

**THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

In the Matter of:

**DeLorean 88, LLC
1432 Wisconsin Avenue N.W.
Washington, D.C. 20007**

BZA Appeal No.: 21107

DELOREAN 88, LLC'S PRE-HEARING SUBMISSION

COMES NOW DeLorean 88 LLC (“DeLorean” and/or “Appellant/Petitioner”), by and through undersigned counsel, and, submits this Pre-Hearing Submission.

A. WITNESS LIST

1. Sanjeev Preet
c/o Musolino & Dessel PLLC
1615 L Street NW, Suite 440
Washington, D.C. 20036

Mr. Preet is a member of DeLorean. Mr. Preet will testify as to DeLorean’s current operations at 1432 Wisconsin Avenue NW, Washington, D.C. 20007, his knowledge of DeLorean’s Medical Cannabis Business License application (the “License Application”), DeLorean’s Alcoholic Beverage and Cannabis Administration (“ABC”) Notice of Appeal and Request for Reconsideration, DeLorean’s Supplemental Memorandum in support of their Notice of Appeal and Request for Reconsideration, DeLorean’s Second Supplemental Memorandum in support of their Notice of Appeal and Request for Reconsideration, communications with various members of the District of Columbia Government related to DeLorean’s License Application and Notice of Appeal and Request for Reconsideration, research undertaken in support of DeLorean’s Notice of Appeal and Request for Reconsideration, and details set out in his January 18, 2024, declaration in support of DeLorean’s Notice of Appeal and Request for Reconsideration. Mr. Preet will also testify as to

his communications with the Alcoholic Beverage and Cannabis Board, the Office of Zoning, and the Advisory Neighborhood Commission, and will testify about the events at the September 3, 2024, ANC 2E public meeting. Mr. Preet will also testify as to his background and professional experience working with ABCA (f/k/a ABRA).

2. Jimmy Lee
7318 Beechwood Drive
Springfield, V.A. 22153

Mr. Lee is a member of DeLorean. Mr. Lee will testify as to DeLorean's current operations at 1432 Wisconsin Avenue NW, Washington, D.C. 20007, the License Application, and Notice of Appeal and Request for Reconsideration. Mr. Lee will also testify as to his background and professional experience working with ABCA.

3. Peter Murillo
8200 Crossbrook Court, Unit 202
Lorton, V.A. 22079

Mr. Murillo is a member of DeLorean. Mr. Murillo will testify as to DeLorean's current operations at 1432 Wisconsin Avenue NW, Washington, D.C. 20007, and the License Application. Mr. Murillo will also testify as to his background and professional experience working with ABCA.

DeLorean reserves the right to call additional witnesses identified in their February 14, 2024, Appeal.

B. EXHIBIT LIST/PRESENTATION LIST:

Exhibit No.	Description	Bates No.	Adm.	Obj.	Over Obj.
A-1	November 1, 2023 License Application, with Attachments	DeLorean 88 LLC_0001 – DeLorean 88 LLC_0143			
A-2	Notice of Appeal to BZA with Attachments	DeLorean 88 LLC_0144 – DeLorean 88 LLC_0789			
A-3	Supplemental Notice of Appeal to BZA with Attachments	DeLorean 88 LLC_0790 – DeLorean 88 LLC_0903			
A-4	Pre-Hearing Statement of Office of Zoning	DeLorean 88 LLC_0904 – DeLorean 88 LLC_0915			
B-1	Communications Between Sara Bardin and Commissioner Mathews	DeLorean 88 LLC_0916 – DeLorean 88 LLC_0921			
B-2	Social Media Statements of Commissioner Mathews	DeLorean 88 LLC_0922 – DeLorean 88 LLC_0935			
B-3	Communications Between Commissioner Mathews and the Board	DeLorean 88 LLC_0936 – DeLorean 88 LLC_0941			
C-1	Board Decision Denying Application	DeLorean 88 LLC_0942			
C-2	Letter Requesting File	DeLorean 88 LLC_0943			
C-3	Board Decision Denying Motion	DeLorean 88 LLC_0944 – DeLorean 88 LLC_0950			
C-4	Notice of Appeal to DCCA	DeLorean 88 LLC_0951 – DeLorean 88 LLC_1032			
C-5	ABC Order Entering Stay	DeLorean 88 LLC_1033 –			

		DeLorean 88 LLC 1035			
C-6	DCCA Order Entering Stay	DeLorean 88 LLC 1036 – DeLorean 88 LLC 1037			
C-7	Order Staying Motion for Reconsideration	DeLorean 88 LLC 1038 – DeLorean 88 LLC 1041			
D-1	Declaration of Sanjeev Preet	DeLorean 88 LLC 1042 – DeLorean 88 LLC 1076			
D-2	Communications Between Sanjeev Preet and Sara Bardin	DeLorean 88 LLC 1077 – DeLorean 88 LLC 1080			
E-1	Board of Trade Map	DeLorean 88 LLC 1081 – DeLorean 88 LLC 1090			
E-2	Zoning Maps: Split Zoning: 1244/0854	DeLorean 88 LLC 1091 – DeLorean 88 LLC 1093			
E-3	O Street School Entrance	DeLorean 88 LLC 1094 – DeLorean 88 LLC 1096			
E-4	Puente Report: 1438 Wisconsin Ave NW	DeLorean 88 LLC 1097 – DeLorean 88 LLC 1098			
E-5	Zoning Maps: Split Zoning: Surrounding Properties	DeLorean 88 LLC 1099 – DeLorean 88 LLC 1106; DeLorean 88 LLC 1135 – DeLorean 88 LLC 1148			
F	Correspondence, Counsel: Appellant and ANC	DeLorean 88 LLC 1107 – DeLorean 88 LLC 1134			

G	Other D.C. Agencies	DeLorean 88 LLC_1149 – DeLorean 88 LLC_1155			
H	Zoning Maps	DeLorean 88 LLC_1156 – DeLorean 88 LLC_1179			

Respectfully submitted,

/s/ Philip M. Musolino
 Philip M. Musolino
 D.C. Bar No.: 294652
 Musolino & Dessel, PLLC
 1615 L Street, N.W., Suite 440
 Washington, D.C. 20036
 Phone: (202) 466-3883
 Email: pmusolino@musolinodessel.com
Counsel for DeLorean 88 LLC

CERTIFICATE OF SERVICE

I certify that on this 23rd day of September 2024, I caused a true and accurate copy of this Pre-Hearing Submission to be served via IZIS electronic filing system and electronic mail on the following:

Dennis Liu
Attorney Advisor
Office of Zoning Legal Division
441 4th Street NW, Suite 200S
Washington, D.C. 20001
Email: dennis.liu@dc.gov

Denise Wiktor
General Counsel
Office of Advisory Neighborhood Commissions
1350 Pennsylvania Avenue NW, Suite 11
Washington, D.C. 20004
Email: denise.wiktor@dc.gov

/s/ Philip M. Musolino
Philip M. Musolino