

IN THE MATTER OF: :

The Gold Room Bar & :
Lounge, LLC, :
t/a The Gold Room Bar & :
Lounge :
1370 H Street NE : Fact Finding
Retailer CT - ANC 6A : Hearing
License No. 114757 :
Case #19-CMP-00163 :
(Application for a New :
License) :

Wednesday
October 2, 2019

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Donovan W. Anderson, presiding.

DONOVAN W. ANDERSON, Chairperson
RAFI ALIYA CROCKETT, Member
BOBBY CATO, JR., Member
JAMES SHORT, Member
REMA WAHABZADAH, Member

INVESTIGATOR KEVIN PUENTE, ABRA
RICHARD BIANCO, COUNSEL FOR APPLICANT
RENEE GOINS, APPLICANT
NORRIS GOINS, APPLICANT
SERGEANT TRACY KENNIE, DC MPD

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

STATEMENTS

Investigator Kevin Puente. . . . .	.12
Sergeant Tracy Kennie. . . . .	.19
Richard Bianco, Attorney . . . . .	.24
Renee Goins, Applicant . . . . .	.44

VIDEOS PLAYED

Video 1. . . . .	.14
Video 2. . . . .	.15
Video 3. . . . .	.16
Video 1 Replayed . . . . .	.22
Video 2 Replayed . . . . .	.23
Video 3 Replayed . . . . .	.23

QUESTIONS:

Board. . . . .	.42
Investigator Puente. . . . .	.50

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

2 11:08 a.m.

3 CHAIRPERSON ANDERSON: All right. We
4 are back on the record. Our next case is a Fact-
5 Finding Hearing, Case No. 19-CMP-00163, The Gold
6 Room Bar & Lounge, License No. 114757.

7 Would all parties having matters on
8 this case, please, move forward, please?

9 There is a sign-in sheet. Could you,
10 please, sign-in? Identify yourself for the
11 record and sign-in. Let's start with the
12 Investigator.

13 INVESTIGATOR PUENTE: Kevin Puente.

14 CHAIRPERSON ANDERSON: Good afternoon,
15 Mr. Puente.

16 MR. BIANCO: Good morning, Mr. Chair.

17 CHAIRPERSON ANDERSON: I'm sorry, good
18 morning, Mr. Puente.

19 MR. BIANCO: Members of the Board, my
20 name is Richard Bianco and I represent the
21 applicant in this case.

22 CHAIRPERSON ANDERSON: Good morning,
23 Mr. Bianco.

24 MR. BIANCO: And present and to my
25 left is Renee Goins, who is the owner of the

1 applicant entity, and to her immediate left is
2 her son, Norris Goins, who is one of the managers
3 of the establishment.

4 CHAIRPERSON ANDERSON: Goins?

5 MR. BIANCO: Goins, G-O-I-N-S.

6 CHAIRPERSON ANDERSON: All right.

7 Thank you. Good morning.

8 Good morning, Mr. Bianco, Ms. Goins
9 and Mr. Goins.

10 All right. One of the reasons why we
11 have a Fact-Finding Hearing, and I know that you
12 had recently applied for a TORP and the ANC had
13 signed-off on it. And normally this is something
14 that the Board would sign-off on, but there is
15 some information that was brought to our
16 attention that gave us pause.

17 And what basically gave us pause is
18 that it's my understanding that although the
19 establishment did not have a license, that the
20 establishment was operating. And that so the
21 Board is concerned that if you are not provided a
22 license and you are operating without a license,
23 and I believe it is from the Post and social
24 media, we are just concerned what authority did
25 the establishment utilize to operate?

1 What authority? Where did the
2 establishment purchase the alcohol from? And is
3 the place still in business? I'm not sure if we
4 issued a Cease & Desist Order. I don't recall.
5 I'm not -- off the top of my head, I'm not -- you
6 know what, let me -- hold on one minute.

7 Yeah, I believe we do. Hold on, I
8 have something, let me -- hold on one minute
9 first. All right. I'm sorry, I have some
10 prepared statements to make, so I apologize.

11 Good morning, everyone.

12 AUDIENCE: Good morning.

13 CHAIRPERSON ANDERSON: No, wrong one.
14 No, I don't have any prepared statement for this
15 particular case, but anyway, so I stand
16 corrected.

17 And so the Board is concerned. The
18 Board is concerned, as I stated before, that you
19 are not operate -- you weren't licensed to
20 operate and you have operated and now the Board
21 has -- and so we were forced to issue a Cease &
22 Desist Order to inform you that you can't
23 operate.

24 So and I guess it's -- pursuant to the
25 Cease & Desist Order is this place still

1 operating as of today?

2 MR. BIANCO: It's not and it wasn't.

3 CHAIRPERSON ANDERSON: Okay. Well, we
4 can get some response.

5 Now, this is a Fact-Finding Hearing.
6 It's an informal hearing. The Board is gathering
7 information. We can't order you to do anything
8 at a Fact-Finding Hearing. We can suggest that
9 you do certain things. You can state that you
10 are not going to do it. It does not -- and I'm
11 saying this, ma'am, when I said it's a Fact-
12 Finding Hearing, legally, the Board cannot order
13 you to do anything at a Fact-Finding Hearing.
14 I'm just -- and your lawyer can share that with
15 you.

16 And I'm also saying that you also have
17 the right not to, if we ask you to do something,
18 you can -- you also have the right not to do it,
19 because we can't order you and that should not
20 have any impact on any decision that the Board
21 makes, because, as I said, it's an informal
22 proceeding.

23 The Board has not -- and I'll say this
24 up front. We have not made any determination to
25 say that -- yes, I know we issued a Cease &

1 Desist Order, but as far as to say that there is
2 a violation occur, for us to refer the matter
3 over to the Office of Attorney General's Office,
4 we have not made any decision.

5 Because I -- so if we had done that,
6 I would have said to you that we are going to
7 have a Show Cause Hearing and so, therefore,
8 because no one is under oath, so I'm just saying
9 we have not made that determination whether or
10 not there is a violation for us to refer the case
11 over.

12 We are gathering information and at
13 the end of the hearing, the Board will listen and
14 then we will make a determination what the next
15 steps are. Okay.

16 And so what we will do is then we will
17 start with Investigator Puente, who can just
18 bring us up to speed why is it that the Agency
19 thought that it was necessary to bring this
20 matter, bring you in for a Fact-Finding Hearing
21 since we are -- you are a new entity and there
22 are some concerns and we want to make sure that
23 if the Board decides to grant you a hearing --
24 I'm sorry, a license, that this will be the first
25 and the last time that we will ever see you.

1 Because of -- I tell people when I see
2 you, it's never a good thing and you haven't even
3 had a license yet and I'm seeing you. So that's
4 generally not a good thing unless -- we just said
5 unless you just want to -- unless you are
6 proposing to us something novel that we have
7 never seen before.

8 So it's like, you know, that's a novel
9 idea, let me bring these folks in for them to
10 explain to us what this idea is and we have done
11 that before. I think one day someone applied for
12 a license, he had an ice cream truck, and we
13 thought the license that he was applying for was
14 to sell alcohol while he was driving his truck.
15 I'm serious.

16 We thought that the license that he
17 was asking for was to sell alcohol while he was
18 driving an ice cream truck down the street. But
19 once he came in, he explained to us that was not
20 the idea, because of course we would not approve
21 a license to an ice cream truck that you are
22 going to pull up in someone's front yard or with
23 little kids and sell liquor.

24 So I'm just saying, I'm just giving an
25 example. Okay?

1 MR. BIANCO: Sure.

2 CHAIRPERSON ANDERSON: All right. Go
3 ahead, Mr. Puente.

4 MR. BIANCO: Mr. Chairman?

5 CHAIRPERSON ANDERSON: Yes, Mr. --

6 MR. BIANCO: I did have a procedural
7 question that I wanted to raise.

8 CHAIRPERSON ANDERSON: Yes, sir.

9 MR. BIANCO: Just before we start
10 with --

11 CHAIRPERSON ANDERSON: What is that,
12 sir?

13 MR. BIANCO: -- Investigator Puente.
14 Specifically, it's with respect to the video that
15 I assume, Inspector Puente, Investigator Puente
16 is going to show. There are three -- the first
17 three exhibits listed as attached to the case
18 report are copies of a video. They were not
19 served with the case report as required. I
20 requested them from legal earlier in the week and
21 was told that I had to get them from my client.

22 So I spent some time with my client
23 scouring his -- their social media account and I
24 believe that I have identified and seen the
25 videos, but when I came in this morning a little

1 bit early and asked to confirm that the videos
2 being shown are, in fact, the videos that I was
3 able to mine from my client's social media
4 account. I was told no that I could not say
5 that.

6 And I have a procedural concern with
7 the Board seeing something that should have been
8 served on us was not and I don't have the
9 opportunity to look at it before it is being
10 presented here.

11 CHAIRPERSON ANDERSON: But the Board
12 hasn't seen the videos, so I'll --

13 MR. BIANCO: I understand that.

14 CHAIRPERSON ANDERSON: -- say that,
15 the Board hasn't seen the video. And I'll say
16 that I have not read at least I don't recall if I
17 have read this case report prior to presentation.
18 So I don't know what video. If there is going to
19 be a video, because I have not seen it.

20 And again, it's a Fact-Finding
21 Hearing, so --

22 MR. BIANCO: Sure.

23 CHAIRPERSON ANDERSON: -- I don't
24 believe that -- and I'm not aware of your request
25 and who is it that you spoke to regarding the

1 video?

2 MR. BIANCO: Martha Jenkins.

3 CHAIRPERSON ANDERSON: Fine.

4 Unfortunately, she is out of the office until
5 this afternoon, so I cannot consult with her and
6 I'm not sure.

7 MR. BIANCO: And just to be clear, I'm
8 not looking to dissect the video. I just wanted
9 to confirm it is what I have seen.

10 CHAIRPERSON ANDERSON: I don't know
11 the video and I don't know what the video is, but
12 if -- but I'll have to wait for the Investigator
13 to go through his report and to talk about the
14 video and maybe you can, during that, question
15 him to get some clarification on the video or
16 whatever video that is being presented.

17 MR. BIANCO: Very well. I mean, I
18 don't want to make it overly adversarial. I just
19 want to confirm that nothing new, that there is
20 not any surprises.

21 CHAIRPERSON ANDERSON: I don't know
22 what the video is and I believe that once Mr.
23 Puente testifies, if he is going to bring a
24 video, then you are welcome to ask him about the
25 video, but I'm not -- I don't know whether or not

1 that will be presented today.

2 I believe that someone has joined us.
3 Sir, can you identify yourself for the record,
4 please?

5 SERGEANT KENNIE: Good morning, sir.
6 I'm Sergeant Tracy Kennie, Metropolitan Police
7 Department, 1st District.

8 CHAIRPERSON ANDERSON: Sergeant
9 Kennie?

10 SERGEANT KENNIE: Yes, sir.

11 CHAIRPERSON ANDERSON: Your last name?

12 SERGEANT KENNIE: K-E-N-N-I-E.

13 CHAIRPERSON ANDERSON: Kennie. Okay.
14 All right. All right.

15 All right. Mr. Puente, what can you
16 provide to us?

17 INVESTIGATOR PUENTE: Yes, so on
18 Thursday, September 5th, ABRA received a telephone
19 call from MPD concerning the placards that were
20 just posted on The Gold Room Bar & Lounge on H
21 Street. They advised us they saw the name of the
22 agent listed on the placard, which was Norris
23 Goins.

24 They had concerns because there was
25 another individual named D'Norris Goins, who they

1 believe is related to Mr. Goins, and they
2 believed that individual is a well-known criminal
3 in the area. He is alleged in some other
4 shootings and stuff the week prior, so they were
5 concerned that he might be at the establishment.

6 Officers advised us that they also
7 seen his car out front several times, so they
8 wanted to bring it to our attention that they are
9 concerned that there might be possible gang
10 activity and violence coming to that
11 establishment. They wanted us to keep an eye on
12 it.

13 So since that phone call, we have been
14 monitoring the establishment and we have been
15 monitoring social media as well. And on
16 Wednesday, September 18th, we saw a video that was
17 posted on The Gold Room Bar & Lounge's Instagram
18 page showing a bar that looked like it was
19 stocked already.

20 I checked ABRA records which showed
21 that they did not have an ABC License yet, that
22 it was still in the placard period.

23 On Wednesday, September 18th, we did
24 another check of social media and we saw -- found
25 several videos on Instagram as well of

1 individuals in there that night prior on Tuesday,
2 September 17th. There was a bartender that
3 appeared. There was a fully stocked bar, a
4 bartender pouring shots, a DJ playing music,
5 people dancing.

6 MPD called us again, they advised us
7 that D'Norris Goins was possibly the brother of
8 Norris Goins and that he had several felonies and
9 he has one pending case going on right now in
10 D.C. Court, so he just wanted to bring it to our
11 attention to ensure that we are aware.

12 On the videos that I did find, I'll
13 show you.

14 (Video 1 Played)

15 INVESTIGATOR PUENTE: So this is the
16 first video that was posted on Wednesday,
17 September 18, showing the establishment.

18 (Video 1 Played Paused)

19 CHAIRPERSON ANDERSON: And where is
20 this video from?

21 INVESTIGATOR PUENTE: Gold Room Bar &
22 Lounge.

23 CHAIRPERSON ANDERSON: No, but where--

24 INVESTIGATOR PUENTE: Instagram.

25 CHAIRPERSON ANDERSON: Oh.

1 INVESTIGATOR PUENTE: I took the
2 video.

3 CHAIRPERSON ANDERSON: Oh, you took
4 the video.

5 INVESTIGATOR PUENTE: Yeah, off my
6 computer.

7 CHAIRPERSON ANDERSON: Oh, it was from
8 Instagram.

9 INVESTIGATOR PUENTE: Yeah.

10 CHAIRPERSON ANDERSON: Okay.

11 (Video 1 Played)

12 INVESTIGATOR PUENTE: You can see
13 right when the video starts, they show a shot of
14 the bar. And you will see that the bar already
15 has the liquor on it, the liquor bottles, right
16 there.

17 (Video 1 Stopped)

18 INVESTIGATOR PUENTE: So the other two
19 videos are from Tuesday, September 17.

20 (Video 2 Played)

21 INVESTIGATOR PUENTE: They were live
22 videos. They were out there for 24 hours.
23 People were posting on Instagram, tagging the
24 club as well as people, so you can tell people
25 are doing a toast with what appears to be alcohol

1 and there are bottles open on the bar.

2 CHAIRPERSON ANDERSON: And what was
3 the date?

4 INVESTIGATOR PUENTE: Oh, this was
5 Tuesday, September 18th at nighttime.

6 CHAIRPERSON ANDERSON: September?

7 INVESTIGATOR PUENTE: Yes.

8 CHAIRPERSON ANDERSON: Okay. 2018?

9 INVESTIGATOR PUENTE: 2019.

10 CHAIRPERSON ANDERSON: I'm sorry,
11 2019. Oh, recently?

12 INVESTIGATOR PUENTE: Yes.

13 MEMBER SHORT: What day, September?

14 INVESTIGATOR PUENTE: Tuesday,
15 September 17, 2019.

16 CHAIRPERSON ANDERSON: Okay.

17 (Video 2 Stopped)

18 INVESTIGATOR PUENTE: And the third
19 video is from other people tagging the club.

20 (Video 3 Played)

21 INVESTIGATOR PUENTE: It's showing the
22 bartender behind it pouring drinks.

23 CHAIRPERSON ANDERSON: And again, what
24 date was this?

25 INVESTIGATOR PUENTE: Tuesday,

1 September 17th.

2 CHAIRPERSON ANDERSON: Okay. Okay.

3 (Video 3 Stopped)

4 CHAIRPERSON ANDERSON: So how do you
5 know it was -- this is from this particular
6 establishment? It could be --

7 INVESTIGATOR PUENTE: Based off the
8 videos that Gold Room posted on their page where
9 they showed the upstairs area, it matches what is
10 on the Gold Room's actual Instagram page and
11 their videos that they posted.

12 CHAIRPERSON ANDERSON: What do you
13 mean? Repeat that.

14 INVESTIGATOR PUENTE: It means on Gold
15 Room Bar & Lounge's Instagram page, they are
16 showing like a tour of the establishment. And so
17 the videos matched what was on -- the same decor,
18 color, everything, The Gold Room logo on the
19 wall, the same layout as what they posted.

20 CHAIRPERSON ANDERSON: And it's the
21 same address or could it be another Gold Room in
22 some other part of the country?

23 INVESTIGATOR PUENTE: I'm 100 percent
24 sure that's the same Gold Room in Washington,
25 D.C.

1 CHAIRPERSON ANDERSON: Anything else?
2 So do you know -- so this was September 18th.

3 INVESTIGATOR PUENTE: Tuesday,
4 September 17th.

5 CHAIRPERSON ANDERSON: I'm sorry,
6 September 17th, so we are now at October 1st. Do
7 you know whether or not there has been any other
8 events at this location?

9 INVESTIGATOR PUENTE: Not since then.
10 They got a caterer, I believe, for the last --
11 since H Street Fest. They had a caterer
12 operating. ABRA Investigators went out there to
13 check to make sure everything was compliant and
14 everything was.

15 CHAIRPERSON ANDERSON: So they have
16 been operating with a caterer subsequent to that?

17 INVESTIGATOR PUENTE: Yes.

18 CHAIRPERSON ANDERSON: Do you have
19 anything else you want to say?

20 INVESTIGATOR PUENTE: That's all I
21 have.

22 CHAIRPERSON ANDERSON: Sergeant
23 Kennie?

24 SERGEANT KENNIE: Yes, sir.

25 CHAIRPERSON ANDERSON: Can you tell us

1 why you are here today, please, sir?

2 SERGEANT KENNIE: I am here
3 representing, I guess, the gentlemen who -- the
4 officers, I guess who brought the complaint. I
5 have no firsthand knowledge, only what is --

6 CHAIRPERSON ANDERSON: So what's the
7 complaint?

8 SERGEANT KENNIE: The complaint was
9 just what Mr. -- I'm sorry.

10 CHAIRPERSON ANDERSON: Puente.

11 SERGEANT KENNIE: Mr. Puente said in
12 reference to the concerns that the Police
13 Department had. It may have future illicit
14 activity at the club.

15 I also want to state full disclosure.
16 I'm actually friends with Ms. Goins -- one of Ms.
17 Goins' sons, who is a D.C. Police Officer.

18 CHAIRPERSON ANDERSON: Okay.

19 SERGEANT KENNIE: And pretty much what
20 I have here is just what the complaint --

21 CHAIRPERSON ANDERSON: And what is it
22 that the complaint is, sir?

23 SERGEANT KENNIE: Well, they were
24 operating without a license. And that with the
25 fear of, I guess, one of the brothers, whom I do

1 not know, may be involved in some other illicit
2 activity. But again, I have no firsthand
3 knowledge of any of this stuff.

4 CHAIRPERSON ANDERSON: Well, I know
5 you stated that you -- and I'm going to ask for
6 clarification. So he said you knew the mom, the
7 licensee that is here. Do you know --

8 SERGEANT KENNIE: No, no, no, not the
9 licensee.

10 CHAIRPERSON ANDERSON: I'm sorry, who
11 is it you said you know?

12 MS. GOINS: A son.

13 SERGEANT KENNIE: Ms. Goins has
14 another son that is a part of the Metropolitan
15 Police Department.

16 CHAIRPERSON ANDERSON: Okay. So you
17 know --

18 SERGEANT KENNIE: I'm friends with
19 him.

20 CHAIRPERSON ANDERSON: Based on your--
21 all right. All right. I'm not going to -- all
22 right. I thought you said you knew -- all right,
23 so I'm not going to --

24 SERGEANT KENNIE: No, I just wanted to
25 disclose that.

1 CHAIRPERSON ANDERSON: Oh, no, no, no,
2 I was going to ask you another question, but
3 that's going too far, based on I thought you knew
4 her, not the son. So I was going to ask you
5 about who else you knew, but don't worry about
6 that.

7 SERGEANT KENNIE: Oh, okay.

8 CHAIRPERSON ANDERSON: All right. All
9 right. Mr. Bianco, I guess first and foremost,
10 is this a video that we are talking about?

11 MR. BIANCO: The first two videos I
12 have seen and I am prepared to address.

13 CHAIRPERSON ANDERSON: All right.

14 MR. BIANCO: The third is new to me.

15 CHAIRPERSON ANDERSON: What was the
16 third video?

17 MR. BIANCO: The third video was the
18 video of somebody standing behind a bar pouring
19 into a tower of glasses.

20 CHAIRPERSON ANDERSON: What did the
21 first two videos show, Mr. Puente?

22 INVESTIGATOR PUENTE: People toasting
23 alcoholic drinks. The first video showed like a
24 tour of the second floor.

25 CHAIRPERSON ANDERSON: So what's the

1 difference from -- Mr. Bianco, so what's the
2 difference between first and the third video
3 then?

4 MR. BIANCO: Well, the first video was
5 showing an empty room.

6 CHAIRPERSON ANDERSON: But I thought
7 Mr. Puente said that the first video showed --
8 let's see the first video again, please.

9 (Video 1 Replayed)

10 CHAIRPERSON ANDERSON: So the first
11 video shows? And what is it that the first video
12 is supposed to show, Mr. Puente?

13 INVESTIGATOR PUENTE: When it goes
14 around the room, you will see the bar and it
15 appears that -- the bar appears to be already
16 stocked with alcohol.

17 CHAIRPERSON ANDERSON: Fine.

18 (Video 1 Stopped)

19 CHAIRPERSON ANDERSON: What is the
20 second video?

21 INVESTIGATOR PUENTE: It shows people
22 inside there with alcoholic drinks.

23 CHAIRPERSON ANDERSON: That's the
24 second video?

25 INVESTIGATOR PUENTE: Yes.

1 CHAIRPERSON ANDERSON: Let's see it.

2 Let's look at the second video again, please.

3 (Video 2 Replayed/Stopped)

4 CHAIRPERSON ANDERSON: All right. So
5 what's the third video?

6 INVESTIGATOR PUENTE: The third video
7 shows people with alcoholic drinks. The
8 bartender making the drinks.

9 (Video 3 Replayed/Stopped)

10 CHAIRPERSON ANDERSON: All right. So,
11 Mr. Bianco, you said you have seen the first and
12 the second video. You have not seen the third
13 video?

14 MR. BIANCO: And all I would ask with
15 respect to the third video, I'm happy to address
16 the first and the second. I would just like a
17 brief moment to confer with my client before
18 addressing the third, so I can just confirm the
19 contents.

20 CHAIRPERSON ANDERSON: Sure.

21 MR. BIANCO: Okay. So --

22 CHAIRPERSON ANDERSON: No, I thought
23 you -- do you need to take a break to confer with
24 him now or are you -- if you need a break to
25 speak with him, you can.

1 MR. BIANCO: I would very much like
2 that, yes.

3 CHAIRPERSON ANDERSON: Then we can --
4 we are off the record for about two minutes.

5 MR. BIANCO: Thank you very much. I
6 really appreciate it.

7 (Whereupon, the above-entitled matter
8 went off the record at 11:30 a.m. and resumed at
9 11:33 a.m.)

10 CHAIRPERSON ANDERSON: All right. We
11 are back on the record. Yes, sir. Go ahead.

12 MR. BIANCO: So there is really two
13 sets of allegations here, one being with respect
14 to the establishment operating and the second
15 being with respect to a criminal record of one of
16 Ms. Goins' sons, D'Norris, who is not
17 operationally involved.

18 So let's address the first set of
19 allegations first with respect to the
20 establishment operating. The Instagram videos
21 posted were not taken while the establishment was
22 operating. They were taken during an employee
23 training event. These -- the people that were in
24 the establishment were not patrons or members of
25 the public or therefore a private party of any

1 kind.

2 The establishment, as you mentioned,
3 was set to receive a stipulated license. I don't
4 think it was a TORP. I believe it's a stipulated
5 and they were ramping up for their opening, which
6 they anticipated to be on September 25th until it
7 was derailed by the Cease & Desist.

8 So they were training staff. They
9 were training bartenders. And the first video is
10 a video of the third floor of the establishment.
11 So the establishment is comprised of three
12 floors. The third floor of the establishment has
13 a bar and we saw in the right corner of the video
14 a quick flash at the beginning of a bar that
15 appeared to have glassware or bottles behind it
16 and there was. They were not bottles of alcohol.

17 What was on -- what was behind the bar
18 and we have photos, if the Board cares to view
19 them, what was behind the bar were empty bottles,
20 not commercial liquor bottles, but empty
21 decanters and other types of bottles and
22 decorative crystal, gold and white pineapples
23 that have now been distributed on the tables on
24 the bar. And we have stills of the same if the
25 Board wishes to review those.

1 That said, we are not going to deny
2 that there was alcohol in the establishment
3 during the employee training events.

4 And the second video which showed
5 several people, all employees, toasting was taken
6 early morning, right around midnight on September
7 the 18th. And what they were toasting with is the
8 -- was the then flat champagne that they had been
9 training with earlier in the day, which was
10 brought, not from a liquor store, but it was
11 brought from the homes of the owners and family
12 members to train staff with.

13 And it was Mr. Norris Goins' birthday
14 on September the 18th and Ms. Renee Goins'
15 anniversary. So at the conclusion of the staff
16 training, they toasted innocently Mr. Goins'
17 birthday and Ms. Goins' anniversary.

18 And the third video was not taken on
19 the third floor bar, but on the second floor bar
20 and again was part of the staff training
21 specifically, so the particular bartender shown
22 in the picture could learn how to pour alcohol
23 into a tower of shots as was -- appeared to be
24 going on in the picture.

25 The videos did show a DJ and there was

1 a DJ there. And the reason why there was a DJ
2 there is because the DJ is an in-house employee
3 as well and the DJ was training and the DJ was
4 actually training with an experienced DJ from
5 WPGC, who was teaching their in-house DJ the best
6 way to do his job.

7 So the training event was meant to
8 simulate conditions of the establishment being
9 open, which is the reason for the video. Social
10 media media as we all know is not always reality.
11 And I think the perception that the establishment
12 was open and operating is inaccurate and
13 inaccurately depicted in the photos.

14 But we are not going to fight and say
15 you can't prove there is alcohol on the premises.
16 We believe and in speaking with my clients, they
17 very strongly believe that we don't want to start
18 off by coming in and playing hide the ball with
19 the Board. We don't want to come in and appear
20 dishonest. We just want to put the cards on the
21 table.

22 This is what was going on. There was
23 alcohol in the establishment. There was a
24 champagne toast in the establishment. It was not
25 operating.

1 All right. During the H Street
2 Festival, they were open. They were operating.
3 They were operating with a caterer. ABRA
4 Investigators came to the establishment. They
5 were investigated extensively on that day and
6 found to be operating legally. It's the only
7 time they used the caterer. It's the only time
8 they were actively open.

9 The only portion of the premises at
10 this point that is actively operating is the
11 first floor, which does not have a bar, does not
12 have any alcohol. It is a take-out food
13 establishment with a kitchen. It doesn't have
14 seating. It is counter service only. And it is
15 separated from the rest of the premises, which is
16 located on the second floor, the third floor and
17 a rooftop deck.

18 So that is the state of affairs of the
19 establishment, right now it's closed.

20 With respect to the second set of
21 allegations, which is the criminal troubles that
22 Mr. D'Norris Goins has, it's unfortunate that he
23 is going through that, but we don't deny that he
24 has had trouble with the law in the past and
25 there are some pending cases.

1 What is very important here is that
2 D'Norris Goins is not part of the operation of
3 this establishment. He is Ms. Goins' son. She
4 loves her son. Her son may be at the
5 establishment, but her son isn't running it. Her
6 son is not serving alcohol. Her son is not
7 employed. He doesn't have any managerial
8 responsibility. He has no financial stake and
9 other than being Ms. Goins' son, he has no
10 meaningful contact with this establishment.

11 We understand the concern that MPD
12 has, based on his history, but it's not something
13 that affects the operation of this establishment
14 going forward.

15 Norris Goins, D'Norris' brother is
16 involved in the operations of the establishment.
17 And we think that initially when MPD saw Norris
18 Goins' name on the placard, it may have raised
19 suspicion unnecessarily.

20 Norris Goins has been an employee of
21 the Department of Health of the District of
22 Columbia for the last 20 years. He is a health
23 inspector. He is very familiar with the
24 operations of nightlife establishments and he is
25 bringing that measure of expertise here and will

1 spend his time assisting his mother in managing
2 the establishment when his job permits him to do
3 so.

4 Ms. Goins has been there and will
5 continue to be there every day. She is an
6 experienced small business person. She owns
7 seven or eight apartment buildings in D.C. and
8 also owns two laundromats that are in direct
9 proximity to this particular establishment.

10 She has not before run a restaurant
11 and we have had conversations about what a
12 difficult business it is, but she is an
13 experienced business person and this is an
14 establishment that she could certainly run
15 responsibly within the bounds of the law.

16 CHAIRPERSON ANDERSON: So what type of
17 license is being requested?

18 MR. BIANCO: It's a CT License.

19 CHAIRPERSON ANDERSON: A tavern, not
20 a restaurant?

21 MR. BIANCO: That's correct.

22 CHAIRPERSON ANDERSON: You said -- I
23 just want to get clarification because I'm saying
24 irrespective of what -- of whether or not we
25 agree or disagree with the videos, that didn't

1 look to me like a restaurant, that's why I was
2 just asking for clarification.

3 MR. BIANCO: It does have food and the
4 first floor has counter service and it is
5 anticipated at some point that the first floor
6 will offer food service to the second and third
7 floor, which is, you know, something that
8 neighborhoods and the Board looks favorably upon,
9 because people just drinking without eating could
10 potentially become problematic.

11 My clients are cognizant of that and
12 one of the reasons why Ms. Goins wanted to get
13 into this is her lifetime dream to have a
14 restaurant and now she --

15 CHAIRPERSON ANDERSON: Well, it's not
16 a restaurant. This is not a restaurant. This is
17 a tavern. There is a -- it's completely
18 different, because if you have a restaurant, I
19 don't anticipate a nightlife. If there is a
20 restaurant, there is no -- if it's a restaurant,
21 then you have to -- there is percentage of food
22 that you have to serve.

23 As a tavern, that doesn't exist. And
24 as a tavern, you can have -- it can turn into --
25 it can morph into a nightclub much easier than a

1 restaurant can morph into a nightclub. And as
2 you are well -- you well know the difference
3 between a restaurant -- so, please, it's not a
4 restaurant. It's a tavern. I just want the
5 record to be clear that it's a tavern that has
6 been -- license has been applied for.

7 And, yes, a tavern can sell food, but
8 there is no requirement that they provide food.

9 MR. BIANCO: Absolutely correct, Mr.
10 Chair, and it is a point well-taken. It just
11 doesn't sound as good for me to say it was her
12 lifetime dream to have a food service
13 establishment. So I did say restaurant, but I
14 meant it clearly as opposed to technically with
15 respect to the liquor license.

16 CHAIRPERSON ANDERSON: I just wanted
17 the record to be clear that it is a Tavern
18 License, a CT License, that is being requested.

19 It appears that in the third video
20 that there is a lot of alcohol there. So who
21 purchased the alcohol and where was it purchased?
22 And I'm -- and yes, I'm aware that after the H
23 Street Festival that a Caterer's License was -- a
24 caterer.

25 So if the establishment is still open,

1 it is being operated under a Caterer's License,
2 which is appropriate and which is fine, but I'm
3 just trying to figure out -- it appears that
4 there was a lot of alcohol there.

5 So where was this alcohol purchased
6 and who purchased it, whatever it is? And I'm
7 not going to go with the first and the second
8 video where someone brought champagne from home
9 and whether or not I believe that or not, that's
10 not my purpose. So let's talk about the one
11 where it appears that there is a substantial
12 amount of alcohol in the third video.

13 MR. BIANCO: Sure. I mean, part of
14 it, as I explained in -- with respect to the
15 first video, not all of the bottles shown behind
16 the bar do have alcohol in them. A lot of them
17 are either empty glassware or these decorative
18 crystal and ceramic pineapples that they have
19 around the establishment, but there was alcohol
20 behind the bar. It wasn't purchased for --
21 specifically for the purpose of this event or for
22 serving folks.

23 Any alcohol depicted in any of the
24 videos was brought from the homes of Ms. Goins or
25 Mr. Norris Goins specifically for the training

1 event. So they didn't all go out to the liquor
2 store and buy several bottles of alcohol for
3 this. It was alcohol that they had around and
4 was merely for the purpose of training.

5 CHAIRPERSON ANDERSON: Is that, and
6 I'm asking, something that the law states that
7 you can do?

8 MR. BIANCO: No.

9 CHAIRPERSON ANDERSON: Even if you --
10 so therefore that you can take the liquor, the
11 alcohol from your house, take it to a commercial
12 establishment and have a party?

13 MR. BIANCO: It doesn't say that, no.
14 It doesn't allow for that. And I think Ms.
15 Goins, being new to the industry, made this
16 mistake, made it in good faith, is sorry that she
17 made it and after she has had the opportunity,
18 she hired counsel less than a week ago, to
19 consult understands that it is problematic and is
20 not currently engaging in any such practice and
21 will not again unless and until a license is
22 issued.

23 CHAIRPERSON ANDERSON: So what type of
24 -- one of the problems that I have here is that
25 we have a lot of folks who decide that I want to

1 enter into this business. I want to own a
2 restaurant. I want to own a bar. It's my -- it
3 has always been my dream to earn -- to own a
4 restaurant or it's my dream to own a bar.

5 So what type of -- I have not heard
6 that Ms. Goins has any type of particular
7 expertise or training to establish this -- to run
8 this type of establishment or I know that she
9 brought her son, who is going to be involved in
10 the business, but outside -- since he works at
11 the Health Department, which if you are going to
12 serve food, that's wonderful.

13 So I'll give a plus there, but that
14 still doesn't give me any assurance that -- and
15 I'm saying this for a reason, because we now have
16 two folks who don't have any experience in
17 running a business and prior to us granting a
18 license, then they run afoul of the law in the
19 sense that whether or not it was alcohol that was
20 brought from home or whether or not it was
21 alcohol that was bought illegally.

22 I'm not saying, but here it is that
23 you haven't been granted a license and you are
24 committing these alleged violations. Whatever it
25 is, whatever it was or not, it was real alcohol,

1 whether or not it was -- whatever it was.

2 And it is being advertised on social
3 media. So what assurances has this potential
4 licensee given us to say that we should give you
5 a license for three years to say that you are
6 going to be out there and you have no idea what
7 you are doing.

8 MR. BIANCO: Um, I mean I think you
9 have pointed out certainly a reality of the
10 industry, which is a lot of new people entering
11 it now and a lot of people that don't have a heck
12 of a lot experience. And what is going on is a
13 lot of learning as they go and Ms. Goins has
14 committed to not make those mistakes.

15 And since engaging, she has made it
16 her business to get a better of understanding of
17 the dos and don'ts of running an establishment.
18 Her and her son and some of their more
19 experienced employees, who do have a lot of
20 nightlife experience, have gotten together and
21 even put together a security plan, which they,
22 once vetted, intend to file with the Board.

23 So there are other folks in this
24 business that have worked in nightlife quiet
25 extensively. And those folks have assisted in

1 additional hirings at this point. They were set
2 to open, so they are staffed up.

3 So at this point, they have 23
4 employees in total, many of whom have worked in
5 the business for many, many years.

6 CHAIRPERSON ANDERSON: It would have
7 been wonderful for you to present in front of the
8 Board today to say here we have John Doe and
9 although the licensee doesn't have the expertise
10 in running an establishment, but here is John
11 Doe, her general manager, or whoever it is who
12 has had years of experience in operating a
13 business.

14 And so therefore, since they have had
15 these experience -- and I don't have a problem
16 with folks. I'm just concerned that you don't
17 have the expertise and we have not granted a
18 license and there are violations that have
19 occurred already. And this is the Board's
20 opportunity to ask questions. And you are asking
21 us to give you something and you are -- we
22 haven't even granted it to you yet and there is--
23 you are going to end up having a history of
24 committing violations.

25 And as I said before, the Board hasn't

1 made any decision. This is just going through
2 the process and probably the Board would not have
3 -- this would not have been brought to our
4 attention, but not for the inquiry from MPD.

5 MR. BIANCO: Sure.

6 CHAIRPERSON ANDERSON: And so MPD made
7 -- brought something to our attention and so we
8 are investigating it and it's not the Board's
9 position to state whether or not -- as long -- if
10 this individual has or has not a record.

11 As you know, if you, a person has
12 committed a felony, they can't be -- for 10
13 years, they cannot get a license. And for five
14 years it's -- the Board would consider that. So
15 it's -- but these are just by law that you are
16 aware that these are part of -- if someone is in
17 ownership, has some type of ownership of an
18 establishment, that you are aware of the criteria
19 of the background.

20 MR. BIANCO: I am. I am painfully
21 aware. In fact, I think I was involved in one of
22 the most torturous contested hearings on that
23 specific issue that lasted about four days.

24 CHAIRPERSON ANDERSON: That's prior to
25 my tenure here, so I wasn't aware of that. I'll

1 say that. Okay, yeah.

2 MR. BIANCO: But I have given my
3 client the benefit of that experience and I think
4 she understands very well that there can't be any
5 financial ties, there can't be any managerial
6 ties and she has even gone so far as to say that
7 her son won't be employed there in any manner.

8 Of course as her son, he is still
9 allowed to go there.

10 CHAIRPERSON ANDERSON: I was going to
11 ask that question, but because I'm not Mr.
12 Alberti, I'm not going to go there. Former Board
13 Member Alberti, so I would not go there.

14 MR. BIANCO: I understand.
15 Unfortunately, I understand exactly what you are
16 talking about.

17 CHAIRPERSON ANDERSON: And I will not
18 go there, because I don't think that that is my
19 position to do that. I think -- yes, Sergeant?

20 SERGEANT KENNIE: I actually have a
21 suggestion that may help both sides. Again, in
22 reading and being briefed on this case, the
23 concern is that it's not necessarily with Mrs.
24 Goins. It's with her son, who, again the
25 attorney said, has no operational control or

1 anything else and only affiliated by lineage.

2 So we do have a heavy presence down on
3 H Street where this establishment would be and if
4 they can stipulate to very, very limited and
5 scrutinized, I guess, contact, I guess is a good
6 work, of the son in question, who again I don't
7 even know is it D'Norris?

8 MS. GOINS: Yes.

9 SERGEANT KENNIE: The son. I don't
10 think MPD has an issue with it. I know I don't.
11 And then speaking on a personal side, I have
12 never met the mother, but I heard of the mother
13 through my friend, her son. And I don't think
14 she would put up with anything like that any way.

15 But on a professional side, as long as
16 they stipulate to the fact that the contact that
17 her son would have would be very scrutinized and
18 very limited, then I don't think MPD would have
19 an issue, because again our issue is trouble
20 coming to, not necessarily what her establishment
21 is.

22 CHAIRPERSON ANDERSON: You know, Mr.
23 Bianco, what I said before, so that's something
24 for your client to consider.

25 MR. BIANCO: Thank you.

1 CHAIRPERSON ANDERSON: And if you want
2 to consider it, ask them to consider if they
3 would agree to such a stipulation. But as you
4 know, what I alleged, what I mentioned earlier,
5 but that's the suggestion by MPD and they are the
6 ones who had brought that to our attention.

7 So if your client wants to agree to
8 that, we will -- we can have a stipulation. If
9 not, we will just move on.

10 MR. BIANCO: We will discuss it. We
11 are not prepared to agree to that, at this point.
12 And not necessarily, you know, because we are
13 concerned what her son might do, just because,
14 again, I have been involved in situations like
15 that and it becomes this argument often times
16 before the Board about who was where and when and
17 what they were doing and whether or not there was
18 a mistaken identity for somebody who looks
19 similar to the person in question.

20 I don't want to -- I just don't want
21 to get into any of that. It's inviting more
22 problems, than it is solving, in my view.

23 CHAIRPERSON ANDERSON: Any other
24 questions? Any questions by any Board Members?

25 MEMBER SHORT: I do.

1 CHAIRPERSON ANDERSON: Go ahead, Mr.
2 Short. I thought I was running this hearing and
3 I thought nobody has any questions.

4 MEMBER SHORT: You didn't ask us.

5 CHAIRPERSON ANDERSON: I apologize,
6 Mr. Short. Go ahead, Ms. Crockett.

7 MEMBER CROCKETT: Good morning. It's
8 your assertion that the alcohol was present on
9 September 17 strictly for training purposes.

10 So --

11 CHAIRPERSON ANDERSON: Turn your
12 microphone on.

13 MEMBER CROCKETT: -- the purpose of
14 training is to impart information to your
15 employees to ensure that they are knowledgeable
16 and understand their roles and responsibilities
17 and their duties.

18 Hence, you would want them to be
19 lucid. I guess I'm having a hard time
20 understanding why alcohol was brought to a
21 training. You could use water. You could use
22 any other liquid to imitate the pouring of
23 alcohol.

24 Why did you choose to use actual
25 alcohol during training when your staff needs to

1 understand and be clear about what is going on?

2 MR. BIANCO: I'm happy to address and
3 if my clients wish to weigh in, I'm glad to have
4 them address the Board directly.

5 I think you are absolutely right.
6 Water or some non-alcoholic substance would have
7 been the best practice to use. I'm pretty
8 confident in saying that alcohol was not being
9 consumed by the employees until after the
10 training event was over. So I think it's
11 definitely a point well-taken that having
12 employees drink at -- while training is bad
13 policy and I don't think that happened here. But
14 if Renee or Norris would want to --

15 MR. GOINS: When I was there at the
16 training actually, we did bring the alcohol from
17 home and it was just used for training purposes
18 to learn how to pour and other things of that
19 nature. It was my birthday and at the end we did
20 have a toast for my birthday, not to, you know,
21 try to, you know, just not being ignorant to the
22 law or anything like that. We just honestly
23 didn't know.

24 After the training was -- it was like
25 he said, it was only employees there. And that's

1 basically pretty much what happened.

2 MS. GOINS: And I just want to state
3 for the record at no time was there any sales.
4 There was never no sales. The liquor was brought
5 from home. There was training. It was his
6 birthday, my anniversary, the doors was locked,
7 everybody there was staff and I apologize. It
8 will not happen again.

9 I thought by having -- you know, I
10 felt like I was dotting my I's and crossing my
11 T's with getting the business license. We had
12 the approval that we thought we were going to get
13 the stipulated license, so we were happy and we
14 were just celebrating. And I do apologize.

15 I also want to state on record that,
16 you know, my son has helped us from, I'm speaking
17 of D'Norris, getting the business up and running
18 as far as making the --

19 CHAIRPERSON ANDERSON: Which son is
20 that? Is this the young man sitting next to you?

21 MS. GOINS: No, this is D'Norris. I
22 just wanted to state that he is not going to have
23 any managerial duties. He is going to -- if he
24 is there, he is there as like a patron or he is
25 there to do maybe some janitorial things, but

1 that's the only involvement. He is not on any of
2 my paperwork and I'm definitely not having him
3 there as a cover up for some type of criminal
4 activity.

5 CHAIRPERSON ANDERSON: Well, all I can
6 say, ma'am, is this is -- remember, this is not
7 the Board. The MPD brought this to our attention
8 and so it's of concern to MPD and we are just --
9 so if --

10 MS. GOINS: Thank you.

11 CHAIRPERSON ANDERSON: -- you -- if
12 the Board was to grant you a license --

13 MS. GOINS: Um-hum.

14 CHAIRPERSON ANDERSON: -- and if you
15 allow your place to be on MPD's radar, then
16 that's up to you and that is -- if we were to
17 grant you a license, that is -- things happen at
18 establishments. And it's unfortunate. It's --
19 things happen.

20 But if MPD is always there, then that
21 even highlights what happens at an establishment.
22 I'm sorry, go ahead. Are you done, Ms. Crockett?

23 MEMBER CROCKETT: Yes, thank you.

24 CHAIRPERSON ANDERSON: Mr. Short?

25 MEMBER SHORT: Yes. Mr. Bianco, you

1 mentioned earlier that no one there presently or
2 as far as you know has been trained formally in
3 how to run an establishment like this, a CT.

4 Would your client be willing to have
5 all of the staff and all of the management
6 trained by someone who is recognized by the city
7 and this Board, so all the persons would then
8 have the knowledge to actually run a business?
9 Because we are seeing nobody knows anything and
10 so we have some people that are in the business
11 who come by from time-to-time or who may work
12 there.

13 But we know this being on this Board
14 that a lot of businesses that we ask to get
15 training, once they get the training, we don't
16 have the same problems with them.

17 So do you think your client would be
18 available to have training and have an ABRA
19 Investigator there while the training is going on
20 and all the staff is trained, so we don't have
21 some of the problems that people say to us later?

22 MR. BIANCO: Absolutely, yes.

23 MEMBER SHORT: So training?

24 MR. BIANCO: So training certainly.

25 And something else I encourage all my clients to

1 do and as ABRA publishes information, as I
2 encourage them all to go to the free trainings
3 that are put on by the Agency.

4 MEMBER SHORT: Well, the training will
5 be done by a professional, not just somebody that
6 -- somebody who is recognized by the city. Maybe
7 even by the Police Department and ABRA and we
8 would have an ABRA Investigator to sit in with
9 the training, so that we know everybody there has
10 been trained.

11 MS. GOINS: We are more than willing.

12 MR. BIANCO: Yes. If that service is
13 offered by ABRA, absolutely, or MPD, absolutely.
14 If not, hiring a professional to do it, I think
15 is an excellent idea.

16 MEMBER SHORT: Okay. I think hiring
17 a professional is the best bet and that way you
18 have someone you can hold accountable if they
19 didn't train you properly, but we want an ABRA
20 Investigator to sit in on the training also, if
21 that's possible.

22 MR. BIANCO: I think that if they are
23 willing to do it, we are happy to have them. And
24 I think that's a great idea.

25 MEMBER SHORT: Okay. And then the

1 last thing I had was basically it was mentioned
2 about security or something earlier. We know
3 that the police officer testified, the Sergeant.
4 Thank you, Sergeant, for your testimony and thank
5 you for your service, Sergeant Kennie.

6 SERGEANT KENNIE: Appreciate it.

7 MEMBER SHORT: But the bottom line is
8 we do know that basically when people are trained
9 properly and the follow-ups and all those things
10 and the security plans that go along with the
11 training, so everybody is on the same page using
12 the same type of specialty training and security
13 together, especially in that area of H Street.

14 Again, we -- a lot of times we have
15 seen -- I have seen as a Board Member, I can
16 speak for myself, that once this training takes
17 place and the security plan is a part of the
18 training, then we don't have any further problems
19 with businesses, because then they know what they
20 are supposed to do and what we expect of them and
21 what is expected of each other.

22 So if we could get that as a part of
23 it, a security plan along with the training and
24 the Investigator there signing and watching and
25 observing and coming back and telling this Board

1 yes, that this business has had the training and
2 it has got security and it has got whatever else
3 is needed, because we can't ask you to do
4 anything. We can't tell you anything today or
5 demand it. We can only ask you if you would be
6 willing to do these activities to help along to
7 making this a successful business.

8 MR. BIANCO: Absolutely, we are. And
9 I think their idea that they came up to submit a
10 security plan came up prior to any of this
11 becoming an issue. They are happy to submit one.
12 I do have to vet it for legal appropriateness.

13 MEMBER SHORT: Well, it would have to
14 be approved by the --

15 MR. BIANCO: Absolutely.

16 MEMBER SHORT: -- okay.

17 MR. BIANCO: And also with respect to
18 security, I think it is important to mention,
19 which I neglected, was that they have out sourced
20 security, so they have hired a private
21 experienced company to handle all of the security
22 in the establishment, so it's not going to be the
23 case of Ms. Goins without experience trying to
24 handle security herself.

25 MEMBER SHORT: I do understand that

1 and I applaud that, but when she has the same
2 training as all her staff, even when they have
3 additional people coming in who are supposed to
4 be already trained or whatever, they will even
5 know what they need to do in accordance with that
6 security plan that Ms. Goins will have at her
7 business.

8 So that's -- what I'm trying to say is
9 we want it all to work together, because if
10 somebody comes in that doesn't know anything
11 about the security plan or the training that they
12 have had, then it could be a conflict and then
13 you will wind up back here again before the
14 Board.

15 MR. BIANCO: Understood.

16 MEMBER SHORT: That's all I have right
17 now, Mr. Chair. Thank you.

18 CHAIRPERSON ANDERSON: Do you have a
19 question, Mr. Puente?

20 INVESTIGATOR PUENTE: Yes. Touching
21 on Mr. Short's points, the establishment and the
22 ANC agreed to a settlement agreement on Friday,
23 September 13th, and it addresses both issues that
24 you addressed.

25 On page 2 of the settlement agreement

1 it says "Applicant and all employees who are
2 designated to serve alcoholic beverages shall
3 attend and complete Alcoholic Beverage Server
4 Training Course and Seminar."

5 Then on page 3 under Music, Dancing
6 and Entertainment it says "All CT License holders
7 with an entertainment endorsement must have an
8 ABRA-accepted security plan in place in the
9 establishment to apply for entertainment."

10 MEMBER SHORT: Well, one last thing,
11 Mr. Chair.

12 CHAIRPERSON ANDERSON: Go ahead, Mr.
13 Short.

14 MEMBER SHORT: About the party or
15 celebration you had, your license says service,
16 sales and delivery of alcohol. It doesn't have
17 to be during your hours or whatever else, but you
18 have this license. You can only sell and serve
19 an deliver alcohol as the law says. No private
20 anything.

21 If you go outside of your license and
22 one of the Investigators comes by, you will be
23 held accountable. Is that understood?

24 MS. GOINS: Yes.

25 MEMBER SHORT: Thank you, Mr. Chair.

1 CHAIRPERSON ANDERSON: All right. Any
2 other questions by any other Board Members? I
3 don't know what the Board will -- I don't know
4 what the Board is going to do, but I just want to
5 be clear that I heard Mr. Puente mention a
6 settlement agreement. Well, we haven't even --
7 we have not even agreed to the TORP that was
8 agreed to by the ANC, so it's good that you have
9 met with the ANC and you have signed a settlement
10 agreement, but the Board doesn't know what it is
11 going to do and I don't know.

12 But one thing I want the record to be
13 clear on, at least from you, so you are saying
14 mister, is that if the Board was to grant a
15 license, you would agree as a CT to have a
16 security plan?

17 MR. BIANCO: Absolutely.

18 CHAIRPERSON ANDERSON: All right. All
19 right. So I just want that because since we have
20 not agreed, I don't know. I can't say there is
21 going to be a settlement agreement with us,
22 because there has to be a Protest and the ANC has
23 to show up. So even with a settlement agreement,
24 if the ANC doesn't show up, then there is no
25 settlement agreement.

1 So but I just wanted to make sure that
2 you are saying that you would agree, if we were
3 to do that, to have a -- to provide us a security
4 plan. And I would say that I would ask would you
5 be able, if the Board was to agree to give you --
6 and I'm not even going to say approve the
7 license, that if the Board was to give you a
8 Temporary Operating Permit that you would provide
9 us with a security plan within 45 days -- 30 days
10 of us giving you that, if we were to approve the
11 Temporary Operating Permit?

12 MR. BIANCO: Absolutely. In fact I
13 think we could turn around much quicker than that
14 based on how much work they have put into it thus
15 far.

16 CHAIRPERSON ANDERSON: All right. Any
17 other questions? Any final comments? Mr.
18 Puente?

19 INVESTIGATOR PUENTE: No.

20 CHAIRPERSON ANDERSON: Sergeant
21 Kennie?

22 SERGEANT KENNIE: Yes, sir.

23 CHAIRPERSON ANDERSON: Any final
24 comments?

25 SERGEANT KENNIE: No, sir.

1 CHAIRPERSON ANDERSON: All right. Any
2 final comments, sir?

3 MR. BIANCO: Just one. It's my hope
4 that after consideration of the information that
5 the Board got today, you will see fit to take no
6 further action and additionally move to lift the
7 C&D and consider the stipulated license
8 application as submitted.

9 CHAIRPERSON ANDERSON: All right. The
10 Board will take this matter under advisement.

11 But in the interim one of the things
12 that I would suggest that you do is that you have
13 your client -- that I would -- the Mayor has the
14 Mayor's Office of Nightlife and Culture, Mr.
15 Shawn Townsend runs that office. He is -- one of
16 his jobs is to advise businesses.

17 And I would suggest that you reach out
18 to that office to see whatever assistance that he
19 can provide because unfortunately when -- prior
20 to us issuing a license and you are here in front
21 of us, since I have been on the Board, that tells
22 me that there is some problems. And
23 unfortunately we have had problems with
24 establishments that have had that history prior
25 to us issuing a license.

1 So my strong suggestion is that you
2 work with that office. You work with -- come to
3 our Agency and find out, get the proper expertise
4 that we will offer if you intend to --

5 MR. BIANCO: Actually as you were
6 speaking, Mr. Chairman, my client leaned over and
7 whispered to me that she met with Mr. Townsend
8 yesterday, so I think that is an excellent
9 suggestion and it is -- she has already made in-
10 roads there.

11 CHAIRPERSON ANDERSON: All right. So
12 anyway, the Board will take this matter under
13 advisement. Thank you. Thank you for being
14 here.

15 MR. BIANCO: Thank you, Mr. Chair.
16 Thank you, Members of the Board.

17 CHAIRPERSON ANDERSON: And thank you,
18 thank you for coming.

19 We are in recess until our 1:30
20 hearing.

21 (Whereupon, the Fact-Finding Hearing
22 was concluded at 12:08 p.m.)
23
24
25

A			
a.m 3:2 24:8,9	alcoholic 1:2,14,15	available 46:18	10:7,11,15 25:18,25
ABC 13:21	21:23 22:22 23:7 51:2	aware 10:24 14:11	27:19 31:8 36:22 37:8
able 10:3 53:5	51:3	32:22 38:16,18,21,25	37:25 38:2,14 39:12
above-entitled 24:7	ALIYA 1:19		41:16,24 43:4 45:7,12
ABRA 1:23 12:18 13:20	allegations 24:13,19	B	46:7,13 48:15,25
18:12 28:3 46:18 47:1	28:21	back 3:4 24:11 48:25	50:14 52:2,3,4,10,14
47:7,8,13,19	alleged 13:3 35:24 41:4	50:13	53:5,7 54:5,10,21
ABRA-accepted 51:8	allow 34:14 45:15	background 38:19	55:12,16
absolutely 32:9 43:5	allowed 39:9	bad 43:12	Board's 37:19 38:8
46:22 47:13,13 49:8	amount 33:12	ball 27:18	BOBBY 1:20
49:15 52:17 53:12	ANC 1:8 4:12 50:22	bar 1:6,7 3:6 12:20	bottles 15:15 16:1
account 9:23 10:4	52:8,9,22,24	13:17,18 14:3,21	25:15,16,19,20,21
accountable 47:18	anniversary 26:15,17	15:14,14 16:1 17:15	33:15 34:2
51:23	44:6	21:18 22:14,15 25:13	bottom 48:7
action 54:6	anticipate 31:19	25:14,17,19,24 26:19	bought 35:21
actively 28:8,10	anticipated 25:6 31:5	26:19 28:11 33:16,20	bounds 30:15
activities 49:6	anyway 5:15 55:12	35:2,4	break 23:23,24
activity 13:10 19:14	apartment 30:7	bartender 14:2,4 16:22	brief 23:17
20:2 45:4	apologize 5:10 42:5	23:8 26:21	briefed 39:22
actual 17:10 42:24	44:7,14	bartenders 25:9	bring 7:18,19,20 8:9
additional 37:1 50:3	appear 27:19	based 17:7 20:20 21:3	11:23 13:8 14:10
additionally 54:6	appeared 14:3 25:15	29:12 53:14	43:16
address 17:21 21:12	26:23	basically 4:17 44:1 48:1	bringing 29:25
23:15 24:18 43:2,4	appears 15:25 22:15,15	48:8	brother 14:7 29:15
addressed 50:24	32:19 33:3,11	becoming 49:11	brothers 19:25
addresses 50:23	applaud 50:1	beginning 25:14	brought 4:15 19:4
addressing 23:18	applicant 1:23,24,24	believe 4:23 5:7 9:24	26:10,11 33:8,24 35:9
adversarial 11:18	2:5 3:21 4:1 51:1	10:24 11:22 12:2 13:1	35:20 38:3,7 41:6
advertised 36:2	application 1:10 54:8	18:10 25:4 27:16,17	42:20 44:4 45:7
advise 54:16	applied 4:12 8:11 32:6	33:9	Building 1:15
advised 12:21 13:6	apply 51:9	believed 13:2	buildings 30:7
14:6	applying 8:13	benefit 39:3	business 5:3 30:6,12
advisement 54:10	appreciate 24:6 48:6	best 27:5 43:7 47:17	30:13 35:1,10,17
55:13	appropriate 33:2	bet 47:17	36:16,24 37:5,13
affairs 28:18	appropriateness 49:12	better 36:16	44:11,17 46:8,10 49:1
affiliated 40:1	approval 44:12	Beverage 1:2,14,15	49:7 50:7
afoul 35:18	approve 8:20 53:6,10	51:3	businesses 46:14
afternoon 3:14 11:5	approved 49:14	beverages 51:2	48:19 54:16
Agency 7:18 47:3 55:3	area 13:3 17:9 48:13	Bianco 1:23 2:5 3:16,19	buy 34:2
agent 12:22	argument 41:15	3:20,23,24 4:5,8 6:2	
ago 34:18	asked 10:1	9:1,4,6,9,13 10:13,22	C
agree 30:25 41:3,7,11	asking 8:17 31:2 34:6	11:2,7,17 21:9,11,14	C-O-N-T-E-N-T-S 2:1
52:15 53:2,5	37:20	21:17 22:1,4 23:11,14	C&D 54:7
agreed 50:22 52:7,8,20	assertion 42:8	23:21 24:1,5,12 30:18	call 12:19 13:13
agreement 50:22,25	assistance 54:18	30:21 31:3 32:9 33:13	called 14:6
52:6,10,21,23,25	assisted 36:25	34:8,13 36:8 38:5,20	car 13:7
ahead 9:3 24:11 42:1,6	assisting 30:1	39:2,14 40:23,25	cards 27:20
45:22 51:12	assume 9:15	41:10 43:2 45:25	cares 25:18
Alberti 39:12,13	assurance 35:14	46:22,24 47:12,22	case 1:9 3:4,5,8,21 5:15
alcohol 5:2 8:14,17	assurances 36:3	49:8,15,17 50:15	7:10 9:17,19 10:17
15:25 22:16 25:16	attached 9:17	52:17 53:12 54:3 55:5	14:9 39:22 49:23
26:2,22 27:15,23	attend 51:3	55:15	cases 28:25
28:12 29:6 32:20,21	attention 4:16 13:8	birthday 26:13,17 43:19	caterer 18:10,11,16
33:4,5,12,16,19,23	14:11 38:4,7 41:6	43:20 44:6	28:3,7 32:24
34:2,3,11 35:19,21,25	45:7	bit 10:1	Caterer's 32:23 33:1
42:8,20,23,25 43:8,16	attorney 2:5 7:3 39:25	Board 1:2,14 2:14 3:19	CATO 1:20
51:16,19	AUDIENCE 5:12	4:14,21 5:17,18,20	Cause 7:7
	authority 4:24 5:1	6:6,12,20,23 7:13,23	Cease 5:4,21,25 6:25

25:7
celebrating 44:14
celebration 51:15
ceramic 33:18
certain 6:9
certainly 30:14 36:9
 46:24
Chair 3:16 32:10 50:17
 51:11,25 55:15
Chairman 9:4 55:6
champagne 26:8 27:24
 33:8
check 13:24 18:13
checked 13:20
choose 42:24
city 46:6 47:6
clarification 11:15 20:6
 30:23 31:2
clear 11:7 32:5,17 43:1
 52:5,13
clearly 32:14
client 9:21,22 23:17
 39:3 40:24 41:7 46:4
 46:17 54:13 55:6
client's 10:3
clients 27:16 31:11
 43:3 46:25
closed 28:19
club 15:24 16:19 19:14
cognizant 31:11
color 17:18
Columbia 1:1 29:22
come 27:19 46:11 55:2
comes 50:10 51:22
coming 13:10 27:18
 40:20 48:25 50:3
 55:18
comments 53:17,24
 54:2
commercial 25:20
 34:11
committed 36:14 38:12
committing 35:24
 37:24
company 49:21
complaint 19:4,7,8,20
 19:22
complete 51:3
completely 31:17
compliant 18:13
comprised 25:11
computer 15:6
concern 10:6 29:11
 39:23 45:8
concerned 4:21,24 5:17
 5:18 13:5,9 37:16
 41:13
concerning 12:19

concerns 7:22 12:24
 19:12
concluded 55:22
conclusion 26:15
conditions 27:8
confer 23:17,23
confident 43:8
confirm 10:1 11:9,19
 23:18
conflict 50:12
consider 38:14 40:24
 41:2,2 54:7
consideration 54:4
consult 11:5 34:19
consumed 43:9
contact 29:10 40:5,16
contents 23:19
contested 38:22
continue 30:5
control 1:2,14,15 39:25
conversations 30:11
copies 9:18
corner 25:13
correct 30:21 32:9
corrected 5:16
counsel 1:23 34:18
counter 28:14 31:4
country 17:22
course 8:20 39:8 51:4
Court 14:10
cover 45:3
cream 8:12,18,21
criminal 13:2 24:15
 28:21 45:3
criteria 38:18
Crockett 1:19 42:6,7,13
 45:22,23
crossing 44:10
crystal 25:22 33:18
CT 1:8 30:18 32:18 46:3
 51:6 52:15
Culture 54:14
currently 34:20

D

D'Norris 12:25 14:7
 24:16 28:22 29:2 40:7
 44:17,21
D'Norris' 29:15
D.C 1:16 14:10 17:25
 19:17 30:7
dancing 14:5 51:5
date 16:3,24
day 8:11 16:13 26:9
 28:5 30:5
days 38:23 53:9,9
DC 1:25
decanters 25:21

decide 34:25
decides 7:23
decision 6:20 7:4 38:1
deck 28:17
decor 17:17
decorative 25:22 33:17
definitely 43:11 45:2
deliver 51:19
delivery 51:16
demand 49:5
deny 26:1 28:23
Department 12:7 19:13
 20:15 29:21 35:11
 47:7
depicted 27:13 33:23
derailed 25:7
designated 51:2
Desist 5:4,22,25 7:1
 25:7
determination 6:24 7:9
 7:14
difference 22:1,2 32:2
different 31:18
difficult 30:12
direct 30:8
directly 43:4
disagree 30:25
disclose 20:25
disclosure 19:15
discuss 41:10
dishonest 27:20
dissect 11:8
distributed 25:23
District 1:1 12:7 29:21
DJ 14:4 26:25 27:1,1,2
 27:3,3,4,5
Doe 37:8,11
doing 15:25 36:7 41:17
don'ts 36:17
Donovan 1:16,19
doors 44:6
dos 36:17
dotting 44:10
dream 31:13 32:12 35:3
 35:4
drink 43:12
drinking 31:9
drinks 16:22 21:23
 22:22 23:7,8
driving 8:14,18
duties 42:17 44:23

E

earlier 9:20 26:9 41:4
 46:1 48:2
early 10:1 26:6
earn 35:3
easier 31:25

eating 31:9
eight 30:7
either 33:17
employed 29:7 39:7
employee 24:22 26:3
 27:2 29:20
employees 26:5 36:19
 37:4 42:15 43:9,12,25
 51:1
empty 22:5 25:19,20
 33:17
encourage 46:25 47:2
endorsement 51:7
engaging 34:20 36:15
ensure 14:11 42:15
enter 35:1
entering 36:10
entertainment 51:6,7,9
entity 4:1 7:21
especially 48:13
establish 35:7
establishment 4:3,19
 4:20,25 5:2 13:5,11
 13:14 14:17 17:6,16
 24:14,20,21,24 25:2
 25:10,11,12 26:2 27:8
 27:11,23,24 28:4,13
 28:19 29:3,5,10,13,16
 30:2,9,14 32:13,25
 33:19 34:12 35:8
 36:17 37:10 38:18
 40:3,20 45:21 46:3
 49:22 50:21 51:9
establishments 29:24
 45:18 54:24
event 24:23 27:7 33:21
 34:1 43:10
events 18:8 26:3
everybody 44:7 47:9
 48:11
exactly 39:15
example 8:25
excellent 47:15 55:8
exhibits 9:17
exist 31:23
expect 48:20
expected 48:21
experience 35:16 36:12
 36:20 37:12,15 39:3
 49:23
experienced 27:4 30:6
 30:13 36:19 49:21
expertise 29:25 35:7
 37:9,17 55:3
explain 8:10
explained 8:19 33:14
extensively 28:5 36:25
eye 13:11

<p>F</p> <p>fact 1:8 10:2 38:21 40:16 53:12 Fact- 3:4 6:11 Fact-Finding 4:11 6:5,8 6:13 7:20 10:20 55:21 faith 34:16 familiar 29:23 family 26:11 far 7:1 21:3 39:6 44:18 46:2 53:15 favorably 31:8 fear 19:25 felonies 14:8 felony 38:12 felt 44:10 Fest 18:11 Festival 28:2 32:23 fight 27:14 figure 33:3 file 36:22 final 53:17,23 54:2 financial 29:8 39:5 find 14:12 55:3 Finding 1:8 3:5 6:12 fine 11:3 22:17 33:2 first 5:9 7:24 9:16 14:16 21:9,11,21,23 22:2,4 22:7,8,10,11 23:11,16 24:18,19 25:9 28:11 31:4,5 33:7,15 firsthand 19:5 20:2 fit 54:5 five 38:13 flash 25:14 flat 26:8 floor 21:24 25:10,12 26:19,19 28:11,16,16 31:4,5,7 floors 25:12 folks 8:9 33:22 34:25 35:16 36:23,25 37:16 follow-ups 48:9 food 28:12 31:3,6,21 32:7,8,12 35:12 forced 5:21 foremost 21:9 formally 46:2 Former 39:12 forward 3:8 29:14 found 13:24 28:6 four 38:23 free 47:2 Friday 50:22 friend 40:13 friends 19:16 20:18 front 6:24 8:22 13:7 37:7 54:20</p>	<p>full 19:15 fully 14:3 further 48:18 54:6 future 19:13</p> <p>G</p> <p>G-O-I-N-S 4:5 gang 13:9 gathering 6:6 7:12 general 37:11 General's 7:3 generally 8:4 gentlemen 19:3 getting 44:11,17 give 35:13,14 36:4 37:21 53:5,7 given 36:4 39:2 giving 8:24 53:10 glad 43:3 glasses 21:19 glassware 25:15 33:17 Goins 1:24,24 2:5 3:25 4:2,4,5,8,9 12:23,25 13:1 14:7,8 19:16 20:12,13 28:22 29:2 29:15,20 30:4 31:12 33:24,25 34:15 35:6 36:13 39:24 40:8 43:15 44:2,21 45:10 45:13 47:11 49:23 50:6 51:24 Goins' 19:17 24:16 26:13,14,16,17 29:3,9 29:18 gold 1:6,7 3:5 12:20 13:17 14:21 17:8,10 17:14,18,21,24 25:22 gotten 36:20 grant 7:23 45:12,17 52:14 granted 35:23 37:17,22 granting 35:17 guess 5:24 19:3,4,25 21:9 40:5,5 42:19</p> <p>H</p> <p>H 1:8 12:20 18:11 28:1 32:22 40:3 48:13 handle 49:21,24 happen 44:8 45:17,19 happened 43:13 44:1 happens 45:21 happy 23:15 43:2 44:13 47:23 49:11 hard 42:19 head 5:5 health 29:21,22 35:11 heard 35:5 40:12 52:5</p>	<p>hearing 1:8,15 3:5 4:11 6:5,6,8,12,13 7:7,13 7:20,23 10:21 42:2 55:20,21 hearings 38:22 heavy 40:2 heck 36:11 held 51:23 help 39:21 49:6 helped 44:16 hide 27:18 highlights 45:21 hired 34:18 49:20 hiring 47:14,16 hirings 37:1 history 29:12 37:23 54:24 hold 5:6,7,8 47:18 holders 51:6 home 33:8 35:20 43:17 44:5 homes 26:11 33:24 honestly 43:22 hope 54:3 hours 15:22 51:17 house 34:11</p> <p>I</p> <p>I's 44:10 ice 8:12,18,21 idea 8:9,10,20 36:6 47:15,24 49:9 identified 9:24 identify 3:10 12:3 identity 41:18 ignorant 43:21 illegally 35:21 illicit 19:13 20:1 imitate 42:22 immediate 4:1 impact 6:20 impart 42:14 important 29:1 49:18 in- 55:9 in-house 27:2,5 inaccurate 27:12 inaccurately 27:13 individual 12:25 13:2 38:10 individuals 14:1 industry 34:15 36:10 inform 5:22 informal 6:6,21 information 4:15 6:7 7:12 42:14 47:1 54:4 initially 29:17 innocently 26:16 inquiry 38:4</p>	<p>inside 22:22 inspector 9:15 29:23 Instagram 13:17,25 14:24 15:8,23 17:10 17:15 24:20 intend 36:22 55:4 interim 54:11 investigated 28:5 investigating 38:8 Investigator 1:23 2:4 2:14 3:12,13 7:17 9:13,15 11:12 12:17 14:15,21,24 15:1,5,9 15:12,18,21 16:4,7,9 16:12,14,18,21,25 17:7,14,23 18:3,9,17 18:20 21:22 22:13,21 22:25 23:6 46:19 47:8 47:20 48:24 50:20 53:19 Investigators 18:12 28:4 51:22 inviting 41:21 involved 20:1 24:17 29:16 35:9 38:21 41:14 involvement 45:1 irrespective 30:24 is-- 37:22 issue 5:21 38:23 40:10 40:19,19 49:11 issued 5:4 6:25 34:22 issues 50:23 issuing 54:20,25</p> <p>J</p> <p>JAMES 1:20 janitorial 44:25 Jenkins 11:2 job 27:6 30:2 jobs 54:16 John 37:8,10 joined 12:2 JR 1:20</p> <p>K</p> <p>K-E-N-N-I-E 12:12 keep 13:11 Kennie 1:25 2:4 12:5,6 12:9,10,12,13 18:23 18:24 19:2,8,11,19,23 20:8,13,18,24 21:7 39:20 40:9 48:5,6 53:21,22,25 Kevin 1:23 2:4 3:13 kids 8:23 kitchen 28:13 knew 20:6,22 21:3,5</p>
--	--	--	---

knowledge 19:5 20:3
46:8
knowledgeable 42:15
knows 46:9

L

lasted 38:23
laundromats 30:8
law 28:24 30:15 34:6
35:18 38:15 43:22
51:19
lawyer 6:14
layout 17:19
leaned 55:6
learn 26:22 43:18
learning 36:13
left 3:25 4:1
legal 9:20 49:12
legally 6:12 28:6
let's 3:11 22:8 23:1,2
24:18 33:10
license 1:9,11 3:6 4:19
4:22,22 7:24 8:3,12
8:13,16,21 13:21
19:24 25:3 30:17,18
32:6,15,18,18,23 33:1
34:21 35:18,23 36:5
37:18 38:13 44:11,13
45:12,17 51:6,15,18
51:21 52:15 53:7 54:7
54:20,25
licensed 5:19
licensee 20:7,9 36:4
37:9
lifetime 31:13 32:12
lift 54:6
limited 40:4,18
line 48:7
lineage 40:1
liquid 42:22
liquor 8:23 15:15,15
25:20 26:10 32:15
34:1,10 44:4
listed 9:17 12:22
listen 7:13
little 8:23 9:25
live 15:21
LLC 1:6
located 28:16
location 18:8
locked 44:6
logo 17:18
long 38:9 40:15
look 10:9 23:2 31:1
looked 13:18
looking 11:8
looks 31:8 41:18
lot 32:20 33:4,16 34:25

36:10,11,12,13,19
46:14 48:14
Lounge 1:6,7 3:6 12:20
14:22
Lounge's 13:17 17:15
loves 29:4
lucid 42:19

M

ma'am 6:11 45:6
making 23:8 44:18 49:7
man 44:20
management 46:5
manager 37:11
managerial 29:7 39:5
44:23
managers 4:2
managing 30:1
manner 39:7
Martha 11:2
matched 17:17
matches 17:9
matter 1:5 7:2,20 24:7
54:10 55:12
matters 3:7
Mayor 54:13
Mayor's 54:14
mean 11:17 17:13
33:13 36:8
meaningful 29:10
means 17:14
meant 27:7 32:14
measure 29:25
media 4:24 9:23 10:3
13:15,24 27:10,10
36:3
MEETING 1:3
Member 1:19,20,20,21
16:13 39:13 41:25
42:4,7,13 45:23,25
46:23 47:4,16,25 48:7
48:15 49:13,16,25
50:16 51:10,14,25
members 3:19 24:24
26:12 41:24 52:2
55:16
mention 49:18 52:5
mentioned 25:2 41:4
46:1 48:1
merely 34:4
met 1:15 40:12 52:9
55:7
Metropolitan 12:6
20:14
microphone 42:12
midnight 26:6
mine 10:3
minute 5:6,8

minutes 24:4
mistake 34:16
mistaken 41:18
mistakes 36:14
mister 52:14
mom 20:6
moment 23:17
monitoring 13:14,15
morning 3:16,18,22 4:7
4:8 5:11,12 9:25 12:5
26:6 42:7
morph 31:25 32:1
mother 30:1 40:12,12
move 3:8 41:9 54:6
MPD 1:25 12:19 14:6
29:11,17 38:4,6 40:10
40:18 41:5 45:7,8,20
47:13
MPD's 45:15
music 14:4 51:5

N

N.W 1:15
name 3:20 12:11,21
29:18
named 12:25
nature 43:19
NE 1:8
necessarily 39:23
40:20 41:12
necessary 7:19
need 23:23,24 50:5
needed 49:3
needs 42:25
neglected 49:19
neighborhoods 31:8
never 8:2,7 40:12 44:4
new 1:10 7:21 11:19
21:14 34:15 36:10
night 14:1
nightclub 31:25 32:1
nightlife 29:24 31:19
36:20,24 54:14
nighttime 16:5
non-alcoholic 43:6
normally 4:13
Norris 1:24 4:2 12:22
14:8 26:13 29:15,17
29:20 33:25 43:14
novel 8:6,8

O

O-F 2:1
oath 7:8
observing 48:25
occur 7:2
occurred 37:19
October 1:13 18:6

offer 31:6 55:4
offered 47:13
office 7:3,3 11:4 54:14
54:15,18 55:2
officer 19:17 48:3
officers 13:6 19:4
once 8:19 11:22 36:22
46:15 48:16
ones 41:6
open 16:1 27:9,12 28:2
28:8 32:25 37:2
opening 25:5
operate 4:25 5:19,20,23
operated 5:20 33:1
operating 4:20,22 6:1
18:12,16 19:24 24:14
24:20,22 27:12,25
28:2,3,6,10 37:12
53:8,11
operation 29:2,13
operational 39:25
operationally 24:17
operations 29:16,24
opportunity 10:9 34:17
37:20
opposed 32:14
order 5:4,22,25 6:7,12
6:19 7:1
outside 35:10 51:21
overly 11:18
owner 3:25
owners 26:11
ownership 38:17,17
owns 30:6,8

P

P-R-O-C-E-E-D-I-N-G-S
3:1
p.m 55:22
page 13:18 17:8,10,15
48:11 50:25 51:5
painfully 38:20
paperwork 45:2
part 17:22 20:14 26:20
29:2 33:13 38:16
48:17,22
particular 5:15 17:5
26:21 30:9 35:6
parties 3:7
party 24:25 34:12 51:14
patron 44:24
patrons 24:24
pause 4:16,17
Paused 14:18
pending 14:9 28:25
people 8:1 14:5 15:23
15:24,24 16:19 21:22
22:21 23:7 24:23 26:5

31:9 36:10,11 46:10
46:21 48:8 50:3
percent 17:23
percentage 31:21
perception 27:11
period 13:22
Permit 53:8,11
permits 30:2
person 30:6,13 38:11
41:19
personal 40:11
persons 46:7
phone 13:13
photos 25:18 27:13
picture 26:22,24
pineapples 25:22 33:18
placard 12:22 13:22
29:18
placards 12:19
place 5:3,25 45:15
48:17 51:8
plan 36:21 48:17,23
49:10 50:6,11 51:8
52:16 53:4,9
plans 48:10
Played 2:7 14:14,18
15:11,20 16:20
playing 14:4 27:18
please 3:8,8,10 12:4
19:1 22:8 23:2 32:3
plus 35:13
point 28:10 31:5 32:10
37:1,3 41:11 43:11
pointed 36:9
points 50:21
police 12:6 19:12,17
20:15 47:7 48:3
policy 43:13
portion 28:9
position 38:9 39:19
possible 13:9 47:21
possibly 14:7
Post 4:23
posted 12:20 13:17
14:16 17:8,11,19
24:21
posting 15:23
potential 36:3
potentially 31:10
pour 26:22 43:18
pouring 14:4 16:22
21:18 42:22
practice 34:20 43:7
premises 27:15 28:9,15
prepared 5:10,14 21:12
41:11
presence 40:2
present 1:18,22 3:24

37:7 42:8
presentation 10:17
presented 10:10 11:16
12:1
presently 46:1
presiding 1:16
pretty 19:19 43:7 44:1
prior 10:17 13:4 14:1
35:17 38:24 49:10
54:19,24
private 24:25 49:20
51:19
probably 38:2
problem 37:15
problematic 31:10
34:19
problems 34:24 41:22
46:16,21 48:18 54:22
54:23
procedural 9:6 10:6
proceeding 6:22
process 38:2
professional 40:15
47:5,14,17
proper 55:3
properly 47:19 48:9
proposing 8:6
Protest 52:22
prove 27:15
provide 12:16 32:8 53:3
53:8 54:19
provided 4:21
proximity 30:9
public 24:25
publishes 47:1
Puente 1:23 2:4,14 3:13
3:13,15,18 7:17 9:3
9:13,15,15 11:23
12:15,17 14:15,21,24
15:1,5,9,12,18,21
16:4,7,9,12,14,18,21
16:25 17:7,14,23 18:3
18:9,17,20 19:10,11
21:21,22 22:7,12,13
22:21,25 23:6 50:19
50:20 52:5 53:18,19
pull 8:22
purchase 5:2
purchased 32:21,21
33:5,6,20
purpose 33:10,21 34:4
42:13
purposes 42:9 43:17
pursuant 5:24
put 27:20 36:21 40:14
47:3 53:14

Q

question 9:7 11:14 21:2
39:11 40:6 41:19
50:19
questions 2:12 37:20
41:24,24 42:3 52:2
53:17
quick 25:14
quicker 53:13
quiet 36:24

R

radar 45:15
RAFI 1:19
raise 9:7
raised 29:18
ramping 25:5
reach 54:17
read 10:16,17
reading 39:22
real 35:25
reality 27:10 36:9
reason 27:1,9 35:15
reasons 4:10 31:12
recall 5:4 10:16
receive 25:3
received 12:18
recess 55:19
recognized 46:6 47:6
record 3:4,11 12:3 24:4
24:8,11,15 32:5,17
38:10 44:3,15 52:12
records 13:20
Reeves 1:15
refer 7:2,10
reference 19:12
regarding 10:25
related 13:1
REMA 1:21
remember 45:6
Renee 1:24 2:5 3:25
26:14 43:14
Repeat 17:13
Replayed 2:10,10,11
22:9
Replayed/Stopped
23:3,9
report 9:18,19 10:17
11:13
represent 3:20
representing 19:3
request 10:24
requested 9:20 30:17
32:18
required 9:19
requirement 32:8
respect 9:14 23:15
24:13,15,19 28:20
32:15 33:14 49:17

response 6:4
responsibilities 42:16
responsibility 29:8
responsibly 30:15
rest 28:15
restaurant 30:10,20
31:1,14,16,16,18,20
31:20 32:1,3,4,13
35:2,4
resumed 24:8
Retailer 1:8
review 25:25
Richard 1:23 2:5 3:20
roads 55:10
roles 42:16
rooftop 28:17
room 1:6,7,15 3:6 12:20
13:17 14:21 17:8,15
17:18,21,24 22:5,14
Room's 17:10
run 30:10,14 35:7,18
46:3,8
running 29:5 35:17
36:17 37:10 42:2
44:17
runs 54:15

S

sales 44:3,4 51:16
saw 12:21 13:16,24
25:13 29:17
saying 6:11,16 7:8 8:24
30:23 35:15,22 43:8
52:13 53:2
says 51:1,6,15,19
scouring 9:23
scrutinized 40:5,17
seating 28:14
second 21:24 22:20,24
23:2,12,16 24:14 26:4
26:19 28:16,20 31:6
33:7
security 36:21 48:2,10
48:12,17,23 49:2,10
49:18,20,21,24 50:6
50:11 51:8 52:16 53:3
53:9
seeing 8:3 10:7 46:9
seen 8:7 9:24 10:12,15
10:19 11:9 13:7 21:12
23:11,12 48:15,15
sell 8:14,17,23 32:7
51:18
Seminar 51:4
sense 35:19
separated 28:15
September 12:18 13:16
13:23 14:2,17 15:19

16:5,6,13,15 17:1
18:2,4,6 25:6 26:6,14
42:9 50:23
Sergeant 1:25 2:4 12:5
12:6,8,10,12 18:22,24
19:2,8,11,19,23 20:8
20:13,18,24 21:7
39:19,20 40:9 48:3,4
48:5,6 53:20,22,25
serious 8:15
serve 31:22 35:12 51:2
51:18
served 9:19 10:8
Server 51:3
service 28:14 31:4,6
32:12 47:12 48:5
51:15
serving 29:6 33:22
set 24:18 25:3 28:20
37:1
sets 24:13
settlement 50:22,25
52:6,9,21,23,25
seven 30:7
share 6:14
Shawn 54:15
sheet 3:9
shootings 13:4
Short 1:20 16:13 41:25
42:2,4,6 45:24,25
46:23 47:4,16,25 48:7
49:13,16,25 50:16
51:10,13,14,25
Short's 50:21
shot 15:13
shots 14:4 26:23
show 7:7 9:16 14:13
15:13 21:21 22:12
26:25 52:23,24
showed 13:20 17:9
21:23 22:7 26:4
showing 13:18 14:17
16:21 17:16 22:5
shown 10:2 26:21
33:15
shows 22:11,21 23:7
side 40:11,15
sides 39:21
sign-in 3:9,10,11
sign-off 4:14
signed 52:9
signed-off 4:13
signing 48:24
similar 41:19
simulate 27:8
sir 9:8,12 12:3,5,10
18:24 19:1,22 24:11
53:22,25 54:2

sit 47:8,20
sitting 44:20
situations 41:14
small 30:6
social 4:23 9:23 10:3
13:15,24 27:9 36:2
solving 41:22
somebody 21:18 41:18
47:5,6 50:10
someone's 8:22
son 4:2 20:12,14 21:4
29:3,4,4,5,6,6,9 35:9
36:18 39:7,8,24 40:6
40:9,13,17 41:13
44:16,19
sons 19:17 24:16
sorry 3:17 5:9 7:24
16:10 18:5 19:9 20:10
34:16 45:22
sound 32:11
sourced 49:19
speak 23:25 48:16
speaking 27:16 40:11
44:16 55:6
specialty 48:12
specific 38:23
specifically 9:14 26:21
33:21,25
speed 7:18
spend 30:1
spent 9:22
spoke 10:25
staff 25:8 26:12,15,20
42:25 44:7 46:5,20
50:2
staffed 37:2
stake 29:8
stand 5:15
standing 21:18
start 3:11 7:17 9:9
27:17
starts 15:13
state 6:9 19:15 28:18
38:9 44:2,15,22
stated 5:18 20:5
statement 5:14
statements 2:2 5:10
states 34:6
steps 7:15
stills 25:24
stipulate 40:4,16
stipulated 25:3,4 44:13
54:7
stipulation 41:3,8
stocked 13:19 14:3
22:16
Stopped 15:17 16:17
17:3 22:18

store 26:10 34:2
street 1:8,15 8:18 12:21
18:11 28:1 32:23 40:3
48:13
strictly 42:9
strong 55:1
strongly 27:17
stuff 13:4 20:3
submit 49:9,11
submitted 54:8
subsequent 18:16
substance 43:6
substantial 33:11
successful 49:7
suggest 6:8 54:12,17
suggestion 39:21 41:5
55:1,9
Suite 1:16
supposed 22:12 48:20
50:3
surprises 11:20
suspicion 29:19

T

T's 44:11
T-A-B-L-E 2:1
t/a 1:7
table 27:21
tables 25:23
tagging 15:23 16:19
take-out 28:12
taken 24:21,22 26:5,18
takes 48:16
talk 11:13 33:10
talking 21:10 39:16
tavern 30:19 31:17,23
31:24 32:4,5,7,17
teaching 27:5
technically 32:14
telephone 12:18
tell 8:1 15:24 18:25 49:4
telling 48:25
tells 54:21
Temporary 53:8,11
tenure 38:25
testified 48:3
testifies 11:23
testimony 48:4
thank 4:7 24:5 40:25
45:10,23 48:4,4 50:17
51:25 55:13,13,15,16
55:17,18
things 6:9 43:18 44:25
45:17,19 48:9 54:11
third 16:18 21:14,16,17
22:2 23:5,6,12,15,18
25:10,12 26:18,19
28:16 31:6 32:19

33:12
thought 7:19 8:13,16
20:22 21:3 22:6 23:22
42:2,3 44:9,12
three 9:16,17 25:11
36:5
Thursday 12:18
ties 39:5,6
time-to-time 46:11
times 13:7 41:15 48:14
toast 15:25 27:24 43:20
toasted 26:16
toasting 21:22 26:5,7
today 6:1 12:1 19:1
37:8 49:4 54:5
told 9:21 10:4
top 5:5
TORP 4:12 25:4 52:7
torturous 38:22
total 37:4
Touching 50:20
tour 17:16 21:24
tower 21:19 26:23
Townsend 54:15 55:7
Tracy 1:25 2:4 12:6
train 26:12 47:19
trained 46:2,6,20 47:10
48:8 50:4
training 24:23 25:8,9
26:3,9,16,20 27:3,4,7
33:25 34:4 35:7 42:9
42:14,21,25 43:10,12
43:16,17,24 44:5
46:15,15,18,19,23,24
47:4,9,20 48:11,12,16
48:18,23 49:1 50:2,11
51:4
trainings 47:2
trouble 28:24 40:19
troubles 28:21
truck 8:12,14,18,21
try 43:21
trying 33:3 49:23 50:8
Tuesday 14:1 15:19
16:5,14,25 18:3
turn 31:24 42:11 53:13
two 15:18 21:11,21 24:4
24:12 30:8 35:16
type 30:16 34:23 35:5,6
35:8 38:17 45:3 48:12
types 25:21

U

Um-hum 45:13
understand 10:13
29:11 39:14,15 42:16
43:1 49:25
understanding 4:18

36:16 42:20
understands 34:19
 39:4
understood 50:15
 51:23
unfortunate 28:22
 45:18
unfortunately 11:4
 39:15 54:19,23
unnecessarily 29:19
upstairs 17:9
use 42:21,21,24 43:7
utilize 4:25

V

vet 49:12
vetted 36:22
video 2:8,9,9,10,10,11
 9:14,18 10:15,18,19
 11:1,8,11,11,14,15,16
 11:22,24,25 13:16
 14:14,16,18,20 15:2,4
 15:11,13,17,20 16:17
 16:19,20 17:3 21:10
 21:16,17,18,23 22:2,4
 22:7,8,9,11,11,18,20
 22:24 23:2,3,5,6,9,12
 23:13,15 25:9,10,13
 26:4,18 27:9 32:19
 33:8,12,15
videos 2:7 9:25 10:1,2
 10:12 13:25 14:12
 15:19,22 17:8,11,17
 21:11,21 24:20 26:25
 30:25 33:24
view 25:18 41:22
violation 7:2,10
violations 35:24 37:18
 37:24
violence 13:10

W

W 1:16,19
WAHABZADAH 1:21
wait 11:12
wall 17:19
wanted 9:7 11:8 13:8
 13:11 14:10 20:24
 31:12 32:16 44:22
 53:1
wants 41:7
Washington 1:16 17:24
wasn't 6:2 33:20 38:25
watching 48:24
water 42:21 43:6
way 27:6 40:14 47:17
Wednesday 1:12 13:16
 13:23 14:16

week 9:20 13:4 34:18
weigh 43:3
welcome 11:24
well-known 13:2
well-taken 32:10 43:11
went 18:12 24:8
weren't 5:19
where-- 14:23
whispered 55:7
white 25:22
willing 46:4 47:11,23
 49:6
wind 50:13
wish 43:3
wishes 25:25
wonderful 35:12 37:7
work 40:6 46:11 50:9
 53:14 55:2,2
worked 36:24 37:4
works 35:10
worry 21:5
WPGC 27:5
wrong 5:13

X

Y

yard 8:22
years 29:22 36:5 37:5
 37:12 38:13,14
yesterday 55:8
young 44:20
your-- 20:20

Z

0

1

1:30 55:19
10 38:12
100 17:23
11:08 3:2
11:30 24:8
11:33 24:9
114757 1:9 3:6
12 2:4
12:08 55:22
1370 1:8
13th 50:23
14 2:8
14th 1:15
15 2:9
16 2:9
17 15:19 16:15 42:9
17th 14:2 17:1 18:4,6
18 14:17
18th 13:16,23 16:5 18:2

26:7,14
19 2:4
19-CMP-00163 1:9 3:5
1st 12:7 18:6

2

2 1:13 2:9,10 15:20
 16:17 23:3 50:25
20 29:22
2000 1:15
20009 1:16
2018 16:8
2019 1:13 16:9,11,15
22 2:10
23 2:10,11 37:3
24 2:5 15:22
25th 25:6

3

3 2:9,11 16:20 17:3 23:9
 51:5
30 53:9

4

400S 1:16
42 2:14
44 2:5
45 53:9

5

50 2:14
5th 12:18

6

6A 1:8

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Before: DCABRA

Date: 10-02-19

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