

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

2 2:05 p.m.

3 CHAIRPERSON ANDERSON: All right. Our
4 next case, Case Number 21-251-00012, Nellie's
5 Restaurant & Sports Bar. License Number 75240.

6 Ms. Andrews, can you please elevate
7 the rights of the parties in this case?

8 MEMBER HANSEN: Excuse me?

9 CHAIRPERSON ANDERSON: Yes, Ms.
10 Hansen?

11 MEMBER HANSEN: I will be recusing
12 myself from this case.

13 CHAIRPERSON ANDERSON: All right,
14 thank you, Ms. Hansen. All right, so --

15 MS. ANDREWS: Standby.

16 CHAIRPERSON ANDERSON: All right,
17 thank you.

18 MS. ANDREWS: Mr. Doug Schantz, your
19 rights have been elevated. Mr. Ortiz, your
20 rights have been elevated. Investigator Ruiz,
21 your rights have been elevated. And I do believe
22 Mr. Kline, is Mr. Kline still on? Yes. Okay,
23 that's all, Mr. Chair.

24 CHAIRPERSON ANDERSON: So, Mr.
25 Andrews, all the parties for this case, their

1 rights have been elevated, is that correct?

2 MS. ANDREWS: Correct.

3 CHAIRPERSON ANDERSON: Mr. Kline, is
4 anyone missing?

5 MR. KLINE: Is Doug Schantz on?

6 MR. SCHANTZ: Yes, I am.

7 MR. KLINE: Okay, good. Yes.

8 Everyone is on.

9 CHAIRPERSON ANDERSON: Is there anyone
10 else? All right.

11 And, Mr. Ortiz, everyone on your party
12 is here?

13 MR. ORTIZ: I believe so. It should
14 be Investigator Ruiz. Yes.

15 CHAIRPERSON ANDERSON: Yes. Yes, he's
16 here.

17 All right, good afternoon, everyone.
18 This is a case for Nellie's Restaurant. This is
19 a full show cause hearing.

20 So, all right. So lets have the
21 parties introduce themselves for the record,
22 starting with Mr. Ortiz.

23 MR. ORTIZ: Stephen Ortiz on behalf of
24 the District of Columbia. That's, S-T-E-P-H-E-N,
25 O-R-T-I-Z.

1 CHAIRPERSON ANDERSON: And if this
2 case goes to a hearing, you have no witnesses,
3 Mr. Ortiz?

4 MR. ORTIZ: Yes, I have a witness.
5 ABRA Investigator Mark Ruiz.

6 CHAIRPERSON ANDERSON: Mr. Ruiz, can
7 you please spell and state your name for the
8 record please?

9 MR. RUIZ: Yes. First name is Mark,
10 M-A-R-K, last name is Ruiz, R-U-I-Z.

11 CHAIRPERSON ANDERSON: Good afternoon,
12 Mr. Ruiz. Mr. Kline, please spell and state your
13 name for the record please?

14 MR. KLINE: Sure. Andrew Kline, A-N-
15 D-R-E-W, last name Kline, K-L-I-N-E. Thank you.

16 CHAIRPERSON ANDERSON: Who is here
17 with you today, Mr. Kline?

18 MR. KLINE: Doug Schantz. Douglas
19 Schantz. First name, D-O-U-G-A-L, last name, S-
20 C-H-A-N-T-Z.

21 CHAIRPERSON ANDERSON: And who is
22 that?

23 MR. KLINE: He is the principal owner
24 of Nellie's Sports Bar.

25 CHAIRPERSON ANDERSON: Mr. Schantz,

1 can you please identify yourself for the record
2 please.

3 MR. SCHANTZ: Good afternoon, Mr.
4 Chairman. It's Doug Schantz, owner of Nellie's
5 Sport Bar.

6 CHAIRPERSON ANDERSON: All right.

7 MR. SCHANTZ: Did you want me to spell
8 my name?

9 CHAIRPERSON ANDERSON: I think Mr.
10 Kline has spelled your name.

11 MR. SCHANTZ: Okay.

12 CHAIRPERSON ANDERSON: As long as he
13 spelled it correctly then you don't need to --

14 MR. SCHANTZ: Yes.

15 CHAIRPERSON ANDERSON: One of the
16 reasons why I ask everyone to spell their name
17 because we have a record that is being
18 transcribed. So this is just for the benefit of
19 the court reporter.

20 So I don't want, when you read the
21 transcript, for you to complain that your name
22 was not spelled correctly, if you did not spell
23 your name for the court reporter. So that's one
24 of the reasons why I always go through the
25 exercise for everyone to identify themselves and

1 to spell their name for the record. So your name
2 is properly spelled on the official transcript.
3 So I just want to alert folks, that's why I go
4 through that exercise.

5 All right. This is a full show cause
6 hearing. Is the Government ready to proceed?
7 And if the Government is ready to proceed, are
8 there any preliminary matters to discuss?

9 MR. ORTIZ: Yes. The Government would
10 like to, sorry, there was an echo. The
11 Government would like to present an offer-in-
12 compromise at this time.

13 CHAIRPERSON ANDERSON: And what is
14 that offer-in-compromise that the Government has
15 that it wishes to provide?

16 MR. ORTIZ: All right. It's going to
17 include a fine. That the establishment shall pay
18 a \$5,000 within a 120 days or its license shall
19 be suspended until this fine is paid.

20 But it will also include a suspension.
21 The establishment shall serve a 24 day suspension
22 with seven days to be served and 17 days stayed
23 for one year.

24 The establishment shall serve the
25 seven day suspension on December 20th, 2021

1 through December 26th, 2021.

2 And the other term of the OIC is going
3 to be that the establishment shall file a
4 security plan with ABRA within ten calendar days
5 that at least includes information found in D.C.
6 Code Section 25-402(d)(3).

7 CHAIRPERSON ANDERSON: And, Mr. Ortiz,
8 and I wasn't expecting an offer-in-compromise,
9 let me apologize to you. So can you just briefly
10 summarize what this case is about? And what was
11 this case about?

12 MR. ORTIZ: Yes. So this matter was
13 brought before you all now as a show cause
14 hearing regarding a charge that the Licensee
15 allowed the licensed establishment to be used for
16 an unlawful and disorderly purpose in violation
17 of D.C. Code Section 25-423(a)(2).

18 And so, what occurred at this
19 establishment is that a patron was able to enter
20 the establishment with a bottle of Bacardi rum.
21 And so then, at the time that ABC manager, or
22 someone at the bar was able to notice this, they
23 contacted the security staff and attempted to
24 escort the patron out of the establishment, when
25 an altercation occurred within a group of patrons

1 and so therefore the security guard, or the
2 security team that was hired by Nellie's,
3 proceeded to escort and engage in a method of
4 operation that resulted in an altercation between
5 the security staff and the patrons.

6 CHAIRPERSON ANDERSON: Now, do you
7 believe that the offer-in-compromise that was
8 just presented to the Board, is it the
9 Government's position that this will address the
10 issues that were raised and this is in the best
11 interest of the resident's of the District of
12 Columbia?

13 MR. ORTIZ: Yes, I do believe that.

14 CHAIRPERSON ANDERSON: Okay, thank
15 you. Mr. Kline, it's my understanding that there
16 is an offer-in-compromise, and the offer-in-
17 compromise is that there is a fine of \$5,000 to
18 be paid within 120 days. If the fine is not paid
19 within 120 days, the license will be suspended
20 indefinitely until the fine has been paid.

21 That there is a 24 day suspension with
22 seven days served. And I'm sorry, what are the
23 seven, I'm sorry, before I go forward, Mr. Ortiz,
24 what are the seven days that will be served?

25 MR. ORTIZ: It is December 20th, 2021

1 through December 26th, 2021.

2 CHAIRPERSON ANDERSON: All right. So,
3 there is \$5,000 within 120 days or the license
4 will be suspended indefinitely until the fine has
5 been paid. There is a 24 days suspension with
6 seven days served. And the seven days served are
7 December 20th through December 26th, 2021.

8 That seven days will be stayed for one
9 year, provided that there are no further
10 infractions. And that the establishment will
11 provide the Board with a security plan, with a
12 legally sufficient security plan, within ten
13 calendar days.

14 Is this your understanding, sir, of
15 the offer-in-compromise?

16 MR. KLINE: Yes.

17 CHAIRPERSON ANDERSON: Is your Client
18 aware that by accepting an offer-in-compromise
19 that he is giving up his right to a hearing?

20 MR. KLINE: Yes.

21 CHAIRPERSON ANDERSON: Is your Client
22 also aware that by accepting an offer-in-
23 compromise that he is giving up his right to
24 appeal this matter?

25 MR. KLINE: Yes.

1 CHAIRPERSON ANDERSON: All right. I'm
2 going to give the other Board Members an
3 opportunity to ask questions of each side, but is
4 there any proffer that you wish to make, sir?

5 MR. KLINE: Yes. A couple of things
6 I'd like to point out to the Board.

7 Number one, the Licensee has found the
8 situation very regrettable and unfortunate. And
9 it's been an experience for Mr. Schantz
10 personally and for the business.

11 Immediately upon this happening, the
12 establishment voluntarily closed its doors to
13 review its security procedures and to review what
14 it is that brought this incident about. The
15 security company that was working that night was
16 immediately terminated.

17 Mr. Schantz then set out to find a
18 different security company. And ultimately
19 stayed closed, voluntarily, for 35 days while
20 this incident was investigated and while steps
21 were determined so that there will not be a
22 repeat of a similar incident.

23 In addition, given some of the
24 concerns that were raised, which are not part of
25 the charges, and are not really part of the

1 record but they're out there in the popular
2 press, Nellie's secured a director of community
3 engagement in an effort to bridge the gap between
4 the business and the community. And address
5 issues that might arise.

6 Managers and staff have all completed
7 a conflict de-escalation training program. And
8 it's Nellie's policy moving forward that that
9 will be a regular part of onboarding new
10 employees. That they will take this de-
11 escalation, conflict de-escalation training.

12 We think that the establishment has
13 reacted appropriately and that the offer-in-
14 compromise represents a fair resolution of this
15 matter, and we would urge the Board to accept it.

16 CHAIRPERSON ANDERSON: Thank you, Mr.
17 Kline. All right, any questions by any Board
18 Members?

19 MEMBER SHORT: Yes, Mr. Chair, I did
20 have one question.

21 CHAIRPERSON ANDERSON: Hold on. Go
22 ahead, Mr. Short.

23 MEMBER SHORT: Thank you, Mr. Chair.
24 The question I would like to ask the owner is, he
25 got rid of the security company that he had

1 during this incident, and is the security company
2 he is hiring now, once he's allowed to reopen,
3 are they properly trained and are they registered
4 with the District of Columbia Police Department
5 as required by security persons in the District
6 of Columbia?

7 CHAIRPERSON ANDERSON: I know the
8 question is being asked to the Licensee, so
9 either the Licensee or his Attorney can respond
10 to the question. Whoever can.

11 MR. KLINE: Yes. I mean, the answer
12 is yes. They're appropriately qualified and
13 registered. And they in fact also have the
14 appropriate insurance, if that's of concern to
15 the Board. So the answer to all of that is yes.

16 I mean, it was, Mr. Schantz was
17 careful about what he did in reopening. And this
18 is a very sensitive issue in the community.

19 Mr. Schantz was appreciative of that
20 and respectful of that. And yes, he did take the
21 steps to find a security company that would be
22 appropriate to work in his venue to assure that
23 there will not be a repeat of the situation like
24 this in the future.

25 MEMBER SHORT: Okay, I heard your

1 answer, and thank you very much, Mr. Kline, for
2 your answer. But again, for the record, this
3 security company is registered with the
4 Metropolitan Police Department as required by
5 District law, are they or aren't they?

6 MR. KLINE: I don't, as I sit here
7 right now, I am not sure I know the answer to
8 that question. And I'm not sure that they're
9 required to be. And you are beyond the scope of
10 what I know.

11 So I don't want to say yes and say, I
12 can't say (inaudible). We'll go back and find
13 out and I'll let you know. And they probably
14 are, but I don't know.

15 MEMBER SHORT: Well, Mr. Kline, would
16 you agree, in light of what has occurred and all
17 the information that's out into the public, that
18 that would be something that allay any questions
19 that people in the community might have about
20 this establishment now on the right angle if they
21 file appropriately with the District of Columbia
22 Police Department as required by law?

23 Do you think that would help the
24 situation?

25 MR. KLINE: I'm frankly not sure but

1 I will certainly track it down and let you know
2 whether that is the case or not.

3 MEMBER SHORT: Thank you very much,
4 Mr. Kline.

5 MR. KLINE: Thank you.

6 MEMBER SHORT: That's all I have, Mr.
7 Chair.

8 CHAIRPERSON ANDERSON: Thank you, very
9 Mr. Short. Mr. Grandis, please.

10 MEMBER GRANDIS: Thank you, Mr.
11 Chairman. Mr. Chairman, may we ask questions
12 about the investigative report at this time?

13 CHAIRPERSON ANDERSON: You can ask any
14 question you want, Mr. Grandis. You can ask,
15 well, you can ask any question you wish to ask
16 because this matter is, yes. The Government has
17 decided on an offer-in-compromise, so ask your
18 question as far as --

19 MEMBER GRANDIS: The investigative
20 report --

21 (Simultaneously speaking.)

22 CHAIRPERSON ANDERSON: Yes. As far as
23 --

24 MEMBER GRANDIS: The investigative
25 report is part of the record, correct?

1 CHAIRPERSON ANDERSON: Yes, the
2 investigative report --

3 MEMBER GRANDIS: Thank you.

4 CHAIRPERSON ANDERSON: -- is part of
5 the record.

6 MEMBER GRANDIS: Thank you, sir. Mr.
7 Ruiz, we want to thank you for being here today.
8 Did you draft the investigative report?

9 MR. RUIZ: Yes, I did.

10 MEMBER GRANDIS: And were you one of
11 the investigators who showed up when this
12 incident was called in?

13 MR. RUIZ: Yes. Yes.

14 MEMBER GRANDIS: Could you just
15 confirm what, what I think I've read in the
16 investigative report, about what prompted the
17 actions that the security guard took and was
18 there any, what was the activity going on prior
19 that got the attention of the establishment?

20 MR. RUIZ: So, a patron was able to
21 enter with a bottle of liquor, namely Bacardi
22 Limon. And they were seen by the bartender that
23 they were standing in front of, drinking directly
24 from the bottle, passing the bottle around. At
25 which time the bartender notified security. And

1 the ABC manager also responded as well.

2 Ultimately in the escort of the
3 individuals involved out of the establishment,
4 altercations took place between security and
5 patrons, and establishment staff, on the way out
6 to the exit door.

7 MEMBER GRANDIS: And from your
8 knowledge, was the request by the security guard,
9 and if I understand, bartender, regarding that
10 illegal bottle of alcohol that was brought in by
11 a patron, or patrons, was that request
12 appropriate?

13 The security guard --

14 MR. RUIZ: For them to be removed?

15 MEMBER GRANDIS: Yes.

16 MR. RUIZ: Probably. It's a bad act
17 to have. Yes.

18 (Laughter.)

19 MEMBER GRANDIS: Did more than on
20 patron get involved with the altercation
21 regarding the security guard or the bartender
22 requesting this --

23 MR. RUIZ: Yes.

24 MEMBER GRANDIS: -- patron to give
25 them the bottle?

1 MR. RUIZ: Yes.

2 MEMBER GRANDIS: In what way?

3 MR. RUIZ: It was mostly upon the
4 escorting of the individuals out through the roof
5 top. The patrons got into verbals and started
6 throwing punches from bumping into people, and as
7 well as going at the staff.

8 MEMBER GRANDIS: Thank you.

9 MR. RUIZ: In that regard, bystanders
10 also were getting involved.

11 MEMBER GRANDIS: Thank you. Are you
12 familiar with this establishment?

13 MR. RUIZ: I am.

14 MEMBER GRANDIS: From your knowledge,
15 has this establishment had been charged with
16 disorderly or an unlawful purpose in the past?

17 MR. RUIZ: I can't recall. I'm not
18 sure.

19 MEMBER GRANDIS: Mr. Kline, from your
20 knowledge, has this Licensee been charged with
21 disorderly or unlawful purpose in the past?

22 MR. KLINE: No.

23 MEMBER GRANDIS: Thank you. I heard
24 you made reference in your testimony, Mr. Kline,
25 that after this incident the establishment

1 voluntarily was closed. For how many days?

2 MR. KLINE: Thirty-five days.

3 MEMBER GRANDIS: And was this because
4 of the pandemic?

5 MR. KLINE: No.

6 MEMBER GRANDIS: Was it solely because
7 of the pandemic that they were closed 35 days?

8 MR. KLINE: No. They had been open
9 since the pandemic. The closing was to examine
10 this incident that occurred, investigate it, get
11 to the bottom of what happened. Try to figure
12 out the best way to move forward with the
13 appropriate steps taken to assure the safety of
14 customers and employees alike moving forward.

15 MEMBER GRANDIS: Mr. Kline, is your
16 Client prepared to update its security plan to
17 meet maybe additions or requirements that may not
18 have been required when they first submitted it?
19 Is your Client prepared to do that?

20 MR. KLINE: Oh, absolutely. As part
21 of this offer-in-compromise we've agreed to
22 submit a security plan within ten days. And it
23 will certainly be compliant with what's required.

24 MEMBER GRANDIS: Does your Client
25 believe that the 35 days is acceptable?

1 MR. KLINE: Well, so, where we are in
2 the offer-in-compromise that's been agreed to, is
3 24 days with seven served and 17 stayed.

4 MEMBER GRANDIS: I'm sorry, thank you
5 for correcting me. Twenty-four, I apologize.

6 MR. KLINE: Yes. I mean, we think
7 it's excessive but Mr. Schantz has a desire to
8 put this behind him. Perhaps heal with the
9 community and move on.

10 MEMBER GRANDIS: Thank you, all. Mr.
11 Chairman, thank you very much.

12 CHAIRPERSON ANDERSON: Thank you, Mr.
13 Grandis. Any other questions by any other Board
14 Members regarding the offer-in-compromise that
15 was presented?

16 All right. The Board is going to,
17 we're going to go in executive session to discuss
18 this. To see whether or not this is acceptable
19 to the Board.

20 So, as Chairperson as the Alcoholic
21 Beverage Control Board for the District of
22 Columbia, in accordance with D.C. Official Code,
23 Section 2-574(b) of the Open Meetings Act, I move
24 that ABC Board hold a close meeting for the
25 purpose of seeking legal advice from our counsel

1 on Case Number 21-251-00012, Nellie's Restaurant
2 and Sports Bar, pursuant to D.C. Official Code
3 Section 2-574(b)(4) of the Open Meetings Act.

4 And deliberate upon a Case Number 21-
5 251-00012, Nellie's Restaurant and Sports Bar for
6 the reasons cited in D.C. Official Code Section
7 2-574(b)(13) of the Open Meetings Act. Is there
8 a second?

9 MEMBER SHORT: Mr. Short, I second.

10 CHAIRPERSON ANDERSON: Mr. Short has
11 seconded the motion. I'll now take a roll call
12 vote on the motion before us that has been
13 properly seconded by Mr. Short.

14 Mr. Short?

15 MEMBER SHORT: Mr. Short, I agree.

16 CHAIRPERSON ANDERSON: Mr. Cato?

17 MEMBER CATO: Bobby Cato, I agree.

18 CHAIRPERSON ANDERSON: Ms. Crockett?

19 MEMBER CROCKETT: Rafi Crockett, I
20 agree.

21 CHAIRPERSON ANDERSON: Mr. Grandis?

22 MEMBER GRANDIS: Mr. Grandis does not
23 agree.

24 CHAIRPERSON ANDERSON: You don't want
25 to go to executive session?

1 Mr. Anderson, I agree. The Board
2 votes 4-1 to go in executive session to discuss
3 this matter.

4 So, it is 2:28, it is 2:28, and so we
5 will come back on the record at 2:45. So we'll
6 be off the record until 2:45.

7 If we're going to come back, so I'll
8 ask folks not to sign off, but we'll come back
9 at, we'll come back on the record at 2:45.

10 If we need more time, we will advise
11 you if we need more time to discuss whether or
12 not the Board will elect the offer-in-compromise,
13 okay? So, please do not log off. The Board will
14 sign off.

15 So I'll ask all the Board Members to
16 return to executive session for further
17 development. Thanks.

18 (Whereupon, the above-entitled matter
19 went off the record at 2:28 p.m. and resumed at
20 2:44 a.m.)

21 CHAIRPERSON ANDERSON: We're back on
22 the record. All right. Again, this is Case
23 Number 21-251-00012, Nellie's Restaurant and
24 Sports Bar.

25 We were scheduled to have a show cause

1 hearing today, a full show cause hearing was
2 scheduled for 1:30. The parties presented an
3 OIC, and the OIC is as follows.

4 It's a \$5,000 fine payable within 120
5 days, or if the licensee shall be, or if the fine
6 is not paid the license will be suspended
7 indefinitely until the fine is paid.

8 There is a 24 suspension with seven
9 days served and 17 days stayed for a year. The
10 24 days, I'm sorry, the seven days to be served
11 are December 20th through December 26th, 2021.
12 That the establishment will file a security plan
13 within ten calendar days that's legally
14 compliant.

15 So, Mr. Kline, is your Client aware
16 that by accepting the offer-in-compromise that he
17 is giving up his right to a hearing?

18 MR. KLINE: Yes, sir.

19 CHAIRPERSON ANDERSON: Is your Client
20 also aware that by accepting the offer-in-
21 compromise that he is unable to appeal this
22 matter?

23 MR. KLINE: Yes.

24 CHAIRPERSON ANDERSON: With that said,
25 I make a motion that the offer-in-compromise be

1 accepted. Is there a second?

2 MEMBER CATO: Bobby Cato, I second.

3 CHAIRPERSON ANDERSON: I'm sorry, Mr.
4 Cato has seconded the motion. We'll now have a
5 roll call vote on the motion that has been
6 properly seconded by Mr. Cato.

7 Mr. Short?

8 MEMBER SHORT: Mr. Short, I agree.

9 CHAIRPERSON ANDERSON: Mr. Cato?

10 MEMBER CATO: Bobby Cato, I agree.

11 CHAIRPERSON ANDERSON: Ms. Crockett?

12 MEMBER CROCKETT: Rafi Crockett, I
13 agree.

14 CHAIRPERSON ANDERSON: Mr. Grandis?

15 MEMBER GRANDIS: Mr. Grandis
16 disagrees.

17 CHAIRPERSON ANDERSON: And Mr.
18 Anderson, I agree. The matter past 4-1 with Mr.
19 Grandis in opposition.

20 (Off microphone comment.)

21 CHAIRPERSON ANDERSON: Yes, hold on.
22 Hold on --

23 MEMBER GRANDIS: Thank you.

24 CHAIRPERSON ANDERSON: -- hold on a
25 minute, Mr. Grandis.

1 I would like to thank the parties for
2 agreeing to this offer-in-compromise. Yes, Mr.
3 Grandis, you want to --

4 MEMBER GRANDIS: May I make a short
5 statement for the record?

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

8 MEMBER GRANDIS: Thank you. I want to
9 compliment the Licensee and the Government for
10 working out an OIC. I think that is the healthy
11 way for the Agency to understand where the
12 parties are.

13 In this particular regard, when the
14 facts and the testimony indicate that the
15 Licensee, on its own initiative, without any
16 knowledge from, at least in the testimony, of the
17 prompting from the Government or MPD or any
18 party, to self-close for 35 days during the, just
19 generally, but during the pandemic when so many
20 companies lost their companies and employees lost
21 their jobs and the neighborhoods lost their
22 establishments, I really believe that this
23 particular situation shows that the Licensee took
24 this incident severely, importantly in a manner
25 that hopefully will prevent it from happening

1 again. Or have better security measures to avoid
2 this type of situation in the future.

3 So I believe that that self-closure is
4 not acknowledged by this additional 24 days. And
5 I just wanted the record to show that I'm
6 supportive of the OIC generally, but I don't
7 believe it was constructed in a way that
8 indicates what this Licensee has done since that
9 incident. Thank you, Mr. Chairman.

10 CHAIRPERSON ANDERSON: Thank you, Mr.
11 Grandis. OICs are presented, are negotiated
12 between the Government and, I believe, their
13 Client, who is not the Board. And so the
14 Government and its Client, who is not the Board,
15 the Government, the Client and the Licensee
16 negotiated this matter and they presented an OIC
17 to the Board.

18 The Board's position when an OIC is
19 presented, it's an up or down vote. And so we
20 deliberate.

21 The Board can't change an OIC. If the
22 Board disagrees with an OIC, we'll go to a
23 hearing, and we have a hearing. And then the
24 Board can impose its will, because we have a
25 hearing.

1 But when we have an OIC, it's a
2 negotiation that's reached between the Licensee
3 and the Government. It's presented to the Board
4 and the Board will look at the facts and
5 circumstances and make a determination whether or
6 not the Board will accept the OIC or reject the
7 OIC.

8 And when the Board rejects an OIC,
9 then we will have, then what that means, is that
10 we have a full show cause hearing, and the Board
11 will then make its own determination based on the
12 facts and the circumstances. That's all I wanted
13 to say.

14 But thank you. Thank you though, Mr.
15 Grandis, for your comments. I'll also thank the
16 Board for taking this matter seriously and agreed
17 to the OIC.

18 We might not, whether or not we agree
19 with it or not, the Board believes that the
20 negotiation that was done between the Government
21 and the Licensee, they presented as what's in the
22 best interest of the residents of the District of
23 Columbia. And we are hoping that based on the
24 terms of this OIC that the residents of the
25 District of Columbia will see that the

1 Government, the Licensee and the Board believes
2 that this is a series matter and that appropriate
3 action was taken regarding this case.

4 Again, I thank everyone for their
5 participation today and have a great day. Thank
6 you.

7 MR. RUIZ: Thanks.

8 (Whereupon, the above-entitled matter
9 went off the record at 2:51 p.m.)

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A-N- 4:14
a.m 21:20
ABC 7:21 16:1 19:24
able 7:19,22 15:20
above-entitled 21:18 27:8
ABRA 1:22,23 4:5 7:4
absolutely 18:20
accept 11:15 26:6
acceptable 18:25 19:18
accepted 23:1
accepting 9:18,22 22:16,20
acknowledged 25:4
act 16:16 19:23 20:3,7
action 27:3
actions 15:17
activity 15:18
addition 10:23
additional 25:4
additions 18:17
address 8:9 11:4
advice 19:25
advise 21:10
afternoon 3:17 4:11 5:3
Agency 24:11
agree 13:16 20:15,17 20:20,23 21:1 23:8,10 23:13,18 26:18
agreed 18:21 19:2 26:16
agreeing 24:2
ahead 11:22 24:7
alcohol 16:10
Alcoholic 1:2,14 19:20
alert 6:3
alike 18:14
ALIYA 1:19
allay 13:18
allowed 7:15 12:2
altercation 7:25 8:4 16:20
altercations 16:4
ANC 1:8
Anderson 1:15,18 2:3,9 2:13,16,24 3:3,9,15 4:1,6,11,16,21,25 5:6 5:9,12,15 6:13 7:7 8:6 8:14 9:2,17,21 10:1 11:16,21 12:7 14:8,13 14:22 15:1,4 19:12 20:10,16,18,21,24 21:1,21 22:19,24 23:3 23:9,11,14,17,18,21 23:24 24:6 25:10
Andrew 1:23 4:14
Andrews 1:22 2:6,15,18

2:25 3:2
angle 13:20
answer 12:11,15 13:1,2 13:7
apologize 7:9 19:5
appeal 9:24 22:21
appreciative 12:19
appropriate 12:14,22 16:12 18:13 27:2
appropriately 11:13 12:12 13:21
asked 12:8
assure 12:22 18:13
attempted 7:23
attention 15:19
Attorney 12:9
avoid 25:1
aware 9:18,22 22:15,20

B

Bacardi 7:20 15:21
back 13:12 21:5,7,8,9 21:21
bad 16:16
bar 1:7 2:5 4:24 5:5 7:22 20:2,5 21:24
bartender 15:22,25 16:9,21
based 26:11,23
behalf 3:23
believe 2:21 3:13 8:7,13 18:25 24:22 25:3,7,12
believes 26:19 27:1
benefit 5:18
best 8:10 18:12 26:22
better 25:1
Beverage 1:2,14 19:21
beyond 13:9
Board 1:2,14 8:8 9:11 10:2,6 11:15,17 12:15 19:13,16,19,21,24 21:1,12,13,15 25:13 25:14,17,21,22,24 26:3,4,6,8,10,16,19 27:1
Board's 25:18
Bobby 1:18 20:17 23:2 23:10
bottle 7:20 15:21,24,24 16:10,25
bottom 18:11
bridge 11:3
briefly 7:9
brought 7:13 10:14 16:10
bumping 17:6
business 10:10 11:4
bystanders 17:9

C

C-H-A-N-T-Z 4:20
calendar 7:4 9:13 22:13
call 20:11 23:5
called 15:12
careful 12:17
case 1:9 2:4,4,7,12,25 3:18 4:2 7:10,11 14:2 20:1,4 21:22 27:3
Cato 1:18 20:16,17,17 23:2,2,4,6,9,10,10
cause 1:7 3:19 6:5 7:13 21:25 22:1 26:10
certainly 14:1 18:23
Chair 2:23 11:19,23 14:7
Chairman 5:4 14:11,11 19:11 25:9
Chairperson 1:15,18 2:3,9,13,16,24 3:3,9 3:15 4:1,6,11,16,21 4:25 5:6,9,12,15 6:13 7:7 8:6,14 9:2,17,21 10:1 11:16,21 12:7 14:8,13,22 15:1,4 19:12,20 20:10,16,18 20:21,24 21:21 22:19 22:24 23:3,9,11,14,17 23:21,24 24:6 25:10
change 25:21
charge 7:14
charged 17:15,20
charges 10:25
circumstances 26:5,12
cited 20:6
Client 9:17,21 18:16,19 18:24 22:15,19 25:13 25:14,15
close 19:24
closed 10:12,19 18:1,7
closing 18:9
Code 7:6,17 19:22 20:2 20:6
Columbia 1:1 3:24 8:12 12:4,6 13:21 19:22 26:23,25
come 21:5,7,8,9
comment 23:20
comments 26:15
community 11:2,4 12:18 13:19 19:9
companies 24:20,20
company 10:15,18 11:25 12:1,21 13:3
complain 5:21
complaint 18:23
completed 11:6
compliant 22:14

compliment 24:9
compromise 6:12 8:17 9:23 11:14 22:21
concern 12:14
concerns 10:24
confirm 15:15
conflict 11:7,11
constructed 25:7
contacted 7:23
Control 1:2,14 19:21
correct 3:1,2 14:25
correcting 19:5
correctly 5:13,22
counsel 1:23 19:25
couple 10:5
court 5:19,23
Crockett 1:19 20:18,19 20:19 23:11,12,12
CT 1:8
customers 18:14

D

D-O-U-G-A-L 4:19
D-R-E-W 4:15
D.C 7:5,17 19:22 20:2,6
day 6:21,25 8:21 27:5
days 6:18,22,22 7:4 8:18,19,22,24 9:3,5,6 9:6,8,13 10:19 18:1,2 18:7,22,25 19:3 22:5 22:9,9,10,10,13 24:18 25:4
DC 1:22,23,24
de- 11:10
de-escalation 11:7,11
December 6:25 7:1 8:25 9:1,7,7 22:11,11
decided 14:17
deliberate 20:4 25:20
Department 12:4 13:4 13:22
desire 19:7
determination 26:5,11
determined 10:21
development 21:17
different 10:18
directly 15:23
director 11:2
disagrees 23:16 25:22
discuss 6:8 19:17 21:2 21:11
disorderly 1:10 7:16 17:16,21
District 1:1 3:24 8:11 12:4,5 13:5,21 19:21 26:22,25
Donovan 1:15,18
door 16:6

doors 10:12
Doug 1:22 2:18 3:5 4:18
 5:4
Douglas 4:18
draft 15:8
drinking 15:23

E

echo 6:10
EDWARD 1:19
effort 11:3
either 12:9
elect 21:12
elevate 2:6
elevated 2:19,20,21 3:1
employees 11:10 18:14
 24:20
engage 8:3
engagement 11:3
enter 7:19 15:21
escalation 11:11
escort 7:24 8:3 16:2
escorting 17:4
establishment 1:10
 6:17,21,24 7:3,15,19
 7:20,24 9:10 10:12
 11:12 13:20 15:19
 16:3,5 17:12,15,25
 22:12
establishments 24:22
examine 18:9
excessive 19:7
Excuse 2:8
executive 19:17 20:25
 21:2,16
exercise 5:25 6:4
exit 16:6
expecting 7:8
experience 10:9

F

fact 12:13
facts 24:14 26:4,12
fair 11:14
familiar 17:12
far 14:18,22
figure 18:11
file 7:3 13:21 22:12
find 10:17 12:21 13:12
fine 6:17,19 8:17,18,20
 9:4 22:4,5,7
first 4:9,19 18:18
folks 6:3 21:8
follows 22:3
forward 8:23 11:8 18:12
 18:14
found 7:5 10:7
frankly 13:25

front 15:23
full 3:19 6:5 22:1 26:10
further 9:9 21:16
future 12:24 25:2

G

gap 11:3
generally 24:19 25:6
getting 17:10
give 10:2 16:24
given 10:23
giving 9:19,23 22:17
Government 6:6,7,9,11
 6:14 14:16 24:9,17
 25:12,14,15 26:3,20
 27:1
Government's 8:9
Grandis 1:19 14:9,10
 14:14,19,24 15:3,6,10
 15:14 16:7,15,19,24
 17:2,8,11,14,19,23
 18:3,6,15,24 19:4,10
 19:13 20:21,22,22
 23:14,15,15,19,23,25
 24:3,4,7,8 25:11
 26:15
group 7:25
guard 8:1 15:17 16:8,13
 16:21

H

Hansen 2:8,10,11,14
happened 18:11
happening 10:11 24:25
heal 19:8
healthy 24:10
heard 12:25 17:23
hearing 1:8 3:19 4:2 6:6
 7:14 9:19 22:1,1,17
 25:23,23,25 26:10

help 13:23

hired 8:2

hiring 12:2

hold 11:21 19:24 23:21
 23:22,24

hopefully 24:25

hoping 26:23

I

identify 5:1,25
illegal 16:10
immediately 10:11,16
importantly 24:24
impose 25:24
incident 10:14,20,22
 12:1 15:12 17:25
 18:10 24:24 25:9
include 6:17,20

includes 7:5
indefinitely 8:20 9:4
 22:7

indicate 24:14

indicates 25:8

individuals 16:3 17:4

information 7:5 13:17

infractions 9:10

initiative 24:15

insurance 12:14

interest 8:11 26:22

introduce 3:21

investigate 18:10

investigated 10:20

investigative 14:12,19
 14:24 15:2,8,16

Investigator 1:23 2:20

3:14 4:5

investigators 15:11

involved 16:3,20 17:10

issue 12:18

issues 8:10 11:5

J

JAMES 1:20

jobs 24:21

JR 1:18,20

K

K-L-I-N-E 4:15

Kline 1:23 2:22,22 3:3,5

3:7 4:12,14,14,15,17

4:18,23 5:10 8:15

9:16,20,25 10:5 11:17

12:11 13:1,6,15,25

14:4,5 17:19,22,24

18:2,5,8,15,20 19:1,6

22:15,18,23

knowledge 16:8 17:14

17:20 24:16

L

Laughter 16:18

law 13:5,22

legal 19:25

legally 9:12 22:13

license 1:8 2:5 6:18

8:19 9:3 22:6

licensed 7:15

licensee 1:22,23 7:14

10:7 12:8,9 17:20

22:5 24:9,15,23 25:8

25:15 26:2,21 27:1

light 13:16

Limon 15:22

liquor 15:21

LLC 1:6

log 21:13

long 5:12
look 26:4
lost 24:20,20,21

M

M-A-R-K 4:10

manager 7:21 16:1

Managers 11:6

manner 24:24

Mark 1:23 4:5,9

matter 1:5 7:12 9:24

11:15 14:16 21:3,18

22:22 23:18 25:16

26:16 27:2,8

matters 6:8

mean 12:11,16 19:6

means 26:9

measures 25:1

meet 18:17

meeting 1:3 19:24

Meetings 19:23 20:3,7

Member 1:18,19,19,20

2:8,11 11:19,23 12:25

13:15 14:3,6,10,19,24

15:3,6,10,14 16:7,15

16:19,24 17:2,8,11,14

17:19,23 18:3,6,15,24

19:4,10 20:9,15,17,19

20:22 23:2,8,10,12,15

23:23 24:4,8

Members 10:2 11:18

19:14 21:15

met 1:15

method 8:3

Metropolitan 13:4

microphone 23:20

minute 23:25

missing 3:4

motion 20:11,12 22:25

23:4,5

move 18:12 19:9,23

moving 11:8 18:14

MPD 24:17

N

name 4:7,9,10,13,15,19

4:19 5:8,10,16,21,23

6:1,1

need 5:13 21:10,11

negotiated 25:11,16

negotiation 26:2,20

neighborhoods 24:21

Nellie's 1:6 2:4 3:18

4:24 5:4 8:2 11:2,8

20:1,5 21:23

new 11:9

night 10:15

notice 7:22

notified 15:25
Number 2:4,5 10:7 20:1
 20:4 21:23
NW 1:7

O

O-R-T-I-Z 3:25
OAG 1:24
occurred 7:18,25 13:16
 18:10
October 1:13
offer-in- 6:11 8:16 9:22
 11:13 22:20
offer-in-compromise
 6:14 7:8 8:7,16 9:15
 9:18 14:17 18:21 19:2
 19:14 21:12 22:16,25
 24:2
official 6:2 19:22 20:2,6
OIC 7:2 22:3,3 24:10
 25:6,16,18,21,22 26:1
 26:6,7,8,17,24
OICs 25:11
onboarding 11:9
once 12:2
open 18:8 19:23 20:3,7
operation 8:4
opportunity 10:3
opposition 23:19
Ortiz 1:24 2:19 3:11,13
 3:22,23,23 4:3,4 6:9
 6:16 7:7,12 8:13,23
 8:25
owner 4:23 5:4 11:24

P

P-R-O-C-E-E-D-I-N-G-S
 2:1
p.m 2:2 21:19 27:9
paid 6:19 8:18,18,20
 9:5 22:6,7
pandemic 18:4,7,9
 24:19
part 10:24,25 11:9
 14:25 15:4 18:20
participation 27:5
particular 24:13,23
parties 2:7,25 3:21 22:2
 24:1,12
party 3:11 24:18
passing 15:24
patron 7:19,24 15:20
 16:11,20,24
patrons 7:25 8:5 16:5
 16:11 17:5
pay 6:17
payable 22:4
people 13:19 17:6

personally 10:10
persons 12:5
place 16:4
plan 7:4 9:11,12 18:16
 18:22 22:12
please 2:6 4:7,8,12,13
 5:1,2 14:9 21:13 24:7
point 10:6
Police 12:4 13:4,22
policy 11:8
popular 11:1
position 8:9 25:18
preliminary 6:8
prepared 18:16,19
present 1:17,21 6:11
presented 8:8 19:15
 22:2 25:11,16,19 26:3
 26:21
presiding 1:15
press 11:2
prevent 24:25
principal 4:23
prior 15:18
probably 13:13 16:16
procedures 10:13
proceed 6:6,7
proceeded 8:3
proffer 10:4
program 11:7
prompted 15:16
prompting 24:17
properly 6:2 12:3 20:13
 23:6
provide 6:15 9:11
provided 9:9
public 13:17
punches 17:6
purpose 1:11 7:16
 17:16,21 19:25
pursuant 20:2
put 19:8

Q

qualified 12:12
question 11:20,24 12:8
 12:10 13:8 14:14,15
 14:18
questions 10:3 11:17
 13:18 14:11 19:13

R

R-U-I-Z 4:10
Rafi 1:19 20:19 23:12
raised 8:10 10:24
reached 26:2
reacted 11:13
read 5:20 15:15
ready 6:6,7

reasons 5:16,24 20:6
recall 17:17
record 3:21 4:8,13 5:1
 5:17 6:1 11:1 13:2
 14:25 15:5 21:5,6,9
 21:19,22 24:5 25:5
 27:9
recusing 2:11
reference 17:24
regard 17:9 24:13
regarding 7:14 16:9,21
 19:14 27:3
registered 12:3,13 13:3
regrettable 10:8
regular 11:9
reject 26:6
rejects 26:8
removed 16:14
reopen 12:2
reopening 12:17
repeat 10:22 12:23
report 14:12,20,25 15:2
 15:8,16
reporter 5:19,23
represents 11:14
request 16:8,11
requesting 16:22
required 12:5 13:4,9,22
 18:18,23
requirements 18:17
resident's 8:11
residents 26:22,24
resolution 11:14
respectful 12:20
respond 12:9
responded 16:1
Restaurant 1:6 2:5 3:18
 20:1,5 21:23
resulted 8:4
resumed 21:19
Retailer 1:8
return 21:16
review 10:13,13
rid 11:25
rights 2:7,19,20,21 3:1
Rodco 1:6
roll 20:11 23:5
roof 17:4
Ruiz 1:23 2:20 3:14 4:5
 4:6,9,10,12 15:7,9,13
 15:20 16:14,16,23
 17:1,3,9,13,17 27:7
rum 7:20

S

S 1:19
S- 4:19
S-T-E-P-H-E-N 3:24

safety 18:13
Schantz 1:22 2:18 3:5,6
 4:18,19,25 5:3,4,7,11
 5:14 10:9,17 12:16,19
 19:7
scheduled 21:25 22:2
scope 13:9
second 20:8,9 23:1,2
seconded 20:11,13
 23:4,6
Section 7:6,17 19:23
 20:3,6
secured 11:2
security 7:4,23 8:1,2,5
 9:11,12 10:13,15,18
 11:25 12:1,5,21 13:3
 15:17,25 16:4,8,13,21
 18:16,22 22:12 25:1
seeking 19:25
seen 15:22
self-close 24:18
self-closure 25:3
sensitive 12:18
series 27:2
seriously 26:16
serve 6:21,24
served 6:22 8:22,24 9:6
 9:6 19:3 22:9,10
session 19:17 20:25
 21:2,16
set 10:17
seven 6:22,25 8:22,23
 8:24 9:6,6,8 19:3 22:8
 22:10
severely 24:24
short 1:20 11:19,22,23
 12:25 13:15 14:3,6,9
 20:9,9,10,13,14,15,15
 23:7,8,8 24:4
show 1:7 3:19 6:5 7:13
 21:25 22:1 25:5 26:10
showed 15:11
shows 24:23
side 10:3
sign 21:8,14
similar 10:22
SIMONE 1:22
Simultaneously 14:21
sir 9:14 10:4 15:6 22:18
sit 13:6
situation 10:8 12:23
 13:24 24:23 25:2
solely 18:6
sorry 6:10 8:22,23 19:4
 22:10 23:3
speaking 14:21
spell 4:7,12 5:7,16,22
 6:1

spelled 5:10,13,22 6:2
Sport 5:5
Sports 1:7 2:5 4:24
 20:2,5 21:24
staff 1:22 7:23 8:5 11:6
 16:5 17:7
Standby 2:15
standing 15:23
started 17:5
starting 3:22
state 4:7,12
statement 24:5
stayed 6:22 9:8 10:19
 19:3 22:9
Stephen 1:24 3:23
steps 10:20 12:21
 18:13
Street 1:7
submit 18:22
submitted 18:18
sufficient 9:12
summarize 7:10
supportive 25:6
suspended 6:19 8:19
 9:4 22:6
suspension 6:20,21,25
 8:21 9:5 22:8

T

t/a 1:6
taken 18:13 27:3
team 8:2
ten 7:4 9:12 18:22
 22:13
term 7:2
terminated 10:16
terms 26:24
testimony 17:24 24:14
 24:16
thank 2:14,17 4:15 8:14
 11:16,23 13:1 14:3,5
 14:8,10 15:3,6,7 17:8
 17:11,23 19:4,10,11
 19:12 23:23 24:1,8
 25:9,10 26:14,14,15
 27:4,5
Thanks 21:17 27:7
things 10:5
Thirty-five 18:2
throwing 17:6
today 4:17 15:7 22:1
 27:5
top 17:5
track 14:1
trained 12:3
training 11:7,11
transcribed 5:18
transcript 5:21 6:2

Try 18:11
Twenty-four 19:5
type 25:2

U

U 1:7
ultimately 10:18 16:2
unable 22:21
understand 16:9 24:11
understanding 8:15
 9:14
unfortunate 10:8
unlawful 1:11 7:16
 17:16,21
update 18:16
urge 11:15

V

venue 12:22
verbals 17:5
videoconference 1:15
violation 7:16
voluntarily 10:12,19
 18:1
vote 20:12 23:5 25:19
votes 21:2

W

W 1:15,18
wanted 25:5 26:12
wasn't 7:8
way 16:5 17:2 18:12
 24:11 25:7
WebEx 1:15
Wednesday 1:12
went 21:19 27:9
wish 10:4 14:15
wishes 6:15
witness 4:4
witnesses 4:2
work 12:22
working 10:15 24:10

X

Y

year 6:23 9:9 22:9

Z

0

1

1:30 22:2
10 1:13
120 6:18 8:18,19 9:3
 22:4
17 6:22 19:3 22:9

1B 1:8

2

2-574(b) 19:23
2-574(b)(13) 20:7
2-574(b)(4) 20:3
2:05 2:2
2:28 21:4,4,19
2:44 21:20
2:45 21:5,6,9
2:51 27:9
2021 1:13 6:25 7:1 8:25
 9:1,7 22:11
20th 6:25 8:25 9:7
 22:11
21- 20:4
21-251-00012 1:9 2:4
 20:1 21:23
24 6:21 8:21 9:5 19:3
 22:8,10 25:4
25-402(d)(3) 7:6
25-423(a)(2) 7:17
251-00012 20:5
26th 7:1 9:1,7 22:11

3

35 10:19 18:7,25 24:18

4

4-1 21:2 23:18

5

5,000 6:18 8:17 9:3 22:4

6

7

75240 1:8 2:5

8

9

900 1:7

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Nellie's

Before: DCABRA

Date: 10-20-21

Place: teleconference

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