   :  
  :  
Platinum Solutions, LLC           :  
t/a Wishing Wellness             :  
406 5th Street NW                :  
Retailer MC - ANC 2C             :  
License #126747                   :  
  :  
(Request for Extension           :  
for 180 Days for                  :  
Unlicensed Operator)             :  
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Wednesday  
October 16, 2024

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

PRESENT:

DONOVAN W. ANDERSON, Chairperson  
SILAS GRANT, JR., Member  
JAMES SHORT, JR., Member

ALSO PRESENT:

JOHN HARKINS, Applicant  
JOHN McGOWAN, Counsel for Applicant  
JOSE ORELLANA, DC ABCA Staff

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

2 2:04 p.m.

3 CHAIRPERSON ANDERSON: All right. So  
4 the next case on our calendar is another fact  
5 finding hearing. It's Platinum Solutions, LLC,  
6 trade name Wishing Wellness, License number  
7 126747. And it's a request for an extension of  
8 180 days for unlicensed operator.

9 Mr. Orellana, can you please elevate  
10 the rights of the parties in this case?

11 MR. ORELLANA: John McGowan, your  
12 access has been elevated. And there's a John H.  
13 here. Not sure if this is related.

14 CHAIRPERSON ANDERSON: I'll find out.

15 MR. ORELLANA: Yes.

16 CHAIRPERSON ANDERSON: That's your  
17 client, sir.

18 MR. MCGOWAN: Hi. Good afternoon, Mr.  
19 Chair. Yes. John Harkins is one of the owners -

20 -

21 CHAIRPERSON ANDERSON: Okay.

22 MR. MCGOWAN: -- and my client.

23 MR. ORELLANA: John Harkins, your  
24 access has been elevated. That is all, Chair.

25 CHAIRPERSON ANDERSON: Thank you. All

1 right. Okay. Mr. McGowan, good afternoon, sir.  
2 And I guess I should know how to pronounce your  
3 name. Because it appears that you're going to be  
4 someone that I will be seeing a lot.

5 So I need to make sure that I get it  
6 right. So can you please spell and state your  
7 name for the record, sir?

8 MR. MCGOWAN: Yes, sir. Good  
9 afternoon, Mr. Chair and Members of the Board.  
10 John McGowan, J-O-H-N, M-C-G-O-W-A-N, Counsel on  
11 behalf of Platinum Solutions, LLC, trading as  
12 Wishing Wellness, D.C. I'm here with one of the  
13 owners, John Harkins.

14 CHAIRPERSON ANDERSON: Good afternoon,  
15 Mr. Harkins. Can you please spell and state your  
16 name for the record?

17 MR. HARKINS: Good afternoon, Mr.  
18 Chairman. My name is John Harkins. That's J-O-  
19 H-N, H-A-R-K-I-N-S.

20 CHAIRPERSON ANDERSON: Thank you, sir.  
21 All right, sir, so you are requesting a 180 day  
22 extension because you're not ready to operate.  
23 So why don't you tell us, when was your license,  
24 when was the license granted? Why, and why is it  
25 that you're unable to operate? And if you're

1 asking for an extension, how much time are you  
2 requesting?

3 MR. MCGOWAN: Mr. Chair, I can answer  
4 for my client. When we filed this extension  
5 request, I just wanted to update you because it  
6 might make things easier.

7 We filed this extension request on  
8 September 25th, about a week before the deadline,  
9 in an abundance of caution. You know, my client,  
10 you know Wishing Wellness is very close.

11 The main reason for delay was getting  
12 a change of use through the DOB, and having to  
13 submit a full set of plans. And having revisions  
14 of plans and multiple inspections.

15 But after we filed this request for  
16 180 day extension they did on October 4th receive  
17 their final building permit. And on October 10th  
18 passed their final inspection.

19 So according to the DOB Certifi system  
20 they have until today to be issued their final C  
21 of O license, their final C of O rather. And we  
22 anticipate receiving that C of O today.

23 In light of that we've already  
24 contacted ABCA's supervisory investigator, Jason  
25 Peru, for a final inspection. And we are trying

1 to schedule the final inspection for as soon as  
2 possible this month.

3 So we do not need 180 day extension  
4 request. And the hope is to pass inspection and  
5 be issued a license, you know, within 30 days. I  
6 don't want to presume what ABCA, when ABCA will  
7 issue a license.

8 But I would say within 30 days max.  
9 But out of an abundance of caution would ask for  
10 60 days just in case ABCA's busy. And we  
11 understand there's a lot going on. So I don't  
12 want to presume it could be done quickly.

13 But I can go through the facts of the  
14 delay if you'd like. But again, since we filed  
15 this extension they have passed their final  
16 building inspection and are getting the  
17 Certificate of Occupancy hopefully today. That  
18 is what the system says.

19 CHAIRPERSON ANDERSON: So let me, so  
20 you're asking, because we're going back to  
21 September 30th.

22 MR. MCGOWAN: Yes, sir.

23 CHAIRPERSON ANDERSON: So you're  
24 asking for then 60 days from September 30th. Is  
25 that what you'd be asking for? Because it's not

1 from today.

2 MR. MCGOWAN: Right.

3 CHAIRPERSON ANDERSON: So the  
4 extension is from September 30th. So would you  
5 be asking for 60 days? You're saying that you  
6 believe that you should be able to, for the, you  
7 should be able -- well, you know, I guess what  
8 I'm finding out, that you'll get your final  
9 inspection from us. And you should be able to  
10 access the Metrc system and be operational within  
11 say 60 days from September 30th?

12 MR. MCGOWAN: Yes, sir. That's what  
13 I'm saying. And I don't want to make promises I  
14 can't keep. But it should be well before then.

15 I know it's infrequent, like you said  
16 earlier, but these gentlemen are also registered  
17 with Metrc, done their basic training. So you're  
18 two for two.

19 CHAIRPERSON ANDERSON: You were  
20 listening to my previous? How dare you.

21 MR. MCGOWAN: I know. I'm trying to  
22 compete. Sorry, I was snooping. So they're also  
23 prepared. I mean, in the meantime, during these  
24 DOB delays they've been building up the facility,  
25 getting the security installed, taking the Metrc

1 training, registering employees.

2 So it's not like, oh they passed this  
3 and they have a lot more steps. They're ready as  
4 soon as we can get the proper, you know, C of O,  
5 and get the inspection of course approved by  
6 ABCA.

7 CHAIRPERSON ANDERSON: Mr. Harkins, I  
8 want to comment to you that again this is one of  
9 -- I do not have licensees who appear in front of  
10 me, who are going through the process, who have  
11 done any training.

12 So I just want to commend you on that,  
13 to say that it's commendable that you have done  
14 some training within, to understand how the  
15 system works. So I want to commend you on that.

16 I guess, Mr. McGowan, the question I  
17 want to ask you is, as you're aware as an  
18 unlicensed operator, someone with a license that  
19 you are prevented from selling cannabis.

20 So is it your representation that your  
21 client has not been selling cannabis either in,  
22 on premises or online during this process, sir?

23 MR. MCGOWAN: Yes. I can make  
24 representation that they are not operating at the  
25 premises or online in any capacity. I can't

1 represent the specific date of when that ceased.  
2 But it has been some time. And it is not  
3 happening as of right now. And will not be  
4 operational until they're licensed by ABCA.

5 You know, in our experience you can't,  
6 and we've explained this to our client. You  
7 can't get to the next step and pass a final  
8 security inspection until that is the case.

9 And we've made it very clear, you  
10 know, obviously that that is something that will  
11 not be allowed. And I can represent that is not  
12 going on, 100 percent.

13 And I will say, they moved to this  
14 location after they, in order to apply for the  
15 license. So they were never operating out of  
16 this location even as an unlicensed operator.

17 So yes, I can make those  
18 representations to the Board.

19 CHAIRPERSON ANDERSON: Well I just  
20 want to make sure that, yes, I know that as you  
21 stated you represent their move to this location.  
22 But I also want to make sure that they're no  
23 longer operating at the old location either in  
24 person or online.

25 Because I think part of the



1       misunderstanding that I think some operators have  
2       is that -- And I, you know, if you're operating  
3       and then you apply for a license, and then you  
4       have to shut down, we all know that's a hardship.

5                 That if your operating and then you  
6       have to shut down. But that's what the law  
7       requires. The law requires that you have to shut  
8       down.

9                 And they're out, there are some people  
10       who have continued to operate. And, you know, I  
11       don't think, I think a lot of people need to --  
12       And I'll say this to you, Mr. Harkins. Our  
13       Agency, we use social media.

14                MR. HARKINS: Yes.

15                CHAIRPERSON ANDERSON: You know, the  
16       things I --

17                MR. HARKINS: I'd assume so.

18                CHAIRPERSON ANDERSON: The thing that  
19       troubles me is that licensees, they don't believe  
20       that we use social media.

21                MR. HARKINS: Yes. And even more than  
22       that.

23                CHAIRPERSON ANDERSON: So --

24                MR. HARKINS: We've had some  
25       conversations with Jason. And we know that he is

1 deploying all tactics.

2 CHAIRPERSON ANDERSON: And I just want  
3 to let, and it boggles my mind that licensees  
4 will make representations. And we will go on  
5 social media and it's contrary to the  
6 representation.

7 But I just want to let you know that  
8 generally our Agency, we're very soft in using  
9 the social media. So if it's under, if you're  
10 using social media we will find you. Just want  
11 to --

12 MR. HARKINS: I'll tell my friends.

13 CHAIRPERSON ANDERSON: Just, I'm just,  
14 you know, our Agency will find you. But as I  
15 said before our Agency is not a got you Agency.  
16 We're here to help you.

17 If you have, between your attorney,  
18 between yourself and your attorney, if you  
19 believe you have, you're unsure, ask us. We will  
20 never come down against you negatively if you  
21 come to us to say that, you know what, I'm doing  
22 this. I don't know if it's legal. Please let me  
23 know.

24 MR. HARKINS: We definitely felt that  
25 so far in the process. And now like honestly all

1 the tool that you guys have provided, the  
2 organization, and the responses to all of our  
3 questions have been really helpful. I feel like  
4 just the transparency has put us at ease overall.

5 And I agree, you know, our intentions  
6 are to operate to the best of like our knowledge.  
7 And follow the rules and the law as much as  
8 possible. And where there isn't clarity, you  
9 know, hopefully we can work together to build  
10 that.

11 CHAIRPERSON ANDERSON: Okay. Thank  
12 you, Mr. -- you know, I just violated my own  
13 rule. I never allow folks to speak when their  
14 attorney's here unless the attorney gives them,  
15 tells them to speak. Because that's why you hire  
16 him. So let me --

17 MR. HARKINS: I'm sorry, John.

18 CHAIRPERSON ANDERSON: -- apologize.  
19 So let me apologize. And I, any time there's an  
20 attorney I always stop the person from speaking  
21 to say please consult your attorney. And if your  
22 attorney tells you to speak then you can speak.

23 So I apologize that I have not done  
24 this. But I've been consistent in all my  
25 hearings that I allow -- It's to protect you from

1 yourself, sir. That is the only reason --

2 MR. HARKINS: I just wanted to share  
3 some kudos back to you. Because I appreciate you  
4 commending us on our diligence in the process.

5 CHAIRPERSON ANDERSON: All right.  
6 Thank you, sir.

7 MR. HARKINS: Thank you, sir.

8 CHAIRPERSON ANDERSON: Thank you, sir.  
9 It appears that you might have a question, Mr.  
10 Short. No you don't?

11 MEMBER SHORT: No questions.

12 CHAIRPERSON ANDERSON: Okay. No, I  
13 thought you had a, I thought, you looked like you  
14 had a question. So, and I'll say this to you,  
15 Mr. Hart, Mr. Short doesn't have a question of  
16 you. That's positive. Okay. I just want to say  
17 that that is positive that Mr. Short doesn't have  
18 any questions of you.

19 All right. Mr. McGowan, any other  
20 representation you need, you wish to make, sir?

21 MR. MCGOWAN: No, sir. Just that we  
22 would just appreciate that brief extension. And  
23 we hope to be the next licensee. I don't, you  
24 know, it's at work, they're very close. And yes,  
25 we appreciate the Board's time today.

1 I can provide whatever is necessary if  
2 the Board needs for deliberation. But again,  
3 it's pretty straightforward. And we hope to have  
4 that Certificate of Occupancy today.

5 CHAIRPERSON ANDERSON: Well, I mean,  
6 the representation that you've stated, that you  
7 have spoken to Supervisory Investigator Peru, and  
8 that you're in the process of scheduling a final  
9 inspection with him. So that tells us that he's  
10 not going to do the final inspection until he has  
11 received certain documentation --

12 MR. MCGOWAN: True.

13 CHAIRPERSON ANDERSON: -- from, the  
14 Agency has received that. And so I think that  
15 the representation that you provide regarding --

16 And of course, since you are speaking  
17 about Supervisory Investigator Peru, the Board  
18 has access to him to confirm or deny the  
19 information you just provided.

20 So if there are no other  
21 representations the Board will take this matter  
22 under advisement.

23 As I stated before, whatever decision  
24 that we make regarding the timing of the  
25 extension, it would be going back to September

1 30th.

2 So whatever time period that we  
3 provide, it would be effective September, it's  
4 from September 30th moving forward. So to make  
5 sure that I've covered all the bases.

6 MR. MCGOWAN: Yes, sir. I understand.

7 CHAIRPERSON ANDERSON: Hold on one  
8 minute. Yes, hold on a minute. I want to make  
9 sure that, okay. I already received that. All  
10 right.

11 So thank you very much, sir for your  
12 presentation today. We'll take this matter under  
13 advisement. And we'll issue a decision shortly.  
14 Okay. Thank you.

15 MR. MCGOWAN: Thank you very much.  
16 Have a good afternoon.

17 CHAIRPERSON ANDERSON: All right.  
18 Thanks. Bye-bye.

19 MR. HARKINS: Thank you, everyone.  
20 Have a good one.

21 CHAIRPERSON ANDERSON: Bye-bye. The  
22 Board is now at its end of its afternoon  
23 calendar. Yes. So I will bring our afternoon,  
24 our hearings for the afternoon to closure.

25 Okay. As Chairperson of the Alcoholic

1 Beverage and Cannabis Board for the District of  
2 Columbia, in accordance with Title 3, Chapter 4  
3 of 5, Office of Open Government, I move that ABC  
4 Board hold a meeting on October 22nd for the  
5 purpose of discussing and hearing reports  
6 concerning ongoing or planned investigation of  
7 alleged criminal or civil misconduct, or  
8 violations of law or regulations, and seek legal  
9 advice from our Legal Counsel on the Board's  
10 investigative agenda, legal agenda, and licensing  
11 agenda for October 22nd, as published in D.C.  
12 Register on October 18th. Is there a second?

13 MEMBER GRANT: Mr. Grant. I second  
14 the motion.

15 CHAIRPERSON ANDERSON: Mr. Grant has  
16 second the motion. We'll now have a roll call  
17 vote. Mr. Short.

18 MEMBER SHORT: Mr. Short. I agree.

19 CHAIRPERSON ANDERSON: Mr. Grant.

20 MEMBER GRANT: Mr. Grant. I agree.

21 CHAIRPERSON ANDERSON: And Mr.  
22 Anderson. I agree. As it appears that the  
23 motion has passed, I hereby give notice that ABC  
24 Board will hold this closed meeting, pursuant to  
25 the Open Meetings Act.

1 Notice of Law to be posted on ABC  
2 Board hearing room. But let the Board place on  
3 electronic calendar and Access websites, and  
4 publish in D.C. Register in as timely a manner as  
5 practical.

6 We're now adjourned for the day. I  
7 would like to thank all members of the public who  
8 participated in our hearings today. And I'd also  
9 like to thank our Board Members who have also  
10 participated actively in our hearing.

11 Now that we have now formally  
12 adjourned for the day I now ask all Board Members  
13 to return to Executive Session for further  
14 action. Good afternoon. Thank you.

15 (Whereupon, the above-entitled matter  
16 went off the record at 2:20 p.m.)  
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19  
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21  
22  
23  
24  
25



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This is to certify that the foregoing transcript

In the matter of: Wishing Wellness

Before: DC ABCA

Date: 10-16-24

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.



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Court Reporter

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