

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

IN THE MATTER OF: :
 :
EI, LLC, :
t/a Bricklane Restaurant :
517 8th Street SE :
Retailer CT - ANC 6B :
License #109778 :
Case #21-CMP-00022 :
 :
(Request for Expedited :
Hearing Regarding Cease :
and Desist Board Order :
No. 2021-479) :

Thursday
August 26, 2021

The Alcoholic Beverage Control Board
met via WebEx videoconference, Chairperson
Donovan W. Anderson presiding.

PRESENT:
DONOVAN W. ANDERSON, Chairperson
RAFI ALIYA CROCKETT, Member
EDWARD S. GRANDIS, Member
JENI HANSEN, Member
JAMES SHORT, JR., Member
ALSO PRESENT:
SIMONE ANDREWS, DC ABRA Staff
ELALAMI IKHIAR, Licensee
MARK RUIZ, DC ABRA Investigator
JAMES ZELLOE, Licensee's Counsel

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

10:04 a.m.

1
2
3 CHAIRPERSON ANDERSON: We are on the
4 record. Good morning, everyone. As Chairperson
5 of the Alcoholic Beverage Control Board for the
6 District of Columbia, and in accordance with DC
7 Code Section 256 of the Open Meetings Act, I am
8 welcoming you to the regularly scheduled meeting
9 of the Alcoholic Beverage Control Board.

10 This meeting is being conducted
11 pursuant to guidance made available by the
12 District of Columbia's Office of Open Government
13 regarding electronic meetings held by public
14 bodies during the public emergency. Pursuant to
15 this guidance, notice of today's meeting was
16 provided 48 hours in advance of the meeting on
17 ABRA's website and on the District's central
18 meeting calendar. The notice includes the time,
19 date, agenda, and call-in or log-in information
20 for public participation. This electronic
21 meeting is being hosted by a Webex account
22 provided by the District of Columbia Government.
23 Please address any questions or concerns to the
24 OOG at opengovoffice@dc.gov.

25 My name is Donovan Anderson. I'm

1 Chairman of the Board. I would like to introduce
2 the other members of the ABC Board who are also
3 participating electronically pursuant to Mayor's
4 Order 2021-096. Please respond when I announce
5 your name. Mr. James Short.

6 MEMBER SHORT: Mr. James Short
7 present.

8 CHAIRPERSON ANDERSON: Ms. Rafi
9 Crockett.

10 MEMBER CROCKETT: Rafi Crockett
11 present.

12 CHAIRPERSON ANDERSON: Ms. Jeni
13 Hansen.

14 MEMBER HANSEN: Jeni Hansen present.

15 CHAIRPERSON ANDERSON: Mr. Edward
16 Grandis.

17 MEMBER GRANDIS: Edward Grandis
18 present.

19 CHAIRPERSON ANDERSON: The Board has
20 five members in attendance for the conduct of
21 business today and that constitutes a quorum.

22 Before we get underway with today's
23 hearing content, I need to make a few
24 instructions very clear so that the conduct of
25 these hearings is understood by everyone. There

1 is actually one case scheduled for day. Once
2 your case is called, I will take a moment for our
3 IT specialists to elevate the rights for each
4 party to enable their camera and microphone.
5 Then, and only then, will you have the ability to
6 enable your equipment.

7 At the conclusion of each case, the
8 parties will have the option to leave. If the
9 party chooses to stay, all cameras and
10 microphones for the concluding case will be
11 disabled. Should you have any questions or
12 require technical assistance during the hearing,
13 please submit them using the question and answer
14 feature or email simone.andrews2@dc.gov.

15 Our first order of business is a fact
16 finding hearing, a contested fact finding
17 hearing, Case Number 21-CMP-00022, Bricklane
18 Restaurant, License Number 109778.

19 Ms. Andrews, can you please elevate
20 the rights of the parties? We should have the
21 investigator and we should have the Licensee.

22 MS. ANDREWS: Stand by.

23 CHAIRPERSON ANDERSON: Thank you.

24 MS. ANDREWS: Investigator Ruiz, your
25 rights have been elevated. An attorney for this

1 case, is a call-in. I'm going to go ahead and
2 unmute his line.

3 CHAIRPERSON ANDERSON: There is an
4 attorney?

5 MS. ANDREWS: He hasn't joined yet but
6 he's also going to be a call-in.

7 CHAIRPERSON ANDERSON: I'm sorry, who
8 is the attorney?

9 MS. ANDREWS: The attorney is --
10 (Simultaneous speaking.)

11 CHAIRPERSON ANDERSON: All right.
12 Well, elevate everyone's rights and then I will
13 find out what's going on.

14 MS. ANDREWS: Okay. The attorney is
15 a call-in.

16 MR. ZELLOE: Good morning. James
17 Zelloe.

18 CHAIRPERSON ANDERSON: Hold on, sir.
19 Hold on, sir. Hold on.

20 MS. ANDREWS: I have unmuted his line.
21 His name is -- can go ahead and announce
22 yourself, sir, so we can see check your audio.

23 MR. ZELLOE: Okay. My name is James
24 Zelloe, Z-E-L-L-O-E.

25 CHAIRPERSON ANDERSON: Zelloe, Z --

1 I'm -- spell your last name again, sir.

2 MR. ZELLOE: Z as in Zebra-E-L-L-O-E,
3 Zelloe, yes, correct, if you can hear me.

4 CHAIRPERSON ANDERSON: Yes. Who else
5 is on the line? All right. Is the licensee on
6 the line? And who is it that you represent, Mr.
7 Zelloe? Mr. Zelloe?

8 MR. ZELLOE: Yes.

9 CHAIRPERSON ANDERSON: Who do you
10 represent, sir?

11 MR. ZELLOE: I represent Mr. Ikhiar
12 and Bricklane Restaurant. EL, LLC. E-L, LLC.

13 CHAIRPERSON ANDERSON: All right. Mr.
14 Zelloe, did you enter your appearance or did you
15 submit a designated representative form to the
16 agency, sir?

17 MR. ZELLOE: I just -- I just found
18 out about this hearing very late last night. I
19 registered for this hearing today. I have not
20 submitted an appearance on paper to the Board.

21 (Simultaneous speaking.)

22 CHAIRPERSON ANDERSON: -- sir, and I
23 need -- where is the owner? Where -- is -- Ms.
24 --

25 MR. ZELLOE: The owner should be on

1 the phone also.

2 CHAIRPERSON ANDERSON: All right. Ms.
3 Andrews, is the owner on the phone, the licensee
4 on the phone?

5 MS. ANDREWS: He has not called in
6 yet, sir.

7 MR. ZELLOE: I've been in touch with
8 him this morning on numerous occasions --

9 (Simultaneous speaking.)

10 CHAIRPERSON ANDERSON: Well, Mr.
11 Zelloe, there are two things I'm going to need to
12 acquire. I need the licensee to appear on the
13 line, and I need the licensee to inform us that
14 you are his representative, because you have not
15 submitted to this agency. So if we have this
16 hearing today, I'm going to ask you is that you
17 need to submit a letter of -- I'm sorry, your --
18 a letter of appearance to -- or a designated
19 representative to this agency, sir. But we need
20 to find out where the licensee is.

21 MR. ZELLOE: Yes. I'm -- I just
22 texted him. I was expecting him to be on at this
23 time.

24 MS. ANDREWS: Mr. Chair, I do see a
25 call-in that just popped in. I'm going to go

1 ahead and unmute the line. Phone number
2 beginning in 202-985, could you please announce
3 yourself?

4 MR. IKHIAR: My name is Elalami
5 Ikhlar.

6 MS. ANDREWS: Thank you.

7 CHAIRPERSON ANDERSON: Good morning,
8 Mr. Ikhlar.

9 MR. IKHIAR: Hello.

10 CHAIRPERSON ANDERSON: Good morning,
11 sir. And who are you, sir?

12 MR. IKHIAR: My name is Elalami
13 Ikhlar. I'm the owner of the business, Mekki, at
14 517 8th Street SE.

15 CHAIRPERSON ANDERSON: All right.
16 Now there is a Mr. Velour (phonetic) [sic] on the
17 phone who says that he's an attorney representing
18 you, sir; is that correct?

19 MR. IKHIAR: Yes, he is.

20 CHAIRPERSON ANDERSON: All right. So
21 is there anyone else who will be joining us
22 today?

23 MR. ZELLOE: No.

24 MR. IKHIAR: Just me..

25 CHAIRPERSON ANDERSON: All right.

1 Okay. Mr. Velour [sic], since you are now the
2 attorney, so I will be -- we can move it forward.
3 I will be speaking to you, sir.

4 MR. IKHIAR: Is that Jim? Hello?

5 MR. ZELLOE: Yes, I'm here.

6 MR. IKHIAR: Jim? Okay.

7 CHAIRPERSON ANDERSON: All right.

8 Moving forward, since Mr. Velour [sic] states
9 that he's the attorney representing you, Mr. --
10 you, the licensee, each time I speak, I will be
11 addressing my statements to the attorney, and
12 then the attorney will suggest -- then the
13 attorney will state whether or not -- if he
14 cannot answer the question, then he will state
15 whether or not you will answer the questions.
16 Okay. All right.

17 MR. IKHIAR: Okay. I just speak when
18 you guys ask me the questions personally, right?

19 CHAIRPERSON ANDERSON: Well, I am
20 going to ask the attorney a question, and then
21 your attorney can direct you whether or not you
22 should speak, sir, okay?

23 MR. IKHIAR: That is fine.

24 CHAIRPERSON ANDERSON: All right. I
25 need everyone to identify themselves for the

1 record. Let's start with the investigator. Can
2 you please spell and state your name for the
3 record, please?

4 INVESTIGATOR RUIZ: Yes. My name is
5 Mark, M-A-R-K, last name Ruiz, R-U-I-Z.

6 CHAIRPERSON ANDERSON: Thank you. Mr.
7 Velour [sic], can you please state and spell your
8 name for the record, please?

9 MR. ZELLOE: My name is James Zelloe,
10 Z as in Zebra-E-L-L-O-E.

11 CHAIRPERSON ANDERSON: I'm sorry.
12 Hold on one more times. What is your first name,
13 sir?

14 MR. ZELLOE: James or Jim.

15 CHAIRPERSON ANDERSON: And your last
16 name again, sir?

17 MR. ZELLOE: Zelloe. It sounds like
18 Jello with a Z at the beginning and an E on the
19 end.

20 CHAIRPERSON ANDERSON: Z-E-L-L-O-E?

21 MR. ZELLOE: Correct.

22 CHAIRPERSON ANDERSON: All right, Mr.
23 Zelloe. Mr. Ikhiar, can you please state and
24 spell your name for the record, please?

25 MR. IKHIAR: My name is Elalami

1 Ikhlar. Elalami is E-L-A-L-A-M-I, Ikhlar, I-K-H-
2 I-A-R.

3 CHAIRPERSON ANDERSON: Mr. Ikhlar.
4 Good morning, Mr. Ikhlar. Good morning, Mr.
5 Zelloe.

6 MR. IKHLAR: Good morning.

7 CHAIRPERSON ANDERSON: Good morning,
8 Mr. Ruiz.

9 MR. ZELLOE: Good morning.

10 CHAIRPERSON ANDERSON: All right.
11 Thank you.

12 I just want to remind the parties that
13 this is a contested hearing, which means that it
14 is an evidentiary hearing and as such, testimony
15 will be sworn and exhibits will be admitted into
16 the record. So I just want everyone to know
17 that.

18 All right. The licensee of record,
19 Mr. Elalami Ikhlar owns 100 percent of the
20 establishment, Bricklane Restaurant. And
21 Bricklane Restaurant is the name of the licensed
22 establishment that is before the Board today. I
23 heard Mr. Ikhlar mention Mekki DC, but I just
24 want the record to reflect that the name of
25 record that is with ABRA is Bricklane Restaurant.

1 That is the name of record. That's the only name
2 that we will recognize today. I just want the
3 record to reflect that. All right. So Mr.
4 Ikhiar, he owns 100 percent.

5 Now, there is a Mohammed Karrakchou,
6 K-A-R-R-A-K-C-H-O-U, who is the individual who
7 represented to Investigator Ruiz that he was the
8 new owner and that he had taken over the business
9 in February of 2020.

10 All right. We're here today at the
11 request of Mr. Ikhiar who desires to challenge
12 the Board's cease and desist order issued on
13 August 11, 2021. ABRA's record show that a
14 Retailer Class CT license has been issued to El,
15 LLC, trade name Bricklane Restaurant, located at
16 517 8th Street, SE, Washington, D.C. ABRA's
17 records further show that the sole owner of
18 Bricklane is Mr. Elalami Ikhiar. Board Order
19 Number 2021-457 was issued in response to
20 Investigative Report Number 21-CMP-00022.

21 On Monday, June 28, 2021, ABRA
22 Investigator Mark Ruiz conducted a regulatory
23 inspection at the establishment to verify the
24 ownership of Bricklane. ABRA enforcement was
25 contacted by the attorney for the landlord of the

1 building at 517 8th Street, SE, who suspected
2 that the owner was no longer operating the
3 business. Upon arrival at the establishment,
4 Investigator Ruiz observed that the establishment
5 was operating as Mekki, M-E-K-K-I, DC, which was
6 the trade name used on the restaurant's menu.

7 Additionally, Investigator Ruiz
8 noticed that the signage for the Board-approved
9 trade name Bricklane Restaurant had been removed
10 from the building. Inside the establishment,
11 Mohammed Karrakchou identified himself as the
12 owner. Mr. Karrakchou indicated that he knew Mr.
13 Ikhlar well and that Mr. Ikhlar was overseas and
14 would not be returning to the United States. Mr.
15 Karrakchou admitted that he had been operating
16 the establishment since February of 2020. He
17 also stated that he had submitted transfer
18 application documents to ABRA. Investigator Ruiz
19 later confirmed with ABRA's licensing division
20 that no transfer application had been filed nor
21 did the Board approve a change in the
22 establishment's trade name.

23 The Board subsequently issued a cease
24 and desist order on August 11, 2021 in order to
25 determine the true and actual owner of the

1 license and whether it has been lawfully managed
2 by someone other than the owner.

3 I will start this hearing by taking
4 sworn testimony from ABRA Investigator Mark Ruiz
5 followed by Mr. Ikhlar. If Mr. Elalami Ikhlar
6 will have -- Mr. Ikhlar will then have an
7 opportunity to cross-examine Investigator Ruiz as
8 well as put on any witnesses of his own, also
9 subject to cross-examination by the Board.

10 Are there any questions by any of the
11 parties?

12 MR. ZELLOE: No.

13 CHAIRPERSON ANDERSON: All right. So
14 I will start with Mr. Ruiz. Mr. Ruiz, can you
15 raise your right hand, please? Do you swear or
16 affirm to tell the truth and nothing but the
17 truth?

18 INVESTIGATOR RUIZ: I do.

19 CHAIRPERSON ANDERSON: All right.

20 Good morning, Mr. Ruiz.

21 INVESTIGATOR RUIZ: Good morning.

22 DIRECT EXAMINATION

23 CHAIRPERSON ANDERSON: Can you again
24 state your name for the record, please?

25 INVESTIGATOR RUIZ: My name is Mark,

1 M-A-R-K, last name Ruiz, R-U-I-Z.

2 CHAIRPERSON ANDERSON: And where are
3 you currently employed, Mr. Ruiz?

4 INVESTIGATOR RUIZ: With the Alcoholic
5 Beverage Regulation Administration.

6 CHAIRPERSON ANDERSON: And how are you
7 -- how long have you been employed at the agency,
8 sir?

9 INVESTIGATOR RUIZ: A little over two
10 and a half years now.

11 CHAIRPERSON ANDERSON: And what is
12 your duties and your responsibility at the
13 agency, sir?

14 INVESTIGATOR RUIZ: I was employed as
15 an investigator. My duties include inspecting
16 and investigating ABC licensed establishments
17 located within the District of Columbia.

18 CHAIRPERSON ANDERSON: Are you
19 familiar with Bricklane Restaurant?

20 INVESTIGATOR RUIZ: I am.

21 CHAIRPERSON ANDERSON: And how did you
22 become familiar with this establishment, sir?

23 INVESTIGATOR RUIZ: Conducting a
24 regulatory inspection there and conducting a
25 trade name investigation as well.

1 CHAIRPERSON ANDERSON: And when did
2 you conduct a regulatory inspection at the --
3 this establishment?

4 INVESTIGATOR RUIZ: I'm going to say
5 April 2021.

6 CHAIRPERSON ANDERSON: You said April
7 -- April 8th --

8 INVESTIGATOR RUIZ: April 8, 2021,
9 ye.

10 CHAIRPERSON ANDERSON: Okay. Thank
11 you. As far as ABRA's records are concerned,
12 sir, who is the owner of Bricklane Restaurant?

13 INVESTIGATOR RUIZ: ABRA records show
14 the owner as EI, E-I, LLC, sole owner of -- Mr.
15 Elalami Ikhlar.

16 CHAIRPERSON ANDERSON: And as far as
17 ABRA's records are concerned, what is the name of
18 the establishment that is in ABRA's records?

19 INVESTIGATOR RUIZ: Bricklane
20 Restaurant.

21 CHAIRPERSON ANDERSON: All right.
22 Thank you. Now when you -- all right, so when
23 you went to the establishment to do the
24 regulatory inspection, who did you meet, who
25 greeted you at the -- let me ask you a question.

1 You went to the restaurant establishment and who
2 did you ask to see, sir?

3 INVESTIGATOR RUIZ: I had requested to
4 speak with an ABC manager or owner present on the
5 establishment.

6 CHAIRPERSON ANDERSON: And who
7 identified themself to you, sir?

8 INVESTIGATOR RUIZ: On this day, Ms.
9 Siham Zouine identified herself to me.

10 CHAIRPERSON ANDERSON: I'm sorry, who?

11 INVESTIGATOR RUIZ: Siham Zouine.

12 CHAIRPERSON ANDERSON: And who was
13 that person?

14 INVESTIGATOR RUIZ: She identified
15 herself as an owner, as part of a partnership.

16 CHAIRPERSON ANDERSON: Can you spell
17 that person's name, sir?

18 INVESTIGATOR RUIZ: Yes. First name's
19 S-I-H-A-N, last name Zouine, Z-O-U-I-N-E.

20 CHAIRPERSON ANDERSON: Now -- so did
21 you conduct the regulatory inspection with that
22 person?

23 INVESTIGATOR RUIZ: Yes.

24 CHAIRPERSON ANDERSON: Now was this
25 the only time that you conducted a regulatory

1 inspection at this establishment?

2 INVESTIGATOR RUIZ: On this particular
3 day, I did revisit to try to contact the other
4 half of the partnership that she had identified.

5 CHAIRPERSON ANDERSON: Have you ever
6 spoken to any other individuals at the
7 establishment who has identified themselves as an
8 owner of this establishment?

9 INVESTIGATOR RUIZ: Yes. I spoke to
10 Mr. Karrakchou on June 24, 2021.

11 CHAIRPERSON ANDERSON: Who did you
12 speak -- on June -- on what day again, sir?

13 INVESTIGATOR RUIZ: June 24, 2021, I
14 spoke to Mr. Mohammed Karrakchou.

15 CHAIRPERSON ANDERSON: And why did you
16 go back to the establishment on June 24th?

17 INVESTIGATOR RUIZ: In hopes to speak
18 to Mr. Karrakchou to get more understanding of
19 what the current ownership was.

20 CHAIRPERSON ANDERSON: No. I'm saying
21 why -- how did you know this name "Mr.
22 Karrakchou?" Where did that name come from?

23 INVESTIGATOR RUIZ: It was identified
24 to me by Ms. Siham Zouine, the other partner.

25 CHAIRPERSON ANDERSON: So Ms. Siham,

1 she identified Mr. Karrakchou as the other owner
2 of this establishment?

3 INVESTIGATOR RUIZ: Yes.

4 CHAIRPERSON ANDERSON: But did she, at
5 any point, identify Mr. Ikhiar as an owner of the
6 establishment?

7 INVESTIGATOR RUIZ: No.

8 CHAIRPERSON ANDERSON: Now are -- how
9 are you -- are you familiar with Mr. Karrakchou?

10 INVESTIGATOR RUIZ: I am.

11 CHAIRPERSON ANDERSON: Do you know
12 whether or not this individual holds any other
13 licenses?

14 INVESTIGATOR RUIZ: From my
15 understanding, he does hold another ABC license
16 in the District.

17 CHAIRPERSON ANDERSON: And what is --
18 what establishment, if any, does he -- what
19 establishment does he own a license for?

20 INVESTIGATOR RUIZ: Flavio.

21 CHAIRPERSON ANDERSON: And what's
22 Flavio?

23 INVESTIGATOR RUIZ: It is a restaurant
24 located within Georgetown.

25 CHAIRPERSON ANDERSON: Now do you know

1 whether or not Mr. Karrakchou is an ABC licensed
2 manager or just an owner?

3 INVESTIGATOR RUIZ: No, just known as
4 an owner.

5 CHAIRPERSON ANDERSON: All right. Now
6 once the regulatory inspection -- tell me about
7 the regulatory inspection that you did? You can
8 tell me the both times you went to the
9 establishment. So tell me -- you said you did a
10 regulatory inspection. Explain that to me,
11 please? What is it that you do during these
12 inspections?

13 INVESTIGATOR RUIZ: So on April 8th,
14 I went there just to conduct a quick inspection
15 of the building based off of the trade name to
16 ensure that trade name matched the license.
17 Basically, we just --

18 CHAIRPERSON ANDERSON: Let's back --

19 INVESTIGATOR RUIZ: -- inspected the
20 window lettering.

21 CHAIRPERSON ANDERSON: Hold on. Let
22 me back up. What trade name are you talking
23 about to see whether or not the trade name
24 matches the license?

25 INVESTIGATOR RUIZ: So the trade name

1 was currently Mekki, M-E-K-K-I. However, the
2 license on record and the window lettering was
3 stating Bricklane Restaurant, so there was a
4 conflict between those two.

5 CHAIRPERSON ANDERSON: All right. So
6 tell me further about the regulatory inspection
7 that you did?

8 INVESTIGATOR RUIZ: So basically, I
9 went there to identify the owner as well as speak
10 to that same individual in regards to the trade
11 name. I checked the license, see the window
12 lettering, whether or not there was an ABC
13 manager on duty at the time, and that was
14 basically it. No additional violations were
15 located other than with the trade name issue.

16 CHAIRPERSON ANDERSON: Now did you
17 look at invoices?

18 INVESTIGATOR RUIZ: I did not look at
19 invoices, no.

20 CHAIRPERSON ANDERSON: Now -- all
21 right, so did you have a chance to speak to Mr.
22 Karrakchou?

23 INVESTIGATOR RUIZ: I did.

24 CHAIRPERSON ANDERSON: And what
25 information were you able to gather from Mr.

1 Karrakchou?

2 INVESTIGATOR RUIZ: Mr. Karrakchou
3 explained to me that he had acquired the business
4 in February of 2020 from Mr. Ikhiar and that they
5 were testing out Mekki and Mekki's menu for the
6 establishment at which -- and stated to me, when
7 I asked about Mr. Ikhiar, him and his
8 relationship, he did indicate to me that he does
9 know Mr. Ikhiar, is a friend of his, that Mr.
10 Ikhiar was overseas at home, and he did not
11 believe that he was returning to the United
12 States and that he assumed the business in
13 February 2021 to include his work email --
14 business email and the establishment and was
15 looking to make a trade name change as soon as he
16 identified the right name and menu to use for the
17 facility. And that was basically our
18 conversation.

19 CHAIRPERSON ANDERSON: Hold on a
20 minute, Mr. Ruiz.

21 INVESTIGATOR RUIZ: Yes.

22 CHAIRPERSON ANDERSON: Can both call
23 in individuals, can you please mute your
24 microphone, please? So please mute your phone
25 because we're getting some feedback, please. All

1 right. Go ahead, Mr. -- so -- all right, so Mr.
2 Ruiz, you stated that -- I'm sorry, what is it
3 that you said Mr. Karrakchou was doing, what did
4 he express to you?

5 INVESTIGATOR RUIZ: That after
6 acquiring the business in February 2020, he was
7 testing out what he identified as a popup called
8 "Mekki" with a new menu different from what was
9 from Bricklane and wasn't sure whether he wanted
10 to use that as the permanent operation in the
11 building.

12 CHAIRPERSON ANDERSON: All right. Now
13 in viewing ABRA's records, do you see Mr.
14 Karrakchou's name on any documents within ABRA?

15 INVESTIGATOR RUIZ: I have not, not
16 with regards to Bricklane or Mekki.

17 CHAIRPERSON ANDERSON: So did you have
18 any conversation with Mr. Karrakchou regarding
19 this -- the fact that he's stating that he's now
20 the owner of record and that there are -- you did
21 not see his name within our records that he was
22 the owner?

23 INVESTIGATOR RUIZ: Correct. I did
24 explain that to him, he was stating he was the
25 owner but he was not on record as the owner, and

1 that he said they were going to be taking care of
2 the paperwork relatively soon.

3 INVESTIGATOR RUIZ: And can you
4 elaborate what is it that he stated that day
5 other than take care of the record relatively
6 soon; what was -- what did --

7 INVESTIGATOR RUIZ: So they intended
8 to do a trade name and ownership paperwork. I
9 spoke to him on June 28, 2021. I believe that
10 was towards the end of the week, if I'm not
11 mistaken, and that he had planned on contacting
12 our licensing division and having ownership
13 changed with the transfer application by that
14 next Monday morning.

15 CHAIRPERSON ANDERSON: now have you
16 had an opportunity to speak with Mr. Ikhiar, the
17 owner of record as far as ABRA is concerned at
18 any point?

19 INVESTIGATOR RUIZ: I have not. I
20 have tried the contact information we've had on
21 file, but I was unable to get in contact with
22 him.

23 CHAIRPERSON ANDERSON: Now are you
24 aware that ABRA has issued a cease and desist
25 order regarding the continued operation of this

1 business?

2 INVESTIGATOR RUIZ: I was aware, yes.

3 CHAIRPERSON ANDERSON: All right.

4 Since the issuance of the cease and desist order,
5 have you done any monitoring or are you aware if
6 any other investigator in the agency has done any
7 monitoring of this establishment?

8 INVESTIGATOR RUIZ: No.

9 CHAIRPERSON ANDERSON: I'm sorry, no
10 to what, you've not done any --

11 INVESTIGATOR RUIZ: I have not done
12 monitoring and I am not -- I do not know of any
13 other investigator that has done any monitoring.

14 CHAIRPERSON ANDERSON: Now have you
15 checked any records at DCRA regarding the
16 ownership, the relationship regarding Mr. Ikhlar
17 and Mr. Karrakchou?

18 INVESTIGATOR RUIZ: I have not, no.

19 CHAIRPERSON ANDERSON: Are you
20 familiar with Mekki's DC website?

21 INVESTIGATOR RUIZ: I recall being on
22 it briefly, yes.

23 CHAIRPERSON ANDERSON: So why did you
24 go check the website; why were you on that
25 website?

1 INVESTIGATOR RUIZ: I believe just
2 looking at the name at the time to see whether it
3 was existent online. This was -- yes.

4 CHAIRPERSON ANDERSON: And so let me
5 ask you a question. What information -- you said
6 you went briefly online, so what information were
7 you able to gather as a result of browsing their
8 website?

9 INVESTIGATOR RUIZ: I just basically
10 took a look at the -- I saw photos of food and a
11 menu. It was quite a time ago. I don't recall
12 too much from it.

13 CHAIRPERSON ANDERSON: Do you recall
14 if the establishment, Mekki DC, is at the same
15 location as Bricklane?

16 INVESTIGATOR RUIZ: Yes.

17 CHAIRPERSON ANDERSON: Mr. Ruiz, do
18 you have your report handy with you?

19 INVESTIGATOR RUIZ: Yes.

20 CHAIRPERSON ANDERSON: Are you -- Ms.
21 Andrews, are you able to -- can you give Mr. Ruiz
22 the ability to share his screen? I'm sorry, do
23 you have it so you can share your screen, are you
24 able to do that, Mr. Ruiz.

25 INVESTIGATOR RUIZ: I can pull it up

1 out of my documents, yes.

2 CHAIRPERSON ANDERSON: Yes. I would
3 like you to do that, sir.

4 MS. ANDREWS: Mr. Ruiz, I'm going to
5 give you the rights to your screen. Stand by.

6 INVESTIGATOR RUIZ: Thank you.

7 MS. ANDREWS: Okay. You can share
8 your screen now.

9 INVESTIGATOR RUIZ: Thank you. Okay,
10 let's see, share.

11 CHAIRPERSON ANDERSON: All right. Mr.
12 Ruiz, you have your report in front of you. Now
13 tell me about -- I need to look again on the
14 report -- and let us know -- let me know when is
15 it that -- when you visited the establishment on
16 -- I want to -- just want to make sure that
17 within your report if there are any references in
18 your report whether or not you had done -- you
19 had looked at the alcohol invoices. I'm curious
20 if you did put that on --

21 INVESTIGATOR RUIZ: No. I don't
22 recall seeing anything like that. I haven't
23 checked alcohol invoices there.

24 CHAIRPERSON ANDERSON: Mr. Ruiz, do
25 you have access to a settlement agreement between

1 this establishment and the agency? Do you have
2 access that settlement agreement?

3 INVESTIGATOR RUIZ: I believe I can
4 pull it up, yes.

5 (Pause.)

6 INVESTIGATOR RUIZ: Hang on one
7 second, we'll pull it right up.

8 CHAIRPERSON ANDERSON: Sure.

9 MS. ANDREWS: Investigator Ruiz

10 INVESTIGATOR RUIZ: Yes.

11 MS. ANDREWS: Take your cursor and put
12 it to the top of your screen and hit "stop
13 sharing" for a second. Move your cursor --

14 (Simultaneous speaking.)

15 MS. ANDREWS: Okay. Now whatever
16 evidence you're trying to show, which application
17 is it using?

18 INVESTIGATOR RUIZ: I was bringing the
19 settlement agreement up through the G Drive.

20 MS. ANDREWS: Okay. Is it Adobe file,
21 is it a PDF file or a Word file?

22 INVESTIGATOR RUIZ: It was PDF.

23 MS. ANDREWS: Okay. So open the file
24 and it's going to open in Adobe. Then you will
25 share your screen and select the Adobe software

1 to share.

2 INVESTIGATOR RUIZ: I have it
3 available right now. I'm good.

4 CHAIRPERSON ANDERSON: Well, let me
5 ask you a question, Mr. Ruiz. What's the date of
6 the settlement agreement?

7 INVESTIGATOR RUIZ: It is June 12,
8 2018.

9 CHAIRPERSON ANDERSON: All right. I
10 don't need to -- that's the only settlement
11 agreement that you have access to?

12 INVESTIGATOR RUIZ: Yes.

13 CHAIRPERSON ANDERSON: All right.
14 Well, I don't need you to testify regarding that
15 document.

16 INVESTIGATOR RUIZ: Okay.

17 CHAIRPERSON ANDERSON: All right. Now
18 let me ask you, are you aware -- you're not aware
19 of any other settlement agreement between this
20 establishment or Mekki and any other entity; is
21 that correct?

22 INVESTIGATOR RUIZ: No. That's the
23 only one I have.

24 CHAIRPERSON ANDERSON: All right. Now
25 were you informed by Mr. Karrakchou that Mr.

1 Ikhiar was out of the country?

2 INVESTIGATOR RUIZ: I was.

3 CHAIRPERSON ANDERSON: And did he tell
4 you how long that he would be out of the country
5 for?

6 INVESTIGATOR RUIZ: He didn't intend
7 for Mr. Ikhiar to return.

8 CHAIRPERSON ANDERSON: Okay. He said
9 he --

10 INVESTIGATOR RUIZ: He told me he was
11 -- he believed he was not returning to the
12 country. He didn't say in the future at all. He
13 just said he was not returning to the country.

14 CHAIRPERSON ANDERSON: All right. Now
15 law enforcement me ask, did you ever speak to any
16 of the wholesalers? All right. Since it was
17 aware -- since you became aware -- since you were
18 aware that there's a trade name change, there's a
19 different ownership from what ABRA -- what was in
20 ABRA's records, did you ever contact any of the
21 wholesalers to see where this establishment was
22 getting its alcohol from?

23 INVESTIGATOR RUIZ: I have not, no.

24 CHAIRPERSON ANDERSON: All right. Are
25 there any other questions by any of the Board

1 members?

2 (No response.)

3 CHAIRPERSON ANDERSON: All right. Mr.
4 Zelloe, do you have any questions of Mr. Ruiz?

5 MR. ZELLOE: No, I don't.

6 CHAIRPERSON ANDERSON: All right.
7 Thank you. Thank you, Mr. Ruiz, for your
8 testimony this morning.

9 INVESTIGATOR RUIZ: You're welcome.
10 Thank you.

11 CHAIRPERSON ANDERSON: Give me a
12 minute, please.

13 (Pause.)

14 CHAIRPERSON ANDERSON: All right. Mr.
15 Zelloe, I do have some questions for Mr. Ikhiar,
16 but since you're an attorney, can you tell us how
17 is it that your client -- we issued a cease and
18 desist order for this establishment. Your client
19 requested this hearing, so how is it that your
20 client intends to respond to the cease and desist
21 order.

22 MR. ZELLOE: Well, if I may, I would
23 like to give a brief summation and a proffer of
24 what Mr. Ikhiar is going to testify and then have
25 him testify directly to the Board.

1 CHAIRPERSON ANDERSON: Sure. Go
2 ahead, sir.

3 MR. ZELLOE: Okay. I'd like to state
4 that first of all, Mr. Karrakchou and Mr. Ikhiar,
5 back in February 2020, they were in discussions
6 about Mr. Karrakchou purchasing some or if all of
7 the membership interest in the LLC that currently
8 holds title to the ABC license and to the
9 establishment, to the C of O. At that time, Mr.
10 Ikhiar and Mr. Karrakchou had a concept of maybe
11 changing the name for a short period of time to
12 Mekki DC to see if it would work and how it would
13 be responded to in February. And at that time,
14 Mr. Karrakchou went down to see about putting in
15 for a change of name only on behalf of Mr.
16 Ikhiar. And nevertheless, then the shutdown
17 occurred and Mr. Ikhiar, at that time, had left
18 to go over to Morocco to see his family, because
19 he had a death in the family. And during the
20 shutdown, he couldn't come back. There was no
21 flights and he couldn't come back into the
22 country from Morocco.

23 And so during that period of time when
24 the shutdown then opened back up, Mr. Ikhiar gave
25 a power of attorney to Mr. Karrakchou to only act

1 on his behalf as his agent, and there was --
2 there still has been no change of ownership
3 whatsoever between Mr. Ikhiar and Mr. Karrakchou
4 as to any membership interest in the LLC, and Mr.
5 Ikhiar still, to this day, holds 100 percent of
6 the membership interest.

7 So, as we were going through the
8 summer, Mr. Karrakchou got in touch with seeing
9 about changing the name and filed the change of
10 name form with the -- with the ACBA and -- ABRA
11 and it was rejected weeks later due to the fact
12 that he didn't put the proper signature on there
13 as filing it on behalf of Mr. Ikhiar pursuant to
14 a power of attorney, and it was returned.

15 During that time period, Mr. Ikhiar
16 was trying to get back into the country and
17 waiting for the flights to resume. Back in two
18 months ago, the two parties began working on
19 their sale of membership interest and at the
20 time, starting to arrange documents for the
21 purposes of the filing of the change in control
22 when it could take place -- it was all predicated
23 on the agreement, and it never came to that
24 stage.

25 In the discussions, they reached out

1 to the landlord, who they're still in dispute
2 with, over the ramifications of the COVID
3 shutdown and as to the rent during the time
4 period that the restaurant was shut down. And
5 that's an ongoing dispute that's still going on,
6 and money is being escrowed for that purpose.
7 And I see that the purposes for the -- for this
8 matter, it arose from contact from the landlord
9 agent. Nevertheless, while that was being
10 discussed with the landlord trying to reach a
11 resolution, this whole situation came up.

12 Mr. Ikhiar was able to come back from
13 Morocco when the flights resumed. He's back
14 living here in D.C. He's overseeing his
15 restaurant. He's in control of the restaurant.
16 The restaurant has complied since the day -- on
17 the 11th of August where they gave a cease and
18 desist on any consumption of alcohol beverages,
19 sales or purchasing whatsoever, and that he
20 requested this hearing to clear up this whole
21 misunderstanding about the terminology of the --
22 and the uses of the language by the two Moroccans
23 that were in this facility and the cavalier use
24 of the word "owner" and what its meaning was as
25 Mr. Ikhiar has never changed his ownership.

1 And taking that into account, I'd like
2 to now have Mr. Ikhiar give his testimony as to
3 his statements as to what is going on on my
4 opening and with my opening and with my proffer
5 of what is going to be said and allow -- open for
6 cross-examination by you.

7 CHAIRPERSON ANDERSON: Sure. Mr.
8 Ikhiar, can you raise your right hand, please?

9 MR. IKHIAR: Yes.

10 CHAIRPERSON ANDERSON: So Mr. Ikhiar,
11 do you swear or affirm to tell the truth and
12 nothing but the truth?

13 MR. IKHIAR: I do.

14 CHAIRPERSON ANDERSON: All right. Mr.
15 Zelloe, you can ask him whatever questions you
16 want to ask him.

17 DIRECT

 EXAMINATION

18 MR. ZELLOE: Thank you. Mr. Ikhiar,
19 you've heard my proffer. Could you please tell
20 the Board about your relationship with Mr.
21 Karrakchou and the discussions that have been
22 taking place since February 2020?

23 MR. IKHIAR: As far as a personal
24 relationship, we're very, very good friends.
25 We've known each other for a long, long time and

1 also a friend of the family. From a business
2 standpoint, me and Mekki, we were talking about
3 either him joining my company or owning the whole
4 company at some point. And we get in discussion
5 with the landlord to allow us to do that.

6 MR. ZELLOE: And when was that?

7 MR. IKHIAR: I think we actually start
8 talking to the landlord about -- probably about a
9 month -- a month or a month-and-half before COVID
10 even started. That was the ongoing -- ongoing
11 conversation with the landlord.

12 MR. ZELLOE: Did there come a point in
13 time when you had to leave Washington, D.C. for
14 Morocco?

15 MR. IKHIAR: Yes. I had -- my
16 grandmother -- my grandmother passed away so I
17 had to leave.

18 MR. ZELLOE: And when was that about?

19 MR. IKHIAR: It was probably around --
20 just right -- like couple weeks or a week before
21 COVID or something like that, and I had to leave.

22 MR. ZELLOE: When you got over to
23 Morocco, were you able to return to Washington,
24 D.C.?

25 MR. IKHIAR: No. There was a total

1 shutdown. The United States didn't allow any
2 flights in, so there was -- there was very, very
3 few flights, mostly like embassies or something,
4 all political people that could fly. So I
5 couldn't even get a flight back. And then I had
6 the death in the family so I had to stay -- stay
7 and take care of my family.

8 MR. ZELLOE: Okay. During that time
9 period, did you give any authorization to Mr.
10 Karrakchou to work on your behalf?

11 MR. IKHIAR: Yes, I did.

12 MR. ZELLOE: And what kind of
13 authorization did you give him?

14 MR. IKHIAR: It was a power of
15 attorney, and I signed it to him because it was
16 -- I didn't know when the borders would be open,
17 so I want to make sure that my taxes are paid,
18 make sure that my employees are taken care of,
19 and the restaurant is open.

20 MR. ZELLOE: Now at the time you gave
21 him power of attorney, was it your understanding
22 -- did you have any understanding whether or not
23 he had any manager license or an ABC license of
24 his own?

25 MR. IKHIAR: No. I just make sure

1 that - -because first of all, he's an owner of
2 another restaurant. Usually, owners don't have a
3 license but because he was helping me in my place
4 and he's in my place, he always had a person,
5 either a bartender or a manager on the floor with
6 a manager's license.

7 MR. ZELLOE: So there was -- during
8 that time period, there was always someone in
9 your facility who was listed on the ABC license
10 --

11 MR. IKHIAR: Exactly.

12 MR. ZELLOE: -- that was there
13 dispensing --

14 MR. IKHIAR: It would be usually the
15 -- like, yes, it's a DC manager's license, ABRA
16 manager's license.

17 MR. ZELLOE: And your facility always
18 had someone dispensing alcohol and working there
19 with that license?

20 MR. IKHIAR: Always somebody with the
21 license. There was no way. I own a business for
22 a long time. I understand the ramifications of
23 not having somebody with a manager's license and
24 I just made sure that Mekki followed those
25 things, my rules, and he knows that because he

1 owns another restaurant. He knows what it takes
2 to operate.

3 MR. ZELLOE: At the time that you
4 received the cease and desist order on August the
5 11th, up to that time period, did you have
6 someone at your restaurant that was -- had a
7 manager's license with the ABC.

8 MR. IKHIAR: Yes, sir.

9 MR. ZELLOE: Okay. And he was
10 designated on the license --

11 MR. IKHIAR: Usually, they're not on
12 the license. No. Usually, they're not -- they -
13 - just the people that -- you know, he cannot be
14 writing people's names on a license. People
15 leave work and all. So, usually, ABRA has a
16 licensing and people get it from ABC and we just
17 use the license.

18 MR. ZELLOE: Okay. Have you ever
19 transferred ownership of your entity to Mr.
20 Karrakchou?

21 MR. IKHIAR: No.

22 MR. ZELLOE: As of today, do you still
23 own EI, E-I, LLC?

24 MR. IKHIAR: Yes, sir.

25 MR. ZELLOE: Okay. Could you discuss

1 with the Board this whole matter involving the
2 transformation and the use from Bricklane
3 Restaurant over to Mekki DC?

4 MR. IKHIAR: Yes, of course. So, we
5 were operating as Bricklane Restaurant, and it
6 was very, very difficult having the type of food
7 that we had done because we had Matchbox next
8 door. We had different places that were serving
9 the same thing, and it was very, very difficult
10 for us to survive. And Mekki had a really nice
11 restaurant in New York called "Mekki." And he's
12 a very good friend of mine. And he was just
13 like, why don't we try Moroccan food here? That
14 might be a good addition to the neighborhood and
15 something different we can work with.

16 So we decided to do a popup for a
17 little bit to see if it's going to work or not.
18 For our good luck, and bad luck at this point,
19 where we're at right now, Mekki was rated one of
20 the top 15 restaurants in DC by Eater magazine,
21 and we decided -- we made the decision this is
22 exactly what we're looking for, and being
23 Moroccans, said this is the best thing to do is
24 serve our food that we know, and it's something
25 different in DC. And it took off. So we're

1 decided to do the trade name, which is actually
2 we did as soon as that thing took off, we sent an
3 application for a trade name with DCRA. And then
4 we sent it to Ms. Sullivan (phonetic). We sent
5 her the application. And that's it. I mean
6 there is no change of ownership. But at this
7 point, I'm still here. I want my restaurant
8 back. I want to my business license back, you
9 know, and that's it.

10 MR. ZELLOE: And what happened -- do
11 you know what happened with that registration?

12 MR. IKHIAR: So I think he, Mekki --
13 so, sometimes simple things -- thinks that
14 they're ones that you think they're so simple,
15 but sometimes nothing is simple. I mean, we
16 applied for the change of trade name, to add the
17 trade name Mekki to the license. And we went
18 through the proper channels to do so. It just
19 took a little too long. And then when the
20 inspector came and he was talking about not
21 having the trade name, and he's -- well,
22 actually, it was the one we gave Mekki the
23 application or the link to go and file to add the
24 trade name to the license.

25 MR. ZELLOE: Did you realize that

1 there was a insufficient filing and it was
2 returned?

3 MR. IKHIAR: When I got here, yes,
4 because we just thought that, because of COVID,
5 people were working from home and it takes time
6 to get things done, and we figured it's going to
7 take a little bit of time. And so until I got
8 the report that said it was refused because it
9 was insufficient information in there.

10 MR. ZELLOE: When you came back into
11 Washington, D.C., did you take over possession
12 and control of your restaurant?

13 MR. IKHIAR: Yes, sir.

14 MR. ZELLOE: And to this day, do you
15 still have control of your restaurant?

16 MR. IKHIAR: Yes, I do.

17 MR. ZELLOE: Are you in discussions at
18 this point in time with your landlord about
19 trying to resolve the past due rent from the
20 COVID shut downs?

21 MR. IKHIAR: We tried so hard, and
22 especially Mekki, because when I was away, it was
23 they had to talk to him on the phone, and we got
24 approached by the landlord's attorney. First, it
25 was the landlord refused to take any phone calls,

1 and he said, want to talk to me, talk to my
2 lawyer. So we go through his lawyer and we gave
3 him a proposal about -- like every restaurant has
4 a -- we were willing to even pay 50 percent of
5 the rent even we were closed, and he refuses. He
6 wants 100 percent. He doesn't care. He just
7 wants 100 percent of the money.

8 And it doesn't even make any sense, I
9 mean, to ask me -- up to today, we're still in
10 effect of COVID. We don't even know if we're
11 going to be -- with delta, we don't even know if
12 we're going to be open tomorrow. So he just
13 wants 100 percent, but we're still in negotiation
14 with him, and I hope this matter get resolved at
15 some point.

16 MR. ZELLOE: Are you in negotiations
17 right now with trying to sell some of your
18 membership interest, if not all of it, to Mr.
19 Karrakchou?

20 MR. IKHIAR: Eventually, that's what I
21 want do. That's what I think he -- he brought
22 life to my business, and I think he has so many
23 ideas, and he's very talented chef, and I would
24 love that he become part of my business, and I
25 want to be a partner with him.

1 MR. ZELLOE: And at this point in time

2 --

3 MR. IKHIAR: But at this point, I just
4 want to get my license back and get my life
5 going, because we just started to get known after
6 the reopening of -- after COVID, people start
7 coming back, and then we got hit with this. I'm
8 not saying that -- we assume some of the
9 responsibility, but it's not -- it was not
10 intentional. It was not breaking the law. It
11 was nothing. It was just trying to get going and
12 try to adjust to COVID life and try to do the
13 things the right way like we always do.

14 MR. ZELLOE: If you receive -- if you
15 can receive the return of your license, are you
16 going to be in complete control and management of
17 the establishment?

18 MR. IKHIAR: Yes, sir. I am back.
19 I'm back for good. I am back for a period of
20 time. Yes. I'm back here for good.

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

23 CHAIRPERSON ANDERSON: Thank you. All
24 right. Mr. Ikhiar. When did you leave the
25 United States?

1 MR. IKHIAR: Yes, sir.

2 CHAIRPERSON ANDERSON: When did you
3 leave the United States, sir?

4 MR. IKHIAR: I left about like -- it
5 just -- it took so long, I don't remember
6 exactly, but just a little bit -- I think like
7 four or five months after COVID started.

8 CHAIRPERSON ANDERSON: When did you
9 return to the United States?

10 MR. IKHIAR: I returned probably about
11 three weeks ago.

12 CHAIRPERSON ANDERSON: You can't give
13 me specific dates when you left and when you
14 returned?

15 MR. IKHIAR: Trying to think. I'll
16 try cause it's very hard for me to get -- I can
17 tell you the exact date, probably I got back -- I
18 don't know when I left, but I can tell you
19 probably I came back on a Sunday -- I remember --
20 can you give me one second, let me look at my
21 passport tell you exactly when I came in?

22 CHAIRPERSON ANDERSON: And I think
23 your passport should tell you when you left, sir?

24 MR. IKHIAR: Yes. Let me look, let me
25 -- give me one second.

1 (Pause.)

2 MR. IKHIAR: Hello?

3 CHAIRPERSON ANDERSON: Yes.

4 MR. IKHIAR: It's 28 of July.

5 CHAIRPERSON ANDERSON: So you came
6 back July --

7 MR. IKHIAR: But leaving, they don't
8 stamp your passport when you go overseas, so I
9 don't recall the exact date.

10 CHAIRPERSON ANDERSON: So your
11 passport doesn't tell you when you landed in
12 Morocco, sir? I have traveled, sir, and when I
13 travel --

14 (Simultaneous speaking.)

15 MR. IKHIAR: I thought you were
16 talking about -- yes --

17 CHAIRPERSON ANDERSON: Sir, I've
18 traveled extensively and every time I travel, my
19 passport tells me when I land in a country. Even
20 if I'm a citizen of that country, that passport
21 tells me when I landed in the country. So if
22 you're even -- so --

23 MR. IKHIAR: But --

24 CHAIRPERSON ANDERSON: The reason I'm
25 asking -- you have your passport, sir, when did

1 you leave the United States, sir? There should
2 be a stamp in your passport that tells us when
3 you arrived in Morocco.

4 MR. IKHIAR: Just one second, sir.

5 (Pause.)

6 MR. IKHIAR: Hello?

7 CHAIRPERSON ANDERSON: Yes, sir.

8 MR. IKHIAR: Yes, September --
9 September 20th -- I'm sorry, September 11, 2020.

10 CHAIRPERSON ANDERSON: So, all right,
11 so you left September the 11th, 2020, to go to
12 Morocco and you came back in July.

13 MR. IKHIAR: Yes.

14 CHAIRPERSON ANDERSON: You came back
15 July 28th. So, all of this could have been
16 prevented --

17 MR. IKHIAR: Yes, sir.

18 CHAIRPERSON ANDERSON: -- if you had
19 attended the fact-finding on August 11th. Why
20 did you not attend our fact-finding hearing on
21 August 11th, sir?

22 MR. IKHIAR: Well, first of all, I
23 didn't even know that that -- I thought -- first
24 of all, I thought -- I've been to your hearings
25 so many times, I thought it was going to be on

1 the premises. And --

2 (Simultaneous speaking.)

3 CHAIRPERSON ANDERSON: I'm sorry, you
4 thought what?

5 MR. IKHIAR: They usually -- usually,
6 all the hearings on the premises, on ABRA
7 premises on 14th Street, and I thought I just
8 going to go there and talk to you guys. They
9 turned out to be -- even today I had a hard time
10 try even get in -- getting into -- I'm not very
11 computer savvy, so it's very, very hard for me to
12 even get on the web. So I had to be on the call.
13 So by the time -- I figured I'm just going to go
14 physically there, but there was no in-person
15 hearing. So I couldn't access the online to be
16 able to talk to you guys. So --

17 CHAIRPERSON ANDERSON: So -- but if
18 you -- our office is open, sir. So if --

19 MR. IKHIAR: I went there, sir.

20 CHAIRPERSON ANDERSON: I'm sorry?

21 MR. IKHIAR: I went there afterwards
22 because I thought you guys -- I'm just going to
23 show up to the hearing. So after I knew there
24 was no hearing on the premises, I went next day
25 and talked to Mr. Shawn (phonetic). I talked to

1 Ms. Walker. I talked to a lot of people there
2 because I just -- I thought this was going to be
3 in person hearing.

4 CHAIRPERSON ANDERSON: So you didn't
5 see that it said on the notice that it was a
6 virtual -- that it was a virtual hearing, sir?
7 You didn't -- the notice said --

8 MR. IKHIAR: Yeah, but I didn't -- I
9 didn't even pay attention to that. All what I
10 knew that we got the hearing thing, and all what
11 I knew was that -- and even today Ms. Walker had
12 to guide me through this because I can -- I
13 didn't know even how to access the webcam.

14 CHAIRPERSON ANDERSON: But the notice
15 clearly states, sir, you can access it here. It
16 clearly states that the hearing is virtual, you
17 can participate by either camera, or you can
18 participate on the telephone.

19 MR. IKHIAR: Yes, sir.

20 CHAIRPERSON ANDERSON: Now -- all
21 right, so you left in September. So let me ask
22 you a question. So when did you -- so what
23 happened -- what was going on in the restaurant
24 in January, February, March, prior to your -- in
25 2020, January, February, March, between January

1 and September, was the restaurant operating?

2 MR. IKHIAR: No. Most of the time the
3 restaurant was closed given DC regulations. We
4 opened for -- we opened, we closed. We opened 25
5 percent. We didn't have -- we have two tables
6 outside, so it was pointless for us to even be
7 open. There were certain times when we think
8 that we can open and then there is no business.
9 So it was literally, we're not -- we're not even
10 working -- not even as a takeout during COVID.

11 CHAIRPERSON ANDERSON: Now let me ask
12 you a question, sir -- let me ask you a question,
13 sir.

14 MR. IKHIAR: Yes, sir.

15 CHAIRPERSON ANDERSON: Are you aware
16 that in December of 2019, that there was a review
17 of a new Moroccan restaurant opening on Capitol
18 Hill by the name of Mekki? Can you tell us
19 little about that?

20 MR. IKHIAR: Well, see, this -- so in
21 December, before -- right before that, we were
22 trying to do different things that I said
23 earlier. We tried to do different things, tried
24 to figure out different concepts because we were
25 not able to survive and next to big chains on the

1 block. And we tried to do this popup, which is
2 you try to do something like a concept for like
3 two or three months, try it out, see if it works.
4 The Mekki came up with the idea to use -- to do
5 Moroccan food, and he was the one managing the
6 whole thing to make sure that the whole thing
7 would have, you know --

8 CHAIRPERSON ANDERSON: So you're
9 saying that in December, when this review came
10 out in the paper in December of 2019, that this
11 was just a popup? Mekki was just a popup, is
12 that what you're saying?

13 MR. IKHIAR: Well, that's the idea
14 that we went with the first time, because, you
15 know, we trying to get the best combination for
16 that place to work, or for that business to work.
17 So we were trying -- we were about to try that
18 one. Then, if it doesn't work out, we're going
19 to try a different concept. But the idea of
20 Mekki, it's a Moroccan name, it's a Moroccan
21 food, so it was not even -- it was not even like
22 -- then we figured out that could be a trade name
23 and we can use that because people like it. But
24 it was just a popup.

25 CHAIRPERSON ANDERSON: So who was

1 running the popup?

2 MR. IKHIAR: So Mekki was running the
3 popup, running the -- but we also always had a
4 manager with ABRA license on premises, and he was
5 running it with my approval and with my power of
6 attorney. He was just not running just like
7 that; he was running it, and then we communicated
8 almost every day via WhatsApp the whole time.

9 CHAIRPERSON ANDERSON: All right. So
10 it's my understanding that there is an article in
11 the paper on December 19th, 2019, and it said
12 something like Capitol Hill has a new Moroccan
13 hot spot from the owner of Flavio.

14 MR. IKHIAR: Yes.

15 CHAIRPERSON ANDERSON: Mekki DC. So -
16 - and the article -- it's my understanding the
17 article went on to say that Moroccan-born Mekki
18 Karrakchou, who owns Italian favorite Flavio in
19 Georgetown opened Mekki at 517 8th Street, SE, to
20 bring his mother's organic recipes to Barracks
21 Row. So you're saying all of this time that this
22 was a popup that was being explained -- that was
23 a popup that was at your restaurant during this
24 period of time?

25 MR. IKHIAR: Yes, sir.

1 CHAIRPERSON ANDERSON: So how long did
2 this popup pop up?

3 (Simultaneous speaking.)

4 CHAIRPERSON ANDERSON: I'm sorry?

5 MR. IKHIAR: Hello?

6 CHAIRPERSON ANDERSON: Yes. I'm
7 saying, sir, it -- so it remained a popup from
8 December 2019 until we issued the cease and
9 desist in February -- sorry, in August of 2021,
10 it remained a popup under the name of Mekki?

11 MR. IKHIAR: No, no. Popups don't go
12 for that long. We actually -- first of all,
13 first thing we did, we went and registered the
14 new trade name, Mekki, the addition to Bricklane,
15 we registered with DCRA. That was the first
16 thing we did.

17 Second, well, we sent it -- I sent it
18 -- that's even way before we sent it to DCRA, we
19 sent it to ABRA to add the name Mekki to the
20 liquor license. And now we were trying to go the
21 right -- through the right channels to get that
22 name registered way before the inspector, before
23 this desist, before this, you know -- before even
24 the inspector came. We had it way before then.

25 CHAIRPERSON ANDERSON: So who was

1 doing all this work, sir? Who was submitting --
2 who was signing all the paperwork that was sent
3 to ABRA?

4 MR. IKHIAR: Mekki was sending all the
5 paperwork to ABRA and -- yes, he was doing all
6 that for me.

7 CHAIRPERSON ANDERSON: So when did you
8 -- when is it that you signed a power -- when did
9 you give him a power of attorney?

10 MR. IKHIAR: I gave it to him in
11 February.

12 CHAIRPERSON ANDERSON: In February of
13 what year, sir?

14 MR. IKHIAR: I'm sorry?

15 CHAIRPERSON ANDERSON: February of
16 what year?

17 MR. IKHIAR: Of this year.

18 CHAIRPERSON ANDERSON: February of
19 2021?

20 MR. IKHIAR: Yes.

21 CHAIRPERSON ANDERSON: All right. So
22 -- but we were talking about February -- we were
23 talking about -- remember the newspaper article
24 that I just mentioned was in December of 2019,
25 and in December of 2019, Mekki -- you told me

1 that Mekki operated as a popup, and you're trying
2 to --

3 MR. IKHIAR: Yes.

4 CHAIRPERSON ANDERSON: So when is it
5 -- so are you saying to me -- I'm confused. I'm
6 just trying to figure out what happened during
7 the entire year of 2020.

8 MR. IKHIAR: Well, most of the 2020,
9 we were -- half of the time we were operating
10 probably at two or three tables inside, then two
11 tables outside, not even. So --

12 CHAIRPERSON ANDERSON: So the two
13 tables that you had, was this Bricklane or was
14 this Mekki?

15 MR. IKHIAR: Well, they were as -- as
16 Mekki, as the restaurant Mekki.

17 CHAIRPERSON ANDERSON: Now, are you
18 aware that you couldn't change the name until you
19 have received the -- until you receive permission
20 from ABRA to change the name, sir?

21 MR. IKHIAR: Maybe that's probably one
22 of the mistakes that I made, sir, on my end, and
23 I apologize for that. It just -- the whole
24 procedure and the being outside the country was
25 not helping at all.

1 CHAIRPERSON ANDERSON: All right. So
2 who was ordering alcohol -- who was purchasing
3 alcohol during this period of time? So between
4 February -- between December 2019 when you came
5 up with this concept for the new name, the popup,
6 so who was buying alcohol liquor?

7 MR. IKHIAR: It is the manager with
8 ABRA license that was running the place, as well
9 as Mekki when he learned to do so. But it was
10 under EI, LLC, and the name -- this says our --
11 it says our company.

12 CHAIRPERSON ANDERSON: And so who was
13 signing off -- so was that Mr. -- so who was
14 signing off -- who was signing the invoices, or
15 who was signing the checks? Was that Mr. -- who
16 was --

17 MR. IKHIAR: Mr. Mekki was signing the
18 checks. Yes, Mr. Mekki will sign the check under
19 EI, LLC, and also with my power of attorney to
20 him to sign the checks.

21 CHAIRPERSON ANDERSON: Now it's my
22 understanding that -- are you aware that -- that
23 I believe -- it's my understanding that a new
24 settlement agreement was signed with ANC 6B in
25 January of 2020. Are you aware of that, sir?

1 of attorney, the power of attorney that I gave
2 him. I think it was just any deficiency is just
3 instead of him signing with the power of attorney
4 or something, he probably just can just sign it
5 and that's about it. Maybe that was when the
6 misunderstanding is. But other than that, I
7 mean, he had my full, you know, consent to sign
8 whatever has to do with the restaurant when I was
9 not here.

10 CHAIRPERSON ANDERSON: So you're
11 stating today that all the decisions that were
12 made by Mr. Karrakchou, that all those decisions
13 were made under the power of attorney that you
14 provided to him. Is that your testimony today,
15 sir?

16 MR. IKHIAR: Yes, sir.

17 CHAIRPERSON ANDERSON: Now, who is S-
18 I-B-A-M, Z-O-U-I-N-E, Zouine, who is that person?

19 MR. IKHIAR: What's the name again?

20 CHAIRPERSON ANDERSON: Sibon, S-I-B-O-
21 N, Z-O-U-I-N-E. Do you know who that person was?

22 MR. IKHIAR: I think she was one of
23 the managers because he was allowed to hire and
24 fire whoever he needed to keep -- I think she's
25 one of the managers. And I think when I was

1 listening Mr. Ruiz, she said that she's part
2 owner. People say that all the time when they
3 work for -- in our culture, people think that
4 everybody's an owner because we work as a family.

5 CHAIRPERSON ANDERSON: So is it your -
6 - is it your intent to continue this business,
7 sir?

8 MR. IKHIAR: Yes, sir. That's why I'm
9 here.

10 CHAIRPERSON ANDERSON: And -- yes, so
11 it's your intent. And now do you plan to change
12 the name back, sir, because as you know, you
13 can't --

14 (Simultaneous speaking.)

15 CHAIRPERSON ANDERSON: I'm sorry?

16 MR. IKHIAR: Yes. We put an
17 application to change the name, yes, we did.

18 CHAIRPERSON ANDERSON: No, that's not
19 what I'm stating, sir. I'm stating to you --

20 (Simultaneous speaking.)

21 CHAIRPERSON ANDERSON: Currently, the
22 only name that's recognized by the ABC Board is
23 Bricklane.

24 MR. IKHIAR: Yes, sir.

25 CHAIRPERSON ANDERSON: So are you

1 going to change the name to Bricklane until you
2 have been authorized by the ABC Board to change
3 the name?

4 MR. IKHIAR: I will put the sign today
5 if you want me to, yes, sir.

6 CHAIRPERSON ANDERSON: It's not if I
7 want you to, sir. I'm asking you that you cannot
8 change --

9 MR. IKHIAR: Yes, yes.

10 CHAIRPERSON ANDERSON: -- the name of
11 the establishment until you have been authorized
12 by the Board to do that, sir.

13 MR. IKHIAR: Yes, sir. Yes, sir.

14 CHAIRPERSON ANDERSON: Are there any
15 other questions by any other Board members?

16 MEMBER CROCKETT: Yes. Ms. Crockett
17 has questions, please.

18 CHAIRPERSON ANDERSON: Go ahead, Ms.
19 Crockett.

20 MEMBER CROCKETT: Going back to a
21 statement you made just two minutes ago, you
22 stated that the settlement agreement was signed
23 with your power of attorney. You've stated that
24 the power of attorney was signed February 2021,
25 correct?

1 CHAIRPERSON ANDERSON: Say that again?

2 MEMBER CROCKETT: Did you give the
3 power of attorney to Mr. Karrakchou in February
4 of 2021?

5 MR. IKHIAR: Hold on one second.

6 (Pause.)

7 MR. IKHIAR: Hello? Hello?

8 MEMBER CROCKETT: Yes, sir.

9 MR. IKHIAR: Yes. I -- yes, ma'am.

10 MEMBER CROCKETT: Can you please
11 repeat to us when you assigned your power of
12 attorney to Mekki Karrakchou?

13 MR. IKHIAR: February 2021.

14 MEMBER CROCKETT: Correct. Thank you.
15 However, the settlement agreement between ANC 6B
16 that was signed by Mekki Karrakchou was signed on
17 January 14, 2020, you know, 13 months before he
18 had the power of attorney to do so.

19 MR. IKHIAR: Maybe because I was out
20 of town or something and then made -- tell him
21 just to sign it to make sure that the neighbors
22 are not going to freak out and think that
23 somebody else came into the neighborhood.

24 MEMBER CROCKETT: Sir, you have people
25 signing things on your behalf but there's no

1 power of attorney to do so. This settlement
2 agreement identifies him not as someone acting on
3 your behalf, not as someone with a power of
4 attorney provided by you. It identifies him as
5 the owner of this establishment, and it predates
6 the power of attorney by 13 months. Do you think
7 this settlement agreement is fraudulent?

8 MR. IKHIAR: No. I think that I had a
9 previous -- I have previous settlement agreement
10 with the neighbors when I just got the license.
11 And pretty much I was told that nothing's going
12 to change and I couldn't sign it. So they needed
13 the signature and he signed it. So I think if it
14 is any mistake that we made, you know, I
15 apologize. I mean, it was just as I said
16 earlier, with COVID, you're supposed to be going
17 for a month, two, and then you get stuck there.
18 You don't know what to do and all these issues
19 come up, so --

20 MEMBER CROCKETT: This settlement
21 agreement, as far as I can tell, it's not
22 enforceable. It's not factual. It's fraudulent.
23 You represented yourself as the owner when he is
24 not, and he signed it before he had a power of
25 attorney given to him by you. So you're saying

1 that this -- you think that this is acceptable
2 and it absolutely is not.

3 (Simultaneous speaking.)

4 MEMBER CROCKETT: The second issue,
5 before we asked you to identify your specific
6 dates of departure and arrival, you initially
7 told us you left this country right before COVID.
8 That's what you first told us. We then find out
9 you actually left this country right smack dab in
10 the middle of COVID in September.

11 MR. IKHIAR: Ma'am, it's very hard for
12 me to know the dates which is like a long way. I
13 had to look at -- I look at -- I had to look at
14 my passport, so.

15 MEMBER CROCKETT: Leaving a country in
16 February or March versus before a pandemic goes
17 out versus leaving the country around August-
18 September, right smack dab in the middle of a
19 pandemic, are not the same. If you fudged by a
20 month or two, I would understand, but this isn't
21 making sense to me. You left in the middle of
22 pandemic.

23 MR. IKHIAR: Ma'am, I have -- I --

24 MEMBER CROCKETT: And then said that
25 you could not get back. Well, sir, you left in

1 the middle of a pandemic.

2 MEMBER CROCKETT: Ma'am, I have two
3 kids and a wife overseas and I had a dead
4 grandmother, so I had to go, and I had to go so
5 many times within the year. I go almost 10 times
6 to Morocco. So when the last time I went to
7 Morocco, I got stuck there. So it's not about --
8 but, for me, it's not about knowing the exact
9 date. If I would have known that you're going to
10 ask me that question, I would have probably
11 prepared for it. But the thing is I go -- my
12 wife and kids live overseas, so I go almost every
13 six weeks to Morocco. And the last time I went,
14 that was a long extended time because I was stuck
15 there. Not only that, I needed to stay with my
16 family because of COVID and because of the loss
17 in the family. So --

18 MEMBER CROCKETT: So you frequently
19 are absent from Washington, D.C., and frequently
20 absent from your business. Is that what you're
21 telling me now?

22 (Simultaneous speaking.)

23 MEMBER CROCKETT: You travel
24 overseas. So you're frequently absent from this
25 business, leaving it in the hands of someone else

1 to manage?

2 MR. IKHIAR: Ma'am, I'm here most of
3 the time. If I go see my kids for one week every
4 six weeks, if I go home to see my kids, I don't
5 think it's a crime to go every six weeks to see
6 your family.

7 MEMBER CROCKETT: I don't -- I agree
8 it is not a crime, but the issue that we're
9 trying to solve here, the entire reason we're
10 here, is because we want to know who owns, who
11 controls, who manages, who is responsible for the
12 day-to-day of this company.

13 MR. IKHIAR: That is me. That is me
14 right now. My name is Elalami Ikhlar. I own the
15 business. I own the liquor license, and I have
16 the lease. Eventually, that's what I was trying
17 to do, what I was telling -- we're in negotiation
18 with the landlord. One of the reasons -- because
19 I have family overseas and I have to go -- at
20 least every six weeks, I have to go for one week,
21 ten days, that's why I tried to get Mekki aboard
22 and be my business partner in the business. He's
23 the chef, and I also tried to get him in the
24 lease with the landlord, but the landlord delayed
25 the whole process because he wants 100 percent of

1 rent that I couldn't give him. That's the whole
2 issue here.

3 MEMBER CROCKETT: We're not here to
4 adjudicate your rent payments or to discuss your
5 landlord. Furthermore, you brought Mekki in in
6 2019, well before the -- long before the COVID
7 pandemic hit. So you --

8 MR. IKHIAR: No, no, no.

9 MEMBER CROCKETT: -- had an
10 opportunity -- sir, please let me continue.

11 MR. IKHIAR: Go ahead.

12 MEMBER CROCKETT: It seems to me that
13 you had an opportunity in 2019, when you brought
14 Mekki onboard, to properly file your paperwork
15 with DCRA, to properly file your paperwork with
16 ABRA, to properly address a new settlement
17 agreement with the ANC 6B if that was necessary.
18 These things could have happened in 2019.

19 MR. IKHIAR: Okay. Can I ask you a
20 question?

21 (Simultaneous speaking.)

22 MEMBER CROCKETT: -- prior to the
23 pandemic breaking out or after in 2020 prior to
24 your departure in September. So your rent
25 payments and your issues with your landlord are

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not relevant to your filing the proper paperwork with this agency or your filing the proper paperwork with others.

MR. IKHIAR: Ma'am, let me explain to you. You're totally right. In 2019, -- we approached the landlord in 2019. The landlord keep delaying the whole process because he was asking for all this crazy guarantee, all the different papers, and we provide him with all the documents, and he was taking his sweet time to do so. But even if I try to get Mekki as my business partner, my business partner doesn't want to be in the business unless his name is on the lease. Who wants to get into a business because of a liquor license, put his name on the liquor license, and what? If the landlord would have evicted us, what he's going to do?

The reason the whole thing delayed because the landlord delayed the whole process. The landlord is the one that didn't want to give us the lease right away. He keep asking for all this personal guarantees, all these things, and we provide him with all that stuff. It's not -- we try -- we tried to do the right thing.

MEMBER CROCKETT: My final question to

1 you is, you presented this as ultimately a popup
2 and ultimately as this is a business that I've
3 discussed with Mekki as far back as 2019 and
4 really wanted to do it. There are newspaper
5 articles introducing the new restaurant. You
6 have T-shirts printed up with the name of the new
7 restaurant that your staff are wearing. There is
8 signage and Mekki all printed up with the name on
9 it.

10 And so I would like to inform you that
11 I am not buying the this was a popup concept
12 because, clearly, you invested a great deal of
13 money and time and resources into the name Mekki
14 by putting them on T-shirts, billboards,
15 newspaper articles, menus, and all of those
16 things. That's not indicative of a popup.

17 MR. IKHIAR: Okay. Ma'am, in order to
18 get to that level of making a decision on --
19 popup is -- it's something that you do for a
20 period of time until you figure out that's the
21 right concept for you. We figure out that's the
22 right concept for us and we stayed with it. We
23 had to put a menu. We had to put a website to
24 make sure it works. And then it work. We are
25 not trying to do anything illegal. Maybe we made

1 mistakes. Maybe we made something that's not
2 part of ABRA regulations, but it was nothing
3 intentional. There's no change of ownership
4 until the landlord would say yes. And I still
5 own the business, and I don't know what to say
6 more than that.

7 MEMBER CROCKETT: Where are you
8 currently?

9 MR. IKHIAR: Morocco.

10 MEMBER CROCKETT: Thank you.

11 CHAIRPERSON ANDERSON: I'm sorry, Mr.
12 Ikhiar, I just want to make sure that you
13 understood Ms. Crockett's question, okay? Where
14 are you currently located? Are you located in
15 the United States?

16 MR. IKHIAR: I live here.

17 CHAIRPERSON ANDERSON: No, no, no, no,
18 no. Where are you physically located at this
19 moment? That's the question Ms. Crockett had
20 asked you?

21 MR. IKHIAR: I am --

22 CHAIRPERSON ANDERSON: Are you in the
23 United States?

24 MR. IKHIAR: I am in Falls Church.

25 CHAIRPERSON ANDERSON: I'm sorry,

1 you're where, sir?

2 MR. IKHIAR: In Falls Church,
3 Virginia, right outside -- I'm in Arlington.

4 MR. IKHIAR: So right now you are in
5 Falls Church?

6 MR. IKHIAR: Yes, 3101 South
7 Manchester Street, yes.

8 CHAIRPERSON ANDERSON: All right.
9 Because when Ms. Crockett had asked you a
10 question where you were, and you said you were in
11 Morocco. That's why I asked you the question.

12 MR. IKHIAR: No, no, no. That's not -
13 - I probably misunderstood what she said. I'm so
14 sorry. No. I'm in Falls Church right now.

15 CHAIRPERSON ANDERSON: So you're
16 saying you're in Falls Church right now, in the
17 United States?

18 MR. IKHIAR: Yes.

19 CHAIRPERSON ANDERSON: Is that
20 correct?

21 MR. IKHIAR: Yes.

22 CHAIRPERSON ANDERSON: All right.

23 MR. IKHIAR: Yes.

24 MEMBER GRANDIS: Mr. Chairman?

25 CHAIRPERSON ANDERSON: Hold on. Yes,

1 hold on. All right. Go ahead, Mr. Grandis.

2 MEMBER GRANDIS: Thank you, Mr.

3 Chairman. Mr. Ruiz, I want to thank you for your
4 excellent testimony and your presentation today.

5 There's been a lot of dates thrown around, so I'm
6 a little confused on something in your report.

7 And I think I understand it, but I just want a
8 clarification. What was the date that you went
9 to the establishment?

10 INVESTIGATOR RUIZ: I went to the
11 establishment on April 8th and June 24th.

12 MEMBER GRANDIS: Of what year?

13 INVESTIGATOR RUIZ: 2021.

14 MEMBER GRANDIS: And if I understand
15 the report, you talked to the gentleman, what was
16 his name?

17 INVESTIGATOR RUIZ: Mr. Karrakchou.

18 MR. ZELLOE: Mr. Karrakchou, okay.

19 And he identified himself as what relationship
20 with that entity in that conversation?

21 INVESTIGATOR RUIZ: As the owner.

22 MEMBER GRANDIS: And from your
23 knowledge that day, as far as ABRA was concerned,
24 was his name listed as an owner?

25 INVESTIGATOR RUIZ: It was not.

1 MEMBER GRANDIS: And was there more
2 than one person listed as an owner with ABRA at
3 that date?

4 INVESTIGATOR RUIZ: No.

5 MEMBER GRANDIS: And who was the name
6 of the owner that -- of record?

7 INVESTIGATOR RUIZ: Mr. Ikhiar.

8 MEMBER GRANDIS: Thank you. Mr. -- is
9 it -- I want to apologize, is it -- El -- what is
10 your last name, sir?

11 MR. IKHIAR: Elalami.

12 MEMBER GRANDIS: And I apologize, if
13 I'm mispronouncing your name. We want to thank
14 you for being here and I can sense that you think
15 this is sort of a tough hearing, but the concern,
16 as I'm sure you're picking up, is that the
17 information you're giving us today does not
18 really match the information that the gentlemen
19 who met with the inspector. You bring up
20 something called a power of attorney.

21 MR. IKHIAR: Yes.

22 MEMBER GRANDIS: And that was
23 notarized?

24 MR. IKHIAR: Yes, sir.

25 MEMBER GRANDIS: And in the power of

1 attorney, did you provide -- I want to ask you:
2 what did you provide the gentleman in the power
3 of attorney? What was his role with this
4 license?

5 MR. IKHIAR: Yes. Make sure to take
6 care of the taxes, make sure to run the
7 restaurant, and make sure that anything has to do
8 with the government or the neighbors or anything,
9 to make sure that he's going to take care of it.

10 MEMBER GRANDIS: And did it also say
11 that he is an owner?

12 MR. IKHIAR: You know, this word
13 "owner," because from his point of view, why we
14 were talking to -- again, I'm going to say the
15 landlord and the other lady's going to get mad
16 because I say that -- because we were in talks
17 with the landlord to add him to the lease, that's
18 probably he said that must -- potential. So
19 probably should have said I'm potential owner or
20 something like that, maybe the word "owner" came
21 out that or something.

22 MEMBER GRANDIS: Sir, that wasn't my
23 question.

24 MR. IKHIAR: Yes, sir.

25 MEMBER GRANDIS: My question was in

1 this power of attorney, did you designate him --
2 say that he is an owner of this company?

3 MR. IKHIAR: No, no, it doesn't. No.

4 MEMBER GRANDIS: So you are familiar
5 with ABRA's rules and regulations, aren't you,
6 sir?

7 MR. IKHIAR: Yes, sir.

8 MEMBER GRANDIS: So if there was any
9 notice of violation during the period of the
10 license, who is responsible to appear on behalf
11 of the entity?

12 MR. IKHIAR: Me. Me.

13 MEMBER GRANDIS: Well, if you're out
14 of the country, how could you do that?

15 MR. IKHIAR: Well I got here as soon
16 as I heard that there is that issue.

17 MEMBER GRANDIS: Well, obviously, you
18 didn't get -- this has been ongoing for months,
19 over a year.

20 MR. IKHIAR: And I was explained
21 earlier. I did not know that the webcam was a
22 possibility. I just -- I went to the premises
23 and it turned out to be nothing on -- or you guys
24 don't do it onsite.

25 MEMBER GRANDIS: Who did you provide a

1 copy of the notarized power of attorney to,
2 anyone other than --

3 MR. IKHIAR: I gave it -- I gave to
4 Siham. I drop it in Siham's box and actually,
5 yes, sent him a text -- and what do you call
6 that, left a message in his voicemail saying
7 that.

8 MEMBER GRANDIS: Sir, okay. Can you
9 give us an approximate month, year when you did
10 that?

11 MR. IKHIAR: The power of attorney?

12 MEMBER GRANDIS: Yes.

13 MR. IKHIAR: That was in April --
14 February of -- February 1st of this year.

15 MEMBER GRANDIS: Thank you. No more
16 questions.

17 CHAIRPERSON ANDERSON: Thank you, Mr.
18 Grandis. Are there any other questions by any
19 other Board members?

20 MEMBER SHORT: Yes, Mr. Chairman. I
21 have a question.

22 CHAIRPERSON ANDERSON: Go ahead, Mr.
23 Short.

24 MEMBER SHORT: Yes. This is for Mr.
25 Ikhlar. Please forgive me if I mispronounce the

1 name. Good morning, to you, sir.

2 MR. IKHIAR: Oh, to me?

3 MEMBER SHORT: Yes. Good morning to
4 the owner.

5 MR. IKHIAR: Yes, sir. Yes, sir.

6 MEMBER SHORT: When you left Mr.
7 Karrakchou in charge, your testimony earlier had
8 been that Mr. Karrakchou owns a liquor license
9 here in the District of Columbia?

10 MR. IKHIAR: He owns a liquor license
11 for another establishment?

12 MEMBER SHORT: Yes. How long has he
13 had that liquor license?

14 MR. IKHIAR: They've been there for a
15 long time. I mean, it used to be called Paper
16 Moon. Then it became Flavio. They owned it for
17 a long time, him and his father.

18 MEMBER SHORT: Okay. So if he's been
19 there for a long time, that's several years in my
20 vernacular. He's been there for several years in
21 business, correct?

22 MR. IKHIAR: Say it again? I'm sorry,
23 you're breaking up. Sorry.

24 MEMBER SHORT: He has been in business
25 for a long while, is that what you're testifying?

1 MR. IKHIAR: Yes, sir. Yes, sir.

2 MEMBER SHORT: So you left someone in
3 charge who knows ABC laws just as well as you do,
4 correct?

5 MR. IKHIAR: Yes, sir.

6 MEMBER SHORT: But you violated the
7 ABC laws, didn't you?

8 MR. IKHIAR: Which is what part we
9 violated, sir?

10 MEMBER SHORT: If you don't know, sir,
11 that's why you're here for a hearing today.

12 MR. IKHIAR: Well, as they said -- to
13 me, the change of ownership for me, it never
14 happened. I never sold or anything. We were
15 just in discussion with the landlord. That's way
16 we can go forward and do the rest with you guys.
17 But as long as the landlord didn't say yes, that
18 was still pointless to even do anything. So he
19 was running the business for me when I was away.

20 MEMBER SHORT: Okay. Well, he knows
21 the --

22 MR. IKHIAR: But we're not -- there's
23 no change of ownership.

24 MEMBER SHORT: He knows the ABC laws,
25 correct?

1 MR. IKHIAR: Yes, sir.

2 MEMBER SHORT: And you left him in
3 charge?

4 MR. IKHIAR: Yes, sir.

5 MEMBER SHORT: And you knew that the
6 name change took place and you put the new signs
7 up without getting permission from ABRA; is that
8 correct?

9 MR. IKHIAR: That was the case, but I
10 think he filed and everything. He filed with
11 DCRA and he sent the documents to ABRA. So I
12 mean, if it is any mistake that we made, maybe
13 probably putting the sign or something like that,
14 but --

15 MEMBER SHORT: Okay. Let me ask you a
16 question.

17 MR. IKHIAR: Yes, sir.

18 MEMBER SHORT: You, as an owner, knew
19 you could not change the sign without getting
20 permission, did you not?

21 MR. IKHIAR: Yes, sir. Yes, sir.

22 MEMBER SHORT: It's your -- and it was
23 your responsibility to see that that's done,
24 correct?

25 MR. IKHIAR: Say it again? I'm sorry.

1 MEMBER SHORT: It was your
2 responsibility not to have a time change on your
3 business until you got the appropriate --

4 MR. IKHIAR: Yes, sir. Yes, sir, my
5 responsibility. Yes, that's my responsibility,
6 sir.

7 MEMBER SHORT: Well, thank you.
8 That's all I have.

9 MR. IKHIAR: I admit -- yes, sir.

10 MEMBER SHORT: Thank you. That's all
11 I have, Mr. Chair.

12 CHAIRPERSON ANDERSON: All right.
13 Thank you, Mr. Short. Any other questions by any
14 other Board members?

15 (No response.)

16 CHAIRPERSON ANDERSON: All right. Mr.
17 Zelloe, are there any final comments that you
18 want to make before I bring this hearing to
19 close?

20 MR. ZELLOE: No. I think we've gone
21 over everything.

22 CHAIRPERSON ANDERSON: And so the
23 licensee is requesting that the ABC Board lift
24 the cease and desist so he can operate -- so he
25 can continue operating this business under the

1 Bricklane name?

2 MR. ZELLOE: Yes. What we would like
3 is that we -- he immediately goes back to
4 Bricklane Restaurant with the signage, he files
5 his change of -- or notice of change of name for
6 the establishment, and he's allowed to dispense
7 alcohol and possess alcohol in the establishment
8 therewith.

9 CHAIRPERSON ANDERSON: All right.
10 Thank you, sir. Hold on one minute, please.

11 (Pause.)

12 CHAIRPERSON ANDERSON: All right.
13 I'll bring this hearing to a close here and give
14 me one minute, please.

15 (Pause.)

16 CHAIRPERSON ANDERSON: I am sorry. I
17 apologize for the delay.

18 (Pause.)

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

1 00022, Bricklane Restaurant, pursuant to DC
2 Official Code Section 2574(b) of the Open
3 Meetings Act and deliberate upon Case Number 21-
4 CMP-00022, Bricklane Restaurant for the reasons
5 cited in DC Official Code Section 2574(b)(13) of
6 the Open Meetings Act. Is there a second?

7 MEMBER SHORT: Mr. Short, I second.

8 CHAIRPERSON ANDERSON: Mr. Short has
9 seconded the motion. I will take a roll call
10 vote on the motion that's been properly seconded
11 by Mr. Short. Mr. Short?

12 MEMBER SHORT: Mr. Short, I agree.

13 CHAIRPERSON ANDERSON: Ms. Crockett?

14 MEMBER CROCKETT: Rafi Crockett, I
15 agree.

16 CHAIRPERSON ANDERSON: Ms. Hansen?

17 MEMBER HANSEN: Jeni Hansen, I agree.

18 CHAIRPERSON ANDERSON: Mr. Grandis?

19 MEMBER GRANDIS: Ed Grandis, I agree.

20 CHAIRPERSON ANDERSON: Mr. Anderson, I
21 agree. As it appears that the motion has passed
22 5-0-0, I hereby give notice that the ABC Board
23 will recess these proceedings to hold a closed
24 meeting in the ABC Conference Room pursuant to
25 Section 2574(b) of the Open Meetings Act. Thank

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This is to certify that the foregoing transcript

In the matter of: Bricklane Restaurant

Before: DCABRA

Date: 08-26-21

Place: teleconference

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