

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

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IN THE MATTER OF: :
 :
Gabriel, Inc., :
t/a Potomac Wine and :
Spirits :
3100 M Street NW : Show Cause
Retailer A - ANC 2E : Hearing (Status)
License No. 1926 :
Case #22-CMP-00030 :
 :
(Conflicting Interests :
in a MD Wholesalers :
License, Failed to :
Maintain Books and :
Records on Premises, :
Provided False or :
Misleading Information, :
Sold Alcoholic Beverages :
to an On-Premises :
Retailer) :
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Wednesday
October 19, 2022

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:

JOSE ORELLANA, DC ABRA Staff

KEVIN LUTES, DC OAG

STEPHEN O'BRIEN, Applicant Counsel

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

2 11:04 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our calendar is Case No. 22-CMP-00030, Potomac
5 Wine and Spirits, License No. 1926.

6 Mr. Orellana, can you please elevate
7 the rights of the licensee in this case?

8 I think that's Mr. O'Brien.

9 MR. ORELLANA: This has been elevated,
10 it is now showing.

11 CHAIRPERSON ANDERSON: Mr. O'Brien,
12 good morning. I'm sorry; Mr. Lutes, can you
13 please identify yourself for the record, please?

14 MR. LUTES: Of course. Good morning,
15 Mr. Chairperson. This is Assistant Attorney
16 General, Kevin Lutes; that's K-E-V-I-N, L-U-T-E-S
17 for the District.

18 MR. O'BRIEN: Stephen O'Brien for the
19 respondent, S-T-E-P-H-E-N, O-apostrophe-capital
20 B-R-I-E-N.

21 CHAIRPERSON ANDERSON: Good morning,
22 Mr. O'Brien. Is your client joining you this
23 morning, sir?

24 MR. O'BRIEN: No, sir.

25 CHAIRPERSON ANDERSON: Are there any

1 preliminary matters in this case?

2 MR. LUTES: Mr. Chairperson, the only
3 preliminary matter is an OIC has been
4 communicated and the parties are in discussions.

5 CHAIRPERSON ANDERSON: Mr. O'Brien?

6 MR. O'BRIEN: Yeah, that's a fair
7 assessment. Mr. Chair, I believe that this show
8 cause hearing is scheduled for the 9th of
9 November of 1:30.

10 CHAIRPERSON ANDERSON: Yes, November
11 9th at 1:30. Yes, sir.

12 MR. O'BRIEN: Yes, that's the same for
13 calendar repurposes; that's the same date and
14 time as the first item on your calendar today,
15 Cambria Suites protest hearing. I expect the
16 instant case to settle.

17 CHAIRPERSON ANDERSON: I hope so. I
18 think legal does a wonderful job of managing
19 their clients, sir. So after our calendar -- so
20 we just sit and wait to see what happens the day
21 of the hearing, or the day before the hearing how
22 is it that our calendar kind of shakes out. So I
23 want to publicly thank you for that
24 representation, sir, and I look forward to that
25 and that will give legal, the legal office a

1 better opportunity in managing our calendar. But
2 I appreciate you putting us on notice that
3 there's a strong possibility that one of the
4 conflicts that we have will take care of itself.

5 Thank you.

6 All right, so as I stated before, this
7 hearing is scheduled for November 9th at 1:30
8 p.m. I want to just advise the parties that
9 seven days prior to the hearing, the parties or
10 if this matter goes to hearing in seven days
11 prior to the hearing, each side is required to
12 disclose documents and witness; failure on either
13 side to disclose documents and witnesses seven
14 days prior to the hearing, the Board is empowered
15 to prevent that side from moving forward, to rely
16 on those documents and witnesses. Are there any
17 questions by either side?

18 MR. O'BRIEN: No, sir.

19 MR. LUTES: No, Mr. Chairperson.

20 CHAIRPERSON ANDERSON: All right,
21 thank you. Well, have a good day. Again,
22 November 9th at 1:30 p.m.

23 Have a good day, thank you very much.

24 (The above-entitled matter went off
25 the record at 11:07 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: Potomac Wine and Spirits

Before: DC ABRA

Date: 10-19-22

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.

Neal R Gross

Court Reporter

NEAL R. GROSS

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