

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA  
2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
3 ALCOHOLIC BEVERAGE CONTROL BOARD

4  
5 - - - - -X

6 IN THE MATTER OF: :

7 TGR nc. : CASE #16-CMP-00335

8 t/a Cities DC :

9 1909 K Street, NW :

10 License #77812 Retailer CR :

11 ANC 2B- - - - -X

12 Wednesday, August 3, 2016

13

14 Whereupon, the above-referenced matter  
15 came on for hearing at the Alcoholic Beverage  
16 Control Board, Reeves Center, 2000 14th Street,  
17 N.W., Suite 400S, Washington, D.C. 20009.

18

19

20

1 BOARD MEMBERS PRESENT

2 NICK ALBERTI, BOARD MEMBER

3 JAMES SHORT, BOARD MEMBER

4 MIKE SILVERSTEIN, BOARD MEMBER

5 RUTHANNE MILLER, BOARD MEMBER

6

7 ALSO PRESENT:

8 ANTHONY HOWZE

9 SHAHRYAR KAMOUEI

10 INVESTIGATOR DEMBY

11

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

2 FACT FINDING HEARING

3 CHAIRPERSON ANDERSON: We have a fact  
4 finding hearing, case #16-CMP- 00335, Cities DC,  
5 License #77812. Will the parties please approach  
6 and identify themselves for the record, please?

7 MR. HOWZE: Investigator, Anthony Howze.

8 CHAIRPERSON ANDERSON: Good afternoon, Mr.  
9 Howze.

10 MR. KAMOUEI: My name is Shahryar Kamouei,  
11 the owner of Cities DC Restaurant.

12 CHAIRPERSON ANDERSON: I'm sorry, your last  
13 name, sir?

14 MR. KAMOUEI: Kamouei. K-A-M-O-U-E-I.

15 CHAIRPERSON ANDERSON: Kemouei, good  
16 afternoon Mr. Kamouei. There's a sign-in sheet  
17 so if you'll please sign your name on that sign-  
18 in sheet please. All right, this is a fact  
19 finding hearing because there's been some, at  
20 least from the board is concerned, that there are  
21 some ownership issues, exactly who owns this  
22 establishment from the report it appears that

1 there have been -- a report that someone  
2 identified themselves as an owner. The  
3 investigator asked for identification and Mr. -  
4 well maybe Mr.

5 MR. KAMOUEI: Kamouei.

6 CHAIRPERSON ANDERSON: No, Mr. How --

7 MR. HOWZE: Mr. Howze?

8 CHAIRPERSON ANDERSON: Mr. Howze. Maybe you  
9 can provide some background information to the  
10 board, please. From the reports that you have.

11 MR. HOWZE: On March 25th at 1:15 a.m. I  
12 visited Cities DC located at 1909 K Street to  
13 deliver a service form. Upon my entrance to the  
14 establishment I identified myself to a male staff  
15 employee that was outside. He directed me to the  
16 inside of the establishment to the bar area where  
17 a female staff employee was standing. I  
18 identified myself as an ABRA investigator and  
19 asked was she an ABC manager or owner. She said  
20 that she wasn't, but she was the manager on duty.  
21 I asked was there an ABC manager or owner present  
22 at the establishment and she said there was not,

1 but the owner should be back shortly. I then  
2 went into doing a regulatory inspection where she  
3 assisted me. What I mean by assisted is she got  
4 the alcohol license for me and the CFO, basically  
5 everything that goes along with a regulatory  
6 inspection, she helped me with. During that  
7 time, investigator Demby had walked into the  
8 establishment and he stood directly behind me as  
9 I finished the regulatory inspection. I asked  
10 for the female staff employee's identification.  
11 She then stated again that the owner of the  
12 establishment will be here shortly and she did  
13 not retrieve her identification for me.  
14 Approximately five minutes later, Mr. -- how do  
15 you say your name?

16 MR. KAMOUEI: Kamouei.

17 MR. HOWZE: -- Kamouei entered the  
18 establishment and identified himself as the  
19 owner. Myself and Investigator Demby identified  
20 ourselves as ABRA investigators and explained the  
21 reason for our visit. The reason for the visit  
22 was to deliver a service form for a hearing that

1 the establishment had coming up. I went over the  
2 service form with Mr. Kamouei and he signed that  
3 document. Afterwards, I notified Mr. Kamouei  
4 that the establishment was in violation of the  
5 D.C. Official code for no ABC manager present  
6 during this license -- during the establishment's  
7 licensed hours of sale. I asked Mr. Kamouei -- I  
8 told Mr. Kamouei that a regulatory inspection was  
9 done in his absence and that the female manager  
10 helped me with that. I asked Mr. Kamouei could  
11 he ask his staff member to retrieve her  
12 identification so I could conclude my regulatory  
13 inspection. He stated that he was the owner and  
14 that he didn't see the reason why she would need  
15 to get her ID so I could finish my regulatory  
16 inspection. I explained to him that in order to  
17 complete my inspection and finish the report that  
18 I would need her identification. He instructed  
19 her to not get her identification and she walked  
20 away. At this point, I notified Mr. Kamouei that  
21 he was in violation again for interfering with an  
22 ABRA investigation. At thi point, Mr. Kamouei

1 asked myself and Investigator Demby for business  
2 cards. Mr. Demby -- investigator Demby -- gave  
3 his business card and I didn't have any cards so  
4 I wrote my information down on the back of his  
5 card. After that we exited the establishment and  
6 I returned back to ABRA. I pulled the ownership  
7 documents for Cities DC and from ABRA records,  
8 and it was the determination made from the  
9 documents that Mr. Michael Kosmody is the sole  
10 owner of the restaurant -- of the establishment.  
11 And after reviewing all the ownership documents  
12 of the establishment, Mr. Kamouei knowingly  
13 misrepresented himself to ABRA investigators when  
14 he identified himself as the owner of the  
15 establishment.

16 CHAIRPERSON ANDERSON: All right, your name  
17 again, sir?

18 MR. KAMOUEI: Shahryar Kamouei.

19 CHAIRPERSON ANDERSON: So who is Mr. Michael  
20 Kasmody?

21 MR. KAMOUEI: There's three of us, there's  
22 three part -- there's three owners: Mike

1 Kasmody, me myself and Mr. Winn Sheridan. He was  
2 at the premises right next to the officers or  
3 investigators.

4 CHAIRPERSON ANDERSON: And I guess I'm  
5 confused, because as far as ABRA records are  
6 concerned that Mr. Michael Kasmody is listed as  
7 an owner, I guess TRG, Inc.

8 MR. KAMOUEI: TGR Inc.

9 CHAIRPERSON ANDERSON: I'm sorry, TGR Inc.,  
10 and Mr. Michael Kasmody is listed as the owner.

11 MR. KAMOUEI: Yeah, I also have my ABRA  
12 license and also I'm the owner/managing partner  
13 of Cities Restaurant. Mike Kasmody was there,  
14 like two feet away from the officers. I mean,  
15 the investigators.

16 CHAIRPERSON ANDERSON: Do we have anything in  
17 the ABRA records that --

18 MR. ALBERTI: I'm looking now.

19 CHAIRPERSON ANDERSON: All right.

20 MR. ALBERTI: I'm looking now trying to find  
21 out what we have in our records. I'm curious as  
22 to why Mr. Kamouei did not come forward?

1 MR. KAMOUEI: I'm sorry?

2 MR. ALBERTI: Why didn't you come forward  
3 that evening then?

4 MR. KAMOUEI: I was in the garage moving my  
5 car, bringing my car --

6 MR. ALBERTI: Not you, Mr. Ka -- you said Mr.  
7 Kasmody was there.

8 MR. KAMOUEI: Mr. Kasmody? No, Kasmody was  
9 there too but they didn't ask who is the owner  
10 here or anything like that.

11 MR. ALBERTI: And no one thought to summon  
12 him?

13 MR. KAMOUEI: Nobody did, I mean --

14 MR. ALBERTI: What do you mean? They all --  
15 no, no, no -- they asked for an owner or an ABC  
16 manager. MR. KAMOUEI: They asked a manager that  
17 was a new manager that just started working there

18 CHAIRPERSON ANDERSON: All right, hold on a  
19 minute.

20 MR. ALBERTI: I don't want to try the case.

21 CHAIRPERSON ANDERSON: Mr. Demby?

22 MR. DEMBY: Yes, sir?

1           CHAIRPERSON ANDERSON: What do you have to  
2 add? Please identify yourself for the record.

3           MR. DEMBY: Demby, investigator with ABRA.  
4 On the night in question, when Investigator Howze  
5 went to the establishment to deliver the service  
6 form, at the point where I made entry into the  
7 establishment we were still -- he was still  
8 requesting an ABC manager or owner. The female  
9 stated that the manager -- or that the owner  
10 would be back shortly and we later found out that  
11 Mr. Kasmody was there but he was consuming  
12 alcohol, so I then informed this gentleman to my  
13 left that if he want to represent Mr. Kasmody as  
14 the owner of the establishment, with him  
15 consuming alcohol in our presence, that they  
16 would then be charged with an owner or ABC  
17 manager of the establishment being under the  
18 influence while operating an establishment. So,  
19 either Mr. Kasmody was a patron or he was an  
20 owner. If he was an owner then they were being  
21 charged with that. If he was a patron then we  
22 were just going to move forward with the no ABC

1 manager violation. Mr. Kasmody never at any  
2 point in time identified himself to us as an  
3 owner of the establishment nor his affiliation.  
4 The establishment wasn't crowded at all. Mr.  
5 Kasmody was at the bar. There was approximately  
6 six to eight patrons in the establishment. The  
7 female bartender, or whoever -- whatever her role  
8 is, she was approximately 7 or 9 feet from us so  
9 we had to project our voice when we requested  
10 anyone that we requested. Mr. Kasmody had every  
11 opportunity to identify himself as the owner; he  
12 failed to do so. So, as far as our investigation  
13 went, he was the owner. It wasn't like he told  
14 us he was, but this gentleman here, once he got  
15 to the establishment, after not being there,  
16 wanted to get away from the no ABC manager  
17 violation, but when I told him what his options  
18 were in terms of that, then Mr. Kasmody was then  
19 a patron. So, as far as we go, Mr. Kasmody was a  
20 patron at the establishment that night, he had no  
21 official duties to do anything with ABRA.

22 CHAIRPERSON ANDERSON: All right. Part of

1 the issue that Mr. Kamouei. How do you say your  
2 last name, please?

3 MR. KAMOUEI: Kamouei. Kamouei.

4 CHAIRPERSON ANDERSON: M?

5 MR. KAMOUEI: K-A-M-O-U-E-I.

6 CHAIRPERSON ANDERSON: Mr. Kamouei. There is  
7 -- I guess, is the name spelled correctly in the  
8 report?

9 MR. HOWZE: That's what I got from his ID,  
10 his driver's license.

11 CHAIRPERSON ANDERSON: And this is this  
12 person, right?

13 MR. HOWZE: Correct.

14 CHAIRPERSON ANDERSON: And how do you spell  
15 your name, sir?

16 MR. KAMOUEI: Sharyar, S-H --

17 CHAIRPERSON ANDERSON: Your last name.

18 MR. KAMOUEI: Kamouei. K-A-M-O-U-E-I.

19 CHAIRPERSON ANDERSON: Because it's spelled  
20 in the report Kamubei.

21 MR. KAMOUEI: It's O-U-E-I. He had my  
22 license.

1 CHAIRPERSON ANDERSON: I'm just saying that's  
2 why, that's --

3 MR. ALBERTI: That's why we're having  
4 trouble.

5 CHAIRPERSON ANDERSON: That's why I'm having  
6 a concern, because I'm looking in the report to  
7 see the name and although I'm not very good at  
8 pronouncing names, but the way you're pronouncing  
9 the name and when you're spelling the name,  
10 that's not the way it's spelled in the report.  
11 So, the report should be corrected. So, could  
12 you please spell your name for the record so this  
13 report can be corrected for the way that the name  
14 is -- please spell your first name and last name  
15 again, sir.

16 MR. KAMOU EI: First name is S-H-A-H-R-Y-A-R:  
17 Sharhryar. Last name is Kamouei: K-A-M-O-U-E-I.

18 CHAIRPERSON ANDERSON: Sir, the problem that  
19 I'm having here is this is a fact finding hearing  
20 and we can only have a fact finding hearing if  
21 there's an owner, and did you file any  
22 documentation with ABRA saying that you own any

1 percentage, more than 10%, of this establishment?

2 MR. KAMOUEI: I haven't done that, no.

3 CHAIRPERSON ANDERSON: Well, then the problem  
4 that I'm having is it's hard for us -- for the  
5 board -- it doesn't make sense for us to have  
6 this fact finding hearing if the owner is not  
7 here because I don't know who you are.

8 MR. KAMOUEI: I can show you documents from  
9 e-mails saying that I am the owner.

10 CHAIRPERSON ANDERSON: All right. The only  
11 thing that -- hold on -- hold on -- I'm sorry.  
12 The only thing that I have in front of me are the  
13 ABRA records that states who the owner is and our  
14 records state that owner licensee TGR Inc. and  
15 Michael Kasmody is the owner.

16 MR. KAMOUEI: Okay.

17 CHAIRPERSON ANDERSON: That's what the ABRA  
18 record states. So, therefore, I mean -- we can't  
19 have this fact finding hearing because I don't  
20 know who you are.

21 MR. ALBERTI: May I interject?

22 CHAIRPERSON ANDERSON: Yes, Mr. Alberti.

1 MR. ALBERTI: So, Chairman Anderson.

2 MR. KAMOUEI: May I respond.

3 CHAIRPERSON ANDERSON: Yeah go ahead. Hold  
4 on.

5 MR. ALBERTI: We have someone checking at  
6 ABRA records now, because -- and there may be a  
7 possibility that when the investigators went to  
8 review the records they -- they looked maybe at  
9 the wrong set, not their fault, because I think  
10 there's some confusion. Because of the transfer  
11 of ownership that happened a while back I think  
12 that there's some confusion as to what the  
13 current records are and so we have someone  
14 checking that now. This is not your fault. I  
15 was just given not probably up to date records.  
16 So, can I ask you -- who are the owners.

17 MR. KAMOUEI: Winn Sheridan, Mike Kasmody and  
18 myself.

19 MR. ALBERTI: Sheridan. Okay. And --

20 MR. KAMOUEI: And Mr. Sheridan is a silent  
21 partner.

22 MR. ALBERTI: What percentage owner is he?

1 MR. KAMOUEI: He's 20%.

2 MR. ALBERTI: 20%. And you are?

3 MR. KAMOUEI: Forty, and Mike Kasmody is 40.

4 MR. ALBERTI: Okay.

5 CHAIRPERSON ANDERSON: You said you have  
6 documents -- what --

7 MR. KAMOUEI: If I go through my e-mail I  
8 could show you like when we assigned percentages  
9 and all that stuff, so. But if it's better, I  
10 mean I could bring Mike with me. He had a  
11 problem with his dog. He was in the hospital so  
12 he couldn't make it.

13 CHAIRPERSON ANDERSON: No, but -- but do you  
14 know whether or not -- and yeah we can check our  
15 records, but did you know whether or not this  
16 company had filed documentation with ABRA itself.

17 MR. KAMOUEI: It's also my manager license,  
18 my ABC license also.

19 UNKNOWN SPEAKER: You can ask your question.

20 MR. ALBERTI: The question is, have you -- do  
21 you know whether or not --

22 MR. KAMOUEI: Yes.

1 MR. ALBERTI: -- the proper ownership was  
2 filed with ABRA. Or filed with ABRA as a  
3 proffer.

4 MR. KAMOUEI: I'm not sure, I'm not sure.  
5 [inaudible 2:28] is our lawyer and I don't know  
6 if he submitted anything or not.

7 MR. ALBERTI: Okay, so what I suggest is that  
8 we -- that we -- after this hearing we check our  
9 ABRA records, if they're not up to date we notify  
10 the company, we notify Mr. Kamoeui that our  
11 records are not up to date and they need to come  
12 in here and file the proper paperwork.

13 MR. KAMOUEI: Okay.

14 MR. ALBERTI: Because really, this is not  
15 about the other charges. You weren't there,  
16 that'll get taken care of at another hearing.  
17 This is about our concerns about who are the  
18 proper owners?

19 MR. KAMOUEI: Okay.

20 MR. ALBERTI: Because, our records --  
21 whatever the records they're based on and I saw  
22 today -- do not have you on as manager. So, it's

1 possible that we have additional records in our  
2 file and it's just not in the right place, but we  
3 will get that straight.

4 MR. KAMOUEI: Okay.

5 MR. ALBERTI: And will let you know whether  
6 you need to file additional paperwork --

7 MR. KAMOUEI: Okay.

8 MR. ALBERTI: -- to correct your records.

9 CHAIRPERSON ANDERSON: Well let me ask a  
10 question. So, Mr. --

11 MR. KAMOUEI: Kamouei.

12 CHAIRPERSON ANDERSON: -- Kamouei, you stated  
13 that you're an ABC manager, right?

14 MR. KAMOUEI: I had my license before the  
15 ownership changed.

16 CHAIRPERSON ANDERSON: But why did you not  
17 tell the investigator, if the investigator says  
18 that there is no -- there is no ABC manager/owner  
19 there, why did you not say to the investigator  
20 that 'I'm also an ABC manager' and then you show  
21 him your identification.

22 MR. KAMOUEI: The whole thing went down

1 really sour, as soon as I came in. I was  
2 downstairs getting my car. I explained to them.  
3 They said, 'no, you have to be here' the tone of  
4 voice and everything, and I asked Mr. -- what's  
5 your name again?

6 MR. HOWZE: Howze.

7 MR. KAMOUEI: -- to give me his business  
8 card, and it's like he show me his badge, like  
9 "this is my business card and I don't have to  
10 show you my -- my card." And then the other  
11 gentleman was very nice. He gave me his card, he  
12 said, "I have one." But he was the one that was  
13 doing all the talking. And he's like, "this is  
14 my card," and he shove his badge in my face. I  
15 was like, "listen, you know, I'm the owner." He  
16 says, "you weren't here when we came here, we did  
17 our investigation, you should have been here,"  
18 like just the way he was acting and it just -- I  
19 never even had to deal with that ever in my life,  
20 you know what I mean. And there was only six  
21 people in the place, five or six people. We were  
22 closing, we weren't like -- we weren't [inaudible]

1 2:30] closing. And, yes, Mike Kasmody did have  
2 one drink in his hand towards the end of the  
3 night when he was leaving, and it was like  
4 closing time.

5 CHAIRPERSON ANDERSON: You weren't -- it's  
6 correct that you were not there, is that correct?

7 MR. KAMOUEI: No, I was there. I parked -- I  
8 got my car from the garage. It took me like five  
9 to ten minutes to get my car.

10 CHAIRPERSON ANDERSON: That's not what I  
11 asked you.

12 MR. KAMOUEI: Yeah.

13 CHAIRPERSON ANDERSON: Mr. Howze said you  
14 were not there, is that correct?

15 MR. KAMOUEI: I was there.

16 CHAIRPERSON ANDERSON: How can you be there?  
17 Let me ask the question, sir. Is -- do you park  
18 your car inside the vicinity of the restaurant?

19 MR. KAMOUEI: The garage downstairs, yes.

20 CHAIRPERSON ANDERSON: No, that's not what I  
21 asked you. Not the garage downstairs. Do you  
22 park your car inside the restaurant?

1 MR. KAMOUEI: Not inside the restaurant.

2 CHAIRPERSON ANDERSON: All right, all right.  
3 So, you don't park your car inside the  
4 restaurant. So, if Mr. Howze is correct when Mr.  
5 Howze says you were not there, is that correct?

6 MR. KAMOUEI: It's correct, yeah.

7 CHAIRPERSON ANDERSON: All right, okay. And,  
8 when you go and see a police officer, and I'm not  
9 saying Mr. Howze is a police officer, and the  
10 police officer shows you his badge, do you ask  
11 him for a business card or if a police officer  
12 shows you his badge, that says to you that he is  
13 who he says he is.

14 MR. KAMOUEI: I mean, it's different when  
15 there's, if there's somebody in a uniform comes  
16 in, of course, you know 'hey they're a paramedic,  
17 they're police officers, they're fire  
18 department.' But when somebody comes in dressed  
19 like this you don't know who they are, you know  
20 what I mean? You just ask and then he just puts  
21 his badge in front of my face.

22 CHAIRPERSON ANDERSON: And, so what does,

1 what does the badge mean? I'm asking you.

2 MR. KAMOUEI: I have -- I don't know what  
3 that badge means. So I say "can I get a card to  
4 see who you are?"

5 CHAIRPERSON ANDERSON: Yeah, but, I can make  
6 the --

7 MR. KAMOUEI: And he just didn't want to do  
8 it and that's when the other gentleman gave me  
9 his card.

10 CHAIRPERSON ANDERSON: Yeah I can go and  
11 print up some business cards and I give you a  
12 business card to say who I am. That doesn't mean  
13 a thing. I think that if someone showed me a  
14 badge and someone showed me a business card, I  
15 think that I would probably take the badge over  
16 the business card because anybody can give you a  
17 business card. I mean I can go print some  
18 business cards and say who I am so, I'm not  
19 saying --

20 MR. KAMOUEI: Actually, I agree, but just the  
21 way he was carrying himself, the way he was  
22 representing, I guess, liquor board with an

1 attitude. I just, you know, I'm a business  
2 owner, I was there all day, you know -- I was  
3 tired, I'm trying to go home, get in my car,  
4 trying to go home, and that was the last thing I  
5 needed to deal with, the attitude like that, you  
6 know what I mean? So --

7 CHAIRPERSON ANDERSON: Well -- yeah, I'm  
8 coming to you, Mr. Short. I mean I'm not -- and  
9 I'm not making a decision about whether or not he  
10 had a good attitude, bad attitude or whatever,  
11 I'm just asking if he has said a couple of things  
12 to you about you're not there. He stated you  
13 were not there. You asked him for ID. He showed  
14 you his badge, but I'm just saying -- it's --  
15 that's something that we both have to be aware of  
16 -- I mean -- you asked for identification and he  
17 showed you his badge. I think asking him for a  
18 business card, I mean that's generally -- but --  
19 but I hear you, I hear you.

20 MR. KAMOUEI: I mean honestly, by the time --  
21 I go get my car -- I mean even say if I was in  
22 the bathroom for ten minutes, you know what I

1 mean, like just cut me out. It just -- by the  
2 time I come in and say 'well, you weren't here'  
3 like, I was like, "well, I'm here, I just got my  
4 car." 'You weren't here,' that's when his  
5 attitude started, and that's when I said, 'hey,'  
6 so you know, 'can I get your card?' So, I wanna  
7 like -- you know -- when I come here, I go talk  
8 to my lawyer I know exactly who that investigator  
9 was. And he didn't want to give it to me and he  
10 just said, "this is my -- this is my -- this"

11 CHAIRPERSON ANDERSON: Well, you know, we're  
12 having the same problem right here today because  
13 the only information that I have it says that  
14 Michael Kasmody is the owner. I don't know who  
15 you are, and you're saying to me that you might  
16 have e-mails saying something, and the problem --

17 MR. KAMOUEI: Of the documents and the --

18 CHAIRPERSON ANDERSON: -- and what I'm trying  
19 to say to you is that whether or not the  
20 information I have in front of me is right or  
21 wrong, right now I'm having a difficult time  
22 because the information that I have in front of

1 me says that you're no one in the restaurant.

2 I'm just -- you know what I mean by that, because  
3 the information that I have -- and so, it's the  
4 same type of -- but I'm saying --

5 MR. KAMOUEI: Get a postponement to like  
6 another week or two weeks and bring you all the  
7 documents, bring Mike Kasmody, and if you  
8 wouldn't mind doing that?

9 CHAIRPERSON ANDERSON: And maybe we will do  
10 that, but I'm going to hear what my other board  
11 members have to say. Yes, Mr. Short?

12 MR. SHORT: Good afternoon.

13 MR. KAMOUEI: Good afternoon, sir.

14 MR. SHORT: Is it true or not true that you  
15 instructed an employee of your business not to  
16 show their identification to the investigators?

17 MR. KAMOUEI: No, absolutely not. That's not  
18 true.

19 MR. SHORT: That didn't ever occur?

20 MR. KAMOUEI: It never occurred.

21 MR. SHORT: Okay. So, when he asked for the  
22 ID of the other person did that person show it to

1 him?

2 MR. KAMOUEI: I'm sorry?

3 MR. SHORT: When he asked - you were there.  
4 By that time you had come back from the parking  
5 lot.

6 MR. KAMOUEI: Yes.

7 MR. SHORT: You came back out of the parking  
8 lot. You were there. He asked the person beside  
9 you, there at the business with you, to show  
10 their ID, and someone did not show their ID, is  
11 that true or not true?

12 MR. KAMOUEI: I definitely did not hear that.  
13 I absolutely did not say "do not show ID."  
14 That's when I was already there, so --

15 MR. SHORT: We're going back and forth with  
16 who did and who didn't. But I will say this to  
17 you, if you ever come before this board again,  
18 and those kind of accusations come up, it's on  
19 the record not that it possibly could have  
20 happened --

21 MR. KAMOUEI: Okay.

22 MR. SHORT: -- and that's not acceptable.

1 When a government official asks you for an ID or  
2 somebody for their ID, then you should show it.  
3 That sounds like you're driving in the passenger  
4 seat of a car and somebody's driving your car and  
5 a police officer pulls you over, maybe you don't  
6 like the policeman's attitude, and you tell the  
7 person driving your car, 'don't show him nothing'  
8 -- would that fly with the police department?

9 MR. KAMOUEI: I would never do that.

10 MR. SHORT: I hope you wouldn't.

11 MR. KAMOUEI: I would say, "hey, show him the  
12 ID" you know what I mean?

13 MR. SHORT: Okay, well let's say this -- you  
14 mention attitude, so you say you were tired,  
15 you'd been working all day, you went to move your  
16 car in the garage for whatever reason and the  
17 investigators just happened to come in when you  
18 weren't there, and so they asked you for ID and  
19 you said they had an attitude, so it sounds like  
20 you were a little tired at the end of the day,  
21 too, right?

22 MR. KAMOUEI: I absolutely was, I was there

1 all day, there was a lot of stuff going on and  
2 you know with the business so.

3 MR. SHORT: Okay. It sounds like you run a  
4 pretty good business there, right?

5 MR. KAMOUEI: Yeah, absolutely.

6 MR. SHORT: Okay. So, you wouldn't expect  
7 one of your customers to come in and question  
8 your ownership or question you or your ownership  
9 or question you in your place. So, they have a  
10 job to do, you have a job to do.

11 MR. KAMOUEI: Absolutely.

12 MR. SHORT: They could be your best friends.  
13 They could be helping your business, help you  
14 stay with your ABC license intact. I would  
15 suggest if they come back in again that you take  
16 a deep breath and give them the respect that's  
17 due them as government officials and work with  
18 them a little bit.

19 MR. KAMOUEI: Absolutely, sir.

20 MR. SHORT: That's all I could ask.

21 MR. KAMOUEI: Absolutely.

22 MR. SHORT: Thank you, Mr.Chair, that's all I

1 have.

2 CHAIRPERSON ANDERSON: All right, any other  
3 questions by any? All right. Any comments by  
4 either investigator?

5 MR. DEMBY: I was going to address some  
6 statements that were made.

7 CHAIRPERSON ANDERSON: If you believe you  
8 need to. It's on the record, so if you believe  
9 you need to clarify the record, please do.

10 MR. DEMBY: There's no need, sir. Our work  
11 speaks for itself. We have nothing to say.

12 MR. SHORT: Thank you for your report.

13 CHAIRPERSON ANDERSON: All right. This is  
14 what I'll do, is that I'll bring this hearing to  
15 a close but I think we will -- we will look at  
16 our records to see the ownership and one thing  
17 that I would suggest that you do prior to today  
18 is talk to Mr. Groddy to find out if it has not  
19 been done, what is it that you need to do to have  
20 your name listed as the appropriate --

21 MR. KAMOUEI: Mr. Who?

22 CHAIRPERSON ANDERSON: Groddy. Shawn Groddy.

1 MR. ALBERTI: Before you leave.

2 CHAIRPERSON ANDERSON: Before you leave  
3 today, yeah. You go to the front desk and ask  
4 for Mr. Shawn Groddy.

5 MR. KAMOUEI: Okay.

6 CHAIRPERSON ANDERSON: And so if it has not  
7 been done at least you will know what you need to  
8 do to have the record reflect that you are one of  
9 the owners of the ABRA establishment and the  
10 board will make a determination whether or not we  
11 need to bring the owner back depending on the  
12 information that is -- but as I said before,  
13 thank you for being here. The investigator's job  
14 is very difficult. It appears that maybe some  
15 feathers were ruffled that night. You had a long  
16 day you're saying, so maybe you had a long day  
17 and you're closing and it's like 'I was only gone  
18 for five minutes or ten minutes' -- I've been in  
19 this seat for eight months and I've had other  
20 owners come here and say that when the  
21 investigator comes in to say 'I was only gone for  
22 five minutes' or 'I was only gone for one minute'

1 and the law says that you can't be gone. If the  
2 owner is not there, there has to be an ABC  
3 manager, so any time you're selling alcohol, that  
4 alcohol is available, someone has to be there.  
5 So, sometimes we might believe that 'I was only  
6 gone for a minute' -- I've heard some owners say  
7 'well, I have to go use the bathroom -- I mean  
8 don't I have to -- I have to go to my car to  
9 retrieve something because -- when -- because a  
10 minor could have come in at that point, bought  
11 liquor, it has happened before and you would have  
12 a big fine and so, therefore, we want to make  
13 sure that there is someone responsible there when  
14 these things occur. But thank you very much,  
15 sir, for coming.

16 MR. KAMOUEI: I was actually a little upset  
17 about my partner because he was standing like two  
18 feet away from the gentleman and he didn't even  
19 [inaudible 2:40]. That's something different, I  
20 dealt with him after, but he was standing  
21 literally two feet away and did not even identify  
22 himself, he was --

1 CHAIRPERSON ANDERSON: I think what the  
2 investigator said, if the business is open they  
3 can't be consuming alcohol.

4 MR. KAMOUEI: It was closing.

5 CHAIRPERSON ANDERSON: Well, it's -- so there  
6 were still customers -- from what I'm hearing --

7 MR. KAMOUEI: No, four of his friends were  
8 there.

9 CHAIRPERSON ANDERSON: They're still  
10 customers.

11 MR. KAMOUEI: Yeah, and --

12 CHAIRPERSON ANDERSON: They're still  
13 customers and so, therefore, as the investigator  
14 stated, which one do you prefer? You have an  
15 owner who's consuming -- if it's open, it's open.

16 MR. KAMOUEI: Absolutely.

17 CHAIRPERSON ANDERSON: Okay, all right. So,  
18 thank you. Go ahead, Mr. Alberti.

19 MR. ALBERTI: We just took one look, another  
20 look at our records, and we don't have -- it  
21 doesn't reflect the proper ownership so it's  
22 imperative that you go see Mr. Shawn Groddy.

1           MR. KAMOUEI:  Okay, I'll get that done this -  
2 - I'll get that done in the next day or two.

3           MR. ALBERTI:  Okay.  Thank you.

4           MR. KAMOUEI:  Okay.

5           CHAIRPERSON ANDERSON:  So, you can just meet  
6 with them before you leave, today.  Get some  
7 clarification.  He'll let you know what you need  
8 to do.

9           MR. KAMOUEI:  Okay.

10          CHAIRPERSON ANDERSON:  And thank you for  
11 appearing today.

12          MR. KAMOUEI:  Thank you.

13          (Whereupon, the above-entitled matter was  
14 concluded.)

15