

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :
 :
Voyager 888, LLC :
t/a Assets :
1805 Connecticut Ave NW : Fact Finding
Retailer CN - ANC 2B : Hearing
License No. 113585 :
Case #22-251-00030 :
 :
(Chief of Police :
Hearing Request) :
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Wednesday
January 11, 2023

The Alcoholic Beverage Control Board
met via WebEx videoconference, Chairperson
Donovan W. Anderson presiding.

PRESENT:

- DONOVAN W. ANDERSON, Chairperson
- BOBBY CATO, JR., Member
- RAFI ALIYA CROCKETT, Member
- EDWARD S. GRANDIS, Member
- JENI HANSEN, Member
- JAMES SHORT, JR., Member

ALSO PRESENT:

- JOSE ORELLANA, DC ABRA Staff

1 P-R-O-C-E-E-D-I-N-G-S

2 2:09 p.m.

3 CHAIRPERSON ANDERSON: The next case
4 is a fact-finding hearing, Case Number 22-251-
5 00030, Assets, License Number 113585.

6 Mr. Orellana, can you please elevate
7 the rights of the parties in this case, please?
8 You should have the Licensee and the
9 Representative, the Sergeant, and an Investigator
10 from ABRA.

11 MR. ORELLANA: Richard Bianco, your
12 access has been elevated.

13 Jeremy (sic) Schaeffer, your access
14 has been elevated.

15 Jeremy Zollarcoffer, your access has
16 been elevated.

17 Kenny Brown, your access has been
18 elevated.

19 That is all, Chairman.

20 CHAIRPERSON ANDERSON: Thank you.

21 MR. BIANCO: Mr. Chair, my client,
22 Jeff Schaeffer, should be here as well. I don't
23 know if he was elevated or not.

24 CHAIRPERSON ANDERSON: He is elevated.
25 His name is on -- is on my -- his name -- his

1 rights were elevated. So

2 MR. BIANCO: All right.

3 CHAIRPERSON ANDERSON: I don't know
4 where he is, but he was -- his rights were
5 elevated.

6 MR. SCHAEFFER: I'm here. They listed
7 me as Jeremy. It's Jeffrey.

8 CHAIRPERSON ANDERSON: Your name is
9 listed -- your name is listed as Jeffrey
10 Schaeffer, S-C-H-A-E-F-F-E-R, sir.

11 MR. SCHAEFFER: I'm sorry. He spoke
12 Jeremy. I'm sorry. The gentleman spoke Jeremy.
13 I apologize.

14 CHAIRPERSON ANDERSON: There is a
15 Jeremy and there is a Jeffrey, sir. I can't see
16 you. If you have a camera, you can turn your
17 camera on. Then I will -- I can know who I'm
18 speaking to. But -- so do you have a camera so
19 you can turn on?

20 MR. SCHAEFFER: Yeah. I'm looking for
21 it now, sir.

22 (Pause.)

23 CHAIRPERSON ANDERSON: We're missing
24 -- I'm sorry. We're -- are you Officer Brown?
25 Who is Kenneth Brown?

1 SGT. BROWN: This is Sergeant Kenny
2 Brown. How are you?

3 CHAIRPERSON ANDERSON: Good afternoon,
4 sir. I wasn't sure

5 SGT. BROWN: Good afternoon.

6 CHAIRPERSON ANDERSON: Good afternoon.
7 Okay.

8 All right. Good afternoon, everyone.
9 This is a fact-finding hearing on Assets. We
10 were -- a fact-finding hearing was requested by
11 the Chief of Police based on an incident that
12 occurred at the establishment some time ago.

13 And so I'll have the parties identify
14 themselves. Let's start with the ABRA
15 Investigator, please. Mr. Zollarcoffer, please
16 spell and state your name for the record, please.

17 MR. ZOLLARCOFFER: Yes. My name is
18 Jeremy Zollarcoffer. It's spelled J-E-R-E-M-Y
19 Z-O-L-L-A-R-C-O-F-F-E-R.

20 CHAIRPERSON ANDERSON: And good
21 afternoon, sir.

22 MR. ZOLLARCOFFER: Good afternoon.

23 CHAIRPERSON ANDERSON: Mr. Bianco, can
24 you please identify yourself for the record,
25 please?

1 MR. BIANCO: Richard Bianco, R-I-C-H-
2 A-R-D B-I-A-N-C-O. And I am counsel for the
3 Licensee. And with me is Jeffrey Schaeffer. He
4 is one of the owners, and I can have him state
5 and spell his name as well.

6 CHAIRPERSON ANDERSON: Mr. Schaeffer,
7 can you please identify yourself for the record
8 by spelling and stating your name, please?

9 MR. SCHAEFFER: Yes. Jeffrey
10 Schaeffer, J-E-F-F-R-E-Y, last name Schaeffer, S-
11 C-H-A-E-F-F-E-R.

12 CHAIRPERSON ANDERSON: And what is
13 your relationship with the establishment, sir?

14 MR. SCHAEFFER: Owner.

15 CHAIRPERSON ANDERSON: All right.
16 Thank you, sir.

17 Sergeant Brown, can you please
18 identify yourself for the record by spelling and
19 stating your name, please? Yes, sir.

20 SGT. BROWN: Okay. Good. This is
21 Sergeant Kenneth Brown, K-E-N-N-E-T-H, last name
22 Brown, just like the color, B-R-O-W-N,
23 representing Metropolitan Police Department from
24 the 2nd District.

25 CHAIRPERSON ANDERSON: Good afternoon,

1 sir. All right. I'm going to start off with
2 you, Sergeant Brown, because this -- this -- I
3 know that we did an investigation, and I know
4 that the Chief of Police had requested that we
5 conduct a fact-finding hearing on this matter.

6 So can you just tell us why the Chief
7 of Police requested that we have a fact-finding
8 hearing regarding Assets, sir?

9 SGT. BROWN: So I'm going to read the
10 memorandum that was sent to me as a result, and
11 basically this letter is in reference to the
12 establishment located at 1805 Connecticut Avenue,
13 Northwest, Washington, D.C., which operates as
14 Assets Nightclub, Class C, ABRA-113585. The
15 establishment is located in Ward 2, ANC-2B01.
16 Requesting a fact-finding hearing regarding an
17 incident that took place on November 19, 2022, at
18 approximately 1:12 a.m.

19 Officers were dispatched to
20 1805 Connecticut Avenue, Northwest, regarding a
21 miscellaneous report. The 2nd District officers
22 in the Metropolitan Police Department, MPD,
23 responded to the location to investigate. Upon
24 arrival, officers encountered an Assets private
25 security guard standing outside the establishment

1 at 1805 Connecticut Avenue, Northwest, who
2 reported patrons were fighting at the location.

3 In an attempt to break up the fight,
4 the security guard reported that he slipped and
5 his gun fell out of his holster onto the ground.
6 At this time, an unknown person picked up the
7 weapon and fled the scene in a silver SUV.

8 The security -- the Assets security
9 employee called MPD to report his gun as stolen.

10 It was determined that the subject did
11 not have a license to carry a concealed weapon in
12 Washington, D.C. There were no injuries as a
13 result of the incident.

14 Video surveillance cameras at the
15 location recorded the above incident outside of
16 the location. A report was taken by the
17 Metropolitan Police Department for carrying a
18 pistol without a license, theft, and ABC
19 violation. The report number is 22168535.

20 CHAIRPERSON ANDERSON: Sergeant Brown,
21 do you know whether or not the weapon has been
22 found?

23 SGT. BROWN: From what I -- my latest
24 update is that it has not been located or found.

25 CHAIRPERSON ANDERSON: Okay. Mr.

1 Zollarcoffer, how -- can you tell us, how did you
2 become involved in this case, please, sir?

3 MR. ZOLLARCOFFER: So, on Saturday,
4 November 19, 2022, at approximately 1:15 a.m.,
5 MPD 2D Sergeant Darnell Benton telephoned ABRA
6 hotline about Assets located at 1805 Connecticut
7 Avenue regarding a physical altercation that
8 occurred inside the establishment and Assets
9 security staff carrying a pistol without a
10 license.

11 At approximately 1:30 a.m., ABRA
12 Investigator Jeremy Zollarcoffer and Kevin Puente
13 arrived on scene and met with MPD. MPD informed
14 ABRA investigators that an altercation --
15 physical altercation occurred inside of the
16 establishment that spilled outside onto the
17 sidewalk.

18 And while Assets security staff was
19 escorting the combatants out, one of the security
20 guards named Mr. Darrell Gunther, dropped his
21 firearm on the sidewalk and an unknown suspect
22 picked it up and fled the scene.

23 Mr. Gunther advised MPD that he does
24 not have a concealed carry permit in the District
25 of Columbia. MPD conducted a firearms record

1 check and confirmed Mr. Gunther was carrying a
2 pistol without a license and only licensed in the
3 State of Virginia.

4 At the time, there was a warrant
5 pending for his arrest. According to the officer
6 that just spoke, there hasn't been an arrest made
7 as of yet.

8 And to note, on November 22, in
9 reference of the fact-finding request, MPD made a
10 request for a fact finding to be convened to
11 address the most recent calls for service to
12 Assets, which is a cause for concern.

13 A check of MPD database reveals that
14 officers have responded to Assets 32 times in the
15 current calendar year. Calls for service range
16 from disorderly calls, business alarms, noise
17 complaints, sounds of gunshots, and a person with
18 a weapon.

19 It should be noted that two previous
20 fact-finding hearings have been submitted by MPD
21 pertaining to Assets. The first request involved
22 a robbery that occurred on October 19, 2019. The
23 second involved a shooting that occurred on
24 June 5, 2021.

25 According to ABRA records

1 investigative history, this would be Assets
2 fourth primary since 2019, and I do have some
3 video exhibits available to show of the incident
4 when you're ready.

5 CHAIRPERSON ANDERSON: Mr.
6 Zollarcoffer, I just want it put in the record.
7 You said that -- you gave a number. I think you
8 said 32 incidents. But that's for the year 2022,
9 because we're now in 23. You said this year,
10 so

11 MR. ZOLLARCOFFER: Excuse me. For
12 2022. So that was calls for service to date as
13 of November 22, 2022. Excuse me.

14 CHAIRPERSON ANDERSON: Thank you. I
15 had forgotten to remind the parties, this is a
16 fact-finding hearing. No parties are sworn in.
17 The Board is -- the Board has not made any
18 recommendations or any decision whether or not
19 this matter will be referred to the Office of
20 Attorney General for possible show cause hearing.

21 So the Board is just gathering
22 information to make -- to figure out what
23 occurred and what, if anything, the Board should
24 do regarding this matter.

25 MR. ZOLLARCOFFER: I understand.

1 CHAIRPERSON ANDERSON: And at a fact-
2 finding hearing, since the parties are not being
3 sworn in, it's not contested. The agency cannot
4 legally order the establishment to take any
5 specific action.

6 The Board can ask the agency to take
7 -- I'm sorry, the Licensee to take some action,
8 but they are free to decline to do that.

9 Thank you.

10 Mr. Bianco, any comments, anything you
11 want to say at this juncture, sir?

12 MR. BIANCO: Two things. One,
13 Investigator Zollarcoffer mentioned something
14 about video exhibits. We have not been provided
15 any video as part of this fact-finding request.
16 We received the notice of the fact-finding
17 hearing with the case report attached on or about
18 December 20th, but there was no video. So I
19 haven't seen any video on the issue.

20 Second, with respect to the specifics
21 of the incident, I'm sure the Board is interested
22 in our take on it, and I'm glad to put some of
23 those facts on the record now or wait until the
24 Board has had the opportunity to question the
25 investigator, whichever you'd prefer, Mr. Chair.

1 CHAIRPERSON ANDERSON: Mr.
2 Zollarcoffer, the camera footage, where is this
3 camera footage from that you have, sir?

4 MR. ZOLLARCOFFER: It was sent on --
5 it was sent over by the owner, Jeffrey Schaeffer,
6 a few days after the -- after the incident. So
7 the video that was sent over

8 CHAIRPERSON ANDERSON: So you're
9 saying

10 MR. ZOLLARCOFFER: Yeah.

11 CHAIRPERSON ANDERSON: -- you're
12 saying the video was provided to us from Assets
13 itself. Is that what you're saying, sir?

14 MR. ZOLLARCOFFER: That is correct.
15 Yeah. It was from Jeff, Jeffrey Schaeffer.

16 CHAIRPERSON ANDERSON: So, Mr. Bianco,
17 where is your -- where is your confusion, sir?

18 MR. BIANCO: Well, I'm sure my client,
19 if -- one, this is the first time that I'm
20 hearing that my client provided footage, but I'm
21 sure he provided whatever the agency requested.
22 I just don't have any idea what was requested --
23 that's not evident from the report -- or what's
24 going to be shown because that was not provided
25 to us with the report.

1 So there is probably, you know, hours
2 and hours of footage, and we don't have any idea
3 what is going to be shown if it wasn't provided
4 to us with the report, especially if there is
5 something that was appended to the report that
6 wasn't given to us.

7 So, you know, my confusion is I don't
8 know what they're showing, and normally exhibits
9 are served with the actual case report, and here
10 they were not and I don't know why.

11 CHAIRPERSON ANDERSON: Mr.
12 Zollarcoffer, now who requested -- who requested
13 video from Assets?

14 MR. ZOLLARCOFFER: I did. I made a
15 request the night of the incident.

16 CHAIRPERSON ANDERSON: And who did you
17 make the request to, sir?

18 MR. ZOLLARCOFFER: I was speaking with
19 Jeffrey Schaeffer and Gabby Schaefer on the
20 second floor.

21 CHAIRPERSON ANDERSON: So what
22 specifically -- what video did you request from
23 the -- from the agency -- from the Licensee, sir?

24 MR. ZOLLARCOFFER: I requested all
25 video of the time of the incident, probably about

1 30 minutes before, 30 minutes after.

2 Mr. Schaeffer sent over the videos pretty direct,
3 which were pretty informative of the incident of
4 starting inside, the security staff escorting
5 them out, and then the incident out front on the
6 sidewalk where the security officer lost his
7 firearm and somebody picked it up and ran away.

8 So it was pretty direct footage that
9 was provided by Jeffrey, and it got right to the
10 point. So it was helpful.

11 CHAIRPERSON ANDERSON: And can you --
12 in your -- I don't -- let me see if I have the
13 report in front of me. Did you specific -- in
14 your report, did you specifically ask Mr.
15 Schaeffer for what specific time period?

16 MR. ZOLLARCOFFER: Let me just look
17 back real quick. I think it was after -- during
18 the conversation with Ms. Gabby Miller Schaeffer
19 around the time she came back to sign for the
20 inspection, I requested it. I requested video
21 footage of the incident, occurred inside and
22 outside of the establishment, to be provided to
23 ABRA within 48 hours. That was

24 CHAIRPERSON ANDERSON: No. What I'm
25 asking, did you ask her -- in your report, did

1 you specifically place in your report what time
2 period you had requested video from, sir?

3 MR. ZOLLARCOFFER: No.

4 CHAIRPERSON ANDERSON: Now you just --
5 so what was the request you made to her?

6 MR. ZOLLARCOFFER: Please provide
7 video of the incident to ABRA within 48 hours,
8 and I think I -- I didn't note it in the report,
9 but I requested to her, which they understood
10 that I was -- I was trying to gain footage of the
11 incident, which they did -- they provided. I
12 wasn't specific on

13 CHAIRPERSON ANDERSON: I'm asking,
14 did

15 MR. ZOLLARCOFFER: -- on the time. I
16 believe at the time I might have mentioned about
17 30 minutes before, 30 minutes after, just to make
18 sure that we got a good idea of what was going
19 on. Yeah.

20 CHAIRPERSON ANDERSON: So what -- so
21 can you specifically tell us, I know that in your
22 report you said Exhibit 2, copy of video footage
23 and incident; Exhibit 3, copy of video footage
24 and incident; copy -- Exhibit 4, Exhibit 5, you
25 said copy of incident report.

1 So, but I guess -- so, Mr. -- all
2 right. So I'm switching back to Mr. Bianco. So,
3 Mr. Bianco, you weren't -- you were not aware
4 that your client provided us video?

5 MR. BIANCO: Well, according to the
6 report, it says video was requested. And there
7 is the representation in the exhibits attached
8 section that some kind of video is attached. I
9 just haven't seen it, so I don't know what it's
10 going to show.

11 I mean, it's a fact finding, so
12 nothing is being admitted as evidence. I suppose
13 I would just reserve any rights that I might have
14 in the event a show cause comes up to object to
15 the footage at that time. I just have never seen
16 it. And normally before we have to show up and
17 comment on something, we get the opportunity to
18 know what that is.

19 CHAIRPERSON ANDERSON: Mr. Bianco, one
20 of the reasons why I'm going through this
21 exercise, okay, this is video that your client
22 provided to us. And it's shocking to me that
23 you're saying to me that you weren't even aware
24 that your client provided video. And that's why
25 I'm making this -- again, this is not a show

1 cause hearing. It's just a fact-finding hearing,
2 sir.

3 The report clearly stated that there
4 is video attached. I understand your comment
5 that you don't know exactly what video, but I'm
6 just shocked that you're saying that you have not
7 viewed the video and you are not aware that your
8 client provided us video of the incident. That's
9 what I'm just trying to clarify the record, that
10 you're saying that you were not aware that your
11 client provided the agency a video of the
12 incident that occurred.

13 MR. BIANCO: Well, I understand that,
14 Mr. Anderson. I am equally shocked that the
15 Board is going to entertain exhibits to a report
16 that were not produced to the party as they are
17 required to be produced within 30 days of the
18 incident.

19 Nonetheless, we are where we are. And
20 if the Board is interested in viewing the video
21 -- again, it's not an evidentiary hearing, so I
22 would simply reserve any rights that I have to
23 object to those if they are proffered as an
24 exhibit in a hearing in the future.

25 And I would also note for the Board

1 that in preparation for hearings like this one, I
2 take a look at the information that is produced
3 to us -- to us, which will be put on the record
4 with the Board in preparing, and here the video
5 footage was not produced.

6 So I won't necessarily have any
7 additional information for the Board with respect
8 to what's shown in the video.

9 CHAIRPERSON ANDERSON: And just to
10 clarify the record, so you -- you, Mr. Bianco,
11 you have not viewed your client's files for video
12 of the incident, sir. Is that what you're
13 saying, that you have not viewed the video --
14 that you're having a fact-finding hearing -- let
15 me ask you a question.

16 Mr. Zollarcoffer, does this
17 establishment have a security plan?

18 MR. ZOLLARCOFFER: Yes, they do, sir.

19 CHAIRPERSON ANDERSON: Is there
20 anything in the security plan regarding cameras?

21 MR. ZOLLARCOFFER: Yes, there is.

22 CHAIRPERSON ANDERSON: All right. Can
23 you tell us what -- can you tell us -- can you
24 review -- tell us what is -- what is it that is
25 in their security plan regarding cameras, sir, if

1 you are able to provide that information.

2 MR. ZOLLARCOFFER: Sure. Under
3 security plan, I believe page 7, on the security
4 cameras, it states Assets has 12 security cameras
5 total. A floor plan detailing the position of
6 cameras and their coverage is attached as
7 Exhibit B. Management will ensure that all
8 cameras are operational, and at the beginning and
9 end of each shift, to provide complete coverage
10 of the premises without blind spots or
11 obstructions.

12 Any repairs or repositions of the
13 camera to ensure complete security camera
14 coverage of the premises will be done in a timely
15 manner. Security camera repairs will take place
16 within seven days of the discovery of the damage
17 to the cameras.

18 Any footage of a crime of violence or
19 a crime involving a weapon will be maintained for
20 30 days, and security footage will be made
21 available within 48 hours upon request from ABRA
22 or MPD. Assets will retain all security
23 recordings for a minimum of 30 days, regardless
24 of the content.

25 CHAIRPERSON ANDERSON: Thank you,

1 Mr. Zollarcoffer. Now, is there any reference in
2 the security plan -- I'm sorry -- regarding
3 weapons? Are you speaking, Mr. -- I can't hear
4 you if you are speaking to us, Mr. Zollarcoffer.

5 MR. ZOLLARCOFFER: Can you hear me
6 now?

7 CHAIRPERSON ANDERSON: Yeah, I can
8 hear you. Yes, sir.

9 MR. ZOLLARCOFFER: Okay. Okay. I
10 apologize for that. So let me pull this up.
11 According to the security plan, page 5,
12 Section E, under Weapons Confiscation, it states
13 weapons of any kind are not permitted in Assets
14 for any reason.

15 It goes on to state a patron -- a
16 patron may not enter the establishment with a
17 weapon. If a weapon is seized from a patron or
18 found in or immediately outside the
19 establishment, security personnel must notify
20 management. Management or head of security shall
21 contact MPD immediately and follow the advice of
22 an MPD officer regarding the security and
23 safeguarding of the seized weapon until an MPD
24 officer arrives.

25 The weapon shall be surrendered to an

1 MPD officer. Once he or she is -- he or she
2 arrives, the security plan -- the security
3 personnel member or manager who surrenders the
4 weapon to an officer must note the date, time,
5 officer's name, and officer's badge number.

6 A report of a weapon confiscated or
7 found and that is surrendered to police must be
8 entered into the incident report log containing
9 the date and time of the weapon's surrender to
10 MPD and the officer's name and badge number to
11 whom it was surrendered.

12 CHAIRPERSON ANDERSON: Thank you.
13 What I'm going to do, Mr. -- what I'm going to
14 ask you to do, Mr. Zollarcoffer -- as I stated to
15 you, Mr. Bianco, this is -- this is a fact-
16 finding hearing, and the Board has not made any
17 determination as yet what the next step is.

18 But this is -- these are videos that
19 were provided to the agency by your client, sir.
20 I'm puzzled that you have not seen your client's
21 videos. But the videos -- it's my understanding,
22 as testified by Mr. Zollarcoffer, that the videos
23 that he is going to show are videos that were
24 provided to the agency by your client.

25 So, Mr. Zollarcoffer, maybe if you

1 have the videos, can you please share your screen
2 with us and explain to us what it is that we're
3 seeing from these videos, sir.

4 MR. ZOLLARCOFFER: Okay. Let me pull
5 them up and then I'll share the screen. I'm
6 going to start with Video Number 1. Can you see
7 that? Are you able to see that?

8 MEMBER CROCKETT: Yes, we can.

9 MR. ZOLLARCOFFER: Are you able to see
10 that, sir?

11 MEMBER CROCKETT: Yes, Mr.
12 Zollarcoffer, we can see this.

13 MR. ZOLLARCOFFER: Okay. Good. Thank
14 you. So this first exhibit just shows the
15 interior of the establishment. If you can see my
16 cursor, this is the entrance to the
17 establishment. Excuse me. Where are we? The
18 screen is going to switch. Let me forward it a
19 little bit.

20 So the two -- the two combatants that
21 got into a fight are in the back of the
22 establishment. This is the first level of the
23 interior video. This is the back bar. These two
24 next to the cursor get into an altercation.

25 Security is kind of roaming. They do

1 have a couple of security guys roaming in there.
2 He's a security officer right here. These two
3 get into it, and it goes on to show just a quick
4 scuffle and them being escorted out pretty much
5 now.

6 Slaps them, punches them. They
7 immediately jump in. They grab both of the
8 combatants, and then they force them out the
9 front door.

10 Let me share the next one.

11 So this is when they make -- this is
12 when they exit out to the front. You see it
13 spills out to the front sidewalk. You see the
14 weapon drop. Suspect grabs it, runs. There's
15 other views of this as well, which Mr. Schaeffer
16 provided. That's Video Number 2.

17 Video Number 3 is a little bit
18 repetitive to the first one.

19 I'm going to go to Video Number 4,
20 which gives a good v

21 MEMBER CROCKETT: Mr. Zollarcoffer?

22 MR. ZOLLARCOFFER: Yes.

23 MEMBER CROCKETT: May I ask you to
24 please pause for one moment? The Chairman is
25 having some technical issues and needs to log

1 back in.

2 MR. ZOLLARCOFFER: Roger that.

3 MEMBER CROCKETT: Thank you.

4 (Pause.)

5 CHAIRPERSON ANDERSON: I apologize.

6 I had to restart my computer. I don't know what
7 was going on with it. So I apologize. So -- my
8 program became frozen. I did get a notification
9 that there was an issue with my volume, and then
10 my screen got frozen.

11 So I apologize. So I -- Mr.
12 Zollarcoffer, where we -- at least the last
13 question I was asking, I was asking you to share
14 your screen, and that's when I lost you. So did
15 you share your screen? And what happened while I
16 was gone?

17 MR. ZOLLARCOFFER: Yes. So I can
18 start back from point A. I did share two of the
19 videos prior with the rest of the Board and the
20 others on the call here. But I can share the
21 screen again and start with Video 1, which

22 CHAIRPERSON ANDERSON: No. You can --
23 you can move on, sir. Go ahead.

24 MR. ZOLLARCOFFER: Do you want me to
25 -- okay. I'll pick up from where I was.

1 Okay. Are you able to see this?

2 CHAIRPERSON ANDERSON: Yes.

3 MR. ZOLLARCOFFER: Okay. So this goes
4 on to show the altercation spill out onto the
5 sidewalk. Security staff immediately intervene.
6 They grab the combatants and they force him out
7 the front door, and this is what kind of
8 transpired on the sidewalk where the security
9 officer -- Mr. Gunther loses his firearm on the
10 sidewalk, and one of the suspects waiting in line
11 picks it up and flees the scene, as the MPD
12 officer was explaining earlier.

13 So I'm going to play it. Comes flying
14 out, gun drops on the -- on the ground. He picks
15 it up, runs up north on Connecticut Avenue. This
16 is Connecticut. This is Florida. Goes on to
17 give different views of the suspect and the
18 incident leading up to it. They do get a good
19 visual on the suspect who did take it, which was
20 him, and there will be some other views further
21 on in the video.

22 (Pause.)

23 MR. ZOLLARCOFFER: That's the suspect
24 right there waiting to get in line.

25 (Pause.)

1 MR. ZOLLARCOFFER: This is when it
2 spills out. The door is open, the crowd
3 immediately backs away a little bit. The gun
4 falls out right there. The gun is on the ground.
5 Security is still dealing with the situation.
6 The gun falls out, suspect grabs it.

7 That was pretty much the meat of the
8 altercation outside that was provided by
9 Mr. Schaeffer. Again, the video was helpful. It
10 gave a photo recognition on the suspect and the
11 incident inside and outside. So we do appreciate
12 that.

13 And that's the fourth video right
14 there. It goes on to different views of Florida
15 Ave. View shows the suspect running northbound
16 on Connecticut Avenue, fleeing that way, so it
17 was also provided with this view as well of the
18 incident.

19 CHAIRPERSON ANDERSON: Mr.
20 Zollarcoffer, the suspect who took the gun, was
21 this person involved in the altercation, or was
22 he just an innocent bystander? Do you know?

23 MR. ZOLLARCOFFER: Yeah. From what I
24 -- from what it appears to be, he was just
25 waiting in line to go in. He seen the

1 opportunity, the fight -- it spilled outside.
2 The weapon dropped. It appeared to be like a
3 spontaneous thing. He seen it, grabbed it, and
4 ran.

5 CHAIRPERSON ANDERSON: All right. You
6 can -- any questions by any of the Board members
7 on the videos? Any of the videos?

8 You can close your screen for the
9 moment, Mr. --

10 MR. ZOLLARCOFFER: Okay.

11 CHAIRPERSON ANDERSON: --
12 Zollarcoffer. Any questions by any Board members
13 on any of the videos?

14 Any questions -- Sergeant Brown, any
15 questions regarding the videos, sir?

16 SGT. BROWN: No questions from me.

17 CHAIRPERSON ANDERSON: Mr. Bianco?

18 MR. BIANCO: No, sir.

19 CHAIRPERSON ANDERSON: All right.
20 Anything else you want to add, Mr. Zollarcoffer?

21 MR. ZOLLARCOFFER: No. I guess -- I
22 guess to note that -- let me see here -- the
23 establishment has been having some calls for
24 service in the past. There have been some gun
25 violations in the past that I've noted, one going

1 back to 2019, October 19, one on June 5, 2021,
2 where another shooting was -- occurred.

3 So there have been some issues with
4 guns and violence over at this establishment, but
5 nothing else to note.

6 CHAIRPERSON ANDERSON: Mr.
7 Zollarcoffer, just one last question. I forgot
8 to ask it before. Do you know if there is
9 anything in the security plan that talks about
10 whether or not the security can have a weapon?

11 MR. ZOLLARCOFFER: I was looking for
12 that. It doesn't -- it doesn't state that
13 specifically. It just -- it kind of addresses
14 that weapons of any kind are not permitted in
15 Assets for any reason. So I'm assuming that that
16 goes for -- for all, but nothing specific to
17 patrons and staff separately.

18 CHAIRPERSON ANDERSON: Do you know --
19 I'm sorry. Do you know -- in the security plan,
20 do you know if there is any specifics about
21 training by security?

22 MR. ZOLLARCOFFER: Yes. It does -- it
23 does state quite a few training requirements.
24 Let me note here. Security staff training, staff
25 level -- excuse me. It has -- it's noted on

1 page 2, I believe. Security personnel training
2 requirements. It says Assets has three security
3 personnel on duty when it's open for business.
4 Only patrons 21 years or older may enter Assets
5 premises.

6 They do have some training on here
7 that's required by the security staff as well.
8 I'm trying to locate it. I can't find it at the
9 moment right now, but I do -- I do remember
10 coming over the fact that they do have training
11 for security staff prior to them being able to
12 work I think -- I want to say 14 days prior to
13 them being able to work they are required to go
14 through some type of security training prior to
15 working.

16 CHAIRPERSON ANDERSON: All right.
17 Okay. Thank you, Mr. Zollarcoffer.

18 Mr. Bianco, any questions that you
19 wanted to ask any of -- either the Investigator
20 or the Sergeant?

21 MR. BIANCO: No, Mr. Anderson. I have
22 no questions.

23 CHAIRPERSON ANDERSON: Do you have --
24 does your client have any response about what
25 occurred, sir?

1 MR. BIANCO: Sure. So I could -- I
2 could -- since the Board is not hearing from
3 sworn witnesses, I could put some background
4 information on the record, if it helps the Board
5 with context with respect to my client's security
6 procedures and what is permitted, and to the best
7 of our knowledge what occurred on the evening in
8 question.

9 Investigator Zollarcoffer I think is
10 correct. The cited section of the security plan
11 states that weapons of any kind are not permitted
12 in Assets for any reason. To the extent that
13 that language is ambiguous in any way, let me
14 clear it up. My client does not permit its
15 security guards to have weapons, guns or
16 otherwise, licensed or otherwise, in the
17 establishment. It's a violation of their policy.

18 In this particular case, this
19 individual had a concealed weapon on him at the
20 time, or at least he evidently admitted that he
21 had a concealed weapon on him and sought its
22 return.

23 My client's security consists of two
24 different components. There are some in-house
25 security that they hire, one of whom is the head

1 of security who coordinates both his in-house
2 folks as well as the outside contractors -- I'm
3 sorry, outside contractor. And this particular
4 individual with the concealed weapon in this case
5 was employed by the outside contractor.

6 My client's procedure for dealing with
7 the outside contractor is at the time that they
8 were hired approximately a year and a half ago
9 the outside contractor was provided with a copy
10 of the security plan, including the weapons
11 prohibition. Each individual that is to come and
12 work at the establishment is handed a copy of the
13 security plan.

14 My client's in-house head of security,
15 Luke Cooper, conducts the training with the
16 individuals that are going to be providing
17 security at the establishment, which includes
18 going over both the security plan as well as an
19 additional one-page document of policies and
20 procedures.

21 Included in that document, that one-
22 page document, is a very clear indication that
23 weapons are not permitted to be carried by any
24 employees of the establishment. This includes
25 security personnel. And, in addition to that, in

1 speaking with the owner of the company that is
2 providing security, that individual specifically
3 informs his folks, including the person in
4 question in this case, that weapons are not
5 permitted at the establishment by security
6 officers.

7 And since this incident occurred, my
8 client had an all-team meeting, reiterated the
9 fact that weapons are not allowed at any point
10 and has -- by any person and has even instituted
11 random pat-downs or wandings of employees when
12 they come to work, so they don't do it to
13 everybody but want the people to know that there
14 is a chance walking in the door they will be
15 checked for weapons.

16 So it's a violation of my client's
17 policy. This carrying of this weapon was not
18 condoned. It was not encouraged. They did not
19 know about it, and following the incident this
20 person was immediately terminated, has not
21 returned, will not return to this particular
22 establishment, and we have taken measures to
23 redouble efforts to make sure that staff is
24 trained and clearly understands that they are not
25 to bring weapons under any circumstances to the

1 premises.

2 CHAIRPERSON ANDERSON: I'm sorry. Who
3 again -- who does the training for your security
4 again, sir?

5 MR. BIANCO: Sure.

6 CHAIRPERSON ANDERSON: I'm sorry. The
7 security for the Licensee -- for the Applicant?

8 MR. BIANCO: Sure. So the in-house
9 head of security is named Luke Cooper, and he is
10 a direct employee of the establishment and not a
11 contractor. He does the training.

12 CHAIRPERSON ANDERSON: And what type
13 of training is it that he provides? What's his
14 background? What's his -- I'm sorry. What's his
15 background?

16 MR. BIANCO: So the training I'm
17 speaking of is not security training per se.
18 It's on the specifics of the security plan for
19 this establishment. So it consists of reading
20 through the security plan, reading through the
21 additional disclosure and direction that no
22 weapons are allowed, among other rules and
23 regulations.

24 It's not necessarily, you know, best
25 practices training for outside contractors who

1 come to us from a company that has conducted the
2 training for those best practices. So the
3 training that we give is specific to the policies
4 and procedures of this establishment as opposed
5 to general training about security practices and
6 best practices and procedures.

7 And I don't know Mr. Cooper. I could
8 let Mr. Schaeffer weigh in on exactly what his
9 background is. And I can also tell you that in
10 addition to Mr. Cooper's training, retired MPD
11 Sergeant Ray Middleton provides more detailed
12 security training for both the on-staff as well
13 as contractor security providers inside of the
14 establishment.

15 So tell me the relationship between
16 the contracted security and in-house security.

17 MR. BIANCO: Sure. So there are a few
18 -- so there is a head of security that is
19 in-house that is directly employed and two,
20 possibly three, on-payroll in-house security
21 officers.

22 And, Mr. Schaeffer, you can correct me
23 if I'm wrong, if it's more than that.

24 And Mr. Cooper, who is the in-house
25 head of security, also oversees the contractors,

1 and the contractors have been providing
2 additional security for about the last one-and-a-
3 half years. And on any given night, there will
4 be two or three contractors in addition to the
5 in-house security folks for the establishment.

6 So the head of -- the in-house head of
7 security is in charge of all security operations
8 at the premises, including employees and
9 contractors.

10 CHAIRPERSON ANDERSON: Now, do you
11 know whether or not the security -- any security
12 that has been -- I know you -- I know you
13 mentioned a retired MPD security person that
14 works with the establishment. But do you know
15 whether or not any security guards that -- that
16 are employed either directly or contracted by the
17 establishment, if they have licenses from MPD?

18 MR. BIANCO: It's my understanding
19 that they do. I have not looked up the
20 licensing, but the name of the security company
21 is Aaron Bird Security, or ABS.

22 And it is my understanding also from
23 reviewing the licensing materials that are
24 available from DCRA is that although MPD's
25 department is the licensing body, that licensing

1 is run through the Department of Consumer and
2 Regulatory Affairs. And, at hiring, my client
3 certainly inquires and verifies that the company
4 that they are hiring are appropriately licensed.

5 We do not have a policy in place where
6 we continue to back check, but certainly as a --
7 certainly at the outset of the contractual
8 relationship, it is something that my client
9 tries to establish.

10 CHAIRPERSON ANDERSON: Okay. Thank
11 you, Mr. Bianco.

12 Any questions by any Board members of
13 Mr. Bianco or of his client? Go ahead, Mr.
14 Short.

15 MEMBER SHORT: Mr. Bianco, will you
16 please restate -- you said DCRA gives licenses
17 for guns?

18 MR. BIANCO: No. We're talking about
19 the licensing of security companies and security
20 officers. And DCRA does not give licensing for
21 guns or for special police, which are security
22 officers licensed to carry guns. If you

23 MEMBER SHORT: Okay. I do understand
24 that.

25 MR. BIANCO: Yes.

1 MEMBER SHORT: But, Mr. Bianco, it was
2 testimony earlier today that this particular
3 guard had a warrant on him. Is that correct?

4 MR. BIANCO: I have no idea. We don't
5 get notified if -- if there is

6 MEMBER SHORT: Can anyone who is going
7 to testify today, especially the owner, can he --
8 can someone tell -- at least tell me as a Board
9 member, how can someone with a warrant on them,
10 first of all, be hired? Secondly of all, be
11 running around the nightclub or around the
12 business with a concealed weapon on them?

13 CHAIRPERSON ANDERSON: Mr. Short, I'm
14 just going to interject. What the report stated,
15 sir, was that because the individual did not have
16 a concealed weapon permit, MPD put a warrant
17 after. It was after the fact. The warrant was
18 issued after the incident occurred. It was not
19 before the incident.

20 MEMBER SHORT: Thank you. Thank you.
21 I misconstrued. I thought he might have had a
22 warrant before the weapon was dropped. Thank you
23 very much, Mr. Chair.

24 And I'd just like to ask -- well, I'll
25 wait. Not a problem. Thank you very much for

1 the clarification.

2 CHAIRPERSON ANDERSON: Any questions?
3 Any other questions by anyone, any Board members
4 or Sergeant Brown of -- regarding the ownership,
5 the Licensee?

6 SGT. BROWN: No questions from me.

7 CHAIRPERSON ANDERSON: I just want to
8 switch gears a little bit. Sergeant Brown, how
9 long have you been -- how long have you been a
10 police officer, sir?

11 SGT. BROWN: I've been a police
12 officer for eight years.

13 CHAIRPERSON ANDERSON: Eight years.
14 And I'm just curious about how is it that -- I
15 guess this person allegedly has his gun in a
16 holster. How could this incident occur? I mean,
17 is this -- as a police officer, who if you
18 have -- and I'm not saying this person is -- but
19 he has his gun in a holster, so can you

20 SGT. BROWN: So

21 CHAIRPERSON ANDERSON: Yeah. Explain
22 to me, sir, how can something like this occur,
23 sir.

24 SGT. BROWN: Yeah. So there is --
25 there's two kind of holsters. Okay? There's a

1 -- like a leather holster that most people have
2 or use when they have a concealed carry. This is
3 one that -- that I have. Hold on.

4 If everyone can see, this is a leather
5 holster. This is -- this is what I have. This
6 is issued by MPD. This is what I use on a daily
7 basis when I'm not at work or when I'm heading
8 into the city, or what have you.

9 There is another kind of holster that
10 comes with MPD as well that's a hard shell
11 holster, hard shell, hard plastic. This is
12 leather. It kind of bends, it folds. The other
13 one is a hard plastic.

14 In both types of holsters -- in my
15 leather holster, it's -- there's a point where I
16 can put it in and it will snap in. And so this
17 -- it snaps on, so even if I'm running or if I'm
18 jogging or someone -- if someone were to try to
19 pull this weapon out, it can't just come out.
20 That's -- again, that's if you have the leather
21 holster and if it -- and if you have this
22 snapped.

23 If you don't have it snapped and you
24 try to pull -- or if I'm running or if I trip and
25 fall, this may or this may not come out, because

1 there is nothing to hold or secure it from the
2 top point.

3 What the security guard -- excuse me.
4 Going back to the hard plastic holster, most
5 holsters -- hard plastic -- not all, but some,
6 have a -- kind of almost like the same thing.
7 There's a point at the very top where you can
8 lock it in place or something that can overlap
9 it, so the same thing -- so even if you push down
10 and open it, it may come up.

11 But if you actually have it -- if you
12 have the top point locked, even if someone were
13 to try to reach in, you can't take it. Or same
14 thing if you're trying to break up a fight, and
15 you bend or move, it wouldn't come out if it's --
16 if the top part is locked on.

17 What the security guard had that
18 night, what type of holster, I personally do not
19 know. I was not the official that responded to
20 the scene. I'm not sure if he had a leather
21 holster like what I have, or if he had the hard
22 plastic holster. But either way, whatever he
23 might have had, he didn't have it properly
24 secured. At least fasten it -- fasten in on the
25 top portion.

1 So maybe that's why the gun fell out
2 when it did. It didn't look like anyone pulled
3 it out of the holster. It didn't look like he,
4 the security guard, pulled it out of the holster.
5 It might have been not secured properly, and when
6 he was trying to escort or break up the fight, it
7 looked like it came out at the portion when he
8 came out the front door, maybe went down the
9 step. Maybe when he bent over, or what have you,
10 and then it fell out -- the object fell out. The
11 gun fell out, and then said suspect picked it up.

12 So I know that was a brief overview.
13 If anyone has any questions about that, please
14 let me know.

15 CHAIRPERSON ANDERSON: Thank you for
16 the overview. I'm just baffled that a gun could
17 fall out of a holster and -- some person with all
18 the melee, and someone just saw it, grabbed it,
19 and ran. And I'm just

20 MEMBER SHORT: Mr. Chairman?

21 CHAIRPERSON ANDERSON: -- you know

22 MEMBER SHORT: Mr. Chairman?

23 CHAIRPERSON ANDERSON: Hold on, Mr.
24 Short. I'm getting to you. So that's -- I'm
25 getting to you. That's all. So I was curious.

1 So thank you for the explanation that you gave,
2 sir.

3 Yes, Mr. Short.

4 MEMBER SHORT: Thank you.

5 Sergeant Brown, thank you very much
6 for your testimony, and thank you for your
7 service to the City.

8 SGT. BROWN: Thank you. I appreciate
9 that.

10 MEMBER SHORT: After watching the
11 video, I must ask this question. The pistol
12 falling out -- and I couldn't see whether it was
13 automatic or whether it was a revolver -- the
14 video wasn't that clear. But luckily, if it was
15 a revolver, when it falls to the ground like
16 that, there's a possibility it could go off by
17 itself. Isn't that true?

18 SGT. BROWN: Is that question
19 addressed for me, Mr. Short?

20 MEMBER SHORT: Yes, it is, Sergeant
21 Brown. Forgive me. Again, I couldn't tell -- it
22 looked more like a 9-millimeter that was picked
23 up. But if it were a revolver or some other type
24 of gun, just by falling to the ground, can a gun
25 discharge?

1 SGT. BROWN: Short answer, yes.

2 Likelihood -- most likely, not. And the reason
3 being is it takes a certain pressure point to
4 actually -- for the trigger to -- for the trigger
5 to compress and actually projectile to come out.

6 So at least in a pistol, in a handgun,
7 semi-automatic handgun, which is what I have -- a
8 Glock it takes five pounds of pressure.

9 Now, just falling to the ground,
10 there's a cover over -- most guns or actually all
11 -- all guns that I have seen personally, there's
12 a cover over the actual trigger.

13 Now, just falling to the ground, if
14 there wasn't that cover right there, could it
15 trigger -- could the trigger compress and
16 projectile come out? Possibly. But it takes
17 five pounds of pressure, so usually you have to
18 have your -- you know, your finger or an object,
19 something on the trigger to compress to have that
20 five pounds of pressure to pull back for a
21 projectile or bullet to come -- go off.

22 So is it possible? Anything is
23 possible, because sometimes certain guns
24 malfunction. I've heard cases where a weapon
25 will go off even if you -- depending on how you

1 load the weapon. Something could be mechanically
2 wrong with the weapon. Is it possible? Yeah.
3 Likelihood, slim to none. But is it possible?
4 Yes.

5 MEMBER SHORT: Okay. And thank you
6 for that answer. Now

7 SGT. BROWN: Yes, sir.

8 MEMBER SHORT: -- my last question to
9 you would be, how dangerous was it for someone to
10 pick up a pistol in front of the club with all
11 that crowd out there and head north on
12 Connecticut Avenue toward the Hilton Hotel, where
13 we know at certain times of the evenings there's
14 a lot of traffic on Connecticut Avenue?

15 What danger did that pose to the
16 community around that club?

17 SGT. BROWN: I would say it definitely
18 posed a danger, a potential threat to the
19 community. I'm not going to say what degree
20 per se, but I will say just a short answer it
21 would pose a danger, a threat, reason being for
22 most individuals if you have a concealed carry,
23 which this gentleman did, he most likely took a
24 course; he has been trained on said weapon; he
25 knows how to use his firearm. He knows if the

1 weapon is loaded or not.

2 Someone who just picks up a weapon
3 that is not his or hers, that maybe has no
4 training on said weapon, doesn't know whether
5 that weapon is loaded, how many rounds are in the
6 magazine, if there is a round in the chamber, if
7 it's like ready to operate and ready to shoot
8 upon first fire, now that creates a grave threat,
9 not only to the community but himself as well.

10 I mean, it's almost like driving a car
11 without having a license or not taking the proper
12 study and/or road test to operate a vehicle, you
13 don't know what you're doing -- you don't know
14 what you're doing.

15 So this is not -- this was not his
16 weapon. He didn't know if the weapon was loaded
17 or not. And it didn't belong to him. So there
18 are several dangers or threats as well as to the
19 community.

20 Another factor could be you see
21 someone running up the street or down the street,
22 or what have you, that's not an officer with a
23 gun in his or her hand. You know, as an officer,
24 if I were to see that, you know, who knows the
25 accident response I would take with someone who

1 is not uniformed running up and down the street
2 with said weapon, or as a citizen if you were to
3 see someone running up and down the street,
4 taking off in flight, and not uniformed, not
5 wearing any emblems that say police, or whatever,
6 with said weapon, that would be -- that would --
7 just as a regular citizen walking the street, you
8 may view that as a threat to you and wouldn't
9 know if you were the target of a potential
10 assault, or what have you.

11 So I know that's a roundabout answer,
12 but hopefully that provides some insight.

13 MEMBER SHORT: Thank you again for
14 your service, Sergeant Brown.

15 And thank you, Mr. Chair, for allowing
16 me to ask questions.

17 Thank you, Sergeant Brown.

18 SGT. BROWN: All right. Yes.

19 CHAIRPERSON ANDERSON: All right. Any
20 other questions, comments, by anyone else?

21 All right. Any final comment that you
22 want to make on behalf of your client, Mr.
23 Bianco?

24 MR. BIANCO: No, Mr. Chair.

25 CHAIRPERSON ANDERSON: All right.

1 Thank you.

2 As I stated before, this is a fact-
3 finding hearing. The Board -- the Chief of
4 Police had requested that we have a fact-finding
5 hearing in this matter. We have had the hearing.
6 The Board will take this matter under advisement
7 and make recommendation for further action.

8 The options that are available to the
9 Board: no further action because we do not
10 believe that a violation occurred, or we can
11 refer this matter to the Office of the Attorney
12 General for them to consider whether or not they
13 should bring a show cause hearing against the
14 establishment.

15 And so if there are no other
16 questions, Sergeant Brown, thank you very much
17 for your appearance today, your testimony today.

18 And, Mr. Bianco, and your client,
19 thank you for being here today.

20 And this matter is adjourned. Thank
21 you very much. Have a great day.

22 MR. ZOLLARCOFFER: Take care. Have a
23 good day.

24 (Pause.)

25 CHAIRPERSON ANDERSON: All right. I

1 just want to make sure that we have concluded our
2 day. Since we have concluded -- we have
3 concluded our afternoon calendar, then I'm going
4 to close our agenda for the day.

5 As Chairperson of the Alcoholic
6 Beverage Control Board for the District of
7 Columbia, in accordance with D.C. Official Code
8 Section 2575(B)(14) of the Open Meetings Act, I
9 move that ABC Board hold a closed meeting on
10 January 25, 2023, for the purpose of discussing
11 and hearing reports concerning ongoing or planned
12 investigations of alleged criminal or civil
13 misconduct, or violations of law or regulations,
14 and seeking legal advice from our legal counsel
15 on the matters identified on the Board's legal,
16 licensee, and investigative agenda for
17 January 25, 2023, as published in the D.C.
18 Register on January 20, 2023. Is there a second?

19 MEMBER SHORT: Mr. Short. I second.

20 CHAIRPERSON ANDERSON: Mr. Short has
21 seconded the motion. I will now take a roll call
22 vote on the motion before us now that has been
23 seconded. Mr. Short?

24 MEMBER SHORT: Mr. Short. I agree.

25 CHAIRPERSON ANDERSON: Mr. Cato?

1 MEMBER CATO: Bobby Cato. I agree.

2 CHAIRPERSON ANDERSON: Ms. Crockett?

3 MEMBER CROCKETT: Rafi Crockett. I
4 agree.

5 CHAIRPERSON ANDERSON: Ms. Hansen?

6 MEMBER HANSEN: Jeni Hansen. I agree.

7 CHAIRPERSON ANDERSON: Mr. Grandis?

8 MEMBER GRANDIS: Edward Grandis. I
9 agree.

10 CHAIRPERSON ANDERSON: Mr. Anderson.

11 I agree. As it appears that the motion has
12 passed, I hereby give notice that the ABC Board
13 will hold this closed meeting pursuant to the
14 Open Meetings Act. Notice will also be posted on
15 the ABC Board hearing room bulletin board, placed
16 on electronic calendar, ABRA's website, and
17 published in the D.C. Register in as timely a
18 manner as practical.

19 We are now adjourned for the day. I
20 would like to thank the Board members and members
21 of the public who have participated in this -- in
22 these hearings today.

23 So now that we have adjourned, I'm
24 asking all Board members to return to Executive
25 session for further action.

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Have a great afternoon. Thank you
very much.

(Whereupon, the proceedings in the
above-entitled matter went off the
record at 3:14 p.m.)

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Before: DC ABRA

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