

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

In the Matter of:

Applicant
Luxco, LLC
t/a New Columbia Distillers/
Green Hat Gin/Green Hat Distillery

Transferor
MGP Distilling, LLC
t/a New Columbia Distillers/
Green Hat Gin/Green Hat Distillery

Temporary Operator's Retail Permit of a
Retailer's Class A Manufacturer License

at premises
1824-1832 Fenwick Street, NE
Washington, D.C. 20002

Applicant's License No.: ABRA-119963
Transferor's License No.: ABRA-116565
Order No.: 2021-749

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rafi Crockett, Member
Jeni Hansen, Member
Edward S. Grandis, Member

**ORDER APPROVING REQUEST FOR A
TEMPORARY OPERATOR'S RETAIL PERMIT**

On November 4, 2021, the Alcoholic Beverage Regulation Administration (ABRA) received an Application for a Transfer of Ownership of the Retailer's Class A Manufacturer License ABRA-116565 from MGP Distilling, LLC, t/a New Columbia Distillers/Green Hat Gin/Green Hat Distillery (Transferor), to Luxco, LLC, t/a New Columbia Distillers/Green Hat Gin/Green Hat Distillery (Applicant).

The Applicant now comes before the Alcoholic Beverage Control Board (Board) for a Temporary Operator's Retail Permit (TORP) in accordance with 23 D.C. Municipal Regulations (DCMR) § 703.

Under 23 DCMR § 703, the purchaser of an ABC licensed establishment awaiting Board approval on a transfer of ownership application where no substantial change will occur may apply to the Board for a permit to temporarily operate under the license pursuant to the following conditions:

- (a) the transfer application must be filed with or before the application for temporary authority;
- (b) the subject premises must not have been closed nor the sale or service of alcoholic beverages discontinued during the thirty (30) days immediately prior to the filing of the permit application; and
- (c) that no substantial changes to the licensed premises will occur.

On November 4, 2021, the Applicant filed its Transfer Application, along with a No Substantial Change affidavit indicating that there will be no change in the nature of the licensed premises. Additionally, by separate letter, the Transferor filed its consent to the issuance of the TORP.

Thus, the Board, in its discretion, finds that the Applicant has met the requirements and does approve the request for a TORP. The TORP is valid until the transfer application is either granted or denied by the Board or until the TORP is cancelled or suspended by the Board pursuant to 23 DCMR § 703.5.

ORDER

The Board does hereby, this 10th day of November 2021, **APPROVES** the Applicant's request for a Temporary Operator's Retail Permit.

It is understood that until the Transfer Application is approved and the new license is issued by the Board, the Applicant will be operating under the Transferor's Retailer's Class A Manufacturer License No. ABRA-116565.

Copies of this Order shall be sent to the Applicant.

District of Columbia
Alcoholic Beverage Control Board

Signed via DocuSign
Donovan Anderson
Key: 3d43282a-55-42-806a-4770603d11dec58

Donovan Anderson, Chairperson

Signed via DocuSign
James Short
Key: 5d7ba37270270c66c051203256d240c1

James Short, Member

Signed via DocuSign
Bobby Cato
Key: 25d6506fa1b6d1a61070750c791742cd

Bobby Cato, Member

Signed via DocuSign
Rafi Aliya Crockett, Member
Key: 35d5c0d1845e10d4d014f135e5c120f1c2

Rafi Crockett, Member

Signed via DocuSign
Jeni Hansen, Member
Key: 821725917136447491b5599c2a41a55

Jeni Hansen, 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 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section II 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).