DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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IN THE MATTER OF:

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Salma LLC :
t/a Red Lounge Hookah :
2013 14th Street NW :

Retailer CT - ANC 1B : Show Cause License No. 76011 : Hearing

Case # 19-CMP-00178

:

(Permitted Nude Dancers : in the Establishment) :

Wednesday
June 9, 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 JENI HANSEN, Member JAMES SHORT, JR., Member ALSO PRESENT:

WALTER ADAMS, DC OAG SIMONE ANDREWS, DC ABRA Staff AMADOU BAH, Licensee

1	P-R-O-C-E-E-D-I-N-G-S	
2	2:41 p.m.	
3	CHAIRPERSON ANDERSON: All right. The	
4	next case on our calendar is Case Number 19-CMP-	
5	00178, Red Lounge Hookah. License Number 76011.	
6	Ms. Andrews, can you please elevate	
7	the rights of the Government and the Licensee for	
8	this case, please?	
9	MS. ANDREWS: Sure. Standby.	
10	CHAIRPERSON ANDERSON: Thank you.	
11	MS. ANDREWS: Mr. Bah's have been	
12	elevated. Mr. Adams have been elevated. Mr.	
13	Prout, your rights have been elevated. That's	
14	all, Mr. Chair.	
15	CHAIRPERSON ANDERSON: All right,	
16	thank you. Mr. Bah, if you have a camera, and	
17	you can also unmute your phone please. Mr. Bah,	
18	are you there?	
19	MR. BAH: Yes.	
20	CHAIRPERSON ANDERSON: All right. Do	
21	you have a camera? If you don't have a camera,	
22	that's fine. I'm just asking if you have a	
23	camera, you can turn your camera on, sir.	
24	MR. BAH: Okay. Can you hear me?	
25	CHAIRPERSON ANDERSON: I can hear you,	

	sir. I can't see you. But II you have a camera,
2	you can. If you don't have a camera that's fine,
3	I'm just asking.
4	MR. BAH: Yes, I tried to but I guess
5	it's not coming through.
6	CHAIRPERSON ANDERSON: All right,
7	that's fine. All right, this is a show cause
8	hearing for Red Lounge Hookah. Could the parties
9	identify themselves, starting with the
10	Government?
11	MR. ADAMS: Good afternoon, Mr.
12	Chairman and Members of the Board. I'm Walter
13	Adams, representing the District of Columbia.
14	CHAIRPERSON ANDERSON: Good afternoon,
15	Mr. Adams. Mr. Bah, can you please introduce
16	your name, yourself for the record, and please
17	spell your name when you introduce yourself, sir?
18	MR. BAH: Yes. My name is Amadou Bah,
19	A-M-A-D-O-U, last name, B-A-H.
20	CHAIRPERSON ANDERSON: Okay.
21	MR. BAH: And I'm the owner.
22	CHAIRPERSON ANDERSON: Mr. Short, can
23	you please mute your telephone, please, sir?
24	Your line.
25	All right, thank you, Mr. Bah. All

right, this is a show cause hearing. Mr. Adams,
are there any preliminary matters?

MR. ADAMS: Yes. Mr. Chairman, there
is a preliminary issue. Specifically the parties
have discussed and are in the position to present
to the Board an offer, a proposed Offer-in-

CHAIRPERSON ANDERSON: And what is the Offer-in-Compromise that has been presented?

MR. ADAMS: Yes, Mr. Chairman. That this case is a single charge of the establishment allowing nude dancing performances. To resolve that, the parties are proposing that the matter be resolved for a fine by the amount of \$1,000 to be paid within a period of 120 days or the ABC license for the establishment will be suspended until the fine is paid.

CHAIRPERSON ANDERSON: Now let me ask you a question, Mr. Adams. What was this case about? Why are we here today, sir?

MR. ADAMS: Yes, Your Honor. Mr.
Chairman. What we would proffer this case about is that there was a promoted event at this licensed establishment in which there were, within a pretty crowded establishment there are

Compromise.

two or three people who were dancing within the establishment who were in the start of, who were a state of undress at that time.

CHAIRPERSON ANDERSON: Does this
Licensee have the type of license to, for this to
occur?

MR. ADAMS: No. The establishment does not have the type of license for this to occur. It would be ineligible for an event of that type of activity to occur with the establishment.

There is some issues about whether or not this was known in terms of what was going on within the establishment because the establishment is crowded at the date that it occurred or what communications there were between the promoter and the establishment.

CHAIRPERSON ANDERSON: And the \$1,000 fine that's been recommended, is that within the statutory, is that statutory appropriate?

MR. ADAMS: That is, Mr. Chairman.

This is a first time, primary tier offense for this establishment. There is no other, the establishment doesn't have any other history for having any type, anything that would be

considered to be within a primary tier. 1 2 CHAIRPERSON ANDERSON: All right, 3 thank you, Mr. Adams. Before I address Mr. Bah, 4 does any Board Members have any questions of Mr. 5 Adams regarding the appropriateness of what's being proposed? 6 7 All right, Mr. Bah? 8 MR. BAH: Yes. 9 CHAIRPERSON ANDERSON: It's my 10 understanding, sir, that there is an Offer-in-11 Compromise, and the Offer-in-Compromise that's 12 being presented is a fine of \$1,000 payable within a 120 days. If the fine is not paid 13 14 within a 120 days the license will be suspended 15 until the fine has been paid. 16 Is this your understanding, sir, of the Offer-in-Compromise? 17 18 MR. BAH: Yes. 19 CHAIRPERSON ANDERSON: Are you aware 20 that by accepting the Offer-in-Compromise you are 21 giving up the right to a hearing? 22 MR. BAH: Yes. 23 CHAIRPERSON ANDERSON: Are you also 24 aware that by accepting the Offer-in-Compromise

you give up your right to appeal this matter?

25

1	MR. BAH: Yes.			
2	CHAIRPERSON ANDERSON: All right.			
3	With that said, I make a motion that the Offer-			
4	in-Compromise be accepted. Is there a second?			
5	MEMBER CROCKETT: Ms. Crockett			
6	seconds.			
7	CHAIRPERSON ANDERSON: Ms. Crockett			
8	has seconded the OIC. We'll have a roll call			
9	vote on the motion that's been properly seconded			
10	by Ms. Crockett.			
11	Mr. Short? I cannot hear you, Mr.			
12	Short.			
13	MEMBER SHORT: Mr. Short votes no, I			
14	do not accept the Offer-in-Compromise.			
15	CHAIRPERSON ANDERSON: Mr. Cato?			
16	MEMBER CATO: Bobby Cato, I agree.			
17	CHAIRPERSON ANDERSON: Ms. Crockett?			
18	MEMBER CROCKETT: Ms. Crockett, I			
19	agree.			
20	CHAIRPERSON ANDERSON: Ms. Hansen?			
21	MEMBER HANSEN: Jeni Hansen, I			
22	disagree.			
23	CHAIRPERSON ANDERSON: And, Mr.			
24	Anderson, I agree. The matter passed 3-2, with			
25	Mr. Short and Ms. Hansen in disagreement.			

1 Mr. Bah, I want to set the party for 2 this Offer-in-Compromise. And, Mr. Bah? 3 MR. BAH: Yes. CHAIRPERSON ANDERSON: This is a 3-24 vote by the Board. The Board believes this is a 5 serious, serious matter, sir. 6 7 It's my understanding that you do not 8 have a license for nudity. And it's my 9 understanding that if one was to read the case 10 report, and it was also told that there are 11 videos, that this was occurring in your 12 establishment, sir. 13 It appears that there was some either 14 a misunderstanding or confusion where one party 15 stated that they weren't aware what was going on 16 in the establishment. What is your relationship, 17 so you are the managing member of this 18 establishment, is that correct, sir? MR. BAH: Yes. Basically I was not 19 20 here at that time. I was on vacation. So, this 21 has happened --22 CHAIRPERSON ANDERSON: Mr. Bah, I 23 don't want to hear you're on vacation. 24 MR. BAH: Okay. 25 CHAIRPERSON ANDERSON: It doesn't

really matter you're on vacation. It doesn't 1 2 matter whether or not you're there or not --3 MR. BAH: Yes. CHAIRPERSON ANDERSON: -- this is your 4 5 establishment, sir. You are responsible for what happens 6 7 while your business is open. You are 8 responsible, sir, to ensure that whoever is 9 managing your business, they know your business 10 plans, sir, and they do not allow improper 11 behavior in an establishment if you do not have 12 the proper license for it, sir. 13 MR. BAH: I agree. I agree with you. 14 I will take this very seriously. I will fix this 15 problem. It will never happen again. 16 CHAIRPERSON ANDERSON: I hope so, sir. 17 Because an Offer-in-Compromise was provided to 18 the Board today. 19 As you see, there are five of us here 20 and it's a 3-2 vote. So it says to you that 21 there are members of the Board who believe that 22 the fine that was accepted today was not 23 appropriate because it was a serious incident. Ι

Yes.

just wanted you to know that.

MR. BAH:

24

25

1	CHAIRPERSON ANDERSON: And so we hope
2	that you will take this and that this will not be
3	repeated because if this occurs again, the Board,
4	I don't know where the Board is, but as you see,
5	there are Members who believe that this, the
6	punishment that was agreed today was not
7	appropriate.
8	MR. BAH: All right.
9	CHAIRPERSON ANDERSON: Okay, sir?
10	MR. BAH: Okay.
11	CHAIRPERSON ANDERSON: Thank you very
12	much, sir, for your participation.
13	MR. BAH: Thank you.
14	CHAIRPERSON ANDERSON: Thank you, Mr.
15	Adams.
16	MR. ADAMS: Thank you very much, Mr.
17	Chairman. And I appreciate your attention to
18	this case.
19	CHAIRPERSON ANDERSON: All right,
20	thank you.
21	(Whereupon, the above-entitled matter
22	went off the record at 2:51 p.m.)
23	
24	
25	

event 4:23 5:9 matter 1:5 4:13 6:25 10:4 **Bobby** 1:17 7:16 7:24 8:6 9:1,2 10:21 **A-M-A-D-O-U** 3:19 F **business** 9:7,9,9 matters 4:2 **ABC** 4:15 fine 2:22 3:2.7 4:14.17 MEETING 1:3 above-entitled 10:21 C 5:19 6:12,13,15 9:22 member 1:17,18,18,19 **ABRA** 1:23 calendar 2:4 first 5:22 7:5,13,16,18,21 8:17 accept 7:14 five 9:19 members 3:12 6:4 9:21 **call** 7:8 accepted 7:4 9:22 camera 2:16,21,21,23 fix 9:14 10:5 accepting 6:20,24 met 1:14 2:23 3:1,2 activity 5:10 G case 1:8 2:4,4,8 4:11,19 misunderstanding 8:14 **Adams** 1:22 2:12 3:11 4:22 8:9 10:18 give 6:25 **motion** 7:3,9 3:13,15 4:1,3,10,19 mute 3:23 Cato 1:17 7:15,16,16 giving 6:21 4:21 5:7,21 6:3,5 cause 1:7 3:7 4:1 Government 2:7 3:10 10:15.16 Ν Chair 2:14 **guess** 3:4 address 6:3 **Chairman** 3:12 4:3,10 **name** 3:16,17,18,19 afternoon 3:11,14 Н 4:22 5:21 10:17 **never** 9:15 agree 7:16,19,24 9:13 Chairperson 1:14,17 Hansen 1:18 7:20,21,21 **nude** 1:9 4:12 9:13 2:3,10,15,20,25 3:6 7:25 nudity 8:8 agreed 10:6 **Number** 2:4,5 3:14,20,22 4:8,18 5:4 **happen** 9:15 Alcoholic 1:2,13 **NW** 1:7 5:18 6:2,9,19,23 7:2,7 happened 8:21 **ALIYA** 1:18 7:15,17,20,23 8:4,22 happens 9:6 allow 9:10 0 8:25 9:4.16 10:1.9.11 hear 2:24,25 7:11 8:23 allowing 4:12 hearing 1:8 3:8 4:1 6:21 10:14,19 **OAG** 1:22 **Amadou** 1:24 3:18 charge 4:11 occur 5:6.9.10 history 5:24 amount 4:14 **Columbia** 1:1 3:13 Honor 4:21 occurred 5:16 **ANC** 1:7 comina 3:5 Hookah 1:6 2:5 3:8 occurring 8:11 **Anderson** 1:14,17 2:3 communications 5:16 **occurs** 10:3 hope 9:16 10:1 2:10,15,20,25 3:6,14 Compromise 4:7 6:11 offense 5:22 3:20,22 4:8,18 5:4,18 confusion 8:14 offer 4:6 6:2,9,19,23 7:2,7,15 considered 6:1 **Offer-** 7:3 identify 3:9 7:17,20,23,24 8:4,22 Control 1:2.13 improper 9:10 **Offer-in-** 4:6 6:10 8:25 9:4,16 10:1,9,11 correct 8:18 in-Compromise 7:4 Offer-in-Compromise 10:14,19 Crockett 1:18 7:5,5,7 incident 9:23 4:9 6:11,17,20,24 **Andrews** 1:23 2:6,9,11 7:10,17,18,18 ineligible 5:9 7:14 8:2 9:17 appeal 6:25 crowded 4:25 5:15 **introduce** 3:15,17 **OIC** 7:8 appears 8:13 **CT** 1:7 issue 4:4 open 9:7 appreciate 10:17 **issues** 5:12 **owner** 3:21 appropriate 5:20 9:23 D 10:7 Ρ Dancers 1:9 appropriateness 6:5 dancing 4:12 5:1 P-R-O-C-E-E-D-I-N-G-S **JAMES** 1:19 asking 2:22 3:3 date 5:15 Jeni 1:18 7:21 2:1 attention 10:17 days 4:15 6:13,14 **JR** 1:17,19 p.m 2:2 10:22 aware 6:19,24 8:15 **DC** 1:22,23 paid 4:15,17 6:13,15 **June** 1:12 disagree 7:22 participation 10:12 В disagreement 7:25 Κ parties 3:8 4:4,13 **B-A-H** 3:19 discussed 4:5 known 5:13 party 8:1,14 **Bah** 1:24 2:16,17,19,24 **District** 1:1 3:13 passed 7:24 3:4,15,18,18,21,25 **Donovan** 1:14,17 payable 6:12 6:3,7,8,18,22 7:1 8:1 people 5:1 license 1:8 2:5 4:16 5:5 8:2,3,19,22,24 9:3,13 Ε performances 4:12 5:8 6:14 8:8 9:12 9:25 10:8,10,13 period 4:15 either 8:13 licensed 4:24 Bah's 2:11 elevate 2:6 Permitted 1:9 Licensee 1:24 2:7 5:5 Basically 8:19 **phone** 2:17 **elevated** 2:12,12,13 line 3:24 behavior 9:11 **plans** 9:10 ensure 9:8 **believe** 9:21 10:5 **LLC** 1:6 please 2:6,8,17 3:15,16 establishment 1:10 Lounge 1:6 2:5 3:8 believes 8:5 4:11.16.24.25 5:2.7 3:23.23 Beverage 1:2,13 position 4:5 5:11,14,15,17,23,24 **Board** 1:2,13 3:12 4:6 8:12,16,18 9:5,11 preliminary 4:2,4 managing 8:17 9:9 6:4 8:5,5 9:18,21 10:3

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This is to certify that the foregoing transcript

In the matter of: Red Lounge

Before: DC ABRA

Date: 06-09-21

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

Court Reporter

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