

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

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**In the Matter of:** )

Caladon, LLC )  
t/a Mr. Henry )

Holder of a )  
Retailer's Class CR License )

at premises )  
1836 Columbia Road, N.W. )  
Washington, D.C. 20009 )

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License No.: ABRA-017006  
Order No.: 2019-864

**BEFORE:** Donovan Anderson, Chairperson  
James Short, Member  
Bobby Cato, Member  
Rema Wahabzadah, Member  
Rafi Crockett, Member

**PARTIES:** William Duggan, Owner, on behalf of Caladon, LLC, t/a Mr. Henry, Petitioner

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**ORDER DENYING MOTION FOR EXTENSION OF TIME**

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On May 15, 2019, the Alcoholic Beverage Regulation Administration (ABRA) reviewed its records and determined that the holder of ABRA License No. 017006 failed to renew its Retailer's Class CR License by March 31, 2019. Subsequently, in Board Order No. 2019-373, the Board canceled the license. For the purposes of this Order, the Board presumes that Petitioner is correct that Board Order No. 2019-373 misidentifies the entity owner as 2461 Corporation, when it should identify the license holder of record as Caladon, LLC;<sup>1</sup> nevertheless,

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<sup>1</sup> Based on a review of ABRA's files, this license has been identified as being held by Caladon, LLC, since 2010, and the Petitioner has been aware of that fact. *E.g., Letter from Patricia M. Jenkins, Licensing Specialist to Amy Vestal, Officer* (Dec. 15, 2010). While in its motion, the Petitioner identifies itself as Cadalon Enterprises, Inc., the identification of the license holder under this entity name is not supported in the file and ABRA's license database. Therefore, the Board will refer to this license as Caladon, LLC. The Board further notes that in 2013 the Petitioner filed a renewal application that identified 2461 Corporation as the license holder of ABRA License No. 017006. *Renewal Application*, ABRA License No. 017006 (Accepted Apr. 3, 2013). In 2016, the license holder submitted a clean hands certificate for 2461 Corporation. *Certificate of Clean Hands*, 2461 Corporation (Apr. 2016). In 2016, the license holder identified no license holder and only listed the trade name on its renewal application. *Renewal Application*, ABRA License No. 017006 (April 22, 2016). Then, in correspondence from 2017, the Petitioner

the Order identified the correct license number and address. The Board notes that ABRA's records indicate that Caladon, LLC, and 2461 Corporation are both owned by William Duggan. Furthermore, after issuance of this Order, there is no indication in ABRA's records that it was served at the wrong address or received by a person unaffiliated with the license.

Subsequently, Caladon, LLC, filed a request for reinstatement dated October 9, 2019, which requested reinstatement and an extension of safekeeping without stating any reason or cause for granting the request. The Board considered this request and denied it in Board Order No. 2019-704, which noted the failure to pay the required renewal fees and untimely filing of the request. For the purposes of this Order, the Board presumes that the Petitioner is correct that this Order also misidentified the entity owner as 2461 Corporation when it should have listed Caladon, LLC, as the owner; nevertheless, there is no indication in ABRA's records that it was served at the wrong address or received by a person unaffiliated with the license.

Following the denial of reinstatement, the Petitioner requested an extension of time to file a motion for reconsideration. The Petitioner identified the error misidentifying the ownership of the license in the reinstatement Order and indicates that he does not have the complete agency file for ABRA License No. 017006 and all associated Orders. Therefore, the Petitioner requested more time to obtain them and additional time to file a motion for reconsideration.

The Board denies the request because the Petitioner could have asked for leave to file an untimely motion and an extension of time for the purpose of gathering agency documents before filing a request for reinstatement on October 9, 2019. Moreover, all issues related to notice and service or confusion related to errors in the Order, should any exist, could have been included with the October 9, 2019 motion. As such, the Board is not persuaded that granting additional time is warranted; especially, when the Petitioner has waived all rights to consider new issues not raised in the original October 9, 2019 motion. *See Dist. No. 1--Pac. Coast Dist. v. Travelers Cas. & Sur. Co.*, 782 A.2d 269, 278 (D.C. 2001) (saying that motions for reconsideration are not designed to allow "a party to complete presenting [its] case after the court has ruled against [it]" or to provide "arguments or . . . evidence that could have been raised prior to the entry of judgment").

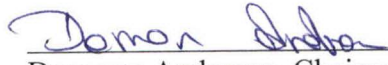
## ORDER

Therefore, on this 6th day of November, 2019, the request to extend the deadline for filing a motion for reconsideration is denied. A copy of this Order shall be sent to the Petitioner.

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identified itself as Cadalon Corp. *Email from Bill Duggan* (Mar. 13, 2017). As a result, the Petitioner has never been consistent in identifying itself to ABRA. Moreover, even if incorrect, there is no reason to believe that sending correspondence to 2461 Corporation would lead to confusion when the Petitioner has used that entity name in applications filed on behalf of ABRA License No. 017006.

District of Columbia  
Alcoholic Beverage Control Board

  
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Donovan Anderson, Chairperson

  
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James Short, Member

  
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Bobby Cato, Member

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Rema Wahabzadah, Member

  
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Raffi Crockett, 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 Regulation Administration, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, DC 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 (2008) 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).