

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE AND CANNABIS BOARD  
+ + + + +  
MEETING

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IN THE MATTER OF: :  
 :  
Noah Limited :  
Liability Company, LLC :  
t/a Boulevard Lounge :  
6233 Georgia Ave NW : Show Cause  
Retailer CT - ANC 4B : Hearing  
License No. 115385 :  
Case #23-251-00006 :  
 :  
(Failed to have security :  
cameras operational, :  
Interfered with an :  
ABCA Investigation, :  
Substantial Change - :  
Increase in Occupancy) :  
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Wednesday  
February 14, 2024

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

PRESENT:

DONOVAN W. ANDERSON, Chairperson  
SILAS GRANT, JR., Member  
JAMES SHORT, JR., Member

ALSO PRESENT:

JOSE ORELLANA, DC ABCA Staff  
COLLIN CENCI, DC OAG  
INVESTIGATOR GEORGE GARCIA

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

2 (10:50 a.m.)

3 CHAIRPERSON ANDERSON: The next case  
4 on our calendar is Case No. 23-251-00006,  
5 Boulevard Lounge, License No. 115385.

6 Mr. Orellana, can you please elevate  
7 the licensee in this case? I think the  
8 government is Mr. Cenci, and I think he had put  
9 something in the chat that he had to step away,  
10 but is there a licensee online for this case,  
11 sir?

12 MR. ORELLANA: No. I only see Collin  
13 Cenci and Investigator George Garcia. Apologies.

14 CHAIRPERSON ANDERSON: Okay. All  
15 right.

16 MR. ORELLANA: Investigator George  
17 Garcia, your access has been elevated. Collin  
18 Cenci, your access has been elevated.

19 That is all, Chairman.

20 CHAIRPERSON ANDERSON: All right.  
21 Thank you.

22 While we're waiting, let me call this  
23 other case later today.

24 All right. I see the government is  
25 here, so let me have - Mr. Orellana, can you do

1 me one additional - can you please do another  
2 all call to see if there is anyone for this  
3 establishment online?

4 MR. ORELLANA: Sure thing. Yes.  
5 Currently, it's just the government, Christopher  
6 Southcott, and our court reporter in the waiting  
7 area.

8 CHAIRPERSON ANDERSON: All right.  
9 Thank you, sir.

10 All right. Good morning, Mr. Cenci.  
11 Can you please identify yourself for the record,  
12 please, by spelling and stating your name?

13 MR. CENCI: Collin Cenci, C-O-L-L-I-N  
14 C-E-N-C-I, Assistant Attorney General with the  
15 Office of the Attorney General for the District  
16 of Columbia, representing the District today.  
17 And I'm sorry about the delay.

18 CHAIRPERSON ANDERSON: All right.  
19 Good morning, sir.

20 I see that the licensee is not here.  
21 We've checked. There is no one in waiting. Just  
22 before - has your office been in contact with  
23 this licensee?

24 MR. CENCI: We have not been in  
25 contact since the licensee's appearance at the

1 Status Hearing for this case. We did send them  
2 an Offer in Compromise before the Status Hearing,  
3 and he did attend the Status Hearing.

4 CHAIRPERSON ANDERSON: All right. And  
5 this matter is scheduled for a Show Cause Hearing  
6 Status. Is the government ready and able to move  
7 forward?

8 MR. CENCI: The government is prepared  
9 to proceed with a full Show Cause Hearing today.

10 CHAIRPERSON ANDERSON: All right.  
11 Okay. Pursuant to D.C. Official Code Section 25-  
12 447(E), the Board has authority to proceed ex  
13 parte where the licensee waives the hearing or  
14 fails to appear unless a hearing is extended for  
15 good and sufficient cause.

16 It's my understanding that -- I don't  
17 have the date in front of me, but the record  
18 reflects that the licensee was properly served.

19 Do you have a copy of when the  
20 licensee was served? Do you know the date when  
21 the licensee was served, Mr. Cenci?

22 MR. CENCI: Just a moment. I do not  
23 believe I have a service form for this specific  
24 case. I have a very different case about this  
25 establishment. I -- given that this hearing was

1 scheduled to be held last month and was continued  
2 at the Board's request.

3 CHAIRPERSON ANDERSON: All right. I  
4 will put the date in later on today when I -  
5 I'll ask legal to provide me the date when the  
6 licensee was properly served.

7 Anyway, seeing no licensee here today  
8 and having no good and sufficient cause to extend  
9 this hearing, the Board will proceed with the  
10 Show Cause Hearing. All right.

11 Do you wish to do an opening  
12 statement?

13 MR. CENCI: Mr. Chairperson, as a  
14 preliminary matter, --

15 CHAIRPERSON ANDERSON: Yes, sir.

16 MR. CENCI: -- the District would  
17 request that given the absence of the licensee  
18 that, the absence of the licensee, it is  
19 tantamount to a default on the charges that are  
20 alleged in the Show Cause Notice.

21 The licensee is not here to contest  
22 these charges and is failing to do so, therefore,  
23 the government would ask that the allegations in  
24 the Show Cause Notice be deemed as true, and  
25 given that the case report for this particular

1 matter is already in evidence under statute that  
2 we be allowed to proceed and ask that the Show  
3 Cause - that the matter be defaulted against the  
4 establishment and that the Board proceeds with  
5 assessing a penalty consistent with D.C. Code,  
6 Section 25-830.

7 CHAIRPERSON ANDERSON: But I assume  
8 part of the concern is that - I don't know what  
9 this case is about, so I need to put something on  
10 the - we need to have something on the record so  
11 the Board will have something on the record to  
12 base its decision on.

13 So, preliminary, I think that maybe  
14 you don't have to put on a full case, but I would  
15 ask that you put some - maybe you could have the  
16 investigator highlight the report to state what  
17 the concern -- what the issues were, what the  
18 signings were, and we can move on from there, but  
19 I need to have something on the record so we can  
20 - we'll have some type of factual basis for once  
21 the Board deliberates to make a decision, we'll  
22 have a factual basis to make that determination,  
23 sir.

24 MR. CENCI: Understood. We will  
25 proceed then.

1 CHAIRPERSON ANDERSON: All right. But  
2 as I said before, you do not have to do a full -  
3 you can just let us know what the facts are.  
4 There's no - and if the Board has questions of  
5 the - also, I would say call the witness,  
6 present the facts.

7 If the Board Members have questions,  
8 they can ask the questions, and the matter, the  
9 case is submitted, and the Board will make a  
10 determination.

11 I just want to put on the record that  
12 the licensee was personally served on January 11,  
13 2024, for the rescheduled hearing, so personal  
14 service was done on January 11, 2024.

15 All right. So, does the government  
16 have a witness that they wish to call?

17 MR. CENCI: Yes, we do.

18 CHAIRPERSON ANDERSON: Or, do you want  
19 to do - do you want to do a brief opening  
20 statement? You don't have to. It's up to you.

21 MR. CENCI: A very brief opening  
22 statement.

23 CHAIRPERSON ANDERSON: Go ahead, sir.  
24 OPENING STATEMENT BY COLLIN CENCI

25 MR. CENCI: Good morning, Members of

1 the Board. Today we are here in the show cause  
2 matter of Noah Limited Liability Company, trading  
3 as Boulevard Lounge, located at 6233 Georgia  
4 Avenue, N.W., Washington, D.C.

5 Today, you'll hear on the morning of  
6 January 24, 2023, MPD and ABCA responded to a  
7 call at Boulevard Lounge in response to reports  
8 of a fight. And the evidence will show that when  
9 they arrived, over 90 patrons were crammed inside  
10 of the establishment whose license capacity was  
11 only 24.

12 You'll also hear when ABCA  
13 investigated the events of that night, it learned  
14 how the establishment's security cameras were not  
15 operational before the establishment went  
16 completely radio silent to provide ABCA with  
17 requested documents.

18 The Show Cause Notice in this matter  
19 concerns charges of the licensee, one, failed to  
20 ensure its security cameras were operational in  
21 violation of D.C. Code Section 25-836G1; two,  
22 interfered in an investigation by not producing  
23 requested documents within 48 hours in violation  
24 of D.C. Code Section 25-823A5E; and three,  
25 operated over capacity in violation of D.C. Code



1 Section 25-762B1.

2 The District bears the burden of proof  
3 and will be able to meet it through the testimony  
4 of our witness, ABCA Investigator George Garcia.  
5 Investigator Garcia will testify that he was the  
6 investigator who responded to the call for ABCA  
7 at Boulevard Lounge on January 24th.

8 He'll tell you how he learned that the  
9 establishment was operating over capacity, how  
10 the establishment told him its security cameras  
11 were not functional, and how the establishment  
12 eventually stonewalled him on his request for  
13 documents despite him requesting multiple times.

14 At the end of this hearing, it will be  
15 clear that the licensee violated the terms of its  
16 license and entered into ABCA's investigation.  
17 And that is why at the end of this hearing, I'll  
18 ask you to find that in the District of Columbia  
19 and apply the maximum penalty consistent with  
20 D.C. Code Section 25-830. We're ready to  
21 proceed.

22 CHAIRPERSON ANDERSON: Thank you.  
23 Do you have a witness you wish to  
24 call?

25 MR. CENCI: Yes. The District calls

1 Investigator George Garcia.

2 CHAIRPERSON ANDERSON: Mr. Garcia, can  
3 you raise your right hand?

4 Do you swear or affirm to tell the  
5 truth and nothing but the truth?

6 MR. GARCIA: I do.

7 CHAIRPERSON ANDERSON: Your witness,  
8 sir.

9 MR. CENCI: All right.

10 DIRECT EXAMINATION BY MR. CENCI

11 MR. CENCI: Good morning, Investigator  
12 Garcia. Can you please state and spell your  
13 first and last name for the record?

14 MR. GARCIA: George, G-E-O-R-G-E,  
15 Garcia, G-A-R-C-I-A.

16 MR. CENCI: Where do you work?

17 MR. GARCIA: At the Alcoholic Beverage  
18 and Cannabis Administration.

19 MR. CENCI: What is your position with  
20 ABCA?

21 MR. GARCIA: I'm an investigator.

22 MR. CENCI: What are some of your  
23 roles and responsibilities as an investigator?

24 MR. GARCIA: We conduct inspections  
25 and investigations of ABC license establishments

1 within the District of Columbia.

2 MR. CENCI: Are you familiar with an  
3 establishment located at 6233 Georgia Avenue,  
4 N.W., Washington, D.C. called Boulevard Lounge?

5 MR. GARCIA: Yes.

6 MR. CENCI: How are you familiar with  
7 this establishment?

8 MR. GARCIA: I was assigned as the  
9 investigator to conduct a 251 investigation.

10 MR. CENCI: What's a 251  
11 investigation?

12 MR. GARCIA: It's an investigation  
13 initiated by MPD when an incident takes place at  
14 an establishment.

15 MR. CENCI: When did you receive this  
16 referral for 251 investigation for Boulevard  
17 Lounge?

18 MR. GARCIA: On Tuesday, January 24th  
19 of 2023.

20 MR. CENCI: What did the referral say?

21 MR. GARCIA: The 251 investigation  
22 stated that an incident took place, an  
23 altercation took place at the establishment, and  
24 in the surrounding area gunshots were fired or  
25 heard.

1 MR. CENCI: Did you respond to the  
2 establishment that evening?

3 MR. GARCIA: I did.

4 MR. CENCI: And what did you do once  
5 you got there?

6 MR. GARCIA: I made contact with the  
7 reporting MPD officer on site and spoke to him.

8 MR. CENCI: Who was that MPD officer?

9 MR. GARCIA: That is MPD Officer  
10 McKay, Robert McKay.

11 MR. CENCI: Were you and Officer McKay  
12 when you were speaking, were the two of you  
13 alone?

14 MR. GARCIA: No. The owner was  
15 present as well.

16 MR. CENCI: And what's the name of the  
17 owner of Boulevard Lounge?

18 MR. GARCIA: Girma, Theodros.

19 CHAIRPERSON ANDERSON: Can you spell  
20 that for the record, please, Mr. Garcia?

21 MR. GARCIA: Yes. The first name is  
22 Theodros, T-H-E-O-D-R-O-S, last name Girma, G-I-  
23 R-M-A.

24 MR. CENCI: Was Mr. Girma there the  
25 entire time that you were speaking with Officer

1 McKay, Investigator?

2 MR. GARCIA: Yes, he was.

3 MR. CENCI: What did the three of you  
4 discuss once you got there and made contact with  
5 Officer McKay?

6 MR. GARCIA: Once - multiple things,  
7 but overall, the incident that took place inside  
8 of the establishment, the establishment's  
9 occupancy, and the fact that the establishment  
10 was locking the door, which was a violation and a  
11 safety hazard according to MPD.

12 MR. CENCI: Let's go through those  
13 things one at a time. So, first, the incident  
14 that you mentioned. What did you discuss with  
15 the two of them about the incident that caused  
16 you to go to Boulevard Lounge that evening?

17 MR. GARCIA: It was an altercation  
18 that took place inside of the establishment where  
19 females were fighting of some sort. I'm not sure  
20 what escalated the altercation, but an  
21 altercation took place inside where both parties  
22 were separated and one party was put on the  
23 outside of the establishment where the other  
24 party remained on the inside.

25 MR. CENCI: Did you assess any charges

1 related to the establishment's license based on  
2 this incident?

3 MR. GARCIA: The incident as far as  
4 the altercation that took place?

5 MR. CENCI: The altercation itself,  
6 yes.

7 MR. GARCIA: No.

8 MR. CENCI: Why not?

9 MR. GARCIA: I couldn't determine -  
10 in my opinion, the establishment diffused the  
11 situation, so they handled the situation  
12 according to their security procedures putting  
13 one party out of the establishment where the  
14 other party remained in the establishment which,  
15 to de-escalate the situation.

16 MR. CENCI: You also said that you  
17 were concerned that the establishment was  
18 operating over capacity.

19 MR. GARCIA: Correct.

20 MR. CENCI: What did you all discuss  
21 about the establishment's capacity that evening?

22 MR. GARCIA: So, Officer McKay did  
23 make me aware that the establishment was  
24 operating on the inside with over 90 patrons  
25 inside of the establishment.

1 MR. CENCI: When Officer McKay said  
2 there were over 90 people in the establishment,  
3 was Mr. Girma there with the two of you?

4 MR. GARCIA: Yes.

5 MR. CENCI: How did Mr. Girma respond  
6 to the assertion that there were over 90 people  
7 in Boulevard Lounge?

8 MR. GARCIA: He stated that he was  
9 allowed more - his occupancy was for 84.

10 MR. CENCI: Did Mr. Girma ever deny  
11 that there were over 90 people inside of the  
12 establishment that evening?

13 MR. GARCIA: No, he did not.

14 MR. CENCI: So, that was the  
15 conversation that you had with Officer McMay and  
16 with Mr. Girma. Did you have any conversations  
17 with just Mr. Girma that evening?

18 MR. GARCIA: I did.

19 MR. CENCI: What did you discuss with  
20 him?

21 MR. GARCIA: I advised Mr. Girma that  
22 it was a violation to operate with more than 24  
23 people in the violation because ABCA only  
24 approved the establishment to operate within 24  
25 of the occupancy.

1 MR. CENCI: All right. You're saying  
2 that ABCA only approved 24 people in the  
3 establishment. Did you get a chance to look at  
4 that establishment's license?

5 MR. GARCIA: I did.

6 MR. CENCI: Investigator, is it part  
7 of your role to draft case reports related to  
8 investigations that you conduct?

9 MR. GARCIA: It is.

10 MR. CENCI: Would you recognize a copy  
11 of one for this establishment if I were to show  
12 it to you?

13 MR. GARCIA: Yes.

14 MR. CENCI: All right. Mr.  
15 Chairperson, we'd just like to confirm for the  
16 record that the government's exhibit, the case  
17 report for Boulevard Lounge is already in  
18 evidence pursuant to 23 DCMR 1713.10.

19 CHAIRPERSON ANDERSON: Yes, it is part  
20 of the record.

21 MR. CENCI: All right. And may I  
22 share my screen?

23 CHAIRPERSON ANDERSON: Mr. Orellana,  
24 can you please allow Mr. Cenci to share his  
25 screen?



1 MR. ORELLANA: Access has been  
2 granted.

3 CHAIRPERSON ANDERSON: Thank you.

4 MR. CENCI: All right.

5 Investigator, I'm showing you what is  
6 in evidence as Government's Exhibit 1. I'm just  
7 trying to zoom in a little more. Can't quite see  
8 it yet, but that's all right. I'm just going to  
9 scroll through the entire document. Just review  
10 it silently to yourself as I do so.

11 All right. Investigator, is this the  
12 case report that you drafted for Boulevard Lounge  
13 related to this investigation?

14 MR. GARCIA: Yes.

15 MR. CENCI: All right. I'm directing  
16 your attention to page, I believe, 11 -- my  
17 apologies -- page 13. Do you see that page in  
18 front of you now?

19 MR. GARCIA: Yes.

20 MR. CENCI: Is this the  
21 establishment's ABC license as it was in effect  
22 on the night of your investigation?

23 MR. GARCIA: Yes.

24 MR. CENCI: What is the listed  
25 capacity for this establishment?

1 MR. GARCIA: Twenty-four.

2 MR. CENCI: This may seem like an  
3 obvious question, but the establishment has 90  
4 people inside. Is that exceeding the listed  
5 capacity on this license?

6 MR. GARCIA: Yes, it is.

7 MR. CENCI: I'm now going to direct  
8 your attention to page seven. Investigator, as  
9 part of this investigation, did you receive a  
10 case report from MPD regarding their  
11 investigation of this incident?

12 MR. GARCIA: Yes.

13 MR. CENCI: Is this the case report  
14 that you received?

15 MR. GARCIA: Yes, it is.

16 MR. CENCI: To your knowledge, is this  
17 written by that Officer McKay who you spoke about  
18 earlier?

19 MR. GARCIA: Yes, it is.

20 MR. CENCI: Directing your attention  
21 to in the public narrative section, the fourth  
22 paragraph, can you please read that paragraph  
23 aloud for the Board?

24 MR. GARCIA: You said the fourth  
25 paragraph?

1 MR. CENCI: Fourth paragraph under  
2 public narrative.

3 MR. GARCIA: Upon arrival, it was  
4 continuously observed that the rear and front  
5 doors of the establishment were locked. The  
6 amount of individuals present to include staff  
7 that was present inside of the location numbered  
8 over 90, rough count even after some patrons had  
9 left.

10 MR. CENCI: Investigator, does that  
11 accurately reflect what Officer McKay told you  
12 the night that you were there?

13 MR. GARCIA: Yes.

14 MR. CENCI: All right. I'm going to  
15 stop sharing my screen.

16 So, Investigator, after you had  
17 advised Mr. Girma of these violations, did you  
18 leave the establishment that night?

19 MR. GARCIA: I did.

20 MR. CENCI: Did you continue your  
21 investigation into Boulevard Lounge at a later  
22 date and time?

23 MR. GARCIA: I did.

24 MR. CENCI: What did you do to  
25 continue your investigation?

1 MR. GARCIA: I contacted Mr. Girma via  
2 phone.

3 MR. CENCI: When was the first time  
4 you contacted him on the phone?

5 MR. GARCIA: First time was on  
6 Wednesday, January 25th.

7 MR. CENCI: What did you discuss with  
8 him on Wednesday, January 25th?

9 MR. GARCIA: I discussed the overall  
10 concerns of the establishment and the altercation  
11 that took place in the establishment, and he was  
12 able to describe to me a lot clearer about the  
13 incident that took place.

14 MR. CENCI: Well, we don't need to get  
15 back into the details of the incident if you  
16 didn't find any violations, but did you request  
17 anything from Mr. Girma?

18 MR. GARCIA: I did. I did. I  
19 requested the amount of security and along with  
20 their names and contact information, along with  
21 video footage of the establishment of that night.

22 MR. CENCI: Again, let's go through  
23 them one at a time. That video footage, what did  
24 Mr. Girma tell you when you requested the  
25 establishment's security camera footage?

1 MR. GARCIA: He said that he would  
2 provide the footage initially, but in this  
3 contact, when I contacted him, he advised me that  
4 the video footage was not functioning.

5 MR. CENCI: Just so we're clear for  
6 the record. When you spoke to him on the phone  
7 on January 25th, he told you that the  
8 establishment's security cameras were not  
9 functioning that evening?

10 MR. GARCIA: Correct.

11 MR. CENCI: And you say also that you  
12 requested a list of security personnel. What did  
13 Mr. Girma say of that request?

14 MR. GARCIA: He said that he would  
15 provide the request.

16 MR. CENCI: Did you follow up this  
17 phone call that day with an email requesting the  
18 same information?

19 MR. GARCIA: I did.

20 MR. CENCI: Did Mr. Girma respond to  
21 that email that you sent on January 25th?

22 MR. GARCIA: He did not.

23 MR. CENCI: Did you attempt to contact  
24 Mr. Girma again to follow up your request for  
25 this information?

1 MR. GARCIA: I did.

2 MR. CENCI: When was the next time you  
3 contacted him?

4 MR. GARCIA: On February 1st of 2023.

5 MR. CENCI: How did you contact him on  
6 February 1st?

7 MR. GARCIA: Via email.

8 MR. CENCI: Did he respond to the  
9 email that you sent him on February 1st, 2023?

10 MR. GARCIA: He did not. He did not.

11 MR. CENCI: Did you also call him on  
12 February 1st, 2023?

13 MR. GARCIA: Oh, yes, I did.

14 MR. CENCI: And did he answer that  
15 phone call or respond to it at all?

16 MR. GARCIA: He did not.

17 MR. CENCI: When was the next time you  
18 attempted to contact Mr. Girma as it relates to  
19 this investigation?

20 MR. GARCIA: On February 9, 2023.

21 MR. CENCI: How did you contact him on  
22 February 9th?

23 MR. GARCIA: Telephone.

24 MR. CENCI: And did he answer this  
25 phone call or attempt to respond to it at all?

1 MR. GARCIA: No.

2 MR. CENCI: Did you attempt to contact  
3 Mr. Girma again after that February 9th attempted  
4 outreach?

5 MR. GARCIA: I did.

6 MR. CENCI: When was that?

7 MR. GARCIA: On February 15th.

8 MR. CENCI: February 15, 2023?

9 MR. GARCIA: Yes.

10 MR. CENCI: How did you attempt to  
11 contact him then?

12 MR. GARCIA: Both via phone and email.

13 MR. CENCI: For the phone call, did he  
14 answer the phone or attempt to respond to the  
15 phone call at all?

16 MR. GARCIA: He did not.

17 MR. CENCI: Did he respond to that  
18 email you sent him on February 15th?

19 MR. GARCIA: He did not.

20 MR. CENCI: Investigator Garcia, to  
21 date, almost exactly one year after that last  
22 outreach, did Mr. Girma ever send you the list of  
23 requested information?

24 MR. GARCIA: He did not.

25 MR. CENCI: All right. Thank you very

1 much, Investigator. I have no further questions  
2 at this time.

3 CHAIRPERSON ANDERSON: Thank you.

4 Any questions by any Board Members?

5 Go ahead, Mr. Short.

6 MR. SHORT: Mr. Anderson, I guess, it's  
7 still good morning to everyone.

8 Investigator Garcia, how many years  
9 have you worked for ABCA?

10 MR. GARCIA: Five years now.

11 MR. SHORT: Five years now. And when  
12 the investigation of this case 2024 - at any  
13 rate, dealing here with Boulevard Lounge, you say  
14 you called and tried to get information and to no  
15 avail. Is that correct?

16 MR. GARCIA: Correct.

17 MR. SHORT: You also testified that  
18 Police Officer McKay gave you firsthand  
19 information of him going there after reports of a  
20 fight inside of the establishment. Is that  
21 correct?

22 MR. GARCIA: Correct.

23 MR. SHORT: Did anyone from Boulevard  
24 Lounge ever call and report there was a fight  
25 inside of their establishment?



1 MR. GARCIA: I do not recall.

2 MR. SHORT: Upon Officer McKay getting  
3 there, did he - he noticed that the doors were  
4 locked on the front and back. Is that correct?

5 MR. GARCIA: Correct.

6 MR. SHORT: And that while the doors  
7 were locked, there were over 90 people inside of  
8 the establishment that's only licensed for 24.  
9 Is that correct?

10 MR. GARCIA: Correct.

11 MR. SHORT: In your five years of  
12 experience as an ABCA investigator, in your  
13 professional opinion, having locked doors for  
14 overcrowded establishment front and back should  
15 something happen terrible on the inside, how  
16 would those persons have gotten out? Well, let  
17 me rephrase that.

18 The doors were locked, so they  
19 couldn't get out, so in your opinion, was that a  
20 public safety hazard?

21 MR. GARCIA: It was.

22 MR. SHORT: Could it have caused a  
23 death or injury to persons on the inside there  
24 visiting or patronizing this particular  
25 licensee's establishment, Boulevard Lounge?

1 MR. GARCIA: It could have.

2 MR. SHORT: Okay. I'm getting back  
3 now to locked doors. In your five years as an  
4 investigator, have you or any other  
5 investigators, to your knowledge, especially  
6 currently, been advised or experienced patrons  
7 who are breaking the law just locking the doors  
8 and not opening them?

9 Have you experienced that?

10 MR. GARCIA: No, I have not.

11 MR. SHORT: Has that been the  
12 incidents of any investigators who work alongside  
13 you?

14 MR. GARCIA: Where patrons are locking  
15 the doors to an establishment?

16 MR. SHORT: Well, not patrons, the  
17 owners, the licensee.

18 MR. GARCIA: Oh, no. Really, there  
19 have been a few occasions, but it hasn't been  
20 something that happens often.

21 MR. SHORT: Okay. Well, to your  
22 knowledge, whether it happens often or not, to  
23 your knowledge, why would a licensee lock the  
24 door and not let you or the MPD or anybody else  
25 in?

1 MR. GARCIA: To conceal something.

2 MR. SHORT: That is a violation of  
3 ABRA codes, correct?

4 MR. GARCIA: Correct.

5 MR. SHORT: And I would imagine of  
6 MPDs also with public safety, but at any rate, I  
7 thank you for an excellent report.

8 And my last question is, to date,  
9 since this incident happened in January of 2023,  
10 it's been a year later, and I think it was your  
11 testimony from a question from Mr. Cenci, or  
12 Attorney Cenci, that you haven't received any  
13 information or heard anything back in all of your  
14 attempts to get information regarding your report  
15 and your testimony to us today. Is that correct?

16 MR. GARCIA: That is correct.

17 MR. SHORT: Thank you very much for an  
18 excellent report. Thank you for your five years  
19 of service to ABCA.

20 And that's all I have, Chairman  
21 Anderson, at this time.

22 CHAIRPERSON ANDERSON: Thank you. Any  
23 other questions by any other Board Members?

24 All right. Any redirect, sir?

25 MR. CENCI: No redirect. We ask that

1 Investigator Garcia be excused.

2 CHAIRPERSON ANDERSON: Thank you.  
3 Thank you, Mr. Garcia, for your testimony this  
4 morning. Have a great day.

5 MR. GARCIA: Thank you. Have a good  
6 one, guys.

7 CHAIRPERSON ANDERSON: Does the  
8 government have another witness it wishes to  
9 call?

10 MR. CENCI: No. We're ready to  
11 proceed with a brief closing today.

12 CHAIRPERSON ANDERSON: All right. Go  
13 ahead, sir.

14 CLOSING STATEMENT BY COLLIN CENCI

15 MR. CENCI: Members of the Board,  
16 today the government has proven that Noah Limited  
17 Liability Company, trading as Boulevard Lounge,  
18 violated the terms of its license and upon  
19 investigation stonewalled ABCA for, at this  
20 point, almost to the day a year.

21 The evidence has shown today that  
22 Investigator Garcia went to the scene, went to  
23 Boulevard Lounge, and spoke face-to-face with Mr.  
24 Girma and with an MPD officer who was already  
25 there. And when that MPD officer was confronting

1 Mr. Girma and raising concerns with Investigator  
2 Garcia that this establishment was operating at  
3 almost four times its licensed capacity under its  
4 alcohol license.

5 Mr. Girma didn't deny it. Mr. Girma  
6 didn't object to it. Mr. Girma just simply said  
7 oh, my certificate of occupancy says that I have  
8 seating for 84 people.

9 Even still, not enough for how many  
10 people were inside Boulevard Lounge. Even  
11 following the wrong number, they were violating  
12 the law.

13 And Investigator Garcia continued his  
14 investigation into this establishment. You heard  
15 that he asked the establishment for security  
16 camera footage, and Mr. Girma's response to that  
17 was well, the security cameras are broken, I  
18 can't give you the footage.

19 They have an obligation under ABCA  
20 Code. They have security cameras in their  
21 establishment. They have to keep them in good  
22 working order. This establishment failed to do  
23 so and that's a violation.

24 And finally, Investigator Garcia, he  
25 didn't just do the bare minimum here. He didn't

1 make one request 48 hours and pen up a report.  
2 No. He called the establishment on January 25th  
3 and said well, not only, if you can't give me a  
4 security camera footage, I need a list of  
5 security personnel so I can continue my  
6 investigation.

7 Followed up with an email the same  
8 day. A week goes by. Nothing. Calls him again.  
9 No answer. He sent another email. No answer.  
10 Another week goes by. Calls him again. No  
11 answer.

12 A third week goes by, Investigator  
13 Garcia reaching out three times after his initial  
14 phone call. Calls him on the phone. No answer.  
15 Sends an email. No answer.

16 The evidence is uncontradicted, and  
17 it's undisputed. The establishment interfered in  
18 an investigation, the establishment failed to  
19 keep its security cameras operational, and the  
20 establishment operated over capacity.

21 And even now, they continue to shirk  
22 their responsibility, not even appearing before  
23 this Board to explain a side of the story, to  
24 even just ask for the Board to have some form of  
25 leniency.

1                   The establishment clearly is not  
2                   taking this seriously. And now it's in the  
3                   Board's charge to make sure that they do. That's  
4                   why I'm asking for you to find it, not only in  
5                   favor of the District of Columbia, but to apply  
6                   the maximum penalty consistent with D.C. Code  
7                   Section 25-830. Thank you very much.

8                   CHAIRPERSON ANDERSON: Thank you, sir.

9                   All right. This matter is - the  
10                  record is closed. All right.

11                  As Chairperson of the Alcoholic  
12                  Beverage and Cannabis Board for the District of  
13                  Columbia and accordance with D.C. Official Code  
14                  Section 2575 of the Open Meetings Act, I move  
15                  that the ABC Board hold a close meeting for the  
16                  purpose of seeking legal advice from our counsel  
17                  on Case No. 23-251-00006, Boulevard Lounge,  
18                  pursuant to D.C. Official Code Section 25-75B4A  
19                  of the Open Meetings Act, and deliberating upon  
20                  Case No. 23-251-00006, Boulevard Lounge, for the  
21                  reasons cited in D.C. Official Code Section 25-  
22                  75B13 of the Open Meetings Act.

23                  Is there a second?

24                  MR. GRANT: Motion.

25                  CHAIRPERSON ANDERSON: Mr. Grant has

1 seconded the motion. I will now take a roll call  
2 vote. And the motion before us now that it has  
3 been properly second.

4 Mr. Short?

5 MR. SHORT: Mr. Short, I agree.

6 CHAIRPERSON ANDERSON: Mr. Grant?

7 MR. GRANT: Mr. Grant, I agree.

8 CHAIRPERSON ANDERSON: Mr. Anderson,  
9 I agree. As it appears that the motion has  
10 passed 3-0, I hereby give notice that the ABC  
11 Board will recess this proceeding to hold a  
12 closed meeting pursuant to Section 2575 of the  
13 Open Meetings Act.

14 Thank you very much, sir, for your  
15 presentation this morning. The Board will take  
16 this matter under advisement, and we'll issue a  
17 decision within 90 days. Thank you. Have a  
18 great day.

19 MR. CENCI: Thank you, Mr. Chair.  
20 Have a good day.

21 CHAIRPERSON ANDERSON: All right.  
22 Thank you.

23 (Whereupon, the above-entitled matter  
24 went off the record at 11:24 a.m.)  
25



**A**

**a.m** 2:2 32:24  
**ABC** 10:25 17:21 31:15 32:10  
**ABCA** 1:11,22 8:6,12 8:16 9:4,6 10:20 15:23 16:2 24:9 25:12 27:19 28:19 29:19  
**ABCA's** 9:16  
**able** 4:6 9:3 20:12  
**above-entitled** 32:23  
**ABRA** 27:3  
**absence** 5:17,18  
**access** 2:17,18 17:1  
**accurately** 19:11  
**Act** 31:14,19,22 32:13  
**additional** 3:1  
**Administration** 10:18  
**advice** 31:16  
**advised** 15:21 19:17 21:3 26:6  
**advisement** 32:16  
**affirm** 10:4  
**agree** 32:5,7,9  
**ahead** 7:23 24:5 28:13  
**alcohol** 29:4  
**Alcoholic** 1:2,16 10:17 31:11  
**allegations** 5:23  
**alleged** 5:20  
**allow** 16:24  
**allowed** 6:2 15:9  
**alongside** 26:12  
**aloud** 18:23  
**altercation** 11:23 13:17 13:20,21 14:4,5 20:10  
**amount** 19:6 20:19  
**ANC** 1:8  
**Anderson** 1:17,19 2:3 2:14,20 3:8,18 4:4,10 5:3,15 6:7 7:1,18,23 9:22 10:2,7 12:19 16:19,23 17:3 24:3,6 27:21,22 28:2,7,12 31:8,25 32:6,8,21  
**answer** 22:14,24 23:14 30:9,9,11,14,15  
**anybody** 26:24  
**Anyway** 5:7  
**apologies** 2:13 17:17  
**appear** 4:14  
**appearance** 3:25  
**appearing** 30:22  
**appears** 32:9  
**apply** 9:19 31:5  
**approved** 15:24 16:2  
**area** 3:7 11:24  
**arrival** 19:3

**arrived** 8:9  
**asked** 29:15  
**asking** 31:4  
**assertion** 15:6  
**assess** 13:25  
**assessing** 6:5  
**assigned** 11:8  
**Assistant** 3:14  
**assume** 6:7  
**attempt** 21:23 22:25 23:2,10,14  
**attempted** 22:18 23:3  
**attempts** 27:14  
**attend** 4:3  
**attention** 17:16 18:8,20  
**Attorney** 3:14,15 27:12  
**authority** 4:12  
**avail** 24:15  
**Ave** 1:7  
**Avenue** 8:4 11:3  
**aware** 14:23

**B**

**back** 20:15 25:4,14 26:2 27:13  
**bare** 29:25  
**base** 6:12  
**based** 14:1  
**basis** 6:20,22  
**bears** 9:2  
**believe** 4:23 17:16  
**Beverage** 1:2,16 10:17 31:12  
**Board** 1:2,16 4:12 5:9 6:4,11,21 7:4,7,9 8:1 18:23 24:4 27:23 28:15 30:23,24 31:12 31:15 32:11,15  
**Board's** 5:2 31:3  
**Boulevard** 1:7 2:5 8:3,7 9:7 11:4,16 12:17 13:16 15:7 16:17 17:12 19:21 24:13,23 25:25 28:17,23 29:10 31:17,20  
**breaking** 26:7  
**brief** 7:19,21 28:11  
**broken** 29:17  
**burden** 9:2

**C**

**C-E-N-C-I** 3:14  
**C-O-L-L-I-N** 3:13  
**calendar** 2:4  
**call** 2:22 3:2 7:5,16 8:7 9:6,24 21:17 22:11,15 22:25 23:13,15 24:24 28:9 30:14 32:1

**called** 11:4 24:14 30:2  
**calls** 9:25 30:8,10,14  
**camera** 20:25 29:16 30:4  
**cameras** 1:10 8:14,20 9:10 21:8 29:17,20 30:19  
**Cannabis** 1:2,16 10:18 31:12  
**capacity** 8:10,25 9:9 14:18,21 17:25 18:5 29:3 30:20  
**case** 1:9 2:3,4,7,10,23 4:1,24,24 5:25 6:9,14 7:9 16:7,16 17:12 18:10,13 24:12 31:17 31:20  
**cause** 1:7 4:5,9,15 5:8 5:10,20,24 6:3 8:1,18  
**caused** 13:15 25:22  
**Cenci** 1:23 2:8,13,18 3:10,13,13,24 4:8,21 4:22 5:13,16 6:24 7:17,21,24,25 9:25 10:9,10,11,16,19,22 11:2,6,10,15,20 12:1 12:4,8,11,16,24 13:3 13:12,25 14:5,8,16,20 15:1,5,10,14,19 16:1 16:6,10,14,21,24 17:4 17:15,20,24 18:2,7,13 18:16,20 19:1,10,14 19:20,24 20:3,7,14,22 21:5,11,16,20,23 22:2 22:5,8,11,14,17,21,24 23:2,6,8,10,13,17,20 23:25 27:11,12,25 28:10,14,15 32:19  
**certificate** 29:7  
**Chair** 32:19  
**Chairman** 2:19 27:20  
**Chairperson** 1:16,19 2:3,14,20 3:8,18 4:4 4:10 5:3,13,15 6:7 7:1 7:18,23 9:22 10:2,7 12:19 16:15,19,23 17:3 24:3 27:22 28:2 28:7,12 31:8,11,25 32:6,8,21  
**chance** 16:3  
**Change** 1:12  
**charge** 31:3  
**charges** 5:19,22 8:19 13:25  
**chat** 2:9  
**checked** 3:21  
**Christopher** 3:5  
**cited** 31:21

**clear** 9:15 21:5  
**clearer** 20:12  
**clearly** 31:1  
**close** 31:15  
**closed** 31:10 32:12  
**closing** 28:11,14  
**Code** 4:11 6:5 8:21,24 8:25 9:20 29:20 31:6 31:13,18,21  
**codes** 27:3  
**Collin** 1:23 2:12,17 3:13 7:24 28:14  
**Columbia** 1:1 3:16 9:18 11:1 31:5,13  
**Company** 1:6 8:2 28:17  
**completely** 8:16  
**Compromise** 4:2  
**conceal** 27:1  
**concern** 6:8,17  
**concerned** 14:17  
**concerns** 8:19 20:10 29:1  
**conduct** 10:24 11:9 16:8  
**confirm** 16:15  
**confronting** 28:25  
**consistent** 6:5 9:19 31:6  
**contact** 3:22,25 12:6 13:4 20:20 21:3,23 22:5,18,21 23:2,11  
**contacted** 20:1,4 21:3 22:3  
**contest** 5:21  
**continue** 19:20,25 30:5 30:21  
**continued** 5:1 29:13  
**continuously** 19:4  
**conversation** 15:15  
**conversations** 15:16  
**copy** 4:19 16:10  
**correct** 14:19 21:10 24:15,16,21,22 25:4,5 25:9,10 27:3,4,15,16  
**counsel** 31:16  
**count** 19:8  
**court** 3:6  
**crammed** 8:9  
**CT** 1:8  
**currently** 3:5 26:6

**D**

**D.C** 4:11 6:5 8:4,21,24 8:25 9:20 11:4 31:6 31:13,18,21  
**date** 4:17,20 5:4,5 19:22 23:21 27:8  
**day** 21:17 28:4,20 30:8

32:18,20  
**days** 32:17  
**DC** 1:22,23  
**DCMR** 16:18  
**de-escalate** 14:15  
**dealing** 24:13  
**death** 25:23  
**decision** 6:12,21 32:17  
**deemed** 5:24  
**default** 5:19  
**defaulted** 6:3  
**delay** 3:17  
**deliberates** 6:21  
**deliberating** 31:19  
**deny** 15:10 29:5  
**describe** 20:12  
**despite** 9:13  
**details** 20:15  
**determination** 6:22  
 7:10  
**determine** 14:9  
**different** 4:24  
**diffused** 14:10  
**direct** 10:10 18:7  
**directing** 17:15 18:20  
**discuss** 13:4,14 14:20  
 15:19 20:7  
**discussed** 20:9  
**District** 1:1 3:15,16  
 5:16 9:2,18,25 11:1  
 31:5,12  
**document** 17:9  
**documents** 8:17,23  
 9:13  
**Donovan** 1:17,19  
**door** 13:10 26:24  
**doors** 19:5 25:3,6,13,18  
 26:3,7,15  
**draft** 16:7  
**drafted** 17:12

---

**E**


---

**earlier** 18:18  
**effect** 17:21  
**elevate** 2:6  
**elevated** 2:17,18  
**email** 21:17,21 22:7,9  
 23:12,18 30:7,9,15  
**ensure** 8:20  
**entered** 9:16  
**entire** 12:25 17:9  
**escalated** 13:20  
**especially** 26:5  
**establishment** 3:3 4:25  
 6:4 8:10,15 9:9,10,11  
 11:3,7,14,23 12:2  
 13:8,9,18,23 14:10,13  
 14:14,17,23,25 15:2

15:12,24 16:3,11  
 17:25 18:3 19:5,18  
 20:10,11,21 24:20,25  
 25:8,14,25 26:15 29:2  
 29:14,15,21,22 30:2  
 30:17,18,20 31:1  
**establishment's** 8:14  
 13:8 14:1,21 16:4  
 17:21 20:25 21:8  
**establishments** 10:25  
**evening** 12:2 13:16  
 14:21 15:12,17 21:9  
**events** 8:13  
**eventually** 9:12  
**evidence** 6:1 8:8 16:18  
 17:6 28:21 30:16  
**ex** 4:12  
**exactly** 23:21  
**EXAMINATION** 10:10  
**exceeding** 18:4  
**excellent** 27:7,18  
**excused** 28:1  
**exhibit** 16:16 17:6  
**experience** 25:12  
**experienced** 26:6,9  
**explain** 30:23  
**extend** 5:8  
**extended** 4:14

---

**F**


---

**face-to-face** 28:23  
**fact** 13:9  
**facts** 7:3,6  
**factual** 6:20,22  
**failed** 1:10 8:19 29:22  
 30:18  
**failing** 5:22  
**fails** 4:14  
**familiar** 11:2,6  
**far** 14:3  
**favor** 31:5  
**February** 1:14 22:4,6,9  
 22:12,20,22 23:3,7,8  
 23:18  
**females** 13:19  
**fight** 8:8 24:20,24  
**fighting** 13:19  
**finally** 29:24  
**find** 9:18 20:16 31:4  
**fired** 11:24  
**first** 10:13 12:21 13:13  
 20:3,5  
**firsthand** 24:18  
**five** 24:10,11 25:11 26:3  
 27:18  
**follow** 21:16,24  
**Followed** 30:7  
**following** 29:11

**footage** 20:21,23,25  
 21:2,4 29:16,18 30:4  
**form** 4:23 30:24  
**forward** 4:7  
**four** 29:3  
**fourth** 18:21,24 19:1  
**front** 4:17 17:18 19:4  
 25:4,14  
**full** 4:9 6:14 7:2  
**functional** 9:11  
**functioning** 21:4,9  
**further** 24:1

---

**G**


---

**G-A-R-C-I-A** 10:15  
**G-E-O-R-G-E** 10:14  
**G-I-** 12:22  
**Garcia** 1:23 2:13,17 9:4  
 9:5 10:1,2,6,12,14,15  
 10:17,21,24 11:5,8,12  
 11:18,21 12:3,6,9,14  
 12:18,20,21 13:2,6,17  
 14:3,7,9,19,22 15:4,8  
 15:13,18,21 16:5,9,13  
 17:14,19,23 18:1,6,12  
 18:15,19,24 19:3,13  
 19:19,23 20:1,5,9,18  
 21:1,10,14,19,22 22:1  
 22:4,7,10,13,16,20,23  
 23:1,5,7,9,12,16,19  
 23:20,24 24:8,10,16  
 24:22 25:1,5,10,21  
 26:1,10,14,18 27:1,4  
 27:16 28:1,3,5,22  
 29:2,13,24 30:13  
**General** 3:14,15  
**George** 1:23 2:13,16  
 9:4 10:1,14  
**Georgia** 1:7 8:3 11:3  
**getting** 25:2 26:2  
**Girma** 12:18,22,24 15:3  
 15:5,10,16,17,21  
 19:17 20:1,17,24  
 21:13,20,24 22:18  
 23:3,22 28:24 29:1,5  
 29:5,6  
**Girma's** 29:16  
**give** 29:18 30:3 32:10  
**given** 4:25 5:17,25  
**go** 7:23 13:12,16 20:22  
 24:5 28:12  
**goes** 30:8,10,12  
**going** 17:8 18:7 19:14  
 24:19  
**good** 3:10,19 4:15 5:8  
 7:25 10:11 24:7 28:5  
 29:21 32:20  
**gotten** 25:16

---

**H**


---

**hand** 10:3  
**handled** 14:11  
**happen** 25:15  
**happened** 27:9  
**happens** 26:20,22  
**hazard** 13:11 25:20  
**He'll** 9:8  
**hear** 8:5,12  
**heard** 11:25 27:13  
 29:14  
**hearing** 1:8 4:1,2,3,5,9  
 4:13,14,25 5:9,10  
 7:13 9:14,17  
**held** 5:1  
**highlight** 6:16  
**hold** 31:15 32:11  
**hours** 8:23 30:1

---

**I**


---

**identify** 3:11  
**imagine** 27:5  
**incident** 11:13,22 13:7  
 13:13,15 14:2,3 18:11  
 20:13,15 27:9  
**incidents** 26:12  
**include** 19:6  
**Increase** 1:12  
**individuals** 19:6  
**information** 20:20  
 21:18,25 23:23 24:14  
 24:19 27:13,14  
**initial** 30:13  
**initially** 21:2  
**initiated** 11:13  
**injury** 25:23  
**inside** 8:9 13:7,18,21  
 13:24 14:24,25 15:11  
 18:4 19:7 24:20,25  
 25:7,15,23 29:10  
**inspections** 10:24  
**interfered** 1:11 8:22  
 30:17  
**investigated** 8:13  
**investigation** 1:11 8:22

9:16 11:9,11,12,16,21  
17:13,22 18:9,11  
19:21,25 22:19 24:12  
28:19 29:14 30:6,18  
**investigations** 10:25  
16:8  
**investigator** 1:23 2:13  
2:16 6:16 9:4,5,6 10:1  
10:11,21,23 11:9 13:1  
16:6 17:5,11 18:8  
19:10,16 23:20 24:1,8  
25:12 26:4 28:1,22  
29:1,13,24 30:12  
**investigators** 26:5,12  
**issue** 32:16  
**issues** 6:17

**J**

**JAMES** 1:20  
**January** 7:12,14 8:6 9:7  
11:18 20:6,8 21:7,21  
27:9 30:2  
**JOSE** 1:22  
**JR** 1:20,20

**K**

**keep** 29:21 30:19  
**know** 4:20 6:8 7:3  
**knowledge** 18:16 26:5  
26:22,23

**L**

**law** 26:7 29:12  
**learned** 8:13 9:8  
**leave** 19:18  
**left** 19:9  
**legal** 5:5 31:16  
**leniency** 30:25  
**let's** 13:12 20:22  
**Liability** 1:6 8:2 28:17  
**license** 1:8 2:5 8:10  
9:16 10:25 14:1 16:4  
17:21 18:5 28:18 29:4  
**licensed** 25:8 29:3  
**licensee** 2:7,10 3:20,23  
4:13,18,20,21 5:6,7  
5:17,18,21 7:12 8:19  
9:15 26:17,23  
**licensee's** 3:25 25:25  
**Limited** 1:6 8:2 28:16  
**list** 21:12 23:22 30:4  
**listed** 17:24 18:4  
**little** 17:7  
**LLC** 1:6  
**located** 8:3 11:3  
**location** 19:7  
**lock** 26:23  
**locked** 19:5 25:4,7,13

25:18 26:3  
**locking** 13:10 26:7,14  
**look** 16:3  
**lot** 20:12  
**Lounge** 1:7 2:5 8:3,7  
9:7 11:4,17 12:17  
13:16 15:7 16:17  
17:12 19:21 24:13,24  
25:25 28:17,23 29:10  
31:17,20

**M**

**matter** 1:5 4:5 5:14 6:1  
6:3 7:8 8:2,18 31:9  
32:16,23  
**maximum** 9:19 31:6  
**McKay** 12:10,10,11  
13:1,5 14:22 15:1  
18:17 19:11 24:18  
25:2  
**McMay** 15:15  
**meet** 9:3  
**meeting** 1:3 31:15  
32:12  
**Meetings** 31:14,19,22  
32:13  
**Member** 1:20,20  
**Members** 7:7,25 24:4  
27:23 28:15  
**mentioned** 13:14  
**met** 1:16  
**minimum** 29:25  
**moment** 4:22  
**month** 5:1  
**morning** 3:10,19 7:25  
8:5 10:11 24:7 28:4  
32:15  
**motion** 31:24 32:1,2,9  
**move** 4:6 6:18 31:14  
**MPD** 8:6 11:13 12:7,8,9  
13:11 18:10 26:24  
28:24,25  
**MPDs** 27:6  
**multiple** 9:13 13:6

**N**

**N.W** 8:4 11:4  
**name** 3:12 10:13 12:16  
12:21,22  
**names** 20:20  
**narrative** 18:21 19:2  
**need** 6:9,10,19 20:14  
30:4  
**night** 8:13 17:22 19:12  
19:18 20:21  
**Noah** 1:6 8:2 28:16  
**notice** 5:20,24 8:18  
32:10

**noticed** 25:3  
**number** 29:11  
**numbered** 19:7  
**NW** 1:7

**O**

**OAG** 1:23  
**object** 29:6  
**obligation** 29:19  
**observed** 19:4  
**obvious** 18:3  
**occasions** 26:19  
**occupancy** 1:12 13:9  
15:9,25 29:7  
**Offer** 4:2  
**office** 3:15,22  
**officer** 12:7,8,9,11,25  
13:5 14:22 15:1,15  
18:17 19:11 24:18  
25:2 28:24,25  
**Official** 4:11 31:13,18  
31:21  
**oh** 22:13 26:18 29:7  
**Okay** 2:14 4:11 26:2,21  
**once** 6:20 12:4 13:4,6  
**online** 2:10 3:3  
**Open** 31:14,19,22 32:13  
**opening** 5:11 7:19,21  
7:24 26:8  
**operate** 15:22,24  
**operated** 8:25 30:20  
**operating** 9:9 14:18,24  
29:2  
**operational** 1:10 8:15  
8:20 30:19  
**opinion** 14:10 25:13,19  
**order** 29:22  
**Orellana** 1:22 2:6,12,16  
2:25 3:4 16:23 17:1  
**outreach** 23:4,22  
**outside** 13:23  
**overall** 13:7 20:9  
**overcrowded** 25:14  
**owner** 12:14,17  
**owners** 26:17

**P**

**P-R-O-C-E-E-D-I-N-G-S**  
2:1  
**page** 17:16,17,17 18:8  
**paragraph** 18:22,22,25  
19:1  
**part** 6:8 16:6,19 18:9  
**parte** 4:13  
**particular** 5:25 25:24  
**parties** 13:21  
**party** 13:22,24 14:13,14  
**passed** 32:10

**patronizing** 25:24  
**patrons** 8:9 14:24 19:8  
26:6,14,16  
**pen** 30:1  
**penalty** 6:5 9:19 31:6  
**people** 15:2,6,11,23  
16:2 18:4 25:7 29:8  
29:10  
**personal** 7:13  
**personally** 7:12  
**personnel** 21:12 30:5  
**persons** 25:16,23  
**phone** 20:2,4 21:6,17  
22:15,25 23:12,13,14  
23:15 30:14,14  
**place** 11:13,22,23 13:7  
13:18,21 14:4 20:11  
20:13  
**please** 2:6 3:1,11,12  
10:12 12:20 16:24  
18:22

**point** 28:20  
**Police** 24:18  
**position** 10:19  
**preliminary** 5:14 6:13  
**prepared** 4:8  
**present** 1:18,21 7:6  
12:15 19:6,7  
**presentation** 32:15  
**presiding** 1:17  
**procedures** 14:12  
**proceed** 4:9,12 5:9 6:2  
6:25 9:21 28:11  
**proceeding** 32:11  
**proceeds** 6:4  
**producing** 8:22  
**professional** 25:13  
**proof** 9:2  
**properly** 4:18 5:6 32:3  
**proven** 28:16  
**provide** 5:5 8:16 21:2  
21:15  
**public** 18:21 19:2 25:20  
27:6  
**purpose** 31:16  
**pursuant** 4:11 16:18  
31:18 32:12  
**put** 2:8 5:4 6:9,14,15  
7:11 13:22  
**putting** 14:12

**Q**

**question** 18:3 27:8,11  
**questions** 7:4,7,8 24:1  
24:4 27:23  
**quite** 17:7

**R**

**R-M-A** 12:23  
**radio** 8:16  
**raise** 10:3  
**raising** 29:1  
**rate** 24:13 27:6  
**reaching** 30:13  
**read** 18:22  
**ready** 4:6 9:20 28:10  
**Really** 26:18  
**rear** 19:4  
**reasons** 31:21  
**recall** 25:1  
**receive** 11:15 18:9  
**received** 18:14 27:12  
**recess** 32:11  
**recognize** 16:10  
**record** 3:11 4:17 6:10  
6:11,19 7:11 10:13  
12:20 16:16,20 21:6  
31:10 32:24  
**redirect** 27:24,25  
**referral** 11:16,20  
**reflect** 19:11  
**reflects** 4:18  
**regarding** 18:10 27:14  
**related** 14:1 16:7 17:13  
**relates** 22:18  
**remained** 13:24 14:14  
**rephrase** 25:17  
**report** 5:25 6:16 16:17  
17:12 18:10,13 24:24  
27:7,14,18 30:1  
**reporter** 3:6  
**reporting** 12:7  
**reports** 8:7 16:7 24:19  
**representing** 3:16  
**request** 5:2,17 9:12  
20:16 21:13,15,24  
30:1  
**requested** 8:17,23  
20:19,24 21:12 23:23  
**requesting** 9:13 21:17  
**rescheduled** 7:13  
**respond** 12:1 15:5  
21:20 22:8,15,25  
23:14,17  
**responded** 8:6 9:6  
**response** 8:7 29:16  
**responsibilities** 10:23  
**responsibility** 30:22  
**Retailer** 1:8  
**review** 17:9  
**right** 2:15,20,24 3:8,10  
3:18 4:4,10 5:3,10 7:1  
7:15 10:3,9 16:1,14  
16:21 17:4,8,11,15  
19:14 23:25 27:24  
28:12 31:9,10 32:21

**Robert** 12:10  
**role** 16:7  
**roles** 10:23  
**roll** 32:1  
**rough** 19:8

---

**S**

---

**safety** 13:11 25:20 27:6  
**saying** 16:1  
**says** 29:7  
**scene** 28:22  
**scheduled** 4:5 5:1  
**screen** 16:22,25 19:15  
**scroll** 17:9  
**seating** 29:8  
**second** 31:23 32:3  
**seconded** 32:1  
**section** 4:11 6:6 8:21  
8:24 9:1,20 18:21  
31:7,14,18,21 32:12  
**security** 1:10 8:14,20  
9:10 14:12 20:19,25  
21:8,12 29:15,17,20  
30:4,5,19  
**see** 2:12,24 3:2,20 17:7  
17:17  
**seeing** 5:7  
**seeking** 31:16  
**send** 4:1 23:22  
**Sends** 30:15  
**sent** 21:21 22:9 23:18  
30:9  
**separated** 13:22  
**seriously** 31:2  
**served** 4:18,20,21 5:6  
7:12  
**service** 4:23 7:14 27:19  
**seven** 18:8  
**share** 16:22,24  
**sharing** 19:15  
**shirk** 30:21  
**Short** 1:20 24:5,6,11,17  
24:23 25:2,6,11,22  
26:2,11,16,21 27:2,5  
27:17 32:4,5,5  
**show** 1:7 4:5,9 5:10,20  
5:24 6:2 8:1,8,18  
16:11  
**showing** 17:5  
**shown** 28:21  
**side** 30:23  
**signings** 6:18  
**SILAS** 1:20  
**silent** 8:16  
**silently** 17:10  
**simply** 29:6  
**sir** 2:11 3:9,19 5:15  
6:23 7:23 10:8 27:24

28:13 31:8 32:14  
**site** 12:7  
**situation** 14:11,11,15  
**sorry** 3:17  
**sort** 13:19  
**Southcott** 3:6  
**speaking** 12:12,25  
**specific** 4:23  
**spell** 10:12 12:19  
**spelling** 3:12  
**spoke** 12:7 18:17 21:6  
28:23  
**staff** 1:22 19:6  
**state** 6:16 10:12  
**stated** 11:22 15:8  
**statement** 5:12 7:20,22  
7:24 28:14  
**stating** 3:12  
**Status** 4:1,2,3,6  
**statute** 6:1  
**step** 2:9  
**stonewalled** 9:12 28:19  
**stop** 19:15  
**story** 30:23  
**submitted** 7:9  
**Substantial** 1:12  
**sufficient** 4:15 5:8  
**sure** 3:4 13:19 31:3  
**surrounding** 11:24  
**swear** 10:4

---

**T**

---

**T-H-E-O-D-R-O-S** 12:22  
**t/a** 1:7  
**take** 32:1,15  
**takes** 11:13  
**tantamount** 5:19  
**Telephone** 22:23  
**tell** 9:8 10:4 20:24  
**terms** 9:15 28:18  
**terrible** 25:15  
**testified** 24:17  
**testify** 9:5  
**testimony** 9:3 27:11,15  
28:3  
**thank** 2:21 3:9 9:22  
17:3 23:25 24:3 27:7  
27:17,18,22 28:2,3,5  
31:7,8 32:14,17,19,22  
**Theodros** 12:18,22  
**thing** 3:4  
**things** 13:6,13  
**think** 2:7,8 6:13 27:10  
**third** 30:12  
**three** 8:24 13:3 30:13  
**time** 12:25 13:13 19:22  
20:3,5,23 22:2,17  
24:2 27:21

**times** 9:13 29:3 30:13  
**today** 2:23 3:16 4:9 5:4  
5:7 8:1,5 27:15 28:11  
28:16,21  
**told** 9:10 19:11 21:7  
**trading** 8:2 28:17  
**tried** 24:14  
**true** 5:24  
**truth** 10:5,5  
**trying** 17:7  
**Tuesday** 11:18  
**Twenty-four** 18:1  
**two** 8:21 12:12 13:15  
15:3  
**type** 6:20

**U**

**uncontradicted** 30:16  
**understanding** 4:16  
**Understood** 6:24  
**undisputed** 30:17

**V**

**video** 20:21,23 21:4  
**videoconference** 1:16  
**violated** 9:15 28:18  
**violating** 29:11  
**violation** 8:21,23,25  
13:10 15:22,23 27:2  
29:23  
**violations** 19:17 20:16  
**visiting** 25:24  
**vote** 32:2

**W**

**W** 1:17,19  
**waiting** 2:22 3:6,21  
**waives** 4:13  
**want** 7:11,18,19  
**Washington** 8:4 11:4  
**we'll** 6:20,21 32:16  
**we're** 2:22 9:20 21:5  
28:10  
**We've** 3:21  
**WebEx** 1:16  
**Wednesday** 1:14 20:6,8  
**week** 30:8,10,12  
**went** 8:15 28:22,22  
32:24  
**wish** 5:11 7:16 9:23  
**wishes** 28:8  
**witness** 7:5,16 9:4,23  
10:7 28:8  
**work** 10:16 26:12  
**worked** 24:9  
**working** 29:22  
**written** 18:17  
**wrong** 29:11

<b>X</b>	<b>6233</b> 1:7 8:3 11:3	
<b>Y</b>	<b>7</b>	
<b>year</b> 23:21 27:10 28:20 <b>years</b> 24:8,10,11 25:11 26:3 27:18	<b>75B13</b> 31:22	
<b>Z</b>	<b>8</b>	
<b>zoom</b> 17:7	<b>84</b> 15:9 29:8	
<b>0</b>	<b>9</b>	
<b>1</b>	<b>9</b> 22:20 <b>90</b> 8:9 14:24 15:2,6,11 18:3 19:8 25:7 32:17 <b>9th</b> 22:22 23:3	
<b>1</b> 17:6 <b>10:50</b> 2:2 <b>11</b> 7:12,14 17:16 <b>11:24</b> 32:24 <b>115385</b> 1:8 2:5 <b>13</b> 17:17 <b>14</b> 1:14 <b>15</b> 23:8 <b>15th</b> 23:7,18 <b>1713.10</b> 16:18 <b>1st</b> 22:4,6,9,12		
<b>2</b>		
<b>2023</b> 8:6 11:19 22:4,9 22:12,20 23:8 27:9 <b>2024</b> 1:14 7:13,14 24:12 <b>23</b> 16:18 <b>23-251-00006</b> 1:9 2:4 31:17,20 <b>24</b> 8:6,11 15:22,24 16:2 25:8 <b>24th</b> 9:7 11:18 <b>25-</b> 4:11 31:21 <b>25-75B4A</b> 31:18 <b>25-762B1</b> 9:1 <b>25-823A5E</b> 8:24 <b>25-830</b> 6:6 9:20 31:7 <b>25-836G1</b> 8:21 <b>251</b> 11:9,10,16,21 <b>2575</b> 31:14 32:12 <b>25th</b> 20:6,8 21:7,21 30:2		
<b>3</b>		
<b>3-0</b> 32:10		
<b>4</b>		
<b>447(E)</b> 4:12 <b>48</b> 8:23 30:1 <b>4B</b> 1:8		
<b>5</b>		
<b>6</b>		

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In the matter of: Boulevard Lounge

Before: DC ABCA

Date: 02-14-24

Place: teleconference

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Court Reporter

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