

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,

1 sir. I can't see you. But if 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

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

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

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

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

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

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

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

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

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

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

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

21 MR. ADAMS: That is, Mr. Chairman.
22 This is a first time, primary tier offense for
23 this establishment. There is no other, the
24 establishment doesn't have any other history for
25 having any type, anything that would be

1 considered to be within a primary tier.

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
6 being proposed?

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
13 within a 120 days. If the fine is not paid
14 within a 120 days the license will be suspended
15 until the fine has been paid.

16 Is this your understanding, sir, of
17 the Offer-in-Compromise?

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
25 you give up your right to appeal this matter?

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.

4 CHAIRPERSON ANDERSON: This is a 3-2
5 vote by the Board. The Board believes this is a
6 serious, serious matter, sir.

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?

19 MR. BAH: Yes. Basically I was not
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

1 really matter you're on vacation. It doesn't
2 matter whether or not you're there or not --

3 MR. BAH: Yes.

4 CHAIRPERSON ANDERSON: -- this is your
5 establishment, sir.

6 You are responsible for what happens
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. I
24 just wanted you to know that.

25 MR. BAH: Yes.

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

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

present 1:16,20 4:5	Staff 1:23	120 4:15 6:13,14
presented 4:9 6:12	Standby 2:9	14th 1:7
presiding 1:14	start 5:2	19-CMP- 2:4
pretty 4:25	starting 3:9	19-CMP-00178 1:8
primary 5:22 6:1	state 5:3	1B 1:7
problem 9:15	stated 8:15	<hr/>
proffer 4:22	statutory 5:20,20	<hr/> 2 <hr/>
promoted 4:23	Street 1:7	2:41 2:2
promoter 5:17	suspended 4:16 6:14	2:51 10:22
proper 9:12	<hr/>	2013 1:7
properly 7:9	<hr/> T <hr/>	2021 1:12
proposed 4:6 6:6	t/a 1:6	<hr/>
proposing 4:13	telephone 3:23	<hr/> 3 <hr/>
Prout 2:13	terms 5:13	3-2 7:24 8:4 9:20
provided 9:17	thank 2:10,16 3:25 6:3	<hr/>
punishment 10:6	10:11,13,14,16,20	<hr/> 4 <hr/>
<hr/>	three 5:1	<hr/>
<hr/> Q <hr/>	tier 5:22 6:1	<hr/> 5 <hr/>
question 4:19	today 4:20 9:18,22 10:6	<hr/>
questions 6:4	told 8:10	<hr/> 6 <hr/>
<hr/>	tried 3:4	<hr/>
<hr/> R <hr/>	turn 2:23	<hr/> 7 <hr/>
RAFI 1:18	two 5:1	76011 1:8 2:5
read 8:9	type 5:5,8,10,25	<hr/>
recommended 5:19	<hr/>	<hr/> 8 <hr/>
record 3:16 10:22	<hr/> U <hr/>	<hr/>
Red 1:6 2:5 3:8	understanding 6:10,16	<hr/> 9 <hr/>
regarding 6:5	8:7,9	9 1:12
relationship 8:16	undress 5:3	
repeated 10:3	unmute 2:17	
report 8:10	<hr/>	
representing 3:13	<hr/> V <hr/>	
resolve 4:12	vacation 8:20,23 9:1	
resolved 4:14	videoconference 1:14	
responsible 9:6,8	videos 8:11	
Retailer 1:7	vote 7:9 8:5 9:20	
rights 2:7,13	votes 7:13	
roll 7:8	<hr/>	
<hr/>	<hr/> W <hr/>	
<hr/> S <hr/>	W 1:14,17	
Salma 1:6	Walter 1:22 3:12	
says 9:20	wanted 9:24	
second 7:4	WebEx 1:14	
seconded 7:8,9	Wednesday 1:11	
seconds 7:6	went 10:22	
serious 8:6,6 9:23	weren't 8:15	
seriously 9:14	<hr/>	
set 8:1	<hr/> X <hr/>	
Short 1:19 3:22 7:11,12	<hr/>	
7:13,13,25	<hr/> Y <hr/>	
show 1:7 3:7 4:1	<hr/>	
SIMONE 1:23	<hr/> Z <hr/>	
single 4:11	<hr/>	
sir 2:23 3:1,17,23 4:20	<hr/> 0 <hr/>	
6:10,16 8:6,12,18 9:5	00178 2:5	
9:8,10,12,16 10:9,12	<hr/>	
Specifically 4:4	<hr/> 1 <hr/>	
spell 3:17	1,000 4:14 5:18 6:12	

C E R T I F I C A T E

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

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701