

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

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IN THE MATTER OF: :
 :
Iron Works, LLC :
t/a Death Punch/Shabu/ :
Shibuya Eatery :
2321 18th Street NW : Show Cause
Retailer CR - ANC 1C : Hearing (Status)
License No. 114937 :
Case #22-CMP-00063 :
 :
(Substantial Change :
in Operation :
Without Board Approval) :
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Wednesday
December 7, 2022

The Alcoholic Beverage Control 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 ABRA Staff
LYLE BLANCHARD, Applicant Counsel
COLLIN CENCI, DC OAG

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

2 10:32 a.m.

3 CHAIRPERSON ANDERSON: Good morning.

4 As Chairperson of the Alcoholic Beverage Control
5 Board for the District of Columbia and in
6 accordance with D.C. Code Section 2571 et seq. of
7 the Open Meetings Act, OMA, I am welcoming you to
8 the regularly scheduled meeting of the Alcoholic
9 Beverage Control Board.

10 This meeting is being conducted
11 pursuant to guidance made available by the
12 District of Columbia's Office of Open Government
13 regarding electronic meetings held by public
14 bodies. Electronic meetings by the ABC Board are
15 authorized pursuant to Section 2577(a) of the
16 D.C. Code.

17 Pursuant to the OMA requirements,
18 notice of today's meeting was provided 48 hours
19 in advance of the meeting on ABRA's website and
20 on the District's central meeting calendar. The
21 notice included the time, date, agenda, and the
22 call-in or log-in information for public
23 participation.

24 This electronic meeting is being
25 hosted by a WebEx account provided by the

1 District of Columbia government. Please address
2 any questions or complaints to the OOG at
3 opengovoffice@dc.gov.

4 My name is Donovan Anderson. I'm
5 Chairman of the Board. I would like to introduce
6 the other members of the ABC Board who are also
7 participating electronically. Please respond
8 when I announce your name. Mr. James Short?

9 MEMBER SHORT: Mr. James Short,
10 present.

11 CHAIRPERSON ANDERSON: Mr. Bobby Cato?

12 MEMBER CATO: Bobby Cato, present.

13 CHAIRPERSON ANDERSON: Ms. Jeni
14 Hansen? Mr. Edward Grandis?

15 MEMBER GRANDIS: Edward Grandis,
16 present.

17 CHAIRPERSON ANDERSON: The Board has
18 five members in attendance for the conduct of
19 business today and that constitutes a quorum.

20 Before we get underway with today's
21 hearing calendar, I need to make a few
22 instructions very clear so that the conduct of
23 this hearing is understood by everyone. There
24 are four cases scheduled for this morning's
25 calendar.

1 Once your case is called, I will take
2 a moment for our IT specialist to elevate the
3 rights for each party to enable their camera and
4 microphone. Then, and only then, will you have
5 the ability to enable your equipment. If your
6 case is not being heard, you will remain mute and
7 your camera will be disabled.

8 At the conclusion of each case, the
9 parties will have the option to leave. If the
10 party chooses to stay, all cameras and
11 microphones for the concluded case will be
12 disabled.

13 Should you have any questions or
14 require technical assistance during the hearing,
15 please submit them using the question and answer
16 feature.

17 Give me a minute, please. I need to
18 make sure that they -- I need to make sure the
19 court reporter is on because I'm doing this
20 hearing virtual and I just want to make sure that
21 this is being recorded. Okay, yes, the court
22 reporter is on.

23 All right, our first order -- our
24 first case today is case number 22 -- it's a show
25 cause hearing status case number 22-CMP-00063,

1 case Death Punch/Shabu/Shibuya Eatery, license
2 number 114937.

3 Good morning, Mr. Orellana. Can you
4 please elevate the rights of the government and
5 the licensee in this case, please?

6 MR. ORELLANA: Collin Cenci, your
7 access has been elevated. Lyle Blanchard, your
8 access has been elevated. That is all, Chairman.

9 CHAIRPERSON ANDERSON: Thank you.
10 Okay, good morning, Mr. Cenci. Can you please
11 spell and state your name for the record, please?

12 MR. CENCI: Good morning, Chairperson
13 Anderson. Collin Cenci, C-O-L-L-I-N C-E-N-C-I,
14 Assistant Attorney General with the Office of the
15 Attorney General for the District of Columbia.

16 CHAIRPERSON ANDERSON: All right, good
17 morning, Mr. Blanchard. Can you please spell and
18 state your name for the record?

19 MR. BLANCHARD: Good morning, Mr.
20 Anderson and Members of the ABC Board. My name
21 is Lyle Blanchard, B, sorry, first name is L-Y-L-
22 E, last name is B-L-A-N-C-H-A-R-D, and I'm
23 representing the licensee which is Iron Works,
24 LLC trading as Death Punch, et cetera.

25 CHAIRPERSON ANDERSON: Good morning.

1 All right, Mr. Cenci, is there any preliminary
2 matters in this case?

3 MR. CENCI: None from the government
4 at this time, Mr. Chairperson.

5 CHAIRPERSON ANDERSON: All right, this
6 hearing then, on behalf of the government, this
7 matter then is scheduled for a show cause hearing
8 on January 11, 2023 at 10:30 a.m.

9 I just want to advise the parties if
10 this matter is not settled, then since I'm
11 working with two attorneys, that you are required
12 seven days prior to the hearing to disclose
13 documents and witnesses that will be relied upon
14 at the hearing.

15 Failure on the part of either party to
16 disclose documents and witnesses that will be
17 relied upon at the hearing, unless good cause is
18 shown, the Board is empowered to prevent that
19 person from relying on documents and witnesses
20 that have not been previously disclosed. Any
21 questions by anyone?

22 MR. BLANCHARD: No questions, Your
23 Honor. I don't know if I could make a short
24 statement?

25 CHAIRPERSON ANDERSON: Only if it's

1 procedural, sir.

2 MR. BLANCHARD: Oh, well, just to say
3 that I did have a conversation with Mister, one
4 of OAG's attorneys yesterday, so we have begun
5 discussions and we'll see if anything evolves
6 between now and the hearing date.

7 CHAIRPERSON ANDERSON: Well, thank
8 you. The parties are directed then if this
9 matter is settled, then they can provide us the
10 terms, the written terms, and the Board will
11 review and vote to approve or deny it on our
12 legal agenda. So, if the matter is settled, we
13 don't need to have another hearing. It can be
14 done through paper.

15 MR. BLANCHARD: Understood.

16 CHAIRPERSON ANDERSON: Okay?

17 MR. BLANCHARD: Thank you.

18 CHAIRPERSON ANDERSON: All right, if
19 -- thank you very much for being here today and
20 have a great day.

21 MR. BLANCHARD: You too. Thank you.

22 MR. CENCI: Thank you, Mr.

23 Chairperson.

24 (Whereupon, the above-entitled matter
25 went off the record at 10:39 a.m.)

<p style="text-align: center;">A</p> <p>a.m 2:2 6:8 7:25 ABC 2:14 3:6 5:20 ability 4:5 above-entitled 7:24 ABRA 1:22 ABRA's 2:19 access 5:7,8 account 2:25 Act 2:7 address 3:1 advance 2:19 advise 6:9 agenda 2:21 7:12 Alcoholic 1:2,14 2:4,8 ANC 1:8 Anderson 1:15,18 2:3 3:4,11,13,17 5:9,13 5:16,20,25 6:5,25 7:7 7:16,18 announce 3:8 answer 4:15 Applicant 1:22 Approval 1:11 approve 7:11 assistance 4:14 Assistant 5:14 attendance 3:18 Attorney 5:14,15 attorneys 6:11 7:4 authorized 2:15 available 2:11</p> <hr/> <p style="text-align: center;">B</p> <p>B 5:21 B-L-A-N-C-H-A-R-D 5:22 begun 7:4 behalf 6:6 Beverage 1:2,14 2:4,9 Blanchard 1:22 5:7,17 5:19,21 6:22 7:2,15 7:17,21 Board 1:2,11,14 2:5,9 2:14 3:5,6,17 5:20 6:18 7:10 Bobby 1:18 3:11,12 bodies 2:14 business 3:19</p> <hr/> <p style="text-align: center;">C</p> <p>C-E-N-C-I 5:13 C-O-L-L-I-N 5:13 calendar 2:20 3:21,25 call-in 2:22 called 4:1 camera 4:3,7 cameras 4:10</p>	<p>case 1:9 4:1,6,8,11,24 4:24,25 5:1,5 6:2 cases 3:24 Cato 1:18 3:11,12,12 cause 1:7 4:25 6:7,17 Cenci 1:23 5:6,10,12,13 6:1,3 7:22 central 2:20 cetera 5:24 Chairman 3:5 5:8 Chairperson 1:15,18 2:3,4 3:11,13,17 5:9 5:12,16,25 6:4,5,25 7:7,16,18,23 Change 1:10 chooses 4:10 clear 3:22 Code 2:6,16 Collin 1:23 5:6,13 Columbia 1:1 2:5 3:1 5:15 Columbia's 2:12 complaints 3:2 concluded 4:11 conclusion 4:8 conduct 3:18,22 conducted 2:10 constitutes 3:19 Control 1:2,14 2:4,9 conversation 7:3 Counsel 1:22 court 4:19,21 CR 1:8</p> <hr/> <p style="text-align: center;">D</p> <p>D.C 2:6,16 date 2:21 7:6 day 7:20 days 6:12 DC 1:22,23 Death 1:6 5:1,24 December 1:13 deny 7:11 directed 7:8 disabled 4:7,12 disclose 6:12,16 disclosed 6:20 discussions 7:5 District 1:1 2:5,12 3:1 5:15 District's 2:20 documents 6:13,16,19 doing 4:19 Donovan 1:15,18 3:4</p> <hr/> <p style="text-align: center;">E</p> <p>E 5:22 Eatery 1:7 5:1</p>	<p>Edward 1:19 3:14,15 either 6:15 electronic 2:13,14,24 electronically 3:7 elevate 4:2 5:4 elevated 5:7,8 empowered 6:18 enable 4:3,5 equipment 4:5 et 2:6 5:24 evolves 7:5</p> <hr/> <p style="text-align: center;">F</p> <p>Failure 6:15 feature 4:16 first 4:23,24 5:21 five 3:18 four 3:24</p> <hr/> <p style="text-align: center;">G</p> <p>General 5:14,15 Give 4:17 good 2:3 5:3,10,12,16 5:19,25 6:17 government 2:12 3:1 5:4 6:3,6 Grandis 1:19 3:14,15 3:15 great 7:20 guidance 2:11</p> <hr/> <p style="text-align: center;">H</p> <p>Hansen 1:19 3:14 heard 4:6 hearing 1:8 3:21,23 4:14,20,25 6:6,7,12 6:14,17 7:6,13 held 2:13 Honor 6:23 hosted 2:25 hours 2:18</p> <hr/> <p style="text-align: center;">I</p> <p>included 2:21 information 2:22 instructions 3:22 introduce 3:5 Iron 1:6 5:23</p> <hr/> <p style="text-align: center;">J</p> <p>James 1:20 3:8,9 January 6:8 Jeni 1:19 3:13 JOSE 1:22 JR 1:18,20</p> <hr/> <p style="text-align: center;">K</p> <p>know 6:23</p>	<p style="text-align: center;">L</p> <p>L-Y-L 5:21 leave 4:9 legal 7:12 license 1:8 5:1 licensee 5:5,23 LLC 1:6 5:24 log-in 2:22 Lyle 1:22 5:7,21</p> <hr/> <p style="text-align: center;">M</p> <p>matter 1:5 6:7,10 7:9,12 7:24 matters 6:2 meeting 1:3 2:8,10,18 2:19,20,24 meetings 2:7,13,14 Member 1:18,19,19,20 3:9,12,15 members 3:6,18 5:20 met 1:15 microphone 4:4 microphones 4:11 minute 4:17 Mister 7:3 moment 4:2 morning 2:3 5:3,10,12 5:17,19,25 morning's 3:24 mute 4:6</p> <hr/> <p style="text-align: center;">N</p> <p>name 3:4,8 5:11,18,20 5:21,22 need 3:21 4:17,18 7:13 notice 2:18,21 number 4:24,25 5:2 NW 1:7</p> <hr/> <p style="text-align: center;">O</p> <p>OAG 1:23 OAG's 7:4 Office 2:12 5:14 Oh 7:2 Okay 4:21 5:10 7:16 OMA 2:7,17 Once 4:1 OOG 3:2 Open 2:7,12 opengovoffice@dc.g... 3:3 Operation 1:10 option 4:9 order 4:23 Orellana 1:22 5:3,6</p> <hr/> <p style="text-align: center;">P</p>
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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: Death Punch

Before: DC ABRA

Date: 12-07-22

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.



Court Reporter

NEAL R. GROSS

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