

**THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE AND CANNABIS BOARD**

**In the Matter of:** )  
)  
Shaker's, L.P. )  
t/a Shakers )  
)  
Transferor )  
WOW Enterprise, Inc. )  
t/a Whitlow's on Wilson )  
)  
Temporary Operator's Retail Permit of a )  
Retailer's Class CT License )  
)  
at premises )  
2012-2014 9th Street, NW )  
Washington, D.C. 20001 )  
)

Applicant's License No.: ABRA-125279  
Transferor's License No.: ABRA-121849  
Order No.: 2023-367

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

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

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On June 22, 2023, the Alcoholic Beverage and Cannabis Administration (ABCA) received an Application for a Transfer of Ownership of the Retailer's Class CT License No. ABRA-121849 from WOW Enterprise, Inc., t/a Whitlow's on Wilson (Transferor), to Shaker's, L.P., t/a Shakers (Applicant).

The Applicant now comes before the Alcoholic Beverage and Cannabis 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 June 22, 2023, 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 28th day of June 2023, **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 CT License No. ABRA-121849.

Copies of this Order shall be sent to the Applicant.

District of Columbia  
Alcoholic Beverage and Cannabis Board

eSigned via SeamlessDocs.com  
*Donovan Anderson*  
Key: 6c43c5b6b9045800e4e790023c10cc28

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com  
*James Short*  
Key: 547ac372320e0e0e0c1b332902940c

James Short, Member

eSigned via SeamlessDocs.com  
*Bobby Cato*  
Key: 256d3fca37be146d7f1575bc7917d23a

Bobby Cato, Member

eSigned via SeamlessDocs.com  
*Jeni Hansen, Member*  
Key: 821720125500447491252f0c2a41637

Jeni Hansen, Member

eSigned via SeamlessDocs.com  
*Edward Grandis, Member*  
Key: 5077bda7f8f0040e014adeb32541ce5

Edward S. Grandis, 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, 2000 14<sup>th</sup> 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).