

DISTRICT OF COLUMBIA
 + + + + +
 ALCOHOLIC BEVERAGE CONTROL BOARD
 + + + + +
 MEETING

IN THE MATTER OF: :

:

Kiss, LLC, :

t/a Kiss Tavern :

637 T Street NW : Summary Suspension

Retailer CT - ANC 1B : Hearing

License No. 104710 :

Case #20-CMP-00008 :

:

(Alcoholic Beverage :
 Control Board Closure - :
 March 9, 2021) :

Friday
 March 12, 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

ALSO PRESENT:

SIMONE ANDREWS, DC ABRA Staff
 EYOB ASBEHA, Licensee
 RHODA GLASGOW, DC ABRA Investigator
 JOHN LUI, DC OAG
 JASON PERU, DC ABRA Investigator

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

2 1:39 p.m.

3 CHAIRPERSON ANDERSON: As chairperson
4 of the Alcoholic Beverage Control Board for the
5 District of Columbia, and in accordance with DC
6 Official Code, Section 25764 of the Open Meetings
7 Act, I am welcoming you to the continuation of an
8 emergency meeting of the Alcoholic Beverage
9 Control Board.

10 My name is Donovan Anderson. I'm
11 chairman of the Board. I would like to introduce
12 the other members of the ABC Board who are also
13 participating electronically pursuant to Mayor's
14 Order 2020-054. The Board members who are
15 participating this afternoon are Mr. James Short,
16 Mr. Bobby Cato, Ms. Rafi Crockett, Ms. Jeni
17 Hansen, and Mr. Edward Grandis.

18 The Board has six members in
19 attendance for the conduct of business, and this
20 is a quorum. We have one case this afternoon.
21 And once your case is called, I will take a
22 moment for our IT specialist to elevate the
23 rights for each party to enable their camera and
24 microphone.

25 Then and only then will you have the

1 ability to enable your equipment. Should you
2 have any questions or require technical
3 assistance during the hearing, please submit them
4 using the question and answer feature or email
5 simone.andrews2@dc.gov.

6 Our active case, it's Case Number 21
7 -- it's a summary suspension hearing on Case
8 Number 21-CMP-00008, Kiss Tavern, License Number
9 104710.

10 Ms. Andrews, can you please elevate
11 the rights of the Government, the Government's
12 witnesses, and the Licensee and his witnesses,
13 please.

14 MS. ANDREWS: Sure, stand by. Mr.
15 Asbeha, your rights have been elevated.
16 Investigator Peru, your rights have been
17 elevated. Mr. Lui, your rights have been
18 elevated. Investigator Glasgow, your rights have
19 been elevated. And Mr. Samuel, your rights have
20 been elevated.

21 That's all, Mr. Chair.

22 CHAIRPERSON ANDERSON: All right,
23 thank you.

24 If you have a camera, can you please,
25 yes. I'm sorry. I'm trying to -- all right.

1 Let me have everyone introduce themselves for the
2 record. I need everyone to say and spell their
3 names. And let's start with the Government.

4 MR. LUI: Good afternoon, Board
5 members. My name is John Lui, on behalf of the
6 Government. That's J-O-H-N, L-U-I. Thank you.

7 CHAIRPERSON ANDERSON: Mr. Lui, if
8 this goes to a hearing, do you have any -- is
9 there anyone here with you?

10 MR. LUI: Yes, there is. There are
11 two investigators that will be -

12 CHAIRPERSON ANDERSON: Can we be off
13 record for -- let's pause. Give me five minutes.
14 I apologize, I have to do something. We'll be
15 off the record for five minutes. I apologize.
16 Okay.

17 (Whereupon, the above-entitled matter
18 went off the record at 1:42 p.m. and resumed at
19 1:43 p.m.)

20 CHAIRPERSON ANDERSON: I apologize, I
21 have to take care of something, so I'm going,
22 maybe in a couple of minutes I'm probably going
23 to take another five minute break. So I
24 apologize for that.

25 I'm sorry. Mr. Lui, yes, as I stated

1 before, if there are any potential witnesses, who
2 are those witnesses? Can you just identify them,
3 sir?

4 MR. LUI: Chairperson, are we back on
5 the record?

6 CHAIRPERSON ANDERSON: Yes, we're back
7 on the record. I apologize.

8 MR. LUI: No worries. Yes, there are
9 two investigators that will be testifying on
10 behalf of the government, Investigator Rhoda
11 Glasgow and Supervisory Investigator Jason Peru.

12 CHAIRPERSON ANDERSON: All right.
13 I'll have them identify themselves later on.

14 Mr. Asbeha, can you spell and state
15 your name for the record, please?

16 MR. ASBEHA: My name is Eyob Asbeha;
17 spelling is E-Y-O-B, and last name, Asbeha, A-S-
18 B-E-H-A.

19 CHAIRPERSON ANDERSON: All right. Are
20 there, do you have any potential witnesses, sir?

21 MR. ASBEHA: Yes.

22 CHAIRPERSON ANDERSON: And who's that?

23 MR. ASBEHA: Samuel Okbaab, that's
24 Samuel --

25 CHAIRPERSON ANDERSON: How do you

1 spell the name -

2 MR. ASBEHA: Okay. S-A-M-U-E-L, O-K-
3 B-A-A-B, Okbaab.

4 CHAIRPERSON ANDERSON: All right,
5 thank you.

6 All right, are there any preliminary
7 matters in this case?

8 MR. LUI: Yes, Mr. Chairperson.

9 CHAIRPERSON ANDERSON: What is that?

10 MR. LUI: The Government will not be
11 presenting evidence from the January 27th, 2021,
12 incident which is located on Page 2 of the
13 amended notice of summary action.

14 At this point, the Government orally
15 moves the Board to amend the notice of summary
16 action and to exclude testimony related to the
17 January 27th, 2021, incident. The Government
18 will just be focusing on what occurred on January
19 29th, 2021.

20 MR. ASBEHA: Objection, sir. I would
21 like the February 27 incident to be presented as
22 the report states.

23 CHAIRPERSON ANDERSON: I'm sorry, I'm
24 confused.

25 MR. ASBEHA: Yes. I'm confused.

1 CHAIRPERSON ANDERSON: Hold on, Mr. --
2 let me hear from the Government. What charges
3 were -- I don't have the, oh wait a minute, let
4 me find the -- we need to go off the record
5 again. I apologize, okay. So give me five
6 minutes, okay? I apologize. I'll have to take
7 care of -- all right, hold on.

8 (Whereupon, the above-entitled matter
9 went off the record at 1:46 p.m. and resumed at
10 1:47 p.m.)

11 CHAIRPERSON ANDERSON: I apologize.
12 I have an emergency that I'm trying to deal with.
13 But it's okay. We're back on the record, and I
14 should not have any further interruptions.

15 All right, let me find the order,
16 because I'm somewhat confused because both the
17 Government and the Applicant, they're not on the
18 same page. I don't know what event -- I know the
19 Government talked about a certain order, a
20 certain incident.

21 And the Applicant is talking about a
22 different date. So I just want to make sure that
23 I know what it is. So let me find the order.
24 Let me make sure I find the order.

25 (Pause.)

1 All right, so the Government is saying
2 that there has been no reference to the January
3 27th incident. Is that correct?

4 MR. LUI: That's correct, Mr.
5 Chairperson.

6 CHAIRPERSON ANDERSON: And so the only
7 incident that this case will be about, is it just
8 the January 29th incident that's in the order?

9 MR. LUI: In the amended Notice of
10 Summary Action, yes.

11 CHAIRPERSON ANDERSON: Yes. The
12 reason why I was confused, because the Licensee
13 is talking about some incident in February.
14 That's why I was confused.

15 So I want to make sure that the
16 Government, so there's agreement that the
17 Government and the Licensee will amend the terms
18 of the show cause order that there will be no
19 testimony on the event on January 27th, 2021, and
20 that the only incident that we will hear
21 testimony on is January 29th, 2021. Is that
22 correct?

23 MR. LUI: Yes, Mr. Chairperson, that
24 is correct.

25 CHAIRPERSON ANDERSON: All right, Mr.

1 Asbeha, you were talking about some February
2 date. So I'm confused. So what date in February
3 are you talking about, sir?

4 MR. ASBEHA: Not February, sir. I'm
5 talking about the amended Notice of Summary
6 Action that was given to me. It says January
7 27th and January 29th. I was given that.

8 CHAIRPERSON ANDERSON: Right.

9 MR. ASBEHA: And I'm confused also.
10 Three weeks ago, I don't know why, it says
11 amended Notice. And the one that was given to me
12 on January 9th, and the one that's given me on
13 February 9th, and the one that's given me on
14 March 9th, that's totally different, which is 00
15 it's amended. I know that, but it states from
16 suspension, on the amended it states the license
17 has to be revoked.

18 CHAIRPERSON ANDERSON: I think, Mr.
19 Asbeha, and I'm not your attorney, but it's my
20 understanding that when the, well, at least the
21 amended notice that was written to you, it was
22 just put in your notice that the Government could
23 move towards revocation of your license as a
24 result of this hearing.

25 So I think there was, at least when I

1 signed these orders, it's my understanding it was
2 just to put you on notice that, dependent on what
3 decision that's made by the Board today, that
4 revocation could be a possibility. That's the
5 difference with the amended order that you
6 received, sir.

7 MR. ASBEHA: All right, thank you.
8 But on the amended notice it says January 27th
9 and January 29th. It's still there. The January
10 27th is still there.

11 CHAIRPERSON ANDERSON: That's fine,
12 but from what I'm told by the Government today,
13 although the amended notice has January 27th and
14 January 29th, that the only evidence that I will
15 be accepting today are from January 21, that was
16 what the Government made the motion stating that
17 they are amending the notice that there will be
18 no testimony regarding January 27th.

19 The only incident that the Board will
20 listen to today is whatever happened on January
21 29th, 2021, at approximately 11:15 p.m. That is
22 the only incident that we will consider today.
23 Is it clear to -- that's what I was told, that's
24 what the parties agreed to, and so is that -- are
25 we clear?

1 MR. ASBEHA: But I'm objecting -- that
2 one, because I wanted to present the January 27th
3 as evidence, because that was --

4 (Simultaneous speaking.)

5 CHAIRPERSON ANDERSON: All right. Do
6 you guys want us to go off the record while the
7 Government and the Applicant -- I thought that
8 both parties had agreed that they're going to
9 drop the 27th.

10 MR. ASBEHA: No, not --

11 CHAIRPERSON ANDERSON: And based on
12 what I'm hearing from the Licensee, is that he's
13 not -- although he's saying it was agreed, but it
14 doesn't appear that he's in agreement.

15 MR. ASBEHA: I didn't --

16 (Simultaneous speaking.)

17 MR. ASBEHA: -- nothing, sir.

18 CHAIRPERSON ANDERSON: So where are
19 we? Are we going to hear testimony on January
20 27th, or are we not going to hear testimony on
21 January 27th?

22 MR. LUI: The Government will not be
23 presenting evidence arising out of the January
24 27th incident. And the Government has made an
25 oral motion just to proceed on what had occurred

1 on January 29th, 2021. And just to be clear for
2 the record, the Licensee is objecting to that.

3 CHAIRPERSON ANDERSON: Yes.

4 MR. LUI: So it is, I think, up to the
5 Board's decision now on how to proceed on the
6 oral motion.

7 CHAIRPERSON ANDERSON: Well, I mean,
8 the Licensee has not agreed to the motion. So I
9 thought that both parties had agreed to the
10 motion. So therefore, since both parties have
11 not agreed to the motion, then I'm going to then
12 -- let me, Mr. Asbeha, I just want to make clear,
13 you want to present evidence about what occurred
14 on January 27th, is that correct.

15 MR. ASBEHA: Yes, sir.

16 CHAIRPERSON ANDERSON: So you want to
17 present evidence on what occurred on January 27th
18 and January 29th. Is that correct?

19 MR. ASBEHA: Yes, Mr. Chairman.

20 CHAIRPERSON ANDERSON: All right.
21 With that said, I'm going to make a motion to the
22 Board that we deny the motion by the Government.
23 Is there a second?

24 MEMBER CROCKETT: Ms. Crockett
25 seconds.

1 CHAIRPERSON ANDERSON: Ms. Crockett
2 has seconded the motion. We'll now have a roll
3 call vote on the motion that has been seconded by
4 Ms. Crockett.

5 Mr. Short?

6 MEMBER SHORT: Mr. Short, I am
7 confused, Mr. Chair.

8 CHAIRPERSON ANDERSON: Mr. Short, the
9 --

10 MEMBER SHORT: Denied. I don't
11 understand it, so I'm denying.

12 CHAIRPERSON ANDERSON: Mr. Short --

13 MEMBER SHORT: Yes?

14 CHAIRPERSON ANDERSON: The purpose was
15 to vote. The Government made a motion, and we're
16 voting whether or not we're going grant or deny
17 the motion that was made by the Government.

18 MEMBER SHORT: Now that you made it
19 plain, yes, I agree with the Government.

20 CHAIRPERSON ANDERSON: All right. Mr.
21 Cato?

22 MEMBER CATO: Bobby Cato, I agree.

23 MEMBER SHORT: Mr. Short, I agree.

24 CHAIRPERSON ANDERSON: What do you
25 agree to, Mr. Short? I want to make sure that

1 you are clear. So what is the that you --

2 MEMBER SHORT: I'm agreeing to what
3 the Government just proposed.

4 CHAIRPERSON ANDERSON: All right,
5 thank you.

6 CHAIRPERSON ANDERSON: Mr. Cato?

7 MEMBER CATO: Bobby Cato, I agree.

8 CHAIRPERSON ANDERSON: I think there
9 is, all right, I want to make sure the Board is
10 clear.

11 The Government made a motion to not
12 present evidence on the 27th. It is not a motion
13 the Licensee has agreed to. Because the Licensee
14 has not agreed to the motion, I am going to deny
15 the Government's motion, because the Licensee is
16 not in agreement with the motion. If both
17 parties had agreed, I would recommend to the
18 Board -- can everyone please put their
19 microphones on mute please.

20 The Government made a motion. It was
21 my understanding when the Government made the
22 motion that both the Government and the Licensee
23 were in favor of the motion to not present
24 evidence on the 27th.

25 The Licensee has stated to me that he

1 is not in agreement, that he wants to present
2 evidence on the 27th. And so therefore, because
3 the Licensee is not in agreement with the
4 Government's motion, I am going to deny, I'm
5 making a motion to the Board for the Board to
6 deny the Government's motion.

7 MEMBER SHORT: Mr. Chair, with all due
8 respect to you, sir, with all due respect, can we
9 please go into executive session and have this
10 clearly explained to us. Because I've never
11 heard this happen before since I've been on the
12 Board in eight years. This is the very first
13 time that someone's come in. Because all the
14 documentation I've received about this case is
15 for the 29th.

16 CHAIRPERSON ANDERSON: Hold on, hold
17 on. Hold on, Mr. Short.

18 MEMBER SHORT: Thank you.

19 CHAIRPERSON ANDERSON: As Chairperson
20 of the Alcoholic Beverage Control Board for the
21 District of Columbia, in accordance with DC
22 Official Code, Section 2574(b) of the Open
23 Meetings Act, I move that the ABC Board hold a
24 closed meeting for the purpose of seeking legal
25 advice from our Counsel on Case Number

1 21-CMP-00008, Kiss Tavern, pursuant to DC
2 Official Code, Section 2574(b)(4) of the Open
3 Meetings Act and deliberating upon Case Number
4 21-CMP-00008, Kiss Tavern, for the reasons cited
5 in DC Official Code, Section 2574(b)(13) of the
6 Open Meetings Act.

7 Is there a second?

8 MEMBER SHORT: Mr. Short, I second.

9 CHAIRPERSON ANDERSON: Mr. Short has
10 seconded the motion. We'll now have a roll call
11 vote on the motion that has been properly
12 seconded by Mr. Short.

13 Mr. Short?

14 MEMBER SHORT: Mr. Short, I agree.

15 CHAIRPERSON ANDERSON: Mr. Cato?

16 MEMBER CATO: Bobby Cato, I agree.

17 CHAIRPERSON ANDERSON: Ms. Crockett?

18 MEMBER CROCKETT: Rafi Crockett, I
19 disagree.

20 CHAIRPERSON ANDERSON: Ms. Hansen?

21 MEMBER HANSEN: Jeni Hansen, I agree.

22 CHAIRPERSON ANDERSON: Mr. Grandis?

23 MEMBER GRANDIS: Edward Grandis, I
24 agree.

25 CHAIRPERSON ANDERSON: And Mr.

1 Anderson, I agree. The matter passes five to
2 one. It is 1:59. We will be back, we will come
3 back on the record at 2:10. So we'll be back on
4 the record at 2:10. The Board will go into
5 executive session, and we'll be back on the
6 public record at 2:10. All right. Thank you.

7 (Whereupon, the above-entitled matter
8 went off the record at 1:59 p.m. and resumed at
9 2:11 p.m.)

10 CHAIRPERSON ANDERSON: All right,
11 we're back on the record. Good afternoon,
12 everyone. All right, this is where we are. The
13 Government made a motion to exclude, that they
14 were not going to present evidence on the, I'm
15 sorry, on January 27th.

16 I thought that the motion that the
17 Government was going to make was a joint motion.
18 However, the Licensee stated that he does not
19 agree. It is not a joint motion, so he does not
20 agree with the motion that's been made by the
21 Government.

22 Because it's not a joint motion, I'm
23 going to recommend to the Board that the Board
24 reject, deny the motion that was made by the
25 Government. Is there a second?

1 MEMBER CROCKETT: Ms. Crockett
2 seconds.

3 CHAIRPERSON ANDERSON: Ms. Crockett
4 has seconded the motion. We'll have a roll call
5 vote on the motion that has been properly
6 seconded by Ms. Crockett.

7 Mr. Short?

8 MEMBER SHORT: Mr. Short, I agree.

9 CHAIRPERSON ANDERSON: Mr. Cato?

10 MEMBER CATO: Bobby Cato, I agree.

11 CHAIRPERSON ANDERSON: Ms. Crockett?

12 MEMBER CROCKETT: Rafi Crockett, I
13 agree.

14 CHAIRPERSON ANDERSON: Ms. Hansen?

15 MEMBER HANSEN: Jeni Hansen, I agree.

16 CHAIRPERSON ANDERSON: Mr. Grandis?

17 MEMBER GRANDIS: Edward Grandis, I
18 agree.

19 CHAIRPERSON ANDERSON: And Mr.

20 Anderson, I agree. The matter passes 6-0-0.

21 So the Government can elect or not
22 elect to present evidence on the 27th. However,
23 apparently the Licensee will present evidence on
24 the 27th and the Government cannot, at least the
25 Government can make objections but not on the

1 relevancy issues. If they object to other terms,
2 the Board will consider the Government's motion
3 at some time if a motion is made.

4 All right. This is a Summary
5 Suspension Hearing. Are there any other
6 preliminary issues that need to be addressed?
7 Mr. Lui?

8 MR. LUI: None from the Government.

9 CHAIRPERSON ANDERSON: Mr. Asbeha?

10 MR. ASBEHA: No, sir.

11 CHAIRPERSON ANDERSON: All right.
12 I'll give each side five minutes if they want to
13 do an opening statement. Let's go with the
14 Government.

15 MR. LUI: Thank you, Mr. Chairperson.
16 Good afternoon, Board members. We are here today
17 in the summary action matter of Kiss LLC, trading
18 as Kiss Tavern, located at 637 T Street, NW.

19 The notice in this case was first
20 issued as a Summary Suspension Notice on February
21 9th, 2021. The notice was amended to reflect the
22 full range of penalties in the summary proceeding
23 under DC Code, Title 25.

24 This matter concerns the charge that
25 the Licensee's operations present an imminent

1 danger to the health and safety of the public.
2 In accordance with DC Code, Section 25826, this
3 Board summarily suspended the license of Kiss
4 Tavern, because it determined, after an
5 investigation, there was imminent danger.

6 Specifically, the Licensee is charged
7 to have violated 23 DCMR Section 810, Mayor's
8 Orders 2020-075, 2020-080, and 2020-119, rules
9 put in place by the District Government to stop
10 the spread of the Corona Virus.

11 The evidence will show that on January
12 29th, 2021, at approximately 11:15 p.m., ABRA
13 investigator Rhoda Glasgow entered the
14 establishment in an undercover capacity. She was
15 allowed inside by the Licensee himself, Mr. Eyob
16 Asbeha.

17 She was not asked to provide any
18 information that would have allowed the
19 establishment to maintain a contact tracing
20 system as required by the Mayor to help trace
21 infections during the current pandemic.

22 Also the evidence will show that, once
23 inside the establishment, Investigator Glasgow
24 observed patrons and staff walking around without
25 face masks, patrons consuming alcoholic beverages

1 after 10:00 p.m., staff serving alcoholic
2 beverages in shot glasses after 10:00 p.m.,
3 patrons smoking hookah, more than six patrons
4 seated at a table, and more than 25 patrons
5 inside of the establishment. She also determined
6 that the music was above a conversational level.

7 In her undercover capacity, she was
8 able to order two alcoholic beverages, but she
9 was never provided with the required food menu.
10 She was able to record these violations she
11 witnessed around her with a video camera.

12 The evidence will further show that
13 Investigator Glasgow observed an employee rushing
14 to put away shot glasses. She was able to
15 actually secure one of her shot glasses as
16 evidence. The next day back at the office, she
17 tested the liquid using an alcoholic testing kit
18 and confirmed that the shot glass contained an
19 alcoholic beverage.

20 Finally, the evidence will show that
21 while ABRA investigators and MPD officers entered
22 the establishment, Investigator Glasgow exited.
23 Supervisory Investigator Jason Peru noticed that
24 the back door was bolted and locked and asked the
25 Licensee to unlock it for the safety of patrons.

1 Supervisory Investigator Peru also
2 observed patrons in excess of the indoor
3 capacity, alcoholic beverages sales, service, and
4 consumption after 10:00 p.m., placement of indoor
5 tables within six feet from one another, more
6 than six individuals seated at a table, music
7 above a conversational level, service of
8 alcoholic beverages to standing patrons, patrons
9 standing inside the bar, indoor bar, and wait
10 staff not wearing masks, and a lack of social
11 distancing amongst patrons.

12 Thank you.

13 CHAIRPERSON ANDERSON: With that, do
14 you wish to make an opening statement now, or do
15 you want to make an opening statement when you,
16 well, do you want to make an opening statement
17 now, or you want to do it later on when you
18 present your case?

19 MR. ASBEHA: I'm not, you know, I'm
20 not a lawyer. So I don't know what the
21 procedures are. But with my experience, I would
22 like to make an opening statement.

23 CHAIRPERSON ANDERSON: Yes. So, yes,
24 go ahead, sir.

25 MR. ASBEHA: All right. Good

1 afternoon, Board members. As you all know, I
2 have been suspended - can you hear me, guys?
3 Yes, as you all know, I have been suspended for
4 35 days. And I asked my, which is ex-lawyer, to
5 settle or ask for hearing date right after the
6 suspension which is February 9th of 2021.

7 And he said he's working on it until
8 last Wednesday which is March 3rd, last week. He
9 said he withdrew from my cases, and he won't be
10 able to settle the case or ask for a hearing date
11 for his own conflict of interest. I don't know
12 what the reasons are. None of the lawyers in the
13 city are willing to represent me or help me with
14 these cases.

15 So I'm here today to represent myself.
16 And I asked a hearing date on March 4th which is
17 almost, like, eight days ago through Ms. Martha
18 and through John Lui if they can give me a
19 hearing date. And I got this two days ago. So I
20 will do as much as I can with this short rate of
21 time.

22 I'm here today that I completely
23 understand and how awful this time is. I've seen
24 a lot of people lose their jobs, their lives
25 because of this COVID-19.

1 When we first opened on June 9th, when
2 this pandemic around June, I was only allowed to
3 put a plexiglass to separate customers between
4 the tables. And they all are ten feet apart. And
5 we completely blocked the whole bar with
6 plexiglass like a bank so nobody can interfere,
7 interactions with any customers. And we never
8 had a bartender staff behind the bar serving
9 liquor.

10 We put signs everywhere to make sure
11 our customers and us follow all the CDC
12 guidelines and the Mayor's order. We put
13 sanitizers on every table and made sure my
14 employees and I wear masks. We also provide
15 masks for customers.

16 And should I mention my exhibits now
17 or later on, sir?

18 CHAIRPERSON ANDERSON: Later on. Your
19 opening statement is just to say, from your
20 perspective --

21 MR. ASBEHA: I understand.

22 CHAIRPERSON ANDERSON: -- where we are
23 today, what your evidence will support, and then
24 you just give a short little summary at the
25 beginning. And then later one, when you present

1 your case, you can bring in your exhibits then.
2 But you can say you're going to introduce some
3 exhibits and what they will show.

4 MR. ASBEHA: Okay. So we presented
5 sanitizers at every table and make sure employees
6 and I wear masks. We also provide masks on the
7 entry when they come in. Exhibit 4 will show
8 pictures of the table and plexiglass.

9 I submitted all my exhibits, like,
10 two, three days earlier before this as soon as
11 they give me the hearing dates.

12 In addition to that, DOH came and did
13 inspection on February 24th of 2021 right after
14 the incident happened on January 27 and January
15 29th. And everything was inspected and approved
16 that Kiss Tavern is safe and is no danger for
17 public.

18 Exhibit 3 shows that DOA inspection is
19 attached on the file. The exhibit shows that
20 Inspector Joyce and Inspector John came, did full
21 inspection and approved that Kiss is safe.

22 When we opened back even, like, it's
23 a good example, Supervisory Investigator John
24 Fiorentine said how well I did with the place and
25 the outdoor area seating when we first opened

1 back.

2 And despite all the efforts I did,
3 which is Exhibit 1, there's a list of
4 establishments that shows the whole entire
5 lounge, bars, restaurants, and clubs had been
6 given verbal warning, routine warnings, and fines
7 while Kiss Tavern only sent to OAG without
8 warning or any fines during COVID-19.

9 MR. ASBEHA: Exhibit 1 will show the
10 list of the establishments. Out of 80 or 60 of
11 the establishments, I was the only one sent to
12 OAG.

13 The second thing I want the Board to
14 know is that ABRA investigators are accusing me,
15 charging me, going and telling me that they can
16 shut down my business.

17 CHAIRPERSON ANDERSON: Mr. Asbeha,
18 remember, you're going to get an opportunity,
19 sir, to present your case. An opening statement,
20 as you heard Mr. Lui just said, we present
21 evidence on the 29th and said this is what we're
22 going to prove.

23 So when you present your case,
24 everything that you're saying you can say that.
25 This is just a short point to say, all right,

1 okay, just what is -

2 MR. ASBEHA: I'm going to make this
3 short, sir.

4 Finally, I'm here today to ask the
5 Board that I am really concerned about this
6 Corona virus, and I'm really concerned about the
7 safety and public, of the public, and safety and
8 danger of the public in my establishment. I'm
9 really worried about doing the same thing during
10 June all come back.

11 And I've seen a lot of people lose
12 their lives. I've seen a lot of people lose
13 their jobs. And I've seen a lot of people close
14 their establishments. And I would sure be one of
15 them, so I would like the Board to give me a
16 chance and make a fair judgment on that since
17 I've been suspended one month. Thank you.

18 CHAIRPERSON ANDERSON: All right,
19 thank you. Thank you, sir.

20 Mr. Lui, do you have a witness you
21 wish you call?

22 MR. LUI: Yes. The Government would
23 like to call Investigator Rhoda Glasgow.

24 MR. ASBEHA: Objection, sir.

25 CHAIRPERSON ANDERSON: What's the

1 nature of your objection, sir?

2 MR. ASBEHA: I've given my witnesses
3 before four days ago, and I've never any
4 awareness of these witnesses. And they just put
5 me, like, send me an email an hour ago that they
6 have witnesses and exhibits. I've not seen,
7 exhibits, I've not seen the witness list. They
8 just sent me 11:45.

9 I'm not ready to see that, because I
10 myself, not a lawyer, sent them 48 hours earlier
11 that what I have, witness and my exhibits. So I
12 object any witness assigned to this matter.

13 CHAIRPERSON ANDERSON: Mr. Lui, what
14 are the guidelines regarding the submission of
15 documents for this hearing, sir, and did you
16 comply with them?

17 MR. LUI: This is a summary action
18 proceeding. The hearing was requested by the
19 Licensee on Wednesday and that the hearing was
20 set today on Friday within, by statute, 48 hours.

21 If this was a show cause proceeding,
22 a different type of proceeding, we would have to
23 send our exhibits seven days prior to the hearing
24 that has been set and scheduled.

25 In this case this is, again, a summary

1 action proceeding.

2 MR. ASBEHA: And I asked you on March
3 4th, a week ago. So why does the OAG spend all
4 the time to present the witnesses which is an
5 hour ago? Because I have an email attached to
6 Ms. Martha and to Mr. John Lui that I want a
7 hearing on March 4th. And they have a week to
8 present the witnesses and the exhibit.

9 And I did the same thing, like, 48
10 hours earlier. So I will object the witnesses
11 and the exhibit on this, because I haven't seen
12 any -- I don't have time to see them. I'm not
13 ready to see or ask the witness right now or the
14 OAG.

15 CHAIRPERSON ANDERSON: Do you have any
16 other comments you want to make, Mr. Lui?

17 MR. LUI: No, Mr. Chairperson.

18 CHAIRPERSON ANDERSON: As Chairperson
19 of the Alcoholic Beverage Control Board for the
20 District of Columbia, in accordance with DC
21 Official Code, Section 2574(b) of the Open
22 Meetings Act, I move that ABC's hold a closed
23 meeting for the purpose of seeking legal advice
24 from our Counsel on, sorry, on Case Number 21-
25 CMP-00008, Kiss Tavern, pursuant to DC Official

1 Code, Section 2574(b)(4) of the Open Meetings Act
2 and deliberating upon Case Number -- no, we're
3 not going to do (audio interference) just need to
4 seek legal advice from our counsel. Is there a
5 second? Is there a second?

6 MEMBER GRANDIS: Ed Grandis, I'll
7 second.

8 CHAIRPERSON ANDERSON: Mr. Grandis has
9 seconded the motion. I will now take a roll call
10 vote on the motion. Mr. Short?

11 MEMBER SHORT: Mr. Short, I agree.

12 CHAIRPERSON ANDERSON: Mr. Cato?

13 MEMBER CATO: Bobby Cato, I agree.

14 CHAIRPERSON ANDERSON: Ms. 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,
23 I agree. As it appears, the motion has passed.
24 I hereby give notice that ABC Board will recess
25 these proceedings to hold a closed meeting

1 pursuant to Section 2574(b) of the Open Meetings
2 Act. It is 2:38. We will be back on the record
3 at, I'm sorry, it's 2:28. We will be back on the
4 record at 2:40. Thank you. I will ask the Board
5 members for us to return to executive session.

6 (Whereupon, the above-entitled matter
7 went off the record at 2:28 p.m. and resumed at
8 2:40 p.m.)

9 CHAIRPERSON ANDERSON: All right,
10 we're back on the record. The Government called
11 its first witness Mr., I'm sorry, Ms. Rhoda
12 Glasgow. The Licensee objected to the witness
13 based on that he said that he was surprised and
14 that he had provided his documents and witnesses
15 to the Agency 48 hours. And the Government did
16 not do this.

17 Chapter 25, 826, this hearing was
18 brought under a summary suspension hearing under
19 Chapter 25, Section 826. And 826(c) clearly
20 states, "A licensee may request a hearing within
21 three business days after service of notice of
22 summary revocation, suspension, fine, or
23 restriction license.

24 The Board shall hold a hearing within
25 two business days of receipt of a timely request

1 and shall issue a decision within three business
2 days after the hearing.

3 And so because this is an emergency,
4 and the rules require that, within three days of
5 the Licensee being served, the Board has to hold
6 a hearing within two days after. So therefore,
7 it would be impossible, as the Applicant stated,
8 that the document, the witnesses should have been
9 provided to him in sufficient time for him to be
10 on notice.

11 And secondly, pursuant to 1713.10,
12 which is the investigative report, 1713.10 refers
13 to the investigative report. It says the
14 investigative report, and attachment shall be
15 part of the Board's records, and it shall not be
16 necessary for the parties to formally move for
17 admission of the investigative report or portions
18 of it into the evidentiary record. And, Mr.
19 Asbeha, did you receive a copy of the Board's
20 investigative report that talked about the events
21 on the 29th?

22 MR. ASBEHA: Did I receive it?

23 CHAIRPERSON ANDERSON: Do you have a
24 copy of the report, sir?

25 MR. ASBEHA: Of the suspension,

1 summary suspension?

2 CHAIRPERSON ANDERSON: And the -

3 MR. ASBEHA: I have two -

4 CHAIRPERSON ANDERSON: Right. And
5 what other information did you receive from the
6 Board regarding the event?

7 MR. ASBEHA: The Board, but I just get
8 the amended notice of summary. A month ago, they
9 had a chance to send me an email which they get
10 to my ex-lawyer. And it was completely
11 different. And I ask only -

12 CHAIRPERSON ANDERSON: Well, that's
13 not the question I asked you, sir. Did you get a
14 copy of the, you know why you're here today,
15 right? You know that -

16 MR. ASBEHA: Yes, sir.

17 CHAIRPERSON ANDERSON: -- because you
18 know what happened on the 29th.

19 MR. ASBEHA: Yes.

20 CHAIRPERSON ANDERSON: Is that
21 correct, you know, on the 29th, so you're here
22 today.

23 MR. ASBEHA: I received -

24 CHAIRPERSON ANDERSON: I'll have to
25 have you state it, yes. All right. Because this

1 is an emergency hearing, you were provided a copy
2 of the notice on the Board order regarding the
3 incident. This is one of the investigators that
4 was involved in the matter. So it should not be
5 a surprise to you that the Board would be relying
6 on its Board report or one of the Board's
7 investigators.

8 So with that said, I'm going to deny,
9 I'm going to make a motion to the Board that we
10 deny your motion and allow the Government's
11 witnesses and the Government's documents, which
12 are the Board documents, and the investigators
13 from the Board, from the Agency, that they
14 testify.

15 Because it is not a surprise. It
16 should not be a surprise to you that the Board
17 would have, the Agency would have included its
18 Board determination, I'm sorry, the case file
19 today and the investigators who were involved in
20 this matter. So that's why I'm recommending to
21 the Board that we deny your request.

22 Is there a second?

23 MEMBER SHORT: Mr. Short, I second.

24 CHAIRPERSON ANDERSON: Mr. Short has
25 seconded the motion. We'll now have a roll call

1 vote on the motion that's been properly seconded
2 by Mr. Short.

3 Mr. Short?

4 MEMBER SHORT: Mr. Short, I agree.

5 CHAIRPERSON ANDERSON: Mr. Cato?

6 MEMBER CATO: Bobby Cato, I agree.

7 CHAIRPERSON ANDERSON: Ms. Crockett?

8 MEMBER CROCKETT: Rafi Crockett, I
9 agree.

10 CHAIRPERSON ANDERSON: Ms. Hansen?

11 MEMBER HANSEN: Jeni Hansen, I agree.

12 CHAIRPERSON ANDERSON: Mr. Grandis?

13 MEMBER GRANDIS: Edward Grandis, I
14 agree.

15 CHAIRPERSON ANDERSON: And Mr.

16 Anderson, I agree. The matter passes 6-0-0.

17 Mr. Lui, call your first Witness.

18 And, Ms. Glasgow, can you raise your right hand,
19 please?

20 WHEREUPON,

21 RHODA GLASGOW

22 was called as a witness, and after having been
23 first duly sworn, was examined and testified as
24 follows:

25 MS. GLASGOW: I do.

1 CHAIRPERSON ANDERSON: Go ahead, Mr.
2 Lui.

3 DIRECT EXAMINATION

4 MR. LUI: Thank you, Mr. Chairperson.
5 Ms. Glasgow, can you please state and spell your
6 first and last name for the record?

7 MS. GLASGOW: Rhoda Glasgow, R-H-O-D-
8 A, G-L-A-S-G-O-W.

9 MR. LUI: Ms. Glasgow, where are you
10 currently employed?

11 MS. GLASGOW: The Alcoholic Beverage
12 Regulation Administration.

13 MR. LUI: And what is your position at
14 the Alcohol Beverage Regulation Administration?

15 MS. GLASGOW: I'm an investigator.

16 MR. LUI: How long have you been an
17 investigator?

18 MS. GLASGOW: About two years.

19 MR. LUI: And what are your duties and
20 responsibilities as an investigator?

21 MS. GLASGOW: I conduct inspections
22 and investigations of licensed ABC establishments
23 in the District of Columbia.

24 MR. LUI: And are you familiar with
25 Kiss Tavern?

1 MS. GLASGOW: I am.

2 MR. LUI: How are you familiar with
3 this establishment?

4 MS. GLASGOW: I visited the
5 establishment on January 29, 2021.

6 MR. LUI: What happened that evening?

7 MS. GLASGOW: At approximately 10:45
8 p.m., my supervisor, Jason Peru, advised me that
9 he received a complaint regarding Kiss Tavern.
10 And the complaint detailed that the neighbors
11 heard music in their residence. And they can see
12 patrons entering the establishment without
13 wearing face masks, and the door appeared to be
14 locked.

15 As I previously stated our
16 investigators Zollarcoffer and Puente monitored
17 the establishment and substantiated what the
18 complaint stated. And SI Peru asked if I was
19 comfortable entering the establishment in an
20 undercover capacity. And I agreed.

21 MR. LUI: And then what happened after
22 that?

23 MS. GLASGOW: I approached the
24 establishment, I stood in the line, I stood
25 approximately behind four individuals. As I

1 approached the line, four more individuals stood
2 directly behind me. There was a male individual
3 banging on the door trying to get the attention
4 from someone inside to open the door.

5 MR. LUI: Were these individuals in
6 front of you and behind you wearing face masks or
7 facial coverings?

8 MS. GLASGOW: I can't remember the
9 individuals in front of me, but the individuals
10 behind me were not.

11 MR. LUI: And then what happened after
12 that?

13 MS. GLASGOW: We waited approximately
14 five minutes before someone opened a door. When
15 the door opened, it was Mr. Asbeha. He started
16 letting us in. While the first group of
17 individuals were entering the establishment,
18 there was some money exchanged between one of the
19 male patrons and Mr. Asbeha.

20 When I approached Mr. Asbeha to enter
21 the establishment, he said that it was \$20 to get
22 in. I responded saying I thought it was free.

23 And he said no, the patrons ahead of
24 me paid \$20.

25 At that point, we were trying to get

1 into how I can get in without paying the \$20.

2 And someone behind said something really loud,
3 and it drew his attention away from me.

4 And he asked if I was with the
5 individuals behind.

6 And I stated yes. And that is when he
7 let me in the establishment.

8 MR. LUI: Was any information
9 collected from you?

10 MS. GLASGOW: He asked to see my ID.

11 MR. LUI: Anything else for contact
12 tracing purposes?

13 MS. GLASGOW: No.

14 MR. LUI: And were you searched?

15 MS. GLASGOW: No.

16 MR. LUI: Was there a security guard
17 present?

18 MS. GLASGOW: No.

19 MR. LUI: And then you entered into
20 the establishment, right?

21 MS. GLASGOW: Yes.

22 MR. LUI: And then what did you
23 observe when you entered into the establishment?

24 MS. GLASGOW: As I entered the
25 establishment, I saw a group of more than six

1 sitting at a table. I saw patrons at the bar
2 area, I saw people walking around not wearing
3 face masks, I saw alcoholic beverages on tables
4 with shot glasses, I saw individuals smoking
5 Hookah, and the music was above a conversational
6 level. And I did not see any food on any of the
7 tables.

8 MR. LUI: And again, what time was
9 this?

10 MS. GLASGOW: When I entered the
11 establishment, it was approximately 11:15 p.m.

12 MR. LUI: And then what happened after
13 that, after you made these observations?

14 MS. GLASGOW: So I continued walking
15 through the establishment towards the back. I
16 was trying to make contact with my supervisor,
17 but I couldn't call, or I couldn't hear him,
18 because the music was really loud. So I went to
19 the restroom where I was able to speak with him
20 and advise him of what I saw.

21 MR. LUI: And then what happened after
22 your conversation with your supervisor?

23 MS. GLASGOW: He advised me to get
24 enough evidence, picture, videos of what was
25 going on. And he said to blend in, if I am being

1 watched, I should purchase some alcohol.

2 MR. LUI: And then what happened after
3 that?

4 So I exited the bathroom, and I walked
5 out, walking through the establishment, taking
6 more videos and taking more photos. And I
7 stopped at the bar area. And at that point, I
8 saw Mr. Asbeha speaking to the server. They were
9 looking at me. And the server approached me, and
10 she asked if I needed anything.

11 And at that point, I asked her for a
12 rum and coke.

13 MR. LUI: And then what happened?

14 MS. GLASGOW: And then she said that
15 we are not serving rum and coke. The only thing
16 that we're serving is shots.

17 MR. LUI: And then what happened?

18 MS. GLASGOW: I said, what type of
19 shots do you have?

20 And she said I have Patron.

21 And I told her that will be fine.

22 MR. LUI: And then what happened.

23 MS. GLASGOW: Then she said we need to
24 go back to your table. So I followed her back to
25 my -- she asked me where I was sitting. And I

1 pointed to a table in the front, close to the
2 front entrance. And we walked over there. When
3 I got there, she asked for my credit card and my
4 ID to purchase the Patron.

5 MR. LUI: And did you purchase the
6 Patron?

7 MS. GLASGOW: Yes, I did.

8 MR. LUI: And then what happened?

9 MS. GLASGOW: She came back about five
10 minutes later with the Patron and a receipt. And
11 I asked her for my ID and my credit card. And
12 she said she is going to keep it.

13 MR. LUI: And then what happened after
14 that?

15 MS. GLASGOW: I left the drink on the
16 table. I did not drink it at that time. And
17 then I was taking more photos and more videos of
18 what was going on. And then I saw Mr. Asbeha
19 speaking to the server again. And this time he
20 was pointing at me. And the server came up to me
21 and asked who I was there with.

22 And I told her I was waiting on some
23 friends, and I was taking videos and photos to
24 let them know that the party was still going on.
25 And at that point, I just took the drink so she

1 wouldn't ask me any more questions. And at that
2 point, she walked away.

3 MR. LUI: What did it taste like to
4 you?

5 MS. GLASGOW: Alcohol.

6 MR. LUI: How do you know it was
7 alcohol?

8 MS. GLASGOW: Personal experience.

9 MR. LUI: After you took the shot,
10 what happened after that?

11 MS. GLASGOW: I started recording more
12 videos and taking more pictures of what was going
13 on in the establishment. I was walking up and
14 down to get proper videos. And then I ordered
15 another Patron, another shot.

16 MR. LUI: And then what happened?

17 MS. GLASGOW: She brought it to me,
18 and at that point she brought back my ID and my
19 credit card. And I left the shot on the table
20 while I was taking more videos and taking more
21 pictures.

22 MR. LUI: And what happened after
23 that?

24 MS. GLASGOW: After that, I held the
25 drink in my hand while walking through the

1 establishment recording with the drink in my hand
2 to determine that I was actually there with the
3 drink being served after 11:00 p.m.

4 MR. LUI: And then what happened?

5 MS. GLASGOW: At that point, my
6 supervisor texted me to let me know that they
7 were approaching the establishment. So I went
8 back to my seat and waited until they arrived.

9 MR. LUI: And then when they arrived,
10 what happened after that?

11 MS. GLASGOW: So they told me they
12 were outside. And at that point, I heard
13 barking. The establishment has two entrances.
14 There is one on T Street and one is Florida
15 Avenue. I heard the barking on Florida Avenue.
16 And then the barking transferred over to the bar
17 area and then from the bar area, which is in the
18 middle of the establishment. And then from the
19 bar area, the barking continued to what's the
20 entrance on T Street.

21 And then at that point, the lights
22 came on and someone, an individual, started
23 walking around with a black bin picking up
24 glasses from tables.

25 MR. LUI: And then what happens?

1 MS. GLASGOW: The individual
2 approached and said that I need to drink my drink
3 and hand him the glass.

4 So I put it to my mouth, and I told
5 him I can't drink it, it's really strong, you
6 need to come back.

7 And he said okay.

8 And at that point, I saw MPD coming
9 in, and my team as well was in the establishment.

10 MR. LUI: Okay. And after they
11 entered, what happened next?

12 MS. GLASGOW: After they entered, I
13 secured the evidence, and I exited the
14 establishment.

15 MR. LUI: And where did you go?

16 MS. GLASGOW: I went back to the
17 office, the ABRA office.

18 MR. LUI: Investigator Glasgow, I'm
19 showing you what has been marked as Government
20 Exhibit 1 for identification.

21 MR. LUI: Court's indulgence, I'm just
22 sharing my screen here. I'll give you a moment
23 to let me know when you can see this document.

24 MS. GLASGOW: I can see it.

25 MR. LUI: Investigator Glasgow, what

1 is this document?

2 MS. GLASGOW: This is my investigative
3 report.

4 MR. LUI: And what is the
5 investigation number?

6 MS. GLASGOW: 21-CMP-0008.

7 MR. LUI: And when was the date of
8 occurrence?

9 MS. GLASGOW: January 29, 2021.

10 MR. LUI: Did you sign this case
11 report?

12 MS. GLASGOW: Yes, I did.

13 MR. LUI: Did you create this case
14 report?

15 MS. GLASGOW: Yes, I did.

16 MR. LUI: And there are photos
17 attached to this case report. Did you take these
18 photos?

19 MS. GLASGOW: Yes, I did.

20 MR. LUI: Is this a fair and accurate
21 representation of the case report that you
22 created from an incident occurring on January
23 29th, 2021?

24 MS. GLASGOW: Yes.

25 MR. LUI: Mr. Chairperson, at this

1 time, the Government would like to move what's
2 been marked as Government Exhibit 1 as evidence.

3 CHAIRPERSON ANDERSON: Well, Mr. Lui,
4 as stated earlier, pursuant to 1713.10, the
5 Government does not have to officially move this
6 document into evidence, because it is a part of
7 the record. But I will so move. I will so move
8 it, sir.

9 MR. LUI: Thank you, Mr. Chairperson.

10 CHAIRPERSON ANDERSON: All right,
11 thank you.

12 MR. LUI: Investigator Glasgow, I am
13 directing your attention to one of the exhibits,
14 Exhibit 3 of the case report.

15 MR. LUI: Can you see this?

16 MS. GLASGOW: Yes, sir.

17 MR. LUI: What do you see in this
18 photo, or what do you see in this document?

19 MS. GLASGOW: The document depicts
20 individuals standing in the middle of the
21 establishment, it shows individuals on the left,
22 seems like it's more than six to the table and,
23 yes, it was a lot of individuals in there.

24 MR. LUI: Investigator Glasgow, I am
25 now directing your attention to Exhibit 6 of the

1 case report.

2 MR. LUI: Let me know if you can see
3 this document?

4 MS. GLASGOW: Yes, I can.

5 MR. LUI: Okay, what do you see in
6 this photo?

7 MS. GLASGOW: Again, individuals
8 standing, walking around, to the right I see
9 someone, a female individual standing behind a
10 bar. And to my left, I see individuals sitting
11 at a table with more than six to a table.

12 MR. LUI: Is this female employee
13 wearing a mask?

14 MS. GLASGOW: No.

15 MR. LUI: I am now moving on to
16 Exhibit 7.

17 MR. ASBEHA: Agent, which female are
18 you talking about? Objection, which female --

19 CHAIRPERSON ANDERSON: What's the
20 nature of your objection?

21 MR. ASBEHA: He said the female was
22 not wearing a mask. Which one is that?

23 CHAIRPERSON ANDERSON: Mr. Lui, can
24 you also have this Witness specifically address
25 what female that's been addressed?

1 MR. LUI: Investigator Glasgow,
2 looking at, again, this Exhibit 6, you testified
3 that there was a female behind the bar area.

4 MS. GLASGOW: Yes.

5 MR. LUI: And then -

6 MR. ASBEHA: That's not the bar area.

7 Excuse me.

8 CHAIRPERSON ANDERSON: Hold on, Mr.,
9 let him finish first. And then let me hear, and
10 then I'll rule on it.

11 MR. ASBEHA: All right.

12 MR. LUI: And could you describe what
13 you observed in this photo?

14 MS. GLASGOW: I observed individuals
15 standing, walking around, I observed an
16 individual behind the bar, a female individual
17 behind the bar. And then I observed individuals
18 on the left sitting with more than six to a
19 table.

20 MR. LUI: Now, focusing on that bar
21 area, what else do you observe in that, I would
22 guess the right side of the photo, just focusing
23 on the right side of the photo?

24 MS. GLASGOW: The female appears to be
25 pouring something or holding something in her

1 hand. I am not sure what it is. I see an
2 individual standing at the bar.

3 MR. LUI: And looking closer at the
4 photo, does it appear that she's wearing a face
5 mask?

6 MS. GLASGOW: No.

7 MR. LUI: I have no further questions
8 about this exhibit.

9 CHAIRPERSON ANDERSON: Go ahead.

10 MR. LUI: I am going to move on
11 Exhibit 17 of the case report. Court's
12 indulgence as I scroll through. There's several
13 photos here.

14 Investigator Glasgow, what is this
15 document?

16 MS. GLASGOW: It's the Certificate of
17 Occupancy.

18 MR. LUI: What is the occupant load on
19 the Certificate of Occupancy?

20 MS. GLASGOW: Ninety-nine.

21 MR. LUI: What is the significance of
22 the occupant load of 99?

23 MS. GLASGOW: As per the Mayor's
24 ordinance establishment ought to be operating
25 with a 25 percent capacity.

1 MR. LUI: And then I am going to go
2 back up to Exhibit 16. What is this a photo of?

3 MS. GLASGOW: It's a photo of more
4 than 25 percent of the establishment occupancy
5 load.

6 MR. LUI: And just going on to Exhibit
7 19 of the case report, what is this document?

8 MS. GLASGOW: It's a picture of me
9 holding one of the glass of Patron that I
10 ordered.

11 MR. LUI: I am moving on to Exhibit
12 21. What is this a photo of?

13 MS. GLASGOW: This is a photo of the
14 other glass of Patron that I ordered.

15 MR. LUI: Did you consume -- Could you
16 describe the -- Is the on the left the one you
17 consumed?

18 MS. GLASGOW: Yes.

19 MR. LUI: Okay. And then the one on
20 the right is the one secured as evidence?

21 MS. GLASGOW: Yes.

22 MR. LUI: I am directing your
23 attention to Exhibit 22. What is this document?

24 MS. GLASGOW: Those are purchase
25 receipts of the Patron that I ordered.

1 MR. LUI: What time did you make the
2 first purchase?

3 MS. GLASGOW: The first purchase I
4 purchased it at 11:22 p.m.

5 MR. LUI: And then when was the second
6 purchase?

7 MS. GLASGOW: 11:26 p.m.

8 MR. LUI: I am proceeding to
9 Government Exhibit 24. What is this document?
10 What is this a photo of?

11 MS. GLASGOW: That is a photo of the
12 alcohol testing kit that we use to test the
13 alcohol. That is the description of how to use
14 the testing kit.

15 MR. LUI: And how does the testing kit
16 work generally?

17 MS. GLASGOW: When you dip it in the
18 liquid if it is alcohol it will turn a dark
19 color.

20 MR. LUI: I am directing your
21 attention to Exhibit 26 of the case report. I am
22 going to flip the screen. The Board's indulgence
23 here.

24 Could you describe what you see in
25 this photo?

1 MS. GLASGOW: We tested three
2 substances. We tested Gatorade, water, and the
3 evidence that I left with, the Patron, and we all
4 -- The water and the Gatorade did not turn a dark
5 color, the testing strip did not turn a dark
6 color, however, the alcohol that I brought back
7 as evidence did.

8 MR. LUI: And just going on to Exhibit
9 28 of the case report --

10 MR. ASBEHA: She's saying "we." Can
11 she specify who is "we?"

12 CHAIRPERSON ANDERSON: Hold on. Mr.
13 Asbeha, if you have an objection just say I have
14 an objection. I will stop and I'll ask then --

15 MR. ASBEHA: Objection.

16 CHAIRPERSON ANDERSON: What's the
17 nature of your objection, sir?

18 MR. ASBEHA: She is saying "we." Can
19 she describe who is "we?" Is it one person, two
20 person, or can she mention the name?

21 CHAIRPERSON ANDERSON: All right. Can
22 -- Mr. Lui, can you maybe rephrase the question
23 so the witness can be more specific when she
24 answers the question, please?

25 MR. LUI: Yes, Mr. Chairperson.

1 Investigator Glasgow, when you were testing the
2 substance who was with you?

3 MS. GLASGOW: My team, Investigator
4 Zollarcoffer, Investigator Puente, and Supervisor
5 Investigator Jason Peru.

6 CHAIRPERSON ANDERSON: Ms. Glasgow,
7 can you please for the record spell Investigator
8 Zollarcoffer's name, please, if you are able to?

9 MS. GLASGOW: Sure. Jeremey, J-E-R-E-
10 M-E-Y, Zollarcoffer, Z-O-L-L-A-R-C-O-F-F-E-R.

11 CHAIRPERSON ANDERSON: All Right.
12 Thank you, ma'am.

13 MR. LUI: Investigator Glasgow,
14 directing your attention to Exhibit 28 of the
15 case report what is this the photo of?

16 MS. GLASGOW: This is a photo of the
17 Patron that we tested. You clearly see that the
18 strip turned dark.

19 MR. LUI: The Board's indulgence here.
20 I am going to switch to what has been marked as,
21 what I am going to show as Government Exhibit 2.
22 It's a video. Just bear with me just a moment
23 here as I set this up and share screen.

24 Now, Investigator Glasgow, do you see,
25 is this appearing on your screen?

1 MS. GLASGOW: Yes, it is.

2 MR. LUI: And Board Members, this is
3 appearing on your screen?

4 CHAIRPERSON ANDERSON: Yes.

5 MR. LUI: Mr. Chairperson, thank you.
6 Investigator Glasgow, do you recognize this
7 video?

8 MS. GLASGOW: Yes, I do.

9 MR. LUI: What is this video?

10 MS. GLASGOW: This is a video of
11 inside the establishment while I was there of
12 patrons walking around, patrons standing, smoking
13 Hookah, and alcohol clearly visible on the
14 tables.

15 MR. LUI: Smoking Hookah. Did you
16 record this video?

17 MS. GLASGOW: Yes, I did.

18 MR. LUI: When did you record this
19 video?

20 MS. GLASGOW: January 29, 2021.

21 MR. LUI: And approximately what time
22 was this video taken?

23 MS. GLASGOW: Between 11:15 and 11:30
24 p.m.

25 MR. LUI: And is this a fair and

1 accurate representation of the video that you
2 recorded from the evening of January 29, 2021,
3 approximately 11:15 to 11:30?

4 MS. GLASGOW: Yes, it is.

5 MR. LUI: Mr. Chairperson, at this
6 time the Government would now move Government
7 Exhibit 2, the video that Investigator Rhoda
8 Glasgow took, into evidence.

9 CHAIRPERSON ANDERSON: Well, is this
10 a part of the case report or is this a separate
11 exhibit?

12 MR. LUI: This is -- The Board's
13 indulgence. Let me pull up the case report.

14 CHAIRPERSON ANDERSON: I'm asking for
15 a specific reason.

16 MR. LUI: Yes, please. It would be
17 Number 20 of the exhibits attached to the case
18 report of --

19 (Simultaneous speaking.)

20 CHAIRPERSON ANDERSON: So it is a part
21 of the case report?

22 MR. LUI: No. Whether or not -- It
23 appears it is a part of the case. It says
24 "Videos of patrons inside of Kiss Tavern," so it
25 is a part of the case report.

1 CHAIRPERSON ANDERSON: And as I've
2 stated before pursuant to 1713.10 it doesn't have
3 to be formally moved in the record, so it is a
4 part of the record. All right, so it is a part
5 of the record. Go ahead, Mr. Lui.

6 MR. LUI: Thank you. And noted for --
7 There are two more videos that I will be
8 presenting and noted for these next videos that I
9 will skip that.

10 CHAIRPERSON ANDERSON: No, Mr. Lui.
11 If it is a part of the case report, I don't know,
12 so you have to then let me, you have to let the
13 Board know that the video is already, is a part
14 of the case report.

15 I am doing this for a specific reason,
16 Mr. Lui. Remember we started off that Mr. Asbeha
17 was objecting to witnesses testifying and so,
18 therefore, to ensure that we have a clean and
19 clear record I want to make sure that the record
20 is clear that whatever, if documents of witnesses
21 are being moved into evidence I want it to be
22 clear that because of -- There are certain -- The
23 Board, these documents, the case reports and the
24 exhibits that are attached to the case report
25 pursuant to 1713.10 they are automatically a part

1 of the record.

2 So if there are exhibits that you are
3 then you can -- You just inform the Board that
4 this is already a part of the case report. If
5 it's not then you can make a motion for me to
6 move it.

7 I am doing this to make sure that if
8 this matter doesn't end here that we have a clear
9 record, that's all. Thank you.

10 MR. LUI: Thank you, Mr. Chairperson.
11 The next video that will be shown is Exhibit 20
12 of the case report. It is another video that
13 Investigator Glasgow took. Just the Board's
14 indulgence here while I publish it.

15 Investigator Glasgow, can you see this
16 video?

17 MS. GLASGOW: Yes, I can.

18 MR. LUI: What is in this video?

19 MS. GLASGOW: It's a recording of
20 myself in the shot. It's basically to establish
21 that I was there, I purchased an alcoholic
22 beverage in the establishment.

23 MR. LUI: Did you record this video?

24 MS. GLASGOW: Yes, I did.

25 MR. LUI: And approximately when did

1 you record this video?

2 MS. GLASGOW: Between 11:15 and 11:30
3 p.m.

4 MR. LUI: What else do you observe in
5 this video?

6 MS. GLASGOW: Patrons standing,
7 walking around, standing at the bar area.

8 MR. LUI: And do you observe anything
9 else?

10 MS. GLASGOW: From this shot patrons,
11 no, not from this angle. Actually, patrons
12 sitting on the table on the left here it seems to
13 be more than six to a table.

14 MR. ASBEHA: Objection, sir.

15 CHAIRPERSON ANDERSON: What is the
16 nature of your objection, sir?

17 MR. ASBEHA: Investigator keeps saying
18 "seems to be." She is not sure if there is six
19 people. She didn't make any count. On each
20 table we make sure everybody is six under one
21 table.

22 She has been saying that two times.
23 She "seems to be." She is not sure if the table
24 has six or eight or four or two.

25 CHAIRPERSON ANDERSON: Well, Mr.

1 Asbeha, when -- You're going to have an
2 opportunity to cross examine her, so you can
3 point that out.

4 I mean you can bring that up when you
5 cross examine her, sir, okay. So I am going to
6 deny, I am going to overrule the objection. Go
7 ahead, Mr. Lui.

8 MR. LUI: Okay. And the Board's
9 indulgence, I am going to share one more video
10 here that -- And, again, it's Exhibit 20 of the
11 case report video.

12 Investigator Glasgow, do you see this
13 video?

14 MS. GLASGOW: Yes, I do.

15 MR. LUI: And what do you observe in
16 this video?

17 MS. GLASGOW: Again patrons standing,
18 walking around, standing at the bar area, clearly
19 sitting at the bar smoking Hookah, walking around
20 without face masks.

21 MR. LUI: What else do you observe?

22 MS. GLASGOW: More than six to a
23 table.

24 MR. LUI: And did you record this
25 video?

1 MS. GLASGOW: Yes, I did.

2 MR. LUI: How did you record this
3 video?

4 MS. GLASGOW: I recorded it with my
5 ABRA-assigned cell phone.

6 MR. LUI: And where -- Did you make
7 any observations from this video? What else do
8 you observe from the video?

9 MS. GLASGOW: More than -- Patrons
10 sitting at the bar, walking around not wearing
11 face masks, smoking Hookah.

12 MR. LUI: Okay. Mr. Chairperson, I
13 have no further questions for Investigator
14 Glasgow. Thank you.

15 CHAIRPERSON ANDERSON: Thank you. Mr.
16 Asbeha, you have an opportunity now to cross
17 examine her on her testimony.

18 If for some reason you need to refer
19 to exhibits from the case report I would ask Mr.
20 Lui if he could share his screen so we could have
21 those documents back on screen, okay. All right,
22 your witness, sir.

23 MR. ASBEHA: You mean my questions of
24 the witness?

25 CHAIRPERSON ANDERSON: I'm sorry?

1 MR. ASBEHA: You are asking me to ask
2 a question to the witness or --

3 CHAIRPERSON ANDERSON: This is your
4 opportunity to cross examine her. So if you have
5 any questions of her of the testimony that she
6 just gave you can do that now, sir.

7 MR. ASBEHA: Yes, Mr. Chairman. On
8 the report, Investigator Glasgow, you say there
9 was 25 people, patrons, inside?

10 MS. GLASGOW: That is correct.

11 MR. ASBEHA: And my CFO says I can
12 have 25 people?

13 MS. GLASGOW: See, your -- According
14 to the Mayor's ordinance you could have 25
15 percent of your total occupancy.

16 MR. ASBEHA: How much is 25 percent of
17 the CFO?

18 MS. GLASGOW: Twenty-five percent of
19 your 99 is 25.

20 MR. ASBEHA: So that shows that there
21 is only 25 people that you counted over there.
22 It can't be 26. It can't be 27. It can be 24.

23 MS. GLASGOW: That is correct.

24 MR. ASBEHA: Do you have a clicker?
25 Did you have a clicker on that time when you

1 counted the people?

2 MS. GLASGOW: I did not have a
3 clicker, but I did count.

4 MR. ASBEHA: Yes, and you say when you
5 come in there is some girls behind you wearing no
6 masks?

7 MS. GLASGOW: That is correct.

8 MR. ASBEHA: And on your report you
9 stated I let them in?

10 MS. GLASGOW: That is correct.

11 MR. ASBEHA: Did you see the
12 individuals come in?

13 MS. GLASGOW: When I was walking in
14 the establishment I turned around and I saw one
15 of the girls was walking in, yes.

16 MR. ASBEHA: Did you have a proof of
17 that?

18 MS. GLASGOW: No, I do not. That is
19 what I saw.

20 MR. ASBEHA: All right. On your
21 report, especially on the Exhibit 25 -- I don't
22 know if you can play that. You state -- But the
23 report shows there was people standing or walking
24 out with a mask. It clearly shows that.

25 So I would like the Board to know that

1 the exhibit itself shows that the individuals
2 without masks weren't there.

3 CHAIRPERSON ANDERSON: Hold on. What
4 exhibit is that?

5 MR. ASBEHA: The Exhibit 25 or -- 25,
6 the video that -- I don't know if Mr. Lui can
7 play that for me.

8 CHAIRPERSON ANDERSON: Are you able to
9 show Exhibit 25 off the case report, Mr. Lui?

10 MR. LUI: The Board's indulgence here.
11 Let me --

12 MR. ASBEHA: The part that shows the
13 bar and the part that shows people walking in,
14 walking out, trying to walk out.

15 MR. LUI: So Exhibit 25 of the case
16 report is this. It's of the testing kit and the
17 alcohol testing. But I will scroll up and you
18 could just tell me when to stop.

19 MR. ASBEHA: I am talking about the
20 videos.

21 MR. LUI: Oh, the video.

22 MR. ASBEHA: Yes.

23 MR. LUI: There were three videos.
24 Was it the first, the second, or the third?

25 MR. ASBEHA: I think it was the first,

1 I mean the second.

2 MR. LUI: Okay.

3 MR. ASBEHA: And I would like to see
4 the third, too. If you don't mind playing the
5 whole thing I wouldn't mind so I can ask her and
6 I don't have to go back and forth with you.

7 MR. LUI: Sure.

8 MR. ASBEHA: If you don't mind. Thank
9 you.

10 MR. LUI: This is the second video.
11 The Board's indulgence here as I share screen.
12 Could you let me know if you can see the video?

13 CHAIRPERSON ANDERSON: Yes, we can.

14 MR. ASBEHA: Yes.

15 MR. LUI: Thank you.

16 MR. ASBEHA: On what's behind you do
17 you see a glass or I mean the plexiglass?

18 MS. GLASGOW: Yes.

19 MR. ASBEHA: Do you see that in every
20 table?

21 MS. GLASGOW: From this shot, no, I
22 can't see it on every table.

23 MR. ASBEHA: But have you seen that
24 every table has a plexiglass dividing to the
25 tables?

1 MS. GLASGOW: I see two plexiglass
2 right now in this shot.

3 MR. ASBEHA: But on the video it shows
4 that the whole entire place is covered by
5 plexiglass and the bar is blocked by plexiglass,
6 do you see that?

7 MS. GLASGOW: In this particular shot
8 that you reference I only see two plexiglass.

9 MR. ASBEHA: On your investigation
10 report when you were walking around with your
11 video it shows that every table is ten feet
12 apart.

13 Every table has a plexiglass dividing
14 the customer. And why you stated there was
15 people standing by the bar, but there was no
16 bartender staff.

17 And on your report on the video it
18 shows that the bar was blocked by plexiglass so
19 you cannot have any interactions with a staff
20 member and on your evidence it shows everything
21 that the place and as owner, me, was concerned
22 about the plexiglass and the six feet rules that
23 it has. On the videos that you --

24 CHAIRPERSON ANDERSON: Mr. Asbeha --

25 MR. LUI: Yes, is there a question?

1 CHAIRPERSON ANDERSON: Yes, are you
2 asking a question, sir?

3 MR. ASBEHA: I'm asking. On your
4 video can you see the signs that says six feet
5 apart on the floor, on the floor the yellow --
6 back, back, back. Can you back, please?

7 Yes. On the floor it says, can you
8 see that the place has signs that say six feet
9 apart?

10 MS. GLASGOW: Is that a question?

11 MR. ASBEHA: Yes. Did you see that
12 the place has signs? Do you see the place has
13 sanitizers? Do you see place has -- The Mayor's
14 order that we've -- Do you see anything? Do you
15 see --

16 MS. GLASGOW: I cannot recall seeing
17 six feet on the distance, social distancing
18 stickers on the floor. I can only recall for
19 seeing the hand sanitizer on the table where I
20 sat.

21 MR. ASBEHA: How big is six feet,
22 Investigator Glasgow?

23 MS. GLASGOW: I'm sorry?

24 MR. ASBEHA: How big is six feet? How
25 do you measure it? Do you bring a tape when you

1 come in? Did you have a tape?

2 MS. GLASGOW: I did not have a tape
3 with me, no.

4 MR. ASBEHA: How do you know it's the
5 six feet? Can you explain to me how six feet big
6 is?

7 MS. GLASGOW: Personal observation.
8 Six feet would not look like chairs seated close
9 together.

10 MR. ASBEHA: So each -- Like, I don't
11 know, and that's one question here. I have
12 another question, too. It states on your report
13 you came in before, after 10:00?

14 MS. GLASGOW: Yes, I did.

15 MR. ASBEHA: Do you have the proof
16 that shows that you come before 10:00 or after
17 10:00?

18 MS. GLASGOW: I have the receipts of
19 my alcohol purchases that were purchased after
20 11:00 p.m.

21 MR. ASBEHA: Can the receipts be
22 printed out after 10 o'clock?

23 MS. GLASGOW: I'm sorry?

24 MR. ASBEHA: When you close out did
25 you ask for a receipt?

1 MS. GLASGOW: I received my receipt as
2 I received my drink.

3 MR. ASBEHA: Do you think that those
4 receipts can be the closed receipts? You could
5 order them before 10:00, you could order them at
6 9:00 p.m., and when you ask a receipt don't you
7 think that it is the time that is closing, that's
8 when you closed the tab?

9 MS. GLASGOW: I cannot testify to how
10 you operate your establishment when it comes to
11 receipts, sir. I cannot testify to that.

12 MR. ASBEHA: Okay. On your report it
13 says that you, Kevin Puente, and Investigator
14 Zollarcoffer that you tasted the liquor on the
15 lab, is that correct?

16 MS. GLASGOW: I drank the first glass
17 that I ordered, yes.

18 MR. ASBEHA: Can you explain the
19 relationship that you have with Mr. Puente,
20 Investigator Puente?

21 MS. GLASGOW: Excuse me? I didn't
22 hear what you said.

23 MR. ASBEHA: Can you explain the
24 relationship that you have with Investigator
25 Kevin Puente?

1 MR. LUI: Objection, relevance.

2 MR. ASBEHA: The relevance is, sir --

3 MR. LUI: Wait. Mr. Chairperson?

4 CHAIRPERSON ANDERSON: Hold on. I
5 don't know where we are going, so let -- I'm
6 trying to explain because I don't know where we
7 are going. Did he just ask her --

8 (Simultaneous speaking.)

9 MR. ASBEHA: Mr. Chairman?

10 CHAIRPERSON ANDERSON: Hold on. Yes,
11 Mr. Asbeha, what are you saying?

12 MR. ASBEHA: She said she took the
13 liquor and tasted it in lab when she went with
14 Mr. Kevin Puente, Investigator Kevin Puente, and
15 Investigator Glasgow, I mean I don't know how to
16 pronounce it -- How do you pronounce it,
17 Zollarcoffer.

18 I don't -- So we have literally an
19 issue and I have a complaint to the Mayor's
20 office about Investigator Puente that he was
21 harassing me and I sent it to the Mayor's office.

22 CHAIRPERSON ANDERSON: I'm --

23 MR. ASBEHA: I'm going to come to a
24 conclusion. So there is a conflict of interest
25 here. She took that lab to test it, and -- which

1 is I don't know if it's her husband or fiance,
2 the relationship they have, she tested it and
3 proved it that the alcohol is -- I mean the lab
4 confirmed that's alcohol on the report.

5 CHAIRPERSON ANDERSON: But, Mr.
6 Asbeha, she testified that she bought two drinks.
7 She testified to that based on her personal
8 knowledge.

9 The first drink she had was alcohol
10 and she testified that she took the second drink
11 to the office and tested it, but even if the
12 drink was taken -- I'm going to deny that on
13 relevancy.

14 I am not going to -- please, let's
15 move on. I'll tell you what, I am going to
16 sustain the objection and please let's move on.
17 There is -- It's not relevant you asking about
18 Mr. Puente. It's irrelevant, sir. Move on,
19 please.

20 MR. ASBEHA: So from the experience --
21 Can I continue? Can I proceed, Mr. Chairman?

22 CHAIRPERSON ANDERSON: Yes, go ahead,
23 sir.

24 MR. ASBEHA: On the experience on the
25 report you said, or on your investigation said,

1 Investigator Glasgow, that you have experience
2 drinking. Was your experience while you were at
3 work, is that what it is?

4 MS. GLASGOW: What's the question?

5 MR. ASBEHA: On your report, on your
6 witness today it was a, that experience of liquor
7 that because from your experience that you state
8 it's liquor.

9 MS. GLASGOW: Yes. My personal
10 experience when I tasted it it was alcohol.

11 MR. ASBEHA: So does it mean that you
12 had experience drinking at work?

13 MS. GLASGOW: I was advised by my
14 supervisor in an undercover capacity that I can
15 consume the alcoholic beverage.

16 MR. ASBEHA: So every time you are an
17 investigator your supervisor asks you to do or
18 drink alcohol you will do so, is that what you
19 are saying?

20 MR. LUI: Objection.

21 MS. GLASGOW: I can't --

22 (Simultaneous speaking.)

23 MR. LUI: Relevance.

24 MR. ASBEHA: Relevance like
25 investigating while you have been working, that's

1 the relevance.

2 MS. GLASGOW: I --

3 (Simultaneous speaking.)

4 CHAIRPERSON ANDERSON: I'm going to --

5 She can answer the question. Answer the
6 question. If you can't answer the question you
7 can't and just move on.

8 If you can answer the question -- So
9 I am going to deny -- I am going to overrule this
10 objection. Ms. Glasgow, if you can answer the
11 question answer it. If you cannot you can't
12 answer the question.

13 MS. GLASGOW: On the incident of
14 January 29, 2021, my supervisor advised me that I
15 can consume the alcoholic beverage to blend in
16 while I was in an undercover capacity.

17 MR. ASBEHA: Can I proceed, Mr.
18 Chairman?

19 CHAIRPERSON ANDERSON: Yes. She
20 answered your question, sir, go ahead.

21 MR. ASBEHA: So on your report -- like
22 I said, when your supervisor asks you to drink
23 that means the two shots can make you drunk and
24 make you want to -- your judgment be not the
25 right thing on my end.

1 So, me, myself, I don't even drink
2 while I am working.

3 MR. LUI: Objection. Where's the
4 question?

5 CHAIRPERSON ANDERSON: Where -- Yes.
6 Mr. Asbeha, where -- can you -- let's move on.
7 If you have a question for the witness please ask
8 a question. If not, let's move on, sir.

9 MR. ASBEHA: Mr. Chairman, I am trying
10 to explain that working or drinking while you are
11 at work will cloud your judgments and your
12 reports. That's what I'm saying.

13 (Simultaneous speaking.)

14 CHAIRPERSON ANDERSON: And all I'm
15 saying, sir, if you have a question to ask her
16 you ask her a question. That's all I am saying.
17 If you have a question, ask a question, and if
18 she can answer it, she can answer it. That's all
19 I was saying.

20 MR. ASBEHA: All right. Well, before
21 you approach Kiss Tavern how was it possible that
22 you can come -- on your report it states you guys
23 hear a sound.

24 MS. GLASGOW: We got a complaint from
25 your neighbors that they were hearing music in

1 their residence and there seems to be patrons
2 going in the establishment without face masks and
3 the doors appeared to be locked.

4 MR. ASBEHA: Do you call for backup or
5 for police officers, MPD?

6 MS. GLASGOW: My supervisor asked me
7 to enter the establishment in an undercover
8 capacity and that is what I did.

9 MR. ASBEHA: No further questions.

10 CHAIRPERSON ANDERSON: All right.
11 Thank you. Any questions of Ms. Glasgow by the
12 Board?

13 All right. Hearing none, thank you,
14 Ms. Glasgow, for your testimony. Thank you very
15 much.

16 CHAIRPERSON ANDERSON: Mr. Lui, do you
17 have another witness?

18 MR. LUI: Yes, Mr. Chairperson.

19 CHAIRPERSON ANDERSON: And who is the
20 witness, please?

21 MR. LUI: Supervisory Investigator
22 Jason Peru.

23 CHAIRPERSON ANDERSON: Mr. Peru, can
24 you raise your right hand, please? Do you swear
25 or affirm to tell the truth and nothing but the

1 truth?

2 MR. PERU: I do.

3 CHAIRPERSON ANDERSON: All right, your
4 witness. Mr. Peru, speak into the microphone.
5 Your voice was somewhat faint, okay?

6 MR. PERU: Okay.

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

9 MR. LUI: Mr. Peru, could you please
10 state and spell your first and last name for the
11 record?

12 MR. PERU: Supervisory Investigator
13 Jason Peru, J-A-S-O-N, P-E-R-U.

14 MR. LUI: How long have you been a
15 supervisory investigator?

16 MR. PERU: Supervisory investigator
17 for two years.

18 MR. LUI: And were you an investigator
19 prior to that?

20 MR. PERU: I was.

21 MR. LUI: Could you tell me again just
22 for the record the agency in which you were
23 employed?

24 MR. PERU: I've been at ABRA for a
25 total of eight years, and I have 10 years in Las

1 Vegas as a police officer.

2 MR. LUI: What are your duties and
3 responsibilities as a supervisory investigator?

4 MR. PERU: I manage a team of five
5 investigators who conduct inspections and
6 investigations of ABC licenses in the District of
7 Columbia.

8 MR. LUI: Is Rhoda Glasgow one of the
9 investigators that you supervise?

10 MR. PERU: She is.

11 MR. LUI: Are you familiar with Kiss
12 Tavern?

13 MR. PERU: I am.

14 MR. LUI: How are you familiar with
15 this establishment?

16 MR. PERU: I have been to the
17 establishment while working.

18 MR. LUI: Do you recall an incident
19 from January 29, 2021?

20 MR. PERU: I do.

21 MR. LUI: What happened that evening?

22 MR. PERU: I received, as I do often,
23 anonymous calls on the ABRA hotline. This call
24 was related to Kiss Tavern, and I believe it was
25 reference to hearing noise and they even went as

1 far as saying they saw people entering the
2 establishment and looked like the doors may have
3 been locked. That call came in, so that's why I
4 initiated the investigation.

5 MR. LUI: And then what happened after
6 that? What were your steps?

7 MR. PERU: Well, I contacted --
8 complaints come in all the time, so obviously we
9 have to look into everything that comes in. So I
10 instructed two of my investigators to go and
11 monitor the establishment to see if the complaint
12 was valid. A, if they could hear any noise, and
13 B, if they saw anybody going in and out and if
14 the door appeared to be locked.

15 MR. LUI: And who were these two
16 investigators that you directed?

17 MR. PERU: I sent Investigator Puente
18 and Investigator Zollarcoffer there.

19 MR. LUI: What happened after that?

20 MR. PERU: After they were monitoring
21 for some time, they called me and told me that it
22 looked like there was someone standing outside
23 knocking on the door to get it to be unlocked and
24 opened, and then allowing patrons to go in. They
25 saw this occurring for some time. I can't

1 remember if it was a 15-20 minute time lapse or
2 not, but they did see that, so they notified me
3 of their observations.

4 MR. LUI: What did you do after that?

5 MR. PERU: Well, being that there has
6 been a number of complaints against this location
7 I spoke with Investigator Rhoda Glasgow and asked
8 her if she was comfortable, as we do on multiple
9 occasions, entering an establishment in an
10 undercover capacity, which would mean
11 unidentified as an ABRA investigator, no badge
12 out, going in as a patron into a location.

13 MR. LUI: And what happened after
14 that?

15 MR. PERU: She said she was totally
16 comfortable doing it. Obviously safety is always
17 a concern for us. She was comfortable doing it,
18 she is experienced, so she advised me that she
19 was going to go ahead and do so. So the next I
20 heard, from that point on I was in communication
21 play by play about what was going on.

22 MR. LUI: What was your next
23 investigation with Investigator Glasgow?

24 MR. PERU: At some point when she was
25 inside, I believe she had to go to the restroom

1 to call me because of the noise in the
2 establishment. She advised me what was going on.
3 She told me what her observations were, which she
4 reported in her report. She stated that she
5 didn't plan on going out to an establishment or
6 nightclub, so she wasn't necessarily dressed for
7 the occasion, so I'm sure she did stand out and
8 she did draw some attention to herself, which she
9 pointed out to me.

10 So at that point, of course, to blend
11 in when you're undercover, that's what you do. I
12 advised her to go to the bar and order a drink.

13 MR. LUI: What happened after that?
14 What was your next step?

15 MR. PERU: The next interaction was
16 she had the drink, she felt like she was being
17 watched because she was by herself, possibly
18 because how she was dressed. She wasn't a
19 regular, obviously, to Kiss. I advised her to
20 consume the alcohol, to take the one shot of
21 Patron, for two reasons. One, to blend in and
22 two, to confirm, in fact that it was alcohol that
23 she was given, even though she was told by the
24 server it was Patron.

25 I also instructed her to order a

1 second drink and not consume it to continue to
2 blend in in an undercover capacity and retain
3 that drink, if possible.

4 MR. LUI: And then what happened after
5 that?

6 MR. PERU: Once those steps occurred,
7 I started to coordinate entrance myself, because
8 at this point I felt like we had enough evidence
9 to show that the establishment was operating or
10 serving alcohol past their approved hours and
11 noted that several other Mayor's Order violations
12 were observed. So for additional manpower and
13 safety, regularly I contact the MPD local
14 commander or district commander who's on duty to
15 send officers to assist us at a location. As you
16 know, ABRA investigators are not armed and do not
17 have powers of arrest. Therefore, I like to
18 ensure the safety of my investigators when we're
19 doing an operation.

20 So I contacted MPD officers to assist,
21 waited for them to arrive on-scene. I met with
22 Investigators Zollarcoffer and Puente and MPD
23 officers, and we then approached the
24 establishment.

25 MR. LUI: Did you enter the

1 establishment?

2 MR. PERU: Correct. It seems that at
3 some point -- MPD did not pull up in a discreet
4 fashion. They had their vehicles parked in an
5 alleyway right up against the front door of the
6 business. So as we walked up, after a few
7 seconds of being at the door, the owner opened
8 the door for us.

9 MR. ASBEHA: Objection, sir.

10 CHAIRPERSON ANDERSON: What's your
11 objection? The witness is testifying, go ahead.

12 MR. ASBEHA: He said the MPD
13 approached in a discretion way.

14 CHAIRPERSON ANDERSON: Mr. Asbeha,
15 you're going to have an opportunity -- why don't
16 you take some notes?

17 MR. ASBEHA: Okay.

18 CHAIRPERSON ANDERSON: You're going to
19 have an opportunity to cross-examine him, and
20 during cross-examination you can further explore
21 that issue, sir, okay?

22 MR. ASBEHA: Yes, sir, okay.

23 CHAIRPERSON ANDERSON: All right.

24 MR. LUI: Supervisory Investigator
25 Peru, you testified that you, Investigator

1 Puente, Investigator Zollarcoffer and MPD entered
2 into the establishment. What happened after
3 that?

4 MR. PERU: Well, just to clarify, I
5 directed Investigator Zollarcoffer to go to the
6 other entrance, which I called the rear door on
7 Florida Avenue, with MPD, to go to that back door
8 and then Puente and the sergeant entered through
9 the front door. We entered inside. I
10 immediately wanted to look for my investigator to
11 make sure she was okay and where she was at.

12 I spotted her, kind of gave her a look
13 or a nod that she's good, she's done, and I
14 immediately headed towards the rear door because
15 I was advised by MPD that they had officers back
16 there and the door was locked. So obviously for
17 safety concerns, I went straight to that back
18 door to try and open it myself.

19 MR. LUI: Were you able to open that
20 back door?

21 MR. PERU: I was not. The back door
22 does not have a hand-type of mechanism, deadbolt.
23 It has a key to unlock it, and there is no push-
24 bar, as well. So the owner was following right
25 behind me and I turned to him and said hey, for

1 safety concerns this door needs to get opened.
2 There was a little more of an exchange than that,
3 and finally he had to call somebody to come to
4 him. Then he told them, hey, open this door.
5 They had to go retrieve the key, then they came
6 back and then the door was then opened.

7 MR. LUI: And then what happened after
8 that?

9 MR. PERU: Everyone was in the
10 establishment and I started to speak to the owner
11 and advise him of the violations that have
12 occurred and were witnessed. I did not reveal at
13 that time that I had an undercover investigator
14 inside the establishment, for obvious reasons.
15 We conducted an inspection and investigation of
16 the business, yes.

17 MR. LUI: Mr. Peru, what did you --
18 when you entered the establishment, what were
19 your observations?

20 MR. PERU: I observed patrons and
21 employees not wearing masks, social distancing
22 not in effect, plexiglass being used as barriers
23 when it has not been deemed as a suitable means
24 for a barrier. I observed alcohol shot glasses
25 on tables, some clear, some brown in color. I

1 observed individuals engaging in hookah, people
2 standing around.

3 The observations, to make it maybe
4 simplified, in my experience it appeared that we
5 were not in a COVID state and under a Mayor's
6 Order guidance. It looked very simple as a
7 normal event was occurring and it was normal
8 operations, is what I observed, well past 10:00.
9 We're looking at probably 11:30 at that point,
10 give or take.

11 MR. LUI: I have no further questions,
12 Mr. Chairperson. Thank you.

13 CHAIRPERSON ANDERSON: Mr. Asbeha,
14 it's your witness, sir.

15 MR. ASBEHA: Sorry about that. I
16 would like to ask Investigator Jason Peru,
17 Investigator Peru, have you been to Kiss before?

18 MR. PERU: Yes, I have.

19 MR. ASBEHA: How would you describe
20 Kiss?

21 MR. PERU: As a nightclub and hookah
22 establishment.

23 MR. ASBEHA: So on your report you say
24 that it seems to be like normal times before the
25 COVID. Does it compare to Kiss before COVID?

1 You know for yourself and you've seen it
2 yourself. You've said it to me on the report
3 that this -- can you compare the Kiss before
4 pandemic and now, as you stated that it seems to
5 be like normal times?

6 MR. PERU: I was simply making a
7 comparison to the fact that individuals were
8 standing and not seated. Is it as busy as you
9 have been in the past? Absolutely not. Was it
10 as crowded as you are during normal operations?
11 Absolutely not. However, did I observe over
12 capacity of the 25 percent allotted? Absolutely,
13 I did.

14 Did I observe people standing when
15 they shouldn't have been and drinking?
16 Absolutely I did.

17 MR. ASBEHA: When you came in, was the
18 door locked, the front door?

19 MR. PERU: I did not -- when I walked
20 up to the door, you, yourself had already been --

21 MR. ASBEHA: Was it --

22 MR. PERU: I did not observe -- you're
23 not letting me talk. I did not observe the front
24 door locked. I did not physically pull on the
25 front door myself.

1 MR. ASBEHA: But investigation says
2 that you say the door was locked and nobody can
3 come in, or that's what you said on the report.

4 MR. PERU: That's not what I said on
5 the report. That's what Investigator Glasgow
6 reported and observed.

7 MR. ASBEHA: Did you call the fire
8 marshal?

9 MR. PERU: I did not.

10 MR. ASBEHA: Who called the fire
11 marshal? Did you see fire marshal that night?

12 MR. PERU: MPD decided to call the
13 fire marshal.

14 MR. ASBEHA: Did you talk to the fire
15 marshal?

16 MR. PERU: I did.

17 MR. ASBEHA: So what did you observe?
18 What did they say?

19 MR. PERU: The fire marshal stated
20 that by the time he got there, everyone had --
21 the majority of the crowd has cleared out and the
22 doors were both open.

23 MR. ASBEHA: On your statement you say
24 that you have four investigators with you and you
25 asked for backup. Do you feel unsafe coming to

1 Kiss?

2 MR. PERU: Like I mentioned, ABRA
3 investigators are not armed. For our safety,
4 anytime I'm entering a location that's after-
5 hours, especially if I have someone inside and
6 the doors are, in fact, locked on a business, I
7 call MPD, I may call the fire marshal myself for
8 backup or for safety, absolutely. The number of
9 ABRA investigators does not take away from the
10 extra safety of having MPD on hand.

11 MR. ASBEHA: Did you check the other
12 exit in the back?

13 MR. PERU: What other exit are you
14 referring to, sir?

15 MR. ASBEHA: Kiss Lounge has two
16 exits. You only see one exit which says that I
17 cannot open, I cannot let customers from outside.
18 That's what my settlement argument said.

19 MR. PERU: Where is the other exit
20 located you're referring to?

21 MR. ASBEHA: On the establishment, on
22 the other side by the kitchen, there is an exit
23 that is open and people can leave there.

24 MR. PERU: I've never seen that exit.
25 I was not aware of that exit. I've never seen it

1 used.

2 MR. ASBEHA: In my settlement
3 argument, you can see the door has been attached
4 and you can see the architect on the plans of the
5 establishment, there is another exit. I just
6 want to say to the thing, to the investigation
7 history, to what I said. Did you ask the fire
8 marshal, do you have the report of the fire
9 marshal?

10 MR. PERU: No, I did not obtain the
11 report from the fire marshal. It was not needed.

12 MR. ASBEHA: Did you ask Investigator
13 Glasgow to take a shot?

14 MR. PERU: Absolutely I did. I told
15 her to consume the alcohol in an undercover
16 capacity, absolutely.

17 MR. ASBEHA: Do you believe that one
18 shot can impair or mislead her judgement?

19 MR. PERU: I do not.

20 MR. ASBEHA: No further questions.

21 CHAIRPERSON ANDERSON: Are there any
22 questions by any board member for Supervisory
23 Investigator Peru?

24 MEMBER SHORT: Yes, Mr. Chair.

25 CHAIRPERSON ANDERSON: Yes, Mr. Short?

1 MEMBER SHORT: Investigator, thank you
2 for the excellent report and the excellent work
3 your team did on the evening of January 29th.
4 Forgive me, we've been a little busy today and so
5 we've been up for a while, so forgive me if I
6 seem a little halted at times. These violations
7 that you observed, especially the one with the
8 door on the Florida Avenue side, you testified
9 that there was no panic hardware or panic release
10 bar on the back door so that, as required by
11 code, no one could get out unless someone with a
12 key would let them out, is that correct?

13 MR. PERU: Correct, sir.

14 MEMBER SHORT: And it was locked when
15 you got there and before the fire marshal
16 arrived, is that correct?

17 MR. PERU: Correct, sir.

18 MEMBER SHORT: Can you describe in
19 your testimony to the best of your knowledge, and
20 knowing you're not an expert, what can happen
21 with the bar being crowded or over capacity with
22 no panic hardware and having to use a key to get
23 out should something happen at the front entrance
24 on T Street?

25 MR. PERU: Sir, it would be

1 catastrophic and dangerous to the public, a fire
2 that would happen, a shooting could occur inside,
3 a fight. People could be trampled by one
4 another, unable to exit the rear of the
5 establishment. I'd hate to see anything like
6 that ever happen.

7 MEMBER SHORT: Okay, one last
8 question. Speaking of a shot, does the history
9 of this establishment give you a reason or anyone
10 in law enforcement or in inspections worry about
11 arms being inside or persons carrying dangerous
12 weapons inside of this particular club?

13 MR. PERU: Yes, sir, definitely.
14 There was a previous incident of a cannabis pop-
15 up event that occurred and a shooting occurred.
16 There was a case report generated. Shell casings
17 were recovered. That is a heightened security
18 measure and safety concern for us when we visit a
19 place that has had a violent act take place, yes,
20 sir.

21 MEMBER SHORT: Thank you,
22 Investigator. Again, please forgive me if I
23 sound a little halted. But your testimony is
24 invaluable and thank you very much for your
25 service.

1 MR. PERU: Thank you, sir.

2 CHAIRPERSON ANDERSON: Any questions
3 by any other board members? Mr. Asbeha, any
4 questions of Mr. Peru based on the questions that
5 were asked by Mr. Short? Remember, it's based on
6 the questions that Mr. Short asked.

7 MR. ASBEHA: Yeah, Mr. Peru stated
8 that there was cannabis and a shooting inside the
9 establishment, which is completely false. I want
10 to ask Mr. Peru to confirm if he saw cannabis
11 inside or a shooting inside the establishment
12 before that happened.

13 MR. PERU: I'm referring to an
14 incident that occurred that's been documented in
15 ABRA records that MPD initiated a closure of the
16 business, that prior to this incident that we're
17 talking about today, of an incident where a
18 shooting occurred. That's what I'm talking
19 about.

20 MR. ASBEHA: Was there any evidence
21 that occurred that there was a shooting inside
22 the establishment?

23 MR. PERU: I'm not going to get into
24 the evidence detail about what the report
25 generated. MPD investigated that, not myself.

1 MR. ASBEHA: Investigator Peru, you
2 just stated there was a shooting inside the
3 establishment and there was a bullet found.
4 That's what you said.

5 MR. PERU: Correct. Shooting on or
6 around, near the establishment and a shell casing
7 was recovered. That's my knowledge of the
8 shooting. It was investigated by MPD.

9 MR. ASBEHA: No further questions,
10 sir.

11 CHAIRPERSON ANDERSON: Mr. Lui, any
12 questions based on the questions that were asked
13 by Mr. Short?

14 MR. LUI: No, Mr. Chairperson, thank
15 you.

16 CHAIRPERSON ANDERSON: Investigator
17 Peru, thank you very much for your testimony,
18 sir. You are dismissed. Thank you very much.
19 Mr. Lui, does the Government have any other
20 witnesses?

21 MR. LUI: No, Mr. Chairperson.

22 CHAIRPERSON ANDERSON: Does the
23 Government rest at this juncture?

24 MR. LUI: Yes, Mr. Chairperson.

25 CHAIRPERSON ANDERSON: Mr. Asbeha, now

1 is your chance to -- I am sorry -- to present
2 your case. Do you have a witness you wish to
3 call?

4 MR. LUI: Mr. Chairperson, could we
5 just do a brief recess just to --

6 CHAIRPERSON ANDERSON: All right, it's
7 3:50 --

8 MR. LUI: A bio break.

9 CHAIRPERSON ANDERSON: It is 3:50. We
10 will go off the record until 4:00. The board can
11 return to executive session. We're off the
12 record until 4:00 and the board can go into
13 executive session. Thank you.

14 MR. LUI: Thank you.

15 (Whereupon, the above-entitled matter
16 went off the record at 3:50 p.m. and resumed at
17 4:02 p.m.)

18 CHAIRPERSON ANDERSON: We're back on
19 the record. Mr. Asbeha, do you have a witness
20 you want to call?

21 MR. ASBEHA: Mr. Chair, I was going to
22 ask that some of my witnesses, there's no
23 relevancy because the investigator of the January
24 27th is not there, so I'm going to just pass it
25 and do my exhibits.

1 CHAIRPERSON ANDERSON: So you're not
2 calling any witnesses?

3 MR. ASBEHA: No, sir.

4 CHAIRPERSON ANDERSON: Are you going
5 to testify?

6 MR. ASBEHA: If I have to, yes.

7 CHAIRPERSON ANDERSON: No, you tell me
8 what you want to do. Do you want to testify?

9 MR. ASBEHA: Well, testify means like
10 -- do you want me --

11 CHAIRPERSON ANDERSON: Tell me your
12 side of the story.

13 MR. ASBEHA: Yes, sir.

14 CHAIRPERSON ANDERSON: Can you raise
15 your right hand? Do you swear or affirm to tell
16 the truth and nothing but the truth?

17 MR. ASBEHA: I do.

18 CHAIRPERSON ANDERSON: How do you do
19 defend yourself, sir?

20 MR. ASBEHA: Mr. Chairman, can I ask
21 a question?

22 CHAIRPERSON ANDERSON: Yes, sir.
23 What's the question you want to ask?

24 MR. ASBEHA: Can I use the exhibit
25 from the OAG?

1 CHAIRPERSON ANDERSON: You can use
2 whatever exhibits you want. If you need it, I'll
3 ask Mr. -- so you want the case report?

4 MR. ASBEHA: No, I just want him to
5 play the three videos so I can explain better.

6 CHAIRPERSON ANDERSON: So you want him
7 to -- all right, so which video do you want
8 first?

9 MR. ASBEHA: Three of them.

10 CHAIRPERSON ANDERSON: First?

11 MR. ASBEHA: The first one.

12 CHAIRPERSON ANDERSON: Mr. Lui, can
13 you please play the first video, please?

14 MS. ANDREWS: Stand by, Mr. Chair, I
15 have to give him control.

16 CHAIRPERSON ANDERSON: Thank you. Do
17 you want to play the whole video and then you'll
18 explain, or tell us what is it you want? The
19 video is what, 13 seconds? So you want to play
20 the whole video, or what is it that you want?

21 MR. ASBEHA: I want to play it, yes,
22 sir, Mr. Chairman.

23 CHAIRPERSON ANDERSON: So the video is
24 --

25 MR. ASBEHA: Can you pause it? Can

1 you pause that?

2 CHAIRPERSON ANDERSON: Why don't you
3 look at the numbers and say what second do you
4 want the video to be paused at? Or just play the
5 whole video and pay attention to what second of
6 the video you want him to pause on.

7 MR. ASBEHA: That one, that one, 14.

8 CHAIRPERSON ANDERSON: Can we pause
9 and go back just five seconds, please, Mr. Lui?
10 This here?

11 MR. ASBEHA: Yes.

12 CHAIRPERSON ANDERSON: All right.

13 MR. ASBEHA: So I'm trying to explain
14 myself that I'm really concerned about this, bad
15 times, the COVID-19, and as much as I can I try
16 to make Kiss Tavern as safe as possible to the
17 public, to my employees and to my customers, and
18 to everyone who's involved. As you can see from
19 the video exhibit, it says that there's signs on
20 the floor, there's signs on the wall, there's
21 signs by the table.

22 I make sure on this video that each
23 table is divided. I'm really concerned about the
24 privacy of the group that come into the
25 establishment. So this video will show what the

1 concerns I've been taking through this whole
2 year. I think yesterday was a year. Can you
3 play it again?

4 On this video it shows that on the
5 floor, on the table, there's like, not more than
6 six people on each table. We are highly saying
7 that people before they come, they make
8 reservations and they have to get reserved and
9 they have to be less than six or six before they
10 come in. On this video you can see there's
11 nothing that can show there is more than six
12 people on that table, on each table.

13 I would like to ask to play the second
14 video.

15 MR. LUI: Just one moment.

16 MR. ASBEHA: Thank you. Back those
17 three seconds, from one to five. As you can see,
18 that's me in the back with the mask and a Kiss
19 hoodie and a jacket. It shows that I'm really
20 concerned and I'm wearing a mask and I make sure
21 my employees wear masks and have been from day
22 one. I have parents, my dad and my mom lives
23 with me, who are older than 80 years old.

24 I'm a little concerned about it and
25 every time I make sure this place is safe for

1 public, and I make sure the place is clean and
2 safety to the public. You can see I'm wearing a
3 mask in the back. Can you play it again, please?
4 You can see the place is empty. I can't even
5 count more than 25 people. You can see
6 everything. You can see the hallway.

7 This is the best thing that can happen
8 in a lounge. I've been to different lounges. As
9 you can see there's a lounge that had 300, 400
10 people, worse than me. Can you go back? You can
11 see one of my staff with a Kiss shirt has a mask
12 on her face, that one? That's one of my
13 employees. You can see her with mask. Keep
14 going. She's approaching. You can see the blue
15 mask, the same as Investigator Glasgow has.

16 You can see her, she is approaching
17 towards Investigator Glasgow. Keep going, keep
18 going.

19 MR. LUI: The video ends after that.

20 MR. ASBEHA: That's enough, sir.

21 MR. LUI: Go on to the next video?

22 MR. ASBEHA: Appreciate it. You can
23 go to the next video. If you don't mind, that's
24 enough for me. On the next video you can see
25 people, especially the customers, walking with

1 masks. That's what it shows. You don't see
2 anybody without a mask.

3 MR. LUI: Did you want me to play the
4 video or no?

5 MR. ASBEHA: It doesn't matter. If
6 you want to see it, you can see it. You can play
7 it. It's just a waste of my time or your time
8 because I hold you all this time. I'm not
9 lawyers, I'm trying my best to prove that -- can
10 you pause it, please? Go back to the first --
11 you see one of my customers, two of them, wearing
12 masks. I make sure that each customer, as much
13 as I can, to prevent and make sure the place is
14 safe.

15 It has been safe since day one. We've
16 never had an issue. I'm really concerned about
17 it because I have kids, I have five kids and I
18 have my mom and my dad living with me. When I go
19 back home I make sure I'm safe to my family. You
20 can go, that's it. You can go back to that area
21 if you want to because earlier, Investigator
22 Glasgow claimed that -- go back to the bar.
23 That's what she said, it's not a bar. That's a
24 table.

25 The bar is all the way to the end.

1 You can play it. You can play it all the way.
2 That one, that's a table. That's not a bar.
3 That's just a high chair table and everybody is
4 supposed to sit. You can see the bar empty. Can
5 you pause that? Can you pause that, please?
6 Pause it, please. Go back a little bit. Yes,
7 you can see the plexiglass on the bar that you
8 cannot -- there's no bar service at the bar.

9 The bar is blocked. The Mayor's Order
10 states that you cannot stand by the bar if a
11 bartender is working behind the bar. There is no
12 bartender working. You see me with a mask and
13 going back and forth, but we don't have a
14 constant staff or a bartender staff that sits
15 there all night serving people.

16 You can see the bar is empty.
17 Investigator Glasgow claimed that the bar was
18 giving service, and you can see there is
19 plexiglass that blocks the service. It is not
20 convenient to serve, it's not convenient to talk.
21 That's all I can see on this video. Appreciate
22 it.

23 Moving forward to my exhibits, I would
24 like to show you Exhibit No. 3 that has been
25 approved.

1 CHAIRPERSON ANDERSON: Let me ask you
2 a question. Do you have the ability to share
3 your screen? Do you have the exhibits on your
4 computer?

5 MR. ASBEHA: I presented all these
6 documents to --

7 CHAIRPERSON ANDERSON: Listen to me,
8 sir. Do you have them on your computer to share
9 your screen?

10 MR. ASBEHA: Yes, that's what I'm
11 trying to do, sir.

12 CHAIRPERSON ANDERSON: So Ms. Andrews,
13 can you give him the ability to share his screen
14 so he can play these videos that were disclosed?
15 Just give him the ability, Ms. Andrews, to share
16 his screen please.

17 MR. ASBEHA: Appreciate it, Mr. Chair.

18 MS. ANDREWS: Sure, stand by.

19 CHAIRPERSON ANDERSON: I thought you
20 said -- so what is it that you want to share with
21 us? What are we looking at?

22 MR. ASBEHA: This is DOH approved that
23 on March 4th, I mean, February 4th after the
24 incident happened on January 27 and 29th, it's a
25 full inspection being done by Health Inspector

1 Joyce and Health Inspector Jamal that Kiss Tavern
2 is safe for the public and passed all their
3 supervision that's been taken.

4 You can see all that, I have evidence,
5 too, that shows Kiss Tavern is safe for the
6 safety of the public and there is no danger
7 inside the establishment. That's the proof that
8 I have. That's legitimate from the Government.
9 That's the first thing I'm going to present.

10 On Exhibit 2nd, I would like to show
11 a video on January 27th that happened.

12 MS. ANDREWS: You still have the
13 rights. You can share, sir.

14 MR. ASBEHA: I'm trying to share. I
15 want to show you -- do you want me to just play
16 it and keep quiet or do you want to move forward?

17 CHAIRPERSON ANDERSON: I don't know
18 what this is, sir, so if you're presenting --

19 MR. ASBEHA: This is the incident that
20 happened on January 27th, which OAG or the
21 Government didn't want me to present. I would
22 like to present that so you can have what's going
23 on on investigator and harassment and targeting
24 and everything, so I would like to play this
25 video.

1 One of the investigators have been
2 told, I have been following all this CDC
3 guidelines and the Mayor's Order while the
4 investigator himself was not following the rules
5 and recommendations of the Mayor's Order. I
6 would like to play it. The investigator was not
7 wearing a mask. He was spitting on the floor in
8 front of us and employees, and it shows that my
9 concern, too, about this, so I would like to play
10 this video please.

11 [VIDEO PLAYING]

12 MR. ASBEHA: On this video it shows he
13 was not wearing a mask. You can see in the next
14 video that he was spitting on the floor.

15 [VIDEO PLAYING]

16 MR. ASBEHA: I'm trying to calm down
17 because one of my friends was telling him to calm
18 down and talk in a manner, in a respectful way,
19 in a professional way. In fact, you saw him
20 without a mask and you can see that he was --

21 [VIDEO PLAYING]

22 MR. ASBEHA: This video it shows him
23 spitting on the floor in front of us.

24 [VIDEO PLAYING]

25 MR. ASBEHA: He's not wearing the mask

1 properly, he's not covering his nose. At the
2 same time he's accusing me of me not following
3 the guidelines and everything. You can see the
4 way he was very disrespectful, unprofessional and
5 he was accusing me of violating the Mayor's
6 Order. I would like the board to see this and
7 consider it.

8 So I move forward to Exhibit 1.

9 CHAIRPERSON ANDERSON: You said you
10 have another exhibit. What's Exhibit 1?

11 MR. ASBEHA: I will show you, Mr.
12 Chairman. Just give me one second. I'm not good
13 at this, but I'm trying my best. Exhibit 1, can
14 you see that, Mr. Chairman?

15 CHAIRPERSON ANDERSON: Yeah, what is
16 Exhibit 1? It says Exhibit 1. I don't know what
17 it is. What is Exhibit 1?

18 MR. ASBEHA: Exhibit 1 shows that --
19 hold on. Can you see it, sir? Can you see the
20 paper?

21 CHAIRPERSON ANDERSON: Yes, I can see
22 the paper. I don't know what it is. That's why
23 I'm asking you what is it.

24 MR. ASBEHA: It shows how unfair I've
25 been treated by the administration. I don't know

1 what to say, I'm not a lawyer, but it seems that
2 on this you can see all the ABC licensees, which
3 there are 80 of them, who had a chance to have a
4 verbal warning, a written warning and a fine. I
5 was the only one referred to OAG to a show cause
6 hearing by the board.

7 It shows that I have been unfairly
8 treated by the administration. I should get the
9 same privilege as the other establishments. You
10 can see most of them have verbal, three, four
11 times verbal warnings, three, four times written
12 warnings, and you can see the fine. But I've
13 never had any incident. I've never had any
14 privilege or chance to get those written
15 warnings, verbal warnings for the whole year when
16 it comes to COVID.

17 I would like the board to consider
18 that I have been safe and I care about this
19 COVID-19 or this virus. I've been trying to do as
20 much as I can to prevent unsafe atmosphere at
21 Kiss Tavern. I would like the board to make the
22 fair judgment that I should be given a chance.
23 I've been suspended for 35 days. I think that's
24 the situation at hand.

25 That's the only thing I can say, that

1 I can show you, Mr. Chairman and the board.
2 You've seen Exhibit 4, which has already shown
3 you that I'm clearly concerned about this
4 pandemic. Should I make a closing statement now
5 or later on?

6 CHAIRPERSON ANDERSON: Later on. Are
7 you done?

8 MR. ASBEHA: I'm done, Mr. Chairman.

9 CHAIRPERSON ANDERSON: So now Mr. Lui
10 will have an opportunity to cross-examine you if
11 he has questions of you.

12 MR. LUI: Just some very brief
13 questions, Mr. Asbeha. You were present at the
14 establishment on the evening of January 29, 2021?

15 MR. ASBEHA: Yes, sir.

16 MR. LUI: And you allowed undercover
17 Investigator Glasgow into the establishment?

18 MR. ASBEHA: Yes, sir.

19 MR. LUI: And there is video footage
20 of you wearing a mask?

21 MR. ASBEHA: Yes, sir.

22 MR. LUI: And there was also video
23 footage of you not wearing a mask.

24 MR. ASBEHA: There is none of them
25 that does not wear a mask. I didn't see it.

1 MR. LUI: And then after Investigator
2 Glasgow left the establishment, ABRA
3 investigators and MPD officers entered the
4 establishment?

5 MR. ASBEHA: Yes, sir.

6 MR. LUI: And Supervisory Investigator
7 Jason Peru was one of these investigators?

8 MR. ASBEHA: Yes, sir.

9 MR. LUI: And he went to the back of
10 the establishment on the Florida exit?

11 MR. ASBEHA: There's two exits by
12 Florida, sir.

13 MR. LUI: And Investigator Peru
14 testified that that entrance couldn't open?

15 MR. ASBEHA: There's two exits and the
16 entrance. That he would have to ask us because
17 our settlement agreement says we cannot let
18 people inside through Florida Avenue, which is by
19 DCRA we are allowed to do so. So we make sure
20 that door, nobody comes in because prior to this
21 incident we have issue with the investigators
22 telling me I cannot let people inside that door
23 except to exit.

24 I told them this door, I can open it
25 but most of the time it's open. Because we were

1 closed and I opened the other door to exit, the
2 safety concern was not an issue because there was
3 another exit. If there is hazards or any
4 incident to happen, I make sure my customers are
5 safe and exit from both doors, both areas, T
6 Street and Florida Street. Both exits are open.

7 MR. LUI: I have no further questions.
8 Thank you.

9 CHAIRPERSON ANDERSON: Thank you, Mr.
10 Lui. Mr. Asbeha, I just want to follow up. You
11 said that you were suspended for 35 days, is that
12 correct?

13 MR. ASBEHA: Yes, Mr. Chairman.

14 CHAIRPERSON ANDERSON: When were you
15 suspended for 35 days?

16 MR. ASBEHA: From March 9th until now.

17 CHAIRPERSON ANDERSON: I'm sorry, what
18 date? March what?

19 MR. ASBEHA: On the second and ninth,
20 from February 9th until now.

21 CHAIRPERSON ANDERSON: And why were
22 you suspended, sir? Why was your license
23 suspended?

24 MR. ASBEHA: I asked my lawyer at the
25 time and he told me he's going to work with the

1 Government or with OAG to do a settlement, OIC or
2 a hearing date. He said just lay low and I will
3 give you the hearing date or I will give you the
4 OIC. Then I waited and I waited two, three weeks
5 and I kept asking him, you're my counselor,
6 please, I need this. I have to make a living to
7 my family.

8 Recently I signed a mortgage and a
9 loan purchasing that property so I can be
10 financially stable. I told him can you please
11 help me? He said okay. I waited for a month
12 until March 3rd. He told me he can no longer
13 represent me after I waited a month. I told him
14 why. He said he cannot say anything it's for his
15 own conflict of interest.

16 On March 4, I emailed Ms. Martha and
17 Mr. Lui to give me a hearing date because I want
18 to know why I'm suspended. I want to know what's
19 going on because for a whole month there's no
20 response that was given to me.

21 CHAIRPERSON ANDERSON: So you don't
22 know why you were suspended for 35 days?

23 MR. ASBEHA: No, I know what suspend,
24 but I was closed but you were asking if I was
25 suspended because the Government thinks that the

1 place is unsafe for public.

2 CHAIRPERSON ANDERSON: Since in the
3 last year, do you know how many times that an
4 ABRA investigator has been to your establishment?

5 MR. ASBEHA: I've been telling you Mr.
6 Chairman, since day one, more than 500, I can
7 count it.

8 CHAIRPERSON ANDERSON: I'm just
9 asking, why would an ABRA investigator come to
10 your place over 500 times?

11 MR. ASBEHA: Mr. Chairman, as much as
12 they have visited me, I could've get more than
13 like 200, 300 violations, but I'm a person that
14 knows and stays in this business for eight years.
15 I know what's going to happen. Every time they
16 come here I make sure I'm doing everything right,
17 but as you can see on the video, those
18 interactions with investigators. Every time I do
19 right, they tell me I'm doing wrong.

20 You can see it on the January 27th
21 video incident that the people from -- I respect
22 Mr. John as a matter of fact, except that
23 incident, but he saw people outside the
24 establishment. Outside, which is by the pandemic
25 we close at 12:00. But he saw people outside at

1 12:10, and he's telling me -- those people have
2 the right to be outside because we're closed.
3 And 12:10, they have the right to call Uber or
4 taxi outside.

5 People just because you see outside,
6 it doesn't mean they were inside. It doesn't
7 mean I was open for them. So this kind of
8 investigation is not being -- defaming my name
9 toward the board and administration. I know, Mr.
10 Chairman, I have been in front of the board so
11 many times, but I feel like the investigators are
12 defaming my name and they're not willing to work
13 with me.

14 I know Jason Peru. I've never had an
15 incident with him. I know all the investigators.
16 I've never had any issues, but none of the
17 lawyers can represent me. I'm willing to pay and
18 they say no, we cannot represent you because we
19 can't. I've asked more than 10 after Mr. Richard
20 Bianci said he cannot represent me. I've asked
21 so many lawyers and they say no, we cannot
22 represent you because we're told we cannot by the
23 administration.

24 That's why I'm here. I don't know --
25 just with my experience I'm here representing

1 myself.

2 CHAIRPERSON ANDERSON: Thank you. Any
3 other questions from any other board members?

4 MEMBER SHORT: Yes, Chairman. Good
5 afternoon, Mr. Asbeha. Good afternoon, Mr.
6 Asbeha.

7 CHAIRPERSON ANDERSON: Asbeha.

8 MEMBER SHORT: Asbeha.

9 CHAIRPERSON ANDERSON: Asbeha.

10 MR. ASBEHA: That's right.

11 MEMBER SHORT: On January 29, 2021,
12 Mayor's Order 004-2021, which all establishments
13 like yours was required to close at what time?

14 MR. ASBEHA: At 12:00, Mr. Short.

15 MEMBER SHORT: Are you sure it was
16 12:00?

17 MR. ASBEHA: Yes, alcohol stops at
18 10:00, the business closes at 12:00.

19 MEMBER SHORT: And Mayor's Oder
20 supersedes that, do you agree? The COVID Mayor's
21 Order 2021-004 supersedes what your license says,
22 is that correct?

23 MR. ASBEHA: What do you mean when you
24 say supersedes? I don't know the word. Can you
25 explain this word?

1 MEMBER SHORT: Okay. You said your
2 regular hours are what? If it were not for
3 COVID-19 and the Mayor's Order, what time would
4 you have regular closed on January 29, 2021?

5 MR. ASBEHA: January 29th is Friday so
6 I have to close at 3:00 a.m.

7 MEMBER SHORT: Do you understand the
8 Mayor's Order?

9 MR. ASBEHA: Yes, sir.

10 MEMBER SHORT: What does the Mayor's
11 Order say about closing time?

12 MR. ASBEHA: Closing time during the
13 pandemic or before? You asked me before.

14 MEMBER SHORT: I'm asking you during
15 the pandemic.

16 MR. ASBEHA: During the pandemic --

17 MEMBER SHORT: On January 29th. Go
18 ahead.

19 MR. ASBEHA: During the pandemic, the
20 alcohol stops at 10:00, but people can eat food
21 until 12:00. That's what it says.

22 MEMBER SHORT: What time on the 29th
23 did Investigator Glasgow, what time did you let
24 her in your club?

25 MR. ASBEHA: I asked her the question

1 and she say she doesn't know what time it was
2 because she couldn't explain. I don't even know
3 what time she came in. She said she might come
4 after 10:00, I don't know, sir.

5 MEMBER SHORT: Were you operating and
6 selling alcohol after 10:00 p.m. on January 29,
7 2021?

8 MR. ASBEHA: Not to my knowledge, sir.

9 MEMBER SHORT: How did Investigator
10 Glasgow get a shot of alcohol delivered to her at
11 her table on that date, January 29, 2021? How
12 did she, after 10:00 p.m. get a shot of alcohol
13 delivered to her table, which she paid for with
14 her credit card?

15 MR. ASBEHA: Mr. Short, I know
16 Investigator Glasgow works for ABRA before, and I
17 know that she was there to do investigations, so
18 I was concerned to make sure everybody is okay.
19 But I didn't see or know that my server or my
20 bartender, whatever it is, gave her a drink. I
21 did not acknowledge that?

22 MEMBER SHORT: Are you responsible,
23 even though you didn't acknowledge it, are you
24 responsible for the club and the alcohol that's
25 served within that club, especially when you are

1 present?

2 MR. ASBEHA: I'm always present at the
3 time and I do, I'm responsible for that. If that
4 happened, that's why I'm asking for like, excuses
5 if it happened. I don't think it happened that
6 night.

7 MEMBER SHORT: It did happen.

8 MR. ASBEHA: Mr. Short, I'm just
9 telling you I've not done but if it does, I would
10 like to apologize to the board and the
11 administration. It was a mistake and it was the
12 first time during the pandemic that it happened.

13 MEMBER SHORT: Okay, let's grant that
14 it was a mistake. Are you, as the owner and
15 licensee of that business, still responsible even
16 though you say it was a mistake? Are you
17 accountable for your license?

18 MR. ASBEHA: Yes, Mr. Short.

19 MEMBER SHORT: No further questions,
20 Mr. Chair. Thank you very much for your
21 testimony.

22 CHAIRPERSON ANDERSON: Any other
23 questions by any other board members?

24 MEMBER CROCKETT: I have a question.

25 CHAIRPERSON ANDERSON: Go ahead, Ms.

1 Crockett.

2 MEMBER CROCKETT: Good afternoon.

3 MR. ASBEHA: Good afternoon.

4 MEMBER CROCKETT: On January 29th when
5 Investigator Glasgow was there, she was served
6 drinks after 11:00 it appears. Was there any
7 food being served in your establishment at the
8 time?

9 MR. ASBEHA: Yes, ma'am. We have the
10 best food in town, Ethiopian food and we have
11 wings, fish and chips and fries that we serve all
12 the time. You can see on the 27th the receipt or
13 exhibit that says there was food being sold at
14 the establishment.

15 MEMBER CROCKETT: I'm speaking
16 specifically about the 29th.

17 MR. ASBEHA: Yes, ma'am.

18 MEMBER CROCKETT: We have video that's
19 been shown to us on the 29th. You did not offer
20 us any evidence that there was food. Ms. Glasgow
21 has testified that she didn't receive a food
22 menu. Is your understanding of the Mayor's Order
23 that you must have food alongside drink, correct?

24 MR. ASBEHA: 100 percent.

25 MEMBER CROCKETT: So was Ms. Glasgow

1 served food alongside her two shots of Patron?

2 MR. ASBEHA: I asked my server and she
3 asked Ms. Glasgow if she wants to eat. She gave
4 her a menu, I wasn't there because I don't have
5 full acknowledgment of that. When she comes in I
6 know she works for ABRA. I told my server that
7 she works for ABRA and make sure you treat her
8 like, make sure you do the right thing. She said
9 okay.

10 I always watch out, and we have food.
11 I'm not going to just argue with you. We have
12 food. If you go on the website or if you go to
13 the social medias, we serve food on the 29th,
14 before, people would come from other states to
15 taste our food.

16 MEMBER CROCKETT: So is it your
17 testimony that you did or did not serve Ms.
18 Glasgow a drink after 10:00 p.m.?

19 MR. ASBEHA: As I told you, ma'am, not
20 to my acknowledgment because I was not next to
21 her. I was managing the place.

22 MEMBER CROCKETT: So you said that you
23 know her, you recognized her as an ABRA
24 investigator.

25 MR. ASBEHA: She had been there

1 before.

2 MEMBER CROCKETT: Right. So did you
3 notice that she was there for 90 minutes?

4 MR. ASBEHA: I didn't count the time
5 because I was not doing anything wrong at that
6 time. So I wasn't worried about that. When she
7 comes in, she showed me her ID and I checked her
8 purse. She had to put her mask on, but I let her
9 in. As a professional man, I cannot search her.
10 I did see her, what she did as the report. The
11 girls behind her, I didn't let them in because
12 they were under age. So on that testimony there
13 was nobody there.

14 MEMBER CROCKETT: Thank you. I don't
15 have any further questions.

16 CHAIRPERSON ANDERSON: Any other
17 questions by any other board members?

18 MEMBER GRANDIS: Yes, sir.

19 CHAIRPERSON ANDERSON: Yes, Mr.
20 Grandis?

21 MEMBER GRANDIS: Sir, I also want to
22 thank you for participating today and giving us
23 your side of the events. I'm somewhat confused
24 about the receipts. It seems you do understand
25 the Mayor's Order. So you had a server provide

1 two receipts for two separate shots, do you agree
2 with that?

3 MR. ASBEHA: I saw that but at the
4 time when she ordered.

5 MEMBER GRANDIS: Yeah, so if you were
6 following the Mayor's Order, there should have
7 been at least one food order on one of those two
8 receipts.

9 MR. ASBEHA: Yes, sir.

10 MEMBER GRANDIS: So what steps have
11 you taken since that, when you became aware that
12 this server did not follow the Mayor's Order,
13 what steps have you taken to make sure that all
14 receive a food item because they cannot get a
15 drink without a food item?

16 MR. ASBEHA: After that we shut down,
17 but we always encourage people to drink food
18 [sic] and prior to the investigations I have
19 videos. When Jason Peru and everything observe
20 that, there was food on the table. I give a
21 warning she cannot serve liquor or alcohol
22 without food. I would like people to eat, and we
23 had a meeting with her. We had a meeting with
24 the staff that she cannot do that.

25 If a customer walks in -- most of the

1 time we do reservation only, but sometimes if,
2 like you say, it was empty. The place was empty.
3 Investigator Glasgow said it was 25 people or
4 more and I'm really concerned about that. I'm
5 really concerned and I would like to have a staff
6 meeting. I had a meeting with them that they
7 have to have a menu. They have to have food on
8 the table while they are serving liquor. I
9 completely understand that.

10 MEMBER GRANDIS: Thank you. No more
11 questions.

12 CHAIRPERSON ANDERSON: Any questions
13 by any other board members? Mr. Lui, any
14 questions of Mr. Asbeha based on the questions
15 that the board asked?

16 MR. LUI: No, Mr. Chairperson, thank
17 you.

18 CHAIRPERSON ANDERSON: Before you
19 close, Mr. Asbeha, I know the board members asked
20 you questions. Do you need to further explain
21 anything before you close? This is not closing,
22 I'm still going to give you an opportunity, but I
23 know that they asked you questions. Do you have
24 any explanations based on maybe -- do you want an
25 opportunity to further elaborate any of the

1 answers you just gave to board members?

2 MR. ASBEHA: Yes, Mr. Chairman.

3 CHAIRPERSON ANDERSON: What is it?

4 You said yes or no?

5 MR. ASBEHA: Yes. I will try to make
6 it brief. Yes, Mr. Chairman. I am a person that
7 is very responsible, that supports a family and
8 I'm really concerned. I'm really, really
9 concerned about the safety of the public. I've
10 been doing that since day one. All investigators
11 I appreciated, like John Fiorentine came when I
12 first opened and did the outdoor seating.

13 I spent a lot of money to do the
14 outdoor seatings. I even asked the board and the
15 administration to give me a rooftop application.
16 I applied that and I'm willing to do or follow
17 the Mayor's Order for the safety of the public.
18 I'm a man who admits a mistake. If I made a
19 mistake I will admit that, and I will have the
20 consequence for that.

21 This is the first time through the
22 pandemic, while the whole city was giving excuses
23 or warnings, verbals, and I was only one left and
24 sent to OAG. If I made a mistake, I don't know
25 if it's -- I will apologize. It was an honest

1 mistake and I would like the board to give me a
2 chance.

3 CHAIRPERSON ANDERSON: I'm going to
4 give you an opportunity to do a closing. This is
5 not closing. Normally --

6 MR. ASBEHA: I'm just explaining that
7 some of them are right. That's what I'm trying
8 to say.

9 CHAIRPERSON ANDERSON: I'll still give
10 you an opportunity to do a closing. As you
11 stated, you don't have any witnesses you want to
12 call, is that correct?

13 MR. ASBEHA: It's not necessary, Mr.
14 Chairman.

15 CHAIRPERSON ANDERSON: So do you rest
16 now based on --

17 MR. ASBEHA: Yes.

18 CHAIRPERSON ANDERSON: All right,
19 fine. Mr. Lui, do you wish to make a closing
20 statement?

21 MR. LUI: Yes, very briefly. Today
22 the Government has proven by preponderance of the
23 evidence that it is more likely than not that the
24 licensee's operations present an imminent danger
25 to the health and safety of the public, DC

1 residents. The Government has met this burden by
2 presenting evidence that showed that the licensee
3 violated 23 DCMR Section 810 and three of the
4 Mayor's Orders, 2020-075, 2020-080 and 2020-119.

5 Accordingly, the Government has met
6 its burden under DC Code Section 25(a)26. We've
7 heard from Investigator Glasgow that on January
8 29, 2021 at approximately 11:15 p.m. she
9 approached the establishment in an undercover
10 capacity. Her undercover work showed that the
11 licensee, Mr. Asbeha, was personally involved in
12 permitting the sale, service and consumption of
13 alcoholic beverages after 10:00 p.m. in violation
14 of the Mayor's Orders and this board's rules.

15 It was Mr. Asbeha who let Investigator
16 Glasgow into the establishment after 10:00 p.m.,
17 and it was also Mr. Asbeha who failed to ask
18 Investigator Glasgow for any information that
19 would satisfy a contact tracing system. We also
20 heard from Investigator Glasgow that once inside,
21 she observed patrons and staff walking without
22 face masks, patrons consuming alcohol beverages,
23 staff serving alcoholic beverages in shot
24 glasses, patrons smoking hookah, and more than
25 six patrons seated at a table, all violations of

1 the public health emergency rules and orders.

2 Additionally, more than 25 patrons
3 were inside the establishment, in excess of the
4 25 percent of the establishment's occupancy. She
5 also determined that the music was above a
6 conversational level and she herself purchased
7 two shots of Patron that evening. These findings
8 are all supported by her video recordings.

9 We also heard from Investigator
10 Glasgow that ABRA and MPD eventually left and
11 that the establishment understood their conduct
12 that night was prohibited. For instance, a male
13 employee immediately started picking up shot
14 glasses, placed them in a bin. He was rushing
15 Investigator Glasgow to consume her drink.
16 However, Investigator Glasgow was able to secure
17 this as evidence, took it back to the Agency,
18 used an alcohol testing kit, which showed that it
19 tested positive for alcohol.

20 We also heard from Supervisory
21 Investigator Jason Peru. While ABRA investigators
22 and MPD officers entered the establishment,
23 Investigator Glasgow exited. Supervisory
24 Investigator Jason Peru noticed that the back
25 door was bolted and locked, and asked the

1 licensee to unlock it for the safety of patrons.

2 He also observed numerous pandemic
3 violations, including that the wait staff were
4 not wearing masks, patrons standing at the indoor
5 bar, and sales, service and consumption of
6 alcohol after 10:00 p.m. The evidence the
7 Government presented, when taken as a whole,
8 shows that the licensee violated several
9 requirements of this board's public health
10 emergency regulations, and there are 15.

11 1. Patrons in excess of the indoor
12 capacity.

13 2. On-premises alcoholic beverage
14 sales, service, and consumption after 10:00 p.m.

15 3. Placement of indoor tables within
16 six feet of one another.

17 4. No menu containing prepared food
18 items.

19 5. No requirement to purchase a
20 prepared food item.

21 6. More than six individuals seated
22 at a table.

23 7. Patrons waiting outside while not
24 six feet apart.

25 8. Music above a conversational

1 level.

2 9. Service of alcoholic beverages to
3 standing patrons.

4 10. Standing at the indoor bar.

5 11. Seating at the indoor bar while
6 being staffed and utilized by bartender.

7 12. Wait staff not to wear masks.

8 13. Patrons not to wear masks while
9 waiting in line outside of the establishment.

10 14. No reservation system.

11 15. Lack of social distancing amongst
12 patrons.

13 The Government has therefore met its
14 burden and asks the board to summarily revoke
15 Kiss Tavern's license under DC Code Section 25(a)
16 26. The licensee's disregard for the health and
17 safety of DC residents merits this severe
18 penalty. Thank you.

19 CHAIRPERSON ANDERSON: Thank you, Mr.
20 Lui. Mr. Asbeha, this is an opportunity, it's
21 your closing argument so you can close the case
22 and tell us what you want the board to do, sir.

23 MR. ASBEHA: All right. I'm not a
24 lawyer but I'm trying to do my best to make it
25 short. As you all know, I've been suspended for

1 35 days and I couldn't be able to hire a lawyer.
2 So I'm here today that I completely understand
3 how awful this time is. I've seen a lot of people
4 lose their lives and their works because of the
5 COVID-19.

6 I proved that on my exhibit, on my
7 video that the pandemic that I showed you that
8 the lounge has made enough concern about this. I
9 tried to do two separate plexiglasses from each
10 table, and I ensure those tables are 10 feet,
11 which I put in my Exhibit 4. I completely blocked
12 the bar so they didn't have any interactions.
13 The Mayor's Order states that you cannot serve or
14 stand by the bar if the bartender is there.

15 There was no bartender. There was no
16 interactions between the staff, and there was
17 nobody standing by the bar. You can see it. When
18 Investigator Glasgow didn't have proof that says
19 there was not six feet between tables. There was
20 no capacity, 25 percent, she only said there was
21 more than 25 people. It can be 26, it can be 24.

22 Exhibits show that the place was
23 empty. In addition to that, DOH came and did an
24 inspection, full inspection right after that.
25 They told us we have to remove the hookah and we

1 have to get fined. We closed the business, we
2 closed it. We made sure there was no hookah in
3 the establishment. We get fined. After that they
4 came back and inspect the whole premises and make
5 sure that place is safe for public, and we
6 reopened back. This happened before the
7 suspension.

8 DOH came after the incident and we
9 made sure that we followed the CDC guidelines.
10 They checked and as I stated before, the DOH
11 inspection is in Exhibit 3. The harassment is
12 obvious. You saw the harassment that has been
13 going on, and the unfair judgement. I'm not a
14 person who is hostile or I'm not a person who is
15 trying to make a false statement or to have a
16 negative impact on the administration or the
17 board.

18 I would like to have smooth
19 relationship with the investigators, with the
20 board. I tried my best, despite the fact that
21 the investigator was trying to disrespectfully
22 and unprofessionally talk to me. I was trying to
23 calm down. I was trying to handle it as much as
24 I can. I just want to say, my closing statement
25 is I'm here today to ask the board to give me a

1 chance with their fair judgment that one-month
2 suspension is enough.

3 It's killing my business and I can't
4 feed my family, my five kids and my family and
5 employees cannot feed, as well. During this
6 difficult time, I've seen a lot of businesses
7 closed and a lot of people lose their job. I'm
8 sure that you don't want another business to shut
9 down. Recently I signed a loan mortgage to
10 purchase the property. It would be hard for me
11 to pay the mortgage, the SBA loan and everything.

12 I'm here at the board to ask the board
13 to give me a chance. I'm sorry, I'm here today
14 to prove to the board and the public that Kiss
15 Tavern is safe for public, and I will do anything
16 to make sure that my staff, and I will follow the
17 Mayor's Order and the CDC guidelines like we have
18 been before. I really appreciate it.

19 Thank you, Mr. Chairman and the board
20 for your time.

21 CHAIRPERSON ANDERSON: I'd like to
22 thank the parties for their participation today
23 and their presentation. Let me close this case
24 and then I'll state what the next step is. The
25 board will take this matter under advisement and

1 pursuant to 25(a), 26(c). We will issue a
2 decision within three business days. I believe
3 that the decision will be issued -- you'll
4 receive a written decision by close of business
5 on Wednesday.

6 As Chairperson of the Alcoholic
7 Beverage Control Board for the District of
8 Columbia, in accordance with DC Official Code
9 Section 2574B of the Open Meetings Act, I move
10 that the ABC Board hold a closed meeting for the
11 purpose of seeking legal advice from our counsel
12 on Case No. 21-CMP-00008, Kiss Tavern, pursuant
13 to DC Official Code Section 2574B of the Open
14 Meetings Act and deliberating upon Case No. 21-
15 CMP-00008, Kiss Tavern for the reasons cited in
16 DC Official Code Section 2574B.13 of the Open
17 Meetings Act. Is there a second?

18 MEMBER SHORT: Mr. Short, I second.

19 CHAIRPERSON ANDERSON: Mr. Short has
20 second the motion. We'll now have a roll call
21 vote on the motion that has been properly second
22 by Mr. Short. Mr. Short?

23 MEMBER SHORT: Mr. Short, I agree.

24 CHAIRPERSON ANDERSON: Mr. Cato?

25 MEMBER CATO: Bobby Cato, I agree.

1 CHAIRPERSON ANDERSON: Ms. Crockett?

2 MEMBER CROCKETT: Rafi Crockett, I
3 agree.

4 CHAIRPERSON ANDERSON: Ms. Hansen?

5 MEMBER HANSEN: Jeni Hansen, I agree.

6 CHAIRPERSON ANDERSON: Mr. Grandis?

7 MEMBER GRANDIS: Ed Grandis, I agree.

8 CHAIRPERSON ANDERSON: And Mr.
9 Anderson, I agree.

10 As it appears that the motion has
11 passed, I hereby give notice that the ABC Board
12 will recess this proceeding to hold a closed
13 meeting in the ABC conference room pursuant to
14 Section 2574B of the Open Meetings Act. We are
15 no adjourned for the day. Thank you very much
16 for your presentation today. As stated, by
17 statute we have to issue a decision within three
18 business days. So, therefore, the decision will
19 be issued by close of business on Wednesday.

20 Have a great day. Thank you very
21 much. We are adjourned. I'll now the direct
22 that the board members return to executive
23 session. Thank you.

24 (Whereupon, the above-entitled matter
25 went off the record at 4:59 p.m.)

A

A-S- 5:17
a.m 114:6
ABC 2:12 15:23 30:24
 36:22 77:6 106:2
 131:10 132:11,13
ABC's 29:22
ability 3:1 102:2,13,15
able 21:8,10,14 23:10
 40:19 54:8 64:8 83:19
 125:16 128:1
above-entitled 4:17 7:8
 17:7 31:6 94:15
 132:24
ABRA 1:22,23,24 20:12
 21:21 26:14 45:17
 76:24 77:23 79:11
 81:16 88:2,9 92:15
 108:2 111:4,9 115:16
 118:6,7,23 125:10,21
ABRA-assigned 61:5
absolutely 86:9,11,12
 86:16 88:8 89:14,16
accepting 10:15
accountable 116:17
accurate 46:20 56:1
accusing 26:14 105:2,5
acknowledge 115:21
 115:23
acknowledgment 118:5
 118:20
act 2:7 15:23 16:3,6
 29:22 30:1 31:2 91:19
 131:9,14,17 132:14
action 6:13,16 8:10 9:6
 19:17 28:17 29:1
active 3:6
addition 25:12 128:23
additional 81:12
Additionally 125:2
address 48:24
addressed 19:6 48:25
adjourned 132:15,21
administration 36:12
 36:14 105:25 106:8
 112:9,23 116:11
 122:15 129:16
admission 32:17
admit 122:19
admits 122:18
advice 15:25 29:23 30:4
 131:11
advise 40:20 84:11
advised 37:8 40:23
 72:13 73:14 79:18
 80:2,12,19 83:15
advisement 130:25
affirm 75:25 95:15

after- 88:4
afternoon 2:15,20 4:4
 17:11 19:16 23:1
 113:5,5 117:2,3
age 119:12
agency 31:15 34:13,17
 76:22 125:17
Agent 48:17
ago 9:10 23:17,19 28:3
 28:5 29:3,5 33:8
agree 13:19,22,23,25
 14:7 16:14,16,21,24
 17:1,19,20 18:8,10,13
 18:15,18,20 30:11,13
 30:16,18,21,23 35:4,6
 35:9,11,14,16 113:20
 120:1 131:23,25
 132:3,5,7,9
agreed 10:24 11:8,13
 12:8,9,11 14:13,14,17
 37:20
agreeing 14:2
agreement 8:16 11:14
 14:16 15:1,3 108:17
ahead 22:24 36:1 38:23
 50:9 57:5 60:7 71:22
 73:20 76:7 79:19
 82:11 114:18 116:25
alcohol 36:14 41:1 43:5
 43:7 52:12,13,18 53:6
 55:13 64:17 68:19
 71:3,4,9 72:10,18
 80:20,22 81:10 84:24
 89:15 113:17 114:20
 115:6,10,12,24
 120:21 124:22 125:18
 125:19 126:6
alcoholic 1:2,9,14 2:4,8
 15:20 20:25 21:1,8,17
 21:19 22:3,8 29:19
 36:11 40:3 58:21
 72:15 73:15 124:13
 124:23 126:13 127:2
 131:6
ALIYA 1:18
alleyway 82:5
allotted 86:12
allow 34:10
allowed 20:15,18 24:2
 107:16 108:19
allowing 78:24
alongside 117:23 118:1
amend 6:15 8:17
amended 6:13 8:9 9:5
 9:11,15,16,21 10:5,8
 10:13 19:21 33:8
amending 10:17
ANC 1:7

Andrews 1:22 3:10,14
 96:14 102:12,15,18
 103:12
angle 59:11
anonymous 77:23
answer 3:4 73:5,5,6,8
 73:10,11,12 74:18,18
answered 73:20
answers 53:24 122:1
anybody 78:13 100:2
anytime 88:4
apart 24:4 66:12 67:5,9
 126:24
apologize 4:14,15,20
 4:24 5:7 7:5,6,11
 116:10 122:25
apparently 18:23
appear 11:14 50:4
appeared 37:13 75:3
 78:14 85:4
appearing 54:25 55:3
appears 30:23 49:24
 56:23 117:6 132:10
Applicant 7:17,21 11:7
 32:7
application 122:15
applied 122:16
appreciate 99:22
 101:21 102:17 130:18
appreciated 122:11
approach 74:21
approached 37:23 38:1
 38:20 41:9 45:2 81:23
 82:13 124:9
approaching 44:7
 99:14,16
approved 25:15,21
 81:10 101:25 102:22
approximately 10:21
 20:12 37:7,25 38:13
 40:11 55:21 56:3
 58:25 124:8
architect 89:4
area 25:25 40:2 41:7
 44:17,17,19 49:3,6,21
 59:7 60:18 100:20
areas 109:5
argue 118:11
argument 88:18 89:3
 127:21
arising 11:23
armed 81:16 88:3
arms 91:11
arrest 81:17
arrive 81:21
arrived 44:8,9 90:16
asked 20:17 21:24 23:4
 23:16 29:2 33:13

37:18 39:4,10 41:10
 41:11,25 42:3,11,21
 75:6 79:7 87:25 92:5
 92:6 93:12 109:24
 112:19,20 114:13,25
 118:2,3 121:15,19,23
 122:14 125:25
asking 56:14 62:1 67:2
 67:3 71:17 105:23
 110:5,24 111:9
 114:14 116:4
asks 72:17 73:22
 127:14
assigned 28:12
assist 81:15,20
assistance 3:3
atmosphere 106:20
attached 25:19 29:5
 46:17 56:17 57:24
 89:3
attachment 32:14
attendance 2:19
attention 38:3 39:3
 47:13,25 51:23 52:21
 54:14 80:8 97:5
attorney 9:19
audio 30:3
automatically 57:25
Avenue 44:15,15 83:7
 90:8 108:18
aware 88:25 120:11
awareness 28:4
awful 23:23 128:3

B

B 78:13
B-A-A-B 6:3
B-E-H-A 5:18
back 5:4,6 7:13 17:2,3,3
 17:5,11 21:16,24
 25:22 26:1 27:10 31:2
 31:3,10 40:15 41:24
 41:24 42:9 43:18 44:8
 45:6,16 51:2 53:6
 61:21 65:6 67:6,6,6,6
 83:7,15,17,20,21 84:6
 88:12 90:10 94:18
 97:9 98:16,18 99:3,10
 100:10,19,20,22
 101:6,13 108:9
 125:17,24 129:4,6
backup 75:4 87:25 88:8
bad 97:14
badge 79:11
banging 38:3
bank 24:6
bar 22:9,9 24:5,8 40:1
 41:7 44:16,17,19

48:10 49:3,6,16,17,20
 50:2 59:7 60:18,19
 61:10 64:13 66:5,15
 66:18 80:12 83:24
 90:10,21 100:22,23
 100:25 101:2,4,7,8,8
 101:9,10,11,16,17
 126:5 127:4,5 128:12
 128:14,17
barking 44:13,15,16,19
barrier 84:24
barriers 84:22
bars 26:5
bartender 24:8 66:16
 101:11,12,14 115:20
 127:6 128:14,15
based 11:11 31:13 71:7
 92:4,5 93:12 121:14
 121:24 123:16
basically 58:20
bathroom 41:4
bear 54:22
beginning 24:25
behalf 4:5 5:10
believe 77:24 79:25
 89:17 131:2
best 90:19 99:7 100:9
 105:13 117:10 127:24
 129:20
better 96:5
beverage 1:2,9,14 2:4,8
 15:20 21:19 29:19
 36:11,14 58:22 72:15
 73:15 126:13 131:7
beverages 20:25 21:2,8
 22:3,8 40:3 124:13,22
 124:23 127:2
Bianci 112:20
big 67:21,24 68:5
bin 44:23 125:14
bio 94:8
bit 101:6
black 44:23
blend 40:25 73:15
 80:10,21 81:2
blocked 24:5 66:5,18
 101:9 128:11
blocks 101:19
blue 99:14
board 1:2,10,14 2:4,9
 2:11,12,14,18 4:4
 6:15 10:3,19 12:22
 14:9,18 15:5,5,12,20
 15:23 17:4,23,23 19:2
 19:16 20:3 23:1 26:13
 27:5,15 29:19 30:24
 31:4,24 32:5 33:6,7
 34:2,5,6,9,12,13,16

34:18,21 55:2 57:13
 57:23 58:3 63:25
 75:12 89:22 92:3
 94:10,12 105:6 106:6
 106:17,21 107:1
 112:9,10 113:3
 116:10,23 119:17
 121:13,15,19 122:1
 122:14 123:1 127:14
 127:22 129:17,20,25
 130:12,12,14,19,25
 131:7,10 132:11,22
board's 12:5 32:15,19
 34:6 52:22 54:19
 56:12 58:13 60:8
 64:10 65:11 124:14
 126:9
Bobby 1:18 2:16 13:22
 14:7 16:16 18:10
 30:13 35:6 131:25
bolted 21:24 125:25
bought 71:6
break 4:23 94:8
brief 94:5 107:12 122:6
briefly 123:21
bring 25:1 60:4 67:25
brought 31:18 43:17,18
 53:6
brown 84:25
bullet 93:3
burden 124:1,6 127:14
business 2:19 26:16
 31:21,25 32:1 82:6
 84:16 88:6 92:16
 111:14 113:18 116:15
 129:1 130:3,8 131:2,4
 132:18,19
businesses 130:6
busy 86:8 90:4

C

call 13:3 16:10 18:4
 27:21,23 30:9 34:25
 35:17 40:17 75:4
 77:23 78:3 80:1 84:3
 87:7,12 88:7,7 94:3
 94:20 112:3 123:12
 131:20
called 2:21 31:10 35:22
 78:21 83:6 87:10
calling 95:2
calls 77:23
calm 104:16,17 129:23
camera 2:23 3:24 21:11
cannabis 91:14 92:8,10
capacity 20:14 21:7
 22:3 37:20 50:25
 72:14 73:16 75:8

79:10 81:2 86:12
 89:16 90:21 124:10
 126:12 128:20
card 42:3,11 43:19
 115:14
care 4:21 7:7 106:18
carrying 91:11
case 1:8 2:20,21 3:6,6,7
 6:7 8:7 15:14,25 16:3
 19:19 22:18 23:10
 25:1 26:19,23 28:25
 29:24 30:2 34:18
 46:10,13,17,21 47:14
 48:1 50:11 51:7 52:21
 53:9 54:15 56:10,13
 56:17,21,23,25 57:11
 57:14,23,24 58:4,12
 60:11 61:19 64:9,15
 91:16 94:2 96:3
 127:21 130:23 131:12
 131:14
cases 23:9,14
casings 93:6
casings 91:16
catastrophic 91:1
Cato 1:18 2:16 13:21,22
 13:22 14:6,7,7 16:15
 16:16,16 18:9,10,10
 30:12,13,13 35:5,6,6
 131:24,25,25
cause 8:18 28:21 106:5
CDC 24:11 104:2 129:9
 130:17
cell 61:5
certain 7:19,20 57:22
Certificate 50:16,19
CFO 62:11,17
chair 3:21 13:7 15:7
 89:24 94:21 96:14
 101:3 102:17 116:20
chairman 2:11 12:19
 62:7 70:9 71:21 73:18
 74:9 95:20 96:22
 105:12,14 107:1,8
 109:13 111:6,11
 112:10 113:4 122:2,6
 123:14 130:19
chairs 68:8
chance 27:16 33:9 94:1
 106:3,14,22 123:2
 130:1,13
Chapter 31:17,19
charge 19:24
charged 20:6
charges 7:2
charging 26:15
check 88:11
checked 119:7 129:10

chips 117:11
cited 16:4 131:15
city 23:13 122:22
claimed 100:22 101:17
clarify 83:4
clean 57:18 99:1
clear 10:23,25 12:1,12
 14:1,10 57:19,20,22
 58:8 84:25
cleared 87:21
clearly 15:10 31:19
 54:17 55:13 60:18
 63:24 107:3
clicker 62:24,25 63:3
close 27:13 42:1 68:8
 68:24 111:25 113:13
 114:6 121:19,21
 127:21 130:23 131:4
 132:19
closed 15:24 29:22
 30:25 69:4,8 109:1
 110:24 112:2 114:4
 129:1,2 130:7 131:10
 132:12
closer 50:3
closes 113:18
closing 69:7 107:4
 114:11,12 121:21
 123:4,5,10,19 127:21
 129:24
closure 1:10 92:15
cloud 74:11
club 91:12 114:24
 115:24,25
clubs 26:5
CMP-0008 29:25
 131:15
code 2:6 15:22 16:2,5
 19:23 20:2 29:21 30:1
 90:11 124:6 127:15
 131:8,13,16
coke 41:12,15
collected 39:9
color 52:19 53:5,6
 84:25
Columbia 1:1 2:5 15:21
 29:20 36:23 77:7
 131:8
come 15:13 17:2 25:7
 27:10 45:6 63:5,12
 68:1,16 70:23 74:22
 78:8 84:3 87:3 97:24
 98:7,10 111:9,16
 115:3 118:14
comes 69:10 78:9
 106:16 108:20 118:5
 119:7
comfortable 37:19 79:8

79:16,17
coming 45:8 87:25
commander 81:14,14
comments 29:16
communication 79:20
compare 85:25 86:3
comparison 86:7
complaint 37:9,10,18
 70:19 74:24 78:11
complaints 78:8 79:6
completely 23:22 24:5
 33:10 92:9 121:9
 128:2,11
comply 28:16
computer 102:4,8
concern 79:17 91:18
 104:9 109:2 128:8
concerned 27:5,6 66:21
 97:14,23 98:20,24
 100:16 107:3 115:18
 121:4,5 122:8,9
concerns 19:24 83:17
 84:1 98:1
conclusion 70:24
conduct 2:19 36:21
 77:5 125:11
conducted 84:15
conference 132:13
confirm 80:22 92:10
confirmed 21:18 71:4
conflict 23:11 70:24
 110:15
confused 6:24,25 7:16
 8:12,14 9:2,9 13:7
 119:23
consequence 122:20
consider 10:22 19:2
 105:7 106:17
constant 101:14
consume 51:15 72:15
 73:15 80:20 81:1
 89:15 125:15
consumed 51:17
consuming 20:25
 124:22
consumption 22:4
 124:12 126:5,14
contact 20:19 39:11
 40:16 81:13 124:19
contacted 78:7 81:20
contained 21:18
containing 126:17
continuation 2:7
continue 71:21 81:1
continued 40:14 44:19
control 1:2,10,14 2:4,9
 15:20 29:19 96:15
 131:7

convenient 101:20,20
conversation 40:22
conversational 21:6
 22:7 40:5 125:6
 126:25
coordinate 81:7
copy 32:19,24 33:14
 34:1
Corona 20:10 27:6
correct 8:3,4,22,24
 12:14,18 33:21 62:10
 62:23 63:7,10 69:15
 82:2 90:12,13,16,17
 93:5 109:12 113:22
 117:23 123:12
could've 111:12
counsel 15:25 29:24
 30:4 131:11
counselor 110:5
count 59:19 63:3 99:5
 111:7 119:4
counted 62:21 63:1
couple 4:22
course 80:10
Court's 45:21 50:11
covered 66:4
covering 105:1
coverings 38:7
COVID 85:5,25,25
 106:16 113:20
COVID-19 23:25 26:8
 97:15 106:19 114:3
 128:5
create 46:13
created 46:22
credit 42:3,11 43:19
 115:14
Crockett 1:18 2:16
 12:24,24 13:1,4 16:17
 16:18,18 18:1,1,3,6
 18:11,12,12 30:14,15
 30:15 35:7,8,8 116:24
 117:1,2,4,15,18,25
 118:16,22 119:2,14
 132:1,2,2
cross 60:2,5 61:16 62:4
cross-examination
 82:20
cross-examine 82:19
 107:10
crowd 87:21
crowded 86:10 90:21
CT 1:7
current 20:21
currently 36:10
customer 66:14 100:12
 120:25
customers 24:3,7,11,15

88:17 97:17 99:25
 100:11 109:4

D

dad 98:22 100:18
danger 20:1,5 25:16
 27:8 103:6 123:24
dangerous 91:1,11
dark 52:18 53:4,5 54:18
date 7:22 9:2,2 23:5,10
 23:16,19 46:7 109:18
 110:2,3,17 115:11
dates 25:11
day 21:16 98:21 100:15
 111:6 122:10 132:15
 132:20
days 23:4,17,19 25:10
 28:3,23 31:21,25 32:2
 32:4,6 106:23 109:11
 109:15 110:22 128:1
 131:2 132:18
DC 1:22,23,23,24 2:5
 15:21 16:1,5 19:23
 20:2 29:20,25 123:25
 124:6 127:15,17
 131:8,13,16
DCMR 20:7 124:3
DCRA 108:19
deadbolt 83:22
deal 7:12
decided 87:12
decision 10:3 12:5 32:1
 131:2,3,4 132:17,18
deemed 84:23
defaming 112:8,12
defend 95:19
definitely 91:13
deliberating 16:3 30:2
 131:14
delivered 115:10,13
Denied 13:10
deny 12:22 13:16 14:14
 15:4,6 17:24 34:8,10
 34:21 60:6 71:12 73:9
denying 13:11
dependent 10:2
depicts 47:19
describe 49:12 51:16
 52:24 53:19 85:19
 90:18
description 52:13
despite 26:2 129:20
detail 92:24
detailed 37:10
determination 34:18
determine 44:2
determined 20:4 21:5
 125:5

difference 10:5
different 7:22 9:14
 28:22 33:11 99:8
difficult 130:6
dip 52:17
direct 36:3 132:21
directed 78:16 83:5
directing 47:13,25
 51:22 52:20 54:14
directly 38:2
disagree 16:19
disclosed 102:14
discreet 82:3
discretion 82:13
dismissed 93:18
disregard 127:16
disrespectful 105:4
disrespectfully 129:21
distance 67:17
distancing 22:11 67:17
 84:21 127:11
district 1:1 2:5 15:21
 20:9 29:20 36:23 77:6
 81:14 131:7
divided 97:23
dividing 65:24 66:13
DOA 25:18
document 32:8 45:23
 46:1 47:6,18,19 48:3
 50:15 51:7,23 52:9
documentation 15:14
documented 92:14
documents 28:15 31:14
 34:11,12 57:20,23
 61:21 102:6
DOH 25:12 102:22
 128:23 129:8,10
doing 27:9 57:15 58:7
 79:16,17 81:19
 111:16,19 119:5
 122:10
Donovan 1:15,17 2:10
door 21:24 37:13 38:3,4
 38:14,15 78:14,23
 82:5,7,8 83:6,7,9,14
 83:16,18,20,21 84:1,4
 84:6 86:18,18,20,24
 86:25 87:2 89:3 90:8
 90:10 108:20,22,24
 109:1 125:25
doors 75:3 78:2 87:22
 88:6 109:5
drank 69:16
draw 80:8
dressed 80:6,18
drew 39:3
drink 42:15,16,25 43:25
 44:1,3 45:2,2,5 69:2

71:9,10,12 72:18
73:22 74:1 80:12,16
81:1,3 115:20 117:23
118:18 120:15,17
125:15
drinking 72:2,12 74:10
86:15
drinks 71:6 117:6
drop 11:9
drunk 73:23
due 15:7,8
duly 35:23
duties 36:19 77:2
duty 81:14

E

E-Y-O-B 5:17
earlier 25:10 28:10
29:10 47:4 100:21
eat 114:20 118:3 120:22
Ed 30:6 132:7
Edward 1:19 2:17 16:23
18:17 30:20 35:13
effect 84:22
efforts 26:2
eight 15:12 23:17 59:24
76:25 111:14
elaborate 121:25
elect 18:21,22
electronically 2:13
elevate 2:22 3:10
elevated 3:15,17,18,19
3:20
email 3:4 28:5 29:5 33:9
emailed 110:16
emergency 2:8 7:12
32:3 34:1 125:1
126:10
employed 36:10 76:23
employee 21:13 48:12
125:13
employees 24:14 25:5
84:21 97:17 98:21
99:13 104:8 130:5
empty 99:4 101:4,16
121:2,2 128:23
enable 2:23 3:1
encourage 120:17
ends 99:19
enforcement 91:10
engaging 85:1
ensure 57:18 81:18
128:10
enter 38:20 75:7 81:25
entered 20:13 21:21
39:19,23,24 40:10
45:11,12 83:1,8,9
84:18 108:3 125:22

entering 37:12,19 38:17
78:1 79:9 88:4
entire 26:4 66:4
entrance 42:2 44:20
81:7 83:6 90:23
108:14,16
entrances 44:13
entry 25:7
equipment 3:1
especially 63:21 88:5
90:7 99:25 115:25
establish 58:20
establishment 20:14,19
20:23 21:5,22 27:8
37:3,5,12,17,19,24
38:17,21 39:7,20,23
39:25 40:11,15 41:5
43:13 44:1,7,13,18
45:9,14 47:21 50:24
51:4 55:11 58:22
63:14 69:10 75:2,7
77:15,17 78:2,11 79:9
80:2,5 81:9,24 82:1
83:2 84:10,14,18
85:22 88:21 89:5 91:5
91:9 92:9,11,22 93:3
93:6 97:25 103:7
107:14,17 108:2,4,10
111:4,24 117:7,14
124:9,16 125:3,11,22
127:9 129:3
establishment's 125:4
establishments 26:4,10
26:11 27:14 36:22
106:9 113:12
Ethiopian 117:10
evening 37:6 56:2
77:21 90:3 107:14
125:7
event 7:18 8:19 33:6
85:7 91:15
events 32:20 119:23
eventually 125:10
everybody 59:20 101:3
115:18
evidence 6:11 10:14
11:3,23 12:13,17
14:12,24 15:2 17:14
18:22,23 20:11,22
21:12,16,20 24:23
26:21 40:24 45:13
47:2,6 51:20 53:3,7
56:8 57:21 66:20 81:8
92:20,24 103:4
117:20 123:23 124:2
125:17 126:6
evidentiary 32:18
ex-lawyer 23:4 33:10

EXAMINATION 36:3
examine 60:2,5 61:17
62:4
examined 35:23
example 25:23
excellent 90:2,2
excess 22:2 125:3
126:11
exchange 84:2
exchanged 38:18
exclude 6:16 17:13
Excuse 49:7 69:21
excuses 116:4 122:22
executive 15:9 17:5
31:5 94:11,13 132:22
exhibit 25:7,18,19 26:3
26:9 29:8,11 45:20
47:2,14,25 48:16 49:2
50:8,11 51:2,6,11,23
52:9,21 53:8 54:14,21
56:7,11 58:11 60:10
63:21 64:1,4,5,9,15
95:24 97:19 101:24
103:10 105:8,10,10
105:13,16,16,17,18
107:2 117:13 128:6
128:11 129:11
exhibits 24:16 25:1,3,9
28:6,7,11,23 47:13
56:17 57:24 58:2
61:19 94:25 96:2
101:23 102:3 128:22
exit 88:12,13,16,19,22
88:24,25 89:5 91:4
108:10,23 109:1,3,5
exited 21:22 41:4 45:13
125:23
exits 88:16 108:11,15
109:6
experience 22:21 43:8
71:20,24 72:1,2,6,7
72:10,12 85:4 112:25
experienced 79:18
expert 90:20
explain 68:5 69:18,23
70:6 74:10 96:5,18
97:13 113:25 115:2
121:20
explained 15:10
explaining 123:6
explanations 121:24
explore 82:20
extra 88:10
Eyob 1:22 5:16 20:15

F

face 20:25 37:13 38:6
40:3 50:4 60:20 61:11

75:2 99:12 124:22
facial 38:7
fact 80:22 86:7 88:6
104:19 111:22 129:20
failed 124:17
faint 76:5
fair 27:16 46:20 55:25
106:22 130:1
false 92:9 129:15
familiar 36:24 37:2
77:11,14
family 100:19 110:7
122:7 130:4,4
far 78:1
fashion 82:4
favor 14:23
feature 3:4
February 6:21 8:13 9:1
9:2,4,13 19:20 23:6
25:13 102:23 109:20
feed 130:4,5
feel 87:25 112:11
feet 22:5 24:4 66:11,22
67:4,8,17,21,24 68:5
68:5,8 126:16,24
128:10,19
felt 80:16 81:8
female 48:9,12,17,18
48:21,25 49:3,16,24
fiance 71:1
fight 91:3
file 25:19 34:18
finally 21:20 27:4 84:3
financially 110:10
find 7:4,15,23,24
findings 125:7
fine 10:11 31:22 41:21
106:4,12 123:19
fined 129:1,3
fines 26:6,8
finish 49:9
Fiorentine 25:24
122:11
fire 87:7,10,11,13,14,19
88:7 89:7,8,11 90:15
91:1
first 15:12 19:19 24:1
25:25 31:11 35:17,23
36:6 38:16 49:9 52:2
52:3 64:24,25 69:16
71:9 76:10 96:8,10,11
96:13 100:10 103:9
116:12 122:12,21
fish 117:11
five 4:13,15,23 7:5 17:1
19:12 38:14 42:9 77:4
97:9 98:17 100:17
130:4

flip 52:22
floor 67:5,5,7,18 97:20
 98:5 104:7,14,23
Florida 44:14,15 83:7
 90:8 108:10,12,18
 109:6
focusing 6:18 49:20,22
follow 24:11 109:10
 120:12 122:16 130:16
followed 41:24 129:9
following 83:24 104:2,4
 105:2 120:6
follows 35:24
food 21:9 40:6 114:20
 117:7,10,10,13,20,21
 117:23 118:1,10,12
 118:13,15 120:7,14
 120:15,17,20,22
 121:7 126:17,20
footage 107:19,23
forgive 90:4,5 91:22
formally 32:16 57:3
forth 65:6 101:13
forward 101:23 103:16
 105:8
found 93:3
four 28:3 37:25 38:1
 59:24 87:24 106:10
 106:11
free 38:22
Friday 1:12 28:20 114:5
friends 42:23 104:17
fries 117:11
front 38:6,9 42:1,2 82:5
 83:9 86:18,23,25
 90:23 104:8,23
 112:10
full 19:22 25:20 102:25
 118:5 128:24
further 7:14 21:12 50:7
 61:13 75:9 82:20
 85:11 89:20 93:9
 109:7 116:19 119:15
 121:20,25

G

G-L-A-S-G-O-W 36:8
Gatorade 53:2,4
generally 52:16
generated 91:16 92:25
girls 63:5,15 119:11
give 4:13 7:5 19:12
 23:18 24:24 25:11
 27:15 30:24 45:22
 85:10 91:9 96:15
 102:13,15 105:12
 110:3,3,17 120:20
 121:22 122:15 123:1

123:4,9 129:25
 130:13 132:11
given 9:6,7,11,12,13
 26:6 28:2 80:23
 106:22 110:20
giving 101:18 119:22
 122:22
glass 21:18 45:3 51:9
 51:14 65:17 69:16
glasses 21:2,14,15 40:4
 44:24 84:24 124:24
 125:14
government 3:11 4:3,6
 5:10 6:10,14,17 7:2
 7:17,19 8:1,16,17
 9:22 10:12,16 11:7,22
 11:24 12:22 13:15,17
 13:19 14:3,11,20,21
 14:22 17:13,17,21,25
 18:21,24,25 19:8,14
 20:9 27:22 31:10,15
 45:19 47:1,2,5 52:9
 54:21 56:6,6 93:19,23
 103:8,21 110:1,25
 123:22 124:1,5 126:7
 127:13
Government's 3:11
 14:15 15:4,6 19:2
 34:10,11
Grandis 1:19 2:17
 16:22,23,23 18:16,17
 18:17 30:6,6,8,19,20
 30:20 35:12,13,13
 119:18,20,21 120:5
 120:10 121:10 132:6
 132:7,7
grant 13:16 116:13
group 38:16 39:25
 97:24
guard 39:16
guess 49:22
guidance 85:6
guidelines 24:12 28:14
 104:3 105:3 129:9
 130:17

H

hallway 99:6
halted 90:6 91:23
hand 35:18 43:25 44:1
 45:3 50:1 67:19 75:24
 88:10 95:15 106:24
hand-type 83:22
handle 129:23
Hansen 1:19 2:17 16:20
 16:21,21 18:14,15,15
 30:17,18,18 35:10,11
 35:11 132:4,5,5

happen 15:11 90:20,23
 91:2,6 99:7 109:4
 111:15 116:7
happened 10:20 25:14
 33:18 37:6,21 38:11
 40:12,21 41:2,13,17
 41:22 42:8,13 43:10
 43:16,22 44:4,10
 45:11 77:21 78:5,19
 79:13 80:13 81:4 83:2
 84:7 92:12 102:24
 103:11,20 116:4,5,5
 116:12 129:6
happens 44:25
harassing 70:21
harassment 103:23
 129:11,12
hard 130:10
hardware 90:9,22
hate 91:5
hazards 109:3
headed 83:14
health 20:1 102:25
 103:1 123:25 125:1
 126:9 127:16
hear 7:2 8:20 11:19,20
 23:2 40:17 49:9 69:22
 74:23 78:12
heard 15:11 26:20
 37:11 44:12,15 79:20
 124:7,20 125:9,20
hearing 1:7 3:3,7 4:8
 9:24 11:12 19:5 23:5
 23:10,16,19 25:11
 28:15,18,19,23 29:7
 31:17,18,20,24 32:2,6
 34:1 74:25 75:13
 77:25 106:6 110:2,3
 110:17
heightened 91:17
held 43:24
help 20:20 23:13
 110:11
hey 83:25 84:4
high 101:3
highly 98:6
hire 128:1
history 89:7 91:8
hold 7:1,7 15:16,16,17
 15:23 29:22 30:25
 31:24 32:5 49:8 53:12
 64:3 70:4,10 100:8
 105:19 131:10 132:12
holding 49:25 51:9
home 100:19
honest 122:25
hoodie 98:19
hookah 21:3 40:5 55:13

55:15 60:19 61:11
 85:1,21 124:24
 128:25 129:2
hostile 129:14
hotline 77:23
hour 28:5 29:5
hours 28:10,20 29:10
 31:15 81:10 88:5
 114:2
husband 71:1

I

ID 39:10 42:4,11 43:18
 119:7
identification 45:20
identify 5:2,13
immediately 83:10,14
 125:13
imminent 19:25 20:5
 123:24
impact 129:16
impair 89:18
impossible 32:7
incident 6:12,17,21
 7:20 8:3,7,8,13,20
 10:19,22 11:24 25:14
 34:3 46:22 73:13
 77:18 91:14 92:14,16
 92:17 102:24 103:19
 106:13 108:21 109:4
 111:21,23 112:15
 129:8
included 34:17
including 126:3
individual 38:2 44:22
 45:1 48:9 49:16,16
 50:2
individuals 22:6 37:25
 38:1,5,9,9,17 39:5
 40:4 47:20,21,23 48:7
 48:10 49:14,17 63:12
 64:1 85:1 86:7 126:21
indoor 22:2,4,9 126:4
 126:11,15 127:4,5
indulgence 45:21 50:12
 52:22 54:19 56:13
 58:14 60:9 64:10
 65:11
infections 20:21
inform 58:3
information 20:18 33:5
 39:8 124:18
initiated 78:4 92:15
inside 20:15,23 21:5
 22:9 38:4 55:11 56:24
 62:9 79:25 83:9 84:14
 88:5 91:2,11,12 92:8
 92:11,11,21 93:2

103:7 108:18,22
112:6 124:20 125:3
inspect 129:4
inspected 25:15
inspection 25:13,18,21
84:15 102:25 128:24
128:24 129:11
inspections 36:21 77:5
91:10
Inspector 25:20,20
102:25 103:1
instance 125:12
instructed 78:10 80:25
interaction 80:15
interactions 24:7 66:19
111:18 128:12,16
interest 23:11 70:24
110:15
interfere 24:6
interference 30:3
interruptions 7:14
introduce 2:11 4:1 25:2
invaluable 91:24
investigated 92:25 93:8
investigating 72:25
investigation 20:5 46:5
66:9 71:25 78:4 79:23
84:15 87:1 89:6 112:8
investigations 36:22
77:6 115:17 120:18
investigative 32:12,13
32:14,17,20 46:2
investigators 4:11 5:9
21:21 26:14 34:3,7,12
34:19 37:16 77:5,9
78:10,16 81:16,18,22
87:24 88:3,9 104:1
108:3,7,21 111:18
112:11,15 122:10
125:21 129:19
involved 34:4,19 97:18
124:11
irrelevant 71:18
issue 32:1 70:19 82:21
100:16 108:21 109:2
131:1 132:17
issued 19:20 131:3
132:19
issues 19:1,6 112:16
item 120:14,15 126:20
items 126:18

J

J-A-S-O-N 76:13
J-E-R-E- 54:9
J-O-H-N 4:6
jacket 98:19
Jamal 103:1

James 1:20 2:15
January 6:11,17,18 8:2
8:8,19,21 9:6,7,12
10:8,9,9,13,14,15,18
10:20 11:2,19,21,23
12:1,14,17,18 17:15
20:11 25:14,14 37:5
46:9,22 55:20 56:2
73:14 77:19 90:3
94:23 102:24 103:11
103:20 107:14 111:20
113:11 114:4,5,17
115:6,11 117:4 124:7
Jason 1:24 5:11 21:23
37:8 54:5 75:22 76:13
85:16 108:7 112:14
120:19 125:21,24
Jeni 1:19 2:16 16:21
18:15 30:18 35:11
132:5
Jeremey 54:9
job 130:7
jobs 23:24 27:13
John 1:23 4:5 23:18
25:20,23 29:6 111:22
122:11
joint 17:17,19,22
Joyce 25:20 103:1
JR 1:18,20
judgement 89:18
129:13
judgment 27:16 73:24
106:22 130:1
judgments 74:11
juncture 93:23
June 24:1,2 27:10

K

keep 42:12 99:13,17,17
103:16
keeps 59:17
kept 110:5
Kevin 69:13,25 70:14
70:14
key 83:23 84:5 90:12,22
kids 100:17,17 130:4
killing 130:3
Kiss 1:6,6 3:8 16:1,4
19:17,18 20:3 25:16
25:21 26:7 29:25
36:25 37:9 56:24
74:21 77:11,24 80:19
85:17,20,25 86:3 88:1
88:15 97:16 98:18
99:11 103:1,5 106:21
127:15 130:14 131:12
131:15
kit 21:17 52:12,14,15

64:16 125:18
kitchen 88:22
knocking 78:23
knowing 90:20
knowledge 71:8 90:19
93:7 115:8
knows 111:14

L

L-U-I 4:6
lab 69:15 70:13,25 71:3
lack 22:10 127:11
lapse 79:1
Las 76:25
law 91:10
lawyer 22:20 28:10
106:1 109:24 127:24
128:1
lawyers 23:12 100:9
112:17,21
lay 110:2
leave 88:23
left 42:15 43:19 47:21
48:10 49:18 51:16
53:3 59:12 108:2
122:23 125:10
legal 15:24 29:23 30:4
131:11
legitimate 103:8
let's 4:3,13 19:13 71:14
71:16 74:6,8 116:13
letting 38:16 86:23
level 21:6 22:7 40:6
125:6 127:1
license 1:8 3:8 9:16,23
20:3 31:23 109:22
113:21 116:17 127:15
licensed 36:22
licensee 1:22 3:12 8:12
8:17 11:12 12:2,8
14:13,13,15,22,25
15:3 17:18 18:23 20:6
20:15 21:25 28:19
31:12,20 32:5 116:15
124:2,11 126:1,8
licensee's 19:25 123:24
127:16
licensees 106:2
licenses 77:6
lights 44:21
line 37:24 38:1 127:9
liquid 21:17 52:18
liquor 24:9 69:14 70:13
72:6,8 120:21 121:8
list 26:3,10 28:7
listen 10:20 102:7
literally 70:18
little 24:24 84:2 90:4,6

91:23 98:24 101:6
lives 23:24 27:12 98:22
128:4
living 100:18 110:6
LLC 1:6 19:17
load 50:18,22 51:5
loan 110:9 130:9,11
local 81:13
located 6:12 19:18
88:20
location 79:6,12 81:15
88:4
locked 21:24 37:14
75:3 78:3,14 83:16
86:18,24 87:2 88:6
90:14 125:25
long 36:16 76:14
longer 110:12
look 68:8 78:9 83:10,12
97:3
looked 78:2,22 85:6
looking 41:9 49:2 50:3
85:9 102:21
lose 23:24 27:11,12
128:4 130:7
lot 23:24 27:11,12,13
47:23 122:13 128:3
130:6,7
loud 39:2 40:18
lounge 26:5 88:15 99:8
99:9 128:8
lounges 99:8
low 110:2

M

M-E-Y 54:10
ma'am 54:12 117:9,17
118:19
maintain 20:19
majority 87:21
making 15:5 86:6
male 38:2,19 125:12
man 119:9 122:18
manage 77:4
managing 118:21
manner 104:18
manpower 81:12
March 1:10,12 9:14
23:8,16 29:2,7 102:23
109:16,18 110:12,16
marked 45:19 47:2
54:20
marshal 87:8,11,11,13
87:15,19 88:7 89:8,9
89:11 90:15
Martha 23:17 29:6
110:16
mask 48:13,22 50:5

63:24 98:18,20 99:3
 99:11,13,15 100:2
 101:12 104:7,13,20
 104:25 107:20,23,25
 119:8
masks 20:25 22:10
 24:14,15 25:6,6 37:13
 38:6 40:3 60:20 61:11
 63:6 64:2 75:2 84:21
 98:21 100:1,12
 124:22 126:4 127:7,8
matter 1:5 4:17 7:8 17:1
 17:7 18:20 19:17,24
 28:12 31:6 34:4,20
 35:16 58:8 94:15
 100:5 111:22 130:25
 132:24
matters 6:7
Mayor 20:20
Mayor's 2:13 20:7
 24:12 50:23 62:14
 67:13 70:19,21 81:11
 85:5 101:9 104:3,5
 105:5 113:12,19,20
 114:3,8,10 117:22
 119:25 120:6,12
 122:17 124:4,14
 128:13 130:17
mean 12:7 60:4 61:23
 65:1,17 70:15 71:3
 72:11 79:10 102:23
 112:6,7 113:23
means 73:23 84:23
 95:9
measure 67:25 91:18
mechanism 83:22
medias 118:13
meeting 1:3 2:8 15:24
 29:23 30:25 120:23
 120:23 121:6,6
 131:10 132:13
Meetings 2:6 15:23
 16:3,6 29:22 30:1
 31:1 131:9,14,17
 132:14
member 1:18,18,19,19
 1:20 12:24 13:6,10,13
 13:18,22,23 14:2,7
 15:7,18 16:8,14,16,18
 16:21,23 18:1,8,10,12
 18:15,17 30:6,11,13
 30:15,18,20 34:23
 35:4,6,8,11,13 66:20
 89:22,24 90:1,14,18
 91:7,21 113:4,8,11,15
 113:19 114:1,7,10,14
 114:17,22 115:5,9,22
 116:7,13,19,24 117:2

117:4,15,18,25
 118:16,22 119:2,14
 119:18,21 120:5,10
 121:10 131:18,23,25
 132:2,5,7
members 2:12,14,18
 4:5 19:16 23:1 31:5
 55:2 92:3 113:3
 116:23 119:17 121:13
 121:19 122:1 132:22
mention 24:16 53:20
mentioned 88:2
menu 21:9 117:22
 118:4 121:7 126:17
merits 127:17
met 1:14 81:21 124:1,5
 127:13
microphone 2:24 76:4
microphones 14:19
middle 44:18 47:20
mind 65:4,5,8 99:23
minute 4:23 7:3 79:1
minutes 4:13,15,22 7:6
 19:12 38:14 42:10
 119:3
mislead 89:18
mistake 116:11,14,16
 122:18,19,24 123:1
mom 98:22 100:18
moment 2:22 45:22
 54:22 98:15
money 38:18 122:13
monitor 78:11
monitored 37:16
monitoring 78:20
month 27:17 33:8
 110:11,13,19
mortgage 110:8 130:9
 130:11
motion 10:16 11:25
 12:6,8,10,11,21,22
 13:2,3,15,17 14:11,12
 14:14,15,16,20,22,23
 15:4,5,6 16:10,11
 17:13,16,17,19,20,22
 17:24 18:4,5 19:2,3
 30:9,10,23 34:9,10,25
 35:1 58:5 131:20,21
 132:10
mouth 45:4
move 9:23 15:23 29:22
 32:16 47:1,5,7,7
 50:10 56:6 58:6 71:15
 71:16,18 73:7 74:6,8
 103:16 105:8 131:9
moved 57:3,21
moves 6:15
moving 48:15 51:11

101:23
MPD 21:21 45:8 75:5
 81:13,20,22 82:3,12
 83:1,7,15 87:12 88:7
 88:10 92:15,25 93:8
 108:3 125:10,22
multiple 79:8
music 21:6 22:6 37:11
 40:5,18 74:25 125:5
 126:25
mute 14:19

N

name 2:10 4:5 5:15,16
 5:17 6:1 36:6 53:20
 54:8 76:10 112:8,12
names 4:3
nature 28:1 48:20 53:17
 59:16
near 93:6
necessarily 80:6
necessary 32:16
 123:13
need 4:2 7:4 19:6 30:3
 41:23 45:2,6 61:18
 96:2 110:6 121:20
needed 41:10 89:11
needs 84:1
negative 129:16
neighbors 37:10 74:25
never 15:10 21:9 24:7
 28:3 88:24,25 100:16
 106:13,13 112:14,16
night 87:11 101:15
 116:6 125:12
nightclub 80:6 85:21
Ninety-nine 50:20
ninth 109:19
nod 83:13
noise 77:25 78:12 80:1
normal 85:7,7,24 86:5
 86:10
Normally 123:5
nose 105:1
noted 57:6,8 81:11
notes 82:16
notice 6:13,15 8:9 9:5
 9:11,21,22 10:2,8,13
 10:17 19:19,20,21
 30:24 31:21 32:10
 33:8 34:2 119:3
 132:11
noticed 21:23 125:24
notified 79:2
number 3:6,8,8 15:25
 16:3 29:24 30:2 46:5
 56:17 79:6 88:8
numbers 97:3

numerous 126:2
NW 1:7 19:18

O

o'clock 68:22
O-K- 6:2
OAG 1:23 26:7,12 29:3
 29:14 95:25 103:20
 106:5 110:1 122:24
object 19:1 28:12 29:10
objected 31:12
objecting 11:1 12:2
 57:17
objection 6:20 27:24
 28:1 48:18,20 53:13
 53:14,15,17 59:14,16
 60:6 70:1 71:16 72:20
 73:10 74:3 82:9,11
objections 18:25
observation 68:7
observations 40:13
 61:7 79:3 80:3 84:19
 85:3
observe 39:23 49:21
 59:4,8 60:15,21 61:8
 86:11,14,22,23 87:17
 120:19
observed 20:24 21:13
 22:2 49:13,14,15,17
 81:12 84:20,24 85:1,8
 87:6 90:7 124:21
 126:2
obtain 89:10
obvious 84:14 129:12
obviously 78:8 79:16
 80:19 83:16
occasion 80:7
occasions 79:9
occupancy 50:17,19
 51:4 62:15 125:4
occupant 50:18,22
occur 91:2
occurred 6:18 11:25
 12:13,17 81:6 84:12
 91:15,15 92:14,18,21
occurrence 46:8
occurring 46:22 78:25
 85:7
Oder 113:19
offer 117:19
office 21:16 45:17,17
 70:20,21 71:11
officer 77:1
officers 21:21 75:5
 81:15,20,23 83:15
 108:3 125:22
Official 2:6 15:22 16:2,5
 29:21,25 131:8,13,16

officially 47:5
OIC 110:1,4
Okbaab 5:23 6:3
old 98:23
older 98:23
On-premises 126:13
on-scene 81:21
once 2:21 20:22 81:6
 124:20
one-month 130:1
open 2:6 15:22 16:2,6
 29:21 30:1 31:1 38:4
 83:18,19 84:4 87:22
 88:17,23 108:14,24
 108:25 109:6 112:7
 131:9,13,16 132:14
opened 24:1 25:22,25
 38:14,15 78:24 82:7
 84:1,6 109:1 122:12
opening 19:13 22:14,15
 22:16,22 24:19 26:19
operate 69:10
operating 50:24 81:9
 115:5
operation 81:19
operations 19:25 85:8
 86:10 123:24
opportunity 26:18 60:2
 61:16 62:4 82:15,19
 107:10 121:22,25
 123:4,10 127:20
oral 11:25 12:6
orally 6:14
order 2:14 7:15,19,23
 7:24 8:8,18 10:5 21:8
 24:12 34:2 67:14 69:5
 69:5 80:12,25 81:11
 85:6 101:9 104:3,5
 105:6 113:12,21
 114:3,8,11 117:22
 119:25 120:6,7,12
 122:17 128:13 130:17
ordered 43:14 51:10,14
 51:25 69:17 120:4
orders 10:1 20:8 124:4
 124:14 125:1
ordinance 50:24 62:14
ought 50:24
outdoor 25:25 122:12
 122:14
outside 44:12 78:22
 88:17 111:23,24,25
 112:2,4,5 126:23
 127:9
overrule 60:6 73:9
owner 66:21 82:7 83:24
 84:10 116:14

P

P-E-R-U 76:13
P-R-O-C-E-E-D-I-N-G-S
 2:1
p.m 2:2 4:18,19 7:9,10
 10:21 17:8,9 20:12
 21:1,2 22:4 31:7,8
 37:8 40:11 44:3 52:4
 52:7 55:24 59:3 68:20
 69:6 94:16,17 115:6
 115:12 118:18 124:8
 124:13,16 126:6,14
 132:25
page 6:12 7:18
paid 38:24 115:13
pandemic 20:21 24:2
 86:4 107:4 111:24
 114:13,15,16,19
 116:12 122:22 126:2
 128:7
panic 90:9,9,22
paper 105:20,22
parents 98:22
parked 82:4
part 32:15 47:6 56:10
 56:20,23,25 57:4,4,11
 57:13,25 58:4 64:12
 64:13
participating 2:13,15
 119:22
participation 130:22
particular 66:7 91:12
parties 10:24 11:8 12:9
 12:10 14:17 32:16
 130:22
party 2:23 42:24
pass 94:24
passed 30:23 103:2
 132:11
passes 17:1 18:20
 35:16
patron 41:20 42:4,6,10
 43:15 51:9,14,25 53:3
 54:17 79:12 80:21,24
 118:1 125:7
patrons 20:24,25 21:3,3
 21:4,25 22:2,8,8,11
 37:12 38:19,23 40:1
 55:12,12 56:24 59:6
 59:10,11 60:17 61:9
 62:9 75:1 78:24 84:20
 124:21,22,24,25
 125:2 126:1,4,11,23
 127:3,8,12
pause 4:13 7:25 96:25
 97:1,6,8 100:10 101:5
 101:5,6
paused 97:4

pay 97:5 112:17 130:11
paying 39:1
penalties 19:22
penalty 127:18
people 23:24 27:11,12
 27:13 40:2 59:19 62:9
 62:12,21 63:1,23
 64:13 66:15 78:1 85:1
 86:14 88:23 91:3 98:6
 98:7,12 99:5,10,25
 101:15 108:18,22
 111:21,23,25 112:1,5
 114:20 118:14 120:17
 120:22 121:3 128:3
 128:21 130:7
percent 50:25 51:4
 62:15,16,18 86:12
 117:24 125:4 128:20
permitting 124:12
person 53:19,20 111:13
 122:6 129:14,14
personal 43:8 68:7 71:7
 72:9
personally 124:11
persons 91:11
perspective 24:20
Peru 1:24 3:16 5:11
 21:23 22:1 37:8,18
 54:5 75:22,23 76:2,4
 76:6,9,12,13,16,20,24
 77:4,10,13,16,20,22
 78:7,17,20 79:5,15,24
 80:15 81:6 82:2,25
 83:4,21 84:9,17,20
 85:16,17,18,21 86:6
 86:19,22 87:4,9,12,16
 87:19 88:2,13,19,24
 89:10,14,19,23 90:13
 90:17,25 91:13 92:1,4
 92:7,10,13,23 93:1,5
 93:17 108:7,13
 112:14 120:19 125:21
 125:24
phone 61:5
photo 47:18 48:6 49:13
 49:22,23 50:4 51:2,3
 51:12,13 52:10,11,25
 54:15,16
photos 41:6 42:17,23
 46:16,18 50:13
physically 86:24
picking 44:23 125:13
picture 40:24 51:8
pictures 25:8 43:12,21
place 20:9 25:24 66:4
 66:21 67:8,12,12,13
 91:19,19 98:25 99:1,4
 100:13 111:1,10

118:21 121:2 128:22
 129:5
placed 125:14
placement 22:4 126:15
plain 13:19
plan 80:5
plans 89:4
play 63:22 64:7 79:21
 79:21 96:5,13,17,19
 96:21 97:4 98:3,13
 99:3 100:3,6 101:1,1
 102:14 103:15,24
 104:6,9
playing 65:4 104:11,15
 104:21,24
please 3:3,10,13,24
 5:15 14:18,19 15:9
 35:19 36:5 53:24 54:7
 54:8 56:16 67:6 71:14
 71:16,19 74:7 75:20
 75:24 76:9 91:22
 96:13,13 97:9 99:3
 100:10 101:5,6
 102:16 104:10 110:6
 110:10
plexiglass 24:3,6 25:8
 65:17,24 66:1,5,5,8
 66:13,18,22 84:22
 101:7,19
plexiglasses 128:9
point 6:14 26:25 38:25
 41:7,11 42:25 43:2,18
 44:5,12,21 45:8 60:3
 79:20,24 80:10 81:8
 82:3 85:9
pointed 42:1 80:9
pointing 42:20
police 75:5 77:1
pop- 91:14
portions 32:17
position 36:13
positive 125:19
possibility 10:4
possible 74:21 81:3
 97:16
possibly 80:17
potential 5:1,20
pouring 49:25
powers 81:17
preliminary 6:6 19:6
premises 129:4
prepared 126:17,20
preponderance 123:22
present 1:16,21 11:2
 12:13,17 14:12,23
 15:1 17:14 18:22,23
 19:25 22:18 24:25
 26:19,20,23 29:4,8

39:17 94:1 103:9,21
103:22 107:13 116:1
116:2 123:24
presentation 130:23
132:16
presented 6:21 25:4
102:5 126:7
presenting 6:11 11:23
57:8 103:18 124:2
presiding 1:15
prevent 100:13 106:20
previous 91:14
previously 37:15
printed 68:22
prior 28:23 76:19 92:16
108:20 120:18
privacy 97:24
privilege 106:9,14
probably 4:22 85:9
procedures 22:21
proceed 11:25 12:5
71:21 73:17
proceeding 19:22
28:18,21,22 29:1 52:8
132:12
proceedings 30:25
professional 104:19
119:9
prohibited 125:12
pronounce 70:16,16
proof 63:16 68:15 103:7
128:18
proper 43:14
properly 16:11 18:5
35:1 105:1 131:21
property 110:9 130:10
proposed 14:3
prove 26:22 100:9
130:14
proved 71:3 128:6
proven 123:22
provide 20:17 24:14
25:6 119:25
provided 21:9 31:14
32:9 34:1
public 17:6 20:1 25:17
27:7,7,8 91:1 97:17
99:1,2 103:2,6 111:1
122:9,17 123:25
125:1 126:9 129:5
130:14,15
publish 58:14
Puente 37:16 54:4
69:13,19,20,25 70:14
70:14,20 71:18 78:17
81:22 83:1,8
pull 56:13 82:3 86:24
purchase 41:1 42:4,5

51:24 52:2,3,6 126:19
130:10
purchased 52:4 58:21
68:19 125:6
purchases 68:19
purchasing 110:9
purpose 13:14 15:24
29:23 131:11
purposes 39:12
purse 119:8
pursuant 2:13 16:1
29:25 31:1 32:11 47:4
57:2,25 131:1,12
132:13
push- 83:23
put 9:22 10:2 14:18
20:9 21:14 24:3,10,12
28:4 45:4 119:8
128:11

Q

question 3:4 33:13
53:22,24 62:2 66:25
67:2,10 68:11,12 72:4
73:5,6,6,8,11,12,20
74:4,7,8,15,16,17,17
91:8 95:21,23 102:2
114:25 116:24
questions 3:2 43:1 50:7
61:13,23 62:5 75:9,11
85:11 89:20,22 92:2,4
92:4,6 93:9,12,12
107:11,13 109:7
113:3 116:19,23
119:15,17 121:11,12
121:14,14,20,23
quiet 103:16
quorum 2:20

R

R-H-O-D- 36:7
Rafi 1:18 2:16 16:18
18:12 30:15 35:8
132:2
raise 35:18 75:24 95:14
range 19:22
rate 23:20
ready 28:9 29:13
rear 83:6,14 91:4
reason 8:12 56:15
57:15 61:18 91:9
reasons 16:4 23:12
80:21 84:14 131:15
recall 67:16,18 77:18
receipt 31:25 42:10
68:25 69:1,6 117:12
receipts 51:25 68:18,21
69:4,4,11 119:24

120:1,8
receive 32:19,22 33:5
117:21 120:14 131:4
received 10:6 15:14
33:23 37:9 69:1,2
77:22
recess 30:24 94:5
132:12
recognize 55:6
recognized 118:23
recommend 14:17
17:23
recommendations
104:5
recommending 34:20
record 4:2,13,15,18 5:5
5:7,15 7:4,9,13 11:6
12:2 17:3,4,6,8,11
21:10 31:2,4,7,10
32:18 36:6 47:7 54:7
55:16,18 57:3,4,5,19
57:19 58:1,9,23 59:1
60:24 61:2 76:11,22
94:10,12,16,19
132:25
recorded 56:2 61:4
recording 43:11 44:1
58:19
recordings 125:8
records 32:15 92:15
recovered 91:17 93:7
refer 61:18
reference 8:2 66:8
77:25
referred 106:5
referring 88:14,20
92:13
refers 32:12
reflect 19:21
regarding 10:18 28:14
33:6 34:2 37:9
regular 80:19 114:2,4
regularly 81:13
Regulation 36:12,14
regulations 126:10
reject 17:24
related 6:16 77:24
relationship 69:19,24
71:2 129:19
release 90:9
relevance 70:1,2 72:23
72:24 73:1
relevancy 19:1 71:13
94:23
relevant 71:17
relying 34:5
remember 26:18 38:8
57:16 79:1 92:5

remove 128:25
reopened 129:6
rephrase 53:22
report 6:22 32:12,13,14
32:17,20,24 34:6 46:3
46:11,14,17,21 47:14
48:1 50:11 51:7 52:21
53:9 54:15 56:10,13
56:18,21,25 57:11,14
57:24 58:4,12 60:11
61:19 62:8 63:8,21,23
64:9,16 66:10,17
68:12 69:12 71:4,25
72:5 73:21 74:22 80:4
85:23 86:2 87:3,5
89:8,11 90:2 91:16
92:24 96:3 119:10
reported 80:4 87:6
reports 57:23 74:12
represent 23:13,15
110:13 112:17,18,20
112:22
representation 46:21
56:1
representing 112:25
request 31:20,25 34:21
requested 28:18
require 3:2 32:4
required 20:20 21:9
90:10 113:13
requirement 126:19
requirements 126:9
reservation 121:1
127:10
reservations 98:8
reserved 98:8
residence 37:11 75:1
residents 124:1 127:17
respect 15:8,8 111:21
respectful 104:18
responded 38:22
response 110:20
responsibilities 36:20
77:3
responsible 115:22,24
116:3,15 122:7
rest 93:23 123:15
restaurants 26:5
restriction 31:23
restroom 40:19 79:25
result 9:24
resumed 4:18 7:9 17:8
31:7 94:16
Retailer 1:7
retain 81:2
retrieve 84:5
return 31:5 94:11
132:22

reveal 84:12
revocation 9:23 10:4
 31:22
revoke 127:14
revoked 9:17
Rhoda 1:23 5:10 20:13
 27:23 31:11 35:21
 36:7 56:7 77:8 79:7
Richard 112:19
rights 2:23 3:11,15,16
 3:17,18,19 103:13
roll 13:2 16:10 18:4
 30:9 34:25 131:20
rooftop 122:15
room 132:13
routine 26:6
rule 49:10
rules 20:8 32:4 66:22
 104:4 124:14 125:1
rum 41:12,15
rushing 21:13 125:14

S

S 1:19
S-A-M-U-E-L 6:2
safe 25:16,21 97:16
 98:25 100:14,15,19
 103:2,5 106:18 109:5
 129:5 130:15
safety 20:1 21:25 27:7
 27:7 79:16 81:13,18
 83:17 84:1 88:3,8,10
 91:18 99:2 103:6
 109:2 122:9,17
 123:25 126:1 127:17
sale 124:12
sales 22:3 126:5,14
Samuel 3:19 5:23,24
sanitizer 67:19
sanitizers 24:13 25:5
 67:13
sat 67:20
satisfy 124:19
saw 39:25 40:1,2,3,4,20
 41:8 42:18 45:8 63:14
 63:19 78:1,13,25
 92:10 104:19 111:23
 111:25 120:3 129:12
saying 8:1 11:13 26:24
 38:22 53:10,18 59:17
 59:22 70:11 72:19
 74:12,15,16,19 78:1
 98:6
says 9:6,10 10:8 32:13
 56:23 62:11 67:4,7
 69:13 87:1 88:16
 97:19 105:16 108:17
 113:21 114:21 117:13

128:18
SBA 130:11
scheduled 28:24
screen 45:22 52:22
 54:23,25 55:3 61:20
 61:21 65:11 102:3,9
 102:13,16
scroll 50:12 64:17
search 119:9
searched 39:14
seat 44:8
seated 21:4 22:6 68:8
 86:8 124:25 126:21
seating 25:25 122:12
 127:5
seatings 122:14
second 12:23 16:7,8
 17:25 26:13 30:5,5,7
 34:22,23 52:5 64:24
 65:1,10 71:10 81:1
 97:3,5 98:13 105:12
 109:19 131:17,18,20
 131:21
seconded 13:2,3 16:10
 16:12 18:4,6 30:9
 34:25 35:1
secondly 32:11
seconds 12:25 18:2
 82:7 96:19 97:9 98:17
Section 2:6 15:22 16:2
 16:5 20:2,7 29:21
 30:1 31:1,19 124:3,6
 127:15 131:9,13,16
 132:14
secure 21:15 125:16
secured 45:13 51:20
security 39:16 91:17
seeing 67:16,19
seek 30:4
seeking 15:24 29:23
 131:11
seen 23:23 27:11,12,13
 28:6,7 29:11 65:23
 86:1 88:24,25 107:2
 128:3 130:6
selling 115:6
send 28:5,23 33:9
 81:15
sent 26:7,11 28:8,10
 70:21 78:17 122:24
separate 24:3 56:10
 120:1 128:9
sergeant 83:8
serve 101:20 117:11
 118:13,17 120:21
 128:13
served 32:5 44:3
 115:25 117:5,7 118:1

server 41:8,9 42:19,20
 80:24 115:19 118:2,6
 119:25 120:12
service 22:3,7 31:21
 91:25 101:8,18,19
 124:12 126:5,14
 127:2
servicing 21:1 24:8 41:15
 41:16 81:10 101:15
 121:8 124:23
session 15:9 17:5 31:5
 94:11,13 132:23
set 28:20,24 54:23
settle 23:5,10
settlement 88:18 89:2
 108:17 110:1
seven 28:23
severe 127:17
share 54:23 60:9 61:20
 65:11 102:2,8,13,15
 102:20 103:13,14
sharing 45:22
shell 91:16 93:6
shirt 99:11
shooting 91:2,15 92:8
 92:11,18,21 93:2,5,8
short 1:20 2:15 13:5,6,6
 13:8,10,12,13,18,23
 13:23,25 14:2 15:7,17
 15:18 16:8,8,9,12,13
 16:14,14 18:7,8,8
 23:20 24:24 26:25
 27:3 30:10,11,11
 34:23,23,24 35:2,3,4
 35:4 89:24,25 90:1,14
 90:18 91:7,21 92:5,6
 93:13 113:4,8,11,14
 113:15,19 114:1,7,10
 114:14,17,22 115:5,9
 115:15,22 116:7,8,13
 116:18,19 127:25
 131:18,18,19,22,22
 131:23,23
shot 21:2,14,15,18 40:4
 43:9,15,19 58:20
 59:10 65:21 66:2,7
 80:20 84:24 89:13,18
 91:8 115:10,12
 124:23 125:13
shots 41:16,19 73:23
 118:1 120:1 125:7
show 8:18 20:11,22
 21:12,20 25:3,7 26:9
 28:21 54:21 64:9 81:9
 97:25 98:11 101:24
 103:10,15 105:11
 106:5 107:1 128:22
showed 119:7 124:2,10

125:18 128:7
showing 45:19
shown 58:11 107:2
 117:19
shows 25:18,19 26:4
 47:21 62:20 63:23,24
 64:1,12,13 66:3,11,18
 66:20 68:16 98:4,19
 100:1 103:5 104:8,12
 104:22 105:18,24
 106:7 126:8
shut 26:16 120:16
 130:8
SI 37:18
sic 120:18
side 19:12 49:22,23
 88:22 90:8 95:12
 119:23
sign 46:10
signed 10:1 110:8
 130:9
significance 50:21
signs 24:10 67:4,8,12
 97:19,20,21
SIMONE 1:22
simone.andrews2@d...
 3:5
simple 85:6
simplified 85:4
simply 86:6
Simultaneous 11:4,16
 56:19 70:8 72:22 73:3
 74:13
sir 5:3,20 6:20 9:3,4
 10:6 11:17 12:15 15:8
 19:10 22:24 24:17
 26:19 27:3,19,24 28:1
 28:15 32:24 33:13,16
 47:8,16 53:17 59:14
 59:16 60:5 61:22 62:6
 67:2 69:11 70:2 71:18
 71:23 73:20 74:8,15
 82:9,21,22 85:14
 88:14 90:13,17,25
 91:13,20 92:1 93:10
 93:18 95:3,13,19,22
 96:22 99:20 102:8,11
 103:13,18 105:19
 107:15,18,21 108:5,8
 108:12 109:22 114:9
 115:4,8 119:18,21
 120:9 127:22
sit 101:4
sits 101:14
sitting 40:1 41:25 48:10
 49:18 59:12 60:19
 61:10
situation 106:24

six 2:18 21:3 22:5,6
 39:25 47:22 48:11
 49:18 59:13,18,20,24
 60:22 66:22 67:4,8,17
 67:21,24 68:5,5,8
 98:6,9,9,11 124:25
 126:16,21,24 128:19
skip 57:9
smoking 21:3 40:4
 55:12,15 60:19 61:11
 124:24
smooth 129:18
social 22:10 67:17
 84:21 118:13 127:11
sold 117:13
somebody 84:3
someone's 15:13
somewhat 7:16 76:5
 119:23
soon 25:10
sorry 3:25 4:25 6:23
 17:15 29:24 31:3,11
 34:18 61:25 67:23
 68:23 85:15 94:1
 109:17 130:13
sound 74:23 91:23
speak 40:19 76:4 84:10
speaking 11:4,16 41:8
 42:19 56:19 70:8
 72:22 73:3 74:13 91:8
 117:15
specialist 2:22
specific 53:23 56:15
 57:15
specifically 20:6 48:24
 117:16
specify 53:11
spell 4:2 5:14 6:1 36:5
 54:7 76:10
spelling 5:17
spend 29:3
spent 122:13
spitting 104:7,14,23
spoke 79:7
spotted 83:12
spread 20:10
stable 110:10
staff 1:22 20:24 21:1
 22:10 24:8 66:16,19
 99:11 101:14,14
 120:24 121:5 124:21
 124:23 126:3 127:7
 128:16 130:16
staffed 127:6
stand 3:14 80:7 96:14
 101:10 102:18 128:14
standing 22:8,9 47:20
 48:8,9 49:15 50:2

55:12 59:6,7 60:17,18
 63:23 66:15 78:22
 85:2 86:8,14 126:4
 127:3,4 128:17
start 4:3
started 38:15 43:11
 44:22 57:16 81:7
 84:10 125:13
state 5:14 33:25 36:5
 63:22 72:7 76:10 85:5
 130:24
stated 4:25 14:25 17:18
 32:7 37:15,18 39:6
 47:4 57:2 63:9 66:14
 80:4 86:4 87:19 92:7
 93:2 123:11 129:10
 132:16
statement 19:13 22:14
 22:15,16,22 24:19
 26:19 87:23 107:4
 123:20 129:15,24
states 6:22 9:15,16
 31:20 68:12 74:22
 101:10 118:14 128:13
stating 10:16
statute 28:20 132:17
stays 111:14
step 80:14 130:24
steps 78:6 81:6 120:10
 120:13
stickers 67:18
stood 37:24,24 38:1
stop 20:9 53:14 64:18
stopped 41:7
stops 113:17 114:20
story 95:12
straight 83:17
Street 1:7 19:18 44:14
 44:20 90:24 109:6,6
strip 53:5 54:18
strong 45:5
submission 28:14
submit 3:3
submitted 25:9
substance 54:2
substances 53:2
substantiated 37:17
sufficient 32:9
suitable 84:23
summarily 20:3 127:14
summary 1:7 3:7 6:13
 6:15 8:10 9:5 19:4,17
 19:20,22 24:24 28:17
 28:25 31:18,22 33:1,8
supersedes 113:20,21
 113:24
supervise 77:9
supervision 103:3

supervisor 37:8 40:16
 40:22 44:6 54:4 72:14
 72:17 73:14,22 75:6
supervisory 5:11 21:23
 22:1 25:23 75:21
 76:12,15,16 77:3
 82:24 89:22 108:6
 125:20,23
support 24:23
supported 125:8
supports 122:7
supposed 101:4
surprise 34:5,15,16
surprised 31:13
suspend 110:23
suspended 20:3 23:2,3
 27:17 106:23 109:11
 109:15,22,23 110:18
 110:22,25 127:25
suspension 1:7 3:7
 9:16 19:5,20 23:6
 31:18,22 32:25 33:1
 129:7 130:2
sustain 71:16
swear 75:24 95:15
switch 54:20
sworn 35:23
system 20:20 124:19
 127:10

T

T 1:7 19:18 44:14,20
 90:24 109:5
t/a 1:6
tab 69:8
table 21:4 22:6 24:13
 25:5,8 40:1 41:24
 42:1,16 43:19 47:22
 48:11,11 49:19 59:12
 59:13,20,21,23 60:23
 65:20,22,24 66:11,13
 67:19 97:21,23 98:5,6
 98:12,12 100:24
 101:2,3 115:11,13
 120:20 121:8 124:25
 126:22 128:10
tables 22:5 24:4 40:3,7
 44:24 55:14 65:25
 84:25 126:15 128:10
 128:19
taken 55:22 71:12
 103:3 120:11,13
 126:7
talk 86:23 87:14 101:20
 104:18 129:22
talked 7:19 32:20
talking 7:21 8:13 9:1,3
 9:5 48:18 64:19 92:17

92:18
tape 67:25 68:1,2
targeting 103:23
taste 43:3 118:15
tasted 69:14 70:13
 72:10
Tavern 1:6 3:8 16:1,4
 19:18 20:4 25:16 26:7
 29:25 36:25 37:9
 56:24 74:21 77:12,24
 97:16 103:1,5 106:21
 130:15 131:12,15
Tavern's 127:15
taxi 112:4
team 45:9 54:3 77:4
 90:3
technical 3:2
tell 64:18 71:15 75:25
 76:21 95:7,11,15
 96:18 111:19 127:22
telling 26:15 104:17
 108:22 111:5 112:1
 116:9
ten 24:4 66:11
terms 8:17 19:1
test 52:12 70:25
tested 21:17 53:1,2
 54:17 71:2,11 125:19
testified 35:23 49:2
 71:6,7,10 82:25 90:8
 108:14 117:21
testify 34:14 69:9,11
 95:5,8,9
testifying 5:9 57:17
 82:11
testimony 6:16 8:19,21
 10:18 11:19,20 61:17
 62:5 75:14 90:19
 91:23 93:17 116:21
 118:17 119:12
testing 21:17 52:12,14
 52:15 53:5 54:1 64:16
 64:17 125:18
texted 44:6
thank 3:23 4:6 6:5 10:7
 14:5 15:18 17:6 19:15
 22:12 27:17,19,19
 31:4 36:4 47:9,11
 54:12 55:5 57:6 58:9
 58:10 61:14,15 65:8
 65:15 75:11,13,14
 85:12 90:1 91:21,24
 92:1 93:14,17,18
 94:13,14 96:16 98:16
 109:8,9 113:2 116:20
 119:14,22 121:10,16
 127:18,19 130:19,22
 132:15,20,23

thinks 110:25
third 64:24 65:4
thought 11:7 12:9
 17:16 38:22 102:19
three 9:10 25:10 31:21
 32:1,4 53:1 64:23
 96:5,9 98:17 106:10
 106:11 110:4 124:3
 131:2 132:17
timely 31:25
times 59:22 85:24 86:5
 90:6 97:15 106:11,11
 111:3,10 112:11
Title 19:23
today 10:3,12,15,20,22
 19:16 23:15,22 24:23
 27:4 28:20 33:14,22
 34:19 72:6 90:4 92:17
 119:22 123:21 128:2
 129:25 130:13,22
 132:16
told 10:12,23 41:21
 42:22 44:11 45:4
 78:21 80:3,23 84:4
 89:14 104:2 108:24
 109:25 110:10,12,13
 112:22 118:6,19
 128:25
total 62:15 76:25
totally 9:14 79:15
town 117:10
trace 20:20
tracing 20:19 39:12
 124:19
trading 19:17
trampled 91:3
transferred 44:16
treat 118:7
treated 105:25 106:8
tried 128:9 129:20
truth 75:25 76:1 95:16
 95:16
try 83:18 97:15 122:5
trying 3:25 7:12 38:3,25
 40:16 64:14 70:6 74:9
 97:13 100:9 102:11
 103:14 104:16 105:13
 106:19 123:7 127:24
 129:15,21,22,23
turn 52:18 53:4,5
turned 54:18 63:14
 83:25
Twenty-five 62:18
two 4:11 5:9 21:8 23:19
 25:10 31:25 32:6 33:3
 36:18 44:13 53:19
 57:7 59:22,24 66:1,8
 71:6 73:23 76:17

78:10,15 80:21,22
 88:15 100:11 108:11
 108:15 110:4 118:1
 120:1,1,7 125:7 128:9
type 28:22 41:18

U

Uber 112:3
unable 91:4
undercover 20:14 21:7
 37:20 72:14 73:16
 75:7 79:10 80:11 81:2
 84:13 89:15 107:16
 124:9,10
understand 13:11
 23:23 24:21 114:7
 119:24 121:9 128:2
understanding 9:20
 10:1 14:21 117:22
understood 125:11
unfair 105:24 129:13
unfairly 106:7
unidentified 79:11
unlock 21:25 83:23
 126:1
unlocked 78:23
unprofessional 105:4
unprofessionally
 129:22
unsafe 87:25 106:20
 111:1
use 52:12,13 90:22
 95:24 96:1
utilized 127:6

V

valid 78:12
Vegas 77:1
vehicles 82:4
verbal 26:6 106:4,10,11
 106:15
verbals 122:23
video 21:11 54:22 55:7
 55:9,10,16,19,22 56:1
 56:7 57:13 58:11,12
 58:16,18,23 59:1,5
 60:9,11,13,16,25 61:3
 61:7,8 64:6,21 65:10
 65:12 66:3,11,17 67:4
 96:7,13,17,19,20,23
 97:4,5,6,19,22,25
 98:4,10,14 99:19,21
 99:23,24 100:4
 101:21 103:11,25
 104:10,11,12,14,15
 104:21,22,24 107:19
 107:22 111:17,21
 117:18 125:8 128:7

videoconference 1:14
videos 40:24 41:6
 42:17,23 43:12,14,20
 56:24 57:7,8 64:20,23
 66:23 96:5 102:14
 120:19
violated 20:7 124:3
 126:8
violating 105:5
violation 124:13
violations 21:10 81:11
 84:11 90:6 111:13
 124:25 126:3
violent 91:19
virus 20:10 27:6 106:19
visible 55:13
visit 91:18
visited 37:4 111:12
voice 76:5
vote 13:3,15 16:11 18:5
 30:10 35:1 131:21
voting 13:16

W

W 1:15,17
wait 7:3 22:9 70:3 126:3
 127:7
waited 38:13 44:8 81:21
 110:4,4,11,13
waiting 42:22 126:23
 127:9
walk 64:14
walked 41:4 42:2 43:2
 82:6 86:19
walking 20:24 40:2,14
 41:5 43:13,25 44:23
 48:8 49:15 55:12 59:7
 60:18,19 61:10 63:13
 63:15,23 64:13,14
 66:10 99:25 124:21
walks 120:25
wall 97:20
wanted 11:2 83:10
wants 15:1 118:3
warning 26:6,8 106:4,4
 120:21
warnings 26:6 106:11
 106:12,15,15 122:23
wasn't 80:6,18 118:4
 119:6
waste 100:7
watch 118:10
watched 41:1 80:17
water 53:2,4
way 82:13 100:25 101:1
 104:18,19 105:4
weapons 91:12
wear 24:14 25:6 98:21
 107:25 127:7,8
wearing 22:10 37:13
 38:6 40:2 48:13,22
 50:4 61:10 63:5 84:21
 98:20 99:2 100:11
 104:7,13,25 107:20
 107:23 126:4
WebEx 1:14
website 118:12
Wednesday 23:8 28:19
 131:5 132:19
week 23:8 29:3,7
weeks 9:10 110:4
welcoming 2:7
went 4:18 7:9 17:8 31:7
 40:18 44:7 45:16
 70:13 77:25 83:17
 94:16 108:9 132:25
weren't 64:2
willing 23:13 112:12,17
 122:16
wings 117:11
wish 22:14 27:21 94:2
 123:19
withdrew 23:9
witness 27:20 28:7,11
 28:12 29:13 31:11,12
 35:17,22 48:24 53:23
 61:22,24 62:2 72:6
 74:7 75:17,20 76:4
 82:11 85:14 94:2,19
witnessed 21:11 84:12
witnesses 3:12,12 5:1,2
 5:20 28:2,4,6 29:4,8
 29:10 31:14 32:8
 34:11 57:17,20 93:20
 94:22 95:2 123:11
word 113:24,25
work 52:16 72:3,12
 74:11 90:2 109:25
 112:12 124:10
working 23:7 72:25
 74:2,10 77:17 101:11
 101:12
works 115:16 118:6,7
 128:4
worried 27:9 119:6
worries 5:8
worry 91:10
worse 99:10
wouldn't 43:1 65:5
written 9:21 106:4,11
 106:14 131:4
wrong 111:19 119:5

X

Y

year 98:2,2 106:15
111:3
years 15:12 36:18
76:17,25,25 98:23
111:14

yellow 67:5
yesterday 98:2

Z

Z-O-L-L-A-R-C-O-F-F...
54:10

Zollarcoffer 37:16 54:4
54:10 69:14 70:17
78:18 81:22 83:1,5

Zollarcoffer's 54:8

0

00 9:14
004-2021 113:12

1

1:39 2:2
1:42 4:18
1:43 4:19
1:46 7:9
1:47 7:10
1:59 17:2,8
10 68:22 76:25 112:19
127:4 128:10
10:00 21:1,2 22:4 68:13
68:16,17 69:5 85:8
113:18 114:20 115:4
115:6,12 118:18
124:13,16 126:6,14
10:45 37:7
100 117:24
104710 1:8 3:9
11 127:5
11:00 44:3 68:20 117:6
11:15 10:21 20:12 40:11
55:23 56:3 59:2 124:8
11:22 52:4
11:26 52:7
11:30 55:23 56:3 59:2
85:9
11:45 28:8
12 1:12 127:7
12:00 111:25 113:14,16
113:18 114:21
12:10 112:1,3
13 96:19 127:8
14 97:7 127:10
15 126:10 127:11
15-20 79:1
16 51:2
17 50:11
1713.10 32:11,12 47:4
57:2,25

19 51:7
1B 1:7

2

2 6:12 54:21 56:7
126:13
2:10 17:3,4,6
2:11 17:9
2:28 31:3,7
2:38 31:2
2:40 31:4,8
20 38:21,24 39:1 56:17
58:11 60:10
20-CMP-00008 1:8
200 111:13
2020-054 2:14
2020-075 20:8 124:4
2020-080 20:8 124:4
2020-119 20:8 124:4
2021 1:10,12 6:11,17,19
8:19,21 10:21 12:1
19:21 20:12 23:6
25:13 37:5 46:9,23
55:20 56:2 73:14
77:19 107:14 113:11
114:4 115:7,11 124:8
2021-004 113:21
21 3:6 10:15 51:12
21- 29:24 131:14
21-CMP-00008 3:8 16:1
16:4 131:12
21-CMP-0008 46:6
22 51:23
23 20:7 124:3
24 52:9 62:22 128:21
24th 25:13
25 19:23 21:4 31:17,19
50:25 51:4 62:9,12,14
62:16,19,21 63:21
64:5,5,9,15 86:12
99:5 121:3 125:2,4
128:20,21
25(a) 127:15 131:1
25(a)26 124:6
2574(b) 15:22 29:21
31:1
2574(b)(13) 16:5
2574(b)(4) 16:2 30:1
2574B 131:9,13 132:14
2574B.13 131:16
25764 2:6
25826 20:2
26 52:21 62:22 127:16
128:21
26(c) 131:1
27 6:21 25:14 62:22
102:24
27th 6:11,17 8:3,19 9:7

10:8,10,13,18 11:2,9
11:20,21,24 12:14,17
14:12,24 15:2 17:15
18:22,24 94:24
103:11,20 111:20
117:12

28 53:9 54:14
29 37:5 46:9 55:20 56:2
73:14 77:19 107:14
113:11 114:4 115:6
115:11 124:8
29th 6:19 8:8,21 9:7
10:9,14,21 12:1,18
15:15 20:12 25:15
26:21 32:21 33:18,21
46:23 90:3 102:24
114:5,17,22 117:4,16
117:19 118:13
2nd 103:10

3

3 25:18 47:14 101:24
126:15 129:11
3:00 114:6
3:50 94:7,9,16
300 99:9 111:13
35 23:4 106:23 109:11
109:15 110:22 128:1
3rd 23:8 110:12

4

4 25:7 107:2 110:16
126:17 128:11
4:00 94:10,12
4:02 94:17
4:59 132:25
400 99:9
48 28:10,20 29:9 31:15
4th 23:16 29:3,7 102:23
102:23

5

5 126:19
500 111:6,10

6

6 47:25 49:2 126:21
6-0-0 18:20 35:16
60 26:10
637 1:7 19:18

7

7 48:16 126:23

8

8 126:25
80 26:10 98:23 106:3
810 20:7 124:3

826 31:17,19
826(c) 31:19

9

9 1:10 127:2
9:00 69:6
90 119:3
99 50:22 62:19
9th 9:12,13,14 19:21
23:6 24:1 109:16,20

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Kiss Tavern

Before: DCABRA

Date: 03-12-21

Place: teleconference

was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
true and accurate record of the proceedings.

Neal R Gross

Court Reporter

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701