

T-A-B-L-E O-F C-O-N-T-E-N-T-S

WITNESS:	Direct	Redirect	Cross	Recross
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MARK RUIZ	12	--	18	--
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TAJ SOHAL	30	--	36	--
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EXHIBITS:	Marked		
Received			

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ROLL CALL VOTE:	56
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1 P-R-O-C-E-E-D-I-N-G-S

2 11:07 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our calendar is Case Number 23-CMP-00039,
5 Glassey, License #117346.

6 Mr. Orellana, can you please elevate
7 the rights of the government, the licensee, and
8 whatever witness the government might have.

9 MR. ORELLANA: Anthony Celo, your
10 access has been elevated. Taj Sohal, your access
11 has been elevated. Investigator Mark Ruiz, your
12 access has been elevated.

13 That appears to be all, Chairman.

14 CHAIRPERSON ANDERSON: Thank you.

15 All right, let me have the parties
16 introduce themselves for the record. Let's start
17 with the government.

18 MR. CELO: Good morning, Mr. Chair.
19 This is Assistant Attorney General Anthony Celo,
20 A-N-T-H-O-N-Y C-E-L-O, on behalf of the District.

21 CHAIRPERSON ANDERSON: Good morning,
22 sir.

23 Ms. Sohal, can you please spell and
24 state your name for the record, please?

25 (No audible response.)

1 CHAIRPERSON ANDERSON: I can't hear
2 you, ma'am.

3 MS. SOHAL: Are you able to hear me
4 now?

5 CHAIRPERSON ANDERSON: Yes, ma'am.

6 MS. SOHAL: Good morning, my name is
7 Taj Sohal. It is spelled T-A-J, last name S-O-H-
8 A-L.

9 CHAIRPERSON ANDERSON: And, what's your
10 relationship to --

11 (Simultaneous speaking.)

12 MS. SOHAL: Owner for Glassey.

13 CHAIRPERSON ANDERSON: All right, thank
14 you.

15 Mr. Ruiz, can you identify yourself
16 for the record, please?

17 INVESTIGATOR RUIZ: Mark, M-A-R-K, last
18 name Ruiz, R-U-I-Z, ABCA Investigator.

19 CHAIRPERSON ANDERSON: Good morning.

20 Mr. Celo, are there any preliminary
21 matters in this case?

22 MR. CELO: Yes, Mr. Chair.

23 I do need to raise a motion in limine.
24 I understand that Ms. Sohal intends to introduce
25 at least two exhibits that I am aware of.

1 I received those exhibits last night,
2 and therefore, I do have to object on the timing
3 grounds.

4 I reserve the right to make any other
5 objections pending the ruling on admissibility.

6 CHAIRPERSON ANDERSON: Well, I believe
7 at this juncture I will reserve making a ruling.
8 I will see if once the licensee, once they
9 present their case if they intend to call, or
10 identify documents and witnesses that have not
11 been disclosed seven days before.

12 Then we have to have a ruling on that
13 matter.

14 All right, any preliminary matters on
15 your part, Ms. Sohal?

16 MS. SOHAL: Yes, I did have (audio
17 interference) and again, I want to apologize. I
18 wasn't aware that we were supposed to submit the,
19 all the evidence a week prior.

20 I was assuming that it was all to do
21 in today's meeting so again, I would just like to
22 apologize. That was on, that was my fault.

23 CHAIRPERSON ANDERSON: All right.

24 MS. SOHAL: But --

25 (Simultaneous speaking.)

1 CHAIRPERSON ANDERSON: Well, let me ask
2 you a question, ma'am. Did you appear at the
3 show cause hearing status hearing that we had --

4 (Simultaneous speaking.)

5 MS. SOHAL: I'm sorry, I didn't catch
6 that.

7 CHAIRPERSON ANDERSON: Did you appear
8 at the show cause hearing status? We had a
9 status hearing for this case.

10 Did you appear at that hearing --

11 (Simultaneous speaking.)

12 MS. SOHAL: Yes.

13 CHAIRPERSON ANDERSON: And, if you, and
14 at that hearing, I specifically instructed both
15 sides that seven days before the hearing, that
16 both, both parties must disclose documents and
17 witnesses that they will rely upon.

18 And failure by each, either side to
19 disclose documents or witnesses seven days
20 before, that the Board is empowered to prevent
21 that side from, from relying on those documents.

22 And, I gave that instruction and I
23 asked are there any questions, and you did not
24 raise that you had any issues at that time,
25 ma'am.

1 So, I'm now surprised that you're
2 saying that you were not aware that you were
3 supposed to have done --

4 (Simultaneous speaking.)

5 MS. SOHAL: Again, that's completely on
6 me. I think that meeting was about a month or
7 two ago, so it completely slipped my mind.

8 And, that's why I'm accepting full
9 responsibility for that, and I apologize for the,
10 any sort of inconvenience that would have caused.

11 CHAIRPERSON ANDERSON: All right, as I
12 said before, it's, I will reserve your objection
13 at this moment, Mr. Celso.

14 When the licensee presents its case,
15 if they intend to rely upon (audio interference)
16 documents and witnesses, you can at that time
17 raise your objection again, and the Board will
18 rule --

19 (Simultaneous speaking.)

20 MR. CELO: Yes, Mr. Chair.

21 CHAIRPERSON ANDERSON: -- on your
22 objection, okay?

23 All right, so this is a protest, I'm
24 sorry, it's a show cause hearing, so what the
25 government has the burden of proof, ma'am. So

1 the government will go first.

2 So, each side will have, and you can
3 have an opportunity to have an opening statement.
4 Then the government will present its case.

5 The government will also call its
6 witnesses. Once the government, you will have an
7 opportunity to ask questions of the government's
8 witness.

9 Once you ask questions of the
10 government's witness, the Board will have an
11 opportunity to ask questions of the witness.

12 If the Board asks any questions, then
13 you will get another opportunity to ask questions
14 of the witness.

15 And then Mr. Celo as his witness,
16 he'll have the last word to ask questions.

17 Once the government has rested its
18 case, then you can present your case.

19 Any questions before we start?

20 (No audible response.)

21 CHAIRPERSON ANDERSON: No questions?

22 (No audible response.)

23 CHAIRPERSON ANDERSON: All right, Mr.
24 Celo, do you wish to make an opening statement?

25 MR. CELO: Yes, briefly, Mr. Chair.

1 OPENING STATEMENT

2 MR. CELO: Mr. Chair, Members of the
3 Board, may it please the Board.

4 Many of the facts that you will hear
5 in this case are uncontested. On April 15, 2023,
6 the establishment Glassey, hosted a Holi festival
7 at its premises.

8 During this festival, they made use of
9 a summer garden and prior to the festival, they
10 advertised it online, selling tickets for \$20.00
11 apiece.

12 It is an undisputed fact that the
13 establishment does not have, and did not at that
14 time, have a summer garden endorsement, nor an
15 endorsement for cover charge.

16 While the District anticipates that
17 there will be much testimony about confusion
18 regarding the requirements, the simple fact of
19 the matter is the establishment operated a summer
20 garden without endorsement.

21 And, advertised and sold tickets
22 online via EventBrite.

23 Therefore, at the end of this case,
24 the District will be seeking two violations. A
25 first primary-tier violation for operating a

1 summer garden without an endorsement; and a
2 second, or a first secondary-tier violation for
3 cover charge.

4 Thank you.

5 CHAIRPERSON ANDERSON: Thank you.

6 All right, Ms. Sohal, do you wish to
7 make a statement now, or you can reserve until
8 you present your case.

9 MS. SOHAL: I think I'll wait until I
10 present my case.

11 CHAIRPERSON ANDERSON: All right.

12 MS. SOHAL: If that's okay.

13 CHAIRPERSON ANDERSON: That is fine.

14 Mr. Celo, do you have a witness you
15 wish to call, sir?

16 MR. CELO: Yes, District calls ABCA
17 Investigator Mark Ruiz.

18 CHAIRPERSON ANDERSON: Mr. Ruiz, can
19 you raise your right hand, please.

20 Do you swear or affirm to tell the
21 truth and nothing but the truth?

22 INVESTIGATOR RUIZ: I do.

23 CHAIRPERSON ANDERSON: Your witness,
24 sir.

25 MR. CELO: Please state and spell your

1 name for the record.

2 INVESTIGATOR RUIZ: First name's Mark,
3 M-A-R-K, last name's Ruiz, R-U-I-Z.

4 DIRECT EXAMINATION

5 BY MR. CELO:

6 Q And, what is your position, Mr. Ruiz?

7 A I am an investigator.

8 Q For ABCA?

9 A Yes.

10 Q How long have you been in that
11 position?

12 A Four and a half years.

13 Q And, on or about April 15, 2023, did
14 you conduct an investigation of the
15 establishment, Glassey?

16 A I did.

17 Q Did you prepare a case report in
18 relation to that investigation?

19 A Yes.

20 MR. CELO: Mr. Chair, I would ask that
21 as a matter of law, the case report is admitted
22 into the record, and for permission to share my
23 screen.

24 (Whereupon, the above-
25 referred to document was

1 marked as Government Exhibit
2 No. 1 for identification.)

3 CHAIRPERSON ANDERSON: So moved.

4 (Whereupon, the above-
5 referred to document was
6 received into evidence as
7 Government Exhibit No. 1.)

8 CHAIRPERSON ANDERSON: And Mr.
9 Orellana, can you please give Mr. Celo the
10 opportunity to share his screen, please.

11 MR. ORELLANA: Access has been granted.

12 MR. CELO: Investigator Ruiz, do you
13 see the case report on your screen?

14 INVESTIGATOR RUIZ: Yes.

15 BY MR. CELO:

16 Q And, is it a true and accurate copy of
17 your case report?

18 A Yes.

19 Q All right.

20 Why did you conduct an investigation
21 of Glassey, on April 15, 2023?

22 A I was assigned by Supervisor S.I. Mark
23 Brashears, during my overtime shift, based on a
24 complaint from the local community, that the
25 establishment was operating in these violations.

1 Or planned on to, operating.

2 Q And, did you actually physically go to
3 the establishment on Saturday, April 15?

4 A I did, yes.

5 Q What did you witness?

6 A So, I got there approximately 1:00
7 p.m., when I observed patrons entering what
8 appeared to be a summer garden structure right
9 off the sidewalk.

10 Patrons appeared to be checked in.
11 There were two staffs at the doorway of the
12 summer garden greeting customers, as well as them
13 getting the packets of color, color and throwing
14 it around.

15 As well as alcohol being served on
16 that structure. And, that's when I seeked for
17 the owner to discuss what was going on.

18 Q And, did you speak with Ms. Sohal?

19 A Yes, I was able to meet with Ms.
20 Sohal, who was at, on the summer garden behind
21 the bar.

22 Q What occurred during that
23 conversation?

24 A Pretty much made her know why I was
25 there to discuss the event, as well as reviewed

1 her license with her.

2 (Pause.)

3 And that, indicated that there are no
4 summer garden endorsement and to ask why. She
5 stated that she applied, registered to what was
6 the TOPS Program during the Mayor's Emergency
7 Order, which was a temporary permit program that
8 allowed the use of extra space.

9 I asked to see some kind of
10 documentation or confirmation of that permit, but
11 she was unable to provide that.

12 Q Have you conducted a records search
13 with ABCA regarding the license since you spoke
14 to her?

15 A Yes, I conducted a physical records
16 search, check, as well as the electronic check
17 that we have on our system.

18 And even communicated with licensing
19 personnel. No record could be found of this
20 registration.

21 Q And to date, has any record been
22 provided to you?

23 A No.

24 Q So as far as you've been able to
25 determine, does the establishment have on its

1 license, either the TOPS Program certificate, or
2 --

3 (Simultaneous speaking.)

4 A No.

5 Q -- summer garden endorsement?

6 Did you also conduct any investigation
7 into the advertisement of this event?

8 A Yes, I was alerted to that by
9 Supervisory S.I. Brashears, where I did review it
10 myself.

11 And printed a copy of it, as well,
12 which, which just laid the \$20.00 charge, which
13 included entry and a packet of color.

14 Q And as I scroll down to page 3 of the
15 report, is this the document that you printed off
16 the internet?

17 A Yes.

18 Q And, on page 4, does it in fact say,
19 General Admission: \$20?

20 A Yes.

21 Q And, does it indicate that one ticket
22 will include a packet of color, and entry into
23 the event?

24 A Yes.

25 Q Did you consider this advertisement

1 and these sales, to be a cover charge for the
2 event?

3 A I did.

4 Q And, are any drinks or food included
5 with that purchase price?

6 A No.

7 MR. CELO: No further questions at this
8 time.

9 CHAIRPERSON ANDERSON: Thank you, sir.

10 Ms. Sohal, do you have any questions
11 of the investigator?

12 You can close your screen, sir.

13 MR. CELO: Oh, yes, thank you.

14 CHAIRPERSON ANDERSON: Ms. Sohal, do
15 you have any questions of Mr. Ruiz?

16 MS. SOHAL: Do I wait till it's my turn
17 to present the evidence?

18 CHAIRPERSON ANDERSON: No, this is, you
19 can cross-examine him, ma'am, on the testimony
20 that he just gave.

21 So, this is your opportunity to ask
22 him questions on what he just testified to.

23 MS. SOHAL: Okay.

24 Mr. Ruiz, were you asked to verify for
25 any sort of ticket, or cover charge upon entry?

1 INVESTIGATOR RUIZ: Your question is,
2 did I ask to verify?

3 MS. SOHAL: Were you asked by any of
4 the staff members at the entrance of Glassey, to
5 verify any purchase of a ticket?

6 INVESTIGATOR RUIZ: No, I identified
7 myself as an ABCA investigator upon approaching,
8 so no one asked me for a ticket, no.

9 CROSS-EXAMINATION

10 Q Also, I wanted to clarify that the two
11 people in the black shirts were actually not
12 staff members, they were event volunteers.

13 CHAIRPERSON ANDERSON: Ma'am, you have
14 to ask him questions now.

15 MS. SOHAL: Okay.

16 CHAIRPERSON ANDERSON: You can't, you
17 need to ask him a question, ma'am. In the form
18 for a question.

19 MS. SOHAL: I think that's all my
20 questions for now.

21 CHAIRPERSON ANDERSON: All right.

22 This is your only opportunity, ma'am,
23 to ask him questions. So once he, once you, once
24 we are done with him, you will have no other
25 opportunity to ask questions of him, ma'am.

1 MS. SOHAL: Oh, okay.

2 CHAIRPERSON ANDERSON: So, you have no
3 further questions to ask of him?

4 MS. SOHAL: Were you under the
5 impression that all of the attendees were
6 attending due to like, a purchased ticket and
7 cover charge, and/or cover charge?

8 INVESTIGATOR RUIZ: Yes.

9 MS. SOHAL: When you reviewed the
10 online EventBrite ticket sales, what date did
11 you, was that the date of the event, or was that
12 a date prior?

13 INVESTIGATOR RUIZ: I don't recall.
14 I'd have to look at it again.

15 MS. SOHAL: I think that will be all my
16 questions for now.

17 CHAIRPERSON ANDERSON: All right, fine.
18 Any questions by any Board members?
19 Go ahead, Mr. Short.

20 MEMBER SHORT: Investigator Ruiz, thank
21 you for your report. Investigator Ruiz, did you
22 inform anyone at the location that what they were
23 doing was illegal?

24 INVESTIGATOR RUIZ: I had a
25 conversation with the owner about the use of the

1 space, yes.

2 MEMBER SHORT: Are you familiar with
3 the investigative history of this location, or
4 this business? This licensee.

5 INVESTIGATOR RUIZ: Yes.

6 MEMBER SHORT: Have they ever had an
7 endorsement for a summer garden?

8 INVESTIGATOR RUIZ: Not to my
9 knowledge.

10 MEMBER SHORT: Have they ever had an
11 endorsement to have a cover charge?

12 INVESTIGATOR RUIZ: No.

13 MEMBER SHORT: Was that made known to
14 the owner the day of Saturday, the 14th?

15 (Simultaneous speaking.)

16 INVESTIGATOR RUIZ: Yes, I made known
17 of the summer garden, and discussed cover charge
18 at the time.

19 MEMBER SHORT: So again, they knew that
20 what they were doing was illegal, is that
21 correct?

22 INVESTIGATOR RUIZ: Yes.

23 MEMBER SHORT: Did they cease and
24 desist this action after you told them that?

25 INVESTIGATOR RUIZ: No.

1 MEMBER SHORT: Can I ask you why not?

2 INVESTIGATOR RUIZ: I don't know.

3 MEMBER SHORT: How many people would
4 you think was during that summer garden? Your
5 estimation.

6 INVESTIGATOR RUIZ: I think I estimated
7 around 30-40 people.

8 MEMBER SHORT: Thank you very much,
9 Investigator Ruiz.

10 That's all I have, Mr. Chair.

11 CHAIRPERSON ANDERSON: Thank you, Mr.
12 Short.

13 Any other questions by any other Board
14 members?

15 MEMBER GRANDIS: Thank you,
16 Investigator --

17 (Simultaneous speaking.)

18 CHAIRPERSON ANDERSON: Mr. Grandis,
19 you're not on camera, sir.

20 MEMBER GRANDIS: Let me see if I can
21 get it back on.

22 Okay, thank you.

23 CHAIRPERSON ANDERSON: Go ahead.

24 MEMBER GRANDIS: Investigator Ruiz, you
25 may have stated this in your testimony, and I'm

1 looking at your documents.

2 What time of day did you go?

3 INVESTIGATOR RUIZ: This was 1:00
4 o'clock p.m.

5 MEMBER GRANDIS: And, from your, from
6 your reading the invitation that was online, did
7 you see that there would be children that would
8 be welcome to this event, because of the type of
9 event that it was?

10 INVESTIGATOR RUIZ: Yes. Yes, it's my
11 understanding that it was originally scheduled to
12 be in a park, a park in a nearby area.

13 MEMBER GRANDIS: It was, oh. So in the
14 advertisement, it stated it was to be in the
15 park?

16 INVESTIGATOR RUIZ: Yes, until she was
17 informed about not having permits, then she moved
18 it to the establishment.

19 MEMBER GRANDIS: And when you were
20 there, did you notice it to, that there were
21 individuals under 21 there?

22 INVESTIGATOR RUIZ: There were kids,
23 yes.

24 MEMBER GRANDIS: So, would that be a
25 typical type of crowd that that, this

1 establishment would have in the, on another day?

2 Because it looks like they close at
3 9:00 p.m. So, it's a CR, correct?

4 INVESTIGATOR RUIZ: Yes, it would be a
5 restaurant, yes.

6 MEMBER GRANDIS: So, there would be
7 under 21 that would be standard in a CR
8 restaurant in D.C., correct?

9 INVESTIGATOR RUIZ: It's possible, yes.
10 Yes.

11 MEMBER GRANDIS: And, I think you just
12 stated that you were informed that the individual
13 did not have the proper permits to have it in a
14 park, but that it was actually scheduled not to
15 be in the restaurant, or in an area that we would
16 call a summer garden?

17 INVESTIGATOR RUIZ: Correct.

18 MEMBER GRANDIS: Investigator Ruiz,
19 thank you very much, and thank you for your
20 presentation.

21 Mr. Chairman, I --

22 (Simultaneous speaking.)

23 INVESTIGATOR RUIZ: You're welcome.

24 MEMBER GRANDIS: Thank you.

25 CHAIRPERSON ANDERSON: Any other

1 questions by any other Board members?

2 (No audible response.)

3 CHAIRPERSON ANDERSON: All right, Ms.
4 Sohal, do you have any questions of the
5 investigator, based on the questions that Mr.
6 Short, and Mr. Grandis had asked?

7 It has to be based on those questions
8 --

9 (Simultaneous speaking.)

10 MS. SOHAL: Yes --

11 CHAIRPERSON ANDERSON: -- asked by
12 those Board members.

13 MS. SOHAL: Did you witness any sort of
14 like, ID checks being performed, and any sort of
15 preventative measures being taken in order to
16 separate those that were above and under 21 years
17 old at the event?

18 INVESTIGATOR RUIZ: I didn't notice at
19 the time, no.

20 MR. CELO: I would object to relevance
21 just because we're not charging serving of
22 minors, or anything related to that.

23 CHAIRPERSON ANDERSON: I'm going to
24 overrule the objection. There were questions
25 about underage, so I, so I'm going to overrule

1 the objection.

2 All right, and I think he has answered
3 the question. Do you have another question you
4 want to ask?

5 MS. SOHAL: No.

6 CHAIRPERSON ANDERSON: All right, thank
7 you.

8 Mr. Celo, any questions that you have
9 to, any redirect?

10 MR. CELO: No, Mr. Chair.

11 CHAIRPERSON ANDERSON: Thank you.

12 All right, Mr. Ruiz, thank you for
13 your testimony today.

14 (No audible response.)

15 CHAIRPERSON ANDERSON: You're welcome.

16 Ms. Sohal, how do you plan to defend
17 yourself? Do you plan to, now you can do an
18 opening statement.

19 Do you have witnesses you plan to
20 call, or how do you plan to, because now you're
21 representing yourself, ma'am.

22 MS. SOHAL: I don't have witnesses, but
23 if I would be able to share my screen, then I do
24 have about five documents that I wanted to
25 display.

1 MR. CELO: I would object, and request
2 an offer of what these documents are before they
3 are displayed, so I can properly respond.

4 MS. SOHAL: So --

5 (Simultaneous speaking.)

6 CHAIRPERSON ANDERSON: Yes. Go ahead,
7 ma'am, what are the documents?

8 MS. SOHAL: So one is a receipt of the
9 total refunds that were given because initially,
10 the, like, we did charge cover charges.

11 And then I was informed about two days
12 before the event that because we didn't have a
13 cover charge endorsement, that we wouldn't be
14 able to do so.

15 So, we did refund those, so I have a
16 receipt for that, as well as a screen shot of one
17 of the emails that directly shows the EventBrite
18 logo, and a refund.

19 I also have a copy of an email showing
20 that, explained to myself that we had until May
21 31, which is about six weeks after the event, to
22 apply for a summer garden endorsement after, like
23 since the TOPS application with the Mayor's
24 Emergency Order.

25 As well as an email screen shot of

1 since then applying, and a reply from Ms. Erika
2 Houser, which is licensing specialist from ABCA,
3 that indicates that I had indeed, applied for the
4 specific sidewalk caf, endorsement.

5 CHAIRPERSON ANDERSON: Mr. Celo?

6 MR. CELO: Were the last two documents,
7 because I counted four. Were you counting the
8 email of your application and the response as two
9 separate?

10 MS. SOHAL: There, so there's one
11 that's the, like the Excel sheet of the refunds.
12 There's one that's a screen shot of one of the
13 refunds with the EventBrite logo.

14 There is the email from, indicating
15 that I had until May 31. And then there's the
16 two screen shots of the I guess, correspondence I
17 had gotten from the licensing specialist from
18 ABCA.

19 MR. CELO: Okay.

20 So of those, if I take them in that
21 order, Exhibits 2, no, Exhibits 1 and 3, I
22 received yesterday in late afternoon/early
23 evening. Exhibits 2, 4, and 5, I have not had
24 the opportunity to view.

25 I reserve the right to make additional

1 objections should they be offered into evidence.
2 But at this time, I object based on the timing
3 and the lack of ability to review said exhibits.

4 CHAIRPERSON ANDERSON: So, Ms. Sohal,
5 you were told at the show cause hearing status,
6 that seven days before the hearing you stated
7 earlier that you were present at the, at that
8 hearing.

9 And, you were told that failure on the
10 part of either side to disclose documents or
11 witnesses seven days, unless reasonable cause is
12 shown, good cause is shown, the Board will
13 prohibit either side in relying on those
14 documents.

15 So, why then, at least as Mr. Celo
16 stated, Exhibits 1 and 3 were provided to him
17 yesterday, and the other two exhibits he has not
18 seen.

19 So, why were these documents not, not
20 disclosed seven days ago, ma'am?

21 MS. SOHAL: As I had indicated, since
22 we had found out about it, and because our I
23 think last scheduled hearing had been postponed
24 to September.

25 So on my end, it was more of a

1 scheduling error of where I realized that today
2 was the meeting, and hadn't gotten a chance to
3 submit all of the evidence a week prior.

4 And then also, three of the exhibits
5 that I had not sent to Mr. Celo, was because I
6 had sent him the two documents regarding the
7 exact topic that we were speaking about
8 yesterday.

9 And so, the two screen shots of the
10 email regarding the future I guess application of
11 the sidewalk caf,, as well as the, another like,
12 just a second form of I guess proof that the
13 tickets were refunded, were the reason why they
14 weren't presented to him yesterday.

15 CHAIRPERSON ANDERSON: But this, this
16 matter was scheduled for a show cause hearing
17 previously. And, it was continued.

18 So you have had two opportunities,
19 ma'am, to have disclosed the documents. So
20 because, weren't you supposed to have disclosed
21 the documents for the previous date this matter
22 was scheduled for, and you did not do that?

23 MS. SOHAL: I have --

24 (Simultaneous speaking.)

25 CHAIRPERSON ANDERSON: So you did, you

1 did not disclose them for the previous date this
2 matter was scheduled for.

3 And now you were given probably
4 another month that this matter was scheduled for,
5 and you still didn't disclose them then.

6 So, I don't understand why you have
7 had two, I mean, I, you have had two
8 opportunities to disclose the documents and you
9 never did.

10 And so, I, go ahead, ma'am.

11 MS. SOHAL: This was by no means in an
12 effort to I guess, withhold information, or you
13 know, derail this case by any means.

14 It was I'm again taking
15 responsibility. It was my own personal error.
16 From my understanding since the show case hearing
17 that was a month ago, that you have a week before
18 then.

19 And then, I didn't submit the
20 information because I was I guess informed more
21 than a week prior, that that was now being moved
22 to September.

23 So, I thought that it was then going
24 to be today. And like I had said, that it was
25 just I guess, since the timing of the original

1 show case hearing, I hadn't gotten the chance to
2 submit it.

3 But it was by no means in order to
4 withhold information.

5 CHAIRPERSON ANDERSON: I'm not going to
6 allow you to rely on these documents, ma'am,
7 because you have not provided for reason, good
8 cause why these documents were not, were not
9 disclosed.

10 So, I'm not going to allow you to do
11 that.

12 If you're the only witness to testify,
13 I can swear you in and you can make testimony.
14 You can testify about what the documents are, and
15 how to defend yourself.

16 But I'm not going to allow you to rely
17 on these documents, and move them into evidence.

18 So, you stated, I'm sorry, you stated
19 you don't have any witness, correct, so you're
20 the only witness?

21 All right, so if you're the only
22 witness then what I will do, I will swear you in
23 and then you can defend yourself.

24 Can you raise your right hand, please.

25 Do you swear or affirm to tell the

1 truth and nothing but the truth?

2 MS. SOHAL: Yes.

3 CHAIRPERSON ANDERSON: And so, you can
4 state your case and once, you can put your hand
5 down, ma'am.

6 Once you're done, Mr. Celo will have
7 an opportunity to cross-examine you, and the
8 Board will have an opportunity to cross-examine
9 you.

10 Go ahead, ma'am.

11 MS. SOHAL: All right.

12 So, I was informed two days before the
13 event. I think, I'm pretty sure it was Ms. --
14 (Simultaneous speaking.)

15 CHAIRPERSON ANDERSON: Hold on for me,
16 hold on one minute.

17 Mr. Grandis, can you please mute your?

18 All right, go ahead, ma'am.

19 MS. SOHAL: So I was informed two days
20 before the event, I'm pretty sure it was Ms.
21 Walker, I think was her last name.

22 And she had informed me that, so
23 originally right, we wanted to have the event in
24 the, I guess the adjacent park.

25 And then due to I think, I was

1 informed by Ms. Walker that I would need a One-
2 Day Substantial Change, as well as the,
3 originally we were planning on having a DJ, so
4 that was a different endorsement. And then, as
5 well as the cover charge endorsement.

6 And since there wasn't enough time
7 because it was only a few days before the event
8 to get like, process all those permits, we
9 decided to change the location and have it on
10 premise.

11 Because from my understanding, I
12 wouldn't require a One-Day Substantial Change.

13 We got rid of the DJ so we wouldn't
14 have to be in violation of that, as well as for
15 the cover charge, we did refund all of the
16 tickets that were sold online.

17 And then everyone that had attended
18 the event that day, was free of charge. And the
19 only thing that they were purchasing was their
20 food, alcoholic beverages, packets of color.

21 Upon entry for every person that came
22 in, it was we would check their IDs in order to
23 make sure that they were either over 21, or
24 under.

25 If they were under 21, then they would

1 get a big black X on both of their hands in order
2 to provide more clarity to the bartender, myself.

3 So, we would avoid any I guess,
4 reasons for being in violation of our liquor
5 license in that case.

6 And then, as well as what I was going
7 to present to you was, I had received an email
8 indicating that we had until May 31 was the
9 deadline, just six weeks after our original
10 event, to apply for a summer garden or sidewalk
11 caf, endorsement.

12 And at that point is when our TOPS
13 application would have expired.

14 And when the investigator was there,
15 I had tried to pull up the I guess, any sort of
16 receipt for the TOPS, which I wasn't able to
17 provide at that moment.

18 And, this was also applied for I
19 think, back in 2020 so about three years prior,
20 which is part of the reason why I was having a
21 hard time.

22 And as the investigator had indicated,
23 I, in our efforts, right, because we were told in
24 the eleventh hour that these were, the I guess,
25 what we would be in violation of, I, you know,

1 tried to I guess, you know, we didn't want to
2 like, have a bad reputation for our business.

3 And where we would completely cancel
4 the event two days prior, but we did want to I
5 guess, still operate under the proper guidelines.

6 So, there wasn't any cover charge
7 charged, and any sales that were made from that
8 were refunded.

9 And then we didn't have a DJ, we,
10 under, from my understanding, I was still
11 operating lawfully under TOPS, which wouldn't
12 technically from my understanding, expire for
13 another six weeks.

14 (Pause.)

15 CHAIRPERSON ANDERSON: Do you have
16 anything else, any other representation that you
17 wish to make, ma'am?

18 MS. SOHAL: I'm sorry, do you mind
19 repeating that?

20 CHAIRPERSON ANDERSON: Any other
21 representation you wish to make?

22 MS. SOHAL: No.

23 CHAIRPERSON ANDERSON: That's it?

24 (No audible response.)

25 CHAIRPERSON ANDERSON: Any questions,

1 any cross-examination, Mr. Celo?

2 (No audible response.)

3 CHAIRPERSON ANDERSON: You're on mute,
4 sir.

5 MR. CELO: Thank you, my apologies.

6 It's nice to speak to you, ma'am.

7 First and foremost, you said Ms. Walker informed
8 you that you could not put on the event as
9 planned.

10 Who is Ms. Walker? Is she affiliated
11 with ABCA?

12 MS. SOHAL: Yes.

13 I want to say her first name started
14 with a D. But she was affiliated with ABCA.

15 CROSS-EXAMINATION

16 BY MR. CELO:

17 Q Okay.

18 You indicated that you had issued
19 refunds. You acknowledge that you did sell
20 tickets, correct?

21 A Initially, yes.

22 Q Do you know when the refunds were
23 issued?

24 A I'm going to have to look back on my
25 EventBrite dashboard.

1 Q Was it before the event, or after the
2 event?

3 A Before.

4 Q Okay.

5 So, you're telling this Board that
6 before Investigator Ruiz ever interviewed you,
7 you had already issued refunds?

8 A Yes.

9 However, I cannot confirm if they had
10 been processed like, because there is a
11 processing period with EventBrite. I think it's
12 like a couple of days.

13 So, I can't confirm as to whether the
14 refunds had fully processed yet. But I did put
15 in the refunds.

16 Q Okay.

17 A From the event.

18 Q Now as it relates to summer garden,
19 you agree that you did not have a summer garden
20 endorsement at that time, correct?

21 A Under, from my understanding, it was
22 that because I had applied for the TOPS one,
23 which was just back then like a basic, I think it
24 was like a couple questions on like a Gmail
25 survey link.

1 But --

2 (Simultaneous speaking.)

3 Q Ma'am, we'll get to TOPS in a second,
4 but I'm talking just about the summer garden.

5 Do you agree that you did not have a
6 summer garden endorsement on your license at that
7 time, correct?

8 And you've since applied for one, but
9 you don't have one right now, correct?

10 (No audible response.)

11 Q All right.

12 Now Investigator Ruiz asked you to see
13 about your TOPS certificate, and you were unable
14 to provide it at that time, you testified.

15 Correct?

16 A Yes.

17 Q But you still to this day, have never
18 been able to provide that to Investigator Ruiz?

19 A Yes.

20 Q Okay.

21 And, you said you received a notice
22 saying that you did not need to apply to the
23 summer, for a summer garden until 5/31.

24 You would agree that that did not come
25 from ABCA, correct?

1 A Sorry, I'm just going to look back
2 because I wasn't exactly sure where, who the
3 email was from.

4 I received that from the Restaurant
5 Association, RAMW.

6 Q It was not an official ABCA notice
7 giving you a deadline?

8 A Yes.

9 Q Okay.

10 MR. CELO: No further questions at this
11 time.

12 CHAIRPERSON ANDERSON: All right, Ms.
13 Sohal, let me ask you a question.

14 How long have you owned this
15 establishment, ma'am?

16 MS. SOHAL: It was from 2020, since
17 about July 2020.

18 CHAIRPERSON ANDERSON: July of 2020, so
19 this, and so basically, you're, you operate, you
20 have been operating, you started to operate
21 since, during COVID, is that correct?

22 MS. SOHAL: Yes.

23 CHAIRPERSON ANDERSON: Now, tell me
24 about this summer garden that you have on this
25 property.

1 Now, well, who told you what, how long
2 has, how long did you have the summer garden?
3 When you opened the business, did the business
4 have a summer garden?

5 MS. SOHAL: No.

6 CHAIRPERSON ANDERSON: So, when did you
7 decide to have a summer garden?

8 MS. SOHAL: I think it was built out
9 around the end of 2020, beginning of 2021.

10 CHAIRPERSON ANDERSON: So, it was built
11 2020 --

12 MS. SOHAL: 1, I think, yes.

13 CHAIRPERSON ANDERSON: 2021. And, no
14 one told you that you had to apply to ABRA at the
15 time, for a license to --

16 MS. SOHAL: Oh, at the time what we
17 were told is that if you had gone through the, it
18 was like a basic application for TOPS, that, for
19 the time being, they, I know that they had, ABRA
20 had said that they, you know, would have a
21 certain deadline, which was continuously extended
22 as to when you would have to apply for the summer
23 garden, or sidewalk caf,.

24 CHAIRPERSON ANDERSON: Are you sure for
25 a summer garden, or is it just said that you have

1 outdoor --

2 (Simultaneous speaking.)

3 MS. SOHAL: I'm sorry?

4 CHAIRPERSON ANDERSON: I'm aware that
5 during COVID, exceptions were made for folks to
6 operate outdoors, that's correct.

7 MS. SOHAL: Yes.

8 CHAIRPERSON ANDERSON: But, so you're
9 saying, all right, well, I'll leave that.

10 All right, so you were told that you
11 had to apply for summer garden, is that correct?

12 When were you told you had to apply
13 for a summer garden endorsement?

14 MS. SOHAL: I think I was told by
15 Investigator Ruiz, as well as when I had
16 initially read that email from RAMW that we would
17 have until the 31st to apply.

18 CHAIRPERSON ANDERSON: So, have you
19 applied for summer garden endorsement?

20 MS. SOHAL: Yes.

21 CHAIRPERSON ANDERSON: Do you currently
22 have a summer garden endorsement on your license,
23 ma'am?

24 MS. SOHAL: No.

25 CHAIRPERSON ANDERSON: Are you still

1 operating as a summer garden?

2 MS. SOHAL: I haven't since had like,
3 any sort of events or anything. And, I mean, I
4 don't know if this even like, I guess matters to
5 my case.

6 But like, the reason that we had like,
7 started, or even you know, intended on having
8 events is because my business has been
9 struggling.

10 And we are going to be more than
11 likely, shutting down our operation within like
12 the next month or so.

13 And, I mean, since I had gotten the
14 notice that you know, this, that you know, I
15 wasn't able, you know, that I had been fined, or
16 I was in violation right, I did, you know, before
17 the 31st apply for the summer garden.

18 And, I did get a response back from
19 the licensing specialist that she had received my
20 application.

21 And I gave all the supporting
22 documents. I think she required like, like one
23 other thing. It was like a, I want to say it was
24 called like a Permit for Public Use.

25 And, the reason that I haven't

1 submitted that yet is because we were more than
2 like, we're more than likely shutting down the
3 business.

4 So in that case, I didn't want to
5 apply for another I guess, endorsement or
6 license, if we weren't going to be using it
7 anyway because we're going to be closing the
8 business down.

9 CHAIRPERSON ANDERSON: All right, but
10 all right. So let me ask you another question.

11 Now, where were you planning to have
12 this event before you decided to move it to your
13 business?

14 MS. SOHAL: Originally, we were going
15 to have it on I want to, I'm going to have to see
16 what the, what block number it is.

17 But if you know where like, Big Bear
18 Caf, is, there's, it's right on the --

19 CHAIRPERSON ANDERSON: All right, but
20 your plan to have it at a different location,
21 that's correct?

22 (Simultaneous speaking.)

23 MS. SOHAL: So, because I had had it,
24 I had a Holi festival, I want to say in 2021.
25 And that's where we had had it.

1 It was outdoors because, you know, the
2 actual festival involves like you know, throwing
3 colored powders and stuff. So, it's a more
4 outdoor-friendly event.

5 And when we had it over there on R
6 Street, which is only about like a block away, I
7 had applied for a One-Day Substantial Change.

8 And then, it was like a TOPS permit in
9 order to shut down that block. And that's where
10 we had had it.

11 And then this year, that's where we
12 wanted to have it initially, as well.

13 Upon, you know, or I guess, our own,
14 our own discussions with the team, we decided
15 that instead of closing down that R Street one,
16 which is a block away, then we would try and do
17 this exact block which is right in front of
18 Glassey, which is the 1600 block of 1st Street.

19 And, that is when we were told while
20 we were processing our permit with TOPS, that we
21 would not be able to for like reasons such as we
22 needed this, I had gotten the signature of the
23 adjacent neighbor but apparently needed it for
24 the whole block.

25 And I think, yes, I think that was the

1 only thing that was holding us back from closing
2 down this.

3 And then I was alerted by Ms. Walker
4 that there was things such as we needed a DJ
5 endorsement, and we needed a cover charge
6 endorsement.

7 So from that point, I didn't progress
8 with trying, attempting to shut down the block at
9 all.

10 And, I didn't go through with my TOPS
11 permit. And I did my best to I guess, remove all
12 I guess, like infractions in our case, right.

13 And, did everything in our power in
14 order to operate lawfully, so we wouldn't be in
15 violation of anything.

16 And that was, you know, our entire
17 effort and intention.

18 CHAIRPERSON ANDERSON: But let me go
19 back. You're stating that the first time you did
20 the event, you were told that you had to have,
21 you applied and had to have a One-Day Substantial
22 Change.

23 MS. SOHAL: Yes, because that --

24 (Simultaneous speaking.)

25 CHAIRPERSON ANDERSON: Who told you

1 that?

2 MS. SOHAL: -- was not on our
3 property. It was about a block and a half over.

4 CHAIRPERSON ANDERSON: So, why then did
5 you not apply since you knew before, when you had
6 this event before, that you had to apply for a
7 One-Day Substantial --

8 (Simultaneous speaking.)

9 MS. SOHAL: Because I was --

10 CHAIRPERSON ANDERSON: -- Change?

11 MS. SOHAL: Oh, sorry.

12 CHAIRPERSON ANDERSON: Let me, so why
13 did you not apply for one, a One-Day Substantial
14 Change for this time?

15 MS. SOHAL: I was under the impression
16 that because it was, we were operating on our
17 premises, that I was able to operate under my
18 normal as-is liquor license.

19 Had I known that that didn't apply to
20 our outdoor deck as well, then I 100 percent
21 would have.

22 I have done previously as well, but to
23 my knowledge, I was like, lawfully able to
24 operate within just on your Glassey premises, and
25 just not like outside of it.

1 Which I was later informed like during
2 the event, that that wasn't the case.

3 CHAIRPERSON ANDERSON: Any other
4 questions by any other Board members?

5 MEMBER GRANDIS: Mr. Chairman?

6 CHAIRPERSON ANDERSON: Go ahead, Mr.
7 Grandis.

8 MEMBER GRANDIS: Thank you for your
9 presentation, and you know, there's a cliché that
10 no good deed goes unpunished.

11 So, it sounds like that if I
12 understand right, that this was a family festival
13 that you have had before, and you participate in
14 perhaps annually, perhaps?

15 MS. SOHAL: Yes, annually. We weren't
16 able to do it in 2022, but yes, for the most
17 part, it's just a popular Indian holiday that we
18 wanted to put on.

19 MEMBER GRANDIS: Okay.

20 In the presentation and the documents
21 that the government provided, there was it looks
22 like an ad on April 15 about this festival?

23 MS. SOHAL: Uh huh.

24 MEMBER GRANDIS: And, this is, if I
25 read this ad correctly, it says that you're

1 changing the location?

2 MS. SOHAL: Yes.

3 MEMBER GRANDIS: So, had there been a
4 prior similar invitation that was done in the
5 media that had the, a different location?

6 MS. SOHAL: So, we had done it
7 initially to where it was location TBD, like to
8 be, or TBA, to be announced.

9 But we had indicated that it would be
10 because again, we wanted to have it on our
11 street, that block of our street in front of Big
12 Bear. And then, we decided to have it on the
13 1600 block of 1st Street.

14 But initially when we had put the
15 flyer out for the event, it just said location
16 TBA, and then it had said Washington, D.C.

17 MEMBER GRANDIS: And, if I understand
18 your current license, your closing hour is 9:00
19 p.m.?

20 MS. SOHAL: Yes.

21 MEMBER GRANDIS: Seven days a week?

22 MS. SOHAL: Yes.

23 MEMBER GRANDIS: So, what type of
24 operation is it when you're not having this
25 festival?

1 MS. SOHAL: Just a restaurant.

2 MEMBER GRANDIS: But 9:00 p.m., a lot
3 of CRs go beyond 9:00 p.m. So, if it's a 9:00
4 p.m., is it a lunch and dinner, or is it a
5 dinner?

6 (Simultaneous speaking.)

7 MS. SOHAL: Currently, we only,
8 currently we only operate for dinner. So we're
9 closed on Mondays, and then all the other days we
10 operate from 4:00 p.m. to 9:00 p.m.

11 MEMBER GRANDIS: Do you have a menu?

12 MS. SOHAL: Yes.

13 MEMBER GRANDIS: What type of menu is
14 it?

15 MS. SOHAL: It's Indian street food, so
16 we do things like butter chicken, chicken fry
17 curry, as well as Indian-American fusion foods
18 such as Marsala fries, chicken Tikka burgers,
19 Samosas.

20 MEMBER GRANDIS: So, it's not like
21 finger food to go with drinks, it's actually a
22 entree and full menu?

23 MS. SOHAL: Yes, yes.

24 MEMBER GRANDIS: And, would you say
25 your clientele is primarily walk-in from the

1 neighborhood?

2 Is it like in a neighborhood
3 restaurant type of thing, or is it you know,
4 metro-wide?

5 MS. SOHAL: I would say it's metro-wide
6 because, and it really does depend on I think
7 during the weekdays, it's more of the
8 neighborhood.

9 And then on the weekends, it's more
10 metro-wide and so on.

11 MEMBER GRANDIS: Do you do other
12 advertisements, other than the ones that we had
13 in the presentation by the government?

14 MS. SOHAL: Yes.

15 EventBrite isn't typically a method
16 that we use, unless we would have events specific
17 like such.

18 Usually we're using social media
19 platforms like Facebook, Instagram, and TikTok.

20 MEMBER GRANDIS: And, I think I heard
21 you say that at the end of this month, the
22 establishment is closing?

23 MS. SOHAL: More than likely, yes.

24 MEMBER GRANDIS: And, what's the reason
25 for that?

1 MS. SOHAL: Lack of business. We've
2 struggled to stay afloat and this year and at
3 this point, we're you know, not even able to keep
4 a large enough staff to where we would be able to
5 operate more than like, dinner time.

6 And, that's also another reason is why
7 we, you know, want to put an event on is to get
8 some sort of cash flow and revenue to our
9 business, which we haven't done.

10 So since then, and at this point,
11 we're just, had to come to the hard decision that
12 I don't think we're able to keep up with our
13 overhead costs, and we are looking to close down.

14 MEMBER GRANDIS: And during COVID, when
15 you were operating, did you have other events
16 other than this one?

17 MS. SOHAL: We had the Holi event, and
18 then we didn't have like, full on events. We
19 might have like, like, a themed like thing like,
20 where it's like if there's an Indian holiday like
21 Diwali, right, then we might add like different,
22 like a new cocktail on our menu.

23 Or like a new food dish that's
24 specific to the holiday. Same deal like if it's
25 Thanksgiving, then we'll try and you know, like

1 offer where people can get their Thanksgiving
2 plate from us.

3 Same thing for Christmastime. For
4 Halloween, we might have, like, if someone comes
5 in with like, a cool costume, then you know, you
6 get like, you know, like a free, like appetizer
7 or something.

8 MEMBER GRANDIS: So, your current
9 business model, other than the event that you
10 were not in compliance with, do you, do you
11 charge cover charges?

12 MS. SOHAL: No.

13 MEMBER GRANDIS: This is the only type
14 of event that you have --

15 (Simultaneous speaking.)

16 MS. SOHAL: Yes.

17 MEMBER GRANDIS: -- requested a cover
18 charge on?

19 MS. SOHAL: Yes.

20 MEMBER GRANDIS: Mr. Chairman, I think
21 I have answered the questions that I had interest
22 in.

23 And, I want to thank you for your
24 answers, ma'am. Thank you.

25 CHAIRPERSON ANDERSON: All right, any

1 other questions by any other Board members?

2 (No audible response.)

3 CHAIRPERSON ANDERSON: Mr. Celo, any
4 redirect?

5 (No audible response.)

6 CHAIRPERSON ANDERSON: Mr. Celo?

7 MR. CELO: No redirect, sorry.

8 CHAIRPERSON ANDERSON: Do you need to
9 provide, Ms. Sohal, do you need to provide any
10 clarifications to any of the questions that the
11 Board asked you?

12 MS. SOHAL: No, I think I've answered
13 it.

14 CHAIRPERSON ANDERSON: All right, fine.

15 MS. SOHAL: To the best of my ability.

16 CHAIRPERSON ANDERSON: Do you rest
17 here, Ms. Sohal, do you rest?

18 MS. SOHAL: Uh huh.

19 CHAIRPERSON ANDERSON: All right.

20 All right, so the hearing is now
21 concluded so what we have now, we'll have an
22 opportunity for closing statements.

23 So the government will have, will
24 close. Basically, a closing statement, just tell
25 us what it is that the testimony was, and

1 basically what it is that you're, the Board is
2 being asked to, to do.

3 And so, you'll also, the government
4 will go first. You'll go second. And again,
5 you'll tell us what it is that you have testified
6 to, and what it is that you're asking the Board
7 to do.

8 So, go ahead, Mr. Celo.

9 CLOSING ARGUMENTS

10 MR. CELO: The government is not
11 contesting, or not alleging that malice was at
12 issue in the violations discussed today.

13 And, is willing to credit the fact
14 that the establishment did change its operations
15 according to the notice given.

16 That being said, there is no contest
17 of fact that this event was advertised for sale,
18 and that the establishment has been operating
19 without a summer garden endorsement.

20 Whether or not it was malice or simply
21 confusion, the fact remains that the violation
22 did occur.

23 And therefore, the District does seek
24 a finding of a first primary-tier violation, as
25 it relates to the summer garden.

1 And, an appropriate determination of
2 the facts, as it relates to the cover charge.

3 Thank you.

4 CHAIRPERSON ANDERSON: Thanks.

5 All right, ma'am, your opportunity to
6 have a closing statement. What is it you want
7 the Board to do, ma'am?

8 MS. SOHAL: As I had indicated, we had
9 upon finding out that we might potentially be in
10 violation of our liquor license and required
11 endorsements, we to the best of our ability,
12 attempted to change our operations in order to
13 operate within the proper guidelines of our
14 liquor license.

15 And we, I guess all I'm requesting is
16 that like, truly we're not able to afford any
17 additional like, exorbitant fees.

18 And already, our business is we're
19 going to be shutting down soon, so I guess, all
20 I'm requesting is some sort of understanding.

21 And, I thank you all for your time
22 today.

23 CHAIRPERSON ANDERSON: Thank you.

24 All right, the record is now closed.

25 Do the parties wish to file a proposed

1 findings of fact and conclusions or law, or waive
2 their right to do so?

3 MR. CELO: The District (audio
4 interference) --

5 CHAIRPERSON ANDERSON: All I heard, Mr.
6 Celso, is that the District. That's all heard. I
7 didn't hear anything else.

8 MR. CELO: The District will waive.

9 CHAIRPERSON ANDERSON: All right, thank
10 you.

11 Ma'am, meaning that you want the Board
12 to make a decision on what was presented today,
13 and we'll make a decision on what was presented
14 today?

15 (No audible response.)

16 CHAIRPERSON ANDERSON: All right.

17 All right, fine. This matter is
18 concluded. So let me do the, hold on, let me
19 read the closing statement.

20 One minute, please.

21 (Pause.)

22 As Chairperson of the Alcoholic
23 Beverage and Cannabis Board for the District of
24 Columbia, and in accordance with D.C. Official
25 Code Section 2575 of the Open Meetings Act, I

1 move that ABC Board hold a closed meeting for the
2 purpose of seeking legal advice from our counsel
3 on Case Number 23-CMP-00039, Glassey, pursuant to
4 D.C. Official Code Section 2575(b)(4)(a) of the
5 Open Meetings Act, and deliberate upon Case
6 Number 23-CMP-00039, Glassey, for the reasons
7 cited in D.C. Official Code Section 2575(b)(13)
8 of the Open Meetings Act.

9 Is there a second?

10 MEMBER GRANDIS: I second, Edward
11 Grandis will second.

12 CHAIRPERSON ANDERSON: Mr. Grandis has
13 seconded the motion. I will now take a roll call
14 vote on the motion before us now that it's been
15 properly seconded.

16 Mr. Short?

17 MEMBER SHORT: Mr. Short, I agree.

18 CHAIRPERSON ANDERSON: Mr. Cato?

19 MEMBER CATO: Bobby Cato, I agree.

20 CHAIRPERSON ANDERSON: Ms. Hansen?

21 (No audible response.)

22 CHAIRPERSON ANDERSON: Mr. Grandis?

23 MEMBER GRANDIS: Edward Grandis, I
24 agree.

25 CHAIRPERSON ANDERSON: Mr. Anderson,

1 and I agree.

2 As it appears that the motion has
3 passed, I hereby give notice that ABC Board will
4 recess its proceedings, to hold a closed meeting
5 pursuant to Section 2575 of the Open Meetings
6 Act.

7 I thank everyone for their
8 presentation today. The Board will issue a
9 decision within 90 days.

10 Thank you very much; have a great day.

11 All right, we're now at the end of our
12 morning calendar and the Board will take a brief
13 recess, to go into Executive Session. And we
14 will come back, we will come back as soon as
15 possible to do our agenda.

16 So, the Board is in recess and we
17 should be back, we'll be back shortly. So, this
18 is just for the court reporter to say please
19 stand by, we will be back shortly.

20 All right, so I now ask all Board
21 members to return to Executive Session for
22 further action.

23 Thank you.

24 (Whereupon, the above-entitled matter
25 went off the record at 12:04 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Glassey

Before: DC ABCA

Date: 09-13-23

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