

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 MEETING

IN THE MATTER OF: :
 :
 3566 14th Street, LLC, :
 t/a La Dulce Noche :
 3566 14th Street NW : Show Cause
 Retailer CR - ANC 1A : Hearing (Status)
 License No. 92426 :
 Case #19-CMP-00172 :
 :
 (Operating After Hours) :

Wednesday
 March 3, 2021

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
 REMA WAHABZADAH, Member

ALSO PRESENT:

SIMONE ANDREWS, DC ABRA Staff
 STEPHEN ORTIZ, DC OAG
 VANESSA PLEITEZ, DC ABRA Investigator
 ERIK SEJAS, Spanish Interpreter
 JOSE SOLLOSO, Licensee

C-O-N-T-E-N-T-S

Opening Statements

Government 7

Licensee

Closing Statements

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WITNESS	DIRECT	CROSS	REDIRECT	RECROSS
Vanessa Pleitez	9	20	--	--
Jose Solloso	36	38	--	--

Exhibit Nos.	Document	Mark	Recd
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Government

1.	Case Report, dated September 15, 2019	10	12
2.	ABC License for La Dulce Noche	18	19

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

2 1:52 p.m.

3 CHAIRPERSON ANDERSON: All right. The
4 next case on our calendar is Case Number 19-CMP-
5 00172, La Dulce Noche, License Number 92426.

6 Ms. Andrews, can you please elevate
7 the rights of the parties? The parties, my
8 understanding, you have the Government, you have
9 the Licensee, and you have an interpreter. And
10 I'm not sure if the Licensee has -- I don't know
11 what, if any, witnesses the Government has and
12 I'm not sure who else, what witnesses, if any,
13 that the Licensee has, but those are the parties
14 that I'm aware of.

15 MS. ANDREWS: Sure, stand by.

16 CHAIRPERSON ANDERSON: Thanks.

17 MS. ANDREWS: Mr. Ortiz, your rights
18 have been elevated. Ms. Pleitez, your rights
19 have been elevated. Mr. Solloso, your rights
20 have been elevated. Mr. Sejas, your rights have
21 been elevated. That's all, Mr. Chair.

22 CHAIRPERSON ANDERSON: Thank you. Mr.
23 Sejas, can you please unmute your phone and turn
24 on your microphone, please? I'm sorry, turn on
25 your camera, please, if you have one?

1 MR. SEJAS: Yes. Good afternoon, Mr.
2 Chairman and Members of the Board.

3 CHAIRPERSON ANDERSON: Hold on, hold
4 on, please. Mr. Sejas, can you raise your right
5 hand, please?

6 MR. SEJAS: Sure.

7 CHAIRPERSON ANDERSON: Do you -- what
8 language is this, please?

9 MR. SEJAS: I'm sorry.

10 CHAIRPERSON ANDERSON: What language?

11 MR. SEJAS: It's Spanish.

12 CHAIRPERSON ANDERSON: All right. Do
13 you solemnly affirm that you will faithfully and
14 accurately interpret the proceedings in this
15 matter from English into Spanish and from Spanish
16 into English to the best of your ability?

17 MR. SEJAS: Yes, I do, Mr. Chairman.

18 CHAIRPERSON ANDERSON: Can you please
19 say and spell your name for the record and your
20 role here, sir?

21 MR. SEJAS: My name is Erik Sejas, E-R-
22 I-K, Sejas, the last name is S-E-J-A-S. And I am
23 the Spanish interpreter hired by ABRA to be here,
24 present at the hearing.

25 CHAIRPERSON ANDERSON: All right, good

1 afternoon. Can you please tell Mr. Solloso to
2 unmute his microphone and elevate his camera,
3 please?

4 MR. SOLLOSO: (Speaking through
5 interpreter, unless otherwise indicated) Where it
6 says mute, right? It's on, is it on?

7 CHAIRPERSON ANDERSON: I'm not able to
8 see him at the moment, so --

9 MR. SOLLOSO: Can you see me now?

10 CHAIRPERSON ANDERSON: No.

11 MR. SOLLOSO: So, it's logged in. I
12 already selected video.

13 CHAIRPERSON ANDERSON: We'll wait a
14 couple of minutes to see.

15 MR. SOLLOSO: It said video and it's
16 supposed to work, here we go.

17 CHAIRPERSON ANDERSON: So, let him know
18 we can see him.

19 MR. SOLLOSO: My son was helping me.

20 CHAIRPERSON ANDERSON: All right, thank
21 you. I need the parties to introduce themselves
22 for the record. Let's start with the Government,
23 need the Government to spell and state his name.

24 MR. ORTIZ: Good afternoon, Board
25 Members. Stephen Ortiz on behalf of the District

1 of Columbia. That's Stephen, S-T-E-P-H-E-N,
2 Ortiz, O-R-T-I-Z.

3 CHAIRPERSON ANDERSON: Mr. Ortiz, do
4 you have a potential witness with you? Can you
5 identify the person and I'll have that person
6 identify themselves.

7 MR. ORTIZ: Yes, Mr. Chairperson. I
8 have Investigator Vanessa Pleitez as my witness.

9 CHAIRPERSON ANDERSON: Ms. Pleitez, can
10 you please state your name for the record and
11 spell your, state and spell your name, please?

12 INVESTIGATOR PLEITEZ: My name is
13 Vanessa Pleitez. My last name is spelled P-L-E-
14 I-T-E-Z.

15 CHAIRPERSON ANDERSON: Okay. Mr.
16 Solloso, can you please spell and state your name
17 for the record, please?

18 MR. SOLLOSO: My name is Jose Solloso.
19 Last name is S-O-L-L-O-S-O.

20 CHAIRPERSON ANDERSON: Mr. Solloso, do
21 you have any witnesses with you, today?

22 MR. SOLLOSO: (Speaking for himself)
23 No, sir.

24 CHAIRPERSON ANDERSON: All right, thank
25 you. Mr. Ortiz, are there any preliminary

1 matters you need to bring to the attention of the
2 Board?

3 MR. ORTIZ: No, there are -- we do not
4 have any preliminary matters at this time.

5 CHAIRPERSON ANDERSON: Mr. Ortiz, are
6 you ready to move forward?

7 MR. ORTIZ: Yes.

8 CHAIRPERSON ANDERSON: Mr. Ortiz, do
9 you wish to make an opening statement?

10 MR. ORTIZ: Yes, I'd like to make a
11 brief opening statement.

12 CHAIRPERSON ANDERSON: All right.

13 MR. ORTIZ: Good afternoon, Board
14 Members. We are here today in the show cause
15 matter of 3566 14th Street Northwest, LLC,
16 trading as La Dulce Noche, located at 3566 14th
17 Street Northwest.

18 The show case notice issued in this
19 matter concerns the charge that Licensee
20 failed to follow the terms of its Board approved
21 license by operating outside the approved hours
22 of sales, in violation of D.C. Code Section 25-
23 823(a)(7) and 23 DCMR Section 705.9.

24 The evidence will show that on Sunday,
25 September 15, 2019, at approximately 3:17 a.m.,

1 an ABRA Investigator observed patrons in the
2 establishment consuming alcoholic beverages. The
3 establishment's licensed hours of operation end
4 at 3:00 a.m.

5 And that is all for my opening
6 statement, I'm ready to call my first witness.

7 CHAIRPERSON ANDERSON: Mr. Solloso, do
8 you wish to make an opening statement at this
9 juncture or do you want to wait until you present
10 your case?

11 MR. SOLLOSO: I would prefer to wait
12 and talk about my case later.

13 CHAIRPERSON ANDERSON: All right, thank
14 you. Mr. Ortiz, do you have a witness you wish
15 to call?

16 MR. ORTIZ: Yes. At this time, the
17 Government would like to call ABRA Investigator
18 Vanessa Pleitez.

19 CHAIRPERSON ANDERSON: Ms. Pleitez, can
20 you raise your right hand, please? Do you swear
21 or affirm to tell the truth and nothing but the
22 truth?

23 INVESTIGATOR PLEITEZ: Yes.

24 CHAIRPERSON ANDERSON: Thank you. Your
25 witness, Mr. Ortiz.

1 DIRECT EXAMINATION

2 MR. ORTIZ: Thank you. Good afternoon,
3 Investigator Pleitez. Can you please state your
4 name and spell your last name for the record?

5 INVESTIGATOR PLEITEZ: My name is
6 Vanessa Pleitez, my last name is spelled P-L-E-I-
7 T-E-Z.

8 MR. ORTIZ: And where are you currently
9 employed?

10 INVESTIGATOR PLEITEZ: I'm an
11 investigator for the Alcoholic Beverage
12 Regulation Administration.

13 MR. ORTIZ: And how long have you been
14 an investigator?

15 INVESTIGATOR PLEITEZ: Approximately
16 five years.

17 MR. ORTIZ: What are your duties and
18 responsibilities as an investigator?

19 INVESTIGATOR PLEITEZ: I investigate
20 and conduct regulatory inspections for alcohol
21 establishments within the District of Columbia.

22 MR. ORTIZ: And are you familiar with
23 the establishment called La Dulce Noche?

24 INVESTIGATOR PLEITEZ: Yes, yes.

25 MR. ORTIZ: And how are you familiar

1 with this establishment?

2 INVESTIGATOR PLEITEZ: I conducted an
3 undercover investigation on September 15, 2019 at
4 La Dulce Noche.

5 MR. ORTIZ: And did you create a case
6 report?

7 INVESTIGATOR PLEITEZ: Yes.

8 MR. ORTIZ: I'm going to direct you to
9 a document marked as Government Exhibit 1 for
10 identification.

11 (Whereupon, the above-referred to
12 document was marked as Government
13 Exhibit No. 1 for identification.)

14 CHAIRPERSON ANDERSON: Mr. Ortiz, do
15 you need to share your screen?

16 MR. ORTIZ: Yeah, I can share my
17 screen. I didn't know if you all wanted to do
18 that on your own, but I can definitely share my
19 screen.

20 CHAIRPERSON ANDERSON: Well, we do not
21 have the documents, so I need you to share your
22 screen so she can testify from the document on-
23 screen.

24 MS. ANDREWS: Mr. Ortiz, stand by.

25 CHAIRPERSON ANDERSON: Okay, thank you.

1 MS. ANDREWS: Mr. Ortiz, you may share
2 your screen now.

3 MR. ORTIZ: All right. Now, I'm going
4 to scroll through this, Investigator Pleitez, but
5 please take a moment and review Exhibit 1. I'll
6 scroll through it.

7 All right. And do you recognize it?

8 INVESTIGATOR PLEITEZ: Yes, it's my
9 case report.

10 MR. ORTIZ: All right. And what is it?
11 Oh, sorry, why did you create this report?

12 INVESTIGATOR PLEITEZ: I did the case
13 report because the establishment was in violation
14 of operating after hours.

15 MR. ORTIZ: And what is the date on
16 this report?

17 INVESTIGATOR PLEITEZ: September 15,
18 2019.

19 MR. ORTIZ: Did you attach exhibits to
20 this report?

21 INVESTIGATOR PLEITEZ: Yes.

22 MR. ORTIZ: Is this a fair and accurate
23 copy of the case report that you created for La
24 Dulce Noche on September 15, 2019?

25 INVESTIGATOR PLEITEZ: Yes.

1 MR. ORTIZ: And you created this report
2 as part of your duties as an investigator?

3 INVESTIGATOR PLEITEZ: Yes.

4 MR. ORTIZ: Mr. Chairperson, at this
5 time, the Government will now move Government
6 Exhibit 1, the case report, into evidence.

7 CHAIRPERSON ANDERSON: Mr. Solloso, do
8 you have an objection to moving this document
9 into evidence?

10 MR. SOLLOSO: No.

11 MR. ORTIZ: Thank you.

12 CHAIRPERSON ANDERSON: So moved.

13 (Whereupon, the above-referred to
14 document was received into evidence as
15 Government Exhibit No. 1.)

16 MR. ORTIZ: Investigator Pleitez, can
17 you please describe the events that led to the
18 investigation of La Dulce Noche?

19 INVESTIGATOR PLEITEZ: Yes.

20 CHAIRPERSON ANDERSON: I'm sorry, hold
21 on, hold on, hold on, hold on. Mr. Solloso, can
22 you please mute your telephone? This is -- Ms.
23 Pleitez is the one -- I'm sorry, tell Mr. Solloso
24 to mute his telephone.

25 Let him know that Ms. Pleitez is the

1 person who's testifying and he's not allowed --
2 if he has an objection to a question that's
3 asked, he can raise an objection, but she's the
4 one who the questions are being asked to. So,
5 let him know that, please.

6 MR. SOLLOSO: I do have my microphone
7 off now.

8 CHAIRPERSON ANDERSON: All right. Go
9 ahead, Mr. Ortiz.

10 MR. ORTIZ: All right. And,
11 Investigator Pleitez, can you please describe the
12 events that led to the investigation of La Dulce
13 Noche?

14 INVESTIGATOR PLEITEZ: Yes. On
15 September 15, 2019, Investigator Puente and
16 myself were conducting monitoring on the 14th
17 Street Corridor.

18 At 2:55 a.m., Investigator Puente and
19 myself noticed a group of individuals going into
20 La Dulce Noche. Investigator Puente and myself
21 pulled over to monitor the establishment.

22 At approximately 3:00 a.m., we noticed
23 a female closing the curtains of the front of the
24 establishment.

25 At approximately 3:17 a.m., I decided

1 to conduct an undercover investigation and enter
2 the establishment. So, at 3:17, I approached the
3 front door of the establishment, which was
4 unlocked, and it goes into a foyer. The second
5 door was locked, so I knocked on the door.

6 A male opened the door, who was later
7 identified as the owner, Mr. Solloso. Mr.
8 Solloso asked me, or I asked Mr. Solloso if I
9 could use the bathroom and Mr. Solloso asked me
10 where I was coming from.

11 I advised Mr. Solloso that I had came
12 from one of the other establishments down the
13 street. He asked me why I didn't use the
14 bathroom at that establishment. I told him that
15 when I left, I didn't need to use the bathroom,
16 but that I needed to use the bathroom now.

17 Mr. Solloso allowed me to enter the
18 establishment and directed me towards the
19 restroom.

20 When I entered the establishment, I
21 observed three patrons sitting at a table towards
22 the front of the establishment with beer bottles
23 that were half full and three patrons that were
24 standing at the bar.

25 I approached the restroom, however,

1 there was someone in the restroom, so I waited
2 until that person was done. While I was waiting,
3 Mr. Solloso turned on, put the music up and
4 started flickering the lights and stated, in
5 Spanish, I'm going to make you guys feel like
6 you're at the club.

7 The patron exited the bathroom, so I
8 entered the restroom. I contacted Investigator
9 Puente to tell him what was going on in the
10 establishment and asked him to come in for
11 assistance.

12 I exited the restroom to unlock the
13 front door, the door to the establishment. When
14 I exited the restroom, I saw a patron hand Mr.
15 Solloso \$20. Mr. Solloso poured out two shots of
16 tequila and handed the patron one shot and
17 simultaneously took the shot with the patron.

18 So, I unlocked the door and
19 Investigator Puente entered the establishment.
20 At that time, Investigator Puente and myself
21 identified ourselves as ABRA investigators to Mr.
22 Solloso and asked to speak to an ABC manager or
23 owner. At that time, Mr. Solloso introduced
24 himself as the owner of the establishment and
25 handed us his identification.

1 At that time, Mr. Solloso began asking
2 the patrons to exit the establishment and to
3 finish paying their balance on their checks. Mr.
4 Solloso became very upset and stated that he only
5 allowed me to enter the establishment because I
6 was a female and because I needed to use the
7 restroom.

8 I advised Mr. Solloso of the
9 violations, that he was operating after hours.
10 Mr. Solloso appeared to be intoxicated.
11 Therefore, I handed his ID back and I let him
12 know that I was going to return to do a
13 regulatory inspection on a later date.

14 MR. ORTIZ: Thank you, Investigator
15 Pleitez. And after the investigation, what did
16 you conclude?

17 INVESTIGATOR PLEITEZ: I concluded that
18 La Dulce Noche was in violation for operating
19 after hours on September 15, 2019.

20 MR. ORTIZ: And what are La Dulce
21 Noche's hours for sale and operation for Saturday
22 evenings into Sunday mornings.

23 INVESTIGATOR PLEITEZ: 9:00 a.m. to
24 3:00 a.m.

25 MR. ORTIZ: And how do you know that?

1 INVESTIGATOR PLEITEZ: I conducted a
2 regulatory inspection of the establishment on
3 September 28, 2019, at which time, I do look at
4 the ABC license, along with their certificate of
5 occupancy to conduct my regulatory inspection.

6 For the record, I stated my RI was
7 September 28, 2019.

8 MR. SEJAS: The interpreter has a
9 question or petition, he is not familiar with the
10 acronym.

11 INVESTIGATOR PLEITEZ: Regulatory
12 inspection. No, I'm sorry, it's the 28th of
13 September.

14 CHAIRPERSON ANDERSON: Do you have any
15 other questions, Mr. Ortiz?

16 MR. ORTIZ: My apologies, Board
17 Members, there were some technical difficulties
18 on my end. It was saying there was low bandwidth
19 and I don't know where Investigator Pleitez left
20 off and/or any questions that were posed after
21 that.

22 CHAIRPERSON ANDERSON: I think she
23 answered your last question. She answered your
24 last question, and there was just some
25 clarification where she stated that she went back

1 to do a regulatory inspection on September 28,
2 that was just a clarification that she provided
3 the record.

4 MR. ORTIZ: Okay. Thank you, Mr.
5 Chairperson. I do have a couple more questions.

6 Investigator Pleitez, I'm going to
7 direct you to a document marked as Government
8 Exhibit 2 for identification.

9 (Whereupon, the above-referred to
10 document was marked as Government
11 Exhibit No. 2 for identification.)

12 MR. ORTIZ: And do you recognize this
13 document?

14 INVESTIGATOR PLEITEZ: Yes, this is the
15 ABC license for La Dulce Noche.

16 MR. ORTIZ: And how do you know that
17 this is La Dulce Noche's ABC license?

18 INVESTIGATOR PLEITEZ: This is the
19 ABRA-generated ABC license that was provided to
20 La Dulce Noche.

21 MR. ORTIZ: And does La Dulce Noche's
22 name appear anywhere on this ABC license?

23 INVESTIGATOR PLEITEZ: Yes, it's at the
24 top of the page.

25 MR. ORTIZ: Is this a fair and accurate

1 copy of the ABC license for La Dulce Noche?

2 INVESTIGATOR PLEITEZ: Yes.

3 MR. ORTIZ: Mr. Chairperson, at this
4 time, the Government moves Exhibit 2, La Dulce
5 Noche's ABC license, into evidence.

6 CHAIRPERSON ANDERSON: Mr. Solloso, do
7 you any objection?

8 MR. SOLLOSO: Well, yes.

9 CHAIRPERSON ANDERSON: What's the
10 nature of your objection, sir?

11 MR. SOLLOSO: Well, I oppose what she
12 is describing, what she's telling us.

13 CHAIRPERSON ANDERSON: Hold on, Mr.
14 Solloso. The only question I'm asking you, the
15 Government is trying to move in a copy of your
16 license into evidence, do you have any objection
17 to this document, moving this document into
18 evidence?

19 MR. SOLLOSO: No, no.

20 CHAIRPERSON ANDERSON: All right, so
21 moved. Thank you.

22 (Whereupon, the above-referred to
23 document was received into evidence as
24 Government Exhibit No. 2.)

25 MR. ORTIZ: All right. And,

1 Investigator Pleitez, can you please read the
2 hours of sales and operation that are stated on
3 La Dulce Noche's ABC license for Saturdays?

4 INVESTIGATOR PLEITEZ: 9:00 a.m. to
5 3:00 a.m.

6 MR. ORTIZ: And when was this ABC
7 license issued to the establishment?

8 MR. SEJAS: The interpreter has a
9 question or petition, where or when? The
10 interpreter didn't hear.

11 MR. ORTIZ: My apologies, sorry. When
12 was this ABC license issued?

13 INVESTIGATOR PLEITEZ: March 29, 2019.

14 MR. ORTIZ: All right. Then, I have no
15 further questions for Investigator Pleitez.

16 CHAIRPERSON ANDERSON: Thank you, Mr.
17 Ortiz. Mr. Solloso, this is -- you now have an
18 opportunity to ask Investigator Pleitez questions
19 about her testimony. So, now, you're asking her
20 questions, sir, okay?, about what she just
21 testified to.

22 CROSS EXAMINATION

23 MR. SOLLOSO: Very well. So, I would
24 like to ask Ms. Vanessa about the approximation
25 that she approach on September 15. You are

1 saying that you were on the street at 2:55 a.m.
2 and that you were looking outside La Dulce Noche?

3 INVESTIGATOR PLEITEZ: Yes.

4 MR. SOLLOSO: So, you said that you saw
5 a bunch of people accessing the place when you
6 later said that there were only two or three
7 people inside.

8 INVESTIGATOR PLEITEZ: No, I stated
9 that there was patrons standing outside of the
10 establishment going into the establishment. And
11 when I entered to use the restroom, there was
12 approximately six patrons inside of the
13 establishment, three at a table and three at the
14 bar.

15 MR. SOLLOSO: So, you were saying that
16 the patrons were able to access before and how
17 come if you also said that the door was locked
18 for you and you didn't have direct access?

19 INVESTIGATOR PLEITEZ: I'm not sure
20 what the question is.

21 MR. SOLLOSO: Well, my question is that
22 the door was already locked and when, at 2:55, I
23 was upset because I was trying to get rid of the
24 people and they haven't paid off yet. So, that's
25 what I was doing there at 2:55.

1 CHAIRPERSON ANDERSON: Hold on, hold
2 on, hold on for a minute.

3 MR. SOLLOSO: (Speaking for himself)
4 Okay.

5 CHAIRPERSON ANDERSON: I know with the
6 Spanish, with the interpretation that there might
7 be some issues in the sense that maybe it's not
8 necessarily a question posed.

9 But Ms. Pleitez, if you're able to
10 answer the question that is posed, I know that
11 you're -- because he's saying, and it's going
12 through a translator, so it might not necessarily
13 be the way, but if you understand what's being
14 asked, try to give an answer. If you're unable
15 to answer, then say that I'm unable to answer.

16 But I know that there's some issues,
17 but I'm not sure if it's being translated word
18 for word and so, therefore, there might be some -
19 - all right?

20 INVESTIGATOR PLEITEZ: Okay. To my
21 understanding, his question was, how did I
22 observe patrons going into the establishment
23 when, when I went into the establishment, the
24 door was locked?

25 Like I stated, the first door that

1 goes into the foyer was unlocked, the second door
2 was locked when I went into the establishment at
3 3:17 a.m. I'm not sure exactly if the door was
4 locked or not at 2:55, but I did witness patrons
5 enter the establishment at 2:55.

6 MR. SOLLOSO: So, it's my turn to
7 speak, right?

8 CHAIRPERSON ANDERSON: No, sir. Do you
9 have any other questions you want to ask her?

10 Hold on, hold on, hold on, hold on.
11 Mr. Solloso, you're asking her a question and I'm
12 getting the impression that you're trying to
13 testify. So, you're going to get your chance to
14 testify.

15 MR. SOLLOSO: (Speaking for himself)
16 Okay.

17 CHAIRPERSON ANDERSON: What you're
18 doing right now is that, she just testified.

19 MR. SOLLOSO: (Speaking for himself)
20 Okay.

21 CHAIRPERSON ANDERSON: If you have any
22 questions you want to ask her, you ask her these
23 questions now, based on the testimony she just
24 gave. That's where we are now. You'll get a
25 chance later on to present your case.

1 MR. SOLLOSO: I do understand, I do
2 understand.

3 CHAIRPERSON ANDERSON: Mister, Mister,
4 you don't need to translate that, he said he
5 understands, okay?

6 MR. SEJAS: The interpreter would like
7 to say, the question was --

8 MR. SOLLOSO: Well, I'm telling you
9 nobody was able to get in, nobody from the
10 outside was able to get in. The door was locked.
11 I was trying -- they were only able to get out if
12 they were inside.

13 So, she asked me about the restroom,
14 I objected, I said it's closed. She asked me as
15 a personal favor. I was trying to get rid of the
16 people that were still inside and it was close to
17 3:00 a.m.

18 MR. SEJAS: So, wait a minute, you need
19 to ask questions, I am under the impression that
20 you are -- I have to say this in Spanish.

21 MR. SOLLOSO: I did understand.

22 CHAIRPERSON ANDERSON: Thank you. And
23 I'm not native to Spanish, but I figured out that
24 he wasn't asking her a question, he was
25 testifying. That's why I stopped, to clarify

1 that he's going to get an opportunity, all right?

2 All right, thank you. Do you have any
3 other questions you want to ask her, sir? Any
4 other questions before I dismiss her?

5 MR. SOLLOSO: Yes, I would like to
6 know, she has accused me that I was apparently
7 intoxicated, I would like to ask her, what proof
8 did you have about that?

9 CHAIRPERSON ANDERSON: I can't hear,
10 Ms. Pleitez.

11 INVESTIGATOR PLEITEZ: Sorry about
12 that. I wrote in my report that he appeared to
13 be intoxicated, I could smell alcohol in his
14 breath. And I also witnessed him take a shot of
15 tequila with a patron while I was in the
16 establishment.

17 MR. SOLLOSO: I believe you don't have
18 any proof about that action, the same as I don't
19 have any proof to say that you didn't show me
20 your badge when you asked me to get access.

21 INVESTIGATOR PLEITEZ: At that time, I
22 was in an undercover capacity.

23 MR. SOLLOSO: How long do you consider
24 you were, from the time that we opened the door
25 to the time that you went to unlock the door for

1 Investigator Puente to get in?

2 INVESTIGATOR PLEITEZ: I approached the
3 establishment approximately 3:17 a.m. I waited
4 for the restroom for approximately two minutes.
5 And I was in the restroom for maybe a minute.
6 So, total, maybe seven to ten minutes.

7 MR. SOLLOSO: So, when you opened the
8 door for Investigator Puente, Mr. Puente didn't
9 say anything to me, he just said that's fine, and
10 you chased after the clients, is that true?

11 INVESTIGATOR PLEITEZ: No.

12 MR. SOLLOSO: So, after you left, did
13 I remain with the clients inside, with the
14 patrons inside?

15 INVESTIGATOR PLEITEZ: No. To clarify
16 the last question, Mr. Solloso, when I asked you
17 for your identification, Investigator Puente
18 entered with his badge around his neck and we
19 advised you that we were investigators with ABRA
20 and asked you for your identification and you
21 provided us with your ID.

22 MR. SOLLOSO: Neither Mr. Puente or Ms.
23 Vanessa asked me for my ID, they just said that I
24 was outside the law.

25 MR. ORTIZ: Objection, Mr. Chairperson.

1 He needs to ask a question.

2 MR. SOLLOSO: The question --

3 MR. ORTIZ: Again, I raise the same
4 objection --

5 CHAIRPERSON ANDERSON: Hold on, hold
6 on, hold on, I'm sorry. What's the objection?

7 MR. ORTIZ: Mr. Solloso is testifying
8 at this time. This is a -- and the time, this is
9 for cross examination, he needs to pose a
10 question. In the last two statements, they have
11 been statements and not questions.

12 CHAIRPERSON ANDERSON: As I stated, Mr.
13 Ortiz, I mean, there is some issue, I'm saying to
14 work through this to see when it comes through
15 the translator, what is being requested. I'm not
16 sure if you're a native Spanish speaker, and I
17 don't know if Ms. Pleitez is a native Spanish
18 speaker, I am not, but I do know some Spanish.

19 I do get the impression that he's
20 testifying. However, I'm waiting to hear what
21 comes out of the mouth of the translator. Once I
22 hear from the translator, if it's not a question,
23 then I'm not going to pose it.

24 So, although he might be testifying,
25 because it's in Spanish, it is not in the record.

1 All that's going to be in the record is what's
2 coming out of the mouth of the translator.

3 So, I understand and I'm trying to
4 hold it together, in spite of the -- so, that's
5 the reason, I'm waiting to hear what the
6 translator states. And once I hear what the
7 translator states, then I will not allow that to
8 be in the record, okay? But I hear.

9 MR. ORTIZ: Okay.

10 CHAIRPERSON ANDERSON: I mean, I
11 appreciate, I said this before, I appreciate it
12 and I appreciate that I kind of get the
13 impression that he's testifying, but I have to
14 wait until I hear what comes out of the mouth of
15 the translator before I will say, this is going
16 to be in the record or I will allow Ms. Pleitez
17 to respond, okay?

18 MR. SEJAS: The interpreter would like
19 to say, this was the initial questions.

20 MR. SOLLOSO: Well, my question is that
21 Investigator Puente did have his badge hanging,
22 but you didn't show me any badge until you came
23 back the second time from the door. And then,
24 you just told me that I had broken the law, that
25 it was after hours.

1 So, it was 3:00 a.m., you're saying I
2 was serving liquor, you don't have any proof
3 about that. There was no liquor on the table.
4 You will not be able to prove this.

5 CHAIRPERSON ANDERSON: Hold on, hold
6 on, hold on, hold on, please. I'm not going to
7 allow anything that -- there is no question
8 presented.

9 Mr. Ortiz, you're correct, he's
10 testifying. So, I'm going to sustain your
11 objection. And so, none of what was just put in
12 the record by the interpreter will be admitted,
13 because it's not a question. All right.

14 All right. Mr. Solloso, this is, as
15 I stated before, you're going to have the
16 opportunity to present your case, sir, she's
17 testifying, she testified, if you have a specific
18 question for her, ask a question. If you don't
19 have a specific question, we will move on.

20 So, I don't want you to just -- if you
21 have questions, ask questions. If it's not a
22 question, you will have an opportunity later on
23 to give an explanation to whatever she says.

24 Any other questions?

25 MR. SOLLOSO: No, let's just move

1 forward, because all the questions that I make
2 does not correspond to what I wish.

3 CHAIRPERSON ANDERSON: I'm sorry, can
4 you repeat what you just said?

5 MR. SOLLOSO: So, my question for Ms.
6 Vanessa is if she has proof that I was serving
7 alcohol. She said she entered 2:55 and she was
8 like three minutes, so if it was -- if she has
9 any proof that I was serving alcohol?

10 CHAIRPERSON ANDERSON: That question
11 was asked and answered. Okay. Let's move on.

12 She testified that someone bought --
13 I heard she testified that someone gave you \$20,
14 you gave them a drink and you took a shot. So,
15 asked and answered. So, that's the testimony I
16 heard.

17 Is there another question?

18 MR. SOLLOSO: No, let's continue. I
19 am not an attorney, so let's please continue.

20 CHAIRPERSON ANDERSON: All right.
21 Thank you. Ms. Pleitez, I'm confused, was this
22 Saturday going into Sunday morning or Sunday
23 going into Monday, when you went to the
24 establishment?

25 INVESTIGATOR PLEITEZ: It was Saturday

1 into Sunday.

2 CHAIRPERSON ANDERSON: All right. Now,
3 did you ask for the ABC manager or owner, or did
4 you know that Mr. Solloso was the owner of the
5 establishment?

6 INVESTIGATOR PLEITEZ: When
7 Investigator Puente entered the establishment, I
8 did ask to speak to an ABC manager or owner. He
9 was behind the bar with another bartender, a
10 female bartender, and he stated that he was the
11 owner of the establishment. At which time, I did
12 ask him for his ID, which he provided.

13 CHAIRPERSON ANDERSON: Now, do you
14 remember -- so, what time, if you remember off
15 the top of your head, is sales and service on a
16 Saturday? I just want to clarify for the record,
17 what time should that end?

18 INVESTIGATOR PLEITEZ: At 3:00 a.m.

19 CHAIRPERSON ANDERSON: All right.
20 Okay. I don't have any other questions. Does
21 any other Board Member have any questions for Ms.
22 Pleitez?

23 MEMBER SHORT: Yes, Mr. Chair, I had a
24 question for Investigator Pleitez.

25 CHAIRPERSON ANDERSON: Go ahead, Mr.

1 Short.

2 MEMBER SHORT: Good afternoon,
3 Investigator Pleitez.

4 INVESTIGATOR PLEITEZ: Good afternoon.

5 MEMBER SHORT: Thank you for your
6 excellent report. And I'd just like to ask,
7 again, what time did you enter the establishment
8 during this undercover investigation?

9 INVESTIGATOR PLEITEZ: I entered at
10 approximately 3:17 a.m.

11 MEMBER SHORT: I do thank you for that
12 testimony. That's all I have, Mr. Chair.

13 CHAIRPERSON ANDERSON: Any other
14 questions by any other Board Members?

15 I want to just ask you one more
16 question, Ms. Pleitez. Based on their license,
17 was this establishment supposed to be open at
18 3:17 a.m.?

19 INVESTIGATOR PLEITEZ: No, Mr. Chair.
20 Their license for operation and sales end at 3:00
21 a.m.

22 CHAIRPERSON ANDERSON: Now, do you know
23 approximately what time both you and the other
24 investigator exited the establishment?

25 INVESTIGATOR PLEITEZ: I can say that

1 approximately 3:25.

2 CHAIRPERSON ANDERSON: And when you
3 exited the establishment at 3:25, who was left in
4 the establishment?

5 INVESTIGATOR PLEITEZ: To my
6 recollection, it was the owner, two waitresses,
7 and one patron that hadn't paid, he was very
8 intoxicated and he was attempting to pay his
9 bill.

10 CHAIRPERSON ANDERSON: Thank you. All
11 right. Thank you. Mr. Solloso, again, this is
12 just questions. Both myself and Mr. Short asked
13 questions of Ms. Pleitez. Do you have any
14 questions of her based on the questions that we
15 both asked?

16 Can -- hold on, can you tell Mr.
17 Solloso, there should be no one in the background
18 speaking to him? I can hear someone speaking to
19 him. So, no one should be talking to him,
20 because I can hear.

21 MR. SOLLOSO: It must be just echo.

22 CHAIRPERSON ANDERSON: Mr. Solloso,
23 there's no echo, someone is speaking to you. I'm
24 not going to play games, okay? This is not the
25 first time. It doesn't matter, sir.

1 MR. SOLLOSO: (Speaking for himself) I
2 am alone.

3 CHAIRPERSON ANDERSON: Another voice,
4 it's not an echo, there's a female voice in the
5 background speaking to you. That is not an echo.
6 So, let's move on. I'm just saying, I do not
7 want, during this process, I do not want anyone
8 to be having a conversation with you, sir.

9 So, one last time, do you have any
10 questions of Ms. Pleitez based on the questions
11 that I asked and Mr. Short asked?

12 MR. SOLLOSO: I don't know what else to
13 do, I don't know what to do.

14 CHAIRPERSON ANDERSON: All right, you
15 don't have any other questions. Mr. Ortiz, do
16 you have any questions of Ms. Pleitez based on
17 the questions that I asked and Mr. Short asked?

18 MR. ORTIZ: No, I do not.

19 CHAIRPERSON ANDERSON: Thank you. Ms.
20 Pleitez, thank you for your testimony today.

21 INVESTIGATOR PLEITEZ: Thank you.

22 CHAIRPERSON ANDERSON: Mr. Ortiz, do
23 you have another witness you want to call?

24 MR. ORTIZ: No, sir, the Government
25 does not have any more witnesses to call.

1 CHAIRPERSON ANDERSON: And does the
2 Government rest?

3 MR. ORTIZ: Yes, the Government rests.

4 CHAIRPERSON ANDERSON: All right.
5 Okay. Mr. Solloso, this is your opportunity to
6 defend your case. You can state whatever you
7 want to do to defend your case, all right?

8 Mr. Solloso, can you raise your right
9 hand, please? Do you swear or affirm to tell the
10 truth and nothing but the truth?

11 MR. SOLLOSO: (Speaking for himself)
12 Yes, I do.

13 CHAIRPERSON ANDERSON: Thank you. I
14 want to thank the interpreter for doing his job
15 excellent, but clearly, the witness answered the
16 question. So, if the witness answered the
17 question, he understood. You don't have to
18 interpret once the witness has answered the
19 question, but I appreciate the fact that you're
20 doing your job, sir, okay? Thank you.

21 All right. Go ahead, sir.

22 MR. SOLLOSO: To tell you the truth, I
23 do understand English, but I don't speak it very
24 well, that's why I get ahead some times.

25 CHAIRPERSON ANDERSON: And I'm fine

1 with that, sir, not a problem.

2 DIRECT EXAMINATION

3 MR. SOLLOSO: So, my summary about this
4 problem. On September 15, Ms. Vanessa presented
5 herself at 2:15 a.m., requested the restroom at
6 my business, because the door was locked.

7 So, I did answer effectively that I'm
8 not allowing people to enter. She said, it's an
9 emergency. So, I did open the door, and she was
10 not showing a badge or anything.

11 I was struggling with my clients,
12 because I was trying to get them out. So, I
13 didn't follow her to the restroom, she went to
14 the restroom.

15 In the meantime, I was trying to get
16 what they owe me, because the clients didn't pay
17 me yet. That's why Ms. Vanessa was saying that I
18 had \$20 on my hand.

19 Another issue is that Ms. Vanessa said
20 that five and six people were inside and then,
21 she says that only two waitresses, and one
22 customer, the one that apparently was intoxicated
23 and didn't want to pay.

24 And then, Ms. Vanessa opened the
25 second door to allow the other inspector to get

1 in. The other investigator didn't need to
2 introduce himself, he had a badge. So, it's only
3 at that moment that Ms. Vanessa put her badge on
4 and she identified herself as an inspector.

5 So, at that moment, neither Kevin --
6 the interpreter thinks Mr. Puente -- neither
7 Kevin or herself ask me for an ID. They just
8 said that they were -- I was under the
9 investigation and I had committed a violation.

10 So, at that time, there were two
11 patrons leaving, because we opened the door for
12 them to leave. And she testified that there were
13 two waitresses and just one patron left. So, I
14 don't know what other people she wants to
15 include.

16 In another question that I didn't know
17 how to formulate, she was saying that I am seated
18 behind the bar. I was never behind the bar, I
19 was always next to the door, checking the exit.

20 MR. SOLLOSO: (Speaking for himself) To
21 open the door for the exit of people and nobody
22 can come.

23 MR. SOLLOSO: Therefore, I don't know
24 how we can call this that she can generate, how
25 can we say, a good report. Well, regarding the

1 schedule, probably I got past a few minutes, but
2 without serving any alcohol. This is all I can
3 say about my case.

4 CHAIRPERSON ANDERSON: Mr. Solloso, now
5 Mr. Ortiz will have an opportunity to ask you
6 questions on the testimony that you just gave,
7 sir, okay? Mr. Ortiz?

8 CROSS-EXAMINATION

9 MR. ORTIZ: Thank you, Mr. Chairperson.
10 Mr. Solloso, your testimony today is that a
11 patron paid you \$20, correct?

12 MR. SOLLOSO: That is correct, because
13 he owed that, he owed that from way before, it
14 was before 3:00 a.m., it was something that they
15 had consumed.

16 MR. ORTIZ: And this same patron paid
17 you the \$20 after Investigator Pleitez entered
18 the establishment, correct?

19 MR. SOLLOSO: Well, yes, because we are
20 arguing the case, the matter, that he didn't pay.

21 MR. ORTIZ: I have no further
22 questions.

23 CHAIRPERSON ANDERSON: Mr. Solloso, Ms.
24 Pleitez testified that you had a shot of
25 something while she was in the establishment, is

1 that correct, sir?

2 MR. SOLLOSO: As I said before, I never
3 approached the bar. I remained next to the door
4 until Ms. Vanessa and Mr. Kevin left.

5 CHAIRPERSON ANDERSON: That's not --
6 the question is, she stated that, whether or not
7 you were at the door, behind the bar, in front of
8 the bar, she testified that someone gave you \$20
9 and you had a shot. Are you denying this?

10 MR. SOLLOSO: Of course. There was no
11 tip that he gave me, the \$20 was just to pay off
12 the bills he owed. There were two customers that
13 were seated, they owe me.

14 CHAIRPERSON ANDERSON: Mr. Solloso,
15 what time was, on that Saturday night, what time
16 is your hours of operation?

17 MR. SOLLOSO: Based on what I was
18 checking on my watch, I was below 3:00 a.m. And
19 my time at 3:00 is not to serve alcohol.

20 CHAIRPERSON ANDERSON: So, what is
21 supposed to happen at 3:00, sir?

22 MR. SOLLOSO: Well, it means that I
23 didn't serve alcohol, and I didn't. It means
24 that I cannot kick them out, I cannot start
25 kicking people.

1 CHAIRPERSON ANDERSON: What is supposed
2 to occur at 3:00, sir? What is supposed to occur
3 at 3:00?

4 MR. SOLLOSO: It's supposed that you
5 don't serve alcohol and it's supposed you don't
6 have customers, I agree on that. But if I had
7 two customers that their credit card bounced and
8 we are trying to settle, I think it shouldn't be
9 such a big issue.

10 CHAIRPERSON ANDERSON: Sir, my
11 confusion is that your hours of operation and
12 your hours of service is 3:00 a.m., meaning that
13 the doors need to be, I'm asking, does that mean
14 that the doors need to be locked and that no
15 customers should be in your establishment at 3:00
16 a.m.? Is that what that means, in your view?

17 MR. SOLLOSO: I believe it means that
18 at 3:00, you don't serve alcohol anymore. And
19 that the doors should remain locked.

20 CHAIRPERSON ANDERSON: So, suppose
21 there -- so, are there supposed to be any
22 customers in the establishment past 3:00 a.m.?

23 MR. SOLLOSO: No, they were just trying
24 to pay off, there were only two customers and the
25 employees, one or two waitresses and one cook.

1 And these customers left and that's what Ms.
2 Vanessa said she saw, the money that she saw.
3 When Mr. Kevin entered, he didn't see anything,
4 because they were already gone.

5 CHAIRPERSON ANDERSON: Do you have a
6 last call, and if you have last call, what time
7 is last call?

8 MR. SOLLOSO: Yes, sir, I always do it.
9 I call at 2:30 a.m., every time a last call, and
10 I will repeat it at 2:45. So, that doesn't mean
11 that the music is on, like Ms. Vanessa was
12 saying. I turn it off, because the clients are
13 leaving. And when the customers leave, I remain
14 to broom and take out the trash. But that's not
15 an issue.

16 The issue is that the door is not open
17 since 2:30 a.m., it's closed and nobody can
18 enter, they can only exit. So, the door doesn't
19 allow anybody to open it from the outside, it
20 only allows somebody to operate it from the
21 inside to get out.

22 That's why Ms. Vanessa couldn't access
23 without my permission, because it only allows to
24 exit. And that's why Ms. Vanessa had to go and
25 open the door for Mr. Puente, because after she

1 enter, I close the door again.

2 CHAIRPERSON ANDERSON: All right.
3 There's no question presented. Are there any
4 other questions any of the Board Members want to
5 ask?

6 MEMBER SHORT: Yes, Mr. Chair.

7 CHAIRPERSON ANDERSON: Go ahead, Mr.
8 Short.

9 MEMBER SHORT: Yes. Good afternoon,
10 Mr. Solloso.

11 MR. SOLLOSO: (Speaking for himself)
12 Yes, sir.

13 MEMBER SHORT: Mr. Solloso, how long
14 have you been in business at this establishment?

15 MR. SOLLOSO: Six years.

16 MEMBER SHORT: In those six years, have
17 you ever sold alcohol after your permitted
18 licensed hours?

19 MR. SOLLOSO: No, not exactly.

20 MEMBER SHORT: I'd like to ask you an
21 exact question. And the question is, on March 9,
22 2017, your record indicates that you had a
23 similar charge to what Vanessa Pleitez,
24 Investigator Pleitez is charging you with now.
25 Did that happen?

1 MR. SOLLOSO: At the time, we had these
2 containers -- the interpreter thinks jugs -- of
3 beer on top of the countertop. We were preparing
4 them to get them inside the refrigerator, the
5 freezer.

6 MEMBER SHORT: Did you ever pay a fine
7 for that incident?

8 MR. SOLLOSO: Yes, I do believe that,
9 yes, I remember, yes.

10 MEMBER SHORT: Were you guilty?

11 MR. SOLLOSO: Well, if I had beer on
12 top after hours, I just admitted that I was
13 liable, I was guilty.

14 MEMBER SHORT: Thank you, Mr. Solloso.
15 Mr. Chair, I have no further questions.

16 CHAIRPERSON ANDERSON: Thank you. Are
17 there any other questions from any other Board
18 Members? Mr. Ortiz, do you have any questions of
19 Mr. Solloso based on the questions that were
20 asked by the Board?

21 MR. ORTIZ: No, I do not have any other
22 questions, Mr. Chairperson.

23 CHAIRPERSON ANDERSON: Mr. Solloso,
24 based on the questions that I asked you and the
25 questions that Mr. Short asked you, do you need

1 to clarify the record? Do you need to clarify
2 any statement based on those specific questions
3 that were asked of you?

4 MR. SOLLOSO: No, it's correct.

5 CHAIRPERSON ANDERSON: All right, thank
6 you. Prior to making closing, Mr. Solloso, do
7 you rest? Do you have anything that you want to
8 say? I'm going to give you an opportunity to
9 wrap up your case, but do you have any further
10 testimony to present?

11 MR. SOLLOSO: I would like to request
12 your mercy --

13 CHAIRPERSON ANDERSON: Hold on, hold
14 on, hold on, hold on. All right. I don't need
15 to hear that now, I don't need to hear that now.
16 I'm going to give you an opportunity to say that,
17 but this is not the appropriate time for that.
18 All right. All right.

19 So, I suppose you rest. All right.
20 All right. All right.

21 Mr. Ortiz, do you wish to make a
22 closing statement?

23 MR. ORTIZ: Yes, Mr. Chairperson, I do,
24 just briefly.

25 CHAIRPERSON ANDERSON: All right, go

1 ahead.

2 MR. ORTIZ: All right. The Government
3 has proven to the Board by a preponderance of the
4 evidence that alcoholic beverages were sold and
5 consumed at the establishment after licensed
6 hours, in violation of D.C. Code Section 25-
7 823(a)(7) and 23 DCMR Section 705.9.

8 We heard from Investigator Pleitez
9 that after 3:00 a.m., she observed several
10 patrons drinking alcohol at the establishment.

11 We further heard from Investigator
12 Pleitez that she observed Mr. Solloso pour shots
13 of what appeared to be tequila in exchange for
14 \$20 from a patron. We also heard Mr. Solloso
15 testify to the effect that the patron paid him
16 \$20 after Investigator Pleitez entered the
17 establishment.

18 The Government has, therefore, proven
19 the charge in the notice to show cause. And the
20 Government recommends that the Board apply a
21 penalty consistent with D.C. Code Section 25-830.
22 Thank you.

23 CHAIRPERSON ANDERSON: All right.
24 Okay. Mr. Solloso, this is your opportunity to
25 wrap up your case and what is it that you want

1 the Board to do?

2 MR. SOLLOSO: Well, as I said before in
3 the case, for me, I believe no charges are valid,
4 because nothing was served after 3:00 a.m. The
5 money was charged after 3:00 a.m., because that
6 was owed.

7 And as I said before also, this all
8 happened in 2019, in September, when the business
9 was going more or less resolving and working.
10 Then, we had the pandemic and for more than a
11 year, 18 months, we don't have income generated.
12 So, I couldn't even hire a lawyer to defend me
13 today. And I am thinking that I will be forced
14 to close. So, I just implore for compassion.

15 CHAIRPERSON ANDERSON: That's all you
16 need to say, sir, nothing else?

17 MR. SOLLOSO: So, is it more or less
18 what I should have said, what I have to say?

19 CHAIRPERSON ANDERSON: Yeah, I just
20 wanted to make sure that you're done, that's all.

21 MR. SOLLOSO: Yes, sir.

22 CHAIRPERSON ANDERSON: All right.
23 Thank you. Just before, did you, Mr. Solloso,
24 did you provide any documents to the Board that
25 you wanted to be in the record? I know that

1 although you didn't testify to any documents, but
2 as a part of the disclosure, did you submit any
3 documents?

4 MR. ORTIZ: I'm sorry, Mr. Chairperson.
5 Could you repeat the question and the interpreter
6 can translate --

7 CHAIRPERSON ANDERSON: Did he, were any
8 documents, did he disclose any documents to you,
9 Mr. Ortiz?

10 MR. ORTIZ: No, he did not disclose any
11 documents.

12 CHAIRPERSON ANDERSON: All right. All
13 right. So, I was just asking, okay. Thank you
14 for clarifying the record, Mr. Ortiz. All right.
15 Okay. The record is now closed. Do the parties
16 wish to provide a proposed findings of fact and
17 conclusion of law? Or just rest on the --

18 MR. ORTIZ: The Government waives its
19 right.

20 CHAIRPERSON ANDERSON: The question I
21 just asked, Mr. Solloso, do you want just to rest
22 on -- do you want us to make the decision on the
23 testimony and evidence that's presented today?
24 That's what I'm asking.

25 MR. SOLLOSO: Right now, I don't know

1 if we just wait or if we just take a decision
2 right now.

3 CHAIRPERSON ANDERSON: No, I'm not
4 going to give a decision right now. I was just
5 saying that you want the Board to make its
6 decision on the evidence that's presented, that's
7 all. That's all, there is no -- we're not going
8 to make a decision right now.

9 MR. SOLLOSO: Very well, that will be
10 fine.

11 CHAIRPERSON ANDERSON: All right.
12 Good. All right. Thank you.

13 As Chairperson of the Alcoholic
14 Beverage Control Board for the District of
15 Columbia, in accordance with D.C. Official Code
16 Section 2574(b) of the Open Meetings Act, I move
17 that the ABC Board hold a closed meeting for the
18 purpose of seeking legal advice from our counsel
19 on Case Number 19-CMP-00172, La Dulce Noche,
20 pursuant to D.C. Official Code Section 2574(b)(4)
21 of the Open Meetings Act, and deliberating upon
22 Case Number 19-CMP-00172, La Dulce Noche, for the
23 reasons cited in D.C. Official Code Section
24 2574(b)(13) of the Open Meetings Act. Is there a
25 second?

1 MEMBER CROCKETT: Ms. Crockett seconds.

2 CHAIRPERSON ANDERSON: Ms. Crockett has
3 seconded the motion. I will now take a roll call
4 vote on the motion before us, now that it has
5 been seconded. Mr. James Short?

6 MR. SOLLOSO: Mr. James Short, I agree.

7 CHAIRPERSON ANDERSON: Mr. Bobby Cato?

8 MEMBER CATO: Bobby Cato, I agree.

9 CHAIRPERSON ANDERSON: Ms. Rema
10 Wahabzadah?

11 MEMBER WAHABZADAH: Rema Wahabzadah, I
12 agree.

13 CHAIRPERSON ANDERSON: Ms. Rafi
14 Crockett?

15 MEMBER CROCKETT: Rafi Crockett, I
16 agree.

17 CHAIRPERSON ANDERSON: Ms. Hansen?

18 MEMBER HANSEN: Jeni Hansen, I agree.

19 CHAIRPERSON ANDERSON: Mr. Grandis?

20 MEMBER GRANDIS: Edward Grandis, I
21 agree.

22 CHAIRPERSON ANDERSON: Mr. Anderson, I
23 agree. As it appears that the motion has passed,
24 I hereby give notice that the ABC Board will
25 recess this proceeding to hold a closed meeting

1 in the ABC Board conference room, pursuant to
2 Section 2574(b) of the Open Meetings Act.

3 I want to thank both parties for their
4 presentation today and the Board will issue a
5 decision within 90 days. Thank you very much,
6 have a great day.

7 MR. SOLLOSO: Thank you, Mr. Chairman.
8 Thank you to all the Board.

9 CHAIRPERSON ANDERSON: All right, thank
10 you. You can log off if you so desire, the case
11 is now over. Thank you very much.

12 MR. SEJAS: Thank you, Mr. Chairman.

13 CHAIRPERSON ANDERSON: Yes. As
14 Chairperson of the Alcoholic Beverage Control
15 Board -- let me make sure that I'm finished, hold
16 on.

17 As Chairperson of the Alcoholic
18 Beverage Control Board for the District of
19 Columbia, in accordance with Title 3 Chapter 405,
20 Office of Open Government, I move that ABC Board
21 hold a closed meeting on March 10, 2021 for the
22 purpose of discussing and hearing reports
23 concerning the ongoing or planned investigations
24 of alleged criminal or civil misconduct or
25 violation of law or regulations and seeking legal

1 advice from our legal counsel on the Board's
2 Investigative Agenda, Legal Agenda, and Licensing
3 Agenda for March 10, 2021, as published in the
4 D.C. Register on March 5, 2021. Is there a
5 second?

6 MEMBER WAHABZADAH: Rema Wahabzadah
7 seconds.

8 CHAIRPERSON ANDERSON: Ms. Wahabzadah
9 has seconded the motion. I will now take a roll
10 call vote on the motion before us, now that it
11 has been seconded. Mr. Short?

12 MR. SOLLOSO: Mr. James Short, I agree.

13 CHAIRPERSON ANDERSON: Mr. Cato?

14 MEMBER CATO: Bobby Cato, I agree.

15 CHAIRPERSON ANDERSON: Ms. Wahabzadah?

16 MEMBER WAHABZADAH: Rema Wahabzadah, I
17 agree.

18 CHAIRPERSON ANDERSON: Ms. Crockett?

19 MEMBER CROCKETT: Rafi Crockett, I

20 agree.

21 CHAIRPERSON ANDERSON: Ms. Hansen?

22 MEMBER HANSEN: Jeni Hansen, I agree.

23 CHAIRPERSON ANDERSON: Mr. Grandis?

24 MEMBER GRANDIS: Edward Grandis, I

25 agree.

1 CHAIRPERSON ANDERSON: Mr. Anderson, I
2 agree. As it appears that the motion has passed,
3 I hereby give notice that the ABC Board will hold
4 the aforementioned closed meeting.

5 Pursuant to the Open Meetings Act,
6 notice will also be posted on the ABC Board
7 hearing room bulletin board, placed on electronic
8 calendar on ABRA's website, and published in the
9 D.C. Register in as timely a manner as practical.

10 I would like to thank the Board
11 Members and the public for their participation
12 today. And we are now adjourned for the day. I
13 now direct the Board Members, for us to return to
14 Executive Session for further business. Thank
15 you very much and have a great day.

16 (Whereupon, the above-entitled matter
17 went off the record at 3:49 p.m.)
18
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25

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In the matter of: La Dulce Noche

Before: DCABRA

Date: 03-03-21

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