

ALSO PRESENT:

SIMONE ANDREWS, DC ABRA Staff

RICHARD BIANCO, Applicant's Counsel

CATIE BUTLER, Witness

DONNELL BUTLER, Witness

DEREGE DANEALE, Applicant

GLENN ENGELMANN, Witness

RHODA GLASGOW, DC ABRA Investigator

JAMES McGLADE, Witness

LIEUTENANT JOHN MERZIG, DC MPD, Witness

OFFICER BRIAN O'SHEA, DC MPD, Witness

MEG ROGGENSACK, Protestant

JEFF RUECKGAUER, Witness

MIKE SILVERSTEIN, ANC 2B

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

2 1:36 p.m.

3 SIGNATURE - PART 1 START

4 CHAIRPERSON ANDERSON: We're on the
5 record. Good afternoon everyone. My name is
6 Donovan Anderson. I'm the Chairperson of the
7 Alcoholic Beverage Control Board.

8 Joining me today are Board Member
9 James Short, Board Member Rafi Crockett, Board
10 Member Jeni Hansen, and Board Member Edward
11 Grandis. The Board has five members in
12 attendance for the conduct of business today, and
13 that constitutes a quorum.

14 Before we get underway with this
15 afternoon's hearing, I need to make a few
16 instructions very clear so the conduct of this
17 hearing is understood by everyone.

18 There's only one hearing this
19 afternoon. We have a protest hearing. And
20 during the hearing should you have any questions
21 or require technical assistance during the
22 hearing, please submit them using the question
23 and answer feature or email
24 simone.andrews2@dc.gov.

25 The one afternoon hearing today is a

1 protest hearing case that we have. It's Case
2 #21-PRO-00017, Signature Lounge, License Number
3 117485, and Ms. Andrews can you please elevate
4 the rights of the Protestants and the Licensee
5 in this case please.

6 MS. ANDREWS: Sure. Stand by. Mr.
7 Daneale, your rights have been elevated. Mr.
8 Bianco, your rights have been elevated. Mr.
9 Silverstein, your rights have been elevated.
10 Investigator Glasgow, your rights have been
11 elevated. Officer O'Shea, your rights have been
12 elevated. Mr. Rueckgauer, sorry if I pronounce
13 it wrong, your rights have been elevated.
14 Investigator (audio interference), your rights
15 have been elevated.

16 MR. SILVERSTEIN: This is Mike
17 Silverstein, can you hear me?

18 CHAIRPERSON ANDERSON: I can hear
19 you, Mr. Silverstein.

20 MR. SILVERSTEIN: Okay, thank you.

21 MS. ANDREWS: Mr. McGlade, your
22 rights have been elevated. Mr. or Ms.
23 Francisco, your rights have been elevated. Mr.
24 or Ms. Engelmann, your rights have been
25 elevated. I do see Mr. Tillman (phonetic) but I

1 don't see that he's assigned to this case.
2 Could you please announce yourself in the chat
3 if you do belong to this case, I'll elevate your
4 rights. Otherwise, that's all Mr. Chair.

5 CHAIRPERSON ANDERSON: Thank you,
6 Ms. Andrews. All right, good afternoon
7 everyone. This is a protest hearing for
8 Signature Lounge. I will start with
9 introductions and I will start with the
10 Applicant's counsel.

11 MR. BIANCO: Good afternoon, Mr.
12 Anderson. This is Richard Bianco, last name
13 spelled B-I-A-N-C-O on behalf of the Applicant,
14 Signature Lounge, and with me is Derege Daneale,
15 and I will have him introduce himself as well.

16 CHAIRPERSON ANDERSON: Mr. Daneale,
17 if you have a camera, please turn your camera on
18 but also I would like to say and spell your name
19 for the record please.

20 MR. DANEALE: Good afternoon
21 everyone. My name is Dereje Daneale. D-E-R-E-
22 J-E last name is Daneale, D-A-N-E-A-L-E.

23 CHAIRPERSON ANDERSON: Mr. Daneale,
24 do you have a camera, sir? If you don't, that's
25 fine, I'm just asking do you have a camera.

1 MR. DANEALE: I do, he show me that,
2 I don't know so I might be.

3 CHAIRPERSON ANDERSON: All right.
4 All right, so let's start, yes, I can see you,
5 sir.

6 MR. DANEALE: Come in now?

7 CHAIRPERSON ANDERSON: Yes, I do see
8 you. All right, thank you. I'm also going to
9 ask all parties if you're not speaking please
10 mute your phone so you're not speaking.

11 All right, let's start with the
12 protester. Let's start with the ANC.

13 MR. SILVERSTEIN: Good afternoon,
14 Mr. Chairman. My name is Mike Silverstein
15 representing ANC 2B. I am the Commissioner of
16 ANC 2B06.

17 CHAIRPERSON ANDERSON: Good
18 afternoon, Mr. Silverstein. I just want to
19 alert the public that as being the Chair of the
20 ABC Board for the past six years, and I believe
21 I served with Mr. Silverstein, he was a Board
22 member that served along with myself and Mr.
23 Short for four years while I was Board Chair.

24 But I just want to alert the public
25 that although I served as a Board Member with

1 Mr. Silverstein, my knowledge of him will have
2 no impact on the determination that's made
3 today. So I'm confident that I can move forward
4 and make a decision. Also, Mr. Silverstein has
5 served as a Board Member during the tenure I
6 have been Chair of the ABC Board.

7 MEMBER SHORT: Mr. Chairman?

8 CHAIRPERSON ANDERSON: Yes, Mr.
9 Short?

10 MEMBER SHORT: Like yourself, I,
11 too, served with Mr. Silverstein on our esteemed
12 ABC Board, and my knowledge of him and my
13 service with him during this time will have no
14 bearing on this case whatsoever. Thank you.

15 MEMBER GRANDIS: Mr. Chairman?

16 CHAIRPERSON ANDERSON: Yes, Mr.
17 Grandis?

18 MEMBER GRANDIS: I also want to the
19 record to know that I used to be on the ANC 2B
20 and during some of those years Mr. Silverstein
21 was very active with the ANC. And then when Mr.
22 Silverstein was appointed to the ABC Board, I as
23 an attorney would have clients in front of the
24 Board and he would serve in that capacity. And
25 I will say that will not influence my

1 deliberations today. Thank you.

2 CHAIRPERSON ANDERSON: Thank you,
3 Mr. Grandis. All right. So we have --

4 MR. SILVERSTEIN: To clarify, Mr.
5 Chairman.

6 CHAIRPERSON ANDERSON: Yes, Mr.
7 Silverstein?

8 MR. SILVERSTEIN: I do know Mr.
9 Grandis well, and we have worked -- I do know
10 Mr. Grandis and we have worked on a number of
11 things, but we never did serve at the same time
12 on the ANC. I believe his service was before
13 mine.

14 CHAIRPERSON ANDERSON: All right,
15 thank you, Mr. Silverstein. Who else is on from
16 the ANC with you, Mr. Silverstein? Please call
17 their names and I would like the folks to
18 identify themselves for the record.

19 MR. SILVERSTEIN: That will be Meg
20 Roggensack. She is delayed. She's at a Webex
21 seminar and is on her way here. She's delayed
22 by work. She will be here.

23 CHAIRPERSON ANDERSON: All right, so
24 she's not on as yet, is that correct?

25 MR. SILVERSTEIN: That's correct,

1 sir.

2 CHAIRPERSON ANDERSON: All right,
3 that's fine. All right, so we have the Dupont
4 Circle Citizens Association. Mr. Engelmann,
5 please state and spell your name for the record
6 please.

7 MR. ENGELMANN: Thank you, Mr.
8 Chairman. My name is Glenn Engelmann. First
9 name's spelled G-L-E-N-N, last name E-N-G-E-L-M-
10 A-N-N and I'm the Immediate Past President of
11 DCCA and I'm here today as their designated
12 representative.

13 CHAIRPERSON ANDERSON: Okay. All
14 right, so those are all the parties that need to
15 be identified at this moment. All right, hold
16 on.

17 All right. This matter comes before
18 the Board as a protest hearing on an application
19 for a license. The establishment is Aberash,
20 LLC; trade name Signature Lounge; retailer class
21 CT license number 117485 located at 1727
22 Connecticut Avenue, N.W. The applicant is
23 Derenje Daneale and he is represented by Mr.
24 Richard Bianco.

25 By way of background, the Board's

1 record reflects the following. The license
2 application was placard on January 29, 2021.
3 ANC 2B represented by Commissioners Meg
4 Roggensack and Mike Silverstein, and the Dupont
5 Circle Citizens Association were represented by
6 Glenn Engelmann. Each filed a protest.

7 The Protestants were granted
8 standing at the roll call hearing held on April
9 26, 2021, and a status hearing was held on May
10 12, 2021. Here we are today for the protest
11 hearing.

12 Let us now turn our attention to
13 those preliminary matters that need to be
14 addressed by the Board before we proceed with
15 the hearing.

16 The Applicant filed a motion to
17 quash the Protestants' subpoena and a motion in
18 limine to limit evidence. The Protestants filed
19 a timely response yesterday afternoon.

20 Because the filings were made very
21 recently and because the Board has not had an
22 opportunity to fully consider the motion in
23 opposition, the Board is taking oral argument at
24 this time. We'll hear first from Mr. Bianco who
25 is the movant in the preliminary matter, and

1 then we'll hear from the Protestants. Mr.
2 Bianco.

3 MR. BIANCO: Thank you very much Mr.
4 Anderson. Richard Bianco on behalf of the
5 Applicant in this case.

6 It's our position that any evidence
7 related to Secret Lounge, which is another
8 establishment located in another neighborhood,
9 specifically Shaw, is inadmissible in this
10 matter to determine either the character of Mr.
11 Daneale or the appropriateness of the
12 establishment in question, which is Signature
13 Lounge located on Connecticut Avenue.

14 Specifically, D.C. Code 25-301(a)(1)
15 states that to determine character the Board
16 shall examine 10 years of records "regarding
17 prior violations of the District of Columbia
18 alcohol laws." The proffered evidence goes far
19 beyond that seeking to provide information
20 regarding a three year old investigation and not
21 resulting in a violation of any kind.

22 The information sought to be admitted
23 today would not be admissible against Secret
24 Lounge because the Board does not consider
25 unadjudicated violations. Coincidentally, Secret

1 Lounge was renewed by this very Board earlier
2 today, meaning the Board has already made the
3 finding that Mr. Daneale is of good moral
4 character and fit for responsibility of holding a
5 license.

6 Now, if I could turn for a moment to
7 the evidentiary issues under the appropriateness
8 standard, there are specifically three cases that
9 I think have bearing here that I want to go into.

10 First, it's our position that anything
11 that happened at Secret Lounge is simply
12 irrelevant to the question before the Board
13 today, and that is the appropriateness of this
14 establishment in this particular neighborhood.
15 And I know that in many past cases, the Board
16 relies on a Court of Appeals case called Panutat
17 v The ABC Board, which can be found at 75 A.3d
18 269 D.C., and it is 2013 case.

19 It may be more familiar to the Board
20 under the licensee's trade name which was Shadow
21 Room. And in that case, the Board considered a
22 different question than the one that is before
23 the Board today.

24 Essentially, the Board considered
25 evidence of how the prior nightclub operating at

1 the same location could be indicative of the
2 peace, order, and quiet impact of the subsequent
3 club.

4 And the holding in that case is really
5 simple. And basically what the Court of Appeals
6 said is that the Board's practice of considering
7 the adverse effect on the neighborhood
8 attributable to operation of existing
9 establishments in the relevant area is
10 appropriate.

11 So the Court of Appeals found that the
12 Board's consideration of the operation of the
13 prior establishment, as well as the operation of
14 neighboring establishments is appropriate.

15 That's not what we have here. What we
16 have here is the proponent of the evidence
17 offering evidence of a non-violation
18 investigation that took place at another
19 establishment outside of the relevant area
20 unrelated to this neighborhood in any material
21 way whatsoever, and that is not appropriate to
22 consider.

23 Mr. Silverstein in his opposing brief
24 argues 800 Water Street v The ABC Board is
25 controlling here. And the citation there is 992

1 A.2d 1272, and that is a 2010 case. However it's
2 not. In fact, it has nothing to do whatsoever
3 with the (audio interference). That case was
4 about a revocation on a show cause.

5 The Board made no finding with respect
6 to appropriateness. Merely, that a licensee
7 could not cancel a license with a show cause
8 proceeding pending. It was a simple holding
9 having nothing to do with appropriateness.

10 Now I think what is the control and
11 the precedent here from the Court of Appeals is a
12 case called The Jimmy (phonetic) v ABC Board, and
13 it's 433 A.2d 1010, and that is a 1981 case. And
14 here's what that case says and why I think it
15 controls here.

16 The Board is to evaluate each "unique
17 location" in an attempt to determine the
18 "prospective effect on the neighborhood," and to
19 get there it's appropriate for the Board to
20 include (1) the applicant's efforts to mitigate
21 any operational concerns; (2) the character of
22 the neighborhood; (3) the character of the
23 establishment; and (4) the owner's future plans.

24 Now the Shadow Room case adds to that
25 analysis by allowing consideration of prior

1 establishments at the same address and other
2 establishments currently in the neighborhood.
3 There's nothing in any case about the Board
4 considering unadjudicated violations for another
5 establishment in another neighborhood.

6 To allow this evidence to come in is
7 extremely prejudicial. What it essentially does
8 is it allows the ANC to throw bombs at my client
9 and require us to re-litigate a four year-old
10 issue that did not result in a violation of any
11 kind.

12 The prejudice far outweighs any
13 probative value which is (audio interference).
14 Trying to equate two neighborhoods and two
15 different establishments is not a relevant
16 consideration when the Board is looking at the
17 appropriateness of this establishment for this
18 area.

19 And for those reasons, it is our
20 contention that Officer O'Shea should not be
21 allowed to testify, and any evidence related to
22 Secret Lounge on 9th Street is irrelevant in this
23 proceeding and should not be received by the
24 Board as evidence on the record. Thank you.

25 CHAIRPERSON ANDERSON: Thank you, Mr.

1 Bianco. Let's start with Mr. Engelmann and then
2 I'll have Mr. Silverstein.

3 MR. ENGELMANN: Mr. Chairman, Mr.
4 Silverstein will be speaking on behalf of both
5 Protestants with respect to this motion.

6 CHAIRPERSON ANDERSON: Okay, go ahead
7 MR. Silverstein. I apologize, go ahead.

8 MR. SILVERSTEIN: Thank you, Mr.
9 Chairman. We respectfully ask the Board to
10 reject the motion to quash the subpoena and to
11 limit the testimony of MPD Officer Brian O'Shea.

12 The Applicant's owner does not want
13 the Board to hear about how he's run his other
14 business, but his written objection to the
15 testimony of Officer O'Shea on the grounds it's
16 too remote in time goes to the weight of the
17 evidence afforded by the Board and not its
18 admissibility.

19 You can give it the weight it
20 deserves, but it is admissible taking into
21 account the time in between when that occurred
22 and now, more than a year of that was under
23 lockdown and nothing has occurred during that
24 time.

25 The Applicant incorrectly in his

1 motion lists the scope of Office O'Shea's
2 testimony. He has extensive knowledge of the
3 Applicant's other business, Secret Lounge, how it
4 is operated and affected the neighborhood, is
5 being subpoenaed to provide testimony regarding
6 matters of peace, order, and quiet at Secret
7 Lounge, including an incident that took place in
8 October of 2018 in which Mr. -- Officer O'Shea
9 had responded to the reports of a large fight,
10 and had a table broken over his head during that
11 fight.

12 The assault took place inside the
13 establishment and affected Officer O'Shea
14 directly. He has had many dealings before and
15 after that.

16 The Applicant claims that fitness for
17 licensure is not a protest issue in this case.
18 But the Court of Appeals says there's a statutory
19 obligation to satisfy itself in that regard even
20 if it's not raised as a protest issue. And that
21 was Craig v. District of Columbia Alcoholic
22 Beverage Control Board, 21 Atlantic 2nd, 584-590
23 1998.

24 Regardless, the Applicant (audio
25 interference). This is going to be a new

1 business. The Board will be required to predict
2 how its operation may impact on peace, order, and
3 quiet. Evidence of how the Applicant's owner
4 runs his other licensed business is relevant if
5 he seeks to meet his burden in this case.

6 And the Water Street case does mention
7 that, but the Gerber case, Gerber v. District of
8 Columbia Alcoholic Beverage Control Board, 442
9 Atlantic 2nd -- 499, I'm sorry, Atlantic 2nd,
10 1193, 1195 D.C. 1985 speaks of a case where a
11 police officer's past service supported his
12 finding that the applicant's business should be
13 run responsibly. So things in the past and
14 things of that sort can be done to prove a person
15 is going to do a good job, they should also be
16 allowed to show that a person has not done a good
17 job.

18 The Applicant's owner should not be
19 permitted to hide from, nor should the Board be
20 kept in the dark about his history in the alcohol
21 business. The only history that the Board has to
22 go by, that we all have to go by in this case is
23 precisely the evidence the Applicant's owner
24 seeks to keep from the Board.

25 The Applicant's going to argue that

1 his ABRA record is relatively clean. He's going
2 to point to the lack of violations, penalties,
3 and sanctions against his current establishment,
4 but the instant case here, Mr. Chairman, is about
5 peace, order, quiet, and public safety.

6 And since he's going to bring up the
7 clean record, we need to respond by demonstrating
8 without doubt that these events that he wishes to
9 hide from or exclude all had serious effects on
10 peace, order, quiet, and public safety.

11 This is not about taking away an
12 existing license, Mr. Chairman. This is about
13 whether the Applicant meets his burden of proof
14 that granted him this new license will not
15 adversely affect peace, order, and quiet at the
16 new location.

17 And the Board is obligated to make
18 that decision and to take it -- that's why we're
19 here -- and to take into account all available
20 evidence and history, and the only history we
21 have to go on is precisely the evidence that the
22 Applicant doesn't want us to hear.

23 Thank you, Mr. Chairman.

24 CHAIRPERSON ANDERSON: Thank you, Mr.
25 Silverstein. All right. Do you have any

1 comments you want to make, Mr. Bianco, before I
2 made a determination?

3 MR. BIANCO: I do. I have three based
4 on what Mr. Silverstein said. We'll take the
5 last one first.

6 It seems to be the ANC's belief that
7 we intend to bring up the clean record at Secret
8 Lounge. Nothing could be further from the truth.
9 I don't want to put in anything about Secret
10 Lounge. The only reason it is, the investigative
11 history is attached to my motion is because they
12 brought it up as if to say look how bad these
13 guys are. But the reality is they're virtually
14 clean in terms of their operation history over
15 the last four years. So if the evidence of
16 Secret Lounge is excluded, our evidence of
17 compliance will not be brought into this case.

18 Second, I would just say as a general
19 evidentiary matter pursuant to Federal Rules of
20 Evidence 404, which I realize is not binding but
21 is persuasive, prior bad acts, if there even are
22 any here, are inadmissible to show action and
23 conformity therewith. And here, they're not even
24 trying to show action and conformity. They're
25 trying to show the potential that maybe possibly

1 there will be action and conformity at some point
2 inappropriate.

3 Finally, the ANC puts out there that
4 the Board has an obligation to consider
5 character. Absolutely. At the outset I quoted
6 the statute. The Board has to make a finding of
7 good character and two things. One, you already
8 did earlier today; and two, the considerations of
9 what constitutes good character is related to 10
10 years of Alcoholic Beverage Control Board records
11 with respect to violations. And that is not
12 what's being sought to be put into evidence.
13 Violations are not their point. They want to
14 dirty my guy up with investigations and it's not
15 appropriate.

16 CHAIRPERSON ANDERSON: All right.
17 Thank you, Mr. Bianco. I thank Mr. Bianco and
18 Mr. Silverstein for their arguments. They're
19 very -- not actually arguments, persuasive
20 arguments from both sides that were made. And
21 I'm going to ask the Board to deny the
22 Applicant's motion.

23 The Applicant cites *The Jimmy, Inc. v*
24 *D.C. Alcoholic Beverage Control Board*, 43 A.2d
25 290, 293, D.C. Circuit 1981, and suggests as part

1 of its analysis that we should evaluate each
2 unique location according to the particular
3 circumstances involved in an attempt to determine
4 the prospective effect of the establishment on
5 the neighborhood.

6 The Board, I know that you did quote
7 this case. Mr. Bianco believes that its more
8 relevant and controlling case law in the Court of
9 Appeals decision in Panutat LLC v. District of
10 Columbia Alcoholic Beverage Control Board, 75
11 A.3d 269, 275 D.C. Circuit 2013.

12 There the Court held that considering
13 another establishment operation under the same
14 ownership is permitted and is reasonable.
15 Specifically, the Court stated that as the Board
16 reasonably observed in its declaration order, how
17 the owners operate Shadow Room is indicative of
18 how they would operate Sanctuary 21.

19 Therefore, the Protestants may
20 introduce evidence indicative of the Applicant's
21 management and operation at his other
22 establishment.

23 But, and I want to be very clear here,
24 the Board will only entertain evidence that
25 speaks to the appropriateness standards under

1 Section 25-313. So that's what it is.

2 So therefore, I'm going to ask the
3 Board to deny the motion, however we will only
4 entertain evidence that speaks under the
5 appropriateness standards of 25-313. So
6 therefore, I make a motion to the Board that we
7 deny the Applicant's motion.

8 MEMBER SHORT: Mr. Short, I second.

9 CHAIRPERSON ANDERSON: Is there a
10 second?

11 MEMBER SHORT: Mr. Short, I second.

12 CHAIRPERSON ANDERSON: Mr. Short has
13 seconded the motion. We'll have a roll call vote
14 on the motion that was seconded by Mr. Short.
15 Mr. Short?

16 MEMBER SHORT: Mr. Short, I agree.

17 CHAIRPERSON ANDERSON: Ms. Crockett.

18 MEMBER CROCKETT: Rafi Crockett, I
19 agree.

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 5, 0, 0.
2 Are there any other motions or matters that the
3 Board needs to consider before we start this
4 case?

5 MR. BIANCO: Nothing from the
6 Applicant. Thank you, Mr. Chair.

7 MR. SILVERSTEIN: Mr. Chairman, I'm
8 not an attorney and I would ask for further
9 clarification on what it is that we are permitted
10 and when you speak of to the appropriateness
11 standard. I assume that includes peace, order,
12 and quiet, and includes cooperation with public
13 safety officials. Is that correct?

14 CHAIRPERSON ANDERSON: Hold on. The
15 appropriateness standards on 25-313 -- yes, Mr.
16 Silverstein. To be more specific, 25-313,
17 appropriateness standards. (A) To qualify for
18 issuance, renewal, transfer of a license to a new
19 location, or an application for approval of a
20 substantial change in operation as determined by
21 the Board under section 25-404, an applicant
22 shall demonstrate to the satisfaction of the
23 Board that the establishment is appropriate for
24 the locality, section, or portion of the District
25 is located.

1 (B) In determining the
2 appropriateness of an establishment, the Board
3 shall consider all relevant evidence of the
4 record including (1) the effect on the
5 establishment on real property values; (2) the
6 effect on the establishment on peace, order, and
7 quiet including the noise and litter provision
8 set forth in section 725 and section 726; (3) the
9 effect on the establishment of residential
10 parking needs and vehicle and pedestrian safety;
11 and (4) in the case of a license renewal -- well,
12 this is not relevant because it's not a license
13 renewal. But yes, all right. So you are correct
14 on the appropriateness standards.

15 I mean we can have some limited
16 testimony, but this should be focused however on
17 the appropriateness standard.

18 MR. SILVERSTEIN: Thank you.

19 CHAIRPERSON ANDERSON: All right.
20 It's my understanding that Ms. Roggensack has
21 joined. Can you please state and spell your name
22 for the record please and identify yourself,
23 ma'am? Ms. Roggensack, are you there? All
24 right, I --

25 MR. SILVERSTEIN: She's logging back

1 in. She's having trouble. I'm sorry.

2 CHAIRPERSON ANDERSON: Well I was told
3 she was logged in, so that's why --

4 MS. ANDREWS: Sorry, Mr. Chair. She
5 lost service so I'm going to go ahead and elevate
6 her rights. Okay, your rights have been elevated
7 Ms. Roggensack. You can go ahead and unmute
8 yourself and turn your camera on if you have one.

9 MS. ROGGENSACK: Thank you. Thank you
10 very much.

11 CHAIRPERSON ANDERSON: Could you
12 please identify yourself for the record, ma'am,
13 and spell and state your name.

14 MS. ROGGENSACK: Yes, I am Meg
15 Roggensack. I am the Advisory Neighborhood
16 Commissioner for the single member district in
17 which this proposed establishment will be located
18 which is (audio interference).

19 CHAIRPERSON ANDERSON: Ms. Roggensack,
20 are you in the same location as Mr. Silverstein?

21 MS. ROGGENSACK: Yes.

22 CHAIRPERSON ANDERSON: Well, I think
23 he needs to turn, well, both of your mics cannot
24 be open at the same time. So if one person's
25 going to speak, then the other one needs to be

1 muted because there's a feedback. I just wanted
2 you to know that one person, their line has to be
3 muted. If we have a problem, I'll let you know
4 moving forward. Okay, that's all. Nothing
5 wrong, there's just a feedback and we can't hear
6 clearly.

7 MR. SILVERSTEIN: My bad, Mr.
8 Chairman.

9 CHAIRPERSON ANDERSON: All right.
10 Thank you, Mr. Silverstein. Okay, fine. All
11 right. So we're going to start. I just want to
12 remind each party that each side will have one
13 hour to present its case. And each side, you
14 can, I don't know how many witnesses each side
15 has, however, you can only call five witnesses.
16 Each side only has five witnesses.

17 The one hour to present your case will
18 be taken -- once the case starts, will be taken
19 from your cross-examination. So please do not
20 spend your time cross-examining the other party
21 because that is going to take away from the one
22 hour. Your time will start after the Board has
23 presented its case.

24 And so the procedure that we're going
25 to follow today is that we'll have preliminary

1 matters. The Applicant will get five minutes to
2 present its case. The Protestants will have five
3 minutes to present its case. Then the Board will
4 call its first witness.

5 After the Board calls its first
6 witness, the Applicant will present its case in
7 chief. Once the Applicant presents its case in
8 chief, both sides will have an -- the Protestants
9 will have an opportunity to cross-examine.

10 After the Applicant has presented its
11 case, the Protestants will present its case and
12 cross-examination. Then we'll have rebuttal
13 witnesses. And then we'll have five minutes for
14 closing from the Protestants and five minutes for
15 closing from the Applicant. I'm sorry, five
16 minutes for close from the Applicant and five
17 minutes for close from the Protestants.

18 I just want to ask -- let me ask this
19 question. Is the ANC and the Citizens
20 Association, are you presenting one case or are
21 you presenting your separate cases? Which one is
22 it, please?

23 MR. SILVERSTEIN: We are presenting
24 separate cases.

25 CHAIRPERSON ANDERSON: So the ANC is

1 calling its own witness, and then the Protestant
2 is going to call its witness. So ANC will have
3 an hour, the Citizens Association will have an
4 hour to present its case, and so therefore just
5 please remind me so to make sure that each side
6 is properly represented.

7 So what we're going to do now is that
8 the Licensee will have five minutes to present
9 its case. Then I'll have the ANC have five
10 minutes, and then the -- I'm sorry, Mr. -- you're
11 from the Dupont Circle, let them have five
12 minutes to present its case. Okay.

13 Your opening and closing does not take
14 away from your 60 minutes. It's five minutes but
15 it's not taking away from the 60 minutes you
16 have. So we'll start with the Applicant and the
17 Applicant has five minutes to do an opening.

18 APPLICANT OPENING STATEMENT

19 MR. BIANCO: Thank you, Mr. Anderson.
20 We're here today on a new application for
21 Signature Lounge at 1727 Connecticut Avenue. The
22 establishment is in a one-story building
23 featuring a ground level and mezzanine. There
24 are no outdoor operations as part of this
25 application.

1 The establishment has a full service
2 and quite a large kitchen, and they will serve
3 three meals per day, seven days per week. The
4 establishment is built out and equipped for a
5 restaurant, but it will be a tavern. After 10:00
6 p.m. the establishment will offer entertainment.

7 You will hear about the measures my
8 client has taken and will put into place to
9 ameliorate noise and disturbance, and to ensure a
10 safe and clean environment for patrons and
11 neighbors alike.

12 You will hear about the 38 licensees
13 and the roughly 1200 square foot area. Not all,
14 not all 38, but particularly the five tavern
15 licenses and two full-blown nightclubs that
16 either have no restrictions or nowhere near the
17 restrictions that the ANC and DCCA has and
18 continues to demand from my client.

19 Over our objection, the Protestants
20 will introduce into evidence information about
21 another establishment owned by my client, Secret
22 Lounge. This is a different bar in a different
23 neighborhood with a vastly different operation.

24 Nonetheless, my client has Secret
25 Lounge in one of the most raucous and difficult

1 areas of the city which garners very strict
2 scrutiny from ABRA and MPD alike, speaks for
3 itself.

4 In four years of operation, they have
5 one violation and one warning in Shaw. That is a
6 record that any establishment on 9th Street would
7 be proud of.

8 After you hear all of the evidence
9 today, we are confident that you will find the
10 proposed Licensee is appropriate for the area,
11 and will not adversely impact the peace, order,
12 and quiet.

13 To be clear, the Protestants are
14 asking that my client be denied a license.
15 Denied. Flatly denied. There is absolutely no
16 cause for that and no evidence to support such an
17 extreme measure. Thank you.

18 CHAIRPERSON ANDERSON: Thank you, Mr.
19 Bianco. All right. So let's go to Mr. -- are
20 you, Mr. Silverstein or Ms. Roggensack, who's
21 doing the opening?

22 MR. SILVERSTEIN: I will do the
23 opening.

24 CHAIRPERSON ANDERSON: Go ahead, sir.

25 PROTESTANTS' OPENING STATEMENT

1 MR. SILVERSTEIN: Good afternoon Mr.
2 Chairman and Board Members. My name is Mike
3 Silverstein. I'm an ANC Commissioner, I'm not an
4 attorney. My fellow Commissioner Meg Roggensack
5 and I will represent ANC 2B. We are asking
6 respectfully that the license application be
7 denied. We take no pleasure in asking nor do we
8 take this protest lightly, sir.

9 This is a tale of two lounges. One,
10 the Applicant already owns and operates, that's
11 Secret Lounge. And two, an even larger one where
12 he now seeks a license to serve alcohol, that's
13 Signature Lounge. That's the instant case.

14 When this application came before the
15 ANC two months ago, we were told this would be a
16 full-service Ethiopian restaurant, open for
17 breakfast, for lunch, for dinner. The Applicant
18 could not appear. He was out of the country on
19 family business and we were told that -- well,
20 his representative said there would be
21 entertainment; a small dance floor, a deejay,
22 entertainers singing beautiful Ethiopian songs we
23 were told, and we wouldn't have to go down to 9th
24 Street to get good Ethiopian food. And it
25 sounded great.

1 Several folks at the meeting asked if
2 it was going to be a restaurant, why the
3 application for a tavern license, and why the
4 3:00 a.m. closing time on weekends. There were
5 other questions and the representative couldn't
6 answer them, and the owner would be back in a
7 couple of weeks.

8 We were told the Applicant owned and
9 operated another establishment, Secret Lounge, on
10 9th Street and knew there had been several events
11 of concern there. So the ANC voted to protest
12 the application so that we might negotiate a
13 settlement agreement to provide peace, order, and
14 quiet protection for our neighborhood.

15 We're not going to go into those
16 negotiations. We can't. But the more that we
17 learned, the more we've become certain that the
18 Applicant's actions in the operation of Secret
19 Lounge make it clear they granted him a license
20 to operate an even larger establishment that
21 borders on a residential historic district where
22 people can't even double-pane their windows
23 without getting D.C. permission. It would be a
24 terrible mistake.

25 And more important, we don't think it

1 would meet the standards for licensure. Remember
2 of course that the burden of proof here is on the
3 Applicant.

4 The more we see, the more we're
5 certain that what we were handed at first was
6 just another version of a high-end steak house
7 gambit where an applicant promises a high-end
8 steakhouse but delivers a rowdy nightclub.

9 Here, they started by starting a full-
10 service Ethiopian restaurant, but now it's
11 completely obvious that they cannot succeed
12 without morphing into a nightclub and a hookah
13 bar with a capacity of nearly 300 people.

14 They are going to provide testimony
15 from an MPD officer from 3D who was assigned to
16 the area where Secret Lounge is located. Officer
17 Brian O'Shea was himself the victim of violence
18 inside the establishment, peace, order and quiet.

19 You will also hear from MPD Officer
20 who formally worked that area and is now assigned
21 to 2D which is where the new establishment,
22 Signature Lounge, will be located. Lieutenant
23 John Merzig will provide insight into the
24 operations in Secret Lounge, and testify how
25 granting a license to this Applicant to open

1 Signature Lounge north of Dupont Circle will
2 impact not only on the immediate neighborhood,
3 but on the deployment of police resources in Club
4 Central, on M Street and 19th Street.

5 The clubs south of Dupont Circle which
6 is the largest nighttime entertainment zone in
7 the City, and is the goose that laid the golden
8 egg for the City in terms of business, in terms
9 of tax revenue, in terms of entertainment, it's
10 an area that needs the protection that it has
11 now.

12 You will also hear from a gentleman
13 named Jim McGlade who owns and operates a retail
14 shop next door and who for a number of years
15 lived upstairs from that retail store in the
16 abutting structure. Mr. McGlade will speak about
17 how this business will affect his business, how
18 it will affect the current residents of the
19 apartment upstairs which may become unlivable if
20 there's a deejay blasting music at 3:00 a.m. He
21 will explain to you why this former grocery store
22 is simply not built to operate as a nightclub.

23 I'll testify on ANC issues, and an
24 Inspector/Investigator Rhoda Glasgow will be
25 called to testify about a violation of COVID

1 protocols that will show in her investigative
2 report the Applicant's lack of concern for the
3 safety and well-being of his own customers, the
4 willful disregard, and the health and safety of
5 the community at large during the worst public
6 health crisis of the past 100 years.

7 We believe the evidence, Mr. Chairman,
8 will show the Applicant should not be granted a
9 license, but we don't have that burden of proof.
10 The burden of proof of licensure is on the
11 Applicant to prove he deserves it. And it seems
12 that upon viewing the evidence and hearing the
13 testimony that we're going to present, the Board
14 will be compelled to take into account peace,
15 order, quiet, public safety concerns, and the
16 record of the Applicant in his current
17 establishment, and invoke respectfully to deny
18 the application.

19 Thank you, Mr. Chairman.

20 CHAIRPERSON ANDERSON: Thank you Mr.
21 Silverstein. Mr. Engelmann.

22 MR. ENGELMANN: Thank you Mr.
23 Chairman. I'm here today on behalf of the Dupont
24 Circle Citizens Association which is a community
25 association open to all residents in Dupont

1 Circle. Like the ANC, we are protesting this
2 application because of the negative effects of
3 the proposed establishment on peace, order, and
4 quiet.

5 The Dupont Circle neighborhood
6 benefits from a strong residential community and
7 indeed a vibrant restaurant environment. The
8 vibrancy of the neighborhood though requires a
9 balance between the needs of business and the
10 need to maintain peace, order, and quiet in the
11 residential areas of the neighborhood.

12 Part of that balance as has been noted
13 has been locating nightclubs in the neighborhood
14 south of the Circle in the so-called Club Central
15 District. This has ensured that the late night
16 noise and crowds associated with establishments
17 focused primarily on alcohol and entertainment
18 are located in the business district a good
19 distance away from most residents, and certainly
20 away from the historic district.

21 In addition, this arrangement has
22 fostered a vibrant night life for the
23 neighborhood, and as Commissioner Silverstein
24 noted, for the City as well. However, the
25 neighborhood has a long history of issues with

1 taverns which operate essentially as nightclubs
2 causing disturbance and havoc to the
3 neighborhood.

4 The use of outside entertainment
5 promoters with no accountability to the
6 neighborhood has been a particular flashpoint for
7 us, and it has resulted in the ANC adopting
8 guidelines requesting that taverns a no promoter
9 settlement agreement.

10 The testimony of Jeff Rueckgauer,
11 longtime resident, will discuss some of these
12 issues and details, and we have placed into
13 evidence our most recent settlement agreement
14 with the tavern which includes the no promoter
15 provision.

16 Maintaining the balance in the
17 neighborhood requires mutual respect,
18 transparency, and a willingness to reach mutually
19 acceptable compromises. As it's been noted, the
20 history of interaction of this Applicant with the
21 neighborhood has demonstrated none of those
22 characteristics.

23 In the PIP we have submitted, we do
24 prefer and request that this application be
25 denied, but we have also offered a lengthy series

1 of requirements that if the Board in its wisdom
2 determines otherwise, be imposed upon the
3 Applicant including most importantly a no
4 promoter provision.

5 Thank you for your time.

6 CHAIRPERSON ANDERSON: All right,
7 thank you. Before we move on, I just want to get
8 some clarification from the ANC. How are the two
9 representatives going to -- tell me what are you
10 going to do, Mr. Silverstein, and what are you
11 going to do, Ms. Roggensack.

12 MR. SILVERSTEIN: Ms. Roggensack will
13 question me. I will handle the rest of it.

14 CHAIRPERSON ANDERSON: Okay, fine. I
15 just want to make sure that I know what role
16 everyone is going to play. All right, thank you.
17 All right, so the Board -- all right, the Board
18 will call its first witness, Mr. Donnell Butler.
19 Mr. Butler, can you spell and state your name for
20 the record please.

21 MR. BUTLER: Yes, good afternoon Mr.
22 Chairman. My name is Donnell Butler, D-O-N-N-E-
23 L-L B-U-T-L-E-R.

24 CHAIRPERSON ANDERSON: All right Mr.
25 Butler, can you please turn your microphone up

1 because your voice is very soft. I want to make
2 sure that we hear you clearly.

3 MR. BUTLER: How's that?

4 CHAIRPERSON ANDERSON: That's much
5 better.

6 MR. BUTLER: That's much better?

7 CHAIRPERSON ANDERSON: That's better.

8 BY CHAIRPERSON ANDERSON:

9 Q All right, Mr. Butler, where are you
10 currently employed, sir?

11 A Say again?

12 Q Where are you currently employed?

13 A Oh, I'm employed for the Alcoholic
14 Beverage Regulation Administration.

15 Q How long have you been employed with
16 ABRA?

17 A I've been employed with the Alcoholic
18 Beverage for nearly 22-plus years.

19 Q Now what is your current job title at
20 ABRA, sir?

21 A My title is as an Investigator.

22 Q And what are your duties and
23 responsibilities as an Investigator?

24 A My duties and responsibilities are ABC
25 violations of licensed establishments in the

1 District of Columbia to regulate Title 23 and 25.

2 Q So what does that mean, sir? What do
3 you do? What is it that you do daily, sir?

4 A I go out and I look for violations of
5 licensed establishments within D.C. area.

6 Q What do you mean by you look for
7 violations?

8 A Any violations that occur within the
9 licensed establishment under D.C. 25 and 23, make
10 sure that the licensee is in compliance.

11 Q So tell me, so what do you do? So
12 tell me what you do when you go out. Normally
13 what is it that you do?

14 A When I go out I look for the ABC
15 establishment that I'm addressing. I make sure
16 that the managers are there, the owner is there,
17 and alcohol is not being served to minors, and
18 everything is compliance with the laws.

19 Q Now, are you familiar with this
20 establishment, sir?

21 A Yes, sir.

22 Q And how are you familiar with this
23 establishment?

24 A I was assigned as an investigator to
25 look into the protest matters of a new

1 establishment.

2 Q And, all right. So, did there come a
3 time that you wrote a report, a case report
4 regarding this establishment?

5 A Yes, sir.

6 Q Now, do you have the ability to share
7 your screen?

8 A Yes, sir.

9 CHAIRPERSON ANDERSON: Ms. Andrews,
10 can you please give him the ability to share his
11 screen please?

12 MS. ANDREWS: Sure, stand by. Okay,
13 Mr. Butler, you can share your screen.

14 CHAIRPERSON ANDERSON: So --

15 MR. BUTLER: Okay. I have to re-pull
16 it up. Standby for a minute, sir.

17 CHAIRPERSON ANDERSON: Thank you.

18 MR. BUTLER: Okay, I have it now.

19 Thank you.

20 BY CHAIRPERSON ANDERSON:

21 Q All right. So have you -- can you
22 bring the case report up?

23 A My case report is up, sir.

24 Q We can't see it.

25 A You can't see it?

1 Q No.

2 A One second. Let me adjust something
3 here.

4 Q All right. So can you identify the
5 document on the screen, sir?

6 A Yes, this is a case report that was
7 written by me regarding the protest issues of
8 Signature Lounge.

9 Q Now did there come a time that you
10 spoke to any, you interviewed any of the parties
11 in this case?

12 A Yes, sir.

13 Q Tell us who you interviewed sir, and
14 what were you able to gather from them?

15 A Okay. On Thursday, June 3rd,
16 approximately 1:15 p.m. I contacted Glenn
17 Engelmann, protest representative for Dupont
18 Circle Citizens Association via telephone to
19 speak with him regarding the protest
20 investigation of Signature Lounge.

21 Q And what information -- what I need
22 you to do, Mr. Butler, just summarize who you
23 spoke to about the protest and what information
24 you were able to gather from that person.

25 A Okay. Mr. Engelmann basically stated

1 that Signature Lounge would impact peace, order,
2 and quiet, and the concerns surrounding Signature
3 Lounge.

4 I also spoke to -- one second here --
5 I spoke to Commissioner Roggensack. Ms.
6 Roggensack said she did not want to speak on
7 record, but she referred me to Mike Silverstein
8 and his concerns were Signature Lounge is mainly
9 for safety of the community and the number of
10 times that the establishment would utilize
11 outside promoters for evening entertainment.

12 And Mr. Silverstein also stated that
13 three times per week outside promoters and
14 entertainment would not be acceptable, stating
15 further that residents would feel unsafe due to
16 various events that have already occurred
17 throughout the city.

18 Mr. Silverstein stated that he
19 believes allowing the establishment to use
20 outside promoters once a month may be acceptable.

21 Q Did you get an opportunity to
22 interview the licensee?

23 A Yes. I interviewed the licensee. I
24 spoke to him Wednesday, June 16, by telephone.
25 And Mr. Daneale, regarding the Signature Lounge

1 applicant, Mr. Butler arranged a meeting to meet
2 with him at 1:00 o'clock p.m. at the
3 establishment.

4 He stated that he complied with the
5 ANC's request regarding music and noise by
6 putting speakers away from the windows, and
7 adding approximately 13 cameras.

8 Mr. Daneale also stated that he wants
9 to be able to have entertainment at least three
10 times a week to keep his business solvent and
11 revenue stable.

12 He also stated that he does not have
13 the client following that outside promoters would
14 be able to generate revenue for his business. He
15 also stated that he plans to operate a family-
16 style restaurant offering breakfast, lunch,
17 dinner and et cetera. And he also stated that,
18 the Licensee also stated that he would ensure
19 trash pickup four times a week.

20 He also mentioned that, he stated that
21 the previous owner at 1727 Connecticut Avenue
22 operated a restaurant with a CT license and no
23 stipulations with a nightclub. He believes that
24 this CT license is grandfathered in under the
25 previous owner's CT license.

1 And the licensee also mentioned in
2 regards to the establishment on 9th Street N.W.,
3 he stated that it does not have any violations.
4 That's the gist of that conversation.

5 Q All right. So can you tell us a
6 little bit about the characteristics of the
7 neighborhood, sir?

8 A Okay. The characteristics of the
9 neighborhood, the zoning is MU20, zoned to intend
10 to permit minimum density, compact mixed-use
11 development with emphasis on residential
12 development and the nearby establishments.

13 Q Yes. So how many other establishments
14 are in the area?

15 A Okay. According to the District of
16 Columbia Geographic Information System, there are
17 38 Board-approved ABC licenses located within
18 1200 feet of the Signature Lounge. And please
19 note that of the five CT restaurant
20 establishments, two have entertainment
21 endorsements, two have sidewalk cafes, one has
22 games and skills endorsement, and none have
23 settlement agreements.

24 Q All right. So did -- what type of
25 establishment is this that's being proposed based

1 on your investigation? What is the mission for
2 your to gather about what type of establishment
3 is being proposed?

4 A If I understand you, they propose to
5 have a CT license, a tavern license with the
6 hours of operation.

7 Q I'm saying based on your conversation
8 with them and what you wrote in your report, what
9 is it that they plan to have? I mean, do they
10 plan to have entertainment? I mean, is this a
11 restaurant? I mean, tell me, what is it?

12 A They plan to have a family-oriented
13 restaurant with American cuisine and Ethiopian
14 cuisine, and entertainment at night. That is
15 what --

16 Q I'm sorry?

17 A That is what the restaurant is set up
18 to be.

19 Q Did they provide you with, like a
20 menu? Did you see a menu? Did they provide you
21 with one?

22 A They didn't provide a menu, no sir.

23 Q Okay. So what are the hours that are
24 being requested for operation?

25 A The hours are from Sunday to Thursday,

1 the hours of operation 7:00 o'clock to 2:00 a.m.
2 And Friday and Saturday, 7:00 a.m. to 3:00 a.m.;
3 Saturday, 7:00 a.m. to 3:00 a.m. That's the
4 hours of operation. If anything, the hours of
5 sales of beverage, alcoholic beverage are 9:00
6 a.m. to 2:00 a.m.; Friday and Saturday 9:00 a.m.
7 to 3:00 a.m.

8 Q Let me go back to their menu. You
9 said you didn't see a menu. Did you ask them for
10 a menu?

11 A No, I'm sorry, I didn't ask for a menu
12 because they were still under construction at the
13 time.

14 Q But they told you that -- but did you
15 ask if they had a menu proposed? How did you
16 know what type of food they were going to
17 provide? Did they tell you that specifically?

18 A Yes, sir. During the conversation he
19 said he was going to serve American food along
20 with Ethiopian cuisine.

21 Q Now, and if you don't know the answer
22 you can say you don't know the answer, but the
23 hours of operation that have been requested by
24 this establishment, is it different or similar to
25 the hours of operation for the 38 other

1 establishments that you mentioned that operate in
2 the area?

3 A I'm not certain about the difference
4 between the hours, sir.

5 Q I didn't ask if there was a
6 difference. I'm saying are these hours in line?
7 Do you know whether or not they are similar to
8 the hours for the other establishments? If you
9 do not know you can say you don't know. But are
10 they similar, are they different, do you know?

11 A I don't know, sir.

12 Q All right. Did you or any other
13 investigator visit the premises?

14 A No, it was only myself, sir.

15 Q And did you visit the premises? How
16 many times did you visit and what did you see?

17 A I visited the establishment
18 approximately five times. And out of the five
19 times that I visited there was no -- the
20 establishment was closed first of all -- no
21 trash, no loitering, no litter was observed, no
22 alcohol regulation violation was noted.

23 Q Did you -- is this establishment open?

24 A No, sir.

25 Q So, did you, what time -- did you go

1 at different times of day to observe the area?
2 Since this establishment is not operational, did
3 you go at different times of day to get a feel of
4 the neighborhood?

5 A Yes, sir. Mostly --

6 Q What times of the day -- I'm sorry, go
7 ahead.

8 A During my work schedule, I visited
9 them on a Friday, 1:30 p.m. to 1:45 p.m. The
10 neighborhood was pretty quiet, not a lot of
11 people, not a lot of pedestrians walking around.
12 Traffic was pretty moderate.

13 Wednesday on June 9th I visited them
14 at 2:00 p.m. to 2:30 p.m., and pretty much the
15 same view. Pretty quiet, not a lot of
16 pedestrians walking around. No loitering, no
17 trash.

18 And I also visited at 10:30 p.m. on
19 the Friday, and you know, it was pretty mild. No
20 pedestrians walking, no loitering, maybe one or
21 two people walking back and forth, but nothing
22 out of the ordinary, and no ABRA violations. And
23 as I said, the establishment was closed the whole
24 time, so there was not -- it was pretty quiet in
25 the neighborhood.

1 I also visited on Saturday which was
2 10:00 p.m. -- looks like 10:00 a.m. to 10:15.
3 And then on Wednesday, 6/17, 12 o'clock p.m. to
4 1:00 p.m., 1:45 p.m.

5 Q All right. Are there any exhibits
6 attached to your report?

7 A Yes, sir.

8 Q And can you go over the exhibits
9 attached to your report, please?

10 A Okay. Let me see if I can bring them
11 up. You can start with Exhibit 5 which is the
12 exterior photograph of Signature Lounge.

13 Q Can you show that to us, please? So
14 why don't you show us the exhibit and then --
15 (Simultaneous speaking)

16 A Okay, here's Exhibit 5, the exterior.

17 Q Why don't you go through -- the
18 exhibit doesn't start at 5. So why don't you
19 just go through all of the exhibits that are
20 attached to your report, sir.

21 A Okay. Exhibit 1 shows Dupont Circle
22 Neighborhood Commission ANC B2 protest letter.

23 Exhibit 2, a copy of Dupont Citizens
24 Association DCCA protest letter.

25 Exhibit 3, the District of Columbia

1 Geographic Information System within 1200 feet.

2 Exhibit 4 shows another District of
3 Columbia Geographic System, no public schools
4 within 1200 feet.

5 Exhibit 5, exterior photographs of
6 Signature Lounge.

7 Exhibit 6 is another view of the
8 establishment of Signature Lounge.

9 Exhibit 7 is another view of Signature
10 Lounge, the exterior.

11 Exhibit 8 is the left side adjoining
12 building at 1727 on the left side of the building
13 which is under construction.

14 Exhibit 9 is exterior of the adjoining
15 building on the right side of the establishment.

16 Exhibit 10 shows the exterior of
17 Signature Lounge in the rear of Signature Lounge.

18 Exhibit 11 also shows the exterior
19 rear, another angle.

20 Exhibit 12 shows the storm bin, it's
21 kind of on the side. It shows the oil bin.

22 Exhibit 13, as you can see that's on
23 the side view too. That shows Signature Lounge
24 trash cans in back of Signature Lounge.

25 Exhibit 14 shows a nearby residence at

1 1724 20th Street, brownstone apartment on 20th
2 Street in the rear of Signature Lounge.

3 Exhibit 15 shows a nearby residence,
4 1717 20th Street. It's an apartment building
5 also on the rear of Signature Lounge.

6 And Exhibit 16 is the inside lounge
7 facing the street, looking out at Connecticut
8 Avenue.

9 Exhibit 17 is the interior lounge
10 facing the bar area as you enter Signature
11 Lounge.

12 And here's another view. Exhibit 18
13 is facing the tables in Signature Lounge.

14 Exhibit 19 is from the second floor or
15 the mezzanine overlooking the first floor.

16 Exhibit 20 is the staircase leading to
17 the second floor.

18 Exhibit 21 is the interior of
19 Signature Lounge second floor lounge area.

20 Exhibit 22, interior lounge, second
21 floor, table seating area facing the bar.
22 There's a small bar to the right-hand side of the
23 second floor.

24 Exhibit 23, the interior of Signature
25 Lounge, second floor table seating area,

1 approximately seven tables.

2 Exhibit 24, they have bench seating
3 around the left side of the second floor on the
4 wall.

5 Exhibit 25 shows a photo of the
6 women's and men's restrooms on the first floor.

7 Exhibit 26 shows the kitchen area; 27
8 shows the kitchen area of the stoves; 28 also
9 shows the kitchen area of the sinks.

10 29, it shows proposed license, ABC
11 hours of operation of Signature Lounge, ABRA
12 117485.

13 And number 30 is the email from the
14 Unified Communications showing no calls for
15 service.

16 And 31, oh 31 is the no call for
17 service.

18 Q What is 30 please?

19 A 30 is showing the public notice of
20 Signature Lounge, nature of operation.

21 Q All right. So you said 31 is the
22 response from the office of Unified
23 Communication. Were you able to -- did they have
24 any information regarding any complaints from
25 that address?

1 A None at all, sir. No complaints at
2 all for the area from April to the current June.

3 Q Now let me ask the question it's
4 correct that this establishment is not open, is
5 that correct?

6 A Correct.

7 Q And I saw you showed several interior
8 shots of the establishment. Did the owner
9 represent to you that this is an actual
10 representation if a license was granted this is
11 what the business would look like?

12 A When I was there during a walk-
13 through, he was currently talking about re-doing
14 the wallpaper, remodeling the place, so I don't
15 know what it would look like from this day to the
16 next.

17 Q So what I'm trying to find, so all the
18 furniture and chairs and stuff that you shared,
19 did you get an impression during the walk-through
20 that if the license would be granted, that this
21 would be an accurate representation of what the
22 place would look like?

23 A Yes, sir.

24 Q So, I'm sorry. You're saying yes to
25 what?

1 A Yes, I'm saying that is a pretty much
2 accurate representation of what the establishment
3 would look like if they granted the CT license.

4 Q All right. Thank you, Mr. Butler.
5 You can close your screen now, sir.

6 A Okay.

7 CHAIRPERSON ANDERSON: Do any other
8 Board Members have any questions for Mr. Butler?

9 MEMBER SHORT: Mr. Chair, I'd like to
10 have a couple for him.

11 CHAIRPERSON ANDERSON: Mr. Short.

12 BY MEMBER SHORT:

13 Q Good afternoon Investigator Butler.

14 A Yes, sir. Good afternoon.

15 Q How many visits did you make to this
16 Applicant's location?

17 A Approximately five, sir.

18 Q And they're closed, so what did you
19 expect to find when they are closed?

20 A Well, I was looking for what I was
21 assigned to do with peace, order, and quiet; if
22 there was any noise in the area, any loitering,
23 any littering, any trash that may be around the
24 establishment. Other than that, the
25 establishment was closed and no visible signs of

1 anything unordinary.

2 Q This question is to your ability to
3 maybe predict. Since it was quiet and peaceful
4 on those visits you made, would it be like that
5 with the business open in your opinion?

6 A I can't say. Because once the
7 business is open, I don't know what the
8 atmosphere would be like.

9 Q Thank you. That's a very honest
10 answer. Now, this is going to be a CT in a
11 tavern, and they are asking the Board for
12 entertainment how many nights a week?

13 A I'm not certain. At least three
14 nights, at least three nights a week.

15 Q Okay, and how many nights did they say
16 they would have a, they would lease the club out
17 to other people or other agents?

18 A From what I understand, he will have
19 promoters at least three nights a week, sir.

20 Q Did he commit to that?

21 A That was in conversation. It may not
22 be a commitment on his part, but that was in
23 conversation in order to begin his revenue and
24 make his business payable. Three nights week
25 would definitely do that.

1 Q Okay. And what kind of business do
2 you think he -- I know you said CT, and we know
3 that most CTs don't function until -- at least
4 the ones that do more than 70 percent of their
5 food sales. So, in your opinion, it looked like
6 a pretty large kitchen equipped to handle any
7 kind of crowds, that's a commercial kitchen.

8 And he had no menu or couldn't tell
9 you any idea of what kind of food he was going to
10 serve other than telling you it was going to be
11 American and Ethiopian. There was no menu as you
12 said to the Chairman, is that correct?

13 A Correct, sir.

14 Q So in your 22 years of service to
15 ABRA, how many establishments have you visited
16 that have a CT that don't have a menu?

17 A In the years that I have been an
18 Investigator visiting CTs that don't have a menu,
19 there's not a lot. There's probably none if any.
20 Most of them do have some type of menu. But I
21 would say that if he's up and coming, he's
22 getting his establishment online, then he's
23 probably prepared a menu for this establishment.
24 But at that time I didn't ask for one, he didn't
25 present one at the time.

1 MEMBER SHORT: Thank you very much
2 Investigator Donnell Butler. Those answers were
3 right on time, and thank you very much. That's
4 all I have Mr. Chair.

5 CHAIRPERSON ANDERSON: Thank you Mr.
6 Short. Any other questions by any of the Board
7 Members?

8 MEMBER GRANDIS: Yes, Mr. Chairman.

9 CHAIRPERSON ANDERSON: Yes, Mr.
10 Grandis.

11 MEMBER GRANDIS: Thank you.

12 BY MEMBER GRANDIS:

13 Q Mr. Butler, I want to thank you for
14 attending today, fulfilling your obligations, and
15 the good presentation you made. Thank you very
16 much.

17 A Thank you.

18 Q Would you be able to put the document
19 back up so we can see it so I can go through some
20 questions I have?

21 A Yes, give me a second please.

22 Q Thank you.

23 A Okay.

24 Q Thank you, sir. Could we go to
25 Exhibit 16?

1 A Okay, Exhibit 16.

2 Q And you explained this that this is
3 the rear of the establishment that is facing on
4 20th Street N.W.?

5 A No, sir. That's inside the
6 establishment facing Connecticut Avenue.

7 Q Thank you. I wanted that
8 clarification. Looking at the windows, and you
9 may not be an engineer, but do you have any
10 observation on whether those windows actually are
11 soundproofing or just typical windows?

12 A As you said, I'm not an engineer so
13 from my observation they look like typical
14 windows.

15 Q And I -- we won't take that as an
16 engineering comment, but it is something I think
17 we need to discuss. Number 20, could you go to
18 number 20 please? And as you do that, I'm seeing
19 tables and chairs, I just want to clarify.
20 That's actually how it looks today -- oh no,
21 that's actually how it looked when you went in?

22 A Correct.

23 Q And did you find out if those tables
24 and chairs are placed by the new owner with
25 potential licensing, or is that how they found

1 them when they rented the place?

2 A I'm not certain, but when I visited
3 the establishment that's what I saw and that's
4 what was there when I visited the establishment.

5 CHAIRPERSON ANDERSON: I'm sorry to
6 interrupt. Are we talking about Exhibit 19 or --
7 I just want the record to be clear.

8 MEMBER GRANDIS: No, no, we're talking
9 about Exhibit 19 right now. Yes, I apologize.
10 That's my error, Mr. Chairman.

11 CHAIRPERSON ANDERSON: Okay.

12 BY MEMBER GRANDIS:

13 Q Okay. Can we go back to 16?

14 A Yes.

15 Q Oh, I'm sorry, we already talked about
16 it. Number 20.

17 A Number 20.

18 Q I just don't have the document in
19 front of me, I apologize.

20 A Okay, number 20 is up.

21 Q Okay. It looks like you're going from
22 one floor to another, is that correct?

23 A Yes. As you enter into the
24 establishment and you walk towards the rear,
25 there's a set of stairways that you see on the

1 right-hand side leading up to either the second
2 floor it's called or the mezzanine, whichever you
3 prefer to call it.

4 Q And do you know if this is a poster
5 that has been put up by the proposed licensee, or
6 is this something he inherited?

7 A I believe that's something that he
8 inherited.

9 Q I thought during the presentation
10 there was a statement about this being a family-
11 style restaurant?

12 A Correct.

13 Q Okay. I just wanted to make sure I
14 understood that correctly. Thank you. Let's
15 see, number 24?

16 A 24, okay.

17 Q I think we discussed that. Number 29?

18 A 29.

19 Q Oh, can you stop one moment? Do you
20 know, and maybe you did inquire, all that kitchen
21 equipment, is that something that the current
22 potential licensee inherited or has he already
23 been, you know, putting in new equipment?

24 CHAIRPERSON ANDERSON: Hold on. Are
25 you talking about exhibit 28?

1 MEMBER GRANDIS: Yes.

2 BY MR. BUTLER:

3 A 28. I'm not certain if he inherited
4 it or he acquired that particular equipment.

5 Q Thank you. We can now go to 30 -- no,
6 no, 29, that's where we were heading, 29.

7 A Okay, 29.

8 Q And because of my screen, and I
9 apologize it's very small, can you just, for the
10 record, go through the standard hours that
11 they're requesting and whether it's for,
12 including the hours for entertainment?

13 A As it stands, the hours of operation
14 are from Sunday through Thursday, 7:00 a.m. to
15 2:00 a.m.; Friday and Saturday, 7:00 a.m. to 3:00
16 a.m. The alcohol --

17 Q Could you report -- I'm sorry, go
18 ahead.

19 A The alcohol sales on Sunday through
20 Thursday are 9:00 a.m. to 2:00 a.m., and Friday
21 9:00 a.m. to 3:00 a.m.; Saturday 9:00 a.m. to
22 3:00 a.m.

23 Q Okay, thank you. And did you talk
24 about the hours of entertainment?

25 A No sir, we didn't get into that.

1 Q Oh you didn't, okay. I thought I
2 heard you mention something about 10:00 p.m. is
3 when they would bring the entertainment on?

4 A No, sir.

5 Q Oh, okay. I misunderstood you then.
6 Okay, let's go to number 30.

7 A Okay.

8 Q Now we're looking, I think, it's
9 pretty small for me to read, but there's
10 something occupancy on there.

11 A Yes. The nature of operations, the
12 notice of public hearing. The occupancy is, what
13 they state here is 267. A total occupancy load
14 is 277.

15 Q And it looks like they say, looks for
16 a cover charge. Is that what they're asking for?

17 A Yes. Entertainment, dancing and cover
18 charge.

19 Q And did they talk to you about where
20 the dance floor would be if there is a dance
21 floor?

22 A No, they didn't.

23 Q Did they talk to you about moving
24 tables and chairs?

25 A No.

1 Q Okay. Did you have an opportunity to
2 get a current C of O? Not the one that they're
3 applying for but on the building now?

4 A No, sir.

5 Q Okay, good. That's a good answer,
6 thank you.

7 MEMBER GRANDIS: That's all the
8 questions I have. Mr. Chairman, I want to thank
9 you for letting me do that. Thank you.

10 CHAIRPERSON ANDERSON: Thanks Mr.
11 Grandis. Mr. Butler, you can stop sharing your
12 screen, please.

13 MR. BUTLER: Okay, there you go.

14 CHAIRPERSON ANDERSON: Are there any
15 other questions by any other Board Members?
16 Hearing none, Mr. Bianco.

17 MR. BIANCO: Sure, sure. Good
18 afternoon Mr. Butler.

19 MR. BUTLER: Good afternoon.

20 BY MR. BIANCO:

21 Q I'm going to have a few questions for
22 you about your investigation. When you visited
23 the establishment, on the occasions that you
24 visited the establishment, did you take note of
25 any other licensed establishments in proximity to

1 this location?

2 A Yes. There are a couple licensed
3 establishments in that area.

4 Q Okay. Are you going from your records
5 or are you going from your recollection of your
6 actual visit?

7 A My recollection, sir.

8 Q Okay. So did you observe the
9 establishments that are in proximity actually
10 operating?

11 A I am trying to remember. Yes, I did
12 at one point remember, but I can't recall the
13 name of the establishment. It's on the south
14 side of the, going southbound on Connecticut
15 Avenue.

16 Q Okay. And how about the nightclubs
17 that are in the area, are you familiar with
18 those?

19 A Yes, I'm somewhat familiar with the
20 nightclubs.

21 Q Okay. Are you -- let me ask you this
22 just taking a step back. Is this an area that
23 you were assigned to in the course of your duties
24 as an ABRA investigator?

25 A No, sir. No particular areas are

1 assigned.

2 Q Okay. So on your exhibit, you said
3 there was 38 nearby establishments within 1200
4 feet, and two of the ones you list are
5 nightclubs. So I want to go down to the second
6 of two which is Assets at 1805 Connecticut
7 Avenue. Is that the establishment that you
8 observed on one of your visits? Is that the one
9 you're talking about?

10 A No, sir.

11 Q Okay. Have you observed Assets in
12 operation?

13 A In passing on some of my night tours,
14 I have observed Assets, yes.

15 Q Okay. And what can you tell me about
16 that particular location?

17 A That location, during the time I was
18 making my rounds, the nightclub Assets was in
19 operation. They had one, two, maybe three
20 security guards outside of the establishment. I
21 did not interview the establishment. There
22 wasn't a lot of patrons outside. They were open
23 for business though.

24 Q Okay. So were there patrons outside?
25 You said there wasn't a lot, but does that mean

1 there were some patrons outside waiting to get
2 in?

3 A I think what I noticed on one
4 particular time was maybe one or two patrons
5 waiting to get inside or just standing on the
6 outside of it.

7 Q Okay. So what did you know about foot
8 traffic on the street in that area?

9 A There's not a lot of foot traffic in
10 that area. From Connecticut Avenue in front of
11 Signature Lounge there wasn't a lot of foot
12 traffic at all. On that particular corner,
13 Florida Avenue where Assets is located, maybe one
14 or two patrons observed walking to and from.
15 Maybe from the CVS across the street, but not a
16 lot of foot traffic at all.

17 Q Okay. I want to go back up to the
18 first nightclub that appears in your report which
19 is Gazuza at 1629 Connecticut Avenue. Are you
20 familiar with that establishment?

21 A I know it's there. There's a lot of
22 establishments that we have to deal with, so I'm
23 not, you know, totally familiar with that
24 particular one. If I have to go there for a
25 reason, then yes, I would be familiar with it.

1 Q Okay. So you've never been inside
2 that establishment?

3 A Not that I can recall at this
4 particular time. At a later date maybe.

5 Q Have you observed it in the course of
6 your duties as an investigator in operation?

7 A I didn't pay particular attention to
8 whether it was open and operating or not, no sir.

9 MR. BIANCO: Okay great. Thank you
10 very much. I don't have any more questions for
11 you.

12 MR. BUTLER: Okay.

13 CHAIRPERSON ANDERSON: All right. Mr.
14 Engelmann, do you have any questions for Mr.
15 Butler?

16 MR. ENGELMANN: No questions Mr.
17 Chairman.

18 CHAIRPERSON ANDERSON: Thank you. Mr.
19 Silverstein, do you have any questions for Mr.
20 Butler?

21 MR. SILVERSTEIN: Yes, I do.

22 CHAIRPERSON ANDERSON: Go ahead sir.

23 MR. SILVERSTEIN: Thank you very much
24 for your excellent report, Mr. Butler.

25 MR. BUTLER: You're welcome.

1 BY MR. SILVERSTEIN:

2 Q You mentioned that you had been in
3 that area at night?

4 A Yes, sir.

5 Q You said that it is a quiet area at
6 night?

7 (Simultaneous speaking)

8 A Yes, in the area of Signature Lounge
9 you're talking?

10 Q Yes, sir.

11 A Yes, sir. For my visit to Signature
12 Lounge at night, and at night because the
13 restaurant is not currently open, there is not a
14 lot of foot traffic in that area. It's very
15 quiet. Not a lot of trash or loitering.

16 Q Both front and back?

17 A Front and back, there's not a lot of
18 foot traffic, no sir.

19 Q Okay. Mr. Bianco mentioned Assets.
20 Has it been quiet around there lately?

21 A Yes, from the past few weeks that I
22 drove through the area it has been fairly quiet.

23 Q Has there been a shooting there
24 lately?

25 A Not within the past week or so. I

1 know what you're referring to, but no.

2 Q Okay. I would like to go to some of
3 the exhibits very quickly and point some things
4 out. And it's important that I point them out
5 now because I'm not sure, and I'll ask the Chair.

6 MR. SILVERSTEIN: Would be best for me
7 to point these out now, these things we're going
8 to be asking people about, regarding the location
9 and the proximity to things. Will we have the
10 opportunity to do that later Mr. Chairman, or
11 would it be good to just do it now?

12 CHAIRPERSON ANDERSON: Not with this
13 witness sir. So if you have a question that you
14 want to ask the witness about, you ask the
15 witness. You can ask more questions, but you
16 won't have this witness.

17 MR. SILVERSTEIN: Okay.

18 BY MR. SILVERSTEIN:

19 Q Could you go to first, Exhibit 5, if
20 you could share your screen. We're going to
21 refer to these later, and these are critical as
22 to the effect on the neighborhood.

23 A Okay, Exhibit 5.

24 Q Okay. That is the front of, am I
25 correct, this is the front of the proposed

1 establishment, and on the right of it is an
2 establishment called Bite the Fruit?

3 A Correct, sir.

4 Q And are they abutting?

5 A Yes, sir.

6 Q There's nothing between them, there's
7 just a party wall?

8 A Just a fire wall, party wall.

9 Q Okay. Number 9 please.

10 A Okay.

11 Q That -- so there's a place called
12 Chocolate City Wellness on the bottom, and Bite
13 the Fruit is on the top, so it would be up
14 against the second floor and the mezzanine of
15 what will be Signature Lounge, correct?

16 A It appears to be, yes. I can't say
17 the structure inside of Signature Lounge, the
18 wall is abutting the top floor as you see the
19 windows there. But it appears to be.

20 Q I just want to make sure when we refer
21 to these things that the Board has these pictures
22 in their mind. Number 10, the rear of Signature
23 Lounge as taken from the street.

24 A Yes.

25 Q Can you tell us a little about the

1 street. Is it a one-way street, is it small, and
2 how far is it to the properties across the street
3 where all the people live?

4 A Yes. The rear of Signature Lounge is
5 on 20th Street. And the brownstone apartments
6 are across the street maybe two, three doors down
7 on the opposite side.

8 Q Could you go to Exhibit 14?

9 A 14, okay.

10 Q This is 1724 20th Street?

11 A Yes, sir.

12 Q Is this the one that is almost
13 directly behind Signature Lounge, which is 1727?

14 A Yes, it's exactly opposite or
15 diagonally across from Signature Lounge on the
16 rear side.

17 Q So maybe about 50 steps from the front
18 of that to the back of Signature Lounge?

19 A Yes, about 50. Yes, I would say so.

20 Q And Exhibit 16 is also going to be
21 very critical. This is the front of Signature
22 Lounge, the sidewalk there?

23 A Yes. That's from the inside of
24 Signature Lounge looking out towards Connecticut
25 Avenue.

1 Q There's a railing there to delineate,
2 I assume, a sidewalk caf,, correct?

3 A Yes, sir.

4 Q And there's a tree box there?

5 A Yes, sir.

6 Q And this is absolutely critical. How
7 much space do you think there is between the
8 railing and the tree box?

9 A I would estimate about five, six feet
10 maybe --

11 Q Five or six feet --

12 A -- between that tree box and the
13 railing.

14 Q Yes.

15 A I would say my estimate right now
16 would be about may six, maybe seven from each.

17 Q And they're asking for an occupancy of
18 277, and people standing in line at night?

19 A What I understand is the occupancy,
20 yes, is 277. The occupancy load is 277. Total
21 capacity 267.

22 Q Okay, well, we're going to bring that
23 up. But I just wanted the Board to have the
24 opportunity to see these things, and thank you
25 for taking these shots. Exhibit 20?

1 A Okay.

2 Q The -- forget the picture. The issue
3 here is one of noise and a noise conduit. This
4 is a stairway that leads up to the mezzanine,
5 correct?

6 A Correct, sir.

7 Q And on the back of -- behind that
8 photo, behind that picture rather, is the shop
9 next door, correct, or the building next door?

10 A The building next door, yes sir.

11 Q Did you see anything in the way of
12 major noise baffling or anything there?

13 A No sir, I can't say that I have.

14 Q And finally, Exhibit 21, the party
15 wall itself.

16 A Yes, sir.

17 Q Again, do you see any -- that's
18 directly against -- you have a case where the
19 noise goes up the stairs, but what is there at
20 that point that separates it from the place next
21 door and also the apartment above it?

22 A All I can say is just as you go up the
23 stairway there's just a wall to the right-hand
24 side that you're looking at that leads to the
25 small bar towards the end. I don't know the

1 sound barrier or how thick the wall is next to
2 the apartment that's adjacent.

3 MR. SILVERSTEIN: Well, your report
4 was thorough. I want to thank you for it, I want
5 to thank you for the pictures, and thank you for
6 the opportunity to present them now to the Board.
7 Mr. Chairman, we may want to go back and refer to
8 those pictures later. Will that be a problem?

9 CHAIRPERSON ANDERSON: Mr.
10 Silverstein, these are part of the Board's
11 records. And so Mr. Butler took the pictures,
12 you have questioned him about these records, so
13 I'm not quite sure. I guess at some point if you
14 have a witness who you want to testify and --
15 this is the Board's records and you can recall
16 later on if you have someone who can further
17 elaborate on them.

18 MR. SILVERSTEIN: Okay. I don't want
19 to create any additional time problems. It's
20 just when people are describing, for example,
21 where they are in comparison to this and why it's
22 a noise conduit or things like that, that's why
23 we did it now. Thank you, sir.

24 CHAIRPERSON ANDERSON: Do you have any
25 further questions?

1 MR. SILVERSTEIN: No, sir.

2 CHAIRPERSON ANDERSON: All right. Any
3 final questions for Mr. Butler by any Board
4 Member? All right. Mr. Butler, thank you very
5 much for your testimony, sir.

6 MR. BUTLER: You're welcome sir.

7 CHAIRPERSON ANDERSON: All right. Mr.
8 Bianco, call your first witness please.

9 MR. BIANCO: Dereje Daneale.

10 CHAIRPERSON ANDERSON: All right, Mr.
11 Daneale, can you raise your right hand please?
12 Now I can see. Do you swear or affirm to tell
13 the truth and nothing but the truth?

14 MR. DANEALE: I do.

15 CHAIRPERSON ANDERSON: All right,
16 thank you. Your witness Mr. Bianco.

17 MR. BIANCO: Thank you.

18 BY MR. BIANCO:

19 Q Dereje, can you state your name and
20 spell your last name for the record please?

21 A My name is Dereje Daneale, D-E-R-E-J-
22 E, last name Daneale, D-A-N-E-A-L-E. I'm the
23 owner of Signature Lounge.

24 Q Okay. That was my next question. And
25 the corporate name for Signature Lounge is

1 Abarash, LLC, correct?

2 A Yes.

3 Q And it's located at 1727 Connecticut
4 Avenue, N.W., is that correct?

5 A Yes.

6 Q Okay. And you just testified that you
7 are the owner of that establishment. Are there
8 any other owners?

9 A No.

10 Q Okay. So it's just you?

11 A Yes.

12 Q Now, this is a new establishment, but
13 do I understand correctly that you are not
14 operating right now even without alcohol service?

15 A No.

16 Q No meaning you're not operating,
17 correct?

18 A Not operating. We've been closed more
19 than six months.

20 Q Okay. And when do you plan to open?

21 A As soon as we get the license.

22 Q Do you have all of your other licenses
23 and permits?

24 A Yes.

25 Q Okay. And what is your occupancy?

1 A 277.

2 Q Okay. And can you describe the setup
3 of your establishment?

4 A Basically, we want to do breakfast and
5 lunch and dinner. At same time, you know,
6 nighttime nightlife, you know, band, deejay,
7 that's the plan.

8 Q I understand, and we're going to get
9 to that. But let me take a quick step back for a
10 moment, and let's talk about the physical layout
11 of the establishment. How many floors is it?

12 A There is one floor and mezzanine too.

13 Q And what's on the ground floor?

14 A The first floor is where we have the
15 tables and a bar and restaurant, and at the same
16 time behind the kitchen.

17 Q Okay. And what's on the mezzanine?

18 A Mezzanine is Signature Lounge. We
19 have food, chairs and tables.

20 MR. BIANCO: All right. So I'm going
21 to ask Mr. Chairman if I could get the ability to
22 share my screen so I could go through my
23 exhibits.

24 CHAIRPERSON ANDERSON: Ms. Andrews,
25 can you please allow Mr. Bianco to share his

1 screen please?

2 MS. ANDREWS: Sure. Stand by. Okay
3 Mr. Bianco, you can share your screen now.

4 MR. BIANCO: Excellent. Thank you
5 very much. Okay.

6 BY MR. BIANCO:

7 Q So Mr. Daneale, you should be able to
8 see on your screen what is marked as Exhibit 1,
9 are you able to see that?

10 A Yes, it's the front side of Signature
11 Lounge.

12 Q Okay. There was some discussion in
13 the Investigator's testimony about this railing,
14 this railing here. What is that?

15 A Basically, outside seats of the place.

16 Q Yes. But does your application
17 include a request for a sidewalk caf,?

18 A No.

19 Q Okay. So did you construct that
20 railing or was that railing there when you moved
21 in?

22 A No. The previous owner, he used the
23 same areas.

24 Q Okay, great. Do you have -- is there
25 anything in your application that would allow for

1 operations outside?

2 A No.

3 Q Okay.

4 MR. BIANCO: Mr. Chair, is it your
5 preference that I move exhibits as we go through
6 or do you want to wait until the end?

7 CHAIRPERSON ANDERSON: We can move
8 them as we go through them.

9 MR. BIANCO: Okay. I move Applicant's
10 -- oh, I'm sorry, one more foundation question
11 before I move it.

12 BY MR. BIANCO:

13 Q Is that how the establishment looks
14 today from the outside?

15 A Yes.

16 MR. BIANCO: I move for admission of
17 Exhibit number 1.

18 CHAIRPERSON ANDERSON: Mr. Silverstein
19 or Mr. Engelmann, any objection?

20 MR. SILVERSTEIN: No objection.

21 MR. ENGELMANN: No objection.

22 CHAIRPERSON ANDERSON: So moved
23 without objection.

24 BY MR. BIANCO:

25 Q I want to go onto what I've marked as

1 Applicant's Exhibit 2. Do you recognize that?

2 A Yes.

3 Q And what is that?

4 A This is the first floor restaurant,
5 the bar and the tables.

6 Q Okay. How many bar seats do you have?

7 A Probably 20.

8 Q Okay. And how about tables? How many
9 do you have?

10 A Same amount, maybe 22.

11 Q Okay. And how many seats at each
12 table?

13 A The first floor we set up like four to
14 six people.

15 Q Per table, okay. And is this how the
16 establishment looks today?

17 A Yes.

18 Q And how about when you open? How is
19 this going to compare to how the establishment is
20 going to look? Will it be the same or different?

21 A A similar look.

22 Q Okay. So what are you going to do, if
23 anything, that is different?

24 A The lounge, you know, will have
25 furnitures.

1 Q Okay. But is the number --

2 CHAIRPERSON ANDERSON: I'm sorry Mr.
3 Bianco, I did not hear what he said.

4 MR. BIANCO: Okay. Can Dereje --

5 MR. DANEALE: It is lounge, lounge and
6 restaurant.

7 BY MR. BIANCO:

8 Q Okay, so what my question is, is the
9 number of tables that you have there going to
10 change?

11 A Yes.

12 Q And how is that going to change?

13 A So basically, if you do the restaurant
14 and the lounge, the difference between the tables
15 and the furniture. So when you put furniture
16 with a couple tables. So that's how it set up.

17 Q Okay. And how many tables is that
18 going to affect? You said a couple, but what
19 does that mean?

20 A So probably the same numbers, 15 or
21 20.

22 Q Okay. So, when you open, you're going
23 to have how many tables?

24 A Around 15 per floor.

25 Q And I see at the top, on the ceiling

1 at the top of the photograph I see a number of
2 white boxes. What are those?

3 A Those are speakers.

4 Q Okay. And how many of those do you
5 have?

6 A I think six.

7 Q Okay. Are there presently any other
8 speakers in this area of the establishment?

9 A Yes.

10 Q Okay, where?

11 A We had a plan to put a different
12 situation in place and we talked to the ANC
13 Commissioner about the situation. I switched the
14 place to a different direction so it's not noisy
15 and disturbing the people.

16 Q Okay. I didn't 100 percent understand
17 what you're saying there. So you said something
18 about switching the direction of the speakers.
19 Can you explain that?

20 A So we had a plan to put some speakers
21 close to the window side. But after the
22 conversation with Commissioner Michael, and I
23 changed you to know put in the middle of the
24 restaurant.

25 Q Okay. So you moved the speakers away

1 from the windows and towards the middle of the
2 restaurant. Is that what you're saying?

3 A Yes.

4 And when you say the speakers, are
5 these white speakers on the ceiling what you're
6 referring to that you moved away from the
7 windows?

8 A Not that one, a different one.

9 Q Okay. You can't see it in this
10 picture? Is that right?

11 A No.

12 Q So how close are the speakers to the
13 windows and doors?

14 A It's really far. After a wall, we had
15 a restroom. After restroom, we had kitchen.
16 After kitchen, then last the window side and the
17 wall. Really far.

18 Q Okay. So by really far, do you mean
19 30 feet, 50 feet, can you put a number on it?

20 A Probably 50 feet, 100 feet.

21 Q Okay.

22 MR. BIANCO: Move admission of Exhibit
23 number 2.

24 CHAIRPERSON ANDERSON: Any objections?

25 MR. SILVERSTEIN: No objection.

1 MR. ENGELMANN: No objection.

2 CHAIRPERSON ANDERSON: So moved.

3 BY MR. BIANCO:

4 Q Moving on to Exhibit number 3, what
5 does this show?

6 A This is the mezzanine floors, the
7 lounge.

8 Q Okay. And how many tables or seats do
9 you have there?

10 A We have six tables. Each table we can
11 sit 10 people.

12 Q Okay. And is that how the mezzanine
13 looks today?

14 A Yes.

15 Q Is that how it's going to look when
16 you open up?

17 A Yes. It will look similar.

18 Q Well, how is it going to be different?

19 A The difference is maybe remove the big
20 tables to the lounge and the furniture stuff.

21 Q Okay. Are you going to serve food on
22 this level of the establishment?

23 A Yes.

24 Q Okay. And are you going to serve
25 breakfast and lunch on this level of the

1 establishment?

2 A Yes. Breakfast, lunch and dinner.

3 Q And dinner, okay. So, where -- so
4 when are you going to move these tables?

5 A As soon as, you know, approve of the
6 license so when ready to open up.

7 Q And I see, and there's been some
8 testimony about the benches along the side wall.
9 What are those for?

10 A That is the previous owner. He used
11 them for seats against the wall.

12 Q Okay. So you didn't put those in?

13 A Same concept before.

14 Q Now, I don't see any speakers on the
15 ceiling here. Are there any ceiling speakers on
16 this level?

17 A No.

18 Q Okay. Are there going to be?

19 A No.

20 Q Okay. What's the total number of
21 speakers you intend to have on this level?

22 A Maybe one.

23 Q Okay. And where's that going to be?

24 A On the ramp to the stairway.

25 Q So on the stairway or near it?

1 A In the stairway.

2 Q And is there going to be any dancing
3 on this level of the establishment?

4 A No, first floor, not mezzanine.

5 Q Okay. So what's this area of the
6 establishment primarily going to be used for?

7 A Dining and the lounge.

8 MR. BIANCO: Move admission of
9 Applicant's number 3.

10 CHAIRPERSON ANDERSON: Any objection
11 by any parties?

12 MR. SILVERSTEIN: No objection.

13 MR. ENGELMANN: No objection.

14 CHAIRPERSON ANDERSON: So moved.

15 BY MR. BIANCO:

16 Q Moving to Applicant's number 4, do you
17 recognize that?

18 A Yes. This is the kitchen.

19 Q Okay. And I see some wires that are
20 hanging there. What are those?

21 A That's for our systems, and that
22 refrigerator for foods.

23 Q Okay. Is that going to stay like that
24 or is that going to get fixed?

25 A They are processing to fix now above

1 the dance floor.

2 Q And what kind of cooking equipment do
3 you have in this establishment?

4 A We have food refrigerators, and
5 stoves, and grill. In six months we will have
6 like pizza.

7 Q Do you have a fryer?

8 A Yes, I do. Fry too.

9 Q Do you have an oven?

10 A Yes.

11 Q Okay. You mentioned that
12 refrigerators. Do you have a walk-in?

13 A Yes, we do have a walk-in refrigerator
14 and underground.

15 Q Okay. So there's a basement area that
16 has a walk-in?

17 A Yes.

18 Q Tell me about your food program?

19 A Basically, we have plans to start from
20 brunch to dinner. So that's the plan to make me
21 a place, to convince me to set up in location
22 that we did.

23 Q Okay. And what specific food are you
24 going to offer on your menu?

25 A We try to do, you know, seafood,

1 burgers, fries, and same time Ethiopian food.

2 Q Okay. So tell me about breakfast.
3 What are you going to serve for breakfast?

4 A We do eggs, pancakes, and you know,
5 juice, coffee, teas, waffles, French toast.

6 Q What about for lunch? What's going to
7 be on your lunch menu?

8 A So lunch, we try to do some spaghetti,
9 lettuce, Ethiopian food, and steaks. That's the
10 plan for lunch.

11 Q Is the dinner menu going to be
12 different than the lunch menu?

13 A It's similar. The difference is we
14 have a happy hour menu and late night after 4
15 o'clock with a similar menu.

16 Q Are you going to have a formal printed
17 menu when you open?

18 A Yes. We already ready now.

19 Q Okay. You're already ready?

20 A Yes.

21 Q Okay. What type of Ethiopian food are
22 you going to serve?

23 A Most traditional foods.

24 Q Okay. Could you describe what those
25 are, please?

1 A Ribbs, pig foot, some veggies,
2 different, you know, wild turkey, different kinds
3 of grapes and lettuce and spaghettis.

4 Q Okay. Tell me about the hours of
5 operation of your kitchen. What hours are you
6 going to be open?

7 A Yes, we have plan to open in 6:00 in
8 the morning, 7 o'clock until closing Sunday-
9 Thursday. Sunday is 2 o'clock and Friday-
10 Saturday is 3:00 a.m.

11 Q So your kitchen is going to be open
12 whenever the establishment is open, is that what
13 I'm hearing?

14 A Just open to closing.

15 Q Okay. Have you hired your kitchen
16 staff yet?

17 A Yes.

18 Q How many have you hired?

19 A Six people.

20 Q And how many are you ultimately going
21 to have?

22 A Around 20 people to include the
23 bartender, barman, hoster.

24 Q I'm just asking about the kitchen.
25 What's the total number of kitchen employees that

1 you're going to have?

2 A Six.

3 Q And you've hired them all already?

4 A Yes.

5 Q Okay. And do you have a chef?

6 A Yes.

7 MR. BIANCO: At this point I'll move
8 admission of Exhibit number 4.

9 MR. SILVERSTEIN: No objection.

10 MR. ENGELMANN: No objection.

11 CHAIRPERSON ANDERSON: So moved.

12 BY MR. BIANCO:

13 Q All right. So now tell me, Dereje,
14 tell me about the front of the house staff. What
15 jobs are you going to have in the front of the
16 house?

17 A You mean outside, the front, we'll
18 have uniformed security.

19 Q How many security are you going to
20 have?

21 A We have two security uniforms. Then
22 the next door when in, we have a host, somebody
23 putting the table reservations to assign to
24 people.

25 Q Okay. And how many hosts are you

1 going to have?

2 A I have two hosts.

3 Q Okay. And how about wait staff. How
4 many waiters and waitresses are you going to
5 have?

6 A We just hired a couple, so assuming
7 eight waitresses, and six bartenders, and two bar
8 backs to help the people or to run out to help
9 them, kitchen runners.

10 Q Runners, okay. So tell me about when
11 a guest enters your establishment, what is that
12 going to look like? What are they going to go
13 through when they enter your establishment.

14 A You know first, the security makes
15 sure that no one underage, you know over 21, and
16 make sure search well. Nothing, no guns or knives
17 that cannot get in the building, so make sure
18 really search individual person.

19 Q Okay. Is that going to be in place
20 during breakfast and lunch as well?

21 A Yes.

22 Q You're going to search people when
23 they're coming in for breakfast at 7:00 a.m.?

24 A Yes.

25 Q Okay. And then after they go through

1 security, what's the next thing?

2 A So the hostess that assigns the seats,
3 the tables, and how many people have reservations
4 or walk-in, you know, as the second step.

5 Q Okay. And are people going to be
6 handed menus or is there some other process by
7 which they're going to order food?

8 A So we had a plan to make a website.
9 Nowadays, people will see the website, you know,
10 want to look at menu. Some of them just walk in
11 the halls.

12 CHAIRPERSON ANDERSON: Hold on Mr.
13 Bianco. It might just be my feed, but I did not
14 hear anything he said because I believe that
15 there were some issues. Mr. Deneale, what type
16 of equipment are you using sir? Are you using
17 your phone?

18 MR. DANEALE: Yes.

19 CHAIRPERSON ANDERSON: Can you just,
20 can you put the phone down so it stays stationary
21 sir, because it's moving. So whatever you're
22 using, can you just have it that it remains
23 stationary sir. Because it's moving. So are you
24 able to put it down so that it stays stationary
25 and it doesn't move? Because I think you have it

1 in your hand and it keeps on moving.

2 MR. DANEALE: Is that clear now?

3 CHAIRPERSON ANDERSON: Yes, it
4 shouldn't move. So make sure it stays and it
5 doesn't move. It's kind of distracting that your
6 background keeps on shifting.

7 And I believe, I don't know if was
8 just my feed, but I did not hear your answer to
9 the last question because I believe that your
10 internet was -- I heard you, but I didn't hear
11 anything you said because of the interference.

12 MR. BIANCO: I could go back and ask
13 him the question again if that helps.

14 CHAIRPERSON ANDERSON: Yes, please ask
15 him the question. And please sir, have the phone
16 stay in a stationary position, sir.

17 MR. DANEALE: Okay.

18 BY MR. BIANCO:

19 Q So what my question was is that when
20 customers enter, are you going to be handing them
21 a printed menu or is there some other way that
22 they're going to order?

23 BY MR. BIANCO:

24 A So what I said is that we, you know,
25 website and the menu and the venue look like,

1 some people even that, but no matter what the
2 cost, that's our job to anybody here in the
3 building to hand out the menu.

4 Q Okay. And what times of the day are
5 you going to be handing out menus?

6 A We do, that's the reason I hired two
7 hosts and daytime and a nighttime.

8 Q So what times? Is it all times or
9 less than all the time?

10 A All the time.

11 Q Okay. And later on in the evening,
12 after 10 o'clock, can you describe what your
13 establishment is going to look like? How is it
14 going to change, I suppose is my question?

15 A So, as the night life, we are
16 assuming, you know, we have more security, we are
17 assuming five to six securities. Two securities
18 in the front door, to make sure no one underage,
19 no one person to be drunk, and somebody takes
20 care, drinks something, not let them in the
21 building and to search everybody and they have
22 wand to search them. Then the host, she take
23 them to give them menu to let them see the
24 tables.

25 Q Okay. So you said you are going to

1 have five or six security and two of them were
2 going to be at the door. Where are the other
3 ones going to be?

4 A Two of them on the first floor and one
5 of them in the upstairs, and one of them in the
6 stairway and walk around the building.

7 Q So, I want to show you what I have
8 marked as Exhibit Number 5, do you recognize
9 that?

10 A Yes. This is the back side of the
11 building.

12 Q Okay. On the left-hand side of the
13 screen here I see here I see a door. Where does
14 that door lead to?

15 A That is a door, employees in and out,
16 employees and trash. Any service company to use
17 that entrance.

18 Q Okay, and when you go in that door,
19 where does it lead to?

20 A As soon as you get in the door you see
21 the kitchen.

22 Q Okay. And is that door going to be
23 used by customers for any reason?

24 A No.

25 Q During business hours, are you going

1 to have that door opened or closed?

2 A It's closed.

3 Q Okay. Is it going to be locked?

4 A Not locked, but it's closed. That is
5 an emergency exit.

6 Q Okay. Is this how the rear of it
7 looks today?

8 A Yes.

9 Q And are you making any changes to
10 that?

11 A No. We supposed to put in the two
12 cameras on the back too.

13 Q Okay. And they are not there yet?

14 A Not yet, the one, the wire handout,
15 the cameras system, we are working on it.

16 Q And when is that going to be
17 completed?

18 A Almost done wire but we are waiting
19 for cameras. We ordered it. We waiting for
20 shipment.

21 Q Okay. Move admission of Applicant's
22 No. 5.

23 CHAIRPERSON ANDERSON: Any objection?

24 MR. SILVERSTEIN: No objection.

25 MR. ENGELMANN: No objection.

1 CHAIRPERSON ANDERSON: So moved.

2 (Whereupon, the document previously
3 marked as Exhibit 5 for identification was
4 received into evidence.)

5 BY MR. BIANCO:

6 Q Moving on to Applicant's Number 6, and
7 I am going to turn this so everybody can see it.
8 If you will all bear with me. All right. So
9 what is that?

10 A This is the back side of the building,
11 using an audio and a trash can in place.

12 Q And do you have a trash contract?

13 A Yes.

14 Q And who is that with?

15 A NBB.

16 Q And how often is this trash going to
17 be picked up from your establishment?

18 A Four times a week.

19 Q Okay. And what time of day?

20 A Probably 7 and 8 a.m. until noon.

21 Q Move admission of Applicant's Number
22 6.

23 CHAIRPERSON ANDERSON: Any objections?

24 MR. ENGELMANN: None.

25 MR. SILVERSTEIN: No.

1 CHAIRPERSON ANDERSON: So moved.

2 (Whereupon, the document previously
3 marked as Applicant's Exhibit 6 for
4 identification was received into evidence.)

5 BY MR. BIANCO:

6 Q Okay. So Derege, you talked a little
7 bit about your plans for security and I want to
8 drill on that in a little bit more detail. Are
9 you going to be hiring your own people in-house
10 or using a private company?

11 A It's a private company

12 Q Okay. Do you have a contract with
13 them yet?

14 A Yes I do.

15 Q Which one is it?

16 A So we have a big company. It was a
17 similar to Secret Lounge, it had an insurance
18 holding and trend (phonetic), and more expansive
19 company.

20 Q Okay and you said it was going to be,
21 I'm sorry you said there was going to be six
22 security guards. Is that going to be every day,
23 or is there going to be a different number on
24 different days?

25 A Yes, different numbers on different

1 days.

2 Q Okay. Can you describe how that is
3 going to be broken down?

4 A Yes. Most probably Monday, it is the
5 slowest day and they don't see that much
6 customers, so the number will be down. So the
7 weekend will be more traffic and so you can add
8 more people that's the way it is set up.

9 Q And how will the security people be
10 trained?

11 A Will trained for the companies.

12 Q How about training for your specific
13 establishment? Will they receive any training
14 there?

15 A Yes you do. Someone in the training,
16 in the security company, you know, learned the
17 company people to how the building looked like,
18 how you are going to work out, to train them.

19 Q And who is going to do that training?

20 A Somebody train person to be known
21 security system.

22 Q And have you identified that person
23 yet?

24 A Yes I do.

25 Q Okay who is it?

1 A His name is David, he used to work at
2 big company, and I think he worked at the
3 government too, so he is familiar with the area.

4 Q Do you know his last name?

5 A Not really, I'm not sure.

6 Q So we talked a little bit throughout
7 the course of your testimony about security
8 cameras. And how many total cameras are you
9 going to have?

10 A You know, when I see the building,
11 when I take over, I see five or six cameras but
12 basically now I changed to sixteen cameras,
13 including the back, the front, and inside
14 upstairs, downstairs, kitchen, entire building.
15 And --

16 Q Okay, did you say sixteen, I didn't
17 hear you?

18 A Yes, sixteen cameras.

19 Q And do those -- does your camera
20 system have the ability to record as well as
21 view?

22 A Yes we do, so we had a, we kept them
23 from to keep the curve until a month, 30 days.

24 Q Okay. Are you familiar with the
25 establishment that operated at this property

1 prior to you?

2 A Yes.

3 Q And what establishment was that?

4 A You mean the, the new restaurant or --

5 Q The previous restaurant.

6 Q The previous owner's restaurant was
7 called Bistro Bistro. We meet them and we get
8 some information about the area and the business.

9 Q Okay and do you know if there were any
10 restrictions on Bistro Bistro's license?

11 A Never.

12 Q Do you know if it was a restaurant or
13 a tavern?

14 A It was tavern license, I basically
15 have the same license as we have.

16 Q So how about -- tell me how people are
17 going to get to your establishment.

18 A So you need, you know, basically when
19 you open new business, you need to promote and to
20 use social media and, you know, Twitter, Facebook
21 and Instagram. We need that, that's our tool for
22 business --

23 Q Go ahead, you can finish.

24 A And the same time we need to tell
25 people we know, we need a promo to promote the

1 place.

2 Q Okay. I'm asking you a different
3 question. I am asking you how people are going
4 to physically get there. Are they going to
5 drive, or take metro, or describe that process
6 for me, please.

7 Q Basically, based on the conversation
8 with Mike, you know, I recommend the customers
9 that, you know, and neighborhood parking, that
10 parking illegal but already recommend Uber, taxi,
11 is very close to the metro, that is where we
12 recommend to the people.

13 Q And are you going to have any signage
14 with respect to parking?

15 A We do in front of the building.

16 Q Okay. And what is that going to say?

17 A Say you know, please don't park in
18 neighborhoods area and no parking and illegal
19 parking no. Better to use an Uber, taxi and
20 metro.

21 Q Okay. Can you tell me what kind of
22 buildout did you do at the property when you took
23 over?

24 A So we do, you know, we renovation a
25 couple of stuff, you know, to upgrade it. And

1 wallpaper, you know, to fix some different
2 broken stuff, to fix it. And make sure
3 everything work. The A/C system works, the light
4 system work, to upgrade it and check it.

5 Q Okay. And you have a lease for this
6 premises?

7 A Yes.

8 Q How long is the lease?

9 A Ten years.

10 Q So you were here at the beginning part
11 of the hearing, when we were arguing over whether
12 the Board would hear information for Secret
13 Lounge and over my objection, they ruled that
14 they could. So I'm going to ask you some
15 questions about Secret Lounge if that is okay.

16 A That's fine.

17 Q All right. So, are you the owner of
18 Secret Lounge?

19 A Yes.

20 Q Are you the only owner or are there
21 others?

22 A I am only owner.

23 Q Okay. How long has it been in
24 operation?

25 A Almost four to five years.

1 Q And when was that last renewed?

2 A It was renewed today.

3 Q Okay, and since the time you have been
4 open, do you have any violations?

5 A I can say no but we had one warning
6 for a COVID time, I can explain, if you can.
7 Basically we used six feet you know you see 9th
8 Street and honest and we a tough crowd, we can
9 see, I don't have any violation but one, I have,
10 we do six feet and people are six people at a
11 table. So one of the guys say we are not going
12 to be full capacity, and the officer, when he
13 walked in the door is locked, that is a
14 violation, that is the only I have is warning.

15 Q Okay. So I have brought up on my
16 screen what was attached to my motion as Exhibit
17 B, do you see that?

18 A Yes.

19 Q Okay. And it says investigative
20 history, and I can represent to you that I got
21 this from ABRA and you were just talking about a
22 COVID violation and I am highlighting number one
23 on this investigative history, from 8-29-20. Is
24 that what you were referring to?

25 A That is what I explained to you now.

1 Q And that resulted in a warning,
2 correct?

3 A That's it.

4 Q Okay. Now I want to go back down here
5 to 2018. And this says there was entertainment
6 without an endorsement and you got a \$1,000 fine.
7 Do you remember that?

8 A I do remember that, basically when I
9 was applying for the license, Andrew Klein, I
10 submit all the documents including insurance in
11 the license. So Andrew's office, one of the
12 persons who made the processors, she forgot to
13 put on the insurance license endorsement.

14 So I was assuming I have it because I
15 submit all the documents to him and the
16 investigator when she came, she told me you don't
17 have endorsement license, and I say I have it.
18 And she said check out.

19 And the next day I call Andrew Klein's
20 office. He found out the person she posted the
21 license, she forgot, I never made a payment, the
22 payment went through Andrew Klein office because
23 of he made a mistake.

24 Q But the fine was paid there and that
25 was your only violation. Is that what you are

1 saying?

2 A That's what we have it.

3 Q And can you tell me the difference
4 between how Secret Lounge operates and how
5 Signature Lounge is going to operate?

6 A This is, you know, one thing the
7 initiate the Board should realize, I'm really
8 open and person to do anything you know to work
9 with them. I don't have any issue, I don't have
10 any problem to work with them, but the
11 differences, the reason why I came there, this is
12 two totally different businesses.

13 At 9th Street business, only night
14 life. The Connecticut Avenue, we had a plan. We
15 had a couple of family members, you know, I
16 called them and I will hire more people given the
17 option to work.

18 And the plan is the morning, lunch and
19 dinner and breakfast. That's the difference with
20 9th Street and Connecticut Avenue.

21 Q Let me ask you about 9th Street. Do
22 you serve any food at 9th Street?

23 A Yes we do.

24 Q Okay what do you serve there?

25 A We do chicken wings, fries, chicken

1 tender, fries, you know, burgers, steaks.

2 Q Okay. And what are your hours at the
3 9th Street location?

4 A The hours 10:00 a.m. to 2:00 a.m.
5 Thursday to Sunday. Then the weekend is 10:00
6 a.m. to 3:00 a.m. and Friday and Saturday. And
7 included, you know, any holidays.

8 Q And the hours that you are asking for
9 at Signature Lounge are earlier. Correct?

10 A Yes.

11 Q Because you want to serve breakfast.
12 Is that right?

13 A Yes breakfast, lunch and dinner.

14 A Okay. Can you describe the 9th and U
15 Street areas compared to 1727 Connecticut?

16 A Yes. That's the reason, you know, a
17 difference is this is more night life and really
18 people walk around, people are really hard to
19 come in the building. The difference is at
20 Connecticut Avenue, we want to go out this kind
21 of situation to better business, to do breakfast,
22 lunch and dinner. That is the concept to come
23 there, but I don't know this kind of situation to
24 control.

25 Q Are there a lot of establishments at

1 9th Street, 9th and U Street NW?

2 A Most of them, you know,
3 (unintelligible) you see the records, you know,
4 and this block, records to have a good record,
5 better than anybody in this block.

6 Q But are there a large number of
7 establishments? Are there a lot?

8 A Yes.

9 Q Do you know how many?

10 A Probably at least ten, in just one
11 block.

12 Q Okay.

13 A About ten businesses.

14 Q How does it compare to the number at
15 1700 block of Connecticut Avenue? Is there more
16 on 9th Street or less?

17 A I think less.

18 Q All right. Derege, thank you very
19 much for your testimony and I'm sure Mr.
20 Silverstein will have some questions for you at
21 this point.

22 A Thank you.

23 CHAIRMAN ANDERSON: All right.

24 LIEUTENANT MERZIG: Mr. Silverstein,
25 this is Lieutenant Merzig, and if I could

1 interrupt, I am kind of on a time crunch here. I
2 know my Officer Brian O'Shea, he is about to hop
3 on a train, so if you want to get his testimony,
4 he has got to do it now.

5 CHAIRPERSON ANDERSON: I'm sorry sir
6 we're not in that part of the case of yet, so
7 you'll. Mr. Silverstein cannot call you as a
8 witness, because Mr. Silverstein has not
9 represented his case. We are, the Applicant is
10 presenting his case, so that's not an issue that
11 we can deal with because we're still in the
12 presentation of the Applicant's case sir.

13 LIEUTENANT MERZIG: Okay,
14 understandable.

15 MR. SILVERSTEIN: We will do our best
16 to be in touch with Officer O'Shea and Lieutenant
17 Merzig, you will be able to testify as well sir?

18 LIEUTENANT MERZIG: Assuming my
19 battery doesn't last. I'm on the street working
20 right now.

21 MR. SILVERSTEIN: Okay.

22 LIEUTENANT MERZIG: So I'll do my best
23 to stay with you guys.

24 MR. SILVERSTEIN: Thank you.

25 CHAIRPERSON ANDERSON: Okay. Mr.

1 Silverstein, do you have any questions for the -

2 MR. SILVERSTEIN: Yes I do.

3 CHAIRPERSON ANDERSON: Yes. Go ahead
4 sir.

5 BY MR. SILVERSTEIN:

6 Q Thank you Mr. Daneale. How many
7 tables do you have in the place, upstairs and
8 downstairs?

9 A Downstairs I would assume probably 15-
10 20, the first floor. Upstairs we have six
11 tables, some big tables, we have (audio
12 interference) can seat it.

13 Q How are you going to fit 267 people in
14 there with all of those tables? Do you move
15 them?

16 A Some of them is going to move, the
17 setup is different.

18 Q Okay. You move them every night or on
19 those nights when you have a large crowd,
20 correct?

21 A Yes sir.

22 Q Okay. You say it's going to be -- you
23 are going to be wandering people and checking
24 people when eating breakfast and lunch?

25 A We do.

1 Q And no one under 21?

2 A No.

3 Q Not even for breakfast or lunch?

4 A Maybe breakfast. We do check the ID
5 but not allowed to drink alcohol.

6 Q But you will allow people under 21 so
7 that say it is a family a restaurant? Why are
8 you so insistent on promoters who take a 25 to 35
9 percent cut on your take three or four nights a
10 week if you are going to be mostly a restaurant?

11 A Yes, you know, basically, I'm not even
12 happy to do it to promoters. But this is a new
13 business, so I'm not willing to give someone
14 thirty percent on my sale and they have a lot of
15 employees. But we have a new place. You need to
16 have promoters to make, you know, the money and
17 to survive. So if you know the people a couple
18 of months, you don't need it. I don't have any
19 promoters at Secret Lounge, I promote by myself,
20 because we promote it as a business, that's the
21 concept. So we don't want to pay more money for
22 outside promoters to do the business.

23 Q Is this going to turn into a night
24 club and a hookah bar at night?

25 A A night club, yes.

1 Q Do you plan to do with hookah?

2 A I don't decide yet.

3 Q Okay. You go with promoters at Secret
4 Lounge, or you don't --

5 A We don't have right now.

6 Q Can you make it without promoters?

7 A Why not, yes I do.

8 Q I mean at Signature Lounge.

9 A I don't think it's a new business,
10 only if you need promotions. My only concern to
11 me is the promoters. I told you I don't want to
12 spend more money for promoters on myself, not
13 about to give the entrance or something. Now it
14 used to be doing only outside the entrance to get
15 the promoters.

16 Now all the promoters ask you on
17 yourself, so I'm not willing to give my sale to
18 30 to 40 percent for somebody to promote my
19 place. That's why I just show the people I am
20 here right now, I give discounts for services to
21 come in and enjoy the place. Just need the promo
22 a couple of times.

23 Q How would you describe the crowds that
24 you have at Secret Lounge, is it quiet, lively?
25 Do things get lively or louder as the night goes

1 on? And how much security to you have there for
2 how many people, on a weekend?

3 A I have six securities, the people I
4 have security at Wood Trend (phonetic) and we
5 have insurance on two premiums, if anything,
6 incidents happen. Because I learned from the
7 beginning, we have company, we not have
8 insurance, now admit that, I do have a good
9 company to have insurance to structure people and
10 to control the crowd.

11 Q Back in 2018 there were several
12 outbreaks of violence in and around your current
13 establishment, and the police requested the ABC
14 Board hold a fact-finding hearing. And in answer
15 to that, you voluntarily, and I stress
16 voluntarily, offered to have an RDO unit. Did
17 the RDO unit calm things down for you? Help calm
18 things down? Was it helpful?

19 A We do, you know, if we ask even if the
20 9th Street people to encourage them to use an RDO
21 system, because I'm really tired when I start, I
22 see the difference. So it is safety for
23 everybody not only for business owners, not only
24 neighborhood, for everybody.

25 Q So things got calmer with the RDO?

1 A Yes.

2 Q Is the RDO part of your business plan
3 for Signature Lounge?

4 A Yes I do.

5 Q You offer one?

6 A Yes.

7 Q Do you still have an RDO at Secret
8 Lounge?

9 A We do have, when all business owners
10 get together to hire more police officers and
11 start and RDO. When COVID come, I have RDO
12 services.

13 Q You still have an RDO? Did you
14 maintain the RDO during the shutdown or do you
15 still have it? What is the status of your RDO,
16 I'm trying to -

17 A The RDO status right now I used to
18 have it by myself and is now during almost eight
19 to ten business others to go together.

20 Q Are you telling us that you are not
21 getting an RDO personally or you are telling us
22 you are involved in it? I'm trying to figure
23 this out. You say from the beginning an RDO at
24 Signature Lounge.

25 A Yes I do. I had a plan to start RDO

1 at Signature Lounge.

2 Q And you are paying for one now at
3 Secret?

4 A Say again?

5 Q And you are paying for one now at
6 Secret? You are paying for one at Secret?

7 A I explain to you, as a group, we pay
8 for it for 9th Street now, we used to pay for it
9 myself. I pay a lot of money and pay half of
10 them, but now we get together to hire more
11 officers on the block.

12 Q Why aren't you are hiring your own?

13 A I mean it's not only hire by myself to
14 make safety on the block because the crowd is
15 more and more business than one block, so we need
16 more police officers on the block. And we see a
17 couple of incidents happen, and so now police try
18 to resolve that as we get together.

19 Q Is it true that you are behind on your
20 RDO payments?

21 A No.

22 Q Okay. How would you describe your
23 level of cooperation with police?

24 A As I say, you can't see other records.
25 This is a time right now in the District of

1 Columbia, so many crowds. There is a lot of
2 people fighting and violated, but they see this
3 block all business owners have a good record, I
4 can say that, it's one, why wait?

5 Q Okay. And did you meet your nextdoor
6 neighbor, Mr. McGlade, who owns the shop in the
7 abutting business, in the abutting building next
8 door and do you know his concerns?

9 A I do, I met him. I just walked
10 through there, I talked to him. I hear you guys
11 you have, you know, worrying about nighttime. He
12 is going to broken the line, this and that, I
13 talked to him personally. He don't have any
14 issue. I told him we work together, the
15 neighborhood. There is no issue with him.

16 Q No further questions. Thank you very
17 much. Thank you for being here.

18 CHAIRPERSON ANDERSON: Thank you Mr.
19 Silverstein. Mr. Englemann, do you have any
20 questions?

21 BY MR. ENGELMANN: Yes, just a couple.
22 Thank you. You mentioned that you are going to
23 have five to six security on weekends. Fewer on
24 Mondays through Thursdays. How many security
25 folks to you plan on Monday through Thursdays?

1 A Assuming two securities.

2 Q And the training the security is going
3 to get, you indicated, outside contractor you are
4 hiring is going to be responsible for, is that
5 correct?

6 A Yes that is the reason we had
7 insurance and responsible to sign it. So if you
8 have insurance the responsible is so you and is
9 literally -- are going to be responsible.

10 Q Right, but have you personally
11 reviewed what that training is going to look
12 like, and are you comfortable it is going to be
13 adequate for the size of your establishment?

14 A Yes I review that. I have been
15 helping companies with Signature Lounge, I have
16 the best experience now. I took them there I
17 showed them the area, the back, the front, the
18 inside, how we are going to control the place.
19 It was very comfortable and liked the job.

20 Q You mentioned, it sounds like you have
21 some plans to renovate the space before you open.
22 Can you describe what your plans are?

23 A We not like renovate, it's just
24 changing the wallpapers, you know. That's what
25 we do. And the previous owner, he has, like I

1 said, five to six security cameras, security
2 cameras, were I removed that and we made a more
3 sixteen cameras is clearly in the front, the back
4 and the side of the building, upstairs,
5 downstairs and in the hallway.

6 Q Okay, and one of the pictures the
7 inspector showed of the walkway to the upstairs
8 portion, are you going to paint that area and
9 take off the wallpaper?

10 A And we do wallpaper. If you see the
11 wall, it's two different colors, white and the
12 other one is a blue something. So basically when
13 you see the light side you see the other colors
14 in the wallpapers, we come through all the way
15 down.

16 Q Okay. I think there was a picture of
17 a woman there. Is that going to remain?

18 A We are going to remove that. We are
19 going to cover.

20 Q Okay. Those are all my questions,
21 thank you.

22 CHAIRPERSON ANDERSON: All right.
23 Thank you Mr. Engelmann. Mr. Daneale, can you
24 please, no, all right, no don't close. I was
25 about to ask you to close your screen, but don't

1 do that. Mr. Bianco, I need you to go to Exhibit
2 2. Is that Exhibit 2, is that correct? Mr.
3 Daneale?

4 MR. DANEALE: Yes.

5 CHAIRPERSON ANDERSON: Can you tell me
6 if a license was granted to you, what changes, if
7 any, will you make to Exhibit 2?

8 MR. DANEALE: Basically we would
9 probably change most of the chairs. We see some
10 of them were broke and fixed, so we, assuming we
11 could change couple furnitures to remove the old
12 tables and chairs.

13 CHAIRPERSON ANDERSON: All right. Let
14 me ask a question sir. Approximately how many
15 tables and chairs are currently in this area?

16 MR. DANEALE: Probably for this one it
17 is around 15, it is pretty long.

18 CHAIRPERSON ANDERSON: So you are
19 saying there are approximately 15 tables in this
20 Exhibit? If a license was to be granted, how
21 many tables would be there?

22 MR. DANEALE: Similar or same I guess.

23 CHAIRPERSON ANDERSON: I don't want
24 similar. How many would be there? There were 15
25 there, you said you would remove, how many would

1 be there? Five, two, ten, fifteen, how many,
2 approximately how many are going to be here sir?

3 MR. DANEALE: Probably ten?

4 CHAIRPERSON ANDERSON: Mr. Daneale,
5 let's go to Exhibit 3. All right. If a license,
6 approximately how many tables are in this Exhibit
7 3 sir, currently in the establishment?

8 MR. DANEALE: Around ten.

9 CHAIRPERSON ANDERSON: If a license
10 was to be provided to you, how many tables would
11 be in this area?

12 MR. DANEALE: Ten.

13 CHAIRPERSON ANDERSON: Mr. Bianco, can
14 you please stop sharing your screen for the
15 moment, please? Mr. Bianco?

16 MR. BIANCO: Yes, I'm trying to turn
17 off the screen share here. I'm just having an
18 issue with it. Got it, thank you, appreciate the
19 indulgence.

20 CHAIRPERSON ANDERSON: All right.
21 You're asking for the alcohol consumption will be
22 9:00 a.m. to 2:00 a.m. Sunday through Thursday,
23 7:00 a.m. to 3:00 a.m. So you said you were
24 going to serve breakfast.

25 So when will, I mean when, when will

1 you start serving breakfast sir, because what you
2 have asked the Board for, unless something, I'm
3 looking at the wrong information.

4 But it says that hours of sale and
5 consumption is Sunday through Thursday 9:00 a.m.
6 to 2:00 a.m. and Friday and Saturday 7:00 a.m. to
7 3:00 a.m. So if you are going to serve
8 breakfast, how are you going to open at 9
9 o'clock?

10 MR. DANEALE: So we have different
11 shifts. So the people work night shift are not
12 going to be in the morning, so the morning shift
13 is going to do the breakfast and lunch.

14 CHAIRPERSON ANDERSON: Hold on, I'm
15 somewhat confused. Hold on a minute sir. I'm
16 looking at what information. Let me go back to,
17 let me go back to, I want to see what - hold on.
18 So I can ask more questions. I'm looking at
19 conflicting information so let me, hold on a
20 minute. Give me one minute. All right. Okay.

21 Say, so it says that from the hours of
22 operation, Sunday from 7:00 a.m. to 6:00 a.m.,
23 Monday 7:00 a.m. to 2:00 a.m., Tuesday 7:00 a.m.
24 to 2:00 a.m., Wednesday 7:00 a.m. to 2:00 a.m.,
25 Thursday 7:00 a.m. to 2:00 a.m., Friday 7:00 a.m.

1 to 3:00 a.m. and Saturday 7:00 a.m. to 3:00 a.m.

2 So if you are going to serve
3 breakfast, you are going to tell me you are going
4 to start serving breakfast at 7:00 a.m.

5 MR. DANEALE: Yes.

6 CHAIRPERSON ANDERSON: And so you're
7 also stating that your kitchen will be
8 operational from 7:00 a.m. to 2:00 a.m. or from
9 7:00 a.m. to 3:00 a.m. during the times that the
10 business is open?

11 MR. DANEALE: Yes.

12 CHAIRPERSON ANDERSON: All right.
13 Now, you also stated that you are going to have
14 five or six security. So when is that the
15 security, when is it that you will have security
16 working in the establishment?

17 MR. DANEALE: Seems it when I open, I
18 start security.

19 CHAIRPERSON ANDERSON: I'm sorry, you
20 are going to do what sir?

21 MR. DANEALE: Since I open, I will
22 start security.

23 CHAIRPERSON ANDERSON: So you are
24 telling me at 7:00 a.m. in the morning you are
25 going to have five or six security guards

1 working?

2 MR. DANEALE: No I didn't say that, I
3 said --

4 CHAIRPERSON ANDERSON: I'm asking --

5 MR. DANEALE: Two guards.

6 CHAIRPERSON ANDERSON: Listen, listen
7 to the question I am asking you sir. If the
8 course of operation that you have asked for are
9 7:00 a.m. to 2:00 a.m. on Sunday, 7:00 a.m. to
10 2:00 a.m. on Monday, 7:00 a.m. to 2:00 a.m. on
11 Tuesday, 7:00 a.m. to 2:00 a.m. on Wednesday,
12 7:00 a.m. to 2:00 a.m. on Thursday, 7:00 a.m. to
13 3:00 a.m. on Friday and Saturday 7:00 a.m. to
14 3:00 a.m.

15 You stated that you are going to have
16 five or six security. When is it, what times are
17 you going to have five or six security? Are you
18 going to have five or six security personnel
19 working at this establishment at 7:00 a.m. in the
20 morning? I'm asking you, when do you plan to
21 have security at your establishment sir?

22 MR. DANEALE: So, the plan is the
23 security staff after 2:00 p.m., so in the morning
24 brunch and lunch, the waitress and the person at
25 work just check the ID and those you know

1 underage liquors or something.

2 So the security staff, 2:00 p.m., two
3 security Monday through Thursday as the slowest
4 day. And if we had a weekend, the same two
5 security continue until 10:00 p.m., 10:00 p.m.
6 another four security is going to be hired to
7 cover all night.

8 CHAIRPERSON ANDERSON: I don't have
9 any other questions. Any questions from any
10 Board members?

11 MEMBER SHORT: Yes, Mr. Chair I would
12 like to ask a question.

13 CHAIRPERSON ANDERSON: Yes Mr. Short,
14 go ahead.

15 MEMBER SHORT: Good afternoon Mr.
16 Daneale.

17 MR. DANEALE: Good afternoon.

18 MEMBER SHORT: Mr. Daneale, you are a
19 law-abiding business owner, correct?

20 MR. DANEALE: Yes.

21 MEMBER SHORT: Are you familiar with,
22 and this question has been asked already, but
23 I'll just lay some foundation before I ask this
24 question.

25 Are you familiar with DC law 3-22 or

1 better known as the Mayor's Smoke Free and
2 Tobacco laws and was signed into law earlier this
3 year in the District of Columbia?

4 MR. DANEALE: I'm not familiar but not
5 make that a law, I think in the process.

6 MEMBER SHORT: Excuse me? Please
7 repeat that answer, I didn't hear you.

8 MR. DANEALE: I'm not familiar with
9 that.

10 MEMBER SHORT: Okay, well can I
11 familiarize you with it before I ask the next
12 question?

13 MR. DANEALE: Sure, sure.

14 MEMBER SHORT: Okay. The law states,
15 according to the law, smoking is prohibited in
16 all enclosed public places in the District of
17 Columbia, including but not limited to the
18 following: banks, health care facilities,
19 educational facilities, monuments, public
20 transportation facilities and areas, restaurants,
21 retail and food production establishments, retail
22 service establishments, retail stores, shopping
23 malls, theatres, sports arenas, waiting rooms.

24 So smoking is prohibited anywhere
25 where there is closed, when your doors are

1 closed, there is not supposed to be any smoking.

2 MR. DANEALE: We understand. I
3 respect the law.

4 MEMBER SHORT: I see where you had one
5 violation in your previous establishment for
6 disobeying the Mayor's order, is that correct?

7 MR. DANEALE: What kind of violation?

8 MEMBER SHORT: No? Did you ever
9 violate the Mayor's order during this health
10 emergency on 9th Street?

11 MR. DANEALE: I mean I had a warning
12 violation but --

13 MEMBER SHORT: Yes, you tell me you
14 violated the law, you got a warning for violating
15 the law right?

16 MR. DANEALE: Yes.

17 MEMBER SHORT: So you know the
18 difference between smoking and not smoking in the
19 Mayor's order that the Council just recently
20 passed this year? You know the difference then,
21 correct?

22 MR. DANEALE: Yes.

23 MEMBER SHORT: So there will be no
24 smoking at your establishment? Is that correct?

25 MR. DANEALE: Yes, I followed the

1 rules and regulations.

2 MEMBER SHORT: Excuse me.

3 MR. DANEALE: I just followed the
4 rules, whatever the Mayors and the violation, I
5 followed the rules.

6 MEMBER SHORT: So in your settlement
7 agreement that you get with the community, you
8 would be willing to put that in the settlement
9 agreement?

10 MR. DANEALE: Yes.

11 MEMBER SHORT: That you are a law-
12 abiding citizen, you obey all the Mayor's orders
13 and the Council's laws?

14 MR. DANEALE: I followed the Mayor's
15 orders.

16 MEMBER SHORT: Are you willing to put
17 that in the settlement agreement?

18 MR. BIANCO: Sir, I am going to
19 object.

20 MEMBER SHORT: I am asking the
21 question --

22 MR. BIANCO: Hold on Mr. Short, there
23 is no settlement agreement, we have a hearing so
24 --

25 MEMBER SHORT: I'm quite aware of

1 that. I simply said if there were to be, if
2 there were to be. Since he is a law-abiding
3 citizen, he has violated the Mayor's order before
4 and he said he will never do it again. Now said
5 he knows, I read the law to him, so there will be
6 no excuses if this happens again, would it?

7 CHAIRPERSON ANDERSON: Mr. Short asked
8 you a question Mr. Daneale, do you have an
9 answer, please answer. Do you have an answer
10 sir?

11 MR. DANEALE: I don't have an answer.

12 CHAIRPERSON ANDERSON: Mr. Chair, that
13 is very plain to me that he knows the law, and I
14 hope he never comes before this Board again, and
15 I'll remind him of his testimony. Thank you very
16 much. That's all I have at this time.

17 CHAIRPERSON ANDERSON: Thank you Mr.
18 Short. Are there any other questions by any of
19 the Board members?

20 MEMBER GRANDIS: Yes Chair, and I
21 would thank you for the opportunity.

22 CHAIRPERSON ANDERSON: Yes Mr.
23 Grandis.

24 MEMBER GRANDIS: Sir, we all
25 appreciate you being here today and I know it may

1 seem like it is tough grilling but this is a new
2 license and we want to make sure that the
3 community is comfortable with the type of
4 establishment and the hours you are having.

5 So we appreciate you being here and
6 being patient with us. If I could ask the
7 attorney to put up the exhibit again, I would
8 like to go through some of the exhibits with the
9 Applicant.

10 CHAIRPERSON ANDERSON: Ms. Andrews,
11 can you please, I don't know if Mr. Bianco is
12 still going to be able to share his screen.

13 MS. ANDREWS: Yes he can share.

14 CHAIRPERSON ANDERSON: Thank you.

15 MR. BIANCO: Bear with me for one
16 second while I bring it back up. All right, here
17 we go Mr. Grandis, he's all yours.

18 MEMBER GRANDIS: Can you help me find
19 the picture?

20 MR. BIANCO: Absolutely. Here you go.

21 MEMBER GRANDIS: Mr. Bianco, I want to
22 thank you for your assistance. Thank you so
23 much.

24 MR. BIANCO: Sure.

25 MEMBER GRANDIS: Something just popped

1 up, is that something that can be -- thank you.
2 Okay. Can we go to Exhibit 2? I think we have
3 talked about it, but I would like to go back to
4 number 2. Thank you.

5 Sir, the reason I think you, we ask
6 questions about tables and things, because there
7 is sort of a culture in DC that CT's that offer
8 food, often morph so into late hours into, really
9 would be a CN.

10 And if the Applicant is going for a CT
11 we want to give the community assurance that it
12 will ask for what a CT generally have. So if I
13 understood the responses you gave to our
14 Chairman, you're not going to, you are going to
15 reduce the number of tables a few, which I
16 understand because you want to upgrade and not
17 have broken old furniture.

18 But I think my question is, if you
19 plan to have entertainment starting at 10
20 o'clock, and that is how you are going to
21 advertise it, and I heard you say are going to be
22 marketing, marketing, marketing, which is
23 something a new establishment should do.

24 When your patrons at 10 o'clock come
25 in, are there going to be 12 tables with the

1 chairs? I think there are six at each table, is
2 that, are the tables going to stay stationary
3 where they are? But do you plan in your business
4 model to have to relocate stuff on the first
5 floor?

6 MR. DANEALE: So basically we have a
7 lot of tables in the first floor, that's why we
8 move a couple of them, is to have the people
9 come. We have to have a dance floor and walk,
10 standing and to use in a bar, more access to our
11 place.

12 MEMBER GRANDIS: You just confused me
13 more. Because I thought you already stated
14 earlier that you're not going to have a dance
15 floor on the first floor. So now you are saying
16 you are going to have a dance floor on the first
17 floor?

18 MR. DANEALE: I did, I say I have a
19 dance floor first floor, no you did --

20 MEMBER GRANDIS: So I misunderstood
21 you?

22 MR. DANEALE: I did, I say that.

23 MEMBER GRANDIS: Do you know how big
24 a dance floor you are going to apply for?

25 MR. DANEALE: Not really.

1 MEMBER GRANDIS: That's an answer.
2 Thank you. So you do plan to relocate some of
3 the tables every night for your patrons who come
4 in after 10 o'clock?

5 MR. DANEALE: So what was my plan is
6 the right side of the wall is empty, so we try to
7 make all the wall side two furniture to make more
8 space in the middle.

9 MEMBER GRANDIS: I understand. So you
10 are going to make it more like a night club on
11 the first floor so you move the tables against
12 that wall, which I understand is what you believe
13 your business model. Well that is a concern I
14 think the community would have is that it doesn't
15 look like a restaurant after 10 o'clock and your
16 license doesn't require a restaurant.

17 But you are telling us in your
18 application you are going to be a restaurant and
19 now it looks like you actually are going to be a
20 restaurant until 10 o'clock, but at 10 o'clock
21 you will become a CN, but your license is not a
22 CN. So I just want to make sure that I
23 understood that will be a dance floor on the
24 first floor if you get the license as you like.

25 MR. DANEALE: Thank you.

1 MEMBER GRANDIS: And I think you
2 talked about speakers. I thought I understood
3 you to say there are no plans to have speakers in
4 the space but maybe in the stairwell. So are you
5 committing to the Agency that there will no
6 speakers in the picture that I see until they get
7 to the stairwell to go upstairs? Is that what
8 you are committing to?

9 MR. DANEALE: So the plan for speakers
10 is downstairs.

11 MEMBER GRANDIS: That is downstairs?

12 MR. DANEALE: Yes.

13 MEMBER GRANDIS: Earlier you said, and
14 maybe I misheard you. Earlier, I think you were
15 asked that question, and I think that you said
16 there are no speakers planned for that area until
17 you get to the stairwell. Did I misunderstand
18 you?

19 MR. DANEALE: I think you
20 misunderstand what I say. The way I say it is
21 the first floor around the dancing floor area, we
22 tried to put speakers in left and right, we hang
23 the speakers, we have big rooms and big rooms, we
24 have big kitchens, after the kitchens is the last
25 wall in outside 20th Street.

1 MEMBER GRANDIS: Okay. Thank you. So
2 if the Board determines that there should be no
3 speakers in that area, would that be acceptable
4 to you?

5 MR. DANEALE: So there is no speaker
6 in upstairs and how is going to use entertainment
7 without any speakers?

8 MEMBER GRANDIS: Thank you. So let's
9 go to the next Exhibit No. 3. I think that is
10 the upstairs, thank you. Now are you saying for
11 the record that those, I think you said maybe ten
12 tables currently, are you going to keep those
13 tables at 10 o'clock until closing or do you plan
14 to move some?

15 MR. DANEALE: I am going to plan to
16 move them.

17 MEMBER GRANDIS: Why?

18 MR. DANEALE: The way you set up
19 against the wall, we have more tables for people
20 to use it.

21 MEMBER GRANDIS: Wait a second. On
22 the second floor, you are going to, you say you
23 are going to move the tables against the wall so
24 more of the center is open for the public, for
25 your customers?

1 MR. DANEALE: What I say is we had six
2 tables in the middle of the pictures.

3 MEMBER GRANDIS: Yes sir.

4 MR. DANEALE: So we made them in the
5 middle of those tables and the rest of the tables
6 is against the wall to have all entire walls, to
7 have furniture the way you see the pictures. You
8 see the furniture on the walls, so when you put
9 the tables in front of the furniture, that is
10 what we planned.

11 MEMBER GRANDIS: So what I am seeing
12 in the picture is the way you plan to have it?

13 MR. DANEALE: This, this is the way
14 that it is. You see the furniture is still
15 there. So basically we put a table full of
16 furniture.

17 MEMBER GRANDIS: Is there going to be
18 a dance floor on the second floor?

19 MR. DANEALE: No.

20 MEMBER GRANDIS: Are there going to be
21 speakers on the second floor?

22 MR. DANEALE: No.

23 MEMBER GRANDIS: Therefore, you are
24 asking us to approve speakers on the first floor
25 but no speakers on the second floor?

1 MR. DANEALE: Yes.

2 MEMBER GRANDIS: And you are also
3 saying that you are going to have food service
4 until 3:00 a.m., which I think is something the
5 community would applaud that people who drink
6 have access to a meal, and so therefore these
7 tables that are there, they will be able to sit
8 at those tables after 10 o'clock?

9 MR. DANEALE: Yes.

10 MEMBER GRANDIS: Thank you. Now
11 looking at the back of the picture, I believe
12 that's the back wall that's facing 20th Street,
13 is that correct?

14 MR. DANEALE: No.

15 MEMBER GRANDIS: Where would 20th
16 Street be in this picture?

17 MR. DANEALE: You cannot see this
18 picture, it's only the street.

19 MEMBER GRANDIS: 20th Street from the
20 other side?

21 MR. DANEALE: The other side.

22 MEMBER GRANDIS: Thank you, you
23 answered that question. I think that is a bank
24 of windows on the wall that is abutting 20th
25 Street.

1 MR. DANEALE: You don't see it in the
2 20th Street for this picture.

3 MEMBER GRANDIS: Not in this picture.
4 So my question is do you understand that to
5 protect the quiet of the neighborhood after 10
6 o'clock, you may not be able to open those
7 windows?

8 MR. DANEALE: Never opens. That's the
9 reason I moved the speakers. The previous owner
10 had a speaker upstairs. I moved that because of
11 noise complaint and, you know, to assuming maybe
12 it is going to be humid outside.

13 MEMBER GRANDIS: Thank you, you have
14 been very helpful. And you mentioned something
15 about a walk-in refrigerator. Where is that
16 walk-in refrigerator located?

17 MR. DANEALE: It was underground the
18 business.

19 MEMBER GRANDIS: In the basement? And
20 where do you plan to store your alcohol?

21 MR. DANEALE: We have a space to have
22 a storage in the basement.

23 MEMBER GRANDIS: So I don't have the
24 full application in front me, I have what's part
25 of the hearing here. It's my understanding you

1 are looking for an ABC license for the basement,
2 the first floor and the mezzanine, the entire
3 building?

4 MR. DANEALE: Yes.

5 MEMBER GRANDIS: Will customers be
6 allowed to go into the basement?

7 MR. DANEALE: No.

8 MEMBER GRANDIS: Thank you, let me
9 see. Mr. Bianco, can you help me find the
10 picture that shows the back of the building
11 please? Thank you. Sir, I see there are cars
12 parked there. Do you know what that area, do you
13 know if that area is part of the ownership of the
14 owner of the building?

15 Or are you made aware that the
16 property line is really along the building and
17 that area is public space and not private space?
18 Are you aware of that?

19 MR. DANEALE: Which one, the car
20 parked over there?

21 MEMBER GRANDIS: Yes sir.

22 MR. DANEALE: I believe that is for
23 the building.

24 MEMBER GRANDIS: I thought that may be
25 your belief. I am just suggesting that the

1 property line for all those buildings is the line
2 of the building and the area that's between that
3 building wall and other walls in the street,
4 including the sidewalk, is public property.

5 And therefore you can apply for a
6 permit, but if the landlord has given you a lease
7 and it says that you have a legal right to that
8 space, you may want to confirm that. I'm just
9 giving you a heads-up. Areas below Florida
10 Avenue is called the Auto Stop. Areas below
11 Florida Avenue is the Old City, and in the Old
12 City property lines were generally along the back
13 of buildings.

14 Now you get north of Florida Avenue,
15 that probably will be a parking lot. I'm just
16 sharing. Your lease may say something, but I
17 don't believe you or your patrons can actually
18 park there.

19 Now I see there is a hood that's going
20 up the building, so I guess that is for a hood
21 that's in the kitchen to use as an exhaust,
22 correct?

23 MR. DANEALE: Yes.

24 MEMBER GRANDIS: Okay. Do you know if
25 you have a permit for that?

1 MR. DANEALE: Yes.

2 MR. GRANDIS: Okay. Thank you. Can
3 you go to the picture with the trash receptacle?
4 Can you turn that? Thank you. Okay. These
5 trash receptacles along the back wall of your
6 building and the building next to you, but there
7 is no enclosure. Correct? In other words,
8 anyone can walk up to those?

9 MR. DANEALE: Yes.

10 MEMBER GRANDIS: Do you know the ones
11 that you have leased, do you know if you keep
12 them locked?

13 MR. DANEALE: Lock what?

14 MEMBER GRANDIS: I believe on the
15 regulation that commercial receptacles need to be
16 locked until they are empty, but I'm just sharing
17 that with you? Do you know where your grease
18 will be collected?

19 MR. DANEALE: Yes.

20 MEMBER GRANDIS: Where will your
21 grease be collected?

22 MR. DANEALE: See the picture, see the
23 grease tank, is one of them on our properties.

24 MEMBER GRANDIS: So okay, I'm ignorant
25 on this issue. So are you saying one of the ones

1 along the back wall collects your oil, that you
2 put oil in it? Is it one that and how often is
3 it collected, by contract?

4 MR. DANEALE: Once a month, about
5 every fifteen days.

6 MEMBER GRANDIS: Now, you are aware
7 that you don't, your property does not back up to
8 an alley, correct? It backs up to 20th Street,
9 is that correct?

10 MR. DANEALE: Yes.

11 MEMBER GRANDIS: So therefore many
12 commercial buildings back up to the alley so your
13 building directly faces apartment buildings and
14 town houses that are all residential and there
15 are some businesses on your side of the street,
16 but there are very few businesses right across
17 the street, it's residential.

18 So how do you plan to keep the noise
19 from interfering with the residents on the other
20 side of 20th Street?

21 MR. DANEALE: So as I explained to you
22 earlier, first I admitted when I see, when I
23 talked to Mike, so I removed the speakers in the
24 second floors that encloses to the 20th Street to
25 add a (simultaneous speaking).

1 The second plan is more make sure
2 protect the windows as being closed and anytime
3 chance you never open that windows.

4 MEMBER GRANDIS: Yes.

5 MR. DANEALE: Third, is make sure the
6 back door is always locked, it was business
7 hours.

8 MEMBER GRANDIS: Thank you for that.
9 Do you currently have a security plan for Secret?

10 MR. DANEALE: Yes.

11 MEMBER GRANDIS: Do you plan to have
12 a security plan submitted to ABRA to see if it's
13 consistent with the security policy for this
14 establishment?

15 MR. DANEALE: The new one?

16 MEMBER GRANDIS: Well it wouldn't, yes
17 because it's a new establishment.

18 MR. DANEALE: Yes.

19 MEMBER GRANDIS: I'm asking, because
20 it sounds like you are morphing into a night club
21 after 10 o'clock, that's just the way is see it.
22 You are going to have a cover charges. Very few
23 CRs and CTs have cover charges. So it sounds
24 like to me something night life. Have you been
25 asked to submit a security plan for this one?

1 MR. DANEALE: Yes I am willing to
2 submit that one?

3 MEMBER GRANDIS: A document or a
4 security plan?

5 MR. DANEALE: A security plan.

6 MEMBER GRANDIS: Thank you sir. And
7 would you consider an RDO with this establishment
8 on the nights when you have cover charges?

9 MR. DANEALE: Yes.

10 MEMBER GRANDIS: Okay. Have you
11 looked into valet parking?

12 MR. DANEALE: No.

13 MEMBER GRANDIS: Well let me just
14 finish up by sharing with you that like many
15 neighborhoods in the city, some have become more
16 night life and some have become less. This area
17 north of DuPont Circle has been, I would say,
18 vigilant to not have new night clubs north of
19 Connecticut Avenue.

20 And I'm not saying that's a legal
21 issue, you are entering, as you said yourself,
22 you are entering a neighborhood that is quiet at
23 night. It's not hustle and bustle. There are
24 very few restaurants open after 10:00 p.m.

25 I know myself having a late-night

1 restaurant opportunity is a great thing. It's
2 not the restaurant I am concerned about, I am
3 concerned you say you want to be a CT, so
4 therefore, I want you to behave like a CT. I
5 want to thank you for your time. Mr. Bianco,
6 thank you for sharing the exhibits.

7 MR. DANEALE: Thank you.

8 MEMBER SHORT: Mr. Chair, I have one
9 follow-up question, if I could, just one
10 question.

11 CHAIRPERSON ANDRESON: Yes Mr. Short.

12 MEMBER SHORT: I would like to ask Mr.
13 Daneale, if or what is the number of persons he
14 is allowed to have on the second floor.

15 MR. DANEALE: It is probably fifty.

16 MEMBER SHORT: How many people on the
17 second floor?

18 MR. DANEALE: Fifty peoples.

19 MEMBER SHORT: Are you aware if you
20 have more than 50 or more people than you need a
21 second means to leave with an exit off the second
22 floor. You can't exit all those people down the
23 same, downstairs because they will be sharing
24 that way to get out with the people already
25 downstairs.

1 Are you aware that if you have over 50
2 people, 50 or more people or 49, north of 50
3 people on that floor, you need a second exit from
4 the second floor?

5 MR. DANEALE: So I was just I assuming
6 when you often see how it is going to be how many
7 people are going to be fitted in the upstairs.

8 MEMBER SHORT: Well Mr. Daneale,
9 before you go any further, I just would like to
10 simply say to you, someone should answer those
11 questions down in Florida where the people who
12 lost their lives.

13 I say that because I'm a former person
14 who Department of Safety and I would hate to see
15 you have to go through that explaining to people
16 why people couldn't get out of the second floor
17 because you didn't have enough exits. That's all
18 I have Mr. Chair. Thank you.

19 CHAIRPERSON ANDERSON: Thank you Mr.
20 Short. Mr. Bianco, please close your screen.
21 Are there any more questions by any Board
22 members? Now Mr. Silverstein, do you have any
23 questions of the Licensee based on the questions
24 that were asked by the Board.

25 MR. SILVERMABN: No I do not.

1 CHAIRPERSON ANDERSON: Mr. Engelmann,
2 do you have any questions of the Licensee based
3 on the questions that were asked by the Board?

4 MR. ENGELMANN: Just one. With
5 respect to speakers, are you going to allow
6 promoters to bring in their own sounds systems?

7 MR DANEALE: No.

8 MR. ENGELMANN: Thank you.

9 CHAIRPERSON ANDERSON: Any other
10 questions sir? Is that it?

11 MR. ENGLEMANN: That's it.

12 CHAIRPERSON ANDERSON: Mr. Bianco, do
13 you have any follow-up questions to your client
14 based on the questions that were asked by the
15 Board?

16 MR. BIANCO: No I don't.

17 CHAIRPERSON ANDERSON: Thank you. Do
18 you have another witness sir?

19 MR. BIANCOE: No I don't have any
20 other witnesses, sir. The Applicant rests.

21 CHAIRPERSON ANDERSON: All right.
22 Thank you very much. Who wants to go first, the
23 ANC or the Civic Association? It doesn't matter.
24 Who wants to go first?

25 MR. SILVERSTEIN: The ANC.

1 CHAIRPERSON ANDERSON: All right. Mr.
2 Silverstein, do you have a witness?

3 MR. SILVERSTEIN: Is Officer O'Shea
4 available, can you hear him?

5 CHAIRPERSON ANDERSON: Is Officer
6 O'Shea, I see his name on the line, so if Officer
7 O'Shea is there, he can testify. Officer O'Shea,
8 are you there? Officer O'Shea, are you there?

9 MR. SILVERSTEIN: Officer O'Shea is
10 supposedly on the metro and may have lost contact
11 with us.

12 CHAIRPERSON ANDERSON: But he is still
13 signed in online. I see his name in front of me,
14 so I don't, he is not. Ms. Andrews, is he logged
15 in?

16 MS. ANDREWS: Yes he is logged in. It
17 appears he has, he doesn't have the best service,
18 but he is able to share and show his camera if he
19 so desires.

20 MR. BIANCO: Could I suggest we take
21 a quick five-minute break. I could use one, I
22 don't know in the case of anyone else.

23 MR. SILVERSTEIN: Let me ask, so could
24 I. Do we still have a 5:15 hard stop?

25 CHAIRPERSON ANDERSON: I'm sorry, we

1 don't have a 5:15 hard stop. We are, we have a
2 hearing that we are doing today.

3 MR. SILVERSTEIN: Okay, I was not
4 advised of that, I was sitting here panicking.

5 CHAIRPERSON ANDERSON: It was that I,
6 the parties had a hard stop, they had to let me
7 know and I told them the parties would have acted
8 accordingly to ensure that this hearing moves
9 forward so each side has an hour to do their
10 case, and so therefore we are moving accordingly.
11 So Mr. --

12 MR. SILVERSTEIN: I'm told, excuse me,
13 I'm told that Officer O'Shea is on the phone and
14 his phone number is, well I can't give that out
15 but --

16 CHAIRPERSON ANDERSON: Why doesn't
17 Officer O'Shea, if he's on the phone, why doesn't
18 he identify himself so Ms. -- just give me a
19 couple of numbers on his phone number.

20 MS. ANDERS: Mr. Chair I hate to
21 interrupt but there is only one call in and that
22 is the court reporter. Mr. O'Shea has joined the
23 meeting today on his device, if that's a phone,
24 that's fine, but we can see his name. He can
25 unmute himself.

1 MR. SILVERSTEIN: No, he is calling us
2 on his phone. Should we give him a number to
3 call or how do we work this out?

4 CHAIRPERSON ANDERSON: Ms. Andrews,
5 what is the call-in number so he can call in? He
6 needs to disconnect from the, if he is going to
7 call in. Is there a call-in number that he can
8 use to call in?

9 MS. ANDREWS: Yes, Mr. Silverstein, I
10 am going to send you the call-in information via
11 the chat, okay?

12 MR. SILVERSTEIN: Okay, go ahead.

13 CHAIRPERSON ANDERSON: It will be in
14 the chat sir, so look in the chat and get back to
15 Officer O'Shea.

16 MR. SILVERSTEIN: Okay. I will mute
17 and I will give that information to him.

18 CHAIRPERSON ANDERSON: Thank you.

19 MR. SILVERSTEIN: Hi Brian --

20 CHAIRPERSON ANDERSON: Mr.
21 Silverstein, you are not, Mr. Silverstein, you
22 are still, we can hear you.

23 MEMBER SHORT: You know he is hard of
24 hearing, Mr. Chair.

25 MR. SILVERSTEIN: I muted --

1 CHAIRPERSON ANDERSON: Mr.
2 Silverstein, we can still hear you.

3 MR. SILVERSTEIN. Okay, I will mute
4 right now. Okay I have given him that, do you
5 want to take a quick five-minute break.

6 CHAIRPERSON ANDERSON: All right.
7 It's 4:48 p.m. We will be off the record until
8 4:55 p.m.

9 (Whereupon the above matter went off
10 the record at 4:48 p.m. and came back on the
11 record at 4:55 p.m.)

12 CHAIRPERSON ANDERSON: All right. We
13 are back on the record. Mr. Silverstein, you
14 have 51 minutes and 27 second left, you have 51
15 minutes and 27 seconds left in your case. Do you
16 have a witness to call?

17 MR. SILVERSTEIN: My witness I would
18 like to call Officer Brian O'Shea.

19 CHAIRPERSON ANDERSON: Officer O'Shea?

20 OFFICER O'SHEA: Yes, good afternoon
21 sir.

22 CHAIRPERSON ANDERSON: Can you raise
23 your right hand please?

24 MR. SILVERSTEIN: Yes we can.

25 CHAIRPERSON ANDERSON: Officer O'Shea,

1 can you raise your right hand please?

2 OFFICER O'SHEA: Yes sir.

3 CHAIRPERSON ANDERSON: Do you swear
4 and affirm to tell the truth and nothing but the
5 truth?

6 OFFICER O'SHEA: I do.

7 WHEREUPON,

8 BRIAN O'SHEA

9 Was called as a witness for the ABCB and, having
10 been first duly sworn, was examined and testified
11 as follows:

12 CHAIRPERSON ANDERSON: All right.

13 Thank you. Your witness Mr. Silverstein.

14 MR. SILVERSTEIN: First and foremost
15 Officer O'Shea, could you confirm to us the
16 status of the RDO unit for the account for Secret
17 Lounge?

18 OFFICER O'SHEA: Yes sir, the most
19 recent information I have from this morning, and
20 I was informed that Secret Lounge is in arrears
21 in the amount of roughly \$4,900 to the City for
22 failure to make payment for the cost of the RDO.

23 MR. BIANCO: Mr. Anderson.

24 CHAIRPERSON ANDERSON: That's okay.

25 He asked the question, you allowed the witness to

1 answer the question. Let's move on sir, you need
2 to object.

3 MR. BIANCO: That's where I wanted to
4 address specifically, not the answer to the last
5 question, however, the procedural matter.
6 Although the Board decided my motion against me
7 as to the evidence. I would like to avoid having
8 to object to every single question.

9 So it would be my hope that the
10 parties and the Board would agree to allow me to
11 note a running objection as to all testimony that
12 Secret Lounge so the issue is preserved without
13 having to interrupt after each and every
14 question.

15 CHAIRPERSON ANDERSON: All right. So
16 noted sir.

17 MR. BIANCO: Thank you.

18 CHAIRPERSON ANDERSON: So noted.

19 MR. SILVERSTEIN: Officer O'Shea -

20 CHAIRPERSON ANDERSON: Go ahead.

21 BY MR. SILVERSTEIN:

22 Q Officer O'Shea, were you referring to
23 collections, or?

24 A Yes, sir, that would be correct.

25 Q Very well. You were on, how long have

1 you been with APD?

2 A Just under six years.

3 Q You are on the receiving end of an
4 APO, an assault on a police officer at Secret
5 Lounge on October 28, 2018. And the event you
6 described to the Board as complete pandemonium in
7 a fact-finding hearing. Could you tell the Board
8 what happened that night and that particular
9 episode and the lack of peaceful and quiet?

10 A Yes sir. To the best of my
11 recollection, that evening my partner and I
12 responded to, I believe it was, went to 1928 9th
13 Street, but at any rate, the establishment at
14 Secret Lounge for the report of some sort of
15 melee in progress and another officer had called
16 for assistance.

17 Upon arriving, both the entry to the
18 establishment and some folks were trying kind of
19 fleeing out, and we walked up the flight of steps
20 and at that point we encountered a very large
21 fight.

22 The lighting was very low and dim,
23 there was broken furniture all about and people
24 were actually assaulting one another. At that
25 point, we attempted to break up the melee,

1 separate those, the fighting parties, and make
2 arrests as appropriate and during that
3 interaction I was assaulted by a subject prior to
4 placing him under arrest.

5 Q What happened here and what was with
6 the table?

7 A Yes I was, while I was attempting to
8 separate the fighting parties, to break up the
9 fight, the subject who I subsequently arrested
10 was able to get ahold of me and physically throw
11 me into a table which had broke and my body
12 weight and I messed up my back and my head after
13 breaking the table.

14 Q Was this your first interaction, or so
15 to speak, with the interior of Secret Lounge?
16 Had there been any previous fight inside?

17 A I can't recall being involved in any
18 previous fights inside, specifically inside the
19 establishment. I also can't say that I haven't
20 been. This was a very busy beat that I used to
21 work on that included 9th Street. I certainly
22 had many interactions and encounters in the
23 immediate vicinity and outside of Secret, and
24 stuff like that.

25 Q There were fights outside?

1 A Yes I would call them, disorderly,
2 simple assaults, in the time that I was assigned
3 to the beat that included the 9th Street, it was
4 the third time to respond to or even to witness
5 the initiation or start of a fight or simple
6 assault and conduct other disorderly events.

7 So again, when I was assigned to that
8 beat it was not uncommon to deal with both coming
9 out and going in being involved in disorderly
10 behavior and criminal offenders.

11 Q Two months before that particular --

12 CHAIRPERSON ANDERSON: Hold on Mr.
13 Silverstein. Ms. Roggensack, your phone needs to
14 be on mute, you are kicking up feedback. Okay go
15 ahead.

16 BY MR. SILVERSTEIN:

17 Q Two nights before the incident there
18 had been a murder in the area, in the vicinity of
19 the club, and a 22 year old young man was shot
20 and killed out on the street. Was this club area
21 at times out of control? The area itself?

22 A I think that's a fair characterization
23 of the night on the block of 9th Street, to
24 include this particular club. As I said
25 previously, responding to that area for a variety

1 of events was a very, very common event for me at
2 that time, and for my colleagues.

3 And at times, due to the events that
4 were more serious in nature to include felony
5 offenses, some violent, and just to include the
6 homicide that you just referenced, which to the
7 best of my recollection was a actually double-
8 shooting, two victims were shot and one
9 unfortunately subsequently passed way.

10 But yes, the 1900 block of 9th street
11 I would describe on that block as a chaotic
12 neighborhood, where a chaotic crowd, was more
13 accurate where more often facing challenges
14 regarding people fighting, acting violent toward
15 one another, generally disregarding, you know,
16 the law, that kind of thing.

17 Q Did things get better at Secret Lounge
18 after the assault, which was two months after the
19 murder? Or did things get better in the vicinity
20 after the assault?

21 A It would not be, I would not judge it
22 to have gotten better in my estimation of my time
23 working there. I don't actually recall anything
24 serious time where the 1900 block of 9th street
25 was not problematic.

1 Q Are the issues with peace, order and
2 quiet around, are there issues with peace, order
3 and quiet around 1928 9th Street and does Secret
4 Lounge contribute to the problem?

5 A In my opinion yes. There is a problem
6 with peace, order and quiet there particularly
7 during the hours of club operation and
8 specifically on weekends and holiday nights, is
9 anything but peaceful or quiet in my opinion.

10 Q But they are not the only one. Mr.
11 Daneale has said, and I don't think anybody could
12 deny, there are ten other clubs or licensed
13 establishments in that block, so how do you
14 parcel out the blame? How do you point to one
15 establishment -- and I'm not saying necessarily,
16 they do 10 percent, 90 percent -- something like
17 that, how to you parcel out the blame and say --

18 A Yes, I don't think I could do that.
19 I would have to say that in my experience in that
20 block, is generally speaking, a variety of
21 establishments and clubs contribute to the
22 overall chaotic nature of what goes on there.

23 I wouldn't be comfortable allotting
24 portion of the share. I think it's kind of a
25 shared outcome of what is going on in those

1 establishments.

2 Q But how does Secret Lounge contribute
3 to the problem in terms of perhaps the way, how
4 do they contribute to the problem?

5 A Well, in my estimation, based on my
6 judgment and my observations, I believe that they
7 habitually over-serve people. I regularly would
8 observe people walking out who appeared to me, in
9 my experience, to be highly intoxicated.

10 I would quite often and see folks
11 getting out of cars to go inside who were holding
12 alcohol or even, you know, small bottles of
13 liquor suggesting to me, you know, of course,
14 people were having a good time.

15 I'm not above that certainly, but
16 people would regularly frequent the establishment
17 who perhaps were already intoxicated and then the
18 club engaged in over-serving, which
19 unfortunately, we see the result of people acting
20 foolishly and sometimes criminally because they
21 of their lack of inhibitions and all that kind of
22 thing.

23 Q You are saying, the incidents
24 inference appear to be people who have been and
25 being over-served once they get in there.

1 A Yes, that's what I'm saying.

2 Q That is an establishment with a
3 capacity of 188 and from the standpoint of peace,
4 order and quiet and public safety. How well do
5 they manage this establishment, which is smaller
6 than the one they are asking for?

7 A Generally speaking, I guess I would
8 have to refer to my previous comment about over-
9 serving. I think that is indicative of how the
10 place is managed, largely kind of, and again, is
11 based on the time that I worked on that block,
12 but I would say it is managed irresponsible in
13 fashion.

14 Q And from your experience as a police
15 officer, with all this experience with Secret
16 Lounge, do you believe the same owner would have
17 the same problems or even bigger problems with a
18 larger reestablishment and the capacity of 277?

19 MR. BIANCO: Objection, speculation.

20 CHAIRPERSON ANDERSON: Hold on Officer
21 O'Shea. Mr. -- I know that you are a lawyer Mr.
22 Silverstein. Mr. Bianco is asking the Officer to
23 speculate, do you have any arguments before I
24 make a ruling?

25 MR. SILVERSEIN: I'll withdraw the

1 question and I am finished. I will turn him over
2 to you folks. No further questions. Thank you
3 Officer O'Shea and thank you for your service.

4 OFFICER O'SHEA: No problem sir.

5 CHAIRPERSON ANDERSON: Hold on Officer
6 O'Shea. Mr. Engelmann, do you have any questions
7 of Officer O'Shea?

8 MR. ENGELMANN: No questions Mr.
9 Chairman.

10 CHAIRPERSON ANDERSON: All right.
11 Thank you. Mr. Bianco, do you have any questions
12 for Officer O'Shea?

13 MR. BIANCO: I do. Good afternoon
14 Officer O'Shea. This is Richard Bianco, I
15 represent the Applicant in this case.

16 OFFICER O'SHEA: Good afternoon sir.

17 BY MR. BIANCO:

18 Q I am going to have a few questions for
19 you and then I'll let you go. Hopefully it won't
20 be too long.

21 A Sure no problem at all.

22 Q So when you, the first part of your
23 testimony, you talked about responding to a call
24 at 1928 9th Street and there was a fight in
25 progress, correct?

1 A That is correct. Yes.

2 Q When was that?

3 A To the best of my recollection, it was
4 in October of 2018.

5 Q Okay. And as I understand your
6 testimony correctly, you broke up the melee and
7 in doing so you were assaulted and you made an
8 arrest.

9 A That is correct.

10 Q Who is the person that you arrested?

11 A Unfortunately I couldn't answer that
12 sir, I don't have all the recollection of that
13 and I don't have that information in front of me.

14 Q Fair enough. Is it to be best of your
15 recollection somebody that worked for the
16 establishment?

17 A I don't believe, I couldn't tell you
18 with absolutely certainly, but my feeling is that
19 it is not. I can tell you that several people
20 were arrested and that incident but my answer
21 would be the same, I couldn't tell you with
22 certainly but I don't recall it being closed.

23 Q Okay. And did you or anyone of your
24 colleagues issue a citation to the establishment
25 for that incident?

1 A I did not issue a citation but I can't
2 speak for anybody else, and I'm not aware that.

3 Q Okay. Are you aware whether or not
4 the Chief of Police closed the establishment for
5 96 hours in accordance with the authority to do
6 so in relation to that incident?

7 A I can't say, I actually, I don't know.

8 Q Okay. So moving on from that
9 incident, you testified a bit about being
10 assigned to the 9th and U Street area as a beat,
11 or as I suppose the 1900 block of 9th Street is a
12 better way to refer to it. Can you describe that
13 area on a Saturday night? What's it like?

14 A Sure, and for clarification, at that
15 time, my beat did include the 1900 block of 9th
16 Street in the area we are referring and then 9th
17 and U, all the way to 14th Street. So you know,
18 I wasn't, I couldn't say that I was constantly on
19 9th Street, you know, as for calls and things
20 like that.

21 But to your question, my experience is
22 on 9th Street figuratively is very, very corrupt.
23 We have problems, largely being the impetus
24 problem, the distribution of alcohol which leads
25 to fights, leads to occasionally to robberies, or

1 more violent offenses, double parked, DUIs, loud
2 screaming, disorderly behavior, just generally
3 speaking, very chaotic.

4 Q Sure. So you mentioned the double-
5 parked cars. I take it there was encumbered
6 traffic with that as well? Was there a lot of
7 traffic on 9th Street during busy times?

8 A I would say the traffic problem is
9 exasperated by that, it would appear to me
10 largely patronizing the clubs are double-parked.

11 Q Okay and how about foot traffic? What
12 are the sidewalks look like? Is there a lot of
13 pedestrian traffic?

14 A Usually no, yes I would, yes and I
15 would say particularly during the hours of club
16 operation, is lot of foot traffic. I think a lot
17 of those (audio interference) traffic incurred
18 from place to place, but I would say particularly
19 during the hours of club operation that is a
20 heavily traffic, full of pedestrians and others.

21 Q Okay. And how about with respect to
22 noise? Is there noise of people? You mentioned
23 people screaming, how about noise coming out of
24 establishments, what is that like?

25 A Yes, it is pretty loud, I couldn't

1 give you a decibel count or anything like that,
2 but it's loud, it's definitely loud.

3 Q So we have street traffic. We have
4 pedestrian traffic. We have noise. We have
5 people screaming. That is not isolated to Secret
6 Lounge, is it?

7 A No, no.

8 Q Okay. It's that entire block. And do
9 you know how many establishments are located in
10 that general area?

11 A I couldn't tell you exactly. I think
12 one of the previous witnesses said something like
13 were ten, but I would say 8 to 10 probably is a
14 reasonable estimate, depending on what you
15 consider closest to that, you know. If we are
16 just talking about the 1900 block of 9th Street,
17 I would say ten would be a reasonable estimate.

18 Q So what is the line specifically in
19 terms that we use, that the ABC Board uses?
20 Let's say within 1200 feet of Secret Lounge,
21 would you be surprised to learn that there were
22 70 establishments in that area?

23 A No, I would not be surprised at all,
24 1200 feet, certainly, yes.

25 Q And to be clear, the incident that

1 we're discussing here in October of 2018, on the
2 1900 block of 9th Street, does that impact the
3 peace, order and quiet of the DuPont Circle
4 neighborhood in any way that you could discern?

5 A I couldn't make that judgment.

6 Q Okay. So let's go, let's fast forward
7 to two months later. So now we are in December
8 of '18, roughly when we have this shooting issue.

9 A I believe the shooting was prior to
10 the (audio interference). I can't tell you for
11 certain, but I remember the shooting being more
12 toward the end of the summer, maybe two months
13 prior to, not after it, but I can't tell you that
14 for certain.

15 Q Okay, so we're dealing with roughly,
16 thank you for the clarification. We are dealing
17 roughly with August of 2018?

18 A That's my best guess.

19 Q Okay. And if I understood your
20 testimony correctly, there was shooting on the
21 shoot in proximity to Secret Lounge? Is that
22 right?

23 A This is correct.

24 Q Was that shooting in any way linked to
25 Secret Lounge?

1 A I don't, I can't speculate on that.
2 You would have, to, I don't even know if that
3 case has been closed, and I can't speculate on
4 it. I was one of the first officers to respond,
5 but you know again, that would be a more
6 appropriate question for a homicide detective for
7 the investigation.

8 Q I understand completely, thank you. So
9 I take it there was no citation issued to Secret
10 at that that time?

11 A Not to my knowledge.

12 Q To your knowledge, was there a 96-hour
13 closure?

14 A Not to my knowledge, or not that I
15 recall.

16 Q Okay thank you. I think that is. Oh,
17 are you familiar in your scope, in the course of
18 your duties, are you familiar with the 1700 block
19 of Connecticut Avenue NW?

20 A I would not say to my duties insofar
21 as you know, marginally, it is a different
22 district, I live in the city, I know the city,
23 the periphery of the Third District, so sometimes
24 I would pass through, transfer it, but I don't
25 have any specific similarity about, you know, the

1 neighborhood or anything really.

2 Q Well let me ask you this. From your
3 personal observation, how does the 1700 block of
4 Connecticut Avenue compare to the 1900 block of
5 9th Street?

6 A You know, the traffic, it's hard, it's
7 kind of a large crowd and you know (audio
8 interference).

9 Q I'm sorry Officer O'Shea, you were,
10 most of your response was garbled and broken up.
11 Would you mind saying that again?

12 A Sure. I'm just suggesting that it is,
13 you know, I believe the question, comparing to
14 the 1900 block of 9th Street, I'm not sure I can
15 do that in any way that is helpful. But as far
16 as I know it's both blocks, a street that
17 attracts as many people and crowds as the 1900
18 block of 9th Street.

19 Q Very good. Thank you very much for
20 your time, I appreciate it. The Board may have
21 some questions for you now.

22 A No problem at all.

23 CHAIRPERSON ANDERSON: Thank you, Mr.
24 Bianco. Does any of the Board members have any
25 questions for Officer O'Shea.

1 MEMBER SHORT: Mr. Chair I would like
2 to make a comment.

3 CHAIRPERSON ANDERSON: Yes Mr. Short.

4 MEMBER SHORT: Officer O'Shea, we
5 thank you very much for your service sir. You
6 and the other officers (audio interference).

7 OFFICER O'SHEA: No problem at all,
8 sir, happy to do it.

9 MEMBER SHORT: Officer O'Shea, can you
10 please again repeat for me so I can put it in my
11 notes the report you gave on RDL4, the previous
12 establishment that we are discussing here today.
13 I'll follow behind you.

14 A For the most up to date information I
15 have received from the Metropolitan Police
16 Department this morning was that Secret Lounge
17 was in for (audio interference) for RDO.

18 MEMBER SHORT: Please forgive me, you
19 kind of dropped. Can you repeat that number
20 again please?

21 OFFICER O'SHEA: Four thousand and
22 nine hundred dollars, forty-nine hundred dollars.

23 MEMBER SHORT: So that indicates that
24 he received, or that Licensee received those
25 services but they have not paid for them. Is

1 that correct?

2 OFFICER O'SHEAD: That is my
3 understanding, yes.

4 MEMBER SHORT: Does the District
5 government have any way of collecting those funds
6 even when they move to a new location?

7 OFFICER O'SHEA: I don't know what the
8 process, I couldn't speak to the process for the
9 government collection calculation.

10 MEMBER SHORT: Last question. Once a
11 person is dropped because of nonpayment, until
12 they make those payments, they cannot receive RDO
13 again, is that correct?

14 OFFICER O'SHEA: That is correct.

15 MEMBER SHORT: Thank you very much and
16 be safe out there, Officer O'Shea. Thank you,
17 that's all I have.

18 OFFICER O'SHEA: Thank you sir.

19 CHAIRPERSON ANDRESON: Any other
20 questions from any other Board members?

21 MR. DANEALE: Can I ask him a
22 question?

23 CHAIRPERSON ANDRESON: No sir, no sir,
24 you can't ask him a question. Only your lawyer
25 can ask questions sir. Are there any other

1 questions by any other Board members? You need
2 to check with your lawyer and if he asked the
3 question, and I will give him an opportunity.

4 Any other questions by any of the
5 Board members? Hearing none. Oh I'm sorry, Mr.
6 Bianco, do you have any questions of the Officer
7 based on the questions that were asked by the
8 Board?

9 MR. BIANCO: I don't but if you would
10 briefly indulge me. It sounded like my client
11 wanted to ask something so I sent him the text
12 message to see what he wants to ask. So might I
13 trouble you for a few seconds to see what he
14 wants to ask?

15 MR. DANEALE: I'm texting you.

16 MR. BIANCO: Okay. I do have one
17 question.

18 CHAIRPERSON ANDERSON: Okay Mr.
19 Bianco.

20 MR. BIANCO: Do you know whether or
21 not anyone invoiced Secret Lounge for the RDO?

22 OFFICER O'SHEA: I can't answer that
23 specifically, no sir. I'm not aware of how that
24 process works or how they are notified of that.

25 MR. BIANCO: Thank you very much.

1 CHAIRPERSON ANDERSON: Any other
2 questions Mr. Bianco?

3 MR. BIANCO: No, sir.

4 CHAIRPERSON ANDERSON: Thank you. Mr.
5 Engelmann, do you have any questions you want to
6 ask Officer O'Shea, based on the testimony that
7 was given, based on the testimony that was made,
8 based on the questions that was asked by the
9 Board?

10 MR. ENGELMEN: No, sir.

11 CHAIRPERSON ANDERSON: Mr.
12 Silverstein, Do you have any follow up questions
13 to Officer O'Shea or any questions?

14 MR. SILVERSTEIN: Thank you, no, sir.

15 CHAIRPERSON ANDERSON: All right,
16 Officer O'Shea, thank you very much. Thank you
17 very much for being with us today and you are now
18 free to go. Thank you very much sir.

19 OFFICER O'SHEA: Okay. Thank you Mr.
20 Chairman. You all have a nice day.

21 CHAIRPERSON ANDERSON: All right,
22 thank you. All right. We have, Mr. Silverstein,
23 you have 40 minutes. Do you have another
24 witness?

25 MR. SILVERSTEIN: Yes sir I do. I have

1 Lieutenant John Merzig? Is Lieutenant Merzig
2 available?

3 CHAIRPERSON ANDERSON: Is Lieutenant
4 Merzig on the phone?

5 LIEUTENANT MERZIG: Yes, Lieutenant
6 Merzig here.

7 CHAIRPERSON ANDERSON: All right.
8 Lieutenant Merzig, do you have a camera sir? If
9 you do, if you can turn, if you don't have it,
10 that's fine. There you go, I can see you. I
11 hope you are not driving.

12 LIEUTENANT MERZIG: Not yet but we are
13 about to pull off so I might have to, I'll put
14 the video off and just be on the speaker.

15 CHAIRPERSON ANDERSON: All right. I
16 just need to, can you raise your right-hand sir?

17 LIEUTENANT MERZIG: Yes.

18 CHAIRPERSON ANDERSON: You affirm to
19 tell the truth and nothing but the truth?

20 LIEUTENANT MERZIG: I do.

21 CHAIRPERSON ANDERSON: Thank you.
22 Your witness Mr. Silverstein.

23 BY MR. SILVERSTEIN:

24 Q Thank you. Thank you Lieutenant
25 Merzig. How long have you been with MPD?

1 A Little over a year now.

2 Q And how long were you at 3D?

3 A I worked in the 3rd District for
4 approximately three years.

5 Q And currently you are in 2D?

6 A Yes that is correct.

7 Q So you were where Secret Lounge was
8 and you are now where Secret Lounge or Signature
9 Lounge was required in your service area,
10 correct?

11 A That is correct. Yes.

12 Q When you worked in the supervisory
13 capacity in 2D over near Secret Lounge, were
14 there issues of peace, order and quiet and public
15 safety surrounding that establishment?

16 A Hold on for me for one - all right,
17 I'm sorry, I may have occasional interruptions.
18 We are working on -- we have been handling
19 protests all day. Can you repeat the question?

20 Q Were there issues of peace, order and
21 quiet and public safety surrounding Secret Lounge
22 when you were in the supervisory capacity over
23 there?

24 A Yes there were.

25 MR. BIANCO: Mr. Chairman, I am going

1 to object to that question to the extent that is
2 calls for information that is outside of this
3 fact-witnesses' personal knowledge.

4 If he is being asked to provide
5 information about what somebody has reported to
6 him, I can't cross-examine on that fact, it would
7 be unfair or hearsay. So I want clarification if
8 he is talking his personal knowledge or what
9 somebody else told him.

10 BY MR. SILVERSTEIN:

11 Q Was it your personal knowledge sir,
12 that there are issues of peace, order and quiet
13 in public safety surrounding Secret Lounge?

14 A Yes, I directly worked on the ground
15 in the 1900 block of 9th Street for at least a
16 year to the best of my knowledge.

17 Q And your work over there -- you get
18 cooperation, you get interfacing with the
19 establishment and the investigations and things
20 like that, than did the patrol officers?

21 A Well I was a patrol supervisor, so I
22 was a Sargent there. I oversaw the club zone
23 scene in that area and O'Shea was one of my
24 officers there. As he had said, we covered the
25 1900 block of 9th Street and U Street from 9th to

1 14th.

2 Q Is there anything particular about the
3 clientele at Secret Lounge, and without getting
4 into why the establishment and aura of the place?

5 A I mean it was an area where when we
6 heard a call go out for service, we knew there
7 was usually going to be problems from that area.

8 Q And would the violations outside of
9 the place, just in the area, were there problems
10 that required an RDO?

11 A Yes, between all the fights that
12 happened, the fights spilling out of the club and
13 the homicide that happened in front of the club,
14 you know, I believe there was a multitude of
15 problems that happened in front of that club that
16 caused them to be basically forced by ABER to
17 have an RDO. But I would have to look at the
18 ABER paperwork to see if that was one of their
19 stipulations for remaining open.

20 Q How would you say the cooperation of
21 MPD and your level of facing the problem?

22 A I can just give you one example. On
23 the night of the homicide, our investigation did
24 reveal that the dispute arose inside of Secret
25 Lounge.

1 The dispute was pushed out onto the
2 street and then it escalated to such a point
3 where somebody lost their life. And then I
4 believe after that, they closed the doors and
5 locked them so that police couldn't get inside.

6 Q Review that last part again, was this
7 before closing time?

8 A The shooting happened at approximately
9 1:15 a.m. and it was, and I believe it was August
10 27th if my memory serves me correctly.

11 Q The crime and violence can happen
12 almost anywhere. You can't always blame the
13 establishment if something bad happens there. So
14 what's the particular issue with Secret Lounge in
15 terms of transparency in working with police,
16 compared to some other clubs where there might be
17 problems?

18 A I worked in club zone areas all across
19 the city, from China Town as an officer to the
20 3rd District on U Street, up in Adams Morgan, and
21 now as a Lieutenant here in 2d. I have worked in
22 the DuPont Circle area.

23 So I have plenty of experience dealing
24 with clubs and all different parts of the city
25 and it's been my experience, not all clubs are

1 the same as far as it comes to dealing with the
2 police. Some are very cooperative, they give you
3 every asset, to all their cameras, full
4 recording, everything like that.

5 And then there is other clubs like
6 Secret Lounge that shut the door on you and lock
7 it, you know, when somebody is out there bleeding
8 to death and you need to look at their cameras.

9 Q Do they follow the rules generally or
10 is it, is it something that they are cooperative
11 when they have to be, or do they go out of their
12 way.

13 A I think it's when they are forced into
14 compliance they will follow the rules.

15 Q Has this changed at all since the two
16 episodes that we discussed or?

17 A I can't really speak to the change
18 because after I worked on U Street for a year, I
19 transitioned over to running the 3rd District
20 Crime Suppression Team, so I haven't been down in
21 the 1900 block of 9th Street.

22 Q There is a big disconnect here
23 Lieutenant, and it's a disconnect between
24 relatively clean ABRA record for this
25 establishment and what you describe. Which is

1 you speak of disorder, citywide 1033 calls that
2 Officer O'Shea spoke of, calls for every
3 available officer and you speak of a total lack
4 of cooperation or lack of cooperation with MPD
5 and disregard for public safety.

6 How can it be that they have a clean
7 record and yet this is what you are talking
8 about? How can that be?

9 A I'm sorry, we're making movement right
10 now. Can you repeat that question, I had to turn
11 my camera off.

12 Q I'm sorry, there is a disconnect here
13 and it's a disconnect between the clean ABRA
14 record, relatively clean ABRA record for this
15 establishment and what you are describing, the
16 lack of disorder, the lack of cooperation, and
17 disregard for public safety. How can it have
18 such a clean record and yet still what you are
19 describing?

20 A I mean, there can be any reasons for
21 that, lack of enforcement, lack of just, lack of
22 accountability, you know, there is any number of
23 reasons. But I would manage to guess if you
24 pulled the MPD reports looking at reports taken
25 for ABRA violations at that location, there would

1 be several of them.

2 Q How many, there are fewer than 2,000
3 ABRA investigators in the entire agency, and how
4 many police are there and how often are your
5 police out there?

6 A At least my team, they covered that
7 area, there were 20 of us. We had Sunday,
8 Monday, Tuesday off and our typical shift was
9 from 9:00 p.m. till 7:30 in the morning.

10 Q Now you are moving over to 2D, you are
11 in 2D?

12 A Correct.

13 Q And the past two weeks we have had two
14 shootings in club areas on Connecticut Avenue,
15 I'm just talking about resources here. Two weeks
16 ago an incident just up the block from where
17 Signature Lounge would be.

18 Four days ago a double shooting
19 outside of Decades in middle of club central,
20 south of the circle. Last night a man and his
21 wife were coming home from dinner on 14th Street,
22 which is not necessarily DuPont, but close by,
23 and he was shot and killed.

24 And are you looking at the CAT TV, the
25 club actions down there? Are you doing things in

1 the club zone to respond to this, to what's there
2 now, what is happening there now?

3 A As of yet, a CAT team has not been
4 brought back. On multiple fronts here that has
5 strained our manpower between protests in the
6 city and the rise of violence that is going on
7 right now. But with the clubs opening back up,
8 it is going to be challenging to pull from that
9 unit which would require, I would say at least
10 ten extra officers.

11 So that would mean pulling ten
12 officers that right now we have patrolling the
13 2nd District in neighborhoods you know. The 2nd
14 District is very large so they are spread out all
15 across the 2nd District and to have to
16 consolidate them to DuPont Circle, that would
17 definitely strain the manpower.

18 Q Lieutenant, how would granting a
19 license to this Applicant, with what you have
20 heard about what they are planning to do, how
21 would this affect the deployment of MPD resources
22 in the entire 2nd District?

23 A Well I would answer that by saying,
24 obviously first, as it is I'm sure with Secret
25 Lounge, it probably wouldn't affect it that much.

1 But as we are seeing it now with the clubs
2 opening back up and some more violent acts
3 starting to happen directly inside these clubs.

4 If we have any more, you know, issues
5 of violence, or you know, general disorder calls
6 for people fighting, you know, and DUIs, crashes,
7 it will definitely affect manpower and manpower
8 will have to be dedicated to this area to
9 basically just keep the peace.

10 Q What would that mean for people who
11 live in the residential neighborhood?

12 A It will mean longer response times.
13 It will just pull all of those resources further
14 away from you know, like what I would describe is
15 an ideal deployment where everybody is spread out
16 and able to handle, you know, the randomness of
17 police calls that happen anywhere in the city.
18 Any emergency can happen anywhere, anytime, so we
19 try to be prepared for that.

20 Q Finally, and I thank you so much for
21 your service and for, right now you are down
22 there I assume by the White House with all those,
23 with the protests going on there. Do you know
24 anything more than what Officer O'Shea did
25 regarding RDO payments? Are those in a

1 collection situation?

2 A Yes so, I'm not in 3D but I spoke with
3 the 3D RDO Coordinator, Lieutenant Markowitz, and
4 he forwarded me along a printout from a
5 collection agency with the outstanding balances
6 for Secret Lounge that they never paid. So they
7 basically received nearly \$5,000 of services from
8 the Metropolitan Police Department that they
9 never paid for.

10 Q And it has gone to collections?

11 A Yes it is with a collection agency
12 right now.

13 Q Thank you. I'm sure that Mr. Bianco
14 has some questions of you. Thank you very much
15 for your service, stay safe.

16 A Thank you.

17 CHAIRPERSON ANDERSON: Mr. Bianco, any
18 questions?

19 MR. BIANCO: Yes, I do have some
20 questions. If you'll bear with me for just a
21 moment.

22 So Lieutenant, you testified that you
23 responded to the shooting outside of Secret
24 Lounge in August of 2018, correct?

25 LIEUTENANT MERZIG: I did not testify

1 to that.

2 MR. BIANCO: What was your involvement
3 with that particular incident then?

4 LIEUTENANT MERZIG: I just said I have
5 general knowledge of that case.

6 MR. BIANCO: Okay. So you weren't
7 actually there?

8 LIEUTENANT MERZIG: No, I was not.

9 MR. BIANCO: And does all of your
10 knowledge of that case come from reports that you
11 read?

12 LIEUTENANT MERZIG: Yes.

13 MR. BIANCO: Okay. And did you
14 receive those reports contemporaneously at the
15 time they occurred or have you since reviewed
16 them for the purposes of testimony today?

17 LIEUTENANT MERZIG: I've reviewed --
18 I would say both. Since that was my area
19 obviously, I was very interested in a homicide
20 that happened in my area. I believe I was off
21 that night, but -- so I have the knowledge from
22 officers that were on that scene, they described
23 it to me.

24 And then I have the knowledge that I
25 gained afterwards by reading the testimony, to

1 include the after-hearing testimony regarding the
2 shooting at the club.

3 MR. BIANCO: Understood. But all
4 second-hand knowledge nonetheless, correct?

5 LIEUTENANT MERZIG: Correct.

6 MR. BIANCO: Okay. Do you know
7 whether or not the establishment was issued a
8 citation for that incident in August of 2018?

9 LIEUTENANT MERZIG: No. I'd have to
10 look at the record to see what --

11 MR. BIANCO: Okay.

12 LIEUTENANT MERZIG: -- was determined.

13 MR. BIANCO: Do you know whether or
14 not there was an ABRA violation found by the
15 establishment in August of 2019?

16 LIEUTENANT MERZIG: I don't know that
17 either.

18 MR. BIANCO: Do you know whether or
19 not there was a MPD closure of the establishment
20 in August 2018?

21 LIEUTENANT MERZIG: No, I don't know
22 that.

23 MR. BIANCO: Okay. So you describe
24 the situation whereby following the shooting,
25 somebody at the establishment closed and locked

1 the doors, correct?

2 LIEUTENANT MERZIG: Correct.

3 MR. BIANCO: How did you come to gain
4 that knowledge?

5 LIEUTENANT MERZIG: I believe that was
6 in the testimony that I read from the ABRA
7 hearing.

8 MR. BIANCO: Okay. And when shooting
9 starts, wouldn't closing and locking doors be a
10 prudent response?

11 LIEUTENANT MERZIG: I would say
12 running and hiding would be a prudent response.

13 MR. BIANCO: Okay. And closing open
14 doors and locking them would not fall within that
15 category?

16 LIEUTENANT MERZIG: If somebody was
17 shooting, I would not take the time to lock my
18 door.

19 MR. BIANCO: Okay. But you wouldn't
20 say that's inappropriate though when shooting
21 starts that somebody close and lock a door?

22 LIEUTENANT MERZIG: I'm sorry. Repeat
23 the question?

24 MR. BIANCO: You wouldn't say that
25 that is a inappropriate response?

1 LIEUTENANT MERZIG: No. No, that's
2 fine.

3 MR. BIANCO: Okay. And wouldn't that
4 prevent a gunman from coming inside and shooting
5 more people?

6 LIEUTENANT MERZIG: Yes.

7 MR. BIANCO: Okay. So you talked
8 about the size of your team covering the 9th to
9 14th Street area, I suppose, around the time of
10 the shooting and I believe you said that it was
11 20 officers that were on that particular
12 assignment, right?

13 LIEUTENANT MERZIG: That there's --
14 yes, I would say an approximation. Our numbers
15 would sometimes move from, you know, 19, 20, 21,
16 22 that were assigned to the unit.

17 MR. BIANCO: Okay. But that wasn't
18 isolated just to Secret Lounge, was it?

19 LIEUTENANT MERZIG: No.

20 MR. BIANCO: So those 20 officers or
21 roughly 20 officers would have been assigned to
22 cover all 70 establishments in that particular
23 area, correct?

24 LIEUTENANT MERZIG: Correct.

25 MR. BIANCO: Okay. And you also

1 testified about a recent rise in violence. What
2 did you mean by that?

3 LIEUTENANT MERZIG: Just referring to
4 the violent crime statistics that are on the rise
5 in the District of Columbia.

6 MR. BIANCO: Okay. And I read news
7 stories as much as anybody but, could you be more
8 specific? When did this rise in violent crime
9 start and where are we now?

10 LIEUTENANT MERZIG: Just talking from
11 my own knowledge on it, you know, the
12 Metropolitan Police Department keeps stats that
13 you can go and look on their website, as far as
14 the reportable violent crimes. But I'd probably
15 say it started seriously increasing in 2018 and
16 that it continued in 2019 and 2020.

17 MR. BIANCO: Okay. And the increase
18 in violent crime that you're referring to, is
19 that city wide or is that isolated to one
20 specific area?

21 LIEUTENANT MERZIG: We've seen
22 percentage increases in every district in violent
23 crime. Most of it is centered usually, in the
24 Sixth and the Seventh District, but you're
25 correct in saying that it's spread out in the

1 city.

2 MR. BIANCO: Okay. So Mr. Silverstein
3 asked you about how you think Signature Lounge
4 might impact the deployment of manpower in the
5 1700 block of Connecticut Avenue; do you remember
6 that?

7 LIEUTENANT MERZIG: Yes, I do.

8 MR. BIANCO: Okay. And I just want to
9 make sure I understood your answer correctly,
10 which is well, if there's issue of violence then
11 it would affect manpower, but until that happens
12 you won't know; is that accurate?

13 LIEUTENANT MERZIG: Yes. I mean, so
14 typically, you know, we are -- if there's
15 incidence, we will react to them and if there's
16 enough, we will set up a team or taskforce,
17 something along those lines, to address what's
18 going on or if we see patterns going on.

19 MR. BIANCO: Okay. And having worked
20 both the 1900 block of 9th Street and now the
21 area including the 1700 block of Connecticut
22 Avenue, how would you describe the difference
23 between those two areas?

24 LIEUTENANT MERZIG: I would say the U
25 Street corridor that I would refer to, which

1 includes the 1900 block and 9th Street, if you'll
2 allow that. The amount of foot traffic and club
3 density is much higher than the whole Dupont
4 Circle and north of Dupont Circle area.

5 MR. BIANCO: Right. Okay. Thank you
6 very much, Lieutenant. I appreciate your time.
7 I'm sure the Board will have some questions for
8 you.

9 CHAIRPERSON ANDERSON: All right.
10 Thank you. Any questions by the Board members?

11 MEMBER GRANDIS: Yes, sir.

12 CHAIRPERSON ANDERSON: Mr. Grandis.

13 MEMBER GRANDIS: Officer, I want to
14 thank you for your valuable time. I know you're
15 probably engaged with global issues and we don't
16 want to distract you too much, but I do want to
17 ask you a couple questions.

18 It's been cited that there was a
19 hearing that was regarding this shooting in front
20 of the, I guess it's Secret's; is that correct?

21 LIEUTENANT MERZIG: Yes. To my
22 knowledge, I'm referring to testimony that --

23 MEMBER GRANDIS: Yes.

24 LIEUTENANT MERZIG: -- Assistant
25 Stuart Emerman gave --

1 MEMBER GRANDIS: Yes. Yes.

2 LIEUTENANT MERZIG: -- at that
3 hearing.

4 MEMBER GRANDIS: Thank you. And I
5 thought you also said that in that hearing it was
6 acknowledged that the confrontation, prior to the
7 shooting, was actually inside that establishment?

8 LIEUTENANT MERZIG: Correct.

9 MEMBER GRANDIS: And then I also heard
10 you state for this record, that in that hearing
11 it was also noted that the establishment closed
12 the doors and locked them once the shooting
13 occurred.

14 LIEUTENANT MERZIG: Correct.

15 MEMBER GRANDIS: Did that testimony,
16 was it able to be determined if the owner was
17 present when the doors were locked? Was the
18 owner present that evening? Is that --

19 LIEUTENANT MERZIG: I could not -- I
20 couldn't testify to that. I couldn't tell you
21 that either way.

22 MEMBER GRANDIS: Okay. Well, thank
23 you.

24 Mr. Chairman, is it possible to recall
25 this particular hearing has been brought into

1 this hearing to have that hearing record made a
2 part of this hearing so we can get clarification?

3 CHAIRPERSON ANDERSON: There's a
4 standing objection by counsel regarding the
5 nature of -- I'm sorry. Go ahead, Mr. Bianco,
6 you have something?

7 Well, no. The questions addressed to
8 me There's a standing objection because remember
9 there was a motion filed by the applicant that
10 requested that we -- that a subpoena not be
11 issued and that their testimony be limited.

12 So I do not believe that its
13 appropriate for us to bring that case in this
14 case. I believe --

15 MEMBER GRANDIS: Then why did you
16 allow all that testimony --

17 (Simultaneous speaking)

18 MEMBER GRANDIS: -- because without
19 having that record in front of us, we can't
20 determine if that was accurate?

21 CHAIRPERSON ANDERSON: There's a
22 standing objection and I believe there's a
23 witness also here who is supposed to testify
24 regarding that issue. There is a Board witness.
25 Mr. Silverstein is calling one of the -- I am not

1 going to put it into the record.

2 I'm not going to pull it in the
3 record, bring it here, it's up to the protestant
4 to bring things that I imagine that Ms. --
5 there's a witness here who is going to testify, I
6 believe, regarding the incident.

7 MEMBER GRANDIS: Okay. And let me
8 just say --

9 MR. SILVERSTEIN: Mr. Chairman?

10 MEMBER GRANDIS: -- that --

11 CHAIRPERSON ANDERSON: Hold on a
12 minute, Mr. Grandis.

13 Yes, Mr. Silverstein?

14 MR. SILVERSTEIN: The protestants
15 would like to bring in -- this was in our path,
16 Exhibit 1, the district did have a fact-finding
17 hearing in December 5th, I believe it was, 2018
18 regarding a homicide that occurred August 27th,
19 2018, in Secret Lounge, testimony of Assistant
20 Chief of Police, Stuart Emerman.

21 CHAIRPERSON ANDERSON: All right. Mr.
22 Silverstein, all right. It's my understanding,
23 it's not on the record as yet, that the
24 protestant have asked for that information. So
25 in the presentation of this case, if the

1 protestant --

2 LIEUTENANT MERZIG: My phone's about
3 to die. O'Shea just testified from the train.
4 Okay?

5 CHAIRPERSON ANDERSON: I'm sorry. It
6 appears that the witness is stating that his
7 phone is about to die. So I don't know where
8 we're going to go with this. With his further
9 testimony?

10 MR. SILVERSTEIN: Will I be able to
11 introduce it now as a --

12 LIEUTENANT MERZIG: I'm sorry. Were
13 you guys raising me?

14 MR. SILVERSTEIN: No, we were not.

15 CHAIRPERSON ANDERSON: No. I'm sorry.
16 All right. So not at this juncture. So --

17 LIEUTENANT MERZIG: Okay.

18 CHAIRPERSON ANDERSON: -- it's not --
19 the Board does not bring the documents into
20 exhibits in certain, so granted. So that's --

21 (Simultaneous speaking)

22 MEMBER GRANDIS: Thank you. Thank
23 you. Thank you. I raised it, just to be clear,
24 I just wanted to be clear. I generally support
25 CTs. I generally support CNs if it's appropriate

1 where it's going to be established.

2 I generally do not support CTs that
3 become CNS.

4 CHAIRPERSON ANDERSON: I would like to
5 --

6 MEMBER GRANDIS: No. I'm just stating
7 that if we're looking at a CT license, I want
8 them to know that I generally support the
9 implement of a CT license.

10 CHAIRPERSON ANDERSON: Well, I --
11 we're in the middle of this hearing and I would
12 appreciate all the Board members, we need to keep
13 an open mind.

14 We're not the --

15 MEMBER GRANDIS: I have an open mind.
16 I'm just stating that I support CTs as they are
17 designed. And I support CNS as they are
18 designed. I don't think I'm doing anything
19 inappropriate by stating that.

20 CHAIRPERSON ANDERSON: All right.
21 This is a protest hearing. The applicant is
22 requesting a CT license. That is the license
23 that's here. There is no application here for CN
24 license.

25 I want to make sure that the record is

1 clear that the protestant -- that the applicant
2 is asking for a CT license. If Board members or
3 anyone think that it's morphing into a CN or sub-
4 CN, that's a different situation. But currently,
5 this is a new license for a CT.

6 And I just want to make sure the
7 record is clear that that's the issue that we're
8 discussing, whether or not this applicant can get
9 a CT license.

10 I don't want us to be talking about a
11 CN license, because that's not here. The
12 licensee is not asking for a CN license. If
13 individuals believe that this is the not the
14 appropriate license for them to request this,
15 this is not the juncture for us to have that
16 conversation.

17 So all that's been requested here is
18 a CT license and I need us to focus the hearing
19 on whether or not this CT license is appropriate
20 for this area and whether or not -- and the Board
21 actually listen to what the testimony will
22 deliver it and make it a determination whether or
23 not we're going to grant the license, deny the
24 license, or grant the license with conditions or
25 -- and I don't know.

1 But I just want to make sure that the
2 record is clear where we're heading. Okay? So
3 that's where we are. Do you have any other
4 questions you want to ask, Mr. Grandis?

5 MEMBER GRANDIS: I do. Thank you for
6 this opportunity. Thank you very much, sir.

7 CHAIRPERSON ANDERSON: All right. All
8 right. Any other questions by any of the Board
9 members?

10 Mr. Bianco, any questions after the
11 officer gave the testimony for that by the Board?

12 MR. BIANCO: No.

13 CHAIRPERSON ANDERSON: Mr. Engelmann,
14 any questions of the officer based on the
15 questions that were asked by the Board?

16 MR. ENGELMANN: No, Mr. Chairman.

17 CHAIRPERSON ANDERSON: Thank you. Mr.
18 Silverstein, any questions of the officer based
19 on the questions that were by the Board?

20 MR. SILVERSTEIN: Yes, based on the
21 question of rules and following the CR and CT and
22 CN.

23 How does the way that an establishment
24 is run and follows the rules affect the crowd
25 that they bring?

1 LIEUTENANT MERZIG: Yes, I'm here.
2 I'm here. I mean, this is my personal opinion,
3 but from what I've seen on the streets that clubs
4 that are play fast and loose with the rules,
5 they're going to have clients that are going to
6 be just pretty much the same as them.

7 MR. SILVERSTEIN: No further
8 questions. Thank you. Be safe, sir.

9 CHAIRPERSON ANDERSON: Lieutenant,
10 thank you very much for your testimony today.
11 Thank you for being here with us and have a good
12 day.

13 LIEUTENANT MERZIG: Yes. Thank you.
14 I'm going to disconnect.

15 CHAIRPERSON ANDERSON: Yes, sir. You
16 can disconnect. Thank you very much.

17 All right. Let me see, as far as time
18 is concerned. Mr. Silverstein, you have 26
19 minutes left in your entire case. Do you have
20 any other witnesses? Mr. Silverstein?

21 MR. SILVERSTEIN: I'm sorry. I need
22 to unmute myself. We'd like to call ABRA
23 Investigator Rhoda Glasgow.

24 CHAIRPERSON ANDERSON: Remember, you
25 have 26 minutes left in your case. All right.

1 MR. SILVERSTEIN: Yes, sir.

2 CHAIRPERSON ANDERSON: Ms. Glasgow,
3 can you raise your right hand, please. Do you
4 swear or affirm to tell the truth and nothing but
5 the truth?

6 INVESTIGATOR GLASGOW: I do.

7 CHAIRPERSON ANDERSON: All right.
8 Thank you. Go ahead, Mr. Silverstein.

9 MR. SILVERSTEIN: Thank you very much,
10 Investigator Glasgow, for being here and getting
11 through this so far. We're going to talk about
12 one specific event and that is the inspection,
13 attempted inspection of Secret Lounge on the
14 night of August 29th, 2020.

15 And I'm going to walk you through it
16 step-by-step. First, what were you doing that
17 night and do you recall, you're aware of which
18 one I'm talking about, right?

19 INVESTIGATOR GLASGOW: Yes, I do. I
20 was monitoring establishments on 9th Street
21 actually, when I saw a bunch of people standing
22 in front of Secret Lounge. So I approached the
23 door and I realized it was locked.

24 Some of the patrons were complaining
25 that that's what they were doing for a while now.

1 So I started banging on the door and a security
2 guard, I don't think he noticed me at the time,
3 so I put my badge up on the door. I'm not sure
4 if he noticed it again. I then called my
5 supervisor and asked him how to proceed?

6 MR. SILVERSTEIN: Okay. How long did
7 you knock?

8 INVESTIGATOR GLASGOW: I would say I
9 was knocking for, like, five minutes, actually.

10 MR. SILVERSTEIN: How loud?

11 INVESTIGATOR GLASGOW: I'm sorry?

12 MR. SILVERSTEIN: How loud did you
13 knock?

14 INVESTIGATOR GLASGOW: Oh, I was
15 trying to knock as loud as I could possibly do it
16 because the music was on inside. So --

17 MR. SILVERSTEIN: Do you --

18 INVESTIGATOR GLASGOW: -- and the
19 street is very noisy.

20 MR. SILVERSTEIN: Do you know if
21 anybody inside saw you or heard you?

22 INVESTIGATOR GLASGOW: At that point,
23 no. I remember -- I think he did see me, the
24 security inside did see me, but he didn't
25 acknowledge that I was there. That's when I

1 called my supervisor.

2 MR. SILVERSTEIN: So you called your
3 supervisor and what did your supervisor say?

4 INVESTIGATOR GLASGOW: He said to
5 standby and he would contact the fire marshal so
6 he can come out there and address the situation.

7 MR. SILVERSTEIN: And while you
8 waited, did you see anyone leave or enter Secret
9 Lounge?

10 INVESTIGATOR GLASGOW: No.

11 MR. SILVERSTEIN: The door was locked
12 and left unattended for how long, do you think?

13 INVESTIGATOR GLASGOW: Well, the fire
14 marshal took about 15 minutes to get there from
15 when I got there and he came and started banging
16 at the door as well.

17 And at that point he had, well,
18 basically a harder knock than I did. So it got
19 the attention of the security guard who then
20 looked through the door and then ran upstairs to
21 get the owner.

22 MR. SILVERSTEIN: Wait. The security
23 guard saw the fire marshal? Was the fire marshal
24 in uniform?

25 INVESTIGATOR GLASGOW: Yes, he was.

1 MR. SILVERSTEIN: And he did not open
2 the door?

3 INVESTIGATOR GLASGOW: No. Not
4 immediately, no. He went to the second floor to
5 get the owner and then the owner came downstairs.

6 MR. SILVERSTEIN: Did you show a badge
7 at that point as well or?

8 INVESTIGATOR GLASGOW: No. The fire
9 marshal had the point at that time.

10 MR. SILVERSTEIN: Well, they let you
11 in or what happened when he came downstairs? He
12 came downstairs with the owner you say?

13 INVESTIGATOR GLASGOW: Yes. The owner
14 came downstairs and opened the door for us to
15 come in.

16 MR. SILVERSTEIN: And when they
17 finally let you in, what did you see upstairs?
18 So what did you see on the first floor?

19 INVESTIGATOR GLASGOW: Well, the first
20 floor was kind of empty. There was not a lot of
21 people. Mostly staff. When we went up to the
22 second floor, there were people sitting around
23 there. Social distancing was not adhered to.
24 Some people were walking around without masks. I
25 saw people sitting at the bar, they were

1 conduction bar service as well. And people
2 weren't socially distanced.

3 MR. SILVERSTEIN: They were not
4 sitting with too many people at a table or what
5 was the things you saw?

6 INVESTIGATOR GLASGOW: Yes. Yes, they
7 were more than six at a table in some groups of
8 people. You couldn't really tell one table from
9 the other because they were all combined,
10 basically.

11 MR. SILVERSTEIN: And the owner had
12 been up there while this was occurring?

13 INVESTIGATOR GLASGOW: Yes.

14 MR. SILVERSTEIN: And there was bar
15 service?

16 INVESTIGATOR GLASGOW: Yes.

17 MR. SILVERSTEIN: Bar service, this
18 was during what you call Phase II?

19 INVESTIGATOR GLASGOW: Yes.

20 MR. SILVERSTEIN: Was bar service
21 legal?

22 INVESTIGATOR GLASGOW: It was
23 restricted. It was not allowed.

24 MR. SILVERSTEIN: So no masks, no
25 social distancing, more than six to a table,

1 people walking around without masks and bar
2 service?

3 INVESTIGATOR GLASGOW: That is
4 correct.

5 MR. SILVERSTEIN: Anything else you
6 want to add?

7 INVESTIGATOR GLASGOW: While we were
8 up there, the fire marshal explained to the owner
9 that he cannot lock the door at any point because
10 patrons were inside of the establishment.

11 MR. SILVERSTEIN: And this was Fire
12 Marshal Pennington?

13 INVESTIGATOR GLASGOW: Yes.

14 MR. SILVERSTEIN: I have no -- thank
15 you very much for sticking it out this long.
16 Thank you for your help and for your service at
17 ABRA. I have no further questions.

18 INVESTIGATOR GLASGOW: Thank you.

19 CHAIRPERSON ANDERSON: All right. Mr.
20 Bianco, any questions of the witness?

21 MR. BIANCO: No questions.

22 CHAIRPERSON ANDERSON: I'm sorry. I
23 should have asked Mr. Engelmann.

24 Mr. Engelman, any questions of this
25 witness?

1 MR. ENGELMANN: No questions.

2 CHAIRPERSON ANDERSON: All right.

3 Thank you. And any questions of the witness by
4 any Board members?

5 MEMBER GRANDIS: Yes, sir.

6 CHAIRPERSON ANDERSON: Yes, Mr.

7 Grandis?

8 MEMBER GRANDIS: Thank you, Chairman.

9 I want to thank you for being patient
10 with us today as you've heard. I want to thank
11 you for your great service to the city. I'm
12 going to try again.

13 Now, you were at this establishment
14 after the shooting; did I hear that correctly?

15 INVESTIGATOR GLASGOW: I am not sure
16 when the shooting happened. I was there on
17 August 29th of 2020.

18 MEMBER GRANDIS: At what time?

19 INVESTIGATOR GLASGOW: I got there
20 approximately 8 o'clock.

21 MEMBER GRANDIS: Oh, in the evening?

22 INVESTIGATOR GLASGOW: Yes.

23 MEMBER GRANDIS: Okay. And this is
24 when the doors were locked?

25 INVESTIGATOR GLASGOW: Yes, when I saw

1 the doors were locked. Yes.

2 MR. ENGELMANN: And --

3 INVESTIGATOR GLASGOW: I pulled on the
4 door a couple of times and I verified that it was
5 locked.

6 MR. ENGELMANN: Okay. And was this,
7 based on their license, was this legal operating
8 hours that they would usually be open at 8
9 o'clock?

10 INVESTIGATOR GLASGOW: Yes.

11 MEMBER GRANDIS: And the doors were
12 locked?

13 INVESTIGATOR GLASGOW: Yes.

14 MEMBER GRANDIS: And there were
15 patrons inside, not just staff?

16 INVESTIGATOR GLASGOW: That is
17 correct.

18 MEMBER GRANDIS: Do you know if the
19 owner was present?

20 INVESTIGATOR GLASGOW: He was.

21 MR. ENGELMANN: Thank you very much.
22 Thank you for your time and thank you for your
23 testimony.

24 INVESTIGATOR GLASGOW: Thank you.

25 CHAIRPERSON ANDERSON: Any other

1 questions by any other Board member?

2 All right. Hearing none, Mr. Bianco
3 any -- I'm sorry, let me ask Mr. Engelmann first.

4 Mr. Engelmann, any questions of the
5 witness based on the questions that were asked by
6 the Board?

7 MR. ENGELMANN: No.

8 CHAIRPERSON ANDERSON: All right.
9 Mr., hold on. Mr. Bianco, any questions of the
10 witness based on the questions that were asked by
11 the Board?

12 MR. BIANCO: No, sir.

13 CHAIRPERSON ANDERSON: All right.
14 Thank you. Mr. Silverstein, any follow-up
15 questions for the witness based on the questions
16 that were asked by the Board?

17 MR. SILVERSTEIN: No, Mr. Chairman.
18 But may I, at this time, ask that Exhibit 5, I'm
19 sorry, not Exhibit 5, but Exhibit 3, the
20 Alcoholic Beverage Regulation Administration case
21 report be entered into the record?

22 CHAIRPERSON ANDERSON: And Mr. Bianco,
23 I'm going to allow it in the record because it's
24 part of ABRA's records. And so it's part of our
25 records, Mr. Bianco.

1 MR. BIANCO: Understood. Could I just
2 make my objection for the record?

3 CHAIRPERSON ANDERSON: Go ahead, sir.

4 MR. BIANCO: Okay. We have a four-
5 fold objection. Number one is our standard
6 objection as to relevance of anything with
7 respect to Secret Lounge. Number two, this is an
8 unadjudicated -- it's not adjudicated as a
9 violation. It's merely a warning, so it has no
10 relevance to the ultimate issue that that Board
11 is deciding.

12 Number three, it's unnecessarily
13 repetitive and cumulative as we have the
14 investigators testimony. There's no need to need
15 to enter a written exhibit.

16 And finally, any prejudice of this
17 exhibit outweighs the probative value. Thank you
18 for letting me make the record, sir.

19 CHAIRPERSON ANDERSON: All right.
20 Thank you, Mr. Bianco. And the only reason it
21 is, it is a part of ABRA's records.

22 So it's the same owner as a part of
23 the record and the Board will use the document
24 for whatever, I'm sorry, in a sense of if it's
25 determined that it's relevant at some point, you

1 can argue a determination for -- we'll give it
2 the probative value that it's worth. And I don't
3 know what that is at this at this juncture.

4 CHAIRPERSON ANDERSON: All right.

5 MR. SILVERSTEIN: And Mr. Chairman?

6 CHAIRPERSON ANDERSON: So it's a part
7 of the record, Mr. Silverstein. Yes, go ahead,
8 sir.

9 MR. SILVERSTEIN: At this time, might
10 I also enter into record Exhibit 2, which is also
11 a transcript of a ABRA fact-finding hearing,
12 February 6th, 2019, regarding the APL on Brian
13 O'Shea.

14 And Exhibit 1 --

15 CHAIRPERSON ANDERSON: Let's do one at
16 a time. The first one you said was Exhibit what?

17 MR. SILVERSTEIN: Exhibit 2, which is
18 the transcript of the ABRA fact-finding hearing
19 of February 6th, 2019.

20 CHAIRPERSON ANDERSON: And that's
21 fine, Mr. Bianco?

22 MR. BIANCO: I believe that the Chair
23 has already ruled on this issue and that it was
24 not to be admitted. But again, for the record,
25 one, we have a standing objection as to relevance

1 of anything with respect to Secret Lounge.

2 Number two, I think it is repetitive
3 as the officer was here and actually testified
4 and has been cross-examined. Number three, if
5 the testimony contained in the transcripts that
6 is of anyone other than Officer O'Shea is
7 hearsay. I can't cross-examine on it. It's
8 going to be accepted for the truth of the matter
9 of service, which makes it unfair hearsay.

10 It is unnecessarily accumulative.
11 Officer O'Shea is here and prejudice outweighs
12 any probative value. It's simply unnecessary.

13 CHAIRPERSON ANDERSON: All right. I'm
14 going to allow that exhibit in and the Board will
15 give it the weight that it's due. All right.

16 What other exhibits you're trying to
17 move into evidence, Mr. Silverstein?

18 MR. SILVERSTEIN: It would be a
19 transcript of ABRA's fact-finding hearing of
20 December 5th, 2018, regarding the homicide which
21 occurred on August 27th, 2018, at Secret Lounge.
22 Specifically, the testimony of Assistant Chief of
23 Police, Stuart Emerman.

24 CHAIRPERSON ANDERSON: And this is
25 exhibit what number?

1 MR. SILVERSTEIN: Exhibit 1, sir.

2 CHAIRPERSON ANDERSON: Mr. Bianco?

3 MR. BIANCO: Sure. We have our
4 standing objection. I believe the Board has
5 already ruled on this issue.

6 But in addition, I would like to
7 submit that Lieutenant Emerman is not here. He
8 can't be cross-examined. It's hearsay. And I
9 think, what is even more problematic, is that our
10 witness that was here has no first-hand knowledge
11 of the events.

12 So it is incredibly prejudicial and
13 it's something that we can't explore and I can
14 also, at the time this testimony was taken, I
15 didn't have the opportunity to cross-examine with
16 respect to a totally different establishment
17 three years later.

18 It's incredibly prejudicial. And I
19 think it's totally irrelevant to the underlying
20 issue that the Board is trying to decide and it
21 most certainly should be excluded based on
22 Lieutenant Merzig's testimony that he had
23 absolutely no first-hand knowledge of what
24 occurred on that night.

25 CHAIRPERSON ANDERSON: All right.

1 Thank you for your position, Mr. Bianco. I'm
2 going to allow it into evidence and the Board
3 will give it the weight it so deserves.

4 Any other exhibits or any other
5 questions for Ms. Glasgow, so we can release her,
6 Mr. Silverstein?

7 MR. SILVERSTEIN: No. Thank her for
8 her patience. Thank you very much for your
9 service.

10 CHAIRPERSON ANDERSON: Ms. Glasgow,
11 thank you very much for being on the hearing this
12 entire time. Thank you for your testimony today.
13 And have a great day, you are free to go. Thank
14 you.

15 All right. Mr. Silverstein, do you
16 have another witness?

17 MR. SILVERSTEIN: Yes, I do. Jim
18 McGlade. Mr. McGlade.

19 CHAIRPERSON ANDERSON: Jim Glade?

20 MR. SILVERSTEIN: Is Mr. McGlade
21 there?

22 CHAIRPERSON ANDERSON: James, is it
23 James McGlade?

24 MR. SILVERSTEIN: Yes.

25 CHAIRPERSON ANDERSON: Mr. McGlade, I

1 see your name is on my screen. Are you there,
2 sir?

3 MR. MCGLADE: Yes.

4 CHAIRPERSON ANDERSON: Do you have a
5 camera, sir? If not, let me know. Do you have a
6 camera you can access so I can see you at least
7 when I swear you in?

8 MR. MCGLADE: Yes. Just one second.

9 CHAIRPERSON ANDERSON: All right.
10 Thank you.

11 MR. SILVERSTEIN: How much time do I
12 have, Mr. Chairman? I don't want to --

13 CHAIRPERSON ANDERSON: 21 minutes and
14 16 seconds, sir.

15 MR. SILVERSTEIN: Okay.

16 MR. MCGLADE: I don't have a camera.

17 CHAIRPERSON ANDERSON: All right. If
18 you don't have a camera, it's fine. Mr. McGlade,
19 can you raise your right hand, please? Sir?

20 MR. MCGLADE: Sure.

21 CHAIRPERSON ANDERSON: Is it up?
22 Okay. I can see you. Do you swear or affirm to
23 tell the truth and nothing but the truth?

24 MR. MCGLADE: Yes, I do.

25 CHAIRPERSON ANDERSON: All right.

1 Thank you. Go ahead. Your witness, Mr.
2 Silverstein.

3 MR. SILVERSTEIN: Mr. McGlade, you run
4 a business next door. Tell us the name of the
5 business and what your hours are.

6 MR. MCGLADE: The name of the business
7 is called Bite the Fruit. B-I-T-E, T-H-E, F-R-U-
8 I-T. Bite the Fruit. Our hours are, during the
9 pandemic, 12:00 to 8:00 and until this gets
10 passed us, our normal hours, for over 20 years,
11 was 11:00 to 11:00 and on weekends 11:00 to
12 midnight or 12 o'clock.

13 MR. SILVERSTEIN: Okay.

14 MR. MCGLADE: Sometimes on holidays
15 we'd stay till 1:00.

16 MR. SILVERSTEIN: So your hours then,
17 overlap the hours of a club we're going over next
18 door?

19 MR. MCGLADE: Yes.

20 MR. SILVERSTEIN: Okay. We're running
21 a little late. So I'm going to keep this as
22 quickly as we can. How did the previous business
23 that was there, Bistro Bistro, affect your
24 business? And let's start with outside, the
25 sidewalk, ingress and egress into your business

1 and how was that?

2 MR. MCGLADE: It affected it greatly
3 due to the fact that it had promoters and there
4 were trucks at the door for them and lines were
5 forming down the street in front of my store and
6 a lot of people that were coming in late that
7 worked the swing shift were kind of intimidated
8 and called me on the phone and said, look, you
9 know, we can't break the line of people. Who are
10 these people? What's going on?

11 As far as the cleanliness, the next
12 morning we'd find, all up and down the street,
13 half pints of this or half a bottle of that or
14 loaded with cigarettes or cigar butts. And a lot
15 of debris on the sidewalk.

16 MR. SILVERSTEIN: Okay. Now, let's
17 talk about inside. Let's talk about the noise
18 problem. And let's talk about the building
19 itself. It was built as a grocery store?

20 MR. MCGLADE: Yes.

21 MR. SILVERSTEIN: How bad was the
22 noise inside? Could you hear it inside your
23 store?

24 MR. MCGLADE: Right. Bistro Bistro
25 was originally Larimer's Grocery Store, which was

1 around for many years.

2 Yes. My building is connected to that
3 building and the sound would be so loud that we
4 would just have to turn off our sound in our
5 store, which is just retail store music and it
6 would just reverberate right up the wall and at
7 that time, I was living in the apartment on the
8 third floor. And that sound would continue till
9 2:30, quarter 3:00 in the morning Friday,
10 Saturday night.

11 And then it got to the point where I
12 did just move out of the building and I moved up
13 I Columbia Heights and I've been there for about
14 seven years.

15 MR. SILVERSTEIN: You were forced to
16 move out of your apartment?

17 MR. MCGLADE: Well, no one forced me
18 but I like to get a good night's sleep and I
19 don't really go to bed early, but the point is
20 when you do want to go to bed, you want to go to
21 bed?

22 MR. SILVERSTEIN: Really?

23 MR. MCGLADE: Yes.

24 MR. SILVERSTEIN: Why didn't you
25 complain to ABRA?

1 MR. MCGLADE: Well, we actually did.
2 We actually talked to the owner several times.
3 And when he realized that the money he was paying
4 promoters and the money he was paying for a
5 quote, security, which I'm not sure how long that
6 lasted, and the DJ that they were doing and all
7 this other stuff, and at the end of the night
8 they were walking away with like \$1,000 and the
9 place was destroyed. All the tables were moved,
10 all the chairs were moved. Everything was moved
11 and you got to get staff to get it back together
12 because if it was a weekend, they were open at
13 11:00, like a brunch on Saturday's and Sunday's.

14 So yes. So he finally threw the towel
15 in and said, you know what, it just isn't worth
16 it. Let me just get me a restaurant.

17 MR. SILVERSTEIN: Can you explain to
18 the Board why this is such a serious problem and
19 how much insulation is there between that place
20 and your place?

21 MR. MCGLADE: Well, there is no
22 insulation and as someone said earlier, I'm not
23 an engineer, but because of the brick wall on my
24 side and the brick wall on his are connected, the
25 sound just reverberates right through. There was

1 not a space. There's not a sound space there, if
2 I'm saying that correctly.

3 So therefore, that noise will come
4 right through, much bigger.

5 MR. SILVERSTEIN: How much, what is it
6 like 10 inches, 12 inches, 20 inches of brick?
7 Do you have any idea?

8 MR. MCGLADE: The idea is, I think the
9 walls are like eight-inch bricks or seven and a
10 half inch times two. So it's 12 to 14 inches is
11 the wall. I also think that's probably a fire
12 code too of buildings that are adjoined.

13 MR. SILVERSTEIN: Is there a person
14 living on the third floor now?

15 MR. MCGLADE: Yes, there is.

16 MR. SILVERSTEIN: What's going to
17 happen to him or her?

18 MR. MCGLADE: Yes. I don't know. You
19 know, I'm at liberty to speak about my store.
20 I've been here a long time and I extended. You
21 know, I just signed another 10-year lease here.
22 Yes, I'm not sure what's going to -- I would
23 imagine, if they don't wake up about 12:01. I
24 would imagine.

25 Plus, the, you know, what's going on

1 and of course we have another tenant downstairs
2 and I'm sure there going to -- they're very clean
3 downstairs and very neat. I'm sure they will
4 find out in the morning. Okay, we got to do a
5 cleanup here.

6 MR. SILVERSTEIN: So are you saying
7 does this makes your business less profitable,
8 more difficult, are you able to -- do you have to
9 shout over the music?

10 MR. MCGLADE: Absolutely. I mean, we
11 would just talk loud and again, there were other
12 people in there previously, and we actually would
13 hire an extra person just to stay on the floor
14 upstairs just for safety and our own security
15 because we know when we locked up, it was at 12
16 o'clock or 12:30 or 1 o'clock, you know there was
17 a 99 percent chance there was a crowd on the
18 sidewalk.

19 MR. SILVERSTEIN: No further
20 questions. Thank you.

21 CHAIRPERSON ANDERSON: Mr. Engelmann,
22 thank you. Do you have any questions for this
23 witness?

24 MR. ENGELMANN: No questions.

25 CHAIRPERSON ANDERSON: Mr. Bianco?

1 MR. BIANCO: Yes, I do.

2 Mr. McGlade, I have a few questions
3 for you.

4 CHAIRPERSON ANDERSON: I'm sorry.
5 Hold on one minute, please. Hold on one minute,
6 please. No, I'll do that when I ask questions of
7 the Board. Go ahead, Mr. Bianco.

8 MR. BIANCO: Sure. Mr. McGlade, I do
9 have a few questions for you.

10 The testimony you gave was about an
11 establishment called Bistro Bistro, correct?

12 MR. MCGLADE: It -- well, it was the
13 same owner of the next thing that's up on your
14 canopy right now. He changed the name a couple
15 times, but the same ownership.

16 MR. BIANCO: Okay. But that was
17 different from Mr. Daneale, it's a separate owner
18 from him, correct?

19 MR. MCGLADE: Separate owner from who?

20 MR. BIANCO: From the applicant who is
21 before the Board right now?

22 MR. MCGLADE: Yes.

23 MR. BIANCO: Okay. And how long did
24 the previous owner operate at the establishment
25 next to yours?

1 MR. MCGLADE: I would say about 2010,
2 2011, give or take. So probably eight years, at
3 least. The place has been vacated for about two
4 years; I believe.

5 MR. BIANCO: Okay.

6 MR. MCGLADE: So that's six to eight.

7 MR. BIANCO: Okay. And did you ever
8 come to some kind of an agreement with the owner
9 of the establishment to take, sort of actions to
10 ameliorate your concerns?

11 MR. MCGLADE: Well, the agreement was,
12 you know, you got to clean your act up. We want
13 the neighborhood, you were going to be a
14 restaurant, a French-style restaurant and you're
15 not. Then you went into Lebanese food and you're
16 still not. You're still, you know, running club
17 nights out of it.

18 So we did. You know, we're not
19 enemies. And he just finally threw the chips in
20 and said it's just not paying off. It took him
21 two years to figure it out.

22 MR. BIANCO: But by agreement, you
23 mean, a man-to-man handshake agreement or a
24 formal written agreement?

25 MR. MCGLADE: Yes. Sure. Sure.

1 MR. BIANCO: Okay.

2 MR. MCGLADE: Yes, no. I didn't ever
3 threaten to go to ABRA or the ANC and we could
4 work this thing out. And then we eventually did.

5 MR. BIANCO: No. I appreciate that
6 and that was actually my next question, which is
7 did you ever go to ABRA or the ANC to try and get
8 a formal agreement?

9 MR. MCGLADE: No.

10 MR. BIANCO: Okay.

11 MR. MCGLADE: No, I did not.

12 MR. BIANCO: And what is the reason
13 why you didn't do that in this eight years of
14 having to endure these issues?

15 MR. MCGLADE: Okay. Well, he didn't
16 have this club scene for eight years. I would
17 say the first maybe three or four years strong,
18 it was just a restaurant. Every now and then
19 he'd have, you know, a group staying until
20 midnight or something like that. And I believe,
21 I believe he also had a CT license.

22 It didn't happen toward the end. I
23 think the numbers started to fall off around
24 2014, '15 and he was trying to create revenue and
25 to keep it going. I'm pretty sure he had a

1 pretty substantial rent over there.

2 MR. BIANCO: Okay. Thank you. I
3 don't have anything else, Mr. McGlade.

4 MR. MCGLADE: Thank you.

5 CHAIRPERSON ANDERSON: All right.
6 Thank you. Any questions by the Board and I
7 think before we ask Board questions, Mr. Grandis
8 wanted to say something.

9 MEMBER GRANDIS: Mr. Chairman, thank
10 you for this opportunity. I just thought once
11 that Mr. McGlade definitely was going to be in
12 front of us, I would like to the record to show
13 that I have known Mr. Jim McGlade, I guess, over
14 30 years maybe?

15 And it's a pleasure to see you, Mr.
16 McGlade --

17 MR. MCGLADE: Thank you.

18 MEMBER GRANDIS: -- but that will not
19 influence me on how we deliberate on this matter.
20 Thank you very much.

21 CHAIRPERSON ANDERSON: All right.
22 Thank you, Mr. Grandis. Any questions by any
23 Board members?

24 MEMBER SHORT: Mr. Short.

25 CHAIRPERSON ANDERSON: Yes, Mr. Short.

1 MEMBER SHORT: Thank you. Good
2 afternoon, Mr. McGlade.

3 MR. MCGLADE: Good afternoon, Mr.
4 Short.

5 MEMBER SHORT: How many years have you
6 been in business on that block of Connecticut
7 Avenue?

8 MR. MCGLADE: I've been in this
9 location since 1994. The store has changed name,
10 but we've been here since 1994. So if you do the
11 numbers, we're talking what, 30 years?

12 MEMBER SHORT: Okay. Now, 30 years
13 ago, what was the neighborhood like when you
14 moved in in 1994?

15 MR. MCGLADE: It was pretty active.
16 A strong presence of people running down. I
17 mean, the Hilton Hotel was extremely popular. A
18 1200 room hotel with conventions and so. We
19 didn't have the major convention center downtown
20 that they have now.

21 And yes, it was good neighborhood.
22 But it was also a neighborhood with diversity of
23 mains. So I mean, I enjoy Ethiopian food. My
24 family's in the food business. I wish them
25 success if they want to be a restaurant.

1 MEMBER SHORT: Okay. For my
2 edification, what was next door to you in 1994
3 when you moved in? What was there?

4 MR. MCGLADE: 1994 for me was
5 Larimer's Grocery next door.

6 MEMBER SHORT: Sure?

7 MR. MCGLADE: I am 99 percent sure of
8 that question.

9 MEMBER SHORT: Okay. Yes, I ask that
10 question because a lot of persons who participate
11 in these hearings say to people, why would you
12 move into a neighborhood where there was a
13 nightclub already? Because I want to establish,
14 we have a lot of solid neighborhoods in
15 Washington D.C. I've been here since 1946, so
16 I've been a bit long.

17 But any rate, we have a lot of solid
18 neighborhoods where people just respected one
19 another, whatever kind of licenses they had. So
20 I just want to establish, for the record, when
21 you moved there there was no nightclub or any
22 atmosphere like that in the neighborhood?

23 MR. MCGLADE: No. The only part --
24 the only nightclub that was in the neighborhood
25 was down the street was called the Royal Palace.

1 And I think they've been longer then maybe I've
2 been around, so it's about 68 years.

3 But Mr. Laramie was another Italian
4 grocery store, the Origio opened up there and
5 they had shop for a couple years, but again, I
6 think the rent got them first.

7 MEMBER SHORT: Was the Royal Palace,
8 was that nudie bar?

9 MR. MCGLADE: Yes, you could call that
10 a nudie bar. Yes.

11 MEMBER SHORT: I just say that because
12 I'm very familiar with the community and I used
13 to be at the Hilton Hotel a lot and just up and
14 down that block when I worked the fire department
15 years ago.

16 I went on the fire department in 1971,
17 so I saw this city and downtown convicted. So
18 they use mention because of things first. And
19 some kind of way we lost our path and so business
20 that open up as one thing morph into another
21 thing and then people say to them, well, why did
22 you move next door, move into their neighborhood?

23 You're not the very first, but we have
24 some citizens, like yourself, since 1994 who had
25 a business there and flourished before all of

1 this morphing of CTs and CNs and all the other
2 applicants.

3 I just want it on the record, Mr.
4 McGlade, that you've been a D.C. business owner,
5 taxpayer, and you deserve to have some peace and
6 quiet in your business. And I respect that.
7 Thank you very much for your testimony. That's
8 all I wanted to do was get on the record.

9 MR. MCGLADE: Thank you.

10 CHAIRPERSON ANDERSON: Any other
11 questions by any other Board members?

12 Mr. Engelmann, any questions of this
13 witness based on the questions that were asked by
14 the Board?

15 MR. ENGELMANN: No, sir.

16 CHAIRPERSON ANDERSON: Mr. Bianco, any
17 questions of the witness based on the questions
18 that were asked by the Board?

19 MR. BIANCO: No, Mr. Anderson.

20 CHAIRPERSON ANDERSON: Mr.
21 Silverstein, any questions of the witness based
22 on --

23 MR. SILVERSTEIN: No, sir.

24 CHAIRPERSON ANDERSON: -- the
25 questions that were -- no?

1 Mr. McGlade, can you please, sir, I'm
2 not sure if you have done this but can you please
3 spell your name for the record? Can you say and
4 spell your name for the record, please?

5 MR. MCGLADE: Sure. James, J-A-M-E-S,
6 McGlade, capital M-C, capital G-L-A-D-E.

7 CHAIRPERSON ANDERSON: All right.
8 Thank you very much, Mr. McGlade. Thank you very
9 much for your testimony today and you're free to
10 go. Thank you.

11 MR. MCGLADE: Thank you, guys.

12 CHAIRPERSON ANDERSON: All right. Mr.
13 Silverstein, do you have any more witnesses?

14 MR. SILVERSTEIN: Yes. Commissioner
15 Roggensack is going to question me. I will be a
16 witness.

17 CHAIRPERSON ANDERSON: All right. Ms.

18 --

19 MS. ROGGENSACK: And because we are at
20 the same location and there are some sound
21 difficulties, what I might suggest is that I
22 raise the four questions and then ask
23 Commissioner Silverstein to respond, would that
24 be acceptable?

25 CHAIRPERSON ANDERSON: Well, another

1 thing that you could do, I mean, how close are
2 you to him?

3 MR. SILVERSTEIN: We're sitting at a
4 conference table.

5 MS. ROGGENSACK: Yes.

6 CHAIRPERSON ANDERSON: Well, are you
7 able to use the same screen, the same line or I
8 don't know if you're doing social distancing. So
9 I'm not going to ask you to do something that --

10 MR. SILVERSTEIN: Can't hear.

11 CHAIRPERSON ANDERSON: So that's why
12 I was asking, because if you're able to sit
13 closer so you can use the same screen then I
14 would suggest that. But I'm not asking you to do
15 this space in social distancing. You let me know
16 if that's something that you can do. If you're
17 unable to do it, then we'll figure it out.

18 MR. SILVERSTEIN: Okay. We'll do it.

19 CHAIRPERSON ANDERSON: Which one are
20 you doing?

21 MS. ROGGENSACK: I can't hear him now.

22 MR. SILVERSTEIN: Yes. You can see
23 me. All right. Let me turn on my video. Okay,
24 video. Here we are.

25 MS. ROGGENSACK: And Mike, I can't

1 hear because you got the --

2 (Simultaneous speaking)

3 MR. SILVERSTEIN: Okay. I will put
4 this on. Go ahead.

5 CHAIRPERSON ANDERSON: No, but she
6 said she can't hear you.

7 MR. SILVERSTEIN: You can't hear me?

8 CHAIRPERSON ANDERSON: So you'll have
9 to take off your headphones.

10 MS. ROGGENSACK: Yes.

11 MR. SILVERSTEIN: Okay.

12 CHAIRPERSON ANDERSON: Can you hear
13 him?

14 MR. SILVERSTEIN: Can you hear?

15 MS. ROGGENSACK: Yes.

16 MR. SILVERSTEIN: We can hear.

17 CHAIRPERSON ANDERSON: All right.

18 Okay. You have 15 minutes left in your case.

19 All right?

20 All right. So who's the next witness?

21 MR. SILVERSTEIN: I am.

22 CHAIRPERSON ANDERSON: Can you raise
23 your right hand, please?

24 Do you swear or affirm to tell the
25 truth and nothing but the truth?

1 MR. SILVERSTEIN: I do.

2 CHAIRPERSON ANDERSON: All right,
3 fine. Go ahead, ma'am. Ask the questions.

4 MS. ROGGENSACK: Thank you very much,
5 Chair.

6 My first question Commissioner is how
7 did you get here and why did everything break
8 down?

9 MR. SILVERSTEIN: We got here and had
10 hoped, as I mentioned before, that we could have
11 an Ethiopian restaurant that it would be an
12 addition to the neighborhood, that we wouldn't
13 have to drudge down to 9th Street for really good
14 Ethiopian food.

15 And there were just so many different
16 answers and then we've looked at the record of
17 the other place and we looked also at the size of
18 what was going to be there. And basically, the
19 neighborhood situation.

20 And the more that we looked at it,
21 there was also this concern and it's a huge
22 concern, however, the business plan of the
23 applicant that he has to have the ownership with
24 all these things that have caused problems, it's
25 apparent it's not going to be a restaurant from

1 open to close.

2 And the COVID violation, which we just
3 found out the gravity of it, locking the place
4 and not being around the door and things like
5 this during COVID, we just felt that we have to
6 protest this because we can't accept this in our
7 neighborhood without a protest.

8 MS. ROGGENSACK: And why all this
9 concern over a promoter? What is it about that
10 particular model that leaves us concerns that
11 would trigger or feel that you need to go to a
12 formal protest?

13 MR. SILVERSTEIN: This is not new and
14 what we're doing here is horrific in its victory.
15 It started with a real concern as a community, as
16 a ANC, started with a legit restaurant Heritage
17 India in a block just south of Dupont Circle.
18 Ran into financial troubles --

19 MR. BIANCO: I'm going to, Mr.
20 Anderson, I'm going to interpose an objection
21 here. Mr. Silverstein --

22 CHAIRPERSON ANDERSON: What's the
23 nature of the objection, sir?

24 MR. BIANCO: The objection is
25 relevance. And I'm going to explain what that

1 is. Mr. Silverstein just testified about an
2 establishment called Heritage India, south of
3 Dupont Circle. It has nothing to do with this
4 establishment.

5 The incident that he is going to
6 testify to occurred in 2011, which I know from
7 his exhibit form. And most importantly, Heritage
8 India lies outside of the 1200-foot relevant area
9 for consideration of the Board on this particular
10 license.

11 Operations of other establishments,
12 it's very clear, can only be considered within
13 the 1200-foot area, this is not it. And it's 10
14 years old.

15 So we object on relevance to anything
16 outside of the 1,200-foot area.

17 MR. SILVERSTEIN: May I respond?

18 CHAIRPERSON ANDERSON: Yes, Mr.
19 Silverstein.

20 MR. SILVERSTEIN: I am not saying, in
21 any way, that what happened at Heritage India has
22 anything to do here other than why we, as a
23 community, have serious concerns about promoters.
24 That we are not picking on this one. That this
25 is an historic thing that was brought about by

1 incidents, one of which, involved the Secret
2 Service having to go and protect the White House.

3 This isn't something that has to do
4 with anything other than real, serious threats
5 and bloodshed. We're not doing this because we
6 don't like promoters.

7 We're doing this because we've had
8 these things occur and I'm trying to explain to
9 the Board why we have this policy.

10 CHAIRPERSON ANDERSON: I'm going to
11 overrule the objection on relevancy issues. I
12 mean, I've given some leeway, but Mr.
13 Silverstein, in the question and answer, I need
14 your questions to be focused and the answers to
15 be focused on this establishment and their
16 appropriateness of the Board. If the
17 appropriateness or inappropriateness of the Board
18 issuing a license for this establishment. Okay?

19 So I need us to focus on the issue at
20 hand. All right, is there another question? Go
21 ahead.

22 MR. SILVERSTEIN: Very briefly. Very
23 briefly even, I can answer the question about
24 promoters?

25 CHAIRPERSON ANDERSON: You can answer

1 the question, sir.

2 MR. SILVERSTEIN: Okay.

3 CHAIRPERSON ANDERSON: Very briefly.

4 MR. SILVERSTEIN: Heritage India.

5 They rented the place out to a promoter one
6 night. There was a fight. It spilled out onto
7 Connecticut Avenue. Jhonte Coleman, 34-years-old
8 was shot to death. Five other people were
9 wounded. It's a block from where I live, just
10 down from Dupont Circle.

11 There was a promoter night at Caf,
12 Asia, which was also in our ANC. A fight inside
13 became a stabbing outside. While MPD was
14 responding to the stabbing, a gunfight broke out
15 in the 1700 block of Pennsylvania Avenue. That's
16 a block away. Secret Service protective unit
17 responded. The Secret Service actually processed
18 the crime scene. They wouldn't let MPD near it,
19 finding more than a dozen shell casings.

20 This is what has got our neighborhood
21 so concerned about these things. We're not
22 picking on them. There are other cases and I
23 don't want to belay or repeat testimony.

24 Dupont Circle has had serious problems
25 with promoters. You're going to hear during the

1 DCCA testimony about the awful saga on P Street,
2 which led to the Board restricting the actual
3 operating hours of the place that had been using
4 promoters.

5 And our experience has been, if you
6 allow these things that it's so much better to
7 stop them before they happen because making them
8 stop once that happens is so difficult.

9 I don't want to take any more time
10 other than our feeling that here, if you can't
11 make it without promoters' night after night. If
12 that's your business plan, then your business
13 plan is doomed to fail. Either to fail
14 economically or to fail by not providing the
15 neighborhood with an acceptable forever peace,
16 order, and quiet.

17 I think that's shows all I need to say
18 about that.

19 CHAIRPERSON ANDERSON: Any other
20 questions?

21 MS. ROGGENSACK: Yes. The testimony
22 and another question on that. We've talked about
23 the idea that an RDO could be available to
24 address some of these questions.

25 So I want to just ask how that will,

1 if at all, belay the concerns of ANC 2B that have
2 about this application?

3 MR. SILVERSTEIN: Well, that was
4 another area of concern. If there are ever going
5 to be any kind of promoters with big crowds or
6 anything like that, and you're talking a late-
7 night establishment of 288 people.

8 So we would certainly need an RDO and
9 in order to have one it's got to be paid for.
10 And it's got to be there any night that there's
11 that coverage -- that there's that much of a
12 crowd.

13 But having heard what we heard, again,
14 it's sort of like we've been painted into a
15 corner here.

16 MS. ROGGENSACK: Is it fair to say,
17 Commissioner Silverstein, that at the end of the
18 day what we have is, what I think even
19 Commissioner Merzig described as a lack of
20 accountability and lack of an enforceability that
21 this particular proposition here? Is that really
22 what we're concerned about?

23 MR. SILVERSTEIN: No. I think what
24 we're concerned about, more than anything else,
25 is that the Dupont Circle area, which includes

1 Club Central, which includes the 19th Street
2 corridor, which includes Penn Street and now some
3 of these other locations, is the biggest night
4 entertainment place in the city.

5 The hospitality industry is the second
6 largest industry in our city after government.
7 And before the pandemic, it provided 60,000 jobs,
8 \$3 Billion a year in revenue, \$300 million a year
9 in tax revenue to the city. And this is the
10 piece that laid the golden egg and our concern is
11 that people need to a, understand that it's going
12 to be safe, b, that you can still have it as
13 lively and livable for those of us who live
14 there.

15 We chose to live there because it's a
16 wonderful neighborhood. Nobody wants this place
17 to be Sterling, Virginia or Lovettsville or
18 something like that where you can hear the
19 rooster. It's a city, but we need the lively,
20 but livable. It needs to be safe and that's our
21 biggest concern.

22 CHAIRPERSON ANDERSON: Any other
23 questions?

24 MS. ROGGENSACK: No. No further
25 questions from the Chair.

1 MR. SILVERSTEIN: We rest.

2 CHAIRPERSON ANDERSON: All right.

3 MR. SILVERSTEIN: I have no other
4 questions --

5 CHAIRPERSON ANDERSON: All right.
6 Hold on. Hold on. All right.

7 Mr. Engelmann, do you have any
8 questions of Mr. Silverstein?

9 MR. ENGELMANN: No, I don't.

10 CHAIRPERSON ANDERSON: Mr. Bianco, do
11 you have any questions of Mr. Silverstein?

12 MR. BIANCO: I do. I do.

13 CHAIRPERSON ANDERSON: Go ahead,
14 please.

15 MR. BIANCO: Mr. Silverstein, and I
16 brought this up in my objections, but I think I
17 need to ask you about it so that it's on the
18 record in the form of testimony.

19 You talked extensively about a
20 situation that occurred at Heritage India. When
21 did that situation occur?

22 MR. SILVERSTEIN: Sometime just after
23 the beginning of time, in 2011.

24 MR. BIANCO: And where was Heritage
25 India located?

1 MR. SILVERSTEIN: In its original
2 iteration, just south of Dupont Circle.

3 MR. BIANCO: Okay. And looking at the
4 investigators report, I could bring it up, but
5 you have such knowledge of the area, I'm going to
6 assume you can do this off of the top of your
7 head.

8 As I read the investigators report and
9 the map that he drew of the 1,200-foot radius,
10 Heritage India falls outside of that, correct?

11 MR. SILVERSTEIN: You bet it does and
12 so does Caf, Asia, which was the other incident.

13 MR. BIANCO: Okay. And Caf, Asia,
14 that incident took place in 2014, if I'm correct
15 about that, right?

16 MR. SILVERSTEIN: December 28th, 2013,
17 just before New Year's Day.

18 MR. BIANCO: Okay. 2013. Okay. And
19 again, outside of the 1,200-foot radius?

20 MR. SILVERSTEIN: Yes, sir. Now, I
21 would --

22 MR. BIANCO: Now --

23 MR. SILVERSTEIN: -- I would point out
24 that this has nothing to do with that. It has to
25 do with why the we are so concerned with

1 promoters.

2 MR. BIANCO: Understood. And now, I
3 want to talk about what the investigator reported
4 with respect to other establishments that are
5 actually within the 1,200-foot radius.

6 So according to the investigator,
7 there are five CT licenses within that 1,200-foot
8 area. Did any of those have restrictions against
9 using promoters?

10 MR. SILVERSTEIN: I do not know and I
11 do not believe so.

12 MR. BIANCO: Okay. Would you be able
13 to say for certain if I told you the names of the
14 establishments?

15 MR. SILVERSTEIN: No, I could not.

16 MR. BIANCO: Okay.

17 MR. SILVERSTEIN: Not right now, I
18 couldn't say for certain. I can say I don't know
19 that they do and I'm not sure that they do or
20 not. If I ask me do you I think they don't? I
21 would say, I think they don't.

22 MR. BIANCO: That's good enough.
23 That's good enough. And there are, according to
24 the investigator's reports, report two
25 nightclubs, two CNS within the 1,200-foot radius.

1 One being Gazuza and the other being Assets, are
2 you familiar with those establishments?

3 MR. SILVERSTEIN: I'm familiar with
4 them not being, patronizing them, but, yes.

5 MR. BIANCO: Okay. And do you know
6 whether or not Gazuza, I hope I'm saying that
7 right, Gazuza has any restrictions on using
8 promoters in their establishment?

9 MR. SILVERSTEIN: No, I do not.

10 MR. BIANCO: Okay. No, you don't know
11 or no, you don't know if they or you don't know?

12 MR. SILVERSTEIN: I do not know.

13 MR. BIANCO: Okay. How about Assets?
14 Do they have any restrictions on promoters?

15 MR. SILVERSTEIN: No, they don't.
16 They've had other problems, but not that.

17 MR. BIANCO: Okay. And these other
18 problems that you're referring to, and I think
19 you referred to earlier, do those problems in any
20 way relate to the use of promoters?

21 MR. SILVERSTEIN: No, they do not.

22 MR. BIANCO: All right. Thank you,
23 Mr. Silverstein, I don't have anything else.

24 MR. SILVERSTEIN: Thank you.

25 CHAIRPERSON ANDERSON: All right. So

1 I did ask you already, Mr. Engelmann, if you have
2 any questions and you said, no; is that correct?

3 MR. ENGELMANN: That's right. No
4 questions.

5 CHAIRPERSON ANDERSON: All right. For
6 the Board, does the Board have any questions of
7 Mr. Silverstein?

8 MEMBER SHORT: I have one of them, Mr.
9 Chair.

10 CHAIRPERSON ANDERSON: Go ahead, Mr.
11 Short.

12 MEMBER SHORT: Mr. Silverstein, your
13 testimony's been a lot about promoters. Very
14 briefly, can you explain your knowledge,
15 personally of promoters, and businesses in
16 Washington D.C.?

17 MR. SILVERSTEIN: Yes, sir. I can.
18 And I think I've that it involved first, those
19 two incidents. It also involved a number of
20 incidents that occurred when I served on the
21 Board.

22 And there was a series of stabbings
23 and shootings that occurred over an extended
24 period of time and the Board was -- and it was,
25 like, week after week another young person or two

1 were stabbed or shot at an event where there were
2 promoters.

3 And it all seemed to involve one type
4 of music. It all seemed to involve or often
5 seemed to involve one particular band. And we
6 wanted to stop the violence but didn't know how
7 because you can't ban a certain type of music,
8 whether it's hip hop or something else. You
9 don't do that.

10 And you certainly -- it wasn't the
11 band's fault. And you can't say you're not going
12 to let this band play. But what we found was
13 that this particular band, those promoters and
14 promoted events where this would happen all
15 around the city, and the promoters might bring in
16 people from different crews or different
17 neighborhoods who didn't get along or people who
18 didn't -- they were just factions that were not -
19 - didn't get along.

20 MEMBER SHORT: Okay. Shorten this up
21 and short a wee bit. During your time while you
22 served on the Board, let's just say not every
23 promoter --

24 MR. SILVERSTEIN: No.

25 MEMBER SHORT: -- but there was

1 certain promoters?

2 MR. SILVERSTEIN: Oh, yes.

3 Absolutely.

4 MEMBER SHORT: If it was a live band
5 or no live band, wherever certain promoters, who
6 worked in certain parts of town, there was
7 cuttings, stabbings, shootings and all those
8 things that make a community unsafe?

9 MR. SILVERSTEIN: Yes, sir.

10 MEMBER SHORT: Thank you so much for
11 your testimony, but I just want to get that on
12 record. Promoters have given themselves a bad
13 name because of a lot of bad things happen when
14 they are takeover businesses.

15 MR. SILVERSTEIN: Yes, sir.

16 MEMBER SHORT: Thank you. Thank you
17 for your testimony.

18 CHAIRPERSON ANDERSON: Any other
19 questions by the other Board members?

20 MEMBER GRANDIS: Yes. Yes, Mr.

21 Chairman.

22 CHAIRPERSON ANDERSON: Go ahead, Mr.

23 Grandis.

24 MR. ENGELMANN: Thank you. Thank you,
25 Mr. Chairman.

1 Mr. Silverstein, it's a pleasure to
2 have you before us today and it's very helpful to
3 our deliberations your experience in ADC matters.
4 So thank you very much.

5 For the record, and you may have
6 already stated, but just for clarification. How
7 many years have you been on the Dupont Circle
8 ANC?

9 MR. SILVERSTEIN: 18.

10 MEMBER GRANDIS: Okay. And during
11 that time, the ANC has had applications before it
12 regarding CT licenses?

13 MR. SILVERSTEIN: Yes, we have.

14 MR. ENGELMANN: And over these years,
15 based on community input to the ANC, are there
16 any basic guidelines or policies, I don't want to
17 use a legal term, that helps format the positions
18 of the ANC when it comes to CT licenses?

19 MR. SILVERSTEIN: There is a -- the
20 policy and procedures manual says that the ANC
21 opposes the use of promoters. That's one.

22 The other policies are basically based
23 on location for things like noise, or, you know,
24 what may fly in Club Central did not fly on 18th
25 and Swan when someone wanted to open a, I believe

1 it was a tavern there, but I'm not positive it
2 was a tavern because I was on the Board and I
3 recused myself as completely as I could from ANC
4 matters.

5 You have one bite at the apple, and
6 you either did one or the other and I did the
7 Board.

8 MEMBER GRANDIS: So what about this
9 concept of the endorsement such as here's a CT
10 that wants to have dancing. Does the ANC have
11 any views on that? Or if it wants to have cover
12 charge? For CTs, not CNs.

13 MR. SILVERSTEIN: I think basically,
14 that we look at these things and if it doesn't,
15 you know, if it doesn't smell right, if it looks
16 more like a nightclub, we say, no.

17 But what may have occurred ten years
18 ago or something may have slipped under the
19 radar, one of the difficulties that you have with
20 these things is that you have a constant turnover
21 of people. It's a volunteer position. There are
22 seven new commissioners out of nine this year,
23 which frankly is the only reason I stayed on.

24 We've had some institutional memory,
25 even if it's faltering. And these things --

1 there is not a clear path historically. We do
2 the best we can with a volunteers.

3 MR. ENGELMANN: Mr. Silverstein, I
4 want to thank you for that. I ask questions
5 because neighborhoods over time know what works
6 in their neighborhood and what doesn't. And I
7 think it helps inform us to know what the Dupont
8 Circle neighborhood thinks is healthy for it.

9 Thank you very much.

10 MR. SILVERSTEIN: If I might, Mr.
11 Grandis, we know better what doesn't work than
12 what does work that you learn more from bad
13 experience and from hard knocks than you do from
14 success.

15 But generally, we've been pretty
16 successful.

17 MR. ENGELMANN: Thank you for your
18 testimony today.

19 MR. SILVERSTEIN: Thank you, sir.

20 CHAIRPERSON ANDERSON: Thank you. Any
21 questions by any other Board members?

22 Mr. Engelmann, do you have any
23 questions about Mr. Silverstein based on the
24 questions that were asked by the Board?

25 MR. ENGELMANN: No, I don't.

1 CHAIRPERSON ANDERSON: Mr. Bianco, any
2 questions for --

3 MR. BIANCO: Yes, I do.

4 CHAIRPERSON ANDERSON: Go ahead, sir.

5 MR. BIANCO: All right. Mr.
6 Silverstein, in your testimony, you discussed a
7 policies and procedures manual for the ANC,
8 correct?

9 MR. SILVERSTEIN: Yes, sir.

10 MR. BIANCO: And if I had your
11 testimony correct, you stated something to the
12 effect of that the ANC opposes use of promoters,
13 is that the policy?

14 MR. SILVERSTEIN: I think they
15 generally oppose the use of promoters. I believe
16 that's in there. But it doesn't mean they have
17 to do it. It's not in the bylaw.

18 MR. BIANCO: Okay.

19 MR. SILVERSTEIN: It's a guideline.

20 MR. BIANCO: The guideline is just
21 across the board; we don't like promoters or we
22 oppose promoters? What is the guideline?

23 MR. SILVERSTEIN: I don't have it in
24 front of me and to be honest with you, I don't
25 know when it was put in there.

1 MR. BIANCO: But, to your knowledge,
2 the use of promoters in nightlife establishments
3 is perfectly legal, is it not?

4 MR. SILVERSTEIN: It is certainly is
5 if it does not -- you know, the use per say is,
6 if it does not create other issues.

7 MR. BIANCO: Understood. And I did
8 just have one more question. Did the ANC protest
9 the nightclub license Gazuza?

10 MR. SILVERSTEIN: That was -- I do not
11 know whether it did or note.

12 MR. BIANCO: Okay.

13 MR. SILVERSTEIN: When did that occur?
14 Could you tell me?

15 MR. BIANCO: 2019, I believe. They
16 were most recently up.

17 MR. SILVERSTEIN: I was probably on
18 the Board then and I do not know.

19 MR. BIANCO: Okay. Okay. Thank you
20 very much, Mr. Silverstein.

21 MR. SILVERSTEIN: Thank you.

22 CHAIRPERSON ANDERSON: Thank you, Mr.
23 Bianco. Do you need to have ma'am, Ms. -- I'm
24 sorry.

25 MR. SILVERSTEIN: Roggensack.

1 MS. ROGGENSACK: Roggensack.

2 CHAIRPERSON ANDERSON: Roggensack, do
3 you have any questions you need to -- any
4 complication questions that Mr. Silverstein based
5 on the questions that were asked by the Board?

6 MS. ROGGENSACK: Yes.

7 CHAIRPERSON ANDERSON: Go ahead. Yes,
8 ma'am.

9 MS. ROGGENSACK: Yes, I have -- I have
10 three. The first is regarding the first hearing
11 of this issue at the ANC. Was the applicant
12 there when the ANC first heard this application?
13 Did he appear?

14 MR. SILVERSTEIN: No, he did not. He
15 had a family issue --

16 CHAIRPERSON ANDERSON: All right.
17 Hold on, hold on, hold.

18 MS. ROGGENSACK: Well --

19 MR. SILVERSTEIN: I don't think this
20 has to do with --

21 MS. ROGGENSACK: My question was
22 whether a legally authorized representative --

23 CHAIRPERSON ANDERSON: I'm sorry.
24 Hold on, hold on. Hold on, Ms. please. Ms.
25 Roggensack, once he starts speaking, you need to

1 mute your microphone. Okay?

2 As soon as he's going to start
3 speaking and vice versa. Okay? All right. Go
4 ahead.

5 MS. ROGGENSACK: Was there a legally
6 authorized representative at the ANC hearing at
7 which this application was discussed?

8 MR. SILVERSTEIN: Mr. Alan Ebert who
9 represented himself as the authorized
10 representative. Yes.

11 MS. ROGGENSACK: With respect to this
12 application and this establishment, what has been
13 the level of neighbor engagement or neighbor
14 feedback relative to other applications of this
15 type? Would you say it's more, less, the same?
16 How would you characterize it?

17 MR. SILVERSTEIN: Well, I would
18 characterize it that at first the ANC and DCCA
19 were all in favor of this. And no one sent out
20 any alarms. That as we became more concerned
21 about the moving and this becoming, morphing into
22 a night club and hookah bar later into the night,
23 there became concern among the neighbors.

24 No one put anything out on any list
25 serves. There was no campaign or anything of

1 that sort. But there has been, in the past
2 couple of weeks, especially with now three
3 shootings in Dupont Circle area and in this month
4 of June, there's this real concern. And even
5 though this has, you know, none of this is tied
6 to this establishment.

7 There is just an overall fear about
8 safety and about whether people are safe in the
9 area. Whether we're going to end up losing
10 business and all that because people will be not
11 feel it is safe.

12 So we've been very -- we've tried to
13 downplay it now. You know, that we can handle
14 this well and now, there's just great concern.

15 MS. ROGGENSACK: We'll talk more about
16 this in a minute. But there was some photographs
17 that were shown earlier of the street and that
18 showed two buildings. But isn't it correct that
19 there are actually roughly six residential
20 buildings on that 20th Street behind the club?
21 Is that about right?

22 MR. SILVERSTEIN: There are and
23 there's also an even larger residential building,
24 Chateau Thierry at the corner of 20th and S.
25 There are, I would assume, several hundred people

1 who live over there.

2 MS. ROGGENSACK: And some concerns
3 about security. Isn't it correct that there was
4 actually a violent car jacking right at the
5 corner about a month or two ago?

6 MR. BIANCO: I'm going to object as to
7 relevance and beyond the scope of the Board's
8 questions.

9 CHAIRPERSON ANDERSON: I'm going to
10 sustain the objection. You have -- I've been
11 generous. You have four and a half minutes left.
12 I thought that you, when Mr. Silverstein was
13 testified, when he rested this case, he had like
14 five minutes left. And so I didn't realize this
15 was going out of hand.

16 So I'm just letting you know that
17 you're running out of time. And so I'll give you
18 some leeway and maybe a couple more minutes. But
19 we need to -- I told each party they had an hour
20 and you're at the end of the rope and so I'm
21 going to sustain the objection.

22 MR. SILVERSTEIN: That's fine.

23 CHAIRPERSON ANDERSON: So go ahead and

24 --

25 (Simultaneous speaking)

1 MS. ROGGENSACK: Chair, that was my
2 last question.

3 CHAIRPERSON ANDERSON: All right.
4 Thank you. All right --

5 MR. SILVERSTEIN: We're done.

6 CHAIRPERSON ANDERSON: Mr. Engelmann,
7 do you have witnesses, sir?

8 MR. ENGELMANN: Yes, I do. I'd like
9 to call Catie Butler as our first witness.

10 CHAIRPERSON ANDERSON: How many
11 witnesses do you have, sir?

12 MR. ENGELMANN: One other and then a
13 short -- some short testimony from myself.

14 CHAIRPERSON ANDERSON: All right.
15 Okay.

16 MR. ENGELMANN: There are three
17 witnesses including myself. But I'll be brief.

18 CHAIRPERSON ANDERSON: All right.
19 Hold on.

20 MR. BIANCO: Mr. Chair --

21 CHAIRPERSON ANDERSON: How many --

22 MR. BIANCO: -- would it be okay if we
23 took a five-minute break?

24 CHAIRPERSON ANDERSON: All right.
25 Okay. It's 6:56. We're off the record for, I

1 mean, we'll take 10 minutes --

2 MR. BIANCO: Very good.

3 CHAIRPERSON ANDERSON: -- till 7:05.

4 We're off the record until 7:05.

5 (Whereupon, the above-entitled matter
6 went off the record at 6:56 p.m. and resumed at
7 7:07 p.m.)

8 CHAIRPERSON ANDERSON: All right.

9 We're back on the record. All right. So we're
10 now at the stage where D.C., the Dupont Circle
11 Citizen's Association will do its case
12 presentation.

13 Do you have a witness, sir? Who's
14 your first witness?

15 MR. ENGELMANN: Our first witness is
16 Catie Butler.

17 CHAIRPERSON ANDERSON: Ms. Butler?
18 Catie Butler.

19 MR. ENGELMANN: She's on as an
20 attendee.

21 MS. ANDREWS: Mr. Chair, she's on.
22 I'm going to elevate her rights. Stand by. All
23 right, Ms. Butler, your rights have been
24 elevated.

25 MS. BUTLER: Hi there.

1 CHAIRPERSON ANDERSON: Do you have a
2 camera, Ms. Butler, or are you just on the phone?

3 MS. BUTLER: Hi.

4 CHAIRPERSON ANDERSON: Are you --

5 MS. BUTLER: I'm on. Yes.

6 CHAIRPERSON ANDERSON: All right. Can
7 you raise your right hand, please?

8 Do you swear or affirm to tell the
9 truth and nothing but the truth?

10 MS. BUTLER: I do.

11 CHAIRPERSON ANDERSON: Thank you,
12 ma'am. Your witness, sir.

13 MR. ENGELMANN: Okay. Can you please
14 state your name and address for the record?

15 MS. BUTLER: My full name is Catherine
16 Tara Butler. I go by Catie and I live at 1721
17 20th Street Northwest in Apartment 101.

18 MR. ENGELMANN: And for the Board, can
19 you describe where you would reside in relation
20 to the proposed establishment?

21 MS. BUTLER: So I am right out -- like
22 you can see their back entrance and I'm right
23 across the street from them, basically. I might
24 be a little bit to the left, but -- and there's -
25 - my neighbors are directly across, but I'm,

1 like, right there.

2 MR. ENGELMANN: Can you estimate how
3 many feet you are from the back of the
4 establishment?

5 MS. BUTLER: So it's one -- well, it's
6 one driving lane with some parking on either
7 side. So I would say, I'm terrible at
8 estimating, but 50 feet, 60 feet? Not that far.

9 MR. ENGELMANN: Okay. And 20th Street
10 there is a one-lane road other than the parking
11 on either side?

12 MS. BUTLER: Yes.

13 MR. ENGELMANN: Okay. Can you
14 describe for the Board your feelings about the
15 proposed establishment?

16 MS. BUTLER: So it's not just my
17 feelings it's a lot of my neighbors as well. But
18 since my house is so close and I'm actually in
19 the front of this condo's building. We're about
20 six units that were just built a little over
21 maybe a year and a half, two years ago.

22 And so I'm on the first two levels,
23 the ground and first floor and then I have a
24 rooftop on the third floor. Or the first,
25 second, and third floor. And my bedrooms

1 actually face the street and I can hear usually
2 everyone that's going up and down if they're
3 talking.

4 It hasn't really been too much of an
5 issue because I grew up in the city, so I'm used
6 to the noise. But every now and again, there
7 might be someone loud, you know, coming home from
8 the bar or going to bars, but they usually just
9 pass on by. But you can hear them from my
10 bedrooms.

11 And I'm sure, I know that's the case
12 for my downstairs neighbors, who live in the
13 basement who have two windows on the street, as
14 well as the countless neighbors around me.

15 So we're really concerned about the
16 noise that this night club will present. And
17 it's not just about music, it's also about the
18 number of people that they're going to be allowed
19 to have in there, which will eventually spill out
20 at the end of the night.

21 Other concerns we have have to do with
22 the location. I mean, if you look at -- I'm not
23 an expert at this, but if you look at the actual
24 zoning maps in D.C. there's not really a night
25 club that has this many residential units, you

1 know, it's on the backside there's what 50
2 percent, if you drew a circle around it, it's in
3 a residential use zone.

4 Assets mostly has just mixed-use
5 around it and it's mostly just offices and then
6 South Dupont is all mixed-use. There's really
7 nothing that compares.

8 So, I mean, this is a historic
9 district, I mean, I can't even get -- I can't get
10 permission to change certain aspects of my facade
11 like changing the windows.

12 So it's really just -- it's always
13 been a quiet residential street and I think -- I
14 know, I didn't even realize there was another
15 night club, Gazuza, but if memory serves me
16 correct, that only backs into one apartment
17 building on the backend and it has an alley.

18 And it also used to have a Chipotle
19 and other places like under it. So I don't think
20 it's that big of a place. Whereas this one will
21 have -- the whole entire building will be for the
22 applicant.

23 Trash, is another issue, of course.
24 Parking. I mean, that's something you kind of
25 expect in D.C. but I will say that, of late, I

1 avoid that side of the street when I walk my dog
2 at night because there's just so many rats. I
3 mean, they're everywhere. It's been a problem
4 for all of the condo associations, but there were
5 a lot rats over by the back of their building
6 recently and not just them, but the people next
7 to them too where that's been an issue.

8 The largest concern I also have is my
9 safety and the safety of my neighbors. So I work
10 at an accounting firm. I work late hours.
11 Sometimes, I mean, I don't like to stay at the
12 office too late, but I come home at 12:00, 1:00,
13 or 2:00 and I continue working from home and late
14 into the night and I don't want to have to have
15 any issues when I'm coming home or fear for my
16 safety when I'm walking home.

17 And I know that in the letter that my
18 neighbors sent to the Board, many of us expressed
19 similar concerns. Especially many of us who,
20 well, I'm not but, many of us who are senior
21 citizens who also still work and come home late
22 at night.

23 And this is just been compounded by
24 the recent crime in the neighborhood. And even
25 though safety is always an issue in D.C., when

1 you add almost 300 people and liquor to the mix,
2 and then late hours, it's just kind of a recipe
3 for disaster.

4 So I just wanted to say that on behalf
5 of myself and most of my neighbors, we are
6 generally afraid for our safety for what this
7 applicant is proposing to do with the space.

8 Now, we do have restaurants in the
9 area and if this is just going to be a
10 restaurant, we would have no issue with it. But
11 based on what they're proposing with the hours, I
12 mean, you can do a simple Google search and see
13 what the hours are for the restaurants in that
14 area.

15 I mean, I go to Le Diplomate, that's
16 not open past 11:00. There's even, what is it a
17 bar, McClellan's Retreat, that actually has
18 pretty good whiskey if anyone likes it.

19 There not even open past 12:00 on
20 weekends, and that's a bar. So I just don't
21 understand how this is going to be a restaurant
22 concept when it's open till 2:00 or 3:00 in the
23 morning and then it opens again in four or five
24 hours.

25 I mean, that doesn't give our

1 neighbors a lot of respite from any noise or
2 other issues that could arise.

3 So while I would be more than happy if
4 this was just a restaurant and it actually acts
5 like a restaurant. I just feel like the actions
6 may not match what are being said here at this
7 hearing.

8 So I think basically, I don't really
9 see how, with other mom and pop shops that are
10 right next door, how that's going to contribute
11 to our neighborhood. I think, if anything, it
12 will just create more problems and think that
13 they will not have a positive impact.

14 MR. ENGELMANN: Catie, you've
15 described your building. Can you describe the
16 other residences that are in close proximity to
17 where you live?

18 MS. BUTLER: So directly across the
19 way is a group of, I would have to describe
20 condominium townhouses. So they look like
21 they're separate townhouses, but they're actually
22 one huge condo association and there's some that
23 face the back of their, of Signature Lounge's
24 back entrance. And then there are even some
25 directly behind it because it's kind of a big

1 plot of land.

2 And then you have multiple apartment
3 units. You have the Chateau Thierry and then
4 next door to us is a very large, six, seven,
5 eight-story apartment building and then next to
6 them you have the Scientology National Affairs
7 Office, I believe.

8 So a mix of things, but it's all, it's
9 a residential, you know, RU kind of zoning space.

10 MR. ENGELMANN: Right. And that part
11 of the block is within the historic district, is
12 that correct?

13 MS. BUTLER: Yes. I couldn't even
14 extend my patio on top of my rooftop because
15 that's against the rules.

16 MR. ENGELMANN: Okay. Well, thank
17 you. That's been very clear and as sort of in
18 the interest of time, I'll close my questions
19 there.

20 CHAIRPERSON ANDERSON: All right.
21 Thank you. Mr. Silverstein, do you have any
22 questions of this witness?

23 MR. SILVERSTEIN: No, I do not, Mr.
24 Chairman.

25 CHAIRPERSON ANDERSON: Thank you. Mr.

1 Bianco, any questions of this witness?

2 MR. BIANCO: Yes, I do. Thank you
3 very much. I do have a couple of questions.

4 So if I understood your testimony
5 correctly, rats are presently a problem in the
6 neighborhood, is that the case?

7 MS. BUTLER: Yes.

8 MR. BIANCO: And crime is certainly a
9 problem in the neighborhood, is that the case?

10 MS. BUTLER: For recent? Yes. But
11 I've only lived in my present spot for a little
12 over a year. But three years prior to that I was
13 living on 19th and T and I grew up in Georgetown.

14 MR. BIANCO: Okay.

15 MS. BUTLER: And I have to say it's a
16 problem all over the city.

17 MR. BIANCO: Okay. And at this point,
18 the establishments not open, right?

19 MS. BUTLER: No. But there has been
20 a lot of rats, like, I got scared one night
21 because there was about seven of them kind of
22 following each other and one of them kind of came
23 after my dog and I had to push him out of the
24 way.

25 MR. BIANCO: Okay. So you've been

1 living in your present condominium for a year,
2 you said?

3 MS. BUTLER: I moved in in January of
4 2020.

5 MR. BIANCO: Okay. So when you -- I
6 just want to make sure I understand the timeline
7 correctly. When you moved into that new condo,
8 was there an establishment operating at this
9 location or no?

10 MS. BUTLER: I'm not sure because I
11 was working and trying to unpack and then by the
12 time that I was going to explore COVID hit. So I
13 can't say whether or not there was.

14 MR. BIANCO: Okay. And you gave some
15 testimony about you having some concern about the
16 hours.

17 MS. BUTLER: Yes.

18 MR. BIANCO: The 2:00 and 3:00 a.m.
19 hours. And if I understood your testimony
20 correctly, another establishment that is a tavern
21 at 2131 Florida Avenue called McClellan's
22 Retreat, which has great whiskey, doesn't have
23 hours that are that late, correct?

24 MS. BUTLER: Yes. And that's a full-
25 on bar.

1 MR. BIANCO: Okay.

2 MS. BUTLER: I think they serve some
3 bar food but they're not like a restaurant.

4 MR. BIANCO: Understood. Are you
5 familiar with the hours of any of the other
6 establishments in the surrounding area given your
7 Google search?

8 MS. BUTLER: So Le Diplomate, I think
9 goes till 11:00. City Lights of China, which is
10 not, like, two buildings up from the applicant,
11 closes at 9:30. What else? There's a new place
12 called La Casa, I couldn't find their hours. And
13 they're not opening until next month.

14 MR. BIANCO: How about Board Room at
15 1737 --

16 MS. BUTLER: So Board Room, Board Room
17 I've actually been to. It's actually a nice
18 laid-back kind of location if you just want to
19 have a beer and play a board game with your
20 friends, for like older millennials we kind of
21 like that kind of stuff because it's not too
22 noisy and also it doesn't really abut our road
23 because there's another building. It's not on
24 20th Street, basically.

25 MR. BIANCO: Understood. But their

1 hours are until 2:00 during the week and 3:00 on
2 the weekends, correct?

3 MS. BUTLER: I think so. But it's
4 also just a very chill vibe. It's more like a
5 pub.

6 MR. BIANCO: Okay. How about the Bier
7 Baron Tavern at 1523 22nd Street, did you check
8 the hours on that one?

9 MS. BUTLER: No. And I've not heard
10 of it either.

11 MR. BIANCO: Okay. And the night club
12 that we've been talking about, Gazuza at 1629
13 Connecticut, do you know what their hours are?

14 MS. BUTLER: So I don't know if I know
15 exactly their hours, but I'll be quick, I've been
16 up and down that way because I used to go to the
17 Chipotle all the time in high school because my
18 friend lives nearby and I don't know how long
19 it's been there, but even know, I didn't even
20 think it was a club.

21 It has blacked-out windows. It's on,
22 like, an upper level above the old Chipotle and -

23 -

24 MR. BIANCO: Would you --

25 MS. BUTLER: Yes. You don't hear

1 anything from it.

2 MR. BIANCO: Okay. Would you be
3 surprised to learn that their hours are till 2:00
4 and 3:00 as well?

5 MS. BUTLER: Well, if they're a night
6 club, that kind of makes sense.

7 MR. BIANCO: All right. Thank you.
8 I don't have any further questions.

9 CHAIRPERSON ANDERSON: All right.
10 Thank you. Any questions by any of the Board
11 members?

12 MEMBER GRANDIS: Yes.

13 CHAIRPERSON ANDERSON: Yes, Mr.
14 Grandis?

15 MR. ENGELMANN: Is it Ms. Butler? I'm
16 sorry, my eyesight is not perfect. But it's Ms.
17 Butler, correct?

18 MS. BUTLER: Yes.

19 MR. ENGELMANN: Again, I want to thank
20 you, as a resident, for taking time out of your
21 day and especially the long day that you've had
22 to be tortured by us. But we really all value
23 the residents and businesses that come before us
24 and let us know for our records.

25 I think I only have one question. Mr.

1 Bianco asked you about the Board Room?

2 MS. BUTLER: Yes.

3 MEMBER GRANDIS: And I think he was
4 trying to impress everyone or to yourself that
5 did you know that they had, I think, Mr. Bianco,
6 if I heard you correctly, that they're open till
7 2:00 or 3:00 a.m. depending on the night of the
8 week? I think that's what I heard?

9 You're familiar with them, but you did
10 not know how late their open, correct?

11 MS. BUTLER: I mean, I think I knew
12 that they were open kind of late on weekends,
13 because there was one time I was walking my dog
14 after getting home late and I actually ran into
15 some friends who were heading to the Board Room
16 and it must have been midnight.

17 But I haven't been there in a while.
18 But it a very relaxed atmosphere.

19 MEMBER GRANDIS: And have you ever
20 been there or walked, even just walked by there
21 and they've had a cover charge?

22 MS. BUTLER: You're talking about the
23 Board Room?

24 MEMBER GRANDIS: Yes.

25 MS. BUTLER: No.

1 MEMBER GRANDIS: And have you ever
2 walked by there or been told that they've had
3 promoters promoting some event there?

4 MS. BUTLER: No. Not to my
5 recollection.

6 MEMBER GRANDIS: And is the Board Room
7 closer to this applicant than Gazuza, which is a
8 night club --

9 MS. BUTLER: Yes.

10 MEMBER GRANDIS: -- is the Board Room
11 closer?

12 MS. BUTLER: Much closer. It's on the
13 same block.

14 MEMBER GRANDIS: Okay. Well, I just
15 wanted to make sure I understood what you knew
16 about the Board Room and its late hours and that,
17 from your knowledge, it does not use a cover
18 charge, nor does it have promoters.

19 MS. BUTLER: No.

20 MEMBER GRANDIS: Thank you very much.

21 MS. BUTLER: Thank you.

22 MEMBER GRANDIS: Thank you for your
23 time.

24 CHAIRPERSON ANDERSON: Any other
25 questions for any other Board members?

1 Mr. Bianco, any questions of the
2 witness based on the questions that were asked by
3 the Board?

4 MR. BIANCO: No, Mr. Chair.

5 CHAIRPERSON ANDERSON: Mr.
6 Silverstein, any questions of the witness based
7 on the questions that were asked by the Board?

8 MR. SILVERSTEIN: No, sir. No, sir.

9 CHAIRPERSON ANDERSON: Mr. Engelmann,
10 any questions you need to ask of your witness
11 based on the questions the Board was asked?

12 MR. ENGELMANN: No, sir.

13 CHAIRPERSON ANDERSON: All right.
14 Thank you. Thank you very much, Ms. Butler, for
15 your testimony. All right. Thank you very much.

16 Do we have another witness?

17 MR. ENGELMANN: Yes, we do. I'd like
18 to call Jeffrey Rueckgauer.

19 CHAIRPERSON ANDERSON: Mr., what's the
20 last name? Redrush? I'm sorry.

21 MR. ENGELMANN: Rueckgauer.

22 CHAIRPERSON ANDERSON: Mr. Rueckgauer,
23 can you raise your right hand, please?

24 MR. RUECKGAUER: Yes.

25 CHAIRPERSON ANDERSON: Do you swear or

1 affirm to tell the truth and nothing but the
2 truth?

3 MR. RUECKGAUER: I do.

4 CHAIRPERSON ANDERSON: All right.
5 Thank you. Your witness, sir.

6 MR. ENGELMANN: Can you restate your
7 name and your address?

8 MR. RUECKGAUER: Jeffrey Rueckgauer.
9 First name, J-E-F-F-R-E-Y, last name, R-U-E-C-K-
10 G-A-U-E-R. I live at 2131 P Street Northwest,
11 Apartment 711.

12 MR. ENGELMANN: And how long have you
13 lived at that address?

14 MR. RUECKGAUER: I've lived here since
15 January of 1992.

16 MR. ENGELMANN: And I believe you live
17 in an apartment building; is that correct?

18 MR. RUECKGAUER: Correct.

19 MR. ENGELMANN: And do you have a
20 particular position within that building?

21 MR. RUECKGAUER: Yes. I am the
22 president of the tenant association since 2007.
23 The building represents 250 units. About half of
24 them are on the P Street side.

25 MR. ENGELMANN: Okay. And can you

1 tell the Board a little bit about the background,
2 sort of the history of the neighborhood with the
3 taverns morphing into night clubs?

4 MR. RUECKGAUER: Yes. In 2005 a
5 restaurant known as Marrakesh Palace came to the
6 ANC seeking a CT or had a CT license from the
7 previous occupant of that address, but they
8 sought an entertainment endorsement that would
9 allow them to have promoted events.

10 What they had said though was that
11 that was going to be for a Mediterranean
12 restaurant with belly dancing several nights a
13 week during dinner service.

14 They eventually got that endorsement,
15 however, I noticed that what the construction
16 that was going on at the building was that there
17 was the second and third floors were not part of
18 the restaurant and that I had observed materials
19 going in that gave me a reason to believe that
20 that was going to be discotheque.

21 I raised concern with the ANC. The
22 applicant insisted, on the record, that under no
23 circumstances was anything like a discotheque
24 being built there. He would not run a
25 discotheque. And that was that.

1 Opening night, a few months later,
2 everyone in the neighborhood just gob smacked
3 that there was a discotheque that had opened up
4 in the second floor. It went by the name of
5 Pasha Lounge. It had a line going to 22nd Street
6 up 22nd Street and it was quite rambunctious.

7 It was very loud. A lot of hollering
8 and hooting and just general disruption. Then it
9 was, a few hours later, the main event of the
10 evening, promoter, got on a bull horn and
11 announced the arrival of their performer who
12 arrived with an entourage in three limousines,
13 which caused even more noise.

14 It just went downward from there. But
15 as the evening ended, people were getting into
16 fights in the street. MPD had been summoned a
17 number of times. And MPD couldn't clear the
18 street until about an hour after closing. So it
19 was about 4:00 a.m.

20 That went on, more or less, for the
21 next year and a half, until a settlement
22 agreement was signed, which put a prohibition on
23 promoter events and reduced the operating hours
24 by an hour.

25 That was the result of orders from the

1 ABRA Board. Because of what their conduct. That
2 didn't stop them from having their promoters.
3 They snuck them in anyway and they just didn't,
4 they tricked us because they didn't bother to
5 tell it was a promoter. The promotion material
6 they'd leave out, that it was a promoted event or
7 another third-party.

8 So it just got to the point where we
9 were calling the police constantly. ABRA was not
10 responsive. We were just basically left out in
11 the cold to deal with this mess.

12 And the result, I mean, we finally did
13 get any relief until the establishment changed
14 hands in 2012 and that's when it finally got
15 quiet.

16 MR. ENGELMANN: Jeff, was there
17 another establishment with this similar problem?

18 MR. RUECKGAUER: Yes. In 2010, a
19 place called Bento opened in 2120 in the
20 Residence Inn restaurant base on the ground
21 floor. And they followed suit in a very similar
22 manner. They were a CR establishment, but when
23 dinner service ended, they became a night club.

24 They too, they had illegal valets
25 going. They had promoters coming in, people

1 getting into fights out in the street. And so
2 some nights we had, literally, both sides of the
3 street were this just sea of people who were
4 making noise and the establishments were
5 basically telling the neighborhood, we don't care
6 about, you know, about your trying to sleep or
7 people -- their trash service, the city cleans up
8 the streets, so leave it to them.

9 I mean, the attitude was very much
10 were not responsible for what these promoters are
11 coming in and doing. We're just renting them the
12 space. We have no responsibility and it's like,
13 no, it's your space. You get to dictate
14 conditions that the promoters have to abide by
15 and if you can't get them to abide by it, stop
16 doing business with them.

17 Mr. Bouza from Marrakesh went on to
18 say that there was no way possible for him to
19 continue to operate because of the overhead of
20 the lease, that he had to ask that he able to
21 have promoters in there. And he made this
22 impassioned plea to ABRA to let him continue to
23 do it. They didn't yield, fortunately.

24 MR. BIANCO: Mr. Anderson, I'm sorry
25 to interrupt. But I really tried to give a lot

1 of latitude, but we're talking about
2 establishments outside of the 1,200-foot range by
3 far in 2005 and 2010. What on earth does this
4 have to do with what's before the Board?

5 (Simultaneous speaking)

6 CHAIRPERSON ANDERSON: Hold on a
7 minute. Once again, Mr. Bianco, you have to
8 object to the question. You can't object while
9 the witness is testifying.

10 So I'm going to overrule the
11 objection. You have to --

12 MR. BIANCO: Well --

13 CHAIRPERSON ANDERSON: I'm sorry, Mr.
14 Bianco, you need to object to the questions that
15 are being asked by counsel or you have to object
16 that it's been broad.

17 But you can't have the witness for 10
18 minutes and then in the middle of the witness
19 testifying, you're now objecting to the question.

20 So I'm going to overrule the
21 objection. Let's move on.

22 MR. BIANCO: Thank you, Mr. Anderson,
23 but that does put me in a position to have to
24 object to every question.

25 CHAIRPERSON ANDERSON: Then fine, sir.

1 That's what you do. And you do and I'll make a
2 ruling accordingly.

3 Go ahead, sir.

4 MR. ENGELMANN: Let me just --

5 MR. RUECKGAUER: Go ahead.

6 MR. ENGELMANN: Yes. Jeff, just one
7 clarification. The Marrakesh is around the
8 corner from the Bier Baron?

9 MR. BIANCO: Objection. Relevance.

10 CHAIRPERSON ANDERSON: Why is this
11 relevant, sir?

12 MR. ENGELMANN: I'm just responding to
13 Mr. Bianco's concern. I'll withdraw the
14 question.

15 CHAIRPERSON ANDERSON: All right.
16 See, Mr. Bianco, next --

17 MR. BIANCO: Just trying to get us out
18 of here, Mr. Anderson. I apologize.

19 MR. ENGELMANN: I'm trying to do that
20 too, Mr. Bianco.

21 Mr. Rueckgauer, you're familiar with
22 the ANC's guidelines about promoters?

23 MR. RUECKGAUER: I am.

24 MR. ENGELMANN: Can you share your
25 thoughts on the importance of that?

1 MR. BIANCO: Objection. Relevance.
2 Foundation.

3 CHAIRPERSON ANDERSON: I'm sorry.
4 What was the question? I apologize. What was
5 the question?

6 MR. ENGELMANN: I was asking Mr.
7 Rueckgauer about the ANC guidelines on promoters.

8 CHAIRPERSON ANDERSON: I'm going to
9 allow that, Mr. Bianco. We have had a lot of
10 testimony earlier regarding this ANC guidelines.
11 So I'll just allow it and the Board will give it
12 whatever weight it's due.

13 MR. RUECKGAUER: The issues with the
14 promoters came in about 2014, it went into the
15 policies and procedures manual. It came out of
16 East Dupont moratorium, which did have language
17 that forbade restaurants from having more than a
18 certain number of promoted events during any
19 given year.

20 The problem then became what was going
21 on with the West Dupont side was that there was
22 no adequate responsiveness from the regulatory
23 agencies to give any kind of immediate
24 satisfaction or a reasonable time satisfaction.
25 So that it got to the point where an ABRA hearing

1 or investigation would take over a year before
2 there was any decision made.

3 That happened in a couple of cases
4 involving Marrakesh. Several of them never
5 received any decision. They were just no action.

6 So it certainly seems they decided
7 well, because we can't count on the regulatory
8 framework to be responsive to residents when
9 there's an actual problem occurring and that it
10 was the burden of the police department not
11 having adequate resources.

12 The ANC thought, well, we're just
13 going to have to, well, let's try this. Let's
14 try putting a restriction thing that we're going
15 to oppose or contest any promoted event language
16 in the settlement agreement.

17 It did not mean to shut out the them
18 entirely. The idea was if an applicant felt they
19 had a compelling reason for having it, the ANC
20 would be open to considering it and perhaps
21 granting it.

22 It shifted the burden of proof onto
23 the applicant on it to demonstrate that their
24 business model was sound and they could justify
25 having a seed to it, versus letting them have it

1 right from the get go and then everyone has to
2 deal with running to catch up and try to undo the
3 damage.

4 MR. ENGELMANN: Okay. Thank you.
5 Thank you, Mr. Rueckgauer. I have no further
6 questions.

7 CHAIRPERSON ANDERSON: All right.
8 Thank you. Mr. Silverstein, you have any
9 questions of this witness?

10 MR. SILVERSTEIN: No, I do not, Mr.
11 Chairman.

12 CHAIRPERSON ANDERSON: Mr. Bianco, any
13 questions of this witness?

14 MR. BIANCO: You testified about the
15 ANC's policy with respect to the use of
16 promoter's, correct?

17 MR. RUECKGAUER: Yes, sir.

18 MR. BIANCO: Are you on the ANC?

19 MR. RUECKGAUER: I am a member of the
20 land use committee. But I am not an elected
21 official.

22 MR. BIANCO: Okay. So does the land
23 use committee deal with ABC Board issues?

24 MR. RUECKGAUER: Generally, no.

25 MR. BIANCO: Okay. Do you speak for

1 the ANC on these ABC Board issues?

2 MR. RUECKGAUER: No, I do not. I am
3 simply a concerned citizen who actually was
4 involved in some of that drafting work. But I'm
5 not, as community participant.

6 MR. BIANCO: Thank you very much. I
7 don't have any more questions.

8 CHAIRPERSON ANDERSON: Thank you. Any
9 questions from any Board members?

10 Hearing none, thank you very much,
11 sir, for your testimony. Thank you very much.

12 MR. RUECKGAUER: Thank you.

13 CHAIRPERSON ANDERSON: Do we have
14 another witness?

15 MR. ENGELMANN: I just wanted to make
16 a short statement and then move the admission of
17 the one exhibit I had. The proposed settlement
18 agreement between DCCA and Duffy's Pub.

19 CHAIRPERSON ANDERSON: Well, if you
20 want to make a statement, sir, you know that I
21 have to swear you in and then you will be subject
22 to cross-examination.

23 MR. ENGELMANN: Yes. Unless there's
24 another way to get the settlement agreement in.
25 I'm happy to do that. It will be very brief.

1 CHAIRPERSON ANDERSON: Raise your
2 right hand, sir.

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

5 MR. ENGELMANN: Yes, I do.

6 CHAIRPERSON ANDERSON: Go ahead.

7 MR. ENGELMANN: Again, Glenn
8 Engelmann, I reside at 1412 Hopkins Street
9 Northwest. Me, a past president of DCCA.

10 There's been a lot of testimony about
11 standards in the neighborhood around promoters.
12 I just want to point out to the Board that's sort
13 of consistent with DCCA's position here.

14 The most recent tavern license in the
15 neighborhood, which is for an establishment which
16 will be known as Duffy's Irish Pub. We did
17 negotiate a settlement agreement with the
18 operator.

19 Part of that is a promise of no
20 promoters. Again, consistent with what's been
21 testified here today. And with that I'd like to
22 move the introduction into the record of that
23 settlement agreement. It's listed as DCCA
24 Exhibit 1.

25 MR. BIANCO: I object --

1 CHAIRPERSON ANDERSON: What's the
2 nature of the objection?

3 MR. BIANCO: The nature of the
4 objection is relevance. Generally, settlement
5 discussions aren't admissible and this is
6 settlement discussion and an unsigned agreement,
7 apparently, on behalf of an establishment that is
8 not the subject property before the Board. It's
9 completely irrelevant to the issue before the
10 Board. Has no bearing on the proceedings.

11 CHAIRPERSON ANDERSON: Okay. Hold on.
12 Is this a signed settlement agreement regarding
13 another establishment?

14 MR. ENGELMANN: Yes. It's a signed
15 settlement agreement between DCCA and the
16 establishment. It'll be before the Board, as I
17 understand it, in July.

18 CHAIRPERSON ANDERSON: No. I'm sorry.
19 I cannot allow that. No. I cannot. First and
20 foremost, this is a settlement agreement that is
21 going to be presented to the Board for our
22 consideration for a case that's currently being
23 protested.

24 So I thought this was a settlement
25 agreement -- I thought this was an existing

1 settlement agreement for another establishment in
2 that. But since this is a contested case, this
3 is --

4 MR. ENGELMANN: Well --

5 (Simultaneous speaking)

6 CHAIRPERSON ANDERSON: Go ahead, sir.

7 MR. ENGELMANN: Just to clarify. It
8 was entered into ahead of settlement. The
9 operator, in this case, reached out the neighbors
10 ahead of time. There hasn't been a protest
11 filed. We agreed to a settlement, which is --

12 CHAIRPERSON ANDERSON: Right. But
13 what you're saying though, this is the settlement
14 agreement that the parties are going to provide
15 to the agency, for the agency to sign off on.

16 MR. ENGELMANN: Yes. That's correct.

17 CHAIRPERSON ANDERSON: No. I'm going
18 to -- this document cannot be admitted into
19 evidence. All right. So it cannot.

20 So this document will not be allowed
21 to -- hold on. Hold on one minute, please.

22 Yes. This document will not be
23 allowed to be into evidence. If it was a Board
24 approved settlement agreement, yes. But it's
25 not, so, no.

1 So let's move on. Do you have
2 anything that you want to say, sir?

3 MR. ENGELMANN: No, I don't.

4 CHAIRPERSON ANDERSON: All right. Mr.
5 Silverstein, do you have any questions of Mr.
6 Engelmann?

7 MR. SILVERSTEIN: No, I don't.

8 CHAIRPERSON ANDERSON: Mr. Bianco, any
9 questions of this witness?

10 MR. BIANCO: No, sir.

11 CHAIRPERSON ANDERSON: All right.
12 Thank you, sir for your testimony. Do you rest?

13 MR. ENGELMANN: Yes, I do.

14 CHAIRPERSON ANDERSON: All right. So
15 this is where we are now. Hold on one minute,
16 please.

17 All right. I'm going to give each
18 side; the applicant will be given five minutes to
19 close. And each protestant will have five
20 minutes to close.

21 What I need for each side, for the
22 applicant to tell us what it is that the
23 applicant is asking from the Board. And for each
24 of the protestant, I'm asking the protest -- each
25 of the protestant, be specific what it is that

1 you're asking the Board to do.

2 All right? So let's start with the --
3 all right. All right. Do the parties want five
4 minutes before we do closing?

5 (Simultaneous speaking)

6 CHAIRPERSON ANDERSON: I'm sorry. We
7 can go directly or we can break for five minutes.

8 MR. SILVERSTEIN: I'm ready to go.

9 MR. BIANCO: I could use five minutes.

10 CHAIRPERSON ANDERSON: I'm sorry?
11 What did you say, Mr. Bianco?

12 MR. BIANCO: I could use five minutes.

13 CHAIRPERSON ANDERSON: I'm sorry.
14 What is that you want to do, Mr. Silverstein?

15 MR. SILVERSTEIN: If Mr. Bianco needs
16 five minutes, I'm fine with that. I'm ready to
17 go.

18 CHAIRPERSON ANDERSON: Mr. Engelmann,
19 what is it that you wish to do?

20 MR. ENGELMANN: I'm ready to go, but
21 again, if Mr. Bianco wants five minutes, I'm
22 happy to wait five minutes.

23 CHAIRPERSON ANDERSON: All right.
24 It's 7:42, all right, 7:50, I'll do the eight
25 minutes. 7:50 will be eight minutes and we'll be

1 back on the record to do a closing. 7:50. Thank
2 you.

3 MR. BIANCO: Thank you very much.

4 MR. SILVERSTEIN: Thank you.

5 (Whereupon, the above-entitled matter
6 went off the record at 7:42 p.m. and resumed at
7 7:50 p.m.)

8 CHAIRPERSON ANDERSON: We're back on
9 the record. It's 7:50. Where is everyone?
10 Everyone needs to log back on. Mr. Bianco?

11 MR. BIANCO: Yes, I'm here.

12 CHAIRPERSON ANDERSON: Mr. Engelmann?

13 MR. ENGELMANN: I'm here.

14 CHAIRPERSON ANDERSON: All right.
15 Fine. Mr. Bianco, you have five minutes, sir.

16 MR. BIANCO: Thank you very much.

17 Mr. Chairman, members of the Board in
18 compliance with your instructions I want to very
19 clearly state what we are asking for. We are
20 asking that the Board grant the CT license that
21 my client has applied for with the endorsements
22 applied for without any condition or restriction.

23 Most of the protestant's case rests on
24 things that occurred at another establishment in
25 another neighborhood and I think it's very

1 important that the testimony that we heard from
2 the MPD clearly established, it's one of the most
3 difficult and dense neighborhoods to deal with
4 from a night life perspective.

5 The incidents cited were in 2018 and
6 although thoroughly investigated by the MPD, by
7 ABRA, there were fact-finding hearings on each,
8 exactly zero finding of any wrongdoing on
9 Secret's part whatsoever. No violations. They
10 have operated at that location for four or five
11 years. They've accumulated exactly one violation
12 and one warning in that period of time.

13 I know the Board is pretty much sick
14 of me before you and having arguments about what
15 goes on at 9th and U Street Northwest, but
16 because you've seen me so much issue, on that
17 neighborhood, I think you very well understand
18 the difficulties that that neighborhood
19 experiences from a night life perspective and
20 those difficulties don't really have anything to
21 do with Secret Lounge.

22 I feel the character of the Dupont
23 Circle neighborhood that the applicant proposes
24 to locate his business in. The protestants point
25 to incidents that occurred at other

1 establishments, bearing no relationship to my
2 client's establishment whatsoever, that occurred
3 in 2005, 2010, 2014, all outside of the relevant
4 1,200-foot radius.

5 And I think it's important to note
6 that these other incidents that occurred 10 or 15
7 years ago evidently drove some policy by the ANC,
8 and we unfortunately heard extensive testimony on
9 it, drove some policy by the ANC of promoters are
10 bad. No promoters.

11 Well, is this really a policy? I
12 think any claimant, this is a policy, is specious
13 based on the evidence before the Board. And what
14 evidence am I referring to but the investigators
15 report and the testimony thereon.

16 Specifically, of the five taverns that
17 are located within the relevant area, as set
18 forth in the investigators report, zero have
19 settlement agreements. Zero. Zero have promoter
20 restrictions.

21 Of the two night clubs, full-blown
22 night clubs located within the relevant 1,200
23 square foot area, zero have promoters'
24 restrictions. One of two night clubs has a
25 settlement agreement.

1 So what really is this policy, if it's
2 not enforced against anybody? They're seeking to
3 enforce it against my client and no one else.
4 What really is this policy?

5 And I think it holds up as well when
6 you look at the previous establishment that was
7 at this location. No promoter restriction. No
8 settlement agreement.

9 Why, given the context of this, should
10 these conditions be imposed on this specific
11 license when there clearly is no policy? At
12 least not one that is being enforced in any way,
13 shape or form?

14 We put on evidence today to give the
15 Board some insight into what my client's plan is
16 for the property with respect to his seating,
17 with respect to his music, entertainment and
18 security. All very important things. All
19 relevant considerations.

20 The Board is in a position where it
21 has to predict the future in this case,
22 essentially. What may happen? There's not a
23 track record for this particular establishment.

24 And while that's not easy to do, we do
25 have guidance from the relevant case law as to

1 what the board should look at. And where that
2 case law puts us is exactly the evidence that we
3 put on.

4 What does the applicant plan to do?
5 What are the measurements that the applicant is
6 putting in place? What is the overall character
7 of the neighborhood? And we've had evidence of
8 those and they all weigh in my client's favor to
9 grant this license.

10 We think after the Board has the
11 opportunity to consider the voluminous evidence
12 that has been put before it today and deliberate
13 on the same, the conclusion that you will reach
14 is that this establishment, as purposed, is
15 appropriate for the 1,200 square foot area that
16 is a relevant consideration for this particular
17 proceeding. Thank you very much.

18 CHAIRPERSON ANDERSON: Thank you very
19 much, Mr. Bianco. And Mr. Engelmann? Mr.
20 Engelmann, you're next.

21 MR. ENGELMANN: Thank you. DCCA would
22 like the Board to deny the requested license. As
23 I stated earlier when the initial word was out
24 about an Ethiopian restaurant, it was well
25 received and in fact, DCCA initially wasn't going

1 to contest the license.

2 But as things evolved, as the
3 testimony was given to the ANC, it was clear that
4 the operating plan was vague and it had morphed
5 really into more of a night club type
6 establishment and sort of consistent with DCCA's
7 policy, this was something we should contest.

8 The testimony today didn't add,
9 frankly, a lot of clarity about the operating
10 model. It continues to shift, in our view. And
11 our thought that restrictions might be a way to
12 alleviate some of the real neighborhood concerns
13 sort of evaporated today with the news that the
14 operator is in arrears with respect to RDO
15 payments on the existing establishment.

16 Clearly, an RDO would be part of it,
17 but if there are arrears, it's hard to see how
18 you can impose any restrictions that we can have
19 confidence on.

20 So again, the neighborhood has a long
21 history of balance. What's proposed here is not
22 consistent with the neighborhood, not consistent
23 with the area.

24 I think Ms. Butler's testimony was
25 pretty clear about the character of the block and

1 we'd ask you to deny the application.

2 CHAIRPERSON ANDERSON: Thank you, Mr.
3 Engelmann. Mr. Silverstein.

4 MR. SILVERSTEIN: Thank you, Mr.
5 Chairman. And I'll be brief.

6 We seek denial of the application.
7 The burden of proof in this case is on the
8 applicant. The applicant's business plan is
9 clearly that of a CT that morphs into a night
10 club, and the applicant acknowledges he cannot
11 succeed without the use of promoters.

12 Promoters would require enhanced
13 security and an RDO and the applicant's financial
14 dealings are such that, despite his testimony
15 today otherwise, he has not paid for his RDO at
16 his current establishment and that debt is in
17 collections.

18 The applicant has failed completely to
19 meet his burden to establish that he would not
20 negatively impact peace, order, and quiet. We
21 respectively ask that the Board deny the
22 application and thank you for your attention and
23 your patience.

24 CHAIRPERSON ANDERSON: Thank you very
25 much.

1 All right. All right, do the parties
2 wish to file proposed findings of fact and
3 conclusion of law or waive your right to do so?

4 MR. BIANCO: For the Applicant, I'd
5 prefer not to, but if the other parties are going
6 to, I will as well.

7 MR. SILVERSTEIN: We waive. We do not
8 seek to delay this any longer.

9 MR. ENGELMANN: Same for DCCA.

10 MR. BIANCO: Then nothing from
11 Applicant either. We're good.

12 CHAIRPERSON ANDERSON: All right.
13 Well, thank you very much.

14 The record is not closed. This is a
15 new license, so I believe that we will issue this
16 decision within 90 days, but I believe that we
17 will issue this decision as quickly as possible
18 because it is a new license.

19 All right. Bear with me another
20 minute, please. I have too many papers in front
21 of me. All right.

22 As Chairperson of the Alcoholic
23 Beverage Control Board for the District of
24 Columbia and according to the D.C. Official Code,
25 Section 2574(d) of the Open Meetings Act, I move

1 that ABC Board hold a closed meeting for the
2 purpose of seeking legal advice from our counsel
3 on case number 21PRO00017, Signature Lounge,
4 pursuant to D.C. Official Code Section 2574(b)(4)
5 of the Open Meetings Act and deliberating upon
6 case number 21PRO00017, Signature Lounge for the
7 reason cited in D.C. Official Code Section
8 2574(b)(13) of the Open Meetings Act. Is there a
9 second?

10 MEMBER CROCKETT: Ms. Crockett

11 seconds.

12 CHAIRPERSON ANDERSON: Ms. Crockett

13 has seconded the motion. I'll now take a roll
14 call for what's on the motion that has been
15 properly seconded by Ms. Crockett.

16 Mr. Short?

17 MEMBER SHORT: Mr. Short, I agree.

18 CHAIRPERSON ANDERSON: Ms. Crockett?

19 MEMBER CROCKETT: Rafi Crockett, I

20 agree.

21 CHAIRPERSON ANDERSON: Ms. Hansen?

22 MEMBER HANSEN: Jeni Hansen, I agree.

23 CHAIRPERSON ANDERSON: Mr. Grandis?

24 MEMBER GRANDIS: Edward Grandis, I

25 agree.

1 CHAIRPERSON ANDERSON: And Mr.
2 Anderson, I agree.

3 As it appears that the motion has
4 passed, I hereby give notice that ABC Board will
5 recess these proceedings to hold a closed meeting
6 and ABC Board continues its role pursuant to
7 Sections 574(b) of the Open Meetings Act.

8 I want to thank everyone for their
9 presentation today. I know it's been a long day
10 and so I want to thank everyone who has
11 participated and the Board will deliberate, look
12 at everything presented, review the documents and
13 evidence and carefully consider the evidence
14 presented and make a decision what we believe is
15 the best interest of the residents overall of the
16 District of Columbia.

17 So I just want to thank you everyone
18 for their participation. And if you give me one
19 more minute, I will close the record officially
20 for the day.

21 All right. As Chairperson of the
22 Alcoholic Beverage Control Board for the District
23 of Columbia and according to Title 3, Chapter
24 405, Office of Open Government, I move that ABC
25 Board hold a closed meeting on July 15, 2021, for

1 the purpose of discussing and hearing reports
2 concerning ongoing or planned investigation of
3 alleged criminal or civil misconduct or violation
4 of all regulations and seek legal advice from our
5 legal counsel as the Board's investigative
6 agenda, legal agenda, licensing agenda, budgeting
7 line 15, 20, 21 as published in the D.C. Register
8 on July 9th, 2021. Is there a second?

9 MEMBER SHORT: Mr. Short, I second.

10 CHAIRPERSON ANDERSON: Mr. Short has
11 seconded the motion. I will now take a role
12 call, go through the motion before it now that's
13 its been seconded.

14 Mr. Short?

15 MEMBER SHORT: Mr. Short, I agree.

16 CHAIRPERSON ANDERSON: Ms. Crockett?

17 MEMBER CROCKETT: Raif Crockett, I
18 agree.

19 CHAIRPERSON ANDERSON: Ms. Hansen?

20 MEMBER HANSEN: Jeni Hansen, I agree.

21 CHAIRPERSON ANDERSON: Mr. Grandis?

22 CHAIRPERSON ANDERSON: Edward Grandis,
23 I agree.

24 CHAIRPERSON ANDERSON: And Mr.
25 Anderson, I agree.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

As it appears that the motion has passed. I hereby give notice that the ABC Board will hold the beforementioned closed hearing.

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

I would like to thank the parties for their active participation today. I would also like to thank the Board members for their active participation today and I also like to thank the public who has tuned in today for this hearing.

We are now formally adjourned for the day. I now direct all Board members to return to executive session for further development.

Have a great night and thank you very much.

(Whereupon, the above-entitled matter went off the record at 8:05 p.m.)

1

A
A-N-N 9:10
A.2d 14:1,13 21:24
A.3d 12:17 22:11
a.m 33:4 35:20 48:1,2,2
 48:3,3,6,6,6,7 51:2
 63:14,15,15,16,20,20
 63:21,21,21,22 91:10
 93:23 99:20 109:4,4,6
 109:6 122:22,22,23
 122:23 123:5,6,6,7,22
 123:22,23,23,23,24
 123:24,24,25,25,25
 124:1,1,1,4,8,8,9,9,24
 125:9,9,9,10,10,10,11
 125:11,12,12,12,13
 125:13,14,19 138:4
 178:9 267:18 271:7
 276:19
A/C 105:3
Abarash 78:1
ABC 6:20 7:6,12,22
 12:17 13:24 14:12
 40:24 41:14 46:17
 54:10 115:13 140:1
 166:19 283:23 284:1
 298:1 299:4,6,24
 301:2
ABC's 301:5
ABCB 153:9
ABER 177:16,18
Aberash 1:6 9:19
abide 278:14,15
abiding 129:12
ability 42:6,10 57:2
 79:21 102:20
able 43:14,24 45:9,14
 54:23 59:18 80:7,9
 94:24 111:17 131:12
 138:7 139:6 149:18
 156:10 183:16 192:16
 195:10 220:8 230:7
 230:12 242:12 278:20
above-entitled 257:5
 290:5 301:19
ABRA 2:8,14 19:1 31:2
 40:16,20 50:22 54:11
 58:15 66:24 106:21
 144:12 179:24 180:13
 180:14,25 181:3
 186:14 187:6 199:22
 205:17 210:11,18
 217:25 223:3,7 277:1
 277:9 278:22 281:25
 291:7
ABRA's 208:24 209:21
 211:19 301:7
absolutely 21:5 31:15

74:6 131:20 163:18
 212:23 220:10 246:3
abut 268:22
abutting 35:16 72:4,18
 118:7,7 138:24
accept 233:6
acceptable 38:19 44:14
 44:20 136:3 229:24
 237:15
accepted 211:8
access 133:10 138:6
 214:6
account 16:21 19:19
 36:14 153:16
accountability 38:5
 180:22 238:20
accounting 262:10
accumulated 291:11
accumulative 211:10
accurate 55:21 56:2
 158:13 190:12 193:20
acknowledge 201:25
acknowledged 192:6
acknowledges 296:10
acquired 63:4
act 222:12 297:25 298:5
 298:8 299:7 301:4
acted 150:7
acting 158:14 160:19
action 20:22,24 21:1
 282:5
actions 33:18 181:25
 222:9 264:5
active 7:21 225:15
 301:10,11
acts 20:21 183:2 264:4
actual 55:9 66:6 237:2
 260:23 282:9
Adams 178:20
ADC 247:3
add 101:7 143:25 205:6
 263:1 295:8
adding 45:7
addition 37:21 212:6
 232:12
additional 76:19
address 15:1 54:25
 154:4 190:17 202:6
 237:24 258:14 274:7
 274:13 275:7
addressed 10:14 193:7
addressing 41:15
adds 14:24
adequate 119:13
 281:22 282:11
adhered 203:23
adjacent 76:2
adjoined 219:12

adjoining 52:11,14
adjourned 301:14
adjudicated 209:8
adjust 43:2
Administration 40:14
 208:20
admissibility 16:18
admissible 11:23 16:20
 286:5
admission 81:16 85:22
 88:8 92:8 98:21 99:21
 284:16
admit 115:8
admitted 11:22 143:22
 210:24 287:18
adopting 38:7
adverse 13:7
adversely 19:15 31:11
advertise 132:21
advice 298:2 300:4
advised 150:4
Advisory 26:15
Affairs 265:6
affect 19:15 35:17,18
 83:18 182:21,25
 183:7 190:11 198:24
 215:23
affirm 77:12 153:4
 174:18 200:4 214:22
 231:24 258:8 274:1
 285:3
afforded 16:17
afraid 263:6
after-hearing 186:1
afternoon 3:5,19,25 5:6
 5:11,20 6:13,18 10:19
 32:1 39:21 56:13,14
 65:18,19 126:15,17
 152:20 162:13,16
 225:2,3
afternoon's 3:15
agencies 281:23
agency 135:5 181:3
 184:5,11 287:15,15
agenda 300:6,6,6
agents 57:17
ago 32:15 181:16,18
 225:13 227:15 248:18
 255:5 259:21 292:7
agree 23:16,19,21,24
 24:1 154:10 298:17
 298:20,22,25 299:2
 300:15,18,20,23,25
agreed 287:11
agreement 33:13 38:9
 38:13 129:7,9,17,23
 222:8,11,22,23,24
 223:8 276:22 282:16

284:18,24 285:17,23
 286:6,12,15,20,25
 287:1,14,24 292:25
 293:8
agreements 46:23
 292:19
ahead 16:6,7 26:5,7
 31:24 50:7 63:18
 69:22 103:23 112:3
 126:14 151:12 154:20
 157:15 193:5 200:8
 209:3 210:7 215:1
 221:7 231:4 232:3
 235:21 240:13 244:10
 246:22 250:4 252:7
 253:4 255:23 280:3,5
 285:6 287:6,8,10
ahold 156:10
Alan 253:8
alarms 253:20
alcohol 11:18 18:20
 32:12 37:17 41:17
 49:22 63:16,19 78:14
 113:5 122:21 139:20
 160:12 164:24
alcoholic 1:2,13 3:7
 17:21 18:8 21:10,24
 22:10 40:13,17 48:5
 208:20 297:22 299:22
alert 6:19,24
alike 30:11 31:2
ALIYA 1:20
alleged 300:3
alleviate 295:12
alley 143:8,12 261:17
allotting 159:23
allow 15:6 79:25 80:25
 113:6 148:5 154:10
 191:2 193:16 208:23
 211:14 213:2 237:6
 275:9 281:9,11
 286:19
allowed 15:21 18:16
 113:5 140:6 146:14
 153:25 204:23 260:18
 287:20,23
allowing 14:25 44:19
allows 15:8
ameliorate 30:9 222:10
American 47:13 48:19
 58:11
amount 82:10 153:21
 191:2
analysis 14:25 22:1
ANC 1:8 2:20 6:12,15
 6:16 7:19,21 8:12,16
 10:3 15:8 21:3 28:19
 28:25 29:2,9 30:17

- 32:3,5,15 33:11 35:23
37:1 38:7 39:8 51:22
84:12 148:23,25
223:3,7 233:16
236:12 238:1 247:8
247:11,15,18,20
248:3,10 250:7,12
251:8 252:11,12
253:6,18 275:6,21
281:7,10 282:12,19
283:18 284:1 292:7,9
295:3
ANC's 20:6 45:5 280:22
283:15
ANDERS 150:20
ANDRESON 146:11
148:9 152:1 171:19
171:23
Andrew 107:9,19,22
Andrew's 107:11
Andrews 2:8 4:3,6,21
5:6 26:4 42:9,12
79:24 80:2 131:10,13
149:14,16 151:4,9
257:21
ANDRSON 150:16
angle 52:19
announce 5:2
announced 276:11
answer 3:23 33:6 48:21
48:22 57:10 65:5 95:8
115:14 127:7 130:9,9
130:9,11 134:1
147:10 154:1,4
163:11,20 172:22
182:23 190:9 235:13
235:23,25
answered 138:23
answers 59:2 232:16
235:14
anybody 96:2 110:5
159:11 164:2 189:7
201:21 293:2
anytime 144:2 183:18
anyway 277:3
apartment 35:19 53:1,4
75:21 76:2 143:13
217:7,16 258:17
261:16 265:2,5
274:11,17
apartments 73:5
APD 155:1
APL 210:12
APO 155:4
apologize 16:7 61:9,19
63:9 280:18 281:4
apparent 232:25
apparently 286:7
Appeals 12:16 13:5,11
14:11 17:18 22:9
appear 32:18 160:24
165:9 252:13
appeared 160:8
appears 68:18 72:16,19
149:17 195:6 299:3
301:1
applaud 138:5
apple 248:5
applicant 2:12 5:13
9:22 10:16 11:5 16:25
17:16,24 19:13,22
21:23 24:6,21 28:1,6
28:7,10,15,16 29:16
29:17,18 32:10,17
33:8 34:3,7,25 36:8
36:11,16 38:20 39:3
45:1 111:9 131:9
132:10 148:20 162:15
182:19 193:9 196:21
197:1,8 221:20
232:23 252:11 261:22
263:7 268:10 272:7
275:22 282:18,23
288:18,22,23 291:23
294:4,5 296:8,10,18
297:4,11
applicant's 2:9 5:10
14:20 16:12 17:3 18:3
18:12,18,23,25 21:22
22:20 23:7 33:18 36:2
56:16 81:9 82:1 88:9
88:16 98:21 99:6,21
100:3 111:12 296:8
296:13
applicants 228:2
application 1:9 9:18
10:2 24:19 29:20,25
32:6,14 33:3,12 36:18
37:2 38:24 80:16,25
134:18 139:24 196:23
238:2 252:12 253:7
253:12 296:1,6,22
applications 247:11
253:14
applied 290:21,22
apply 133:24 141:5
applying 65:3 107:9
appointed 7:22
appreciate 122:18
130:25 131:5 169:20
191:6 196:12 223:5
approached 200:22
appropriate 13:10,14
13:21 14:19 21:15
24:23 31:10 156:2
168:6 193:13 195:25
197:14,19 294:15
appropriateness 11:11
12:7,13 14:6,9 15:17
22:25 23:5 24:10,15
24:17 25:2,14,17
235:16,17
approval 24:19
approve 87:5 137:24
approved 287:24
approximately 43:16
45:7 49:18 54:1 56:17
121:14,19 122:2,6
175:4 178:8 206:20
approximation 188:14
April 10:8 55:2
area 13:9,19 15:18
30:13 31:10 34:16,20
35:10 41:5 46:14 49:2
50:1 53:10,19,21,25
54:7,8,9 55:2 56:22
66:3,17,22 68:8,10
70:3,5,8,14,22 84:8
88:5 89:15 102:3
103:8 104:18 119:17
120:8 121:15 122:11
135:16,21 136:3
140:12,13,17 141:2
145:16 157:18,20,21
157:25 164:10,13,16
166:10,22 175:9
176:23 177:5,7,9
178:22 181:7 183:8
185:18,20 188:9,23
189:20 190:21 191:4
197:20 234:8,13,16
238:4,25 241:5 242:8
254:3,9 263:9,14
268:6 292:17,23
294:15 295:23
areas 31:1 37:11 66:25
80:23 109:15 127:20
141:9,10 178:18
181:14 190:23
arenas 127:23
argue 18:25 210:1
argues 13:24
arguing 105:11
argument 10:23
arguments 21:18,19,20
161:23 291:14
arose 177:24
arranged 45:1
arrangement 37:21
arrears 153:20 295:14
295:17
arrest 156:4 163:8
arrested 156:9 163:10
163:20
arrests 156:2
arrival 276:11
arrived 276:12
arriving 155:17
Asia 236:12 241:12,13
asked 33:1 123:2 125:8
126:22 130:7 135:15
144:25 147:24 148:3
148:14 153:25 172:2
172:7 173:8 176:4
190:3 194:24 198:15
201:5 205:23 208:5
208:10,16 228:13,18
249:24 252:5 271:1
273:2,7,11 279:15
asking 5:25 31:14 32:5
32:7 57:11 64:16 71:8
74:17 91:24 104:2,3
109:8 122:21 125:4,7
125:20 129:20 137:24
144:19 161:6,22
197:2,12 230:12,14
281:6 288:23,24
289:1 290:19,20
aspects 261:10
assault 17:12 155:4
157:6 158:18,20
assaulted 156:3 163:7
assaulting 155:24
assaults 157:2
asset 179:3
Assets 67:6,11,14,18
68:13 70:19 243:1,13
261:4
assign 92:23
assigned 5:1 34:15,20
41:24 56:21 66:23
67:1 157:2,7 164:10
188:16,21
assignment 188:12
assigns 94:2
assistance 3:21 131:22
155:16
Assistant 191:24
194:19 211:22
associated 37:16
association 9:4 10:5
28:20 29:3 36:24,25
43:18 51:24 148:23
257:11 264:22 274:22
associations 262:4
assume 24:11 74:2
112:9 183:22 241:6
254:25
assuming 93:6 96:16
96:17 107:14 111:18
119:1 121:10 139:11
147:5

assurance 132:11
Atlantic 17:22 18:9,9
atmosphere 57:8
 226:22 271:18
attached 20:11 51:6,9
 51:20 106:16
attempt 14:17 22:3
attempted 155:25
 200:13
attempting 156:7
attendance 3:12
attendee 257:20
attending 59:14
attention 10:12 69:7
 202:19 296:22
attitude 278:9
attorney 7:23 24:8 32:4
 131:7
attracts 169:17
attributable 13:8
audio 4:14 14:3 15:13
 17:24 26:18 99:11
 112:11 165:17 167:10
 169:7 170:6,17
August 167:17 178:9
 184:24 186:8,15,20
 194:18 200:14 206:17
 211:21
aura 177:4
authority 164:5
authorized 252:22
 253:6,9
Auto 141:10
available 19:19 149:4
 174:2 180:3 237:23
Ave 1:7
Avenue 9:22 11:13
 29:21 45:21 53:8 60:6
 66:15 67:7 68:10,13
 68:19 73:25 78:4
 108:14,20 109:20
 110:15 141:10,11,14
 145:19 168:19 169:4
 181:14 190:5,22
 225:7 236:7,15
 267:21
avoid 154:7 262:1
aware 129:25 140:15,18
 143:6 146:19 147:1
 164:2,3 172:23
 200:17
awful 237:1

B

b 25:1 106:17 239:12
B-I-A-N-C-O 5:13
B-I-T-E 215:7
B-U-T-L-E-R 39:23

B2 51:22
back 25:25 33:6 48:8
 50:21 52:24 59:19
 61:13 66:22 68:17
 70:16,17 73:18 75:7
 76:7 79:9 95:12 97:10
 98:12 99:10 102:13
 107:4 115:11 119:17
 120:3 123:16,17
 131:16 132:3 138:11
 138:12 140:10 141:12
 142:5 143:1,7,12
 144:6 151:14 152:10
 152:13 156:12 182:4
 182:7 183:2 218:11
 257:9 258:22 259:3
 262:5 264:23,24
 290:1,8,10
backend 261:17
background 9:25 95:6
 275:1
backs 93:8 143:8
 261:16
backside 261:1
bad 20:12,21 27:7
 178:13 216:21 246:12
 246:13 249:12 292:10
badge 201:3 203:6
baffling 75:12
balance 37:9,12 38:16
 295:21
balances 184:5
ban 245:7
band 79:6 245:5,12,13
 246:4,5
band's 245:11
banging 201:1 202:15
bank 138:23
banks 127:18
bar 30:22 34:13 53:10
 53:21,22 75:25 79:15
 82:5,6 93:7 113:24
 133:10 203:25 204:1
 204:14,17,20 205:1
 227:8,10 253:22
 260:8 263:17,20
 267:25 268:3
barman 91:23
Baron 269:7 280:8
barrier 76:1
bars 260:8
bartender 91:23
bartenders 93:7
base 277:20
based 20:3 46:25 47:7
 104:7 147:23 148:2
 148:14 160:5 161:11
 172:7 173:6,7,8

198:14,18,20 207:7
 208:5,10,15 212:21
 228:13,17,21 247:15
 247:22 249:23 252:4
 263:11 273:2,6,11
 292:13
basement 89:15 139:19
 139:22 140:1,6
 260:13
basic 247:16
basically 13:5 43:25
 79:4 80:15 83:13
 89:19 102:12 103:14
 103:18 104:7 106:7
 107:8 113:11 120:12
 121:8 133:6 137:15
 177:16 183:9 184:7
 202:18 204:10 232:18
 247:22 248:13 258:23
 264:8 268:24 277:10
 278:5
battery 111:19
bear 99:8 131:15
 184:20 297:19
bearing 7:14 12:9
 286:10 292:1
beat 156:20 157:3,8
 164:10,15
beautiful 32:22
becoming 253:21
bed 217:19,20,21
bedrooms 259:25
 260:10
beer 268:19
beforementioned 301:3
beginning 105:10 115:7
 116:23 240:23
behalf 5:13 11:4 16:4
 36:23 263:4 286:7
behave 146:4
behavior 157:10 165:2
belay 236:23 238:1
belief 20:6 140:25
believe 6:20 8:12 36:7
 62:7 94:14 95:7,9
 134:12 138:11 140:22
 141:17 142:14 155:12
 160:6 161:16 163:17
 167:9 169:13 177:14
 178:4,9 185:20 187:5
 188:10 193:12,14,22
 194:6,17 197:13
 210:22 212:4 222:4
 223:20,21 242:11
 247:25 250:15 251:15
 265:7 274:16 275:19
 297:15,16 299:14
believes 22:7 44:19

45:23
belly 275:12
belong 5:3
bench 54:2
benches 87:8
benefits 37:6
Bento 277:19
best 71:6 111:15,22
 119:16 149:17 155:10
 158:7 163:3,14
 167:18 176:16 249:2
 299:15
bet 241:11
better 40:5,6,7 104:19
 109:21 110:5 127:1
 158:17,19,22 164:12
 237:6 249:11
beverage 1:2,13 3:7
 17:22 18:8 21:10,24
 22:10 40:14,18 48:5,5
 208:20 297:23 299:22
beyond 11:19 255:7
Bianco's 280:13
BIANCOE 148:19
Bier 269:6 280:8
big 86:19 100:16 102:2
 112:11 133:23 135:23
 135:23,24 179:22
 238:5 261:20 264:25
bigger 161:17 219:4
biggest 239:3,21
Billion 239:8
bin 52:20,21
binding 20:20
Bistro 103:7,7,10
 215:23,23 216:24,24
 221:11,11
Bistro's 103:10
bit 46:6 100:7,8 102:6
 164:9 226:16 245:21
 258:24 275:1
bite 72:2,12 215:7,8
 248:5
blacked-out 269:21
blame 159:14,17
 178:12
blasting 35:20
bleeding 179:7
block 110:4,5,11,15
 117:11,14,15,16
 118:3 157:23 158:10
 158:11,24 159:13,20
 161:11 164:11,15
 166:8,16 167:2
 168:18 169:3,4,14,18
 176:15,25 179:21
 181:16 190:5,20,21
 191:1 225:6 227:14

233:17 236:9,15,16
265:11 272:13 295:25
blocks 169:16
bloodshed 235:5
blue 120:12
Board's 9:25 13:6,12
76:10,15 255:7 300:5
Board-approved 46:17
body 156:11
bombs 15:8
borders 33:21
bother 277:4
bottle 216:13
bottles 160:12
bottom 72:12
Bouza 278:17
box 74:4,8,12
boxes 84:2
break 149:21 152:5
155:25 156:8 216:9
232:7 256:23 289:7
breakfast 32:17 45:16
79:4 86:25 87:2 90:2
90:3 93:20,23 108:19
109:11,13,21 112:24
113:3,4 122:24 123:1
123:8,13 124:3,4
breaking 156:13
Brian 2:17 16:11 34:17
111:2 151:19 152:18
153:8 210:12
brick 218:23,24 219:6
bricks 219:9
brief 13:23 256:17
284:25 296:5
briefly 172:10 235:22
235:23 236:3 244:14
bring 19:6 20:7 42:22
51:10 64:3 74:22
131:16 148:6 193:13
194:3,4,15 195:19
198:25 241:4 245:15
broad 279:16
broke 121:10 156:11
163:6 236:14
broken 17:10 101:3
105:2 118:12 132:17
155:23 169:10
brought 20:12,17
106:15 182:4 192:25
234:25 240:16
brownstone 53:1 73:5
brunch 89:20 125:24
218:13
budgeting 300:6
building 29:22 52:12,12
52:15 53:4 65:3 75:9
75:10 93:17 96:3,21

97:6,11 99:10 101:17
102:10,14 104:15
109:19 118:7 120:4
140:3,10,14,16,23
141:2,3,20 142:6,6
143:13 216:18 217:2
217:3,12 254:23
259:19 261:17,21
262:5 264:15 265:5
268:23 274:17,20,23
275:16
buildings 141:1,13
143:12,13 219:12
254:18,20 268:10
buildout 104:22
built 30:4 35:22 216:19
259:20 275:24
bull 276:10
bulletin 301:6
bunch 200:21
burden 18:5 19:13 34:2
36:9,10 282:10,22
296:7,19
burgers 90:1 109:1
business 3:12 16:14
17:3 18:1,4,12,21
32:19 35:8,17,17 37:9
37:18 45:10,14 55:11
57:5,7,24 58:1 67:23
97:25 103:8,19,22
108:13 109:21 113:13
113:20,22 114:9
115:23 116:2,9,19
117:15 118:3,7
124:10 126:19 133:3
134:13 139:18 144:6
215:4,5,6,22,24,25
220:7 225:6,24
227:19,25 228:4,6
232:22 237:12,12
254:10 278:16 282:24
291:24 296:8
businesses 108:12
110:13 143:15,16
244:15 246:14 270:23
bustle 145:23
busy 156:20 165:7
Butler 2:10,11 39:18,19
39:21,22,25 40:3,6,9
42:13,15,18 43:22
45:1 56:4,8,13 59:2
59:13 63:2 65:11,13
65:18,19 69:12,15,20
69:24,25 76:11 77:3,4
77:6 256:9 257:16,17
257:18,23,25 258:2,3
258:5,10,15,16,21
259:5,12,16 264:18

265:13 266:7,10,15
266:19 267:3,10,17
267:24 268:2,8,16
269:3,9,14,25 270:5
270:15,17,18 271:2
271:11,22,25 272:4,9
272:12,19,21 273:14
Butler's 295:24
butts 216:14
bylaw 250:17

C

C 65:2
caf 74:2 80:17 236:11
241:12,13
cafes 46:21
calculation 171:9
calendar 301:7
call 8:16 10:8 23:13
27:15 28:4 29:2 39:18
54:16 62:3 77:8
107:19 111:7 150:21
151:3,5,7,8 152:16,18
157:1 162:23 177:6
199:22 204:18 227:9
256:9 273:18 298:14
300:12
call-in 151:5,7,10
called 12:16 14:12
35:25 62:2 72:2,11
103:7 108:16 141:10
153:9 155:15 201:4
202:1,2 215:7 216:8
221:11 226:25 234:2
267:21 268:12 277:19
calling 29:1 151:1
193:25 277:9
calls 28:5 54:14 164:19
176:2 180:1,2 183:5
183:17
calm 115:17,17
calmer 115:25
camera 5:17,17,24,25
26:8 102:19 149:18
174:8 180:11 214:5,6
214:16,18 258:2
cameras 45:7 98:12,15
98:19 102:8,8,11,12
102:18 120:1,2,3
179:3,8
campaign 253:25
cancel 14:7
canopy 221:14
cans 52:24
capacity 7:24 34:13
74:21 106:12 161:3
161:18 175:13,22
capital 229:6,6

car 140:19 255:4
care 96:20 127:18
278:5
carefully 299:13
cars 140:11 160:11
165:5
Casa 268:12
case 1:8 4:1,1,5 5:1,3
7:14 11:5 12:16,18,21
13:4 14:1,3,12,13,14
14:24 15:3 17:17 18:5
18:6,7,10,22 19:4
20:17 22:7,8 24:4
25:11 27:13,17,18,23
28:2,3,6,7,11,11,20
29:4,9,12 32:13 42:3
42:22,23 43:6,11
75:18 111:6,9,10,12
149:22 150:10 152:15
162:15 168:3 185:5
185:10 193:13,14
194:25 199:19,25
208:20 231:18 255:13
257:11 260:11 266:6
266:9 286:22 287:2,9
290:23 293:21,25
294:2 296:7 298:3,6
cases 12:8,15 28:21,24
236:22 282:3
casings 236:19
CAT 181:24 182:3
catch 283:2
category 187:15
Catherine 258:15
Catie 2:10 256:9 257:16
257:18 258:16 264:14
cause 14:4,7 31:16
caused 177:16 232:24
276:13
causing 38:2
ceiling 83:25 85:5
87:15,15
center 136:24 225:19
centered 189:23
central 35:4 37:14
181:19 239:1 247:24
certain 33:17 34:5 49:3
57:13 61:2 63:3
167:11,14 195:20
242:13,18 245:7
246:1,5,6 261:10
281:18
certainly 37:19 156:21
160:15 163:18,22
166:24 212:21 238:8
245:10 251:4 266:8
282:6
cetera 45:17

- Chair** 5:4 6:19,23 7:6
24:6 26:4 56:9 59:4
71:5 81:4 126:11
130:12,20 146:8
147:18 150:20 151:24
170:1 210:22 232:5
239:25 244:9 256:1
256:20 257:21 273:4
- Chairman** 6:14 7:7,15
8:5 9:8 16:3,9 19:4,12
19:23 24:7 27:8 32:2
36:7,19,23 39:22
58:12 59:8 61:10 65:8
69:17 71:10 76:7
79:21 110:23 132:14
162:9 173:20 175:25
192:24 194:9 198:16
206:8 208:17 210:5
214:12 224:9 246:21
246:25 265:24 283:11
290:17 296:5
- CHAIRPERSON** 151:4
- chairs** 55:18 60:19,24
64:24 79:19 121:9,12
121:15 133:1 218:10
- challenges** 158:13
- challenging** 182:8
- chance** 144:3 220:17
- change** 24:20 83:10,12
96:14 121:9,11
179:17 261:10
- changed** 84:23 102:12
179:15 221:14 225:9
277:13
- changes** 98:9 121:6
- changing** 119:24
261:11
- chaotic** 158:11,12
159:22 165:3
- Chapter** 299:23
- character** 11:10,15 12:4
14:21,22 21:5,7,9
291:22 294:6 295:25
- characteristics** 38:22
46:6,8
- characterization**
157:22
- characterize** 253:16,18
- charge** 64:16,18 248:12
271:21 272:18
- charges** 144:22,23
145:8
- chat** 5:2 151:11,14,14
- Chateau** 254:24 265:3
- check** 105:4 107:18
113:4 125:25 172:2
269:7
- checking** 112:23
- chef** 92:5
- chicken** 108:25,25
- chief** 28:7,8 164:4
194:20 211:22
- chill** 269:4
- China** 178:19 268:9
- Chipotle** 261:18 269:17
269:22
- chips** 222:19
- Chocolate** 72:12
- chose** 239:15
- cigar** 216:14
- cigarettes** 216:14
- circle** 9:4 10:5 29:11
35:1,5 36:24 37:1,5
37:14 43:18 51:21
145:17 167:3 178:22
181:20 182:16 191:4
191:4 233:17 234:3
236:10,24 238:25
241:2 247:7 249:8
254:3 257:10 261:2
291:23
- Circuit** 21:25 22:11
- circumstances** 22:3
275:23
- citation** 13:25 163:24
164:1 168:9 186:8
- cited** 191:18 291:5
298:7
- cites** 21:23
- citizen** 129:12 130:3
284:3
- Citizen's** 257:11
- citizens** 9:4 10:5 28:19
29:3 36:24 43:18
51:23 227:24 262:21
- city** 31:1 35:7,8 37:24
44:17 72:12 141:11
141:12 145:15 153:21
168:22,22 178:19,24
182:6 183:17 189:19
190:1 206:11 227:17
239:4,6,9,19 245:15
260:5 266:16 268:9
278:7
- citywide** 180:1
- Civic** 148:23
- civil** 300:3
- claimant** 292:12
- claims** 17:16
- clarification** 24:9 39:8
60:8 164:14 167:16
176:7 193:2 247:6
280:7
- clarify** 8:4 60:19 287:7
- clarity** 295:9
- class** 9:20
- clean** 19:1,7 20:7,14
30:10 179:24 180:6
180:13,14,18 220:2
222:12
- cleanliness** 216:11
- cleans** 278:7
- cleanup** 220:5
- clear** 3:16 22:23 31:13
33:19 61:7 95:2
166:25 195:23,24
197:1,7 198:2 234:12
249:1 265:17 276:17
295:3,25
- clearly** 27:6 40:2 120:3
290:19 291:2 293:11
295:16 296:9
- client** 15:8 30:8,18,21
30:24 31:14 45:13
148:13 172:10 290:21
293:3
- client's** 292:2 293:15
294:8
- clientele** 177:3
- clients** 7:23 199:5
- close** 28:16,17 56:5
84:21 85:12 104:11
120:24,25 147:20
181:22 187:21 230:1
233:1 259:18 264:16
265:18 288:19,20
299:19
- closed** 49:20 50:23
56:18,19,25 78:18
98:1,2,4 127:25 128:1
144:2 163:22 164:4
168:3 178:4 186:25
192:11 297:14 298:1
299:5,25 301:3
- closer** 230:13 272:7,11
272:12
- closes** 268:11
- closest** 166:15
- closing** 28:14,15 29:13
33:4 91:8,14 136:13
178:7 187:9,13
276:18 289:4 290:1
- closure** 168:13 186:19
- club** 13:3 35:3 37:14
57:16 113:24,25
134:10 144:20 157:19
157:20,24 159:7
160:18 165:15,19
176:22 177:12,13,15
178:18 181:14,19,25
182:1 186:2 191:2
215:17 222:16 223:16
239:1 247:24 253:22
254:20 260:16,25
- 261:15 269:11,20
270:6 272:8 277:23
295:5 296:10
- clubs** 35:5 145:18
159:12,21 165:10
178:16,24,25 179:5
182:7 183:1,3 199:3
275:3 292:21,22,24
- CN** 132:9 134:21,22
196:23 197:3,4,11,12
198:22
- CNs** 195:25 196:3,17
228:1 242:25 248:12
- code** 11:14 219:12
297:24 298:4,7
- coffee** 90:5
- Coincidentally** 11:25
- cold** 277:11
- Coleman** 236:7
- colleagues** 158:2
163:24
- collected** 142:18,21
143:3
- collecting** 171:5
- collection** 171:9 184:1
184:5,11
- collections** 154:23
184:10 296:17
- collects** 143:1
- colors** 120:11,13
- Columbia** 1:1 11:17
17:21 18:8 22:10 41:1
46:16 51:25 52:3
118:1 127:3,17 189:5
217:13 297:24 299:16
299:23
- combined** 204:9
- come** 6:6 15:6 42:2
43:9 109:19,22
114:21 116:11 120:14
132:24 133:9 134:3
185:10 187:3 202:6
203:15 219:3 222:8
262:12,21 270:23
- comes** 9:17 130:14
179:1 247:18
- comfortable** 119:12,19
131:3 159:23
- coming** 58:21 93:23
157:8 165:23 181:21
188:4 216:6 260:7
262:15 277:25 278:11
- comment** 60:16 161:8
170:2
- comments** 20:1
- commercial** 58:7
142:15 143:12
- Commission** 51:22

- Commissioner** 6:15
26:16 32:3,4 37:23
44:5 84:13,22 229:14
229:23 232:6 238:17
238:19
- commissioners** 10:3
248:22
- commit** 57:20
- commitment** 57:22
- committee** 283:20,23
- committing** 135:5,8
- common** 158:1
- Communication** 54:23
- Communications** 54:14
- community** 36:5,24
37:6 44:9 129:7 131:3
132:11 134:14 138:5
227:12 233:15 234:23
246:8 247:15 284:5
- compact** 46:10
- companies** 101:11
119:15
- company** 97:16 100:10
100:11,16,19 101:16
101:17 102:2 115:7,9
- compare** 82:19 110:14
169:4
- compared** 109:15
178:16
- compares** 261:7
- comparing** 169:13
- comparison** 76:21
- compelled** 36:14
- compelling** 282:19
- complain** 217:25
- complaining** 200:24
- complaint** 139:11
- complaints** 54:24 55:1
- complete** 155:6
- completed** 98:17
- completely** 34:11 168:8
248:3 286:9 296:18
- compliance** 20:17
41:10,18 179:14
290:18
- complication** 252:4
- complied** 45:4
- compounded** 262:23
- compromises** 38:19
- concept** 87:13 109:22
113:21 248:9 263:22
- concern** 33:11 36:2
114:10 134:13 232:21
232:22 233:9,15
238:4 239:10,21
253:23 254:4,14
262:8 267:15 275:21
280:13
- concerned** 146:2,3
199:18 236:21 238:22
238:24 241:25 253:20
260:15 284:3
- concerning** 300:2
- concerns** 14:21 36:15
44:2,8 118:8 222:10
233:10 234:23 238:1
255:2 260:21 262:19
295:12
- conclusion** 294:13
297:3
- condition** 290:22
- conditions** 197:24
278:14 293:10
- condo** 262:4 264:22
267:7
- condo's** 259:19
- condominium** 264:20
267:1
- conduct** 3:12,16 157:6
277:1
- conduction** 204:1
- conduit** 75:3 76:22
- conference** 230:4
- confidence** 295:19
- confident** 7:3 31:9
- confirm** 141:8 153:15
- conflicting** 123:19
- conformity** 20:23,24
21:1
- confrontation** 192:6
- confused** 123:15
133:12
- connected** 217:2
218:24
- Connecticut** 1:7 9:22
11:13 29:21 45:21
53:7 60:6 66:14 67:6
68:10,19 73:24 78:3
108:14,20 109:15,20
110:15 145:19 168:19
169:4 181:14 190:5
190:21 225:6 236:7
269:13
- consider** 10:22 11:24
13:22 21:4 24:3 25:3
145:7 166:15 294:11
299:13
- consideration** 13:12
14:25 15:16 234:9
286:22 294:16
- considerations** 21:8
293:19
- considered** 12:21,24
234:12
- considering** 13:6 15:4
22:12 282:20
- consistent** 144:13
285:13,20 295:6,22
295:22
- consolidate** 182:16
- constant** 248:20
- constantly** 164:18
277:9
- constitutes** 3:13 21:9
- construct** 80:19
- construction** 48:12
52:13 275:15
- consumption** 122:21
123:5
- contact** 149:10 202:5
- contacted** 43:16
- contained** 211:5
- contemporaneously**
185:14
- contention** 15:20
- contest** 282:15 295:1,7
- contested** 287:2
- context** 293:9
- continue** 126:5 217:8
262:13 278:19,22
- continued** 189:16
- continues** 30:18 295:10
299:6
- contract** 99:12 100:12
143:3
- contractor** 119:3
- contribute** 159:4,21
160:2,4 264:10
- control** 1:2,13 3:7 14:10
17:22 18:8 21:10,24
22:10 109:24 115:10
119:18 157:21 297:23
299:22
- controlling** 13:25 22:8
- controls** 14:15
- convention** 225:19
- conventions** 225:18
- conversation** 46:4 47:7
48:18 57:21,23 84:22
104:7 197:16
- convicted** 227:17
- convince** 89:21
- cooking** 89:2
- cooperation** 24:12
117:23 176:18 177:20
180:4,4,16
- cooperative** 179:2,10
- Coordinator** 184:3
- copy** 51:23
- corner** 68:12 238:15
254:24 255:5 280:8
- corporate** 77:25
- correct** 8:24,25 24:13
25:13 55:4,5,6 58:12
- 58:13 60:22 61:22
62:12 71:25 72:3,15
74:2 75:5,6,9 78:1,4
78:17 107:2 109:9
112:20 119:5 121:2
126:19 128:6,21,24
138:13 141:22 142:7
143:8,9 154:24
162:25 163:1,9
167:23 171:1,13,14
175:6,10,11 181:12
184:24 186:4,5 187:1
187:2 188:23,24
189:25 191:20 192:8
192:14 205:4 207:17
221:11,18 241:10,14
244:2 250:8,11
254:18 255:3 261:16
265:12 267:23 269:2
270:17 271:10 274:17
274:18 283:16 287:16
- correctly** 62:14 78:13
163:6 167:20 178:10
190:9 206:14 219:2
266:5 267:7,20 271:6
- corridor** 190:25 239:2
- corrupt** 164:22
- cost** 96:2 153:22
- Council** 128:19
- Council's** 129:13
- counsel** 2:9 5:10 193:4
279:15 298:2 300:5
- count** 166:1 282:7
- countless** 260:14
- country** 32:18
- couple** 33:7 56:10 66:2
83:16,18 93:6 104:25
108:15 113:17 114:22
117:17 118:21 121:11
133:8 150:19 191:17
207:4 221:14 227:5
254:2 255:18 266:3
282:3
- course** 34:2 66:23 69:5
102:7 125:8 160:13
168:17 220:1 261:23
- court** 12:16 13:5,11
14:11 17:18 22:8,12
22:15 150:22
- cover** 64:16,17 120:19
126:7 144:22,23
145:8 188:22 248:11
271:21 272:17
- coverage** 238:11
- covered** 176:24 181:6
- covering** 188:8
- COVID** 35:25 106:6,22
116:11 233:2,5

267:12
CR 198:21 277:22
Craig 17:21
crashes 183:6
create 76:19 223:24
 251:6 264:12
crews 245:16
crime 178:11 179:20
 189:4,8,18,23 236:18
 262:24 266:8
crimes 189:14
criminal 157:10 300:3
criminally 160:20
crisis 36:6
critical 71:21 73:21
 74:6
Crockett 1:20 3:9 23:17
 23:18,18 298:10,10
 298:12,15,18,19,19
 300:16,17,17
cross-examination
 27:19 28:12 284:22
cross-examine 28:9
 176:6 211:7 212:15
cross-examined 211:4
 212:8
cross-examining 27:20
crowd 106:8 115:10
 117:14 158:12 169:7
 198:24 220:17 238:12
crowds 37:16 58:7
 114:23 118:1 169:17
 238:5
crowded 112:19
CRs 144:23
crunch 111:1
CT 1:8 9:21 45:22,24,25
 46:19 47:5 56:3 57:10
 58:2,16 132:10,12
 146:3,4 196:7,9,22
 197:2,5,9,18,19
 198:21 223:21 242:7
 247:12,18 248:9
 275:6,6 290:20 296:9
CT's 132:7
CTs 58:3,18 144:23
 195:25 196:2,16
 228:1 248:12
cuisine 47:13,14 48:20
culture 132:7
cumulative 209:13
current 19:3 35:18
 36:16 40:19 55:2
 62:21 65:2 115:12
 296:16
currently 15:2 40:10,12
 55:13 70:13 121:15
 122:7 136:12 144:9

175:5 197:4 286:22
curve 102:23
customers 36:3 95:20
 97:23 101:6 104:8
 136:25 140:5
cut 113:9
cuttings 246:7
CVS 68:15

D

D-A-N-E-A-L-E 5:22
 77:22
D-E-R-E- 5:21
D-E-R-E-J- 77:21
D-O-N-N-E- 39:22
D.C 11:14 12:18 18:10
 21:24,25 22:11 33:23
 41:5,9 226:15 228:4
 244:16 257:10 260:24
 261:25 262:25 297:24
 298:4,7 300:7 301:8
daily 41:3
damage 283:3
dance 32:21 64:20,20
 89:1 133:9,14,16,19
 133:24 134:23 137:18
dancing 64:17 88:2
 135:21 248:10 275:12
dark 18:20
date 69:4 170:14
David 102:1
day 30:3 50:1,3,6 55:15
 96:4 99:19 100:22
 101:5 107:19 126:4
 173:20 175:19 199:12
 213:13 238:18 241:17
 270:21,21 299:9,20
 301:15
days 30:3 100:24 101:1
 102:23 143:5 181:18
 297:16
daytime 96:7
DC 2:8,14,16,17 126:25
 132:7
DCCA 9:11 30:17 51:24
 237:1 253:18 284:18
 285:9,23 286:15
 294:21,25 297:9
DCCA's 285:13 295:6
deal 68:22 111:11 157:8
 277:11 283:2,23
 291:3
dealing 167:15,16
 178:23 179:1
dealings 17:14 296:14
death 179:8 236:8
debris 216:15
debt 296:16

Decades 181:19
December 167:7
 194:17 211:20 241:16
decibel 166:1
decide 114:2 212:20
decided 154:6 282:6
deciding 209:11
decision 7:4 19:18 22:9
 282:2,5 297:16,17
 299:14
declaration 22:16
dedicated 183:8
deejay 32:21 35:20 79:6
definitely 57:25 166:2
 182:17 183:7 224:11
delay 297:8
delayed 8:20,21
deliberate 224:19
 294:12 299:11
deliberating 298:5
deliberations 8:1 247:3
delineate 74:1
deliver 197:22
delivers 34:8
demand 30:18
demonstrate 24:22
 282:23
demonstrated 38:21
demonstrating 19:7
Deneale 94:15
denial 296:6
denied 31:14,15,15
 32:7 38:25
dense 291:3
density 46:10 191:3
deny 21:21 23:3,7
 36:17 159:12 197:23
 294:22 296:1,21
department 147:14
 170:16 184:8 189:12
 227:14,16 282:10
depending 166:14
 271:7
deployment 35:3
 182:21 183:15 190:4
Derege 2:12 5:14 100:6
 110:18
Dereje 5:21 77:9,19,21
 83:4 92:13
Derenje 9:23
describe 79:2 90:24
 96:12 101:2 104:5
 109:14 114:23 117:22
 119:22 158:11 164:12
 179:25 183:14 186:23
 190:22 258:19 259:14
 264:15,19
described 155:6 185:22

238:19 264:15
describing 76:20
 180:15,19
deserve 228:5
deserves 16:20 36:11
 213:3
designated 9:11
designed 196:17,18
desires 149:19
despite 296:14
destroyed 218:9
detail 100:8
details 38:12
detective 168:6
determination 7:2 20:2
 197:22 210:1
determine 11:10,15
 14:17 22:3 193:20
determined 24:20
 186:12 192:16 209:25
determines 39:2 136:2
determining 25:1
development 46:11,12
 301:16
device 150:23
diagonally 73:15
dictate 278:13
die 195:3,7
difference 49:3,6 83:14
 86:19 90:13 108:3,19
 109:17,19 115:22
 128:18,20 190:22
differences 108:11
different 12:22 15:15
 30:22,22,23 48:24
 49:10 50:1,3 82:20,23
 84:11,14 85:8 86:18
 90:12 91:2,2 100:23
 100:24,25,25 104:2
 105:1 108:12 112:17
 120:11 123:10 168:21
 178:24 197:4 212:16
 221:17 232:15 245:16
 245:16
difficult 30:25 220:8
 237:8 291:3
difficulties 229:21
 248:19 291:18,20
dim 155:22
Dining 88:7
dinner 32:17 45:17 79:5
 87:2,3 89:20 90:11
 108:19 109:13,22
 181:21 275:13 277:23
Diplomate 263:15
 268:8
direct 301:15
direction 84:14,18

directly 17:14 73:13
75:18 143:13 176:14
183:3 258:25 264:18
264:25 289:7
dirty 21:14
disaster 263:3
discern 167:4
disconnect 151:6
179:22,23 180:12,13
199:14,16
discotheque 275:20,23
275:25 276:3
discounts 114:20
discuss 38:11 60:17
discussed 62:17
179:16 250:6 253:7
discussing 167:1
170:12 197:8 300:1
discussion 80:12 286:6
discussions 286:5
disobeying 128:6
disorder 180:1,16
183:5
disorderly 157:1,6,9
165:2
dispute 177:24 178:1
disregard 36:4 180:5
180:17
disregarding 158:15
disruption 276:8
distance 37:19
distanced 204:2
distancing 203:23
204:25 230:8,15
distract 191:16
distracting 95:5
distribution 164:24
district 1:1 11:17 17:21
18:7 22:9 24:24 26:16
33:21 37:15,18,20
41:1 46:15 51:25 52:2
117:25 127:3,16
168:22,23 171:4
175:3 178:20 179:19
182:13,14,15,22
189:5,22,24 194:16
261:9 265:11 297:23
299:16,22
disturbance 30:9 38:2
disturbing 84:15
diversity 225:22
DJ 218:6
document 43:5 59:18
61:18 99:2 100:2
145:3 209:23 287:18
287:20,22
documents 107:10,15
195:19 299:12

dog 262:1 266:23
271:13
doing 31:21 114:14
150:2 163:7 181:25
196:18 200:16,25
218:6 230:8,20
233:14 235:5,7
278:11,16
dollars 170:22,22
Donnell 2:11 39:18,22
59:2
Donovan 1:14,19 3:6
doomed 237:13
door 35:14 75:9,9,10,21
92:22 96:18 97:2,13
97:14,15,18,20,22
98:1 106:13 118:8
144:6 179:6 187:18
187:21 200:23 201:1
201:3 202:11,16,20
203:2,14 205:9 207:4
215:4,18 216:4 226:2
226:5 227:22 233:4
264:10 265:4
doors 73:6 85:13
127:25 178:4 187:1,9
187:14 192:12,17
206:24 207:1,11
double 165:1 181:18
double- 158:7 165:4
double-pane 33:22
double-parked 165:10
doubt 19:8
downplay 254:13
downstairs 102:14
112:8,9 120:5 135:10
135:11 146:23,25
203:5,11,12,14 220:1
220:3 260:12
downtown 225:19
227:17
downward 276:14
dozen 236:19
drafting 284:4
drew 241:9 261:2
drill 100:8
drink 113:5 138:5
drinks 96:20
drive 104:5
driving 174:11 259:6
dropped 170:19 171:11
drove 70:22 292:7,9
drudge 232:13
drunk 96:19
due 44:15 158:3 211:15
216:3 281:12
Duffy's 284:18 285:16
DUIs 165:1 183:6

duly 153:10
Dupont 9:3 10:4 29:11
35:1,5 36:23,25 37:5
43:17 51:21,23
145:17 167:3 178:22
181:22 182:16 191:3
191:4 233:17 234:3
236:10,24 238:25
241:2 247:7 249:7
254:3 257:10 261:6
281:16,21 291:22
duties 40:22,24 66:23
69:6 168:18,20

E

E 77:22
E-N-G-E-L-M- 9:9
earlier 12:1 21:8 109:9
127:2 133:14 135:13
135:14 143:22 218:22
243:19 254:17 281:10
294:23
early 217:19
earth 279:3
East 281:16
easy 293:24
eating 112:24
Ebert 253:8
economically 237:14
edification 226:2
educational 127:19
Edward 1:21 3:10 23:23
298:24 300:22
effect 13:7 14:18 22:4
25:4,6,9 71:22 250:12
effects 19:9 37:2
efforts 14:20
egg 35:8 239:10
eggs 90:4
egress 215:25
eight 93:7 116:18 222:2
222:6 223:13,16
289:24,25
eight-inch 219:9
eight-story 265:5
either 11:10 30:16 62:1
186:17 192:21 237:13
248:6 259:6,11
269:10 297:11
elaborate 76:17
elected 283:20
electronic 301:6
elevate 4:3 5:3 26:5
257:22
elevated 4:7,8,9,11,12
4:13,15,22,23,25 26:6
257:24
email 3:23 54:13

emergency 98:5 128:10
183:18
Emerman 191:25
194:20 211:23 212:7
emphasis 46:11
employed 40:10,12,13
40:15,17
employees 91:25 97:15
97:16 113:15
empty 134:6 142:16
203:20
enclosed 127:16
encloses 143:24
enclosure 142:7
encountered 155:20
encounters 156:22
encourage 115:20
encumbered 165:5
ended 276:15 277:23
endorsement 46:22
107:6,13,17 248:9
275:8,14
endorsements 46:21
290:21
endure 223:14
enemies 222:19
enforce 293:3
enforceability 238:20
enforced 293:2,12
enforcement 180:21
engaged 160:18 191:15
engagement 253:13
Engelman 205:24
ENGELMEN 173:10
engineer 60:9,12
218:23
engineering 60:16
Englemann 118:19
148:11
enhanced 296:12
enjoy 114:21 225:23
ensure 30:9 45:18
150:8
ensured 37:15
enter 53:10 61:23 93:13
95:20 202:8 209:15
210:10
entered 208:21 287:8
entering 145:21,22
enters 93:11
entertain 22:24 23:4
entertainers 32:22
entertainment 30:6
32:21 35:6,9 37:17
38:4 44:11,14 45:9
46:20 47:10,14 57:12
63:12,24 64:3,17
107:5 132:19 136:6

239:4 275:8 293:17
entire 102:14 137:6
 140:2 166:8 181:3
 182:22 199:19 213:12
 261:21
entirely 282:18
entourage 276:12
entrance 97:17 114:13
 114:14 258:22 264:24
entry 155:17
environment 30:10
 37:7
episode 155:9
episodes 179:16
equate 15:14
equipment 62:21,23
 63:4 89:2 94:16
equipped 30:4 58:6
error 61:10
escalated 178:2
especially 254:2 262:19
 270:21
essentially 12:24 15:7
 38:1 293:22
establish 226:13,20
 296:19
established 196:1
 291:2
establishments 13:9,14
 15:1,2,15 37:16 40:25
 41:5 46:12,13,20 49:1
 49:8 58:15 65:25 66:3
 66:9 67:3 68:22
 109:25 110:7 127:21
 127:22 159:13,21
 160:1 165:24 166:9
 166:22 188:22 200:20
 234:11 242:4,14
 243:2 251:2 266:18
 268:6 278:4 279:2
 292:1
esteemed 7:11
estimate 74:9,15
 166:14,17 259:2
estimating 259:8
estimation 158:22
 160:5
et 45:17
Ethiopian 32:16,22,24
 34:10 47:13 48:20
 58:11 90:1,9,21
 225:23 232:11,14
 294:24
evaluate 14:16 22:1
evaporated 295:13
evening 44:11 96:11
 155:11 192:18 206:21
 276:10,15

event 155:5 158:1
 200:12 245:1 272:3
 276:9 277:6 282:15
events 19:8 33:10
 44:16 157:6 158:1,3
 212:11 245:14 275:9
 276:23 281:18
eventually 223:4
 260:19 275:14
everybody 96:21 99:7
 115:23,24 183:15
evidence 10:18 11:6,18
 12:25 13:16,17 15:6
 15:21,24 16:17 18:3
 18:23 19:20,21 20:15
 20:16,20 21:12 22:20
 22:24 23:4 25:3 30:20
 31:8,16 36:7,12 38:13
 99:4 100:4 154:7
 211:17 213:2 287:19
 287:23 292:13,14
 293:14 294:2,7,11
 299:13,13
evidentiary 12:7 20:19
evidently 292:7
evolved 295:2
exactly 73:14 166:11
 269:15 291:8,11
 294:2
examine 11:16
examined 153:10
example 76:20 177:22
exasperated 165:9
excellent 69:24 80:4
exclude 19:9
excluded 20:16 212:21
excuse 127:6 129:2
 150:12
excuses 130:6
executive 301:16
exhaust 141:21
exhibit 51:11,14,16,18
 51:21,23,25 52:2,5,7
 52:9,11,14,16,18,20
 52:22,25 53:3,6,9,12
 53:14,16,18,20,24
 54:2,5,7 59:25 60:1
 61:6,9 62:25 67:2
 71:19,23 73:8,20
 74:25 75:14 80:8
 81:17 82:1 85:22 86:4
 92:8 97:8 99:3 100:3
 106:16 121:1,2,7,20
 122:5,6 131:7 132:2
 136:9 194:16 208:18
 208:19,19 209:15,17
 210:10,14,16,17
 211:14,25 212:1

234:7 284:17 285:24
exhibits 51:5,8,19 71:3
 79:23 81:5 131:8
 146:6 195:20 211:16
 213:4
existing 13:8 19:12
 286:25 295:15
exit 98:5 146:21,22
 147:3
exits 147:17
expansive 100:18
expect 56:19 261:25
experience 119:16
 159:19 160:9 161:14
 161:15 164:21 178:23
 178:25 237:5 247:3
 249:13
experiences 291:19
expert 260:23
explain 35:21 84:19
 106:6 117:7 218:17
 233:25 235:8 244:14
explained 60:2 106:25
 143:21 205:8
explaining 147:15
explore 212:13 267:12
expressed 262:18
extend 265:14
extended 219:20
 244:23
extensive 17:2 292:8
extensively 240:19
extent 176:1
exterior 51:12,16 52:5
 52:10,14,16,18
extra 182:10 220:13
extreme 31:17
extremely 15:7 225:17
eyesight 270:16

F

F-R-U- 215:7
façade 261:10
face 260:1 264:23
Facebook 103:20
faces 143:13
facilities 127:18,19,20
facing 53:7,10,13,21
 60:3,6 138:12 158:13
 177:21
fact 14:2 176:6 216:3
 294:25 297:2
fact-finding 115:14
 155:7 194:16 210:11
 210:18 211:19 291:7
fact-witnesses' 176:3
factions 245:18
fail 237:13,13,14
failed 296:18
failure 153:22
fair 157:22 163:14
 238:16
fairly 70:22
fall 187:14 223:23
falls 241:10
faltering 248:25
familiar 12:19 41:19,22
 66:17,19 68:20,23,25
 102:3,24 126:21,25
 127:4,8 168:17,18
 227:12 243:2,3 268:5
 271:9 280:21
familiarize 127:11
family 32:19 108:15
 113:7 252:15
family's 225:24
family- 45:15 62:10
family-oriented 47:12
far 11:18 15:12 73:2
 85:14,17,18 169:15
 179:1 189:13 199:17
 200:11 216:11 259:8
 279:3
fashion 161:13
fast 167:6 199:4
fault 245:11
favor 253:19 294:8
fear 254:7 262:15
feature 3:23
featuring 29:23
February 210:12,19
Federal 20:19
feed 94:13 95:8
feedback 27:1,5 157:14
 253:14
feel 44:15 50:3 233:11
 254:11 264:5 291:22
feeling 163:18 237:10
feelings 259:14,17
feet 46:18 52:1,4 67:4
 74:9,11 85:19,19,20
 85:20 106:7,10
 166:20,24 259:3,8,8
fellow 32:4
felony 158:4
felt 233:5 282:18
fewer 118:23 181:2
fifteen 122:1 143:5
fifty 146:15,18
fight 17:9,11 155:21
 156:9,16 157:5
 162:24 236:6,12
fighting 118:2 156:1,8
 158:14 183:6
figts 156:18,25 164:25
 177:11,12 276:16

278:1
figuratively 164:22
figure 116:22 222:21
 230:17
file 297:2
filed 10:6,16,18 193:9
 287:11
filings 10:20
final 77:3
finally 21:3 75:14
 183:20 203:17 209:16
 218:14 222:19 277:12
 277:14
financial 233:18 296:13
find 31:9 55:17 56:19
 60:23 131:18 140:9
 216:12 220:4 268:12
finding 12:3 14:5 18:12
 21:6 236:19 291:8
findings 297:2
fine 5:25 9:3 27:10
 39:14 105:16 107:6
 107:24 150:24 174:10
 188:2 210:21 214:18
 232:3 255:22 279:25
 289:16 290:15
finish 103:23 145:14
finished 162:1
fire 72:8 202:5,13,23,23
 203:8 205:8,11
 219:11 227:14,16
firm 262:10
first 9:8 10:24 12:10
 20:5 28:4,5 34:5
 39:18 49:20 53:15
 54:6 68:18 71:19 77:8
 79:14 82:4,13 88:4
 93:14 97:4 112:10
 133:4,7,15,16,19
 134:11,24 135:21
 137:24 140:2 143:22
 148:22,24 153:10,14
 156:14 162:22 168:4
 182:24 200:16 203:18
 203:19 208:3 210:16
 223:17 227:6,18,23
 232:6 244:18 252:10
 252:10,12 253:18
 256:9 257:14,15
 259:22,23,24 274:9
 286:19
first-hand 212:10,23
fit 12:4 112:13
fitness 17:16
fitted 147:7
five 3:11 27:15,16 28:1
 28:2,13,14,15,16 29:8
 29:9,11,14,17 30:14

46:19 49:18,18 56:17
 74:9,11 96:17 97:1
 102:11 105:25 118:23
 120:1 122:1 124:14
 124:25 125:16,17,18
 201:9 236:8 242:7
 255:14 263:23 288:18
 288:19 289:3,7,9,12
 289:16,21,22 290:15
 291:10 292:16
five-minute 149:21
 152:5 256:23
fix 88:25 105:1,2
fixed 88:24 121:10
flashpoint 38:6
Flatly 31:15
fleeing 155:19
flight 155:19
floor 32:21 53:14,15,17
 53:19,21,23,25 54:3,6
 61:22 62:2 64:20,21
 72:14,18 79:12,13,14
 82:4,13 83:24 88:4
 89:1 97:4 112:10
 133:5,7,9,15,15,16,17
 133:19,19,24 134:11
 134:23,24 135:21,21
 136:22 137:18,18,21
 137:24,25 140:2
 146:14,17,22 147:3,4
 147:16 203:4,18,20
 203:22 217:8 219:14
 220:13 259:23,24,25
 276:4 277:21
floors 79:11 86:6
 143:24 275:17
Florida 68:13 141:9,11
 141:14 147:11 267:21
flourished 227:25
fly 247:24,24
focus 197:18 235:19
focused 25:16 37:17
 235:14,15
fold 209:5
folks 8:17 33:1 118:25
 155:18 160:10 162:2
follow 27:25 170:13
 173:12 179:9,14
follow-up 146:9 148:13
 208:14
followed 128:25 129:3
 129:5,14 277:21
following 10:1 45:13
 127:18 186:24 198:21
 266:22
follows 153:11 198:24
food 32:24 48:16,19
 58:5,9 79:19 86:21

89:4,18,23 90:1,9,21
 94:7 108:22 127:21
 132:8 138:3 222:15
 225:23,24 232:14
 268:3
foods 88:22 90:23
foolishly 160:20
foot 30:13 68:7,9,11,16
 70:14,18 91:1 165:11
 165:16 191:2 292:23
 294:15
forbade 281:17
forced 177:16 179:13
 217:15,17
foremost 153:14
 286:20
forever 237:15
forget 75:2
forgive 170:18
forgot 107:12,21
form 234:7 240:18
 293:13,25
formal 90:16 222:24
 223:8 233:12
formally 34:20 301:14
format 247:17
former 35:21 147:13
forming 216:5
forth 25:8 50:21 292:18
fortunately 278:23
forty-nine 170:22
forward 7:3 27:4 150:9
 167:6
forwarded 184:4
fostered 37:22
found 12:17 13:11
 60:25 107:20 186:14
 233:3 245:12
foundation 81:10
 126:23 281:2
four 6:23 15:9 20:15
 31:4 45:19 82:13
 99:18 105:25 113:9
 126:6 170:21 181:18
 223:17 229:22 255:11
 263:23 291:10
four- 209:4
framework 282:8
Francisco 4:23
frankly 248:23 295:9
free 127:1 173:18
 213:13 229:9
French 90:5
French-style 222:14
frequent 160:16
Friday 48:2,6 50:9,19
 63:15,20 109:6 123:6
 123:25 125:13 217:9

Friday- 91:9
friend 269:18
friends 268:20 271:15
fries 90:1 108:25 109:1
front 7:23 61:19 68:10
 70:16,17 71:24,25
 73:17,21 80:10 92:14
 92:15,17 96:18
 102:13 104:15 119:17
 120:3 137:9 139:24
 149:13 163:13 177:13
 177:15 191:19 193:19
 200:22 216:5 224:12
 250:24 259:19 297:20
fronts 182:4
Fruit 72:2,13 215:7,8
Fry 89:8
fryer 89:7
fulfilling 59:14
full 30:1 106:12 137:15
 139:24 165:20 179:3
 258:15
full- 34:9 267:24
full-blown 30:15 292:21
full-service 32:16
fully 10:22
function 58:3
funds 171:5
furniture 55:18 83:15
 83:15 86:20 132:17
 134:7 137:7,8,9,14,16
 155:23
furnitures 82:25 121:11
further 20:8 24:8 44:15
 76:16,25 118:16
 147:9 162:2 183:13
 195:8 199:7 205:17
 220:19 239:24 270:8
 283:5 301:16
future 14:23 293:21

G

G-A-U-E-R 274:10
G-L-A-D-E 229:6
G-L-E-N-N 9:9
gain 187:3
gained 185:25
gambit 34:7
game 268:19
games 46:22
garbled 169:10
garners 31:1
gather 43:14,24 47:2
Gazuza 68:19 243:1,6,7
 251:9 261:15 269:12
 272:7
general 20:18 166:10
 183:5 185:5 276:8

generally 132:12
141:12 158:15 159:20
161:7 165:2 179:9
195:24,25 196:2,8
249:15 250:15 263:6
283:24 286:4
generate 45:14
generous 255:11
gentleman 35:12
Geographic 46:16 52:1
52:3
Georgetown 266:13
Gerber 18:7,7
getting 33:23 58:22
116:21 160:11 177:3
200:10 271:14 276:15
278:1
gist 46:4
give 16:19 42:10 59:21
96:23 113:13 114:13
114:17,20 123:20
132:11 150:14,18
151:2,17 166:1 172:3
177:22 179:2 210:1
211:15 213:3 222:2
255:17 263:25 278:25
281:11,23 288:17
293:14 299:4,18
301:2
given 108:16 141:6
152:4 173:7 235:12
246:12 268:6 281:19
288:18 293:9 295:3
giving 141:9
Glade 213:19
Glasgow 2:14 4:10
35:24 199:23 200:2,6
200:10,19 201:8,11
201:14,18,22 202:4
202:10,13,25 203:3,8
203:13,19 204:6,13
204:16,19,22 205:3,7
205:13,18 206:15,19
206:22,25 207:3,10
207:13,16,20,24
213:5,10
Glenn 2:13 9:8 10:6
43:16 285:7
global 191:15
gob 276:2
golden 35:7 239:10
Google 263:12 268:7
goose 35:7
gotten 158:22
government 102:3
171:5,9 239:6 299:24
grandfathered 45:24
grant 197:23,24 290:20

294:9
granted 10:7 19:14
33:19 36:8 55:10,20
56:3 121:6,20 195:20
granting 34:25 182:18
282:21
grapes 91:3
gravity 233:3
grease 142:17,21,23
greatly 216:2
grew 260:5 266:13
grill 89:5
grilling 131:1
grocery 35:21 216:19
216:25 226:5 227:4
ground 29:23 79:13
176:14 259:23 277:20
grounds 16:15
group 117:7 223:19
264:19
groups 204:7
guard 201:2 202:19,23
guards 67:20 100:22
124:25 125:5
guess 76:13 121:22
141:20 161:7 167:18
180:23 191:20 224:13
guest 93:11
guidance 293:25
guideline 250:19,20,22
guidelines 38:8 247:16
280:22 281:7,10
gunfight 236:14
gunman 188:4
guns 93:16

H

habitually 160:7
half 117:9 216:13,13
219:10 255:11 259:21
274:23 276:21
halls 94:11
hallway 120:5
hand 77:11 95:1 96:3
152:23 153:1 200:3
214:19 231:23 235:20
255:15 258:7 273:23
285:2
handed 34:5 94:6
handing 95:20 96:5
handle 39:13 58:6
183:16 254:13
handling 175:18
handout 98:14
hands 277:14
handshake 222:23
hang 135:22
hanging 88:20

Hansen 1:22 3:10 23:20
23:21,21 298:21,22
298:22 300:19,20,20
happen 115:6 117:17
178:11 183:3,17,18
219:17 223:22 237:7
245:14 246:13 293:22
happened 12:11 155:8
156:5 177:12,13,15
178:8 185:20 203:11
206:16 234:21 282:3
happening 182:2
happens 130:6 178:13
190:11 237:8
happy 90:14 113:12
170:8 264:3 284:25
289:22
hard 109:18 149:24
150:1,6 151:23 169:6
249:13 295:17
harder 202:18
hate 147:14 150:20
havoc 38:2
head 17:10 156:12
241:7
heading 63:6 198:2
271:15
headphones 231:9
heads-up 141:9
health 36:4,6 127:18
128:9
healthy 249:8
hear 4:17,18 10:24 11:1
16:13 19:22 27:5 30:7
30:12 31:8 34:19
35:12 40:2 83:3 94:14
95:8,10 102:17
105:12 118:10 127:7
149:4 151:22 152:2
206:14 216:22 230:10
230:21 231:1,6,7,12
231:14,16 236:25
239:18 260:1,9
269:25
heard 64:2 95:10
132:21 177:6 182:20
192:9 201:21 206:10
238:13,13 252:12
269:9 271:6,8 291:1
292:8
hearing 1:7 3:15,17,18
3:19,20,22,25 4:1 5:7
9:18 10:8,9,11,15
36:12 64:12 65:16
91:13 105:11 115:14
129:23 139:25 150:2
150:8 151:24 155:7
172:5 187:7 191:19

192:3,5,10,25 193:1,1
193:2 194:17 196:11
196:21 197:18 208:2
210:11,18 211:19
213:11 252:10 253:6
264:7 281:25 284:10
300:1 301:3,6,13
hearings 226:11 291:7
hearsay 176:7 211:7,9
212:8
heavily 165:20
Heights 217:13
held 10:8,9 22:12
help 93:8,8 115:17
131:18 140:9 205:16
helpful 115:18 139:14
169:15 247:2
helping 119:15
helps 95:13 247:17
249:7
Heritage 233:16 234:2
234:7,21 236:4
240:20,24 241:10
Hi 151:19 257:25 258:3
hide 18:19 19:9
hiding 187:12
high 269:17
high-end 34:6,7
higher 191:3
highlighting 106:22
highly 160:9
Hilton 225:17 227:13
hip 245:8
hire 108:16 116:10
117:10,13 220:13
hired 91:15,18 92:3
93:6 96:6 126:6
hiring 100:9 117:12
119:4
historic 33:21 37:20
234:25 261:8 265:11
historically 249:1
history 18:20,21 19:20
19:20 20:11,14 37:25
38:20 106:20,23
275:2 295:21
hit 267:12
hold 9:15 24:14 62:24
94:12 115:14 123:14
123:15,17,19 129:22
157:12 161:20 162:5
175:16 194:11 208:9
221:5,5 240:6,6
252:17,17,17,24,24
252:24 256:19 279:6
286:11 287:21,21
288:15 298:1 299:5
299:25 301:3

holding 12:4 13:4 14:8
100:18 160:11
holds 293:5
holiday 159:8
holidays 109:7 215:14
hollering 276:7
home 181:21 260:7
262:12,13,15,16,21
271:14
homicide 158:6 168:6
177:13,23 185:19
194:18 211:20
honest 57:9 106:8
250:24
hood 141:19,20
hookah 34:12 113:24
114:1 253:22
hooting 276:8
hop 111:2 245:8
hope 130:14 154:9
174:11 243:6
hoped 232:10
Hopefully 162:19
Hopkins 285:8
horn 276:10
horrific 233:14
hospitality 239:5
host 92:22 96:22
hoster 91:23
hostess 94:2
hosts 92:25 93:2 96:7
hotel 225:17,18 227:13
hour 27:13,17,22 29:3,4
90:14 150:9 255:19
276:18,24
hours 47:6,23,25 48:1,4
48:4,23,25 49:4,6,8
54:11 63:10,12,13,24
91:4,5 97:25 109:2,4
109:8 123:4,21 131:4
132:8 144:7 159:7
164:5 165:15,19
207:8 215:5,8,10,16
215:17 237:3 262:10
263:2,11,13,24
267:16,19,23 268:5
268:12 269:1,8,13,15
270:3 272:16 276:9
276:23
house 34:6 92:14,16
183:22 235:2 259:18
houses 143:14
How's 40:3
huge 232:21 264:22
humid 139:12
hundred 170:22,22
254:25
hustle 145:23

I

I-T 215:8
ID 113:4 125:25
idea 58:9 219:7,8
237:23 282:18
ideal 183:15
identification 99:3
100:4
identified 9:15 101:22
identify 8:18 25:22
26:12 43:4 150:18
ignorant 142:24
Il 204:18
illegal 104:10,18 277:24
imagine 194:4 219:23
219:24
immediate 9:10 35:2
156:23 281:23
immediately 203:4
impact 7:2 13:2 18:2
31:11 35:2 44:1 167:2
190:4 264:13 296:20
impassioned 278:22
impetus 164:23
implement 196:9
importance 280:25
important 33:25 71:4
291:1 292:5 293:18
importantly 39:3 234:7
impose 295:18
imposed 39:2 293:10
impress 271:4
impression 55:19
in-house 100:9
inadmissible 11:9
20:22
inappropriate 21:2
187:20,25 196:19
inappropriateness
235:17
inch 219:10
inches 219:6,6,6,10
incidence 190:15
incident 17:7 157:17
163:20,25 164:6,9
166:25 181:16 185:3
186:8 194:6 234:5
241:12,14
incidents 115:6 117:17
160:23 235:1 244:19
244:20 291:5,25
292:6
include 14:20 80:17
91:22 157:24 158:4,5
164:15 186:1
included 109:7 156:21
157:3
includes 24:11,12
38:14 191:1 238:25
239:1,2
including 17:7 25:4,7
39:3 63:12 102:13
107:10 127:17 141:4
190:21 256:17
incorrectly 16:25
increase 189:17
increases 189:22
increasing 189:15
incredibly 212:12,18
incurred 165:17
India 233:17 234:2,8,21
236:4 240:20,25
241:10
indicated 119:3
indicates 170:23
indicative 13:1 22:17
22:20 161:9
individual 93:18
individuals 197:13
indulge 172:10
indulgence 122:19
industry 239:5,6
inference 160:24
influence 7:25 224:19
inform 249:7
information 11:19,22
30:20 43:21,23 46:16
52:1 54:24 103:8
105:12 123:3,16,19
151:10,17 153:19
163:13 170:14 176:2
176:5 194:24
informed 153:20
ingress 215:25
inherited 62:6,8,22 63:3
inhibitions 160:21
initial 294:23
initially 294:25
initiate 108:7
initiation 157:5
Inn 277:20
input 247:15
inquire 62:20
inside 17:12 34:18 53:6
60:5 68:5 69:1 72:17
73:23 102:13 119:18
156:16,18,18 160:11
177:24 178:5 183:3
188:4 192:7 201:16
201:21,24 205:10
207:15 216:17,22,22
236:12
insight 34:23 293:15
insisted 275:22
insistent 113:8
insofar 168:20

inspection 200:12,13
inspector 120:7
Inspector/Investigator
35:24
Instagram 103:21
instant 19:4 32:13
institutional 248:24
instructions 3:16
290:18
insulation 218:19,22
insurance 100:17
107:10,13 115:5,8,9
119:7,8
intend 20:7 46:9 87:21
interaction 38:20 156:3
156:14
interactions 156:22
interest 265:18 299:15
interested 185:19
interfacing 176:18
interference 4:14 14:3
15:13 17:25 26:18
95:11 112:12 165:17
167:10 169:8 170:6
170:17
interfering 143:19
interior 53:9,18,20,24
55:7 156:15
internet 95:10
interpose 233:20
interrupt 61:6 111:1
150:21 154:13 278:25
interruptions 175:17
interview 44:22 67:21
interviewed 43:10,13
44:23
intimidated 216:7
intoxicated 160:9,17
introduce 5:15 22:20
30:20 195:11
introductions 285:22
introductions 5:9
investigated 291:6
investigation 11:20
13:18 43:20 47:1
65:22 168:7 177:23
282:1 300:2
investigations 21:14
176:19
investigative 20:10
36:1 106:19,23 300:5
investigator 2:14 4:10
4:14 40:21,23 41:24
49:13 56:13 58:18
59:2 66:24 69:6
107:16 199:23 200:6
200:10,19 201:8,11
201:14,18,22 202:4

202:10,13,25 203:3,8
 203:13,19 204:6,13
 204:16,19,22 205:3,7
 205:13,18 206:15,19
 206:22,25 207:3,10
 207:13,16,20,24
 242:3,6
investigator's 80:13
 242:24
investigators 181:3
 209:14 241:4,8
 292:14,18
invoiced 172:21
invoke 36:17
involve 245:3,4,5
involved 22:3 116:22
 156:17 157:9 235:1
 244:18,19 284:4
involvement 185:2
involving 282:4
Irish 285:16
irrelevant 12:12 15:22
 212:19 286:9
irresponsible 161:12
isolated 166:5 188:18
 189:19
issuance 24:18
issue 15:10 17:17,20
 75:2 108:9 111:10
 118:14,15 122:18
 142:25 145:21 154:12
 163:24 164:1 167:8
 178:14 190:10 193:24
 197:7 209:10 210:23
 212:5,20 235:19
 252:11,15 260:5
 261:23 262:7,25
 263:10 286:9 291:16
 297:15,17
issued 168:9 186:7
 193:11
issues 12:7 35:23 37:25
 38:12 43:7 94:15
 159:1,2 175:14,20
 176:12 183:4 191:15
 223:14 235:11 251:6
 262:15 264:2 281:13
 283:23 284:1
issuing 235:18
It'll 286:16
Italian 227:3
iteration 241:2

J

J-A-M-E-S 229:5
J-E 5:22
J-E-F-F-R-E-Y 274:9
jacking 255:4

James 1:23 2:15 3:9
 213:22,23 229:5
January 10:2 267:3
 274:15
Jeff 2:19 38:10 277:16
 280:6
Jeffrey 273:18 274:8
Jeni 1:22 3:10 23:21
 298:22 300:20
Jhonte 236:7
Jim 35:13 213:17,19
 224:13
Jimmy 14:12 21:23
job 18:15,17 40:19 96:2
 119:19
jobs 92:15 239:7
John 2:16 34:23 174:1
joined 25:21 150:22
Joining 3:8
JR 1:23
judge 158:21
judgment 160:6 167:5
juice 90:5
July 286:17 299:25
 300:8
junction 195:16 197:15
 210:3
June 1:12 43:15 44:24
 50:13 55:2 254:4
justify 282:24

K

keep 18:24 45:10
 102:23 136:12 142:11
 143:18 183:9 196:12
 215:21 223:25
keeps 95:1,6 189:12
kept 18:20 102:22
kicking 157:14
killed 157:20 181:23
kinds 91:2
kitchen 30:2 54:7,8,9
 58:6,7 62:20 79:16
 85:15,16 88:18 91:5
 91:11,15,24,25 93:9
 97:21 102:14 124:7
 141:21
kitchens 135:24,24
Klein 107:9,22
Klein's 107:19
knew 33:10 177:6
 271:11 272:15
knives 93:16
knock 201:7,13,15
 202:18
knocking 201:9
knocks 249:13
knowledge 7:1,12 17:2

168:11,12,14 176:3,8
 176:11,16 185:5,10
 185:21,24 186:4
 187:4 189:11 191:22
 212:10,23 241:5
 244:14 251:1 272:17
known 101:20 127:1
 224:13 275:5 285:16
knows 130:5,13

L

L-L 39:23
La 268:12
lack 19:2 36:2 155:9
 160:21 180:3,4,16,16
 180:21,21,21 238:19
 238:20
laid 35:7 239:10
laid-back 268:18
land 265:1 283:20,22
landlord 141:6
lane 259:6
language 281:16
 282:15
Laramie 227:3
large 17:9 30:2 36:5
 58:6 110:6 112:19
 155:20 169:7 182:14
 265:4
largely 161:10 164:23
 165:10
larger 32:11 33:20
 161:18 254:23
largest 35:6 239:6
 262:8
Larimer's 216:25 226:5
lasted 218:6
late 37:15 90:14 132:8
 215:21 216:6 261:25
 262:10,12,13,21
 263:2 267:23 271:10
 271:12,14 272:16
late- 238:6
late-night 145:25
lately 70:20,24
latitude 279:1
law 22:8 126:25 127:2,5
 127:14,15 128:3,14
 128:15 130:5,13
 158:16 293:25 294:2
 297:3
law- 129:11
law-abiding 126:19
 130:2
laws 11:18 41:18 127:2
 129:13
lawyer 161:21 171:24
 172:2

lay 126:23
layout 79:10
Le 263:15 268:8
lead 97:14,19
leading 53:16 62:1
leads 75:4,24 164:24,25
learn 166:21 249:12
 270:3
learned 33:17 101:16
 115:6
lease 57:16 105:5,8
 141:6,16 219:21
 278:20
leased 142:11
leave 146:21 202:8
 277:6 278:8
leaves 233:10
Lebanese 222:15
led 237:2
leeway 235:12 255:18
left 52:11,12 54:3
 135:22 152:14,15
 199:19,25 202:12
 231:18 255:11,14
 258:24 277:10
left-hand 97:12
legal 141:7 145:20
 204:21 207:7 247:17
 251:3 298:2 300:4,5,6
legally 252:22 253:5
legit 233:16
lengthy 38:25
let's 6:4,11,12 16:1
 31:19 62:14 64:6
 79:10 122:5 136:8
 154:1 166:20 167:6,6
 210:15 215:24 216:16
 216:17,18 245:22
 279:21 282:13,13
 288:1 289:2
letter 51:22,24 262:17
letting 65:9 209:18
 255:16 282:25
lettuce 90:9 91:3
level 29:23 86:22,25
 87:16,21 88:3 117:23
 177:21 253:13 269:22
levels 259:22
liberty 219:19
license 1:7,10 4:2 9:19
 9:21 10:1 12:5 14:7
 19:12,14 24:18 25:11
 25:12 31:14 32:6,12
 33:3,19 34:25 36:9
 45:22,24,25 47:5,5
 54:10 55:10,20 56:3
 78:21 87:6 103:10,14
 103:15 107:9,11,13

107:17,21 121:6,20
 122:5,9 131:2 134:16
 134:21,24 140:1
 182:19 196:7,9,22,22
 196:24 197:2,5,9,11
 197:12,14,18,19,23
 197:24,24 207:7
 223:21 234:10 235:18
 251:9 275:6 285:14
 290:20 293:11 294:9
 294:22 295:1 297:15
 297:18
licensed 18:4 40:25
 41:5,9 65:25 66:2
 159:12
licensee 4:4 14:6 29:8
 31:10 41:10 44:22,23
 45:18 46:1 62:5,22
 147:23 148:2 170:24
 197:12
licensee's 12:20
licensees 30:12
licenses 30:15 46:17
 78:22 226:19 242:7
 247:12,18
licensing 60:25 300:6
licensure 17:17 34:1
 36:10
lies 234:8
Lieutenant 2:16 34:22
 110:24,25 111:13,16
 111:18,22 174:1,1,3,5
 174:5,8,12,17,20,24
 178:21 179:23 182:18
 184:3,22,25 185:4,8
 185:12,17 186:5,9,12
 186:16,21 187:2,5,11
 187:16,22 188:1,6,13
 188:19,24 189:3,10
 189:21 190:7,13,24
 191:6,21,24 192:2,8
 192:14,19 195:2,12
 195:17 199:1,9,13
 212:7,22
life 37:22 96:15 108:14
 109:17 144:24 145:16
 178:3 291:4,19
light 105:3 120:13
lighting 155:22
lightly 32:8
Lights 268:9
liked 119:19
likes 263:18
limine 10:18
limit 10:18 16:11
limited 25:15 127:17
 193:11
limousines 276:12

line 27:2 49:6 74:18
 118:12 140:16 141:1
 141:1 149:6 166:18
 216:9 230:7 276:5
 300:7
lines 141:12 190:17
 216:4
linked 167:24
liquor 160:13 263:1
liquors 126:1
list 67:4 253:24
listed 285:23
listen 125:6,6 197:21
lists 17:1
literally 119:9 278:2
litter 25:7 49:21
littering 56:23
little 46:6 72:25 100:6,8
 102:6 175:1 215:21
 258:24 259:20 266:11
 275:1
livable 239:13,20
live 73:3 168:22 183:11
 236:9 239:13,15
 246:4,5 255:1 258:16
 260:12 264:17 274:10
 274:16
lived 35:15 266:11
 274:13,14
lively 114:24,25 239:13
 239:19
lives 147:12 269:18
living 217:7 219:14
 266:13 267:1
LLC 1:6 9:20 22:9 78:1
load 64:13 74:20
loaded 216:14
locality 24:24
locate 291:24
located 9:21 11:8,13
 24:25 26:17 34:16,22
 37:18 46:17 68:13
 78:3 139:16 166:9
 240:25 292:17,22
locating 37:13
location 13:1 14:17
 19:16 22:2 24:19
 26:20 56:16 66:1
 67:16,17 71:8 89:21
 109:3 171:6 180:25
 225:9 229:20 247:23
 260:22 267:9 268:18
 291:10 293:7
locations 239:3
lock 142:13 179:6
 187:17,21 205:9
lockdown 16:23
locked 98:3,4 106:13

142:12,16 144:6
 178:5 186:25 192:12
 192:17 200:23 202:11
 206:24 207:1,5,12
 220:15
locking 187:9,14 233:3
log 290:10
logged 26:3 149:14,16
logging 25:25
loitering 49:21 50:16,20
 56:22 70:15
long 37:25 40:15 105:8
 105:23 121:17 154:25
 162:20 174:25 175:2
 201:6 202:12 205:15
 218:5 219:20 221:23
 226:16 269:18 270:21
 274:12 295:20 299:9
longer 183:12 227:1
 297:8
longtime 38:11
look 20:12 41:4,6,14,25
 55:11,15,22 56:3
 60:13 82:20,21 86:15
 86:17 93:12 94:10
 95:25 96:13 119:11
 134:15 151:14 165:12
 177:17 179:8 186:10
 189:13 216:8 248:14
 260:22,23 264:20
 293:6 294:1 299:11
looked 58:5 60:21
 101:17 145:11 202:20
 232:16,17,20
looking 15:16 53:7
 56:20 60:8 64:8 73:24
 75:24 123:3,16,18
 138:11 140:1 180:24
 181:24 196:7 241:3
looks 51:2 60:20 61:21
 64:15,15 81:13 82:16
 86:13 98:7 134:19
 248:15
loose 199:4
losing 254:9
lost 26:5 147:12 149:10
 178:3 227:19
lot 50:10,11,15 58:19
 67:22,25 68:9,11,16
 68:21 70:14,15,17
 109:25 110:7 113:14
 117:9 118:1 133:7
 141:15 165:6,12,16
 165:16 203:20 216:6
 216:14 226:10,14,17
 227:13 244:13 246:13
 259:17 262:5 264:1
 266:20 276:7 278:25

281:9 285:10 295:9
loud 165:1,25 166:2,2
 201:10,12,15 217:3
 220:11 260:7 276:7
louder 114:25
Lounge's 264:23
lounges 32:9
Lovettsville 239:17
low 155:22
lunch 32:17 45:16 79:5
 86:25 87:2 90:6,7,8
 90:10,12 93:20
 108:18 109:13,22
 112:24 113:3 123:13
 125:24

M

M 35:4
M-C 229:6
ma'am 25:23 26:12
 232:3 251:23 252:8
 258:12
main 276:9
mains 225:23
maintain 37:10 116:14
Maintaining 38:16
major 75:12 225:19
making 67:18 98:9
 180:9 237:7 278:4
malls 127:23
man 157:19 181:20
man-to-man 222:23
manage 161:5 180:23
managed 161:10,12
management 22:21
managers 41:16
manner 277:22 301:8
manpower 182:5,17
 183:7,7 190:4,11
manual 247:20 250:7
 281:15
map 241:9
maps 260:24
marginally 168:21
marked 80:8 81:25 97:8
 99:3 100:3
marketing 132:22,22,22
Markowitz 184:3
Marrakesh 275:5
 278:17 280:7 282:4
marshal 202:5,14,23,23
 203:9 205:8,12
masks 203:24 204:24
 205:1
match 264:6
material 13:20 277:5
materials 275:18
matter 1:5 9:17 10:25

11:10 20:19 24:1 96:1
 148:23 152:9 154:5
 211:8 224:19 257:5
 290:5 301:19
matters 10:13 17:6 24:2
 28:1 41:25 247:3
 248:4
Mayor's 127:1 128:6,9
 128:19 129:12,14
 130:3
Mayors 129:4
McClellan's 263:17
 267:21
McGLADE 2:15 4:21
 35:13,16 118:6
 213:18,18,20,23,25
 214:3,8,16,18,20,24
 215:3,6,14,19 216:2
 216:20,24 217:17,23
 218:1,21 219:8,15,18
 220:10 221:2,8,12,19
 221:22 222:1,6,11,25
 223:2,9,11,15 224:3,4
 224:11,13,16,17
 225:2,3,8,15 226:4,7
 226:23 227:9 228:4,9
 229:1,5,6,8,11
meal 138:6
meals 30:3
mean 25:15 41:2,6 47:9
 47:10,11 67:25 83:19
 85:18 92:17 103:4
 114:8 117:13 122:25
 128:11 177:5 180:20
 182:11 183:10,12
 189:2 190:13 199:2
 220:10 222:23 225:17
 225:23 230:1 235:12
 250:16 257:1 260:22
 261:8,9,24 262:3,11
 263:12,15,25 271:11
 277:12 278:9 282:17
meaning 12:2 78:16
means 146:21
measure 31:17
measurements 294:5
measures 30:7
media 103:20
Mediterranean 275:11
meet 18:5 34:1 45:1
 103:7 118:5 296:19
meeting 1:3 33:1 45:1
 150:23 298:1 299:5
 299:25
Meetings 297:25 298:5
 298:8 299:7 301:4
meets 19:13
Meg 2:18 8:19 10:3

26:14 32:4
melee 155:15,25 163:6
members 3:11 32:2
 56:8 59:7 65:15
 108:15 126:10 130:19
 147:22 169:24 171:20
 172:1,5 191:10
 196:12 197:2 198:9
 206:4 224:23 228:11
 246:19 249:21 270:11
 272:25 284:9 290:17
 301:11,15
memory 178:10 248:24
 261:15
men's 54:6
mention 18:6 64:2
 227:18
mentioned 45:20 46:1
 49:1 70:2,19 89:11
 118:22 119:20 139:14
 165:4,22 232:10
menu 47:20,20,22 48:8
 48:9,10,11,15 58:8,11
 58:16,18,20,23 89:24
 90:7,11,12,14,15,17
 94:10 95:21,25 96:3
 96:23
menus 94:6 96:5
merely 14:6 209:9
Merzig 2:16 34:23
 110:24,25 111:13,17
 111:18,22 174:1,1,4,5
 174:6,8,12,17,20,25
 184:25 185:4,8,12,17
 186:5,9,12,16,21
 187:2,5,11,16,22
 188:1,6,13,19,24
 189:3,10,21 190:7,13
 190:24 191:21,24
 192:2,8,14,19 195:2
 195:12,17 199:1,13
 238:19
Merzig's 212:22
mess 277:11
message 172:12
messed 156:12
met 1:14 118:9
metro 104:5,11,20
 149:10
Metropolitan 170:15
 184:8 189:12
mezzanine 29:23 53:15
 62:2 72:14 75:4 79:12
 79:17,18 86:6,12 88:4
 140:2
Michael 84:22
microphone 39:25
 253:1

mics 26:23
middle 84:23 85:1
 134:8 137:2,5 181:19
 196:11 279:18
midnight 215:12 223:20
 271:16
Mike 2:20 4:16 6:14
 10:4 32:2 44:7 104:8
 143:23 230:25
mild 50:19
millennials 268:20
million 239:8
mind 72:22 169:11
 196:13,15
mine 8:13
minimum 46:10
minors 41:17
minute 42:16 123:15,20
 123:20 194:12 221:5
 221:5 254:16 279:7
 287:21 288:15 297:20
 299:19
minutes 28:1,3,13,14
 28:16,17 29:8,10,12
 29:14,14,15,17
 152:14,15 173:23
 199:19,25 201:9
 202:14 214:13 231:18
 255:11,14,18 257:1
 279:18 288:18,20
 289:4,7,9,12,16,21,22
 289:25,25 290:15
misconduct 300:3
misheard 135:14
mission 47:1
mistake 33:24 107:23
misunderstand 135:17
 135:20
misunderstood 64:5
 133:20
mitigate 14:20
mix 263:1 265:8
mixed-use 46:10 261:4
 261:6
model 133:4 134:13
 233:10 282:24 295:10
moderate 50:12
mom 264:9
moment 9:15 12:6
 62:19 79:10 122:15
 184:21
Monday 101:4 118:25
 123:23 125:10 126:3
 181:8
Mondays 118:24
money 113:16,21
 114:12 117:9 218:3,4
monitoring 200:20

month 44:20 102:23
 143:4 254:3 255:5
 268:13
months 32:15 78:19
 89:5 113:18 157:11
 158:18 167:7,12
 276:1
monuments 127:19
moral 12:3
moratorium 281:16
Morgan 178:20
morning 91:8 108:18
 123:12,12 124:24
 125:20,23 153:19
 170:16 181:9 216:12
 217:9 220:4 263:23
morph 132:8 227:20
morphed 295:4
morphing 34:12 144:20
 197:3 228:1 253:21
 275:3
morphs 296:9
motion 10:16,17,22
 16:5,10 17:1 20:11
 21:22 23:3,6,7,13,14
 106:16 154:6 193:9
 298:13,14 299:3
 300:11,12 301:1
motions 24:2
movant 10:25
move 7:3 39:7 81:5,7,9
 81:11,16 85:22 87:4
 88:8 92:7 94:25 95:4
 95:5 98:21 99:21
 112:14,16,18 133:8
 134:11 136:14,16,23
 154:1 171:6 188:15
 211:17 217:12,16
 226:12 227:22,22
 279:21 284:16 285:22
 288:1 297:25 299:24
moved 80:20 81:22
 84:25 85:6 86:2 88:14
 92:11 99:1 100:1
 139:9,10 217:12
 218:9,10,10 225:14
 226:3,21 267:3,7
movement 180:9
moves 150:8
moving 27:4 64:23 86:4
 88:16 94:21,23 95:1
 99:6 150:10 164:8
 181:10 253:21
MPD 2:16,17 16:11 31:2
 34:15,19 174:25
 177:21 180:4,24
 182:21 186:19 236:13
 236:18 276:16,17

291:2,6
MU20 46:9
multiple 182:4 265:2
multitude 177:14
murder 157:18 158:19
music 35:20 45:5
 201:16 217:5 220:9
 245:4,7 260:17
 293:17
mute 6:10 151:16 152:3
 157:14 253:1
muted 27:1,3 151:25
mutual 38:17
mutually 38:18

N

N.W 9:22 46:2 60:4 78:4
name 3:5 5:12,18,21,22
 6:14 9:5,8,9,20 12:20
 25:21 26:13 32:2
 39:19,22 66:13 77:19
 77:20,21,22,25 102:1
 102:4 149:6,13
 150:24 214:1 215:4,6
 221:14 225:9 229:3,4
 246:13 258:14,15
 273:20 274:7,9,9
 276:4
name's 9:9
named 35:13
names 8:17 242:13
National 265:6
nature 54:20 64:11
 158:4 159:22 193:5
 233:23 286:2,3
NBB 99:15
near 30:16 87:25
 175:13 236:18
nearby 46:12 52:25
 53:3 67:3 269:18
nearly 34:13 40:18
 184:7
neat 220:3
necessarily 159:15
 181:22
need 3:15 9:14 10:13
 19:7 37:10 43:21
 60:17 103:18,19,21
 103:24,25 113:15,18
 114:10,21 117:15
 121:1 142:15 146:20
 147:3 154:1 172:1
 174:16 179:8 196:12
 197:18 199:21 209:14
 209:14 233:11 235:13
 235:19 237:17 238:8
 239:11,19 240:17
 251:23 252:3,25

255:19 273:10 279:14
 288:21
needs 24:3 25:10 26:23
 26:25 35:10 37:9
 151:6 157:13 239:20
 289:15 290:10
negative 37:2
negatively 296:20
negotiate 33:12 285:17
negotiations 33:16
neighbor 118:6 253:13
 253:13
neighborhood 11:8
 12:14 13:7,20 14:18
 14:22 15:2,5 17:4
 22:5 26:15 30:23
 33:14 35:2 37:5,8,11
 37:13,23,25 38:3,6,17
 38:21 46:7,9 50:4,10
 50:25 51:22 71:22
 104:9 115:24 118:15
 139:5 145:22 158:12
 167:4 169:1 183:11
 222:13 225:13,21,22
 226:12,22,24 227:22
 232:12,19 233:7
 236:20 237:15 239:16
 249:6,8 262:24
 264:11 266:6,9 275:2
 276:2 278:5 285:11
 285:15 290:25 291:17
 291:18,23 294:7
 295:12,20,22
neighborhoods 15:14
 104:18 145:15 182:13
 226:14,18 245:17
 249:5 291:3
neighboring 13:14
neighbors 30:11
 253:23 258:25 259:17
 260:12,14 262:9,18
 263:5 264:1 287:9
never 8:11 69:1 103:11
 107:21 130:4,14
 139:8 144:3 184:6,9
 282:4
new 1:9 17:25 19:14,16
 24:18 29:20 34:21
 41:25 60:24 62:23
 78:12 103:4,19
 113:12,15 114:9
 131:1 132:23 144:15
 144:17 145:18 171:6
 197:5 233:13 241:17
 248:22 267:7 268:11
 297:15,18
news 189:6 295:13
nextdoor 118:5

nice 173:20 268:17
night 37:15,22 47:14
 67:13 70:3,6,12,12
 74:18 90:14 96:15
 108:13 109:17 112:18
 113:23,24,25 114:25
 123:11 126:7 134:3
 134:10 144:20,24
 145:16,18,23 155:8
 157:23 164:13 177:23
 181:20 185:21 200:14
 200:17 212:24 217:10
 218:7 236:6,11
 237:11,11 238:7,10
 239:3 253:22,22
 260:16,20,24 261:15
 262:2,14,22 266:20
 269:11 270:5 271:7
 272:8 275:3 276:1
 277:23 291:4,19
 292:21,22,24 295:5
 296:9 301:17
night's 217:18
nightclub 12:25 34:8,12
 35:22 45:23 67:18
 68:18 226:13,21,24
 248:16 251:9
nightclubs 30:15 37:13
 38:1 66:16,20 67:5
 242:25
nightlife 79:6 251:2
nights 57:12,14,14,15
 57:19,24 112:19
 113:9 145:8 157:17
 159:8 222:17 275:12
 278:2
nighttime 35:6 79:6
 96:7 118:11
nine 170:22 248:22
noise 25:7 30:9 37:16
 45:5 56:22 75:3,3,12
 75:19 76:22 139:11
 143:18 165:22,22,23
 166:4 216:17,22
 219:3 247:23 260:6
 260:16 264:1 276:13
 278:4
noisy 84:14 201:19
 268:22
non-violation 13:17
nonpayment 171:11
noon 99:20
normal 215:10
Normally 41:12
north 35:1 141:14
 145:17,18 147:2
 191:4
Northwest 258:17

274:10 285:9 291:15
note 46:19 65:24
 154:11 251:11 292:5
noted 37:12,24 38:19
 49:22 154:16,18
 192:11
notes 170:11
notice 54:19 64:12
 299:4 301:2,5
noticed 68:3 201:2,4
 275:15
notified 172:24
Nowadays 94:9
nudie 227:8,10
number 4:2 8:10 9:21
 35:14 44:9 54:13
 60:17,18 61:16,17,20
 62:15,17 64:6 72:9,22
 81:17 83:1,9 84:1
 85:19,23 86:4 87:20
 88:9,16 91:25 92:8
 97:8 99:6,21 100:23
 101:6 106:22 110:6
 110:14 132:4,15
 146:13 150:14,19
 151:2,5,7 170:19
 180:22 209:5,7,12
 211:2,4,25 244:19
 260:18 276:17 281:18
 298:3,6
numbers 83:20 100:25
 150:19 188:14 223:23
 225:11
NW 1:7 110:1 168:19

O

O 65:2
o'clock 45:2 48:1 51:3
 90:15 91:8,9 96:12
 123:9 132:20,24
 134:4,15,20,20
 136:13 138:8 139:6
 144:21 206:20 207:9
 215:12 220:16,16
O'Shea 2:17 4:11 15:20
 16:11,15 17:8,13
 34:17 111:2,16 149:3
 149:6,7,7,8,9 150:13
 150:17,22 151:15
 152:18,19,20,25
 153:2,6,8,15,18
 154:19,22 161:21
 162:3,4,6,7,12,14,16
 169:9,25 170:4,7,9,21
 171:7,14,16,18
 172:22 173:6,13,16
 173:19 176:23 180:2
 183:24 195:3 210:13

211:6,11
O'Shea's 17:1
O'SHEAD 171:2
obey 129:12
object 129:19 154:2,8
 176:1 234:15 255:6
 279:8,8,14,15,24
 285:25
objecting 279:19
objection 16:14 30:19
 81:19,20,21,23 85:25
 86:1 88:10,12,13 92:9
 92:10 98:23,24,25
 105:13 154:11 161:19
 193:4,8,22 209:2,5,6
 210:25 212:4 233:20
 233:23,24 235:11
 255:10,21 279:11,21
 280:9 281:1 286:2,4
objections 85:24 99:23
 240:16
obligated 19:17
obligation 17:19 21:4
obligations 59:14
observation 60:10,13
 169:3
observations 160:6
observe 50:1 66:8
 160:8
observed 22:16 49:21
 67:8,11,14 68:14 69:5
 275:18
obvious 34:11
obviously 182:24
 185:19
occasional 175:17
occasionally 164:25
occasions 65:23
occupancy 64:10,12,13
 74:17,19,20 78:25
occupant 275:7
occur 41:8 235:8
 240:21 251:13
occurred 16:21,23
 44:16 185:15 192:13
 194:18 211:21 212:24
 234:6 240:20 244:20
 244:23 248:17 290:24
 291:25 292:2,6
occurring 204:12 282:9
October 17:8 155:5
 163:4 167:1
offenders 157:10
offenses 158:5 165:1
offer 30:6 89:24 116:5
 132:7
offered 38:25 115:16
offering 13:17 45:16

office 17:1 54:22
 107:11,20,22 262:12
 265:7 299:24
officer 2:17 4:11 15:20
 16:11,15 17:8,13
 34:15,16,19 106:12
 111:2,16 149:3,5,6,7
 149:8,9 150:13,17
 151:15 152:18,19,20
 152:25 153:2,6,15
 154:19,22 155:4,15
 161:15,20,22 162:3,4
 162:5,7,12,14,16
 169:9,25 170:4,7,9,21
 171:2,7,14,16,18
 172:6,22 173:6,13,16
 173:19 178:19 180:2
 180:3 183:24 191:13
 198:11,14,18 211:3,6
 211:11
officer's 18:11
officers 116:10 117:11
 117:16 168:4 170:6
 176:20,24 182:10,12
 185:22 188:11,20,21
offices 261:5
official 283:21 297:24
 298:4,7
officially 299:19
officials 24:13
OFFIER 153:18
oil 52:21 143:1,2
old 11:20 121:11
 132:17 141:11,11
 157:19 234:14 269:22
older 268:20
once 27:18 28:7 44:20
 57:6 143:4 160:25
 171:10 192:12 224:10
 237:8 252:25 279:7
one-lane 259:10
one-story 29:22
one-way 73:1
ones 58:4 67:4 97:3
 142:10,25
ongoing 300:2
online 58:22 149:13
open 26:24 32:16 34:25
 36:25 49:23 55:4 57:5
 57:7 67:22 69:8 70:13
 78:20 82:18 83:22
 86:16 87:6 90:17 91:6
 91:7,11,12,14 103:19
 106:4 108:8 119:21
 123:8 124:10,17,21
 136:24 139:6 144:3
 145:24 177:19 187:13
 196:13,15 203:1

207:8 218:12 227:20
 233:1 247:25 263:16
 263:19,22 266:18
 271:6,10,12 282:20
 297:25 298:5,8 299:7
 299:24 301:4
opened 98:1 203:14
 227:4 276:3 277:19
opening 29:13,17,18
 31:21,23,25 182:7
 183:2 268:13 276:1
opens 139:8 263:23
operate 22:17,18 33:20
 35:22 38:1 45:15 49:1
 108:5 221:24 278:19
operated 17:4 33:9
 45:22 102:25 291:10
operates 32:10 35:13
 108:4
operating 12:25 66:10
 69:8 78:14,16,18
 207:7 237:3 267:8
 276:23 295:4,9
operation 13:8,12,13
 18:2 20:14 22:13,21
 24:20 30:23 31:4
 33:18 47:6,24 48:1,4
 48:23,25 54:11,20
 63:13 67:12,19 69:6
 91:5 105:24 123:22
 125:8 159:7 165:16
 165:19
operational 14:21 50:2
 124:8
operations 29:24 34:24
 64:11 81:1 234:11
operator 285:18 287:9
 295:14
opinion 57:5 58:5 159:5
 159:9 199:2
opportunity 10:22 28:9
 44:21 65:1 71:10
 74:24 76:6 130:21
 146:1 172:3 198:6
 212:15 224:10 294:11
oppose 250:15,22
 282:15
opposes 247:21 250:12
opposing 13:23
opposite 73:7,14
opposition 10:23
option 108:17
oral 10:23
order 13:2 17:6 18:2
 19:5,10,15 22:16
 24:11 25:6 31:11
 33:13 34:18 36:15
 37:3,10 44:1 56:21

57:23 94:7 95:22
 128:6,9,19 130:3
 159:1,2,6 161:4 167:3
 175:14,20 176:12
 237:16 238:9 296:20
ordered 98:19
orders 129:12,15
 276:25
ordinary 50:22
original 241:1
originally 216:25
Origio 227:4
outbreaks 115:12
outcome 159:25
outdoor 29:24
outset 21:5
outside 13:19 38:4
 44:11,13,20 45:13
 67:20,22,24 68:1,6
 80:15 81:1,14 92:17
 113:22 114:14 119:3
 135:25 139:12 156:23
 156:25 176:2 177:8
 181:19 184:23 215:24
 234:8,16 236:13
 241:10,19 279:2
 292:3
outstanding 184:5
outweighs 15:12
 209:17 211:11
oven 89:9
over- 161:8
over-serve 160:7
over-served 160:25
over-serving 160:18
overall 159:22 254:7
 294:6 299:15
overhead 278:19
overlap 215:17
overlooking 53:15
overrule 235:11 279:10
 279:20
oversaw 176:22
owned 30:21 33:8
owner 16:12 18:3,18,23
 33:6 41:16 45:21 55:8
 60:24 77:23 78:7
 80:22 87:10 105:17
 105:20,22 119:25
 126:19 139:9 140:14
 161:16 192:16,18
 202:21 203:5,5,12,13
 204:11 205:8 207:19
 209:22 218:2 221:13
 221:17,19,24 222:8
 228:4
owner's 14:23 45:25
 103:6

owners 22:17 78:8
115:23 116:9 118:3
ownership 22:14
140:13 221:15 232:23
owns 32:10 35:13 118:6

P

P 237:1 274:10,24
P-R-O-C-E-E-D-I-N-G-S
3:1
p.m 3:2 30:6 43:16 45:2
50:9,9,14,14,18 51:2
51:3,4,4 64:2 125:23
126:2,5,5 145:24
152:7,8,10,11 181:9
257:6,7 290:6,7
301:20
paid 107:24 170:25
184:6,9 238:9 296:15
paint 120:8
painted 238:14
Palace 226:25 227:7
275:5
pancakes 90:4
pandemic 215:9 239:7
pandemonium 155:6
panicking 150:4
Panutat 12:16 22:9
papers 297:20
paperwork 177:18
parcel 159:14,17
park 104:17 141:18
parked 140:12,20 165:1
165:5
parking 25:10 104:9,10
104:14,18,19 141:15
145:11 259:6,10
261:24
part 3:3 21:25 29:24
37:12 57:22 76:10
105:10 111:6 116:2
139:24 140:13 162:22
178:6 193:2 208:24
208:24 209:21,22
210:6 226:23 265:10
275:17 285:19 291:9
295:16
participant 284:5
participate 226:10
participated 299:11
participation 299:18
301:10,12
particular 12:14 22:2
38:6 63:4 66:25 67:16
68:4,12,24 69:4,7
155:8 157:11,24
177:2 178:14 185:3
188:11,22 192:25

233:10 234:9 238:21
245:5,13 274:20
293:23 294:16
particularly 30:14
159:6 165:15,18
parties 6:9 9:14 43:10
88:11 150:6,7 154:10
156:1,8 287:14 289:3
297:1,5 301:9
partner 155:11
parts 178:24 246:6
party 27:12,20 72:7,8
75:14 255:19
Pasha 276:5
pass 168:24 260:9
passed 128:20 158:9
215:10 299:4 301:2
passes 24:1
passing 67:13
path 194:15 227:19
249:1
patience 213:8 296:23
patient 131:6 206:9
patio 265:14
patrol 176:20,21
patrolling 182:12
patronizing 165:10
243:4
patrons 30:10 67:22,24
68:1,4,14 132:24
134:3 141:17 200:24
205:10 207:15
patterns 190:18
pay 69:7 113:21 117:7,8
117:9,9
payable 57:24
paying 117:2,5,6 218:3
218:4 222:20
payment 107:21,22
153:22
payments 117:20
171:12 183:25 295:15
peace 13:2 17:6 18:2
19:5,10,15 24:11 25:6
31:11 33:13 34:18
36:14 37:3,10 44:1
56:21 159:1,2,6 161:3
167:3 175:14,20
176:12 183:9 228:5
237:15 296:20
peaceful 57:3 155:9
159:9
pedestrian 25:10
165:13 166:4
pedestrians 50:11,16
50:20 165:20
penalties 19:2
pending 14:8

Penn 239:2
Pennington 205:12
Pennsylvania 236:15
peoples 146:18
percent 58:4 84:16
113:9,14 114:18
159:16,16 220:17
226:7 261:2
percentage 189:22
perfect 270:16
perfectly 251:3
performer 276:11
period 244:24 291:12
periphery 168:23
permission 33:23
261:10
permit 46:10 141:6,25
permits 78:23
permitted 18:19 22:14
24:9
person 18:14,16 27:2
43:24 93:18 96:19
101:20,22 107:20
108:8 125:24 147:13
163:10 171:11 219:13
220:13 244:25
person's 26:24
personal 169:3 176:3,8
176:11 199:2
personally 116:21
118:13 119:10 244:15
personnel 125:18
persons 107:12 146:13
226:10
perspective 291:4,19
persuasive 20:21 21:19
Phase 204:18
phone 6:10 94:17,20
95:15 150:13,14,17
150:19,23 151:2
157:13 174:4 195:7
216:8 258:2
phone's 195:2
phonetic 4:25 14:12
100:18 115:4
photo 54:5 75:8
photograph 51:12 84:1
photographs 52:5
254:16
physical 79:10
physically 104:4 156:10
picked 99:17
picking 234:24 236:22
pickup 45:19
picture 75:2,8 85:10
120:16 131:19 135:6
137:12 138:11,16,18
139:2,3 140:10 142:3

142:22
pictures 72:21 76:5,8
76:11 120:6 137:2,7
piece 239:10
pig 91:1
pints 216:13
PIP 38:23
pizza 89:6
placard 10:2
place 13:18 17:7,12
30:8 55:14,22 61:1
72:11 75:20 80:15
84:12,14 89:21 93:19
99:11 104:1 112:7
113:15 114:19,21
119:18 133:11 161:10
165:18,18 177:4,9
218:9,19,20 222:3
232:17 233:3 236:5
237:3 239:4,16
241:14 261:20 268:11
277:19 294:6
placed 38:12 60:24
301:6
places 127:16 261:19
placing 156:4
plain 130:13
plan 47:9,10,12 78:20
79:7 84:11,20 89:20
90:10 91:7 94:8
108:14,18 114:1
116:2,25 118:25
125:20,22 132:19
133:3 134:2,5 135:9
136:13,15 137:12
139:20 143:18 144:1
144:9,11,12,25 145:4
145:5 232:22 237:12
237:13 293:15 294:4
295:4 296:8
planned 135:16 137:10
300:2
planning 182:20
plans 14:23 45:15
89:19 100:7 119:21
119:22 135:3
play 39:16 199:4 245:12
268:19
plea 278:22
please 3:22 4:3,5 5:2,17
5:19 6:9 8:16 9:5,6
25:21,22 26:12 27:19
28:22 29:5 39:20,25
42:10,11 46:18 51:9
51:13 54:18 59:21
60:18 65:12 72:9 77:8
77:11,20 79:25 80:1
90:25 95:14,15 104:6

- 104:17 120:24 122:14
122:15 127:6 130:9
131:11 140:11 147:20
152:23 153:1 170:10
170:18,20 200:3
214:19 221:5,6 229:1
229:2,4 231:23
240:14 252:24 258:7
258:13 273:23 287:21
288:16 297:20
pleasure 32:7 224:15
247:1
plenty 178:23
plot 265:1
Plus 219:25
point 19:2 21:1,13
66:12 71:3,4,7 75:20
76:13 92:7 110:21
155:20,25 159:14
178:2 201:22 202:17
203:7,9 205:9 209:25
217:11,19 241:23
266:17 277:8 281:25
285:12 291:24
police 18:11 35:3
115:13 116:10 117:16
117:17,23 155:4
161:14 164:4 170:15
178:5,15 179:2 181:4
181:5 183:17 184:8
189:12 194:20 211:23
277:9 282:10
policies 247:16,22
250:7 281:15
policy 144:13 235:9
247:20 250:13 283:15
292:7,9,11,12 293:1,4
293:11 295:7
pop 264:9
popped 131:25
popular 225:17
portion 24:24 120:8
159:24
position 11:6 12:10
95:16 213:1 248:21
274:20 279:23 285:13
293:20
positions 247:17
positive 248:1 264:13
possible 192:24 278:18
297:17
possibly 20:25 201:15
posted 107:20 301:5
poster 62:4
potential 20:25 60:25
62:22
practical 301:8
practice 13:6
precedent 14:11
precisely 18:23 19:21
predict 18:1 57:3
293:21
prefer 38:24 62:3 297:5
preference 81:5
prejudice 15:12 209:16
211:11
prejudicial 15:7 212:12
212:18
preliminary 10:13,25
27:25
premises 49:13,15
105:6
premiums 115:5
prepared 58:23 183:19
presence 225:16
present 1:17 2:6 27:13
27:17 28:2,3,6,11
29:4,8,12 36:13 58:25
76:6 192:17,18
207:19 260:16 266:11
267:1
presentation 59:15
62:9 111:12 194:25
257:12 299:9
presented 27:23 28:10
286:21 299:12,14
presenting 28:20,21,23
111:10
presently 84:7 266:5
presents 28:7
preserved 154:12
president 9:10 274:22
285:9
presiding 1:14
pretty 50:10,12,14,15
50:19,24 56:1 58:6
64:9 121:17 165:25
199:6 223:25 224:1
225:15 249:15 263:18
291:13 295:25
prevent 188:4
previous 45:21,25
80:22 87:10 103:5,6
119:25 128:5 139:9
156:16,18 161:8
166:12 170:11 215:22
221:24 275:7 293:6
previously 99:2 100:2
157:25 220:12
primarily 37:17 88:6
printed 90:16 95:21
printout 184:4
prior 11:17 12:25 13:13
14:25 20:21 103:1
156:3 167:9,13 192:6
266:12
private 100:10,11
140:17
probably 58:19,23 82:7
83:20 85:20 99:20
101:4 110:10 112:9
121:9,16 122:3
141:15 146:15 166:13
182:25 189:14 191:15
219:11 222:2 251:17
probative 15:13 209:17
210:2 211:12
problem 27:3 76:8
108:10 159:4,5 160:3
160:4 162:4,21
164:24 165:8 169:22
170:7 177:21 216:18
218:18 262:3 266:5,9
266:16 277:17 281:20
282:9
problematic 158:25
212:9
problems 76:19 161:17
161:17 164:23 177:7
177:9,15 178:17
232:24 236:24 243:16
243:18,19 264:12
procedural 154:5
procedure 27:24
procedures 247:20
250:7 281:15
proceed 10:14 201:5
proceeding 14:8 15:23
294:17
proceedings 286:10
299:5
process 94:6 104:5
127:5 171:8,8 172:24
processed 236:17
processing 88:25
processors 107:12
production 127:21
proffered 11:18
profitable 220:7
program 89:18
progress 155:15
162:25
prohibited 127:15,24
prohibition 276:22
promise 285:19
promises 34:7
promo 103:25 114:21
promote 103:19,25
113:19,20 114:18
promoted 245:14 275:9
277:6 281:18 282:15
promoter 38:8,14 39:4
233:9 236:5,11
245:23 276:10,23
277:5 292:19 293:7
promoter's 283:16
promoters 38:5 44:11
44:13,20 45:13 57:19
113:8,12,16,19,22
114:3,6,11,12,15,16
148:6 216:3 218:4
234:23 235:6,24
236:25 237:4 238:5
242:1,9 243:8,14,20
244:13,15 245:2,13
245:15 246:1,5,12
247:21 250:12,15,21
250:22 251:2 272:3
272:18 277:2,25
278:10,14,21 280:22
281:7,14 285:11,20
292:9,10 296:11,12
promoters' 237:11
292:23
promoting 272:3
promotion 277:5
promotions 114:10
pronounce 4:12
proof 19:13 34:2 36:9
36:10 282:22 296:7
properly 29:6 298:15
properties 73:2 142:23
property 25:5 102:25
104:22 140:16 141:1
141:4,12 143:7 286:8
293:16
proponent 13:16
propose 47:4
proposed 26:17 31:10
37:3 46:25 47:3 48:15
54:10 62:5 71:25
258:20 259:15 284:17
295:21 297:2
proposes 291:23
proposing 263:7,11
proposition 238:21
prospective 14:18 22:4
protect 139:5 144:2
235:2
protection 33:14 35:10
protective 236:16
protest 1:7 3:19 4:1 5:7
9:18 10:6,10 17:17,20
32:8 33:11 41:25 43:7
43:17,19,23 51:22,24
196:21 233:6,7,12
251:8 287:10 288:24
protestant 2:18 29:1
194:3,24 195:1 197:1
288:19,24,25
protestant's 290:23
protestants 4:4 10:7,18

11:1 16:5 22:19 28:2
28:8,11,14,17 30:19
31:13 194:14 291:24
Protestants' 10:17
31:25
protested 286:23
protester 6:12
protesting 37:1
protests 175:19 182:5
183:23
protocols 36:1
proud 31:7
prove 18:14 36:11
provide 11:19 17:5
33:13 34:14,23 47:19
47:20,22 48:17 176:4
287:14
provided 122:10 239:7
providing 237:14
provision 25:7 38:15
39:4
proximity 65:25 66:9
71:9 167:21 264:16
prudent 187:10,12
pub 269:5 284:18
285:16
public 6:19,24 19:5,10
24:12 36:5,15 52:3
54:19 64:12 127:16
127:19 136:24 140:17
141:4 161:4 175:14
175:21 176:13 180:5
180:17 301:13
published 300:7 301:7
pull 174:13 182:8
183:13 194:2
pulled 180:24 207:3
pulling 182:11
purpose 298:2 300:1
purposed 294:14
purposes 185:16
pursuant 20:19 298:4
299:6 301:4
push 266:23
pushed 178:1
put 20:9 21:12 30:8
59:18 62:5 83:15
84:11,20,23 85:19
87:12 94:20,24 98:11
107:13 129:8,16
131:7 135:22 137:8
137:15 143:2 170:10
174:13 194:1 201:3
231:3 250:25 253:24
276:22 279:23 293:14
294:3,12
puts 21:3 294:2
putting 45:6 62:23

92:23 282:14 294:6

Q

qualify 24:17
quarter 217:9
quash 10:17 16:10
question 3:22 11:12
12:12,22 28:19 39:13
55:3 57:2 71:13 77:24
81:10 83:8 95:9,13,15
95:19 96:14 104:3
121:14 125:7 126:12
126:22,24 127:12
129:21 130:8 132:18
135:15 138:23 139:4
146:9,10 153:25
154:1,5,8,14 162:1
164:21 168:6 169:13
171:10,22,24 172:3
172:17 175:19 176:1
180:10 187:23 198:21
223:6 226:8,10
229:15 232:6 235:13
235:20,23 236:1
237:22 251:8 252:21
256:2 270:25 279:8
279:19,24 280:14
281:4,5
questioned 76:12
quick 79:9 149:21
152:5 269:15
quickly 71:3 215:22
297:17
quiet 13:2 17:6 18:3
19:5,10,15 24:12 25:7
31:12 33:14 34:18
36:15 37:4,10 44:2
50:10,15,24 56:21
57:3 70:5,15,20,22
114:24 139:5 145:22
155:9 159:2,3,6,9
161:4 167:3 175:14
175:21 176:12 228:6
237:16 261:13 277:15
296:20
quite 30:2 76:13 129:25
160:10 276:6
quorum 3:13
quote 22:6 218:5
quoted 21:5

R

R-U-E-C-K- 274:9
radar 248:19
radius 241:9,19 242:5
242:25 292:4
Rafi 1:20 3:9 23:18
298:19

Raif 300:17
railing 74:1,8,13 80:13
80:14,20,20
raise 77:11 152:22
153:1 174:16 200:3
214:19 229:22 231:22
258:7 273:23 285:1
raised 17:20 195:23
275:21
raising 195:13
rambunctious 276:6
ramp 87:24
ran 202:20 233:18
271:14
randomness 183:16
range 279:2
rate 155:13 226:17
rats 262:2,5 266:5,20
raucous 30:25
RDL4 170:11
RDO 115:16,17,20,25
116:2,7,11,11,13,14
116:15,17,21,23,25
117:20 145:7 153:16
153:22 170:17 171:12
172:21 177:10,17
183:25 184:3 237:23
238:8 295:14,16
296:13,15
re-doing 55:13
re-litigate 15:9
re-pull 42:15
reach 38:18 294:13
reached 287:9
react 190:15
read 64:9 130:5 185:11
187:6 189:6 241:8
reading 185:25
ready 87:6 90:18,19
289:8,16,20
real 25:5 233:15 235:4
254:4 295:12
reality 20:13
realize 20:20 108:7
255:14 261:14
realized 200:23 218:3
rear 52:17,19 53:2,5
60:3 61:24 72:22 73:4
73:16 98:6
reason 20:10 68:25
96:6 97:23 108:11
109:16 119:6 132:5
139:9 209:20 223:12
248:23 275:19 282:19
298:7
reasonable 22:14
166:14,17 281:24
reasonably 22:16

reasons 15:19 180:20
180:23
rebuttal 28:12
recall 66:12 69:3 76:15
156:17 158:23 163:22
168:15 192:24 200:17
receive 101:13 171:12
185:14
received 15:23 99:4
100:4 170:15,24,24
184:7 282:5 294:25
receiving 155:3
receptacle 142:3
receptacles 142:5,15
recess 299:5
recipe 263:2
recognize 82:1 88:17
97:8
recollection 66:5,7
155:11 158:7 163:3
163:12,15 272:5
recommend 104:8,10
104:12
record 3:5 5:19 7:19
8:18 9:5 10:1 15:24
19:1,7 20:7 25:4,22
26:12 31:6 36:16
39:20 44:7 61:7 63:10
77:20 102:20 110:4
118:3 136:11 152:7
152:10,11,13 179:24
180:7,14,14,18
186:10 192:10 193:1
193:19 194:1,3,23
196:25 197:7 198:2
208:21,23 209:2,18
209:23 210:7,10,24
224:12 226:20 228:3
228:8 229:3,4 232:16
240:18 246:12 247:5
256:25 257:4,6,9
258:14 275:22 285:22
290:1,6,9 293:23
297:14 299:19 301:20
recording 179:4
records 11:16 21:10
66:4 76:11,12,15
110:3,4 117:24
208:24,25 209:21
270:24
recused 248:3
Redrush 273:20
reduce 132:15
reduced 276:23
reestablishment
161:18
refer 71:21 72:20 76:7
161:8 164:12 190:25

- referenced** 158:6
referred 44:7 243:19
referring 71:1 85:6
 106:24 154:22 164:16
 189:3,18 191:22
 243:18 292:14
reflects 10:1
refrigerator 88:22
 89:13 139:15,16
refrigerators 89:4,12
regard 17:19
regarding 11:16,20
 17:5 42:4 43:7,19
 44:25 45:5 54:24 71:8
 158:14 183:25 186:1
 191:19 193:4,24
 194:6,18 210:12
 211:20 247:12 252:10
 281:10 286:12
Regardless 17:24
regards 46:2
Register 300:7 301:8
regularly 160:7,16
regulate 41:1
regulation 40:14 49:22
 142:15 208:20
regulations 129:1
 300:4
regulatory 281:22
 282:7
reject 16:10
relate 243:20
related 11:7 15:21 21:9
relation 164:6 258:19
relationship 292:1
relative 253:14
relatively 19:1 179:24
 180:14
relaxed 271:18
release 213:5
relevance 209:6,10
 210:25 233:25 234:15
 255:7 280:9 281:1
 286:4
relevancy 235:11
relevant 13:9,19 15:15
 18:4 22:8 25:3,12
 209:25 234:8 280:11
 292:3,17,22 293:19
 293:25 294:16
relief 277:13
relies 12:16
relocate 133:4 134:2
remain 120:17
remaining 177:19
remains 94:22
remember 34:1 66:11
 66:12 107:7,8 167:11
 190:5 193:8 199:24
 201:23
remind 27:12 29:5
 130:15
remodeling 55:14
remote 16:16
remove 86:19 120:18
 121:11,25
removed 120:2 143:23
renewal 24:18 25:11,13
renewed 12:1 106:1,2
renovate 119:21,23
renovation 104:24
rent 224:1 227:6
rented 61:1 236:5
renting 278:11
repeat 127:7 170:10,19
 175:19 180:10 187:22
 236:23
repetitive 209:13 211:2
report 36:2 42:3,3,22
 42:23 43:6 47:8 51:6
 51:9,20 63:17 68:18
 69:24 76:3 155:14
 170:11 208:21 241:4
 241:8 242:24 292:15
 292:18
reportable 189:14
reported 176:5 242:3
reporter 150:22
reports 17:9 180:24,24
 185:10,14 242:24
 300:1
represent 32:5 55:9
 106:20 162:15
representation 55:10
 55:21 56:2
representative 9:12
 32:20 33:5 43:17
 252:22 253:6,10
representatives 39:9
represented 9:23 10:3
 10:5 29:6 111:9 253:9
representing 6:15
represents 274:23
request 38:24 45:5
 80:17 197:14
requested 47:24 48:23
 115:13 193:10 197:17
 294:22
requesting 38:8 63:11
 196:22
require 3:21 15:9
 134:16 182:9 296:12
required 18:1 175:9
 177:10
requirements 39:1
requires 37:8 38:17
reservations 92:23
 94:3
reside 258:19 285:8
residence 52:25 53:3
 277:20
residences 264:16
resident 38:11 270:20
residential 25:9 33:21
 37:6,11 46:11 143:14
 143:17 183:11 254:19
 254:23 260:25 261:3
 261:13 265:9
residents 35:18 36:25
 37:19 44:15 143:19
 270:23 282:8 299:15
resolve 117:18
resources 35:3 181:15
 182:21 183:13 282:11
respect 14:5 16:5 21:11
 38:17 104:14 128:3
 148:5 165:21 209:7
 211:1 212:16 228:6
 242:4 253:11 283:15
 293:16,17 295:14
respected 226:18
respectfully 16:9 32:6
 36:17
respectively 296:21
respite 264:1
respond 19:7 157:4
 168:4 182:1 229:23
 234:17
responded 17:9 155:12
 184:23 236:17
responding 157:25
 162:23 236:14 280:12
response 10:19 54:22
 169:10 183:12 187:10
 187:12,25
responses 132:13
responsibilities 40:23
 40:24
responsibility 12:4
 278:12
responsible 119:4,7,8,9
 278:10
responsibly 18:13
responsive 277:10
 282:8
responsiveness 281:22
rest 39:13 137:5 240:1
 288:12
restate 274:6
restaurant 30:5 32:16
 33:2 34:10 37:7 45:16
 45:22 46:19 47:11,13
 47:17 62:11 70:13
 79:15 82:4 83:6,13
 84:24 85:2 103:4,5,6
 103:12 113:7,10
 134:15,16,18,20
 146:1,2 218:16
 222:14,14 223:18
 225:25 232:11,25
 233:16 263:10,21
 264:4,5 268:3 275:5
 275:12,18 277:20
 294:24
restaurants 127:20
 145:24 263:8,13
 281:17
rested 255:13
restricted 204:23
restricting 237:2
restriction 282:14
 290:22 293:7
restrictions 30:16,17
 103:10 242:8 243:7
 243:14 292:20,24
 295:11,18
restroom 85:15,15
restrooms 54:6
rests 148:20 290:23
result 15:10 160:19
 276:25 277:12
resulted 38:7 107:1
resulting 11:21
resumed 257:6 290:6
retail 35:13,15 127:21
 127:21,22 217:5
retailer 1:8 9:20
Retreat 263:17 267:22
return 301:15
reveal 177:24
revenue 35:9 45:11,14
 57:23 223:24 239:8,9
reverberate 217:6
reverberates 218:25
review 119:14 178:6
 299:12
reviewed 119:11
 185:15,17
revocation 14:4
Rhoda 2:14 35:24
 199:23
Ribs 91:1
Richard 2:9 5:12 9:24
 11:4 162:14
right-hand 53:22 62:1
 75:23 174:16
rights 4:4,7,8,9,10,11
 4:13,14,22,23,24 5:4
 26:6,6 257:22,23
rise 182:6 189:1,4,8
road 259:10 268:22
robberies 164:25

Roggensack 2:18 8:20
10:4 25:20,23 26:7,9
26:14,15,19,21 31:20
32:4 39:11,12 44:5,6
157:13 229:15,19
230:5,21,25 231:10
231:15 232:4 233:8
237:21 238:16 239:24
251:25 252:1,1,2,6,9
252:18,21,25 253:5
253:11 254:15 255:2
256:1
role 39:15 299:6 300:11
roll 10:8 23:13 298:13
rooftop 259:24 265:14
room 12:21 14:24 22:17
225:18 268:14,16,16
271:1,15,23 272:6,10
272:16 301:6
rooms 127:23 135:23
135:23
rooster 239:19
rope 255:20
roughly 30:13 153:21
167:8,15,17 188:21
254:19
rounds 67:18
rowdy 34:8
Royal 226:25 227:7
RU 265:9
Rueckgauer 2:19 4:12
38:10 273:18,21,22
273:24 274:3,8,8,14
274:18,21 275:4
277:18 280:5,21,23
281:7,13 283:5,17,19
283:24 284:2,12
ruled 105:13 210:23
212:5
rules 20:19 129:1,4,5
179:9,14 198:21,24
199:4 265:15
ruling 161:24 280:2
run 16:13 18:13 93:8
198:24 215:3 275:24
runners 93:9,10
running 154:11 179:19
187:12 215:20 222:16
225:16 255:17 283:2
runs 18:4

S

S 1:21 254:24
safe 30:10 171:16
184:15 199:8 239:12
239:20 254:8,11
safety 19:5,10 24:13
25:10 36:3,4,15 44:9

115:22 117:14 147:14
161:4 175:15,21
176:13 180:5,17
220:14 254:8 262:9,9
262:16,25 263:6
saga 237:1
sale 113:14 114:17
123:4
sales 48:5 58:5 63:19
sanctions 19:3
Sanctuary 22:18
Sargent 176:22
satisfaction 24:22
281:24,24
satisfy 17:19
Saturday 48:2,3,6 51:1
63:15,21 91:10 109:6
123:6 124:1 125:13
164:13 217:10
Saturday's 218:13
saw 55:7 61:3 200:21
201:21 202:23 203:25
204:5 206:25 227:17
saying 47:7 49:6 55:24
56:1 84:17 85:2 108:1
121:19 133:15 136:10
138:3 142:25 145:20
159:15 160:23 161:1
169:11 182:23 189:25
219:2 220:6 234:20
243:6 287:13
says 14:14 17:18
106:19 107:5 123:4
123:21 141:7 247:20
scared 266:20
scene 176:23 185:22
223:16 236:18
schedule 50:8
school 269:17
schools 52:3
Scientology 265:6
scope 17:1 168:17
255:7
screaming 165:2,23
166:5
screen 42:7,11,13 43:5
56:5 63:8 65:12 71:20
79:22 80:1,3,8 97:13
106:16 120:25 122:14
122:17 131:12 147:20
214:1 230:7,13
scrutiny 31:2
sea 278:3
seafood 89:25
search 93:16,18,22
96:21,22 263:12
268:7
seat 112:12

seating 53:21,25 54:2
293:16
seats 80:15 82:6,11
86:8 87:11 94:2
second 20:18 23:8,10
23:11 43:2 44:4 53:14
53:17,19,20,23,25
54:3 59:21 62:1 67:5
72:14 94:4 131:16
136:21,22 137:18,21
137:25 143:24 144:1
146:14,17,21,21
147:3,4,16 152:14
203:4,22 214:8 239:5
259:25 275:17 276:4
298:9 300:8,9
second-hand 186:4
seconded 23:13,14
298:13,15 300:11,13
seconds 152:15 172:13
214:14 298:11
Secret 11:7,23,25 12:11
15:22 17:3,6 20:7,9
20:16 30:21,24 32:11
33:9,18 34:16,24
100:17 105:12,15,18
108:4 113:19 114:3
114:24 116:7 117:3,6
117:6 144:9 153:16
153:20 154:12 155:4
155:14 156:15,23
158:17 159:3 160:2
161:15 166:5,20
167:21,25 168:9
170:16 172:21 175:7
175:8,13,21 176:13
177:3,24 178:14
179:6 182:24 184:6
184:23 188:18 194:19
200:13,22 202:8
209:7 211:1,21 235:1
236:16,17 291:21
Secret's 191:20 291:9
section 23:1 24:21,24
25:8,8 297:25 298:4,7
Sections 299:7
securities 96:17,17
115:3 119:1
security 67:20 92:18,19
92:21 93:14 94:1
96:16 97:1 100:7,22
101:9,16,21 102:7
115:1,4 118:23,24
119:2 120:1,1 124:14
124:15,15,18,22,25
125:16,17,18,21,23
126:2,3,5,6 144:9,12
144:13,25 145:4,5

201:1,24 202:19,22
218:5 220:14 255:3
293:18 296:13
seed 282:25
seeing 60:18 137:11
183:1
seek 296:6 297:8 300:4
seeking 11:19 275:6
293:2 298:2
seeks 18:5,24 32:12
seen 189:21 199:3
291:16
seminar 8:21
send 151:10
senior 262:20
sense 209:24 270:6
sent 172:11 253:19
262:18
separate 28:21,24
156:1,8 221:17,19
264:21
separates 75:20
series 38:25 244:22
serious 19:9 158:4,24
218:18 234:23 235:4
236:24
seriously 189:15
serve 7:24 8:11 30:2
32:12 48:19 58:10
86:21,24 90:3,22
108:22,24 109:11
122:24 123:7 124:2
268:2
served 6:21,22,25 7:5
7:11 41:17 244:20
245:22
serves 178:10 253:25
261:15
service 7:13 8:12 18:11
26:5 30:1 34:10 54:15
54:17 58:14 78:14
97:16 127:22 138:3
149:17 162:3 170:5
175:9 177:6 183:21
184:15 204:1,15,17
204:20 205:2,16
206:11 211:9 213:9
235:2 236:16,17
275:13 277:23 278:7
services 114:20 116:12
170:25 184:7
serving 123:1 124:4
161:9
session 301:16
set 25:8 47:17 61:25
82:13 83:16 89:21
101:8 136:18 190:16
292:17

settlement 33:13 38:9
38:13 46:23 129:6,8
129:17,23 276:21
282:16 284:17,24
285:17,23 286:4,6,12
286:15,20,24 287:1,8
287:11,13,24 292:19
292:25 293:8
setup 79:2 112:17
seven 30:3 54:1 74:16
217:14 219:9 248:22
265:4 266:21
Seventh 189:24
Shadow 12:20 14:24
22:17
shape 293:13
share 42:6,10,13 71:20
79:22,25 80:3 122:17
131:12,13 149:18
159:24 280:24
shared 55:18 159:25
sharing 65:11 122:14
141:16 142:16 145:14
146:6,23
Shaw 11:9 31:5
shell 236:19
shift 123:11,12 181:8
216:7 295:10
shifted 282:22
shifting 95:6
shifts 123:11
shipment 98:20
shoot 167:21
shooting 70:23 158:8
167:8,9,11,20,24
178:8 181:18 184:23
186:2,24 187:8,17,20
188:4,10 191:19
192:7,12 206:14,16
shootings 181:14
244:23 246:7 254:3
shop 35:14 75:8 118:6
227:5
shopping 127:22
shops 264:9
short 1:23 3:9 6:23 7:7
7:9,10 23:8,8,11,11
23:12,14,15,16,16
56:9,11,12 59:1,6
126:11,13,15,18,21
127:6,10,14 128:4,8
128:13,17,23 129:2,6
129:11,16,20,22,25
130:7,18 146:8,11,12
146:16,19 147:8,20
151:23 170:1,3,4,9,18
170:23 171:4,10,15
224:24,24,25 225:1,4

225:5,12 226:1,6,9
227:7,11 244:8,11,12
245:20,21,25 246:4
246:10,16 256:13,13
284:16 298:16,17,17
300:9,9,10,14,15,15
Shorten 245:20
shot 157:19 158:8
181:23 236:8 245:1
shots 55:8 74:25
shout 220:9
show 6:1 14:4,7 18:16
20:22,24,25 36:1,8
51:13,14 86:5 97:7
114:19 149:18 203:6
224:12
showed 55:7 119:17
120:7 254:18
showing 54:14,19
shown 254:17
shows 51:21 52:2,16,18
52:20,21,23,25 53:3
54:5,7,8,9,10 140:10
237:17
shut 179:6 282:17
shutdown 116:14
sick 291:13
side 27:12,13,14,16
29:5 52:11,12,15,21
52:23 53:22 54:3 62:1
66:14 73:7,16 75:24
80:10 84:21 85:16
87:8 97:10,12 99:10
120:4,13 134:6,7
138:20,21 143:15,20
150:9 218:24 259:7
259:11 262:1 274:24
281:21 288:18,21
sides 21:20 28:8 278:2
sidewalk 46:21 73:22
74:2 80:17 141:4
215:25 216:15 220:18
sidewalks 165:12
sign 119:7 287:15
signage 104:13
Signature 1:6 3:3 4:2
5:8,14 9:20 11:12
29:21 32:13 34:22
35:1 43:8,20 44:1,2,8
44:25 46:18 51:12
52:6,8,9,17,17,23,24
53:2,5,10,13,19,24
54:11,20 68:11 70:8
70:11 72:15,17,22
73:4,13,15,18,21,24
77:23,25 79:18 80:10
108:5 109:9 114:8
116:3,24 117:1

119:15 175:8 181:17
190:3 264:23 298:3,6
signed 127:2 149:13
219:21 276:22 286:12
286:14
signs 56:25
SILVERMABN 147:25
SILVERSEIN 161:25
similar 48:24 49:7,10
82:21 86:17 90:13,15
100:17 121:22,24
262:19 277:17,21
similarity 168:25
SIMONE 2:8
simone.andrews2@d...
3:24
simple 13:5 14:8 157:2
157:5 263:12
simply 12:11 35:22
130:1 147:10 211:12
284:3
simultaneous 51:15
70:7 143:25 193:17
195:21 231:2 255:25
279:5 287:5 289:5
singing 32:22
single 26:16 154:8
sinks 54:9
sit 86:11 138:7 230:12
sitting 150:4 203:22,25
204:4 230:3
situation 84:12,13
109:21,23 184:1
186:24 197:4 202:6
232:19 240:20,21
six 6:20 74:9,11,16
78:19 82:14 84:6
86:10 89:5 91:19 92:2
93:7 96:17 97:1
100:21 102:11 106:7
106:10,10 112:10
115:3 118:23 120:1
124:14,25 125:16,17
125:18 133:1 137:1
155:2 204:7,25 222:6
254:19 259:20 265:4
sixteen 102:12,16,18
120:3
Sixth 189:24
size 119:13 188:8
232:17
skills 46:22
sleep 217:18 278:6
slipped 248:18
slowest 101:5 126:3
smacked 276:2
small 32:21 53:22 63:9
64:9 73:1 75:25

160:12
smaller 161:5
smell 248:15
Smoke 127:1
smoking 127:15,24
128:1,18,18,24
snuck 277:3
so-called 37:14
social 103:20 203:23
204:25 230:8,15
socially 204:2
soft 40:1
solid 226:14,17
solvent 45:10
somebody 92:22 96:19
101:20 114:18 163:15
176:5,9 178:3 179:7
186:25 187:16,21
somewhat 66:19
123:15
songs 32:22
soon 78:21 87:5 97:20
253:2
sorry 4:12 18:9 26:1,4
28:15 29:10 47:16
48:11 50:6 55:24 61:5
61:15 63:17 81:10
83:2 100:21 111:5
124:19 149:25 169:9
172:5 175:17 180:9
180:12 187:22 193:5
195:5,12,15 199:21
201:11 205:22 208:3
208:19 209:24 221:4
251:24 252:23 270:16
273:20 278:24 279:13
281:3 286:18 289:6
289:10,13
sort 18:14 132:7 155:14
222:9 238:14 254:1
265:17 275:2 285:12
295:6,13
sought 11:22 21:12
275:8
sound 76:1 217:3,4,8
218:25 219:1 229:20
282:24
sounded 32:25 172:10
soundproofing 60:11
sounds 119:20 144:20
144:23 148:6
south 35:5 37:14 66:13
181:20 233:17 234:2
241:2 261:6
southbound 66:14
space 74:7 119:21
134:8 135:4 139:21
140:17,17 141:8

219:1,1 230:15 263:7
265:9 278:12,13
spaghetti 90:8
spaghettis 91:3
speak 24:10 26:25
35:16 43:19 44:6
156:15 164:2 171:8
179:17 180:1,3
219:19 283:25
speaker 136:5 139:10
174:14
speakers 45:6 84:3,8
84:18,20,25 85:4,5,12
87:14,15,21 135:2,3,6
135:9,16,22,23 136:3
136:7 137:21,24,25
139:9 143:23 148:5
speaking 6:9,10 16:4
51:15 70:7 143:25
159:20 161:7 165:3
193:17 195:21 231:2
252:25 253:3 255:25
279:5 287:5 289:5
speaks 18:10 22:25
23:4 31:2
specific 24:16 89:23
101:12 168:25 189:8
189:20 200:12 288:25
293:10
specifically 11:9,14
12:8 22:15 48:17
154:4 156:18 159:8
166:18 172:23 211:22
292:16
specious 292:12
speculate 161:23 168:1
168:3
speculation 161:19
spell 5:18 9:5 25:21
26:13 39:19 77:20
229:3,4
spelled 5:13 9:9
spend 27:20 114:12
spill 260:19
spilled 236:6
spilling 177:12
spoke 43:10,23 44:4,5
44:24 180:2 184:2
sports 127:23
spot 266:11
spread 182:14 183:15
189:25
square 30:13 292:23
294:15
stabbed 245:1
stabbing 236:13,14
stabblings 244:22 246:7
stable 45:11

staff 2:8 91:16 92:14
93:3 125:23 126:2
203:21 207:15 218:11
stage 257:10
staircase 53:16
stairs 75:19
stairway 75:4,23 87:24
87:25 88:1 97:6
stairways 61:25
stairwell 135:4,7,17
stand 4:6 42:12 80:2
257:22
standard 12:8 24:11
25:17 63:10 209:5
standards 22:25 23:5
24:15,17 25:14 34:1
285:11
standby 42:16 202:5
standing 10:8 68:5
74:18 133:10 193:4,8
193:22 200:21 210:25
212:4
standpoint 161:3
stands 63:13
start 3:3 5:8,9 6:4,11,12
16:1 24:3 27:11,22
29:16 51:11,18 89:19
115:21 116:11,25
123:1 124:4,18,22
157:5 189:9 215:24
253:2 289:2
started 34:9 189:15
201:1 202:15 223:23
233:15,16
starting 34:9 132:19
183:3
starts 27:18 187:9,21
252:25
state 9:5 25:21 26:13
39:19 64:13 77:19
192:10 258:14 290:19
stated 22:15 43:25
44:12,18 45:4,8,12,15
45:17,18,20 46:3
124:13 125:15 133:13
247:6 250:11 294:23
statement 29:18 31:25
62:10 284:16,20
states 11:15 127:14
stating 44:14 124:7
195:6 196:6,16,19
stationary 94:20,23,24
95:16 133:2
statistics 189:4
stats 189:12
status 10:9 116:15,17
153:16
statute 21:6

statutory 17:18
stay 88:23 95:16 111:23
133:2 184:15 215:15
220:13 262:11
stayed 248:23
staying 223:19
stays 94:20,24 95:4
steak 34:6
steakhouse 34:8
steaks 90:9 109:1
step 66:22 79:9 94:4
step-by-step 200:16
steps 73:17 155:19
Sterling 239:17
sticking 205:15
stipulations 45:23
177:19
stop 62:19 65:11
122:14 141:10 149:24
150:1,6 237:7,8 245:6
277:2 278:15
storage 139:22
store 35:15,21 139:20
216:5,19,23,25 217:5
217:5 219:19 225:9
227:4
stores 127:22
stories 189:7
storm 52:20
stoves 54:8 89:5
strain 182:17
strained 182:5
streets 199:3 278:8
stress 115:15
strict 31:1
strong 37:6 223:17
225:16
structure 35:16 72:17
115:9
Stuart 191:25 194:20
211:23
stuff 55:18 86:20
104:25 105:2 133:4
156:24 218:7 268:21
style 45:16 62:11
sub- 197:3
subject 156:3,9 284:21
286:8
submit 3:22 107:10,15
144:25 145:2 212:7
submitted 38:23 144:12
subpoena 10:17 16:10
193:10
subpoenaed 17:5
subsequent 13:2
subsequently 156:9
158:9
substantial 24:20 224:1

succeed 34:11 296:11
success 225:25 249:14
successful 249:16
suggest 149:20 229:21
230:14
suggesting 140:25
160:13 169:12
suggests 21:25
suit 277:21
summarize 43:22
summer 167:12
summoned 276:16
Sunday 47:25 63:14,19
91:9 109:5 122:22
123:5,22 125:9 181:7
Sunday's 218:13
Sunday- 91:8
supervisor 176:21
201:5 202:1,3,3
supervisory 175:12,22
support 31:16 195:24
195:25 196:2,8,16,17
supported 18:11
suppose 96:14 164:11
188:9
supposed 98:11 128:1
193:23
supposedly 149:10
Suppression 179:20
surprised 166:21,23
270:3
surrounding 44:2
175:15,21 176:13
268:6
survive 113:17
sustain 255:10,21
Swan 247:25
swear 77:12 153:3
200:4 214:7,22
231:24 258:8 273:25
284:21 285:3
swing 216:7
switched 84:13
switching 84:18
system 46:16 52:1,3
98:15 101:21 102:20
105:3,4 115:21
systems 88:21 148:6

T

T 266:13
T-H-E 215:7
t/a 1:6
table 17:10 53:21,25
82:12,15 86:10 92:23
106:11 133:1 137:15
156:6,11,13 204:4,7,8
204:25 230:4

tables 53:13 54:1 60:19
60:23 64:24 79:15,19
82:5,8 83:9,14,16,17
83:23 86:8,10,20 87:4
94:3 96:24 112:7,11
112:11,14 121:12,15
121:19,21 122:6,10
132:6,15,25 133:2,7
134:3,11 136:12,13
136:19,23 137:2,5,5,9
138:7,8 218:9
taken 27:18,18 30:8
72:23 180:24 212:14
takeover 246:14
takes 96:19
tale 32:9
talk 63:23 64:19,23
79:10 200:11 216:17
216:17,18 220:11
242:3 254:15
talked 61:15 84:12
100:6 102:6 118:10
118:13 132:3 135:2
143:23 162:23 188:7
218:2 237:22 240:19
talking 55:13 61:6,8
62:25 67:9 70:9
106:21 166:16 176:8
180:7 181:15 189:10
197:10 200:18 225:11
238:6 260:3 269:12
271:22 279:1
tank 142:23
Tara 258:16
taskforce 190:16
tavern 30:5,14 33:3
38:14 47:5 57:11
103:13,14 248:1,2
267:20 269:7 285:14
taverns 38:1,8 275:3
292:16
tax 35:9 239:9
taxi 104:10,19
taxpayer 228:5
team 179:20 181:6
182:3 188:8 190:16
teas 90:5
technical 3:21
telephone 43:18 44:24
tell 39:9 41:11,12 43:13
46:5 47:11 48:17 58:8
67:15 72:25 77:12
89:18 90:2 91:4 92:13
92:14 93:10 103:16
103:24 104:21 108:3
121:5 124:3 128:13
153:4 155:7 163:17
163:19,21 166:11

167:10,13 174:19
192:20 200:4 204:8
214:23 215:4 231:24
251:14 258:8 274:1
275:1 277:5 285:3
288:22
telling 58:10 116:20,21
124:24 134:17 278:5
ten 105:9 110:10,13
116:19 122:1,3,8,12
136:11 159:12 166:13
166:17 182:10,11
248:17
tenant 220:1 274:22
tender 109:1
tenure 7:5
term 247:17
terms 20:14 35:8,8,9
160:3 166:19 178:15
terrible 33:24 259:7
testified 78:6 153:10
164:9 184:22 189:1
195:3 211:3 234:1
255:13 283:14 285:21
testify 15:21 34:24
35:23,25 76:14
111:17 149:7 184:25
192:20 193:23 194:5
234:6
testifying 279:9,19
testimony 16:11,15
17:2,5 25:16 34:14
36:13 38:10 77:5
80:13 87:8 102:7
110:19 111:3 130:15
154:11 162:23 163:6
167:20 173:6,7
185:16,25 186:1
187:6 191:22 192:15
193:11,16 194:19
195:9 197:21 198:11
199:10 207:23 209:14
211:5,22 212:14,22
213:12 221:10 228:7
229:9 236:23 237:1
237:21 240:18 246:11
246:17 249:18 250:6
250:11 256:13 266:4
267:15,19 273:15
281:10 284:11 285:10
288:12 291:1 292:8
292:15 295:3,8,24
296:14
testimony's 244:13
text 172:11
texting 172:15
Thanks 65:10
theatres 127:23

thereon 292:15
therewith 20:23
they'd 277:6
thick 76:1
Thierry 254:24 265:3
things 8:11 18:13,14
21:7 71:3,7,9 72:21
74:24 76:22 114:25
115:17,18,25 132:6
158:17,19 164:19
176:19 181:25 194:4
204:5 227:18 232:24
233:4 235:8 236:21
237:6 246:8,13
247:23 248:14,20,25
265:8 290:24 293:18
295:2
thinks 249:8
third 144:5 157:4
168:23 217:8 219:14
259:24,25 275:17
third-party 277:7
thirty 113:14
thorough 76:4
thoroughly 291:6
thought 62:9 64:1
133:13 135:2 140:24
192:5 224:10 255:12
282:12 286:24,25
295:11
thoughts 280:25
thousand 170:21
threaten 223:3
threats 235:4
three 11:20 12:8 20:3
30:3 44:13 45:9 57:13
57:14,19,24 67:19
73:6 113:9 175:4
209:12 211:4 212:17
223:17 252:10 254:2
256:16 266:12 276:12
threw 218:14 222:19
throw 15:8 156:10
Thursday 43:15 47:25
63:14,20 91:9 109:5
122:22 123:5,25
125:12 126:3
Thursdays 118:24,25
tied 254:5
till 181:9 215:15 217:8
257:3 263:22 268:9
270:3 271:6
Tillman 4:25
timeline 267:6
timely 10:19 301:8
times 44:10,13 45:10
45:19 49:16,18,19
50:1,3,6 96:4,8,8

99:18 114:22 124:9
125:16 157:21 158:3
165:7 183:12 207:4
218:2 219:10 221:15
276:17
tired 115:21
title 40:19,21 41:1
299:23
toast 90:5
Tobacco 127:2
today 3:8,12,25 7:3 8:1
9:11 10:10 11:23 12:2
12:13,23 21:8 27:25
29:20 31:9 36:23
59:14 60:20 81:14
82:16 86:13 98:7
106:2 130:25 150:2
150:23 170:12 173:17
185:16 199:10 206:10
213:12 229:9 247:2
249:18 285:21 293:14
294:12 295:8,13
296:15 299:9 301:10
301:12,13
told 26:2 32:15,19,23
33:8 48:14 107:16
114:11 118:14 150:7
150:12,13 176:9
242:13 255:19 272:2
tool 103:21
top 72:13,18 83:25 84:1
241:6 265:14
tortured 270:22
total 64:13 74:20 87:20
91:25 102:8 180:3
totally 68:23 108:12
212:16,19
touch 111:16
tough 106:8 131:1
tours 67:13
towel 218:14
town 143:14 178:19
246:6
townhouses 264:20,21
track 293:23
trade 9:20 12:20
traditional 90:23
traffic 50:12 68:8,9,12
68:16 70:14,18 101:7
165:6,7,8,11,13,16,17
165:20 166:3,4 169:6
191:2
train 101:18,20 111:3
195:3
trained 101:10,11
training 101:12,13,15
101:19 119:2,11
transcript 210:11,18

211:19
transcripts 211:5
transfer 24:18 168:24
transitioned 179:19
transparency 38:18
 178:15
transportation 127:20
trash 45:19 49:21 50:17
 52:24 56:23 70:15
 97:16 99:11,12,16
 142:3,5 261:23 278:7
tree 74:4,8,12
trend 100:18 115:4
tricked 277:4
tried 135:22 254:12
 278:25
trigger 233:11
trouble 26:1 172:13
troubles 233:18
trucks 216:4
true 117:19
truth 20:8 77:13,13
 153:4,5 174:19,19
 200:4,5 211:8 214:23
 214:23 231:25,25
 258:9,9 274:1,2 285:4
 285:4
try 89:25 90:8 117:17
 134:6 183:19 206:12
 223:7 282:13,14
 283:2
trying 15:14 20:24,25
 55:17 66:11 116:16
 116:22 122:16 155:18
 201:15 211:16 212:20
 223:24 235:8 267:11
 271:4 278:6 280:17
 280:19
Tuesday 123:23 125:11
 181:8
tuned 301:13
turkey 91:2
turn 5:17 10:12 12:6
 26:8,23 39:25 99:7
 113:23 122:16 142:4
 162:1 174:9 180:10
 217:4 230:23
turnover 248:20
TV 181:24
Twitter 103:20
two 15:14,14 21:7,8
 30:15 32:9,11,15 39:8
 46:20,21 50:21 67:4,6
 67:19 68:4,14 73:6
 92:21 93:2,7 96:6,17
 97:1,4 98:11 108:12
 115:5 119:1 120:11
 122:1 125:5 126:2,4

134:7 157:11,17
 158:8,18 167:7,12
 179:15 181:13,13,15
 190:23 209:7 211:2
 219:10 222:3,21
 242:24,25 244:19,25
 254:18 255:5 259:21
 259:22 260:13 268:10
 292:21,24
type 46:24 47:2 48:16
 58:20 90:21 94:15
 131:3 245:3,7 253:15
 295:5
typical 60:11,13 181:8
typically 190:14

U

U 109:14 110:1 164:10
 164:17 176:25 178:20
 179:18 190:24 291:15
Uber 104:10,19
ultimate 209:10
ultimately 91:20
unable 230:17
unadjudicated 11:25
 15:4 209:8
unattended 202:12
uncommon 157:8
underage 93:15 96:18
 126:1
underground 89:14
 139:17
underlying 212:19
understand 47:4 57:18
 74:19 78:13 79:8
 84:16 128:2 132:16
 134:9,12 139:4 163:5
 168:8 239:11 263:21
 267:6 286:17 291:17
understandable 111:14
understanding 25:20
 139:25 171:3 194:22
understood 3:17 62:14
 132:13 134:23 135:2
 167:19 186:3 190:9
 209:1 242:2 251:7
 266:4 267:19 268:4
 268:25 272:15
underway 3:14
undo 283:2
unfair 176:7 211:9
unfortunately 158:9
 160:19 163:11 292:8
Unified 54:14,22
uniform 202:24
uniformed 92:18
uniforms 92:21
unintelligible 110:3

unique 14:16 22:2
unit 115:16,17 153:16
 182:9 188:16 236:16
units 259:20 260:25
 265:3 274:23
unlivable 35:19
unmute 26:7 150:25
 199:22
unnecessarily 209:12
 211:10
unnecessary 211:12
unordinary 57:1
unpack 267:11
unrelated 13:20
unsafe 44:15 246:8
unsigned 286:6
upgrade 104:25 105:4
 132:16
upper 269:22
upstairs 35:15,19 97:5
 102:14 112:7,10
 120:4,7 135:7 136:6
 136:10 139:10 147:7
 202:20 203:17 220:14
use 38:4 44:19 97:16
 103:20 104:19 115:20
 133:10 136:6,20
 141:21 149:21 151:8
 166:19 209:23 227:18
 230:7,13 243:20
 247:17,21 250:12,15
 251:2,5 261:3 272:17
 283:15,20,23 289:9
 289:12 296:11
uses 166:19
usually 165:14 177:7
 189:23 207:8 260:1,8
utilize 44:10

V

v 12:17 13:24 14:12
 17:21 18:7 21:23 22:9
vacated 222:3
vague 295:4
valet 145:11
valets 277:24
valuable 191:14
value 15:13 209:17
 210:2 211:12 270:22
values 25:5
variety 157:25 159:20
various 44:16
vastly 30:23
veggies 91:1
vehicle 25:10
venue 95:25
verified 207:4
versa 253:3

version 34:6
versus 282:25
vibe 269:4
vibrancy 37:8
vibrant 37:7,22
vice 253:3
vicinity 156:23 157:18
 158:19
victim 34:17
victims 158:8
victory 233:14
video 174:14 230:23,24
videoconference 1:14
view 50:15 52:7,9,23
 53:12 102:21 295:10
viewing 36:12
views 248:11
vigilant 145:18
violate 128:9
violated 118:2 128:14
 130:3
violating 128:14
violation 11:21 15:10
 31:5 35:25 49:22
 106:9,14,22 107:25
 128:5,7,12 129:4
 186:14 209:9 233:2
 291:11 300:3
violations 11:17,25
 15:4 19:2 21:11,13
 40:25 41:4,7,8 46:3
 50:22 106:4 177:8
 180:25 291:9
violence 34:17 115:12
 178:11 182:6 183:5
 189:1 190:10 245:6
violent 158:5,14 165:1
 183:2 189:4,8,14,18
 189:22 255:4
Virginia 239:17
virtually 20:13
visible 56:25
visit 49:13,15,16 66:6
 70:11
visited 49:17,19 50:8
 50:13,18 51:1 58:15
 61:2,4 65:22,24
visiting 58:18
visits 56:15 57:4 67:8
voice 40:1
voluminous 294:11
voluntarily 115:15,16
volunteer 248:21
volunteers 249:2
vote 23:13
voted 33:11

W

W 1:14,19
waffles 90:5
wait 81:6 93:3 118:4
 136:21 202:22 289:22
waited 202:8
waiters 93:4
waiting 68:1,5 98:18,19
 127:23
waitress 125:24
waitresses 93:4,7
waive 297:3,7
wake 219:23
walk 61:24 94:10 97:6
 109:18 133:9 142:8
 200:15 262:1
walk- 55:12
walk-in 89:12,13,16
 94:4 139:15,16
walk-through 55:19
walked 106:13 118:9
 155:19 271:20,20
 272:2
walking 50:11,16,20,21
 68:14 160:8 203:24
 205:1 218:8 262:16
 271:13
walkway 120:7
wall 54:4 72:7,8,8,18
 75:15,23 76:1 85:14
 85:17 87:8,11 120:11
 134:6,7,12 135:25
 136:19,23 137:6
 138:12,24 141:3
 142:5 143:1 217:6
 218:23,24 219:11
wallpaper 55:14 120:9
 120:10
wallpapers 105:1
 119:24 120:14
walls 137:6,8 141:3
 219:9
wand 96:22
wandering 112:23
wanted 27:1 60:7 62:13
 74:23 154:3 172:11
 195:24 224:8 228:8
 245:6 247:25 263:4
 272:15 284:15
wants 45:8 148:22,24
 172:12,14 239:16
 248:10,11 289:21
warning 31:5 106:5,14
 107:1 128:11,14
 209:9 291:12
Washington 226:15
 244:16
wasn't 67:22,25 68:11
 164:18 188:17 245:10

294:25
Water 13:24 18:6
way 8:21 9:25 13:21
 75:11 95:21 101:8
 120:14 135:20 136:18
 137:7,12,13 144:21
 146:24 158:9 160:3
 164:12,17 167:4,24
 169:15 171:5 179:12
 192:21 198:23 227:19
 234:21 243:20 264:19
 266:24 269:16 278:18
 284:24 293:12 295:11
WebEx 1:14 8:20
website 94:8,9 95:25
 189:13 301:7
Wednesday 1:11 44:24
 50:13 51:3 123:24
 125:11
wee 245:21
week 30:3 44:13 45:10
 45:19 57:12,14,19,24
 70:25 99:18 113:10
 244:25,25 269:1
 271:8 275:13
weekend 101:7 109:5
 115:2 126:4 218:12
weekends 33:4 118:23
 159:8 215:11 263:20
 269:2 271:12
weeks 33:7 70:21
 181:13,15 254:2
weigh 294:8
weight 16:16,19 156:12
 211:15 213:3 281:12
welcome 69:25 77:6
well-being 36:3
Wellness 72:12
went 60:21 107:22
 152:9 155:12 203:4
 203:21 222:15 227:16
 257:6 276:4,14,20
 278:17 281:14 290:6
 301:20
weren't 185:6 204:2
West 281:21
whatsoever 7:14 13:21
 14:2 291:9 292:2
whichever 62:2
whiskey 263:18 267:22
white 84:2 85:5 120:11
 183:22 235:2
wide 189:19
wife 181:21
wild 91:2
willful 36:4
willing 113:13 114:17
 129:8,16 145:1

willingness 38:18
window 84:21 85:16
windows 33:22 45:6
 60:8,10,11,14 72:19
 85:1,7,13 138:24
 139:7 144:2,3 260:13
 261:11 269:21
wings 108:25
wire 98:14,18
wires 88:19
wisdom 39:1
wish 225:24 289:19
 297:2
wishes 19:8
withdraw 161:25
 280:13
witness 2:10,11,13,15
 2:16,17,19 28:4,6
 29:1,2 39:18 71:13,14
 71:15,16 76:14 77:8
 77:16 111:8 148:18
 149:2 152:16,17
 153:9,13,25 157:4
 173:24 174:22 193:23
 193:24 194:5 195:6
 205:20,25 206:3
 208:5,10,15 212:10
 213:16 215:1 220:23
 228:13,17,21 229:16
 231:20 256:9 257:13
 257:14,15 258:12
 265:22 266:1 273:2,6
 273:10,16 274:5
 279:9,17,18 283:9,13
 284:14 288:9
witnesses 27:14,15,16
 28:13 148:20 166:12
 199:20 229:13 256:7
 256:11,17
woman 120:17
women's 54:6
wonderful 239:16
Wood 115:4
word 294:23
words 142:7
work 8:22 50:8 101:18
 102:1 105:3,4 108:8
 108:10,17 118:14
 123:11 125:25 151:3
 156:21 176:17 223:4
 249:11,12 262:9,10
 262:21 284:4
worked 8:9,10 34:20
 102:2 161:11 163:15
 175:3,12 176:14
 178:18,21 179:18
 190:19 216:7 227:14
 246:6

working 98:15 111:19
 124:16 125:1,19
 158:23 175:18 178:15
 262:13 267:11
works 105:3 172:24
 249:5
worn 153:10
worrying 118:11
worst 36:5
worth 210:2 218:15
wouldn't 32:23 144:16
 159:23 182:25 187:9
 187:19,24 188:3
 232:12 236:18
wounded 236:9
written 16:14 43:7
 209:15 222:24
wrong 4:13 27:5 123:3
wrongdoing 291:8
wrote 42:3 47:8

X

Y

year 11:20 16:22 127:3
 128:20 157:19 175:1
 176:16 179:18 239:8
 239:8 248:22 259:21
 266:12 267:1 276:21
 281:19 282:1
Year's 241:17
year-old 15:9
years 6:20,23 7:20
 11:16 20:15 21:10
 31:4 35:14 36:6 40:18
 58:14,17 105:9,25
 155:2 175:4 212:17
 215:10 217:1,14
 222:2,4,21 223:13,16
 223:17 224:14 225:5
 225:11,12 227:2,5,15
 234:14 247:7,14
 248:17 259:21 266:12
 291:11 292:7
yesterday 10:19
yield 278:23
young 157:19 244:25

Z

zero 291:8 292:18,19
 292:19,23
zone 35:6 176:22
 178:18 182:1 261:3
zoned 46:9
zoning 46:9 260:24
 265:9

0

0 24:1,1

1

1,000 107:6 218:8
1,200 292:22 294:15
1,200-foot 234:16 241:9
 241:19 242:5,7,25
 279:2 292:4
1:00 45:2 51:4 215:15
 262:12
1:15 43:16 178:9
1:30 50:9
1:36 3:2
1:45 50:9 51:4
10 11:16 21:9 52:16
 72:22 86:11 96:12
 132:19,24 134:4,15
 134:20,20 136:13
 138:8 139:5 144:21
 159:16 166:13 219:6
 234:13 257:1 279:17
 292:6
10-year 219:21
10:00 30:5 51:2,2 64:2
 109:4,5 126:5,5
 145:24
10:15 51:2
10:30 50:18
100 36:6 84:16 85:20
101 258:17
1010 14:13
1033 180:1
11 52:18
11:00 215:11,11,11
 218:13 263:16 268:9
117485 1:7 4:3 9:21
 54:12
1193 18:10
1195 18:10
12 10:10 51:3 52:20
 132:25 215:12 219:6
 219:10 220:15
12:00 215:9 262:12
 263:19
12:01 219:23
12:30 220:16
1200 30:13 46:18 52:1,4
 67:3 166:20,24
 225:18
1200-foot 234:8,13
1272 14:1
13 45:7 52:22
14 52:25 73:8,9 219:10
1412 285:8
14th 164:17 177:1
 181:21 188:9
15 53:3 83:20,24 121:17
 121:19,24 202:14

223:24 231:18 292:6
299:25 300:7

15- 112:9
1523 269:7
16 44:24 53:6 59:25
 60:1 61:13 73:20
 214:14
1629 68:19 269:12
17 53:9
1700 110:15 168:18
 169:3 190:5,21
 236:15
1717 53:4
1721 258:16
1724 53:1 73:10
1727 1:7 9:21 29:21
 45:21 52:12 73:13
 78:3 109:15
1737 268:15
18 53:12 167:8 247:9
1805 67:6
188 161:3
18th 247:24
19 53:14 61:6,9 188:15
1900 158:10,24 164:11
 164:15 166:16 167:2
 169:4,14,17 176:15
 176:25 179:21 190:20
 191:1
1928 155:12 159:3
 162:24
1946 226:15
1971 227:16
1981 14:13 21:25
1985 18:10
1992 274:15
1994 225:9,10,14 226:2
 226:4 227:24
1998 17:23
19th 35:4 239:1 266:13

2

2 14:21 25:5 51:23 82:1
 85:23 91:9 121:2,2,7
 132:2,4 210:10,17
2,000 181:2
2:00 48:1,6 50:14 63:15
 63:20 109:4 122:22
 123:6,23,24,24,25
 124:8 125:9,10,10,11
 125:12,23 262:13
 263:22 267:18 269:1
 270:3 271:7
2:30 50:14 217:9
2:oo 126:2
20 53:16 60:17,18 61:16
 61:17,20 74:25 82:7
 83:21 91:22 112:10

181:7 188:11,15,20
188:21 215:10 219:6
300:7

2005 275:4 279:3 292:3
2007 274:22
2010 14:1 222:1 277:18
 279:3 292:3
2011 222:2 234:6
 240:23
2012 277:14
2013 12:18 22:11
 241:16,18
2014 223:24 241:14
 281:14 292:3
2018 17:8 107:5 115:11
 155:5 163:4 167:1,17
 184:24 186:8,20
 189:15 194:17,19
 211:20,21 291:5
2019 186:15 189:16
 210:12,19 251:15
2020 189:16 200:14
 206:17 267:4
2021 1:12 10:2,9,10
 299:25 300:8
20th 53:1,1,4 60:4 73:5
 73:10 135:25 138:12
 138:15,19,24 139:2
 143:8,20,24 254:20
 254:24 258:17 259:9
 268:24
21 17:22 22:18 53:18
 75:14 93:15 113:1,6
 188:15 214:13 300:7
21-PRO-00017 1:8 4:2
2120 277:19
2131 267:21 274:10
21PRO00017 298:3,6
22 53:20 58:14 82:10
 157:19 188:16
22-plus 40:18
22nd 269:7 276:5,6
23 41:1,9 53:24
24 54:2 62:15,16
25 41:1,9 54:5 113:8
25-301(a)(1) 11:14
25-313 23:1,5 24:15,16
25-404 24:21
250 274:23
2574(b)(13) 298:8
2574(b)(4) 298:4
2574(d) 297:25
26 10:9 54:7 199:18,25
267 64:13 74:21 112:13
269 12:18 22:11
27 54:7 152:14,15
275 22:11
277 64:14 74:18,20,20

79:1 161:18
27th 178:10 194:18
211:21

28 54:8 62:25 63:3
 155:5
288 238:7
28th 241:16
29 10:2 54:10 62:17,18
 63:6,6,7
290 21:25
293 21:25
29th 200:14 206:17
2B 1:8 2:20 6:15 7:19
 10:3 32:5 238:1
2B06 6:16
2d 34:21 175:5,13
 178:21 181:10,11
2nd 17:22 18:9,9
 182:13,13,15,22

3

3 14:22 25:8 51:25 86:4
 88:9 122:5,7 136:9
 208:19 239:8 299:23
3-22 126:25
3:00 33:4 35:20 48:2,3,7
 63:15,21,22 91:10
 109:6 122:23 123:7
 124:1,1,9 125:13,14
 138:4 217:9 263:22
 267:18 269:1 270:4
 271:7
30 1:12 54:13,18,19
 63:5 64:6 85:19
 102:23 114:18 224:14
 225:11,12
300 34:13 239:8 263:1
31 54:16,16,21
34-years-old 236:7
35 113:8
38 30:12,14 46:17 48:25
 67:3
3D 34:15 175:2 184:2,3
3rd 43:15 175:3 178:20
 179:19

4

4 14:23 25:11 52:2
 88:16 90:14 92:8
4,900 153:21
4:00 276:19
4:48 152:7,10
4:55 152:8,11
40 114:18 173:23
404 20:20
405 299:24
43 21:24
433 14:13

442 18:8
49 147:2
499 18:9

5

5 24:1 51:11,16,18 52:5
 71:19,23 97:8 98:22
 99:3 208:18,19
5,000 184:7
5:15 149:24 150:1
50 73:17,19 85:19,20
 146:20 147:1,2,2
 259:8 261:1
51 152:14,14
574(b) 299:7
584-590 17:22
5th 194:17 211:20

6

6 52:7 99:6,22 100:3
6/17 51:3
6:00 91:7 123:22
6:56 256:25 257:6
60 29:14,15 259:8
60,000 239:7
68 227:2
6th 210:12,19

7

7 52:9 91:8 99:20
7:00 48:1,2,3 63:14,15
 93:23 122:23 123:6
 123:22,23,23,24,25
 123:25 124:1,4,8,9,24
 125:9,9,10,11,12,12
 125:13,19
7:05 257:3,4
7:07 257:7
7:30 181:9
7:42 289:24 290:6
7:50 289:24,25 290:1,7
 290:9
70 58:4 166:22 188:22
711 274:11
725 25:8
726 25:8
75 12:17 22:10

8

8 52:11 99:20 166:13
 206:20 207:8
8-29-20 106:23
8:00 215:9
8:05 301:20
800 13:24

9

9 52:14 72:9 123:8

9:00 48:5,6 63:20,21,21
 122:22 123:5 181:9
9:30 268:11
90 159:16 297:16
96 164:5
96-hour 168:12
99 220:17 226:7
992 13:25
9th 15:22 31:6 32:23
 33:10 46:2 50:13
 106:7 108:13,20,21
 108:22 109:3,14
 110:1,1,16 115:20
 117:8 128:10 155:12
 156:21 157:3,23
 158:10,24 159:3
 162:24 164:10,11,15
 164:16,19,22 165:7
 166:16 167:2 169:5
 169:14,18 176:15,25
 176:25 179:21 188:8
 190:20 191:1 200:20
 232:13 291:15 300:8

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Signature Lounge

Before: DCABRA

Date: 06-30-21

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