

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

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 IN THE MATTER OF:                   :  
   :  
 Causa, LLC,                           :  
 t/a Causa                             :  
 920 N Street NW                    :  
 Retailer CR - ANC 2F               :  
 License No. 114552                 :  
 Case #22-PRO-00051                :  
   :  
 (Application to                     :  
 Renew the License)                 :  
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Wednesday  
 October 26, 2022

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

PRESENT:

DONOVAN W. ANDERSON, Chairperson  
 BOBBY CATO, JR., Member  
 RAFI ALIYA CROCKETT, Member  
 EDWARD S. GRANDIS, Member  
 JENI HANSEN, Member  
 JAMES SHORT, JR., Member

ALSO PRESENT:

JOSE ORELLANA, DC ABRA Staff  
 CHAD SPANGLER, Applicant  
 AMANDA GORE, Protestant, Blagden Alley Naylor  
 Court Association  
 KEVIN PUENTE, Investigator

I-N-D-E-X

Opening Statement Applicant . . . . .  
 17  
 Opening Statement Protestant . . . . .  
 28

| WITNESS<br>RE CROSS | DIRECT | CROSS | REDIRECT |    |
|---------------------|--------|-------|----------|----|
| Kevin Puente        | 32     | 48    | 54       | -- |
| Chad Spangler       | --     | 61    | --       | 75 |
| Amanda Gore         | --     | 81    | --       | -- |

Closing Statement Applicant . . . . .  
 86  
 Closing Statement Protestant . . . . .  
 87

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

2 4:31 p.m.

3 MR. ANDERSON: Our next case is Case  
4 Number -- our next case is Case Number 22-PRO-  
5 00051, Causa, License Number 114552. Mr.  
6 Orellana, can you please elevate the rights of  
7 the parties in this case, please?

8 MR. ORELLANA: Amanda Gore, your  
9 access has been elevated. Chad Spangler, your  
10 access has been elevated. Kevin Puente, your  
11 access has been elevated. That is all,  
12 Chairman.

13 MR. ANDERSON: Is there anyone else  
14 -- is there anyone else who needs to be  
15 elevated? I'm asking the parties, both the  
16 licensee and -- anyone else that needs be  
17 elevated?

18 MR. SPANGLER: No, not from my end,  
19 Chairman. Thank you.

20 MR. ANDERSON: All right. Give me  
21 one additional -- and I apologize, but I try to  
22 take a break every two hours. So we've been  
23 going since 1:30, so I want to make sure that  
24 we had a break before we start your case, so  
25 you'll have our undivided attention. All

1 right. Let's see. Give me a minute. All  
2 right. Let's have the parties introduce  
3 themselves. Let's start with you, Mr.  
4 Spangler.

5 MR. SPANGLER: Sure. Thank you,  
6 Chairman. My name is Chad Spangler, C-H-A-D,  
7 S-P-A-N-G-L-E-R, as a representative of Causa,  
8 LLC. I am one of the owners in here, and  
9 they're also making me one of the ABRA managers  
10 that's listed on our liquor license.

11 MR. ANDERSON: Ms. Gore?

12 MS. GORE: Hi, good afternoon. I'm  
13 Amanda Gore. I am representing the neighbors  
14 of BANCA in this protest hearing.

15 MR. ANDERSON: All right. So you're  
16 one of the protesting. Are you an attorney,  
17 Ms. Gore? Or are you one of the protesting?

18 MS. GORE: Oh, I am one of the  
19 protestants. I am not an attorney.

20 MR. ANDERSON: Well, no, you said  
21 you're representing, so I just wanted to make  
22 sure.

23 MS. GORE: Oh, no, yeah. Yes.

24 MR. ANDERSON: Yeah, that you were -

25 -

1 MS. GORE: In a neighbor -- in a  
2 neighbor way. So as one of the neighbors, I am  
3 representing.

4 MR. ANDERSON: All right. All  
5 right. I'm trying to find out, how can we  
6 expedite this matter? I had an opportunity --  
7 because I've been here all day, and I've had an  
8 opportunity -- so I've had an opportunity to  
9 review the PIP that's provided by the licensee,  
10 and I also see the PIP that was provided by the  
11 protestant.

12 And one thing I saw in both  
13 documents -- the licensee wants his license to  
14 be renewed, and the protestant wants the  
15 license to be renewed. So is there -- we're  
16 going through steps. This is a -- this is an  
17 application to renew a license, and so from  
18 what I see, both the protestants and the  
19 licensee are in favor of the license being  
20 approved. Is that correct?

21 MS. GORE: Correct.

22 MR. ANDERSON: Being renewed.  
23 That's correct?

24 MR. SPANGLER: I believe so, yes.

25 MR. ANDERSON: So would the parties

1 then be okay if we will dispense with that  
2 portion of the hearing, and that the Board will  
3 renew the license? Now, I'm getting to you. I  
4 know that there are conditions. So I know that  
5 the protestants are asking for conditions. So  
6 I'm not -- we're getting there.

7 But I think that when we do these  
8 hearings, one of the first things that we need  
9 to -- the Board has to make a decision -- is  
10 whether to renew the license. And so we have  
11 agreement on both sides that the license should  
12 be renewed. So we can dispense with that. So  
13 the ABC Board will renew the license. Both  
14 parties are in agreement that the license will  
15 be renewed. Is that correct?

16 MS. GORE: With the understanding  
17 that --

18 MR. ANDERSON: Well, Ms. Gore --

19 MS. GORE: Yes. I just want it on  
20 record.

21 MR. ANDERSON: This is what I said  
22 to you -- but what I said to you first, Ms.  
23 Gore -- there are two things that -- when we  
24 have these hearings, one of the first things  
25 that the Board needs to make is whether -- one

1 of the first decisions the Board needs to make  
2 is whether or not the license is going to be  
3 renewed. So --

4 MS. GORE: Okay. If that's Part 1,  
5 yes.

6 MR. ANDERSON: That's the first  
7 decision. Correct. And that's what I'm  
8 saying. That's Number 1. So we have to make  
9 that decision first, whether or not the license  
10 will be renewed. And once the Board -- if the  
11 Board determines, based on what's presented,  
12 whether or not the license should be renewed,  
13 then we'll have discussions, whether or not the  
14 Board will renew the license with or without  
15 conditions.

16 MS. GORE: Understood.

17 MR. ANDERSON: And so the first part  
18 that -- in reviewing your PIP, because in  
19 reviewing your PIP -- and I'll go with what the  
20 licensee says -- I'm sorry, the protestant  
21 said. The protestant said, in their PIP, they  
22 want the license to be renewed. They do not  
23 want any -- no entertainment endorsement on the  
24 summer garden.

25 No, sorry, I'm sorry. The

1 protestant said that they want the license to  
2 be renewed. They do not want any outdoor  
3 entertainment endorsement issued, and there  
4 should be some -- there should be -- the Board  
5 should look at the hours, and also on sound  
6 mitigation. That's what, I read, you wrote in  
7 your PIP. Is that correct?

8 MS. GORE: That's correct.

9 MR. ANDERSON: And so therefore, and  
10 then when -- so because you said in your PIP  
11 that you want the license to be renewed -- so  
12 that's why I had this conversation here, to say  
13 that we will dispense with that, and the Board  
14 will renew the license. And so we can then  
15 spend this hearing to determine what, if any,  
16 conditions should be placed.

17 So that's what I think we should  
18 base this on, where the licensee can say, I  
19 don't want any restrictions on my license, and  
20 then the licensee can -- I'm sorry, then the  
21 protestant can say that these are the  
22 conditions that I want you, the Board, to  
23 consider on the license.

24 And we are going to have a hearing  
25 to further, but I'm trying to see if we can



1 have remand on -- now, you requested -- Mr.  
2 Spangler, did you request an entertainment  
3 endorsement on your summer garden?

4 MR. SPANGLER: Yes, Chairman. We  
5 originally submitted our application for  
6 renewal of our liquor license, including an  
7 endorsement for our summer garden patio  
8 entertainment, as well as an indoor  
9 entertainment endorsement. However, we have  
10 submitted to the Board that we are --

11 MR. ANDERSON: I'm sorry, Mr. --  
12 yes, go ahead. I'm sorry, Mr. Spangler. I was  
13 getting interference. Go ahead, sir.

14 MR. SPANGLER: Sorry. So we are  
15 happy to remove the summer garden patio  
16 entertainment endorsement, to appease the  
17 neighborhood, for renewal of our license, and  
18 then in the PIP, we also submitted amended  
19 hours that we are comfortable with, in order to  
20 appease the neighborhood and the Board, as  
21 well. And --

22 MR. ANDERSON: So what are the --  
23 what are the -- so what are the amended hours?  
24 What are the amended hours that you -- I was a  
25 little bit confused. So what are the amended

1 hours that you submitted in your PIP?

2 MR. SPANGLER: Sure. So if we look  
3 at the second -- or, sorry, third page of the  
4 PIP, Causa will agree to the renewal of its  
5 liquor license with the following amendments.  
6 No entertainment endorsement on the summer  
7 garden patio. Summer garden patio hours from  
8 10:00 a.m. until 12:00 a.m., Sunday through  
9 Saturday, so every day. Hours of alcoholic  
10 beverage service from 10:00 a.m. until 1:00  
11 a.m., and hours of live entertainment indoors  
12 from 10:00 a.m. until 12:00 a.m.

13 MR. ANDERSON: All right. So the  
14 indoor hours are Sunday through -- so you're  
15 asking -- okay. So you're saying that for the  
16 patio, it would be 10:00 a.m. to 12:00 a.m. Is  
17 that what you're saying?

18 MR. SPANGLER: Correct. But no  
19 entertainment endorsement, just for regular  
20 service.

21 MR. ANDERSON: Right. Right. And  
22 then -- but so you're saying for indoors, it  
23 would be 10:00 a.m. to 1:00 a.m.? Is that what  
24 you're -- is that what you're saying?

25 MR. SPANGLER: Correct.

1 MR. ANDERSON: All right. And live  
2 entertainment indoors would be 10:00 a.m. to  
3 12:00 a.m.

4 MR. SPANGLER: Correct.

5 MR. ANDERSON: All right. So that's  
6 what you're saying that you would accept for  
7 renewal.

8 MR. SPANGLER: Yes.

9 MR. ANDERSON: Is that acceptable to  
10 you, to BANCA? Or you're asking for something  
11 differently?

12 MS. GORE: So we're asking for  
13 something differently. I appreciate, Chad, the  
14 taking out the entertainment endorsement for  
15 the outside space. That's huge, and I know  
16 neighbors will definitely appreciate that.

17 The 12:00 a.m. close time for the  
18 rooftop is still a major concern. This is  
19 something that -- this is honestly the main  
20 reason that this has gotten to this point. We  
21 have neighbors who live in historical Blagden  
22 Alley, who have lived there for decades, like  
23 residents who have lived there forever, whose  
24 windows, bedroom windows, are less than 250  
25 feet -- between 250 and 500 feet, their bedroom

1 window is, from the outdoor garden space.

2 So, you know, even folks on an  
3 outdoor space until midnight, with alcohol, and  
4 just the nature of the noise level that the  
5 Causa customers use when exiting, I know that  
6 they use a similar volume, tone, when sitting  
7 on that outdoor space. So our concern in the  
8 neighborhood is having that space open till  
9 midnight.

10 And I will add, and I know you all  
11 probably already know this, that we went  
12 through a lot of steps to get ESL to agree to  
13 close their outdoor space at 10:30. And I will  
14 say that that has been working well so far. We  
15 have not had -- I've heard no complaints from  
16 neighbors. I personally have not had any  
17 issues or, you know, issues with noise from  
18 customers or noise from the music. And that is  
19 what we were kind of hoping would set the tone  
20 now for the rest of the alley, in terms of the  
21 outdoor spaces.

22 And because the location of this  
23 building is, on three sides, is alleyway, it  
24 echoes a lot. There's nothing for it to bounce  
25 off of, so it is a little bit more unique than

1 some of the other outdoor spaces, like Causa,  
2 that exist in the alley.

3 MR. ANDERSON: And so what about --  
4 he said that the hours for indoors would be  
5 10:00 a.m. to 1:00 a.m.? Is that acceptable to  
6 you?

7 MS. GORE: I think we would like  
8 that to be more like midnight. And again,  
9 that's based on -- that is based on the noise  
10 from the clientele who is leaving. So when  
11 folks are leaving the front of the restaurant,  
12 that's where a lot of neighbors have had issues  
13 with, like, screaming and yelling.

14 And there's just -- that's been more  
15 of an issue than anything, which is, again, why  
16 we've gotten to this point. And we believe,  
17 you know, the longer that alcohol is consumed,  
18 the more likely folks are to come out and  
19 scream. And I know Chad has said that they do  
20 last call at -- 11:45?

21 MR. SPANGLER: If that's a question  
22 to me, we do last call at 11:45 on Fridays and  
23 Saturdays, and we often call earlier than that  
24 other days of the week.

25 MS. GORE: Yeah. Yes, I was just

1 trying to make sure. I didn't want to misspeak  
2 on the last call that you have for -- and so  
3 they're doing last call at 11:45, and that's  
4 for all the days of the week, including when  
5 they would like the 1:00 a.m.

6 It seems odd to me that they would  
7 then stay open until 1:00 a.m. Like, an hour  
8 and 15 extra minutes. So I think neighbors  
9 would just be more comfortable -- midnight's  
10 even pushing it, because, again, the amount of  
11 noise. But for the indoor space. But --

12 MR. ANDERSON: All right. So what  
13 we -- so this is what then we'll have this  
14 hearing on. So this is the agreement that we  
15 have had so far. We will renew the license.  
16 And there will be no entertainment on the  
17 summer garden. I think both sides have agreed  
18 to that.

19 MS. GORE: Definitely.

20 MR. ANDERSON: So then this hearing,  
21 then, can be focused on the hours on the summer  
22 garden, and the hours for the establishment.  
23 And so that's what -- that's what I need, the  
24 testimonies, on these discrete issues, the  
25 hours in the summer garden, that the licensee

1 can say why they believe that 10:00 a.m. to  
2 12:00 a.m. is appropriate.

3 And the protestant would say why  
4 they need -- why they believe shorter hours for  
5 the summer garden, and also why they believe  
6 that 10:00 a.m. to 1:00 a.m. for indoor -- let  
7 me ask, do you currently have an entertainment  
8 endorsement for indoors?

9 MR. SPANGLER: We do currently have  
10 an entertainment endorsement for indoors, with  
11 longer hours than are stipulated in the  
12 adjusted hours I just gave you. We have until  
13 1:00 a.m. So we are willing to reduce those  
14 hours, and when we get to statements, I think  
15 I'll explain a bit more as to how often we've  
16 used that entertainment endorsement.

17 MR. ANDERSON: All right. So  
18 anyway, so I just want to make sure. So  
19 basically, then, this hearing then will be  
20 focused on the hours in the summer garden, and  
21 the overall hours for the establishment. And  
22 the licensee is saying that they're asking for  
23 10:00 a.m. through 1:00 a.m., and hours of live  
24 entertainment indoors from 10:00 a.m. to 12:00  
25 a.m. So that's what we'll focus this hearing

1 on. So I think that we shouldn't -- this  
2 hearing should not be that long.

3 So what I will do is that I normally  
4 have -- now how these protest hearings go is  
5 that the Board will call its first witness, Mr.  
6 Puente. And so what I'll -- I'm somewhat  
7 changing up the format, Mr. Puente, and so what  
8 I need you to do is to tell me -- what I'm  
9 going to -- when I ask questions, I'm -- this  
10 hearing is going to be on hours, hours for the  
11 summer garden, and also hours for operation.

12 And so I'll ask you about who else  
13 is -- what other licenses are in the area, and  
14 what are the hours? And so that's what I'm  
15 going to ask you to focus on. And so when each  
16 -- the licensee and the protestant put their  
17 case on, those are the issues that I would like  
18 them to focus on. All right.

19 So normally, how a protest hearing  
20 goes is that the applicant will do an opening  
21 statement. The protestant can also do an  
22 opening statement. Once that's done, then the  
23 Board will put on its case. Once the Board  
24 puts its case on, then the licensee will put  
25 its case on. Their cross-examination -- go



1 back and forth. The Board will ask questions  
2 after.

3 Once the licensee has presented its  
4 case, then the protestant can present its case.  
5 You have one hour to present your case. Do we  
6 anticipate calling any witnesses? Or is it  
7 just, both of you are just going to testify?  
8 Are there other witnesses who will be called?

9 MS. GORE: I have no witnesses.

10 MR. SPANGLER: I also have no  
11 witnesses.

12 MR. ANDERSON: Okay. All right. So  
13 I believe that the hour for you to present your  
14 case then should be sufficient. And so -- but  
15 as I said before, I need this hearing to be  
16 focused on the issues that are outstanding.

17 And so the Board will listen, and  
18 the Board will make a determination, strictly  
19 based on what's presented here today, and  
20 whatever information Mr. Puente can provide to  
21 us. All right. So Mr. Spangler, do you wish  
22 to make an opening statement, sir?

23 OPENING STATEMENT - APPLICANT

24 MR. SPANGLER: I would, Chairman.  
25 Thank you very much. And I've had this opening

1 statement prewritten. I will do my best to  
2 amend out some parts that no longer seem to  
3 have relevance, that work outside of --

4 MR. ANDERSON: Mr. Spangler, you  
5 spent all that time to write your opening  
6 statement? Go ahead. Make your opening  
7 statement, sir. But we have agreed what it is  
8 that we're going to focus -- but I don't want  
9 to -- I don't want to take your thunder away.

10 I know, you know, we put all -- we  
11 put all our time in making our opening, and so  
12 I don't want to take the thunder away. So you  
13 can present your opening, but we are aware what  
14 the concerns are. So go ahead, sir.

15 MR. SPANGLER: Okay. Sure. Well,  
16 thank you for your time. Amanda, thank you for  
17 your time again, the rest of the Board, and the  
18 BANCA association, and all the participants of  
19 this hearing. As I introduced myself already,  
20 I'm Chad Spangler.

21 The protest filed against Causa,  
22 LLC, by BANCA, I know, comes from a place of  
23 hoping to find common ground amongst neighbors,  
24 but throughout this protest and this process,  
25 they continue to mischaracterize our business

1 intentions and actions, and claim that we have  
2 not operated in good faith. BANCA and this  
3 protest also show a lack of understanding of  
4 agreements and offers Causa has made to the  
5 organization, the scope of an ABRA license  
6 protest, the consequences of the demands they  
7 are making, and the nature of all business  
8 operating within Blagden Alley.

9 In regard to our intentions and  
10 actions, Causa and Amazonia, formerly known as  
11 Bar Amazonia, has been and always will be two  
12 separate and unique Peruvian experiences found  
13 on different floors of Blagden Alley. As  
14 evidenced in the exhibits I presented, our  
15 mission is to be cultural ambassadors of Peru  
16 through shared experiences throughout our  
17 building.

18 Our first floor, Causa, is a tasting  
19 menu experience only, a two- to three-hour  
20 journey through six or more courses that each  
21 tell a story of a different region in Peru.  
22 Our second floor, Amazonia, has a rooftop  
23 patio, two dining rooms, featuring a menu  
24 focused on more Amazonian cuisine, one of the  
25 first restaurants in America to do so.

1           We do not host a happy hour. We do  
2 not have drink specials. Most of our cocktails  
3 float around \$15. We have a few Peruvian beers  
4 and a full global wine list with in-house  
5 sommelier. Our bar doesn't even stock shot  
6 glasses, but rather special glasses we use to  
7 taste guests on rare piscos.

8           We have very limited standing room,  
9 and have worked since our opening to make sure  
10 our rooftop patio is a destination for dining,  
11 versus getting together for simply drinks. Our  
12 business model was built on having Amazonia's  
13 bar and rooftop, as well as dining areas full  
14 of guests that are eating food, not guests that  
15 are just here to consume beverages.

16           Every piece of our menu is intended  
17 to teach about Peruvian culture and  
18 ingredients. Do we serve alcohol? That's why  
19 we're all here today. My hope is that I've  
20 made it clear, our establishment is not  
21 operating as a bar with hordes of intoxicated  
22 patrons pouring out at last call.

23           I would implore all members here  
24 today to visit our establishment and see for  
25 yourselves. However, your investigators have

1 already done that for you. In the ABRA report  
2 for this protest, it shows that over seven  
3 visits by investigators have occurred, none of  
4 which could substantiate any of the complaints  
5 that were made.

6 Our liquor license has granted us  
7 the legal capacity to remain open until 2:00  
8 a.m. and 3:00 a.m., which is something we have  
9 never done. We have closed our restaurant at  
10 midnight or earlier every day since we opened  
11 on May 4th. Our license granted us the legal  
12 capacity to have live entertainment on our  
13 patio and indoors, something we have only  
14 utilized once, for one single event, inside.

15 In regard to operating in good  
16 faith, I have personally answered every call,  
17 attended every meeting that I was invited to,  
18 and have never backed down from taking  
19 questions and answering directly to the  
20 community. I've met with Amanda Gore  
21 personally once, since she has taken over  
22 representation of BANCA, but I met with Robert  
23 Goldberg at least five times to discuss  
24 concerns and potential solutions to the noise  
25 complaints.

1           Robert and I seemed to make a lot of  
2 progress together. I voluntarily offered to  
3 him that we would remove our entertainment  
4 endorsement and reduce our overall hours, since  
5 we weren't utilizing them to full capacity  
6 anyway. This offer was not communicated  
7 effectively, or comprehended by the new  
8 leadership of BANCA. We discussed at length  
9 the main issues -- noise from patrons entering  
10 and exiting the restaurant, and noise emanating  
11 from our rooftop.

12           To understand and help understand  
13 better the rooftop noise issue, we scheduled a  
14 call with residents who have filed complaints,  
15 raised the volume of our music to see at which  
16 point it affects them. The results of this  
17 study was that the indoor music could not be  
18 heard unless put at a volume far above what we  
19 would've played during service. We found that  
20 patio music could begin being heard just above  
21 where we would typically play. Namely, though,  
22 it was agreed that the typical disturbance was  
23 from patrons' voices, not through music.

24           Our next and biggest step has been  
25 getting our rooftop covered to prevent noise

1 from exiting the patio in a substantial manner.  
2 We've been honest about the financial  
3 challenges, finding a contractor to do this at  
4 budget, and communicated regularly with Robert  
5 about the progress of this situation. The  
6 rooftop pergola construction should actually  
7 now begin next week, and be finished by mid-  
8 November.

9 After this meeting, we moved our  
10 patio speakers to the opposite side of the  
11 roof, facing inwards and down, as to reduce any  
12 noise traveling off the north or west sides of  
13 the rooftop. We first installed shade sails  
14 along the west side of the building, where it  
15 seemed noise was primarily traveling. When  
16 that didn't work, we installed plywood backing  
17 with lattice and faux greenery above a six-foot  
18 mark, per recommendation from a sound  
19 consultant.

20 Furthermore, we discussed working  
21 with our host end to help remind guests to be  
22 respectful of neighbors after 10:00 p.m. on  
23 their way out of the door. Upon investigation,  
24 it was very difficult to hold our staff  
25 accountable for this, so we instead installed

1 an outdoor projector that reads, please be  
2 respectful of neighbors, that we plug in every  
3 night after 10:00 p.m.

4 I could not understand how this  
5 could be presented as someone that has not  
6 acted in good faith, both in intentions and  
7 actions. We offered to sign a letter of good  
8 intent, a letter of good faith, or something  
9 similar, that is not attached to our liquor  
10 license, stating actions that we were happy to  
11 take to work with the neighborhood.

12 In regard to a lack of  
13 understanding, scope, consequences, and nature  
14 of other businesses, when stated we were  
15 against signing a voluntary agreement, I  
16 explained to the BANCA representative that a  
17 violation of a voluntary agreement becomes a  
18 violation of a liquor license or infraction  
19 thereof, once the agreement becomes part of the  
20 license. Ms. Gore did not appear to understand  
21 this notion before I had presented it in this  
22 manner. The way that voluntary agreements are  
23 enforced is of substantial importance to us.

24 Furthermore, BANCA has requested our  
25 liquor license or business hours be amended to



1 Blagden Alley historical norms of closing at  
2 10:00 p.m. daily. The liquor license  
3 stipulates that the hours of service are until  
4 10:00 p.m. That does not mean we could do last  
5 call at 10:00 p.m., have our last seating at  
6 10:00 p.m., or otherwise operate regularly and  
7 begin closing at 10:00 p.m.

8 It would mean all alcoholic  
9 beverages have to be cleared from guests' reach  
10 at 10:00 p.m., and if our liquor license  
11 stipulated that our business hours closed at  
12 10:00 p.m., we would be required to have the  
13 building vacant of all guests at that time. I  
14 do not believe this is understood or made clear  
15 in the protests or by BANCA organization.

16 BANCA requests that our hours  
17 reflect more closely those of business hours of  
18 the Dabney, which closes at 9:30 or 10:00 p.m.  
19 The Dabney does not close at 10:00 p.m. The  
20 Dabney has its hours listed as reservation  
21 hours, meaning they will seat guests until that  
22 time. I could make a reservation for the  
23 Dabney tonight at 9:30 p.m., and likely not  
24 exit that restaurant until 11:30 p.m., based on  
25 their style of service.

1           I have included our reservation  
2 times in exhibits that are available, and  
3 estimated times for guests on our first floor.  
4 Our model is built off getting two seatings at  
5 each table at Causa. If we have a guest arrive  
6 at 5:45 p.m., we cannot seat another guest at  
7 that table until 8:45 p.m., and we cannot  
8 expect that guest to leave until 11:45 p.m.

9           Our hours that we ask to operate  
10 reflect such business patterns and, shown by  
11 the list of other Blagden Alley businesses,  
12 including the referenced Dabney, fall in line  
13 with our surrounding establishments.

14           In regard to deliveries, I am open  
15 to coming to an agreement with other Blagden  
16 Alley businesses and communities, as to what is  
17 realistic, feasible, and justified, but I am  
18 not willing to sign an agreement without a full  
19 discussion with other members of the business  
20 community. The 9th Street dropoff location is  
21 something I read for the first time in the  
22 draft of this protest.

23           In regard to trash, I am completely  
24 in agreement that something better with trash  
25 in Blagden Alley must be done. Our trash room,

1       however, is not large enough to fit two two-  
2       yard bins inside, so I cannot agree to keeping  
3       all trash bins indoors, since it is impossible,  
4       and they are the smallest bins available.

5               We are also unfortunately at the  
6       mercy of our trash pickup company to come every  
7       day of the week. Last week, twice, we were  
8       emailed they could not make it for pickup, due  
9       to road closures in D.C., something that we  
10      have no control over whatsoever. This morning,  
11      even, I received an email that our recycling  
12      day is a day behind. I hate this situation as  
13      much as anyone else, but we cannot open  
14      ourselves to violations against our liquor  
15      license at the behest of the success of our  
16      trash company.

17             In regard to an agreement to never  
18      use public space or a streatory, it is hard to  
19      imagine a community organization that claims to  
20      be open to working with the interest of  
21      business in realistic terms would include such  
22      a provision to ask a business to sign.

23             After fighting through two hard  
24      years of COVID with an existing restaurant, and  
25      navigating the construction of a restaurant,

1 whose bank pulled their loan due to concerns of  
2 COVID, I will never sign an agreement  
3 preventing us from taking any measure to make  
4 it through another pandemic-related occurrence.

5 In conclusion, I really hope that  
6 our business can continue to win the hearts of  
7 this community, and show through our actions  
8 and intentions that we mean to be a vibrant and  
9 integrated part of Blagden Alley. We are happy  
10 to amend our entertainment agreement, and  
11 modify some hours. However, it is not possible  
12 to agree with the stipulations requested by  
13 BANCA. Thank you very much for your time.

14 MR. ANDERSON: Thanks, Mr. Spangler.  
15 Ms. Gore, do you wish to make an opening  
16 statement?

17 MS. GORE: I will, yeah. Mine will  
18 be significantly shorter. Not in a bad way or  
19 whatever.

20 MR. ANDERSON: No. He told me he  
21 spent two weeks writing --

22 MS. GORE: I know. I know. I --

23 MR. ANDERSON: I couldn't take it  
24 away from him. I couldn't do it.

25 OPENING STATEMENT - PROTESTANT

1 MS. GORE: I agree. And I will  
2 honestly start by saying that I agree with Chad  
3 on a lot of the things that were in his opening  
4 statement. And, you know, Chad and I have more  
5 recently started working and communicating  
6 together. So as he mentioned, there were  
7 definitely things that happened in the past  
8 that had not been communicated to me.

9 I am aware that since Causa has  
10 started construction, I can tell you, as a  
11 neighbor and as a resident, I was excited.  
12 That space has been a dirt floor since I moved  
13 into my apartment over five years ago, so I was  
14 very happy to see something finally coming into  
15 that empty space. I was even more excited when  
16 I found out it was a Peruvian place. And so,  
17 you know, getting to this point of this process  
18 is not exactly where I as a neighbor intended  
19 us to be.

20 What we struggle with, again, and I  
21 will just kind of stick to that piece, is we  
22 recognize the work that Chad has done, and he  
23 has always been responsive in getting back to  
24 neighbors. He's always been responsive, his  
25 team, when ABRA makes visits.

1           The main concern neighbors have are  
2 two things. It's the noise, the noise that  
3 goes through the alley. And I recognize, and  
4 Chad and I have discussed this, that because of  
5 some other newer neighbors in the alley, other  
6 businesses are being affected. And I think  
7 that may be the case for Chad. But with this  
8 hearing, we want to set a precedent. And we  
9 don't want to restrict our neighbors in the  
10 alley to a point where they're not going to be  
11 successful businesses. I don't want that for  
12 any of them, genuinely.

13           The main issue is the noise. That's  
14 what the neighbors have been struggling with.  
15 And the neighbors' also biggest concern is,  
16 this will set a precedent for a lot of the  
17 alley businesses' liquor licenses are coming up  
18 in November, and some of the key players that  
19 neighbors have expressed major concerns with.

20           And we want to make sure that with  
21 this agreement with Chad, we set that precedent  
22 by saying, you know, we want to work with you  
23 as neighbors, but we also want to make sure  
24 that we maintain a neighborhood, and not a U  
25 Street environment in a historical alley. And

1 that's kind of -- that's what we were looking  
2 to achieve. And that's why we're at this  
3 point.

4 And I'm more than happy to use the  
5 rest of the time that we have to discuss the  
6 hours of operation. And I do agree, Chad, that  
7 there has been some miscommunication on the  
8 reservation hours at the Dabney, versus the,  
9 you know, the ending of a meal that would be  
10 taking place there, as well. So I'm more than  
11 happy to discuss that.

12 I can say, on behalf of all the  
13 residents, that we would be more than happy, or  
14 are grateful already, to not have that outdoor  
15 entertainment endorsement, but we would really  
16 like to discuss the outdoor space hours more in  
17 depth, as well.

18 MR. ANDERSON: Thank you for the  
19 presentation, and we're here at this hearing,  
20 so the Board now has to make a decision, once  
21 we take testimony on what it is -- what  
22 proposal we're going to accept, based on the  
23 testimony by our -- based on what's presented  
24 by our investigator, based on whatever  
25 testimony that the licensee has to provide, and

1 then whatever testament that you have to  
2 provide. And we then have to make a decision,  
3 based on that.

4 So unfortunately, unless -- if you  
5 believe you can work it out, I can take -- if  
6 the parties want to stipulate, to say this is  
7 what we -- on the hours, then we could write up  
8 an order to say, this is what it is. But if  
9 not -- but at this stage, we are going to make  
10 a decision, either what's proposed by the  
11 applicant, or what's proposed by you, or  
12 something in the middle. Okay? So that's what  
13 we're going to do.

14 MS. GORE: Okay.

15 MR. ANDERSON: All right. All  
16 right. So we'll call our first witness. So I  
17 call Mr. Puente. Mr. Puente, can you raise  
18 your right hand, please? All right.

19 WHEREUPON,

20 KEVIN PUENTE

21 was called for examination by ABRA, having been  
22 first duly sworn, assumed the witness stand,  
23 was examined and testified as follows:

24 DIRECT EXAMINATION

25 BY MR. ANDERSON:



1           Q     Mr. Puentes, can you please tell us  
2 where you're currently employed, sir?

3           A     The Alcoholic Beverage Regulation  
4 Administration.

5           Q     And how long have you been employed  
6 by this agency?

7           A     Seven and a half years.

8           Q     And what is your -- what is your  
9 title, basically, working for the agency?

10          A     Investigator.

11          Q     And what are some of your typical  
12 duties and responsibility as an investigator?

13          A     To        conduct        inspections        and  
14 investigations of licensed ABC establishments  
15 throughout the District of Columbia.

16          Q     Now, are you familiar with Causa?

17          A     Yes, I am.

18          Q     And how did you become familiar with  
19 Causa?

20          A     I        was        assigned        a        protest  
21 investigation.

22          Q     And have you had an opportunity to  
23 speak to the protestants and the applicant in  
24 this case?

25          A     Yes, I have.

1 Q And as a result of your  
2 investigation, or your communication with the  
3 protestants and the applicant, what information  
4 were you able to gather, regarding this  
5 protest?

6 A Yes, I spoke with Mr. Robert  
7 Goldberg from the BANCA association, and he  
8 advised me the two main issues for the  
9 protestants were the summer garden noise, and  
10 the patrons loitering and making noise once  
11 they leave the establishment.

12 Q Now, so tell us about -- where is  
13 this -- where is this license located?

14 A It's located at 920 N Street, the  
15 rear part of N, in Blagden Alley.

16 Q And are there -- are there any other  
17 licensed establishments within -- so what are  
18 the licensed establishments within 1,200 feet  
19 of this application?

20 A Yeah, there's currently 31 licensed  
21 establishments within 1,200 feet. More  
22 specifically, I counted approximately six  
23 establishments in the immediate 600 feet from  
24 Causa.

25 Q You said there -- you said there are

1 six establishments within 600 feet of Causa.  
2 So what are the -- what are the six  
3 establishments?

4 A Yeah, so the first one's Eighteenth  
5 Street Lounge. The second is Calico. The  
6 third is Dabney. The fourth is Columbia Room.

7 Q Hold on. Hold on. I'm taking  
8 notes. You said Eighteenth Street Lounge?

9 A Mm-hm.

10 Q Go ahead.

11 A Calico, Dabney, Columbia Room, Tiger  
12 Fork --

13 Q Okay. Columbia Room?

14 A Yes, sir. Tiger Fork, and Never  
15 Looked Better.

16 Q So these are the -- so these are the  
17 establishments that are closest to this  
18 establishment. Is that correct?

19 A Yes, sir.

20 Q All right. So Eighteenth Street  
21 Lounge, what type of license do they have?

22 A They have a CT license, a Class  
23 Tavern, C license.

24 Q And do they have -- or do they have  
25 -- do they have a summer garden?

1           A     Yes, they do.

2           Q     What            about            entertainment  
3     endorsement?

4           A     They have no live entertainment.  
5     They have an entertainment endorsement, but  
6     they're not allowed to have live entertainment.

7           Q     All right. So -- all right. Now,  
8     do you know the hours of Eighteenth Street  
9     Lounge?

10          A     Yes, I do, sir. So from Sunday to  
11     Thursday, Eighteenth Street Lounge can operate  
12     from 8:00 a.m. to 10:30 p.m. From Friday --

13          Q     I'm sorry, you said 8:00 a.m.  
14     through when?

15          A     Let me restart that, sir. From  
16     Sunday to Thursday, they can operate from 4:00  
17     p.m. to 2:00 a.m., and on Friday and Saturday,  
18     from 4:00 p.m. to 3:00 a.m.

19          Q     Friday through Saturday, you said  
20     4:00 p.m. through what time?

21          A     3:00 a.m.

22          Q     3:00. So what about their summer  
23     garden?

24          A     Their summer garden, they can  
25     operate from 4:00 p.m. to 10:30 p.m., Sunday to

1 Thursday, and from Friday to Saturday --

2 Q Okay, so you said 4:00 p.m. to, you  
3 said, 10:30?

4 A Yes, sir.

5 Q And this is from what days?

6 A Sunday to Thursday.

7 Q And Friday through Saturday?

8 A 4:00 p.m. to 12:00 a.m.

9 Q Okay, so they have a CT license. Is  
10 that correct? What type of license does Causa  
11 have?

12 A A CR, restaurant.

13 Q A CR, restaurant. Okay. What about  
14 -- okay. So let's -- Calico.

15 A Calico has a CR license.

16 Q Okay.

17 A And their hours for operation and  
18 sale are 7:00 a.m. to 1:00 a.m., Sunday to  
19 Thursday, and 7:00 a.m. to 2:00 a.m. on Friday  
20 and Saturday.

21 Q Do they have a summer garden?

22 A They do, sir. And their hours for  
23 the summer garden from Sunday to Thursday are  
24 8:00 a.m. to 10:30 p.m., and on Friday and  
25 Saturday, 8:00 a.m. to 12:30 a.m.

1 Q To 12:30?

2 A Yes, sir.

3 Q And then you said -- what about the  
4 Dabney?

5 A The Dabney has a CR license. And  
6 their hours for operation and sales are from  
7 8:00 a.m. to 1:00 a.m., seven days a week.

8 Q Do they have a summer garden?

9 A They do. And their hours from  
10 Sunday to Thursday are 8:00 a.m. to 11:00 p.m.,  
11 and on Friday and Saturday from 8:00 a.m. to  
12 12:00 a.m.

13 Q Columbia -- you said Columbia Road?  
14 Is that what -- the Columbia Room.

15 A Columbia Room. And they have a CT  
16 license. And their hours for operation and  
17 sale are 8:00 a.m. to 1:30 a.m., Sunday to  
18 Thursday, and on Friday and Saturday, from 8:00  
19 a.m. to 2:30 a.m.

20 Q I'm sorry, you said Friday,  
21 Saturday, what time? 8:00 a.m. to what?

22 A 8:00 a.m. to 1:30 a.m.

23 Q Do they have a summer garden?

24 A Yes, they do. From Sunday --

25 Q What are the hours?

1           A     From Sunday to Thursday, their hours  
2     are from 8:00 a.m. to 12:30 a.m.

3           Q     You said 12:00 or 12:30?

4           A     12:30.

5           Q     And the Friday through Saturday?

6           A     Friday and Saturday, 8:00 till 1:30  
7     a.m.

8           Q     Hold on a second. All right. Let's  
9     see. Hold on. And you said Tiger Fork?

10          A     Yes, Tiger Fork has a CT license.  
11     And they're open from Sunday to Thursday, 8:00  
12     a.m. to 2:00 a.m., and Friday and Saturday from  
13     8:00 a.m. to 3:00 a.m., and they do not have a  
14     summer garden.

15          Q     And Never Looked Better?

16          A     Never Looked Better is a Class CT  
17     license, and their hours are from 11:00 a.m. to  
18     1:00 a.m., Sunday to Thursday, and 11:00 a.m.  
19     to 2:00 a.m. on Friday and Saturday, and they  
20     do not have a summer garden.

21          Q     You said 11:00 a.m. to 2:00 --

22          A     2:00 a.m., Friday and Saturday.

23          Q     Friday through Saturday, no summer  
24     garden. All right. Okay. Let's see. Have  
25     you or -- have you or other investigators had a

1 chance to do an observation of the  
2 establishment?

3 A Yes, I have, sir.

4 Q And can you tell us, when is it that  
5 you went to visit the establishment?

6 A From August 4th, 2022, to Saturday,  
7 September 3rd, 2022, it was monitored eight  
8 times by ABRA personnel. Some noise could be  
9 heard. One of the occasions I went, I could  
10 hear the speakers from Causa that were kind of  
11 loud. I advised management to turn it down,  
12 which they complied with right away.

13 From September 9th, 2022, to October  
14 21st, 2022, I had monitored five additional  
15 times, with no violations observed. From May  
16 28th, 2022, to August 20th, 2022, ABRA received  
17 seven noise complaints for Causa. But no  
18 violations were observed from -- could be  
19 substantiated from those.

20 Q Explain to me, when you said that,  
21 that the violations could not be substantiated  
22 -- explain that to me, please.

23 A The supervisors who took the hotline  
24 calls, they asked residents if we could enter  
25 the residence to substantiate, because



1 currently, Causa doesn't have a sub-agreement,  
2 so they don't have no noise provision in that  
3 SA, or any Board orders preventing noise, so  
4 the supervisors advised the callers that we  
5 would have to come in and substantiate it under  
6 the Noise Code 725, to see if we could hear it.  
7 But at times, we couldn't let in to  
8 substantiate it.

9 Q Why is it that -- do you know why,  
10 that we need to -- ABRA would need to enter the  
11 residents' home? Why is that necessary?

12 A To hear if we can hear the noise,  
13 the music emanating inside the residence with  
14 the windows and doors closed, to make sure it  
15 is Causa. If it is, then we can deal with it.  
16 If not, we can determine if it was someone else  
17 in the neighborhood.

18 Q All right. Let me see if I need to  
19 ask -- what other, any other questions I need  
20 to ask you. Are there exhibits attached to  
21 your report?

22 A Yes, sir.

23 MR. ANDERSON: Can you share those  
24 exhibits with -- Mr. Orellana, can you give Mr.  
25 Puente an opportunity to share his screen? I

1 should have had you do that before, but -- so  
2 can you share your screen, please? And I just  
3 want you to identify the document, and then go  
4 through the exhibits.

5 MR. PUENTE: All right. Can you see  
6 my screen?

7 BY MR. ANDERSON:

8 Q Yes. Yes, sir. So can you identify  
9 the document that's on the screen, please?

10 A This is the protest report that I  
11 authored.

12 Q All right. And when did you --  
13 what's the date of this report?

14 A It was September 2022.

15 Q All right. And so what are the  
16 exhibits that are now attached to this  
17 document?

18 A Yes, sir. So Exhibit 1 is the  
19 letter from the Blagden Alley Naylor Court  
20 Association, protesting the ABC license of  
21 Causa. Exhibit 2 is a copy of the zoning map  
22 for Causa. Exhibit 3 is the GIS map of ABC  
23 establishments within 1,200 feet of Causa.  
24 Exhibit 4 is the GIS map of any schools,  
25 daycares, within 400 feet of Causa.

1                   Exhibit 5 is a picture of the front  
2 of Causa, the front door of the establishment.  
3 Exhibit 6 is a picture of the rear of the  
4 establishment, where they store their trash  
5 bin. Exhibit 7 is the first floor, as soon as  
6 you walk in. This is right at the host stand.  
7 Exhibit 8 is a photograph of the first floor,  
8 where they have a prix fixe menu for guests to  
9 pay for a three-course menu. Exhibit 9 is that  
10 first floor dining room again.

11                   Exhibit 10 is a photograph of the  
12 second floor, as soon as you come off the  
13 stairwell. Exhibit 11 is a photograph of the  
14 bar area and seating area of the second floor.  
15 Exhibit 12 is another photograph of one of the  
16 entrance doors to the summer garden on the  
17 second floor. Exhibit 13 is a photograph of  
18 the bar on the second floor. Exhibit 14 is a  
19 photograph of the back dining area on the  
20 second floor. Exhibit 15 is another photograph  
21 of the dining area on the second floor.

22                   Exhibit 16 is a photograph of the  
23 summer garden. Exhibit 17 is a photograph of  
24 the summer garden. Exhibit 18 is a photograph  
25 of the summer garden. Exhibit 19 is another

1 photograph of the summer garden. Exhibit 20 is  
2 a photograph of the summer garden, standing  
3 from Blagden Alley, looking up.

4 Exhibit 21 is a photograph of the  
5 entrance of Blagden Alley, coming off 9th  
6 Street Northwest. Exhibit 22 is a photograph.  
7 Once you come off 9th Street, you're facing  
8 this direction, where you have several ABC  
9 establishments on this side, and Causa standing  
10 -- that brown building right there. Exhibit 13  
11 is right next to Causa, to the left, with the  
12 picture of the alley. Exhibit 24 is a  
13 photograph of another angle of Causa, showing  
14 the opposite end of the alley.

15 Exhibit 25 is a photograph of one of  
16 the alley exits going on to N Street Northwest.  
17 Exhibit 26 is the back of Blagden Alley, facing  
18 Causa, Eighteenth Street Lounge, and Never  
19 Looked Better. Exhibit 27 is another  
20 photograph of Causa, alley, the back side  
21 showing, where the resident houses are.  
22 Exhibit 27 is another photograph of the  
23 resident houses, on the right, with Calico on  
24 the left side.

25 Exhibit 29 is a photograph of the

1 Metro bus stop on 9th Street Northwest.  
2 Exhibit 30 is parking on N Street Northwest,  
3 two-hour parking. Exhibit 31 is a photograph  
4 of the parking lot at the corner of Blagden  
5 Alley entrance and 9th Street Northwest. And  
6 that's all, sir.

7 Q All right, let's go back to Exhibit  
8 26, please. You stated Exhibit 26 was where  
9 the residents live. Is that correct? Or did I  
10 --

11 A No, so this is a photograph facing  
12 Causa. It's right here on the left, with  
13 Eighteenth Street Lounge right in the middle.  
14 And the residents would be behind me when this  
15 photo was taken.

16 Q So which one -- now, what exhibit?  
17 You'd stated exhibit -- where the residents  
18 were. Did I go through the right one? Or  
19 they're different --

20 A Exhibit 27, right here, and Exhibit  
21 28 will show residential houses.

22 Q 27 and 28?

23 A Yes, sir.

24 Q So in Exhibit -- is Causa in Exhibit  
25 27?

1 A No, sir.

2 Q So let's see. Is Causa in Exhibit  
3 28?

4 A No, sir.

5 Q So how far, in your estimation,  
6 approximately how far is Causa from the  
7 residents?

8 A I would say a couple hundred feet,  
9 if that.

10 Q Okay. Two, three? I'm just -- when  
11 you said a couple hundred, 200, 300?

12 A I would say no more than 300 feet.

13 Q Okay. I'm looking at a larger  
14 screen, so that's what -- you're sharing your  
15 screen, so I'm looking at the documents on a  
16 larger screen, so that's why I'm not staring  
17 into the camera there.

18 MS. GORE: I will add that, in the  
19 other photos, that --

20 MR. ANDERSON: Who's speaking? Hold  
21 on, Ms. Gore. You'll get an opportunity to  
22 speak a little bit later.

23 MS. GORE: Okay. There are just  
24 more residents pictured. But --

25 BY MR. ANDERSON:

1           Q     Okay. Mr. Puente, I wanted to go  
2 back to the dates when an investigator visited  
3 the establishment.

4           A     Yes, sir.

5           Q     All right. And I see that there was  
6 a visit on 9/2/22, from 12:00 a.m. to 12:30  
7 a.m., and also from, on 9/3, from 1:00 a.m. to  
8 -- I guess that's the same day, so -- the same  
9 consecutive -- so tell me, explain the -- it's  
10 stated that area's active, parking available,  
11 light pedestrian traffic. Give me a little bit  
12 -- tell me, what did you observe during that  
13 period of time?

14          A     Yes, sir. I was there. There were  
15 lines for -- there was a line for Never Looked  
16 Better. There were people at Calico that were  
17 finishing up on the summer garden. There was  
18 people exiting from Causa, as well as Tiger  
19 Fork.

20                   Ubers     going     through     the     --  
21 rideshares going through the alley, picking up  
22 people. Some people were outside, smoking.  
23 There wasn't a lot of music, but I could hear  
24 the speaker, because I was standing right below  
25 it, from the rooftop from Causa.

1 Q Okay. You said you could hear what?

2 A They have three speakers on their  
3 summer garden, so I was able to hear -- because  
4 I knew what I was looking for, so I was able to  
5 hear the background music from Causa.

6 Q But what about noise from the  
7 pedestrians or from the guests on the -- I know  
8 you heard --

9 A Yeah, there was a lot of people  
10 cutting through the alley entrance, right  
11 between N Street and M Street Northwest.  
12 People were cutting through that were loud and  
13 noisy. Because I was there, parked right there  
14 at the middle of that intersection. And they  
15 didn't come from any of the establishments that  
16 I had eyes on. But they were just cutting  
17 through. They were just being kind of loud and  
18 noisy, going through the alley.

19 MR. ANDERSON: Okay. All right.  
20 All right. You can close your screen, please,  
21 sir. All right. Any questions by any Board  
22 members?

23 (No audible response.)

24 MR. ANDERSON: All right. Mr.  
25 Spangler, any questions -- so all right. All



1 right, Mr. Short. Mr. Short? Do you have any  
2 questions, sir? Can you hear me, Mr. Short?  
3 If you have a question, ask the question.  
4 You're on mute, Mr. Short. Unmute your phone.  
5 Unmute your phone, Mr. Short.

6 Okay. All right. If you're able to  
7 unmute your line, Mr. Short, I'll come back to  
8 you. So just see if you can unmute your line.  
9 But I'll move on, and then I will come back to  
10 you. All right. So, all right, Mr. Spangler,  
11 do you have any questions you want to ask Mr.  
12 Puente? You need to unmute your phone, sir.

13 MR. SPANGLER: Thank you very much,  
14 Chairman. And thank you for your time, Mr.  
15 Puente. I have a few questions for you. Have  
16 you been present at many of these hearings?

17 MR. PUENTE: Yes, sir. My seven and  
18 a half years, I've done quite a bit of protest  
19 hearings.

20 CROSS-EXAMINATION

21 BY MR. SPANGLER:

22 Q Okay. During these hearings, is it  
23 typical for a restaurant or licensee with no  
24 violations to be asked to reduce the hours of  
25 their license?

1           A     I will say not typical, just depends  
2 what area. The city's always developing, and  
3 new construction's coming and going.

4           Q     Okay. To your knowledge, has Causa  
5 ever been found in violation of an ABRA  
6 infraction or a noise violation?

7           A     No, sir.

8           Q     Okay. I believe you stated that  
9 there has been up to 20 times that you've  
10 visited either our establishment or Blagden  
11 Alley, and you cited one of those times that  
12 you could hear our music, which -- we responded  
13 by turning it down?

14          A     Yes, sir. I believe it was a  
15 Thursday evening when I went out there. And  
16 your two managers complied right away, because  
17 there was only a handful of people in the  
18 summer garden, so I told them, then we talked  
19 at length about noise mitigation stuff.

20          Q     Okay. Based on the hours of our  
21 indoor operation, summer garden patio, and  
22 surrounding establishments that you had listed  
23 earlier, in your opinion, are the requested  
24 hours that we have put forth for Causa normal  
25 for Blagden Alley? Or do they fall outside of

1 established hours for existing businesses?

2 A I would say they fall outside,  
3 looking at the other licenses. Most of the  
4 licenses have operation till either 1:00 a.m.  
5 or around 1:00 a.m., 12:30. But from my  
6 experience in monitoring, a lot of those areas  
7 themselves, the restaurants or taverns, they  
8 would take upon themselves to close early.

9 Q Okay. But so the requested hours  
10 that we've put forth to close our patio at  
11 midnight, and to close our indoor restaurant,  
12 to have service ending at 1:00 a.m., you would  
13 say that those fall outside of the established  
14 norms, or are earlier than the established  
15 norms?

16 A I would say with the established  
17 norms in that area.

18 Q Okay. In your opinion, is it common  
19 for businesses to be used to set a precedent  
20 for other, longer-established businesses that  
21 are not yet currently seeking a license  
22 renewal?

23 A Can you say that again?

24 Q Let me rephrase. Amanda had  
25 presented earlier that she would like this to

1 be an opportunity to set a precedent for  
2 businesses in Blagden Alley, with us being the  
3 first one up for renewal. In your opinion,  
4 would it be common for a business to be used to  
5 set a precedent for the other businesses that  
6 have been longer-established in an area, even  
7 if they're not currently seeking a license  
8 renewal?

9 A Yeah, I would say it's not uncommon,  
10 but ABRA and the Board will take into  
11 consideration the history and the surrounding  
12 hours of the neighborhood establishments before  
13 they make that determination.

14 Q Okay. During your visits to Blagden  
15 Alley, did you see patrons congregating  
16 throughout the alley?

17 A Yeah, on some of my visits, there  
18 was people who were walking through, that were  
19 congregating, waiting for rideshares, having a  
20 cigarette or cigars, it looked like. But they  
21 were kind of loud. Some weren't loud. But in  
22 the later hours, when I was there, I noticed  
23 several people who were leaving who seemed  
24 intoxicated, waiting for a rideshare. But --  
25 yeah.

1           Q     Okay.  Could you say with any level  
2 of certainty which establishment each one of  
3 these patrons were attending or leaving?

4           A     No, sir.

5           Q     Okay.  Do you recall seeing any  
6 patrons that could be described as rambunctious  
7 leaving the Causa establishment on those  
8 evenings?

9           A     Not that I recall.

10          Q     Okay.  Have you ever visited Blagden  
11 Alley and heard music or patrons making noise  
12 that might be construed as coming from Causa,  
13 but were actually visiting or emanating from a  
14 different establishment?

15          A     Yes, I've been there several times  
16 where we kind of determined it wasn't Causa,  
17 but was Eighteenth Street Lounge, for example.

18               MR. SPANGLER:     Okay.  I have no  
19 further questions.  Thank you very much for  
20 your time.

21               THE WITNESS:     You're welcome.

22               MR.     ANDERSON:           Ms.  Gore,  any  
23 questions?

24               MS. GORE:     Yeah, I have a couple.  
25 So are you aware of any protestant hearings,

1 probably more recently, that have been the  
2 result of liquor licenses that were approved  
3 during COVID?

4 It seems that there were some unique  
5 approval practices being used by ANCs, and that  
6 it was not the standard protocol. Are you  
7 aware of any changes to that protocol, and any  
8 more recent hearings that are having to do with  
9 business that received their liquor license  
10 during this time?

11 THE WITNESS: Not that I know of. I  
12 know, during COVID, we posted new placards for  
13 new licenses, or renewal placards. But I know  
14 some ANCs didn't approve it, or protestants  
15 weren't sending in protest letters because of  
16 the time we were in, during that time.

17 CROSS-EXAMINATION

18 BY MS. GORE:

19 Q Okay. Thank you. And the other  
20 question I have -- are you aware or -- I mean,  
21 I'm sure you have the list of neighboring  
22 businesses within the 600-, let alone the  
23 1,200-square-foot radius of this business that  
24 are up for liquor license renewal in the next  
25 two months?

1           A     Within     the     ones     that     we've  
2 mentioned, I know there's three that are up for  
3 renewal, because they're a CT license. So all  
4 tavern licenses had to renew by September 30th,  
5 so they're now entering that renewal phase,  
6 where they'll be placarded.

7           Q     Yeah, and there are additional  
8 tavern licenses that go beyond Blagden Alley  
9 that would go into that 1,200-square-foot  
10 radius, as well, and in addition to the  
11 additional restaurant ones -- I believe the  
12 number, off the top of my head, is between  
13 eight and ten -- that will come up in the next  
14 60 days.

15           A     Yes, ma'am.

16                   MS. GORE: That is all I have.

17                   MR. ANDERSON: Thank you. Mr.  
18 Short, you need to take yourself off mute. I  
19 can see that you're on mute. And now he has  
20 disappeared. All right. Any follow-up  
21 questions by the Board members? Go ahead, Mr.  
22 Grandis.

23                   MR. GRANDIS: Thank you. Now, Mr.  
24 Puente, going back to the report you've  
25 submitted for the record, does Page -- I think

1 it's Page 7. No, Page 6 of your report. Can  
2 you get to that for yourself? You don't need  
3 to put it up on the screen. I have it in front  
4 of me, as well.

5 THE WITNESS: I have it up, sir.

6 REDIRECT EXAMINATION

7 BY MR. GRANDIS:

8 Q Okay. And when it says, hours of  
9 operation, what is this -- what is this  
10 speaking to? Whose hours of operation?

11 A Causa's hours of operations.

12 Q Okay. And I want to make sure I  
13 understand what -- this is what the current  
14 license has approved as the hours of operation?

15 A Yes, sir.

16 Q Okay. So for the record, could you  
17 help me understand, what are the hours of  
18 operation? It looks like Sunday through  
19 Thursday, they look to be similar. Is that  
20 correct?

21 A Yes, sir. 10:00 a.m. to 2:00 a.m.

22 Q And the hours -- for those days, the  
23 hours of alcoholic beverage sales, service and  
24 consumption, are they all -- for those days,  
25 are they the same, as well?



1           A     Yes, sir. 10:00 a.m. to 2:00 a.m.

2           Q     And for the hours of summer garden,  
3 for those days, are they the same? And what  
4 are they?

5           A     Yes, sir. Sunday to Thursday, 10:00  
6 a.m. to 2:00 a.m., and Friday and Saturday,  
7 10:00 a.m. to 3:00 a.m.

8           Q     And let's go back -- so the hours of  
9 operation on Friday and Saturday are different,  
10 a bit. They're later than the other days of  
11 the week. So once again, they're similar, and  
12 I think you just said they are 10:00 a.m. to  
13 3:00 a.m. for the operation, service and summer  
14 garden. Is that correct?

15          A     Yes, sir.

16          Q     I know we talked about entertainment  
17 endorsement. The entertainment endorsement, I  
18 don't see here. But from your knowledge, the  
19 entertainment endorsement, does it have any  
20 limitations? Or is it for the full array of  
21 what is allowed on the --

22          A     It's for the full restaurant.  
23 Currently its hours are Sunday from 12:00 p.m.  
24 to 1:00 a.m., Monday to Thursday, 12:00 p.m. to  
25 12:00 a.m., and Friday and Saturday, 12:00 p.m.

1 to 2:00 a.m.

2 Q That's for inside and outside?

3 A Yes, sir.

4 Q Okay.

5 A And talking with the ownership  
6 during my protest investigation, they had live  
7 entertainment one time. I believe it was  
8 during their grand opening week. But since  
9 then, they haven't had it. They've just had  
10 background music.

11 Q From your investigation, and from  
12 looking at the record, the files that you  
13 looked through for this licensing, I think you  
14 said that during the time they've been open,  
15 they have not had one notice of violation, nor  
16 been found guilty of a violation during this  
17 period?

18 A No, sir.

19 Q No, sir, meaning they have had none?

20 A No violations. No.

21 Q And no citations of notice of  
22 violations.

23 A Correct, sir. No citations.

24 MR. GRANDIS: Okay. Thank you. Mr.  
25 Chairman, thank you very much.

1 MR. ANDERSON: Thank you, Mr.  
2 Grandis. Any other questions by any other  
3 Board members?

4 (No audible response.)

5 MR. ANDERSON: All right. Thank  
6 you, Mr. Puente.

7 MR. PUENTE: You're welcome, sir.

8 MR. ANDERSON: All right. Mr.  
9 Spangler, now is your opportunity to present  
10 your case. So you're the only witness, sir?

11 MR. SPANGLER: Yes. We are not  
12 calling any additional witnesses.

13 MR. ANDERSON: You're going to --  
14 you have a statement? So you're going to  
15 testify?

16 MR. SPANGLER: Sure. I think that I  
17 got most of what I --

18 MR. ANDERSON: Hold on. If you're  
19 going to testify, then I just need for you to  
20 raise your right hand.

21 WHEREUPON,

22 CHAD SPANGLER

23 was called for examination on behalf of the  
24 applicant, having been first duly sworn,  
25 assumed the witness stand, was examined and

1 testified as follows:

2 MR. ANDERSON: All right. So you  
3 can make whatever statement you need to make.  
4 Then Ms. Gore will cross-examine you. You can  
5 put your hand down. Then Ms. Gore will cross-  
6 examine you, and then the Board might have  
7 questions to ask of you, sir. So go ahead.

8 THE WITNESS: Sure. I think that  
9 the statement I'd like to make, I covered for  
10 the most part in our opening statement, that we  
11 have shown, since the beginning of our  
12 business, that we are willing to work with our  
13 neighbors, and we are willing to make  
14 reasonable adjustments and do what we can to  
15 better our presence in the neighborhood, and  
16 curb any disturbances that re coming from our  
17 business.

18 However, we hold strong that our  
19 business needs to remain flexible, and needs to  
20 remain profitable. I've presented hours and  
21 turn times with our guests and seatings that  
22 require us to stay open past the stipulated  
23 hours that they have presented in order for us  
24 to continue to remain profitable.

25 As noted by Officer Puente, we have

1 never been found in violation of either a noise  
2 complaint or an ABRA infraction. We work very  
3 hard to be a good part of the community, and we  
4 continue to do so. We are, at heart, and  
5 always will be, a restaurant. We are not a  
6 bar. And we hope to not be included in the  
7 same conversations that one might have with  
8 establishments with different goals, objectives  
9 and actions than our own.

10 We would like to ask the Board to  
11 approve our liquor license, and with the  
12 amended hours that we put forward, and with the  
13 removal of the summer garden patio, and also  
14 with the knowledge that we will continue to  
15 work in good faith with the neighborhood,  
16 whether or not we are required to by law, to  
17 lessen any disturbance that we have, and  
18 continue to improve the impact that we have on  
19 the community. And I thank you all very much  
20 for your time.

21 MR. ANDERSON: Thank you, Mr.  
22 Spangler. Ms. Gore, do you have any questions  
23 of Mr. Spangler, based on what he just stated?  
24 You're on mute, ma'am. You're on mute.

25 MS. GORE: Yes, I do. So I would

1 just ask that Mr. Spangler restate the hours  
2 for the entertainment endorsement, and then how  
3 that aligns with the current hours, or the  
4 hours that would be for the businesses moving  
5 forward.

6 I know that, in the beginning, we  
7 listed the outdoor entertainment is from 10:00  
8 a.m. -- or the proposal would be from 10:00  
9 a.m. to midnight, and indoor entertainment  
10 endorsement would be 10:00 a.m. to 1:00 a.m.,  
11 and live indoor entertainment would be 10:00  
12 a.m. to 12:00 a.m.

13 THE WITNESS: That is correct. And  
14 for the record, if you would like for me to  
15 restate that, I can. Or are you satisfied with  
16 your version of it?

17 MS. GORE: Okay. Yeah, no, that's  
18 fine.

19 MR. ANDERSON: No, I need you to  
20 restate it, because that's not what I have  
21 written down. So can you please restate it,  
22 sir?

23 THE WITNESS: Sure. Potentially, I  
24 misheard. So we will be -- we are happy to  
25 agree to the renewal of our liquor license with

1 no entertainment endorsement at all on the  
2 summer garden patio, with summer garden patio  
3 hours between 10:00 a.m. and 12:00 a.m., hours  
4 of alcoholic beverage service between 10:00  
5 a.m. and 1:00 a.m., and hours of live  
6 entertainment indoors from 10:00 a.m. until  
7 12:00 a.m.

8 MR. ANDERSON: Okay. That's what I  
9 had written down, but I think it was -- it  
10 appeared there was some confusion, from the  
11 question that Ms. Gore had asked, and that's  
12 why I asked you to repeat that. Okay.

13 MS. GORE: That's the main --

14 MR. ANDERSON: Do you have any other  
15 questions, ma'am?

16 CROSS-EXAMINATION

17 BY MS. GORE:

18 Q That's the main question. I wanted  
19 to just confirm. And then the other question  
20 is, Chad, if you can restate the current hours  
21 of business? Or does that align with the hours  
22 that we just listed out?

23 A Yeah, our current hours of business  
24 all fall within those. We do not keep our  
25 patio ever open past midnight. We rarely have

1 guests there, in the restaurant itself, much  
2 longer after midnight, and it's certainly 100  
3 percent cleared out by 1:00 a.m.

4 Our current hours of operation now  
5 are, we are closed on Mondays. Tuesday and  
6 Sunday, we close our kitchen at 10:00 a.m., and  
7 we'll be doing last call of the restaurant  
8 around 10:45. Wednesday and Thursday, we close  
9 our kitchen at 11:00 p.m., and typically do  
10 last call right around -- just after that time,  
11 as well. But it's based on the level of  
12 service.

13 And then Fridays and Saturdays, we  
14 do our last call around 11:45 p.m., but again,  
15 everything can be dependent on service. Our  
16 hours of business do not extend past the  
17 limitations set forth by the hours that I've  
18 presented here.

19 MR. ANDERSON: Ms. Gore, I don't  
20 mean to interrupt. His current hours are the  
21 hours that were -- at least, the hours that --  
22 his current licensed hours are the hours that  
23 were placarded, which are longer than the hours  
24 that he just stated. So there's a difference.

25 I just want you -- I just want you



1 to know that if you look at the placard, the  
2 placard goes through 2:00 a.m., because its  
3 current license goes through 2:00 a.m. But I  
4 think he's saying to you that, although the  
5 hours on his license say that he can go to 2:00  
6 a.m., he does not operate to 2:00 a.m. I just  
7 want you to realize that there's a distinction  
8 there. All right.

9 MS. GORE: Yes. Thank you. And one  
10 other item to clarify is the 10:00 a.m. to 1:00  
11 a.m. timeframe for -- is that for indoor liquor  
12 service? Like, liquor serving? Okay.

13 THE WITNESS: Yeah. Yes.

14 MS. GORE: Okay. Thank you. I  
15 wrote it down incorrectly on my end, so I  
16 wanted to doublecheck. Okay. That's all I  
17 have.

18 CROSS-EXAMINATION

19 BY MR. ANDERSON:

20 Q Okay. Mr. Spangler, I have a  
21 question to ask you. You had mentioned in your  
22 opening that you were trying to enclose the  
23 summer garden. Can you explain -- can you  
24 explain that to me, please, sir?

25 A Absolutely. Like many businesses,

1 we had some very difficult financial challenges  
2 getting open. Our summer garden patio was  
3 originally permitted for construction with a  
4 pergola structure. Basically, metal or a mix  
5 of metal and wooden posts, with a covered  
6 rooftop that would provide structure for us to  
7 then hang other things from.

8 And we had to remove that in order  
9 to meet a budget to get our restaurant opened.  
10 And we've been working since that time to try  
11 and find someone who can build it for us within  
12 a reasonable budget, and we needed to wait  
13 until business cashflow was sufficient to fund  
14 the project, as well. We had presented in  
15 exhibits a number of different contractors that  
16 we'd reached out to in order to get it. It's  
17 just taken us a lot longer than we'd hoped.  
18 But we do plan on beginning construction next  
19 week.

20 And again, that will be essentially  
21 metal posts that are welded to structural  
22 steel, with additional support of wood,  
23 attached to wood beams that will go up, you  
24 know, vertically to create a structure to then  
25 build a sloped rooftop off of.

1           And this work was already permitted  
2 through our original opening construction  
3 permits, and follows the same and similar  
4 design that we always planned to have. Just,  
5 again, we had to remove it from that project  
6 due to financial concerns.

7           Q     Now, is this a closed structure? Or  
8 is it just -- is it a -- is it a completely  
9 closed structure? Or will it not be?

10          A     It will not be a completely closed  
11 structure. It will be a closed roof, so the  
12 top covering will be closed. However, the  
13 sides will be open. And it will really leave  
14 only the south side of our building -- if you  
15 recall the pictures that Officer Puente had in  
16 his report, when he's standing on the ground  
17 level and looking up, there's a railing that  
18 looks out. That's the --

19          MR. ANDERSON:     Mr. Spangler?     I  
20 don't know what happened to Mr. Spangler. But  
21 I think he lost internet connection. We are  
22 off the record for a couple of minutes.

23                         (Whereupon,     the     above-entitled  
24 matter went off the record at 5:51 p.m. and  
25 resumed at 5:55 p.m.)

1 MR. ANDERSON: If you need to  
2 conserve, and turn your video off, sir, I would  
3 understand.

4 THE WITNESS: It's totally okay.

5 BY MR. ANDERSON:

6 Q All right. Yeah. All right. I  
7 think you were answering the question to tell  
8 me whether or not the -- what was exposed once  
9 you complete the construction.

10 A Yes. So the pergola structure is a  
11 rooftop with open sides. The only side that  
12 will really be left fully open would be the  
13 south-facing side that you may recognize from  
14 one of Officer Puente's photos of when you are  
15 looking up. There is an open -- there's a  
16 railing right there. And so that side will not  
17 be totally closed in.

18 D.C. Zoning requires a setback, so  
19 our pergola has to be set back in equal  
20 distance from that edge to where it is tall.  
21 So if we were to close that side fully off, it  
22 would essentially cut off, you know, the first  
23 eight feet of our patio. And so for that  
24 reason, as well as the aesthetic purposes, and  
25 just use of the patio itself, those side walls

1 will not be closed in.

2 I. ANDERSON: All right. Thank you.  
3 All right. I don't have any other questions.  
4 Any other questions by any other Board members?  
5 Go ahead, I. Grandis.

6 I. GRANDIS: Thank you. I.  
7 Spangler, thank you for your presentation. I  
8 looking at the PIP that you filed, and I just  
9 wanted to bring to your attention -- I may be  
10 misreading it, but it says, state the issues on  
11 which the parties have reached agreement, if  
12 applicable. And Number 1 says, removal of  
13 summer garden patio. I don't think that's --  
14 that's not what I heard. But that's in your  
15 PIP.

16 I. ANDERSON: No, that's a -- hold  
17 on, I. Grandis. He requested a summer garden  
18 endorsement, and he has asked for us to remove  
19 the summer garden endorsement for  
20 entertainment. That is --

21 I. GRANDIS: I understand.  
22 Entertainment endorsement. Right.

23 I. ANDERSON: Yeah. That's what we  
24 have agreed to. Yes, sir.

25 I. GRANDIS: I agree. I agree. I

1 just noting for the record, okay, because I  
2 don't think you've been -- I don't think you've  
3 been inconsistent during the hearing, but that  
4 is a formal piece of paper that was filed, and  
5 I just wanted to give you a chance to clarify  
6 that, if you wanted to.

7 THE WITNESS: Okay. Thank you very  
8 much, Board Member Grandis. I appreciate it.  
9 And yes, to clarify, it is the removal of the  
10 entertainment endorsement on the summer garden  
11 patio, not the summer garden patio endorsement  
12 to the liquor license --

13 CROSS-EXAMINATION

14 BY MR. GRANDIS:

15 Q I have a couple questions about -- I  
16 have a couple questions about your restaurant.

17 A Yes.

18 Q What would you say the price point  
19 is for a tabletop of two, and the price point  
20 for a tabletop of four?

21 A So we have two different  
22 experiences. On our first floor, it starts at  
23 \$85 per person, without beverage, so we  
24 typically see an average price point of around  
25 \$120 to \$150 per guest, regardless if it's a

1 two-top or a four-top table. On our second  
2 floor, we target a price point average of  
3 around \$60 per person, which -- we typically  
4 see it go a little higher for tables of two,  
5 and a little bit lower for tables of four,  
6 because it's a more shareable aspect.

7 Q Okay. And what would you say your  
8 median price of a bottle of wine would be?

9 A \$70 to \$80. We don't have an  
10 incredibly deep wine cellar list with bottles  
11 that reach \$1,000. Our most expensive bottle  
12 is \$300, on our list. Most of them fall within  
13 that \$70 to \$120 range, with a few that fall  
14 just below that.

15 Q So what would you compare your  
16 restaurant to, another restaurant in the city,  
17 so I have a better feeling on -- because we  
18 have, you know, all types, you know, of  
19 restaurants. And that's great. We should have  
20 all types. But where would you all put  
21 yourselves?

22 A Sure. So I think that comparing us  
23 in similar level of service to the Dabney,  
24 right across the street, makes a lot of sense.  
25 Downstairs -- the Dabney recently started a

1       prix fixe menu -- we have a prix fixe menu for  
2       downstairs, as well. Other restaurants, like  
3       Oyster Oyster, Bresca, before Jont opened,  
4       would be similarly applicable. Our second-  
5       level restaurant -- who could we compare it to?  
6       So on a level of casualness, something like you  
7       would see with --

8                   MR.    ANDERSON:       Hold on, Mr.  
9       Spangler. Hold on.

10                   THE WITNESS: Sure.

11                   MR.    ANDERSON:       Just want to make  
12       sure we're back on the record. I didn't say we  
13       were back on the record. But my assumption is  
14       that the court reporter is transcribing all of  
15       this. So I just want to make sure that I had  
16       stated that we were back on the record. So I  
17       apologize. Hopefully everything was picked up.  
18       okay. Go ahead, sir.

19                   THE WITNESS: Sure. So something  
20       like Le Diplomate or St. Anselm would fall  
21       somewhat in line with the experience you would  
22       have upstairs in our location. It's of a  
23       similarly casual nature to Tiger Fork, which is  
24       right below our summer garden patio, and to the  
25       left of our restaurant, as well.



1 BY MR. GRANDIS:

2 Q So would you say that people who  
3 come to your restaurant view it as something  
4 like a Cheers tavern, or more of a formal, sit-  
5 down dinner occasion?

6 A More of a formal, sit-down dinner  
7 occasion. We are thrilled that we have the  
8 level of regulars that we do. But my opening  
9 statement -- we are through and through an  
10 eating establishment, and we don't anticipate  
11 seeing very many guests or a substantial  
12 portion of our guests coming simply to have a  
13 few drinks.

14 More than nine out of ten -- 95 out  
15 of 100 of our guests come in order to dine at  
16 our establishment, whether they're sitting on  
17 the patio, the bar, the dining room or the bar  
18 area, and 100 percent of the guests that are  
19 dining on our first floor.

20 Q And you said it's a Peruvian  
21 cuisine, so does that mean your chef is trained  
22 with Peruvian dishes and things like that?

23 A Our chef is from Callao, which is  
24 the northern province in Lima. He grew up  
25 there, learning to cook from his grandmother,

1 and has committed his life to cooking ever  
2 since. He opened a restaurant on 8th Street  
3 called Ocopa in 2013, with my business partner,  
4 Glendon, which is when we started thinking  
5 about and talking about the concept for this  
6 restaurant.

7 My business partner, Glendon, and I  
8 had a number of different other things kind of  
9 in between, but it's when we opened our  
10 location's service bar on U Street, and started  
11 seeing other buildings and opportunities for  
12 the next venture, when we saw the building in  
13 Blagden Alley, and truly fell in love with it,  
14 and truly felt that a Peruvian seafood-focused  
15 concept was what felt emotionally right, and  
16 also was right by analysis to open there. And  
17 that's always been our goal.

18 There's a number of ways that  
19 Peruvian food is presented within the DMV, but  
20 none are presented in the way that we do, and  
21 that's an experience we've worked a very long  
22 time in order to be here to execute. We  
23 actually signed our lease in late 2018. And we  
24 opened May 4th, 2022, three and a half years  
25 later. So it was a very big struggle for us,

1 in order to get open.

2 I mentioned earlier that during the  
3 pandemic, we had an SBA-backed loan for \$1.3  
4 million from Harbor Bank in Baltimore that,  
5 after going through -- after giving us a  
6 commitment and going through the closing  
7 process, two days before closing, they gave us  
8 a letter submitting concerns of COVID-19, and  
9 withdrew that loan.

10 And we then had to navigate the  
11 business through the depths of the pandemic,  
12 attempting to do serious value engineering and  
13 things like the pergola coming off the rooftop,  
14 re-raising money. And, as you might imagine,  
15 in the middle of a pandemic, raising money for  
16 a restaurant was -- not the most favorable  
17 environment to do so. So we are very, very  
18 excited, and proud of what we've been able to  
19 create and present in Blagden.

20 Q And you know D.C. is considered an  
21 international city. So would you say that you  
22 -- would you say that you have customers who  
23 come from other countries, or other parts of  
24 this country, just because they are aware of  
25 the level of service and the cuisine you offer?

1           A     We have begun to develop enough of a  
2 reputation that we are seeing those guests.  
3 D.C. has one of the larger Peruvian communities  
4 in the DMV, outside of Peru. So we definitely  
5 see a lot of Peruvian guests that are local.  
6 But we've had a lot of chefs, a lot of other  
7 celebrities, and things that have -- food  
8 celebrities, I mean, visiting the D.C. area,  
9 that have come specifically to our location.  
10 And we hope that as our reputation grows, we'll  
11 see more and more of them.

12           Q     So it sounds like you really don't  
13 rely upon entertainment as much as your  
14 cuisine.

15           A     No, the reason that we have an  
16 entertainment endorsement, which we've stated  
17 from the beginning, is -- our goal is not just  
18 to serve Peruvian food. We tell our servers  
19 this all the time. If you're here to serve  
20 food, that's not your job. You're here to  
21 teach people about Peru, and about Peruvian  
22 cuisine. We hope to have a substantial impact  
23 on Peruvian tourism, and help give back to the  
24 country, and really spread the gospel of what  
25 Peruvian food is.

1                   And through that, we hope to be able  
2 to enlist other cultural experiences, whether  
3 that be Peruvian dancers or Peruvian artists  
4 that we have come. And as you know, if we have  
5 a Peruvian flute-player, that falls into the  
6 same category of entertainment as having a  
7 seven-piece band. And so we want to just make  
8 sure that we are always operating within legal  
9 bounds.

10                   And again, the reason for that  
11 entertainment endorsement is not for us to have  
12 a big, live-music show. It would always be  
13 something that we do in conjunction with some  
14 sort of cultural experience.

15                   MR. GRANDIS: Thank you. Thank you  
16 for your information. Thank you, Mr. Chairman.

17                   MR. ANDERSON: Thank you very much.  
18 All right. Ms. Gore, I normally don't do this,  
19 but I know when I -- do you have any questions  
20 you want to ask Mr. Spangler, based on the  
21 questions that the Board asked? You're on  
22 mute.

23                   REXCROSS-EXAMINATION

24                   BY MS. GORE:

25                   Q     Yes. If Mr. Spangler could please

1 provide the square footage of the seated  
2 restaurant on the first floor, and clarify the  
3 difference in the menu options, and also  
4 provide square footage of the upstairs, more  
5 casual space, and differentiate the menu, as  
6 well?

7 A Sure. I'd be happy to. I think  
8 seat counts might help describe a better  
9 picture. But square-footage-wise, our first  
10 floor and second floor are a mirror of each  
11 other, so they're about 1,500 square feet each.

12 I do not know what the exact square  
13 footage of our dining area is on the first  
14 floor. But it's 22 seats. There's six seats  
15 along a counter, and 16 seats along our eastern  
16 wall, split between two and four tops that can  
17 be combined to a maximum of six. It's an \$85-  
18 per-person prepaid reservation, with optional  
19 wine pairings and beverage to be added on,  
20 which things such as pisco flights.

21 And then we have supplements. We  
22 have an experience called our fish market  
23 experience. That's available partially on the  
24 second floor, depending on availability and  
25 quantities of fish we have. This is something

1 that's done in Peru that's very unique, where  
2 we have cases of fish and fresh seafood that  
3 sit on crushed ice, as guests walk in, and  
4 guests are able to order those based on only  
5 what we've received that particular day, with a  
6 number of different preparations.

7           So for instance, if you ordered a  
8 three-pound Japanese sea bream that we had  
9 flown in that morning, our chefs will take that  
10 fish out of the case, a la minute. They will  
11 butcher it and make one raw preparation on  
12 half, and then they will send the other half to  
13 the hot side of the kitchen and do a grilled  
14 preparation in one of our ovens. This  
15 experience, like I said, is available on both  
16 floors, but it is -- there's more options on  
17 the first floor.

18           Our second floor is a fully a la  
19 carte menu. Like I said, we usually see a  
20 price point average of around \$60 per person.  
21 It is more ingredients and dishes that are  
22 focused specifically on the Peruvian Amazon, of  
23 which -- there are very few restaurants that  
24 focus on that, even in Peru, because of how  
25 remote the location is.

1                   So we have menu options that range  
2 from cold raw dishes, such as ceviche, we have  
3 other starters, we have an area called  
4 antecucho, which is the traditional Peruvian  
5 street food, and then we also have hot,  
6 somewhat larger-size dishes. However, the  
7 entire menu is meant for sharing. And then we  
8 pull a lot of the fish market experience to use  
9 as specials, now, as well.

10                   Seating-wise, we have a dining room  
11 in the back. We refer to it as the Iquitos  
12 room, with 34 seats. We have a bar area that  
13 has tables that seat up to 22 guests -- 24  
14 guests, and then a bar that seats 14, 13 or 14  
15 guests, depending on our arrangement for the  
16 day.

17                   When you go out onto our summer  
18 patio, the bar has windows that open towards  
19 that, with additional seating on the patio  
20 side, where we can seat an additional six,  
21 maybe seven guests. And then the seating on  
22 the patio itself can seat an additional 46  
23 guests.

24                   The size of the summer garden patio  
25 is approximately 800 square feet. But don't



1 quote me on that. And then the summer garden  
2 patio, entire second floor, all share the exact  
3 same menu. The whole second floor is one menu.  
4 The whole first floor is one menu.

5 Q Yeah. Yeah. Okay. So that means -  
6 - I just want to clarify, because I'm familiar  
7 with the space, because I live next door, but  
8 for the Board members -- so the first floor  
9 seats 22 people, and the second floor, without  
10 -- so since we're going into winter, without  
11 outdoor space, seats 72 people, and with indoor  
12 space, seats well over 100 on the second floor.

13 A (No audible response.)

14 MR. ANDERSON: You have to verbalize  
15 your answer, sir. You can't shake your head.

16 THE WITNESS: Yes. Yes, that's  
17 accurate.

18 MS. GORE: So, yeah, I just wanted  
19 to bring that to the attention of the group,  
20 since the restaurant and seated portion was  
21 highlighted quite heavily in the previous  
22 responses by Mr. Spangler, to just take that  
23 into consideration.

24 MR. ANDERSON: All right. Thank  
25 you. All right. Thank you very much. And so

1       thank you for your presentation, Mr. Spangler.  
2       All right. So do you rest, sir? Means that  
3       you don't have any -- you don't have anything  
4       else to present.

5                   MR. SPANGLER:       Yes, Chairman, I  
6       rest.

7                   MR. ANDERSON: All right. So Ms.  
8       Gore, you said that you're the only witness. I  
9       could take a break, and then you can put your  
10      case on, or -- how long do you believe your  
11      case will be? That will let me know that we  
12      need to take a break.

13                   MS. GORE: No, we can proceed. A  
14      lot of what I said was generalized in my  
15      opening statements, as well. So I think if you  
16      all are comfortable, we can proceed, and  
17      hopefully come to a conclusion in the nearer  
18      future.

19                   MR. ANDERSON: All right. So I  
20      mean, do you have any other representation to  
21      make? Because I'll swear you in, if you want  
22      to -- if you want to -- if you're going to  
23      present a case. That's what I meant.

24                   MS. GORE: I mean, we can swear in,  
25      just as a matter of principle, to make sure

1 that everything's on the record.

2 MR. ANDERSON: All right. So can  
3 you raise your right hand, please?

4 WHEREUPON,

5 AMANDA GORE

6 was called for examination on behalf of the  
7 protestant, having been first duly sworn,  
8 assumed the witness stand, was examined and  
9 testified as follows:

10 MR. ANDERSON: All right. What do  
11 you want to present? What do you want to say  
12 and present, your case?

13 THE WITNESS: So I think the main  
14 thing that I want to present, and just kind of  
15 reiterate is, again, the neighbors don't not  
16 want to have Causa here. The neighbors just  
17 want to not have, at night, disturbances.

18 So when Mr. Puente was walking  
19 through his exhibits, you could see how close  
20 residences were. There were some earlier  
21 exhibits that he showed, like 23, where you  
22 could see, to the side of Causa, the backdoor  
23 of someone's house. You could see an entire  
24 apartment building.

25 The proximity to living space is the

1 main concern, and why we, again, have gotten to  
2 this point. That's why we ask that the summer  
3 garden hours be reduced, and that, you know, we  
4 just kind of continue to work with Chad, as a  
5 neighbor. I don't want to, you know, foster a  
6 difficult relationship with him, as he has been  
7 responsive to everything.

8 Our main concern is to really make  
9 sure the outdoor spaces are all consistent, or  
10 consistent-ish, in the alley, to reflect the  
11 same times, and so that the neighbors can  
12 continue to, you know, just live in their  
13 spaces that a lot of them -- I mean, there are  
14 some that have lived feet from Causa, in their  
15 buildings, for generations. So I will leave  
16 that there. I think we are close to an ending  
17 point. But that's all I have.

18 MR. ANDERSON: Mr. Spangler, do you  
19 have any questions for Ms. Gore?

20 MR. SPANGLER: No, I don't have any  
21 questions for Ms. Gore. Thank you very much  
22 for your contributions today.

23 CROSS-EXAMINATION

24 BY MR. ANDERSON:

25 Q Okay. All right. Ms. Gore, I went

1 through -- what Mr. Puente had listed a  
2 significant amount of establishments, but he  
3 told me -- we went through, I think, five  
4 establishments that were closer, which were  
5 within 600 feet of the alley. Did I capture --  
6 or since you live in the alley, are there any  
7 other establishment that is relatively close to  
8 the alley that I did not ask Mr. Puente about?

9 A Well, the only one -- so Columbia  
10 Room actually closed its doors earlier this  
11 year, and will be soon reopening as a new  
12 restaurant, so that one is kind of a weird  
13 niche. One that was not mentioned was Lost and  
14 Found, which I believe has -- which I know has  
15 a tavern license. And they are located right  
16 below my back door, actually. And they have  
17 similar hours --

18 Q You said Lost -- hold on. Hold on.  
19 You said Lost and -- you said Lost and Found?

20 A Yes.

21 Q Hold on. I'm trying to see if I can  
22 see Mr. -- Lost and Found. But Lost and Found  
23 is on 9th Street.

24 A They have a rear entrance and a  
25 front entrance that are both open until closing

1 every night. But that's fine. If it's not --  
2 if it doesn't fall under that -- I just wanted  
3 to make sure that --

4 Q No, I was just -- I was just asking.  
5 No, you live there, so I'm just trying to find  
6 out what other -- Mr. Puente had given me the  
7 names of establishments that were closest to  
8 you. At least, closest to the -- within 400  
9 feet.

10 So I was just trying to get a -- to  
11 get a perspective from you, if there are any --  
12 if there are other establishments that you were  
13 familiar with, that -- I mean, there's 30  
14 establishments that's within 1,200 feet. And  
15 he gave me six establishments that are within  
16 400 feet. So I was just trying to find out,  
17 are there any other -- based on the list he  
18 gave me, are there any other establishments  
19 that's closer to, so I could find out what  
20 those hours are --

21 A Okay. Yeah.

22 Q -- so I could look to see -- yeah.

23 A So I'm probably just more familiar  
24 with the rear entrance of that building, which  
25 is right outside my back door. But yes, their

1 address is located on 9th Street. So it likely  
2 would not be in that initial list that Mr.  
3 Puentes provided. So I guess we can likely  
4 disregard that.

5 Q No, no, I need to know -- remember,  
6 I don't live in the neighborhood. And I don't  
7 believe I've ever been in Blagden Alley. So  
8 that's one of the reasons why I need you to  
9 give me a sense of what's going on in the  
10 alley. And I know that Mr. Puente came and  
11 visited, and he's given his perspective.

12 But you live there. So I appreciate  
13 you giving me your perspective of  
14 establishments that are closer to your  
15 location, and that maybe Mr. Puente did not  
16 capture, because whatever the decision that the  
17 Board makes -- I mean, we're going to look at  
18 similarly-situated establishments to see what  
19 it is that we're offering them, what it is that  
20 we're -- what type of license that they have,  
21 what are the hours they have.

22 And so those are all things that the  
23 Board would look -- and make whatever decision  
24 the Board -- whatever decision the Board makes.  
25 So that's why I need to find out from you what

1 other establishment that's closer to you than  
2 the 1,200 feet that we utilize. Okay?

3 A Okay.

4 MR. ANDERSON: All right. Any other  
5 Board members -- do they have any questions for  
6 Ms. Gore?

7 (No audible response.)

8 MR. ANDERSON: No? All right. So  
9 basically -- so you don't have anything -- you  
10 have now rested. This was the presentation of  
11 your case. Right, Ms. Gore?

12 MS. GORE: Correct.

13 MR. ANDERSON: All right. So we  
14 come to the part of the hearing where you're  
15 going to do a closing statement. So this is  
16 what I'm now -- I want each side, and Mr.  
17 Spangler's going to go first -- tell me what it  
18 is that you want the Board to do.

19 We have agreed -- the parties have  
20 agreed that the license will be renewed, and  
21 that there'll be no entertainment endorsement  
22 for the summer garden. So the testimony that  
23 was elicited from Mr. Puente and from both you,  
24 Mr. Spangler, and Ms. Gore, is on the hours.

25 So I now need you now -- in closing



1 the case, let me know what it is that, as far  
2 as hours is concerned, what it is you're  
3 requesting, and why you believe that the Board  
4 should approve the request that you're asking  
5 for. And so we'll go with you, Mr. Spangler.

6 CLOSING STATEMENT - APPLICANT

7 MR. SPANGLER: Thank you, Chairman.

8 In closing, Causa and myself would like for the  
9 Board to approve the renewal of our liquor  
10 license, with no entertainment endorsement on  
11 the summer garden patio, with the following  
12 hours of operation. Summer garden patio hours  
13 from 10:00 a.m. till 12:00 a.m., Sunday through  
14 Saturday. Hours of alcoholic beverage service,  
15 10:00 a.m. till 1:00 a.m., Sunday through  
16 Saturday. Hours of live entertainment indoors,  
17 10:00 a.m. to 12:00 a.m., Sunday through  
18 Saturday.

19 We hope the Board is able to approve  
20 these, as we have demonstrated that we have not  
21 violated any of our current ABRA rules and  
22 restrictions. We have not been found in  
23 violation of any ABRA violation. We have not  
24 been found in any violation of any noise  
25 complaints. We have worked significantly to

1 appease the neighbors, and to curb the effects  
2 of the noise emanating from our building.

3 And as presented from Officer Puente  
4 and myself, the hours of operation that we are  
5 requesting are well within normal boundaries  
6 found in Blagden Alley from surrounding  
7 establishments, both in the alley and just  
8 outside. I thank everyone here for their time,  
9 and we look forward to hearing your response.

10 MR. ANDERSON: Thank you, Mr.  
11 Spangler. Ms. Gore?

12 CLOSING STATEMENT - PROTESTANT

13 MS. GORE: Hi, thank you. And  
14 thanks, Chad, and everyone. In my closing  
15 statements, I will just say that the  
16 information that Chad just mentioned, in terms  
17 of the summer garden and the summer hours, is  
18 exactly what we are looking to achieve here  
19 with this conversation. Beyond that, the  
20 operating hours, I will leave that up to the  
21 Board, based on the neighboring bodies.

22 As mentioned, we are more concerned,  
23 as neighbors, about the activities going on on  
24 the outdoor areas of Causa. That includes, as  
25 we discussed to no end, is the summer garden,

1 while also including, hopefully, a reference to  
2 and acknowledgement of the front entrance that  
3 is also located feet from residences.

4 Beyond that, I will just re-thank  
5 everyone, and hope that we can get a conclusion  
6 to this, and move forward. And I will be more  
7 than happy to keep working with Mr. Spangler on  
8 all things, as a neighbor and as a customer.

9 MR. ANDERSON: Just a clarification,  
10 Ms. Gore. Did you say that you are in  
11 agreement with the summer garden hours, which  
12 is 10:00 a.m. to 12:00 a.m.? Or you need us to  
13 -- you need a different set of hours?

14 MS. GORE: So the request in the PIP  
15 was for 10:00 p.m. And so if the Board can  
16 review that, then -- that piece of my request,  
17 that's included in the PIP. But thank you for  
18 clarifying.

19 MR. ANDERSON: All right. All  
20 right. I had hoped -- we did this hearing, and  
21 I think we were able to solidify -- and let me  
22 do a closing. I just want to say, one of the  
23 reasons why I prefer when matters are settled -  
24 - because whatever decision that the Board  
25 makes, now, because the parties have agreed

1 that license will be renewed, that you have to  
2 live together. And so when people do  
3 settlements, then everyone is happy.

4 So now the Board is faced with  
5 making the decision. And I hope that whatever  
6 decision the Board makes, that the neighbors  
7 and the licensee can live with the decision  
8 that the Board makes. But I think that we had  
9 a lot of progress here.

10 And this is a little bit unusual,  
11 but I just want to say that I want to thank  
12 both parties for working to settle some of the  
13 issues, and then the Board will -- excuse me --  
14 will try to come up with a decision on the  
15 issues that they were unable to settle.

16 All right. So the Board will -- we  
17 will issue a decision, I believe, in 90 days.  
18 The record is now -- the record is now closed,  
19 and the Board will issue a decision in 90 days.  
20 So let me close -- hold on one minute. Let me  
21 -- the Board will issue a decision in -- all  
22 right. All right. Sorry. Let me close the  
23 record. Hold on.

24 As chairperson of the Alcoholic  
25 Beverage Control Board for the District of

1 Columbia, in accordance with D.C. Official Code  
2 Section 2-575 of the Open Meetings Act, I move  
3 that ABC Board hold a closed meeting for the  
4 purpose of seeking legal advice from our  
5 counsel on Case Number 22-PRO-00051, Causa,  
6 pursuant to D.C. Official Code Section 2-  
7 575(a)(4)(a) of the Open Meetings Act, and  
8 deliberating upon Case Number 22-PRO-00051,  
9 Causa, for the reasons cited in D.C. Official  
10 Code Section 2-757(b)(13) of the Open Meetings  
11 Act. Is there a second?

12 (No audible response.)

13 MR. ANDERSON: Ms. Crockett has  
14 seconded the motion. We'll now take a roll  
15 call vote on the motion that has been properly  
16 seconded by Ms. Crockett. Mr. Cato?

17 MR. CATO: Bobby Cato. I agree.

18 MR. ANDERSON: Ms. Crockett?

19 MS. CROCKETT: Rafi Crockett. I  
20 agree.

21 MR. ANDERSON: Ms. Hansen?

22 MS. HANSEN: (No audible response.)

23 MR. ANDERSON: Mr. Grandis?

24 MR. GRANDIS: Edward Grandis. I  
25 agree.

1 MR. ANDERSON: And Mr. Anderson. I  
2 agree. As it appears the motion has passed, I  
3 hereby give notice that ABC Board will recess  
4 its proceedings to have a closed meeting,  
5 pursuant to Section 2-575 of the Open Meetings  
6 Act.

7 Again, thank you very much for your  
8 appearance today, and your presentation today.  
9 And the Board will take this matter under  
10 advisement, and we will issue a decision within  
11 90 days. Thank you very much, and have a great  
12 evening. Okay?

13 MR. SPANGLER: Thank you, everyone.

14 MR. ANDERSON: All right.

15 MS. GORE: Thank you all for your  
16 time.

17 MR. ANDERSON: All right. Thank  
18 you. And I believe we are at the end of our  
19 agenda items for -- let me make sure that I did  
20 call the last case, that Causa was the last  
21 case that was on my calendar for the evening.  
22 Yes, Causa was the last case. So let me now  
23 close the record.

24 As chairperson of the Alcoholic  
25 Beverage Control Board for the District of

1 Columbia, in accordance with D.C. Official Code  
2 Section 2-575(b), and Section 2-575(b)(14) of  
3 the Open Meetings Act, I move that ABC Board  
4 hold a closed meeting on November 2nd, 2022,  
5 for the purpose of discussing and hearing  
6 reports concerning ongoing or planned  
7 investigations of alleged criminal or civil  
8 misconduct, or violations of law or  
9 regulations, and seeking legal advice from our  
10 legal counsel on the matters identified on the  
11 Board's legal licensing and investigative  
12 agenda for November 2nd, 2022, as published in  
13 the D.C. Register on October 28th, 2022. Is  
14 there a second?

15 MR. GRANDIS: Grandis --

16 MR. ANDERSON: Ms. Crockett and Mr.  
17 Grandis has seconded the motion. I will now  
18 take a roll call vote for the motion before us  
19 now that has been seconded. Mr. Cato?

20 MR. CATO: Bobby Cato. I agree.

21 MR. ANDERSON: Ms. Crockett?

22 MS. CROCKETT: Rafi Crockett. I  
23 agree.

24 MR. ANDERSON: Ms. Hansen?

25 MS. HANSEN: (No audible response.)

1 MR. ANDERSON: Mr. Grandis?

2 MR. GRANDIS: Edward Grandis. I  
3 agree.

4 MR. ANDERSON: And Mr. Anderson. I  
5 agree. I as it appears that the motion has  
6 passed, I hereby give notice that ABC Board  
7 will hold this closed meeting. Pursuant to the  
8 Open Meetings Act, notice will also be posted  
9 on the ABC Board hearing room bulletin board,  
10 placed on an electronic calendar in ABRA's  
11 website, and published in the D.C. Register, in  
12 as timely a manner as practical.

13 We are adjourned for the day. I  
14 would like to thank the members of the public  
15 who participated in our hearings today. Also  
16 would like to thank the ABC Board members who  
17 have also provided their time and attention to  
18 our agenda and calendar items today. So we are  
19 now adjourned. I now ask all Board members to  
20 return to effective session for further  
21 development. Thank you very much. Have a  
22 great night.

23 (Whereupon, the above-entitled  
24 matter went off the record at 6:29 p.m.)

25



**A**

**ABC** 6:13 33:14 42:20  
42:22 44:8 93:3 94:3  
95:3 96:6,9,16  
**able** 34:4 48:3,4 49:6  
75:18 77:1 79:4 89:19  
91:21  
**above-entitled** 67:23  
96:23  
**ABRA** 1:21 4:9 19:5  
21:1 29:25 32:21 40:8  
40:16 41:10 50:5  
52:10 61:2 89:21,23  
**ABRA's** 96:10  
**Absolutely** 65:25  
**accept** 11:6 31:22  
**acceptable** 11:9 13:5  
**access** 3:9,10,11  
**accountable** 23:25  
**accurate** 81:17  
**achieve** 31:2 90:18  
**acknowledgement** 91:2  
**Act** 93:2,7,11 94:6 95:3  
96:8  
**acted** 24:6  
**actions** 19:1,10 24:7,10  
28:7 61:9  
**active** 47:10  
**activities** 90:23  
**add** 12:10 46:18  
**added** 78:19  
**addition** 55:10  
**additional** 3:21 40:14  
55:7,11 59:12 66:22  
80:19,20,22  
**address** 87:1  
**adjourned** 96:13,19  
**adjusted** 15:12  
**adjustments** 60:14  
**Administration** 33:4  
**advice** 93:4 95:9  
**advised** 34:8 40:11  
41:4  
**advisement** 94:10  
**aesthetic** 68:24  
**afternoon** 4:12  
**agency** 33:6,9  
**agenda** 94:19 95:12  
96:18  
**ago** 29:13  
**agree** 10:4 12:12 27:2  
28:12 29:1,2 31:6  
62:25 69:25,25 93:17  
93:20,25 94:2 95:20  
95:23 96:3,5  
**agreed** 14:17 18:7  
22:22 69:24 88:19,20  
91:25

**agreement** 6:11,14  
14:14 24:15,17,19  
26:15,18,24 27:17  
28:2,10 30:21 69:11  
91:11  
**agreements** 19:4 24:22  
**ahead** 9:12,13 18:6,14  
35:10 55:21 60:7 69:5  
72:18  
**alcohol** 12:3 13:17  
20:18  
**alcoholic** 1:2,13 10:9  
25:8 33:3 56:23 63:4  
89:14 92:24 94:24  
**align** 63:21  
**aligns** 62:3  
**ALIYA** 1:18  
**alleged** 95:7  
**alley** 1:22 11:22 12:20  
13:2 19:8,13 25:1  
26:11,16,25 28:9 30:3  
30:5,10,17,25 34:15  
42:19 44:3,5,12,14,16  
44:17,20 45:5 47:21  
48:10,18 50:11,25  
52:2,15,16 53:11 55:8  
74:13 84:10 85:5,6,8  
87:7,10 90:6,7  
**alleyway** 12:23  
**allowed** 36:6 57:21  
**Amanda** 1:22 2:9 3:8  
4:13 18:16 21:20  
51:24 83:5  
**Amazon** 79:22  
**Amazonia** 19:10,11,22  
**Amazonia's** 20:12  
**Amazonian** 19:24  
**ambassadors** 19:15  
**amend** 18:2 28:10  
**amended** 9:18,23,24,25  
24:25 61:12  
**amendments** 10:5  
**America** 19:25  
**amount** 14:10 85:2  
**analysis** 74:16  
**ANC** 1:7  
**ANCs** 54:5,14  
**Anderson** 1:14,17 3:3  
3:13,20 4:11,15,20,24  
5:4,22,25 6:18,21 7:6  
7:17 8:9 9:11,22  
10:13,21 11:1,5,9  
13:3 14:12,20 15:17  
17:12 18:4 28:14,20  
28:23 31:18 32:15,25  
41:23 42:7 46:20,25  
48:19,24 53:22 55:17  
59:1,5,8,13,18 60:2

61:21 62:19 63:8,14  
64:19 65:19 67:19  
68:1,5 69:2,16,23  
72:8,11 77:17 81:14  
81:24 82:7,19 83:2,10  
84:18,24 88:4,8,13  
90:10 91:9,19 93:13  
93:18,21,23 94:1,1,14  
94:17 95:16,21,24  
96:1,4,4  
**angle** 44:13  
**Anselm** 72:20  
**answer** 81:15  
**answered** 21:16  
**answering** 21:19 68:7  
**antecucho** 80:4  
**anticipate** 17:6 73:10  
**anyway** 15:18 22:6  
**apartment** 29:13 83:24  
**apologize** 3:21 72:17  
**appear** 24:20  
**appearance** 94:8  
**appeared** 63:10  
**appears** 94:2 96:5  
**appease** 9:16,20 90:1  
**applicable** 69:12 72:4  
**applicant** 1:22 2:2,10  
16:20 17:23 32:11  
33:23 34:3 59:24 89:6  
**application** 1:9 5:17 9:5  
34:19  
**appreciate** 11:13,16  
70:8 87:12  
**appropriate** 15:2  
**approval** 54:5  
**approve** 54:14 61:11  
89:4,9,19  
**approved** 5:20 54:2  
56:14  
**approximately** 34:22  
46:6 80:25  
**area** 16:13 43:14,14,19  
43:21 50:2 51:17 52:6  
73:18 76:8 78:13 80:3  
80:12  
**area's** 47:10  
**areas** 20:13 51:6 90:24  
**arrangement** 80:15  
**array** 57:20  
**arrive** 26:5  
**artists** 77:3  
**asked** 40:24 49:24  
63:11,12 69:18 77:21  
**asking** 3:15 6:5 10:15  
11:10,12 15:22 86:4  
89:4  
**aspect** 71:6  
**assigned** 33:20

**association** 1:23 18:18  
34:7 42:20  
**assumed** 32:22 59:25  
83:8  
**assumption** 72:13  
**attached** 24:9 41:20  
42:16 66:23  
**attempting** 75:12  
**attended** 21:17  
**attending** 53:3  
**attention** 3:25 69:9  
81:19 96:17  
**attorney** 4:16,19  
**audible** 48:23 59:4  
81:13 88:7 93:12,22  
95:25  
**August** 40:6,16  
**authored** 42:11  
**availability** 78:24  
**available** 26:2 27:4  
47:10 78:23 79:15  
**average** 70:24 71:2  
79:20  
**aware** 18:13 29:9 53:25  
54:7,20 75:24

**B**

**back** 17:1 29:23 43:19  
44:17,20 45:7 47:2  
49:7,9 55:24 57:8  
68:19 72:12,13,16  
76:23 80:11 85:16  
86:25  
**backdoor** 83:22  
**backed** 21:18  
**background** 48:5 58:10  
**backing** 23:16  
**bad** 28:18  
**Baltimore** 75:4  
**BANCA** 4:14 11:10  
18:18,22 19:2 21:22  
22:8 24:16,24 25:15  
25:16 28:13 34:7  
**band** 77:7  
**bank** 28:1 75:4  
**bar** 19:11 20:5,13,21  
43:14,18 61:6 73:17  
73:17 74:10 80:12,14  
80:18  
**base** 8:18  
**based** 7:11 13:9,9  
17:19 25:24 31:22,23  
31:24 32:3 50:20  
61:23 64:11 77:20  
79:4 86:17 90:21  
**basically** 15:19 33:9  
66:4 88:9  
**beams** 66:23

**bedroom** 11:24,25  
**beers** 20:3  
**beginning** 60:11 62:6  
 66:18 76:17  
**begun** 76:1  
**behalf** 31:12 59:23 83:6  
**behest** 27:15  
**believe** 5:24 13:16 15:1  
 15:4,5 17:13 25:14  
 32:5 50:8,14 55:11  
 58:7 82:10 85:14 87:7  
 89:3 92:17 94:18  
**best** 18:1  
**better** 22:13 26:24  
 35:15 39:15,16 44:19  
 47:16 60:15 71:17  
 78:8  
**beverage** 1:2,13 10:10  
 33:3 56:23 63:4 70:23  
 78:19 89:14 92:25  
 94:25  
**beverages** 20:15 25:9  
**beyond** 55:8 90:19 91:4  
**big** 74:25 77:12  
**biggest** 22:24 30:15  
**bin** 43:5  
**bins** 27:2,3,4  
**bit** 9:25 12:25 15:15  
 46:22 47:11 49:18  
 57:10 71:5 92:10  
**Blagden** 1:22 11:21  
 19:8,13 25:1 26:11,15  
 26:25 28:9 34:15  
 42:19 44:3,5,17 45:4  
 50:10,25 52:2,14  
 53:10 55:8 74:13  
 75:19 87:7 90:6  
**board** 1:2,13 6:2,9,13  
 6:25 7:1,10,11,14 8:4  
 8:13,22 9:10,20 16:5  
 16:23,23 17:1,17,18  
 18:17 31:20 41:3  
 48:21 52:10 55:21  
 59:3 60:6 61:10 69:4  
 70:8 77:21 81:8 87:17  
 87:23,24,24 88:5,18  
 89:3,9,19 90:21 91:15  
 91:24 92:4,6,8,13,16  
 92:19,21,25 93:3 94:3  
 94:9,25 95:3 96:6,9,9  
 96:16,19  
**Board's** 95:11  
**Bobby** 1:17 93:17 95:20  
**bodies** 90:21  
**bottle** 71:8,11  
**bottles** 71:10  
**bounce** 12:24  
**boundaries** 90:5

**bounds** 77:9  
**break** 3:22,24 82:9,12  
**bream** 79:8  
**Bresca** 72:3  
**bring** 69:9 81:19  
**brown** 44:10  
**budget** 23:4 66:9,12  
**build** 66:11,25  
**building** 12:23 19:17  
 23:14 25:13 44:10  
 67:14 74:12 83:24  
 86:24 90:2  
**buildings** 74:11 84:15  
**built** 20:12 26:4  
**bulletin** 96:9  
**bus** 45:1  
**business** 18:25 19:7  
 20:12 24:25 25:11,17  
 26:10,19 27:21,22  
 28:6 52:4 54:9,23  
 60:12,17,19 63:21,23  
 64:16 66:13 74:3,7  
 75:11  
**businesses** 24:14  
 26:11,16 30:6,11 51:1  
 51:19,20 52:2,5 54:22  
 62:4 65:25  
**businesses'** 30:17  
**butcher** 79:11

---

**C**

**C** 35:23  
**C-H-A-D** 4:6  
**calendar** 94:21 96:10  
 96:18  
**Calico** 35:5,11 37:14,15  
 44:23 47:16  
**call** 13:20,22,23 14:2,3  
 16:5 20:22 21:16  
 22:14 25:5 32:16,17  
 64:7,10,14 93:15  
 94:20 95:18  
**Callao** 73:23  
**called** 17:8 32:21 59:23  
 74:3 78:22 80:3 83:6  
**callers** 41:4  
**calling** 17:6 59:12  
**calls** 40:24  
**camera** 46:17  
**capacity** 21:7,12 22:5  
**capture** 85:5 87:16  
**carte** 79:19  
**case** 1:8 3:3,3,4,4,7,24  
 16:17,23,24,25 17:4,4  
 17:5,14 30:7 33:24  
 59:10 79:10 82:10,11  
 82:23 83:12 88:11  
 89:1 93:5,8 94:20,21

94:22  
**cases** 79:2  
**cashflow** 66:13  
**casual** 72:23 78:5  
**casualness** 72:6  
**category** 77:6  
**Cato** 1:17 93:16,17,17  
 95:19,20,20  
**Causa** 1:6,6 3:5 4:7  
 10:4 12:5 13:1 18:21  
 19:4,10,18 26:5 29:9  
 33:16,19 34:24 35:1  
 37:10 40:10,17 41:1  
 41:15 42:21,22,23,25  
 43:2 44:9,11,13,18,20  
 45:12,24 46:2,6 47:18  
 47:25 48:5 50:4,24  
 53:7,12,16 83:16,22  
 84:14 89:8 90:24 93:5  
 93:9 94:20,22  
**Causa's** 56:11  
**celebrities** 76:7,8  
**cellar** 71:10  
**certainly** 64:2  
**certainty** 53:2  
**ceviche** 80:2  
**Chad** 1:22 2:8 3:9 4:6  
 11:13 13:19 18:20  
 29:2,4,22 30:4,7,21  
 31:6 59:22 63:20 84:4  
 90:14,16  
**Chairman** 3:12,19 4:6  
 9:4 17:24 49:14 58:25  
 77:16 82:5 89:7  
**chairperson** 1:14,17  
 92:24 94:24  
**challenges** 23:3 66:1  
**chance** 40:1 70:5  
**changes** 54:7  
**changing** 16:7  
**Cheers** 73:4  
**chef** 73:21,23  
**chefs** 76:6 79:9  
**cigarette** 52:20  
**cigars** 52:20  
**citations** 58:21,23  
**cited** 50:11 93:9  
**city** 71:16 75:21  
**city's** 50:2  
**civil** 95:7  
**claim** 19:1  
**claims** 27:19  
**clarification** 91:9  
**clarify** 65:10 70:5,9  
 78:2 81:6  
**clarifying** 91:18  
**Class** 35:22 39:16  
**clear** 20:20 25:14

**cleared** 25:9 64:3  
**clientele** 13:10  
**close** 11:17 12:13 25:19  
 48:20 51:8,10,11 64:6  
 64:8 68:21 83:19  
 84:16 85:7 92:20,22  
 94:23  
**closed** 21:9 25:11  
 41:14 64:5 67:7,9,10  
 67:11,12 68:17 69:1  
 85:10 92:18 93:3 94:4  
 95:4 96:7  
**closely** 25:17  
**closer** 85:4 86:19 87:14  
 88:1  
**closes** 25:18  
**closest** 35:17 86:7,8  
**closing** 2:10,11 25:1,7  
 75:6,7 85:25 88:15,25  
 89:6,8 90:12,14 91:22  
**closures** 27:9  
**cocktails** 20:2  
**Code** 41:6 93:1,6,10  
 95:1  
**cold** 80:2  
**Columbia** 1:1 33:15  
 35:6,11,13 38:13,13  
 38:14,15 85:9 93:1  
 95:1  
**combined** 78:17  
**come** 13:18 27:6 41:5  
 43:12 44:7 48:15 49:7  
 49:9 55:13 73:3,15  
 75:23 76:9 77:4 82:17  
 88:14 92:14  
**comes** 18:22  
**comfortable** 9:19 14:9  
 82:16  
**coming** 26:15 29:14  
 30:17 44:5 50:3 53:12  
 60:16 73:12 75:13  
**commitment** 75:6  
**committed** 74:1  
**common** 18:23 51:18  
 52:4  
**communicated** 22:6  
 23:4 29:8  
**communicating** 29:5  
**communication** 34:2  
**communities** 26:16  
 76:3  
**community** 21:20 26:20  
 27:19 28:7 61:3,19  
**company** 27:6,16  
**compare** 71:15 72:5  
**comparing** 71:22  
**complaint** 61:2  
**complaints** 12:15 21:4

21:25 22:14 40:17  
89:25  
**complete** 68:9  
**completely** 26:23 67:8  
67:10  
**complied** 40:12 50:16  
**comprehended** 22:7  
**concept** 74:5,15  
**concern** 11:18 12:7  
30:1,15 84:1,8  
**concerned** 89:2 90:22  
**concerning** 95:6  
**concerns** 18:14 21:24  
28:1 30:19 67:6 75:8  
**conclusion** 28:5 82:17  
91:5  
**conditions** 6:4,5 7:15  
8:16,22  
**conduct** 33:13  
**confirm** 63:19  
**confused** 9:25  
**confusion** 63:10  
**congregating** 52:15,19  
**conjunction** 77:13  
**connection** 67:21  
**consecutive** 47:9  
**consequences** 19:6  
24:13  
**conserve** 68:2  
**consider** 8:23  
**consideration** 52:11  
81:23  
**considered** 75:20  
**consistent** 84:9  
**consistent-ish** 84:10  
**construction** 23:6  
27:25 29:10 66:3,18  
67:2 68:9  
**construction's** 50:3  
**construed** 53:12  
**consultant** 23:19  
**consume** 20:15  
**consumed** 13:17  
**consumption** 56:24  
**continue** 18:25 28:6  
60:24 61:4,14,18 84:4  
84:12  
**contractor** 23:3  
**contractors** 66:15  
**contributions** 84:22  
**control** 1:2,13 27:10  
92:25 94:25  
**conversation** 8:12  
90:19  
**conversations** 61:7  
**cook** 73:25  
**cooking** 74:1  
**copy** 42:21

**corner** 45:4  
**correct** 5:20,21,23 6:15  
7:7 8:7,8 10:18,25  
11:4 35:18 37:10 45:9  
56:20 57:14 58:23  
62:13 88:12  
**counsel** 93:5 95:10  
**counted** 34:22  
**counter** 78:15  
**countries** 75:23  
**country** 75:24 76:24  
**counts** 78:8  
**couple** 46:8,11 53:24  
67:22 70:15,16  
**courses** 19:20  
**court** 1:23 42:19 72:14  
**covered** 22:25 60:9  
66:5  
**covering** 67:12  
**COVID** 27:24 28:2 54:3  
54:12  
**COVID-19** 75:8  
**CR** 1:7 37:12,13,15 38:5  
**create** 66:24 75:19  
**criminal** 95:7  
**Crockett** 1:18 93:13,16  
93:18,19,19 95:16,21  
95:22,22  
**CROSS** 2:5  
**cross-** 60:5  
**cross-examination**  
16:25 49:20 54:17  
63:16 65:18 70:13  
84:23  
**cross-examine** 60:4  
**crushed** 79:3  
**CT** 35:22 37:9 38:15  
39:10,16 55:3  
**cuisine** 19:24 73:21  
75:25 76:14,22  
**cultural** 19:15 77:2,14  
**culture** 20:17  
**curb** 60:16 90:1  
**current** 56:13 62:3  
63:20,23 64:4,20,22  
65:3 89:21  
**currently** 15:7,9 33:2  
34:20 41:1 51:21 52:7  
57:23  
**customer** 91:8  
**customers** 12:5,18  
75:22  
**cut** 68:22  
**cutting** 48:10,12,16

---

**D**

---

**D.C** 27:9 68:18 75:20  
76:3,8 93:1,6,9 95:1

95:13 96:11  
**Dabney** 25:18,19,20,23  
26:12 31:8 35:6,11  
38:4,5 71:23,25  
**daily** 25:2  
**dancers** 77:3  
**date** 42:13  
**dates** 47:2  
**day** 5:7 10:9 21:10 27:7  
27:12,12 47:8 79:5  
80:16 96:13  
**daycares** 42:25  
**days** 13:24 14:4 37:5  
38:7 55:14 56:22,24  
57:3,10 75:7 92:17,19  
94:11  
**DC** 1:21  
**deal** 41:15  
**decades** 11:22  
**decision** 6:9 7:7,9  
31:20 32:2,10 87:16  
87:23,24 91:24 92:5,6  
92:7,14,17,19,21  
94:10  
**decisions** 7:1  
**deep** 71:10  
**definitely** 11:16 14:19  
29:7 76:4  
**deliberating** 93:8  
**deliveries** 26:14  
**demands** 19:6  
**demonstrated** 89:20  
**dependent** 64:15  
**depending** 78:24 80:15  
**depends** 50:1  
**depth** 31:17  
**depths** 75:11  
**describe** 78:8  
**described** 53:6  
**design** 67:4  
**destination** 20:10  
**determination** 17:18  
52:13  
**determine** 8:15 41:16  
**determined** 53:16  
**determines** 7:11  
**develop** 76:1  
**developing** 50:2  
**development** 96:21  
**difference** 64:24 78:3  
**different** 19:13,21  
45:19 53:14 57:9 61:8  
66:15 70:21 74:8 79:6  
91:13  
**differentiate** 78:5  
**differently** 11:11,13  
**difficult** 23:24 66:1 84:6  
**dine** 73:15

**dining** 19:23 20:10,13  
43:10,19,21 73:17,19  
78:13 80:10  
**dinner** 73:5,6  
**Diplomate** 72:20  
**DIRECT** 2:5 32:24  
**direction** 44:8  
**directly** 21:19  
**dirt** 29:12  
**disappeared** 55:20  
**discrete** 14:24  
**discuss** 21:23 31:5,11  
31:16  
**discussed** 22:8 23:20  
30:4 90:25  
**discussing** 95:5  
**discussion** 26:19  
**discussions** 7:13  
**dishes** 73:22 79:21  
80:2,6  
**dispense** 6:1,12 8:13  
**disregard** 87:4  
**distance** 68:20  
**distinction** 65:7  
**District** 1:1 33:15 92:25  
94:25  
**disturbance** 22:22  
61:17  
**disturbances** 60:16  
83:17  
**DMV** 74:19 76:4  
**document** 42:3,9,17  
**documents** 5:13 46:15  
**doing** 14:3 64:7  
**Donovan** 1:14,17  
**door** 23:23 43:2 81:7  
85:16 86:25  
**doors** 41:14 43:16  
85:10  
**doublecheck** 65:16  
**downstairs** 71:25 72:2  
**draft** 26:22  
**drink** 20:2  
**drinks** 20:11 73:13  
**dropoff** 26:20  
**due** 27:8 28:1 67:6  
**duly** 32:22 59:24 83:7  
**duties** 33:12

---

**E**

---

**earlier** 13:23 21:10  
50:23 51:14,25 75:2  
83:20 85:10  
**early** 51:8  
**eastern** 78:15  
**eating** 20:14 73:10  
**echoes** 12:24  
**edge** 68:20

**Edward** 1:18 93:24 96:2  
**effective** 96:20  
**effectively** 22:7  
**effects** 90:1  
**eight** 40:7 55:13 68:23  
**Eighteenth** 35:4,8,20  
 36:8,11 44:18 45:13  
 53:17  
**either** 32:10 50:10 51:4  
 61:1  
**electronic** 96:10  
**elevate** 3:6  
**elevated** 3:9,10,11,15  
 3:17  
**elicited** 88:23  
**email** 27:11  
**emailed** 27:8  
**emanating** 22:10 41:13  
 53:13 90:2  
**emotionally** 74:15  
**employed** 33:2,5  
**empty** 29:15  
**enclose** 65:22  
**endorsement** 7:23 8:3  
 9:3,7,9,16 10:6,19  
 11:14 15:8,10,16 22:4  
 31:15 36:3,5 57:17,17  
 57:19 62:2,10 63:1  
 69:18,19,22 70:10,11  
 76:16 77:11 88:21  
 89:10  
**enforced** 24:23  
**engineering** 75:12  
**enlist** 77:2  
**enter** 40:24 41:10  
**entering** 22:9 55:5  
**entertainment** 7:23 8:3  
 9:2,8,9,16 10:6,11,19  
 11:2,14 14:16 15:7,10  
 15:16,24 21:12 22:3  
 28:10 31:15 36:2,4,5  
 36:6 57:16,17,19 58:7  
 62:2,7,9,11 63:1,6  
 69:20,22 70:10 76:13  
 76:16 77:6,11 88:21  
 89:10,16  
**entire** 80:7 81:2 83:23  
**entrance** 43:16 44:5  
 45:5 48:10 85:24,25  
 86:24 91:2  
**environment** 30:25  
 75:17  
**equal** 68:19  
**ESL** 12:12  
**essentially** 66:20 68:22  
**established** 51:1,13,14  
 51:16  
**establishment** 14:22

15:21 20:20,24 34:11  
 35:18 40:2,5 43:2,4  
 47:3 50:10 53:2,7,14  
 73:10,16 85:7 88:1  
**establishments** 26:13  
 33:14 34:17,18,21,23  
 35:1,3,17 42:23 44:9  
 48:15 50:22 52:12  
 61:8 85:2,4 86:7,12  
 86:14,15,18 87:14,18  
 90:7  
**estimated** 26:3  
**estimation** 46:5  
**evening** 50:15 94:12,21  
**evenings** 53:8  
**event** 21:14  
**everything's** 83:1  
**evidenced** 19:14  
**exact** 78:12 81:2  
**exactly** 29:18 90:18  
**examination** 32:21,24  
 56:6 59:23 83:6  
**examine** 60:6  
**examined** 32:23 59:25  
 83:8  
**example** 53:17  
**excited** 29:11,15 75:18  
**excuse** 92:13  
**execute** 74:22  
**exhibit** 42:18,21,22,24  
 43:1,3,5,7,9,11,13,15  
 43:17,18,20,22,23,24  
 43:25 44:1,4,6,10,12  
 44:15,17,19,22,25  
 45:2,3,7,8,16,17,20  
 45:20,24,24 46:2  
**exhibits** 19:14 26:2  
 41:20,24 42:4,16  
 66:15 83:19,21  
**exist** 13:2  
**existing** 27:24 51:1  
**exit** 25:24  
**exiting** 12:5 22:10 23:1  
 47:18  
**exits** 44:16  
**expect** 26:8  
**expedite** 5:6  
**expensive** 71:11  
**experience** 19:19 51:6  
 72:21 74:21 77:14  
 78:22,23 79:15 80:8  
**experiences** 19:12,16  
 70:22 77:2  
**explain** 15:15 40:20,22  
 47:9 65:23,24  
**explained** 24:16  
**exposed** 68:8  
**expressed** 30:19

**extend** 64:16  
**extra** 14:8  
**eyes** 48:16

---

**F**


---

**faced** 92:4  
**facing** 23:11 44:7,17  
 45:11  
**faith** 19:2 21:16 24:6,8  
 61:15  
**fall** 26:12 50:25 51:2,13  
 63:24 71:12,13 72:20  
 86:2  
**falls** 77:5  
**familiar** 33:16,18 81:6  
 86:13,23  
**far** 12:14 14:15 22:18  
 46:5,6 89:1  
**faux** 23:17  
**favor** 5:19  
**favorable** 75:16  
**feasible** 26:17  
**featuring** 19:23  
**feeling** 71:17  
**feet** 11:25,25 34:18,21  
 34:23 35:1 42:23,25  
 46:8,12 68:23 78:11  
 80:25 84:14 85:5 86:9  
 86:14,16 88:2 91:3  
**fell** 74:13  
**felt** 74:14,15  
**fighting** 27:23  
**filed** 18:21 22:14 69:8  
 70:4  
**files** 58:12  
**finally** 29:14  
**financial** 23:2 66:1 67:6  
**find** 5:5 18:23 66:11  
 86:5,16,19 87:25  
**finding** 23:3  
**fine** 62:18 86:1  
**finished** 23:7  
**finishing** 47:17  
**first** 6:8,22,24 7:1,6,9  
 7:17 16:5 19:18,25  
 23:13 26:3,21 32:16  
 32:22 35:4 43:5,7,10  
 52:3 59:24 68:22  
 70:22 73:19 78:2,9,13  
 79:17 81:4,8 83:7  
 88:17  
**fish** 78:22,25 79:2,10  
 80:8  
**fit** 27:1  
**five** 21:23 29:13 40:14  
 85:3  
**fixe** 43:8 72:1,1  
**flexible** 60:19

**flights** 78:20  
**float** 20:3  
**floor** 19:18,22 26:3  
 29:12 43:5,7,10,12,14  
 43:17,18,20,21 70:22  
 71:2 73:19 78:2,10,10  
 78:14,24 79:17,18  
 81:2,3,4,8,9,12  
**floors** 19:13 79:16  
**flown** 79:9  
**flute-player** 77:5  
**focus** 15:25 16:15,18  
 18:8 79:24  
**focused** 14:21 15:20  
 17:16 19:24 79:22  
**folks** 12:2 13:11,18  
**follow-up** 55:20  
**following** 10:5 89:11  
**follows** 32:23 60:1 67:3  
 83:9  
**food** 20:14 74:19 76:7  
 76:18,20,25 80:5  
**footage** 78:1,4,13  
**forever** 11:23  
**Fork** 35:12,14 39:9,10  
 47:19 72:23  
**formal** 70:4 73:4,6  
**format** 16:7  
**formerly** 19:10  
**forth** 17:1 50:24 51:10  
 64:17  
**forward** 61:12 62:5 90:9  
 91:6  
**foster** 84:5  
**found** 19:12 22:19  
 29:16 50:5 58:16 61:1  
 85:14,19,22,22 89:22  
 89:24 90:6  
**four** 70:20 71:5 78:16  
**four-top** 71:1  
**fourth** 35:6  
**fresh** 79:2  
**Friday** 36:12,17,19 37:1  
 37:7,19,24 38:11,18  
 38:20 39:5,6,12,19,22  
 39:23 57:6,9,25  
**Fridays** 13:22 64:13  
**front** 13:11 43:1,2 56:3  
 85:25 91:2  
**full** 20:4,13 22:5 26:18  
 57:20,22  
**fully** 68:12,21 79:18  
**fund** 66:13  
**further** 8:25 53:19  
 96:20  
**Furthermore** 23:20  
 24:24  
**future** 82:18

**G**

**garden** 7:24 9:3,7,15  
10:7,7 12:1 14:17,22  
14:25 15:5,20 16:11  
34:9 35:25 36:23,24  
37:21,23 38:8,23  
39:14,20,24 43:16,23  
43:24,25 44:1,2 47:17  
48:3 50:18,21 57:2,14  
61:13 63:2,2 65:23  
66:2 69:13,17,19  
70:10,11 72:24 80:24  
81:1 84:3 88:22 89:11  
89:12 90:17,25 91:11

**gather** 34:4

**generalized** 82:14

**generations** 84:15

**genuinely** 30:12

**getting** 6:3,6 9:13 20:11  
22:25 26:4 29:17,23  
66:2

**GIS** 42:22,24

**give** 3:20 4:1 41:24  
47:11 70:5 76:23 87:9  
94:3 96:6

**given** 86:6 87:11

**giving** 75:5 87:13

**glasses** 20:6,6

**Glendon** 74:4,7

**global** 20:4

**goal** 74:17 76:17

**goals** 61:8

**Goldberg** 21:23 34:7

**Gore** 1:22 2:9 3:8 4:11  
4:12,13,17,18,23 5:1  
5:21 6:16,18,19,23  
7:4,16 8:8 11:12 13:7  
13:25 14:19 17:9  
21:20 24:20 28:15,17  
28:22 29:1 32:14  
46:18,21,23 53:22,24  
54:18 55:16 60:4,5  
61:22,25 62:17 63:11  
63:13,17 64:19 65:9  
65:14 77:18,24 81:18  
82:8,13,24 83:5 84:19  
84:21,25 88:6,11,12  
88:24 90:11,13 91:10  
91:14 94:15

**gospel** 76:24

**gotten** 11:20 13:16 84:1

**grand** 58:8

**Grandis** 1:18 55:22,23  
56:7 58:24 59:2 69:5  
69:6,17,21,25 70:8,14  
73:1 77:15 93:23,24  
93:24 95:15,15,17  
96:1,2,2

**grandmother** 73:25

**granted** 21:6,11

**grateful** 31:14

**greenery** 23:17

**grew** 73:24

**grilled** 79:13

**ground** 18:23 67:16

**group** 81:19

**grows** 76:10

**guess** 47:8 87:3

**guest** 26:5,6,8 70:25

**guests** 20:7,14,14  
23:21 25:13,21 26:3  
43:8 48:7 60:21 64:1  
73:11,12,15,18 76:2,5  
79:3,4 80:13,14,15,21  
80:23

**guests'** 25:9

**guilty** 58:16

**H**

**half** 33:7 49:18 74:24  
79:12,12

**hand** 32:18 59:20 60:5  
83:3

**handful** 50:17

**hang** 66:7

**Hansen** 1:19 93:21,22  
95:25

**Hanson** 95:24

**happened** 29:7 67:20

**happy** 9:15 20:1 24:10  
28:9 29:14 31:4,11,13  
62:24 78:7 91:7 92:3

**Harbor** 75:4

**hard** 27:18,23 61:3

**hate** 27:12

**head** 55:12 81:15

**hear** 40:10 41:6,12,12  
47:23 48:1,3,5 49:2  
50:12

**heard** 12:15 22:18,20  
40:9 48:8 53:11 69:14

**hearing** 1:7 4:14 6:2  
8:15,24 14:14,20  
15:19,25 16:2,10,19  
17:15 18:19 30:8  
31:19 70:3 88:14 90:9  
91:20 95:5 96:9

**hearings** 6:8,24 16:4  
49:16,19,22 53:25  
54:8 96:15

**heart** 61:4

**hearts** 28:6

**heavily** 81:21

**help** 22:12 23:21 56:17  
76:23 78:8

**Hi** 4:12 90:13

**higher** 71:4

**highlighted** 81:21

**historical** 11:21 25:1  
30:25

**history** 52:11

**hold** 23:24 35:7,7 39:8  
39:9 46:20 59:18  
60:18 69:16 72:8,9  
85:18,18,21 92:20,23  
93:3 95:4 96:7

**home** 41:11

**honest** 23:2

**honestly** 11:19 29:2

**hope** 20:19 28:5 61:6  
76:10,22 77:1 89:19  
91:5 92:5

**hoped** 66:17 91:20

**hopefully** 72:17 82:17  
91:1

**hoping** 12:19 18:23

**hordes** 20:21

**host** 20:1 23:21 43:6

**hot** 79:13 80:5

**hotline** 40:23

**hour** 14:7 17:5,13 20:1

**house** 83:23

**houses** 44:21,23 45:21

**huge** 11:15

**hundred** 46:8,11

**I**

**I-N-D-E-X** 2:1

**ice** 79:3

**identified** 95:10

**identify** 42:3,8

**imagine** 27:19 75:14

**immediate** 34:23

**impact** 61:18 76:22

**implore** 20:23

**importance** 24:23

**impossible** 27:3

**improve** 61:18

**in-house** 20:4

**include** 27:21

**included** 26:1 61:6  
91:17

**includes** 90:24

**including** 9:6 14:4  
26:12 91:1

**inconsistent** 70:3

**incorrectly** 65:15

**incredibly** 71:10

**indoor** 9:8 10:14 14:11  
15:6 22:17 50:21  
51:11 62:9,11 65:11  
81:11

**indoors** 10:11,22 11:2  
13:4 15:8,10,24 21:13

27:3 63:6 89:16

**information** 17:20 34:3  
77:16 90:16

**infraction** 24:18 50:6  
61:2

**ingredients** 20:18  
79:21

**initial** 87:2

**inside** 21:14 27:2 41:13  
58:2

**inspections** 33:13

**installed** 23:13,16,25

**instance** 79:7

**integrated** 28:9

**intended** 20:16 29:18

**intent** 24:8

**intentions** 19:1,9 24:6  
28:8

**interest** 27:20

**interference** 9:13

**international** 75:21

**internet** 67:21

**interrupt** 64:20

**intersection** 48:14

**intoxicated** 20:21 52:24

**introduce** 4:2

**introduced** 18:19

**investigation** 23:23  
33:21 34:2 58:6,11

**investigations** 33:14  
95:7

**investigative** 95:11

**investigator** 1:23 31:24  
33:10,12 47:2

**investigators** 20:25  
21:3 39:25

**invited** 21:17

**inwards** 23:11

**Iquitos** 80:11

**issue** 13:15 22:13 30:13  
92:17,19,21 94:10

**issued** 8:3

**issues** 12:17,17 13:12  
14:24 16:17 17:16  
22:9 34:8 69:10 92:13  
92:15

**item** 65:10

**items** 94:19 96:18

**J**

**JAMES** 1:19

**Japanese** 79:8

**JENI** 1:19

**job** 76:20

**Jont** 72:3

**JOSE** 1:21

**journey** 19:20

**JR** 1:17,19

**justified** 26:17

---

**K**

**keep** 63:24 91:7

**keeping** 27:2

**Kevin** 1:23 2:7 3:10  
32:20

**key** 30:18

**kitchen** 64:6,9 79:13

**knew** 48:4

**knowledge** 50:4 57:18  
61:14

**known** 19:10

---

**L**

**la** 79:10,18

**lack** 19:3 24:12

**large** 27:1

**larger** 46:13,16 76:3

**larger-size** 80:6

**late** 74:23

**lattice** 23:17

**law** 61:16 95:8

**Le** 72:20

**leadership** 22:8

**learning** 73:25

**lease** 74:23

**leave** 26:8 34:11 67:13  
84:15 90:20

**leaving** 13:10,11 52:23  
53:3,7

**left** 44:11,24 45:12

68:12 72:25

**legal** 21:7,11 77:8 93:4  
95:9,10,11

**length** 22:8 50:19

**lessen** 61:17

**let's** 4:1,2,3 37:14 39:8  
39:24 45:7 46:2 57:8

**letter** 24:7,8 42:19 75:8

**letters** 54:15

**level** 12:4 53:1 64:11  
67:17 71:23 72:5,6  
73:8 75:25

**license** 1:8,10 3:5 4:10

5:13,15,17,19 6:3,10

6:11,13,14 7:2,9,12

7:14,22 8:1,11,14,19

8:23 9:6,17 10:5

14:15 19:5 21:6,11

24:10,18,20,25 25:2

25:10 27:15 34:13

35:21,22,23 37:9,10

37:15 38:5,16 39:10

39:17 42:20 49:25

51:21 52:7 54:9,24

55:3 56:14 61:11

62:25 65:3,5 70:12

85:15 87:20 88:20

89:10 92:1

**licensed** 33:14 34:17

34:18,20 64:22

**licensee** 3:16 5:9,13,19

7:20 8:18,20 14:25

15:22 16:16,24 17:3

31:25 49:23 92:7

**licenses** 16:13 30:17

51:3,4 54:2,13 55:4,8

**licensing** 58:13 95:11

**life** 74:1

**light** 47:11

**Lima** 73:24

**limitations** 57:20 64:17

**limited** 20:8

**line** 26:12 47:15 49:7,8

72:21

**lines** 47:15

**liquor** 4:10 9:6 10:5

21:6 24:9,18,25 25:2

25:10 27:14 30:17

54:2,9,24 61:11 62:25

65:11,12 70:12 89:9

**list** 20:4 26:11 54:21

71:10,12 86:17 87:2

**listed** 4:10 25:20 50:22

62:7 63:22 85:1

**listen** 17:17

**little** 9:25 12:25 46:22

47:11 71:4,5 92:10

**live** 10:11 11:1,21 15:23

21:12 36:4,6 45:9

58:6 62:11 63:5 81:7

84:12 85:6 86:5 87:6

87:12 89:16 92:2,7

**live-music** 77:12

**lived** 11:22,23 84:14

**living** 83:25

**LLC** 1:6 4:8 18:22

**loan** 28:1 75:3,9

**local** 76:5

**located** 34:13,14 85:15

87:1 91:3

**location** 12:22 26:20

72:22 76:9 79:25

87:15

**location's** 74:10

**loitering** 34:10

**long** 16:2 33:5 74:21

82:10

**longer** 13:17 15:11 18:2

64:2,23 66:17

**longer-established**

51:20 52:6

**look** 8:5 10:2 56:19

65:1 86:22 87:17,23

90:9

**looked** 35:15 39:15,16

44:19 47:15 52:20

58:13

**looking** 31:1 44:3 46:13

46:15 48:4 51:3 58:12

67:17 68:15 69:8

90:18

**looks** 56:18 67:18

**lost** 67:21 85:13,18,19

85:19,22,22

**lot** 12:12,24 13:12 22:1

29:3 30:16 45:4 47:23

48:9 51:6 66:17 71:24

76:5,6,6 80:8 82:14

84:13 92:9

**loud** 40:11 48:12,17

52:21,21

**Lounge** 35:5,8,21 36:9

36:11 44:18 45:13

53:17

**love** 74:13

**lower** 71:5

---

**M**

**M** 48:11

**ma'am** 55:15 61:24

63:15

**main** 11:19 22:9 30:1

30:13 34:8 63:13,18

83:13 84:1,8

**maintain** 30:24

**major** 11:18 30:19

**making** 4:9 18:11 19:7

34:10 53:11 92:5

**management** 40:11

**managers** 4:9 50:16

**manner** 23:1 24:22

96:12

**map** 42:21,22,24

**mark** 23:18

**market** 78:22 80:8

**matter** 1:5 5:6 67:24

82:25 94:9 96:24

**matters** 91:23 95:10

**maximum** 78:17

**meal** 31:9

**mean** 25:4,8 28:8 54:20

64:20 73:21 76:8

82:20,24 84:13 86:13

87:17

**meaning** 25:21 58:19

**means** 81:5 82:2

**meant** 80:7 82:23

**measure** 28:3

**median** 71:8

**meet** 66:9

**meeting** 1:3 21:17 23:9

93:3 94:4 95:4 96:7

**Meetings** 93:2,7,10

94:5 95:3 96:8

**Member** 1:17,18,18,19

1:19 70:8

**members** 20:23 26:19

48:22 55:21 59:3 69:4

81:8 88:5 96:14,16,19

**mentioned** 29:6 55:2

65:21 75:2 85:13

90:16,22

**menu** 19:19,23 20:16

43:8,9 72:1,1 78:3,5

79:19 80:1,7 81:3,3,4

**mercy** 27:6

**met** 1:14 21:20,22

**metal** 66:4,5,21

**Metro** 45:1

**mid-** 23:7

**middle** 32:12 45:13

48:14 75:15

**midnight** 12:3,9 13:8

21:10 51:11 62:9

63:25 64:2

**midnight's** 14:9

**million** 75:4

**Mine** 28:17

**minute** 4:1 79:10 92:20

**minutes** 14:8 67:22

**mirror** 78:10

**mischaracterize** 18:25

**miscommunication**

31:7

**misconduct** 95:8

**misheard** 62:24

**misreading** 69:10

**mission** 19:15

**misspeak** 14:1

**mitigation** 8:6 50:19

**mix** 66:4

**model** 20:12 26:4

**modify** 28:11

**Monday** 57:24

**Mondays** 64:5

**money** 75:14,15

**monitored** 40:7,14

**monitoring** 51:6

**months** 54:25

**morning** 27:10 79:9

**motion** 93:14,15 94:2

95:17,18 96:5

**move** 49:9 91:6 93:2

95:3

**moved** 23:9 29:12

**moving** 62:4

**music** 12:18 22:15,17

22:20,23 41:13 47:23

48:5 50:12 53:11

58:10

**mute** 49:4 55:18,19  
61:24,24 77:22

---

**N**

---

**N** 1:7 34:14,15 44:16  
45:2 48:11  
**name** 4:6  
**names** 86:7  
**nature** 12:4 19:7 24:13  
72:23  
**navigate** 75:10  
**navigating** 27:25  
**Naylor** 1:22 42:19  
**nearer** 82:17  
**necessary** 41:11  
**need** 6:8 14:23 15:4  
16:8 17:15 41:10,10  
41:18,19 49:12 55:18  
56:2 59:19 60:3 62:19  
68:1 82:12 87:5,8,25  
88:25 91:12,13  
**needed** 66:12  
**needs** 3:14,16 6:25 7:1  
60:19,19  
**neighbor** 5:1,2 29:11  
29:18 84:5 91:8  
**neighborhood** 9:17,20  
12:8 24:11 30:24  
41:17 52:12 60:15  
61:15 87:6  
**neighboring** 54:21  
90:21  
**neighbors** 4:13 5:2  
11:16,21 12:16 13:12  
14:8 18:23 23:22 24:2  
29:24 30:1,5,9,14,19  
30:23 60:13 83:15,16  
84:11 90:1,2,3 92:6  
**neighbors'** 30:15  
**never** 21:9,18 27:17  
28:2 35:14 39:15,16  
44:18 47:15 61:1  
**new** 22:7 50:3 54:12,13  
85:11  
**newer** 30:5  
**niche** 85:13  
**night** 24:3 83:17 86:1  
96:22  
**nine** 73:14  
**noise** 12:4,17,18 13:9  
14:11 21:24 22:9,10  
22:13,25 23:12,15  
30:2,2,13 34:9,10  
40:8,17 41:2,3,6,12  
48:6 50:6,19 53:11  
61:1 89:24 90:2  
**noisy** 48:13,18  
**normal** 50:24 90:5

**normally** 16:3,19 77:18  
**norms** 25:1 51:14,15,17  
**north** 23:12  
**northern** 73:24  
**Northwest** 44:6,16 45:1  
45:2,5 48:11  
**noted** 60:25  
**notes** 35:8  
**notice** 58:15,21 94:3  
96:6,8  
**noticed** 52:22  
**noting** 70:1  
**notion** 24:21  
**November** 23:8 30:18  
95:4,12  
**number** 3:4,4,5 7:8  
55:12 66:15 69:12  
74:8,18 79:6 93:5,8  
**NW** 1:7

---

**O**

---

**objectives** 61:8  
**observation** 40:1  
**observe** 47:12  
**observed** 40:15,18  
**occasion** 73:5,7  
**occasions** 40:9  
**occurred** 21:3  
**occurrence** 28:4  
**Ocopa** 74:3  
**October** 1:12 40:13  
95:13  
**odd** 14:6  
**offer** 22:6 75:25  
**offered** 22:2 24:7  
**offering** 87:19  
**offers** 19:4  
**Officer** 60:25 67:15  
68:14 90:3  
**Official** 93:1,6,9 95:1  
**once** 7:10 16:22,23  
17:3 21:14,21 24:19  
31:20 34:10 44:7  
57:11 68:8  
**one's** 35:4  
**ones** 55:1,11  
**ongoing** 95:6  
**open** 12:8 14:7 21:7  
26:14 27:13,20 39:11  
58:14 60:22 63:25  
66:2 67:13 68:11,12  
68:15 74:16 75:1  
80:18 85:25 93:2,7,10  
94:5 95:3 96:8  
**opened** 21:10 66:9 72:3  
74:2,9,24  
**opening** 2:2,3 16:20,22  
17:22,23,25 18:5,6,11

18:13 20:9 28:15,25  
29:3 58:8 60:10 65:22  
67:2 73:8 82:15  
**operate** 25:6 26:9 36:11  
36:16,25 65:6  
**operated** 19:2  
**operating** 19:8 20:21  
21:15 77:8 90:20  
**operation** 16:11 31:6  
37:17 38:6,16 50:21  
51:4 56:9,10,14,18  
57:9,13 64:4 89:12  
90:4  
**operations** 56:11  
**opinion** 50:23 51:18  
52:3  
**opportunities** 74:11  
**opportunity** 5:6,8,8  
33:22 41:25 46:21  
52:1 59:9  
**opposite** 23:10 44:14  
**optional** 78:18  
**options** 78:3 79:16 80:1  
**order** 9:19 32:8 60:23  
66:8,16 73:15 74:22  
75:1 79:4  
**ordered** 79:7  
**orders** 41:3  
**Orellana** 1:21 3:6,8  
41:24  
**organization** 19:5  
25:15 27:19  
**original** 67:2  
**originally** 9:5 66:3  
**outdoor** 8:2 12:1,3,7,13  
12:21 13:1 24:1 31:14  
31:16 62:7 81:11 84:9  
90:24  
**outside** 11:15 18:3  
47:22 50:25 51:2,13  
58:2 76:4 86:25 90:8  
**outstanding** 17:16  
**ovens** 79:14  
**overall** 15:21 22:4  
**owners** 4:8  
**ownership** 58:5  
**Oyster** 72:3,3

---

**P**

---

**P-R-O-C-E-E-D-I-N-G-S**  
3:1  
**p.m** 3:2 23:22 24:3 25:2  
25:4,5,6,7,10,12,18  
25:19,23,24 26:6,7,8  
36:12,17,18,20,25,25  
37:2,8,24 38:10 57:23  
57:24,25 64:9,14  
67:24,25 91:15 96:24

**page** 10:3 55:25 56:1,1  
**pairings** 78:19  
**pandemic** 75:3,11,15  
**pandemic-related** 28:4  
**paper** 70:4  
**parked** 48:13  
**parking** 45:2,3,4 47:10  
**part** 7:4,17 24:19 28:9  
34:15 60:10 61:3  
88:14  
**partially** 78:23  
**participants** 18:18  
**participated** 96:15  
**particular** 79:5  
**parties** 3:7,15 4:2 5:25  
6:14 32:6 69:11 88:19  
91:25 92:12  
**partner** 74:3,7  
**parts** 18:2 75:23  
**passed** 94:2 96:6  
**patio** 9:7,15 10:7,7,16  
19:23 20:10 21:13  
22:20 23:1,10 50:21  
51:10 61:13 63:2,2,25  
66:2 68:23,25 69:13  
70:11,11 72:24 73:17  
80:18,19,22,24 81:2  
89:11,12  
**patrons** 20:22 22:9  
34:10 52:15 53:3,6,11  
**patrons'** 22:23  
**patterns** 26:10  
**pay** 43:9  
**pedestrian** 47:11  
**pedestrians** 48:7  
**people** 47:16,18,22,22  
48:9,12 50:17 52:18  
52:23 73:2 76:21 81:9  
81:11 92:2  
**per-person** 78:18  
**percent** 64:3 73:18  
**pergola** 23:6 66:4 68:10  
68:19 75:13  
**period** 47:13 58:17  
**permits** 67:3  
**permitted** 66:3 67:1  
**person** 70:23 71:3  
79:20  
**personally** 12:16 21:16  
21:21  
**personnel** 40:8  
**perspective** 86:11  
87:11,13  
**Peru** 19:15,21 76:4,21  
79:1,24  
**Peruvian** 19:12 20:3,17  
29:16 73:20,22 74:14  
74:19 76:3,5,18,21,23

76:25 77:3,3,5 79:22  
80:4  
**phase** 55:5  
**phone** 49:4,5,12  
**photo** 45:15  
**photograph** 43:7,11,13  
43:15,17,19,20,22,23  
43:24 44:1,2,4,6,13  
44:15,20,22,25 45:3  
45:11  
**photos** 46:19 68:14  
**picked** 72:17  
**picking** 47:21  
**pickup** 27:6,8  
**picture** 43:1,3 44:12  
78:9  
**pictured** 46:24  
**pictures** 67:15  
**piece** 20:16 29:21 70:4  
91:16  
**PIP** 5:9,10 7:18,19,21  
8:7,10 9:18 10:1,4  
69:8,15 91:14,17  
**pisco** 78:20  
**piscos** 20:7  
**placard** 65:1,2  
**placarded** 55:6 64:23  
**placards** 54:12,13  
**place** 18:22 29:16 31:10  
**placed** 8:16 96:10  
**plan** 66:18  
**planned** 67:4 95:6  
**play** 22:21  
**played** 22:19  
**players** 30:18  
**please** 3:6,7 24:1 32:18  
33:1 40:22 42:2,9  
45:8 48:20 62:21  
65:24 77:25 83:3  
**plug** 24:2  
**plywood** 23:16  
**point** 11:20 13:16 22:16  
29:17 30:10 31:3  
70:18,19,24 71:2  
79:20 84:2,17  
**portion** 6:2 73:12 81:20  
**possible** 28:11  
**posted** 54:12 96:8  
**posts** 66:5,21  
**potential** 21:24  
**Potentially** 62:23  
**pouring** 20:22  
**practical** 96:12  
**practices** 54:5  
**precedent** 30:8,16,21  
51:19 52:1,5  
**prefer** 91:23  
**prepaid** 78:18

**preparation** 79:11,14  
**preparations** 79:6  
**presence** 60:15  
**present** 1:16,20 17:4,5  
17:13 18:13 49:16  
59:9 75:19 82:4,23  
83:11,12,14  
**presentation** 31:19  
69:7 82:1 88:10 94:8  
**presented** 7:11 17:3,19  
19:14 24:5,21 31:23  
51:25 60:20,23 64:18  
66:14 74:19,20 90:3  
**presiding** 1:14  
**prevent** 22:25  
**preventing** 28:3 41:3  
**previous** 81:21  
**prewritten** 18:1  
**price** 70:18,19,24 71:2  
71:8 79:20  
**primarily** 23:15  
**principle** 82:25  
**prix** 43:8 72:1,1  
**probably** 12:11 54:1  
86:23  
**proceed** 82:13,16  
**proceedings** 94:4  
**process** 18:24 29:17  
75:7  
**profitable** 60:20,24  
**progress** 22:2 23:5  
92:9  
**project** 66:14 67:5  
**projector** 24:1  
**properly** 93:15  
**proposal** 31:22 62:8  
**proposed** 32:10,11  
**protest** 1:7 4:14 16:4,19  
18:21,24 19:3,6 21:2  
26:22 33:20 34:5  
42:10 49:18 54:15  
58:6  
**protestant** 1:22 2:3,11  
5:11,14 7:20,21 8:1  
8:21 15:3 16:16,21  
17:4 28:25 53:25 83:7  
90:12  
**protestants** 4:19 5:18  
6:5 33:23 34:3,9  
54:14  
**protesting** 4:16,17  
42:20  
**protests** 25:15  
**protocol** 54:6,7  
**proud** 75:18  
**provide** 17:20 31:25  
32:2 66:6 78:1,4  
**provided** 5:9,10 87:3

96:17  
**province** 73:24  
**provision** 27:22 41:2  
**proximity** 83:25  
**public** 27:18 96:14  
**published** 95:12 96:11  
**Puente** 1:23 2:7 3:10  
16:6,7 17:20 32:17,17  
32:20 33:1 41:25 42:5  
47:1 49:12,15,17  
55:24 59:6,7 60:25  
67:15 83:18 85:1,8  
86:6 87:10,15 88:23  
90:3  
**Puente's** 68:14  
**Puentes** 87:3  
**pull** 80:8  
**pulled** 28:1  
**purpose** 93:4 95:5  
**purposes** 68:24  
**pursuant** 93:6 94:5  
96:7  
**pushing** 14:10  
**put** 16:16,23,24 18:10  
18:11 22:18 50:24  
51:10 56:3 60:5 61:12  
71:20 82:9  
**puts** 16:24

---

**Q**


---

**quantities** 78:25  
**question** 13:21 49:3,3  
54:20 63:11,18,19  
65:21 68:7  
**questions** 16:9 17:1  
21:19 41:19 48:21,25  
49:2,11,15 53:19,23  
55:21 59:2 60:7 61:22  
63:15 69:3,4 70:15,16  
77:19,21 84:19,21  
88:5  
**quite** 49:18 81:21  
**quote** 81:1

---

**R**


---

**radius** 54:23 55:10  
**Rafi** 1:18 93:19 95:22  
**railing** 67:17 68:16  
**raise** 32:17 59:20 83:3  
**raised** 22:15  
**raising** 75:15  
**rambunctious** 53:6  
**range** 71:13 80:1  
**rare** 20:7  
**rarely** 63:25  
**raw** 79:11 80:2  
**re-raising** 75:14  
**re-thank** 91:4

**reach** 25:9 71:11  
**reached** 66:16 69:11  
**read** 8:6 26:21  
**reads** 24:1  
**realistic** 26:17 27:21  
**realize** 65:7  
**rear** 34:15 43:3 85:24  
86:24  
**reason** 11:20 68:24  
76:15 77:10  
**reasonable** 60:14 66:12  
**reasons** 87:8 91:23  
93:9  
**recall** 53:5,9 67:15  
**received** 27:11 40:16  
54:9 79:5  
**recess** 94:3  
**recognize** 29:22 30:3  
68:13  
**recommendation** 23:18  
**record** 6:20 55:25 56:16  
58:12 62:14 67:22,24  
70:1 72:12,13,16 83:1  
92:18,18,23 94:23  
96:24  
**RECROSS** 2:6  
**RECROSS-EXAMINA...**  
77:23  
**recycling** 27:11  
**REDIRECT** 2:5 56:6  
**reduce** 15:13 22:4  
23:11 49:24  
**reduced** 84:3  
**refer** 80:11  
**reference** 91:1  
**referenced** 26:12  
**reflect** 25:17 26:10  
84:10  
**regard** 19:9 21:15 24:12  
26:14,23 27:17  
**regarding** 34:4  
**regardless** 70:25  
**region** 19:21  
**Register** 95:13 96:11  
**regular** 10:19  
**regularly** 23:4 25:6  
**regulars** 73:8  
**Regulation** 33:3  
**regulations** 95:9  
**reiterate** 83:15  
**relationship** 84:6  
**relatively** 85:7  
**relevance** 18:3  
**rely** 76:13  
**remain** 21:7 60:19,20  
60:24  
**remand** 9:1  
**remember** 87:5



**remind** 23:21  
**remote** 79:25  
**removal** 61:13 69:12  
 70:9  
**remove** 9:15 22:3 66:8  
 67:5 69:18  
**renew** 1:10 5:17 6:3,10  
 6:13 7:14 8:14 14:15  
 55:4  
**renewal** 9:6,17 10:4  
 11:7 51:22 52:3,8  
 54:13,24 55:3,5 62:25  
 89:9  
**renewed** 5:14,15,22  
 6:12,15 7:3,10,12,22  
 8:2,11 88:20 92:1  
**reopening** 85:11  
**repeat** 63:12  
**rephrase** 51:24  
**report** 21:1 41:21 42:10  
 42:13 55:24 56:1  
 67:16  
**reporter** 72:14  
**reports** 95:6  
**representation** 21:22  
 82:20  
**representative** 4:7  
 24:16  
**representing** 4:13,21  
 5:3  
**reputation** 76:2,10  
**request** 9:2 89:4 91:14  
 91:16  
**requested** 9:1 24:24  
 28:12 50:23 51:9  
 69:17  
**requesting** 89:3 90:5  
**requests** 25:16  
**require** 60:22  
**required** 25:12 61:16  
**requires** 68:18  
**reservation** 25:20,22  
 26:1 31:8 78:18  
**residence** 40:25 41:13  
**residences** 83:20 91:3  
**resident** 29:11 44:21,23  
**residential** 45:21  
**residents** 11:23 22:14  
 31:13 40:24 45:9,14  
 45:17 46:7,24  
**residents'** 41:11  
**respectful** 23:22 24:2  
**responded** 50:12  
**response** 48:23 59:4  
 81:13 88:7 90:9 93:12  
 93:22 95:25  
**responses** 81:22  
**responsibility** 33:12

**responsive** 29:23,24  
 84:7  
**rest** 12:20 18:17 31:5  
 82:2,6  
**restart** 36:15  
**restate** 62:1,15,20,21  
 63:20  
**restaurant** 13:11 21:9  
 22:10 25:24 27:24,25  
 37:12,13 49:23 51:11  
 55:11 57:22 61:5 64:1  
 64:7 66:9 70:16 71:16  
 71:16 72:5,25 73:3  
 74:2,6 75:16 78:2  
 81:20 85:12  
**restaurants** 19:25 51:7  
 71:19 72:2 79:23  
**rested** 88:10  
**restrict** 30:9  
**restrictions** 8:19 89:22  
**result** 34:1 54:2  
**results** 22:16  
**resumed** 67:25  
**Retailer** 1:7  
**return** 96:20  
**review** 5:9 91:16  
**reviewing** 7:18,19  
**rideshare** 52:24  
**rideshares** 47:21 52:19  
**rights** 3:6  
**road** 27:9 38:13  
**Robert** 21:22 22:1 23:4  
 34:6  
**roll** 93:14 95:18  
**roof** 23:11 67:11  
**rooftop** 11:18 19:22  
 20:10,13 22:11,13,25  
 23:6,13 47:25 66:6,25  
 68:11 75:13  
**room** 20:8 26:25 35:6  
 35:11,13 38:14,15  
 43:10 73:17 80:10,12  
 85:10 96:9  
**rooms** 19:23  
**rules** 89:21

---

**S**

**S** 1:18  
**S-P-A-N-G-L-E-R** 4:7  
**SA** 41:3  
**sails** 23:13  
**sale** 37:18 38:17  
**sales** 38:6 56:23  
**satisfied** 62:15  
**Saturday** 10:9 36:17,19  
 37:1,7,20,25 38:11,18  
 38:21 39:5,6,12,19,22  
 39:23 40:6 57:6,9,25

89:14,16,18  
**Saturdays** 13:23 64:13  
**saw** 5:12 74:12  
**saying** 7:8 10:15,17,22  
 10:24 11:6 15:22 29:2  
 30:22 65:4  
**says** 7:20 56:8 69:10,12  
**SBA-backed** 75:3  
**scheduled** 22:13  
**schools** 42:24  
**scope** 19:5 24:13  
**scream** 13:19  
**screaming** 13:13  
**scream** 41:25 42:2,6,9  
 46:14,15,16 48:20  
 56:3  
**sea** 79:8  
**seafood** 79:2  
**seafood-focused** 74:14  
**seat** 25:21 26:6 78:8  
 80:13,20,22  
**seated** 78:1 81:20  
**seating** 25:5 43:14  
 80:19,21  
**Seating-wise** 80:10  
**seatings** 26:4 60:21  
**seats** 78:14,14,15 80:12  
 80:14 81:9,11,12  
**second** 10:3 19:22 35:5  
 39:8 43:12,14,17,18  
 43:20,21 71:1 78:10  
 78:24 79:18 81:2,3,9  
 81:12 93:11 95:14  
**second-** 72:4  
**seconded** 93:14,16  
 95:17,19  
**Section** 93:2,6,10 94:5  
 95:2,2  
**seeing** 53:5 73:11  
 74:11 76:2  
**seeking** 51:21 52:7  
 93:4 95:9  
**send** 79:12  
**sending** 54:15  
**sense** 71:24 87:9  
**separate** 19:12  
**September** 40:7,13  
 42:14 55:4  
**serious** 75:12  
**serve** 20:18 76:18,19  
**servers** 76:18  
**service** 10:10,20 22:19  
 25:3,25 51:12 56:23  
 57:13 63:4 64:12,15  
 65:12 71:23 74:10  
 75:25 89:14  
**serving** 65:12  
**session** 96:20

**set** 12:19 30:8,16,21  
 51:19 52:1,5 64:17  
 68:19 91:13  
**setback** 68:18  
**settle** 92:12,15  
**settled** 91:23  
**settlements** 92:3  
**seven** 21:2 33:7 38:7  
 40:17 49:17 80:21  
**seven-piece** 77:7  
**shade** 23:13  
**shake** 81:15  
**share** 41:23,25 42:2  
 81:2  
**shareable** 71:6  
**shared** 19:16  
**sharing** 46:14 80:7  
**Short** 1:19 49:1,1,2,4,5  
 49:7 55:18  
**shorter** 15:4 28:18  
**shot** 20:5  
**show** 19:3 28:7 45:21  
 77:12  
**showed** 83:21  
**showing** 44:13,21  
**shown** 26:10 60:11  
**shows** 21:2  
**side** 23:10,14 44:9,20  
 44:24 67:14 68:11,13  
 68:16,21,25 79:13  
 80:20 83:22 88:16  
**sides** 6:11 12:23 14:17  
 23:12 67:13 68:11  
**sign** 24:7 26:18 27:22  
 28:2  
**signed** 74:23  
**significant** 85:2  
**significantly** 28:18  
 89:25  
**signing** 24:15  
**similar** 12:6 24:9 56:19  
 57:11 67:3 71:23  
 85:17  
**similarly** 72:4,23  
**similarly-situated**  
 87:18  
**simply** 20:11 73:12  
**single** 21:14  
**sir** 9:13 17:22 18:7,14  
 33:2 35:14,19 36:10  
 36:15 37:4,22 38:2  
 40:3 41:22 42:8,18  
 45:6,23 46:1,4 47:4  
 47:14 48:21 49:2,12  
 49:17 50:7,14 53:4  
 56:5,15,21 57:1,5,15  
 58:3,18,19,23 59:7,10  
 60:7 62:22 65:24 68:2

69:24 72:18 81:15  
82:2  
**sit** 79:3  
**sit-** 73:4  
**sit-down** 73:6  
**sitting** 12:6 73:16  
**situation** 23:5 27:12  
**six** 19:20 34:22 35:1,2  
78:14,17 80:20 86:15  
**six-foot** 23:17  
**size** 80:24  
**sloped** 66:25  
**smallest** 27:4  
**smoking** 47:22  
**solidify** 91:21  
**solutions** 21:24  
**someone's** 83:23  
**somewhat** 16:6 72:21  
80:6  
**sommelier** 20:5  
**soon** 43:5,12 85:11  
**sorry** 7:20,25,25 8:20  
9:11,12,14 10:3 36:13  
38:20 92:22  
**sort** 77:14  
**sound** 8:5 23:18  
**sounds** 76:12  
**south** 67:14  
**south-facing** 68:13  
**space** 11:15 12:1,3,7,8  
12:13 14:11 27:18  
29:12,15 31:16 78:5  
81:7,11,12 83:25  
**spaces** 12:21 13:1 84:9  
84:13  
**Spangler** 1:22 2:8 3:9  
3:18 4:4,5,6 5:24 9:2  
9:4,12,14 10:2,18,25  
11:4,8 13:21 15:9  
17:10,21,24 18:4,15  
18:20 28:14 48:25  
49:10,13,21 53:18  
59:9,11,16,22 61:22  
61:23 62:1 65:20  
67:19,20 69:7 72:9  
77:20,25 81:22 82:1,5  
84:18,20 88:24 89:5,7  
90:11 91:7 94:13  
**Spangler's** 88:17  
**speak** 33:23 46:22  
**speaker** 47:24  
**speakers** 23:10 40:10  
48:2  
**speaking** 46:20 56:10  
**special** 20:6  
**specials** 20:2 80:9  
**specifically** 34:22 76:9  
79:22

**spend** 8:15  
**spent** 18:5 28:21  
**split** 78:16  
**spoke** 34:6  
**spread** 76:24  
**square** 78:1,4,11,12  
80:25  
**square-footage-wise**  
78:9  
**St** 72:20  
**staff** 1:21 23:24  
**stage** 32:9  
**stairwell** 43:13  
**stand** 32:22 43:6 59:25  
83:8  
**standard** 54:6  
**standing** 20:8 44:2,9  
47:24 67:16  
**staring** 46:16  
**start** 3:24 4:3 29:2  
**started** 29:5,10 71:25  
74:4,10  
**starters** 80:3  
**starts** 70:22  
**state** 69:10  
**stated** 24:14 45:8,17  
47:10 50:8 61:23  
64:24 72:16 76:16  
**statement** 2:2,3,10,11  
16:21,22 17:22,23  
18:1,6,7 28:16,25  
29:4 59:14 60:3,9,10  
73:9 88:15 89:6 90:12  
**statements** 15:14 82:15  
90:15  
**stating** 24:10  
**stay** 14:7 60:22  
**steel** 66:22  
**step** 22:24  
**steps** 5:16 12:12  
**stick** 29:21  
**stipulate** 32:6  
**stipulated** 15:11 25:11  
60:22  
**stipulates** 25:3  
**stipulations** 28:12  
**stock** 20:5  
**stop** 45:1  
**store** 43:4  
**story** 19:21  
**streatory** 27:18  
**street** 1:7 26:20 30:25  
34:14 35:5,8,20 36:8  
36:11 44:6,7,16,18  
45:1,2,5,13 48:11,11  
53:17 71:24 74:2,10  
80:5 85:23 87:1  
**strictly** 17:18

**strong** 60:18  
**structural** 66:21  
**structure** 66:4,6,24  
67:7,9,11 68:10  
**struggle** 29:20 74:25  
**struggling** 30:14  
**study** 22:17  
**stuff** 50:19  
**style** 25:25  
**sub-agreement** 41:1  
**submitted** 9:5,10,18  
10:1 55:25  
**submitting** 75:8  
**substantial** 23:1 24:23  
73:11 76:22  
**substantiate** 21:4 40:25  
41:5,8  
**substantiated** 40:19,21  
**success** 27:15  
**successful** 30:11  
**sufficient** 17:14 66:13  
**summer** 7:24 9:3,7,15  
10:6,7 14:17,21,25  
15:5,20 16:11 34:9  
35:25 36:22,24 37:21  
37:23 38:8,23 39:14  
39:20,23 43:16,23,24  
43:25 44:1,2 47:17  
48:3 50:18,21 57:2,13  
61:13 63:2,2 65:23  
66:2 69:13,17,19  
70:10,11 72:24 80:17  
80:24 81:1 84:2 88:22  
89:11,12 90:17,17,25  
91:11  
**Sunday** 10:8,14 36:10  
36:16,25 37:6,18,23  
38:10,17,24 39:1,11  
39:18 56:18 57:5,23  
64:6 89:13,15,17  
**supervisors** 40:23 41:4  
**supplements** 78:21  
**support** 66:22  
**surrounding** 26:13  
50:22 52:11 90:6  
**swear** 82:21,24  
**sworn** 32:22 59:24 83:7

---

**T**

---

**t/a** 1:6  
**table** 26:5,7 71:1  
**tables** 71:4,5 80:13  
**tabletop** 70:19,20  
**taken** 21:21 45:15  
66:17  
**talked** 50:18 57:16  
**talking** 58:5 74:5  
**tall** 68:20

**target** 71:2  
**taste** 20:7  
**tasting** 19:18  
**tavern** 35:23 55:4,8  
73:4 85:15  
**taverns** 51:7  
**teach** 20:17 76:21  
**team** 29:25  
**tell** 16:8 19:21 29:10  
33:1 34:12 40:4 47:9  
47:12 68:7 76:18  
88:17  
**ten** 55:13 73:14  
**terms** 12:20 27:21  
90:16  
**testament** 32:1  
**testified** 32:23 60:1  
83:9  
**testify** 17:7 59:15,19  
**testimonies** 14:24  
**testimony** 31:21,23,25  
88:22  
**thank** 3:19 4:5 17:25  
18:16,16 28:13 31:18  
49:13,14 53:19 54:19  
55:17,23 58:24,25  
59:1,5 61:19,21 65:9  
65:14 69:2,6,7 70:7  
77:15,15,16,17 81:24  
81:25 82:1 84:21 89:7  
90:8,10,13 91:17  
92:11 94:7,11,13,15  
94:17 96:14,16,21  
**thanks** 28:14 90:14  
**thereof** 24:19  
**things** 6:8,23,24 29:3,7  
30:2 66:7 73:22 74:8  
75:13 76:7 78:20  
87:22 91:8  
**third** 10:3 35:6  
**three** 12:23 46:10 48:2  
55:2 74:24  
**three-course** 43:9  
**three-hour** 19:19  
**three-pound** 79:8  
**thrilled** 73:7  
**thunder** 18:9,12  
**Thursday** 36:11,16 37:1  
37:6,19,23 38:10,18  
39:1,11,18 50:15  
56:19 57:5,24 64:8  
**Tiger** 35:11,14 39:9,10  
47:18 72:23  
**till** 12:8 39:6 51:4 89:13  
89:15  
**timeframe** 65:11  
**timely** 96:12  
**times** 21:23 26:2,3 40:8

40:15 41:7 50:9,11  
53:15 60:21 84:11  
**title** 33:9  
**today** 17:19 20:19,24  
84:22 94:8,8 96:15,18  
**told** 28:20 50:18 85:3  
**tone** 12:6,19  
**tonight** 25:23  
**top** 55:12 67:12  
**tops** 78:16  
**totally** 68:4,17  
**tourism** 76:23  
**traditional** 80:4  
**traffic** 47:11  
**trained** 73:21  
**transcribing** 72:14  
**trash** 26:23,24,25 27:3  
27:6,16 43:4  
**traveling** 23:12,15  
**truly** 74:13,14  
**try** 3:21 66:10 92:14  
**trying** 5:5 8:25 14:1  
65:22 85:21 86:5,10  
86:16  
**Tuesday** 64:5  
**turn** 40:11 60:21 68:2  
**turning** 50:13  
**twice** 27:7  
**two** 3:22 6:23 19:11,23  
26:4 27:1,23 28:21  
30:2 34:8 46:10 50:16  
54:25 70:19,21 71:4  
75:7 78:16  
**two-** 19:19 27:1  
**two-hour** 45:3  
**two-top** 71:1  
**type** 35:21 37:10 87:20  
**types** 71:18,20  
**typical** 22:22 33:11  
49:23 50:1  
**typically** 22:21 64:9  
70:24 71:3

---

**U**


---

**U** 30:24 74:10  
**Ubers** 47:20  
**unable** 92:15  
**uncommon** 52:9  
**understand** 22:12,12  
24:4,20 56:13,17 68:3  
69:21  
**understanding** 6:16  
19:3 24:13  
**understood** 7:16 25:14  
**undivided** 3:25  
**unfortunately** 27:5 32:4  
**unique** 12:25 19:12  
54:4 79:1

**unmute** 49:4,5,7,8,12  
**unusual** 92:10  
**upstairs** 72:22 78:4  
**use** 12:5,6 20:6 27:18  
31:4 68:25 80:8  
**usually** 79:19  
**utilize** 88:2  
**utilized** 21:14  
**utilizing** 22:5

---

**V**


---

**vacant** 25:13  
**value** 75:12  
**venture** 74:12  
**verbalize** 81:14  
**version** 62:16  
**versus** 20:11 31:8  
**vertically** 66:24  
**vibrant** 28:8  
**video** 68:2  
**videoconference** 1:14  
**view** 73:3  
**violated** 89:21  
**violation** 24:17,18 50:5  
50:6 58:15,16 61:1  
89:23,23,24  
**violations** 27:14 40:15  
40:18,21 49:24 58:20  
58:22 95:8  
**visit** 20:24 40:5 47:6  
**visited** 47:2 50:10  
53:10 87:11  
**visiting** 53:13 76:8  
**visits** 21:3 29:25 52:14  
52:17  
**voices** 22:23  
**volume** 12:6 22:15,18  
**voluntarily** 22:2  
**voluntary** 24:15,17,22  
**vote** 93:15 95:18

---

**W**


---

**W** 1:14,17  
**wait** 66:12  
**waiting** 52:19,24  
**walk** 43:6 79:3  
**walking** 52:18 83:18  
**wall** 78:16  
**walls** 68:25  
**wanted** 4:21 47:1 63:18  
65:16 69:9 70:5,6  
81:18 86:2  
**wants** 5:13,14  
**wasn't** 47:23 53:16  
**way** 5:2 23:23 24:22  
28:18 74:20  
**ways** 74:18  
**WebEx** 1:14

**website** 96:11  
**Wednesday** 1:11 64:8  
**week** 13:24 14:4 23:7  
27:7,7 38:7 57:11  
58:8 66:19  
**weeks** 28:21  
**weird** 85:12  
**welcome** 53:21 59:7  
**welded** 66:21  
**went** 12:11 40:5,9 50:15  
67:24 84:25 85:3  
96:24  
**weren't** 22:5 52:21  
54:15  
**west** 23:12,14  
**whatsoever** 27:10  
**willing** 15:13 26:18  
60:12,13  
**win** 28:6  
**window** 12:1  
**windows** 11:24,24  
41:14 80:18  
**wine** 20:4 71:8,10 78:19  
**winter** 81:10  
**wish** 17:21 28:15  
**withdrew** 75:9  
**witness** 2:5 16:5 32:16  
32:22 53:21 54:11  
56:5 59:10,25 60:8  
62:13,23 65:13 68:4  
70:7 72:10,19 81:16  
82:8 83:8,13  
**witnesses** 17:6,8,9,11  
59:12  
**wood** 66:22,23  
**wooden** 66:5  
**work** 18:3 23:16 24:11  
29:22 30:22 32:5  
60:12 61:2,15 67:1  
84:4  
**worked** 20:9 74:21  
89:25  
**working** 12:14 23:20  
27:20 29:5 33:9 66:10  
91:7 92:12  
**would've** 22:19  
**write** 18:5 32:7  
**writing** 28:21  
**written** 62:21 63:9  
**wrote** 8:6 65:15

---

**X**


---



---

**Y**


---

**yard** 27:2  
**year** 85:11  
**years** 27:24 29:13 33:7  
49:18 74:24

**yelling** 13:13

---

**Z**


---

**zoning** 42:21 68:18

---

**0**


---

**00051** 3:5

---

**1**


---

**1,000** 71:11  
**1,200** 34:18,21 42:23  
86:14 88:2  
**1,200-square-foot**  
54:23 55:9  
**1,500** 78:11  
**1.3** 75:3  
**1:00** 10:10,23 13:5 14:5  
14:7 15:6,13,23 37:18  
38:7 39:18 47:7 51:4  
51:5,12 57:24 62:10  
63:5 64:3 65:10 89:15  
**1:30** 3:23 38:17,22 39:6  
**10** 43:11  
**10:00** 10:8,10,12,16,23  
11:2 13:5 15:1,6,23  
15:24 23:22 24:3 25:2  
25:4,5,6,7,10,12,18  
25:19 56:21 57:1,5,7  
57:12 62:7,8,10,11  
63:3,4,6 64:6 65:10  
89:13,15,17 91:12,15  
**10:30** 12:13 36:12,25  
37:3,24  
**10:45** 64:8  
**100** 64:2 73:15,18 81:12  
**11** 43:13  
**11:00** 38:10 39:17,18,21  
64:9  
**11:30** 25:24  
**11:45** 13:20,22 14:3  
26:8 64:14  
**114552** 1:8 3:5  
**12** 43:15  
**12:00** 10:8,12,16 11:3  
11:17 15:2,24 37:8  
38:12 39:3 47:6 57:23  
57:24,25,25 62:12  
63:3,7 89:13,17 91:12  
**12:30** 37:25 38:1 39:2,3  
39:4 47:6 51:5  
**120** 70:25 71:13  
**13** 43:17 44:10 80:14  
**14** 43:18 80:14,14  
**15** 14:8 20:3 43:20  
**150** 70:25  
**16** 43:22 78:15  
**17** 2:3 43:23  
**18** 43:24

19 43:25

---

**2**

---

2 42:21

2- 93:6

2-575 93:2 94:5

2-575(b) 95:2

2-575(b)(14) 95:2

2-757(b)(13) 93:10

2:00 21:7 36:17 37:19

39:12,19,21,22 56:21

57:1,6 58:1 65:2,3,5,6

2:30 38:19

20 44:1 50:9

200 46:11

2013 74:3

2018 74:23

2022 1:12 40:6,7,13,14

40:16,16 42:14 74:24

95:4,12,13

20th 40:16

21 44:4

21st 40:14

22 44:6 78:14 80:13

81:9

22-PRO- 3:4

22-PRO-00051 1:8 93:5

93:8

23 83:21

24 44:12 80:13

25 44:15

250 11:24,25

26 1:12 44:17 45:8,8

27 44:19,22 45:20,22,25

28 2:4 45:21,22 46:3

28th 40:16 95:13

29 44:25

2F 1:7

2nd 95:4,12

---

**3**

---

3 42:22

3:00 21:8 36:18,21,22

39:13 57:7,13

30 45:2 86:13

300 46:11,12 71:12

30th 55:4

31 34:20 45:3

32 2:7

34 80:12

3rd 40:7

---

**4**

---

4 42:24

4:00 36:16,18,20,25

37:2,8

4:31 3:2

400 42:25 86:8,16

46 80:22

48 2:7

4th 21:11 40:6 74:24

---

**5**

---

5 43:1

5:45 26:6

5:51 67:24

5:55 67:25

500 11:25

54 2:7

575(a)(4)(a) 93:7

---

**6**

---

6 43:3 56:1

6:29 96:24

60 55:14 71:3 79:20

600 34:23 35:1 85:5

600- 54:22

61 2:8

---

**7**

---

7 43:5 56:1

7:00 37:18,19

70 71:9,13

72 81:11

725 41:6

75 2:8

---

**8**

---

8 43:7

8:00 36:12,13 37:24,25

38:7,10,11,17,18,21

38:22 39:2,6,11,13

8:45 26:7

80 71:9

800 80:25

81 2:9

85 70:23

85- 78:17

86 2:11

87 2:12

8th 74:2

---

**9**

---

9 43:9

9/2/22 47:6

9/3 47:7

9:30 25:18,23

90 92:17,19 94:11

920 1:7 34:14

95 73:14

9th 26:20 40:13 44:5,7

45:1,5 85:23 87:1

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**NEAL R. GROSS**

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