

**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

)	
In the Matter of:)	
)	
Iraklion, LLC)	Case No.: 23-PRO-00078
t/a Iraklion)	License No.: 116082
)	Order No: 2023-672
Application for the Transfer of a)	
Retailer's Class CN License)	
)	
1412 I Street, N.W.)	
Washington, DC 20005)	
)	

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Silas Grant, Member

PARTIES: Iraklion, LLC, t/a Iraklion, Applicant

Richard Bianco, Counsel, on behalf of the Applicant

Christopher S. Cohen, Counsel, on behalf of JP Morgan Chase Bank,
Protestant

Michael D. Shankle and Rebecca Strauss, Commissioner, on behalf of
Advisory Neighborhood Commission (ANC) 2C, Protestant

Lyle M. Blanchard, Counsel, on behalf of a Group of Five or More
Residents and Property Owners, Protestant

Martha Jenkins, General Counsel
Alcoholic Beverage and Cannabis Administration

ORDER GRANTING PROTESTANT'S MOTION FOR CONTINUANCE

The Alcoholic Beverage and Cannabis received a motion to continue the Protest Hearing in the matter of an application for the transfer of the Retailer's Class CN License held by Iraklion, LLC, t/a Iraklion (Applicant) to a New Location from the Protestant, JP Morgan Chase Bank. The motion indicates that JP Morgan Chase's counsel cannot appear at the Protest

Hearing scheduled for December 6, 2023, due to a previously scheduled trial on the same day. The Board approves the motion over the objection of the Applicant, as a conflict in court schedules is a valid reason to grant a continuance pursuant to D.C. Official Code § 25-441(a) and 23 DCMR § 1705.2. Moreover, to the extent the Applicant indicates that an expert witness is not available, the Board notes that the motion was made with sufficient advance notice for the Applicant to obtain the services of a new expert or to negotiate a stipulation regarding the testimony of unavailable witnesses.

ORDER

Therefore, the Board, on this 15th day of November 2023, hereby **GRANTS** the motion to continue filed by JP Morgan Chase Bank.

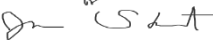
IT IS FURTHER ORDERED that the Protest Hearing shall be rescheduled for **January 31, 2024 at 1:30 p.m.**

A copy of this Order shall be provided to the parties.

District of Columbia
Alcoholic Beverage and Cannabis Board

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Donovan Anderson
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Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com

Key: 547ae373f820de6ac8d1b332d42040e

James Short, Member



Silas Grant, Jr., Member

Pursuant to D.C. Official Code § 25-433(d)(1), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage and Cannabis Administration, Reeves Center, 2000 14th Street, NW, 400S, Washington, D.C. 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code § 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202-879-1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. *See* D.C. App. Rule 15(b) (2004).