

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

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IN THE MATTER OF:           :
                             :
Brother's Burger Bar, LLC:  :
t/a Felicity Lounge         :
707 H Street NE             :
Retailer CR - ANC 6C        :
License #112502             :
Case #21-CMP-00038         :
                             :
(No ABC Manager on Duty,   : Show Cause
Failed to Follow a Board   : Hearing (Status)
Order)                      :
                             :
Case #21-CMP-00041         :
                             :
(Failed to maintain an    :
operable Security Camera, :
Failed to Ensure the      :
Security Footage was      :
maintained for 30 days,   :
Failed to Ensure the      :
Security Footage was      :
made Available Within     :
48 Hours, Failed to      :
Follow Security Plan      :
[Two Counts])             :
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Wednesday  
 December 1, 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:

SARAH FASHBAUGH, DC ABRA Staff  
STEPHEN ORTIZ, DC OAG

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

2 11:51 a.m.

3 CHAIRPERSON ANDERSON: Our next case is  
4 a show-cause hearing, status case number  
5 21CMV00038, Felicity Lounge, license number  
6 112502. Ms. Fashbaugh, can you please elevate the  
7 rights of the parties in this case, including the  
8 government. I think it's Mr. Stephen Ortiz who is  
9 the government representative.

10 MS. FASHBAUGH: Steven Ortiz, your  
11 rights have been elevated. I do not see Darryl  
12 Jones on the line. That is all, Mr. Chair.

13 CHAIRPERSON ANDERSON: All right. Thank  
14 you. Mr. Jones, if you are on the line, can you  
15 please identify yourself through the chat if you  
16 are on the line. I'll give you maybe another  
17 minute. If not, we will move forward.

18 MR. ORTIZ: Good morning.

19 CHAIRPERSON ANDERSON: Good morning,  
20 Mr. Ortiz. Can you please spell and state your  
21 name for the record, please.

22 MR. ORTIZ: Good morning, Mr.  
23 Chairperson. Stephen Ortiz, on behalf of the  
24 District of Columbia. That's S-T-E-P-H-E-N O-R-T-  
25 I-Z.

1                   CHAIRPERSON ANDERSON: Good morning. I  
2 see that the license is not here. This matter,  
3 then, is scheduled for a show-cause hearing on  
4 January 26, 2022, at 1:30 p.m.

5                   MR. ORTIZ: Good morning, Mr.  
6 Chairperson. I do have just one question  
7 regarding this case that you just called.

8                   CHAIRPERSON ANDERSON: Yes, Mr. Ortiz.

9                   MR. ORTIZ: And my apologies, I'm just  
10 having a little bit of connection issues. I just  
11 want to make sure that you, for my own record,  
12 that you called both of the Felicity Lounge  
13 cases?

14                   CHAIRPERSON ANDERSON: I only called  
15 one Felicity Lounge case, and maybe I was not  
16 following my own instructions this morning, but  
17 the calendar that I have, only one case is  
18 listed. This morning when it was presented, I  
19 thought I heard two cases, so let me see if I can  
20 find the calendar, so I will have the number for  
21 the second case.

22                   Thank you for bringing that to my  
23 attention, but I only have I need to find the  
24 other case, so once I find the other case I can  
25 call that number.

1 MR. ORTIZ: Understood. I'm also  
2 looking for the most recent calendar that I have.

3 CHAIRPERSON ANDERSON: All right.

4 (Pause.)

5 CHAIRPERSON ANDERSON: All right. That  
6 was my error. I do apologize. I'm not sure which  
7 case number I called, so because I was looking at  
8 my calendar, and I saw All right. The first  
9 Felicity case is case number 21CMP00038, license  
10 number 112502. I know I called the case this  
11 morning. The licensee was not there. So I'm going  
12 to recall both cases.

13 Mr. Ortiz, it's my understanding the  
14 licensee is not on the line and the licensee was  
15 properly served on October 29, 2021, so because  
16 the licensee was properly served on October 29,  
17 2021, and he is not here today, this matter is  
18 then scheduled for a show-cause hearing on  
19 January 12, 2022, at 1:30 p.m.

20 The second Felicity Lounge case is  
21 case number 21CMP00041, Felicity Lounge licensee  
22 number 112502. Mr. Ortiz, can you please identify  
23 yourself for the record.

24 MR. ORTIZ: Yes, sir. Good morning, Mr.  
25 Chairperson, Stephen Ortiz on behalf of the

1 District of Columbia. That's S-T-E-P-H-E-N O-R-T-  
2 I-Z.

3 CHAIRPERSON ANDERSON: All right. And  
4 the licensee is not here. We had called the case,  
5 and he was not here. Again, it is my  
6 understanding that the licensee was properly  
7 served on October 29, 2021. So this matter, then,  
8 is scheduled for a show-cause hearing on January  
9 26, 2022, at 1:30 p.m.

10 MR. ORTIZ: Thank you.

11 CHAIRPERSON ANDERSON: Thank you, Mr.  
12 Ortiz, for bringing this to my attention. Both  
13 cases are on my calendar. I did take it off, but  
14 I had failed to call both cases. So thank you  
15 very much for bringing that to my attention.

16 MR. ORTIZ: Thank you, Mr. Chairperson.  
17 I had connection issues, so I didn't know if you  
18 called them both at the same time.

19 CHAIRPERSON ANDERSON: Mr. Ortiz, you  
20 just know how to excuse me from an error. I  
21 appreciate that, sir. I appreciate that on your  
22 behalf. I may say goodbye to you this afternoon,  
23 but if not, have a great day.

24 (Whereupon the above-entitled matter  
25 went off the record at 12:13 p.m.)

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                         |                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>A</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Darryl 3:11<br>day 6:23<br>days 1:14<br>DC 2:4,4<br>December 1:19<br>District 1:1 3:24 6:1<br>Donovan 1:22,24<br>Duty 1:9                                                                               | <b>K</b>                                                                                                                                                                                                           | presented 4:18<br>presiding 1:22<br>properly 5:15,16 6:6                                                                                                                                                                                                                                                                                              |
| a.m 3:2<br>ABC 1:9<br>above-entitled 6:24<br>ABRA 2:4<br>afternoon 6:22<br>Alcoholic 1:2,21<br>ALIYA 1:25<br>ANC 1:7<br>Anderson 1:22,24 3:3<br>3:13,19 4:1,8,14 5:3,5<br>6:3,11,19<br>apologies 4:9<br>apologize 5:6<br>appreciate 6:21,21<br>attention 4:23 6:12,15<br>Available 1:16                                                                                                                                                                              | <b>E</b>                                                                                                                                                                                                | <b>L</b>                                                                                                                                                                                                           | <b>Q</b>                                                                                                                                                                                                                                                                                                                                              |
| <b>B</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                             | EDWARD 2:1<br>elevate 3:6<br>elevated 3:11<br>Ensure 1:13,15<br>error 5:6 6:20<br>excuse 6:20                                                                                                           | license 1:8 3:5 4:2 5:9<br>licensee 5:11,14,14,16<br>5:21 6:4,6<br>line 3:12,14,16 5:14<br>listed 4:18<br>little 4:10<br>LLC 1:6<br>looking 5:2,7<br>Lounge 1:6 3:5 4:12,15<br>5:20,21                             | question 4:6                                                                                                                                                                                                                                                                                                                                          |
| Bar 1:6<br>behalf 3:23 5:25 6:22<br>Beverage 1:2,21<br>bit 4:10<br>Board 1:2,10,21<br>BOBBY 1:25<br>bringing 4:22 6:12,15<br>Brother's 1:6<br>Burger 1:6                                                                                                                                                                                                                                                                                                             | <b>F</b>                                                                                                                                                                                                | <b>M</b>                                                                                                                                                                                                           | <b>R</b>                                                                                                                                                                                                                                                                                                                                              |
| <b>C</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                             | failed 1:10,12,13,15,16<br>6:14<br>Fashbaugh 2:4 3:6,10<br>Felicity 1:6 3:5 4:12,15<br>5:9,20,21<br>find 4:20,23,24<br>first 5:8<br>Follow 1:10,17<br>following 4:16<br>Footage 1:14,15<br>forward 3:17 | maintain 1:12<br>maintained 1:14<br>Manager 1:9<br>matter 1:5 4:2 5:17 6:7<br>6:24<br>MEETING 1:3<br>Member 1:25,25 2:1,1,2<br>met 1:21<br>minute 3:17<br>morning 3:18,19,22 4:1<br>4:5,16,18 5:11,24<br>move 3:17 | RAFI 1:25<br>recall 5:12<br>record 3:21 4:11 5:23<br>6:25<br>regarding 4:7<br>representative 3:9<br>Retailer 1:7<br>rights 3:7,11                                                                                                                                                                                                                     |
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| <b>D</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                             | give 3:16<br>goodbye 6:22<br>government 3:8,9<br>GRANDIS 2:1                                                                                                                                            | name 3:21<br>NE 1:7<br>need 4:23<br>number 3:4,5 4:20,25<br>5:7,9,10,21,22                                                                                                                                         | S 2:1<br>S-T-E-P-H-E-N 3:24 6:1<br>SARAH 2:4<br>saw 5:8<br>scheduled 4:3 5:18 6:8<br>second 4:21 5:20<br>Security 1:13,14,15,17<br>served 5:15,16 6:7<br>SHORT 2:2<br>Show 1:9<br>show-cause 3:4 4:3<br>5:18 6:8<br>sir 5:24 6:21<br>spell 3:20<br>Staff 2:4<br>state 3:20<br>status 1:10 3:4<br>Stephen 2:4 3:8,23 5:25<br>Steven 3:10<br>Street 1:7 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>H</b>                                                                                                                                                                                                | <b>O</b>                                                                                                                                                                                                           | <b>T</b>                                                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | H 1:7<br>HANSEN 2:1<br>heard 4:19<br>hearing 1:10 3:4 4:3<br>5:18 6:8<br>Hours 1:16                                                                                                                     | O-R-T- 3:24 6:1<br>OAG 2:4<br>October 5:15,16 6:7<br>once 4:24<br>operable 1:13<br>Order 1:10<br>Ortiz 2:4 3:8,10,18,20<br>3:22,23 4:5,8,9 5:1,13<br>5:22,24,25 6:10,12,16<br>6:19                                 | t/a 1:6<br>thank 3:13 4:22 6:10,11<br>6:14,16<br>thought 4:19<br>today 5:17<br>two 1:17 4:19                                                                                                                                                                                                                                                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>I</b>                                                                                                                                                                                                | <b>P</b>                                                                                                                                                                                                           | <b>U</b>                                                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | I-Z 3:25 6:2<br>identify 3:15 5:22<br>including 3:7<br>instructions 4:16<br>issues 4:10 6:17                                                                                                            | P-R-O-C-E-E-D-I-N-G-S<br>3:1<br>p.m 4:4 5:19 6:9,25<br>parties 3:7<br>Pause 5:4<br>Plan 1:17<br>please 3:6,15,20,21<br>5:22<br>PRESENT 1:23 2:3                                                                    | understanding 5:13 6:6<br>Understood 5:1                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>J</b>                                                                                                                                                                                                |                                                                                                                                                                                                                    | <b>V</b>                                                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | JAMES 2:2<br>January 4:4 5:19 6:8<br>JENI 2:1<br>Jones 3:12,14<br>JR 1:25 2:2                                                                                                                           |                                                                                                                                                                                                                    | videoconference 1:21                                                                                                                                                                                                                                                                                                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                         |                                                                                                                                                                                                                    | <b>W</b>                                                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                         |                                                                                                                                                                                                                    | W 1:22,24<br>WebEx 1:21<br>Wednesday 1:19                                                                                                                                                                                                                                                                                                             |

went 6:25

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21-CMP-00038 1:8

21-CMP-00041 1:11

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21CMP00041 5:21

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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: Felicity Lounge

Before: DC ABRA

Date: 12-01-21

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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