



**ALSO PRESENT:**

**RISA HIRAO, COUNSEL FOR APPLICANT  
GIUSSEPPE FARRUGGIO, APPLICANT  
TERESA FARRUGGIO, APPLICANT  
JOHN UHAR, PROTESTANT  
ROGER UHAR, PROTESTANT  
INVESTIGATOR SHANELL MURRAY, DC ABRA  
ABDERRAHMAN MOUHSSINE, WITNESS  
DAGOPERTO ITALO RODRIGUEZ, WITNESS  
WILLIAM VERNO, WITNESS  
IRENE ADLER, WITNESS  
GARETH LESTRADE, DC MPD  
ABDUL MOUHSSINE, WITNESS**

CONTENTS

Opening Statement

Applicant . . . . . 50

Protestant . . . . . 52

Abdul Mouhssine . . . . . 71

Guiseppe Farruggio . . . . . 123

Italo Rodriguez . . . . . 150

Bill Verno . . . . . 172

John Uhar . . . . . 182

Closing Statement

Applicant . . . . . 252

Protestant . . . . . 253

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

2 (1:40 p.m.)

3 CHAIRPERSON ANDERSON: Our next case is  
4 a protest hearing, case number 19-PRO-00033 Il  
5 Canale, license number 83707. Will the parties  
6 please approach and identify themselves for the  
7 record, please?

8 MS. HIRAO: Risa Hirao, counsel for Il  
9 Canale. And Chairman, I apologize for the  
10 seating switcher. We had a technical issue, so -  
11 -

12 CHAIRPERSON ANDERSON: That's fine.

13 MS. HIRAO: I'm sorry.

14 CHAIRPERSON ANDERSON: That's fine.  
15 And who is with you?

16 MS. HIRAO: And to my left is Giuseppe  
17 Farruggio.

18 MR. FARRUGGIO: Giuseppe Farruggio.

19 CHAIRPERSON ANDERSON: Good afternoon,  
20 sir.

21 MS. HIRAO: Your Honor. And --

22 MR. FARRUGGIO: Wife.

23 MS. HIRAO: -- to his left is his wife  
24 for moral support

25 CHAIRPERSON ANDERSON: And her name?

1 MS. FARRUGGIO: Teresa.

2 MR. FARRUGGIO: Teresa Farruggio.

3 MS. FARRUGGIO: Teresa Farruggio.

4 CHAIRPERSON ANDERSON: Good afternoon.

5 There is a sign in sheet, so make sure you sign

6 in, please. And who do we have for the

7 protestant?

8 MR. R. UHAR: Roger Uhar.

9 CHAIRPERSON ANDERSON: Good afternoon.

10 MR. R. UHAR: Abutting property owner.

11 CHAIRPERSON ANDERSON: Good afternoon,

12 sir.

13 MR. J. UHAR: John Uhar. Abutting

14 property owner.

15 CHAIRPERSON ANDERSON: Good afternoon.

16 This matter comes before the Board as a protest

17 in application to renew Il Canale's retail ABC

18 license, located at 1063 to 1065 31st Street

19 Northwest.

20 By way of background, the Board's

21 record reflects the following. The renewal

22 application was placarded on March 29, 2019. The

23 application was protested by one, ANC 2E. That

24 was May 13, 2019, represented by Commissioner

25 Lisa Palmer. Number two, John Uhar, abutting

1 property owner, on May 10th, 2013, and Robert  
2 Uhar, abutting property owner, on May 31st, 2019.

3 The roll call hearing was held on May  
4 28th, 2019, and standing was conferred on all  
5 protestants. The protest hearing was originally  
6 scheduled for September 11th, 2019, but was  
7 continued until October 23rd, 2019, and again to  
8 today's date.

9 Subsequent to the roll call but prior  
10 to the protest hearing, the ANC entered in a  
11 settlement agreement with the Applicant, leaving  
12 only two abutting property owners as the  
13 remaining protestors for purpose of this hearing.

14 Okay, let's now turn our attention to  
15 those preliminary matters that need to be  
16 addressed by the Board before we can commence  
17 with the protest hearing on the renewal  
18 application.

19 The Board is aware of two issues, one  
20 that concerns the subpoenas requested by  
21 protestant John Uhar and the other issue concerns  
22 the untimely filing of witnesses and exhibits by  
23 Mr. Uhar.

24 Counsel for the Applicant seeks to  
25 quash the subpoenas and seeks to limit the

1 protestant's exhibits and witnesses to those that  
2 were filed by the deadline. With regard to  
3 subpoena, protest Uhar submitted a request for  
4 the issuance of subpoenas to compel the  
5 attendance and testimony of eight witnesses.

6 The subpoena request was originally  
7 incomplete and Mr. Uhar provided the remaining  
8 addresses and information on November 15th, 2019.  
9 Through the efforts of two of our supervisor  
10 investigators, service was either had or  
11 attempted prior to today's hearings.

12 Of the eight subpoenas issued, only  
13 two were successfully served. We now have the  
14 Applicant's motion to quash the subpoenas, though  
15 two were already served.

16 Regardless, the Board will take oral  
17 arguments from the parties regarding these  
18 subpoenas and whether the witnesses sought by the  
19 protestant are relevant to these proceedings,  
20 especially given that this is a hearing on the  
21 renewal of the Applicant's ABC license.

22 Let's have arguments on the subpoenas  
23 so we can, who is John? Okay, so tell us about  
24 the subpoenas, sir.

25 MR. J. UHAR: I had sent to Ms.

1 Jenkins a list of the subpoenaed people that I  
2 wished to appear today because I am arguing for  
3 the revocation of the license under Haight v. the  
4 ABC Board.

5 In the Haight v. ABC Board, says that  
6 only illegal actions can be accepted as evidence.  
7 You have before you from a myriad of agencies,  
8 numerous incidences of falsehoods in  
9 applications, permits, testimony, as set forth in  
10 my complaint.

11 CHAIRPERSON ANDERSON: We're just  
12 talking about the subpoenas.

13 MR. J. UHAR: Yes.

14 CHAIRPERSON ANDERSON: We're not,  
15 okay. So, we're not --

16 MR. J. UHAR: So, these folks have  
17 actual knowledge of the illegal acts. And I do  
18 have the record here that I had submitted to Ms.  
19 Jenkins where she told me that I did not have to  
20 give notice to Ms. Hirao of the subpoenas that I  
21 asked for. And I think the record will state  
22 that.

23 CHAIRPERSON ANDERSON: I can't answer  
24 that question, sir.

25 MR. J. UHAR: Well, I think perhaps



1 Ms. Jenkins can.

2 CHAIRPERSON: You're saying to Ms.  
3 Jenkins that what?

4 MR. J. UHAR: I gave Ms. Jenkins  
5 notice of the subpoenas well in advance of the  
6 seven days. I asked Ms. Jenkins if I needed to  
7 let Ms. Hirao know of the subpoenas. She said  
8 no.

9 And so the delay in the subpoenas was  
10 not caused by me, and the fact that, I'm not  
11 talking about property values or any of those  
12 things. I'm talking about illegal acts. And  
13 each of these people has evidence of the illegal  
14 acts. If you can wait for a minute, perhaps you  
15 might want to talk while I find the exhibit.

16 CHAIRPERSON ANDERSON: All right. The  
17 first issue is whether or not the subpoenas were  
18 untimely submitted. I mean, there's, and I've  
19 not looked at your PIF, so I think, I'll say if  
20 you're going to subpoena someone, then the name  
21 has to be listed in the PIF. So were all these  
22 names listed in your PIF?

23 MR. J. UHAR: No, but I also asked,  
24 first of all, I'm not an attorney. And I've been  
25 burdened by the Applicant and his folks, and I

1 asked the ABC Board, Ms. Jenkins, and the staff  
2 if I could just see an example of how this all  
3 went out so I would not waste your time.

4 CHAIRPERSON ANDERSON: Hold on a  
5 minute, sir. Hold on. You were here for the  
6 protest hearing status, is that correct?

7 MR. J. UHAR: That's correct.

8 CHAIRPERSON ANDERSON: And at the  
9 protest hearing status, and when did we have the  
10 protest hearing status?

11 MR J. UHAR: I think it was the 11th  
12 of September.

13 CHAIRPERSON ANDERSON: September 11th,  
14 I specifically told everybody, I read the  
15 instructions, and I also told everyone, if you  
16 have any questions, you can call Ms. Randall.

17 Well, Ms. Randall does work for Ms.  
18 Jenkins, the general counsel, so that's part of  
19 the office. And I told all parties what needs to  
20 be done.

21 I also informed all parties that seven  
22 days before the hearing, any witnesses that  
23 you're going to rely on, they have to be listed  
24 in the PIF. Now I don't want to be told that I  
25 did not know that I didn't have to list the

1 person's name in the PIF.

2 Now if you say to me that you got  
3 incorrect information how to serve a subpoena or  
4 a subpoena was not properly served, that's a  
5 different issue. But as a first issue, though, I  
6 specifically stated, if you're going to rely, any  
7 document or witnesses you're going to rely on, it  
8 has to be exchanged seven days prior.

9 MR. J. UHAR: Understood.

10 CHAIRPERSON ANDERSON: Are those names  
11 in your PIF?

12 MR. J. UHAR: No, and the --

13 CHAIRPERSON ANDERSON: And why are  
14 they not in your PIF?

15 MR. J. UHAR: Because I have been  
16 given incorrect information by everyone in ABRA,  
17 from --

18 CHAIRPERSON ANDERSON: But I told you  
19 sir --

20 MR. J. UHAR: I asked ABRA.

21 CHAIRPERSON ANDERSON: No, but I told  
22 you, sir. You came to me. No, sir. You came to  
23 me and I'm not going to talk about what  
24 information was given you subsequent.

25 But one of the first discussions that

1 the Board gave you, we're having a protest  
2 hearing. Seven days before the protest hearing  
3 you have to provide the documents or witnesses.  
4 That's what I said.

5 Now if you told me I did not tell you  
6 that at this protest hearing status, but I don't  
7 understand, if we sat here, I told both parties  
8 to say that these are the documents. We have to  
9 exchange the documents or witnesses seven days  
10 before, don't tell me someone else told you that  
11 you didn't have to do that.

12 I'm not talking about the technicality  
13 of serving a subpoena. That's a different issue.  
14 So if you say to me, I didn't quite understand.  
15 I spoke to General Counsel. I told him I wanted  
16 to do a subpoena but they never told me exactly  
17 how to do it, they didn't tell me how much time  
18 to do it, they didn't tell me that I needed to do  
19 the address.

20 If you say that to me, then we'll have  
21 further discussion. But if you're saying to me  
22 that, well, I did not know that I'm subpoenaing  
23 these witnesses but I did not know because  
24 someone told me that their names didn't have to  
25 be in a PIF, I don't want to hear that.

1 I'm saying I don't want to hear that,  
2 sir, because I specifically told all the parties  
3 as part of the instructions that I read at the  
4 protest hearing status. I talk about that to  
5 say, if that's not done, then the Board might,  
6 unless you can tell us why it was not, the cause,  
7 then it's more likely for us not to include that.

8 MR. J. UHAR: Understood. And I have  
9 here Ms. Jenkins --

10 CHAIRPERSON ANDERSON: Yes, Ms.  
11 Jenkins said what?

12 MR. J. UHAR: Let me read it for you.  
13 This is Thursday, November 14th. Well, let me  
14 read --

15 CHAIRPERSON ANDERSON: When was the  
16 PIF due?

17 MR. J. UHAR: It was due the 13th.

18 CHAIRPERSON ANDERSON: The 13th.

19 MR. J. UHAR: Okay.

20 CHAIRPERSON ANDERSON: The PIF was due  
21 the 13th, and you're telling me that Ms. Jenkins  
22 sent you an email on the 14th, so --

23 MR. J. UHAR: No. I'm reading  
24 backwards. Let's start from the beginning.

25 CHAIRPERSON ANDERSON: Yes, go ahead,

1 sir.

2 MR. J. UHAR: On the 22nd of October,  
3 I requested and I copied Mr. Powell, and Ms.  
4 Randall about CFA FOIA requests.

5 And I said, good afternoon, Ms.  
6 Raposa, because Mr. Martinez has critical  
7 information relative to outstanding sidewalk café  
8 issues, we will need to call Mr. Martinez as a  
9 witness.

10 I am copying Ms. April Randall,  
11 attorney for DC ABRA, and Jared Powell, Public  
12 Information Officer, for assistance with the  
13 subpoena process for Mr. Martinez. I apologize  
14 in advance for any burden placed upon Mr. Jose  
15 Martinez, but I would like to believe Mr.  
16 Martinez would want to assist us in clearing up  
17 the inconsistencies in the application and the  
18 process.

19 CHAIRPERSON ANDERSON: Okay.

20 MR. J. UHAR: And then on Tuesday,  
21 October 22nd, Ms. Randall replies, good  
22 afternoon, Mr. Uhar. Thank you for including me  
23 on the email below. Regarding your subpoena  
24 request, please submit your request in writing to  
25 the Board. Please ensure that it is signed.

1 CHAIRPERSON ANDERSON: Okay.

2 MR. J. UHAR: And I did do that.

3 CHAIRPERSON ANDERSON: All right.

4 MR. J. UHAR: And then, on Tuesday,  
5 October 22nd, I said, thank you. I will get to  
6 work on the signed request to the Board.

7 In addition to Mr. Martinez, I  
8 respectfully will be requesting ABRA to subpoena  
9 the following witnesses. Do I need a separate  
10 letter request to call each of the following to  
11 testify?

12 One, Hossein "Shawn" Korshidi, the  
13 landlord of 1063 31st Street, who transferred his  
14 Alamo Grill of Georgetown license to Fratelli la  
15 Bufala before it was transferred again to Il  
16 Canale.

17 Mr. Korshidi should have the original  
18 lease. All ABRA has is a subsequent sublease  
19 between Mr. Farruggio and himself, once he got  
20 rid of his Fratelli la Bufala partners. Two

21 MS. HIRAO: If I can interject, he's  
22 reading from a document that has, we don't have a  
23 copy of.

24 CHAIRPERSON ANDERSON: Where we are,  
25 we're not, this is not something substantive.

1 I'm just trying to find out where we are. I  
2 mean, I believe what has been provided is that  
3 he's telling me that he has submitted a letter to  
4 ABRA asking to subpoena folks. So that's what  
5 I'm hearing. So I'm trying to hear the process  
6 that was followed. So far so good.

7 MS. HIRAO: I would like to ensure  
8 he's reading everything correctly and in context  
9 and not self-editing, though.

10 CHAIRPERSON ANDERSON: I don't know  
11 the case. All I'm trying to do is a process  
12 because there's a subpoena. So I'm just trying  
13 to find the process of, what I've heard so far is  
14 that contact was made to our General Counsel  
15 staff asking for the process of how to issue a  
16 subpoena, and that's what I'm hearing. To me,  
17 the fact part is not important. But I don't  
18 believe you're an attorney. Are you an attorney,  
19 sir?

20 MR. J. UHAR: No, I'm not.

21 CHAIRPERSON ANDERSON: Okay. So  
22 because you're not an attorney, then I'll give  
23 you some leeway. And, you know, if you're not an  
24 attorney, we're going to elaborate a little bit  
25 more, so I'll give more people more leeway. I'll



1 be more difficult with you, though, because  
2 you're an attorney.

3 MS. HIRAO: I'm older.

4 CHAIRPERSON ANDERSON: Huh?

5 MS. HIRAO: I'm a senior lady.

6 CHAIRPERSON ANDERSON: But you are  
7 still an attorney. And so because you're older,  
8 you are more seasoned. So therefore, I have even  
9 much more higher expectation of you, because I'm  
10 saying you're a more seasoned attorney. So you  
11 should know better. But I digress.

12 MS. HIRAO: Okay.

13 CHAIRPERSON ANDERSON: No, but I'm  
14 just trying to find process, sir.

15 MR. J. UHAR: Yes. The second one was  
16 Robert L. Moore, Senior, landlord of 1065 31st,  
17 needs to be compelled to testify concerning  
18 skylights and other alterations made by Il Canale  
19 in violation of CFA, that's the Commission on  
20 Fine Arts.

21 Number three, Robert L. Moore, Junior,  
22 landlord's son, who needs to be compelled to  
23 testify concerning the restaurant Il Canale  
24 claims they took over 1065 31st. Having but clam  
25 chowder, I only a few soup warmers and steamers

1 for crabs.

2 The fourth person was Meredith  
3 Moldenhauer, Esquire, of Cozen O'Conner, needs to  
4 be compelled to testify about false documents  
5 submitted to Matt LeGrant of the DC Government.

6 Number Five, David Harrison, Esquire,  
7 needs to be compelled to testify about false  
8 documents submitted to DCRA for the Sidewalk  
9 Café.

10 Six, Mark Griffin, Esquire, needs to  
11 be compelled to testify about a cease and desist  
12 letter, intended to burden me and obstruct  
13 legitimate complaints.

14 Number seven, Bill Maiden, AIA of  
15 Maiden and Associates, needs to be compelled to  
16 testify about false documents submitted to DCRA,  
17 CFA, and others.

18 Eight, Leo Boeckl, architect,  
19 submitted false plan to CFA, expanding the  
20 Sidewalk Café from 1063 to 1065 31st Street.  
21 Should I forward this email to Ms. Hirao on  
22 behalf of Il Canale?

23 Lastly, when can I review the Trump  
24 Hotel protest? Unlike the Trump protest, I am  
25 protesting Il Canale's research on a 1981 liquor

1 license case, Haight v. ABC Board, in which the  
2 DC Court of Appeals seemed argue that good  
3 character merely prohibits, quote, illegal  
4 conduct and no more.

5 The witnesses I wish to subpoena above  
6 are all integral to my case, but I would like to  
7 review the Trump case to familiarize myself with  
8 the process.

9 CHAIRPERSON ANDERSON: So you sent  
10 the, you requested that the Board subpoena these  
11 witnesses, and so what happened after that?

12 MR. J. UHAR: On Thursday, November  
13 14th, Mr. Uhar --

14 CHAIRPERSON ANDERSON: I'm sorry, when  
15 was that?

16 MR. J. UHAR: This was sent October  
17 22nd.

18 CHAIRPERSON ANDERSON: What was the  
19 response after, to the agency October 22nd  
20 written correspondence?

21 MR. J. UHAR: I'm reading up. I see  
22 on November 4th.

23 CHAIRPERSON ANDERSON: So you're  
24 saying that you sent us an email on October 22nd  
25 and we didn't respond until November 4th?

1 MR. J. UHAR: Mm-hm. On Thursday,  
2 November 14th, at 4:56 p.m.

3 CHAIRPERSON ANDERSON: No, are you  
4 telling me that Agency did not respond to your  
5 email for almost three weeks?

6 MR. J. UHAR: I'm reading off an email  
7 chain. It'll be in all your records. But if I  
8 could continue, this is from Ms. Jenkins.

9 CHAIRPERSON ANDERSON: Again, the  
10 dates are important. That's why I'm --

11 MR. J. UHAR: Oh, understood.

12 CHAIRPERSON ANDERSON: All right.

13 MR. J. UHAR: This, you know, you read  
14 these all --

15 CHAIRPERSON ANDERSON: All right.

16 MR. J. UHAR: Yeah. Anyway, Mr. Uhar,  
17 we have prepared the subpoenas for the two  
18 landlords to appear at next week's hearing. The  
19 other six are ready as well, except that we  
20 cannot finalize them without an address.

21 Please provide at your convenience,  
22 and then we can get them served over the weekend.  
23 Thank you. And I said, I thank you. I will have  
24 the addresses for you the first thing in the  
25 morning. And I have that here. No, it's not

1 here. I did give the addresses in time.

2 CHAIRPERSON ANDERSON: Okay. And I  
3 signed off on the subpoenas. I remember. But  
4 still, why were the names not listed in the PIF?

5 MR. J. UHAR: The record will show, if  
6 we were to review the email correspondence  
7 between me and Ms. Jenkins or Ms. Randall, that I  
8 asked if Ms. Hirao be --

9 CHAIRPERSON ANDERSON: No. That's  
10 something different, sir. It's irrelevant. It  
11 wasn't that she should be in the email chain.  
12 The relevancy I'm asking you is, are the  
13 witnesses you're trying to, the people you're  
14 trying to subpoena, were they supposed to be here  
15 today to testify on your behalf?

16 MR. J. UHAR: No. They are  
17 adversarial. That's why they had to be  
18 subpoenaed.

19 CHAIRPERSON ANDERSON: Yes, but  
20 they'll be here to testify on your behalf.  
21 Positive or negative. Your subpoenaing these  
22 people because they were part of your case in  
23 chief, is that correct?

24 MR. J. UHAR: Yes.

25 CHAIRPERSON ANDERSON: Right. So

1 aren't these people witnesses that should have  
2 been in your PIF?

3 MR. J. UHAR: I asked for guidance  
4 from ABRA and I was told, I wasn't given an  
5 answer.

6 CHAIRPERSON ANDERSON: But I told you  
7 that any witness that you had, any documents that  
8 you have, must be listed in your PIF. I told you  
9 that when you last were here.

10 MR. J. UHAR: I remember that. I read  
11 the document.

12 CHAIRPERSON ANDERSON: So if I told  
13 you that they should be listed, you know, I  
14 understand there might be some confusion about  
15 how a subpoena has been served.

16 I understand that that. That's clear.  
17 But whether or not the subpoena is served or not,  
18 the issue is that these people need to be in  
19 your, because it's not supposed to be a surprise.

20 MR. J. UHAR: Understood. But I asked  
21 your agent and I only acted upon the advice of  
22 your agent, which is your legal counsel.

23 CHAIRPERSON ANDERSON: But I told you  
24 that before you asked my agent.

25 MR. J. UHAR: I asked your legal

1 counsel. Are you an attorney?

2 CHAIRPERSON ANDERSON: Yes. I am an  
3 attorney here. There are two attorneys on the  
4 Board, but the Board Chair has to be an attorney.  
5 So I am an attorney.

6 MR. J. UHAR: Okay.

7 CHAIRPERSON ANDERSON: But what I told  
8 you at our pre-hearing conference is that if  
9 you're going to have documents or witnesses, it  
10 has to be listed.

11 So anyways, so where are we with the  
12 subpoenas and what are you asking the Board to do  
13 with these witnesses and subpoenas? What is it  
14 that the Board is being asked to decide today  
15 regarding that specific issue?

16 MR. J. UHAR: Well, as previously read  
17 into my testimony, because I am arguing about  
18 illegal actions that are evidenced in my  
19 documents, I ask that the pertinent people, who  
20 were not my friends, I mean, I just wanted  
21 somebody to come up and tell the truth, and I got  
22 two back yesterday.

23 This is from Ms. Jenkins yesterday.  
24 The two investigators just left my office.  
25 Please see the attached subpoenas. Some were

1 successfully served. Most were not.

2 The Board will discuss this issue with  
3 the parties at the beginning of the hearing.

4 Thank you.

5 CHAIRPERSON ANDERSON: Do you have  
6 anything else you want to say on that issue, sir?

7 MR. J. UHAR: Yes. On Tuesday,  
8 November 19th, Ms. Jenkins also informed me that,  
9 about the subpoena process, stating, Mr. Uhar,  
10 please see below.

11 The law and regulations provide for  
12 the issuance of subpoenas and prescribe how they  
13 are to be served. It is has been my experience  
14 that the Board does not pursue a request to the  
15 Superior Court to compel witnesses who fail to  
16 appear.

17 If your witnesses fail to appear  
18 tomorrow, you may take that up with the Board as  
19 a preliminary matter at the commencement of the  
20 hearing.

21 You are also welcome to orally request  
22 a continuance at that time. And then she sent  
23 25-443 of DCMR, subpoena of witness, and this is  
24 something that, which is why I would like,  
25 because I'm dealing with criminal actions, it is



1 Section 25-443(c), in the case of contumacy, or  
2 refusal to obey a subpoena, the Superior Court of  
3 the District of Columbia, upon written request by  
4 the Board, shall issue an order requiring the  
5 contumacious person to appear and testify before  
6 the Board or to produce evidence if so ordered.

7 So I think that it should be continued  
8 until the people who have firsthand knowledge of  
9 these criminal and illegal actions come and  
10 testify.

11 CHAIRPERSON ANDERSON: And so you're  
12 saying that these are relevant and critical  
13 witnesses for your case today?

14 MR. J. UHAR: Absolutely.

15 CHAIRPERSON ANDERSON: Because you  
16 believe that the Applicant has, there's some  
17 criminal actions that these witnesses could prove  
18 on your case, that the Applicant has committed.  
19 That's your argument?

20 MR. J. UHAR: Yes, sir. I'm not  
21 protesting under any other section. I believe  
22 it's 25-301, good character clause.

23 MS. HIRAO: Chairman, I am so sorry.  
24 Mr. Farruggio is not feeling well right now. Can  
25 we take a break so that he can get fresh air?

1 It's quite hot here.

2 CHAIRPERSON ANDERSON: Sure. We'll  
3 take a ten-minute break.

4 MS. HIRAO: Thank you very much.

5 CHAIRPERSON ANDERSON: All right.  
6 We're off the record.

7 (Whereupon, the above-entitled matter  
8 went off the record at 2:05 p.m. and resumed at  
9 2:13 p.m.)

10 CHAIRPERSON ANDERSON: We're back on  
11 the record. Any response?

12 MS. HIRAO: Oh, I'm sorry. What was  
13 that? Any response?

14 CHAIRPERSON ANDERSON: Any response?

15 MS. HIRAO: The purpose of the PIF is  
16 to provide the parties in the case notice as far  
17 as who is going to testify in the protest  
18 hearing. What Mr. Uhar is failing to understand  
19 is, there is a difference between subpoena and a  
20 list of witnesses, which is clearly written on  
21 the PIF form.

22 A subpoena is how you bring that  
23 particular person to the venue, such as this  
24 hearing. The list of witnesses, well, I think a  
25 fifth grader would understand how to write down a

1 list of witnesses here.

2 Without the list of witnesses, we have  
3 no idea who's going to come out and testify and  
4 challenge the appropriateness of Il Canale to  
5 hold a license.

6 And then secondly there's the issue  
7 about scope. What's the scope of these  
8 witnesses? How are they going to testify?

9 And also, with respect to the  
10 subpoena, you know, it's kind of like we have  
11 seven witnesses on one PIF, then two, then it  
12 expands and contracts.

13 That's not what a PIF is supposed to  
14 be about, and that's not what fairness is  
15 supposed to be about, as far as an Applicant who  
16 has had their business in Georgetown for ten  
17 years, trying to maintain their license, being a  
18 good citizen.

19 And now to kind of guess or maybe test  
20 the wind to figure out when the protestant is  
21 going to produce another individual to testify on  
22 his behalf out of thin air. This process needs  
23 to be about fairness and transparency, and we  
24 need to know the scope.

25 Is the testimony within the scope of

1 what this Board is charged to assess, which is  
2 the appropriateness standard of holding an  
3 alcohol license? And also whether you're fit to  
4 hold a license.

5 So we would like the individuals that  
6 have been subpoenaed that are not on the list to  
7 be, those subpoenas should be quashed and not  
8 permitted to testify at the hearing. The other  
9 issue I turn to is Roger Uhar's PIF.

10 CHAIRPERSON ANDERSON: No. Hold on a  
11 minute. Let me just deal with, I'm going to get  
12 to that --

13 MS. HIRAO: Sure.

14 CHAIRPERSON ANDERSON: --shortly. So  
15 you're saying that, as far as the subpoena is  
16 concerned, what are you asking the Board to do?

17 MS. HIRAO: I want the subpoenas to be  
18 quashed and the individuals that were identified  
19 today by Mr. Uhar not to appear as a witness.

20 CHAIRPERSON ANDERSON: But none of  
21 those are, are any of those individuals in the  
22 PIF?

23 MS. HIRAO: No, they are not.

24 CHAIRPERSON ANDERSON: Okay. Then his  
25 second request is that we should provide a

1           continuance so he can get a chance to amend his  
2           PIF or to get them to show up.

3                       MS. HIRAO: He's had plenty of  
4           opportunity to get his ducks in a row, get his  
5           subpoena request in. And for us, we have worked  
6           hard to coordinate our schedules to make it to  
7           the Board appointed date of today.

8                       We are ready to go forward, and we do  
9           not agree to continue the hearing. We are ready  
10          to go forward.

11                      CHAIRPERSON ANDERSON: All right.  
12          Yes, sir, you have a final word on this issue.  
13          Do you have a response?

14                      MR. J. UHAR: Yes, I do. I'm just  
15          composing myself. First of all, the witness list  
16          changed after conversations and I narrowed by  
17          focus just to 25-301 and the illegal acts.

18                      And it's also my understanding that  
19          because my protest is about illegal acts, that I  
20          fall outside, I don't have to be here today. It  
21          was in respect of the Board that I came here  
22          today. And then thirdly --

23                      CHAIRPERSON ANDERSON: Did you say you  
24          don't have to be here today? Why are you at the  
25          protest hearing?

1 MR. J. UHAR: Because these are  
2 criminal illegal activities --

3 CHAIRPERSON ANDERSON: Right.

4 MR. J. UHAR: -- that, it's my  
5 understanding that I don't have to wait every  
6 three years to complain about illegal activities.  
7 These are illegal activities and they can be  
8 heard anytime.

9 If you look at my record, everything  
10 that I have is lies and misrepresentation to DC  
11 ABRA, the United States Commission on Fine Arts,  
12 and DCRA and DDOT.

13 And then the third, the last statement  
14 I'd like to say is, Mr. Farruggio asked for an  
15 extension before. We willingly gave it to him,  
16 and I thought that it would be reciprocated. But  
17 I was told that I have to be here today and  
18 whatever the Board wishes I'm here to try to make  
19 it happen.

20 MS. HIRAO: If I may?

21 CHAIRPERSON ANDERSON: Yes, ma'am.

22 MS. HIRAO: The purpose of the initial  
23 continuance was so that the parties could engage  
24 in settlement negotiations. What we have here  
25 is, if you're going to have a request for a

1       continuance, you need to have good cause and file  
2       the motion within the time prescribed by the  
3       Board's rules.

4                       We don't have that here, and we have  
5       a last-minute request because Mr. Uhar overlooked  
6       or didn't follow or read the PIF form that says  
7       list your witnesses and provide a summary of your  
8       witnesses' testimony.

9                       A fourth grader can understand that.  
10       So as far as the good cause for continuance, I do  
11       not see that there is one. So I would like, and  
12       Mr. Farruggio would like, and especially the  
13       witnesses who have reorganized their time, they  
14       have rescheduled meetings, they have put this  
15       date on their calendar to go forward, I object to  
16       Mr. Uhar and the protestant's request and I don't  
17       hear Mr., the second Uhar, requesting a motion  
18       for continuance.

19                      But we vigorously oppose any  
20       continuance. We want to go forward today

21                      CHAIRPERSON ANDERSON: All right. My  
22       recommendation to the Board, and I'm going to ask  
23       the Board to vote on this, is that I agree that  
24       we should not grant a continuance.

25                      And so therefore, my recommendation to

1 the Board members is that we not grant a  
2 continuance. Is there a second?

3 MEMBER SHORT: I second.

4 CHAIRPERSON ANDERSON: Mr. Short has  
5 seconded the motion. All in favor, say aye.

6 GROUP: Aye.

7 CHAIRPERSON ANDERSON: All opposed?  
8 All right. The matter passes five to zero. So  
9 we're not going to grant the continuance as good  
10 cause has not been shown. Regarding the  
11 subpoena, my recommendation also to the Board is  
12 that we quash the subpoena and these witnesses  
13 not be allowed to testify. And my reasons for the  
14 support is that the instruction that was given  
15 specifically states that all document and  
16 witnesses must be disclosed seven days prior to  
17 the hearing.

18 And that was not done. I have not been  
19 told anything today to state that there was good  
20 cause why any of these witnesses were not listed.

21 There might have been issues with the  
22 process, and that's fine. If there are issues,  
23 if one didn't understand, if you're asking for  
24 more guidance from our legal office, what's the  
25 mechanism in serving a subpoena, that is fine.



1           And one can agree or disagree to say  
2 the legal office did or did not give you proper  
3 guidance. That's not here for discussion today.

4           But as a first instance if these are  
5 witnesses that you intend to call upon, they must  
6 be listed on the PIF. And no good cause has  
7 been, all I was told is that there were, I had  
8 conversation with the legal office about the  
9 process of service a subpoena, but since these  
10 witnesses are not listed on the PIF, so my  
11 recommendation to the Board is that the quash  
12 because they did not comply with the seven day  
13 rule to list the witnesses on the PIF. Is there  
14 a second?

15           MEMBER SHORT: Second.

16           CHAIRPERSON ANDERSON: Mr. Short has  
17 seconded the motion. All those in favor say aye.

18           GROUP: Aye.

19           CHAIRPERSON ANDERSON: Those opposed?  
20 The motion passed five zero. The second issue,  
21 then, you filed a motion in limine, Ms. Hirao.  
22 What's that motion? I've not read the motion.  
23 So what was the second motion that you filed?

24           MS. HIRAO: Sure, I'll break it down  
25 into pieces

1 CHAIRPERSON ANDERSON: Yes, ma'am.

2 MS. HIRAO: -- for the Board members.  
3 First, I will address Robert Uhar's PIF that was  
4 filed beyond the deadline on November 13th. So  
5 in the --

6 CHAIRPERSON ANDERSON: When was it  
7 filed?

8 MS. HIRAO: Pardon? I believe  
9 November 13th. Yes November 14th.

10 CHAIRPERSON ANDERSON: We was it due?

11 MS. HIRAO: November 13th.

12 CHAIRPERSON ANDERSON: It was due  
13 November 13th. It was filed November--

14 MS. HIRAO: It does not list any  
15 exhibits, but it does list a witness of Louise  
16 Sagalyn. I don't see Ms. Sagalyn here, but it  
17 might be moot. But, I do have an issue of  
18 listing Ms. Sagalyn and without providing what is  
19 the scope of her testimony, what's the scope of  
20 her testimony, that's one, the late filing of the  
21 PIF, and this probably is important because both  
22 protestants have a different distinct request for  
23 relief.

24 John Uhar is request revocation of the  
25 license. This Uhar is more focusing on the trash

1 aspect and the litter and the cleanliness. What  
2 are we supposed to do?

3 You know, take an educated guess as to  
4 what Louise Sagalyn is going to testify to? You  
5 know, we have one severe remedy versus the other,  
6 and, you know, I think we are entitled, at least  
7 as we approach the hearing, to know the scope and  
8 boundaries of Ms. Sagalyn's testimony.

9 And also I would state the late filing  
10 of the PIF also is reason enough to strike her as  
11 a witness from this hearing for the protestants.

12 CHAIRPERSON ANDERSON: You said it was  
13 filed one day late and you're saying that you  
14 weren't given specific notice what she is going  
15 to testify to?

16 MS. HIRAO: With respect to what she's  
17 going to testify, significant time has lapsed  
18 since the filing of the initial protest. Our  
19 restaurant has since entered into a settlement  
20 agreement. It has worked very hard to be in  
21 compliance with the settlement agreement.

22 So the environment has changed, and it  
23 changed for the better, I might add. Still, if  
24 you're going to add a witness and you have two  
25 protestants, one asking, I'm going to revoke your

1 license and the other going, rats, maybe?

2 We should understand what Roger Uhar  
3 intends to use this witness for. And it's blank.  
4 And I might say the same for John Uhar's PIF as  
5 well. There are various individuals, well, let  
6 me reserve that for another time. But knowing  
7 the --

8 CHAIRPERSON ANDERSON: But the motion  
9 that you filed was regarding what? Specifically  
10 what? Because I've not read the motion. So the  
11 motion you're disagreeing with the late filing?  
12 Is that it?

13 MS. HIRAO: I am disagreeing with the  
14 late filing and the lack of the summary of the  
15 testimony for Roger Uhar's PIF to introduce Ms.  
16 Sagalyn for his case?

17 CHAIRPERSON ANDERSON: Ms. Sagalyn?

18 MS. HIRAO: Yes.

19 CHAIRPERSON ANDERSON: Right. And  
20 what's the other part?

21 MS. HIRAO: The other part is John  
22 Uhar. Well, we've already addressed the subpoena  
23 issue. He also has filed multiple PIFs with  
24 expanding and contracting witnesses.

25 CHAIRPERSON ANDERSON: Were all his

1 PIFs filed timely?

2 MS. HIRAO: No.

3 CHAIRPERSON ANDERSON: So --

4 MS. HIRAO: There were two that were  
5 filed maybe shy of midnight on the day of  
6 November 13th. But after that, there was a  
7 November 18th PIF, which reduced his witness to  
8 arguably two people, and I think they're  
9 government employees.

10 CHAIRPERSON ANDERSON: But were those  
11 two people on the first PIF?

12 MS. HIRAO: Yes, but I do not know the  
13 nature of their testimony.

14 CHAIRPERSON ANDERSON: Well, he's not  
15 an attorney, so I mean, I'm not saying, I am just  
16 saying right now. So, that was filed timely?

17 MS. HIRAO: The first two were.

18 CHAIRPERSON ANDERSON: But the name of  
19 the witnesses you have concerns with, you had  
20 timely notice of those witnesses?

21 MS. HIRAO: I actually have concerns  
22 with all of the witnesses that are listed on the  
23 page.

24 CHAIRPERSON ANDERSON: I'm trying to  
25 address the motion because I have not read the

1 motion, that's why I'm trying to find out  
2 specifically what your motion is about. That's  
3 why I was asking, to just make the motion --

4 MS. HIRAO: To boil it down in its  
5 essence, failure to describe the scope of the  
6 testimony even though you may have listed the  
7 witnesses is prejudicial to use. I see two  
8 witnesses that I think are government inspectors.  
9 I don't know. He uses acronyms that I'm not too  
10 sure what they mean.

11 If they are government boy I'd like to  
12 know what they are going to testify, and if it  
13 does have any relevance for any subject matter  
14 before this Board.

15 CHAIRPERSON ANDERSON: I'm sorry.  
16 Whose PIF are we talking about again?

17 MS. HIRAO: We're talking about John  
18 Uhar's PIF.

19 CHAIRPERSON ANDERSON: John. All  
20 right. Mr. John Uhar.

21 MR. J. UHAR: Yes, sir.

22 CHAIRPERSON ANDERSON: So, tell me  
23 about, they're objecting to Ms., what's the last  
24 name again?

25 MR. J. UHAR: That would be Roger.

1                   CHAIRPERSON ANDERSON: That is why,  
2 all right.

3                   MR. J. UHAR: Roger, do you want to  
4 clarify?

5                   CHAIRPERSON ANDERSON: Hold on a  
6 minute. I'm confused. Ms. Sagalyn, whose PIF is  
7 Ms. Sagalyn under?

8                   MS. HIRAO: Ms. Sagalyn is under John  
9 Uhar's early PIF filings and Roger Uhar's  
10 filings. Roger Uhar, however, seeks a remedy  
11 that does not involve revocation of a license.  
12 John Uhar, however, does.

13                   CHAIRPERSON ANDERSON: But you're  
14 saying that Ms. Sagalyn, her name was listed on a  
15 PIF that was provided within the seven days, is  
16 that correct?

17                   MS. HIRAO: Yes. However, doesn't the  
18 PIF say to describe the summary of the testimony?

19                   CHAIRPERSON ANDERSON: Right. It  
20 does. So you are saying --

21                   MS. HIRAO: Is it going to be like  
22 what's that movie called? Pirates of the  
23 Caribbean, where they say it's just guidelines?  
24 If it's in the PIF and you, it says to provide a  
25 summary, shouldn't you provide a summary?

1 CHAIRPERSON ANDERSON: All right. So  
2 who wants to respond? Yes, sir.

3 MR. R. UHAR: I would just like to  
4 say, everyone, Ms. Sagalyn is a neighbor.

5 CHAIRPERSON ANDERSON: All right.

6 MR. R. UHAR: Everybody knows who she  
7 is, I think, and Mr. John, you know who Ms.  
8 Sagalyn is. It's not like she's coming from some  
9 other place and we don't know who she is.

10 She's a neighbor who's been adversely  
11 affected. I had the line with the ANC people.  
12 That's why I wasn't going to submit mine. We  
13 were working, crunching it, getting it done.

14 The next day, John says, hey, they say  
15 you can amend your list. You can do this, you  
16 can do that. And on the advice of them, I  
17 submitted.

18 I figured okay, I actually, Risa, you  
19 have an exhibit of mine that says I know I'm  
20 wrong, I know I'm late, I guess this means I  
21 can't do it. Your folks come back and say, no,  
22 that's not the case. It's up to the Board. I  
23 say, well, thank you.

24 If there is a little bit of grace time  
25 since I'm not an attorney, I don't do this all



1 the time. You know, filling out all these forms.  
2 My argument was to clean the litter, trash, peace  
3 and quiet.

4 CHAIRPERSON ANDERSON: I mean, if the  
5 squabbling has to do with the fact that the  
6 witness was listed, and although there was not a  
7 clear description of what she's going to testify,  
8 that's is not sufficient for me to bar that  
9 witness.

10 The witness was timely identified on  
11 the PIF. Yes, he's not an attorney. And so, I  
12 believe that, if that witness is here today, if  
13 we move forward with the hearing, I'm not going  
14 to deny the witness to testify. And I think in  
15 this particular case, it states that the witness,  
16 yes, sir?

17 MR. R. UHAR: Not to interrupt, but we  
18 were going to bring Ms. Sagalyn today. At 10:00  
19 o'clock I saw her on the canal, 50 yards from the  
20 restaurant, and she said she was suffering from  
21 sciatica. She said, how's it going? I said, I  
22 don't know, I was filed late. We got Risa stuff.  
23 She's trying to get me off of, you know,  
24 disqualified. She says, I'm really hurting.

25 She's 92 years old, and she says, if

1 it's okay, I don't know if I'm going to be heard.  
2 I've got things tonight. Is it okay if I pass?

3 I said, Louise, as you know, with me  
4 and her and the other neighbors who, through this  
5 whole process which has been a terrific learning  
6 experience, were discounted and not eliminated.

7 So we're not as strong as we should  
8 be, but Louise hung in there. And anyway, she's  
9 not here today, so she's not going to be  
10 testifying. And if it would make the case  
11 easier, I will withdraw my protest.

12 CHAIRPERSON ANDERSON: All right.  
13 Fine. You're going to withdraw your protest?

14 MR. R. UHAR: Yes.

15 CHAIRPERSON ANDERSON: Are you  
16 withdrawing your, you are --

17 MR. R. UHAR: Roger.

18 CHAIRPERSON ANDERSON: Roger.

19 MR. R. UHAR: Yes, sir.

20 CHAIRPERSON ANDERSON: Mr. Roger U- --

21 MR. R. UHAR: U-H-A-R, Uhar.

22 CHAIRPERSON ANDERSON: Uhar. So, Mr.  
23 Roger Uhar is withdrawing his protest. And do  
24 you have any objection to that, ma'am?

25 MS. HIRAO: No objection.

1                   CHAIRPERSON ANDERSON: No objection.  
2                   And so, is there a second?

3                   MEMBER SHORT: Second.

4                   CHAIRPERSON ANDERSON: I make a motion  
5                   that he be dismissed. Mr. Short has, all those  
6                   in favor say aye.

7                   GROUP: Aye.

8                   CHAIRPERSON ANDERSON: All right. So  
9                   you are dismissed, sir. I hope it was not my  
10                  cologne why you decide that you didn't want to be  
11                  here this afternoon.

12                  MR. R. UHAR: Not at all. The ANC is,  
13                  we've worked with Risa. What we're trying to do  
14                  is, the community, which is the blocks right  
15                  around who are adversely affected by the trash  
16                  and the rates.

17                  We asked repeatedly, help us with the  
18                  trash and the rates. And Joe, you looked at me  
19                  and said, no, you're not going to help.

20                  CHAIRPERSON ANDERSON: Well, thank  
21                  you, sir, for being here today. And all right,  
22                  thank you. All right.

23                  So we are not going to, so we're going  
24                  to, your motion, Ms., I'm going to deny your  
25                  motion.

1 MS. HIRAO: There are remaining parts  
2 to that we need to address, please. I'm sorry.  
3 My son also says that, too.

4 CHAIRPERSON ANDERSON: I asked you to  
5 just tell me what your motion is.

6 MS. HIRAO: Well, I was just  
7 piecemealing it.

8 CHAIRPERSON ANDERSON: But piecemeal  
9 it, I can --

10 MS. HIRAO: I'm sorry.

11 CHARIPERSON ANDERSON: You know, I'll  
12 say this. I've been a lawyer for 30 years. I  
13 think I can take a couple of stuff at the same  
14 time. So just tell me what your entire motion is  
15 so I can have the protestant respond and then I  
16 can rule.

17 MS. HIRAO: Sure. With respect to my  
18 argument regarding Roger Uhar's witnesses, they  
19 also apply to John Uhar's. I don't know what  
20 witnesses he has. He's changed it three times.

21 CHAIRPERSON ANDERSON: Well, John is  
22 no longer here. So therefore --

23 MS. HIRAO: John is right here.

24 CHAIRPERSON ANDERSON: I'm sorry.  
25 Roger is gone. What is the PIF that John

1 provided to us? Where is the PIF? Who are the  
2 witnesses who are on his PIF?

3 MS. HIRAO: So John has provided a PIF  
4 on November 13th, 2019, at 11:48 p.m.

5 CHAIRPERSON ANDERSON: The one that's  
6 been timely filed. We have already --

7 MS. HIRAO: And he's listed three  
8 witness there.

9 CHAIRPERSON ANDERSON: Which, all  
10 right, for the --

11 MR. J. UHAR: Can I interject?

12 CHAIRPERSON ANDERSON: Yes, ma'am.  
13 Yes, sir.

14 MR. J. UHAR: I'm not going to call  
15 any witnesses. I'm going to let the record at  
16 the US CFA, the DCRA, DDOT, and the other  
17 documents that you have before you today speak  
18 for themselves.

19 CHAIRPERSON ANDERSON: All right. So  
20 we have no witnesses.

21 MS. HIRAO: All right. No witnesses?  
22 And then the final issue is, it's our contention  
23 that, based on our interaction with the Uhars up  
24 to this point, we anticipate that he will say  
25 prejudicial statements regarding Il Canale, Joe

1 Farruggio, his family, so I would like for those  
2 prejudicial statements either to be stricken or  
3 there's a sidebar.

4 CHAIRPERSON ANDERSON: Well, okay.  
5 You are an attorney. I expect that when we are  
6 doing our hearing that if there are statements,  
7 questions, you object. You can object after the  
8 answer is given.

9 You need to object when a question is  
10 asked and I will rule. And so if there's an  
11 objection, are you going to testify, sir?

12 MR. J. UHAR: Yes. I am. And can I  
13 make one clarification? Again, I am sorry this  
14 is the second time we've been here. But I  
15 thought a witness was someone on your behalf, and  
16 those that I subpoenaed, I thought that was a  
17 different character.

18 CHAIRPERSON ANDERSON: But that's  
19 still on your behalf, although they might be  
20 hostile. That's why you subpoenaed them. But  
21 they're still on your behalf.

22 MR. J. UHAR: Okay. Well, again, I'm  
23 sorry. And whatever happens --

24 CHAIRPERSON ANDERSON: No, I don't  
25 want you to feel, that's one of the reasons why

1 I'm taking the time. Whether or not the person  
2 is going to be positive or negative, we  
3 understand your subpoena because if it's  
4 something that you have a good relationship with,  
5 you'll talk to them, they will know when to come.

6 MR. J. UHAR: They'll show up.

7 CHAIRPERSON ANDERSON: They'll show  
8 up. But if you don't have the working  
9 relationship with them, so that's why you  
10 subpoenaed them. But at the same time, you have  
11 to list them as a witness.

12 Now, if, say for example, you list  
13 them as a witness and you are saying that, I  
14 contacted the legal staff. They did not give me  
15 proper guidance on how to get the witness,  
16 because I have seven emails to Ms. Jenkins. She  
17 told me this is what I need. I gave it to her.

18 And so there was some misunderstanding  
19 on my part, then that's a different story because  
20 that's a different story. But at the same time,  
21 if you had listed them on your disclosure, then  
22 it's like, okay, yes.

23 MR. J. UHAR: On Friday, November 8th,  
24 to Lisa Palmer, Risa Hirao, Mayberry and Jenkins,  
25 I said, good morning, everyone.

1                   Not having heard from Ms. Hirao yet,  
2                   and with a deadline looming, please find attached  
3                   a draft of my exhibit list and a draft of Exhibit  
4                   3. Hopefully, ANC can look over the format for  
5                   consistency, since the community resource office  
6                   at ABRA is unable to assist.

7                   I was told per Ms. Hirao's, she  
8                   objected. I said I just want to see how these  
9                   things look. I think I mention in an email, I  
10                  don't even have to know what they say. I just  
11                  want to know the format so that I can do, we can  
12                  make this all the way it should be, and I was  
13                  denied, and the record will show that.

14                  CHAIRPERSON ANDERSON: Okay. Well,  
15                  we're ready to rule, so let's do, we're going to  
16                  do our hearing in the sense that --

17                  MS. HIRAO: I have additional  
18                  preliminary matters.

19                  CHAIRPERSON ANDERSON: What's that?  
20                  Yes?

21                  MS. HIRAO: The rule on witnesses.

22                  CHAIRPERSON ANDERSON: He has no  
23                  witnesses, though. There are no witnesses.

24                  MS. HIRAO: The other one I wanted to  
25                  ask is on time and breaks. Is it 90 minutes?



1                   CHAIRPERSON ANDERSON: Yes, each side  
2 has 90 minutes, but I assume he's not going to  
3 use 90 minutes. We have a 4:30 protest hearing  
4 and it's half to the room, so I am hoping that we  
5 can streamline the issues.

6                   I don't know how many witnesses you  
7 have. But this basically is going to be on your  
8 part, because you're the one who will have  
9 witnesses.

10                  So therefore, the process is that the  
11 Board will call its witness, the Board will ask  
12 questions of its witness, which is the  
13 investigator. We will ask questions. You will  
14 have an opportunity to cross-examine.

15                  Both sides will have an opportunity to  
16 cross-examine, and once that's one, you will  
17 present your case. You will present your  
18 witnesses and the protestant will present his  
19 case and his witnesses. But since he's the only  
20 one testifying, I don't believe that his case is  
21 going to take all afternoon.

22                  MS. HIRAO: So with respect to my  
23 motion, may I get clarification. Only the part  
24 regarding the subpoenas being quashed has been  
25 granted?

1 CHAIRPERSON ANDERSON: But he has no  
2 witnesses, so what is it that --

3 MS. HIRAO: Oh, okay. Never mind.

4 CHAIRPERSON ANDERSON: He has no  
5 witnesses.

6 MS. HIRAO: Got it.

7 CHAIRPERSON ANDERSON: There's no  
8 witnesses, so --

9 MS. HIRAO: All right.

10 CHAIRPERSON ANDERSON: All right. So  
11 any other preliminary issues that need to be  
12 addressed? No? Do you wish to make an opening  
13 statement?

14 MS. HIRAO: Yes.

15 CHAIRPERSON ANDERSON: Go ahead.

16 MS. HIRAO: Board Members, good  
17 afternoon. We are here today on a protest of Il  
18 Canale's application to renew its license. Based  
19 on the evidence and testimony that will be  
20 presented today, Il Canale will establish that it  
21 is has well satisfied the appropriating standards  
22 to merit renewal of its license.

23 Additionally, the evidence and  
24 testimony will show that Il Canale and Giuseppe  
25 Farruggio hold the necessary character and -- to

1 hold such a license.

2 You will hear from four witnesses  
3 today, Abdul Mouhssine, a long-time employee of  
4 Il Canale and a manager, who will testify  
5 regarding day to day operations of the  
6 restaurant.

7 Next you'll hear from Guisepe  
8 Farruggio, the owner and the heart of Il Canale.  
9 He will testify regarding his extensive  
10 restaurant experience, restaurant operations from  
11 an ownership point of view, and his aspirations  
12 to make the best pizza in the world.

13 You'll also hear form his abutting  
14 property neighbor, Italo Rodriguez, who will  
15 testify about his experiences with Il Canale and  
16 Joe Farruggio.

17 And finally, you will hear from Bill  
18 Verno, a property manager for RB Properties,  
19 whose office is directly located across from Il  
20 Canale. He will testify about his experience  
21 with Il Canale, as well as being a patron and  
22 comment on how Il Canale has contributed to the  
23 neighborhood in a positive way.

24 The evidence will show that the  
25 appropriateness standards have been met. Joe

1 Farruggio and Il Canale meet the fitness test to  
2 hold such a license and we are requesting for  
3 this Board to grant its application for renewing  
4 its license. Thank you.

5 CHAIRPERSON ANDERSON: Thank you. Do  
6 you wish to make an opening statement, sir, or  
7 are you just, basically, yes.

8 MR. J. UHAR: Yes, I will.

9 CHAIRPERSON ANDERSON: Sure, go ahead.

10 MR. J. UHAR: Let me read from my  
11 protest, which I can't find now. I'll just read  
12 the protest information form for you all. The  
13 summary description of the nature of my protest.

14 Protest of the Il Canale liquor  
15 license pursuant to DCMR Section 25-301, good  
16 character based on evidence of illegal activities  
17 over the years that satisfies the legal  
18 thresholds set forth in Haight v. ABC Board

19 The illegal construction of Il  
20 Canale's summer garden on the public alley behind  
21 1063 and 1065 31st Street, to connect above an  
22 illegal and unpermitted shed on Lot 0842 on  
23 Square 1189, subsequently ordered demolished by  
24 the DDOT and DCRA respectively, is prima facia  
25 evidence of multiple illegal activities with

1 regard to DC ABRA, DCRA, DDOT, DCFD, DC Historic  
2 Preservation Board, and the US Commission of Fine  
3 Arts.

4 MS. HIRAO: I am going to have to  
5 object. This has nothing to do with a license  
6 establishment.

7 CHAIRPERSON ANDERSON: It's his  
8 opening statement. You can object to his opening  
9 statement. So this is his opening statement.

10 MS. HIRAO: You got to try.

11 CHAIRPERSON ANDERSON: All right. Go  
12 ahead, sir. Go ahead.

13 MR. J. UHAR: The illegal construction  
14 of Il Canale's summer garden on the public alley  
15 behind 1063 and 1065 31st Street to connect above  
16 an illegal and unpermitted shed on Lot 0842 in  
17 Square 1198 subsequently ordered demolished by  
18 DDOT and DCRA respectively, is prima facie  
19 evidence of multiple illegal activities with  
20 regard to DC ABRA, DCRA, DDOT, DCFD, DCHPB,  
21 that's the Historic Preservation Board, and the  
22 US Commission of Fine Arts, despite warnings from  
23 the ANC, the US Commission of Fine Arts, and  
24 others.

25 The US Commission of Fine Arts, OGB,

1 HPB, and DCRA violations still exist with  
2 unapproved doors, windows, skylights, and  
3 structural modifications not approved by the  
4 appropriate federal and DC agencies, despite the  
5 recent removal of the four stop work orders  
6 issued by DCRA earlier this summer.

7           Hopefully, these remaining illegal  
8 building activities will be addressed shortly.  
9 The evidence shall show that similar illegal  
10 activities in violation of federal and DC  
11 regulations resulted in an illegal outdoor  
12 sidewalk café in front of 1063 31st Street, which  
13 has since been fraudulently expanded into 1065  
14 31st Street Northwest, in violation of DCMR 25-  
15 762, DCRA buildings codes, DCFD, the US  
16 Commission of Fine Arts and other agencies.

17           The success of Il Canale in securing  
18 and expanding its illegal outdoor sidewalk café  
19 in front of 1063 31st Street and 1065 31st Street  
20 predates and probably encouraged last year's  
21 illegal summer garden activities, since  
22 demolished.

23           Turning to the interior of 1065 31st  
24 Street, illegal activities include, but are not  
25 limited to, the submission of plans to DCRA

1 showing 12 seats at the bar where six are  
2 permitted, again in violation of DCMR 25-762,  
3 structural changes not allowed under the DCRA  
4 building permit, and the aforementioned  
5 skylights, doors, windows, vacuum system, and  
6 other visible violations in the rear of 1065 31st  
7 Street.

8 Il Canale was aided and abetted in its  
9 multitudinous illegal activities by a series of  
10 different lawyers and architects over the years.  
11 Most have become willing co-conspirators in these  
12 illegal activities, which should be referred to  
13 the United States Attorney for the District of  
14 Columbia for further investigation and  
15 prosecution under DCMR 25-205. Thank you.

16 CHAIRPERSON ANDERSON: Thank you. All  
17 right. The Board will call its first witness.  
18 And for a protest hearing, the way it operates is  
19 that the Board will call our investigator, and so  
20 our investigator will, I'll have the investigator  
21 go through the report and the Board will ask  
22 questions of the investigator about the report.

23 Then both of you will have, I'll start  
24 with the Applicant, will have questions of the  
25 investigator of the report. And you can also ask

1 questions to the investigator about the report.

2 So if there are statements in the  
3 report that you disagree with, when you have an  
4 opportunity to cross-examine the investigator,  
5 then you can ask the investigator about whatever  
6 representation or whatever aspect of the report  
7 you disagree with, okay? Yes, sir?

8 MR. J. UHAR: Roger, do you have a  
9 copy of the investigator's report? Would it be  
10 possible to get a copy of the investigator's  
11 report?

12 CHAIRPERSON ANDERSON: Yes. We'll  
13 make sure that you get a copy of the report.

14 MR. J. UHAR: She can start.

15 CHAIRPERSON ANDERSON: Okay. So we  
16 will get you a copy of the report. All right.  
17 So the Board will call its first witness, Shanell  
18 Murray. Can you raise your right hand, please?  
19 Do you swear or affirm to tell the truth and  
20 nothing but the truth?

21 MS. MURRAY: I do.

22 CHAIRPERSON ANDERSON: All right.  
23 Have a seat. Please pull the microphone to you,  
24 please. Where are you currently employed, Ms.  
25 Murray?



1 MS. MURRAY: ABRA as an investigator.

2 CHAIRPERSON ANDERSON: I can't hear.

3 Speak into the microphone, please.

4 MS. MURRAY: ABRA as an investigator.

5 CHAIRPERSON ANDERSON: And how long  
6 have you been employed by ABRA?

7 MS. MURRAY: Since April 29th, 2019.

8 CHAIRPERSON ANDERSON: Have you ever  
9 testified in a protest hearing before?

10 MS. MURRAY: No, sir.

11 CHAIRPERSON ANDERSON: All right. Are  
12 you familiar with this application?

13 MS. MURRAY: Yes, I conducted a  
14 protest investigation on the establishment.

15 CHAIRPERSON ANDERSON: Can you tell us  
16 what it is you were able to find regarding this  
17 protest?

18 MS. MURRAY: Okay. Il Canale is  
19 located in Ward 2. To the north of the  
20 establishment is abutting one story restaurant  
21 named Flavio.

22 It's located at 1039 31st Street  
23 Northwest. The current structure of Il Canale is  
24 two previously independent buildings with 1063  
25 31st Street Northwest being the initial location

1 of the establishment prior to expansion.

2 The license renewal application with  
3 Il Canale was initially being protested by three  
4 entities, the Advisory Neighborhood Commission  
5 ANC 2E, led by Lisa Palmer; Roger Uhar, abutting  
6 property owner; and John Uhar, abutting property  
7 owner.

8 There are 40 ABC establishments that  
9 are within 1200 feet of 1063-1065 31st Street  
10 Northwest, with Flavio being an abutting one-  
11 story restaurant. Out of the 40 establishments  
12 there, there is 31 restaurants, one Class A  
13 establishment, three taverns, four hotels.

14 Out of the 40 establishments, there  
15 are nine sidewalk cafes, 17 summer gardens, 20  
16 entertainment endorsements, and 22 settlement  
17 agreement establishments.

18 The protest issues were adverse effect  
19 of the establishment on real property values;  
20 adverse effects of the establishment on peace,  
21 order, and quiet, including the noise and litter  
22 as set forth in Section 25-725 and 25-726;  
23 adverse effects of the establishment upon  
24 residential parking needs, vehicular and  
25 pedestrian safety.

1                   On Tuesday, August the 26th, 2019, I  
2 interviewed both Mr. John Uhar and Roger Uhar at  
3 their residence located at 3075 Canal Street  
4 Northwest regarding the abutting property owners'  
5 issues regarding Il Canale's alcohol license  
6 renewal application.

7                   CHAIRPERSON ANDERSON: One thing I  
8 want you to do because, only Mr. John Uhar is,  
9 he's now the only protestant, so just be clear  
10 when you give your testimony, that you're  
11 specific to his concerns.

12                  MS. MURRAY: Just Mr. John Uhar's  
13 concerns?

14                  CHAIRPERSON ANDERSON: Yes.

15                  MS. MURRAY: Okay.

16                  CHAIRPERSON ANDERSON: Okay. Hold on.

17                  MR. J. UHAR: She didn't really  
18 address my concerns.

19                  CHAIRPERSON ANDERSON: Well, that's a  
20 question. When she's done testifying, you can  
21 cross-examine her.

22                  MR. J. UHAR: Well, I was just going  
23 to say it's okay, because I'm not really, it  
24 doesn't --

25                  CHAIRPERSON ANDERSON: Well, I guess

1 I don't know what the issues are. So I need to  
2 know. And there's only one protestant, so I  
3 don't need to know what the other issues for the  
4 other protestant are. I just need to know --

5 MS. MURRAY: Just Mr. John Uhar.

6 CHAIRPERSON ANDERSON: Basically, yes.

7 MS. MURRAY: Okay.

8 MS. HIRAO: Chairman, if I can get  
9 clarification. So she is not permitted to  
10 address her report on Roger Uhar in this report?

11 CHAIRPERSON ANDERSON: There's no  
12 protest by him, so whatever concerns that he had,  
13 it's not relevant to this hearing because there's  
14 no protest. It's the same thing, whatever  
15 concerns the ANC had is no longer relevant here  
16 because they had a settlement agreement.

17 So the only protestant is John and so,  
18 therefore, I just want to, so that's the only  
19 issue that we're addressing, his protest.

20 MS. HIRAO: Yes, I know. I  
21 understand.

22 CHAIRPERSON ANDERSON: Okay. Go  
23 ahead.

24 MS. MURRAY: Okay. Mr. John Uhar  
25 reiterated that the renewal application of Il

1 Canale is being protested on the grounds that the  
2 establishment may negatively impact the peace,  
3 order, and quiet in the community.

4 Mr. Uhar stated the establishment has  
5 an unbalanced air conditioning unit and an  
6 illegal backup system that's turned on the at the  
7 end of the day.

8 Mr. Uhar stated that the establishment  
9 allows its contractors to park in the alley,  
10 which blocks others from entering and exit. Mr.  
11 Uhar stated he just wants the establishment to  
12 abide by the rules.

13 Mr. Uhar stated that the establishment  
14 ignores the values of neighboring properties. I  
15 advised Mr. Uhar that our investigators are not  
16 qualified to address the issues of real property  
17 values. Mr. Uhar stated that he understood.

18 On Thursday, November 14th, 2019, I  
19 interviewed Mr. Farruggio, owner of Il Canale  
20 regarding Il Canale's alcohol license renewal  
21 application. He stated that Il Canale has  
22 addressed the residents' concerns and corrected  
23 the issues that were brought to his attention.

24 He also stated that there's no  
25 construction in process at the establishment, and

1 he stated that the vacuum has been turned off  
2 since the protest made a complaint in regards to  
3 the vacuum being too loud.

4 He said it was put in place  
5 temporarily, and it would eventually be removed.  
6 He also stated that he has made great efforts to  
7 maintain the cleanliness of the alley, but also  
8 shares the alley with other people and other  
9 establishments.

10 He stated that the employees and  
11 contractors of the establishment park in the  
12 alley. He stated that he does not believe that  
13 objections raised are with his operation as an  
14 alcohol licensed establishment.

15 Rather, he believes the protest is  
16 personal. He stated that he has tried to be  
17 compliant with the alcohol laws and regulations  
18 and to be a good neighbor.

19 My findings in regards to the protest  
20 were, ABRA personnel monitored Il Canale on 21  
21 separate occasions from August 19th, 2019,  
22 through November 10th, 2019. I monitored the  
23 establishment 13 times out of the 21 times.

24 During the time the establishment was  
25 monitored for peace, order, and quiet, including

1 noise and litter provision. I did not observe  
2 any noise violations. The establishment was  
3 quiet with little to no traffic.

4           However, M Street, which is a crossing  
5 block of Il Canale, produced a lot of vehicular  
6 traffic. The establishment has two garbage cans  
7 with locks and the establishment's name is  
8 located on the trash cans, and two recycle bins.  
9 At the time, I did not observe any overflowing  
10 trash cans.

11           During the time I monitored the  
12 establishment, I did not observe the sidewalk  
13 café blocking pedestrian traffic flow. The  
14 effects of the establishment on residential  
15 parking needs and vehicular and pedestrian  
16 safety, I did not witness any signs of excessive  
17 pedestrian or vehicular traffic, or excessive  
18 noise within or around the establishment at any  
19 time. Il Canale does not offer onsite parking,  
20 and that is in street parking due to city  
21 construction. Directly across from this  
22 establishment is a public parking garage, and  
23 within walking distance, there are six additional  
24 public parking garages.

25           Adverse effects on real property

1 values, ABRA investigators are not qualified to  
2 address issues concerning property values. We  
3 also do not make a determination if an  
4 establishment or individual is of good character  
5 while conducting this investigation in  
6 preparation for testimony for the Board.

7 ABRA record search revealed that there  
8 is no history of complaints as it relates to  
9 noise at 1063-1065 31st Street Northwest. A  
10 review of ABRA records also revealed that Il  
11 Canale does have a settlement agreement on file.  
12 However, no ABRA violations were found.

13 CHAIRPERSON ANDERSON: Is that it?

14 MS. MURRAY: Yes, sir.

15 CHAIRPERSON ANDERSON: Are there  
16 exhibits to your report? Can you go to --

17 MS. MURRAY: Yes, sir.

18 CHAIRPERSON ANDERSON: What are the  
19 exhibits?

20 MS. MURRAY: The exhibits are a copy  
21 of the renewal application.

22 CHAIRPERSON ANDERSON: I need you to go  
23 through the exhibits one by one. Identify them  
24 for the record.

25 MS. MURRAY: Okay. Exhibit 1 is a



1 copy of the renewal application. Exhibit 2 is a  
2 copy of the ANC 2E Protest Letter. Exhibit 3 is  
3 a copy of John Uhar Abutting Property Owner  
4 Protest Letter.

5 Exhibit 4 is a copy of Roger Uhar  
6 Property Owner Protest Letter. Exhibit 5 is a  
7 copy of a map of ABC licenses located within 1200  
8 feet of the establishment. Exhibit 6 is a copy  
9 of a map showing that there are no schools or  
10 public libraries or recreation centers located  
11 within 400 feet of the establishment.

12 Exhibit 7 is a photo of the exterior  
13 of Il Canale, front facing, of the establishment.  
14 Exhibit 8 is a photo of Il Canale's sidewalk  
15 café. Exhibit 9 is a photo of Il Canale's rear  
16 door entryway.

17 Exhibit 10 is a photo of the alleyway  
18 that's on the opposite end of the Flavio  
19 Restaurant, and in the back it shows there are  
20 residents and the parking for the residents.  
21 Exhibit 11 is a photo that I took on August 26th  
22 of a extension of the establishment that was  
23 added to Il Canale.

24 Exhibit 12 is the bar area of Il  
25 Canale as you immediately enter. Exhibit 13 is

1 the interior photo of Il Canale. Exhibit 14 is  
2 an interior photo of Il Canale. Exhibit 15 is an  
3 interior photo of Il Canale.

4 Exhibit 16 is an interior photo of Il  
5 Canale. Exhibit 17 is an interior photo of Il  
6 Canale. Exhibit 18 is an interior photo of Il  
7 Canale. Exhibit 19 is interior photo of Il  
8 Canale. And Exhibit 20 through 23 is interior  
9 photos of Il Canale.

10 Exhibit 24 is the exterior photo of  
11 the garbage collection which shows the, Exhibit  
12 24 shows Il Canale's two recycle bins. And  
13 Exhibit 25 shows the trash bins with Il Canale's  
14 name located on it and locks. Exhibit 26 should  
15 be a copy of the settlement agreement.

16 CHAIRPERSON ANDERSON: Those are all  
17 the exhibits?

18 MS. MURRAY: And Exhibit 27 is a copy  
19 of the ABRA investigation.

20 CHAIRPERSON ANDERSON: Oh. I didn't  
21 see that. Now you stated that ABRA investigators  
22 monitored through these proceedings. The  
23 establishment was monitored 21 times, you said?

24 MS. MURRAY: Yes.

25 CHAIRPERSON ANDERSON: Was there any

1 ABRA violations found during the 21 times that it  
2 was --

3 MS. MURRAY: No, sir.

4 CHAIRPERSON ANDERSON: No?

5 MS. MURRAY: No, sir. No ABRA  
6 violations were found.

7 CHAIRPERSON ANDERSON: And you said  
8 that you personally monitored the establishment  
9 13 times, you said?

10 MS. MURRAY: Yes.

11 CHAIRPERSON ANDERSON: All right.  
12 Okay. All right. Any other questions by any of  
13 the Board members? All right. You can ask  
14 questions, Ms. Hirao.

15 MS. HIRAO: I have no questions.

16 CHAIRPERSON ANDERSON: You have no  
17 questions? Mr. Uhar, do you have any questions  
18 you want to ask her?

19 MR. J. UHAR: In regards to Exhibit 7,  
20 which is a picture of just 1065 31st Street, the  
21 record should note that those window treatments  
22 on the top have been removed per DC ABRA  
23 regulations.

24 CHAIRPERSON ANDERSON: Are you asking  
25 her a question, sir, or are you making a

1 statement? Which one is it?

2 MR. J. UHAR: That's a statement.

3 CHAIRPERSON ANDERSON: You have to ask  
4 her a question. You can't --

5 MR. J. UHAR: Well, I don't think she  
6 knows.

7 CHAIRPERSON ANDERSON: All right. So

8

9 MR. J. UHAR: What is your familiarity  
10 with Exhibit 7?

11 MS. MURRAY: It's the front facing  
12 area.

13 MR. J. UHAR: You said that you took  
14 a more recent picture. It doesn't look like this  
15 now, does it?

16 MS. MURRAY: No, it doesn't.

17 MR. J. UHAR: Okay. I'm sorry.

18 CHAIRPERSON ANDERSON: Is there an  
19 exhibit that the establishment looks like  
20 currently that is here?

21 MS. MURRAY: No, this is when I first  
22 --

23 CHAIRPERSON ANDERSON: Okay. All  
24 right. Any other questions, sir?

25 MR. J. UHAR: Yes. Exhibit A, is this

1 your understanding of the approved DC ABRA  
2 seating arrangement?

3 MS. MURRAY: Yes.

4 MR. J. UHAR: Hm.

5 MS. MURRAY: Yes, it is.

6 MR. J. UHAR: Could I enter an exhibit  
7 that shows the approved ABRA --

8 CHAIRPERSON ANDERSON: Well, you can  
9 ask her if she's familiar with whatever, I mean,  
10 I know your exhibit's not on the record, but if  
11 you have a question you want to

12 MR. J. UHAR: Actually, I will take it  
13 in my testimony. That's fine.

14 CHAIRPERSON ANDERSON: All right.  
15 Okay.

16 MR. J. UHAR: Exhibit 11, this, too,  
17 is an earlier picture that --

18 MS. MURRAY: Yes.

19 MR. J. UHAR: Is this building still  
20 existing?

21 MS. MURRAY: No, it's not. It's been  
22 taken down.

23 MR. J. UHAR: And lastly, my eyes  
24 aren't too good, but could you read Exhibit 23,  
25 that those steps that lead out, I believe that's

1 to an outdoor summer garden. Does that say  
2 terrace? Those steps leading up and out to the  
3 back?

4 MS. MURRAY: I cannot see what those  
5 words are, sir.

6 MR. J. UHAR: Okay. Thank you. One  
7 last question. I did send you a picture of the  
8 vacuum system and also a tape of the vacuum  
9 system that was not entered into the record, is  
10 that correct?

11 MS. MURRAY: No, it was not. It was  
12 not entered into the record.

13 MR. J. UHAR: So I was correct,  
14 because that vacuum system is still there.

15 MS. MURRAY: I entered photos that I  
16 took into the record.

17 MR. J. UHAR: But you asked me for any  
18 exhibits, correct?

19 MS. MURRAY: I do not recall asking  
20 you for any exhibits.

21 MR. J. UHAR: Okay. Thank you.

22 CHAIRPERSON ANDERSON: Any other  
23 questions?

24 MR. J. UHAR: No.

25 CHAIRPERSON ANDERSON: Thank you, Ms.

1 Murray, for your testimony. You can step down.

2 MS. MURRAY: Thank you.

3 CHAIRPERSON ANDERSON: Do you wish to  
4 call a witness, ma'am?

5 MS. HIRAO: Yes, I'd like to call Mr.  
6 Abdul Mouhssine.

7 CHAIRPERSON ANDERSON: What's the last  
8 name?

9 MS. HIRAO: Mouhssine.

10 CHAIRPERSON ANDERSON: Mouhssine.

11 MS. HIRAO: Should I spell it?

12 CHAIRPERSON ANDERSON: Well, I'll ask  
13 him to do that. Okay, raise your right hand,  
14 sir. Do you swear or affirm to tell the truth  
15 and nothing but the truth?

16 MR. MOUHSSINE: I do.

17 CHAIRPERSON ANDERSON: Have a seat,  
18 sir. And pull the microphone to you when you  
19 speak. You can ask him to identify himself and  
20 spell his name for the record.

21 MS. HIRAO: Sure. What is your full  
22 name and can you spell your name for the record?

23 MR. MOUHSSINE: Abderrahman Mouhssine  
24 and it's spelled A-B-D-E-R-R-A-H-M-A-N, and the  
25 last name is M-O-U-H-S-S-I-N-E. I am a current

1 employee at Il Canale and manager position.

2 MS. HIRAO: Where do you reside right  
3 now?

4 MR. MOUHSSINE: I reside in Virginia.

5 MS. HIRAO: Okay. What is your title  
6 at Il Canale?

7 MR. MOUHSSINE: Manager at the moment.

8 MS. HIRAO: And how long have you been  
9 a manager at Il Canale?

10 MR. MOUHSSINE: I think more than five  
11 years.

12 MS. HIRAO: How long have you worked  
13 at Il Canale?

14 MR. MOUHSSINE: Almost ten years now.

15 MS. HIRAO: And how did you start your  
16 employment history with Il Canale?

17 MR. MOUHSSINE: I started as a food  
18 runner.

19 MR. J. UHAR: As a food what?

20 MR. MOUHSSINE: A food runner.

21 MS. HIRAO: And then after food  
22 runner?

23 MR. MOUHSSINE: I grew up with the  
24 business to, I became a server and then assistant  
25 manager and then grew up to be a manager. I am



1 an executive manager right now.

2 MS. HIRAO: Do you possess an ABC  
3 manager's license through ABRA?

4 MR. MOUHSSINE: I do.

5 MS. HIRAO: Can you describe Il  
6 Canale?

7 MR. MOUHSSINE: Il Canale's an Italian  
8 restaurant, mainly southern, Italian southern  
9 cuisine. It's more authentic. It's family  
10 owned, family friendly.

11 MS. HIRAO: And can you describe the  
12 philosophy of VPN for me as it relates to Il  
13 Canale's restaurant operations?

14 MR. MOUHSSINE: Yes. VPN is a  
15 certification guaranteed with an association  
16 called Verace Pizza Napoletana, which is an  
17 Italian association which protects and preserves  
18 the pizza heritage. So it makes sure you make  
19 the pizza the way it was made 200 years ago.

20 MS. HIRAO: Please describe the awards  
21 and reviews that Il Canale has received.

22 MR. MOUHSSINE: We are currently a  
23 four and a half star restaurant on Yelp, four and  
24 a half star on Open Table, and also we are like  
25 fourth in pizza, according to pizza expert in Las

1 Vegas, and we are among one of the best 70  
2 restaurants with a patillion (phonetic)  
3 worldwide, and also we have a certification of  
4 Italian Hospitality, which is only 300  
5 restaurants possess it in the United States.

6 MS. HIRAO: And how often are you on  
7 site at Il Canale?

8 MR. MOUHSSINE: I'm there six days a  
9 week.

10 MS. HIRAO: Okay. Morning shift,  
11 evening shift, or it varies?

12 MR. MOUHSSINE: I have a varying  
13 shift, yes.

14 MS. HIRAO: And describe the type of  
15 customers that frequent Il Canale.

16 MR. MOUHSSINE: It's mostly walking  
17 locals. We do have events, meetings, even  
18 government parties. Also, like, I would say  
19 celebrations.

20 MS. HIRAO: And how do most of your  
21 customers arrive at the restaurant? Do they rely  
22 on taxis? Do they walk?

23 MR. MOUHSSINE: I would say most of  
24 them in Georgetown are like 50 to 60 percent  
25 walkings. A lot of people take taxi and

1 rideshare, and a lot of people also do bring  
2 their own car.

3 MS. HIRAO: And if a customer requests  
4 for parking, what do you do?

5 MR. MOUHSSINE: We always encourage  
6 them to park in the public parking to avoid,  
7 like, parking tickets, since it's a limited  
8 parking on the street.

9 And also there is, sometimes, like a  
10 high volume, and we redirect them to different  
11 public parkings.

12 MS. HIRAO: What are the hours of  
13 operation? The actual hours of operation at Il  
14 Canale?

15 MR. MOUHSSINE: The current opening  
16 hours is 11:00 a.m. every day, and the closing  
17 hours is Monday to Thursday at 10:30 and Friday  
18 and Saturday 11:00 p.m. and Sunday at 10:00.

19 MS. HIRAO: Your alcohol beverage  
20 license allows later closing times. Why the  
21 earlier time?

22 MR. MOUHSSINE: I would say to  
23 preserve the peace and quiet of the neighborhood,  
24 and also I believe that we looked at one of the  
25 amendments on the settlements, that was before

1 with the previous restaurant, that limits the  
2 hours of operations to early hours, and also to  
3 let the employees leave early.

4 MS. HIRAO: Can you explain how  
5 alcohol beverage consumption is monitored at In  
6 Canale?

7 MR. MOUHSSINE: We do have multiple  
8 managers on site. So we make sure we ask for IDs  
9 to follow the ABRA guidelines and also monitor  
10 the consumption and sometimes deny serving  
11 alcohol to pre-intoxicated guests.

12 MS. HIRAO: Do you have various  
13 managers rove around the restaurant checking in  
14 each section? You have two buildings that are  
15 part of the restaurant. Can you describe a  
16 little bit about that?

17 MR. MOUHSSINE: Yes, it's mainly two  
18 buildings together. So we do have an upstairs  
19 seating and a main dining room, and we do have  
20 back of the house as well.

21 And these managers that covers most of  
22 the areas, mostly one manager at the front door  
23 all of the time and one at the back area, which  
24 is the kitchen and bar, and in case we use the  
25 second floor, which we don't use most of the

1 time, we make sure there's a manager present  
2 there.

3 MS. HIRAO: Okay. Please describe the  
4 training for your staff to prevent underage  
5 drinking to minors.

6 MR. MOUHSSINE: We fiercely enforce  
7 checking IDs. Like, for all customers pretty  
8 much, unless they look a little senior.

9 MS. HIRAO: Do you have periodic  
10 training with your staff?

11 MR. MOUHSSINE: Of course.

12 MS. HIRAO: As well as one-on-one  
13 training?

14 MR. MOUHSSINE: We do.

15 MS. HIRAO: And new hire training?

16 MR. MOUHSSINE: New hires are mostly  
17 the ones that train.

18 MS. HIRAO: Okay. And did you  
19 experience a compliance check by ABRA during the  
20 summer?

21 MR. MOUHSSINE: We did. We do have  
22 inspections.

23 MS. HIRAO: And what were the results  
24 of the compliance check for sales to minors  
25 during the summertime?

1 MR. MOUHSSINE: We were all  
2 successful.

3 MS. HIRAO: Okay. Describe the  
4 training for the staff regarding compliance to  
5 the settlement agreement.

6 MR. MOUHSSINE: We do monitor, like,  
7 the daily activities and first things is, like,  
8 new hires are, like, strictly reminded to comply  
9 with management that is written, and also to,  
10 like, periodically meetings with back of the  
11 house to take care of most of the areas. And we  
12 do also check on ourselves.

13 MS. HIRAO: Do you remind them to make  
14 sure that the trash bins' lids are closed?

15 MR. MOUHSSINE: That's for sure, since  
16 we send pictures to the owner every night.

17 MS. HIRAO: And why did he request to  
18 get the pictures of the closed bins?

19 MR. MOUHSSINE: It's an, I think he  
20 said, recent amendment that we signed with the  
21 neighbors and ANC, I believe.

22 MS. HIRAO: All right. And do you  
23 have an entertainment endorsement at the  
24 restaurant?

25 MR. MOUHSSINE: We do.

1 MS. HIRAO: Okay. Do you have live  
2 music?

3 MR. MOUHSSINE: No.

4 MS. HIRAO: At your sidewalk café  
5 operations, do you have umbrellas?

6 MR. MOUHSSINE: We don't possess  
7 those.

8 MS. HIRAO: Do you have heaters?

9 MR. MOUHSSINE: No, ma'am.

10 MS. HIRAO: Do you have a manager  
11 constantly monitoring the sidewalk café?

12 MR. MOUHSSINE: Yes, we do have a  
13 manager and a host all the time.

14 MS. HIRAO: Okay. Can the public walk  
15 by the sidewalk café without obstruction?

16 MR. MOUHSSINE: I believe so.

17 MS. HIRAO: Okay. And describe your  
18 daily routines at Il Canale when you open  
19 restaurant to close?

20 MR. MOUHSSINE: Well, the main tasks  
21 are, like, power washing the sidewalk and the  
22 back area of the restaurant to maintain the  
23 cleanliness, and also make sure all the staff  
24 are, like following the safety guidelines.

25 MS. HIRAO: Okay. And at the end of

1 the day, what do you do? I think you referred to  
2 trash.

3 MR. MOUHSSINE: We make sure that  
4 trash, recently trash, we upgraded, to make sure  
5 they're all closed and we send a picture, as I  
6 said, to the owner every night.

7 MS. HIRAO: To make things easier on  
8 the Chairman, may I present a binder to the  
9 witness, and then I will identify some photos and  
10 I'll offer it for introduction?

11 CHAIRPERSON ANDERSON: Well, I would  
12 ask that the witness, you don't look at the photo  
13 or look at the binder until you are specifically  
14 asked to.

15 MS. HIRAO: Pardon?

16 CHAIRPERSON ANDERSON: I am telling  
17 the witness that, yes, you can provide the binder  
18 but he should not look at the binder until he's--

19 MS. HIRAO: Thank you.

20 CHAIRPERSON ANDERSON: -- specifically  
21 advised as to what document to look at.

22 MS. HIRAO: Okay. I'd like for you to  
23 take a look at photos 1 through 9, please.

24 CHAIRPERSON ANDERSON: All right, but  
25 what are photos 1 through 9? And are they



1 Exhibit 1 through 9?

2 MS. HIRAO: Exhibits 1 through 9.

3 CHAIRPERSON ANDERSON: All right.

4 Okay.

5 MS. HIRAO: If you can take 1 through  
6 9, please. I plan to introduce them en masse.

7 So, for purposes of the Board members, I'll just  
8 pan through using the PowerPoint. Exhibits 1, 2,  
9 3, 4, 5, 6, 7, 8, 9. Did you take these photos?

10 MR. MOUHSSINE: Yes, I did.

11 MS. HIRAO: What are these photos of?

12 MR. MOUHSSINE: It's the exterior of  
13 the restaurant, which is featuring the sidewalk  
14 and also the, it's mostly the 1063 and 1065  
15 outdoor seatings.

16 MS. HIRAO: I would like to introduce  
17 Exhibits 1 through 9.

18 CHAIRPERSON ANDERSON: Do you have an  
19 objection, sir?

20 MR. J. UHAR: No. When can I comment  
21 on them, though?

22 CHAIRPERSON ANDERSON: You can ask him  
23 when she's done testification, you can ask him  
24 questions about. So moved.

25 MR. J. UHAR: Thank you.

1 MS. HIRAO: Okay. So the power  
2 washers, can you take a look at Exhibit Number 1?

3 MR. MOUHSSINE: Yes.

4 MS. HIRAO: Okay. For Exhibit Number  
5 1, where does that manager usually position  
6 himself so that he monitors alcohol consumption?

7 MR. MOUHSSINE: At the front door.

8 MS. HIRAO: At the front door? Near,  
9 near the red, white, and green balloons?

10 MR. MOUHSSINE: Yes, ma'am.

11 MS. HIRAO: Okay.

12 MR. MOUHSSINE: That's our main  
13 entrance.

14 MS. HIRAO: Can you describe what  
15 number 2 is? Exhibit Number 2?

16 MR. MOUHSSINE: Can you rephrase it?

17 MS. HIRAO: Is this 1063 or 1065?

18 MR. MOUHSSINE: 1065.

19 MS. HIRAO: This is the sidewalk café  
20 for 1065?

21 MR. MOUHSSINE: Yes, ma'am.

22 MS. HIRAO: Okay. Let's go to number  
23 3. Can you describe what number 3 is.

24 MR. MOUHSSINE: This is 1063.

25 MS. HIRAO: The exterior of 1063?

1 MR. MOUHSSINE: The exterior of 1063.

2 MS. HIRAO: Thank you. Let's go to  
3 Exhibit Number 4 and 5. And actually I'd like  
4 for you to go to Exhibit Number 5. So what is  
5 this a picture of? The sidewalk café? Is it the  
6 sidewalk café?

7 MR. MOUHSSINE: It's a panoramic view  
8 of the sidewalk café from the --

9 MS. HIRAO: You mentioned that in  
10 addition to, strike that. Okay, let's continue  
11 on. So this is the sidewalk café. How about  
12 Exhibit Number 5? What part --

13 MR. MOUHSSINE: That's the view from  
14 the 1063 building towards M Street.

15 MS. HIRAO: And the fern, where the  
16 fern is, is that also part of the restaurant? Or  
17 is that Georgetown House?

18 MR. MOUHSSINE: Is it Exhibit 5?

19 MS. HIRAO: Exhibit 6.

20 MR. MOUHSSINE: That's still 1063  
21 sidewalk café.

22 MS. HIRAO: Okay. And Exhibit Number  
23 8.

24 MR. MOUHSSINE: That's Georgetown  
25 House.

1 MS. HIRAO: Okay. And is that located  
2 right next to Il Canale?

3 MR. MOUHSSINE: Yes.

4 MS. HIRAO: And Exhibit Number 9.  
5 What is Exhibit Number 9?

6 MR. MOUHSSINE: It's Canal Square  
7 across the street.

8 MS. HIRAO: Okay. Thank you. All  
9 right. I would like for you to take a look at  
10 Exhibits 11 through 13. And for the benefit of  
11 the Board, I will show 11, 12, and 13. Mr.  
12 Abdul, did you take these pictures?

13 MR. MOUHSSINE: Yes, I did.

14 MS. HIRAO: What are they pictures of?

15 MR. MOUHSSINE: The interior of 1065.

16 MS. HIRAO: Okay. Board members, I  
17 would like to introduce Exhibits 11 through 13 as  
18 Applicant's Exhibits --

19 CHAIRPERSON ANDERSON: Why don't you  
20 have him identify the documents first and then  
21 once he has identified the documents and  
22 testified, then you can ask to move them into  
23 evidence.

24 MS. HIRAO: Sure. Mr. Abdul, can you  
25 tell me what Exhibits 11, 12, and 13 are?

1 MR. MOUHSSINE: That's the interior of  
2 1065 building.

3 MS. HIRAO: Okay. It's the interior  
4 of 1065 first floor?

5 MR. MOUHSSINE: Main floor, yes.

6 MS. HIRAO: First floor. And it's the  
7 dining area?

8 MR. MOUHSSINE: The dining area.

9 MS. HIRAO: And these photos are  
10 photos that you've taken yourself?

11 MR. MOUHSSINE: Yes, ma'am.

12 MS. HIRAO: Okay. I move to  
13 introduce, move into evidence Exhibits 11 through  
14 13.

15 CHAIRPERSON ANDERSON: You have no  
16 objections, sir?

17 MR. J. UHAR: No.

18 CHAIRPERSON ANDERSON: So moved.

19 MS. HIRAO: Pardon me. It's 10  
20 through 13. Okay, can you tell me as far as what  
21 10, 11, 12, and 13 are as are as description?  
22 Let's first focus on 10. When a customer enters  
23 into the restaurant, who do they see?

24 MR. MOUHSSINE: The host.

25 MS. HIRAO: The host.

1                   MR. MOUHSSINE: There is a host right  
2 in the entrance.

3                   MS. HIRAO: Okay. And let's go to  
4 number 11. What is this a picture of?

5                   MR. MOUHSSINE: It's the exit on 1065.

6                   MS. HIRAO: Okay. And then let's go  
7 to Exhibit Number 12. Can you tell me where the  
8 kitchen is in relation to the bar?

9                   MR. MOUHSSINE: The kitchen is right  
10 behind the bar. It's a see-through glass.

11                   MS. HIRAO: Okay. And your  
12 bartenders, how many bartenders do you have, and  
13 do they possess an ABC manager's license?

14                   MR. MOUHSSINE: Yes, we do have two  
15 bartenders and they all possess ABC license.

16                   MS. HIRAO: What type of alcoholic  
17 beverages do you primarily serve? Is it beer and  
18 wine?

19                   MR. MOUHSSINE: It's a full-service  
20 restaurant. A full-service bar.

21                   MS. HIRAO: Let's go to Exhibit Number  
22 13. Is Exhibit Number 13 typical of the setup  
23 for the restaurant? For 1065?

24                   MR. MOUHSSINE: Yes, ma'am.

25                   MS. HIROA: Okay. I would like for

1 you to take a look at Exhibits 14 through 23.

2 Let me know when you reach 23.

3 MR. MOUHSSINE: To 23?

4 MS. HIRAO: Through 23, yes.

5 MR. MOUHSSINE: Yes, these are photos  
6 of the 1063 building, first floor and second  
7 floor and summer garden.

8 MS. HIRAO: Okay. So let's go to 14.  
9 So 14, 14 is the ground floor or the second  
10 floor?

11 MR. MOUHSSINE: Ground floor.

12 MS. HIRAO: And then 15?

13 MR. MOUHSSINE: Still the ground  
14 floor.

15 MS. HIRAO: Okay. And then 16?

16 MR. MOUHSSINE: 16 is still the ground  
17 floor.

18 MS. HIRAO: Okay. And then 17 is what  
19 part of the building?

20 MR. MOUHSSINE: 17 is the ground floor  
21 of 1063.

22 MS. HIRAO: Okay. And then 19? 19  
23 and 18?

24 MR. MOUHSSINE: Second floor of 1063.

25 MS. HIRAO: Okay. So how does staff

1 monitor alcohol for these two floor locations?

2 MR. MOUHSSINE: There's always, like,  
3 waiters, and the manager is always present on the  
4 premises.

5 MS. HIRAO: If I didn't, and I'm tired  
6 right now, I would like to introduce Exhibits 14  
7 through 23 as Applicant's Exhibits.

8 CHAIRPERSON ANDERSON: Any objection,  
9 sir?

10 MR. J. UHAR: No. Could I suggest  
11 maybe we just go with the pictures that I do  
12 object to, or does she want to continue?

13 MS. HIRAO: I'd like to continue.

14 MR. J. UHAR: Thank you.

15 CHAIRPERSON ANDERSON: Hold on. What  
16 do you object to?

17 MR. J. UHAR: Just time.

18 CHAIRPERSON ANDERSON: What do you  
19 mean, time?

20 MR. J. UHAR: I don't have complaints  
21 against most of these interior pictures. I only  
22 have the complaints against pictures that show  
23 things that are not as they should be.

24 CHAIRPERSON ANDERSON: Then once you  
25 cross-examine him, then you can ask him questions



1 about those pictures. So you can cross-examine  
2 him about those pictures, the time he takes it,  
3 and whatever concerns you have with them.

4 MR. J. UHAR: It's my understanding  
5 that 4:30

6 CHAIRPERSON ANDERSON: Don't worry  
7 about that, sir.

8 MR. J. UHAR: Okay. Thank you. That  
9 was my concern.

10 CHAIRPERSON ANDERSON: I was just  
11 saying, we are doing this protest hearing so  
12 don't worry about the time.

13 MS. HIRAO: I'm sorry. Could we get  
14 a break as well? We had a request for maybe  
15 five-minute bathroom break?

16 CHAIRPERSON ANDERSON: I'm not going  
17 to grant that request. You're in the middle of  
18 direct examination of a witness. So I apologize.

19 MS. HIRAO: Okay.

20 CHAIRPERSON ANDERSON: But I'm not  
21 going to grant a break. We can take a break  
22 after the witness is done testifying, but not in  
23 the middle of the witness's testimony.

24 MS. HIRAO: All right.

25 CHAIRPERSON ANDERSON: Go ahead.

1 MS. HIRAO: So, you have said that,  
2 let me see. Exhibits 19 is the second floor for  
3 1063?

4 MR. MOUHSSINE: That is correct.

5 MS. HIRAO: Okay. And we go to 20.

6 MR. MOUHSSINE: Still the second floor  
7 of 1063.

8 MS. HIRAO: Okay. Can we go to  
9 Exhibit 22 and 23? Can you describe those photos  
10 for me?

11 MR. MOUHSSINE: It is the summer  
12 garden of 1063.

13 MS. HIRAO: And how is this area  
14 monitored for alcohol?

15 MR. MOUHSSINE: Same as the main  
16 dining room. There's always a manager checking  
17 and there's always checking for IDs.

18 MS. HIRAO: Thank you. Okay, please  
19 go to Exhibits 24 through 32.

20 MR. MOUHSSINE: Would you like me to  
21 identify them?

22 MS. HIRAO: Yes, in the binder please.

23 MR. MOUHSSINE: 24 is the recycling  
24 bins, along with trash grease container. 24 is  
25 the close up picture of the recycling bins. 26

1 is the cardboard trash bin together in the same  
2 picture with the lids on. 27 is the picture  
3 dumpsters at nighttime. 28 is recycling bins and  
4 the grease container at nighttime as well.

5 MS. HIRAO: 29? Are those --

6 MR. MOUHSSINE: 29 is next door  
7 restaurant trash bin and recycling.

8 MS. HIRAO: And then 30?

9 MR. MOUHSSINE: 30 is a view of our  
10 trash area and parking cars that doesn't belong  
11 to us.

12 MS. HIRAO: And 32?

13 MR. MOUHSSINE: Is the next door  
14 comparison between their trash and ours.

15 MS. HIRAO: And 32?

16 MR. MOUHSSINE: 32 is the close by  
17 building's trash.

18 MS. HIRAO: Did you take these photos?

19 MR. MOUHSSINE: Yes, ma'am.

20 MS. HIRAO: Exhibits 24 through 32?

21 MR. MOUHSSINE: Yes, ma'am.

22 MS. HIROA: And do you recall  
23 approximately when you took these photos?

24 MR. MOUHSSINE: I can't recall  
25 exactly, but it should be the daytime.

1 MS. HIRAO: Okay. But was it last  
2 week? Within the month?

3 MR. MOUHSSINE: I would say maybe in  
4 a month or so?

5 MS. HIRAO: Okay. Let's go to 24.  
6 How does Il Canale, how can you tell that a trash  
7 bin is Il Canale's versus another restaurants'?

8 MR. MOUHSSINE: They all labeled Il  
9 Canale or GF, which stands for company's name.

10 MS. HIRAO: So I 'm looking at Exhibit  
11 24. Do you see those labels on the bins?

12 MR. MOUHSSINE: Yes.

13 MS. HIRAO: Okay. I'm going to go to  
14 25. Do you see the labels on those bins as well?

15 MR. MOUHSSINE: Yes.

16 MS. HIRAO: Would you considered these  
17 bins rat proof?

18 MR. MOUHSSINE: Yes, ma'am.

19 MS. HIRAO: How often is trash picked  
20 up at this site?

21 MR. MOUHSSINE: Daily.

22 MS. HIRAO: Daily? And who is the  
23 trash company that picks it up?

24 MR. MOUHSSINE: Good Friends.

25 MS. HIRAO: Okay. And is this the

1 same for your linens? Are your linens picked up  
2 daily?

3 MR. MOUHSSINE: Linens are picked up  
4 daily, but different company. Also.

5 MS. HIRAO: And are your current linen  
6 bins rat proof?

7 MR. MOUHSSINE: Yes, correct.

8 MS. HIRAO: Okay. Thank you. Could  
9 you describe the trash management procedures at  
10 Il Canale?

11 MR. MOUHSSINE: Can you repeat that  
12 question?

13 MS. HIRAO: So when your staff throws  
14 trash out, what do they do? What are your  
15 instructions to your staff?

16 MR. MOUHSSINE: Trash bags are all  
17 sealed and when they dump it in the trash can, it  
18 has to be, the lid closed all the time.

19 MS. HIRAO: Okay. And where does Il  
20 Canale keep all its trash bins? In the back? In  
21 the front?

22 MR. MOUHSSINE: Back alley.

23 MS. HIRAO: And do other businesses  
24 maintain their trash bins in the alley as well?

25 MR. MOUHSSINE: Yes.

1 MS. HIRAO: What type of businesses?

2 MR. MOUHSSINE: Restaurants.

3 MR. HIRAO: I see. And you mentioned  
4 that Il Canale does label its trash cans.

5 MR. MOUHSSINE: That is correct.

6 MS. HIRAO: How often is this trash  
7 area for Il Canale cleaned?

8 MR. MOUHSSINE: It's daily power  
9 washed.

10 MS. HIRAO: Would you say that your  
11 neighboring restaurants also maintain a clean  
12 trash area?

13 MR. MOUHSSINE: I wouldn't say they do  
14 it the same way.

15 MS. HIRAO: Let's go to Exhibit 29.

16 MR. MOUHSSINE: That's next door,  
17 Flavio restaurant's trash bins.

18 MS. HIRAO: And do you usually find  
19 the trash bins in this condition?

20 MR. MOUHSSINE: More often.

21 MS. HIRAO: Let's go to Exhibit 30.  
22 What is Il Canale's policy about staff parking in  
23 the alley?

24 MR. MOUHSSINE: We don't have staff  
25 parking for cars there.

1 MS. HIRAO: Is that your car there?

2 MR. MOUHSSINE: No, ma'am.

3 MS. HIRAO: Or any staff car belonging  
4 to El Canale?

5 MR. MOUHSSINE: No, ma'am.

6 MS. HIRAO: Okay. Please go to  
7 Exhibit 31. What is this photo of?

8 MR. MOUHSSINE: The next door  
9 restaurant, unorganized trash bins and recycling  
10 bins.

11 MS. HIRAO: Okay. And then 32? What  
12 is that a picture of?

13 MR. MOUHSSINE: It's a bar in the  
14 vicinity of us, which is like the opposite side.  
15 It has trash cans as well.

16 MS. HIRAO: Okay. So I see, one of  
17 them, if you zoom in on it, that it is, oops. I  
18 can't do this. The trash lids are open. Is it  
19 your opinion that this attracts vermin to the  
20 area?

21 MR. MOUHSSINE: Absolutely.

22 MS. HIRAO: How far is this location  
23 from Il Canale in Exhibit 32?

24 MR. MOUHSSINE: I would say about,  
25 like, eight feet.

1 MS. HIRAO: Eight feet? Okay.

2 MR. MOUHSSINE: Or maybe, I would say  
3 eight to ten feet.

4 MS. HIRAO: Okay. I notice that one  
5 of the exhibits shows a bin that is locked. Let  
6 me go back to Exhibit 27. Why is this bin  
7 locked?

8 MR. MOUHSSINE: To maintain that  
9 nobody else from the neighborhood dump their  
10 trash into there.

11 MS. HIRAO: Is this a frequent  
12 problem?

13 MS. MOUHSSINE: We've had issues  
14 before, yes.

15 MS. HIRAO: And do you take any other  
16 steps other than locking it to make sure your,  
17 your trash bins are not tampered with?

18 MR. MOUHSSINE: We monitor them like  
19 every hour or so with one member of our staff.

20 MS. HIRAO: And what are your  
21 procedures if you anticipate your trash to be  
22 filled to capacity?

23 MR. MOUHSSINE: We do hold it inside  
24 the property.

25 MS. HIRAO: Okay. Does Il Canale have



1 complaints regarding trash maintained by other  
2 restaurants right now?

3 MR. MOUHSSINE: I didn't quite get the  
4 question, sorry.

5 MR. HIRAO: Are you happy with the way  
6 other restaurants maintain their trash?

7 MR. MOUHSSINE: Personally, no.

8 MS. HIRAO: Why is that?

9 MR. MOUHSSINE: It affects us as well.  
10 If the trash is not maintained very well, it do  
11 affect us.

12 MS. HIRAO: Does Georgetown have a rat  
13 problem?

14 MR. MOUHSSINE: Yes, it does.

15 MS. HIRAO: Is Il Canale the cause for  
16 rats to come to the alley?

17 MR. MOUHSSINE: I don't think so. My  
18 personal time that I spend there, there is rats  
19 everywhere. Like, it is in the river, like in  
20 the C&O Canal, due to the recent construction,  
21 there's a mass migration toward the street.

22 MS. HIRAO: Okay. I would like to  
23 have you go to Exhibits 33 through 36. Can you  
24 explain to the Board what these photos are of?

25 MR. MOUHSSINE: It is the rear part of

1 1065 and the alleyway.

2 CHAIRPERSON ANDERSON: Can you just  
3 name the exhibit when you describe it by number?

4 MS. HIRAO: Exhibit 33.

5 CHAIRPERSON ANDERSON: All right.

6 MS. HIRAO: And then what is Exhibit  
7 34?

8 MR. MOUHSSINE: It is the same area  
9 with a different view.

10 MS. HIRAO: Okay. And I see a bin on  
11 the right-hand side. What is that?

12 MR. MOUHSSINE: That's a linen bin.

13 MEMBER SHORT: What?

14 MR. MOUHSSINE: Dirty linen bin.

15 MS. HIRAO: And then Exhibit 35?

16 MR. MOUHSSINE: Is the alleyway  
17 towards where we put the trash.

18 MS. HIRAO: And then Exhibit 36?

19 MR. MOUHSSINE: Is the view of the  
20 alleyway from the opposite side.

21 MS. HIRAO: Okay. Did you take  
22 pictures for Exhibits 33 through 36?

23 MR. MOUHSSINE: Yes.

24 MS. HIRAO: Okay. And how long ago  
25 did you take these pictures?

1 MR. MOUHSSINE: I would say about a  
2 month.

3 MS. HIRAO: A month ago?

4 MR. MOUHSSINE: The whole pictures  
5 together or just specific pictures?

6 MS. HIRAO: Just 34 through 36.

7 MR. MOUHSSINE: I can't recall, but  
8 it's more recent.

9 MS. HIRAO: More recent?

10 MR. MOUHSSINE: Yes.

11 MS. HIRAO: Okay. And how does your  
12 staff maintain the rear area of Il Canale?

13 MR. MOUHSSINE: It is daily power  
14 washed.

15 MS. HIRAO: Daily power washed?

16 MR. MOUHSSINE: Yes.

17 MS. HIRAO: Okay. Thank you. Okay.  
18 And then finally, let's go to Exhibits 37 through  
19 39.

20 MR. MOUHSSINE: 37 is the view of the  
21 construction of the bridge, and 38 is the view  
22 for the construction sign on the opposite side of  
23 the sidewalk. 39 is a view of the actual  
24 construction that's going on on the bridge.

25 MS. HIRAO: Okay. That's it. 39. So

1 Exhibits 37 through 39, did you take these this  
2 photos?

3 MR. MOUHSSINE: Yes.

4 MS. HIRAO: How long ago did you take  
5 these photos?

6 MR. MOUHSSINE: I would say early this  
7 month.

8 MS. HIRAO: Would you say that since  
9 the construction started, you've seen an increase  
10 in rats?

11 MR. MOUHSSINE: Yes, we do see them at  
12 the front of the restaurant.

13 MS. HIRAO: So I'd also like to ask  
14 you about Joe's character. Do you think that Joe  
15 is fit to carry a license? Describe Joe's  
16 character for me?

17 MR. MOUHSSINE: Joe is a person with  
18 rules and manner of experiences. He's really  
19 like a father to us at Il Canale.

20 CHAIRPERSON ANDERSON: Hold on.  
21 What's the concern, sir?

22 MR. J. UHAR: Well, I just wanted to  
23 finish the exhibits.

24 CHAIRPERSON ANDERSON: Sir, as I said  
25 before --

1 MR. J. UHAR: I'm sorry.

2 CHAIRPERSON ANDERSON: -- when she is  
3 done --

4 MR. J. UHAR: It seems discombobulated  
5 that she can interrupt me and that's okay.

6 CHAIRPERSON ANDERSON: No, but she has  
7 not, I've not allowed her to interrupt you.

8 MR. J. UHAR: Okay. That's fine.

9 CHAIRPERSON ANDERSON: You'll get a  
10 chance to cross-examine him and --

11 MR. J. UHAR: Well, I just wanted to  
12 stay on the exhibits. But fine.

13 CHAIRPERSON ANDERSON: Well, this is  
14 her presentation of her case, and then every  
15 document that he has testified to you will get an  
16 opportunity to examine him on that. Okay, sir.

17 MS. HIRAO: Okay, if I didn't already,  
18 I'd like to introduce Exhibits 37 through 39 as  
19 Applicant's Exhibits.

20 CHAIRPERSON ANDERSON: Any objection?

21 MR. J. UHAR: No.

22 CHAIRPERSON ANDERSON: So moved.

23 MS. HIRAO: All right. I would like  
24 to ask you, well, strike that. I would like to  
25 reserve Mr. Abdul as a rebuttal witness later,

1 but --

2 CHAIRPERSON ANDERSON: Well, you have  
3 an opportunity to call a rebuttal witness if  
4 there's something to rebut. So we don't need to  
5 reserve him. If there is an issue that you want,  
6 if you want to recall him as a rebuttal witness,  
7 then you'll have that opportunity.

8 MS. HIRAO: Thank you.

9 CHAIRPERSON ANDERSON: Do you have any  
10 other questions for him?

11 MS. HIRAO: No.

12 CHAIRPERSON ANDERSON: Your questions,  
13 you can ask him now, questions and his testimony,  
14 sir.

15 MR. J. UHAR: She didn't finish the  
16 rest of the exhibits.

17 CHAIRPERSON ANDERSON: That's her  
18 right, sir. So you can only question her on the  
19 exhibits that are now in the record.

20 MR. J. UHAR: Oh, Okay. Thank you.

21 MS. HIRAO: Mr. Chairman, I'm sorry.  
22 Could we have that break?

23 CHAIRPERSON ANDERSON: I prefer not to  
24 have a break in the middle of someone testifying.

25 MS. HIRAO: However, this is a health

1 issue.

2 CHAIRPERSON ANDERSON: Is it for you  
3 or is it for your client? Well, your client can  
4 leave. I understand. I mean, can your client  
5 take a break and we still move forward?

6 MS. HIRAO: I would prefer --

7 CHAIRPERSON ANDERSON: Okay. I would  
8 prefer not to, but if we need to take a break,  
9 fine. But I prefer not to take breaks in the  
10 middle of testimony.

11 MS. HIRAO: I've already contacted the  
12 Board that there could be health issues, which  
13 would require --

14 CHAIRPERSON ANDERSON: I don't have a  
15 problem with that. I don't have any problem with  
16 that. Okay, we'll take a five-minute, how long  
17 do you want a break for?

18 MR. FARRUGGIO: Five minutes.

19 CHAIRPERSON ANDERSON: This is my  
20 position, okay. I do not want to take breaks in  
21 the middle of a witness testifying.

22 I will take breaks once the witness is  
23 done testifying. I will accommodate whatever  
24 breaks are necessary, but I do not want to take  
25 breaks. But since you say, in this particular

1 case, we'll take a five-minute break.

2 But I'm not going to, we're not going  
3 to take, unless it's a dire emergency, I'm not  
4 going to take a break in the middle of a  
5 witness's testimony.

6 MS. HIRAO: Thank you.

7 CHAIRPERSON ANDERSON: Yes, sir? No,  
8 we're taking a break.

9 MR. J. UHAR: I know. I just wanted  
10 to know where she stopped with the exhibits.  
11 Which was the last exhibit?

12 MS. HIRAO: 39.

13 MR. J. UHAR: 39.

14 CHAIRPERSON ANDERSON: Okay. Take a  
15 five-minute break.

16 (Whereupon, the above-entitled matter  
17 went off the record at 3:39 p.m. and resumed at  
18 3:46 p.m.)

19 CHAIRPERSON ANDERSON: We're back on  
20 the record. I'm sympathetic to whatever  
21 concerns. However, I don't have a problem taking  
22 breaks between witnesses if we have to. I prefer  
23 not to. But I can't take a break in the middle  
24 of -- the only time -- if your client is  
25 testifying and if he has an issue and needs to



1 take a break, fine. I will stop the hearing in  
2 the middle of his testimony. But if another  
3 witness is testifying, I can't take a break in  
4 the middle of a testimony. That's not fair to  
5 the witness. So we need to finish the witness,  
6 and then we can take a break, okay? Go ahead,  
7 sir. This is your opportunity to cross-examine.

8 So she has a right to only, I don't  
9 how many documents or how many pictures are in  
10 the record, but the only ones that we had  
11 testimony on were the ones that are in the  
12 record. So you can only rely on the ones that  
13 she already presented.

14 MR. UHAR: Could I ask why? Because if  
15 --

16 CHAIRPERSON ANDERSON: That's her  
17 choice, sir. So they're not in the record.

18 MR. UHAR: But if it's in the record --

19 CHAIRPERSON ANDERSON: But it's not in  
20 the record until I put them in the record. She  
21 disclosed them, but they're not in the record  
22 until --

23 MR. UHAR: Oh, okay. I thought she was  
24 trying to take stuff away from me, and then she  
25 takes away stuff --

1 CHAIRPERSON ANDERSON: They're not --

2 MR. UHAR: I'm good.

3 CHAIRPERSON ANDERSON: They're not in  
4 the record until -- That's one of the records why  
5 she asked to move them in the record. I asked  
6 you if you have an objection. So if she hasn't,  
7 although it might be in her PIP, if she has not  
8 asked me to move them in the record, they're not  
9 a part of the official record.

10 MR. UHAR: So when it's my turn, I have  
11 to ask that everything be entered into the  
12 record?

13 CHAIRPERSON ANDERSON: Yes. Then you  
14 have to identify the document, you're going to  
15 try to move it into the record. I'm going to ask  
16 her if she has an objection. If she does, she'll  
17 give a reason, you'll respond, and then I will  
18 rule whether or not I'm going to allow it to move  
19 in the record or whether or not it's going to  
20 stay out. Okay?

21 MR. UHAR: Sure.

22 CHAIRPERSON ANDERSON: So now you can  
23 ask whatever questions you want, based on this  
24 testimony.

25 MR. UHAR: Yes. Hello, Abdul. We've

1 known each other for a long time.

2 MR. MOUHSSINE: Yeah, we do.

3 MR. UHAR: Did you work at the Alamo  
4 Grill of Georgetown?

5 MR. MOUHSSINE: No, sir.

6 MR. UHAR: Did you work at Fratelli la  
7 Bufala?

8 MR. MOUHSSINE: No, sir.

9 MR. UHAR: You said that there were no  
10 umbrellas and no heaters.

11 MR. MOUHSSINE: We don't possess any.

12 MR. UHAR: That's now, but did you ever  
13 have umbrellas and heaters in front of 1063 and  
14 1065 31st Street?

15 MR. MOUHSSINE: We don't have any,  
16 though.

17 MR. UHAR: Did you have them? That's  
18 the question.

19 MR. MOUHSSINE: We don't have them now.

20 CHAIRPERSON ANDERSON: Sir, ask the  
21 question, sir. The question is did you have  
22 them? Yes or no? Or you don't know?

23 MR. MOUHSSINE: Yes, before.

24 MR. UHAR: Thank you. You report that  
25 there is one linen bin that's rat-proof, that

1 both linen bins are rat-proof. But if we were to  
2 go there today, would we see two rat-proof linen  
3 bins or only one rat-proof linen bin?

4 MR. MOUHSSINE: We possess one bin rat-  
5 proof.

6 MR. UHAR: And one is --

7 MR. MOUHSSINE: And the other one is in  
8 process.

9 MR. UHAR: So it's in process.

10 MR. MOUHSSINE: I didn't say two, I  
11 said one.

12 MR. UHAR: You said your linen bins  
13 were rat-proof.

14 MR. MOUHSSINE: I said linen bin.

15 MR. UHAR: Do you charge the waitresses  
16 \$20.00 to laminate a menu?

17 MR. MOUHSSINE: I don't see that  
18 related to what we're talking --

19 CHAIRPERSON ANDERSON: Sir, sir.  
20 That's not your call, sir. This is the way it's  
21 going to operate, okay? He's going to ask a  
22 question. If your attorney say object, you don't  
23 answer. Unless your attorney says objection, he  
24 asks a question, sir, you answer the question.  
25 If you can't answer the question, say I don't

1 know. You don't ask him questions, sir.

2 MR. MOUHSSINE: Okay.

3 CHAIRPERSON ANDERSON: Thank you.

4 What's the question you asked, sir?

5 MR. UHAR: The question was is it Il  
6 Canale policy to charge \$20.00 to the server  
7 staff for laminated menus?

8 MS. HIRAO: And this is where I jump in  
9 to say objection.

10 CHAIRPERSON ANDERSON: What's the  
11 nature of your objection?

12 MS. HIRAO: Irrelevance. What's the  
13 relevance to lamination with respect to the  
14 service and sale of alcohol?

15 CHAIRPERSON ANDERSON: Objection  
16 sustained. Ask a different question.

17 MR. UHAR: Okay. Exhibit 1. Do you  
18 want to go back and show Exhibit 1?

19 MS. HIRAO: Exhibit 1. Here we go.

20 MR. UHAR: Exhibit 1 shows the window  
21 treatments. This is a recent picture, correct?

22 MR. MOUHSSINE: Correct.

23 MR. UHAR: But that's after the window  
24 treatments were removed, correct?

25 MR. MOUHSSINE: Correct.

1 MR. UHAR: And those seating  
2 arrangements, you contend that these are ABRA  
3 approved with four-tops along the way?

4 MR. MOUHSSINE: Based on my knowledge,  
5 yes.

6 MR. UHAR: Moving to Exhibit 2. That  
7 stand that this man is sitting at, was that ABRA  
8 approved and CFA approved? Is that a CFA  
9 approved --

10 MS. HIRAO: Objection. What does he  
11 mean by ABRA approved? He needs to provide a  
12 little bit more information about that.

13 MR. UHAR: Okay.

14 CHAIRPERSON ANDERSON: Objection  
15 sustained.

16 MR. UHAR: So the question is ABRA  
17 approved --

18 CHAIRPERSON ANDERSON: Sustained, yeah,  
19 so rephrase your question, sir.

20 MR. UHAR: Okay. The ABRA and the U.S.  
21 Commission of Fine Arts and the ANC have to  
22 approve outdoor things. Is this thing approved  
23 by ABRA and the U.S. Commission of Fine Arts to  
24 the best of your knowledge?

25 MS. HIRAO: Objection. Mr. Abdul is a

1 manager at the restaurant and is not intimate  
2 with the regulations with seating.

3 CHAIRPERSON ANDERSON: But I don't know  
4 that. That's for him to answer. He can say -- I  
5 don't know that, so I'm going to sustain the  
6 objection. Let him answer. He can say I don't  
7 know. I don't know what he knows. He's been the  
8 manager of the restaurant, so maybe he has  
9 intimate knowledge. I don't know. So that's a  
10 question that can be asked, and so you either  
11 answer the question yes or no, whether or not if  
12 you know the answer, sir.

13 MR. MOUHSSINE: I would answer that is  
14 not my area of expertise.

15 CHAIRPERSON ANDERSON: Fine, next  
16 question.

17 MR. UHAR: Exhibit 3. This is 1063  
18 31st Street?

19 MR. MOUHSSINE: Correct.

20 MR. UHAR: And these are the unapproved  
21 window treatments that remain?

22 MS. HIRAO: Objection.

23 MR. UHAR: In other words --

24 CHAIRPERSON ANDERSON: All right, let  
25 me ask -- all right, all right. I don't know

1 whether or not they're approved or unapproved so  
2 --

3 MR. UHAR: I'll rephrase the question.

4 CHAIRPERSON ANDERSON: Yes, sir.

5 MR. UHAR: The difference that we see  
6 in the windows between 1063, which is what we're  
7 looking at in Exhibit 3, and the window  
8 treatments that we see in Exhibit 1, is that a  
9 recent change to the structure of Exhibit 1?

10 MR. MOUHSSINE: Can you rephrase the  
11 question, please?

12 MR. UHAR: Exhibit 1 is the recent --  
13 Did Exhibit 1's windows used to look like Exhibit  
14 3's windows?

15 MS. HIRAO: Objection. Again, what is  
16 the relevance with this line of questioning with  
17 respect to the service and sale of alcohol?

18 CHAIRPERSON ANDERSON: Hold on, hold  
19 on. This is why I'm going to sustain the  
20 objection. This is your exhibit. He's asking a  
21 question on the exhibit. Now I don't know why is  
22 it that you had entered the exhibit into  
23 evidence. I really don't know why you identified  
24 these documents. He has a right to ask questions  
25 about the exhibits, so I'm going to overrule your



1 objection based on he's asking a question about  
2 the exhibit.

3 He can ask whatever questions he can  
4 about the exhibit because it's an exhibit that  
5 you put into evidence. I don't know why it's in  
6 evidence, and it's up to the witness to testify.  
7 He can say I don't know, but he needs to answer  
8 the question.

9 MS. HIRAO: Shouldn't the question,  
10 however --

11 CHAIRPERSON ANDERSON: No, ma'am. I  
12 don't know why is it that you put all these  
13 document -- I don't know why all these pictures  
14 are in evidence. These are your documents. He's  
15 asking questions on your documents, and so  
16 therefore, you can't tell him what type of  
17 questions he's going to ask about your documents.  
18 So yes, he can ask questions about your  
19 documents. If the witness is unable to answer a  
20 question, that's up to the witness to say I don't  
21 know, I can't answer, I don't have the expertise.  
22 But he's asking a question.

23 I cannot tell him what type of  
24 questions he can or can't ask on the document  
25 that's already in evidence, because I don't know

1 why you put it in there. So you can ask your  
2 question, sir, and the witness is instructed to  
3 answer.

4 MR. UHAR: Did the windows in Exhibit  
5 1 look like the windows in Exhibit 3 until  
6 recently?

7 MR. MOUHSSINE: It's two different  
8 buildings.

9 MR. UHAR: But were the window  
10 treatments, did they look the same until  
11 recently?

12 MR. MOUHSSINE: I wouldn't say the  
13 same. I'm not a expert in that, but they look  
14 differently before.

15 MR. UHAR: But you were probably there  
16 when they took down -- they made Exhibit 1 look  
17 like it is today, right?

18 MR. MOUHSSINE: I'm not sure I was able  
19 to give the reason. I don't know what you're  
20 talking about.

21 MR. UHAR: Exhibit 4. We see that  
22 stairway. Doesn't DCRA say that --

23 CHAIRPERSON ANDERSON: Hold on. What  
24 stairway? Am I not seeing it --

25 MR. UHAR: Okay, well, there's --

1 CHAIRPERSON ANDERSON: No, I'm not  
2 seeing it.

3 MR. UHAR: You'll see steps in Exhibit  
4 4.

5 CHAIRPERSON ANDERSON: Oh, there are  
6 steps there?

7 MR. UHAR: Yeah, there are steps in  
8 Exhibit 4.

9 CHAIRPERSON ANDERSON: Okay, go ahead,  
10 all right.

11 MR. UHAR: According to DDOT, the floor  
12 of a sidewalk café must be at the same elevation  
13 as the existing surface space in order for the  
14 floor of the sidewalk café to be at grade. A  
15 floor may be constructed if it is less than 18  
16 inches --

17 MS. HIRAO: Objection. He's  
18 testifying. I don't even know what he's reading.

19 MR. UHAR: I'm asking --

20 CHAIRPERSON ANDERSON: All right. He's  
21 not an attorney, so I'm going to give him some  
22 leeway. So what I need you to do, sir, is to ask  
23 a question, not necessarily to testify, but try  
24 to ask him instead of what you're doing. Try in  
25 the form of a question what you're asking him,

1 sir.

2 MR. UHAR: Is the steps shown in  
3 Exhibit 4 at grade with the restaurant?

4 MR. MOUHSSINE: Can you rephrase the  
5 question, please?

6 MR. UHAR: It's true that you have to  
7 walk up two steps to get into 1063? That the  
8 floor of the restaurant is not at the same grade  
9 as the sidewalk café?

10 MR. MOUHSSINE: That's correct.

11 MR. UHAR: Thank you. Moving on.  
12 Exhibit 22, well, let's take Exhibit 22 and 23.  
13 Your permit for a summer garden is for 150 seats?

14 MR. MOUHSSINE: Yes.

15 MR. UHAR: How many seats would say are  
16 there?

17 MR. MOUHSSINE: I'd say about 28.

18 MR. UHAR: Thank you. Exhibit 29 and  
19 Exhibit 31.

20 MR. MOUHSSINE: Do you say 29 to 31?

21 MR. UHAR: 29 and 31. What is the  
22 relevance of what Flavio does with what Il Canale  
23 does?

24 MR. MOUHSSINE: Can you rephrase the  
25 question, please?

1 MR. UHAR: Actually, strike it. Let's  
2 move on to Exhibit 33 and 34. Was this a recent  
3 development, this picture?

4 MR. MOUHSSINE: Yes.

5 MR. UHAR: If we were to have taken a  
6 picture before Labor Day of this year, would it  
7 have looked the same?

8 MR. MOUHSSINE: I don't recall the  
9 exact chronology.

10 MR. UHAR: Well, there used to be a  
11 shed here, is that correct?

12 MR. MOUHSSINE: It's not there anymore.

13 CHAIRPERSON ANDERSON: Sir, okay. He  
14 asked you a question. He said to you, did there  
15 used to be shed there? If you don't know, say I  
16 don't know. If one was never there, say I don't  
17 know. But you can't say it's not there anymore,  
18 okay, sir? So listen to the question he asks you  
19 and please answer his question. If you can't  
20 answer the question, say I can't answer the  
21 question, but I don't want you to say, there's  
22 not one there anymore. That's not a response to  
23 the question, okay, sir?

24 MR. MOUHSSINE: Okay.

25 CHAIRPERSON ANDERSON: All right. So

1 listen to the question that's being asked and  
2 answer the question.

3 MR. MOUHSSINE: Can you ask the  
4 question again, please?

5 MR. UHAR: Does this picture show --  
6 this is an after-picture after a shed was  
7 removed, is that correct? 33 and 34, there used  
8 to be a shed on these?

9 MR. MOUHSSINE: Yes.

10 MR. UHAR: Thank you. Moving on to  
11 Exhibit 36.

12 CHAIRPERSON ANDERSON: Yes.

13 MR. UHAR: Those windows up above, were  
14 those recently installed?

15 MR. MOUHSSINE: They've been there all  
16 the time. If you're talking about the top floor?

17 MR. UHAR: Those windows have been  
18 there all the time?

19 MR. MOUHSSINE: I believe so, best of  
20 my knowledge.

21 MR. UHAR: How about those -- you see  
22 on the right-hand side where those beams are that  
23 are in the alley, as well as --

24 MR. MOUHSSINE: What exhibit is that?

25 MR. UHAR: We're still on Exhibit 36.

1 You can see where the outdoor sidewalk café was  
2 cut away, right? The summer garden?

3 MS. HIRAO: Objection. There's no  
4 outdoor sidewalk café designated on here.

5 MR. UHAR: I stand corrected.

6 CHAIRPERSON ANDERSON: All right, so --

7 MR. UHAR: Can I rephrase?

8 CHAIRPERSON ANDERSON: Yes.

9 MR. UHAR: We see hanging off the wall  
10 below the windows, we see these beams coming out,  
11 correct?

12 MR. MOUHSSINE: Correct.

13 MR. UHAR: And along the alley?

14 MR. MOUHSSINE: Yes, correct.

15 MR. UHAR: That is a public alley and  
16 those were recently cut away, correct?

17 MR. MOUHSSINE: I would say that they  
18 were cut away, but I'm not an expert to say stuff  
19 like --

20 MR. UHAR: Within the last year.

21 MR. MOUHSSINE: I believe so, yeah.

22 MR. UHAR: Thank you. Exhibit 37,  
23 again, this is 1065 to the left and 1063 to the  
24 right, but the windows used to look the same,  
25 correct?

1 MS. HIRAO: What is the question?

2 MR. UHAR: If the win--

3 MS. HIRAO: If it's 1063 or 1065, or is  
4 it the windows?

5 CHAIRPERSON ANDERSON: I think as a  
6 point of clarification he tried to give the  
7 address and then he asked the question did the  
8 windows look the same.

9 MR. UHAR: Until recently. It looked  
10 more like 1063 up until recently, is that  
11 correct? The window treatments?

12 MR. MOUHSSINE: The exact same?

13 MR. UHAR: No, not exact, not exact,  
14 but I mean, it was the same window treatment, the  
15 same boxy thing as opposed to now we just have  
16 the original historic windows.

17 MS. HIRAO: I don't understand the  
18 question.

19 MR. UHAR: This has to do with the  
20 United States Commission of Fine Arts.

21 CHAIRPERSON ANDERSON: If you have an  
22 objection, you raise an objection. That's not up  
23 to you to say you don't understand the question.  
24 That's up to the witness. Say if you have an  
25 objection on the phraseology --



1 MS. HIRAO: Objection on the  
2 phraseology of the question posed to the witness.

3 CHAIRPERSON ANDERSON: Well, I  
4 understand the question, so I'm going to --

5 MS. HIRAO: I don't know. He kept on  
6 going on and on and on and on.

7 CHAIRPERSON ANDERSON: I'm going to  
8 overrule the objection, so let the witness answer  
9 the question if he can. Do you have an answer,  
10 sir?

11 MR. UHAR: Again, 1065 to the left used  
12 to look like 1063 to the right, window-wise,  
13 correct? On the second-floor?

14 MR. MOUHSSINE: It used to look  
15 different.

16 MR. UHAR: Yes, 1065 used to look  
17 different?

18 MR. MOUHSSINE: 1065 looked different  
19 than that one.

20 MR. UHAR: Yes, 1065 used to look like  
21 1063, is that correct?

22 MR. MOUHSSINE: I'm not expert.

23 MR. UHAR: That's good. That's all.

24 CHAIRPERSON ANDERSON: Any questions by  
25 the board members of this witness? Do you need

1 to ask any follow-up?

2 MS. HIRAO: Nope.

3 CHAIRPERSON ANDERSON: Thank you, Mr.

4 -- how do you pronounce the last name?

5 MR. UHAR: Can I ask one more question?

6 CHAIRPERSON ANDERSON: You have lost

7 your opportunity, sir.

8 MR. UHAR: Okay, sorry.

9 CHAIRPERSON ANDERSON: You have lost  
10 your opportunity. That's why you have to make  
11 sure when you ask questions, because then if she  
12 had asked a question, maybe, but you have lost  
13 your opportunity. So your name is Mr. Farru --

14 MR. MOUHSSINE: Abderrahman.

15 CHAIRPERSON ANDERSON: Oh, I'm sorry.  
16 I wrote the wrong --

17 MR. MOUHSSINE: My short name is Abdul.

18 CHAIRPERSON ANDERSON: Mr. Abdul, thank  
19 you very much for your testimony. You can step  
20 down.

21 MR. MOUHSSINE: Thank you.

22 CHAIRPERSON ANDERSON: Do we have  
23 another witness?

24 MS. HIRAO: Yes, we do.

25 CHAIRPERSON ANDERSON: How many more

1 witnesses do you have?

2 MS. HIRAO: Three more.

3 CHAIRPERSON ANDERSON: About how long  
4 do you believe that each witness?

5 MS. HIRAO: Maybe 20 minutes each.

6 CHAIRPERSON ANDERSON: Twenty minutes  
7 each.

8 MS. HIRAO: Maybe less.

9 CHAIRPERSON ANDERSON: Just remember  
10 you have 90 minutes to do your case, and I'm not  
11 quite --

12 MS. HIRAO: I'm trying to --

13 CHAIRPERSON ANDERSON: And I'm not  
14 quite sure how other -- I wasn't keeping track,  
15 but I think that we are -- all right. So who's  
16 your second witness?

17 MS. HIRAO: I'd like to call Giuseppe  
18 Farruggio to the stand.

19 CHAIRPERSON ANDERSON: Okay, Mr. Farr--

20 MR. FARRUGGIO: Farruggio.

21 CHAIRPERSON ANDERSON: Farruggio. Over  
22 the last couple of weeks I've been here, I have  
23 beginning to learn some interesting pronunciation  
24 of names. I'll just say it that way. Here,  
25 raise your right hand, sir. Do you swear or

1 affirm to tell the truth and nothing but truth?

2 MR. FARRUGGIO: Yes.

3 CHAIRPERSON ANDERSON: Yes. Have a  
4 seat. Please pull the microphone to you and  
5 speak, and please speak in the microphone, sir.  
6 So pull the microphone closer to you, please.  
7 You can pull it to you. You don't have -- yeah,  
8 you can pull it, yes. Your witness, ma'am.

9 MS. HIRAO: Good evening. Can you  
10 state your full name for the record and spell it?

11 MR. FARRUGGIO: My name is Giuseppe  
12 Farruggio, F-A-R-R-U-G-G-I-O.

13 MS. HIRAO: And where do you reside?

14 MR. FARRUGGIO: 3602 Prospect Street,  
15 NW, Washington, D.C.

16 MS. HIRAO: Can you tell the board  
17 about your restaurant experience?

18 CHAIRPERSON ANDERSON: I'm sorry. Who  
19 is he?

20 MS. HIRAO: Ah, I will get into that.

21 CHAIRPERSON ANDERSON: But no. That's  
22 how we start off with it, so who is he? I mean,  
23 you first --

24 MS. HIRAO: Got it. How are you  
25 related to Il Canale?

1 MR. FARRUGGIO: I am the owner of Il  
2 Canale, the founder.

3 MS. HIRAO: Can you tell us about your  
4 restaurant experience?

5 MR. FARRUGGIO: I have about close to  
6 50 years' experience in the restaurant business.  
7 I came in from Italy in 1970 when I was about 16  
8 and a half, and started working at a pizzeria in  
9 New York, and I'm still in it.

10 MS. HIRAO: Do you own other  
11 restaurants in D.C. other than Il Canale?

12 MR. FARRUGGIO: Yes, I also own the 90-  
13 Second Pizza on Wisconsin Avenue.

14 MS. HIRAO: Do they hold an alcoholic  
15 beverage license at 90?

16 MR. FARRUGGIO: No, no.

17 MS. HIRAO: 90 Pizza? And how about in  
18 Virginia? Do you own another restaurant?

19 MR. FARRUGGIO: Yeah, also I own a  
20 restaurant with my family called Joe's Place  
21 Pizza and Pasta. There we have beer and wine.

22 MS. HIRAO: How long have you owned Il  
23 Canale?

24 MR. FARRUGGIO: Ten years.

25 MS. HIRAO: Tell me about Il Canale's

1 neighborhood.

2 MR. FARRUGGIO: Il Canale is a  
3 commercial and residential neighborhood, you  
4 know, pretty much down the street is more  
5 residential in the middle, I would say. In the  
6 back it's commercial/residential. I think  
7 everything is pretty much commercial/residential,  
8 but there's some people live there, some people  
9 doesn't, you know.

10 MS. HIRAO: What was the neighborhood  
11 like when you took over Il Canale?

12 MR. FARRUGGIO: I think the  
13 neighborhood was a little run down, especially,  
14 you know, there is the beautiful hotel across the  
15 street right now. It used to be an empty office  
16 building. The restaurant next door was a dancing  
17 bar and place. When I took over, you know, it  
18 was a pretty run down restaurant.

19 MS. HIRAO: Would you describe the  
20 neighborhood now as blighted and run down?

21 MR. FARRUGGIO: I don't think so. I  
22 think the neighborhood is a blessing. The  
23 traffic, I think brought a lot of people to come  
24 to 31st Street, and it's beautiful people. They  
25 come around and enjoy the family and the friends

1 and tourists. No, I think I've been an asset to  
2 the neighborhood.

3 MS. HIRAO: Can you describe the type  
4 of food that you serve at the restaurant?

5 MR. FARRUGGIO: Yes. I'm a pizza maker  
6 for pretty close to 50 years, and I want to make  
7 the best pizza in the world, and that's what I'm  
8 doing. We came number 4 in Las Vegas in the  
9 world. As Abdul expressed, we are one of the 70  
10 best restaurant and pizzeria in the world. That  
11 gives me, you know, a lot of pride and to -- and  
12 I have to do better. I keep have to do better.

13 MS. HIRAO: You have to do better.

14 MR. FARRUGGIO: Because my customer,  
15 they are beautiful and I want to give more.

16 MS. HIRAO: And let me see, hold on for  
17 a second. How often are you on-site at Il  
18 Canale?

19 MR. FARRUGGIO: Pretty much every day.  
20 I'm usually there in the morning or in the  
21 evening.

22 MS. HIRAO: And when you are on-site,  
23 what do you do at the restaurant?

24 MR. FARRUGGIO: I do what I know how to  
25 do, what, you know, I've done all my life. Make

1       sure that the restaurant is clean, first, and  
2       then my employees are doing the job, following  
3       the recipes and check and test the product. I  
4       eat a lot of pasta because they make me taste it,  
5       you know. I pretty much oversee the whole  
6       operation and talk to my managers or my GM.

7                   MS. HIRAO: Can you tell me about your  
8       staff, the number of managerial staff at Il  
9       Canale?

10                   MR. FARRUGGIO: We have four managers,  
11       and one of them is the GM, which has been with me  
12       about six months, five months, but she's still in  
13       training.

14                   MS. HIRAO: How many ABC managers do  
15       you have at Il Canale right now?

16                   MR. FARRUGGIO: Three.

17                   MS. HIRAO: Can you tell us about your  
18       reset policy at Il Canale? What does that mean?  
19       Reset?

20                   MR. FARRUGGIO: Reset, oh, okay.

21                   MS. HIRAO: Yes.

22                   MR. FARRUGGIO: Reset is something that  
23       I like to use it. But the end of the night,  
24       before we close the door, we have to clean and  
25       put everything in place. Let's say you move a



1 pot and a pan and then you cook with it or  
2 whatever, you put it back the way it was, in the  
3 condition it was in the morning. And that gets  
4 done outside and inside. So press wash the  
5 kitchen so there's no food left in the floor and,  
6 you know, yeah.

7 MS. HIRAO: And we talked about trash  
8 with Mr. Abdul. How did you find your rat-proof  
9 bins? Was it a difficult task?

10 MR. FARRUGGIO: Yeah, you know, we had  
11 to do some research. You know, we got the trash  
12 company to get the right ones.

13 CHAIRPERSON ANDERSON: Can you speak  
14 up?

15 MEMBER SHORT: Closer to the  
16 microphone.

17 CHAIRPERSON ANDERSON: Sir, you're  
18 talking to us, not to her.

19 MR. FARRUGGIO: Oh. She's asking the  
20 question.

21 CHAIRPERSON ANDERSON: She's asking the  
22 question, but I know that she's the attorney, but  
23 we're the ones --

24 MR. FARRUGGIO: Sorry, sorry. I  
25 (Simultaneous speaking.)

1 MS. HIRAO: Okay, and you instruct  
2 your staff to clean the trash area every day?

3 MR. FARRUGGIO: Yes, yes, to press wash  
4 it every day, make sure that they close and keep  
5 it inside the restaurant. The manager opens the  
6 door, they put the trash out, they put them in  
7 the bin, and they come in and we arm the doors.  
8 All the doors in the back, they're all armed.

9 MS. HIRAO: Why do you require your  
10 staff to take photos of the trash at the close of  
11 each day?

12 MR. FARRUGGIO: Because I want to make  
13 sure, because you know, I knew that we were  
14 closing the bin, but then I was told that the  
15 bins were open in the morning. And I just wanted  
16 to make sure that I left the right staff who  
17 would not do that, because people would go and  
18 put other stuff in and I would get blamed for it.

19 MS. HIRAO: Who is Il Canale's pest  
20 control company?

21 MR. FARRUGGIO: Orkin.

22 MS. HIRAO: Orkin? And what's your  
23 opinion about Georgetown's rat problem?

24 MR. FARRUGGIO: I think, you know, we  
25 all know what the problem is. I can only do what

1 I can do to clean my area. I think that it's  
2 been a problem and it is always going to be a  
3 problem, you know. Yes, it's a problem. It's  
4 been a problem. I think it's a lot cleaner in  
5 the area, a lot cleaner than it used to be, but  
6 still with the activity of the bridge, for some  
7 reason they popping from the front now at 31st  
8 Street.

9 MS. HIRAO: And you're talking about  
10 the 31st Street Bridge construction?

11 MR. FARRUGGIO: Yes.

12 MS. HIRAO: I'd like for you to take a  
13 look at Exhibit 39. Is this the bridge  
14 construction you're talking about?

15 MEMBER SHORT: It's also over the top  
16 of your head, sir.

17 MS. HIRAO: It's on the screen?  
18 Giuseppe, it's on the screen.

19 MR. FARRUGGIO: Ah, okay.

20 MS. HIRAO: Can you see it?

21 MR. FARRUGGIO: Yes. Yes, that's the  
22 construction I'm talking about.

23 MS. HIRAO: And is that close by to Il  
24 Canale?

25 MR. FARRUGGIO: Yes.

1 MS. HIRAO: Is this the front of the  
2 construction site?

3 MR. FARRUGGIO: Yes.

4 MS. HIRAO: Your neighbors say that Il  
5 Canale is the cause of the rat problems. How do  
6 you respond to this?

7 MR. FARRUGGIO: Well, I think it's not  
8 true. I'm not responsible for -- put Il Canale  
9 there, but I'm not responsible to have the rats  
10 in there. No way I would assume that  
11 responsibility.

12 MS. HIRAO: Have you been convicted of  
13 any felony?

14 MR. FARRUGGIO: No.

15 MS. HIRAO: Have you had your ABC  
16 license revoked?

17 MR. FARRUGGIO: No.

18 MS. HIRAO: Did you know that the Uhars  
19 are real estate brokers?

20 MR. FARRUGGIO: Yes.

21 MS. HIRAO: How did you meet the Uhars?

22 MR. FARRUGGIO: In the beginning, you  
23 know, I think until a couple of years ago, we had  
24 I'd say a good neighbors relationship. We  
25 talked, you know. I would get there in the

1 morning, and in the afternoon he'd walk out of  
2 the house and I was working out of the restaurant  
3 and we would chat. I like real estate, I enjoy  
4 talking about real estate, commercial especially,  
5 and we had some great conversation about it.

6 MS. HIRAO: He was a good friend and  
7 neighbor?

8 MR. FARRUGGIO: He was a friend. You  
9 know, he has some bees at his farmhouse. He  
10 brought me the honey. I miss that, you know,  
11 because now it's like everything I do is no good,  
12 you know. I cannot become that person, he makes  
13 me.

14 MS. HIRAO: Did you send a cease and  
15 desist letter to John Uhar through your attorney?

16 MR. FARRUGGIO: Yes.

17 MS. HIRAO: Why is that?

18 MR. FARRUGGIO: Because John had got  
19 out of control, you know. He will call the  
20 health department inspection, he will call fire,  
21 he will call all inspectors that the city has at  
22 its disposal and send them, you know, four or  
23 five times. And I got to the point that I put  
24 all my permits in a box. An inspector will come  
25 in and I'll say, look for what you need, you

1 know. Every time I say why are you here, they  
2 say somebody called, a neighbor.

3 MS. HIRAO: Was there an incident where  
4 John Uhar entered your restaurant and screamed at  
5 your patrons?

6 MR. FARRUGGIO: That's one -- then yes,  
7 many times he will come in and, you know, get  
8 angry at my employees and tell them, you know,  
9 you can't do this, you can't do this. And then  
10 at times he will walk in the restaurant shouting  
11 with my management and disturb my beautiful  
12 customers. They don't need to be disturbed by  
13 anybody, not just him. I would defend that all  
14 the time.

15 MS. HIRAO: Did any of your staff  
16 report that they felt threatened?

17 MR. FARRUGGIO: Yes. One time, my GM  
18 at the time, he had called me and says he's here  
19 again, he's acting crazy. I said call the  
20 police, you know, and the police were called.

21 MS. HIRAO: Have any of your kitchen  
22 staff report that they felt threatened, that they  
23 didn't want to work there anymore?

24 MR. FARRUGGIO: Yes, yes.

25 MS. HIRAO: Do you feel threatened by

1 him?

2 MR. FARRUGGIO: I do, I do. This  
3 person comes out sometime with eyes almost coming  
4 out his ear, and he just screams at me. Like,  
5 you are fake, you do all these illegal things.  
6 You've got to do the same things everybody else.  
7 You obey by the rules, and I do obey by the  
8 rules. I do not have any citation. I have a  
9 license for everything. I do my job. I consider  
10 myself and two other people that I'm an elite in  
11 the restaurant business, like elite sport  
12 players.

13 I've been doing this for 50 years.  
14 I'm 66 years old. I'm not here to, you know, do  
15 anything. I don't need to, you know.

16 MS. HIRAO: Do you feel that this is  
17 more personal rather than a valid peace order and  
18 quiet allegation?

19 MR. FARRUGGIO: I think so, I think so,  
20 I think so. You know, the last six months has  
21 been the worst. All my blood, I did my blood  
22 work about a month ago. It's all wacky. I n  
23 ever had, I'm really healthy, I'm a runner. I  
24 smoke a cigar here and then. I don't drink, and  
25 I'm pretty healthy. But all my health is all

1 wacky. My wife, I go home, and she says again  
2 and I received another email or another text  
3 message from my lawyer or from a neighbor that  
4 told me about it, and it gets right in my  
5 stomach, you know. It gets under my skin for no  
6 reason.

7 MS. HIRAO: Do you feel like he's  
8 harassing you?

9 MR. FARRUGGIO: All the time, all the  
10 time, and yes, all the time.

11 MS. HIRAO: Can you go to Exhibit 55 in  
12 the binder, please? Yeah, I'll go to 55. My  
13 apologies. This is blurry. I'd like for you to  
14 go to the binder, 55. Did you find it?

15 MR. FARRUGGIO: Yes.

16 MS. HIRAO: Do you recognize that  
17 letter?

18 MR. FARRUGGIO: I am not a good reader.  
19 Mr. Griffin? Yes. I --

20 MS. HIRAO: Can you just --

21 MEMBER SHORT: Into the microphone,  
22 into the microphone.

23 MR. FARRUGGIO: Yes, I identify the  
24 letter. I had to hire a zoning lawyer because,  
25 you know, it had to do with zoning. He just



1 claimed that, you know, everything was, you know,  
2 run it by him. And through all this harassment I  
3 had with my employees and with my management, I  
4 had a lawyer to say, you know, send a letter.  
5 Let him know that we can't go on like this.

6 MS. HIRAO: So this letter was sent out  
7 to stop the harassment?

8 MR. FARRUGGIO: Yes, it's already  
9 began. It already was going on, and it was  
10 accelerating.

11 MS. HIRAO: I have no more questions.

12 CHAIRPERSON ANDERSON: Do you have any  
13 questions you want to ask, sir?

14 MR. UHAR: Yes. Mr. Farruggio, did you  
15 own Fratelli La Bufala, or were you just the  
16 landlord for Fratelli La Bufala?

17 MR. FARRUGGIO: I was a silent  
18 investor.

19 MEMBER SHORT: Into the microphone,  
20 please, in front of you.

21 MR. UHAR: I'm sorry. You were a  
22 silent investor in Fratelli La Bufala?

23 MR. FARRUGGIO: Yes.

24 MR. UHAR: I seem to recall you being  
25 involved in every aspect of Fratelli La Bufala

1 and complaining about your partners.

2 MS. HIRAO: Objection, testifying.

3 CHAIRPERSON ANDERSON: All right, hold  
4 on. I'm going to sustain the objection, but not  
5 because he's testifying, because it's not  
6 relevant. I don't understand why. It's not  
7 relevant to -- I didn't hear any testimony under  
8 direct on that issue. Also, sir, when you ask  
9 questions in cross-examination, it's based on his  
10 testimony. So if he didn't testify to whatever  
11 you're asking to, you can't ask questions that  
12 are not necessarily things he testified against.  
13 I'm sorry, not against, that he testified about.

14 MR. UHAR: It's your testimony here  
15 today that you've satisfied all legal  
16 requirements for an outdoor sidewalk café at 1063  
17 and 1065 31st Street?

18 MR. FARRUGGIO: What's the question,  
19 John?

20 CHAIRPERSON ANDERSON: If you can't  
21 answer the question, ask him to rephrase. Do you  
22 not understand the question, sir?

23 MR. FARRUGGIO: I wonder if he asks me  
24 if I have the permit for the outdoor --

25 CHAIRPERSON ANDERSON: I don't think I

1 heard that. What was the question?

2 MR. UHAR: Yeah, he said that he's done  
3 everything according to the rules.

4 CHAIRPERSON ANDERSON: What was the  
5 question you asked him?

6 MR. UHAR: The question is have you  
7 satisfied all legal requirements from the United  
8 States Commission of Fine Arts, DDoT, DCRA, the  
9 ANC, and others in securing your outdoor sidewalk  
10 café for 1063 and 1065?

11 MR. FARRUGGIO: Yes, because I have a  
12 license.

13 MR. UHAR: Does the existence of a  
14 license automatically mean that you have a valid  
15 permit?

16 MR. FARRUGGIO: I am no expert in that,  
17 Johnny. I hire a lawyer to help me to get the  
18 seating outside, and after about a year, it took  
19 about a year and we got it.

20 MR. UHAR: When did you get your first  
21 outdoor sidewalk café permit?

22 MS. HIRAO: It's in the record.

23 MR. FARRUGGIO: It's in the record,  
24 yeah. I don't remember.

25 MS. HIRAO: Objection.

1 MR. UHAR: No, it's material.

2 CHAIRPERSON ANDERSON: All right. Ask  
3 the question again, sir. You asked the question.

4 MR. UHAR: Can he read it back? I'm  
5 getting confused.

6 CHAIRPERSON ANDERSON: I don't think he  
7 can verbatim read something back. No, all right,  
8 the reason I'm saying -- it can't be it's in the  
9 record. So you either object, but not in the  
10 record. So if he's asking a question, he asks a  
11 question, if the witness doesn't know the answer,  
12 he doesn't answer. So that's what I'm saying.  
13 She interrupted by saying it's in the record, and  
14 she shouldn't have. The attorney can only say  
15 object and tell me, not they can't answer the  
16 question. So that's why I'd asked you to ask the  
17 question again. But let's move on and see where  
18 it goes from there.

19 MR. UHAR: Mr. Farruggio, did you have  
20 a permit for the shed on Lot 0842 in Square 1198?

21 MS. HIRAO: Objection, relevance. The  
22 shed is not part of the ABC licensed  
23 establishment, and there is a board order that  
24 denies that.

25 MR. UHAR: Could I object. It is a

1 part of it, and you'll see it in the record.

2 CHAIRPERSON ANDERSON: All right.

3 You're saying that the shed is not what?

4 MS. HIRAO: The shed is not part of the  
5 ABC licensed establishment. I believe it's Lot  
6 84, and the board has issued an order denying a  
7 motion for reconsideration for Louise Sagalyn  
8 being a protestant based on being an abutting  
9 property owner. And in that order, the board  
10 denied Louise Sagalyn's standing as an abutting  
11 property owner because she was claiming that  
12 being next to Lot 842 was the basis that she  
13 should be a protestant in the case, and the board  
14 disagreed.

15 CHAIRPERSON ANDERSON: And so the board  
16 said that the shed is not a part of the license?

17 MS. HIRAO: Correct.

18 CHAIRPERSON ANDERSON: Well, so I'm  
19 going to --

20 MR. UHAR: Well, I want to ask, did you  
21 have a shed on Lot 842 in Square 1198?

22 MR. FARRUGGIO: Yes.

23 MR. UHAR: Did you build across the  
24 public alley behind me?

25 MR. FARRUGGIO: No.

1 MR. UHAR: What was that construction  
2 that was behind us that we had?

3 MS. HIRAO: Objection, what's the  
4 relevance to this line of questioning with  
5 respect to sales and service of alcohol at Il  
6 Canale?

7 MR. UHAR: That's not my question. My  
8 question is illegal activities without permits.

9 MS. HIRAO: But it has to have  
10 relevance.

11 CHAIRPERSON ANDERSON: Well --

12 MS. HIRAO: And there's no --

13 MR. UHAR: Subject to 25301, it's very  
14 relevant.

15 CHAIRPERSON ANDERSON: I don't really  
16 know where we're going here, so I'll give him  
17 some leeway, but there has to be some point. I  
18 don't --

19 MR. UHAR: Well, he says that he's  
20 gotten permits for all --

21 CHAIRPERSON ANDERSON: That's one of  
22 the reasons why I'm allowing you, but because --  
23 so I heard that testimony, I'll give you some  
24 leeway, but I'm not quite sure -- I'll give you  
25 some leeway, but I don't want to spending this

1 entire hearing trying to figure out whether he  
2 has had illegal permits for whatever. I'm not  
3 aware of that. As far as the board is concerned,  
4 he's asked to renew his license. He has provided  
5 us with the proper permits from --

6 He has a Certificate of Occupancy or  
7 whatever. He has the certificate that he  
8 requires from the District to operate his  
9 business. So as far as the board is concerned, I  
10 mean, I believe he has met that threshold. But I  
11 am not going to go into whether or not he has  
12 done illegal construction, because that's not  
13 relevant to this hearing. So I'll give you some  
14 leeway, but I mean, we can't go into, okay, when  
15 did you get your first permit, because that's  
16 just going a little bit too far afield.

17 MR. UHAR: Okay, understood. Do you  
18 think the rodents have gotten better since the  
19 shed was removed? I'm not asking about the  
20 liquor license. Did you store materials in a  
21 shed on Lot 0842?

22 MR. FARRUGGIO: Yes, I had -- There's  
23 some stuff that I store there, yes. Metal stuff  
24 or, you know, box.

25 MR. UHAR: Did you store linen bins?

1 MR. FARRUGGIO: There was a linen bin  
2 there, yes.

3 MR. UHAR: Did you store chemicals?

4 MR. FARRUGGIO: They're not there,  
5 Johnny, anymore. They're not there. That was a  
6 long time ago, you know, a year ago, six months  
7 ago. I removed it because you wanted me to.

8 MR. UHAR: You talk about the cease and  
9 desist letter that was given to me, and you claim  
10 that I was calling the agencies. Is it your  
11 contention that you've never received a violation  
12 from the D.C. Fire Department?

13 MR. FARRUGGIO: I received a violation  
14 from D.C. Fire Department.

15 MR. UHAR: Is it your contention that  
16 you have not received any citations from  
17 D.C.R.A.?

18 MR. FARRUGGIO: I don't have any right  
19 now. I do not have any citations standing at  
20 all, you know. Everything's been care of.

21 MR. UHAR: That's not the question,  
22 sir. Will the record show that you had four stop  
23 work orders this summer?

24 MR. FARRUGGIO: When are you talking  
25 about?



1 CHAIRPERSON ANDERSON: He said this  
2 summer.

3 MR. FARRUGGIO: This summer, yes.

4 MR. UHAR: What were those for?

5 MR. FARRUGGIO: One was -- it was all  
6 the same one, really, you know, for some  
7 neighbor, I'm not going to say, you know, John.  
8 Some neighbor called the inspector, said that I  
9 was working in the shed, which was not true. And  
10 then there was some window treatment in the front  
11 of the building, which I had put in two and a  
12 half years before, and they said that it was  
13 illegal. And I removed them since then.

14 MR. UHAR: Again, on that cease and  
15 desist letter, you mentioned the D.C. Department  
16 of Health. Your attorney claims that I had  
17 called in the D.C. Department of Health, is that  
18 correct?

19 MR. FARRUGGIO: I said a neighbor.  
20 That's what the health department told me, the  
21 lady. Every time I ask an inspector, they say a  
22 neighbor, and they never penalized for it because  
23 I didn't have anything wrong.

24 MR. UHAR: Was there a article in City  
25 Paper saying that you scored a 66 out of 100 on

1 YELP for your health department?

2 MR. FARRUGGIO: I never saw it.

3 MR. UHAR: But is there one?

4 MR. FARRUGGIO: I don't know.

5 MS. HIRAO: Objection. Where is this  
6 going?

7 MR. FARRUGGIO: I don't read that  
8 paper.

9 MR. UHAR: Where it's going is, is that  
10 --

11 CHAIRPERSON ANDERSON: I'm listening,  
12 where, yeah.

13 MR. UHAR: Where it's going is, is that  
14 he talks about being a good neighbor. A good  
15 neighbor, and my exhibits will show this, but you  
16 put illegal umbrellas back in front of 1063.

17 CHAIRPERSON ANDERSON: Hold on. No,  
18 all right.

19 MR. UHAR: Okay, I can't do that, I'm  
20 sorry.

21 CHAIRPERSON ANDERSON: There was an  
22 objection and the objection was about the health.

23 MR. UHAR: I have a different question.

24 CHAIRPERSON ANDERSON: Okay.

25 MR. UHAR: We were good neighbors until

1 I asked Matteo to remove the illegal umbrellas in  
2 front of 1063 and 1065?

3 MS. HIRAO: Objection. He's asking the  
4 witness to speculate what a individual who's not  
5 here, what his frame of mind was. It has no  
6 relevance.

7 CHAIRPERSON ANDERSON: Your witness  
8 testified that we were good neighbors. He had a  
9 farm for bees. He used to give me honey, and  
10 then something changed, so I don't know. So  
11 that's yeah, go ahead, ask the question. Answer  
12 the question. The testimony was that yeah, we  
13 were good neighbors, so I'm trying to find out  
14 since you brought it up, so he's trying to ask  
15 what changed. So answer the question, sir.

16 MR. FARRUGGIO: Me?

17 CHAIRPERSON ANDERSON: Yes, you.

18 MR. FARRUGGIO: What's the question  
19 again?

20 CHAIRPERSON ANDERSON: He said, what  
21 was it you said? You were good neighbors until  
22 you --

23 MR. UHAR: We were good neighbors until  
24 Matteo called in a police report that you  
25 referenced. Is that correct?

1 MR. FARRUGGIO: Until about, you know,  
2 about the time of the Mr. Griffin in 2018.

3 MR. UHAR: I believe it was 6/9/18, or  
4 6/12 the letter was written, 6/9/18 was when --

5 MR. FARRUGGIO: Yeah.

6 MR. UHAR: -- Matteo --

7 MR. FARRUGGIO: That's when I got it  
8 that there was issues with my neighbor. I did  
9 not know before because he was not -- I don't  
10 think he could be like that, you know. I'm like,  
11 what do you mean? Come on, I said to my manager.  
12 Give him a chance. He's maybe mad for something.  
13 Until, you know, really, really get out of line  
14 and that's when I got a zoning lawyer involved.

15 MR. UHAR: Mr. Farruggio, your zoning  
16 lawyer, in that letter, is there anything against  
17 the law for making a valid complaint about a  
18 restaurant or any establishment and the way it  
19 conducts its business?

20 MS. HIRAO: Objection. He's asking the  
21 witness to render a legal opinion. What's the  
22 relevance to this?

23 CHAIRPERSON ANDERSON: You put it in  
24 evidence.

25 MS. HIRAO: Sure, but he's asking him

1 to come to a legal conclusion.

2 MR. UHAR: It's not a legal conclusion.

3 CHAIRPERSON ANDERSON: You put the  
4 document in evidence to say that --

5 MS. HIRAO: If you look at the record,  
6 I didn't put it into evidence.

7 CHAIRPERSON ANDERSON: Well, you asked  
8 him questions about that document.

9 MR. UHAR: You submitted it after --

10 CHAIRPERSON ANDERSON: Hold on, sir.  
11 And so therefore, he's trying to make himself,  
12 from his perspective, so go ahead, answer the  
13 question, sir, if you can, about this letter and  
14 whatever is his interpretation of this letter.  
15 You know, when you put a document in evidence,  
16 the other side can ask whatever question it is on  
17 the document, because you opened the door. You  
18 opened the door by putting the document in there,  
19 so he has an opportunity to ask questions on the  
20 document that you put into evidence.

21 MS. HIRAO: You can ask questions about  
22 the document, but as far as someone else's frame  
23 of mind, that's pretty tenuous, especially with  
24 someone else not being here.

25 CHAIRPERSON ANDERSON: I've already

1 made my ruling. Answer the question about the  
2 document, sir. If the witness cannot answer the  
3 question, tell him that I can't. That's not for  
4 you to answer. He can give whatever answer he  
5 can or can't, but he needs to give an answer.

6 MR. FARRUGGIO: In my knowledge, the  
7 way I knew my GM, and I think my GM would make a  
8 good judgment to either, you know, call the  
9 police or not call the police, and I stick with  
10 him. And at this point, you know, I support my  
11 manager because he was supporting, he's there  
12 every day and he knew what he was doing, you  
13 know.

14 MR. UHAR: Do you remember what time  
15 your manager called before making the police  
16 report?

17 MR. FARRUGGIO: I was not there,  
18 Johnny.

19 MR. UHAR: But you said he called you.

20 MR. FARRUGGIO: He called me before.  
21 I don't remember. No, I swear to God, I don't  
22 remember the time. I don't know where I was and  
23 if there was --

24 MR. UHAR: The other comments in the  
25 letter that your zoning attorney, Mr. Griffin,

1 swore out, is there any physical record or proof  
2 that I ever went into your restaurant except that  
3 day, when I was given the -- well, except that  
4 day, which followed with the police report? Is  
5 there any record that I ever went in and talked  
6 to your employees and told them inside your  
7 building not to do certain things? Does Mr.  
8 Griffin have any evidence of that?

9 MR. FARRUGGIO: My manager report to me  
10 everything that's going on in the business,  
11 everything. I want to know everything that's  
12 going on, and he briefed me about it, pretty  
13 often at that time.

14 MR. UHAR: Did your manager tell you  
15 that the reason I went in there was because the  
16 illegal umbrellas were back up?

17 MR. FARRUGGIO: We did not receive any  
18 summons to remove the umbrella. I didn't know  
19 that they were illegal. When I put it up because  
20 it was sunny and I want to make my customer more  
21 comfortable, and I put the umbrella up. I saw  
22 them all over, and I'm, like, wow, let's get some  
23 umbrella. They look nice, they make Georgetown  
24 pretty, and so the customer can eat in the sun.  
25 That was my intention to put the umbrella in

1 there. It was not to do something illegal, the  
2 way you state it.

3 MR. UHAR: Did you have heaters as well  
4 as the umbrellas?

5 MR. FARRUGGIO: That was for the same  
6 convenience, for my customers.

7 MR. UHAR: Did you know that DDoT  
8 requires you to get an endorsement for an  
9 umbrella?

10 MR. FARRUGGIO: No, if I would, I would  
11 do something about it.

12 MR. UHAR: Did you know that the D.C.  
13 Fire Department requires you to get approval for  
14 heaters under the umbrellas?

15 MR. FARRUGGIO: No, I didn't know,  
16 really, because I see them all over. I still  
17 them, you know, across the street. The  
18 restaurant across the street still has the  
19 heater. I see them all over and I thought it was  
20 normal. I lived in Virginia at that time. I  
21 moved to D.C. about three years ago. I didn't  
22 know.

23 MR. UHAR: Do you know if D.C. ABRA  
24 requires you to get approval to have umbrellas in  
25 your sidewalk café?



1 MR. FARRUGGIO: I don't know.

2 MR. UHAR: Have I spoken to you since  
3 the cease and desist letter?

4 MR. FARRUGGIO: I couldn't talk to you  
5 anymore since then, Johnny. You've been really,  
6 really, really out of control. You know, we have  
7 to, you know, calm you down when we're at the  
8 neighborhood meeting and we agreed that you was  
9 going to make peace and you wasn't going to do  
10 anything, let me work. And I cleaned the place  
11 up the way everybody, all the other neighbors,  
12 they were happy. You're the only one left that  
13 you're not happy, because for some reason you  
14 still have a resentment about my manager maybe  
15 treat you like the way you deserve to be treated.

16 MR. UHAR: So it's your contention that  
17 Ms. Sagalyn is your friend now?

18 MR. FARRUGGIO: I don't have any  
19 problem with her.

20 MR. UHAR: Well, she's been denied  
21 witness, but anyway. Do you still have the  
22 vacuum cleaner that you said you were going to  
23 remove?

24 MR. FARRUGGIO: It's been removed.  
25 It's been removed.

1 MR. UHAR: If we were to go there  
2 today, it would be removed?

3 MR. FARRUGGIO: Yes, sir.

4 MR. UHAR: Can I take a picture later  
5 today and send to the --

6 MS. HIRAO: Objection. What does the  
7 vacuum have to do with this line of questioning,  
8 especially before the board that has to do with  
9 the alcohol license?

10 MR. UHAR: No, this is --

11 CHAIRPERSON ANDERSON: The question was  
12 asked and answered, and you missed that chance.  
13 The second question was --

14 MR. FARRUGGIO: I answered the  
15 question. I said no.

16 MR. UHAR: So it's your contention you  
17 have no vacuum --

18 MR. FARRUGGIO: I don't like, John.

19 MR. UHAR: No Zenex vacuum cleaner up  
20 there now?

21 MR. FARRUGGIO: No, I don't lie. When  
22 I say I'll do something, I do it. That's all  
23 I've got is my word.

24 CHAIRPERSON ANDERSON: Is there a  
25 question?

1 MR. UHAR: I'm thinking. Did Il Canale  
2 get its liquor license directly from Alamo Grill  
3 of Georgetown, as you attest?

4 MR. FARRUGGIO: Yes.

5 MR. UHAR: There was no liquor license  
6 first granted to Fratelli la Bufala?

7 MS. HIRAO: What's the relevance to  
8 this line of questioning? Objection.

9 MR. UHAR: 25-301.

10 CHAIRPERSON ANDERSON: Which is what,  
11 sir? What's the relevance?

12 MR. UHAR: It's illegal to make a false  
13 statement.

14 CHAIRPERSON ANDERSON: What's the false  
15 statement? I don't know.

16 MR. UHAR: He had a liquor license at  
17 Fratelli la Bufala.

18 CHAIRPERSON ANDERSON: But I don't know  
19 that, so I'm going to sustain the objection. So  
20 let's move on.

21 MR. FARRUGGIO: Excuse me, I did not  
22 have a liquor license.

23 CHAIRPERSON ANDERSON: Sir, there's no  
24 question on the table. Let's move on.

25 MR. UHAR: Do you know if ABRA has a

1 copy of your original lease agreement between  
2 yourself as 31st Restaurant and Alamo, Hossein  
3 Korshidi?

4 MS. HIRAO: Objection, relevance. What  
5 is this doing --

6 CHAIRPERSON ANDERSON: Sustained, move  
7 on.

8 MR. UHAR: I think I'm done.

9 CHAIRPERSON ANDERSON: Any questions by  
10 the board members? Yes, Mr. Short.

11 MEMBER SHORT: Mr. Farruggio, good  
12 afternoon.

13 MR. FARRUGGIO: Good afternoon.

14 MEMBER SHORT: At this present time,  
15 what is your relationship with the ANC of your  
16 community?

17 MR. FARRUGGIO: I think it's good. We  
18 signed an agreement and we don't have no, that I  
19 know, any issues.

20 MEMBER SHORT: Okay, that's good. Do  
21 you have any outstanding violations? Any city  
22 code violations at this time?

23 MR. FARRUGGIO: No.

24 MEMBER SHORT: Is your Certificate of  
25 Occupancy up to date?

1 MR. FARRUGGIO: Yes.

2 MEMBER SHORT: How many Certificates of  
3 Occupancy do you have for that business?

4 MR. FARRUGGIO: We have two. We have  
5 one for each building, and also we have the third  
6 one upstairs. We have all the license upstairs,  
7 minor whatever else is required from District of  
8 Columbia.

9 MEMBER SHORT: And currently, are there  
10 any umbrellas or heaters?

11 MR. FARRUGGIO: No, no. Currently?

12 MEMBER SHORT: Currently, yes.

13 MR. FARRUGGIO: No.

14 MEMBER SHORT: And the testimony you  
15 gave about the construction on the canal, I might  
16 be aging myself right now, but 70 years ago there  
17 was a rat problem in Georgetown --

18 MR. FARRUGGIO: Still is.

19 MEMBER SHORT: -- when my dad used to  
20 work at a place called Foodmont on M Street. But  
21 I'll just say this, I bought my first car on 31st  
22 and M Street. There used to be a car dealership,  
23 I think it's a theater now. But anyway, I'm very  
24 familiar with the community and --

25 MR. FARRUGGIO: What year was that? I

1 don't know.

2 MEMBER SHORT: I bought that car in  
3 1965. Dodge 2500.

4 MS. HIRAO: Sharp-looking.

5 MEMBER SHORT: But at any rate, let's  
6 move on. But anyway, yeah, Georgetown has gone  
7 through a great transformation, and meanwhile I  
8 was trying to say what I know about the  
9 neighborhood, and I'm glad to see it the way it  
10 is now. I'm glad to see the work finally being  
11 done on the canal. I was a fireman for 33 years  
12 in this city, so I used to work at Engine 5 off  
13 of Dent Place, back off the Boulevard, 29 Engine  
14 and Engine 1 on M Street. So I'm very familiar  
15 with Georgetown, and I'm just glad to see that we  
16 have --

17 MR. FARRUGGIO: I love Georgetown. I  
18 live there. I do business there. I'm in love.

19 MEMBER SHORT: Well, you testified --  
20 Where do you currently reside?

21 MR. FARRUGGIO: At Prospect Street and  
22 36th.

23 MEMBER SHORT: Can I ask you what  
24 caused you to move back from Virginia to Prospect  
25 Street?

1 MR. FARRUGGIO: No, no, she didn't  
2 request. I'm on my second marriage, and my wife,  
3 she's from Italy. In Virginia, you need  
4 transportation, cars, you know. So I bought a  
5 house in Georgetown so she could be more free to  
6 move around in the city.

7 MEMBER SHORT: And lastly, this is the  
8 last question, because this board has seen  
9 recently a lot of folks who have problems with  
10 D.C. taxes. Do you have any problems with D.C.  
11 taxes or with the Office of Tax and Revenue?

12 MR. FARRUGGIO: No.

13 MEMBER SHORT: Thank you very much for  
14 your testimony. That's all I have, Mr. Chair.

15 CHAIRPERSON ANDERSON: Thank you, Mr.  
16 Short. Any other questions by any of the board  
17 members? Do you have any follow-up questions to  
18 him based on the questions Mr. Short asked?  
19 Based on the questions Mr. Short asked.

20 MR. UHAR: No.

21 CHAIRPERSON ANDERSON: Do you have any  
22 follow-up questions to him based on the questions  
23 that were asked by Mr. Short?

24 MS. HIRAO: I do not.

25 CHAIRPERSON ANDERSON: Thank you very

1 much for your testimony, sir. You can step down.

2 Do you have another witness?

3 MS. HIRAO: Yes, Italo Rodriguez,  
4 please.

5 CHAIRPERSON ANDERSON: Mr. Rodriguez.  
6 Raise your right hand, please. Do you swear or  
7 affirm to tell the truth and nothing but the  
8 truth?

9 MR. RODRIGUEZ: I do.

10 CHAIRPERSON ANDERSON: Thank you. Have  
11 a seat, and make sure you pull the microphone to  
12 you, sir.

13 MS. HIRAO: Please state your full name  
14 for the record and spell your name.

15 MR. RODRIGUEZ: Dagoperto Italo  
16 Rodriguez.

17 MS. HIRAO: Go ahead.

18 MR. UHAR: Over there, yeah, talk to  
19 them.

20 MS. HIRAO: Talk to them.

21 MR. RODRIGUEZ: D-A-G-O-P-E-R-T-O,  
22 second name is Italo I-T-A-L-O, last name  
23 Rodriguez R-O-D-R-I-G-U-E-Z.

24 MS. HIRAO: And where do you currently  
25 reside?



1 MR. RODRIGUEZ: 3212 P Street NW,  
2 Washington, D.C. 20007.

3 MS. HIRAO: How long have you resided  
4 at this location?

5 MR. RODRIGUEZ: Fifteen years.

6 MS. HIRAO: What's your current  
7 occupation?

8 MR. RODRIGUEZ: I'm a general  
9 contractor, real estate developer in Washington,  
10 D.C., and also I own a boutique hotel next to Il  
11 Canale.

12 MS. HIRAO: How long have you been a  
13 general contractor and real estate developer?

14 MR. RODRIGUEZ: General contractor,  
15 I've been 35 years plus, and developer 15 years.

16 MS. HIRAO: Are you the owner of  
17 Georgetown House, located at 1061 31st Street NW?

18 MR. RODRIGUEZ: Yes, I am.

19 MS. HIRAO: Do you own other hotels?

20 MR. RODRIGUEZ: No.

21 MS. HIRAO: How long have you owned  
22 this hotel?

23 MR. RODRIGUEZ: I would say two years  
24 plus.

25 MS. HIRAO: What type of hotel is

1 Georgetown House?

2 MR. RODRIGUEZ: It's a 10-rooms hotel,  
3 I would say boutique, small.

4 MS. HIRAO: What type of guests stay at  
5 your hotel?

6 MR. RODRIGUEZ: Family, tourists,  
7 basically that, a lot of Europeans.

8 MS. HIRAO: How often do you visit your  
9 hotel?

10 MR. RODRIGUEZ: Every day. I go every  
11 day to check around the surrounding, talk to the  
12 managers, and check, you know, also and talk to  
13 the people that clean the hotel, the rooms.

14 MS. HIRAO: How do your guests arrive  
15 at your hotel?

16 MR. RODRIGUEZ: Mostly by taxi, Uber,  
17 walking, buses.

18 MS. HIRAO: Is parking an issue for  
19 your guests in 31st Street area?

20 MR. RODRIGUEZ: Not at all.

21 MS. HIRAO: Please describe the  
22 neighborhood where your hotel is located.

23 MR. RODRIGUEZ: It's on 31st Street.  
24 I would say it's a high-end street with a lot of  
25 foot traffic.

1 MS. HIRAO: SO definitely not a  
2 blighted neighborhood?

3 MR. RODRIGUEZ: No, not at all.

4 MS. HIRAO: Is 31st Street NW a safe  
5 street?

6 MR. RODRIGUEZ: It is.

7 MS. HIRAO: And is your hotel located  
8 next to a restaurant named Il Canale?

9 MR. RODRIGUEZ: It is.

10 MS. HIRAO: Are you an abutting  
11 property owner to Il Canale?

12 MR. RODRIGUEZ: Yes.

13 MS. HIRAO: Are you familiar with Il  
14 Canale as a restaurant?

15 MR. RODRIGUEZ: I am.

16 MS. HIRAO: Describe the restaurant for  
17 me based on your experiences.

18 MR. RODRIGUEZ: Well, it's a family-  
19 owned Italian restaurant. I know the owner.  
20 When I first came to 31st Street, I had the  
21 pleasure to meet him. At first I was a customer,  
22 and then we became very close friends. I refer  
23 all my customers to Il Canale. I love their  
24 managers, I love the environment of Il Canale.  
25 I'm very proud to be on 31st Street.

1 MS. HIRAO: How often do you go to Il  
2 Canale?

3 MR. RODRIGUEZ: Every day. Every day  
4 in the morning, I stop by there and have my first  
5 cappuccino, every morning.

6 MS. HIRAO: Do you have any complaints  
7 the way Il Canale operates its business?

8 MR. RODRIGUEZ: Not at all.

9 MS. HIRAO: Is it clean?

10 MR. RODRIGUEZ: Very clean.

11 MS. HIRAO: Do you have any complaints  
12 from your guests on how Il Canale manages its  
13 trash.

14 MR. RODRIGUEZ: They love it.

15 MS. HIRAO: Do you know where Il Canale  
16 keeps its trash containers?

17 MR. RODRIGUEZ: Yes, in the back, yes.

18 MS. HIRAO: Do other restaurants keep  
19 their trash behind, in the same area?

20 MR. RODRIGUEZ: Yes, there are a lot of  
21 other restaurants that keep trash in the back.

22 MEMBER SHORT: Can't hear you. Speak  
23 into the microphone.

24 MR. RODRIGUEZ: I'm sorry. Yeah, there  
25 is a lot of other restaurants that keep the trash

1 in the back.

2 MS. HIRAO: Do you have complaints  
3 about the noise generated by Il Canale by your  
4 guests or yourself?

5 MR. RODRIGUEZ: No.

6 MS. HIRAO: Do you find that Il Canale  
7 causes parking problems in the neighborhood?

8 MR. RODRIGUEZ: No.

9 MS. HIRAO: What impact do you think Il  
10 Canale has on the rat problem in Georgetown?

11 MR. RODRIGUEZ: Zero.

12 MS. HIRAO: Do you find that you can  
13 walk in front of Il Canale without obstruction?  
14 You get your morning cappuccino every morning.

15 MR. RODRIGUEZ: Of course, no  
16 obstruction.

17 MS. HIRAO: Does Il Canale have a  
18 negative impact on the environment of your  
19 neighborhood?

20 MR. RODRIGUEZ: No. Is a question?

21 MS. HIRAO: Yeah.

22 CHAIRPERSON ANDERSON: I thought the  
23 answer was no. Is there another question?

24 MS. HIRAO: So does Il Canale have a  
25 bad impact on your neighborhood?

1                   MR. RODRIGUEZ: No, contrary, you know.  
2                   It has a good impact, bring people again, you  
3                   know, to 31st Street. It has a beautiful  
4                   environment. The 31st Street is one of the most  
5                   visit street in the area, in Georgetown.

6                   MS. HIRAO: Would you consider it a  
7                   destination location for tourists?

8                   MR. RODRIGUEZ: Of course.

9                   MS. HIRAO: And locals?

10                  MR. RODRIGUEZ: Of course.

11                  MS. HIRAO: Are you aware that Il  
12                  Canale has filed a renewal application for its  
13                  alcohol license?

14                  MR. RODRIGUEZ: Yes.

15                  MS. HIRAO: In your opinion, is  
16                  Giuseppe Farruggio fit to hold an alcohol license  
17                  for Il Canale?

18                  MR. RODRIGUEZ: Of course.

19                  MS. HIRAO: What is your opinion about  
20                  his character?

21                  MR. RODRIGUEZ: Humble person, honest,  
22                  love what he does. He treats people in the  
23                  restaurant, his employee very well. A good  
24                  friend and a better neighbor.

25                  MS. HIRAO: Do you support Il Canale to

1 renew its license?

2 MR. RODRIGUEZ: Of course.

3 MS. HIRAO: Do you know the Uhar  
4 brothers, John and Roger?

5 MR. RODRIGUEZ: Yes.

6 MS. HIRAO: How do you know both of  
7 them?

8 MR. RODRIGUEZ: I met them through a  
9 mutual friend when I -- I mean, she introduced me  
10 to them to buy the hotel that I own today.

11 MS. HIRAO: So they were your broker to  
12 sell --

13 CHAIRPERSON ANDERSON: Can we --

14 MS. HIRAO: Yes?

15 CHAIRPERSON ANDERSON: We only need to  
16 be talking about John.

17 MS. HIRAO: Okay. Was John Uhar your  
18 real estate broker --

19 MR. RODRIGUEZ: Yes.

20 MS. HIRAO: -- in the purchase of  
21 Georgetown House?

22 MR. RODRIGUEZ: Yes.

23 MS. HIRAO: How did he assist you in  
24 the purchase of the property?

25 MR. RODRIGUEZ: Well, you know, as any

1 real estate, they make the arrangement to get you  
2 in the property. He showed me the interior of  
3 the property. He showed me the surrounding. He  
4 is an experienced real estate agent, and being on  
5 the canal, you know, he said it's a great asset.  
6 I like him originally, you know, as a broker, and  
7 that's the reason why I used him.

8 MS. HIRAO: So did he tell you about  
9 the value of the neighborhood? Did he make any  
10 representation about the value of the  
11 neighborhood?

12 MR. RODRIGUEZ: Of course, of course.  
13 I mean, you know, being on the canal and, I  
14 guess, you know, I don't know how many years he  
15 lives on the canal, but he explained to me that  
16 the property had a great value. And also being  
17 an historical property, it add more value to it.

18 MS. HIRAO: Did the Uhars walk you  
19 around the neighborhood while you were  
20 considering purchasing the Georgetown House?

21 MR. RODRIGUEZ: Well, not only one  
22 time, several times, because, you know, I was  
23 there trying to figure out, you know, if it was a  
24 good fit for me.

25 MS. HIRAO: And during the time when



1 you were considering purchasing the Georgetown  
2 House, was Il Canale in operation?

3 MR. RODRIGUEZ: Il Canale was in  
4 operation, yes.

5 MS. HIRAO: And was the existence of Il  
6 Canale, did it deter you from purchasing the  
7 property or the other way around?

8 MR. RODRIGUEZ: Detour me? Explain  
9 that again, please?

10 MS. HIRAO: Did the presence of Il  
11 Canale make you hesitant about buying Georgetown  
12 House?

13 MR. RODRIGUEZ: No, it was the other  
14 way around.

15 MS. HIRAO: Other way around how?

16 MR. RODRIGUEZ: I mean, you know, a  
17 restaurant that brings people and keeps life to  
18 the street, you know, you can't go wrong. I  
19 mean, in any real estate the first thing they  
20 show you, in any real estate, they say, you know,  
21 you have great restaurant, great, you know,  
22 retail store and, you know, you can't go wrong.  
23 You cannot go wrong.

24 MS. HIRAO: Did John Uhar make any  
25 comments that Il Canale was a problem?

1 MR. RODRIGUEZ: No.

2 MS. HIRAO: Did you have a dispute with  
3 John with respect to the property you purchased?

4 MR. RODRIGUEZ: Unfortunately, yes.

5 MS. HIRAO: What was the nature of the  
6 dispute?

7 MR. RODRIGUEZ: One day another, you  
8 know, we were friends. And one day another, he  
9 became my enemy.

10 CHAIRPERSON ANDERSON: I'm going to  
11 object to that. That's not relevant, so let's  
12 move on.

13 MR. UHAR: Thank you.

14 MS. HIRAO: I'm showing the relevance.

15 CHAIRPERSON ANDERSON: That's up to  
16 you, too.

17 MR. UHAR: I object.

18 CHAIRPERSON ANDERSON: There -- I can  
19 understand if there are issues between the owner  
20 of Il Canale and Mr. Uhar for him to protest, but  
21 I don't know who this witness is, and I don't see  
22 his relationship --

23 MS. HIRAO: The purpose of showing this  
24 is to show habit of his bullying tactics to his  
25 neighbors, to people who are not friends with

1 him.

2 CHAIRPERSON ANDERSON: It's not  
3 relevant. Let's not go there. I'm not going to  
4 allow that, so let's move on. I don't want to  
5 know that. You're doing what you accused the  
6 witness of doing. I do not want to have a  
7 personal dispute. One of the reasons why I've  
8 always, and I'm going to say this now. It might  
9 be appropriate, but I'm saying it anyway. One of  
10 the reasons why I've always said to folks is I  
11 like folks to settle matters, because this is  
12 your neighbor.

13 At the end of the day, you two are  
14 going to be neighbors, irrespective of what  
15 decision that we make here today, you two still  
16 are going to be neighbors, and so I've always  
17 said to folks. But I'm not going to allow that,  
18 so let's move on, okay?

19 MS. HIRAO: Okay. Then I have no more  
20 questions.

21 CHAIRPERSON ANDERSON: You know,  
22 probably enough for another hearing. Do you have  
23 any questions?

24 MR. UHAR: No questions.

25 CHAIRPERSON ANDERSON: Thank you, sir.

1 Any questions by any board members?

2 MEMBER SHORT: Just one.

3 CHAIRPERSON ANDERSON: Yes, Mr. Short.

4 MEMBER SHORT: Thank you for your  
5 compelling testimony. The question I would have  
6 is how many years totally have you been in  
7 Georgetown?

8 MR. RODRIGUEZ: Fifteen years.

9 MEMBER SHORT: That's all I have, Mr.  
10 Chair, thank you. Thank you very much.

11 CHAIRPERSON ANDERSON: Thank you very  
12 much for your testimony, sir. You can step down.

13 MR. RODRIGUEZ: Okay, thank you.

14 CHAIRPERSON ANDERSON: Do you have  
15 another witness?

16 MS. HIRAO: Yes, last one.

17 CHAIRPERSON ANDERSON: Who is the  
18 witness?

19 MS. HIRAO: William Verno.

20 CHAIRPERSON ANDERSON: Where's Mr.  
21 Verno? Can you raise your right hand, sir? Do  
22 you swear or affirm to tell the truth, but  
23 nothing but the truth?

24 MR. VERNO: Yes.

25 CHAIRPERSON ANDERSON: All right. I

1 was told that your 90 minutes have expired.  
2 However, because our other hearing was canceled,  
3 so I'll give you some leeway. But basically  
4 you're out of time.

5 MS. HIRAO: I'm out of time?

6 CHAIRPERSON ANDERSON: That's what I  
7 was told, that you have utilized your 90 minutes.

8 MS. HIRAO: Okay.

9 CHAIRPERSON ANDERSON: But you can ask  
10 your question -- it's your witness, go ahead.

11 MS. HIRAO: Sure. State your full name  
12 and spell it for the record.

13 MR. Verno: William Verno, W-I-L-L-I-A-  
14 M.

15 MS. HIRAO: What is your occupation?

16 MR. Verno: I'm a commercial property  
17 manager for RB Properties.

18 MS. HIRAO: What are your  
19 responsibilities as a commercial property  
20 manager?

21 MR. Verno: I am oversight to  
22 everything concerning my seven-building  
23 portfolio, oversight of staff, tenants,  
24 construction and operations.

25 MS. HIRAO: How long have you worked at

1 RB Properties?

2 MR. VERNO: Going on 12 years.

3 MS. HIRAO: And where is your office?

4 MR. VERNO: Directly across the street  
5 from Il Canale.

6 MS. HIRAO: Do you hold other positions  
7 in addition to your commercial property  
8 management role at RB Properties?

9 MR. VERNO: I have a real estate  
10 license in Virginia, and I'm also on the board of  
11 the Georgetown BID of Directors. I'm on the  
12 Board of Directors for Georgetown BID.

13 MS. HIRAO: Are you testifying in your  
14 personal capacity?

15 MR. VERNO: Yes.

16 MS. HIRAO: Do you have any restaurant  
17 bars in the properties you manage?

18 MR. VERNO: Yes.

19 MS. HIRAO: What are the names of those  
20 restaurants?

21 MR. VERNO: Just recently until it just  
22 recently closed was Dyllan's Raw Bar and Grill in  
23 the building where we're at on 31st Street.  
24 Before that, it was the Sea Catch Restaurant that  
25 was there for 30 years. And we also have a

1 restaurant in our building on 2000 P Street,  
2 Pesce French restaurant, and also Dupont Pizza.

3 MS. HIRAO: Have you become familiar  
4 with restaurant operations based on your property  
5 management experience?

6 MR. VERNO: Yes, very much so.

7 MS. HIRAO: How would you describe the  
8 31st Street Georgetown neighborhood?

9 MR. VERNO: Excellent. We call it  
10 Little Italy in the end that we're at because we  
11 have three Italian restaurants at that end, plus  
12 another fast casual kabob restaurant. So it's a  
13 very pleasant place to be.

14 MS. HIRAO: Is it a blighted  
15 neighborhood?

16 MR. VERNO: Absolutely not.

17 MS. HIRAO: And how are you familiar  
18 with Il Canale?

19 MR. VERNO: I've seen it ever since  
20 I've been there for entire 11 years I've been  
21 there. I've seen it grow. I've seen it when it  
22 first started out to what it is now.

23 MS. HIRAO: And how do you know the  
24 owner, Joe Farruggio?

25 MR. VERNO: I introduced myself to Joe

1 when he had the first building, and we've become  
2 friends since. I've watched him turn into a  
3 staple in Georgetown.

4 MS. HIRAO: How often do you visit Il  
5 Canale?

6 MR. VERNO: I pretty much, I'm there  
7 saying hello to the staff outside and going to  
8 the establishment at least three to four times a  
9 week.

10 MS. HIRAO: And what is your opinion of  
11 the operations of the restaurant? Is it clean?

12 MR. VERNO: It's exemplary. It's an  
13 example of how to own and run a restaurant.

14 MS. HIRAO: Do you have any complaints  
15 about noise, parking?

16 MR. VERNO: Not at all.

17 MS. HIRAO: And are there rodent  
18 problems in Georgetown?

19 MR. VERNO: Yes.

20 MEMBER SHORT: What was the question?

21 CHAIRPERSON ANDERSON: Are there rodent  
22 problems?

23 MS. HIRAO: Let me --

24 MR. VERNO: In Georgetown? In all of  
25 D.C.



1 MS. HIRAO: Would you consider Il  
2 Canale the source of all rodent problems in  
3 Georgetown, especially in the 31st Street area?

4 MR. VERNO: No, in that context, no,  
5 absolutely not.

6 MS. HIRAO: Are you familiar where Il  
7 Canale keeps its trash bins?

8 MR. VERNO: Yes, I am.

9 MS. HIRAO: Where does he keep his  
10 trash bins?

11 MR. VERNO: In the rear.

12 MS. HIRAO: Do other restaurants store  
13 their trash bins near Il Canale?

14 MR. VERNO: Yes, there are several.

15 MS. HIRAO: By comparing Joe's Il  
16 Canale trash bins with others, what's your  
17 opinion about how Il Canale keeps its trash bins  
18 and cleanliness?

19 MR. VERNO: Very orderly, very clean,  
20 very tightly managed.

21 MS. HIRAO: Have you received  
22 complaints from your tenants about Il Canale?

23 MR. VERNO: Not at all. Actually, it's  
24 just the opposite.

25 MS. HIRAO: Does Il Canale's presence

1 deter the prospective tenants from coming to your  
2 office building?

3 MR. VERNO: No.

4 MS. HIRAO: Or setting up shop at your  
5 office building?

6 MR. VERNO: No, again, just the  
7 opposite.

8 MS. HIRAO: And how has the  
9 neighborhood changed since Il Canale has opened?

10 MR. VERNO: The neighborhood has  
11 evolved, and Il Canale has been a big part of its  
12 evolution into being a very established and a  
13 very well-liked neighborhood with quality  
14 restaurants to patronize and to spend an evening  
15 of dining and then shopping.

16 MS. HIRAO: And what is your opinion of  
17 Joe's character? Is he fit to hold a license?

18 MR. VERNO: Absolutely.

19 MS. HIRAO: No more questions.

20 CHAIRPERSON ANDERSON: Do you have any  
21 questions for him, sir?

22 MR. UHAR: Yes.

23 CHAIRPERSON ANDERSON: Go ahead, sir.

24 MR. UHAR: I'm sorry, I forgot your  
25 name.

1 MR. VERNO: Bill Verno.

2 MR. UHAR: Bill. You've been in  
3 Georgetown for 12 years?

4 MR. VERNO: Twelve years.

5 MR. UHAR: Bill, you remember the Alamo  
6 Grill of Georgetown?

7 MR. VERNO: Just barely when I got  
8 here. I think it was open maybe six months  
9 before I just got here. If I remember correctly,  
10 I just barely remember it.

11 MR. UHAR: Do you remember Fratelli La  
12 Bufala?

13 MR. VERNO: Yes.

14 MR. UHAR: Do you remember seeing Joe  
15 in front of Fratelli La Bufala?

16 MR. VERNO: I never knew he was  
17 associated with that, no.

18 MR. UHAR: You say you've been in the  
19 alley, but did you ever walk further back where  
20 the shed was?

21 MR. VERNO: I've never seen the shed  
22 that's being referred to.

23 MR. UHAR: Do you remember when Cannon  
24 Seafood was there?

25 MR. VERNO: Yes.

1 MR. UHAR: Do you remember that Cannon  
2 Seafood had a freezer in the back?

3 MR. VERNO: I was never in the back of  
4 that building when it was Cannon Seafood. The  
5 first time I was introduced to the rear of that  
6 building is when it was Il Canale.

7 MR. UHAR: But you don't remember a  
8 shed?

9 MR. VERNO: No, I don't.

10 MR. UHAR: Hm. Do you remember a  
11 structure above the alley?

12 MR. VERNO: I'm sorry?

13 MR. UHAR: You don't remember a shed,  
14 so I'm going to assume that you don't remember --

15 MS. HIRAO: Objection.

16 CHAIRPERSON ANDERSON: Well, the  
17 question, I mean, what's the nature of the  
18 objection? What's the nature of the objection?

19 MS. HIRAO: We were talking about  
20 trash, but now -- I never asked Bill Verno about  
21 the shed, so this is going outside the scope of  
22 my direct.

23 CHAIRPERSON ANDERSON: I'm going to  
24 sustain the objection. Move on, sir. I don't  
25 know why the shed is relevant. There is no

1 testimony from this witness about a shed, and he  
2 said he doesn't know --

3 MR. UHAR: Well, he said that he had  
4 been in the rear of Il Canale, and I asked if he  
5 had seen the shed.

6 CHAIRPERSON ANDERSON: And he said he  
7 doesn't know, so let's move on.

8 MR. UHAR: I'm all done.

9 CHAIRPERSON ANDERSON: You are all  
10 done?

11 MR. UHAR: Yes.

12 CHAIRPERSON ANDERSON: I wasn't trying  
13 to --

14 MR. UHAR: No, I am done.

15 CHAIRPERSON ANDERSON: Okay.

16 MR. UHAR: Thank you. It's been a long  
17 day.

18 CHAIRPERSON ANDERSON: Any questions by  
19 the board members. All right, Mr. Verno, thank  
20 you very much for your testimony, sir. You can  
21 step down. Do you rest?

22 MS. HIRAO: Oh, he is going to go --

23 MR. FARRUGGIO: Bathroom?

24 CHAIRPERSON ANDERSON: Can we move on?  
25 Does he need to be here or can we move on?

1 MS. HIRAO: We can move on.

2 CHAIRPERSON ANDERSON: All right, fine.  
3 Go ahead, sir. All right, so you're your only  
4 witness, is that correct, sir?

5 MR. UHAR: Yes, but since the time is  
6 up, I think I might take 90 minutes.

7 CHAIRPERSON ANDERSON: Huh?

8 MR. UHAR: It might take 90 minutes to  
9 read through what I have.

10 CHAIRPERSON ANDERSON: Well, you have  
11 time. I said her time was up. You don't  
12 necessarily have 90 minutes, because you'll spend  
13 some time in cross-examining, so I'm not sure how  
14 much time you have. But I'll give you some  
15 reasonable time, but that doesn't mean -- You  
16 definitely don't have 90 minutes.

17 MR. UHAR: Can I go to the restroom  
18 then? I thought we would take my testimony on a  
19 different day.

20 CHAIRPERSON ANDERSON: No, uh-huh, it's  
21 a one-day shot. Wait a minute. We have been  
22 here since 9:00 this morning. You just got here.

23 MR. UHAR: Yes, but I'm not an  
24 attorney.

25 CHAIRPERSON ANDERSON: Well, except for

1 myself and Ms. Wahabzadah, we're the only two  
2 attorneys --

3 (Simultaneous speaking.)

4 CHAIRPERSON ANDERSON: We've been here  
5 since 9:00 this morning, so we still are bright-  
6 eyed and bushy-tailed. We can take a 10-minute  
7 break.

8 MR. UHAR: Five minutes is fine.

9 CHAIRPERSON ANDERSON: All right, so  
10 you can take a break. We're off the record, all  
11 right.

12 (Whereupon, the above-entitled matter  
13 went off the record at 5:09 p.m. and resumed at  
14 5:24 p.m.)

15 CHAIRPERSON ANDERSON: All right, we're  
16 back on the record. So we are going to present  
17 your case next. So basically you have no  
18 witnesses to call. You're the only witness.  
19 Tell me how you're going to present your case,  
20 sir.

21 MR. UHAR: That was going to be my  
22 first question. I have the PIF. I had asked  
23 ABRA for help in terms of numbering pages and  
24 things, and I was also told by ABRA that I could  
25 submit evidence here today if it was relevant.

1                   CHAIRPERSON ANDERSON: And the evidence  
2 you're submitting, those are documents in your  
3 PIF, is that correct?

4                   MR. UHAR: Yeah, they're in the PIF,  
5 and then what I'd like to give first, this is a  
6 blow-up of Exhibit 2 because you can't see it.  
7 Can I give it to the --

8                   MS. HIRAO: I'd like to object to that.  
9 If you can't see it, then why introduce it?

10                  CHAIRPERSON ANDERSON: No, that's not  
11 what he said. If you listened to what he said,  
12 this is a blow-up of Exhibit 2 because you can't  
13 see it. So he is giving us a more clear version  
14 of Exhibit 2. Is that correct, sir?

15                  MR. UHAR: That's correct. But I also,  
16 because I was under the impression that I could  
17 submit relevant testimony as exhibits, I also  
18 included the other pages. As Ms. Hirao knows, I  
19 thought I would get the courtesy of an extension,  
20 but I didn't.

21                  CHAIRPERSON ANDERSON: All right.

22                  MR. UHAR: This is one exhibit.

23                  CHAIRPERSON ANDERSON: Is that Exhibit  
24 2?

25                  MR. UHAR: It's Exhibit 2, Page 5.



1 CHAIRPERSON ANDERSON: And that  
2 document is in your PIF? Can you show it to Ms.  
3 Hirao?

4 MR. UHAR: Yeah.

5 CHAIRPERSON ANDERSON: No, show her the  
6 blow-up that you want to exhibit.

7 MR. UHAR: I might as well --

8 CHAIRPERSON ANDERSON: Well, you have  
9 to show it to her first before -- is that Exhibit  
10 2?

11 MR. UHAR: Is that Exhibit 2?

12 MS. HIRAO: I'm going to object to it  
13 because the one that's in this exhibit here, I  
14 can hardly read it, but this one's quite legible.

15 MR. UHAR: Did you read what I wrote  
16 down below? I tried to get the synopsis.

17 MS. HIRAO: This is your handwriting.

18 CHAIRPERSON ANDERSON: All right, hold  
19 on, hold on. All right. This is what I was  
20 told. What I was told, this is a blow-up of  
21 Exhibit 2 because you can hardly read it. So let  
22 me look at what Exhibit 2 is, hold on. No,  
23 that's not clear, sir. What's Exhibit 2?

24 MR. UHAR: Exhibit 2, Page 5.

25 CHAIRPERSON ANDERSON: No, what is it?

1 MR. UHAR: It's the DDoT rental permit  
2 for the outdoor sidewalk café. I did this more  
3 in a narrative. I was a history major, and I did  
4 ask for guidance from ABRA, as the record will  
5 show.

6 CHAIRPERSON ANDERSON: I'm trying to  
7 find Exhibit 2 first. So you're John, Exhibit 1  
8 --

9 MR. UHAR: Exhibit 2, Page 5.

10 CHAIRPERSON ANDERSON: Exhibit 2. So  
11 Exhibit 2 is entitled Illegal Outdoor Sidewalk  
12 Café activities.

13 MR. UHAR: And it's Page 5 of that.  
14 DDoT rental permits dated 9/22/15, new  
15 application.

16 CHAIRPERSON ANDERSON: All right, in  
17 your original exhibit, what does the exhibit look  
18 like, because I can't locate it? Is that -- What  
19 is Exhibit 2?

20 MR. UHAR: My Exhibit 2 right here.

21 CHAIRPERSON ANDERSON: What is it?  
22 What does it look like so I can find and compare  
23 it.

24 MR. UHAR: It starts with the C of O.  
25 I did these as a narrative.

1 CHAIRPERSON ANDERSON: All right, so.

2 MR. UHAR: And I have to apologize. I  
3 did ask for guidance.

4 CHAIRPERSON ANDERSON: I know. So it  
5 starts with C, hold on.

6 MEMBER SHORT: The C of O, that's the  
7 start of Exhibit 2, right?

8 MR. UHAR: I sent them all as PDF, so  
9 if someone has a computer, they can see it all as  
10 a PDF.

11 CHAIRPERSON ANDERSON: No, I'm fine  
12 with that, sir. I just want to make sure what  
13 I'm looking at in case I'm having some --

14 MEMBER SHORT: I'm still trying to  
15 figure this out. That's the C of O. Excuse me,  
16 can you hold it up again?

17 MR. UHAR: Yeah.

18 MEMBER SHORT: Just hold it up right  
19 where you are, just right where you are.

20 CHAIRPERSON ANDERSON: I see the C of  
21 O.

22 MR. UHAR: It's the DDOT rental permit.

23 CHAIRPERSON ANDERSON: Okay, sir, all  
24 right. So Exhibit 2, is the first page of  
25 Exhibit 2 the C of O?

1 MR. UHAR: Yes.

2 CHAIRPERSON ANDERSON: And --

3 MR. UHAR: Again, I did it as a  
4 narrative.

5 CHAIRPERSON ANDERSON: So it's a rental  
6 permit and the top of it says TOPS DDOT Permit  
7 Review System. Is that it?

8 MR. UHAR: Yes.

9 CHAIRPERSON ANDERSON: And on it you  
10 have 9/22/14, 9/22/14, 1/21/2005, is that  
11 handwritten?

12 MR. UHAR: Yes.

13 CHAIRPERSON ANDERSON: So what is your  
14 objection to him giving us --

15 MS. HIRAO: It's illegible. And he's  
16 bringing --

17 MR. UHAR: Well, this is legible.

18 MS. HIRAO: -- something blown-up  
19 that's maybe slightly more legible, but you can  
20 read it, so I'm objecting to that, and also  
21 relevance. How am I supposed to have notice of  
22 an exhibit where I can't read it, and yet he  
23 brings something in that you can actually read.

24 MR. UHAR: I was told that I could  
25 bring in exhibits and present relevant exhibits

1 at the hearing today, and I believe it's relevant  
2 under Section 25-301.

3 CHAIRPERSON ANDERSON: There are two  
4 different things, sir. They are different  
5 things. I mean, the bottom line is that he  
6 submitted an exhibit that has very fine print,  
7 and today out of the courtesy of the parties, he  
8 has blown up the same exhibit that he submitted.  
9 Now I don't have a problem if it's the same  
10 document, so if it's the same document, I will  
11 allow the larger version of the document to be  
12 submitted because it's the same document.

13 MS. HIRAO: I disagree, Chairman,  
14 because it's blown up. We weren't provided with  
15 the enlarged version. And also, the electronic  
16 copy, how can we tell? I have a printed version  
17 of the one that was transmitted to me. I can't  
18 read it.

19 MEMBER WAHABZADAH: You can't determine  
20 that this one and that one --

21 CHAIRPERSON ANDERSON: Right, that's  
22 what I'm saying. You didn't raise an objection.  
23 You did not raise an objection prior to --

24 MS. HIRAO: I raised an objection that  
25 they're different.

1                   CHAIRPERSON ANDERSON: He is providing  
2                   us with a legible -- Okay. If the objection was  
3                   I'm objecting to the exhibit because I can't read  
4                   it, I don't know what it stands for because I  
5                   can't read it, it's illegible. But as a courtesy  
6                   to us, he has brought in the same document that's  
7                   legible.

8                   MS. HIRAO: How can you say it's the  
9                   same document, though? Here it's illegible, but  
10                  here with enhancements --

11                  CHAIRPERSON ANDERSON: I can read this  
12                  document.

13                  MEMBER WAHABZADAH: I can read this  
14                  document.

15                  CHAIRPERSON ANDERSON: The printout of  
16                  the document, I can read it.

17                  MS. HIRAO: May I show you what my  
18                  staff printed out to me, which is also on high-  
19                  quality color printer? I cannot read it.

20                  MR. UHAR: I was told I could submit  
21                  exhibits here today by D.C. ABRA legal staff if  
22                  they were pertinent.

23                  CHAIRPERSON ANDERSON: We're saying two  
24                  different --

25                  MR. UHAR: Well, I mean, so I mean, if

1 this is pertinent, it doesn't matter if the other  
2 one is illegible and this one is legible. I  
3 don't understand. I've got blow-ups of plans.

4 CHAIRPERSON ANDERSON: I mean, my  
5 position, sir --

6 MR. UHAR: Yes, sir.

7 CHAIRPERSON ANDERSON: Do you have a  
8 legible copy of the document to provide to  
9 counsel?

10 MR. UHAR: Yes.

11 CHAIRPERSON ANDERSON: Give her a copy.  
12 Then give the board a copy. I don't have a  
13 problem with it, so therefore --

14 MR. UHAR: You all can read.

15 CHAIRPERSON ANDERSON: Give a copy of  
16 the document to the board. I don't have a  
17 problem with it. I appreciate the fact that  
18 we're given a more legible copy of the same  
19 document, and so I don't have a problem with it.  
20 I would have a problem admitting the document if  
21 we could not read it and if there was no legible  
22 copy available, but this is the same document. I  
23 can read it, so if someone can give me a copy  
24 that's blown up, then I will look -- Hold on.

25 The only thing I don't see on the

1 document, and so Mr. Uhar, this is my --

2 MR. UHAR: You'll see at the top, I say  
3 plus the balance of the permit.

4 CHAIRPERSON ANDERSON: Hold on, sir.  
5 Hold on, sir. All right. You did something that  
6 I have a problem with. This is not the same  
7 document that you disclosed.

8 MR. UHAR: I was told -- this is the  
9 first pages.

10 CHAIRPERSON ANDERSON: No, listen, sir.  
11 Look at the document that you disclosed. Look at  
12 Exhibit 2.

13 MR. UHAR: Mm-hmm.

14 CHAIRPERSON ANDERSON: And look at the  
15 document that you're now giving me. What's the  
16 difference between them?

17 MR. UHAR: I told you I put it in a --

18 CHAIRPERSON ANDERSON: I'm asking a  
19 question, sir. This document --

20 MR. UHAR: That has three more pages.  
21 I can get rid of those three pages.

22 CHAIRPERSON ANDERSON: Listen to me,  
23 sir. I'm saying something different. Okay, this  
24 document, right, sir?

25 MR. UHAR: Yeah.



1 CHAIRPERSON ANDERSON: Is this  
2 document, right?

3 MR. UHAR: Yes.

4 CHAIRPERSON ANDERSON: But they're not  
5 the same.

6 MR. UHAR: Why aren't they the same?

7 CHAIRPERSON ANDERSON: Why are they not  
8 the same?

9 MR. UHAR: Because I put three more  
10 pages in --

11 CHAIRPERSON ANDERSON: No. Look at the  
12 document that you have -- Look at the short  
13 document you have in your hand, sir. And look at  
14 the document you're giving me. Why is the  
15 document different?

16 MR. UHAR: Oh, because I took out the  
17 stuff that I had.

18 CHAIRPERSON ANDERSON: Why?

19 MR. UHAR: I don't know.

20 CHAIRPERSON ANDERSON: You can't take  
21 stuff out. You can't give me -- This is what  
22 you're doing, okay? And I'm going to allow the  
23 document in, but if you're blowing the document  
24 up, sir, it should be the same exact document.  
25 You can't take stuff off. All right, fine. It

1 appears that the only thing that's different with  
2 the exhibit is that there's a handwriting that  
3 9/22/14, 9/22/14, 1/21/2005. But it's the same  
4 document with the bottom removed. You can't  
5 remove stuff, sir.

6 MR. UHAR: I'm sorry. I had asked for  
7 guidance.

8 CHAIRPERSON ANDERSON: What's the  
9 question?

10 MEMBER SHORT: 2014, 2015, and  
11 currently everything is --

12 CHAIRPERSON ANDERSON: Well, I don't  
13 know what the date is, so I'll find out what the  
14 relevancy -- I mean, right now we can -- I'm  
15 going to accept the blow-up of the document  
16 because this is a switch. We can have arguments  
17 on the relevancy of the document, but this is a  
18 blow-up of Exhibit 2, which I appreciate the fact  
19 that we have gotten a document that is legible.

20 If you had made an objection to the  
21 exhibit because it's not legible, and if there  
22 was not a more legible copy available, I would  
23 not have admitted it because I would say it's not  
24 legible. You can't --

25 MS. HIRAO: If I can clarify, Chairman,

1 because it's not legible the version that I have,  
2 how am I supposed to verify that this blown-up  
3 copy is the same?

4 CHAIRPERSON ANDERSON: I am looking at  
5 the document and it's the same document with the  
6 exception of the handwritten --

7 MS. HIRAO: You must have a very clear  
8 --

9 CHAIRPERSON ANDERSON: I'm taking my  
10 glasses off to look at it, and so -- I haven't  
11 gotten to the second page. I am only on the  
12 first page. So I don't know, but let me address  
13 it from this. Why is this document relevant?  
14 What is this document and why is it relevant?

15 MR. UHAR: Because Haight v. ABC Board  
16 --

17 MEMBER SHORT: You've got paper over  
18 the microphone.

19 MR. UHAR: Oh, I'm sorry.

20 CHAIRPERSON ANDERSON: But this is from  
21 what? What is this from, sir?

22 MR. UHAR: This was a Freedom of  
23 Information Act of 8/1/2019.

24 CHAIRPERSON ANDERSON: But I'm saying,  
25 this document is from when?

1 MR. UHAR: This was when Mr. Farruggio  
2 received his first sidewalk café.

3 CHAIRPERSON ANDERSON: And when was  
4 that?

5 MR. UHAR: That was 9/22/2014.

6 CHAIRPERSON ANDERSON: But this is  
7 2019, why is it relevant?

8 MR. UHAR: Because Mr. Farruggio claims  
9 he has an outdoor sidewalk café going back to  
10 2009 as seen in the ABRA records.

11 CHAIRPERSON ANDERSON: Right, but I'm  
12 just saying why is this document relevant today  
13 at our hearing?

14 MR. UHAR: Because we are dealing with,  
15 as Haight v. ABC Board says, that illegal  
16 activities constitute the bad faith that  
17 precludes him from getting his license.

18 CHAIRPERSON ANDERSON: But what's the  
19 illegal activity?

20 MR. UHAR: The illegal activity, if I  
21 could run through this, I could tell you.

22 CHAIRPERSON ANDERSON: No, we have an  
23 objection, so you need to tell me why this is  
24 relevant. Why is this document relevant?

25 MR. UHAR: Okay, because --

1 CHAIRPERSON ANDERSON: We're in 2019.

2 MR. UHAR: But it's been fraud that's  
3 perpetrated over the years that allows him --

4 CHAIRPERSON ANDERSON: What is the  
5 fraud?

6 MR. UHAR: His claim to have a valid  
7 outdoor sidewalk café. This is pertinent to  
8 that. Can I go over Exhibit 2 first?

9 CHAIRPERSON ANDERSON: No, the question  
10 is --

11 MR. UHAR: I'll tell you.

12 CHAIRPERSON ANDERSON: -- I'm asking  
13 you is what is Exhibit 2? What's the document  
14 we're looking at?

15 MR. UHAR: This is the D TOPS rental  
16 permit.

17 CHAIRPERSON ANDERSON: Right, from  
18 2014.

19 MR. UHAR: But that is what is on the  
20 record. It's my understanding that ABRA won't  
21 look at anything other than what ABRA has, but my  
22 problem is I've been operating under a burdensome  
23 cease and desist letter, which I believe has been  
24 circulated to other folks so they think I'm a  
25 nut. I'm not a nut. I'm a history major, and I

1 had to pull all the information from DCRA, D  
2 TOPS, the CFA and the ANC.

3 CHAIRPERSON ANDERSON: Who's CFA?

4 MR. UHAR: The US Commission of Fine  
5 Arts.

6 CHAIRPERSON ANDERSON: This is what I'm  
7 asking, sir. I have a document here from 2014.

8 MR. UHAR: That is false. This is a  
9 false submission on the behalf of Mr. Farruggio  
10 in order to secure a permit for 1063, but not  
11 1065.

12 CHAIRPERSON ANDERSON: I'm sorry. I  
13 don't understand. What is false about it?

14 MR. UHAR: Can I go over what's false?

15 CHAIRPERSON ANDERSON: There's an  
16 objection that's raised, okay? So I'm trying to  
17 figure out whether or not I'm going to allow this  
18 document in. I mean, I'll allow the document if  
19 it's part of your disclosure because it's a blow-  
20 up of the document that we can't see. Now the  
21 objection is that this is not relevant. You have  
22 not explained to me why a document from 2014 is  
23 relevant to the hearing that we're having today  
24 in 2019 to renew their license.

25 MR. UHAR: Because as you'll remember

1 in Mr. Farruggio's testimony --

2 CHAIRPERSON ANDERSON: Yes.

3 MR. UHAR: -- he said that he had  
4 permits for everything, and that was bona fide  
5 proof that he had an actual permit. My  
6 contention is he got his permits through fraud,  
7 deceit and misrepresentation.

8 CHAIRPERSON ANDERSON: But I don't know  
9 that and I'm not sure you can -- This is ABRA's  
10 position, okay? If an agency issues a permit, in  
11 order for us to give you a license, we need you  
12 to get certain documents from other agencies. As  
13 long as he has provided the appropriate document  
14 to us, we don't go beyond the document. We don't  
15 go to DCRA. We don't go to any other agency to  
16 say why did you give this person the permit,  
17 because they have the expertise.

18 So if you're saying that him getting  
19 the appropriate permit from DCRA or whatever  
20 other agency and that it was a fraud, you need to  
21 go back to that agency and tell him that. I  
22 can't go into that.

23 MR. UHAR: But I'm burdened by Mr.  
24 Griffin's letter.

25 CHAIRPERSON ANDERSON: Who is Mr.

1 Griffin?

2 MR. UHAR: He's the one that wrote the  
3 cease and desist. The reason I requested him  
4 here is I believe that he not only sent it to me,  
5 I believe a Freedom of Information Act will  
6 reveal that he sent it to other agencies.

7 CHAIRPERSON ANDERSON: But even if he  
8 did, I can't address that issue here.

9 MR. UHAR: Correct me if I'm wrong, or  
10 ask your counsel, but it's my understanding that  
11 if evidence comes up that to a reasonable person  
12 would show that the evidence previously submitted  
13 is false, then it's incumbent upon D.C. ABRA to  
14 consider that evidence.

15 CHAIRPERSON ANDERSON: This is permit  
16 for what? A sidewalk café? Huh?

17 MR. UHAR: Yes.

18 CHAIRPERSON ANDERSON: All right, but  
19 he has provided this agency with the permit to  
20 say that he has a sidewalk café. This is  
21 basically --

22 MR. UHAR: True, but the reason I have  
23 this is to explain why he doesn't have what he  
24 fraudulently claims, and thus, I am offered  
25 relief by you to consider the evidence.



1 CHAIRPERSON ANDERSON: No, but I can't

2 --

3 MR. UHAR: You have to.

4 CHAIRPERSON ANDERSON: No, no, because  
5 he has given us a permit to say that DCRA --

6 MR. UHAR: Fraudulently obtained.

7 MS. HIRAO: I object to the term also  
8 used fraudulently.

9 CHAIRPERSON ANDERSON: I'm not there,  
10 so you don't need to object, because I'm not  
11 buying that it's fraudulently -- This is where I  
12 am.

13 MR. UHAR: Can I just go over this?

14 CHAIRPERSON ANDERSON: No, you can't go  
15 over it, sir. Before you can even go it, I need  
16 to make a ruling on whether or not it's relevant.  
17 He has provided -- This board doesn't have the  
18 expertise to make a ruling that the information  
19 that he provided to DDOT was fraudulent. I can't  
20 make that --

21 MR. UHAR: But I'm operating under the  
22 burden of a cease and desist letter that is much  
23 like a -- have you ever heard of the term SLAPP?  
24 It's a lawsuit intended to prevent people like me  
25 from coming and making an argument. I think it's

1 right here. It's connected.

2 CHAIRPERSON ANDERSON: No, but you see,  
3 all right, you could argue today to me that he  
4 doesn't have a permit from DDOT for his -- You  
5 can say, if the argument was that I have  
6 contacted DDOT and he doesn't have a permit from  
7 DDOT to operate the sidewalk café, you can --

8 MR. UHAR: This is evidence of an  
9 illegal activity which has to be admitted under  
10 Haight v. ABC Board.

11 CHAIRPERSON ANDERSON: Listen, sir.  
12 Listen, listen. Listen to me, please. If you  
13 came to me today and say he does not have a  
14 permit from DDOT to operate the sidewalk café,  
15 because you have gone over to DDOT and there's no  
16 permit, so therefore he's --

17 MR. UHAR: It's a false permit.

18 CHAIRPERSON ANDERSON: No, sir. That's  
19 not -- He has provided us with a document from  
20 DDOT to state that he has a permit to operate the  
21 sidewalk café. Our analysis ends right there.  
22 He has given us a permit, and all that we do, you  
23 have a permit from DDOT to operate the sidewalk  
24 café. This agency cannot legally investigate how  
25 he attained this permit. We cannot do that.

1                   MR. UHAR: Even when the protestant is  
2                   burdened by a cease and desist letter?

3                   CHAIRPERSON ANDERSON: Unfortunately,  
4                   sir, that's not within our -- I cannot, as I said  
5                   before, if you present today to me that he  
6                   doesn't have a permit from DDOT, then you can say  
7                   there's no permit from DDOT -- If you present to  
8                   us today to say he's operating the summer garden  
9                   and --

10                  MR. UHAR: Sidewalk café.

11                  CHAIRPERSON ANDERSON: I'm sorry, that  
12                  he's operating a sidewalk café and he doesn't  
13                  have a permit to operate the sidewalk café, then  
14                  this agency can issue a cease and desist order to  
15                  say to him, cease and desist. You need to go to  
16                  DDOT and get a permit. You cannot use this, you  
17                  need to go to DDOT and get a permit to operate  
18                  your sidewalk café. Once you have gotten that  
19                  permit from DDOT to operate your sidewalk café,  
20                  then we'll add that to your license.

21                  You, however, cannot come to us to say  
22                  to us that, oh, by the way, although he has a  
23                  permit from DDOT to operate his sidewalk café, he  
24                  illegally obtained it. I can't make that  
25                  decision.

1           MR. UHAR: The record will show that I  
2           forwarded copies of all this way in advance to  
3           John Suero and your investigators to check out.  
4           Now if they can't check out on behalf of the  
5           citizens and everything falls upon -- You have me  
6           under the Napoleonic Code that I'm guilty until  
7           proven innocent.

8           CHAIRPERSON ANDERSON: No, sir.

9           MR. UHAR: And the point of fact is,  
10          I've been burdened by a man who builds over my  
11          house and I get no relief from anybody. I've  
12          told this to Ms. Jenkins and others. If I have  
13          to go to a more favorable group, such as the D.C.  
14          Office of the Attorney General, maybe we just end  
15          this here.

16          CHAIRPERSON ANDERSON: Well, that's up  
17          to you, sir. I can't tell you to end this here.  
18          If you want to end it here --

19          MR. UHAR: This is a learning  
20          experience, because I came here before and he  
21          gave false testimony and that's in Exhibit 10.  
22          I'm here to learn each time, and if I have to --  
23          ABRA has no records of a 2013 or 2016 renewal.  
24          If you go on D.C. ABRA website to look for  
25          certain documents relative to Mr. Farruggio's

1 operation, you will not find them.

2 CHAIRPERSON ANDERSON: Well, as I said,  
3 sir, I can't tell you to end your protest here  
4 today.

5 MR. UHAR: I'm not going to end it.

6 CHAIRPERSON ANDERSON: Right, that's  
7 what I'm saying. But I said I can't tell you,  
8 but --

9 MR. UHAR: What does Haight v. D.C. ABC  
10 Board --

11 CHAIRPERSON ANDERSON: Sir, that's  
12 before me and so, you have been throwing that out  
13 and I have not asked the general counsel to give  
14 me a copy of it, so I don't --

15 MR. UHAR: Could we get that?

16 CHAIRPERSON ANDERSON: But sir, that's  
17 not relevant for us to rule. Well, this just  
18 says, this is from 2009. I mean, I'm trying not  
19 to entertain things from -- All right, that's too  
20 old for us.

21 MR. UHAR: I think --

22 CHAIRPERSON ANDERSON: This is where I  
23 am, sir, all right? This agency cannot  
24 investigate how and why any establishment  
25 receives a permit from another agency. All that

1 we ask the applicant to do is to provide us a  
2 permit from the requisite agency to say that they  
3 can operate, and in this particular case from  
4 DDOT to say he can operate the sidewalk café.

5           Once he provides us the permit from  
6 DDOT to say that he can operate the sidewalk  
7 café, this agency will grant him a permit. It's  
8 the same way a Certificate of Occupancy and a  
9 licensee provides us a Certificate of Occupancy  
10 from DCRA, and DCRA can say that you can have 10  
11 people in your establishment, we can't say we  
12 don't agree and we're going to give you 11. We  
13 can say we'll give nine because of testimony, but  
14 we cannot go into why that DCRA or any other  
15 agency issues a permit.

16           So therefore, if you have evidence  
17 that this permit was illegally obtained, this  
18 agency is not the appropriate agency to address  
19 that.

20           MR. UHAR: IN light of not having read  
21 Haight v. the ABC Board, you're telling me that I  
22 cannot submit evidence that came to light  
23 subsequent to when he received his permit that  
24 shows that his permit was not received legally?  
25 Is that equitable?

1                   CHAIRPERSON ANDERSON: Not to us. He  
2 gave us a permit. He gave us a permit, sir.

3                   MR. UHAR: It's a fraudulent permit.

4                   CHAIRPERSON ANDERSON: But he gave us  
5 a permit, sir. For example, sir, no one in this  
6 agency has the expertise to determine what is  
7 necessary to get a sidewalk café permit from  
8 DDOT, what is it that DDOT requires, what  
9 information you need to provide to get a sidewalk  
10 café. This agency doesn't have that expertise,  
11 sir. The only expertise this agency has is that  
12 we require that if you have a sidewalk café, you  
13 need to get a permit from DDOT.

14                   Once you have given us the permit from  
15 DDOT, our inquiry ends there. We cannot go  
16 behind DDOT to say what information did he  
17 provide to DDOT, and was this fraudulent  
18 information provided to DDOT? That's not up to  
19 us. You have to go back to DDOT to tell DDOT  
20 that they should not have issued a permit because  
21 the information was fraudulent. Once you go back  
22 to DDOT, once DDOT determines that the permit was  
23 issued fraudulently, DDOT would snatch the  
24 permit.

25                   You could come to us, you could send

1 us an inquiry to say he does not have a permit  
2 from DDOT to operate the sidewalk café. We then  
3 would say since you don't have a permit to  
4 operate your sidewalk café, then you need to shut  
5 down your sidewalk café until such time as you  
6 have a permit from DDOT.

7 MR. UHAR: So it's ABRA's contention  
8 that they have no police power, no oversight, no  
9 protection of the consumer under Haight vs. ABC  
10 Board?

11 CHAIRPERSON ANDERSON: ABRA doesn't  
12 have any police power to investigate why another  
13 agency provide an applicant a permit.

14 MR. UHAR: Why does ABRA have  
15 investigators?

16 CHAIRPERSON ANDERSON: To see whether  
17 or not you are complying with our law, or if  
18 you're out of compliance with other D.C. laws or  
19 regulations that impact the operation of your  
20 business in the sense that if D.C. law requires  
21 that you need a Certificate of Occupancy to  
22 operate, and if ABRA finds out that you do not  
23 have a valid Certificate of Occupancy because  
24 when you look at your Certificate of Occupancy  
25 and if we see that you do not have a Certificate



1 of Occupancy, we will charge you with a  
2 violation.

3           However, all that we can say to you is  
4 that you need to go back to that other agency and  
5 get a Certificate of Occupancy. You won't have  
6 your liquor license, because in order to have a  
7 liquor license you need to have a valid  
8 Certificate of Occupancy. But all we can say,  
9 you need to go get it. We can't go -- We don't  
10 care how you get it. It's the same thing in  
11 order to renew your license, you need a Clean  
12 Hands Certificate. And so we, and I'll give you  
13 a perfect example, sir.

14           I've been having a whole lot of  
15 hearings with establishments who are trying to  
16 renew their license because they cannot get a  
17 Clean Hands Certificate from the city. All I've  
18 said to these establishments, that's not my  
19 problem. All I can say to you, in order for us  
20 to renew the license, you need to give us a Clean  
21 Hands. Now whatever issue you have with the  
22 CFO's office, I mean, whether or not the CFO can  
23 count the money correctly, whatever dispute you  
24 have with them, that's not our issue.

25           The only thing I can say to you is

1 that you need a Clean Hands Certificate. Until  
2 you provide us with a Clean Hands Certificate, we  
3 cannot give you a license. That's our policy.  
4 We do not get involved with why that you can't  
5 get it. That's not our issue. And this is the  
6 same analysis here, sir. You're saying to me  
7 that he has a permit from DDOT and it was  
8 illegally obtained. I don't know that. It  
9 doesn't matter what evidence you put on today, I  
10 can't make that decision because he has given it  
11 to us.

12 You would have to go back to DDOT to  
13 say, DDOT, you should not give it to him. Once  
14 DDOT pulls it, we are aware and we will tell him  
15 he cannot operate.

16 MR. UHAR: Well, that's what happened  
17 to his illegal summer garden and illegal  
18 construction in the back, but here's the problem.  
19 I have the burden --

20 CHAIRPERSON ANDERSON: But listen, sir.  
21 You're saying to me that's what happened with all  
22 these other illegal things that he did.

23 MR. UHAR: Mm-hmm.

24 CHAIRPERSON ANDERSON: And who took  
25 care of it, sir? What agency told him that he

1 can't do this? What agency told him?

2 MR. UHAR: It took a lot of time.

3 CHAIRPERSON ANDERSON: But what agency  
4 told him, sir?

5 MR. UHAR: DDOT and DCRA.

6 CHAIRPERSON ANDERSON: But we were  
7 never involved with that, so we can't --

8 MR. UHAR: But if you read DCMR  
9 regulations, you have an obligation to consider  
10 evidence of illegal activities no matter when  
11 they occur, whether they -- and if you don't  
12 think that's correct --

13 CHAIRPERSON ANDERSON: No, sir. You're  
14 asking me to make a decision on alleged illegal  
15 activity in getting a permit.

16 MR. UHAR: Things are easy enough to  
17 prove. Can I go through this real quick?

18 CHAIRPERSON ANDERSON: No, sir, you  
19 can't, because this is the wrong agency. I  
20 cannot make a decision of whether or not whatever  
21 he did in getting this permit is illegal or not.  
22 I can't do that. You need to go back to DDOT.

23 MR. UHAR: But I'm burdened by a letter  
24 from Mr. --

25 CHAIRPERSON ANDERSON: But, but, but --

1 MR. UHAR: Okay, we'll --

2 CHAIRPERSON ANDERSON: This is not  
3 something I can -- So I'm not going to -- It's  
4 not relevant.

5 MR. UHAR: Okay, let's, yeah, it --

6 CHAIRPERSON ANDERSON: This document is  
7 not relevant.

8 MR. UHAR: You tell me what you need.

9 CHAIRPERSON ANDERSON: All right, this  
10 document is not relevant, so I can't utilize this  
11 document. Anyway, the question I was asking you,  
12 how are you going to present your case?

13 MR. UHAR: As discussed, I'm sure I'm  
14 going to get a lot of protests from Ms. Hirao. I  
15 would like to read it as a narrative.

16 CHAIRPERSON ANDERSON: Okay, this is  
17 what I want you to do. Raise your right hand,  
18 please. Do you swear or affirm to tell the truth  
19 and nothing but the truth?

20 MR. UHAR: I do.

21 CHAIRPERSON ANDERSON: Fine, go ahead,  
22 sir.

23 MR. UHAR: In Exhibit 1 --

24 CHAIRPERSON ANDERSON: What is Exhibit  
25 1?

1 MR. UHAR: I did it all as one big  
2 piece, if it please the board.

3 CHAIRPERSON ANDERSON: What is Exhibit  
4 1? So you need to identify that.

5 MR. UHAR: Exhibit 1 is illegal summer  
6 garden construction and subsequent D.C. ordered  
7 demolition file in rear of 1065 31st and  
8 remaining outstanding OGB and CFA violations. So  
9 Exhibit 1, here. The first page is an email from  
10 Single Member District GEO2 ANC Commissioner Joe  
11 Gibbons to US CFA Specialist Jessica Stevenson  
12 outlying proper procedures for the summer garden  
13 in the rear of 1065 31st Street.

14 So I'd like to read it to you. This  
15 was issued May 2, 2018. Good morning, Jessica.  
16 I am providing you and the OGB with additional  
17 information that will affect the applicant. The  
18 D.C. Agency ABRA will have jurisdiction over the  
19 issuance of a license to operate the summer  
20 garden. OGB refers to it as a rooftop garden.  
21 The proposed summer garden will be subject to  
22 protest by the neighborhood, the Citizens  
23 Association of Georgetown, and ANC 2B.

24 I have included the standards or  
25 guidelines that the ABRA Board will be judging

1 the summer garden application. The applicant  
2 will eventually enter into a settlement agreement  
3 with the protest groups, and among other issues,  
4 will govern the use and interior design, amount  
5 and placement of seating, and the placement of  
6 the bar and eating areas of the summer garden, so  
7 this may impact the concept design review.

8 I know that OGB CFA is a federal  
9 agency and has to fulfill its mission of historic  
10 preservation of Georgetown.

11 MS. HIRAO: Objection. How is this  
12 relevant?

13 CHAIRPERSON ANDERSON: Let me get  
14 there. Go ahead.

15 MR. UHAR: I just wanted to ensure that  
16 you and the OGB had complete information on this  
17 submission. I appreciate your efforts and time  
18 dedicated to Georgetown.

19 CHAIRPERSON ANDERSON: Does he have a  
20 summer garden?

21 MR. UHAR: Page 2.

22 CHAIRPERSON ANDERSON: Does he have a  
23 summer garden?

24 MR. UHAR: Not anymore.

25 CHAIRPERSON ANDERSON: So why --

1 MR. UHAR: No, he was building one,  
2 okay.

3 CHAIRPERSON ANDERSON: All right, but  
4 he doesn't' have one.

5 MR. UHAR: He was attempting.

6 CHAIRPERSON ANDERSON: But he doesn't  
7 have one. He doesn't have a summer garden. He's  
8 not operated a summer garden, is that correct?  
9 Is he operating a summer garden currently?

10 MR. UHAR: No.

11 CHAIRPERSON ANDERSON: Okay, so let's  
12 move on. He doesn't have a summer garden. He's  
13 not -- All right. One can get a summer garden,  
14 then you go get the proper permit. If you told  
15 me that he built a summer garden and he's  
16 operating a summer garden and he doesn't have the  
17 proper permit to operate a summer garden, then  
18 this board will tell him he cannot operate a  
19 summer garden. He doesn't' have a summer garden.  
20 He's not operating a summer garden.

21 MR. UHAR: It's only because of others'  
22 enforcement.

23 CHAIRPERSON ANDERSON: Right, so  
24 because --

25 MR. UHAR: Again, I'm relying on Haight

1 v. the ABC Board, sir.

2 CHAIRPERSON ANDERSON: But sir, he was  
3 trying to operate a summer garden. The  
4 appropriate agency that was supposed to approve  
5 the summer garden -- And sir, hold on, sir, this  
6 is how it operates. This is how it works. He  
7 opened up a summer garden, okay. He has his  
8 building, he adds a summer garden to his  
9 building. In order for him to serve or sell  
10 alcohol, then he has to come to us to get  
11 approval.

12 MR. UHAR: That's right, and he didn't.

13 CHAIRPERSON ANDERSON: Right, he  
14 doesn't have it. He's not utilizing it, so  
15 there's no issue.

16 MR. UHAR: This sounds like Mr. Trump  
17 and the quid pro quo.

18 CHAIRPERSON ANDERSON: But he doesn't  
19 --

20 MR. UHAR: Can I just read Page 2?

21 MEMBER WAHABZADAH: I am offended by  
22 that, sir.

23 MR. FARRUGGIO: Me, too.

24 MEMBER WAHABZADAH: It is irrelevant,  
25 it's inflammatory, and it's disrespectful to this



1 board.

2 MR. UHAR: I'm sorry, I'm not an  
3 attorney.

4 CHAIRPERSON ANDERSON: But sir, and if  
5 you were an attorney I would have shut you down a  
6 long time ago. Because you're not an attorney,  
7 I'm giving you some leeway. However, he's not  
8 operating a summer garden. He doesn't have a  
9 license, no, sir. He doesn't have a license to  
10 operate a summer garden. That's not relevant. I  
11 don't want to hear any evidence on Exhibit 1.

12 MEMBER SHORT: That's not a alley.

13 MR. UHAR: Exhibit 2.

14 CHAIRPERSON ANDERSON: What other  
15 documents do you have, sir? I'm sorry.

16 MR. UHAR: I'm going to leave 2 out  
17 because you don't want to accept that.

18 CHAIRPERSON ANDERSON: Yes.

19 MR. UHAR: Pages 3 and 7 are --

20 CHAIRPERSON ANDERSON: Of Exhibit 1?

21 MR. UHAR: Of Exhibit 1, are photos of  
22 the summer garden under construction.

23 CHAIRPERSON ANDERSON: That's not  
24 relevant, sir, because all right, he's not  
25 operating a summer garden.

1 MR. UHAR: He tried to.

2 CHAIRPERSON ANDERSON: We can try a  
3 whole of -- Sir, all right, all right. This is  
4 how ABRA gets involved. He can add a summer  
5 garden to his property. He cannot operate a  
6 summer garden until he has a Certificate of  
7 Occupancy that lists the summer garden on his  
8 property. So therefore, he would come to us once  
9 he has a Certificate of Occupancy that says he  
10 has a summer garden so he can do whatever he  
11 wants to do.

12 And if never sold alcohol, sir, he  
13 could build a sidewalk café, he could have a  
14 summer garden and there's really nothing that  
15 ABRA could do about it because he doesn't serve  
16 alcohol. If he didn't sell alcohol, if Il Canale  
17 decide tomorrow that they're not going to sell  
18 alcohol anymore, whatever he does over there,  
19 there is nothing that this board can do because  
20 why? He doesn't sell alcohol. So he can have  
21 100 "illegal summer gardens." He could have 100  
22 "illegal sidewalk café." If he doesn't sell or  
23 serve alcohol, ABRA does not have any  
24 jurisdiction over him if he doesn't.

25 If tomorrow he decides that I will no

1 longer sell alcohol, if he turns his alcohol  
2 license into ABRA tomorrow, then ABRA no longer  
3 has jurisdiction over anything that he does in  
4 that restaurant. So yes, he tried to build a  
5 summer garden, but he's not operating a summer  
6 garden, so it's not relevant that he tried to do  
7 it. It wouldn't make sense for him to come to  
8 ABRA first for a summer garden endorsement if he  
9 hasn't been approved by either DCRA or the  
10 Georgetown, whatever agency, to have a summer  
11 garden or a sidewalk café. You come to us last  
12 because we're not going to issue a license until  
13 we have the license in hand.

14 So that's not relevant, so what other  
15 issue do you want to raise?

16 MR. UHAR: Well, I thought that the  
17 permits that were issued -- So I guess it's your  
18 contention that all of Exhibit 1 is irrelevant?

19 CHAIRPERSON ANDERSON: Yes, sir.

20 MR. UHAR: Okay.

21 CHAIRPERSON ANDERSON: And Exhibit 2.  
22 What other exhibit do you have?

23 MR. UHAR: Now we move to Exhibit 2.

24 CHAIRPERSON ANDERSON: No, I've thrown  
25 out Exhibit 2.

1 MR. UHAR: Why?

2 CHAIRPERSON ANDERSON: We had 20  
3 minutes of conversation on Exhibit 2. Exhibit 2  
4 was regarding the blow-up.

5 MR. UHAR: No, no, Exhibit 2 was the C  
6 of O. Can I address the C of O?

7 CHAIRPERSON ANDERSON: I thought  
8 Exhibit 2 was --

9 MR. UHAR: Exhibit 2 is --

10 CHAIRPERSON ANDERSON: What was the  
11 document that --

12 MEMBER WAHABZADAH: Exhibit 2 has,  
13 like, 20 pages.

14 CHAIRPERSON ANDERSON: What was the  
15 blow-up document?

16 MR. UHAR: That was Page 5.

17 MEMBER WAHABZADAH: It was page  
18 something.

19 CHAIRPERSON ANDERSON: So what's  
20 Exhibit 2?

21 MR. UHAR: Exhibit 2 is 20 pages. It's  
22 a narrative of what I consider illegal outdoor  
23 summer café activities. Page 1 is a DCRA C of O  
24 permit for Fratelli La Bufala. Okay?

25 CHAIRPERSON ANDERSON: And when was

1 this? All right, but is this his current  
2 Certificate of Occupancy?

3 MR. UHAR: No.

4 CHAIRPERSON ANDERSON: So if this is  
5 not his Certificate of Occupancy, why are we  
6 talking about this?

7 MR. UHAR: Because I --

8 CHAIRPERSON ANDERSON: Does he have a  
9 current Certificate of Occupancy, sir?

10 MR. UHAR: I contend no. The reason I  
11 contend no is look at Page 2. Page 2 is note is  
12 made that a sidewalk café with tables, chairs and  
13 umbrellas was installed on public space without  
14 review or permit.

15 CHAIRPERSON ANDERSON: Okay.

16 MR. UHAR: Okay?

17 CHAIRPERSON ANDERSON: But is he  
18 operating a sidewalk café?

19 MR. UHAR: Yes, he is. Let's continue,  
20 Page 3.

21 MS. HIRAO: Objection to both.

22 CHAIRPERSON ANDERSON: To both what?

23 MS. HIRAO: Fratelli La Bufala has  
24 nothing to do with the current licenses. And the  
25 second letter has nothing, it's a 2009 letter,

1 not relevant to the issues before this board.

2 CHAIRPERSON ANDERSON: I agree with  
3 that. So where else are we? I don't know what  
4 Fratelli La Bufala is, so therefore this is --

5 MR. UHAR: That was his predecessor  
6 company.

7 CHAIRPERSON ANDERSON: Well, I thought  
8 I heard --

9 MR. UHAR: The settlement agreement  
10 states that he originally received his permit  
11 directly from the Alamo Grill of Georgetown to Il  
12 Canale, but he didn't mention that as a minority  
13 partner --

14 MS. HIRAO: Objection, the settlement  
15 agreement stands for itself. You don't need to  
16 tell us that in respect to what it says.

17 MR. UHAR: We will get to the  
18 settlement agreement.

19 CHAIRPERSON ANDERSON: All right, I  
20 don't -- This is not relevant, sir. I'm not  
21 going to accept.

22 MR. UHAR: Okay, so I guess Page 4, the  
23 US CFA letter that says that --

24 CHAIRPERSON ANDERSON: Not relevant,  
25 that's from 2009. That's not relevant.

1 MR. UHAR: Returned without action?

2 Well, he's claiming he had a permit, okay.

3 CHAIRPERSON ANDERSON: What else? Where  
4 are we?

5 MR. UHAR: Now we're on the old Page 5  
6 that you can't read.

7 CHAIRPERSON ANDERSON: What was it?

8 MR. UHAR: That was the rental permit.

9 CHAIRPERSON ANDERSON: The who?

10 MR. UHAR: The rental permit that only  
11 shows the permit was only issued for 1063 and not  
12 1065. The next page --

13 MS. HIRAO: Is he admitting it or --

14 CHAIRPERSON ANDERSON: No.

15 MS. HIRAO: No, okay.

16 CHAIRPERSON ANDERSON: Go ahead. Where  
17 are we?

18 MR. UHAR: Pages 6 to 8.

19 CHAIRPERSON ANDERSON: What's Page 6 to  
20 8, because they're not numbered so.

21 MR. UHAR: I know.

22 CHAIRPERSON ANDERSON: What is the  
23 page?

24 MR. UHAR: It's DDOT file showing  
25 Boeckl and Associates adding 1065 31st Street to

1 1063 31st Street to increase the already illegal  
2 sidewalk outdoor café.

3 MEMBER WAHABZADAH: Is it a drawing?

4 MR. UHAR: Yes, it's the drawing. So  
5 the first one, he's claiming that 1063 and 1065  
6 are the same. The next page is from DDOT files,  
7 and that shows --

8 CHAIRPERSON ANDERSON: Let me ask this.  
9 All right, does Il Canale have -- Il Canale  
10 presented our agency with a current Certificate  
11 of Occupancy?

12 MS. HIRAO: Yes.

13 MR. UHAR: No, you didn't. You held  
14 that back. That was one of the last exhibits. I  
15 believe it's Exhibit 50, if my mind serves me  
16 well.

17 CHAIRPERSON ANDERSON: What is Exhibit  
18 50?

19 MR. UHAR: And she withheld the  
20 evidence.

21 CHAIRPERSON ANDERSON: Is that in the  
22 record?

23 MS. HIRAO: It should be in the ABC  
24 file.

25 CHAIRPERSON ANDERSON: I know, but I'm



1 just asking --

2 MS. HIRAO: It's not entered as --

3 CHAIRPERSON ANDERSON: -- was it in one  
4 of the documents that you disclosed?

5 MS. HIRAO: Yes.

6 CHAIRPERSON ANDERSON: What exhibit is  
7 that? I know you didn't, but what exhibit is  
8 that?

9 MS. HIRAO: Hold on. I need help.

10 CHAIRPERSON ANDERSON: Is it Exhibit  
11 50, Certificate of Occupancy issued 10/20/2014?

12 MS. HIRAO: There are two Certificates  
13 of Occupancy for 1063 and 1065, and hold on.  
14 There should be one more for 1065 that was  
15 recently approved, I think a week ago.

16 CHAIRPERSON ANDERSON: All right.

17 MS. HIRAO: If you can allow me, I will  
18 get my --

19 CHAIRPERSON ANDERSON: All right. I'm  
20 going to put in Exhibit 50 and 51 in the record.  
21 I'm moving Exhibit 50 and 51 in the record to  
22 establish that this agency, that the restaurant  
23 has provided the ABC Board with a valid  
24 Certificate of Occupancy for 1065 31st Street NW.

25 MR. UHAR: Can I --

1                   CHAIRPERSON ANDERSON: The subject --  
2                   and 1063, and Exhibit 52. There's a valid  
3                   Certificate of Occupancy issued in 2009 for 1063  
4                   31st Street NW.

5                   MS. HIRAO: For clarification, which  
6                   exhibit is the board moving --

7                   CHAIRPERSON ANDERSON: I'm moving  
8                   Exhibits 50, 51 and 52.

9                   MR. UHAR: Can I comment on those  
10                  exhibits?

11                  CHAIRPERSON ANDERSON: Sir, I'm not  
12                  quite sure what comments you're going to provide  
13                  to us. As I stated before, this agency cannot go  
14                  beyond the document. We have a valid Certificate  
15                  of Occupancy that's issued -- Sir, sir?

16                  MR. UHAR: Not subject to Haight v. ABC  
17                  Board.

18                  CHAIRPERSON ANDERSON: Sir, sir, sir.  
19                  Let me give you a perfect example, sir, all  
20                  right? If I asked you for a copy of your  
21                  driver's license, okay, and you provide it to me,  
22                  okay, sir? And your driver's license was issued  
23                  to me by DCRA, I'm sorry, who, by DMV, okay? And  
24                  it has your picture, it has the correct date.  
25                  That's all I can do, sir. I cannot come to say,

1 well, you know, I don't believe that this is a  
2 valid driver's license because the information  
3 you provide to DMV to get this driver's license  
4 was not appropriate.

5 All I can say, I ask you for your  
6 driver's license, you provide me a driver's  
7 license that looks like you, it appears to be --  
8 when we look through our book, it is not a fake  
9 driver's license. It is a valid driver's  
10 license, sir. I cannot go beyond that to say  
11 that DMV should not issue this driver's license  
12 because the person provided incorrect information  
13 to DMV. I cannot do that.

14 And so that's the same analysis, sir.  
15 They have provided us a Certificate of Occupancy.  
16 I cannot --

17 MR. UHAR: Can I comment on 53? On  
18 Exhibit 53 that was entered into evidence --

19 CHAIRPERSON ANDERSON: What exhibit is  
20 that?

21 MEMBER SHORT: It was right behind 50.

22 MR. UHAR: I'd like to comment on  
23 Exhibit 53.

24 CHAIRPERSON ANDERSON: What is that,  
25 sir?

1 MR. UHAR: Okay, if you look, it says  
2 up top 1063 31st Street, which is Square 1198 and  
3 Lot 0064. That's an unenclosed sidewalk café for  
4 Il Canale.

5 CHAIRPERSON ANDERSON: Yes, sir.

6 MR. UHAR: Which is only issued to Ben  
7 Enmel. The owner of 1065 31st Street is owned by  
8 Robert L. Moore.

9 CHAIRPERSON ANDERSON: Sir?

10 MR. UHAR: What has been done is they  
11 have merged the two owners saying it's only one  
12 person. It says here it's G F Il Canale rather  
13 than it's Ben Enmel and Robert L. Moore.

14 MS. HIRAO: Objection. This  
15 Certificate of Use has been issued, and for this  
16 board to look behind whether if it's valid or  
17 not, I mean, this is not an issue before the  
18 board.

19 CHAIRPERSON ANDERSON: My position is  
20 that we have been issued a Certificate of  
21 Occupancy from DCRA. This board does not have  
22 any jurisdiction to pierce the issuance of this  
23 document. All that we can do is they provided us  
24 a Certificate of Occupancy and we are relying  
25 that DCRA has done the proper investigation in

1 issuing the Certificate of Occupancy, sir. So  
2 that's where we are.

3 MR. UHAR: Okay.

4 CHAIRPERSON ANDERSON: Anything else,  
5 sir?

6 MR. UHAR: So you're denying the  
7 admission of Exhibit 2 in toto?

8 CHAIRPERSON ANDERSON: Yes, sir.

9 MR. UHAR: Thank you.

10 CHAIRPERSON ANDERSON: What other  
11 exhibits do you have?

12 MR. UHAR: I have Exhibit 3.

13 CHAIRPERSON ANDERSON: What is Exhibit  
14 3?

15 MR. UHAR: I thought it was a failure  
16 to obtain approval to obtain occupancy or use of  
17 interior space in violation of DCMR --

18 CHAIRPERSON ANDERSON: Hold on a  
19 minute. Let me find -- What's Exhibit 3?

20 MR. UHAR: Exhibit 3 starts out with  
21 the C of O.

22 CHAIRPERSON ANDERSON: What C of O?

23 MR. UHAR: It is 10/20/2014.

24 CHAIRPERSON ANDERSON: Hold on.

25 MEMBER SHORT: There's one for '19.

1 I've got one for '19.

2 CHAIRPERSON ANDERSON: Where is that?  
3 After the Traveler's?

4 MEMBER WAHABZADAH: Yes.

5 CHAIRPERSON ANDERSON: Okay, so this is  
6 the Certificate of Occupancy that was issued  
7 10/20/2014 for 1065 31st Street NW. What's the  
8 problem with this document, sir?

9 MR. UHAR: You don't see an endorsement  
10 for an outdoor sidewalk café.

11 CHAIRPERSON ANDERSON: And so what?

12 MR. UHAR: It's supposed to be on  
13 there. This is a different lot and square. This  
14 is Lot 0819 and Square 1198.

15 CHAIRPERSON ANDERSON: But this is from  
16 five years ago.

17 MR. UHAR: Again, I've been selling  
18 industrial properties for 33 years and I know it  
19 takes a long time, but the records are that he  
20 has in 2014, he had no outdoor sidewalk café for  
21 Mr. Moore's property, Robert L. Moore.

22 CHAIRPERSON ANDERSON: Okay, all right,  
23 so he didn't have that, but the Certificate of  
24 Occupancy that he has now provided to us to renew  
25 his license, it says --

1 MR. UHAR: Does not include Mr. Moore's  
2 lot and square.

3 CHAIRPERSON ANDERSON: I don't know who  
4 Mr. Moore is. All I have --

5 MR. UHAR: He's the owner of Lot --

6 CHAIRPERSON ANDERSON: I don't care who  
7 is the owner of the lot, sir. What I have in  
8 front of me, I have a Certificate of Occupancy  
9 that says that it covers 1063 and 1065 31st  
10 Street NW. Yes, I have that information in the  
11 record. Thank you, Ms. Crockett. So whatever he  
12 had in 2014, if he had it in 2014, but to renew  
13 his license he has provided us an updated  
14 Certificate of Occupancy that covers the lot,  
15 then I don't care what happened in 2014.

16 I mean, I don't know if there's a  
17 protest. Whenever he renewed his license, that  
18 was the time, at the last renewal. This is 2018,  
19 so that was an issue that could have been brought  
20 in 2015 renewal. But he's now renewed his  
21 license in 2018, he's provided us an updated  
22 Certificate of Occupancy that says he can operate  
23 within the two space. So this is not relevant.

24 MR. UHAR: No, sir, that's not correct.

25 CHAIRPERSON ANDERSON: He has provided

1 us with an updated Certificate of Occupancy for  
2 1063 to 1065 31st Street NW.

3 MR. UHAR: That's what it says on the  
4 address. Look at the lot and square. It has to  
5 include 0819 and 0064.

6 CHAIRPERSON ANDERSON: Sir, as I said  
7 before --

8 MR. UHAR: Under Haight v. ABC Board,  
9 you have to admit this.

10 CHAIRPERSON ANDERSON: Sir, sir, all  
11 right. I have a Certificate of Occupancy dated  
12 April 9, 2019, address of sidewalk café, 1063 to  
13 1065 31st Street NW, use public space as an  
14 unenclosed sidewalk café for Il Canale.

15 MR. UHAR: And what lots and squares do  
16 they say?

17 CHAIRPERSON ANDERSON: Sir, I don't see  
18 no lots -- either I can't read. It says Square  
19 1198, Lot 0064.

20 MR. UHAR: It should have two lots and  
21 squares. Can I submit to the record this is the  
22 DCRA sidewalk café thing?

23 CHAIRPERSON ANDERSON: But sir, you  
24 need to go talk to DCRA about that.

25 MR. UHAR: Okay.



1 CHAIRPERSON ANDERSON: The ABC Board,  
2 all I can --

3 MR. UHAR: I understand, I understand.

4 CHAIRPERSON ANDERSON: The ABC Board  
5 doesn't have the expertise to say that --

6 MR. UHAR: I understand.

7 CHAIRPERSON ANDERSON: He gives us a  
8 Certificate of Occupancy for the space that he  
9 utilizes and it ends there.

10 MR. UHAR: Okay.

11 CHAIRPERSON ANDERSON: So Exhibit 3 is  
12 out. What other exhibits do you have, sir?

13 MR. UHAR: Exhibit 4.

14 CHAIRPERSON ANDERSON: What is Exhibit  
15 4?

16 MR. UHAR: This was when Mr. Farruggio  
17 was trying to get his outdoor sidewalk café. The  
18 second page shows that his attorney claims that  
19 they had a rear yard of 15 feet 5.5 inches, and  
20 the record shows in Section 2 that the surveyor  
21 plat is only 15 feet, if you look at the back,  
22 there's no 15.5 foot setback. But I understand  
23 that's not acceptable.

24 CHAIRPERSON ANDERSON: And that's not  
25 relevant for the ABC Board, so Exhibit 4 is out.

1 MS. HIRAO: Chairman, just to clarify,  
2 Exhibit 3 is out and Exhibit 4 is out?

3 CHAIRPERSON ANDERSON: 1, 2, 3, 4 is  
4 out. What's the next exhibit?

5 MR. UHAR: Exhibit 5.

6 CHAIRPERSON ANDERSON: What is Exhibit  
7 5?

8 MR. UHAR: Exhibit 5 is the cease and  
9 desist letter that they refer to, where Mr.  
10 Griffin writes and demands a cease and desist.

11 CHAIRPERSON ANDERSON: Where is -- Oh,  
12 I'm sorry, I'm looking at Exhibit 6. Hold on,  
13 sorry. Okay, what about this letter, a cease and  
14 desist?

15 MR. UHAR: This was entered into as an  
16 exhibit by the applicant, and not coincidentally  
17 I sort of thought something was up, so I entered  
18 it, as well, and this is my Exhibit 5.

19 CHAIRPERSON ANDERSON: It's already in  
20 --

21 MR. UHAR: But I have an explanation.

22 CHAIRPERSON ANDERSON: It's already --  
23 what are you adding? Exhibit 5 is already in  
24 evidence. What are you adding to Exhibit 5?

25 MR. UHAR: Well, I have Exhibit 5, I

1 have Page 3 is the selfie after Matteo called in  
2 a false police report saying I'm drunk when I  
3 complain of the illegal umbrellas, which you can  
4 see in the background.

5 CHAIRPERSON ANDERSON: Okay, sir, this  
6 is 6/9/18.

7 MR. UHAR: Well, he talks about how we  
8 were never able to talk again because I got  
9 ballistic, and all I asked him to do was to take  
10 down his illegal umbrellas, which also had  
11 illegal heaters.

12 CHAIRPERSON ANDERSON: But all right,  
13 sir.

14 MEMBER SHORT: They're down.

15 CHAIRPERSON ANDERSON: The document I'm  
16 looking at, it's a picture of, I don't know who  
17 it is.

18 MR. UHAR: That's me. Remember, he  
19 talked about submitting a police report because I  
20 had gotten belligerent, and all I had asked was  
21 he take down his umbrellas again.

22 CHAIRPERSON ANDERSON: Yeah, but --

23 MEMBER SHORT: They're down.

24 CHAIRPERSON ANDERSON: But this is a --  
25 Sir --

1 MEMBER SHORT: They're down.

2 MS. CROCKETT: Mr. Chair, may I  
3 interject briefly?

4 CHAIRPERSON ANDERSON: Go ahead, Ms.  
5 Crockett.

6 MS. CROCKETT: Sir, oh boy, where  
7 exactly do you live in relation to this property?

8 MR. UHAR: Right next door.

9 MS. CROCKETT: And in relation to the  
10 hotel?

11 MR. UHAR: We sold the -- The hotel's  
12 here, we're here, the rear of the alley and all  
13 the other stuff is right behind us. My brother,  
14 Roger, has been living there.

15 MS. CROCKETT: So your front door and  
16 the front of their restaurant are parallel?

17 MR. UHAR: Our back doors connect.  
18 Roger has been living there for a long time.

19 MS. CROCKETT: Your back doors connect?

20 MR. UHAR: Mm-hmm.

21 MS. CROCKETT: So his sidewalk café is  
22 not near the front of your property at all?

23 MR. UHAR: No.

24 MS. CROCKETT: His umbrellas in said  
25 sidewalk café are not blocking your sunlight?

1 MEMBER SHORT: There are no umbrellas.

2 MR. UHAR: They're not there no more.  
3 They were taken down.

4 MS. CROCKETT: But they weren't  
5 obstructing the sun from shining in your windows?

6 MR. UHAR: That's beside the point.  
7 I'm an industrial broker and I believe in  
8 permits, and I believe everyone should tell the  
9 truth. And that's -- I've just tried to  
10 chronicle evidence, not, and also --

11 MS. CROCKETT: Why are we here today,  
12 honestly? I've been sitting here for five hours  
13 now, and I really would like to know, sir, why  
14 are we here today? What is the underlying issue?

15 MR. UHAR: Okay.

16 MS. CROCKETT: What is the real issue  
17 here?

18 MR. UHAR: Can we read the demand to  
19 cease and desist?

20 MS. CROCKETT: I've read the cease and  
21 desist letter, and the only thing that they seem  
22 to be asking you to do is to please stop coming  
23 into their establishment --

24 MR. UHAR: Not a problem.

25 MS. CROCKETT: -- and communicating

1 with their staff and --

2 MR. UHAR: Not a problem.

3 MS. CROCKETT: -- and their guests.

4 MR. UHAR: Yes. But it also states you  
5 may --

6 MS. CROCKETT: That doesn't seem to be  
7 an undue burden.

8 MR. UHAR: You may no longer enter the  
9 restaurant or come upon the public space leased  
10 by the restaurant, and I'm contending they don't  
11 have a valid lease for the sidewalk café that I  
12 am forbidden to walk across.

13 CHAIRPERSON ANDERSON: You need to go  
14 to court.

15 MS. CROCKETT: So we're here today  
16 because you're not allowed to enter their  
17 sidewalk café?

18 MR. UHAR: No, I'm here to uphold the  
19 importance of everyone getting permits and  
20 following procedures. That's why I'm here.

21 MEMBER SHORT: Mr. Chair, can I chime  
22 in, please?

23 CHAIRPERSON ANDERSON: Yes, Mr. Short.

24 MEMBER SHORT: Sir, I think you need to  
25 either go to court or one of those agencies. As

1 our Chair told you, he tells everybody who comes  
2 in like you, they have a valid Certificate of  
3 Occupancy for both 1063 and 1065. We can only go  
4 by that valid document from DCRA, so we can't  
5 hold his license up. The only thing could happen  
6 is you go to court or you go to DCRA and they get  
7 back to us or they take back the C of O, then  
8 we'll have some jurisdiction.

9 Right now, you're coming to an agency  
10 here for us to do someone else's job. We can  
11 only do our job. We're standing in our lane.  
12 They have a valid C of O, and I really think  
13 you're trying to convince us to do something  
14 that's illegal for us to do. You need to go to  
15 court and get a court order or a judgement,  
16 something like that. Then we probably can do  
17 something. So Mr. Chair, that's all I have.  
18 Thank you. That's all I have, Mr. Chair.

19 MR. UHAR: This has burdened me. So I  
20 guess --

21 MS. CROCKETT: The cease and desist is  
22 burdensome to you?

23 MR. UHAR: No, I'm saying that this  
24 exhibit -- burdening is a legal term when someone  
25 --

1 MS. CROCKETT: But you're not a lawyer.

2 MR. UHAR: I don't have to be a lawyer.

3 MS. CROCKETT: Exactly.

4 MR. UHAR: But the principle remains  
5 the same in that this letter, and this is the  
6 reason I subpoenaed Mr. Griffin, because I  
7 believe this letter -- For example, when I talked  
8 to D.C. ABRA, Ms. Fashbaugh, I'm the feisty one.  
9 All I want is people to follow the law. Now I  
10 understand that you haven't read Haight v. the  
11 ABC Board and you're not going to rule on it  
12 today. So I'm prepared to keep moving on.

13 CHAIRPERSON ANDERSON: Okay.

14 MR. UHAR: Okay?

15 CHAIRPERSON ANDERSON: So I don't  
16 believe that Exhibit 5 is in the record already.  
17 I don't know. You're trying to add additional  
18 documents to Exhibit 5.

19 MR. UHAR: Yes. They were saying that  
20 I became crazy, and I'm saying that they were  
21 getting cover for their fire department  
22 violation, for their Department of Health  
23 violation and that's it.

24 CHAIRPERSON ANDERSON: I will admit  
25 Exhibit 5 that was admitted as part of the



1 previous case. I'm sorry, the portion of Exhibit  
2 5 that was admitted in the applicant's case is in  
3 the record already. I'm not going to admit the  
4 rest of it. Now we're at Exhibit 6.

5 MR. UHAR: Yeah.

6 CHAIRPERSON ANDERSON: What's Exhibit  
7 6?

8 MR. UHAR: Exhibit 6 is a letter from  
9 Pascal and Weiss, November 25, 2013, claiming  
10 that there was an existing sidewalk café where my  
11 Exhibit 2, Page 5, shows that the first exhibit  
12 was granted in 10/15/2014. So Mr. Pascal was not  
13 correct, and I believe this does fall under the  
14 purview of the D.C. ABRA.

15 CHAIRPERSON ANDERSON: This is a letter  
16 from Mr. Pascal to the ABC Board asking us to do  
17 something.

18 MR. UHAR: Mm-hmm.

19 CHAIRPERSON ANDERSON: I'm not quite  
20 sure -- This is November 25, 2013.

21 MR. UHAR: Yes.

22 CHAIRPERSON ANDERSON: Since this is a  
23 letter to the ABC Board, it's a part of our  
24 record and I'll admit it, at least the first  
25 page, for whatever the document says that it is.

1 So that's admitted. What's the second document,  
2 the second page?

3 MR. UHAR: The second page is a letter  
4 from the US Commission of Fine Arts, 18 September  
5 2009, that says about the restaurant awnings,  
6 signs for Il Canale sidewalk café, existing  
7 permit revised design. The recommendation  
8 returned without action, permit application for  
9 awnings, sign and sidewalk café for Il Canale was  
10 withdrawn at the written request of the  
11 applicant.

12 CHAIRPERSON ANDERSON: Okay, fine, so  
13 I'll admit that for whatever it's worth. What's  
14 the next document?

15 MS. HIRAO: I'm sorry, I could not  
16 hear. Admitted or --

17 CHAIRPERSON ANDERSON: For whatever  
18 it's worth, yes.

19 MS. HIRAO: I'll sustain my objection.  
20 This has nothing to do with --

21 CHAIRPERSON ANDERSON: It's the  
22 document from the US Commission of Fine Arts.  
23 I'll admit it for whatever it's worth.

24 MR. UHAR: And then the third page --

25 CHAIRPERSON ANDERSON: The third page,

1 this was supposed to be part of --

2 MR. UHAR: Yes, and that shows --

3 CHAIRPERSON ANDERSON: The third page  
4 was a part of Exhibit 2, which I've already  
5 excluded.

6 MR. UHAR: But, but sir, under Haight  
7 v. ABC --

8 CHAIRPERSON ANDERSON: I've already  
9 excluded this document, sir. I've already  
10 excluded this document as part of Exhibit 2.

11 MR. UHAR: Moving on.

12 CHAIRPERSON ANDERSON: Let's move on to  
13 Exhibit 7.

14 MR. UHAR: Exhibit 7. This is Mr.  
15 Harrington's unenclosed sidewalk café permit  
16 that's in the D.C. Alcoholic Regulation Bureau,  
17 issued 1/28/15. It's for Lot 0064 and Square  
18 1198, and you'll see that I outlined in yellow, a  
19 sidewalk café at 1063 31st Street, said  
20 unenclosed sidewalk café area will be 9 feet in  
21 length and 71 feet in width, for a total of 639  
22 square feet.

23 CHAIRPERSON ANDERSON: Wait a minute.  
24 Are we reading the same -- What are we reading,  
25 sir?

1 MR. UHAR: This is D.C. ABRA.

2 MEMBER SHORT: Same thing.

3 CHAIRPERSON ANDERSON: Yeah, but I  
4 don't know --

5 MR. UHAR: It's down low. It's in the  
6 small print.

7 CHAIRPERSON ANDERSON: Okay, but this  
8 is a letter issued in 2015 giving them authority  
9 to have the public --

10 MR. UHAR: A public sidewalk café that  
11 9 feet in length and 71 feet in width.

12 CHAIRPERSON ANDERSON: Okay.

13 MR. UHAR: Then the second page is the  
14 same diagram of Lot 0064 that shows the width of  
15 the sidewalk café is only 28.5 feet, so it's not  
16 71 feet as was presented to D.C. ABRA.

17 MS. HIRAO: I don't know how this is  
18 relevant, so I'm objecting to this exhibit.  
19 We've already submitted necessary permits in  
20 order for ABRA to issue an endorsement for a  
21 sidewalk café for 1065 and 1063. This should not  
22 be part of it.

23 CHAIRPERSON ANDERSON: The only reason  
24 I'm going to admit this is because I assume this  
25 was provided to the agency at an earlier point.

1 My assumption is that since this is an  
2 application for a sidewalk --

3 MS. HIRAO: Oh, I'm sorry, I see it.

4 CHAIRPERSON ANDERSON: It's for a  
5 sidewalk café permit.

6 MS. HIRAO: I just focused on the  
7 inspection and enforcement, my apologies.

8 CHAIRPERSON ANDERSON: Right, so I'm  
9 going to admit number 7.

10 MS. HIRAO: I withdraw my objection.

11 MR. UHAR: So Number 7.

12 CHAIRPERSON ANDERSON: It's a part of  
13 the record.

14 MS. HIRAO: Okay.

15 MR. UHAR: So Number 7 says that Lot  
16 0064 in Square 1198 is 71 feet wide, and the  
17 second page shows that Lot 0064 in Square 1198 is  
18 28.58 feet wide, not 71 feet.

19 MS. HIRAO: Are we on Exhibit 7 or 6?

20 CHAIRPERSON ANDERSON: We're on Exhibit  
21 7, and it says 18 tables and 36 chairs and zero  
22 umbrellas.

23 MR. UHAR: Yeah, it's 71 feet in width,  
24 and the lot is only 28 feet long.

25 CHAIRPERSON ANDERSON: All right, but

1 this a letter issued by the District Department  
2 of Transportation, so --

3 MR. UHAR: No, no, this is an ABRA.

4 CHAIRPERSON ANDERSON: No, sir.

5 MR. UHAR: This is in your files.

6 CHAIRPERSON ANDERSON: Sir, this is a  
7 letter, Exhibit 7 that you provided to me is a  
8 document issued by DDOT. So I can't --

9 MS. CROCKETT: It is stamped received  
10 by us.

11 CHAIRPERSON ANDERSON: Right, but it's  
12 a document --

13 MR. UHAR: I got it from you in my --

14 CHAIRPERSON ANDERSON: Right, but it's  
15 a document issued by DDOT, so therefore --

16 MEMBER SHORT: Public space.

17 CHAIRPERSON ANDERSON: In order for him  
18 to have a sidewalk café, he needed to provide us  
19 with this permit from DDOT. He provided us the  
20 permit from DDOT. That's why it's in our  
21 records, because it's a permit from DDOT. We do  
22 not go beyond -- All we do is we said if you want  
23 to use the sidewalk café you need to get a public  
24 space permit from DDOT. He provided it to us and  
25 we have no further analysis.

1 MR. UHAR: SO there's no comment on a  
2 71-foot wide --

3 CHAIRPERSON ANDERSON: Sir, we don't --

4 MR. UHAR: -- sidewalk café on a 28.5-  
5 foot lot?

6 CHAIRPERSON ANDERSON: No, sir.

7 MR. UHAR: Okay.

8 CHAIRPERSON ANDERSON: I think the only  
9 thing that's relevant to us is that he needs to  
10 have 18 tables and 36 chairs and zero umbrella.  
11 That's the only part of it that would be relevant  
12 to us.

13 MEMBER SHORT: That's the only  
14 enforcement we would have.

15 CHAIRPERSON ANDERSON: Eighteen tables,  
16 36 chairs and zero umbrellas, so therefore, if we  
17 went there and there were more than 18 tables,  
18 more than 36 chairs and umbrellas, we could tell  
19 him that he couldn't have an umbrella on it  
20 because that was not a part of his permit.

21 MR. UHAR: Which he didn't -- it's been  
22 evidence that he had illegal umbrellas.

23 CHAIRPERSON ANDERSON: Well, sir, then  
24 if he had an illegal umbrella there then, you  
25 should have contacted ABRA and told ABRA --

1 MR. UHAR: I have.

2 CHAIRPERSON ANDERSON: -- and then we  
3 would have sent enforcement and then we would  
4 have given a violation if we went there and saw  
5 an umbrella. If you called our agency to say he  
6 has an illegal umbrella and by the time we go  
7 there, if he removed it, then there's no  
8 umbrella. So Exhibit 7 is a part of the record.  
9 It's my understanding that those are the extent  
10 because the other documents were untimely filed?

11 MEMBER SHORT: Correct.

12 MR. UHAR: No, I was under the  
13 impression that they would be considered and I  
14 would petition the Court to --

15 MEMBER SHORT: Chair says no.

16 MR. UHAR: -- to listen to Exhibit 10.

17 CHAIRPERSON ANDERSON: When did you  
18 file Exhibit 1 through 10? When did you file  
19 this document?

20 MR. UHAR: This was an ABRA thing that  
21 I filed in the last one. I forget when it was.

22 CHAIRPERSON ANDERSON: I'm sorry. You  
23 filed this on the 18th. What did you submit  
24 which was untimely? So what did you submit on  
25 the 18th?



1 MR. UHAR: Exhibit 10, which was from  
2 the last time we were here.

3 CHAIRPERSON ANDERSON: What's that?

4 MR. UHAR: It's the minutes of the ABRA  
5 Board.

6 CHAIRPERSON ANDERSON: That's a part of  
7 our record, so you don't have to submit that.

8 MR. UHAR: I'd like to read what Mr.  
9 Farruggio said.

10 CHAIRPERSON ANDERSON: What is that,  
11 sir?

12 MR. UHAR: Mr. Farruggio in 2016 says  
13 but Mr. Uhar and Mr. Uhar assume that I'm  
14 applying my license now for the whole building,  
15 and my license right now is for the bottom floor  
16 and 1063, and 1065 bottom floor, and you know,  
17 we're dragging this thing. I think it's we're  
18 wasting time, and this refers to the illegal  
19 summer garden café of which there was a picture  
20 that your investigator took showing a terrace,  
21 and was since torn down.

22 CHAIRPERSON ANDERSON: And it's my  
23 understanding that DCRA issued a stop work order,  
24 and that was issued and the appropriate agency  
25 took enforcement against it, which was DCRA, not

1 ABRA. Where else are we, sir?

2 MR. UHAR: We're done.

3 CHAIRPERSON ANDERSON: Is there  
4 anything else you need to say?

5 MR. UHAR: No.

6 CHAIRPERSON ANDERSON: Do you have any  
7 questions of him, ma'am?

8 MS. HIRAO: I do not.

9 CHAIRPERSON ANDERSON: All right. I  
10 know that no one from ABC Board has any questions  
11 to ask, so thank you, sir. I am taking the  
12 prerogative as the Chair of the Board that no  
13 questions will be asked.

14 MEMBER SHORT: You read our minds well,  
15 sir.

16 CHAIRPERSON ANDERSON: We're ready for  
17 closing. Do you want a break to do closing?

18 MS. HIRAO: Yes.

19 CHAIRPERSON ANDERSON: It is 6:43. How  
20 much time do you need to do closing?

21 MS. HIRAO: How much time I need --

22 CHAIRPERSON ANDERSON: How much time  
23 you need for break?

24 MS. HIRAO: Five minutes.

25 CHAIRPERSON ANDERSON: Five minutes?

1 All right. This is what I need from both sides.

2 You tell me --

3 MEMBER SHORT: Make it 10. I've got to  
4 go, too.

5 CHAIRPERSON ANDERSON: Ten minutes,  
6 we'll take a 10-minute break. SO what I need  
7 each side to do when you close is tell me what it  
8 is that was shown today and what it is that you  
9 want the board to do. So we are off the record  
10 for 10 minutes.

11 (Whereupon, the above-entitled matter  
12 went off the record at 6:42 p.m. and resumed at  
13 7:04 p.m.)

14 CHAIRPERSON ANDERSON: We're back on  
15 the record. You need your clients?

16 MS. HIRAO: They're right there. I see  
17 them, if they want to come back.

18 CHAIRPERSON ANDERSON: All right, so we  
19 have closing, so the applicant will have a  
20 closing statement the protestant will have a  
21 closing statement, and each side is limited to  
22 five minutes. Five minutes closing, each side is  
23 limited to. A closing statement is basically  
24 you're wrapping your case up telling what the  
25 evidence shows and what it is that you're asking

1 the board to do. So the applicant --

2 MS. HIRAO: Mine will be very short.  
3 Based on the evidence presented, Il Canale has  
4 met its burden to show that its establishment  
5 meets the appropriateness standards and that Il  
6 Canale is fit to hold a license. The  
7 investigators report showed that it has met this  
8 burden. With respect to noise, no problems.  
9 With respect to litter, no problems. With  
10 respect to peace, order and quiet, no problems.

11 You have also heard from the  
12 witnesses, Joe Farruggio and Abdul, who have  
13 testified regarding the day-to-day operations and  
14 how they have managed the restaurant. You have  
15 heard from them that trash is effectively being  
16 handled. Rodent problems are addressed. You  
17 have also heard that Il Canale is now a  
18 destination location for 31st Street, welcomed by  
19 neighbors and visitors.

20 Finally, you've heard from neighbors,  
21 Italo Rodriguez and William Verno, who have  
22 attested to Mr. Farruggio's character and Il  
23 Canale's fitness to hold a license and have seen  
24 Il Canale as a benefit to the neighborhood.  
25 Based on the evidence that is relevant to the

1 sales and service of alcohol to consumers, I l  
2 Canale's current operations do not have a  
3 prospective or current negative impact on the  
4 neighborhood.

5 Based on the foregoing, we  
6 respectfully request for this board to grant I l  
7 Canale's application to renew its license. Thank  
8 you very much for your time and patience.

9 CHAIRPERSON ANDERSON: All right, thank  
10 you. Yes, sir.

11 MR. UHAR: I'd like to thank the board  
12 for hearing my case, even if the evidence that I  
13 thought would persuade a reasonable person under  
14 Haight v. the ABC Board was not admitted. All I  
15 can say is it's been another learning experience.  
16 I do think that D.C. ABRA needs to get a little  
17 more consumer-friendly and extend a little more  
18 help to those of us that are burdened by an owner  
19 who writes a cease and desist letter. That's all  
20 I can say. I want to thank you for your time.  
21 It's been a long day, and whatever you decide is  
22 okay for me.

23 CHAIRPERSON ANDERSON: I want to say --  
24 I'm sorry.

25 MR. UHAR: For now. I reserve the

1 right to change my mind. Thank you.

2 CHAIRPERSON ANDERSON: In all  
3 seriousness, I want to thank both parties for  
4 their presentation today. One of the things I've  
5 always told parties before my final closing is  
6 that at the end of the day, whatever decision  
7 that ABRA makes today, you're going to be  
8 neighbors. So I've always pushed to have  
9 settlement agreements, because when you have  
10 settlement agreements that both sides -- it's a  
11 give and take, but at the end of the day, people  
12 will shake hands and leave happy.

13 As I said, this hearing was started at  
14 1:30. It's now 7:10, but I think it's important  
15 that if you really believe that you have a  
16 hearing that we will listen to both sides. But I  
17 don't necessarily like doing the hearings,  
18 because whatever decision we make today, one side  
19 is going to be happy, the other side might be  
20 upset or vice-versa. I don't know, and so that's  
21 why I always push parties to say you're going to  
22 be neighbors and I hope that you can work it out.  
23 At the end of the day, whatever decision we make,  
24 you're still going to be neighbors.

25 But I want to thank both sides for

1 their presentation today, and it shows that on  
2 both sides, if you didn't care about your  
3 neighborhood, you wouldn't be here today. It  
4 shows that we might have disagreement but we both  
5 care about how is it that we believe that what's  
6 in the best interests of where we both live. So  
7 I want to thank you for that.

8 The parties have an opportunity to do  
9 proposed findings of fact and conclusions of law  
10 or you can waive your right and the board can  
11 make a decision. What that says is that you'll  
12 wait to listen to the transcript, you'll say this  
13 is what the evidence show, and this is what the  
14 board should rule. That's not an opportunity for  
15 you to make arguments that was not made today.

16 I mean, most people in a protest  
17 hearing, they'll waive their right.

18 MS. HIRAO: The appellant waives their  
19 right.

20 CHAIRPERSON ANDERSON: So you, sir? Do  
21 you want to waive it?

22 MR. UHAR: No.

23 CHAIRPERSON ANDERSON: So what will  
24 occur is that you should get the transcript --  
25 let me find it, hold on. You want to do a

1 proposed findings. So what I've stated before, I  
2 remember one of the things that you have always  
3 stated is that you're not a lawyer. So I guess  
4 you're going to be a lawyer when you write this,  
5 right? Because this is asking for you to write a  
6 legal document.

7 MR. UHAR: You're talking about  
8 findings of fact and show cause?

9 CHAIRPERSON ANDERSON: Proposed  
10 findings of fact and conclusion of law.

11 MR. UHAR: Finding of fact, show cause  
12 and conclusion of law, I'm sorry?

13 CHAIRPERSON ANDERSON: Findings of fact  
14 and conclusion of law. So what this means --

15 MR. UHAR: What about the show cause?

16 CHAIRPERSON ANDERSON: There's no show  
17 cause. What the next step is that you're going  
18 to ask to request a transcript. You're going to  
19 read the transcript and you're going to say this  
20 is what the facts that were presented at this  
21 hearing shows, and this is what the law says  
22 based on the facts that was presented here today.

23 You cannot bring in information from  
24 outside to say this is what should have -- You're  
25 basically basing it on what was presented today.



1 MR. UHAR: And I can't -- those  
2 documents that I submitted, I can't bring up  
3 again?

4 CHAIRPERSON ANDERSON: No.

5 MR. UHAR: Okay, thank you.

6 MS. HIRAO: When will the transcript be  
7 available?

8 CHAIRPERSON ANDERSON: Hold on, I  
9 believe in about 30 days. I'm sorry, about three  
10 weeks you should get the transcript. In about  
11 three weeks you should get the transcript, and  
12 the proposed findings of fact and conclusions of  
13 law, they're due to the board 30 days after  
14 receipt of the transcript. So all right --

15 MS. HIRAO: For my client, I'm sorry,  
16 Chairman. Can you explain for Mr. Farruggio the  
17 findings of fact and conclusions of law? He was  
18 asking, but I wanted the benefit of him to hear  
19 it from you while we're here before you.

20 CHAIRPERSON ANDERSON: Well, basically  
21 because the protestant -- This is something  
22 that's available to both sides in the sense that  
23 you have the opportunity for you to get the  
24 transcript, for you to read the transcript and  
25 for you to say this is what we proved at the

1 hearing. And based on the law, this is what the  
2 findings should be based on the facts that was  
3 presented. So it's more so, it's unfortunately  
4 more work for your lawyer. That's what it is.  
5 Yes, sir?

6 MR. UHAR: If I want after reviewing  
7 the transcript, can I engage an attorney to write  
8 my --

9 CHAIRPERSON ANDERSON: You can do  
10 whatever you want to do to --

11 MR. UHAR: That's, yeah.

12 CHAIRPERSON ANDERSON: You can have an  
13 attorney review the transcript and provide an  
14 answer.

15 MR. UHAR: Thank you.

16 CHAIRPERSON ANDERSON: But I'm just  
17 saying that is your right. The other side  
18 doesn't have to do it. They don't have to file  
19 one if they don't believe that it's necessary,  
20 because I said before, you cannot bring in any --  
21 If it was not presented today, it cannot be  
22 entered. So it's basically a review of the  
23 transcript, and this is what the facts are from  
24 the transcript.

25 Based on the facts that was presented,

1 these are the legal conclusions that the board  
2 should make based on those findings.

3 MEMBER SHORT: He raised his hand up  
4 again.

5 CHAIRPERSON ANDERSON: Yes, sir.

6 MR. UHAR: No, no, I was just wondering  
7 if somebody could cite the DCMR code, but I'll  
8 check.

9 CHAIRPERSON ANDERSON: DCMR code what?

10 MR. UHAR: For the findings of fact and  
11 the conclusion of law, but I'll check that on my  
12 own. I have time.

13 CHAIRPERSON ANDERSON: You can go on  
14 our -- I'm not sure if you'll be able to find  
15 examples of what that is, or you could basically  
16 go read one of our decisions and it tells you  
17 what the facts are factually, and based on the  
18 facts, what conclusions are drawn from the facts  
19 that was presented today.

20 MR. UHAR: Thank you.

21 CHAIRPERSON ANDERSON: So hold on one  
22 minute, please, before everyone runs away. As  
23 Chairperson of the Alcohol Beverage Control Board  
24 for the District of Columbia, and in accordance  
25 with D.C Official Code Section 2574B of the Open

1 Meetings Act, I move that the ABC Board hold a  
2 closed meeting for the purpose of seeking legal  
3 advice from our counsel on 19-PRO-00033, Il  
4 Canale, pursuant to D.C. Official Code Section  
5 2574B4 of the Open Meetings Act, and deliberating  
6 upon Case No. 19-PRO-00033, Il Canale, for the  
7 reasons cited in D.C. Official Code Section  
8 2574B-13 of the Open Meetings Act. Is there a  
9 second?

10 MEMBER SHORT: Second.

11 CHAIRPERSON ANDERSON: Mr. Short has  
12 seconded the motion. I will now take a roll call  
13 vote on the motion before us now that it has been  
14 seconded. Ms. Wahabzadah?

15 MS. WAHABZADAH: I agree.

16 CHAIRPERSON ANDERSON: Mr. Short?

17 MR. SHORT: I agree.

18 CHAIRPERSON ANDERSON: Ms. Crockett?

19 MS. CROCKETT: I agree.

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

1       you. All right, so we are adjourned.

2                       MR. UHAR: Thank you.

3                       CHAIRPERSON ANDERSON: Just let me  
4 close our record.

5                       (Whereupon, the above-entitled matter  
6 went off the record at 7:16 p.m.)

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

| A                              |                                 |                                |                                |
|--------------------------------|---------------------------------|--------------------------------|--------------------------------|
| <b>A-B-D-E-R-R-A-H-M-...</b>   | 222:21                          | <b>advance</b> 9:5 14:14       | 178:23 182:3 212:21            |
| 71:24                          | <b>acceptable</b> 233:23        | 204:2                          | 214:14 223:16 236:4            |
| <b>a.m</b> 75:16               | <b>accepted</b> 8:6             | <b>adversarial</b> 21:17       | <b>AIA</b> 18:14               |
| <b>ABC</b> 5:17 7:21 8:4,5     | <b>accommodate</b> 103:23       | <b>adverse</b> 58:18,20,23     | <b>aided</b> 55:8              |
| 10:1 19:1 52:18 58:8           | <b>accused</b> 171:5            | 63:25                          | <b>air</b> 25:25 27:22 61:5    |
| 65:7 73:2 86:13,15             | <b>acronyms</b> 38:9            | <b>adversely</b> 40:10 43:15   | <b>Alamo</b> 15:14 107:3       |
| 128:14 132:15 140:22           | <b>Act</b> 195:23 200:5 260:1   | <b>advice</b> 22:21 40:16      | 155:2 156:2 179:5              |
| 141:5 195:15 196:15            | 260:5,8,25                      | 260:3                          | 222:11                         |
| 202:10 205:9 206:21            | <b>acted</b> 22:21              | <b>advised</b> 61:15 80:21     | <b>alcohol</b> 28:3 59:5 61:20 |
| 208:9 216:1 224:23             | <b>acting</b> 134:19            | <b>Advisory</b> 58:4           | 62:14,17 75:19 76:5            |
| 225:23 226:16 232:8            | <b>action</b> 223:1 242:8       | <b>affect</b> 97:11 213:17     | 76:11 82:6 88:1 90:14          |
| 233:1,4,25 240:11              | <b>actions</b> 8:6 23:18 24:25  | <b>affirm</b> 56:19 71:14      | 109:14 112:17 142:5            |
| 241:16,23 243:7                | 25:9,17                         | 124:1 160:7 172:22             | 154:9 166:13,16                |
| 250:10 253:14 260:1            | <b>activities</b> 30:2,6,7      | 212:18                         | 216:10 218:12,16,16            |
| 260:22,24                      | 52:16,25 53:19 54:8             | <b>afield</b> 143:16           | 218:18,20,23 219:1,1           |
| <b>Abderrahman</b> 2:5         | 54:10,21,24 55:9,12             | <b>after-mentioned</b> 55:4    | 253:1 259:23                   |
| 71:23 122:14                   | 78:7 142:8 186:12               | <b>after-picture</b> 118:6     | <b>alcoholic</b> 1:2,13,14     |
| <b>Abdul</b> 2:7 3:15 51:3     | 196:16 211:10 220:23            | <b>afternoon</b> 4:19 5:4,9,11 | 86:16 125:14 243:16            |
| 71:6 84:12,24 101:25           | <b>activity</b> 131:6 196:19,20 | 5:15 14:5,22 43:11             | <b>ALIYA</b> 1:21              |
| 106:25 110:25 122:17           | 202:9 211:15                    | 49:21 50:17 133:1              | <b>allegation</b> 135:18       |
| 122:18 127:9 129:8             | <b>acts</b> 8:17 9:12,14 29:17  | 156:12,13                      | <b>alleged</b> 211:14          |
| 252:12                         | 29:19                           | <b>agencies</b> 8:7 54:4,16    | <b>alley</b> 52:20 53:14 61:9  |
| <b>abetted</b> 55:8            | <b>actual</b> 8:17 75:13 99:23  | 144:10 199:12 200:6            | 62:7,8,12 93:22,24             |
| <b>abide</b> 61:12             | 199:5                           | 238:25                         | 94:23 97:16 118:23             |
| <b>able</b> 57:16 114:18 235:8 | <b>add</b> 35:23,24 168:17      | <b>agency</b> 19:19 20:4       | 119:13,15 141:24               |
| 259:14                         | 203:20 218:4 240:17             | 199:10,15,20,21                | 179:19 180:11 217:12           |
| <b>above-entitled</b> 26:7     | <b>added</b> 65:23              | 200:19 202:24 203:14           | 236:12                         |
| 104:16 183:12 251:11           | <b>adding</b> 223:25 234:23     | 205:23,25 206:2,7,15           | <b>alleyway</b> 65:17 98:1,16  |
| 261:5                          | 234:24                          | 206:18,18 207:6,10             | 98:20                          |
| <b>ABRA</b> 2:4 11:16,20       | <b>addition</b> 15:7 83:10      | 207:11 208:13 209:4            | <b>allow</b> 106:18 171:4,17   |
| 14:11 15:8,18 16:4             | 174:7                           | 210:25 211:1,3,19              | 189:11 193:22 198:17           |
| 22:4 30:11 48:6 53:1           | <b>additional</b> 48:17 63:23   | 213:18 214:9 216:4             | 198:18 225:17                  |
| 53:20 57:1,4,6 62:20           | 213:16 240:17                   | 219:10 224:10 225:22           | <b>allowed</b> 32:13 55:3      |
| 64:1,7,10,12 66:19,21          | <b>Additionally</b> 50:23       | 226:13 239:9 244:25            | 101:7 238:16                   |
| 67:1,5,22 69:1,7 73:3          | <b>address</b> 12:19 20:20      | 248:5 249:24                   | <b>allowing</b> 142:22         |
| 76:9 77:19 110:2,7,11          | 34:3 37:25 44:2 59:18           | <b>agent</b> 22:21,22,24       | <b>allows</b> 61:9 75:20 197:3 |
| 110:16,20,23 152:23            | 60:10 61:16 64:2                | 168:4                          | <b>Alsco</b> 93:4              |
| 155:25 183:23,24               | 120:7 195:12 200:8              | <b>aging</b> 157:16            | <b>alterations</b> 17:18       |
| 186:4 190:21 196:10            | 206:18 220:6 232:4              | <b>ago</b> 73:19 98:24 99:3    | <b>amend</b> 29:1 40:15        |
| 197:20,21 200:13               | 232:12                          | 100:4 132:23 135:22            | <b>amendment</b> 78:20         |
| 204:23,24 208:11,14            | <b>addressed</b> 6:16 36:22     | 144:6,6,7 152:21               | <b>amendments</b> 75:25        |
| 208:22 213:18,25               | 50:12 54:8 61:22                | 157:16 217:6 225:15            | <b>amount</b> 214:4            |
| 218:4,15,23 219:2,2,8          | 252:16                          | 230:16                         | <b>analysis</b> 202:21 210:6   |
| 240:8 241:14 244:1             | <b>addresses</b> 7:8 20:24      | <b>agree</b> 29:9 31:23 33:1   | 227:14 246:25                  |
| 244:16,20 246:3                | 21:1                            | 206:12 222:2 260:15            | <b>ANC</b> 1:7 5:23 6:10       |
| 247:25,25 248:20               | <b>addressing</b> 60:19         | 260:17,19,21                   | 40:11 43:12 48:4               |
| 249:4 250:1 253:16             | <b>adds</b> 216:8               | <b>agreed</b> 153:8            | 53:23 58:5 60:15 65:2          |
| 254:7                          | <b>adjourned</b> 261:1          | <b>agreement</b> 6:11 35:20    | 78:21 110:21 139:9             |
| <b>ABRA's</b> 199:9 208:7      | <b>ADLER</b> 2:6                | 35:21 58:17 60:16              | 156:15 198:2 213:10            |
| <b>absolutely</b> 25:14 95:21  | <b>admission</b> 229:7          | 64:11 66:15 78:5               | 213:23                         |
| 175:16 177:5 178:18            | <b>admit</b> 232:9 240:24       | 156:1,18 214:2 222:9           | <b>ANDERSON</b> 36:8           |
| <b>abutting</b> 5:10,13,25 6:2 | 241:3,24 242:13,23              | 222:15,18                      | <b>angry</b> 134:8             |
| 6:12 51:13 57:20 58:5          | 244:24 245:9                    | <b>agreements</b> 254:9,10     | <b>answer</b> 8:23 22:5 46:8   |
| 58:6,10 59:4 65:3              | <b>admitted</b> 194:23 202:9    | <b>Ah</b> 124:20 131:19        | 108:23,24,25 111:4,6           |
| 141:8,10 163:10                | 240:25 241:2 242:1              | <b>ahead</b> 13:25 50:15 52:9  | 111:11,12,13 113:7             |
| <b>accelerating</b> 137:10     | 242:16 253:14                   | 53:12,12 60:23 89:25           | 113:19,21 114:3                |
| <b>accept</b> 194:15 217:17    | <b>admitting</b> 191:20         | 105:6 115:9 147:11             | 117:19,20,20 118:2             |
|                                | 223:13                          | 149:12 160:17 173:10           | 121:8,9 138:21                 |

140:11,12,15 147:11  
 147:15 149:12 150:1  
 150:2,4,4,5 165:23  
 258:14  
**answered** 154:12,14  
**anticipate** 45:24 96:21  
**anybody** 134:13 204:11  
**anymore** 117:12,17,22  
 134:23 144:5 153:5  
 214:24 218:18  
**anytime** 30:8  
**anyway** 20:16 42:8  
 153:21 157:23 158:6  
 171:9 212:11  
**anyways** 23:11  
**apologies** 136:13 245:7  
**apologize** 4:9 14:13  
 89:18 187:2  
**Appeals** 19:2  
**appear** 8:2 20:18 24:16  
 24:17 25:5 28:19  
**appears** 194:1 227:7  
 260:21  
**appellant** 255:18  
**applicant** 2:2,2,3 3:11  
 3:23 6:11,24 9:25  
 25:16,18 27:15 55:24  
 206:1 208:13 213:17  
 214:1 234:16 242:11  
 251:19 252:1  
**applicant's** 7:14,21  
 84:18 88:7 101:19  
 241:2  
**application** 1:9 5:17,22  
 5:23 6:18 14:17 50:18  
 52:3 57:12 58:2 59:6  
 60:25 61:21 64:21  
 65:1 166:12 186:15  
 214:1 242:8 245:2  
 253:7  
**applications** 8:9  
**apply** 44:19  
**applying** 249:14  
**appointed** 29:7  
**appreciate** 191:17  
 194:18 214:17  
**approach** 4:6 35:7  
**appropriate** 54:4 171:9  
 199:13,19 206:18  
 216:4 227:4 249:24  
**appropriateness** 27:4  
 28:2 51:25 252:5  
**appropriating** 50:21  
**approval** 152:13,24  
 216:11 229:16  
**approve** 110:22 216:4  
**approved** 54:3 69:1,7  
 110:3,8,8,9,11,17,22

112:1 219:9 225:15  
**approximately** 91:23  
**April** 14:10 57:7 232:12  
**architect** 18:18  
**architects** 55:10  
**area** 65:24 68:12 76:23  
 79:22 85:7,8 90:13  
 91:10 94:7,12 95:20  
 98:8 99:12 111:14  
 130:2 131:1,5 162:19  
 164:19 166:5 177:3  
 243:20  
**areas** 76:22 78:11  
 214:6  
**arguably** 37:8  
**argue** 19:2 202:3  
**arguing** 8:2 23:17  
**argument** 25:19 41:2  
 44:18 201:25 202:5  
**arguments** 7:17,22  
 194:16 255:15  
**arm** 130:7  
**armed** 130:8  
**arrangement** 69:2  
 168:1  
**arrangements** 110:2  
**arrive** 74:21 162:14  
**article** 145:24  
**Arts** 17:20 30:11 53:3  
 53:22,23,25 54:16  
 110:21,23 120:20  
 139:8 198:5 242:4,22  
**asked** 8:21 9:6,23 10:1  
 11:20 21:8 22:3,20,24  
 22:25 23:14 30:14  
 43:17 44:4 46:10  
 70:17 80:14 106:5,5,8  
 109:4 111:10 117:14  
 118:1 120:7 122:12  
 139:5 140:3,16 143:4  
 147:1 149:7 154:12  
 159:18,19,23 180:20  
 181:4 183:22 194:6  
 205:13 226:20 235:9  
 235:20 250:13  
**asking** 16:4,15 21:12  
 23:12 28:16 32:23  
 35:25 38:3 67:24  
 70:19 112:20 113:1  
 113:15,22 115:19,25  
 129:19,21 138:11  
 140:10 143:19 147:3  
 148:20,25 192:18  
 197:12 198:7 211:14  
 212:11 225:1 237:22  
 241:16 251:25 256:5  
 257:18  
**asks** 108:24 117:18

138:23 140:10  
**aspect** 35:1 56:6  
 137:25  
**aspirations** 51:11  
**assess** 28:1  
**asset** 127:1 168:5  
**assist** 14:16 48:6  
 167:23  
**assistance** 14:12  
**assistant** 72:24  
**associated** 179:17  
**Associates** 18:15  
 223:25  
**association** 73:15,17  
 213:23  
**assume** 49:2 132:10  
 180:14 244:24 249:13  
**assumption** 245:1  
**attached** 23:25 48:2  
**attained** 202:25  
**attempted** 7:11  
**attempting** 215:5  
**attendance** 7:5  
**attention** 6:14 61:23  
**attest** 155:3  
**attested** 252:22  
**attorney** 9:24 14:11  
 16:18,18,22,24 17:2,7  
 17:10 23:1,3,4,5  
 37:15 40:25 41:11  
 46:5 55:13 108:22,23  
 115:21 129:22 133:15  
 140:14 145:16 150:25  
 182:24 204:14 217:3  
 217:5,6 233:18 258:7  
 258:13  
**attorneys** 23:3 183:2  
**attracts** 95:19  
**August** 59:1 62:21  
 65:21  
**authentic** 73:9  
**authority** 244:8  
**automatically** 139:14  
**available** 191:22 194:22  
 257:7,22  
**Avenue** 125:13  
**avoid** 75:6  
**awards** 73:20  
**aware** 6:19 143:3  
 166:11 210:14  
**awnings** 242:5,9  
**aye** 32:5,6 33:17,18  
 43:6,7

---

**B**

---

**back** 23:22 26:10 40:21  
 65:19 70:3 76:20,23  
 78:10 79:22 93:20,22

96:6 104:19 109:18  
 126:6 129:2 130:8  
 140:4,7 146:16  
 151:16 158:13,24  
 164:17,21 165:1  
 179:19 180:2,3  
 183:16 196:9 199:21  
 207:19,21 209:4  
 210:12,18 211:22  
 224:14 233:21 236:17  
 236:19 239:7,7  
 251:14,17  
**background** 5:20 235:4  
**backup** 61:6  
**backwards** 13:24  
**bad** 165:25 196:16  
**bags** 93:16  
**balance** 192:3  
**ballistic** 235:9  
**balloons** 82:9  
**bar** 41:8 55:1 65:24  
 76:24 86:8,10,20  
 95:13 126:17 174:22  
 214:6  
**barely** 179:7,10  
**bars** 174:17  
**bartenders** 86:12,12,15  
**based** 45:23 50:18  
 52:16 106:23 110:4  
 113:1 138:9 141:8  
 159:18,19,22 163:17  
 175:4 252:3,25 253:5  
 256:22 258:1,2,25  
 259:2,17  
**basically** 49:7 52:7 60:6  
 162:7 173:3 183:17  
 200:21 251:23 256:25  
 257:20 258:22 259:15  
**basing** 256:25  
**basis** 141:12  
**bathroom** 89:15 181:23  
**beams** 118:22 119:10  
**beautiful** 126:14,24  
 127:15 134:11 166:3  
**beer** 86:17 125:21  
**bees** 133:9 147:9  
**began** 137:9  
**beginning** 13:24 24:3  
 123:23 132:22  
**behalf** 18:22 21:15,20  
 27:22 46:15,19,21  
 198:9 204:4  
**believe** 14:15 16:2,18  
 25:16,21 34:8 41:12  
 49:20 62:12 69:25  
 75:24 78:21 79:16  
 118:19 119:21 123:4  
 141:5 143:10 148:3

189:1 197:23 200:4,5  
 224:15 227:1 237:7,8  
 240:7,16 241:13  
 254:15 255:5 257:9  
 258:19  
**believes** 62:15  
**belligerent** 235:20  
**belong** 91:10  
**belonging** 95:3  
**Ben** 228:6,13  
**benefit** 84:10 252:24  
 257:18  
**best** 51:12 74:1 110:24  
 118:19 127:7,10  
 255:6  
**better** 17:11 35:23  
 127:12,12,13 143:18  
 166:24  
**beverage** 1:2,13,14  
 75:19 76:5 125:15  
 259:23  
**beverages** 86:17  
**beyond** 34:4 199:14  
 226:14 227:10 246:22  
**BID** 174:11,12  
**big** 178:11 213:1  
**Bill** 3:18 18:14 51:17  
 179:1,2,5 180:20  
**bin** 91:1,7 92:7 96:5,6  
 98:10,12,14 107:25  
 108:3,4,14 130:7,14  
 144:1  
**binder** 80:8,13,17,18  
 90:22 136:12,14  
**bins** 63:8 66:12,13  
 78:18 90:24,25 91:3  
 92:11,14,17 93:6,20  
 93:24 94:17,19 95:9  
 95:10 96:17 108:1,3  
 108:12 129:9 130:15  
 143:25 177:7,10,13  
 177:16,17  
**bins'** 78:14  
**bit** 16:24 40:24 76:16  
 110:12 143:16  
**blamed** 130:18  
**blank** 36:3  
**blessing** 126:22  
**blighted** 126:20 163:2  
 175:14  
**block** 63:5  
**blocking** 63:13 236:25  
**blocks** 43:14 61:10  
**blood** 135:21,21  
**blow-** 198:19  
**blow-up** 184:6,12 185:6  
 185:20 194:15,18  
 220:4,15

**blow-ups** 191:3  
**blowing** 193:23  
**blown** 189:8,14 191:24  
**blown-up** 188:18 195:2  
**blurry** 136:13  
**Board's** 5:20 31:3  
**BOBBY** 1:20  
**Boeckl** 18:18 223:25  
**boil** 38:4  
**bona** 199:4  
**book** 227:8  
**bottom** 189:5 194:4  
 249:15,16  
**bought** 157:21 158:2  
 159:4  
**Boulevard** 158:13  
**boundaries** 35:8  
**boutique** 161:10 162:3  
**box** 133:24 143:24  
**boxy** 120:15  
**boy** 38:11 236:6  
**break** 25:25 26:3 33:24  
 89:14,15,21,21  
 102:22,24 103:5,8,17  
 104:1,4,8,15,23 105:1  
 105:3,6 183:7,10  
 250:17,23 251:6  
**breaks** 48:25 103:9,20  
 103:22,24,25 104:22  
**bridge** 99:21,24 131:6  
 131:10,13  
**briefed** 151:12  
**briefly** 236:3  
**bright-** 183:5  
**bring** 26:22 41:18 75:1  
 166:2 188:25 256:23  
 257:2 258:20  
**bringing** 188:16  
**brings** 169:17 188:23  
**broker** 167:11,18 168:6  
 237:7  
**brokers** 132:19  
**brother** 236:13  
**brothers** 167:4  
**brought** 61:23 126:23  
 133:10 147:14 190:6  
 231:19  
**Bufala** 15:15,20 107:7  
 137:15,16,22,25  
 155:6,17 179:12,15  
 220:24 221:23 222:4  
**build** 141:23 218:13  
 219:4  
**building** 1:14 54:8 55:4  
 69:19 83:14 85:2 87:6  
 87:19 126:16 145:11  
 151:7 157:5 174:23  
 175:1 176:1 178:2,5

180:4,6 215:1 216:8,9  
 249:14  
**building's** 91:17  
**buildings** 54:15 57:24  
 76:14,18 114:8  
**builds** 204:10  
**built** 215:15  
**bullying** 170:24  
**burden** 14:14 18:12  
 201:22 210:19 238:7  
 252:4,8  
**burdened** 9:25 199:23  
 203:2 204:10 211:23  
 239:19 253:18  
**burdening** 239:24  
**burdensome** 197:22  
 239:22  
**Bureau** 243:16  
**buses** 162:17  
**bushy-tailed** 183:6  
**business** 27:16 72:24  
 125:6 135:11 143:9  
 148:19 151:10 157:3  
 158:18 164:7 208:20  
**businesses** 93:23 94:1  
**buy** 167:10  
**buying** 169:11 201:11

## C

**C** 186:24 187:5,6,15,20  
 187:25 220:5,6,23  
 229:21,22 239:7,12  
**C&O** 97:20  
**café** 14:7 18:9,20 54:12  
 54:18 63:13 65:15  
 79:4,11,15 82:19 83:5  
 83:6,8,11,21 115:12  
 115:14 116:9 119:1,4  
 138:16 139:10,21  
 152:25 186:2,12  
 196:2,9 197:7 200:16  
 200:20 202:7,14,21  
 202:24 203:10,12,13  
 203:18,19,23 206:4,7  
 207:7,10,12 208:2,4,5  
 218:13,22 219:11  
 220:23 221:12,18  
 224:2 228:3 230:10  
 230:20 232:12,14,22  
 233:17 236:21,25  
 238:11,17 241:10  
 242:6,9 243:15,19,20  
 244:10,15,21 245:5  
 246:18,23 247:4  
 249:19  
**cafes** 58:15  
**calendar** 31:15  
**call** 6:3,9 10:16 14:8  
 15:10 33:5 45:14  
 49:11 55:17,19 56:17  
 71:4,5 102:3 108:20  
 123:17 133:19,20,21  
 134:19 150:8,9 175:9  
 183:18 260:12  
**called** 39:22 73:16  
 125:20 134:2,18,20  
 145:8,17 147:24  
 150:15,19,20 157:20  
 235:1 248:5  
**calling** 144:10  
**calm** 153:7  
**canal** 41:19 59:3 84:6  
 97:20 157:15 158:11  
 168:5,13,15  
**Canale's** 5:17 18:25  
 50:18 52:20 53:14  
 59:5 61:20 65:14,15  
 66:12,13 73:7,13 92:7  
 94:22 125:25 130:19  
 177:25 252:23 253:2  
 253:7  
**canceled** 173:2  
**Cannon** 179:23 180:1,4  
**cans** 63:6,8,10 94:4  
 95:15  
**capacity** 96:22 174:14  
**cappuccino** 164:5  
 165:14  
**car** 75:2 95:1,3 157:21  
 157:22 158:2  
**cardboard** 91:1  
**care** 78:11 144:20  
 209:10 210:25 231:6  
 231:15 255:2,5  
**Caribbean** 39:23  
**carry** 100:15  
**cars** 91:10 94:25 159:4  
**case** 1:8 4:3,4 16:11  
 19:1,6,7 21:22 25:1  
 25:13,18 26:16 36:16  
 40:22 41:15 42:10  
 49:17,19,20 76:24  
 101:14 104:1 123:10  
 141:13 183:17,19  
 187:13 206:3 212:12  
 241:1,2 251:24  
 253:12 260:6  
**casual** 175:12  
**Catch** 174:24  
**CATO** 1:20  
**cause** 13:6 31:1,10  
 32:10,20 33:6 97:15  
 132:5 256:8,11,15,17  
**caused** 9:10 158:24  
**causes** 165:7  
**cease** 18:11 133:14



144:8 145:14 153:3  
 197:23 200:3 201:22  
 203:2,14,15 234:8,10  
 234:13 237:19,20  
 239:21 253:19  
**celebrations** 74:19  
**centers** 65:10  
**certain** 151:7 199:12  
 204:25  
**certificate** 143:6,7  
 156:24 206:8,9  
 208:21,23,24,25  
 209:5,8,12,17 210:1,2  
 218:6,9 221:2,5,9  
 224:10 225:11,24  
 226:3,14 227:15  
 228:15,20,24 229:1  
 230:6,23 231:8,14,22  
 232:1,11 233:8 239:2  
**Certificates** 157:2  
 225:12  
**certification** 73:15 74:3  
**CFA** 14:4 17:19 18:17  
 18:19 45:16 110:8,8  
 198:2,3 213:8,11  
 214:8 222:23  
**CFO** 209:22  
**CFO's** 209:22  
**chain** 20:7 21:11  
**Chair** 23:4 159:14  
 172:10 236:2 238:21  
 239:1,17,18 248:15  
 250:12  
**Chairman** 4:9 25:23  
 60:8 80:8 102:21  
 189:13 194:25 234:1  
 257:16  
**chairs** 221:12 245:21  
 247:10,16,18  
**challenge** 27:4  
**chance** 29:1 101:10  
 148:12 154:12  
**change** 112:9 254:1  
**changed** 29:16 35:22  
 35:23 44:20 147:10  
 147:15 178:9  
**changes** 55:3  
**character** 19:3 25:22  
 46:17 50:25 52:16  
 64:4 100:14,16  
 166:20 178:17 252:22  
**charge** 108:15 109:6  
 209:1  
**charged** 28:1  
**CHARIPERSON** 44:11  
**chat** 133:3  
**check** 77:19,24 78:12  
 128:3 162:11,12

204:3,4 259:8,11  
**checking** 76:13 77:7  
 90:16,17  
**chemicals** 144:3  
**chief** 21:23  
**chime** 238:21  
**choice** 105:17  
**chowder** 17:25  
**chronicle** 237:10  
**chronology** 117:9  
**cigar** 135:24  
**circulated** 197:24  
**citation** 135:8  
**citations** 144:16,19  
**cite** 259:7  
**cited** 260:7  
**citizen** 27:18  
**citizens** 204:5 213:22  
**city** 63:20 133:21  
 145:24 156:21 158:12  
 159:6 209:17  
**claim** 144:9 197:6  
**claimed** 137:1  
**claiming** 141:11 223:2  
 224:5 241:9  
**claims** 17:24 145:16  
 196:8 200:24 233:18  
**clam** 17:24  
**clarification** 46:13  
 49:23 60:9 120:6  
 226:5  
**clarify** 39:4 194:25  
 234:1  
**Class** 58:12  
**clause** 25:22  
**clean** 41:2 94:11 128:1  
 128:24 130:2 131:1  
 162:13 164:9,10  
 176:11 177:19 209:11  
 209:17,20 210:1,2  
**cleaned** 153:10  
**cleaner** 131:4,5 153:22  
 154:19  
**cleanliness** 35:1 62:7  
 79:23 177:18  
**clear** 22:16 41:7 59:9  
 184:13 185:23 195:7  
**clearing** 14:16  
**clearly** 26:20  
**client** 103:3,3,4 104:24  
 257:15  
**clients** 251:15  
**close** 79:19 90:25 91:16  
 125:5 127:6 128:24  
 130:4,10 131:23  
 163:22 251:7 261:4  
**closed** 78:14,18 80:5  
 93:18 174:22 260:2

260:23  
**closer** 124:6 129:15  
**closing** 3:21 75:16,20  
 130:14 250:17,17,20  
 251:19,20,21,22,23  
 254:5  
**co-conspirators** 55:11  
**code** 156:22 204:6  
 259:7,9,25 260:4,7  
**codes** 54:15  
**coincidentally** 234:16  
**collection** 66:11  
**cologne** 43:10  
**color** 190:19  
**Columbia** 1:1 25:3  
 55:14 157:8 259:24  
**come** 23:21 25:9 27:3  
 40:21 47:5 97:16  
 126:23,25 130:7  
 133:24 134:7 148:11  
 149:1 203:21 207:25  
 216:10 218:8 219:7  
 219:11 226:25 238:9  
 251:17  
**comes** 5:16 135:3  
 200:11 239:1  
**comfortable** 151:21  
**coming** 40:8 119:10  
 135:3 178:1 201:25  
 237:22 239:9  
**commence** 6:16  
**commencement** 24:19  
**comment** 51:22 81:20  
 226:9 227:17,22  
 247:1  
**comments** 150:24  
 169:25 226:12  
**commercial** 126:3  
 133:4 173:16,19  
 174:7  
**commercial/residential**  
 126:6,7  
**Commission** 17:19  
 30:11 53:2,22,23,25  
 54:16 58:4 110:21,23  
 120:20 139:8 198:4  
 242:4,22  
**Commissioner** 5:24  
 213:10  
**committed** 25:18  
**communicating** 237:25  
**community** 43:14 48:5  
 61:3 156:16 157:24  
**company** 92:23 93:4  
 129:12 130:20 222:6  
**company's** 92:9  
**compare** 186:22  
**comparing** 177:15

**comparison** 91:14  
**compel** 7:4 24:15  
**compelled** 17:17,22  
 18:4,7,11,15  
**compelling** 172:5  
**complain** 30:6 235:3  
**complaining** 138:1  
**complaint** 8:10 62:2  
 148:17  
**complaints** 18:13 64:8  
 88:20,22 97:1 164:6  
 164:11 165:2 176:14  
 177:22  
**complete** 214:16  
**compliance** 35:21  
 77:19,24 78:4 208:18  
**compliant** 62:17  
**comply** 33:12 78:8  
**complying** 208:17  
**composing** 29:15  
**computer** 187:9  
**concept** 214:7  
**concern** 89:9 100:21  
**concerned** 28:16 143:3  
 143:9  
**concerning** 17:17,23  
 64:2 173:22  
**concerns** 6:20,21 37:19  
 37:21 59:11,13,18  
 60:12,15 61:22 89:3  
 104:21  
**conclusion** 149:1,2  
 256:10,12,14 259:11  
**conclusions** 255:9  
 257:12,17 259:1,18  
**condition** 94:19 129:3  
**conditioning** 61:5  
**conduct** 19:4  
**conducted** 57:13  
**conducting** 64:5  
**conducts** 148:19  
**conference** 23:8 260:24  
**conferred** 6:4  
**confused** 39:6 140:5  
**confusion** 22:14  
**connect** 52:21 53:15  
 236:17,19  
**connected** 202:1  
**consider** 135:9 166:6  
 177:1 200:14,25  
 211:9 220:22  
**considered** 92:16  
 248:13  
**considering** 168:20  
 169:1  
**consistency** 48:5  
**constantly** 79:11  
**constitute** 196:16

**constructed** 115:15  
**construction** 52:19  
 53:13 61:25 63:21  
 97:20 99:21,22,24  
 100:9 131:10,14,22  
 132:2 142:1 143:12  
 157:15 173:24 210:18  
 213:6 217:22  
**consumer** 208:9  
**consumer-friendly**  
 253:17  
**consumers** 253:1  
**consumption** 76:5,10  
 82:6  
**contact** 16:14  
**contacted** 47:14 103:11  
 202:6 247:25  
**container** 90:24 91:4  
**containers** 164:16  
**contend** 110:2 221:10  
 221:11  
**contending** 238:10  
**contention** 45:22  
 144:11,15 153:16  
 154:16 199:6 208:7  
 219:18  
**CONTENTS** 3:6  
**context** 16:8 177:4  
**continuance** 24:22 29:1  
 30:23 31:1,10,18,20  
 31:24 32:2,9  
**continue** 20:8 29:9  
 83:10 88:12,13  
 221:19  
**continued** 6:7 25:7  
**contracting** 36:24  
**contractor** 161:9,13,14  
**contractors** 61:9 62:11  
**contracts** 27:12  
**contrary** 166:1  
**contributed** 51:22  
**control** 1:2,13,14  
 130:20 133:19 153:6  
 259:23  
**contumacious** 25:5  
**contumacy** 25:1  
**convenience** 20:21  
 152:6  
**conversation** 33:8  
 133:5 220:3  
**conversations** 29:16  
**convicted** 132:12  
**convince** 239:13  
**cook** 129:1  
**coordinate** 29:6  
**copied** 14:3  
**copies** 204:2  
**copy** 15:23 56:9,10,13

56:16 64:20 65:1,2,3  
 65:5,7,8 66:15,18  
 156:1 189:16 191:8  
 191:11,12,15,18,22  
 191:23 194:22 195:3  
 205:14 226:20  
**copying** 14:10  
**correct** 10:6,7 21:23  
 39:16 70:10,13,18  
 90:4 93:7 94:5 109:21  
 109:22,24,25 111:19  
 116:10 117:11 118:7  
 119:11,12,14,16,25  
 120:11 121:13,21  
 141:17 145:18 147:25  
 182:4 184:3,14,15  
 200:9 211:12 215:8  
 226:24 231:24 241:13  
 248:11  
**corrected** 61:22 119:5  
**correctly** 16:8 179:9  
 209:23  
**correspondence** 19:20  
 21:6  
**counsel** 2:2 4:8 6:24  
 10:18 12:15 16:14  
 22:22 23:1 191:9  
 200:10 205:13 260:3  
**count** 209:23  
**couple** 44:13 123:22  
 132:23  
**course** 77:11 165:15  
 166:8,10,18 167:2  
 168:12,12  
**court** 19:2 24:15 25:2  
 238:14,25 239:6,15  
 239:15 248:14  
**courtesy** 184:19 189:7  
 190:5  
**cover** 240:21  
**covers** 76:21 231:9,14  
**Cozen** 18:3  
**CR** 1:7  
**crabs** 18:1  
**crazy** 134:19 240:20  
**criminal** 24:25 25:9,17  
 30:2  
**critical** 14:6 25:12  
**Crockett** 1:21 231:11  
 236:2,5,6,9,15,19,21  
 236:24 237:4,11,16  
 237:20,25 238:3,6,15  
 239:21 240:1,3 246:9  
 260:18,19  
**cross-examination**  
 138:9  
**cross-examine** 49:14  
 49:16 56:4 59:21

88:25 89:1 101:10  
 105:7  
**cross-examining**  
 182:13  
**crossing** 63:4  
**crunching** 40:13  
**cuisine** 73:9  
**current** 57:23 71:25  
 75:15 93:5 161:6  
 221:1,9,24 224:10  
 253:2,3  
**currently** 56:24 68:20  
 73:22 157:9,11,12  
 158:20 160:24 194:11  
 215:9  
**customer** 75:3 85:22  
 127:14 151:20,24  
 163:21  
**customers** 74:15,21  
 77:7 134:12 152:6  
 163:23  
**cut** 119:2,16,18

---

**D**


---

**D** 197:15 198:1  
**D-A-G-O-P-E-R-T-O**  
 160:21  
**D.C** 1:15 124:15 125:11  
 144:12,14 145:15,17  
 152:12,21,23 159:10  
 159:10 161:2,10  
 176:25 190:21 200:13  
 204:13,24 205:9  
 208:18,20 213:6,18  
 240:8 241:14 243:16  
 244:1,16 253:16  
 259:25 260:4,7  
**D.C.R.A** 144:17  
**dad** 157:19  
**Dagoperto** 2:5 160:15  
**daily** 78:7 79:18 92:21  
 92:22 93:2,4 94:8  
 99:13,15  
**dancing** 126:16  
**date** 6:8 29:7 31:15  
 156:25 194:13 226:24  
**dated** 186:14 232:11  
**dates** 20:10  
**David** 18:6  
**day** 33:12 35:13 37:5  
 40:14 51:5,5 61:7  
 75:16 80:1 117:6  
 127:19 130:2,4,11  
 150:12 151:3,4  
 162:10,11 164:3,3  
 170:7,8 171:13  
 181:17 182:19 253:21  
 254:6,11,23  
**day-to-day** 252:13  
**days** 9:6 10:22 11:8  
 12:2,9 32:16 39:15  
 74:8 257:9,13  
**daytime** 91:25  
**DC** 2:4,7 14:11 18:5  
 19:2 30:10 53:1,1,20  
 54:4,10 67:22 69:1  
**DCFD** 53:1,20 54:15  
**DCHPB** 53:20  
**DCMR** 24:23 52:15  
 54:14 55:2,15 211:8  
 229:17 259:7,9  
**DCRA** 18:8,16 30:12  
 45:16 52:24 53:1,18  
 53:20 54:1,6,15,25  
 55:3 114:22 139:8  
 198:1 199:15,19  
 201:5 206:10,10,14  
 211:5 219:9 220:23  
 226:23 228:21,25  
 232:22,24 239:4,6  
 249:23,25  
**DDoT** 30:12 45:16  
 52:24 53:1,18,20  
 115:11 139:8 152:7  
 186:1,14 187:22  
 188:6 201:19 202:4,6  
 202:7,14,15,20,23  
 203:6,7,16,17,19,23  
 206:4,6 207:8,8,13,15  
 207:16,17,18,19,19  
 207:22,22,23 208:2,6  
 210:7,12,13,14 211:5  
 211:22 223:24 224:6  
 246:8,15,19,20,21,24  
**deadline** 7:2 34:4 48:2  
**deal** 28:11  
**dealership** 157:22  
**dealing** 24:25 196:14  
**deceit** 199:7  
**decide** 23:14 43:10  
 218:17 253:21  
**decides** 218:25  
**decision** 171:15 203:25  
 210:10 211:14,20  
 254:6,18,23 255:11  
**decisions** 259:16  
**dedicated** 214:18  
**defend** 134:13  
**definitely** 163:1 182:16  
**delay** 9:9  
**deliberating** 260:5  
**demand** 237:18  
**demands** 234:10  
**demolished** 52:23  
 53:17 54:22  
**demolition** 213:7

**denied** 48:13 141:10  
153:20  
**denies** 140:24  
**Dent** 158:13  
**deny** 41:14 43:24 76:10  
**denying** 141:6 229:6  
**department** 133:20  
144:12,14 145:15,17  
145:20 146:1 152:13  
240:21,22 246:1  
**describe** 38:5 39:18  
73:5,11,20 74:14  
76:15 77:3 78:3 79:17  
82:14,23 90:9 93:9  
98:3 100:15 126:19  
127:3 162:21 163:16  
175:7  
**description** 41:7 52:13  
85:21  
**deserve** 153:15  
**design** 214:4,7 242:7  
**designated** 119:4  
**desist** 18:11 133:15  
144:9 145:15 153:3  
197:23 200:3 201:22  
203:2,14,15 234:9,10  
234:14 237:19,21  
239:21 253:19  
**despite** 53:22 54:4  
**destination** 166:7  
252:18  
**deter** 169:6 178:1  
**determination** 64:3  
**determine** 189:19 207:6  
**determines** 207:22  
**Detour** 169:8  
**developer** 161:9,13,15  
**development** 117:3  
**diagram** 244:14  
**difference** 26:19 112:5  
192:16  
**different** 11:5 12:13  
21:10 34:22 46:17  
47:19,20 55:10 75:10  
93:4 98:9 109:16  
114:7 121:15,17,18  
146:23 182:19 189:4  
189:4,25 190:24  
192:23 193:15 194:1  
230:13  
**differently** 114:14  
**difficult** 17:1 129:9  
**digress** 17:11  
**dining** 76:19 85:7,8  
90:16 178:15  
**dire** 104:3  
**direct** 89:18 138:8  
180:22

**directly** 51:19 63:21  
155:2 174:4 222:11  
**Directors** 174:11,12  
**Dirty** 98:14  
**disagree** 33:1 56:3,7  
189:13  
**disagreed** 141:14  
**disagreeing** 36:11,13  
**disagreement** 255:4  
**disclosed** 32:16 105:21  
192:7,11 225:4  
**disclosure** 47:21  
198:19  
**discombobulated**  
101:4  
**discounted** 42:6  
**discuss** 24:2  
**discussed** 212:13  
**discussion** 12:21 33:3  
**discussions** 11:25  
**dismissed** 43:5,9  
**disposal** 133:22  
**dispute** 170:2,6 171:7  
209:23  
**disqualified** 41:24  
**disrespectful** 216:25  
**distance** 63:23  
**distinct** 34:22  
**District** 1:1 25:3 55:13  
143:8 157:7 213:10  
246:1 259:24  
**disturb** 134:11  
**disturbed** 134:12  
**DMV** 226:23 227:3,11  
227:13  
**document** 11:7 15:22  
22:11 32:15 80:21  
101:15 106:14 113:13  
113:24 149:4,8,15,17  
149:18,20,22 150:2  
185:2 189:10,10,11  
189:12 190:6,9,12,14  
190:16 191:8,16,19  
191:20,22 192:1,7,11  
192:15,19,24 193:2  
193:12,13,14,15,23  
193:23,24 194:4,15  
194:17,19 195:5,5,13  
195:14,25 196:12,24  
197:13 198:7,18,18  
198:20,22 199:13,14  
202:19 212:6,10,11  
220:11,15 226:14  
228:23 230:8 235:15  
239:4 241:25 242:1  
242:14,22 243:9,10  
246:8,12,15 248:19  
256:6

**documents** 12:3,8,9  
18:4,8,16 22:7 23:9  
23:19 45:17 84:20,21  
105:9 112:24 113:14  
113:15,17,19 184:2  
199:12 204:25 217:15  
225:4 240:18 248:10  
257:2  
**Dodge** 158:3  
**doesn't** 215:4,19  
**doing** 46:6 89:11  
115:24 127:8 128:2  
135:13 150:12 156:5  
171:5,6 193:22  
254:17  
**Donovan** 1:15,19  
**door** 65:16 76:22 82:7,8  
91:6,13 94:16 95:8  
126:16 128:24 130:6  
149:17,18 236:8,15  
**doors** 54:2 55:5 130:7,8  
236:17,19  
**draft** 48:3,3  
**dragging** 249:17  
**drawing** 224:3,4  
**drawn** 259:18  
**drink** 135:24  
**drinking** 77:5  
**driver's** 226:21,22  
227:2,3,6,6,9,9,11  
**drunk** 235:2  
**ducks** 29:4  
**due** 13:16,17,20 34:10  
34:12 63:20 97:20  
257:13  
**dump** 93:17 96:9  
**dumpsters** 91:3  
**Dupont** 175:2  
**Dyllan's** 174:22

---

**E**

---

**ear** 135:4  
**earlier** 54:6 69:17 75:21  
244:25  
**early** 39:9 76:2,3 100:6  
**easier** 42:11 80:7  
**easy** 211:16  
**eat** 128:4 151:24  
**eating** 214:6  
**educated** 35:3  
**effect** 58:18  
**effectively** 252:15  
**effects** 58:20,23 63:14  
63:25  
**efforts** 7:9 62:6 214:17  
**eight** 7:5,12 18:18  
95:25 96:1,3  
**Eighteen** 247:15

**either** 7:10 46:2 111:10  
140:9 150:8 219:9  
232:18 238:25  
**EI** 95:4  
**elaborate** 16:24  
**electronic** 189:15  
**elevation** 115:12  
**eliminated** 42:6  
**elite** 135:10,11  
**else's** 149:22 239:10  
**email** 13:22 14:23 18:21  
19:24 20:5,6 21:6,11  
48:9 136:2 213:9  
**emails** 47:16  
**emergency** 104:3  
**employed** 56:24 57:6  
**employee** 51:3 72:1  
166:23  
**employees** 37:9 62:10  
76:3 128:2 134:8  
137:3 151:6  
**employment** 72:16  
**empty** 126:15  
**en** 81:6  
**encourage** 75:5  
**encouraged** 54:20  
**endorsement** 78:23  
152:8 219:8 230:9  
244:20  
**endorsements** 58:16  
**ends** 202:21 207:15  
233:9  
**enemy** 170:9  
**enforce** 77:6  
**enforcement** 215:22  
245:7 247:14 248:3  
249:25  
**engage** 30:23 258:7  
**Engine** 158:12,13,14  
**enhancements** 190:10  
**enjoy** 126:25 133:3  
**enlarged** 189:15  
**Enmel** 228:7,13  
**ensure** 14:25 16:7  
214:15  
**enter** 65:25 69:6 214:2  
238:8,16  
**entered** 6:10 35:19 70:9  
70:12,15 106:11  
112:22 134:4 225:2  
227:18 234:15,17  
258:22  
**entering** 61:10  
**enters** 85:22  
**entertain** 205:19  
**entertainment** 58:16  
78:23  
**entire** 44:14 143:1

175:20  
**entities** 58:4  
**entitled** 35:6 186:11  
**entrance** 82:13 86:2  
**entryway** 65:16  
**environment** 35:22  
 163:24 165:18 166:4  
**equitable** 206:25  
**especially** 7:20 31:12  
 126:13 133:4 149:23  
 154:8 177:3  
**Esquire** 18:3,6,10  
**essence** 38:5  
**establish** 50:20 225:22  
**established** 178:12  
**establishment** 53:6  
 57:14,20 58:1,13,19  
 58:20,23 61:2,4,8,11  
 61:13,25 62:11,14,23  
 62:24 63:2,6,12,14,18  
 63:22 64:4 65:8,11,13  
 65:22 66:23 67:8  
 68:19 140:23 141:5  
 148:18 176:8 205:24  
 206:11 237:23 252:4  
**establishment's** 63:7  
**establishments** 58:8,11  
 58:14,17 62:9 209:15  
 209:18  
**estate** 132:19 133:3,4  
 161:9,13 167:18  
 168:1,4 169:19,20  
 174:9  
**Europeans** 162:7  
**evening** 74:11 124:9  
 127:21 178:14  
**events** 74:17  
**eventually** 62:5 214:2  
**everybody** 10:14 40:6  
 135:6 153:11 239:1  
**Everything's** 144:20  
**evidence** 8:6 9:13 25:6  
 50:19,23 51:24 52:16  
 52:25 53:19 54:9  
 84:23 85:13 112:23  
 113:5,6,14,25 148:24  
 149:4,6,15,20 151:8  
 183:25 184:1 200:11  
 200:12,14,25 202:8  
 206:16,22 210:9  
 211:10 217:11 224:20  
 227:18 234:24 237:10  
 247:22 251:25 252:3  
 252:25 253:12 255:13  
**evidenced** 23:18  
**evolution** 178:12  
**evolved** 178:11  
**exact** 117:9 120:12,13

120:13 193:24  
**exactly** 12:16 91:25  
 236:7 240:3  
**examination** 89:18  
**examine** 101:16  
**example** 10:2 47:12  
 176:13 207:5 209:13  
 226:19 240:7  
**examples** 259:15  
**Excellent** 175:9  
**exception** 195:6  
**excessive** 63:16,17  
**exchange** 12:9  
**exchanged** 11:8  
**excluded** 243:5,9,10  
**Excuse** 155:21 187:15  
**executive** 73:1  
**exemplary** 176:12  
**exhibit's** 69:10  
**exhibits** 6:22 7:1 34:15  
 64:16,19,20,23 66:17  
 70:18,20 81:2,8,17  
 84:10,17,18,25 85:13  
 87:1 88:6,7 90:2,19  
 91:20 96:5 97:23  
 98:22 99:18 100:1,23  
 101:12,18,19 102:16  
 102:19 104:10 112:25  
 146:15 184:17 188:25  
 188:25 190:21 224:14  
 226:8,10 229:11  
 233:12  
**exist** 54:1  
**existence** 139:13 169:5  
**existing** 69:20 115:13  
 241:10 242:6  
**exit** 61:10 86:5  
**expanded** 54:13  
**expanding** 18:19 36:24  
 54:18  
**expands** 27:12  
**expansion** 58:1  
**expect** 46:5  
**expectation** 17:9  
**experience** 24:13 42:6  
 51:10,20 77:19  
 124:17 125:4,6 175:5  
 204:20 253:15  
**experienced** 168:4  
**experiences** 51:15  
 100:18 163:17  
**expert** 73:25 114:13  
 119:18 121:22 139:16  
**expertise** 111:14  
 113:21 199:17 201:18  
 207:6,10,11 233:5  
**expired** 173:1  
**explain** 76:4 97:24

169:8 200:23 257:16  
**explained** 168:15  
 198:22  
**explanation** 234:21  
**expressed** 127:9  
**extend** 253:17  
**extension** 30:15 65:22  
 184:19  
**extensive** 51:9  
**extent** 248:9  
**exterior** 65:12 66:10  
 81:12 82:25 83:1  
**eyed** 183:6  
**eyes** 69:23 135:3

---

**F**


---

**F** 228:12  
**F-A-R-R-U-G-G-I-O**  
 124:12  
**facia** 52:24  
**facie** 53:18  
**facing** 65:13 68:11  
**fact** 9:10 16:17 41:5  
 191:17 194:18 204:9  
 255:9 256:8,10,11,13  
 257:12,17 259:10  
**facts** 256:20,22 258:2  
 258:23,25 259:17,18  
 259:18  
**factually** 259:17  
**fail** 24:15,17  
**failing** 26:18  
**failure** 38:5 229:15  
**fair** 105:4  
**fairness** 27:14,23  
**faith** 196:16  
**fake** 135:5 227:8  
**fall** 29:20 241:13  
**falls** 204:5  
**false** 18:4,7,16,19  
 155:12,14 198:8,9,13  
 198:14 200:13 202:17  
 204:21 235:2  
**falsehoods** 8:8  
**familiar** 57:12 69:9  
 157:24 158:14 163:13  
 175:3,17 177:6  
**familiarity** 68:9  
**familiarize** 19:7  
**family** 46:1 73:9,10  
 125:20 126:25 162:6  
**family-** 163:18  
**far** 16:6,13 26:16 27:15  
 28:15 31:10 85:20  
 95:22 143:3,9,16  
 149:22  
**farm** 147:9  
**farmhouse** 133:9

**Farr--** 123:19  
**Farru** 122:13  
**Farruggio's** 199:1  
 204:25 252:22  
**Fashbaugh** 240:8  
**fast** 175:12  
**father** 100:19  
**favor** 32:5 33:17 43:6  
**favorable** 204:13  
**featuring** 81:13  
**federal** 54:4,10 214:8  
**feel** 46:25 134:25  
 135:16 136:7  
**feeling** 25:24  
**feet** 58:9 65:8,11 95:25  
 96:1,3 233:19,21  
 243:20,21,22 244:11  
 244:11,15,16 245:16  
 245:18,18,23,24  
**feisty** 240:8  
**felony** 132:13  
**felt** 134:16,22  
**fern** 83:15,16  
**fide** 199:4  
**fiercely** 77:6  
**Fifteen** 161:5 172:8  
**fifth** 26:25  
**figure** 27:20 143:1  
 168:23 187:15 198:17  
**figured** 40:18  
**file** 31:1 64:11 213:7  
 223:24 224:24 248:18  
 248:18 258:18  
**filed** 7:2 33:21,23 34:4  
 34:7,13 35:13 36:9,23  
 37:1,5,16 41:22 45:6  
 166:12 248:10,21,23  
**files** 224:6 246:5  
**filing** 6:22 34:20 35:9  
 35:18 36:11,14  
**filings** 39:9,10  
**filled** 96:22  
**filling** 41:1  
**final** 29:12 45:22 254:5  
**finalize** 20:20  
**finally** 51:17 99:18  
 158:10 252:20  
**find** 9:15 16:1,13 17:14  
 38:1 48:2 52:11 57:16  
 94:18 129:8 136:14  
 147:13 165:6,12  
 186:7,22 194:13  
 205:1 229:19 255:25  
 259:14  
**Finding** 256:11  
**findings** 62:19 255:9  
 256:1,8,10,13 257:12  
 257:17 258:2 259:2

259:10  
**finds** 208:22  
**fine** 4:12,14 17:20  
 30:11 32:22,25 42:13  
 53:2,22,23,25 54:16  
 69:13 101:8,12 103:9  
 105:1 110:21,23  
 111:15 120:20 139:8  
 182:2 183:8 187:11  
 189:6 193:25 198:4  
 212:21 242:4,12,22  
**finish** 100:23 102:15  
 105:5  
**fire** 133:20 144:12,14  
 152:13 240:21  
**fireman** 158:11  
**first** 9:17,24 11:5,25  
 20:24 29:15 33:4 34:3  
 37:11,17 55:17 56:17  
 68:21 78:7 84:20 85:4  
 85:6,22 87:6 124:23  
 128:1 139:20 143:15  
 155:6 157:21 163:20  
 163:21 164:4 169:19  
 175:22 176:1 180:5  
 183:22 184:5 185:9  
 186:7 187:24 192:9  
 195:12 196:2 197:8  
 213:9 219:8 224:5  
 241:11,24  
**firsthand** 25:8  
**fit** 28:3 100:15 166:16  
 168:24 178:17 252:6  
**fitness** 52:1 252:23  
**five** 18:6 32:8 33:20  
 72:10 103:18 128:12  
 133:23 183:8 230:16  
 237:12 250:24,25  
 251:22,22  
**five-minute** 89:15  
 103:16 104:1,15  
**Flavio** 57:21 58:10  
 65:18 94:17 116:22  
**floor** 76:25 85:4,5,6  
 87:6,7,9,10,11,14,17  
 87:20,24 88:1 90:2,6  
 115:11,14,15 116:8  
 118:16 129:5 249:15  
 249:16  
**flow** 63:13  
**focus** 29:17 85:22  
**focused** 245:6  
**focusing** 34:25  
**FOIA** 14:4  
**folks** 8:16 9:25 16:4  
 40:21 159:9 171:10  
 171:11,17 197:24  
**follow** 31:6 76:9 240:9

**follow-up** 122:1 159:17  
 159:22  
**followed** 16:6 151:4  
**following** 5:21 15:9,10  
 79:24 128:2 238:20  
**food** 72:17,19,20,21  
 127:4 129:5  
**Foodmont** 157:20  
**foot** 162:25 233:22  
 247:5  
**forbidden** 238:12  
**foregoing** 253:5  
**forget** 248:21  
**forgot** 178:24  
**form** 26:21 31:6 51:13  
 52:12 115:25  
**format** 48:4,11  
**forms** 41:1  
**forth** 8:9 52:18 58:22  
**forward** 18:21 29:8,10  
 31:15,20 41:13 103:5  
**forwarded** 204:2  
**found** 64:12 67:1,6  
**founder** 125:2  
**four** 51:2 54:5 58:13  
 73:23,23 128:10  
 133:22 144:22 176:8  
**four-tops** 110:3  
**fourth** 18:2 31:9 73:25  
**frame** 147:5 149:22  
**Fratelli** 15:14,20 107:6  
 137:15,16,22,25  
 155:6,17 179:11,15  
 220:24 221:23 222:4  
**fraud** 197:2,5 199:6,20  
**fraudulent** 201:19  
 207:3,17,21  
**fraudulently** 54:13  
 200:24 201:6,8,11  
 207:23  
**free** 159:5  
**Freedom** 195:22 200:5  
**freezer** 180:2  
**French** 175:2  
**frequent** 74:15 96:11  
**fresh** 25:25  
**Friday** 47:23 75:17  
**friend** 133:6,8 153:17  
 166:24 167:9  
**friendly** 73:10  
**friends** 23:20 92:24  
 126:25 163:22 170:8  
 170:25 176:2  
**front** 54:12,19 65:13  
 68:11 76:22 82:7,8  
 93:21 100:12 107:13  
 131:7 132:1 137:20  
 145:10 146:16 147:2

165:13 179:15 231:8  
 236:15,16,22  
**fulfill** 214:9  
**full** 71:21 124:10  
 160:13 173:11  
**full-service** 86:19,20  
**further** 12:21 55:14  
 179:19 246:25

---

**G**


---

**G** 228:12  
**garage** 63:22  
**garages** 63:24  
**garbage** 63:6 66:11  
**garden** 52:20 53:14  
 54:21 70:1 87:7 90:12  
 116:13 119:2 203:8  
 210:17 213:6,12,20  
 213:20,21 214:1,6,20  
 214:23 215:7,8,9,12  
 215:13,15,16,17,19  
 215:19,20 216:3,5,7,8  
 217:8,10,22,25 218:5  
 218:6,7,10,14 219:5,6  
 219:8,11 249:19  
**gardens** 58:15 218:21  
**GARETH** 2:7  
**general** 10:18 12:15  
 16:14 161:8,13,14  
 204:14 205:13  
**generated** 165:3  
**GEO2** 213:10  
**Georgetown** 15:14  
 27:16 74:24 83:17,24  
 97:12 107:4 151:23  
 155:3 157:17 158:6  
 158:15,17 159:5  
 161:17 162:1 165:10  
 166:5 167:21 168:20  
 169:1,11 172:7  
 174:11,12 175:8  
 176:3,18,24 177:3  
 179:3,6 213:23  
 214:10,18 219:10  
 222:11  
**Georgetown's** 130:23  
**getting** 40:13 140:5  
 196:17 199:18 211:15  
 211:21 238:19 240:21  
**GF** 1:6 92:9  
**Gibbons** 213:11  
**Giuseppe** 4:16,18  
 50:24 123:17 124:11  
 131:18 166:16  
**GIUSEPPE** 2:2  
**give** 8:20 16:22,25 21:1  
 33:2 47:14 59:10  
 106:17 114:19 115:21

120:6 127:15 142:16  
 142:23,24 143:13  
 147:9 148:12 150:4,5  
 173:3 182:14 184:5,7  
 191:11,12,15,23  
 193:21 199:11,16  
 205:13 206:12,13  
 209:12,20 210:3,13  
 226:19 254:11 260:22  
**given** 7:20 11:16,24  
 22:4 32:14 35:14 46:8  
 144:9 151:3 191:18  
 201:5 202:22 207:14  
 210:10 248:4  
**gives** 127:11 233:7  
**giving** 184:13 188:14  
 192:15 193:14 217:7  
 244:8  
**glad** 158:9,10,15  
**glass** 86:10  
**glasses** 195:10  
**GM** 128:6,11 134:17  
 150:7,7  
**God** 150:21  
**gotten** 142:20 143:18  
 194:19 195:11 203:18  
 235:20  
**govern** 214:4  
**government** 18:5 37:9  
 38:8,11 74:18  
**grace** 40:24  
**grade** 115:14 116:3,8  
**grader** 26:25 31:9  
**grant** 31:24 32:1,9 52:3  
 89:17,21 206:7 253:6  
**granted** 49:25 155:6  
 241:12  
**grease** 90:24 91:4  
**green** 82:9  
**grew** 72:23,25  
**Griffin** 18:10 136:19  
 148:2 150:25 151:8  
 200:1 234:10 240:6  
**Griffin's** 199:24  
**Grill** 15:14 107:4 155:2  
 174:22 179:6 222:11  
**ground** 87:9,11,13,16  
 87:20  
**grounds** 61:1  
**group** 32:6 33:18 43:7  
 204:13  
**groups** 214:3  
**grow** 175:21  
**guaranteed** 73:15  
**guess** 27:19 35:3 40:20  
 59:25 168:14 219:17  
 222:22 239:20 256:3  
**guests** 76:11 162:4,14

162:19 164:12 165:4  
238:3  
**guidance** 22:3 32:24  
33:3 47:15 186:4  
187:3 194:7

**guidelines** 39:23 76:9  
79:24 213:25

**guilty** 204:6

**Guisepe** 3:16 51:7

---

## H

---

**habit** 170:24

**Haight** 8:3,5 19:1 52:18  
195:15 196:15 202:10

205:9 206:21 208:9  
215:25 226:16 232:8

240:10 243:6 253:14  
**half** 49:4 73:23,24

125:8 145:12

**hand** 56:18 71:13

123:25 160:6 172:21  
193:13 212:17 219:13

259:3

**handled** 252:16

**hands** 209:12,17,21  
210:1,2 254:12

**handwriting** 185:17  
194:2

**handwritten** 188:11  
195:6

**hanging** 119:9

**happen** 30:19 239:5

**happened** 19:11 210:16  
210:21 231:15

**happens** 46:23

**happy** 97:5 153:12,13  
254:12,19

**harassing** 136:8

**harassment** 137:2,7

**hard** 29:6 35:20

**Harrington's** 243:15

**Harrison** 18:6

**he's--** 80:18

**head** 131:16

**health** 102:25 103:12  
133:20 135:25 145:16

145:17,20 146:1,22  
240:22

**healthy** 135:23,25

**hear** 12:25 13:1 16:5

31:17 51:2,7,13,17  
57:2 138:7 164:22

217:11 242:16 257:18

**heard** 16:13 30:8 42:1

48:1 139:1 142:23  
201:23 222:8 252:11

252:15,17,20  
**hearing** 1:7,14 4:4 6:3,5

6:10,13,17 7:20 10:6

10:9,10,22 12:2,2,6

13:4 16:5,16 20:18

24:3,20 26:18,24 28:8

29:9,25 32:17 35:7,11

41:13 46:6 48:16 49:3

55:18 57:9 60:13

89:11 105:1 143:1,13

171:22 173:2 189:1

196:13 198:23 253:12

254:13,16 255:17

256:21 258:1

**hearings** 7:11 209:15  
254:17

**heart** 51:8

**heater** 152:19

**heaters** 79:8 107:10,13

152:3,14 157:10

235:11

**held** 6:3 224:13

**hello** 106:25 176:7

**help** 43:17,19 139:17

183:23 225:9 253:18

**heritage** 73:18

**hesitant** 169:11

**hey** 40:14

**high** 75:10

**high-** 190:18

**high-end** 162:24

**higher** 17:9

**Hirao's** 48:7

**hire** 77:15 136:24

139:17

**hires** 77:16 78:8

**HIROA** 86:25 91:22

95:3

**historic** 53:1,21 120:16  
214:9

**historical** 168:17

**history** 64:8 72:16

186:3 197:25

**Hm** 69:4 180:10

**hold** 10:4,5 27:5 28:4

28:10 39:5 50:25 51:1

52:2 59:16 88:15

96:23 100:20 112:18

112:18 114:23 125:14

127:16 138:3 146:17

149:10 166:16 174:6

178:17 185:18,19,22

187:5,16,18 191:24

192:4,5 216:5 225:9

225:13 229:18,24

234:12 239:5 252:6

252:23 255:25 257:8

259:21 260:1,23

**holding** 28:2

**home** 136:1

**honest** 166:21

**honestly** 237:12

**honey** 133:10 147:9

**Honor** 4:21

**hope** 43:9 254:22

**Hopefully** 48:4 54:7

**hoping** 49:4

**Hospitality** 74:4

**Hossein** 15:12 156:2

**host** 79:13 85:24,25

86:1

**hostile** 46:20

**hot** 26:1

**hotel** 18:24 126:14

161:10,22,25 162:2,5

162:9,13,15,22 163:7

167:10 236:10

**hotel's** 236:11

**hotels** 58:13 161:19

**hour** 96:19

**hours** 75:12,13,16,17

76:2,2 237:12

**house** 76:20 78:11

83:17,25 133:2 159:5

161:17 162:1 167:21

168:20 169:2,12

204:11

**how's** 41:21

**HPB** 54:1

**Huh** 17:4 182:7 200:16

**Humble** 166:21

**hung** 42:8

**hurting** 41:24

---

## I

---

**I-T-A-L-O** 160:22

**idea** 27:3

**identified** 28:18 41:10

84:21 112:23

**identify** 4:6 64:23 71:19

80:9 84:20 90:21

106:14 136:23 213:4

**IDs** 76:8 77:7 90:17

**ignores** 61:14

**illegal** 8:6,17 9:12,13

19:3 23:18 25:9 29:17

29:19 30:2,6,7 52:16

52:19,22,25 53:13,16

53:19 54:7,9,11,18,21

54:24 55:9,12 61:6

135:5 142:8 143:2,12

145:13 146:16 147:1

151:16,19 152:1

155:12 186:11 196:15

196:19,20 202:9

210:17,17,22 211:10

211:14,21 213:5

218:21,22 220:22

224:1 235:3,10,11

239:14 247:22,24

248:6 249:18

**illegally** 203:24 206:17

210:8

**illegible** 188:15 190:5,9

191:2

**immediately** 65:25

**impact** 61:2 165:9,18

165:25 166:2 208:19

214:7 253:3

**importance** 238:19

**important** 16:17 20:10

34:21 254:14

**impression** 184:16

248:13

**inches** 115:16 233:19

**incidences** 8:8

**incident** 134:3

**include** 13:7 54:24

231:1 232:5

**included** 184:18 213:24

**including** 14:22 58:21

62:25

**incomplete** 7:7

**inconsistencies** 14:17

**incorrect** 11:3,16

227:12

**increase** 100:9 224:1

**incumbent** 200:13

**independent** 57:24

**individual** 27:21 64:4

147:4

**individuals** 28:5,18,21

36:5

**industrial** 230:18 237:7

**inflammatory** 216:25

**information** 7:8 11:3,16

11:24 14:7,12 52:12

110:12 195:23 198:1

200:5 201:18 207:9

207:16,18,21 213:17

214:16 227:2,12

231:10 256:23

**informed** 10:21 24:8

**initial** 30:22 35:18

57:25

**initially** 58:3

**innocent** 204:7

**inquiry** 207:15 208:1

**inside** 96:23 129:4

130:5 151:6

**inspection** 133:20

245:7

**inspections** 77:22

**inspector** 133:24 145:8

145:21

**inspectors** 38:8 133:21

**installed** 118:14 221:13  
**instance** 33:4  
**instruct** 130:1  
**instructed** 114:2  
**instruction** 32:14  
**instructions** 10:15 13:3  
 93:15  
**integral** 19:6  
**intend** 33:5  
**intended** 18:12 201:24  
**intends** 36:3  
**intention** 151:25  
**interaction** 45:23  
**interesting** 123:23  
**interests** 255:6  
**interior** 54:23 66:1,2,3  
 66:4,5,6,7,8 84:15  
 85:1,3 88:21 168:2  
 214:4 229:17  
**interject** 15:21 45:11  
 236:3  
**interpretation** 149:14  
**interrupt** 41:17 101:5,7  
**interrupted** 140:13  
**interviewed** 59:2 61:19  
**intimate** 111:1,9  
**introduce** 36:15 81:6  
 81:16 84:17 85:13  
 88:6 101:18 184:9  
**introduced** 167:9  
 175:25 180:5  
**introduction** 80:10  
**investigate** 202:24  
 205:24 208:12  
**investigation** 55:14  
 57:14 64:5 66:19  
 228:25  
**investigator** 2:4 49:13  
 55:19,20,20,22,25  
 56:1,4,5 57:1,4  
 249:20  
**investigator's** 56:9,10  
**investigators** 7:10  
 23:24 61:15 64:1  
 66:21 204:3 208:15  
 252:7  
**investor** 137:18,22  
**involve** 39:11  
**involved** 137:25 148:14  
 210:4 211:7 218:4  
**IRENE** 2:6  
**Irrelevance** 109:12  
**irrelevant** 21:10 216:24  
 219:18  
**irrespective** 171:14  
**issuance** 7:4 24:12  
 213:19 228:22  
**issue** 4:10 6:21 9:17

11:5,5 12:13 16:15  
 22:18 23:15 24:2,6  
 25:4 27:6 28:9 29:12  
 33:20 34:17 36:23  
 45:22 60:19 102:5  
 103:1 104:25 138:8  
 162:18 200:8 203:14  
 209:21,24 210:5  
 216:15 219:12,15  
 227:11 228:17 231:19  
 237:14,16 244:20  
**issued** 7:12 54:6 141:6  
 207:20,23 213:15  
 219:17 223:11 225:11  
 226:3,15,22 228:6,15  
 228:20 230:6 243:17  
 244:8 246:1,8,15  
 249:23,24  
**issues** 6:19 14:8 32:21  
 32:22 49:5 50:11  
 58:18 59:5 60:1,3  
 61:16,23 64:2 96:13  
 103:12 148:8 156:19  
 170:19 199:10 206:15  
 214:3 222:1  
**issuing** 229:1  
**It'll** 20:7  
**Italian** 73:7,8,17 74:4  
 163:19 175:11  
**Italo** 2:5 3:17 51:14  
 160:3,15,22 252:21  
**Italy** 125:7 159:3 175:10

---

**J**


---

**JAMES** 1:22  
**Jared** 14:11  
**Jenkins** 8:1,19 9:1,3,4  
 9:6 10:1,18 13:9,11  
 13:21 20:8 21:7 23:23  
 24:8 47:16,24 204:12  
**Jessica** 213:11,15  
**job** 128:2 135:9 239:10  
 239:11  
**Joe** 43:18 45:25 51:16  
 51:25 100:14,17  
 175:24,25 179:14  
 213:10 252:12  
**Joe's** 100:14,15 125:20  
 177:15 178:17  
**John** 2:3 3:19 5:13,25  
 6:21 7:23 34:24 36:4  
 36:21 38:17,19,20  
 39:8,12 40:7,14 44:19  
 44:21,23,25 45:3 58:6  
 59:2,8,12 60:5,17,24  
 65:3 133:15,18 134:4  
 138:19 145:7 154:18  
 167:4,16,17 169:24

170:3 186:7 204:3  
**Johnny** 139:17 144:5  
 150:18 153:5  
**Jose** 14:14  
**JR** 1:20,22  
**judgement** 239:15  
**judging** 213:25  
**judgment** 150:8  
**jump** 109:8  
**Junior** 17:21  
**jurisdiction** 213:18  
 218:24 219:3 228:22  
 239:8

---

**K**


---

**kabob** 175:12  
**keep** 93:20 127:12  
 130:4 164:18,21,25  
 177:9 240:12  
**keeping** 123:14  
**keeps** 164:16 169:17  
 177:7,17  
**kept** 121:5  
**kitchen** 76:24 86:8,9  
 129:5 134:21  
**knew** 130:13 150:7,12  
 179:16  
**knowing** 36:6  
**knowledge** 8:17 25:8  
 110:4,24 111:9  
 118:20 150:6  
**known** 107:1  
**knows** 40:6 68:6 111:7  
 184:18  
**Korshidi** 15:12,17  
 156:3

---

**L**


---

**L** 17:16,21 228:8,13  
 230:21  
**la** 15:14,20 107:6  
 137:15,16,22,25  
 155:6,17 179:11,15  
 220:24 221:23 222:4  
**label** 94:4  
**labeled** 92:8  
**labels** 92:11,14  
**Labor** 117:6  
**lack** 36:14  
**lady** 17:5 145:21  
**lamine** 108:16  
**laminated** 109:7  
**lamination** 109:13  
**landlord** 15:13 17:16  
 137:16  
**landlord's** 17:22  
**landlords** 20:18  
**lane** 239:11

**lapsed** 35:17  
**larger** 189:11  
**Las** 73:25 127:8  
**last-minute** 31:5  
**lastly** 18:23 69:23 159:7  
**late** 34:20 35:9,13 36:11  
 36:14 40:20 41:22  
**law** 24:11 148:17  
 208:17,20 240:9  
 255:9 256:10,12,14  
 256:21 257:13,17  
 258:1 259:11  
**laws** 62:17 208:18  
**lawsuit** 201:24  
**lawyer** 44:12 136:3,24  
 137:4 139:17 148:14  
 148:16 240:1,2 256:3  
 256:4 258:4  
**lawyers** 55:10  
**lead** 69:25  
**leading** 70:2  
**leaned** 94:7  
**learn** 123:23 204:22  
**learning** 42:5 204:19  
 253:15  
**lease** 15:18 156:1  
 238:11  
**leased** 238:9  
**leave** 76:3 103:4 217:16  
 254:12  
**leaving** 6:11  
**led** 58:5  
**leeway** 16:23,25 115:22  
 142:17,24,25 143:14  
 173:3 217:7  
**left** 4:16,23 23:24  
 119:23 121:11 129:5  
 130:16 153:12  
**legal** 22:22,25 32:24  
 33:2,8 47:14 52:17  
 138:15 139:7 148:21  
 149:1,2 190:21  
 239:24 256:6 259:1  
 260:2  
**legally** 202:24 206:24  
**legible** 185:14 188:17  
 188:19 190:2,7 191:2  
 191:8,18,21 194:19  
 194:21,22,24 195:1  
**legitimate** 18:13  
**LeGrant** 18:5  
**length** 243:21 244:11  
**Leo** 18:18  
**LESTRAD** 2:7  
**let's** 6:14 7:22 13:24  
 48:15 82:22 83:2,10  
 85:22 86:3,6,21 87:8  
 92:5 94:15,21 99:18

116:12 117:1 128:25  
 140:17 151:22 155:20  
 155:24 158:5 170:11  
 171:3,4,18 181:7  
 212:5 215:11 221:19  
 243:12  
**letter** 15:10 16:3 18:12  
 65:2,4,6 133:15  
 136:17,24 137:4,6  
 144:9 145:15 148:4  
 148:16 149:13,14  
 150:25 153:3 197:23  
 199:24 201:22 203:2  
 211:23 221:25,25  
 222:23 234:9,13  
 237:21 240:5,7 241:8  
 241:15,23 242:3  
 244:8 246:1,7 253:19  
**libraries** 65:10  
**license** 1:8,10 4:5 5:18  
 7:21 8:3 15:14 19:1  
 27:5,17 28:3,4 34:25  
 36:1 39:11 50:18,22  
 51:1 52:2,4,15 53:5  
 58:2 59:5 61:20 73:3  
 75:20 86:13,15  
 100:15 125:15 132:16  
 135:9 139:12,14  
 141:16 143:4,20  
 154:9 155:2,5,16,22  
 157:6 166:13,16  
 167:1 174:10 178:17  
 196:17 198:24 199:11  
 203:20 209:6,7,11,16  
 209:20 210:3 213:19  
 217:9,9 219:2,12,13  
 226:21,22 227:2,3,6,7  
 227:9,10,11 230:25  
 231:13,17,21 239:5  
 249:14,15 252:6,23  
 253:7  
**licensed** 62:14 140:22  
 141:5  
**licensee** 206:9  
**licenses** 65:7 221:24  
**lid** 93:18  
**lids** 78:14 91:2 95:18  
**lie** 154:21  
**lies** 30:10  
**life** 127:25 169:17  
**light** 206:20,22  
**limine** 33:21  
**limit** 6:25  
**limited** 54:25 75:7  
 251:21,23  
**limits** 76:1  
**line** 40:11 112:16 142:4  
 148:13 154:7 155:8

189:5  
**linen** 93:5 98:12,14  
 107:25 108:1,2,3,12  
 108:14 143:25 144:1  
**linens** 93:1,1,3  
**liquor** 18:25 52:14  
 143:20 155:2,5,16,22  
 209:6,7  
**Lisa** 5:25 47:24 58:5  
**list** 8:1 10:25 26:20,24  
 27:1,2 28:6 29:15  
 31:7 33:13 34:14,15  
 40:15 47:11,12 48:3  
**listed** 9:21,22 10:23  
 21:4 22:8,13 23:10  
 32:20 33:6,10 37:22  
 38:6 39:14 41:6 45:7  
 47:21  
**listen** 117:18 118:1  
 192:10,22 202:11,12  
 202:12,12 210:20  
 248:16 254:16 255:12  
**listened** 184:11  
**listening** 146:11  
**listing** 34:18  
**lists** 218:7  
**litter** 35:1 41:2 58:21  
 63:1 252:9  
**little** 16:24 40:24 63:3  
 76:16 77:8 110:12  
 126:13 143:16 175:10  
 253:16,17  
**live** 79:1 126:8 158:18  
 236:7 255:6  
**lived** 152:20  
**lives** 168:15  
**living** 236:14,18  
**LLC** 1:6  
**locals** 74:17 166:9  
**locate** 186:18  
**located** 5:18 51:19  
 57:19,22 59:3 63:8  
 65:7,10 66:14 84:1  
 161:17 162:22 163:7  
**location** 57:25 95:22  
 161:4 166:7 252:18  
**locations** 88:1  
**locked** 96:5,7  
**locking** 96:16  
**locks** 63:7 66:14  
**long** 57:5 72:8,12 98:24  
 100:4 103:16 107:1  
 123:3 125:22 144:6  
 161:3,12,21 173:25  
 181:16 199:13 217:6  
 230:19 236:18 245:24  
 253:21  
**long-time** 51:3

**longer** 44:22 60:15  
 219:1,2 238:8  
**look** 30:9 48:4,9 68:14  
 77:8 80:12,13,18,21  
 80:23 82:2 84:9 87:1  
 112:13 114:5,10,13  
 114:16 119:24 120:8  
 121:12,14,16,20  
 131:13 133:25 149:5  
 151:23 185:22 186:17  
 186:22 191:24 192:11  
 192:11,14 193:11,12  
 193:13 195:10 197:21  
 204:24 208:24 221:11  
 227:8 228:1,16 232:4  
 233:21  
**looked** 9:19 43:18  
 75:24 117:7 120:9  
 121:18  
**looking** 92:10 112:7  
 187:13 195:4 197:14  
 234:12 235:16  
**looks** 68:19 227:7  
**looming** 48:2  
**lost** 122:6,9,12  
**lot** 52:22 53:16 63:5  
 74:25 75:1 126:23  
 127:11 128:4 131:4,5  
 140:20 141:5,12,21  
 143:21 159:9 162:7  
 162:24 164:20,25  
 209:14 211:2 212:14  
 228:3 230:13,14  
 231:2,5,7,14 232:4,19  
 243:17 244:14 245:15  
 245:17,24 247:5  
**lots** 232:15,18,20  
**loud** 62:3  
**Louise** 34:15 35:4 42:3  
 42:8 141:7,10  
**love** 158:17,18 163:23  
 163:24 164:14 166:22  
**low** 244:5

---

**M**

---

**m** 63:4 83:14 92:10  
 157:20,22 158:14  
 173:14  
**M-O-U-H-S-S-I-N-E**  
 71:25  
**ma'am** 30:21 34:1 42:24  
 45:12 71:4 79:9 82:10  
 82:21 85:11 86:24  
 91:19,21 92:18 95:2,5  
 113:11 124:8 250:7  
**mad** 148:12  
**Maiden** 18:14,15  
**main** 76:19 79:20 82:12

85:5 90:15  
**maintain** 27:17 62:7  
 79:22 93:24 94:11  
 96:8 97:6 99:12  
**maintained** 97:1,10  
**major** 186:3 197:25  
**maker** 127:5  
**making** 67:25 148:17  
 150:15 201:25  
**man** 110:7 204:10  
**manage** 174:17  
**managed** 177:20  
 252:14  
**management** 78:9 93:9  
 134:11 137:3 174:8  
 175:5  
**manager** 51:4,18 72:1,7  
 72:9,25,25 73:1 76:22  
 77:1 79:10,13 82:5  
 88:3 90:16 111:1,8  
 130:5 148:11 150:11  
 150:15 151:9,14  
 153:14 173:17,20  
**manager's** 73:3 86:13  
**managerial** 128:8  
**managers** 76:8,13,21  
 128:6,10,14 162:12  
 163:24  
**manages** 164:12  
**manner** 100:18  
**map** 65:7,9  
**March** 5:22  
**Mark** 18:10  
**marriage** 159:2  
**Martinez** 14:6,8,13,15  
 14:16 15:7  
**mass** 97:21  
**masse** 81:6  
**material** 140:1  
**materials** 143:20  
**Matt** 18:5  
**Matteo** 147:1,24 148:6  
 235:1  
**matter** 1:5 5:16 24:19  
 26:7 32:8 38:13  
 104:16 183:12 191:1  
 210:9 211:10 251:11  
 261:5  
**matters** 6:15 48:18  
 171:11  
**Mayberry** 47:24  
**mean** 9:18 16:2 23:20  
 37:15 38:10 41:4 69:9  
 88:19 103:4 110:11  
 120:14 124:22 128:18  
 139:14 143:10,14  
 148:11 167:9 168:13  
 169:16,19 180:17



182:15 189:5 190:25  
 190:25 191:4 194:14  
 198:18 205:18 209:22  
 228:17 231:16 255:16  
**means** 40:20 256:14  
**mechanism** 32:25  
**meet** 52:1 132:21  
 163:21  
**meeting** 1:3 153:8  
 260:2,23  
**meetings** 31:14 74:17  
 78:10 260:1,5,8,25  
**meets** 252:5  
**member** 1:20,21,22,23  
 32:3 33:15 43:3 96:19  
 98:13 129:15 131:15  
 136:21 137:19 156:11  
 156:14,20,24 157:2,9  
 157:12,14,19 158:2,5  
 158:19,23 159:7,13  
 164:22 172:2,4,9  
 176:20 187:6,14,18  
 189:19 190:13 194:10  
 195:17 213:10 216:21  
 216:24 217:12 220:12  
 220:17 224:3 227:21  
 229:25 230:4 235:14  
 235:23 236:1 237:1  
 238:21,24 244:2  
 246:16 247:13 248:11  
 248:15 250:14 251:3  
 259:3 260:10  
**members** 32:1 34:2  
 50:16 67:13 81:7  
 84:16 121:25 156:10  
 159:17 172:1 181:19  
**mention** 48:9 222:12  
**mentioned** 83:9 94:3  
 145:15  
**menu** 108:16  
**menus** 109:7  
**Meredith** 18:2  
**merely** 19:3  
**merged** 228:11  
**merit** 50:22  
**message** 136:3  
**met** 1:14 51:25 143:10  
 167:8 252:4,7  
**Metal** 143:23  
**microphone** 56:23 57:3  
 71:18 124:4,5,6  
 129:16 136:21,22  
 137:19 160:11 164:23  
 195:18  
**middle** 89:17,23 102:24  
 103:10,21 104:4,23  
 105:2,4 126:5  
**midnight** 37:5

**migration** 97:21  
**mind** 50:3 147:5 149:23  
 224:15 254:1  
**minds** 250:14  
**mine** 40:12,19 252:2  
**minor** 157:7  
**minority** 222:12  
**minors** 77:5,24  
**minute** 9:14 10:5 28:11  
 39:6 182:21 229:19  
 243:23 259:22  
**minutes** 48:25 49:2,3  
 103:18 123:5,6,10  
 173:1,7 182:6,8,12,16  
 183:8 220:3 249:4  
 250:24,25 251:5,10  
 251:22,22  
**misrepresentation**  
 30:10 199:7  
**missed** 154:12  
**mission** 214:9  
**misunderstanding**  
 47:18  
**modifications** 54:3  
**Moldenhauer** 18:3  
**moment** 72:7  
**Monday** 75:17  
**money** 209:23  
**monitor** 76:9 78:6 88:1  
 96:18  
**monitored** 62:20,22,25  
 63:11 66:22,23 67:8  
 76:5 90:14  
**monitoring** 79:11  
**monitors** 82:6  
**month** 92:2,4 99:2,3  
 100:7 135:22  
**months** 128:12,12  
 135:20 144:6 179:8  
**Moore** 17:16,21 228:8  
 228:13 230:21 231:4  
**Moore's** 230:21 231:1  
**moot** 34:17  
**moral** 4:24  
**morning** 20:25 47:25  
 74:10 127:20 129:3  
 130:15 133:1 164:4,5  
 165:14,14 182:22  
 183:5 213:15  
**motion** 7:14 31:2,17  
 32:5 33:17,20,21,22  
 33:22,23 36:8,10,11  
 37:25 38:1,2,3 43:4  
 43:24,25 44:5,14  
 49:23 141:7 260:12  
 260:13,21  
**move** 41:13 84:22  
 85:12,13 103:5 106:5

106:8,15,18 117:2  
 128:25 140:17 155:20  
 155:24 156:6 158:6  
 158:24 159:6 170:12  
 171:4,18 180:24  
 181:7,24,25 182:1  
 215:12 219:23 243:12  
 260:1  
**moved** 81:24 85:18  
 101:22 152:21  
**movie** 39:22  
**moving** 110:6 116:11  
 118:10 225:21 226:6  
 226:7 240:12 243:11  
**MPD** 2:7  
**multiple** 36:23 52:25  
 53:19 76:7  
**multitudinous** 55:9  
**Murray** 2:4 56:18,21,25  
 57:1,4,7,10,13,18  
 59:12,15 60:5,7,24  
 64:14,17,20,25 66:18  
 66:24 67:3,5,10 68:11  
 68:16,21 69:3,5,18,21  
 70:4,11,15,19 71:1,2  
**music** 79:2  
**mutual** 167:9  
**myriad** 8:7

---

**N**


---

**n** 135:22  
**N.W** 1:14  
**name** 4:25 9:20 11:1  
 37:18 38:24 39:14  
 63:7 66:14 71:8,20,22  
 71:22,25 92:9 98:3  
 122:4,13,17 124:10  
 124:11 160:13,14,22  
 160:22 173:11 178:25  
**named** 57:21 163:8  
**names** 9:22 11:10  
 12:24 21:4 123:24  
 174:19  
**Napoleonic** 204:6  
**Napoletana** 73:16  
**narrative** 186:3,25  
 188:4 212:15 220:22  
**narrowed** 29:16  
**nature** 37:13 52:13  
 109:11 170:5 180:17  
 180:18  
**near** 82:8,9 177:13  
 236:22  
**necessarily** 115:23  
 138:12 182:12 254:17  
**necessary** 50:25  
 103:24 207:7 244:19  
 258:19  
**need** 6:15 14:8 15:9  
 22:18 27:24 31:1 44:2  
 46:9 47:17 50:11 60:1  
 60:3,4 64:22 102:4  
 103:8 105:5 115:22  
 121:25 133:25 134:12  
 135:15 159:3 167:15  
 181:25 196:23 199:11  
 199:20 201:10,15  
 203:15,17 207:9,13  
 208:4,21 209:4,7,9,11  
 209:20 210:1 211:22  
 212:8 213:4 222:15  
 225:9 232:24 238:13  
 238:24 239:14 246:23  
 250:4,20,21,23 251:1  
 251:6,15  
**needed** 9:6 12:18  
 246:18  
**needs** 10:19 17:17,22  
 18:3,7,10,15 27:22  
 58:24 63:15 104:25  
 110:11 113:7 150:5  
 247:9 253:16  
**negative** 21:21 47:2  
 165:18 253:3  
**negatively** 61:2  
**negotiations** 30:24  
**neighbor** 40:4,10 51:14  
 62:18 133:7 134:2  
 136:3 145:7,8,19,22  
 146:14,15 148:8  
 166:24 171:12  
**neighborhood** 51:23  
 58:4 75:23 96:9 126:1  
 126:3,10,13,20,22  
 127:2 153:8 158:9  
 162:22 163:2 165:7  
 165:19,25 168:9,11  
 168:19 175:8,15  
 178:9,10,13 213:22  
 252:24 253:4 255:3  
**neighboring** 61:14  
 94:11  
**neighbors** 42:4 78:21  
 132:4,24 146:25  
 147:8,13,21,23  
 153:11 170:25 171:14  
 171:16 252:19,20  
 254:8,22,24  
**never** 12:16 50:3  
 117:16 144:11 145:22  
 146:2 179:16,21  
 180:3,20 211:7  
 218:12 235:8  
**new** 77:15,16 78:8  
 125:9 186:14  
**nice** 151:23

**night** 78:16 80:6 128:23  
**nighttime** 91:3,4  
**nine** 58:15 206:13  
**noise** 58:21 63:1,2,18  
 64:9 165:3 176:15  
 252:8  
**Nope** 122:2  
**normal** 152:20  
**north** 57:19  
**Northwest** 5:19 54:14  
 57:23,25 58:10 59:4  
 64:9  
**note** 67:21 221:11  
**notice** 8:20 9:5 26:16  
 35:14 37:20 96:4  
 188:21 260:22  
**November** 1:12 7:8  
 13:13 19:12,22,25  
 20:2 24:8 34:4,9,9,11  
 34:13 37:6,7 45:4  
 47:23 61:18 62:22  
 241:9,20  
**November--** 34:13  
**number** 4:4,5 5:25  
 17:21 18:6,14 82:2,4  
 82:15,15,22,23 83:3,4  
 83:12,22 84:4,5 86:4  
 86:7,21,22 98:3 127:8  
 128:8 245:9,11,15  
**numbered** 223:20  
**numbering** 183:23  
**numerous** 8:8  
**nut** 197:25,25  
**NW** 1:7 124:15 161:1,17  
 163:4 225:24 226:4  
 230:7 231:10 232:2  
 232:13

---

**O**


---

**O** 186:24 187:6,15,21  
 187:25 220:6,6,23  
 229:21,22 239:7,12  
**o'clock** 41:19  
**O'Conner** 18:3  
**obey** 25:2 135:7,7  
**object** 31:15 46:7,7,9  
 53:5,8 88:12,16  
 108:22 140:9,15,25  
 170:11,17 184:8  
 185:12 201:7,10  
**objected** 48:8  
**objecting** 38:23 188:20  
 190:3 244:18  
**objection** 42:24,25 43:1  
 46:11 81:19 88:8  
 101:20 106:6,16  
 108:23 109:9,11,15  
 110:10,14,25 111:6

111:22 112:15,20  
 113:1 115:17 119:3  
 120:22,22,25 121:1,8  
 138:2,4 139:25  
 140:21 142:3 146:5  
 146:22,22 147:3  
 148:20 154:6 155:8  
 155:19 156:4 180:15  
 180:18,18,24 188:14  
 189:22,23,24 190:2  
 194:20 196:23 198:16  
 198:21 214:11 221:21  
 222:14 228:14 242:19  
 245:10  
**objections** 62:13 85:16  
**obligation** 211:9  
**observe** 63:1,9,12  
**obstruct** 18:12  
**obstructing** 237:5  
**obstruction** 79:15  
 165:13,16  
**obtain** 229:16,16  
**obtained** 201:6 203:24  
 206:17 210:8  
**occasions** 62:21  
**occupancy** 143:6  
 156:25 157:3 206:8,9  
 208:21,23,24 209:1,5  
 209:8 218:7,9 221:2,5  
 221:9 224:11 225:11  
 225:13,24 226:3,15  
 227:15 228:21,24  
 229:1,16 230:6,24  
 231:8,14,22 232:1,11  
 233:8 239:3  
**occupation** 161:7  
 173:15  
**occur** 211:11 255:24  
**October** 6:7 14:2,21  
 15:5 19:16,19,24  
**offended** 216:21  
**offer** 63:19 80:10  
**offered** 200:24  
**office** 10:19 23:24  
 32:24 33:2,8 48:5  
 51:19 126:15 159:11  
 174:3 178:2,5 204:14  
 209:22  
**Officer** 14:12  
**official** 106:9 259:25  
 260:4,7  
**OGB** 53:25 213:8,16,20  
 214:8,16  
**old** 41:25 135:14  
 205:20 223:5  
**older** 17:3,7  
**on-site** 127:17,22  
**once** 15:19 49:16 84:21

88:24 103:22 203:18  
 206:5 207:14,21,22  
 210:13 218:8  
**one's** 185:14  
**one-** 58:10  
**one-day** 182:21  
**one-on-one** 77:12  
**ones** 77:17 105:10,11  
 105:12 129:12,23  
**onsite** 63:19  
**oops** 95:17  
**open** 73:24 79:18 95:18  
 130:15 179:8 259:25  
 260:5,8,25  
**opened** 149:17,18  
 178:9 216:7  
**opening** 3:9 50:12 52:6  
 53:8,8,9 75:15  
**opens** 130:5  
**operate** 108:21 143:8  
 202:7,14,20,23  
 203:13,17,19,23  
 206:3,4,6 208:2,4,22  
 210:15 213:19 215:17  
 215:18 216:3 217:10  
 218:5 231:22  
**operated** 215:8  
**operates** 55:18 164:7  
 216:6  
**operating** 197:22  
 201:21 203:8,12  
 215:9,16,20 217:8,25  
 219:5 221:18  
**operation** 62:13 75:13  
 75:13 128:6 169:2,4  
 205:1 208:19  
**operations** 51:5,10  
 73:13 76:2 79:5  
 173:24 175:4 176:11  
 252:13 253:2  
**opinion** 95:19 130:23  
 148:21 166:15,19  
 176:10 177:17 178:16  
**opportunity** 29:4 49:14  
 49:15 56:4 101:16  
 102:3,7 105:7 122:7  
 122:10,13 149:19  
 255:8,14 257:23  
**oppose** 31:19  
**opposed** 32:7 33:19  
 120:15  
**opposite** 65:18 95:14  
 98:20 99:22 177:24  
 178:7  
**oral** 7:16  
**orally** 24:21  
**order** 25:4 58:21 61:3  
 62:25 115:13 135:17

140:23 141:6,9  
 198:10 199:11 203:14  
 209:6,11,19 216:9  
 239:15 244:20 246:17  
 249:23 252:10  
**ordered** 25:6 52:23  
 53:17 213:6  
**orderly** 177:19  
**orders** 54:5 144:23  
**original** 15:17 120:16  
 156:1 186:17  
**originally** 6:5 7:6 168:6  
 222:10  
**Orkin** 130:21,22  
**others'** 215:21  
**outdoor** 54:11,18 70:1  
 81:15 110:22 119:1,4  
 138:16,24 139:9,21  
 186:2,11 196:9 197:7  
 220:22 224:2 230:10  
 230:20 233:17  
**outlined** 243:18  
**outlying** 213:12  
**outside** 29:20 129:4  
 139:18 176:7 180:21  
 256:24  
**outstanding** 14:7  
 156:21 213:8  
**overflowing** 63:9  
**overlooked** 31:5  
**overrule** 112:25 121:8  
**oversee** 128:5  
**oversight** 173:21,23  
 208:8  
**owned** 73:10 125:22  
 161:21 163:19 228:7  
**owner** 5:10,14 6:1,2  
 51:8 58:6,7 61:19  
 65:3,6 78:16 80:6  
 125:1 141:9,11  
 161:16 163:11,19  
 170:19 175:24 228:7  
 231:5,7 253:18  
**owners** 6:12 228:11  
**owners'** 59:4  
**ownership** 51:11

---

**P**


---

**P** 161:1 175:1  
**P-R-O-C-E-E-D-I-N-G-S**  
 4:1  
**p.m** 4:2 20:2 26:8,9  
 45:4 75:18 104:17,18  
 183:13,14 251:12,13  
 261:6  
**page** 37:23 184:25  
 185:24 186:9,13  
 187:24 195:11,12

213:9 214:21 216:20  
 220:16,17,23 221:11  
 221:11,20 222:22  
 223:5,12,19,23 224:6  
 233:18 235:1 241:11  
 241:25 242:2,3,24,25  
 243:3 244:13 245:17  
**pages** 183:23 184:18  
 192:9,20,21 193:10  
 217:19 220:13,21  
 223:18  
**Palmer** 5:25 47:24 58:5  
**pan** 81:8 129:1  
**panoramic** 83:7  
**paper** 145:25 146:8  
 195:17  
**parallel** 236:16  
**Pardon** 34:8 80:15  
 85:19  
**park** 61:9 62:11 75:6  
**parking** 58:24 63:15,19  
 63:20,22,24 65:20  
 75:4,6,7,8 91:10  
 94:22,25 162:18  
 165:7 176:15  
**parkings** 75:11  
**part** 10:18 13:3 16:17  
 21:22 36:20,21 47:19  
 49:8,23 76:15 83:12  
 83:16 87:19 97:25  
 106:9 140:22 141:1,4  
 141:16 178:11 198:19  
 240:25 241:23 243:1  
 243:4,10 244:22  
 245:12 247:11,20  
 248:8 249:6  
**particular** 26:23 41:15  
 103:25 206:3  
**parties** 4:5 7:17 10:19  
 10:21 12:7 13:2 24:3  
 26:16 30:23 74:18  
 189:7 254:3,5,21  
 255:8  
**partner** 222:13  
**partners** 15:20 138:1  
**parts** 44:1  
**Pascal** 241:9,12,16  
**pass** 42:2  
**passed** 33:20 260:21  
**passes** 32:8  
**pasta** 125:21 128:4  
**patience** 253:8  
**patillion** 74:2  
**patron** 51:21  
**patronize** 178:14  
**patrons** 134:5  
**PDF** 187:8,10  
**peace** 41:2 58:20 61:2

62:25 75:23 135:17  
 153:9 252:10  
**pedestrian** 58:25 63:13  
 63:15,17  
**penalized** 145:22  
**people** 8:1 9:13 16:25  
 21:13,22 22:1,18  
 23:19 25:8 37:8,11  
 40:11 62:8 74:25 75:1  
 126:8,8,23,24 130:17  
 135:10 162:13 166:2  
 166:22 169:17 170:25  
 201:24 206:11 240:9  
 254:11 255:16  
**percent** 74:24  
**perfect** 209:13 226:19  
**periodic** 77:9  
**periodically** 78:10  
**permit** 55:4 116:13  
 138:24 139:15,21  
 140:20 143:15 186:1  
 187:22 188:6,6 192:3  
 197:16 198:10 199:5  
 199:10,16,19 200:15  
 200:19 201:5 202:4,6  
 202:14,16,17,20,22  
 202:23,25 203:6,7,13  
 203:16,17,19,23  
 205:25 206:2,5,7,15  
 206:17,23,24 207:2,2  
 207:3,5,7,13,14,20,22  
 207:24 208:1,3,6,13  
 210:7 211:15,21  
 215:14,17 220:24  
 221:14 222:10 223:2  
 223:8,10,11 242:7,8  
 243:15 245:5 246:19  
 246:20,21,24 247:20  
**permits** 8:9 133:24  
 142:8,20 143:2,5  
 186:14 199:4,6  
 219:17 237:8 238:19  
 244:19  
**permitted** 28:8 55:2  
 60:9  
**perpetrated** 197:3  
**person** 18:2 25:5 26:23  
 47:1 100:17 133:12  
 135:3 166:21 199:16  
 200:11 227:12 228:12  
 253:13  
**person's** 11:1  
**personal** 62:16 97:18  
 135:17 171:7 174:14  
**personally** 67:8 97:7  
**personnel** 62:20  
**perspective** 149:12  
**persuade** 253:13

**pertinent** 23:19 190:22  
 191:1 197:7  
**Pesce** 175:2  
**pest** 130:19  
**petition** 248:14  
**philosophy** 73:12  
**phonetic** 74:2  
**photo** 65:12,14,15,17  
 65:21 66:1,2,3,4,5,6,7  
 66:10 80:12 95:7  
**photos** 66:9 70:15 80:9  
 80:23,25 81:9,11 85:9  
 85:10 87:5 90:9 91:18  
 91:23 97:24 100:2,5  
 130:10 217:21  
**phraseology** 120:25  
 121:2  
**physical** 151:1  
**picked** 92:19 93:1,3  
**picks** 92:23  
**picture** 67:20 68:14  
 69:17 70:7 80:5 83:5  
 86:4 90:25 91:2,2  
 95:12 109:21 117:3,6  
 118:5 154:4 226:24  
 235:16 249:19  
**pictures** 78:16,18 84:12  
 84:14 88:11,21,22  
 89:1,2 98:22,25 99:4  
 99:5 105:9 113:13  
**piece** 213:2  
**piecemeal** 44:8  
**piecemealing** 44:7  
**pieces** 33:25  
**pierce** 228:22  
**PIF** 9:19,21,22 10:24  
 11:1,11,14 12:25  
 13:16,20 21:4 22:2,8  
 26:15,21 27:11,13  
 28:9,22 29:2 31:6  
 33:6,10,13 34:3,21  
 35:10 36:4,15 37:7,11  
 38:16,18 39:6,9,15,18  
 39:24 41:11 44:25  
 45:1,2,3 183:22 184:3  
 184:4 185:2  
**PIFs** 36:23 37:1  
**PIP** 106:7  
**Pirates** 39:22  
**pizza** 51:12 73:16,18,19  
 73:25,25 125:13,17  
 125:21 127:5,7 175:2  
**pizzeria** 125:8 127:10  
**placarded** 5:22  
**place** 40:9 62:4 125:20  
 126:17 128:25 153:10  
 157:20 158:13 175:13  
**placed** 14:14

**placement** 214:5,5  
**plan** 18:19 81:6  
**plans** 54:25 191:3  
**plat** 233:21  
**players** 135:12  
**pleasant** 175:13  
**please** 4:6,7 5:6 14:24  
 14:25 20:21 23:25  
 24:10 44:2 48:2 56:18  
 56:23,24 57:3 73:20  
 77:3 80:23 81:6 90:18  
 90:22 95:6 112:11  
 116:5,25 117:19  
 118:4 124:4,5,6  
 136:12 137:20 160:4  
 160:6,13 162:21  
 169:9 202:12 212:18  
 213:2 237:22 238:22  
 259:22  
**pleasure** 163:21  
**plenty** 29:3  
**plus** 161:15,24 175:11  
 192:3  
**point** 45:24 51:11 120:6  
 133:23 142:17 150:10  
 204:9 237:6 244:25  
**police** 134:20,20  
 147:24 150:9,9,15  
 151:4 208:8,12 235:2  
 235:19  
**policy** 94:22 109:6  
 128:18 210:3  
**popping** 131:7  
**portfolio** 173:23  
**portion** 241:1  
**posed** 121:2  
**position** 72:1 82:5  
 103:20 191:5 199:10  
 228:19  
**positions** 174:6  
**positive** 21:21 47:2  
 51:23  
**possess** 73:2 74:5 79:6  
 86:13,15 107:11  
 108:4  
**possible** 56:10  
**pot** 129:1  
**Powell** 14:3,11  
**power** 79:21 82:1 94:8  
 99:13,15 208:8,12  
**PowerPoint** 81:8  
**pre-hearing** 23:8  
**pre-intoxicated** 76:11  
**precludes** 196:17  
**predates** 54:20  
**predecessor** 222:5  
**prefer** 102:23 103:6,8,9  
 104:22

**prejudicial** 38:7 45:25  
 46:2  
**preliminary** 6:15 24:19  
 48:18 50:11  
**premises** 88:4  
**preparation** 64:6  
**prepared** 20:17 240:12  
**prerogative** 250:12  
**prescribe** 24:12  
**prescribed** 31:2  
**presence** 169:10  
 177:25  
**present** 1:17 2:1 49:17  
 49:17,18 77:1 80:8  
 88:3 156:14 183:16  
 183:19 188:25 203:5  
 203:7 212:12  
**presentation** 101:14  
 254:4 255:1  
**presented** 50:20 105:13  
 224:10 244:16 252:3  
 256:20,22,25 258:3  
 258:21,25 259:19  
**preservation** 53:2,21  
 214:10  
**preserve** 75:23  
**preserves** 73:17  
**presiding** 1:15  
**press** 129:4 130:3  
**pretty** 77:7 126:4,7,18  
 127:6,19 128:5  
 135:25 149:23 151:12  
 151:24 176:6  
**prevent** 77:4 201:24  
**previous** 76:1 241:1  
**previously** 23:16 57:24  
 200:12  
**pride** 127:11  
**prima** 52:24 53:18  
**primarily** 86:17  
**principle** 240:4  
**print** 189:6 244:6  
**printed** 189:16 190:18  
**printer** 190:19  
**printout** 190:15  
**prior** 6:9 7:11 11:8  
 32:16 58:1 189:23  
**pro** 216:17  
**probably** 34:21 54:20  
 114:15 171:22 239:16  
**problem** 96:12 97:13  
 103:15,15 104:21  
 130:23,25 131:2,3,3,4  
 153:19 157:17 165:10  
 169:25 189:9 191:13  
 191:17,19,20 192:6  
 197:22 209:19 210:18  
 230:8 237:24 238:2

**problems** 132:5 159:9  
 159:10 165:7 176:18  
 176:22 177:2 252:8,9  
 252:10,16  
**procedures** 93:9 96:21  
 213:12 238:20  
**proceedings** 7:19  
 66:22 260:23  
**process** 14:13,18 16:5  
 16:11,13,15 17:14  
 19:8 24:9 27:22 32:22  
 33:9 42:5 49:10 61:25  
 108:8,9  
**produce** 25:6 27:21  
**produced** 63:5  
**product** 128:3  
**prohibits** 19:3  
**pronounce** 122:4  
**pronunciation** 123:23  
**proof** 92:17 93:6 108:5  
 151:1 199:5  
**proper** 33:2 47:15  
 143:5 213:12 215:14  
 215:17 228:25  
**properly** 11:4  
**properties** 51:18 61:14  
 173:17 174:1,8,17  
 230:18  
**property** 5:10,14 6:1,2  
 6:12 9:11 51:14,18  
 58:6,6,19 59:4 61:16  
 63:25 64:2 65:3,6  
 96:24 141:9,11  
 163:11 167:24 168:2  
 168:3,16,17 169:7  
 170:3 173:16,19  
 174:7 175:4 218:5,8  
 230:21 236:7,22  
**proposed** 213:21 255:9  
 256:1,9 257:12  
**prosecution** 55:15  
**Prospect** 124:14  
 158:21,24  
**prospective** 178:1  
 253:3  
**protection** 208:9  
**protects** 73:17  
**protest** 1:7 4:4 5:16 6:5  
 6:10,17 7:3 10:6,9,10  
 12:1,2,6 13:4 18:24  
 18:24 26:17 29:19,25  
 35:18 42:11,13,23  
 49:3 50:17 52:11,12  
 52:13,14 55:18 57:9  
 57:14,17 58:18 60:12  
 60:14,19 62:2,15,19  
 65:2,4,6 89:11 170:20  
 205:3 213:22 214:3

231:17 255:16  
**protestant** 2:3,4 3:12  
 3:24 5:7 6:21 7:19  
 27:20 44:15 49:18  
 59:9 60:2,4,17 141:8  
 141:13 203:1 251:20  
 257:21  
**protestant's** 7:1 31:16  
**protestants** 6:5 34:22  
 35:11,25  
**protested** 5:23 58:3  
 61:1  
**protesting** 18:25 25:21  
**protestors** 6:13  
**protests** 212:14  
**proud** 163:25  
**prove** 25:17 211:17  
**proved** 257:25  
**proven** 204:7  
**provide** 12:3 20:21  
 24:11 26:16 28:25  
 31:7 39:24,25 80:17  
 110:11 191:8 206:1  
 207:9,17 208:13  
 210:2 226:12,21  
 227:3,6 246:18  
 258:13  
**provided** 7:7 16:2 39:15  
 45:1,3 143:4 189:14  
 199:13 200:19 201:17  
 201:19 202:19 207:18  
 225:23 227:12,15  
 228:23 230:24 231:13  
 231:21,25 244:25  
 246:7,19,24  
**provides** 206:5,9  
**providing** 34:18 190:1  
 213:16  
**provision** 63:1  
**public** 14:11 52:20  
 53:14 63:22,24 65:10  
 75:6,11 79:14 119:15  
 141:24 221:13 232:13  
 238:9 244:9,10  
 246:16,23  
**pull** 56:23 71:18 124:4  
 124:6,7,8 160:11  
 198:1  
**pulls** 210:14  
**purchase** 167:20,24  
**purchased** 170:3  
**purchasing** 168:20  
 169:1,6  
**purpose** 6:13 26:15  
 30:22 170:23 260:2  
**purposes** 81:7  
**pursuant** 52:15 260:4  
 260:24

**pursue** 24:14  
**purview** 241:14  
**push** 254:21  
**pushed** 254:8  
**put** 31:14 62:4 98:17  
 105:20 113:5,12  
 114:1 128:25 129:2  
 130:6,6,18 132:8  
 133:23 145:11 146:16  
 148:23 149:3,6,15,20  
 151:19,21,25 192:17  
 193:9 210:9 225:20  
**putting** 149:18

---

**Q**


---

**qualified** 61:16 64:1  
**quality** 178:13 190:19  
**quash** 6:25 7:14 32:12  
 33:11  
**quashed** 28:7,18 49:24  
**question** 8:24 46:9  
 59:20 67:25 68:4  
 69:11 70:7 93:12 97:4  
 102:18 107:18,21,21  
 108:22,24,24,25  
 109:4,5,16 110:16,19  
 111:10,11,16 112:3  
 112:11,21 113:1,8,9  
 113:20,22 114:2  
 115:23,25 116:5,25  
 117:14,18,19,20,21  
 117:23 118:1,2,4  
 120:1,7,18,23 121:2,4  
 121:9 122:5,12  
 129:20,22 138:18,21  
 138:22 139:1,5,6  
 140:3,3,10,11,16,17  
 142:7,8 144:21  
 146:23 147:11,12,15  
 147:18 149:13,16  
 150:1,3 154:11,13,15  
 154:25 155:24 159:8  
 165:20,23 172:5  
 173:10 176:20 180:17  
 183:22 192:19 194:9  
 197:9 212:11  
**questioning** 112:16  
 142:4 154:7 155:8  
**questions** 10:16 46:7  
 49:12,13 55:22,24  
 56:1 67:12,14,15,17  
 67:17 68:24 70:23  
 81:24 88:25 102:10  
 102:12,13 106:23  
 109:1 112:24 113:3  
 113:15,17,18,24  
 121:24 122:11 137:11  
 137:13 138:9,11

149:8,19,21 156:9  
 159:16,17,18,19,22  
 159:22 171:20,23,24  
 172:1 178:19,21  
 181:18 250:7,10,13  
**quick** 211:17  
**quid** 216:17  
**quiet** 41:3 58:21 61:3  
 62:25 63:3 75:23  
 135:18 252:10  
**quite** 12:14 26:1 97:3  
 123:11,14 142:24  
 185:14 226:12 241:19  
**quo** 216:17  
**quote** 19:3

---

**R**

---

**R** 5:8,10 40:3,6 41:17  
 42:14,17,19,21 43:12  
**R-O-D-R-I-G-U-E-Z**  
 160:23  
**RAFI** 1:21  
**raise** 56:18 71:13  
 120:22 123:25 160:6  
 172:21 189:22,23  
 212:17 219:15  
**raised** 62:13 189:24  
 198:16 259:3  
**Randall** 10:16,17 14:4  
 14:10,21 21:7  
**Raposa** 14:6  
**rat** 92:17 93:6 97:12  
 130:23 132:5 157:17  
 165:10  
**rat-** 108:4  
**rat-proof** 107:25 108:1  
 108:2,3,13 129:8  
**rate** 158:5  
**rates** 43:16,18  
**rats** 36:1 97:16,18  
 100:10 132:9  
**Raw** 174:22  
**RB** 51:18 173:17 174:1  
 174:8  
**reach** 87:2  
**read** 10:14 13:3,12,14  
 20:13 22:10 23:16  
 31:6 33:22 36:10  
 37:25 52:10,11 69:24  
 140:4,7 146:7 182:9  
 185:14,15,21 188:20  
 188:22,23 189:18  
 190:3,5,11,13,16,19  
 191:14,21,23 206:20  
 211:8 212:15 213:14  
 216:20 223:6 232:18  
 237:18,20 240:10  
 249:8 250:14 256:19

257:24 259:16  
**reader** 136:18  
**reading** 13:23 15:22  
 16:8 19:21 20:6  
 115:18 243:24,24  
**ready** 20:19 29:8,9  
 48:15 250:16  
**real** 58:19 61:16 63:25  
 132:19 133:3,4 161:9  
 161:13 167:18 168:1  
 168:4 169:19,20  
 174:9 211:17 237:16  
**rear** 55:6 65:15 97:25  
 99:12 177:11 180:5  
 181:4 213:7,13  
 233:19 236:12  
**reason** 35:10 106:17  
 114:19 131:7 136:6  
 140:8 151:15 153:13  
 168:7 200:3,22  
 221:10 240:6 244:23  
**reasonable** 182:15  
 200:11 253:13  
**reasons** 32:13 46:25  
 142:22 171:7,10  
 260:7  
**rebut** 102:4  
**rebuttal** 101:25 102:3,6  
**recall** 70:19 91:22,24  
 99:7 102:6 117:8  
 137:24  
**receipt** 257:14  
**receive** 151:17  
**received** 73:21 136:2  
 144:11,13,16 177:21  
 196:2 206:23,24  
 222:10 246:9  
**receives** 205:25  
**recess** 260:23  
**recipes** 128:3  
**reciprocated** 30:16  
**recognize** 136:16  
**recommendation** 31:22  
 31:25 32:11 33:11  
 242:7  
**reconsideration** 141:7  
**record** 4:7 5:21 8:18,21  
 21:5 26:6,8,11 30:9  
 45:15 48:13 64:7,24  
 67:21 69:10 70:9,12  
 70:16 71:20,22  
 102:19 104:17,20  
 105:10,12,17,18,20  
 105:20,21 106:4,5,8,9  
 106:12,15,19 124:10  
 139:22,23 140:9,10  
 140:13 141:1 144:22  
 149:5 151:1,5 160:14

173:12 183:10,13,16  
 186:4 197:20 204:1  
 224:22 225:20,21  
 231:11 232:21 233:20  
 240:16 241:3,24  
 245:13 248:8 249:7  
 251:9,12,15 261:4,6  
**records** 20:7 64:10  
 106:4 196:10 204:23  
 230:19 246:21  
**recreation** 65:10  
**recycle** 63:8 66:12  
**recycling** 90:23,25 91:3  
 91:7 95:9  
**red** 82:9  
**redirect** 75:10  
**reduced** 37:7  
**Reeves** 1:14  
**refer** 163:22 234:9  
**referenced** 147:25  
**referred** 55:12 80:1  
 179:22  
**refers** 213:20 249:18  
**reflects** 5:21  
**refusal** 25:2  
**regard** 7:2 53:1,20  
**regarding** 7:17 14:23  
 23:15 32:10 36:9  
 44:18 45:25 49:24  
 51:5,9 57:16 59:4,5  
 61:20 78:4 97:1 220:4  
 252:13  
**Regardless** 7:16  
**regards** 62:2,19 67:19  
**Regulation** 243:16  
**regulations** 24:11  
 54:11 62:17 67:23  
 111:2 208:19 211:9  
**reiterated** 60:25  
**related** 108:18 124:25  
**relates** 64:8 73:12  
**relation** 86:8 236:7,9  
**relationship** 47:4,9  
 132:24 156:15 170:22  
**relative** 14:7 204:25  
**relevance** 38:13 109:13  
 112:16 116:22 140:21  
 142:4,10 147:6  
 148:22 155:7,11  
 156:4 170:14 188:21  
**relevancy** 21:12 194:14  
 194:17  
**relevant** 7:19 25:12  
 60:13,15 138:6,7  
 142:14 143:13 170:11  
 171:3 180:25 183:25  
 184:17 188:25 189:1  
 195:13,14 196:7,12

196:24,24 198:21,23  
 201:16 205:17 212:4  
 212:7,10 214:12  
 217:10,24 219:6,14  
 222:1,20,24,25  
 231:23 233:25 244:18  
 247:9,11 252:25  
**relief** 34:23 200:25  
 204:11  
**rely** 10:23 11:6,7 74:21  
 105:12  
**relying** 215:25 228:24  
**REMA** 1:23  
**remain** 111:21  
**remaining** 6:13 7:7 44:1  
 54:7 213:8  
**remains** 240:4  
**remedy** 35:5 39:10  
**remember** 21:3 22:10  
 123:9 139:24 150:14  
 150:21,22 179:5,9,10  
 179:11,14,23 180:1,7  
 180:10,13,14 198:25  
 235:18 256:2  
**remind** 78:13  
**reminded** 78:8  
**removal** 54:5  
**remove** 147:1 151:18  
 153:23 194:5  
**removed** 62:5 67:22  
 109:24 118:7 143:19  
 144:7 145:13 153:24  
 153:25 154:2 194:4  
 248:7  
**render** 148:21  
**renew** 1:9 5:17 50:18  
 143:4 167:1 198:24  
 209:11,16,20 230:24  
 231:12 253:7  
**renewal** 5:21 6:17 7:21  
 50:22 58:2 59:6 60:25  
 61:20 64:21 65:1  
 166:12 204:23 231:18  
 231:20  
**renewed** 231:17,20  
**renewing** 52:3  
**rental** 186:1,14 187:22  
 188:5 197:15 223:8  
 223:10  
**reorganized** 31:13  
**repeat** 93:11  
**repeatedly** 43:17  
**rephrase** 82:16 110:19  
 112:3,10 116:4,24  
 119:7 138:21  
**replies** 14:21  
**report** 55:21,22,25 56:1  
 56:3,6,9,11,13,16

60:10,10 64:16  
 107:24 134:16,22  
 147:24 150:16 151:4  
 151:9 235:2,19 252:7  
**representation** 56:6  
 168:10  
**represented** 5:24  
**request** 7:3,6 14:24,24  
 15:6,10 24:14,21 25:3  
 28:25 29:5 30:25 31:5  
 31:16 34:22,24 78:17  
 89:14,17 159:2  
 242:10 253:6 256:18  
**requested** 6:20 14:3  
 19:10 200:3  
**requesting** 15:8 31:17  
 52:2  
**requests** 14:4 75:3  
**require** 103:13 130:9  
 207:12  
**required** 157:7  
**requirements** 138:16  
 139:7  
**requires** 143:8 152:8,13  
 152:24 207:8 208:20  
**requiring** 25:4  
**requisite** 206:2  
**rescheduled** 31:14  
**research** 18:25 129:11  
**resentment** 153:14  
**reserve** 36:6 101:25  
 102:5 253:25  
**reset** 128:18,19,20,22  
**reside** 72:2,4 124:13  
 158:20 160:25  
**resided** 161:3  
**residence** 59:3  
**residential** 58:24 63:14  
 126:3,5  
**residents** 65:20,20  
**residents'** 61:22  
**resource** 48:5  
**respect** 27:9 29:21  
 35:16 44:17 49:22  
 109:13 112:17 142:5  
 170:3 222:16 252:8,9  
 252:10  
**respectfully** 15:8 253:6  
**respectively** 52:24  
 53:18  
**respond** 19:25 20:4  
 40:2 44:15 106:17  
 132:6  
**response** 19:19 26:11  
 26:13,14 29:13  
 117:22  
**responsibilities** 173:19  
**responsibility** 132:11

**responsible** 132:8,9  
**rest** 102:16 181:21  
 241:4  
**restaurant** 17:23 35:19  
 41:20 51:6,10,10  
 57:20 58:11 65:19  
 73:8,13,23 74:21 76:1  
 76:13,15 78:24 79:19  
 79:22 81:13 83:16  
 85:23 86:20,23 91:7  
 95:9 100:12 111:1,8  
 116:3,8 124:17 125:4  
 125:6,18,20 126:16  
 126:18 127:4,10,23  
 128:1 130:5 133:2  
 134:4,10 135:11  
 148:18 151:2 152:18  
 156:2 163:8,14,16,19  
 166:23 169:17,21  
 174:16,24 175:1,2,4  
 175:12 176:11,13  
 219:4 225:22 236:16  
 238:9,10 242:5  
 252:14  
**restaurant's** 94:17  
**restaurants** 58:12 74:2  
 74:5 94:2,11 97:2,6  
 125:11 164:18,21,25  
 174:20 175:11 177:12  
 178:14  
**restaurants'** 92:7  
**restroom** 182:17  
**resulted** 54:11  
**results** 77:23  
**resumed** 26:8 104:17  
 183:13 251:12  
**retail** 5:17 169:22  
**Retailer** 1:7  
**returned** 223:1 242:8  
**reveal** 200:6  
**revealed** 64:7,10  
**Revenue** 159:11  
**review** 18:23 19:7 21:6  
 64:10 188:7 214:7  
 221:14 258:13,22  
**reviewing** 258:6  
**reviews** 73:21  
**revised** 242:7  
**revocation** 8:3 34:24  
 39:11  
**revoke** 35:25  
**revoked** 132:16  
**rid** 15:20 192:21  
**rideshare** 75:1  
**right-hand** 98:11  
 118:22  
**Risa** 2:2 4:8 40:18  
 41:22 43:13 47:24

**river** 97:19  
**Robert** 6:1 17:16,21  
 34:3 228:8,13 230:21  
**rodent** 176:17,21 177:2  
 252:16  
**rodents** 143:18  
**Rodriguez** 2:5 3:17  
 51:14 160:3,5,9,15,16  
 160:21,23 161:1,5,8  
 161:14,18,20,23  
 162:2,6,10,16,20,23  
 163:3,6,9,12,15,18  
 164:3,8,10,14,17,20  
 164:24 165:5,8,11,15  
 165:20 166:1,8,10,14  
 166:18,21 167:2,5,8  
 167:19,22,25 168:12  
 168:21 169:3,8,13,16  
 170:1,4,7 172:8,13  
 252:21  
**Roger** 2:4 5:8 28:9 36:2  
 36:15 38:25 39:3,9,10  
 42:17,18,20,23 44:18  
 44:25 56:8 58:5 59:2  
 60:10 65:5 167:4  
 236:14,18  
**role** 174:8  
**roll** 6:3,9 260:12  
**rooftop** 213:20  
**room** 1:14 49:4 76:19  
 90:16 260:24  
**rooms** 162:13  
**routines** 79:18  
**rove** 76:13  
**row** 29:4  
**rule** 33:13 44:16 46:10  
 48:15,21 106:18  
 205:17 240:11 255:14  
**rules** 31:3 61:12 100:18  
 135:7,8 139:3  
**ruling** 150:1 201:16,18  
**run** 126:13,18,20 137:2  
 176:13 196:21  
**runner** 72:18,20,22  
 135:23  
**runs** 259:22

---

**S**

---

**safe** 163:4  
**safety** 58:25 63:16  
 79:24  
**Sagalyn** 34:16,16,18  
 35:4 36:16,17 39:6,7  
 39:8,14 40:4,8 41:18  
 141:7 153:17  
**Sagalyn's** 35:8 141:10  
**sale** 109:14 112:17  
**sales** 77:24 142:5 253:1

**sat** 12:7  
**satisfied** 50:21 138:15  
 139:7  
**satisfies** 52:17  
**Saturday** 75:18  
**saw** 41:19 146:2 151:21  
 248:4  
**saying** 9:2 12:21 13:1  
 17:10 19:24 25:12  
 28:15 35:13 37:15,16  
 39:14,20 47:13 89:11  
 140:8,12,13 141:3  
 145:25 171:9 176:7  
 189:22 190:23 192:23  
 195:24 196:12 199:18  
 205:7 210:6,21  
 228:11 235:2 239:23  
 240:19,20 258:17  
**says** 8:5 31:6 39:24  
 40:14,19 41:24,25  
 44:3 108:23 134:18  
 136:1 142:19 188:6  
 196:15 205:18 218:9  
 222:16,23 228:1,12  
 230:25 231:9,22  
 232:3,18 241:25  
 242:5 245:15,21  
 248:15 249:12 255:11  
 256:21  
**scheduled** 6:6  
**schedules** 29:6  
**schools** 65:9  
**sciatica** 41:21  
**scope** 27:7,7,24,25  
 34:19,19 35:7 38:5  
 180:21  
**scored** 145:25  
**screamed** 134:4  
**screams** 135:4  
**screen** 131:17,18  
**Sea** 174:24  
**Seafood** 179:24 180:2,4  
**sealed** 93:17  
**search** 64:7  
**seasoned** 17:8,10  
**seat** 56:23 71:17 124:4  
 160:11  
**seating** 4:10 69:2 76:19  
 110:1 111:2 139:18  
 214:5  
**seatings** 81:15  
**seats** 55:1 116:13,15  
**second** 17:15 28:25  
 31:17 32:2,3 33:14,15  
 33:20,23 43:2,3 46:14  
 76:25 87:6,9,24 90:2  
 90:6 123:16 125:13  
 127:17 154:13 159:2

160:22 195:11 221:25  
233:18 242:1,2,3  
244:13 245:17 260:9  
260:10  
**second-floor** 121:13  
**seconded** 32:5 33:17  
260:12,14  
**secondly** 27:6  
**section** 25:1,21 52:15  
58:22 76:14 189:2  
233:20 259:25 260:4  
260:7,25  
**secure** 198:10  
**securing** 54:17 139:9  
**see-through** 86:10  
**seeing** 114:24 115:2  
179:14  
**seeking** 260:2  
**seeks** 6:24,25 39:10  
**seen** 100:9 159:8  
175:19,21,21 179:21  
181:5 196:10 252:23  
**self-editing** 16:9  
**selfie** 235:1  
**sell** 167:12 216:9  
218:16,17,20,22  
219:1  
**selling** 230:17  
**send** 70:7 78:16 80:5  
133:14,22 137:4  
154:5 207:25  
**senior** 17:5,16 77:8  
**sense** 48:16 208:20  
219:7 257:22  
**sent** 7:25 13:22 19:9,16  
19:24 24:22 137:6  
187:8 200:4,6 248:3  
**separate** 15:9 62:21  
**September** 6:6 10:12  
10:13 242:4  
**series** 55:9  
**seriousness** 254:3  
**serve** 11:3 86:17 127:4  
216:9 218:15,23  
**served** 7:13,15 11:4  
20:22 22:15,17 24:1  
24:13  
**server** 72:24 109:6  
**serves** 224:15  
**service** 7:10 33:9  
109:14 112:17 142:5  
253:1  
**serving** 12:13 32:25  
76:10  
**set** 8:9 52:18 58:22  
**setback** 233:22  
**setting** 178:4  
**settle** 171:11

**settlement** 6:11 30:24  
35:19,21 58:16 60:16  
64:11 66:15 78:5  
214:2 222:9,14,18  
254:9,10  
**settlements** 75:25  
**setup** 86:22  
**seven** 9:6 10:21 11:8  
12:2,9 18:14 27:11  
32:16 33:12 39:15  
47:16  
**seven-building** 173:22  
**severe** 35:5  
**shake** 254:12  
**Shanell** 2:4 56:17  
**shares** 62:8  
**Sharp-looking** 158:4  
**Shawn** 15:12  
**she'll** 106:16  
**shed** 52:22 53:16  
117:11,15 118:6,8  
140:20,22 141:3,4,16  
141:21 143:19,21  
145:9 179:20,21  
180:8,13,21,25 181:1  
181:5  
**sheet** 5:5  
**shift** 74:10,11,13  
**shining** 237:5  
**shop** 178:4  
**shopping** 178:15  
**short** 1:22 32:3,4 33:15  
33:16 43:3,5 98:13  
122:17 129:15 131:15  
136:21 137:19 156:10  
156:11,14,20,24  
157:2,9,12,14,19  
158:2,5,19,23 159:7  
159:13,16,18,19,23  
164:22 172:2,3,4,9  
176:20 187:6,14,18  
193:12 194:10 195:17  
217:12 227:21 229:25  
235:14,23 236:1  
237:1 238:21,23,24  
244:2 246:16 247:13  
248:11,15 250:14  
251:3 252:2 259:3  
260:10,11,16,17  
**shortly** 28:14 54:8  
**shot** 182:21  
**shouting** 134:10  
**show** 21:5 29:2 47:6,7  
48:13 50:24 51:24  
54:9 84:11 88:22  
109:18 118:5 144:22  
146:15 169:20 170:24  
185:2,5,9 186:5

190:17 200:12 204:1  
252:4 255:13 256:8  
256:11,15,16  
**showed** 168:2,3 252:7  
**showing** 55:1 65:9  
170:14,23 223:24  
249:20  
**shown** 32:10 116:2  
251:8  
**shows** 65:19 66:11,12  
66:13 69:7 96:5  
109:20 206:24 223:11  
224:7 233:18,20  
241:11 243:2 244:14  
245:17 251:25 255:1  
255:4 256:21  
**shut** 208:4 217:5  
**shy** 37:5  
**side** 49:1 95:14 98:11  
98:20 99:22 118:22  
149:16 251:7,21,22  
254:18,19 258:17  
**sidebar** 46:3  
**sides** 49:15 251:1  
254:10,16,25 255:2  
257:22  
**sidewalk** 14:7 18:8,20  
54:12,18 58:15 63:12  
65:14 79:4,11,15,21  
81:13 82:19 83:5,6,8  
83:11,21 99:23  
115:12,14 116:9  
119:1,4 138:16 139:9  
139:21 152:25 186:2  
186:11 196:2,9 197:7  
200:16,20 202:7,14  
202:21,23 203:10,12  
203:13,18,19,23  
206:4,6 207:7,9,12  
208:2,4,5 218:13,22  
219:11 221:12,18  
224:2 228:3 230:10  
230:20 232:12,14,22  
233:17 236:21,25  
238:11,17 241:10  
242:6,9 243:15,19,20  
244:10,15,21 245:2,5  
246:18,23 247:4  
**sign** 5:5,5 99:22 242:9  
**signed** 14:25 15:6 21:3  
78:20 156:18  
**significant** 35:17  
**signs** 63:16 242:6  
**silent** 137:17,22  
**similar** 54:9  
**Simultaneous** 129:25  
183:3  
**Single** 213:10

**site** 74:7 76:8 92:20  
132:2  
**sitting** 110:7 237:12  
**six** 18:10 20:19 55:1  
63:23 74:8 128:12  
135:20 144:6 179:8  
**skin** 136:5  
**skylights** 17:18 54:2  
55:5  
**SLAPP** 201:23  
**slightly** 188:19  
**small** 162:3 244:6  
**smoke** 135:24  
**snatch** 207:23  
**sold** 218:12 236:11  
**somebody** 23:21 134:2  
259:7  
**son** 17:22 44:3  
**sorry** 4:13 19:14 25:23  
26:12 38:15 44:2,10  
44:24 46:13,23 68:17  
89:13 97:4 101:1  
102:21 122:8,15  
124:18 129:24,24  
137:21 138:13 146:20  
164:24 178:24 180:12  
194:6 195:19 198:12  
203:11 217:2,15  
226:23 234:12,13  
241:1 242:15 245:3  
248:22 253:24 256:12  
257:9,15  
**sort** 234:17  
**sought** 7:18  
**sounds** 216:16  
**soup** 17:25  
**source** 177:2  
**southern** 73:8,8  
**space** 115:13 221:13  
229:17 231:23 232:13  
233:8 238:9 246:16  
246:24  
**speak** 45:17 57:3 71:19  
124:5,5 129:13  
164:22  
**speaking** 129:25 183:3  
**Specialist** 213:11  
**specific** 23:15 35:14  
59:11 99:5  
**specifically** 10:14 11:6  
13:2 32:15 36:9 38:2  
80:13,20  
**speculate** 147:4  
**spell** 71:11,20,22  
124:10 160:14 173:12  
**spelled** 71:24  
**spend** 97:18 178:14  
182:12

**spending** 142:25  
**spoke** 12:15  
**spoken** 153:2  
**sport** 135:11  
**squabbling** 41:5  
**square** 52:23 53:17  
 84:6 140:20 141:21  
 228:2 230:13,14  
 231:2 232:4,18  
 243:17,22 245:16,17  
**squares** 232:15,21  
**staff** 10:1 16:15 47:14  
 77:4,10 78:4 79:23  
 87:25 93:13,15 94:22  
 94:24 95:3 96:19  
 99:12 109:7 128:8,8  
 130:2,10,16 134:15  
 134:22 173:23 176:7  
 190:18,21 238:1  
**stairway** 114:22,24  
**stamped** 246:9  
**stand** 110:7 119:5  
 123:18  
**standard** 28:2  
**standards** 50:21 51:25  
 213:24 252:5  
**standing** 6:4 141:10  
 144:19 239:11  
**stands** 92:9 190:4  
 222:15  
**staple** 176:3  
**star** 73:23,24  
**start** 13:24 55:23 56:14  
 72:15 124:22 187:7  
**started** 72:17 100:9  
 125:8 175:22 254:13  
**starts** 186:24 187:5  
 229:20  
**state** 8:21 32:19 35:9  
 124:10 152:2 160:13  
 173:11 202:20  
**stated** 11:6 61:4,8,11  
 61:13,17,21,24 62:1,6  
 62:10,12,16 66:21  
 226:13 256:1,3  
**statement** 3:9,21 30:13  
 50:13 52:6 53:8,9,9  
 68:1,2 155:13,15  
 251:20,21,23  
**statements** 45:25 46:2  
 46:6 56:2  
**states** 30:11 32:15  
 41:15 55:13 74:5  
 120:20 139:8 222:10  
 238:4  
**stating** 24:9  
**status** 10:6,9,10 12:6  
 13:4

**stay** 101:12 106:20  
 162:4  
**steamers** 17:25  
**step** 71:1 122:19 160:1  
 172:12 181:21 256:17  
**steps** 69:25 70:2 96:16  
 115:3,6,7 116:2,7  
**Stevenson** 213:11  
**stick** 150:9  
**stomach** 136:5  
**stop** 54:5 105:1 137:7  
 144:22 164:4 237:22  
 249:23  
**stopped** 104:10  
**store** 143:20,23,25  
 144:3 169:22 177:12  
**story** 47:19,20 57:20  
 58:11  
**streamline** 49:5  
**street** 1:7,14 5:18 15:13  
 18:20 52:21 53:15  
 54:12,14,19,19,24  
 55:7 57:22,25 58:9  
 59:3 63:4,20 64:9  
 67:20 75:8 83:14 84:7  
 97:21 107:14 111:18  
 124:14 126:4,15,24  
 131:8,10 138:17  
 152:17,18 157:20,22  
 158:14,21,25 161:1  
 161:17 162:19,23,24  
 163:4,5,20,25 166:3,4  
 166:5 169:18 174:4  
 174:23 175:1,8 177:3  
 213:13 223:25 224:1  
 225:24 226:4 228:2,7  
 230:7 231:10 232:2  
 232:13 243:19 252:18  
**stricken** 46:2  
**strictly** 78:8  
**strike** 35:10 83:10  
 101:24 117:1  
**strong** 42:7  
**structural** 54:3 55:3  
**structure** 57:23 112:9  
 180:11  
**stuff** 41:22 44:13  
 105:24,25 119:18  
 130:18 143:23,23  
 193:17,21,25 194:5  
 236:13  
**subject** 38:13 142:13  
 213:21 226:1,16  
**sublease** 15:18  
**submission** 54:25  
 198:9 214:17  
**submit** 14:24 40:12  
 183:25 184:17 190:20

206:22 232:21 248:23  
 248:24 249:7  
**submitted** 7:3 8:18 9:18  
 16:3 18:5,8,16,19  
 40:17 149:9 189:6,8  
 189:12 200:12 244:19  
 257:2  
**submitting** 184:2  
 235:19  
**subpoena** 7:3,6 9:20  
 11:3,4 12:13,16 14:13  
 14:23 15:8 16:4,12,16  
 19:5,10 21:14 22:15  
 22:17 24:9,23 25:2  
 26:19,22 27:10 28:15  
 29:5 32:11,12,25 33:9  
 36:22 47:3  
**subpoenaed** 8:1 21:18  
 28:6 46:16,20 47:10  
 240:6  
**subpoenaing** 12:22  
 21:21  
**subpoenas** 6:20,25 7:4  
 7:12,14,18,22,24 8:12  
 8:20 9:5,7,9,17 20:17  
 21:3 23:12,13,25  
 24:12 28:7,17 49:24  
**subsequent** 6:9 11:24  
 15:18 206:23 213:6  
**subsequently** 52:23  
 53:17  
**substantive** 15:25  
**success** 54:17  
**successful** 78:2  
**successfully** 7:13 24:1  
**Suero** 204:3  
**suffering** 41:20  
**sufficient** 41:8  
**suggest** 88:10  
**Suite** 1:15  
**summary** 31:7 36:14  
 39:18,25,25 52:13  
**summer** 52:20 53:14  
 54:6,21 58:15 70:1  
 77:20 87:7 90:11  
 116:13 119:2 144:23  
 145:2,3 203:8 210:17  
 213:5,12,19,21 214:1  
 214:6,20,23 215:7,8,9  
 215:12,13,15,16,17  
 215:19,19,20 216:3,5  
 216:7,8 217:8,10,22  
 217:25 218:4,6,7,10  
 218:14,21 219:5,5,8  
 219:10 220:23 249:19  
**summertime** 77:25  
**summons** 151:18  
**sun** 151:24 237:5

**Sunday** 75:18  
**sunlight** 236:25  
**sunny** 151:20  
**Superior** 24:15 25:2  
**supervisor** 7:9  
**support** 4:24 32:14  
 150:10 166:25  
**supporting** 150:11  
**supposed** 21:14 22:19  
 27:13,15 35:2 188:21  
 195:2 216:4 230:12  
 243:1  
**surface** 115:13  
**surprise** 22:19  
**surrounding** 162:11  
 168:3  
**surveyor** 233:20  
**sustain** 111:5 112:19  
 138:4 155:19 180:24  
 242:19  
**sustained** 109:16  
 110:15,18 156:6  
**swear** 56:19 71:14  
 123:25 150:21 160:6  
 172:22 212:18  
**switch** 194:16  
**switcher** 4:10  
**swore** 151:1  
**sympathetic** 104:20  
**synopsis** 185:16  
**system** 55:5 61:6 70:8  
 70:9,14 188:7

---

**T**


---

**t/a** 1:6  
**table** 73:24 155:24  
**tables** 221:12 245:21  
 247:10,15,17  
**tactics** 170:24  
**taken** 69:22 85:10  
 117:5 237:3  
**takes** 89:2 105:25  
 230:19  
**talk** 9:15 11:23 13:4  
 47:5 128:6 144:8  
 153:4 160:18,20  
 162:11,12 232:24  
 235:8  
**talked** 129:7 132:25  
 151:5 235:19 240:7  
**talking** 8:12 9:11,12  
 12:12 38:16,17  
 108:18 114:20 118:16  
 129:18 131:9,14,22  
 133:4 144:24 167:16  
 180:19 221:6 256:7  
**talks** 146:14 235:7  
**tampered** 96:17



- tape** 70:8  
**task** 129:9  
**tasks** 79:20  
**taste** 128:4  
**taverns** 58:13  
**Tax** 159:11  
**taxes** 159:10,11  
**taxi** 74:25 162:16  
**taxis** 74:22  
**technical** 4:10  
**technicality** 12:12  
**tell** 7:23 12:5,10,17,18  
     13:6 23:21 38:22 44:5  
     44:14 56:19 57:15  
     71:14 84:25 85:20  
     86:7 92:6 113:16,23  
     124:1,16 125:3,25  
     128:7,17 134:8  
     140:15 150:3 151:14  
     160:7 168:8 172:22  
     183:19 189:16 196:21  
     196:23 197:11 199:21  
     204:17 205:3,7  
     207:19 210:14 212:8  
     212:18 215:18 222:16  
     237:8 247:18 251:2,7  
**telling** 13:21 16:3 20:4  
     80:16 206:21 251:24  
**tells** 239:1 259:16  
**temporarily** 62:5  
**ten** 27:16 72:14 96:3  
     125:24 251:5  
**ten-minute** 26:3  
**tenants** 173:23 177:22  
     178:1  
**tenuous** 149:23  
**Teresa** 2:3 5:1,2,3  
**term** 201:7,23 239:24  
**terms** 183:23  
**terrace** 70:2 249:20  
**terrific** 42:5  
**test** 27:19 52:1 128:3  
**testification** 81:23  
**testified** 57:9 84:22  
     101:15 138:12,13  
     147:8 158:19 252:13  
**testify** 15:11 17:17,23  
     18:4,7,11,16 21:15,20  
     25:5,10 26:17 27:3,8  
     27:21 28:8 32:13 35:4  
     35:15,17 38:12 41:7  
     41:14 46:11 51:4,9,15  
     51:20 113:6 115:23  
     138:10  
**testifying** 42:10 49:20  
     59:20 89:22 102:24  
     103:21,23 104:25  
     105:3 115:18 138:2,5  
     174:13  
**testimony** 7:5 8:9 23:17  
     27:25 31:8 34:19,20  
     35:8 36:15 37:13 38:6  
     39:18 50:19,24 59:10  
     64:6 69:13 71:1 89:23  
     102:13 103:10 104:5  
     105:2,4,11 106:24  
     122:19 138:7,10,14  
     142:23 147:12 157:14  
     159:14 160:1 172:5  
     172:12 181:1,20  
     182:18 184:17 199:1  
     204:21 206:13  
**text** 136:2  
**thank** 14:22 15:5 20:23  
     20:23 24:4 26:4 40:23  
     43:20,22 52:4,5 55:15  
     55:16 70:6,21,25 71:2  
     80:19 81:25 83:2 84:8  
     88:14 89:8 90:18 93:8  
     99:17 102:8,20 104:6  
     107:24 109:3 116:11  
     116:18 118:10 119:22  
     122:3,18,21 159:13  
     159:15,25 160:10  
     170:13 171:25 172:4  
     172:10,10,11,13  
     181:16,19 229:9  
     231:11 239:18 250:11  
     253:7,9,11,20 254:1,3  
     254:25 255:7 257:5  
     258:15 259:20 260:25  
     261:2  
**theater** 157:23  
**thin** 27:22  
**things** 9:12 42:2 48:9  
     78:7 80:7 88:23  
     110:22 135:5,6  
     138:12 151:7 183:24  
     189:4,5 205:19  
     210:22 211:16 254:4  
     256:2  
**third** 30:13 157:5  
     242:24,25 243:3  
**thirdly** 29:22  
**thought** 30:16 46:15,16  
     105:23 152:19 165:22  
     182:18 184:19 219:16  
     220:7 222:7 229:15  
     234:17 253:13  
**threatened** 134:16,22  
     134:25  
**three** 17:21 20:5 30:6  
     44:20 45:7 58:3,13  
     123:2 128:16 152:21  
     175:11 176:8 192:20  
     192:21 193:9 257:9  
     257:11  
**threshold** 143:10  
**thresholds** 52:18  
**throwing** 205:12  
**thrown** 219:24  
**throws** 93:13  
**Thursday** 13:13 19:12  
     20:1 61:18 75:17  
**tickets** 75:7  
**tightly** 177:20  
**timely** 37:1,16,20 41:10  
     45:6  
**times** 44:20 62:23,23  
     66:23 67:1,9 75:20  
     133:23 134:7,10  
     168:22 176:8  
**tired** 88:5  
**title** 72:5  
**today** 8:2 21:15 23:14  
     25:13 28:19 29:7,20  
     29:22,24 30:17 31:20  
     32:19 33:3 41:12,18  
     42:9 43:21 45:17  
     50:17,20 51:3 108:2  
     114:17 138:15 154:2  
     154:5 167:10 171:15  
     183:25 189:1,7  
     190:21 196:12 198:23  
     202:3,13 203:5,8  
     205:4 210:9 237:11  
     237:14 238:15 240:12  
     251:8 254:4,7,18  
     255:1,3,15 256:22,25  
     258:21 259:19  
**today's** 6:8 7:11  
**told** 8:19 10:14,15,19  
     10:24 11:18,21 12:5,7  
     12:10,15,16,24 13:2  
     22:4,6,8,12,23 23:7  
     30:17 32:19 33:7  
     47:17 48:7 130:14  
     136:4 145:20 151:6  
     173:1,7 183:24  
     185:20,20 188:24  
     190:20 192:8,17  
     204:12 210:25 211:1  
     211:4 215:14 239:1  
     247:25 254:5  
**tomorrow** 24:18 218:17  
     218:25 219:2  
**tonight** 42:2  
**top** 67:22 118:16  
     131:15 143:8 188:6  
     192:2 228:2  
**TOPS** 188:6 197:15  
     198:2  
**torn** 249:21  
**total** 243:21  
**totally** 172:6  
**toto** 229:7  
**tourists** 127:1 162:6  
     166:7  
**track** 123:14  
**traffic** 63:3,6,13,17  
     126:23 162:25  
**train** 77:17  
**training** 77:4,10,13,15  
     78:4 128:13  
**transcript** 255:12,24  
     256:18,19 257:6,10  
     257:11,14,24,24  
     258:7,13,23,24  
**transferred** 15:13,15  
**transformation** 158:7  
**transmitted** 189:17  
**transparency** 27:23  
**transportation** 159:4  
     246:2  
**trash** 34:25 41:2 43:15  
     43:18 63:8,10 66:13  
     78:14 80:2,4,4 90:24  
     91:1,7,10,14,17 92:6  
     92:19,23 93:9,14,16  
     93:17,20,24 94:4,6,12  
     94:17,19 95:9,15,18  
     96:10,17,21 97:1,6,10  
     98:17 129:7,11 130:2  
     130:6,10 164:13,16  
     164:19,21,25 177:7  
     177:10,13,16,17  
     180:20 252:15  
**Traveler's** 230:3  
**treat** 153:15  
**treated** 153:15  
**treatment** 120:14  
     145:10  
**treatments** 67:21  
     109:21,24 111:21  
     112:8 114:10 120:11  
**treats** 166:22  
**tried** 62:16 120:6  
     185:16 218:1 219:4,6  
     237:9  
**true** 116:6 132:8 145:9  
     200:22  
**Trump** 18:23,24 19:7  
     216:16  
**truth** 23:21 56:19,20  
     71:14,15 124:1,1  
     160:7,8 172:22,23  
     212:18,19 237:9  
**try** 30:18 53:10 106:15  
     115:23,24 218:2  
**trying** 16:1,5,11,12  
     17:14 21:13,14 27:17  
     37:24 38:1 41:23

43:13 105:24 123:12  
143:1 147:13,14  
149:11 158:8 168:23  
181:12 186:6 187:14  
198:16 205:18 209:15  
216:3 233:17 239:13  
240:17

**Tuesday** 14:20 15:4  
24:7 59:1

**turn** 6:14 28:9 106:10  
176:2

**turned** 61:6 62:1

**Turning** 54:23

**turns** 219:1

**Twelve** 179:4

**Twenty** 123:6

**two** 5:25 6:12,19 7:9,13  
7:15 15:20 20:17 23:3

23:22,24 27:11 35:24  
37:4,8,11,17 38:7

57:24 63:6,8 66:12

76:14,17 86:14 88:1

108:2,10 114:7 116:7

135:10 145:11 157:4

161:23 171:13,15

183:1 189:3 190:23

225:12 228:11 231:23  
232:20

**type** 74:14 86:16 94:1  
113:16,23 127:3

161:25 162:4

**typical** 86:22

## U

**U-** 42:20

**U-H-A-R** 42:21

**U.S** 110:20,23

**Uber** 162:16

**Uhar's** 28:9 34:3 36:4  
36:15 38:18 39:9,9  
44:18,19 59:12

**Uhars** 45:23 132:18,21  
168:18

**umbrella** 151:18,21,23  
151:25 152:9 247:10

247:19,24 248:5,6,8

**umbrellas** 79:5 107:10  
107:13 146:16 147:1

151:16 152:4,14,24

157:10 221:13 235:3

235:10,21 236:24

237:1 245:22 247:16

247:18,22

**unable** 48:6 113:19

**unapproved** 54:2

111:20 112:1

**unbalanced** 61:5

**underage** 77:4

**underlying** 237:14

**understand** 12:7,14

22:14,16 26:18,25

31:9 32:23 36:2 47:3

60:21 103:4 120:17

120:23 121:4 138:6

138:22 170:19 191:3

198:13 233:3,3,6,22

240:10

**understanding** 29:18

30:5 69:1 89:4 197:20

200:10 248:9 249:23

**understood** 11:9 13:8

20:11 22:20 61:17

143:17

**undue** 238:7

**unenclosed** 228:3

232:14 243:15,20

**unfortunately** 170:4

203:3 258:3

**unit** 61:5

**United** 30:11 55:13 74:5

120:20 139:7

**unorganized** 95:9

**unpermitted** 52:22

53:16

**untimely** 6:22 9:18

248:10,24

**updated** 231:13,21

232:1

**upgraded** 80:4

**uphold** 238:18

**upset** 254:20

**upstairs** 76:18 157:6,6

**use** 36:3 38:7 49:3

76:24,25 128:23

203:16 214:4 228:15

229:16 232:13 246:23

**uses** 38:9

**usually** 82:5 94:18

127:20

**utilize** 212:10

**utilized** 173:7

**utilizes** 233:9

**utilizing** 216:14

## V

**v** 8:3,5 19:1 52:18

195:15 196:15 202:10

205:9 206:21 216:1

226:16 232:8 240:10

243:7 253:14

**vacuum** 55:5 62:1,3

70:8,8,14 153:22

154:7,17,19

**valid** 135:17 139:14

148:17 197:6 208:23

209:7 225:23 226:2

226:14 227:2,9

228:16 238:11 239:2

239:4,12

**value** 168:9,10,16,17

**values** 9:11 58:19 61:14

61:17 64:1,2

**varies** 74:11

**various** 36:5 76:12

**varying** 74:12

**Vegas** 74:1 127:8

**vehicular** 58:24 63:5,15

63:17

**venue** 26:23

**Verace** 73:16

**verbatim** 140:7

**verify** 195:2

**vermin** 95:19

**Verno** 2:6 3:18 51:18

172:19,21,24 173:13

173:13,16,21 174:2,4

174:9,15,18,21 175:6

175:9,16,19,25 176:6

176:12,16,19,24

177:4,8,11,14,19,23

178:3,6,10,18 179:1,1

179:4,7,13,16,21,25

180:3,9,12,20 181:19

252:21

**version** 184:13 189:11

189:15,16 195:1

**versus** 35:5 92:7

**vice-versa** 254:20

**vicinity** 95:14

**view** 51:11 83:7,13 91:9

98:9,19 99:20,21,23

**vigorously** 31:19

**violation** 17:19 54:10

54:14 55:2 144:11,13

209:2 229:17 240:22

240:23 248:4

**violations** 54:1 55:6

63:2 64:12 67:1,6

156:21,22 213:8

**Virginia** 72:4 125:18

152:20 158:24 159:3

174:10

**visible** 55:6

**visit** 162:8 166:5 176:4

**visitors** 252:19

**volume** 75:10

**vote** 31:23 260:13

**VPN** 73:12,14

**vs** 208:9

## W

**W** 1:15,19

**W-I-L-L-I-A-** 173:13

**wacky** 135:22 136:1

**Wahabzadah** 1:23

183:1 189:19 190:13

216:21,24 220:12,17

224:3 230:4 260:14

260:15

**wait** 9:14 30:5 182:21

243:23 255:12

**waiters** 88:3

**waitresses** 108:15

**waive** 255:10,17,21

**waives** 255:18

**walk** 74:22 79:14 116:7

133:1 134:10 165:13

168:18 179:19 238:12

**walking** 63:23 74:16

162:17

**walkings** 74:25

**wall** 119:9

**wanted** 12:15 23:20

48:24 100:22 101:11

104:9 130:15 144:7

214:15 257:18

**wants** 40:2 61:11

218:11

**Ward** 57:19

**warmers** 17:25

**warnings** 53:22

**wash** 129:4 130:3

**washed** 94:9 99:14,15

**washers** 82:2

**washing** 79:21

**Washington** 1:15

124:15 161:2,9

**wasn't** 21:11 22:4 40:12

123:14 153:9 181:12

**waste** 10:3

**wasting** 249:18

**watched** 176:2

**way** 5:20 48:12 51:23

55:18 73:19 94:14

97:5 108:20 110:3

123:24 129:2 132:10

148:18 150:7 152:2

153:11,15 158:9

164:7 169:7,14,15

203:22 204:2 206:8

**website** 204:24

**Wednesday** 1:11

**week** 74:9 92:2 176:9

225:15

**week's** 20:18

**weekend** 20:22

**weeks** 20:5 123:22

257:10,11

**Weiss** 241:9

**welcome** 24:21

**welcomed** 252:18

**well-liked** 178:13

**went** 10:3 26:8 104:17  
151:2,5,15 183:13  
247:17 248:4 251:12  
261:6  
**weren't** 35:14 189:14  
237:4  
**white** 82:9  
**wide** 245:16,18 247:2  
**width** 243:21 244:11,14  
245:23  
**wife** 4:22,23 136:1  
159:2  
**William** 2:6 172:19  
173:13 252:21  
**willing** 55:11  
**willingly** 30:15  
**win--** 120:2  
**wind** 27:20  
**window** 67:21 109:20  
109:23 111:21 112:7  
114:9 120:11,14  
145:10  
**window-wise** 121:12  
**windows** 54:2 55:5  
112:6,13,14 114:4,5  
118:13,17 119:10,24  
120:4,8,16 237:5  
**wine** 86:18 125:21  
**Wisconsin** 125:13  
**wish** 19:5 50:12 52:6  
71:3  
**wished** 8:2  
**wishes** 30:18  
**withdraw** 42:11,13  
245:10  
**withdrawing** 42:16,23  
**withdrawn** 242:10  
**withheld** 224:19  
**witness** 2:5,5,6,6,7 14:9  
22:7 24:23 28:19  
29:15 34:15 35:11,24  
36:3 37:7 41:6,9,10  
41:12,14,15 45:8  
46:15 47:11,13,15  
49:11,12 55:17 56:17  
63:16 71:4 80:9,12,17  
89:18,22 101:25  
102:3,6 103:21,22  
105:3,5,5 113:6,19,20  
114:2 120:24 121:2,8  
121:25 122:23 123:4  
123:16 124:8 140:11  
147:4,7 148:21 150:2  
153:21 160:2 170:21  
171:6 172:15,18  
173:10 181:1 182:4  
183:18  
**witness's** 89:23 104:5

**witnesses** 6:22 7:1,5,18  
10:22 11:7 12:3,9,23  
15:9 19:5,11 21:13  
22:1 23:9,13 24:15,17  
25:13,17 26:20,24  
27:1,2,8,11 31:7,13  
32:12,16,20 33:5,10  
33:13 36:24 37:19,20  
37:22 38:7,8 44:18,20  
45:2,15,20,21 48:21  
48:23,23 49:6,9,18,19  
50:2,5,8 51:2 104:22  
123:1 183:18 252:12

**witnesses'** 31:8

**wonder** 138:23

**wondering** 259:6

**word** 29:12 154:23

**words** 70:5 111:23

**work** 10:17 15:6 54:5

107:3,6 134:23

135:22 144:23 153:10

157:20 158:10,12

249:23 254:22 258:4

**worked** 29:5 35:20

43:13 72:12 173:25

**working** 40:13 47:8

125:8 133:2 145:9

**works** 216:6

**world** 51:12 127:7,9,10

**worldwide** 74:3

**worry** 89:6,12

**worst** 135:21

**worth** 242:13,18,23

**wouldn't** 94:13 114:12

219:7 255:3

**wow** 151:22

**wrapping** 251:24

**write** 26:25 256:4,5

258:7

**writes** 234:10 253:19

**writing** 14:24

**written** 19:20 25:3

26:20 78:9 148:4

242:10

**wrong** 40:20 122:16

145:23 169:18,22,23

200:9 211:19

**wrote** 122:16 185:15

200:2

---

## X

---



---

## Y

---

**yard** 233:19

**yards** 41:19

**year** 117:6 119:20

139:18,19 144:6

157:25

**year's** 54:20

**years** 27:17 30:6 41:25

44:12 52:17 55:10

72:11,14 73:19

125:24 127:6 132:23

135:13,14 145:12

152:21 157:16 158:11

161:5,15,15,23

168:14 172:6,8 174:2

174:25 175:20 179:3

179:4 197:3 230:16

230:18

**years'** 125:6

**yellow** 243:18

**Yelp** 73:23 146:1

**yesterday** 23:22,23

**York** 125:9

---

## Z

---

**Zenex** 154:19

**zero** 32:8 33:20 165:11

245:21 247:10,16

**zoning** 136:24,25

148:14,15 150:25

**zoom** 95:17

---

## 0

---

**0064** 228:3 232:5,19

243:17 244:14 245:16

245:17

**0819** 230:14 232:5

**0842** 52:22 53:16

140:20 143:21

---

## 1

---

**1's** 112:13

**1/21/2005** 188:10 194:3

**1/28/15** 243:17

**1:30** 254:14

**1:40** 4:2

**10** 65:17 85:19,21,22

204:21 206:10 248:16

248:18 249:1 251:3

251:10

**10-minute** 183:6 251:6

**10-rooms** 162:2

**10/15/2014** 241:12

**10/20/2014** 225:11

229:23 230:7

**10:00** 41:18 75:18

**10:30** 75:17

**100** 145:25 218:21,21

**1039** 57:22

**1061** 161:17

**1063** 1:7 5:18 15:13

18:20 52:21 53:15

54:12,19 57:24 81:14

82:17,24,25 83:1,14

83:20 87:6,21,24 90:3

90:7,12 107:13

111:17 112:6 116:7

119:23 120:3,10

121:12,21 138:16

139:10 146:16 147:2

198:10 223:11 224:1

224:5 225:13 226:2,3

228:2 231:9 232:2,12

239:3 243:19 244:21

249:16

**1063-1065** 58:9 64:9

**1065** 5:18 17:16,24

18:20 52:21 53:15

54:13,19,23 55:6

67:20 81:14 82:17,18

82:20 84:15 85:2,4

86:5,23 98:1 107:14

119:23 120:3 121:11

121:16,18,20 138:17

139:10 147:2 198:11

213:7,13 223:12,25

224:5 225:13,14,24

228:7 230:7 231:9

232:2,13 239:3

244:21 249:16

**10th** 6:1 62:22

**11** 65:21 69:16 84:10,11

84:17,25 85:13,21

86:4 175:20 206:12

**11:00** 75:16,18

**11:48** 45:4

**1189** 52:23

**1198** 53:17 140:20

141:21 228:2 230:14

232:19 243:18 245:16

245:17

**11th** 6:6 10:11,13

**12** 55:1 65:24 84:11,25

85:21 86:7 174:2

179:3

**1200** 58:9 65:7

**123** 3:16

**13** 5:24 62:23 65:25

67:9 84:10,11,17,25

85:14,20,21 86:22,22

**13th** 13:17,18,21 34:4,9

34:11,13 37:6 45:4

**14** 66:1 87:1,8,9,9 88:6

**14th** 1:14 13:13,22

19:13 20:2 34:9 61:18

**15** 66:2 87:12 161:15

233:19,21

**15.5** 233:22

**150** 3:17 116:13

**15th** 7:8

**16** 66:4 87:15,16 125:7

**17** 58:15 66:5 87:18,20

172 3:18  
 18 66:6 87:23 115:15  
 242:4 245:21 247:10  
 247:17  
 182 3:19  
 18th 37:7 248:23,25  
 19 66:7 87:22,22 90:2  
 229:25 230:1  
 19-PRO-00033 1:8 4:4  
 260:3,6  
 1965 158:3  
 1970 125:7  
 1981 18:25  
 19th 24:8 62:21

---

**2**


---

2 57:19 65:1 81:8 82:15  
 82:15 110:6 184:6,12  
 184:14,24,25 185:10  
 185:11,21,22,23,24  
 186:7,9,10,11,19,20  
 187:7,24,25 192:12  
 194:18 197:8,13  
 213:15 214:21 216:20  
 217:13,16 219:21,23  
 219:25 220:3,3,5,8,9  
 220:12,20,21 221:11  
 221:11 229:7 233:20  
 234:3 241:11 243:4  
 243:10  
 2:05 26:8  
 2:13 26:9  
 20 1:12 58:15 66:8 90:5  
 123:5 220:2,13,21  
 20.00 108:16 109:6  
 200 73:19  
 2000 1:14 175:1  
 20007 161:2  
 20009 1:15  
 2009 196:10 205:18  
 221:25 222:25 226:3  
 242:5  
 2013 6:1 204:23 241:9  
 241:20  
 2014 194:10 197:18  
 198:7,22 230:20  
 231:12,12,15  
 2015 194:10 231:20  
 244:8  
 2016 204:23 249:12  
 2018 148:2 213:15  
 231:18,21  
 2019 1:12 5:22,24 6:2,4  
 6:6,7 7:8 45:4 57:7  
 59:1 61:18 62:21,22  
 196:7 197:1 198:24  
 232:12  
 21 62:20,23 66:23 67:1

22 58:16 90:9 116:12,12  
 22nd 14:2,21 15:5  
 19:17,19,24  
 23 66:8 69:24 87:1,2,3,4  
 88:7 90:9 116:12  
 23rd 6:7  
 24 66:10,12 90:19,23,24  
 91:20 92:5,11  
 25 66:13 92:14 241:9,20  
 25- 54:14  
 25-205 55:15  
 25-301 25:22 29:17  
 52:15 155:9 189:2

25-443 24:23  
 25-443(c) 25:1

25-725 58:22  
 25-726 58:22  
 25-762 55:2  
 2500 158:3  
 252 3:23  
 253 3:24  
 25301 142:13  
 2574B 259:25 260:25  
 2574B-13 260:8  
 2574B4 260:5  
 26 66:14 90:25  
 26th 59:1 65:21  
 27 66:18 91:2 96:6  
 28 91:3 116:17 245:24  
 28.5 244:15  
 28.5- 247:4  
 28.58 245:18  
 28th 6:4  
 29 5:22 91:5,6 94:15  
 116:18,20,21 158:13  
 29th 57:7  
 2B 213:23  
 2E 1:7 5:23 58:5 65:2

---

**3**


---

3 48:4 65:2 81:9 82:23  
 82:23 111:17 112:7  
 114:5 217:19 221:20  
 229:12,14,19,20  
 233:11 234:2,3 235:1  
 3's 112:14  
 3:39 104:17  
 3:46 104:18  
 30 44:12 91:8,9 94:21  
 174:25 257:9,13  
 300 74:4  
 3075 59:3  
 31 58:12 95:7 116:19,20  
 116:21  
 31st 1:7 5:18 6:2 15:13  
 17:16,24 18:20 52:21  
 53:15 54:12,14,19,19  
 54:23 55:6 57:22,25

58:9 64:9 67:20  
 107:14 111:18 126:24  
 131:7,10 138:17  
 156:2 157:21 161:17  
 162:19,23 163:4,20  
 163:25 166:3,4  
 174:23 175:8 177:3  
 213:7,13 223:25  
 224:1 225:24 226:4  
 228:2,7 230:7 231:9  
 232:2,13 243:19  
 252:18

32 90:19 91:12,15,16,20  
 95:11,23

3212 161:1

33 97:23 98:4,22 117:2  
 118:7 158:11 230:18

34 98:7 99:6 117:2  
 118:7

35 98:15 161:15

36 97:23 98:18,22 99:6  
 118:11,25 245:21

247:10,16,18

3602 124:14

36th 158:22

37 99:18,20 100:1

101:18 119:22

38 99:21

39 99:19,23,25 100:1

101:18 104:12,13  
 131:13

---

**4**


---

4 65:5 81:9 83:3 114:21  
 115:4,8 116:3 127:8

222:22 233:13,15,25  
 234:2,3

4:30 49:3 89:5

4:56 20:2

40 58:8,11,14

400 65:11

400S 1:15

4th 19:22,25

---

**5**


---

5 65:6 81:9 83:3,4,12,18  
 158:12 184:25 185:24

186:9,13 220:16

223:5 234:5,7,8,18,23

234:24,25 240:16,18

240:25 241:2,11

5.5 233:19

5:09 183:13

5:24 183:14

50 3:11 41:19 74:24

125:6 127:6 135:13

224:15,18 225:11,20

225:21 226:8 227:21

51 225:20,21 226:8  
 52 3:12 226:2,8  
 53 227:17,18,23  
 55 136:11,12,14

---

**6**


---

6 65:8 81:9 83:19  
 223:18,19 234:12

241:4,7,8 245:19

6/12 148:4

6/9/18 148:3,4 235:6

6:42 251:12

6:43 250:19

60 74:24

639 243:21

66 135:14 145:25

---

**7**


---

7 65:12 67:19 68:10

81:9 217:19 243:13

243:14 245:9,11,15

245:19,21 246:7

248:8

7:04 251:13

7:10 254:14

7:16 261:6

70 74:1 127:9 157:16

71 3:15 243:21 244:11

244:16 245:16,18,23

71-foot 247:2

762 54:15

---

**8**


---

8 65:14 81:9 83:23

223:18,20

8/1/2019 195:23

83707 1:8 4:5

84 141:6

842 141:12,21

8th 47:23

---

**9**


---

9 65:15 80:23,25 81:1,2

81:6,9,17 84:4,5

232:12 243:20 244:11

9/22/14 188:10,10 194:3

194:3

9/22/15 186:14

9/22/2014 196:5

9:00 182:22 183:5

90 48:25 49:2,3 123:10

125:15,17 173:1,7

182:6,8,12,16

90- 125:12

92 41:25

C E R T I F I C A T E

This is to certify that the foregoing transcript


In the matter of: Il Canale

Before: DCABRA

Date: 11-20-19

Place: Washington, DC

was duly recorded and accurately transcribed under  
my direction; further, that said transcript is a  
true and accurate record of the proceedings.

  
-----  
Court Reporter

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701