

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

IN THE MATTER OF:

The New Brookland Cafe, LLC	
t/a B Cafe	Fact-
3740 12th Street, NE	Finding
Retailer Caterer - ANC-5B	Hearing
License No. 86793	
Case #14-CMP-00280	
(Board Requested the Licensee	
to Submit documentation	9/24/14
Demonstrating Services as a	
Licensed Caterer at Signature	
Lounge)	
Aalemu Investments, LLC	
t/a Signature Lounge	
1920 9th Street, NW	
Retailer CT - ANC-1B	
License No. 95535	
Operating without a License)	

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 Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson  
NICK ALBERTI, Member  
DONALD BROOKS, Member  
HERMAN JONES, Member  
HECTOR RODRIGUEZ, Member  
JAMES SHORT, Member

ALSO PRESENT:

SHAWN TOWNSEND/DORSHAE DEMBY, ABRA

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

STATEMENTS:

Shawn Townsend . . . . .	6/130
Dorshae Demby. . . . .	.11
Board Questions:. . . . .	9
D'Moz Lumukanda. . . . .	.17
Board Questions:. . . . .	.22

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

(2:39 p.m.)

CHAIRPERSON MILLER: We have a Fact-Finding Hearing that was scheduled for 2:00. Are the parties here for that? It's related to B Cafe and Signature Lounge?

MR. LUMUKANDA: Yes, ma'am.

CHAIRPERSON MILLER: Okay. B Cafe is located at 3740 12th Street, N.E., License No. 86793, in ANC-5B.

And Signature Lounge's location is 1920 9th Street, N.W., License No. 95535, in ANC-1B.

MR. LUMUKANDA: Yes.

CHAIRPERSON MILLER: Okay. When you are ready, I would like you all to identify yourselves for the record and sign-in also.

MR. LUMUKANDA: Sure. D'Moz Lumukanda on behalf of B Cafe Catering.

CHAIRPERSON MILLER: Okay.

MR. ALEMU: Amare Alemu, Signature

1 Lounge.

2 CHAIRPERSON MILLER: Okay. Wait a  
3 second. D'Moz, what's your last name?

4 MR. LUMUKANDA: Lumukanda.

5 CHAIRPERSON MILLER: Can you spell  
6 it?

7 MR. LUMUKANDA: L-U-M-U-K-A-N-D-A.

8 CHAIRPERSON MILLER: Okay. And  
9 your name again, sir?

10 MR. ALEMU: Amare Alemu.

11 CHAIRPERSON MILLER: Can you spell  
12 that?

13 MR. ALEMU: Signature Lounge. A-  
14 M-A-R-E A-L-E-M-U.

15 CHAIRPERSON MILLER: And what's  
16 your relation here?

17 MR. ALEMU: Signature Lounge.

18 CHAIRPERSON MILLER: What are you?

19 MR. ALEMU: Owner of Signature  
20 Lounge.

21 CHAIRPERSON MILLER: Owner, okay.

22 MR. MATTHEWS: Jermaine Matthews,

1 Agent for Signature Lounge.

2 CHAIRPERSON MILLER: Jermaine  
3 Matthews. What's your relation to Signature  
4 Lounge?

5 MR MATTHEWS: Agent. Agent.

6 CHAIRPERSON MILLER: Agent?

7 MR MATTHEWS: Yes.

8 CHAIRPERSON MILLER: Agent. Okay.  
9 Maybe you can explain that. What does --

10 MR MATTHEWS: I'm the person that  
11 -- I'm responsible for handling all the issues  
12 before ABRA. I am Agent formerly with ABRA,  
13 along with the application.

14 CHAIRPERSON MILLER: Right. Okay.  
15 Okay. Thank you.

16 INVESTIGATOR TOWNSEND: Shawn  
17 Townsend, Investigator with ABRA.

18 CHAIRPERSON MILLER: Okay. Great.  
19 Okay. Okay. My understanding is that there  
20 is some issue with respect to the relation of  
21 the caterer to the establishment, that whether  
22 or not the establishment is operating without

1 a license or the caterer's license was being  
2 used properly.

3 So I think maybe I should ask --  
4 is it Mr. Townsend?

5 INVESTIGATOR TOWNSEND: Yes,  
6 ma'am.

7 CHAIRPERSON MILLER: Yes, maybe  
8 would you like to give an overview of the  
9 concerns that brought us here today?

10 INVESTIGATOR TOWNSEND: Okay.

11 CHAIRPERSON MILLER: Okay.

12 INVESTIGATOR TOWNSEND: On June  
13 11, 2014, I was advised by my Supervisor Craig  
14 Stewart to monitor Signature Lounge because we  
15 had gotten a complaint that there was possible  
16 alcohol sales without a license.

17 And I visited the establishment at  
18 10:05 p.m. on that evening. Upon my arrival,  
19 I noticed a sidewalk advertisement that  
20 mentioned hookah and drink specials. As I  
21 entered the establishment, a server greeted me  
22 and offered me a hookah menu which included

1 hookah options as well as non-alcoholic  
2 drinks.

3 I noticed that the first floor was  
4 empty, so I proceeded to the second floor  
5 where I observed a bartender behind the bar  
6 and several patrons scattered throughout in  
7 lounge chairs. I sat at the bar and I was  
8 asked by the bartender if I wanted anything to  
9 drink.

10 At this time, I did not identify  
11 myself as an ABRA Investigator. I also  
12 noticed the server come up to the bar and ask  
13 the bartender to serve drinks. She later  
14 returned, served those alcoholic drinks to  
15 patrons that were seated on the second floor.

16 At which point I identified myself  
17 to the bartender as an ABRA Investigator and  
18 asked to speak to the owner or manager. At  
19 that point, Mr. Amare Alemu stated that he was  
20 the manager of the establishment and I asked  
21 him if he had an appropriate license to sell  
22 alcohol at Signature Lounge.

1                   Mr. Alemu informed me that he  
2 would be right back. He then went and got Mr.  
3 Lumukanda and he informed me that he had a  
4 Class C Caterer's License to sell alcohol.

5                   I asked -- Mr. Lumukanda also  
6 informed me that him and Mr. Alemu had a  
7 contractual agreement stating that he would  
8 provide food and alcoholic beverages at the  
9 establishment during hours of operation.

10                  Mr. Alemu proceeded to provide me  
11 with a Certificate of Occupancy, a Certificate  
12 of Registration from the Tax and Revenue  
13 Office and a C of O issued to A. Alemu  
14 Investment, LLC.

15                  Neither party were aware if the  
16 actual building had a business license. When  
17 Mr. -- I'm sorry. I asked Mr. Lumukanda if  
18 food was being served and he told me that it  
19 was not being provided because the kitchen was  
20 out of service.

21                  At this point, he asked to speak  
22 to my supervisor after I informed him that if

1 food was not being served, he could not  
2 operate by using his Class C Caterer's  
3 License.

4 He spoke to my Supervisory  
5 Investigator, Supervisor Craig Stewart. Mr.  
6 Stewart advised him that if they were not  
7 serving food, alcohol could not be served.

8 I was informed to monitor the  
9 establishment as Mr. Lumukanda agreed to stop  
10 the sale of alcohol, which he did, and at that  
11 point I exited the establishment. And that's  
12 pretty much it.

13 CHAIRPERSON MILLER: Okay. Thank  
14 you. Board questions?

15 MEMBER ALBERTI: I have questions.

16 CHAIRPERSON MILLER: Yes, okay.  
17 Mr. Alberti.

18 MEMBER ALBERTI: Investigator  
19 Townsend, thank you for your report. Have you  
20 or any other Investigators followed-up on  
21 observations?

22 INVESTIGATOR TOWNSEND: Yes, sir.

1                   MEMBER ALBERTI:   Of this  
2                   establishment?

3                   INVESTIGATOR TOWNSEND:   Yes, sir.

4                   MEMBER ALBERTI:   Was it you or  
5                   someone else?

6                   INVESTIGATOR TOWNSEND:   It was  
7                   another Investigator.

8                   MEMBER ALBERTI:   And who was that  
9                   Investigator?

10                  INVESTIGATOR TOWNSEND:  
11                  Investigator Dorshae Demby.

12                  MEMBER ALBERTI:   Okay.   So should  
13                  I ask that Mr. Demby testify or can you  
14                  testify in his behalf?   I don't -- it's up to  
15                  the Chair.   I don't know how we want to do  
16                  this.

17                  CHAIRPERSON MILLER:   Well, if Mr.  
18                  Demby is here.   I think it would be best to  
19                  ask him.

20                  INVESTIGATOR TOWNSEND:   Okay.

21                  CHAIRPERSON MILLER:   As long as he  
22                  is here.

1                   MEMBER ALBERTI:  So I think it  
2                   would be, too.  I would prefer getting all  
3                   information from our Investigators at one  
4                   time.

5                   CHAIRPERSON MILLER:  Yes.

6                   MEMBER ALBERTI:  So, Mr. Demby, do  
7                   you have any additional information?

8                   INVESTIGATOR DEMBY:  The only  
9                   thing I can add is Investigator Townsend asked  
10                  me to return to the establishment because he  
11                  was unable to perform a regulatory inspection  
12                  or a regulatory inspection on holders of  
13                  alcohol licenses.  So a lot of the things we  
14                  would be looking for simply don't exist.

15                  So I got the information off of  
16                  their certificate.  While I was there, I asked  
17                  to see the kitchen, just to see the condition  
18                  it was in.  It looked as if it had been used  
19                  recently, although I didn't see anybody with  
20                  any dishes when I arrived at the  
21                  establishment.

22                  There was no alcohol present

1 behind the bar. As soon as I entered the  
2 establishment, I was informed to state who I  
3 was, that they weren't serving any alcohol.  
4 I took it upon myself to look back there  
5 myself and they only had cans of soda.

6 So for those purposes, I completed  
7 the regulatory inspection to the best of its  
8 ability at the facility.

9 MEMBER ALBERTI: Okay. And when  
10 was this?

11 INVESTIGATOR TOWNSEND: This was  
12 last week. I don't have the exact date.

13 MEMBER ALBERTI: Okay.

14 INVESTIGATOR TOWNSEND: But it  
15 was --

16 CHAIRPERSON MILLER: Okay.

17 MEMBER ALBERTI: So it was last  
18 week some time?

19 INVESTIGATOR TOWNSEND: Yes, sir.  
20 I think it was Friday.

21 INVESTIGATOR DEMBY: It was last  
22 Friday, sir.

1                   MEMBER ALBERTI:   Okay.   Thank you.  
2                   Thank you, Investigator.   I have -- actually,  
3                   Mr. -- Investigator Townsend, so you -- on the  
4                   night you were there, did you take a look at  
5                   the kitchen?

6                   INVESTIGATOR TOWNSEND:   I did.

7                   MEMBER ALBERTI:   Was it operating?

8                   INVESTIGATOR TOWNSEND:   No, sir.

9                   MEMBER ALBERTI:   Can you give me a  
10                  little bit more detail about --

11                  INVESTIGATOR TOWNSEND:   It was --  
12                  I mean, the light was off when we.   When we  
13                  walked in the kitchen, they had to turn the  
14                  light on.   The burners weren't on.

15                  MEMBER ALBERTI:   Okay.

16                  INVESTIGATOR TOWNSEND:   He  
17                  basically told me that they weren't using the  
18                  kitchen because it was out of order.

19                  MEMBER ALBERTI:   Okay.

20                  INVESTIGATOR TOWNSEND:   The deep  
21                  fryer was broken.

22                  MEMBER ALBERTI:   All right.   Thank

1       you.

2                       INVESTIGATOR TOWNSEND:   Yes.

3                       CHAIRPERSON MILLER:   All right.

4       Before we go to Mr. Jones, can I just ask, was  
5       that on June 11th or June 12th?

6                       INVESTIGATOR TOWNSEND:   That would  
7       have been on June 11th.

8                       CHAIRPERSON MILLER:   Okay.   Mr.  
9       Jones?

10                      MEMBER JONES:   Thank you, Madam  
11       Chair.

12                      CHAIRPERSON MILLER:   Okay.

13                      MEMBER JONES:   Just really quick,  
14       when you went this past Friday, what  
15       activities were taking place in the  
16       establishment?

17                      INVESTIGATOR DEMBY:   Music was  
18       playing and people were smoking hookah.

19                      MEMBER JONES:   So music and  
20       hookah?

21                      INVESTIGATOR DEMBY:   That's it.

22                      MEMBER JONES:   Did you see food

1 served anywhere?

2 INVESTIGATOR DEMBY: No, sir.

3 MEMBER JONES: Okay. But you did  
4 see what appeared to be a kitchen that had  
5 been recently used?

6 INVESTIGATOR DEMBY: It looked as  
7 if -- I mean, it wasn't the cleanest at the  
8 time, so I just assumed that it had been used  
9 recently.

10 MEMBER JONES: Okay. So based on  
11 -- did you see dishes that were in the sink,  
12 that were dirty? When you say it wasn't the  
13 cleanest, did you give me the impression that  
14 there was a volume of dishes that were in the  
15 sink that were unclear or just it was just --

16 INVESTIGATOR DEMBY: There were --  
17 I wouldn't say a large volume of dishes, but  
18 then again there wasn't a large volume of  
19 patrons there either.

20 MEMBER JONES: Okay.

21 INVESTIGATOR DEMBY: So it was  
22 proportionate to the amount of people that

1 they had in the establishment.

2 MEMBER JONES: Fair enough. Thank  
3 you. Thank you, sir. Thank you, Madam Chair.

4 CHAIRPERSON MILLER: Okay.

5 MEMBER ALBERTI: Can I just ask?

6 CHAIRPERSON MILLER: Yes.

7 MEMBER ALBERTI: What time it was  
8 on Friday?

9 INVESTIGATOR DEMBY: It was Friday  
10 evening. I have -- I completed the regulatory  
11 inspection.

12 MEMBER ALBERTI: Approximate time.

13 INVESTIGATOR DEMBY: About between  
14 10:30 and 11:00 p.m.

15 MEMBER ALBERTI: Okay. Thank you.

16 CHAIRPERSON MILLER: Okay. Let me  
17 turn to you all. Actually we can take you in  
18 whatever order you would like, if you would  
19 like to address that.

20 MR. LUMUKANDA: I can go first.

21 CHAIRPERSON MILLER: Okay.

22 MR. LUMUKANDA: Sure.

1 CHAIRPERSON MILLER: You are  
2 D'Moz?

3 MR. LUMUKANDA: Yes, yes, ma'am.

4 CHAIRPERSON MILLER: Okay. And  
5 that's your first name?

6 MR. LUMUKANDA: Yes.

7 CHAIRPERSON MILLER: Did I  
8 remember? Okay.

9 MR. LUMUKANDA: Yes. Well, I  
10 entered into a contract with Amare over at  
11 Signature Lounge to provide catering services  
12 for a number of dates. And I believe this  
13 letter came from the Board or I know it came  
14 from ABRA, but I'm not sure exactly the source  
15 of the letter that I received. And it asked  
16 me to list the dates that I contracted with  
17 him.

18 So I entered into a contract. We  
19 put together a menu. I went to Restaurant  
20 Depot and I purchased the food, put the food  
21 in the kitchen and he began, Amare and his  
22 assistants began to prepare the food that I

1 purchased, but it took -- on the date that the  
2 Investigator came, it was broken that  
3 particular date, so there was no way to  
4 prepare any food on that day, so we suggested  
5 that patrons order from the restaurant next  
6 door.

7 CHAIRPERSON MILLER: I'm sorry,  
8 could you say that a little louder? You  
9 suggested what?

10 MR. LUMUKANDA: On the date that  
11 the Investigator came, I was well-aware that  
12 the kitchen was inoperable, at that time, so  
13 we just suggested that patrons order from next  
14 door.

15 CHAIRPERSON MILLER: Okay.

16 MR. LUMUKANDA: But we did have  
17 sufficient inventory to support the sale of  
18 food if it was operable. And I substantiated  
19 that by giving you all the menu. You should  
20 have a menu and you also have a summary of the  
21 food that I purchased during that period for  
22 catering as well as for my restaurant.

1                   The first page should be a summary  
2                   and then the pages after that are an extreme  
3                   detail of the actual items purchased for  
4                   catering purposes as well as for the  
5                   restaurant purposes.

6                   Documents were just given to us  
7                   here.

8                   MR. LUMUKANDA: Okay. Okay. I  
9                   know it's a lot.

10                  CHAIRPERSON MILLER: Okay. So we  
11                  haven't had a chance, just so you know --

12                  MR. LUMUKANDA: Okay.

13                  CHAIRPERSON MILLER: -- to look  
14                  them over. But what I'm seeing is this is  
15                  something that says Brookland Cafe Catering  
16                  Contract Signature Lounge and it has four  
17                  whereas clauses.

18                  MR. LUMUKANDA: Yes. I just  
19                  basically took the top line on each one of the  
20                  contracts and I tried to list them out as  
21                  requested, so I just put the dates, the times  
22                  for the period that he contracted with me on

1 that one sheet of paper.

2 CHAIRPERSON MILLER: Okay. And  
3 then --

4 MR. LUMUKANDA: Two, probably two  
5 pages.

6 CHAIRPERSON MILLER: -- two. Yes,  
7 there is one whereas on the second page.

8 MR. LUMUKANDA: Oh, okay.

9 CHAIRPERSON MILLER: And then we  
10 have something, is it World Cup Series menu?

11 MR. LUMUKANDA: Yes, that wasn't  
12 requested, but I thought that was relevant to  
13 the -- to what the operation was. That was a  
14 menu that Amare and I came up with, so that  
15 was what we were serving when the kitchen  
16 finally got back in order.

17 CHAIRPERSON MILLER: Okay. Just  
18 so you know what we have, too, we have  
19 purchase history.

20 MR. LUMUKANDA: Yes, those are --  
21 the first page is a general detail of the food  
22 that I purchased during the periods that we

1 were contracted. And then I didn't want to  
2 give you guys a mountain of paperwork, so I  
3 just selected specific dates around the time  
4 when the Investigator came to show that I was  
5 actually actively purchasing food around that  
6 time for the purpose of the sale.

7 CHAIRPERSON MILLER: Okay. So  
8 those are the documents.

9 MR. LUMUKANDA: Yes.

10 CHAIRPERSON MILLER: Okay. Good.  
11 Okay. So I'm sorry, I probably interrupted  
12 your stream of thought, but you were  
13 referencing documents and wasn't sure what we  
14 had.

15 MR. LUMUKANDA: Oh, okay, no  
16 worries.

17 CHAIRPERSON MILLER: So do you  
18 want to address some of these issues or  
19 anything else?

20 MR. LUMUKANDA: Well, it was  
21 pretty straightforward. I was very well-  
22 prepared to or Amare and I were very well-

1 prepared to serve food. We had all the  
2 necessary supplies, as noted from our  
3 purchases. We had a contract that allowed me  
4 to or a contract that captured our agreement  
5 and I was ready to go.

6 I just -- the facility wasn't  
7 working that particular day. It had been  
8 working prior to that. It was working after  
9 that. We worked it out. We just actually  
10 didn't use the -- we didn't use the fryer. We  
11 just simply use another portion of the  
12 kitchen, rather than the fryer.

13 CHAIRPERSON MILLER: Okay.

14 MR. LUMUKANDA: That's kind of  
15 basically what happened and what is going on.

16 CHAIRPERSON MILLER: All right.  
17 Well, let me ask a couple of questions and I'm  
18 sure Board Members will, too, but how many  
19 days did you provide contract catering?

20 MR. LUMUKANDA: I don't know the  
21 number off hand, but I did list -- I could  
22 count them off from the sheet that you all

1 have.

2 CHAIRPERSON MILLER: Is it several  
3 days a week for several weeks?

4 MR. LUMUKANDA: It was several.  
5 The first series of events were sort of an  
6 introduction to the -- introducing the  
7 neighborhood to the restaurant. And Amare  
8 scheduled some promotional events then. And  
9 then the second series of events were done in  
10 conjunction with the FIFA World Cup  
11 Tournament.

12 So during those periods of soccer,  
13 Amare and I came up with food and drinks to  
14 serve during the replays or the playing of the  
15 soccer events, which occurred from about June  
16 11th to about July the 13th.

17 CHAIRPERSON MILLER: So the dates  
18 that are on the document that has the whereas  
19 clauses, those that you listed are all the  
20 dates that you --

21 MR. LUMUKANDA: Those are all the  
22 dates.

1                   CHAIRPERSON MILLER:  -- provided  
2                   catering?

3                   MR. LUMUKANDA:  Yes, ma'am.

4                   CHAIRPERSON MILLER:  Okay.  So you  
5                   provided food and alcohol?

6                   MR. LUMUKANDA:  Yes, ma'am.  Yes,  
7                   ma'am.

8                   CHAIRPERSON MILLER:  And did you  
9                   leave anything there when you were not there?

10                  MR. LUMUKANDA:  Yes, yes, it was  
11                  locked or I assumed it was locked or he would  
12                  take it away as noted by the Investigator when  
13                  they came by.  So but I didn't take it with  
14                  me.  It was a bit much to carry on a daily  
15                  basis, so I left it there.

16                  CHAIRPERSON MILLER:  What did you  
17                  leave?

18                  MR. LUMUKANDA:  Assorted bottles  
19                  of liquor, beer and wine.

20                  CHAIRPERSON MILLER:  Okay.  And  
21                  where was it locked?  Do you know?

22                  MR. LUMUKANDA:  The coolers have

1 locks on them themselves.

2 CHAIRPERSON MILLER: Um-hum.

3 MR. LUMUKANDA: And the alcohol,  
4 it didn't have a lock, but they would take it  
5 off the bar and just place it under -- in a  
6 space under the bar, but there wasn't a lock  
7 or anything like that. I have never seen a  
8 lock there.

9 CHAIRPERSON MILLER: Okay. And  
10 then were you there for the duration of all  
11 these events?

12 MR. LUMUKANDA: No. I came -- I  
13 was there for the majority of them, but I have  
14 management staff that are trained to do  
15 various catering events for me when I can't be  
16 there or if I have other catering events, so  
17 I will either have staff there or I will be  
18 there myself.

19 CHAIRPERSON MILLER: Are they ABC  
20 managers?

21 MR. LUMUKANDA: They are not ABC--  
22 wait. One of them is an ABC manager and three

1 of them aren't.

2 CHAIRPERSON MILLER: Okay. So you  
3 didn't always have an ABC manager there when  
4 alcohol was being served?

5 MR. LUMUKANDA: We always had an  
6 ABC manager there, but he has -- I believe he  
7 has a bartender that has an ABC manager's  
8 license. So we just alternated and when the  
9 bartender was there, then I had a manager that  
10 didn't. Sometimes it overlapped, but we made  
11 sure that there was always one there --

12 CHAIRPERSON MILLER: Okay.

13 MR. LUMUKANDA: -- during  
14 operational liquor sales hours.

15 CHAIRPERSON MILLER: Okay. Other  
16 questions? No?

17 MEMBER ALBERTI: Yes. I'll start.

18 CHAIRPERSON MILLER: Okay.

19 MEMBER ALBERTI: So, Mr.  
20 Lumukanda, you have a list of contracts here,  
21 but we don't have the actual contracts.

22 MR. LUMUKANDA: No. I didn't

1 bring the actual contracts, because on the  
2 letter that I was given, it just said to list  
3 the times and the dates. So I just took the  
4 times and the dates off of the contract and  
5 gave them as requested.

6 MEMBER ALBERTI: I would be  
7 interested in seeing the terms of the  
8 contracts, so could you provide that for us?

9 MR. LUMUKANDA: I don't have the--  
10 all of the contracts that you have listed  
11 here, but I could email them at a later date.

12 MEMBER ALBERTI: Right.

13 CHAIRPERSON MILLER: Right.

14 MR. LUMUKANDA: Sure. I mean, not  
15 today, I don't have them here today, but I can  
16 surely provide them. No problem.

17 MEMBER ALBERTI: So you would be  
18 willing to provide this?

19 MR. LUMUKANDA: Sure. I could  
20 email it to Janea.

21 MEMBER ALBERTI: Generally, what  
22 were the terms of the contract?

1                   MR. LUMUKANDA: The terms of the  
2 contract are that Amare and I agree to -- I  
3 agree to subordinate the food and have the  
4 food cooked on-site and that for the sale of  
5 the food and alcohol, that we would split the  
6 expenses associated with that and then split  
7 the profit associated with the sale of those  
8 items. And that's the general gist of it.

9                   And also the financial gist of it  
10 and also that I have one staff member on-site  
11 at all times during the open event, that we  
12 remain compliant with ABRA Laws. They are  
13 relatively basic items on there. I'm sorry if  
14 that's not detailed enough, but that's the  
15 general gist of what I put in all of my  
16 catering contracts. They are fairly standard.

17                   MEMBER ALBERTI: And the types of  
18 alcohol that you were providing?

19                   MR. LUMUKANDA: No, I don't list  
20 out the types of alcohol. No, I don't usually  
21 do that, no.

22                   MEMBER ALBERTI: Well, what was

1 provided?

2 MR. LUMUKANDA: Hum?

3 MEMBER ALBERTI: What was  
4 provided?

5 MR. LUMUKANDA: Off the top of my  
6 head, I mean, there was Heineken. There was  
7 beer. There was wine, whiskey, vodka. There  
8 were several types of --

9 MEMBER ALBERTI: So a full bar  
10 setup?

11 MR. LUMUKANDA: I wouldn't say a  
12 full bar. Basically, I have an inventory that  
13 I use for these sorts of events when people  
14 call me in for this and I just gather what I  
15 have and then I bring it in and we make due  
16 with that.

17 MEMBER ALBERTI: Okay. I really  
18 appreciate the food receipts. Do you have  
19 alcohol receipts for these events?

20 MR. LUMUKANDA: No, I requested my  
21 alcohol receipts from Washington Wholesale,  
22 but what I got back wasn't sufficient. They

1 gave me something extremely general, which  
2 shows the alcohol that I bought, but they just  
3 sent me an Excel spreadsheet. It doesn't have  
4 -- it didn't have the logo of Washington  
5 Wholesale. It didn't have a phone number, so  
6 I didn't bring that, because I didn't think --  
7 frankly, I didn't think it was sufficient.  
8 And I requested just for them to give me  
9 everything that I ordered, but they gave me  
10 this Excel spreadsheet.

11 MEMBER ALBERTI: You don't keep  
12 receipts for your business?

13 MR. LUMUKANDA: Well, I keep the  
14 receipts, but I keep those at the office on  
15 3740 12th. So I just wanted something  
16 thorough similar to what Washington --

17 MEMBER ALBERTI: You couldn't  
18 assemble those for today? I mean, I'm sort  
19 of --

20 MR. LUMUKANDA: Well, I could  
21 have, but that wasn't requested, so I wasn't  
22 aware that that should be brought.

1                   MEMBER ALBERTI:   Okay.  Can you do  
2                   it?  Can you provide this?

3                   MR. LUMUKANDA:   I would have  
4                   gotten them together.

5                   MEMBER ALBERTI:   Can you provide  
6                   all of those?

7                   MR. LUMUKANDA:   I could.  I could.  
8                   Or I could go back to the wholesaler and just  
9                   have them give me a summary instead of giving  
10                  you a stack of paper.

11                  MEMBER ALBERTI:   As long as it's  
12                  something that we can confirm --

13                  MR. LUMUKANDA:   Oh, absolutely,  
14                  yes.

15                  MEMBER ALBERTI:   -- this is the  
16                  wholesaler.

17                  MR. LUMUKANDA:   I think I can do  
18                  that.  Absolutely.

19                  MEMBER ALBERTI:   We would like to  
20                  see the receipts --

21                  MR. LUMUKANDA:   Sure, sure.

22                  MEMBER ALBERTI:   -- for the

1 alcohol bought for these events. I mean, this  
2 is kind of all part of your reporting anyway,  
3 isn't it?

4 MR. LUMUKANDA: Absolutely. Yes,  
5 it's available. It's there.

6 MEMBER ALBERTI: What else did I  
7 want to ask? So I think you said your first  
8 event was May 23rd through the 26th, right?

9 MR. LUMUKANDA: Um-hum.

10 MEMBER ALBERTI: And then the  
11 second event was two weeks later, I guess?

12 MR. LUMUKANDA: Yes, about that,  
13 about that. I think so.

14 MEMBER ALBERTI: Okay. So what  
15 happened to the alcohol between those two  
16 dates?

17 MR. LUMUKANDA: Just locked it  
18 away. Locked it away.

19 MEMBER ALBERTI: Where?

20 MR. LUMUKANDA: I took some -- on-  
21 site at his establishment and also I took  
22 some. I took a few bottles back to 3740 12th

1 Street.

2 MEMBER ALBERTI: And that was the  
3 case for all of these?

4 MR. LUMUKANDA: Yes, yes.

5 CHAIRPERSON MILLER: What are you  
6 thinking, Mr. Alberti?

7 MEMBER ALBERTI: While I'm  
8 thinking, why don't you just go to somebody  
9 else?

10 CHAIRPERSON MILLER: Okay. I  
11 usually say this at the beginning and I want  
12 to say now that, you know, we have different  
13 types of hearings and this is what is called  
14 a Fact-Finding Hearing, so we don't put  
15 anybody under oath. It's not an evidentiary  
16 hearing. No one is being prosecuted, but we  
17 are gathering information.

18 So I just want to say that it's  
19 possible that what you say is not under oath,  
20 but if it looks like there is a case to have--  
21 that you did something wrong or something  
22 could happen, some action could be taken later

1 with respect to the caterer's license or with  
2 respect to pending license application.

3 I just wanted to put that out  
4 front, so there is not any misunderstanding.  
5 But often sometimes we have Fact-Finding  
6 Hearings and we gather information and it's  
7 like oh, okay, that's what happened, that's  
8 cool, whatever, fine or it could be, you know,  
9 you really shouldn't do this or whatever. So  
10 we don't know where it's going, but it's  
11 somewhat unusual. It caught our attention  
12 that there would be so much use of a caterer's  
13 license in an establishment that has a pending  
14 application for the license.

15 Yes, okay.

16 MEMBER ALBERTI: No, go ahead. I  
17 just had a chance to think.

18 CHAIRPERSON MILLER: Okay.

19 MEMBER ALBERTI: And then I'll  
20 hand it over. So you sold alcohol, right?

21 MR. LUMUKANDA: Yes, yes.

22 MEMBER ALBERTI: You were selling

1 alcohol. Generally, what was the cost?

2 MR. LUMUKANDA: I am not familiar  
3 with all the costs. I mean, I believe the  
4 beer is \$6, some of the mixed drinks are \$7.  
5 Some of the premium liquors are sold for \$9,  
6 \$10 per drink.

7 MEMBER ALBERTI: Okay. And who  
8 maintains receipts from all of that?

9 MR. LUMUKANDA: The receipts for  
10 that are maintained by whomever -- by Amare.  
11 And then at the end of the day, we reconcile  
12 whatever the receipts are and go from there.

13 MEMBER ALBERTI: Who would I ask  
14 to supply those records for me?

15 MR. LUMUKANDA: I believe Amare  
16 should have. He should. We do keep records.

17 MEMBER ALBERTI: You're  
18 responsible as the caterer, so --

19 MR. LUMUKANDA: Yes. He gave me a  
20 copy at the end of the night, so we have them  
21 every night.

22 MEMBER ALBERTI: And you have all

1 the sales receipts?

2 MR. LUMUKANDA: I can have that  
3 put together.

4 MEMBER ALBERTI: All right.

5 MR. LUMUKANDA: Yes, he changed  
6 his system, so I'm not sure --

7 MEMBER ALBERTI: The sales  
8 receipts for both food and --

9 MR. LUMUKANDA: Do you still have  
10 it? Is it still available?

11 MR. ALEMU: Yes.

12 MEMBER ALBERTI: The sales  
13 receipts for both food and alcohol.

14 MR. LUMUKANDA: Okay.

15 MEMBER ALBERTI: Okay. I'm done  
16 for the moment anyway.

17 CHAIRPERSON MILLER: Okay.

18 Others? Mr. Short?

19 MEMBER SHORT: Yes. Good  
20 afternoon. I guess what I want to ask is, to  
21 the caterer, you say that you take some of the  
22 alcohol away from the establishment and leave

1 some of the alcohol?

2 MR. LUMUKANDA: Yes.

3 MEMBER SHORT: Who has access to  
4 the alcohol that you leave behind?

5 MR. LUMUKANDA: Only Amare.

6 MEMBER SHORT: And Amare, did you  
7 ever sell any of that alcohol?

8 MR. ALEMU: No.

9 MEMBER SHORT: Who has access  
10 besides you?

11 MR. ALEMU: No one.

12 MEMBER SHORT: Okay. And who has  
13 an ABC license?

14 MR. LUMUKANDA: I do.

15 MEMBER SHORT: So if you are not  
16 there, well, alcohol can be sold even if you  
17 have a catering event, correct?

18 MR. LUMUKANDA: That is correct,  
19 sir.

20 MEMBER SHORT: Okay. I guess you  
21 said you don't know how much you would charge  
22 for drinks. There is not a price list?

1 MR. LUMUKANDA: There is a price  
2 list. Actually in the point of sales system,  
3 there are prices for the items that we have  
4 for sale.

5 MEMBER SHORT: Can you provide  
6 that for the Board also?

7 MR. LUMUKANDA: I can. I just  
8 didn't know it off hand, but I can get a price  
9 list --

10 CHAIRPERSON MILLER: Okay.

11 MR. LUMUKANDA: -- from the POS.

12 MEMBER SHORT: Okay. And I take  
13 it that you don't just cater to this one  
14 particular business?

15 MR. LUMUKANDA: Oh, no. No, sir.  
16 No, sir.

17 MEMBER SHORT: So is it a practice  
18 of yours to leave alcohol at a venue once you  
19 were finished with the job?

20 MR. LUMUKANDA: Only if they are  
21 contracting with me for multiple days. Yes,  
22 I do something like that. If it's just quick,

1 I'll take it with me the same day. If it's  
2 one day, then I take it with me. If it's  
3 three days, I typically will lock it and leave  
4 it there rather than bringing it back every  
5 single day.

6 MEMBER SHORT: So you don't -- you  
7 are the only person who purchases the alcohol.  
8 Is that correct?

9 MR. LUMUKANDA: That's correct.  
10 That's correct.

11 MEMBER SHORT: And you already  
12 said you were going to give us all of the  
13 receipts?

14 MR. LUMUKANDA: Yes, sir.

15 MEMBER SHORT: Okay. That's all I  
16 have at this time, Madam Chair.

17 CHAIRPERSON MILLER: Okay. Mr.  
18 Jones, did you have questions?

19 MEMBER JONES: Yes. So, Mr.  
20 Lumukanda?

21 MR. LUMUKANDA: Yes, sir.

22 MEMBER JONES: All right. So did

1 you have any contracts with any other venues  
2 for which you were providing catering services  
3 that overlapped with the contracted dates you  
4 had?

5 MR. LUMUKANDA: Yes, sir.

6 MEMBER JONES: Okay. What was the  
7 nature of that contract relationship?

8 MR. LUMUKANDA: The contract type?  
9 The other ones were more art events.

10 MEMBER JONES: Did you have  
11 contracts to serve alcohol --

12 MR. LUMUKANDA: Yes.

13 MEMBER JONES: -- overlap?

14 MR. LUMUKANDA: Yes.

15 MEMBER JONES: Okay.

16 MR. LUMUKANDA: Yes, yes, sir.

17 MEMBER JONES: All right. So just  
18 tell me what this -- I think you explained it,  
19 but I'm not totally following. So you have an  
20 inventory of alcohol that you brought to this  
21 location and the Signature Lounge?

22 MR. LUMUKANDA: Yes.

1                   MEMBER JONES:   Okay.   The  
2                   inventory you brought to Signature Lounge,  
3                   correct?

4                   MR. LUMUKANDA:   Um-hum.

5                   MEMBER JONES:   And then you took  
6                   some portion of that alcohol and you used it  
7                   somewhere else as needed, if that's the case.  
8                   If it's not needed, then I'll either go back  
9                   and purchase more alcohol or I'll pull from my  
10                  inventory over at the restaurant, 3740 12th  
11                  Street.   So it's either you pull your catering  
12                  inventory from your regulatory inventory?

13                  MR. LUMUKANDA:   I keep all the  
14                  inventory together.   I don't separate catering  
15                  alcohol from restaurant alcohol.   I just keep  
16                  it altogether.

17                  MEMBER JONES:   So you have your  
18                  caterer's license where you have alcohol and  
19                  it's commingled with your restaurant license  
20                  where you have alcohol?

21                  MR. LUMUKANDA:   That's correct.  
22                  As far as storage is concerned, they are

1 stored at the same place together.

2 MEMBER JONES: But are they -- can  
3 you clearly delineate what alcohol was  
4 purchased for your catering services and what  
5 alcohol was purchased for your restaurant  
6 services?

7 MR. LUMUKANDA: No, sir.

8 MEMBER JONES: Okay.

9 MR. LUMUKANDA: Like I said --

10 MEMBER JONES: So it's commingled?

11 MR. LUMUKANDA: Yes, sir.

12 MEMBER JONES: In its entirety?

13 MR. LUMUKANDA: Yes.

14 MEMBER JONES: All right. So the  
15 alcohol that you brought to the Signature  
16 Lounge, how did you get it there?

17 MR. LUMUKANDA: In a truck.

18 MEMBER JONES: In your truck?

19 MR. LUMUKANDA: Yes.

20 MEMBER JONES: Okay. And how much  
21 of that -- what cost did that particular set  
22 or allotment of inventory was that? Because

1 you said you split the cost as part of your  
2 contract, correct?

3 MR. LUMUKANDA: Yes. It's  
4 difficult to really tell, because some of the  
5 alcohol may be a little older than others. I  
6 did place some orders to kind of refresh  
7 things, but for -- to save money, I'll grab  
8 some of the older alcohol or I'll have alcohol  
9 from a left over from a previous event that  
10 I'll reuse when I do another job. So it's a  
11 little difficult to determine the true cost,  
12 but I do have my purchases for that particular  
13 period.

14 Like during that week or during  
15 the days that I operated with Amare, I do have  
16 the purchases that I made that were  
17 additional, but some of the alcohol is older.

18 MEMBER JONES: Those alcohol  
19 purchases don't really -- they are based on  
20 your operating model and don't really appear  
21 to be relevant.

22 MR. LUMUKANDA: Okay. Okay.

1                   MEMBER JONES: Right? Because you  
2                   are saying that you brought all the alcohol  
3                   that you needed for that catered event in a  
4                   truck and you brought that there.

5                   MR. LUMUKANDA: Um-hum.

6                   MEMBER JONES: So you could have  
7                   been buying alcohol to replenish stock that  
8                   you used at another event or to replenish the  
9                   alcohol that you used at your restaurant.  
10                  There is no way for me to clearly delineate  
11                  one --

12                  MR. LUMUKANDA: That's possible.

13                  MEMBER JONES: -- from the other,  
14                  so the fact that you have a purchase, I'm not  
15                  seeing how that is exactly relevant. What I'm  
16                  more concerned with I'm just trying to figure  
17                  out you are saying that you are splitting  
18                  costs and you are splitting profits? That's  
19                  the nature of your contract?

20                  MR. LUMUKANDA: That is correct.

21                  MEMBER JONES: Okay. So how are  
22                  you clearly identifying what your costs are,

1 so that you can equitably split those costs?

2 MR. LUMUKANDA: It's really  
3 difficult to give a full detail on what the  
4 liquor costs are. So I won't say that I  
5 assumed, but it's really hard to get a full  
6 handle on that, so I didn't give him a number  
7 and say well, we purchased or I have X  
8 inventory here with you, because he has  
9 expenses that he has to take care of also.

10 So I didn't give a very detailed  
11 number on what those alcohol costs were.

12 MEMBER JONES: So how are you  
13 reconciling your contract at the end of the  
14 night? You said you do this every -- at the  
15 end of each night, you kind of reconciled  
16 receipts and expenses and you settled up?

17 MR. LUMUKANDA: That is correct.

18 MEMBER JONES: Okay. How does  
19 that process work, because it doesn't seem  
20 like you have a good grasp of exactly where  
21 the splits are.

22 MR. LUMUKANDA: With that we

1 simply look at the profits. We subtract out  
2 some of the expenses that were common to both  
3 of us, such as expenses related to the staff  
4 that were there to serve the food for that  
5 particular day and then whatever is left over,  
6 he and I split.

7 MEMBER JONES: All right. And  
8 what happens if you have more expenses than  
9 you do profit? You just take a loss?

10 MR. LUMUKANDA: Yes. And the  
11 reason -- and this isn't the normal way that  
12 I normally do my contracts. I usually just  
13 like to have an up-front check, but he didn't  
14 have any -- he didn't have up-front money for  
15 this particular contract, so I had to sort of  
16 create a new way and adjust the way I do  
17 business to tailor to our contract.

18 MEMBER JONES: So you --

19 MR. LUMUKANDA: Because he didn't  
20 have any up-front. I prefer it just to be  
21 straight-up standard like I do with all the  
22 rest of my clients. Just this is how much I

1 charge for this day and then I take it from  
2 there.

3 But this was a little -- this was  
4 quite different than my normal model.

5 MEMBER JONES: Yes, it sounds more  
6 like an equity investment than it does a  
7 caterer's contract. You provided the equity  
8 investment in this business and that is you  
9 provided the resources for the sale, i.e.,  
10 alcohol, food, etcetera, because if there was  
11 absolutely no profit that was generated from  
12 this, you would not receive a payment. You  
13 would just have losses occurring from this  
14 activity, correct?

15 MR. LUMUKANDA: That is correct.  
16 And I would probably stop in the contract,  
17 because that wouldn't be business. It  
18 wouldn't be feasible for me.

19 MEMBER JONES: Understood. Okay.  
20 Thank you. Thank you, Madam Chair.

21 MEMBER ALBERTI: I have a  
22 question.

1                   CHAIRPERSON MILLER: Sure. Mr.  
2                   Alberti?

3                   MEMBER ALBERTI: I'm not sure you  
4                   answered this, so I'm willing to do this over.  
5                   You have profit at the end of the evening and  
6                   that was after you had your receipts from the  
7                   sales and then you both established what your  
8                   costs were. So how did you, Mr. Lumukanda,  
9                   establish what your costs were?

10                  MR. LUMUKANDA: Well, sometimes--

11                  MEMBER ALBERT: You've got staff,  
12                  you've got food.

13                  MR. LUMUKANDA: We have a set --  
14                  well, this was a very different way that I  
15                  have done my catering. This is different. It  
16                  got made up as we went along, but at the end  
17                  of the night, we had a set amount of expenses  
18                  that were pretty standard. And whatever was  
19                  left, like for instance, we paid -- there was  
20                  a security guard/guy that was paid. That was  
21                  one of the expenses.

22                  MEMBER ALBERTI: I'm really

1 interested more in the food and alcohol.

2 MR. LUMUKANDA: Food costs, we  
3 just subtract that right out, but I couldn't--  
4 sometimes I couldn't do it the whole night, so  
5 I would do it in pieces over time, because it  
6 wouldn't make business sense for him if I  
7 subtracted out \$500 or \$600 worth of food.

8 MEMBER ALBERTI: Well, how did you  
9 calculate that?

10 MR. LUMUKANDA: I would break it  
11 up, break it up over time. I mean like there  
12 wasn't -- I don't have a true set standard way  
13 that I did this, because we were -- I was  
14 going to make it up as I went along because of  
15 the nature of --

16 MEMBER ALBERTI: And the alcohol  
17 you sort of estimated what your alcohol  
18 expenses were for the evening? Is what I'm  
19 hearing.

20 MR. LUMUKANDA: No, we didn't --  
21 at the end of the night, we didn't really look  
22 at the cost of the alcohol and the cost of the

1 food. We just simply looked at the amount  
2 that was -- that came in and then split it  
3 from there.

4 But for me --

5 MEMBER ALBERTI: And some part  
6 came in?

7 MR. LUMUKANDA: Well, whatever the  
8 customers purchased. When customers purchased  
9 food, that would, of course, be tallied in.  
10 Liquor would be, of course, split at the end  
11 of the night.

12 MEMBER ALBERTI: And then you have  
13 to split the profit and you have to figure out  
14 what that profit is. How did you determine  
15 what the profit was?

16 MR. LUMUKANDA: We subtracted the  
17 employee expenses and any other expenses  
18 associated not including --

19 MEMBER ALBERTI: How did you  
20 determine what the expenses were? Especially  
21 alcohol.

22 MR. LUMUKANDA: We didn't include

1 the alcohol expenses into that. We -- I did  
2 not include it, the alcohol expenses into  
3 that.

4 MEMBER ALBERTI: So you gave Mr.  
5 Alemu free alcohol?

6 MR. LUMUKANDA: No, no. I didn't  
7 give him free alcohol in any way. How I  
8 viewed it is it's an opportunity --

9 MEMBER ALBERTI: You didn't charge  
10 him for it.

11 MR. LUMUKANDA: No, no. I viewed  
12 it as a means as having an opportunity to sell  
13 my existing inventory and also to make revenue  
14 for the catering business.

15 MEMBER ALBERTI: Well, how did you  
16 determine the profit?

17 MR. LUMUKANDA: Well, we didn't do  
18 it in a very standard way. We just looked at  
19 what we have made.

20 MEMBER ALBERTI: Okay. I don't  
21 care. Maybe it doesn't have to be standard.  
22 I just need to know.

1 MR. LUMUKANDA: We just look at  
2 what was -- at the end of the night, we  
3 subtracted who we paid and that was it. That  
4 was how we determined it.

5 MEMBER ALBERTI: Well, what were  
6 the other costs?

7 MR. LUMUKANDA: It was sort of --

8 MEMBER ALBERTI: There are food  
9 costs and there are alcohol costs. How did  
10 you determine those costs against your income  
11 on one side --

12 MR. LUMUKANDA: Right.

13 MEMBER ALBERTI: -- and the costs  
14 on the other. As I understand it, look, I get  
15 you, you've got personnel costs.

16 MR. LUMUKANDA: Right.

17 MEMBER ALBERTI: Easy to  
18 calculate.

19 MR. LUMUKANDA: Right.

20 MEMBER ALBERTI: Right?

21 MR. LUMUKANDA: Right.

22 MEMBER ALBERTI: And you are

1 paying those people.

2 MR. LUMUKANDA: Right.

3 MEMBER ALBERTI: If they are Mr.  
4 Alemu's employees, he is paying those. You  
5 are paying your employees. Gotcha. So it's  
6 very standard. You know how much time they  
7 were there.

8 MR. LUMUKANDA: Right, right.

9 MEMBER ALBERTI: But you've got  
10 the cooler full of alcohol and the cooler full  
11 of food.

12 MR. LUMUKANDA: Right.

13 MEMBER ALBERTI: How did you  
14 figure that out? Did you figure it out by  
15 event? Did you figure it out by evening? How  
16 did you figure it out?

17 MR. LUMUKANDA: I didn't really  
18 use a standard theory. I just looked at it  
19 and tried to make a relationship between what  
20 I bought. As long as I was making more than  
21 what I purchased, I was fine.

22 MEMBER ALBERTI: No, no, no, no,

1 no, no. You only know that you are making  
2 more if your income exceeds your costs. How  
3 did you know your income exceeded your costs?  
4 Did you estimate cost?

5 MR. LUMUKANDA: I estimated. That  
6 would probably be the best way to explain that  
7 is I had an estimation in my head.

8 MEMBER ALBERTI: Do you have an  
9 accounting for each event?

10 MR. LUMUKANDA: No, no.

11 MEMBER ALBERTI: Okay.

12 MR. LUMUKANDA: All we had is what  
13 was in the register. I did not keep an  
14 accounting for each one.

15 MEMBER ALBERTI: You didn't keep  
16 an accounting of what your profits were, what  
17 your income was versus --

18 MR. LUMUKANDA: No. It was very  
19 difficult to determine, because of the odd way  
20 that this contract was done. It wasn't -- I  
21 couldn't do it the standard way. It's just  
22 not possible.

1                   MEMBER ALBERTI: I know. But did  
2 you have a receipt for your own income? I  
3 mean, you need, as a business, to have an  
4 accounting of what you take in and you have  
5 got to be able to establish that. You know,  
6 maybe I don't have to establish it here, but  
7 IRS does at some point possibly.

8                   MR. LUMUKANDA: Right, right.

9                   MEMBER ALBERTI: How did you do  
10 that?

11                  MR. LUMUKANDA: I mean, I have my  
12 way of accounting for that.

13                  MEMBER ALBERTI: I understand.  
14 How would you show the IRS accountant?

15                  MR. LUMUKANDA: Oh, that's easy.  
16 I just show them my balance sheet and I show--

17                  MEMBER ALBERTI: For each evening?

18                  MR. LUMUKANDA: No, no. I  
19 wouldn't be able to show them for the evening,  
20 because it would get a little difficult if I  
21 did it that way.

22                  MEMBER ALBERTI: Okay. Whew.

1 MR. LUMUKANDA: And this is the  
2 reason why we are not doing this any more, it  
3 got a little confusing and it stopped being  
4 profitable, so I understand your confusion.  
5 I share that confusion, which is why this  
6 contract has ended.

7 MEMBER JONES: Madam Chair?

8 MEMBER ALBERTI: So Mr. Alemu was  
9 actually purchasing/paying for part of the  
10 alcohol, right?

11 MR. LUMUKANDA: No, no. I  
12 purchased everything.

13 MEMBER ALBERTI: No, but in the  
14 end, you were sharing the costs, right?

15 MR. LUMUKANDA: He shared in the  
16 profits, so --

17 MEMBER ALBERTI: All right. He  
18 shared in the costs. Everything was shared,  
19 right?

20 MR. LUMUKANDA: We -- no, not  
21 really. Not -- no, not exactly.

22 MEMBER JONES: Mr. Lumukanda, I

1 don't mean to be antagonistic here, but you  
2 outright told me in a response to my question  
3 that you split the expenses, which in turn  
4 means you are splitting the costs.

5 MR. LUMUKANDA: Well, when I said  
6 we split expenses, what I meant was the staff  
7 expenses, but the expenses for the alcohol and  
8 the food, those are my own.

9 MEMBER ALBERTI: So how did you  
10 know what those were?

11 MR. LUMUKANDA: Because I have  
12 receipts.

13 MEMBER JONES: When was the  
14 contract ratified for this catering service?

15 MR. LUMUKANDA: Each contract was  
16 -- they were ratified when -- on the date that  
17 I gave it or the next day that I gave them the  
18 contract.

19 MEMBER JONES: So there is a list  
20 that you have here.

21 MR. LUMUKANDA: Yes.

22 MEMBER JONES: And it says

1       whereas, whereas, whereas. These are just  
2       excerpts from the overall contract?

3               MR. LUMUKANDA: Yes. The portion  
4       above it shows when the contract was issued  
5       and the ratification is on the third page of  
6       my contract.

7               MEMBER JONES: So I'm looking at  
8       this. I'm assuming you did an except here it  
9       says "Whereas, Section A."

10              MR. LUMUKANDA: Yes.

11              MEMBER JONES: Okay. That's an  
12       excerpt from a larger document?

13              MR. LUMUKANDA: That is correct.

14              MEMBER JONES: All right. Is that  
15       document a standard template that you use?

16              MR. LUMUKANDA: Pretty much.

17              MEMBER JONES: All right. Is it  
18       on your laptop, the standard template?

19              MR. LUMUKANDA: The standard  
20       template? Yes, I have one of those on here.

21              MEMBER JONES: Okay.

22              MR. LUMUKANDA: Yes, I have that.

1                   MEMBER ALBERTI: Does that talk  
2 about the profit sharing?

3                   MR. LUMUKANDA: No, no, not at  
4 all. No, it doesn't.

5                   MEMBER JONES: Okay. So --

6                   MR. LUMUKANDA: No.

7                   MEMBER JONES: -- for example, the  
8 May 23rd through May 26th when was that  
9 contract ratified?

10                  MR. LUMUKANDA: I don't know. I  
11 don't have the hard copy in front of me. But  
12 I would assume that it was probably ratified  
13 sometime around May 22nd or 21st.

14                  MEMBER JONES: And you said you  
15 could provide --

16                  MR. LUMUKANDA: Yes.

17                  MEMBER JONES: -- each of these  
18 ratified contracts?

19                  MR. LUMUKANDA: Yes.

20                  MEMBER JONES: When would you be  
21 able to provide those?

22                  MR. LUMUKANDA: I can scan them

1 and email them out within the next couple  
2 days.

3 MEMBER ALBERTI: Can you do it by  
4 close of business tomorrow, if it's a matter  
5 of scanning?

6 MEMBER JONES: And just out of  
7 curiosity, why did you enter into this special  
8 arrangement with this particular client?

9 MR. LUMUKANDA: I was interested  
10 to see how this sort of catering business  
11 arrangement would work. I have never done an  
12 arrangement like this before, so I was  
13 interested and I thought there would probably  
14 be an upside. There turned out not to be.

15 MEMBER JONES: Okay.

16 CHAIRPERSON MILLER: Are you --

17 MEMBER JONES: I'm sorry.

18 CHAIRPERSON MILLER: -- finished?

19 MEMBER JONES: Yes.

20 CHAIRPERSON MILLER: Okay. Mr.  
21 Short?

22 MEMBER SHORT: Okay. I see the

1 day that the Inspectors were there was from  
2 the -- well, June 11th.

3 MR. LUMUKANDA: Um-hum.

4 MEMBER SHORT: And I'm looking at  
5 your contract from June 11th and it says you  
6 will be there from 3:00 p.m. to close.

7 MR. LUMUKANDA: Um-hum.

8 MEMBER SHORT: But you weren't  
9 there when the Inspectors came?

10 MR. LUMUKANDA: When the Inspector  
11 came last Friday, we were no longer in a  
12 contract. We were no longer in contract.  
13 That was --

14 MEMBER SHORT: I'm speaking of  
15 June the 12th.

16 MR. LUMUKANDA: June?

17 MEMBER SHORT: June 11th. June  
18 11th.

19 MR. LUMUKANDA: Yes. I was there  
20 on June 11th.

21 MEMBER SHORT: You were there when  
22 the Investigator/Inspector came?

1 MR. LUMUKANDA: Yes, there is a  
2 copy of my identification in the report.

3 MEMBER SHORT: Okay.

4 MR. LUMUKANDA: I was there.

5 MEMBER SHORT: Thank you.

6 CHAIRPERSON MILLER: Others?

7 MEMBER BROOKS: Yes.

8 CHAIRPERSON MILLER: Yes, Mr.

9 Brooks?

10 MEMBER BROOKS: Yes. Mr.  
11 Lumukanda, on the June 11th when the  
12 Investigator showed up you were there, were  
13 you serving alcohol?

14 MR. LUMUKANDA: Yes, sir.

15 MEMBER BROOKS: Did you have food?

16 MR. LUMUKANDA: No. The kitchen  
17 wasn't working. We did not have food that  
18 day, sir, no.

19 MEMBER BROOKS: The kitchen wasn't  
20 working?

21 MR. LUMUKANDA: It wasn't working.

22 MEMBER BROOKS: It's a deep fryer

1 that wasn't working, is that it?

2 MR. LUMUKANDA: That's correct.

3 MEMBER BROOKS: But all the food  
4 that you were going to produce that day or  
5 evening had to be deep fried? Is that what  
6 you're telling me?

7 MR. LUMUKANDA: Yes.

8 MEMBER BROOKS: There was nothing  
9 else that you were going to serve that did not  
10 require a deep fryer?

11 MR. LUMUKANDA: Well, we  
12 eventually adjusted it, but the issue was a  
13 gas line problem, so nothing else would have  
14 come on anyway. So the issue with the deep  
15 fryer, we found it to be that the gas line  
16 wasn't plugged up to it, so none of the  
17 equipment would have been operable.

18 MEMBER BROOKS: Okay. So I'm not  
19 sure when you found that out, but you were  
20 serving alcohol without food, right?

21 MR. LUMUKANDA: That is correct.  
22 For that -- on that particular date that he

1 showed up, we were suggesting that the  
2 customers order from the restaurant next door  
3 on that particular day. But I had an  
4 inventory of food sitting directly in the  
5 kitchen waiting to be prepared.

6 MEMBER BROOKS: What's the name of  
7 the restaurant next door?

8 MR. LUMUKANDA: Appioo, Appioo.  
9 It's a West African restaurant.

10 MEMBER BROOKS: Thank you, Madam  
11 Chair.

12 CHAIRPERSON MILLER: Okay.

13 MEMBER JONES: Who prepared the  
14 food?

15 MR. LUMUKANDA: At Signature  
16 Lounge?

17 MEMBER JONES: As part of your  
18 contract on the Signature Lounge, yes.

19 MR. LUMUKANDA: Oh, we didn't  
20 contract for one particular individual to  
21 prepare the food, but Amare and I put it  
22 together and he stated that he would do it.

1                   MEMBER JONES: Who actually  
2 prepared the food? Was it an employee of you  
3 or an employee of Signature Lounge?

4                   MR. LUMUKANDA: It was Amare  
5 himself.

6                   MR. ALEMU: No, I do.

7                   MEMBER JONES: So you prepared the  
8 food?

9                   MR. ALEMU: Right, correct.

10                  MEMBER JONES: Okay. So you  
11 prepared the food each night?

12                  MR. ALEMU: Correct.

13                  MEMBER JONES: What did you  
14 prepare?

15                  MR. ALEMU: There is a number of--

16                  MEMBER JONES: What did you  
17 prepare? I know it's on the menu.

18                  MR. ALEMU: Oh.

19                  MEMBER JONES: I want to know what  
20 you prepared, what you remember preparing.

21                  MR. ALEMU: There was an Italian  
22 dish that we were creating. It have -- you

1 want who prepared the food? Okay. So we have  
2 tips, we got tips and steak bites.

3 MEMBER JONES: Okay. So on that  
4 night when the stove wasn't working or  
5 whatever wasn't working, what was going on  
6 again?

7 MR. ALEMU: The pipeline was not  
8 working at that moment.

9 MEMBER JONES: The pipeline wasn't  
10 working?

11 MR. ALEMU: Wasn't working.

12 MEMBER JONES: What created that  
13 situation?

14 MR. ALEMU: I do not have any idea  
15 what was the problem with that. Right before  
16 the Investigator actually walked in, that's  
17 when we find out. When a customer order food  
18 and then we figure out that was not working.  
19 The deep fryer actually not working. So we  
20 had to -- for our customer order from the  
21 restaurant. Then he came in on the next day  
22 on the 12th and everything was in working

1 order. So he saw me actually making and  
2 cooking that food.

3 MEMBER JONES: So what did you do  
4 to fix it?

5 MR. ALEMU: We had to call our  
6 contractor to come and fix it.

7 MEMBER JONES: You called a  
8 contractor to come and fix it?

9 MR. ALEMU: (No audible answer.)

10 MEMBER JONES: You said you called  
11 a contractor to come and fix it?

12 MR. ALEMU: Right.

13 MEMBER JONES: Okay. Do you have  
14 a copy of that receipt?

15 MR. ALEMU: I do not have it on me  
16 right now.

17 MEMBER JONES: Okay. Would you be  
18 able to provide a copy of that receipt for the  
19 contractor that came and serviced the bad  
20 line?

21 MR. ALEMU: Absolutely.

22 MEMBER JONES: You do?

1 MR. ALEMU: Yes.

2 MEMBER JONES: You will?

3 MR. ALEMU: I will.

4 MEMBER JONES: Okay. And what  
5 date was that again?

6 MR. ALEMU: It was the next day  
7 the 12th.

8 MEMBER JONES: The 12th?

9 MR. ALEMU: Yes.

10 MEMBER JONES: All right.

11 MR. ALEMU: He actually went and  
12 fixed -- it was repaired on the 12th.

13 MEMBER JONES: Okay. And it was a  
14 licensed contractor who came and fixed your  
15 gas line?

16 MR. ALEMU: Well, whatever need  
17 fixed, they fixed it.

18 MEMBER JONES: I understand. But  
19 it was a licensed contractor that came and  
20 fixed your gas line?

21 MR. ALEMU: Right, but I don't  
22 know if it was, you know --

1 MEMBER JONES: Right. Okay.

2 Thank you. Thank you, Madam Chair.

3 MEMBER ALBERTI: May I ask a  
4 question?

5 CHAIRPERSON MILLER: Sure.

6 MEMBER ALBERTI: I sort of missed  
7 it, so, Mr. Alemu, did you tell us what you  
8 were cooking?

9 MR. ALEMU: I was working on a  
10 dish.

11 MEMBER ALBERTI: What was it?

12 MR. ALEMU: It was beef steak  
13 bites, lemon toast and one of them was a  
14 Signature special.

15 MEMBER ALBERTI: One of them was  
16 what?

17 MR. ALEMU: Signature special. So  
18 I believe it was like four or five item on the  
19 menu that we came up with to sell to patrons.

20 MEMBER ALBERTI: Do you remember  
21 how they differ?

22 MR. ALEMU: Huh?

1                   MEMBER ALBERTI: Do you remember  
2 how the dishes differed? I mean, how many  
3 different dishes, how many different options  
4 were you offering?

5                   MR. ALEMU: Five, five or six of  
6 them. You should have it over there. Five of  
7 them.

8                   MEMBER ALBERTI: One, two, three,  
9 four, five. I see five here.

10                  MR. ALEMU: Right.

11                  MEMBER ALBERTI: And can you tell  
12 me a little bit about the five dishes?

13                  MR. ALEMU: It's traditional food.  
14 It's beef, usually beef with -- tender beef.  
15 the ingredients are pretty much different.

16                  MEMBER ALBERTI: Okay. So how did  
17 each one -- the first dish listed differ from  
18 the second dish?

19                  MR. ALEMU: The seasoning and the  
20 way you cook it are different. The first one,  
21 the tips is actually like cooked medium rare,  
22 sauteed and stuff, but it doesn't have any hot

1 seasoning, so it's not a hot dish versus the  
2 second one. It does have -- you know, it's  
3 extremely spicy.

4 The third one is cooked well-done,  
5 that's one of the ones that we actually use  
6 and the Signature special is actually we use--  
7 we marinate the beef overnight, so that we  
8 will have seasoning ingredients. And of  
9 course steak by the last one is just cube of  
10 beef sauteed and marinated cooked medium.

11 MEMBER ALBERTI: Would everybody  
12 in the restaurant be able to understand this  
13 menu?

14 MR. ALEMU: Yes. Everything is  
15 explained next to it. There are meats --

16 MEMBER ALBERTI: Yes, it is  
17 specified, but the description for every dish,  
18 for the first three dishes are the same. So  
19 I've got to tell you, you know, I was at a  
20 loss. The description for the first three  
21 dishes is the same.

22 MR. ALEMU: The class that we give

1       them usually -- actually comes from the  
2       establishment most of the time.

3               MEMBER ALBERTI:  So they would  
4       know by the name?

5               MR. ALEMU:  Exactly.

6               MEMBER ALBERTI:  Okay.  Who would  
7       start the night before to marinate?

8               MR. ALEMU:  I did.

9               MEMBER ALBERTI:  Okay.  You did?

10              MR. ALEMU:  I marinate.

11              MEMBER ALBERTI:  Okay.  No further  
12       questions.

13              MEMBER JONES:  So this is a quick  
14       follow-up.  This is a Fact-Finding, right?  So  
15       I guess essentially as an individual Board  
16       Member, I'm looking at trying to find  
17       something that is not something that you could  
18       have just gone to the store and printed off  
19       yesterday.

20              MR. LUMUKANDA:  Oh, no, no, no.

21              MEMBER JONES:  It was something --

22              MR. LUMUKANDA:  We --

1                   MEMBER JONES:  -- that  
2                   specifically speaks to the time and the nature  
3                   of what the business activities should or are  
4                   supposed to be.  I'm highly concerned about  
5                   what you have already described as to the  
6                   nature of your relationship in this process.  
7                   I'm just -- like I said, it's a Fact-Finding,  
8                   so I will take this opportunity to speak that  
9                   I'm highly concerned by what you have  
10                  described as what you consider to be  
11                  appropriate business conduct and the use of  
12                  your caterer's license in association with  
13                  this lounge.

14                         With that being said, in order to  
15                         help me better understand how you could have  
16                         gotten yourself into that position, I need to  
17                         have something definitive that speaks, that  
18                         has a date, that is not something that you  
19                         could have just printed off yesterday, to the  
20                         nature of what your relationship was at that  
21                         point in time or what you thought it was at  
22                         that point in time.

1 I'm not looking for a document  
2 that, like I said, you printed off yesterday.

3 MR. LUMUKANDA: Right.

4 MEMBER JONES: That you pulled  
5 together from excerpts from things that were  
6 just cut and paste.

7 MR. LUMUKANDA: Right.

8 MEMBER JONES: I'm looking for  
9 something that is definitive from that time  
10 period.

11 MR. LUMUKANDA: Okay.

12 MEMBER JONES: A receipt from some  
13 other legitimate company or a receipt from  
14 some legitimate contractor, something to help  
15 me better understand how you reasonably got  
16 yourself in the situation that you are in.  
17 Okay. Thank you, Madam Chair.

18 MEMBER SHORT: Madam Chair?

19 CHAIRPERSON MILLER: Mr. Short?

20 MEMBER SHORT: Again, I'm of the  
21 understanding when the Investigators came at  
22 10:00 p.m. on June 11th --

1 MR. LUMUKANDA: Yes.

2 MEMBER SHORT: -- was anybody  
3 eating any food at that time?

4 MR. LUMUKANDA: I don't know. I  
5 don't really remember. Was there anybody  
6 eating carry-out? I have no idea. I don't  
7 know.

8 MEMBER SHORT: But there was food  
9 being served from next door, another kitchen  
10 or --

11 MR. LUMUKANDA: When we received  
12 an order, we would order from next door. I'm  
13 not sure if the food was ready to be delivered  
14 to them or it was -- I don't have an idea. I  
15 don't know if there was anyone there  
16 eventually eating. I'm not quite sure.

17 MEMBER SHORT: Thank you, Madam  
18 Chair.

19 CHAIRPERSON MILLER: Others? I  
20 just want to follow-up on that. It was just  
21 one day that there wasn't food?

22 MR. LUMUKANDA: Correct.

1                   CHAIRPERSON MILLER: Okay. So I'm  
2 not sure that I heard you correctly about what  
3 was the arrangement with the restaurant next  
4 door, Appioos or something?

5                   MR. ALEMU: There again was an  
6 arrangement over there.

7                   CHAIRPERSON MILLER: What?

8                   MR. ALEMU: It was kind of a  
9 carry-out. So pretty much clients could just  
10 call them.

11                  CHAIRPERSON MILLER: They call on  
12 their cell phones?

13                  MR. LUMUKANDA: Right, right.

14                  CHAIRPERSON MILLER: How did they  
15 know to do that?

16                  MR. LUMUKANDA: Hold on.

17                  CHAIRPERSON MILLER: Well, did you  
18 tell them?

19                  MR. ALEMU: If they ask us where  
20 we recommend for them, we tell them, you know,  
21 there is a restaurant over here. There is  
22 another restaurant. There is a Sally

1 Restaurant. And then that's their choice.  
2 They ask us if -- for any kind of phone  
3 number, we tell them hey, go to like Yelp or  
4 go to like Google.

5 CHAIRPERSON MILLER: So they could  
6 order from anywhere or just that restaurant  
7 next door?

8 MR. LUMUKANDA: They could order  
9 anywhere.

10 CHAIRPERSON MILLER: Anywhere?

11 MR. LUMUKANDA: Correct. On that  
12 particular day.

13 CHAIRPERSON MILLER: Okay. But  
14 you don't have any records of that, right,  
15 because it was between them and the  
16 restaurants?

17 MR. LUMUKANDA: Right, between the  
18 clients and the restaurants. There is no  
19 record of. We are not the ones that were  
20 purchasing from the restaurants.

21 CHAIRPERSON MILLER: But you used  
22 your catering license to serve alcohol based

1 on the fact that these patrons can order food  
2 from other places?

3 MR. LUMUKANDA: No. When I  
4 arrived on June 11th, my understanding was  
5 that Amare would be cooking the food based on  
6 all this menu, but when I get to the kitchen,  
7 he explained to me that it wasn't working, so  
8 I was kind of blind-sided by that on that  
9 particular date. And we just asked people to  
10 order from the place next door or go across  
11 the street and order from the Ethiopian  
12 restaurant across the street.

13 But I came there to see Amare cook  
14 the food that we planned, that we put  
15 together.

16 CHAIRPERSON MILLER: So did you  
17 have staff there before you arrived?

18 MR. LUMUKANDA: Yes, yes, yes,  
19 they were there. There was some people that  
20 were there when I arrived.

21 CHAIRPERSON MILLER: But they  
22 didn't tell you there wasn't any food being

1 served?

2 MR. LUMUKANDA: As soon as -- when  
3 I arrived, when I brought the food personally  
4 and placed it in the kitchen, that's when he  
5 explained to me that the kitchen was  
6 inoperable and I explained to him let's get  
7 the kitchen up and running as fast as possible  
8 so we can get this menu out.

9 CHAIRPERSON MILLER: Okay. What  
10 time was that?

11 MR. LUMUKANDA: I arrived  
12 probably, I don't know, 5:00 or 6:00 in the  
13 evening on the 11th.

14 CHAIRPERSON MILLER: Okay. But so  
15 were drinks being served before then?

16 MR. ALEMU: We were serve, but  
17 then again the food was operating at the  
18 moment. And then at the last minute that's  
19 when it went down.

20 CHAIRPERSON MILLER: What time did  
21 it go down?

22 MR. ALEMU: The system went down.

1 I believe around like 9:00, but I'm not quite  
2 sure.

3 CHAIRPERSON MILLER: 10:00 in the  
4 morning?

5 MR. ALEMU: No, 9:00.

6 CHAIRPERSON MILLER: I'm sorry?

7 MR. ALEMU: 9:00 it went down,  
8 yes.

9 CHAIRPERSON MILLER: 9:00 in the  
10 morning?

11 MR. ALEMU: No, no, p.m. In p.m.

12 CHAIRPERSON MILLER: Okay.

13 MR. ALEMU: On the 11th.

14 CHAIRPERSON MILLER: Okay.

15 MR. ALEMU: I was ready throughout  
16 the whole day when I was preparing, when I was  
17 waiting, the whole kitchen was working.

18 MR. LUMUKANDA: I did see that.

19 MR. ALEMU: Yes.

20 CHAIRPERSON MILLER: I'm sorry, I  
21 don't know if I heard it right then. I  
22 thought that Mr., is it, Lumukanda --

1 MR. LUMUKANDA: Um-hum.

2 CHAIRPERSON MILLER: -- said that  
3 he arrived at 5:00 and 6:00 and saw that it  
4 wasn't, the kitchen wasn't operating.

5 MR. ALEMU: He dropped the food  
6 around 5:00. At that moment, I was just  
7 marinating the food. Maybe he didn't look  
8 into, you know, that the machine was working,  
9 because that is not his responsibility or his  
10 job at that moment. I was in charge of  
11 preparing the food.

12 CHAIRPERSON MILLER: Right. When  
13 you were preparing the food at 5:00 or 6:00 --

14 MR. ALEMU: Right.

15 CHAIRPERSON MILLER: -- did you  
16 know -- was it not working?

17 MR. ALEMU: It was working at that  
18 moment, that's why it didn't even inform  
19 anything like that. When I was preparing it,  
20 I need to use any kind of machinery at that  
21 moment, because it was sitting and cutting.

22 CHAIRPERSON MILLER: Okay. So

1 your testimony is that the gas stopped or  
2 whatever that was at 10:00?

3 MR. ALEMU: Yes, that would be  
4 correct when I was working. When I first got  
5 the -- an order, the second one was around  
6 like I believe 8:00, late 8:00, 9:00, around  
7 9:00. That's when the machine was just like  
8 couldn't get it to do anything. That's when  
9 I informed them. And right after that, it was  
10 around 10:00-ish, I believe, around 10:05, the  
11 Investigator walked in, you know.

12 CHAIRPERSON MILLER: 10:05 the  
13 Investigator walked in? And you said you just  
14 lost the gas at 10:00?

15 MR. ALEMU: No, no, I said about  
16 9:00.

17 CHAIRPERSON MILLER: 9:00.

18 MR. ALEMU: Yes.

19 CHAIRPERSON MILLER: Okay.

20 MR. ALEMU: That was the problem.  
21 So it was in the middle that we were try to  
22 figure out how we will do it and then the

1 Investigator walked in.

2 CHAIRPERSON MILLER: So had you  
3 already cooked some and served some food?

4 MR. ALEMU: I was --

5 MR. LUMUKANDA: I didn't see  
6 anything we cooked that day. Everything was--  
7 I saw the food being prepped in the kitchen,  
8 but no heat was placed on anything.

9 CHAIRPERSON MILLER: Okay. Just--

10 MR. LUMUKANDA: I didn't see a  
11 single meal come out.

12 MR. ALEMU: Right.

13 MEMBER ALBERTI: So I'm trying to  
14 understand.

15 CHAIRPERSON MILLER: Do you want--

16 MEMBER ALBERTI: It was a deep  
17 fryer that was busted?

18 MR. LUMUKANDA: That's what he  
19 told me. I didn't really go into -- I just  
20 wanted to see food being cooked. I didn't --

21 MEMBER ALBERTI: What you told us.

22 MR. LUMUKANDA: Yes, yes, that's--

1 MEMBER ALBERTI: The deep fryer.

2 MR. LUMUKANDA: -- what he told  
3 me, so explaining that.

4 MEMBER ALBERTI: How -- okay. So  
5 explain to me how the deep fryer comes into  
6 preparation for the dishes that you described?

7 MR MATTHEWS: But they later say  
8 it wasn't the deep fryer.

9 MEMBER ALBERTI: No, no, no, no,  
10 no.

11 MR MATTHEWS: It was the gas line.

12 MEMBER ALBERTI: Mr. Matthews, I'm  
13 asking Mr. Alemu.

14 MR MATTHEWS: I understand.

15 MEMBER ALBERTI: So, please,  
16 describe for me how the deep fryer comes into  
17 play on the dishes that you prepared.

18 MR. ALEMU: The beef tips is  
19 actually deep fried, because that's extremely  
20 well-done.

21 MEMBER ALBERTI: Pardon? What?  
22 Can you speak up?

1                   MR. ALEMU: The tips, the third  
2 line on the menu, that actually is supposed to  
3 be used by a deer fryer, because it's like  
4 extremely well-done and crispy. So that using  
5 a pan, you're not going to be able to get it  
6 crispy and really --

7                   MEMBER ALBERTI: How about the  
8 others? What about the other dishes?

9                   MR. ALEMU: Well, the others could  
10 be used the regular oven, but then it won't be  
11 as --

12                  MR. LUMUKANDA: That wasn't  
13 working either.

14                  MR. ALEMU: -- good as it -- but  
15 again, the whole system went down, because all  
16 the lines are together.

17                  MEMBER ALBERTI: So all the lines  
18 went down? Not just the deep fryer?

19                  MR. ALEMU: Correct. At the  
20 beginning, I thought it was the deep fryer and  
21 then the rest qualify.

22                  MEMBER ALBERTI: But you didn't

1 tell us that in the beginning. You told us  
2 deep fryer in the beginning, unless I  
3 misunderstood you. Am I right?

4 MR. ALEMU: The reason I explain  
5 to you the whole thing was not working, but I  
6 understood the fryer, the deep fryer.

7 MEMBER ALBERTI: Okay. So while  
8 I'm speaking, how did you guys -- I'm still on  
9 this profit thing. I'm just hung up on the  
10 profit thing. How did you --

11 MR. LUMUKANDA: It never worked  
12 out.

13 MEMBER ALBERTI: Pardon?

14 MR. LUMUKANDA: It never --  
15 actually, it --

16 MEMBER ALBERTI: This is important  
17 to me, Mr. Lumukanda, so let me ask Mr. Alemu.

18 MR. LUMUKANDA: Sure, sure, sure.

19 MEMBER ALBERTI: Mr. Alemu, how  
20 did you guys figure out Mr. Alemu's labor, you  
21 know, contribution to the profit?

22 MR. LUMUKANDA: That wasn't even

1 counted in. Actually, I didn't see his -- I  
2 don't normally put my labor in when I work, I  
3 just simply work. I have never put my labor  
4 in at the restaurant or catering, so that  
5 wasn't in there. I didn't see anything for  
6 him.

7 MEMBER ALBERTI: Do you have any  
8 accounting of how you split the profits at  
9 all? Any accounting? I mean, is it in the  
10 contract? Is it written down any place?

11 MR. LUMUKANDA: It's on the  
12 contract. Yeah, it's very clear on the  
13 contract how that breaks down.

14 MEMBER ALBERTI: How you --

15 MR. LUMUKANDA: Yes.

16 MEMBER ALBERTI: -- are going to  
17 split? How you calculate income? How you  
18 calculate costs?

19 MR. LUMUKANDA: No, the  
20 calculations aren't on there. I think at the  
21 end of the contract it just simply states that  
22 we split the net, I believe it's the net

1 profits, on the evening.

2 MEMBER ALBERTI: Yes, but how do--  
3 is anything written down on how you get the  
4 net?

5 MR. LUMUKANDA: No. That was not  
6 written down, arriving at it, no. That was  
7 done -- in this particular instance, omitted.

8 MEMBER ALBERTI: So again, Mr.  
9 Lumukanda, how did you account in your costs  
10 for the alcohol?

11 MR. LUMUKANDA: I didn't. I  
12 didn't really account for the costs. I just  
13 wanted to make sure that I was making some  
14 profit on items that I already purchased.

15 MEMBER ALBERTI: Great. Fine.  
16 Thank you.

17 CHAIRPERSON MILLER: Yes, Mr.  
18 Rodriguez?

19 MEMBER RODRIGUEZ: Mr. Lumukanda?

20 MR. LUMUKANDA: Yes, sir?

21 MEMBER RODRIGUEZ: My questions  
22 are very simple. They are not as complicated

1 here. Number one, you have a Class C  
2 Caterer's License, right?

3 MR. LUMUKANDA: Yes, sir.

4 MEMBER RODRIGUEZ: And so are you  
5 familiar with the alcoholic requirements with  
6 the license, what your responsibilities are?

7 MR. LUMUKANDA: Yes, sir.

8 MEMBER RODRIGUEZ: And what are  
9 they?

10 MR. LUMUKANDA: The -- I'm going  
11 to try to sum up what it says.

12 MEMBER RODRIGUEZ: Right.

13 MR. LUMUKANDA: But essentially --

14 MEMBER RODRIGUEZ: Yes, sir.

15 MR. LUMUKANDA: -- the catering is  
16 done in conjunction with food. Alcohol and  
17 catering is done in conjunction with food.

18 MEMBER RODRIGUEZ: Right.

19 MR. LUMUKANDA: Relatively  
20 general.

21 MEMBER RODRIGUEZ: All right. So  
22 you fully understand then that you have to

1       serve food with the alcohol?

2                   MR. LUMUKANDA:  Absolutely,  
3       absolutely.

4                   MEMBER RODRIGUEZ:  Okay.  So at  
5       what point did you know that you were in  
6       trouble?

7                   MR. LUMUKANDA:  Well, when I  
8       noticed that I wasn't making any money from  
9       this arrangement, I knew then that financially  
10      it wasn't working out.

11                  MEMBER RODRIGUEZ:  Right.

12                  MR. LUMUKANDA:  And then when the  
13      Investigator came by and found that there was  
14      no food there, I take any -- any time ABRA  
15      employees show up --

16                  MEMBER RODRIGUEZ:  Okay.

17                  MR. LUMUKANDA:  -- I take that  
18      extremely seriously.

19                  MEMBER RODRIGUEZ:  Excuse me for  
20      interrupting a little bit here.  Okay.  So it  
21      was only until Mr. Townsend came by that you  
22      realized that there was a problem?

1 MR. LUMUKANDA: No, no. I  
2 realized there was a problem earlier that day  
3 when I didn't see any food being cooked. I  
4 saw the prep going on, but I didn't see any  
5 food being -- any hot food being prepared.

6 MEMBER RODRIGUEZ: Okay. So  
7 knowing the regulations, how did it come about  
8 that there was liquor being sold without food  
9 being prepared?

10 MR. LUMUKANDA: My understanding  
11 that -- was that I was to bring the food and  
12 that he was to cook it. I put my best effort  
13 forward to try to abide by my -- the rules of  
14 the catering license. I did absolutely  
15 everything that I could have possibly done to  
16 be compliant on that -- for this particular  
17 engagement.

18 MEMBER RODRIGUEZ: So who would  
19 have the first responsibility on the liquor  
20 license and its requirements?

21 MR. LUMUKANDA: I take that  
22 responsibility.

1                   MEMBER RODRIGUEZ: So you are  
2 responsible?

3                   MR. LUMUKANDA: Sir.

4                   MEMBER RODRIGUEZ: So that was  
5 your bag, as they say on the basketball court?

6                   MR. LUMUKANDA: I have to take  
7 that responsibility.

8                   MEMBER RODRIGUEZ: You would have  
9 to take that responsibility?

10                  MR. LUMUKANDA: Absolutely.

11                  MEMBER RODRIGUEZ: Because you are  
12 the person who has that license, right?

13                  MR. LUMUKANDA: Absolutely.

14                  MEMBER RODRIGUEZ: Okay. So I  
15 just wanted to make that clear. Thank you.

16                  CHAIRPERSON MILLER: I have a  
17 question that concerns me.

18                         I understand that -- well, I  
19 haven't seen your contract. I mean, does your  
20 contract say that you will bring the food and  
21 that they will prepare it and serve it when  
22 they serve alcohol?

1                   MR. LUMUKANDA: There is a  
2                   provision on the contract that states that I  
3                   have the ability to make that decision on  
4                   whether or not I'm going to cook it on my site  
5                   or if we do something alternative like they  
6                   cook it there on-site. So it's a general  
7                   sentence on there that states that I have that  
8                   ability to make that decision case-by-case.

9                   CHAIRPERSON MILLER: Okay. I  
10                  mean, it will be helpful for us to see the  
11                  contract.

12                 MR. LUMUKANDA: Absolutely. And I  
13                 can give that to you by the close of business  
14                 by tomorrow.

15                 CHAIRPERSON MILLER: Okay. So my  
16                 question is, you know, if you are not there,  
17                 I mean, you have somewhat of a responsibility  
18                 to be there.

19                 MR. LUMUKANDA: Yes.

20                 CHAIRPERSON MILLER: But if you  
21                 are not there, you said you have your staff  
22                 there. So is it part of your staff's

1 responsibility to make sure that food is being  
2 served?

3 MR. LUMUKANDA: Absolutely. If  
4 there is no food, I let all of my staff know  
5 that the license comes off the wall, shut it  
6 down, it's over with, if there is no food.  
7 That's the policy that I have now.

8 CHAIRPERSON MILLER: So what  
9 happened then with your staff that day?

10 MR. LUMUKANDA: I'm sorry?

11 CHAIRPERSON MILLER: You said you  
12 had a staff person there that day.

13 MR. LUMUKANDA: Yes.

14 CHAIRPERSON MILLER: From what I'm  
15 hearing, I think, is that drinks were served,  
16 if I'm correct, and food was not. And you had  
17 -- you brought your food.

18 MR. LUMUKANDA: Yes.

19 CHAIRPERSON MILLER: You know, you  
20 thought you were fulfilling your part of the  
21 contract. But you had a staff person there  
22 instead of you and what was -- why did that

1 staff person allow the alcohol to be served?

2 MR. LUMUKANDA: Are you referring  
3 to the 11th?

4 CHAIRPERSON MILLER: Yes.

5 MR. LUMUKANDA: I was there.

6 CHAIRPERSON MILLER: You were  
7 there?

8 MR. LUMUKANDA: I was there  
9 myself. Yes, yes. I was there. I was there.  
10 It was -- I was there the whole entire time.

11 CHAIRPERSON MILLER: Okay. So  
12 from what I understand from the Investigator's  
13 report is that drinks were served even though  
14 the food was not.

15 MR. ALEMU: The food was prepared  
16 and ready to go until the first client order  
17 and that's when we figure out that the system  
18 was not working, but the food was ready. He  
19 delivered the food.

20 MR. LUMUKANDA: I thought he might  
21 be able to get it just started.

22 MR. ALEMU: The kitchen was ready.

1 MR. LUMUKANDA: I stayed --

2 MR. ALEMU: Until we figured out  
3 the first, you know. That's when I refer more  
4 men to my --

5 CHAIRPERSON MILLER: Did you see  
6 people bringing in food?

7 MR. LUMUKANDA: I have seen them.  
8 I saw them maybe, but I wasn't really focused  
9 on exactly the food coming and going. I may  
10 have seen someone eating carry-out from next  
11 door at the bar.

12 CHAIRPERSON MILLER: Yes.

13 MR. LUMUKANDA: It's quite  
14 possible, but I don't remember clearly seeing  
15 someone eating, but people --

16 CHAIRPERSON MILLER: I mean, it  
17 sounds to me like you are saying you take your  
18 caterer's license very seriously. And the  
19 number one thing or one of the number one  
20 things is that there has got to be food when  
21 alcohol is being served, otherwise, you tear  
22 the license off the wall and you shut the

1 place down or whatever. And that didn't  
2 happen. Why didn't it happen?

3 MR. LUMUKANDA: Because he was  
4 still back in the kitchen tinkering. I  
5 thought maybe he was going to get everything  
6 fired up. We were still -- he was still in  
7 the motion of getting the kitchen together  
8 throughout the evening, so I didn't go down  
9 there and bother. I checked periodically to  
10 see what was going on and he was down there  
11 working trying to get it together, so that's  
12 why I didn't shut it down immediately, because  
13 everything was in motion. We were ready to go  
14 or I thought we were ready to go.

15 MR. ALEMU: Once I find out that  
16 the kitchen was not operating properly, we  
17 discussed that like we were going to shut it  
18 down, the alcohol and other stuff. In the  
19 meantime, of course, the Investigator walked  
20 in on us, so we were about to -- we didn't  
21 know exactly what we were going to do. And  
22 then, of course, he also advised us to shut it

1 down as well.

2 CHAIRPERSON MILLER: Okay. Any  
3 other questions?

4 MEMBER ALBERTI: Yes, but you go  
5 ahead and finish.

6 CHAIRPERSON MILLER: No, I just  
7 want to let Mr. Matthews know that we are  
8 going to get to him. Okay. Go ahead.

9 MEMBER ALBERTI: Yes, I just --

10 CHAIRPERSON MILLER: Yes.

11 MEMBER ALBERTI: So I'm trying to  
12 understand. It sounds like you, Mr.

13 Lumukanda, and Mr. Alemu, you, Mr. Alemu and  
14 Mr. Lumukanda, had sort of a real partnership  
15 here. I mean, because it sounded like Mr.  
16 Alemu was integral to making sure everything  
17 is going, food was cooked and service was  
18 going and it sounds like you had a real  
19 partnership. Is that -- am I --

20 MR. LUMUKANDA: I wouldn't use  
21 that word. I mean, whenever I contract with  
22 somebody, there are instances where they have

1 to do certain things in order for us both to  
2 be successful.

3 MEMBER ALBERTI: To share it.

4 MR. LUMUKANDA: I wouldn't call it  
5 a partnership.

6 MEMBER ALBERTI: To share the  
7 profits.

8 MR. LUMUKANDA: I have shared  
9 profits in the past, but definitely not in  
10 this fashion.

11 MEMBER ALBERTI: But you shared  
12 profits here?

13 MR. LUMUKANDA: That is correct.

14 MEMBER ALBERTI: And you shared  
15 costs?

16 MR. LUMUKANDA: We did, but it  
17 wasn't really documented. It wasn't done in  
18 a normal standard way, like I do it at the  
19 restaurant.

20 MEMBER ALBERTI: Fine.

21 MR. LUMUKANDA: No. But with my  
22 other catering clients --

1                   MEMBER ALBERTI: But there was --  
2                   okay. Like in any relationship, there was a  
3                   very symbiotic relationship here, right?

4                   MR. LUMUKANDA: To some degree  
5                   there was symbiotic nature to it.

6                   MEMBER ALBERTI: Okay. Gotcha.  
7                   Thank you.

8                   MEMBER JONES: Madam Chair?

9                   CHAIRPERSON MILLER: Yes, Mr.  
10                  Short? Oh, Mr. Jones. Okay.

11                  MEMBER JONES: Thank you, Madam  
12                  Chair. So just you were aware, you are  
13                  saying, prior to -- well, I think it was the  
14                  11th.

15                  MR. LUMUKANDA: Um-hum.

16                  MEMBER JONES: Was that the date  
17                  in question we are talking about here?

18                  MR. LUMUKANDA: Yes.

19                  MEMBER JONES: So on that date,  
20                  you recognized that if you were not selling  
21                  food, that you were essentially in violation  
22                  of your caterer's license, correct? Did I

1 understand that?

2 MR. LUMUKANDA: You know, I was  
3 waiting -- no, I wouldn't say that exactly.  
4 I was waiting for the kitchen to get started.

5 MEMBER JONES: No, no, no. I'm  
6 saying if you were not -- were you aware of  
7 the fact that if you were not selling food, if  
8 you did not have food available --

9 MR. LUMUKANDA: Yes.

10 MEMBER JONES: -- that you would  
11 be in violation of your caterer's license if  
12 you were also commencing with the sale of  
13 alcohol? I understand that you are telling me  
14 that you believe the kitchen would have been  
15 brought on line and that you would have been  
16 able to sell food later or make food  
17 available. However, you recognized at that  
18 point --

19 MR. LUMUKANDA: Yes, sir.

20 MEMBER JONES: -- in time --

21 MR. LUMUKANDA: Yes, sir.

22 MEMBER JONES: -- that you knew

1 the law?

2 MR. LUMUKANDA: Absolutely.

3 MEMBER JONES: You knew your  
4 requirement.

5 MR. LUMUKANDA: Yes, sir.

6 MEMBER JONES: Okay.

7 MR. LUMUKANDA: Yes, sir.

8 MEMBER JONES: So I was just  
9 trying to follow that because what was the  
10 reason for you requesting to have to speak  
11 with Supervisory Investigator Stewart when --  
12 I'm sorry, Shawn, I forgot your last name.

13 INVESTIGATOR TOWNSEND: Townsend.

14 MEMBER JONES: Townsend. When  
15 Investigator Townsend came and told you that  
16 very same thing.

17 MR. LUMUKANDA: Well, I just  
18 wanted to clarify with the supervisor exactly  
19 what was going on and that was basically it.  
20 I just wanted to get some more clarity on  
21 exactly what was happening. And also,  
22 Investigator Townsend actually deferred to the

1 supervisor, so when I asked him additional  
2 questions, he deferred to the supervisor. So  
3 I -- he gave me the phone, so I spoke with him  
4 to get more clarity where he stopped.

5 MEMBER JONES: So I'm struggling  
6 with that just a little bit in the sense  
7 that --

8 MR. LUMUKANDA: You can ask him.  
9 He deferred to his supervisor on whether or  
10 not he should shut it down or not. So I spoke  
11 to him at that point.

12 MEMBER JONES: So with all due  
13 respect, Mr. Lumukanda --

14 MR. LUMUKANDA: Yes, sir.

15 MEMBER JONES: -- I can definitely  
16 ask you. I can ask him.

17 MR. LUMUKANDA: Yes, sir.

18 MEMBER JONES: I recognize I can  
19 ask anyone up here.

20 MR. LUMUKANDA: Yes, sir.

21 MEMBER JONES: I'm just trying to  
22 understand your rationale for why it was you

1 needed that verification or clarification of  
2 something you are telling me you clearly knew  
3 at the time before the Investigator even  
4 showed up. You knew, based on your testimony,  
5 based on your statement, excuse me, not your  
6 testimony, but your statement to Board Member  
7 Rodriguez, you knew that if you did not have  
8 food available, you were in violation of your  
9 -- the rules of your caterer's license.

10 So why did you need that  
11 reinforced and clarified in any way, shape or  
12 form?

13 MR. LUMUKANDA: Because he  
14 deferred to his supervisor.

15 MEMBER JONES: You didn't even  
16 need to hear it from Investigator Townsend,  
17 according to what you are telling me. Him  
18 deferring to anyone else is kind of moot.

19 MR. LUMUKANDA: Okay. Okay. I  
20 understand. You are absolutely right. I was  
21 aware of that at that particular point. At  
22 that particular point, I was in violation, but

1 I was just trying to follow what the  
2 Investigator was asking me to do. I was just  
3 trying to do what he wanted me to do, at that  
4 point.

5 MEMBER JONES: Okay. So who is  
6 your staff? Typically, you said you were not  
7 responsible for preparing the food.

8 MR. LUMUKANDA: Huh-uh.

9 MEMBER JONES: At all?

10 MR. LUMUKANDA: No.

11 MEMBER JONES: And that was just  
12 part of your contract. So what staff -- when  
13 you are referring to staff supporting this  
14 event, what is that? What were they doing?  
15 What constituted staff supporting this event,  
16 the series of events?

17 MR. LUMUKANDA: Well, there was  
18 usually one to three bartenders. There was  
19 usually one manager. There was a hookah  
20 attendant. And then on the -- on Friday, I  
21 think there was a security gentleman that was  
22 outside.

1 MEMBER JONES: Okay. So all these  
2 were employed by your catering company?

3 MR. LUMUKANDA: No.

4 MEMBER JONES: Okay.

5 MR. LUMUKANDA: I only --

6 MEMBER JONES: Who is your staff?

7 MR. LUMUKANDA: My staff was just  
8 the manager. His staff was --

9 MEMBER JONES: Okay. Your staff  
10 was the manager?

11 MR. LUMUKANDA: Yes.

12 MEMBER JONES: You were the  
13 manager on the night when the violation was  
14 brought down?

15 MR. LUMUKANDA: That is correct.

16 MEMBER JONES: Okay.

17 MR. LUMUKANDA: That is correct.

18 MEMBER JONES: Was there any time  
19 where you weren't there and your manager was  
20 there?

21 MR. LUMUKANDA: On the date of the  
22 11th?

1                   MEMBER JONES: Any time during  
2 this series of events where you weren't there  
3 and your manager was?

4                   MR. LUMUKANDA: Yes, that happened  
5 a few times.

6                   MEMBER JONES: Okay. And your  
7 manager's name?

8                   MR. LUMUKANDA: Quillman Yeder. I  
9 can't pronounce his last name.

10                  MEMBER JONES: Okay.

11                  MR. LUMUKANDA: But --

12                  MEMBER JONES: And that individual  
13 was there roughly how many nights? Do you  
14 have any idea for this series of events?

15                  MR. LUMUKANDA: I divided between  
16 him -- there were two of them. There was Gia  
17 Moore and Quillman Yeder.

18                  MEMBER JONES: Yes.

19                  MR. LUMUKANDA: So I divided the  
20 time amongst the two of them when I wasn't  
21 available. But most of the time, I would  
22 actually be there with them. So probably 80

1 percent of the time, I was actually there  
2 along with them, but it was one of the two  
3 along with me.

4 MEMBER JONES: So you had a total  
5 of three people representing your company that  
6 were present at this event?

7 MR. LUMUKANDA: During this  
8 series.

9 MEMBER JONES: Throughout the  
10 series?

11 MR. LUMUKANDA: Yes, sir.

12 MEMBER JONES: Okay. So I'm just  
13 trying to figure out so food was being made  
14 available for sale?

15 MR. LUMUKANDA: That's correct.

16 MEMBER JONES: Okay. If no one  
17 came in and wanted to buy food, would you  
18 still sell alcohol?

19 MR. LUMUKANDA: If no one wanted  
20 to buy any food?

21 MEMBER JONES: Correct.

22 MR. LUMUKANDA: Yes, sir.

1                   MEMBER JONES: You would still  
2 sell alcohol?

3                   MR. LUMUKANDA: Yes, sir.

4                   MEMBER JONES: Okay. Thank you.

5                   MR. LUMUKANDA: Yes, sir.

6                   MEMBER JONES: Thank you, Madam  
7 Chair.

8                   CHAIRPERSON MILLER: Mr. Short?

9                   MEMBER SHORT: Okay. You stated  
10 earlier that you arrived at 6:00 p.m.,  
11 somewhere around 6:00 p.m.

12                   MR. LUMUKANDA: Approximately. I  
13 don't know the exact time, but some time  
14 shortly after -- the sun was still up, about  
15 5:00 or 6:00, some time around that time.

16                   MEMBER SHORT: The Investigator  
17 Townsend didn't get there until 10:00.

18                   MR. LUMUKANDA: That's correct.

19                   MEMBER SHORT: So four hours went  
20 by, no food was being served. You didn't see  
21 anybody eating anything, did you? You stated  
22 earlier.

1                   MR. LUMUKANDA: I think there may  
2 have been someone in there eating, but I can't  
3 say for certain that someone was eating. I  
4 wasn't paying attention exactly to that.

5                   MEMBER SHORT: I'll ask again.  
6 Did you observe anyone eating?

7                   MR. LUMUKANDA: No, sir.

8                   MEMBER SHORT: Okay.

9                   MR. LUMUKANDA: No.

10                  MEMBER SHORT: So you didn't  
11 observe anyone eating. So between 6:00 p.m.  
12 and 10:00 p.m., that's four hours, you were  
13 still selling alcohol knowing that food was  
14 not being consumed?

15                  MR. LUMUKANDA: Well, he was down  
16 in the kitchen.

17                  MEMBER SHORT: I'm asking you.  
18 You were there between 6:00 --

19                  MR. LUMUKANDA: That is correct,  
20 sir.

21                  MEMBER SHORT: -- and 10:00. You  
22 saw no one consuming food. And you still sold

1 alcohol.

2 MR. LUMUKANDA: That is correct.

3 MEMBER SHORT: Okay. Let me ask  
4 you this. How did the profits go on alcohol  
5 you sold?

6 MR. LUMUKANDA: Whatever alcohol  
7 was sold, at the end of the night we split.  
8 So if there was \$200 in alcohol sales, he  
9 received \$100, I received \$100.

10 MEMBER SHORT: And you were there  
11 for four hours, no food was consumed and you  
12 still sold alcohol?

13 MR. LUMUKANDA: That is correct,  
14 sir.

15 MEMBER SHORT: And you knew that  
16 was in violation of your caterer's license?

17 MR. LUMUKANDA: I didn't think it  
18 was a violation, because I thought he would  
19 eventually get the food going. I didn't go  
20 into it thinking there would be no food. I  
21 went into it with the absolute best intention  
22 of having that food ready and on point. But

1 he couldn't get the kitchen together, but I  
2 went in ready to go to sell the food in  
3 conjunction.

4 MEMBER SHORT: I'm not trying to  
5 be redundant, sir. I'm still trying to  
6 understand you were there for four hours. You  
7 were told when you got there at 6:00 the  
8 kitchen isn't functioning.

9 MR. LUMUKANDA: And that he was  
10 working on getting the kitchen together. He  
11 didn't say we are not going to be selling food  
12 at all, otherwise, I would have left.

13 MEMBER SHORT: When were you  
14 notified or your friend told you --

15 MR. LUMUKANDA: I knew there were  
16 problems at some point during the night when  
17 I didn't notice any food. I just placed the  
18 food in the kitchen. He started prepping it.  
19 I didn't see any food coming upstairs being  
20 served. I went downstairs. He said he had a  
21 problem. He had an issue. He was working on  
22 it. I said okay.

1 I come back periodically to check  
2 on him. He said he couldn't get it and I  
3 think he probably threw in the towel at some  
4 point shortly before the Investigator came in,  
5 but I was working to make the best effort to  
6 get that food out, but he couldn't get the  
7 kitchen going.

8 MEMBER SHORT: Okay. This is my  
9 last question.

10 MR. LUMUKANDA: Yes, sir.

11 MEMBER SHORT: Was your restaurant  
12 from 12th Street functioning that day?

13 MR. LUMUKANDA: Yes, sir.

14 MEMBER SHORT: And they were  
15 selling food?

16 MR. LUMUKANDA: Yes, sir.

17 MEMBER SHORT: And you couldn't  
18 have brought any of that food over to help out  
19 the situation?

20 MR. LUMUKANDA: Well, this -- the  
21 food here was a specialty, that Ethiopian  
22 food, and we don't know how -- I don't know

1       how to prepare that particular type of food  
2       and neither do any of my staff on 12th Street.  
3       They don't know how to prepare the Ethiopian-  
4       style food. That would have been a learning  
5       curve for them to learn how to do that and I'm  
6       not sure I would do that on the same day. I  
7       would want to give it some time before I throw  
8       them right in on a new cuisine.

9                   MEMBER SHORT: And I'm glad you  
10       used that word, because I think this is going  
11       to be a learning curve for you keeping your  
12       license as a caterer. You can't sell alcohol  
13       if you don't sell food.

14                   MR. LUMUKANDA: Yes, sir.

15                   MEMBER SHORT: Thank you. That's  
16       all I have, Madam Chair.

17                   CHAIRPERSON MILLER: Okay.

18                   MEMBER ALBERTI: I have some  
19       questions.

20                   CHAIRPERSON MILLER: Mr. Alberti?

21                   MEMBER ALBERTI: Okay. Mr. Alemu,  
22       let's go back to the menu. I'm actually

1 vegetarian, but I enjoy cooking. So I'm  
2 curious about it.

3 So all these dishes use the same  
4 cut of meat, basically?

5 MR. ALEMU: No, different cut of  
6 meats.

7 MEMBER ALBERTI: Can you just --

8 MR. ALEMU: Different cuts.

9 MEMBER ALBERTI: -- describe?

10 MR. ALEMU: Like the first one is  
11 like sirloin. And then the second one is a  
12 New York Strip. And the third one is going to  
13 be the rump cut. And of course, Signature is  
14 a mixture of the third and the second one.  
15 And the second is also the Ribeye.

16 MEMBER ALBERTI: Okay.

17 MR. ALEMU: So they are different  
18 kind of meat.

19 MEMBER ALBERTI: Mr. Lumukanda?

20 MR. LUMUKANDA: Yes, sir.

21 MEMBER ALBERTI: You gave us a  
22 list of food receipts. Can you -- are these

1 all receipts, your food receipts for your  
2 company from May 1st to May 30th?

3 MR. LUMUKANDA: Yes. Yes, sir.  
4 There may be -- we ordered a few other items  
5 from Costco, but this is the bulk of it.

6 MEMBER ALBERTI: Like what else  
7 did you order?

8 MR. LUMUKANDA: Chips, dips, small  
9 items, but they aren't related to this.

10 MEMBER ALBERTI: Not related.

11 MR. LUMUKANDA: No, that wasn't  
12 related.

13 MEMBER ALBERTI: All right. So  
14 did you give Mr. Alemu a copy of these  
15 receipts?

16 MR. LUMUKANDA: Does he have a  
17 copy of that?

18 MEMBER ALBERTI: Could you give  
19 him a copy?

20 MR. LUMUKANDA: Sure.

21 MEMBER ALBERTI: Mr. Alemu, would  
22 you tell me which items on there you used or

1 meat items that you used? Mr. Lumukanda and  
2 Mr. Alemu, you guys can work on this together.

3 MR. LUMUKANDA: Sure.

4 MR. ALEMU: These here, these  
5 here.

6 MR. LUMUKANDA: It's here. It's  
7 all right here. It's right here. Well, he is  
8 probably not that familiar. He just gave me  
9 a list of items.

10 MEMBER ALBERTI: Well, go ahead.  
11 You guys can work on this together.

12 MR. LUMUKANDA: I can read them  
13 right off. I have them.

14 MEMBER ALBERTI: Just identify the  
15 meat items.

16 MR. LUMUKANDA: Sure. We have the  
17 ground beef that is allowed.

18 MEMBER ALBERTI: Just identify  
19 them and then we will go through the list.

20 MR. LUMUKANDA: Okay.

21 MEMBER ALBERTI: Are you done?

22 MR. LUMUKANDA: I'm ready.

1 MEMBER ALBERTI: Okay. You're  
2 ready.

3 MR. LUMUKANDA: Yes, sir.

4 MEMBER ALBERTI: Let's start at  
5 the top then.

6 MR. LUMUKANDA: Okay.

7 MEMBER ALBERTI: Let's start at  
8 the top of the second page there.

9 MR. LUMUKANDA: On the second  
10 page, we have the ground beef.

11 MEMBER ALBERTI: Which is where?

12 MR. LUMUKANDA: The Halo Beef,  
13 it's the fourth item.

14 MEMBER ALBERTI: Which is the  
15 fourth item?

16 MR. LUMUKANDA: Yes.

17 MEMBER ALBERTI: Okay.

18 MR. LUMUKANDA: Then we have the  
19 onions. That goes --

20 MEMBER ALBERTI: I don't care  
21 about the onions. Meat.

22 MR. LUMUKANDA: Oh, sure, meat.

1 Well, we have the Halo and then on the next  
2 page, we have the chuck roll and that's about  
3 it for the meat.

4 MEMBER ALBERTI: And on the next  
5 page? Where? The chuck roll?

6 MR. LUMUKANDA: That's it for the  
7 meat. It's the second item on the --

8 MEMBER ALBERTI: Okay.

9 MR. LUMUKANDA: -- next page. And  
10 that's it for the meat.

11 MEMBER ALBERTI: Okay.

12 MR. LUMUKANDA: Everything else is  
13 seasoning and vegetables.

14 MEMBER ALBERTI: So those are the  
15 only two meat items?

16 MR. LUMUKANDA: Yes, sir. There  
17 is only beef on the --

18 MEMBER ALBERTI: I understand.  
19 But he said it was different cuts of meat. So  
20 how does the chuck roll turn into Prime Ribeye  
21 and all of that?

22 MR. LUMUKANDA: I don't know. I

1 was assuming that he cut different parts.

2 It's a huge slab of beef.

3 MEMBER ALBERTI: No, I know what a  
4 chuck roll is.

5 MR. LUMUKANDA: I don't know how  
6 he --

7 MEMBER ALBERTI: I have  
8 experience. I have experience.

9 MR. LUMUKANDA: Okay.

10 MEMBER ALBERTI: I know what a  
11 chuck roll is.

12 MR. LUMUKANDA: Okay.

13 MEMBER ALBERTI: It would be 16  
14 pounds, the ground beef would be 10 pounds?

15 MR. LUMUKANDA: Yes, sir.

16 MEMBER ALBERTI: How many ounces  
17 of ground beef for serving?

18 MR. LUMUKANDA: How much?

19 MR. ALEMU: Usually between 4 to 6  
20 ounces.

21 MEMBER ALBERTI: Pardon?

22 MR. ALEMU: Between 4 to 6 ounces

1 per serving.

2 MEMBER ALBERTI: 4 to 6 ounce per  
3 serving? Chuck roll, how many ounces per  
4 serving?

5 MR. ALEMU: Usually I have pretty  
6 much the same, 4 to 6.

7 MEMBER ALBERTI: 4 to 6 ounces.  
8 So at most four servings per pound, right?

9 MR. ALEMU: I didn't understand  
10 that.

11 MEMBER ALBERTI: At most four  
12 servings per pound, right?

13 MR. ALEMU: Yes.

14 MEMBER ALBERTI: Yes, right.  
15 Okay. Great. Great. So the hamburger ends  
16 up in 42 servings and the chuck roll ends up  
17 in 64, let's call it, 68. So I've got 110  
18 servings here out of -- 110 servings. And  
19 I've got my prices and you are going to give  
20 me the receipts on the alcohol sold for 1, 2,  
21 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15,  
22 16, 17, 18 nights.

1                   So in 18 nights you sold 110  
2 servings. That's like five servings a night.  
3 Six servings a night. Not much of a profit  
4 there, is it? But we will see when we get  
5 your alcohol and how it looks.

6                   MR. LUMUKANDA: It wasn't much,  
7 the profit.

8                   MEMBER ALBERTI: Do you want to  
9 speak to that at all?

10                  MR. LUMUKANDA: I know it -- I  
11 know this seems a bit odd and it was. This is  
12 definitely not the normal way that --

13                  MEMBER ALBERTI: I don't care  
14 about normal. I'm talking about these events.

15                  MR. LUMUKANDA: But --

16                  MEMBER ALBERTI: Okay, okay.

17                  MR. LUMUKANDA: Okay. But that's  
18 -- it eventually didn't work out. It was  
19 confusing to me as well and it didn't work  
20 out.

21                  MEMBER ALBERTI: All right.

22                  MR. LUMUKANDA: So we ended it.

1                   MEMBER ALBERTI: Thank you, sir.  
2                   But I do expect to have the receipts, sales  
3                   receipts for food and alcohol, which you  
4                   promised.

5                   MR. LUMUKANDA: Of course.

6                   MEMBER ALBERTI: I'll wait to get  
7                   those.

8                   MR. LUMUKANDA: Yes, yes. Now, as  
9                   far as the time line on that, I don't know if  
10                  I can get that --

11                  MEMBER ALBERTI: We will talk  
12                  about that after.

13                  MR. LUMUKANDA: Yes, yes. I don't  
14                  know exactly when.

15                  MEMBER ALBERTI: Why don't you  
16                  give us full -- what's your balance there?  
17                  What's the time line?

18                  MR. LUMUKANDA: I haven't asked  
19                  him how long we could possibly take.

20                  MEMBER ALBERTI: Wait. You're the  
21                  caterer.

22                  MR. LUMUKANDA: I mean, it's --

1 it's his machine that --

2 MEMBER ALBERTI: And you are the  
3 caterer.

4 MR. LUMUKANDA: -- it was  
5 processed on, but I can get it. I just don't  
6 know exactly how long he can get that to me.

7 MEMBER ALBERTI: We will talk to  
8 him.

9 MR. LUMUKANDA: Sure, sure.

10 MEMBER ALBERTI: Tell me. Have  
11 the discussion.

12 MR. LUMUKANDA: How long will it  
13 take to print off all those receipts for all  
14 the dates to the end of the night, to the end  
15 of the nights? To show that.

16 MR. ALEMU: Yes, yes. I think I  
17 can have that in the next two days.

18 MR. LUMUKANDA: Yes.

19 MR. ALEMU: By tomorrow.

20 CHAIRPERSON MILLER: Okay.

21 MEMBER ALBERTI: By the end of  
22 tomorrow? By close of business tomorrow?

1 MR. ALEMU: Yes, tomorrow or the  
2 next day.

3 CHAIRPERSON MILLER: Okay.

4 MEMBER ALBERTI: We will talk  
5 about it.

6 CHAIRPERSON MILLER: All right.

7 MEMBER ALBERTI: Thank you.

8 CHAIRPERSON MILLER: Okay. So I  
9 just have a few final questions, I guess, for  
10 you.

11 MR. LUMUKANDA: Sure.

12 CHAIRPERSON MILLER: You know, in  
13 understanding your arrangement, which you said  
14 -- first let's go to that. You said this was  
15 a deviation from your normal contracts and it  
16 didn't work out. So my question is briefly,  
17 and you have probably touched upon it already,  
18 so I don't want to be too repetitive, but how  
19 was it a deviation and why did you do it?

20 MR. LUMUKANDA: He didn't have any  
21 -- usually, I just charge a fee for all my  
22 services. It's pretty succinct. But with

1 this, in his case, he didn't have the income  
2 or he didn't have the funds to do up-front.

3 CHAIRPERSON MILLER: Okay.

4 MR. LUMUKANDA: So I had to work  
5 with him over the period and kind of create  
6 things as I go and just hope that it worked  
7 out financially.

8 CHAIRPERSON MILLER: Oh.

9 MR. LUMUKANDA: But that's  
10 definitely not -- this is the only time I have  
11 ever done this and it eventually did not work  
12 out.

13 CHAIRPERSON MILLER: Okay. So it  
14 was based on the hope of great profits that  
15 you were going to split?

16 MR. LUMUKANDA: There were some  
17 good days, but there were less. There were  
18 more bad and slow days than there were good  
19 days.

20 CHAIRPERSON MILLER: Okay. So  
21 when you --

22 MR. LUMUKANDA: So it didn't work

1 out.

2 CHAIRPERSON MILLER: Yes, okay.

3 So when you say you split the sale, the  
4 profits from the sale of the alcohol, wouldn't  
5 you be taking a loss? You bought the alcohol,  
6 right?

7 MR. LUMUKANDA: Yes.

8 CHAIRPERSON MILLER: And you  
9 didn't factor that in from what I heard. You  
10 just took a portion of the profits.

11 MR. LUMUKANDA: No, no, because  
12 some -- in a lot of instances, the alcohol has  
13 already been purchased for another event, so  
14 it has already been accounted for in a very  
15 normal standard way. So it could be -- if  
16 it's left overs or if it's items that I have  
17 in the inventory, it's going to get sold at  
18 some point, either at a future catering event  
19 or it's going to get sold at the restaurant,  
20 so I didn't really look at it as a loss per  
21 se, because it's going to sell at some point.

22 CHAIRPERSON MILLER: Okay. And

1 the food? Then if you purchased the food --

2 MR. LUMUKANDA: That is correct.

3 CHAIRPERSON MILLER: -- you didn't  
4 split the cost?

5 MR. LUMUKANDA: No. He didn't  
6 have the wherewithal to --

7 CHAIRPERSON MILLER: Okay. So you  
8 purchased --

9 MR. LUMUKANDA: -- pay anything  
10 for the food.

11 CHAIRPERSON MILLER: So he did his  
12 thing. He had his employees, cooks, whatever.  
13 You did your thing with providing the food and  
14 the alcohol and your manager or you or  
15 whatever.

16 MR. LUMUKANDA: Yes, ma'am.

17 CHAIRPERSON MILLER: And then you  
18 just split the profits?

19 MR. LUMUKANDA: Yes, ma'am.

20 CHAIRPERSON MILLER: Okay. Okay.

21 Oh, okay, that's all for you. Thank you.

22 Attached to these reports, to the case report,

1 which you have a copy of from the  
2 Investigator?

3 MR. ALEMU: Yes.

4 CHAIRPERSON MILLER: Okay. There  
5 are references to drink specials and things  
6 like that. Were those just on certain days or  
7 was that something you advertised in general  
8 for your establishment?

9 MR. ALEMU: That was for that  
10 night.

11 CHAIRPERSON MILLER: Just for  
12 those particular nights?

13 MR. ALEMU: Correct.

14 CHAIRPERSON MILLER: Okay. Other  
15 questions? Mr. Matthews, you didn't really  
16 get a chance to say anything. Is there  
17 something you want to add, at this point?

18 MR. MATTHEWS: Not at this time,  
19 Madam Chair.

20 CHAIRPERSON MILLER: Okay.

21 MEMBER ALBERTI: I'm surprised.  
22 You seemed so anxious earlier.

1                   CHAIRPERSON MILLER: He was then.  
2 All right. And anything else the  
3 Investigators want to add?

4                   INVESTIGATOR TOWNSEND: I just  
5 wanted to ask who your wholesale distributor  
6 was that you purchased the alcohol for June  
7 11th?

8                   MR. LUMUKANDA: For June 11th, I  
9 pulled from my inventory. So in the beginning  
10 it came from Washington Wholesale.

11                   INVESTIGATOR TOWNSEND: Okay.

12                   MR. LUMUKANDA: Yes.

13                   CHAIRPERSON MILLER: Okay. Okay.  
14 Any other questions? We can review the  
15 documents that have been requested.

16                   One is your contract.

17                   MR. LUMUKANDA: Yes, okay.

18                   CHAIRPERSON MILLER: Between the  
19 caterer and --

20                   MR. LUMUKANDA: Yes.

21                   CHAIRPERSON MILLER: -- the  
22 establishment. Okay.

1 MEMBER ALBERTI: All the  
2 contracts, right?

3 CHAIRPERSON MILLER: Okay. Yes.

4 MEMBER ALBERTI: I understand  
5 there are several of them. Okay.

6 CHAIRPERSON MILLER: Okay.

7 MR. LUMUKANDA: Yes.

8 MEMBER ALBERTI: And they would be  
9 signed contracts, signed and dated?

10 MR. LUMUKANDA: Yes.

11 CHAIRPERSON MILLER: I think that  
12 there was something, I don't know if this is  
13 the correct term for it, so but it was like  
14 the wholesaler's purchase. Your purchase  
15 history with the wholesaler with respect to  
16 these dates.

17 MEMBER JONES: The -- yes, from--

18 MEMBER ALBERTI: The alcohol  
19 invoices for your catering business for this  
20 period.

21 CHAIRPERSON MILLER: Is that the  
22 same thing?



1 you the whole year for all of the wholesalers  
2 and would that be sufficient?

3 MEMBER ALBERTI: So this includes  
4 the sales for your other sales, since you  
5 commingle them?

6 MR. LUMUKANDA: Yes.

7 MEMBER ALBERTI: Okay. Fine.  
8 Great.

9 MR. LUMUKANDA: Good.

10 MEMBER ALBERTI: Thank you.

11 CHAIRPERSON MILLER: I guess my  
12 question though, Mr. Alberti, I didn't know  
13 whether we were expecting something like this  
14 or individual invoices or both or what? This  
15 meaning, I'm referring to for the record, the  
16 purchase history.

17 MEMBER ALBERTI: As long as I can  
18 verify it with the wholesaler if I needed to,  
19 that's all I care about.

20 MR. LUMUKANDA: Okay.

21 CHAIRPERSON MILLER: Okay. So  
22 that's --

1                   MEMBER ALBERTI: I'm not fussy  
2 about the form.

3                   CHAIRPERSON MILLER: It's the  
4 documentation of the alcohol purchases,  
5 correct? Does that cover it? Not hearing  
6 anything otherwise, okay.

7                   Then sales receipts for food as  
8 well.

9                   MEMBER ALBERTI: Yes, by night. I  
10 would -- yes, sales receipts for his food and  
11 alcohol --

12                  CHAIRPERSON MILLER: And alcohol.

13                  MEMBER ALBERTI: -- by date for  
14 these events.

15                  CHAIRPERSON MILLER: At the  
16 establishment.

17                  MEMBER ALBERTI: He has got a  
18 machine.

19                  MR. LUMUKANDA: Right, right.

20                  MEMBER ALBERTI: He gave it and I  
21 should be able to get food and alcohol for  
22 this event.

1 MR. LUMUKANDA: Right.

2 CHAIRPERSON MILLER: Right.

3 MEMBER ALBERTI: For each of the  
4 dates of this event.

5 MR. LUMUKANDA: Okay. What I'll  
6 do is --

7 MEMBER ALBERTI: That's what was  
8 represented to me earlier.

9 MR. LUMUKANDA: Right. I'll have  
10 him run the end of the night receipt. Is that  
11 sufficient for each one of the dates mentioned  
12 on --

13 MEMBER ALBERTI: What will the  
14 total at the end of the night give me.

15 MR. LUMUKANDA: It will tell you  
16 everything. It will show you individually  
17 what was sold that day.

18 MEMBER ALBERTI: Yes, okay. We'll  
19 see. If it's not, we'll get in contact with  
20 you.

21 CHAIRPERSON MILLER: Okay. Number  
22 four, I have price list of drinks. I don't

1 know if they were the same every night, but  
2 somebody requested that. Probably Mr.  
3 Alberti.

4 MEMBER ALBERTI: I didn't request  
5 it.

6 CHAIRPERSON MILLER: Did you?

7 MEMBER ALBERTI: It wasn't me.

8 MR. LUMUKANDA: Okay.

9 CHAIRPERSON MILLER: Oh, Mr.  
10 Short. Okay. I'm sorry, okay.

11 MEMBER ALBERTI: I usually know  
12 how much drinks cost.

13 MR. LUMUKANDA: So what I'll ask  
14 from Amare is just whatever comes out of the  
15 POS, the list of all of the costs that go into  
16 the POS. Does it print something like that?

17 MR. ALEMU: I don't know.

18 MEMBER SHORT: Okay. Well, if it  
19 doesn't print it, then I'll have him write it  
20 up or we will write up all of the individual  
21 prices.

22 CHAIRPERSON MILLER: Okay. So I

1 mean, I heard you all say that you could do it  
2 in a day or two, so I think if we say COB  
3 Friday. Is that enough time?

4 MR. LUMUKANDA: If we had a week,  
5 I could get everything succinctly to you.

6 CHAIRPERSON MILLER: You want a  
7 week? Okay.

8 MR. LUMUKANDA: It would be  
9 extremely organized. I could work out with  
10 him --

11 MEMBER ALBERTI: I would like the  
12 contracts by COB tomorrow.

13 MR. LUMUKANDA: The contracts I  
14 can get you, that's easy.

15 CHAIRPERSON MILLER: All right.

16 MR. LUMUKANDA: The contracts I  
17 can get you.

18 MEMBER ALBERTI: That's why I  
19 would like them by COB tomorrow.

20 MR. LUMUKANDA: But the other  
21 items, if I could have a week to gather those,  
22 that --

1 CHAIRPERSON MILLER: Okay.

2 MR. LUMUKANDA: -- would be  
3 sufficient.

4 MEMBER ALBERTI: That's fine.

5 MR. LUMUKANDA: Okay.

6 CHAIRPERSON MILLER: That's fine.

7 MR. LUMUKANDA: Okay.

8 MEMBER JONES: Madam Chair?

9 CHAIRPERSON MILLER: Yes, Mr.  
10 Jones?

11 MEMBER JONES: I apologize, I have  
12 to step out of the room, but there is also a  
13 receipt that I would like to get that I don't  
14 know if that made it on the list yet.

15 CHAIRPERSON MILLER: Receipt of  
16 what?

17 MEMBER ALBERTI: Receipt for?

18 MEMBER JONES: The contractor  
19 services.

20 MR. LUMUKANDA: Oh, that's fine.

21 MEMBER JONES: To repair the pipe.

22 CHAIRPERSON MILLER: Oh, you are

1 right.

2 MEMBER ALBERTI: Yes.

3 CHAIRPERSON MILLER: Okay.

4 MEMBER ALBERTI: Yes, I mean, that  
5 receipt should show kind of the detail of what  
6 repairs were necessary and the contractor,  
7 right?

8 MR. LUMUKANDA: Right.

9 MEMBER ALBERTI: And the name of  
10 the contractor.

11 MEMBER JONES: And by when did you  
12 say you could have that?

13 MEMBER ALBERTI: The receipt?

14 MEMBER JONES: Yes.

15 MR. ALEMU: I'll make a phone  
16 call. I'll call in about an hour.

17 MEMBER JONES: You don't already  
18 have a receipt for the services?

19 MR. ALEMU: I don't know exactly  
20 where it is right now. It has been a while,  
21 so I will look into it. If I find that, fine.  
22 If not, I'll have to give them a call and tell

1       them to give me a copy.

2                   MEMBER SHORT:   And just to chime  
3       in real quickly, Mr. Lumukanda, you have to  
4       have a license, a licensed person working at  
5       the kitchen, especially if it was a gas line.  
6       You just can't have -- there has to be a  
7       license.   And there should have been a permit  
8       put into DCRA to do that repair work.   But if  
9       it's not, give us what you have.

10                   MR. ALEMU:   Right.   I don't know  
11       exactly what they call them.

12                   MEMBER SHORT:   Okay.

13                   MR. ALEMU:   I'm not sure.

14                   CHAIRPERSON MILLER:   Okay.   So the  
15       contracts will be submitted.

16                   MEMBER JONES:   By when?

17                   CHAIRPERSON MILLER:   The contracts  
18       will be submitted --

19                   MR. LUMUKANDA:   The contracts I'll  
20       submit tomorrow prior to COB tomorrow.   And  
21       then about seven days should be sufficient for  
22       getting the rest of the items to you all.

1                   CHAIRPERSON MILLER: Okay.

2                   MR. LUMUKANDA: And if I have any  
3 other issues --

4                   MEMBER JONES: You will have those  
5 to us by COB Monday or Tuesday of next week?

6                   MR. LUMUKANDA: No, by COB  
7 Wednesday, that will be one week.

8                   MEMBER JONES: So I would like to  
9 have them by COB Tuesday of next week. I'm  
10 not sure why that can't be made then, because  
11 I don't want to get them at the end of our  
12 work day.

13                   MR. LUMUKANDA: Okay.

14                   MEMBER JONES: I want to have time  
15 enough to review them during our work day.

16                   MR. LUMUKANDA: I just wanted to  
17 leave a little room in case something came up,  
18 but I don't foresee any major problems.

19                   MEMBER JONES: Okay.

20                   MR. LUMUKANDA: But I just wanted  
21 to -- I didn't want to overshoot and promise  
22 something knowing that I have --

1                   MEMBER JONES: We are talking  
2 about a day.

3                   MR. LUMUKANDA: Oh, for the  
4 contracts? That's not a problem.

5                   CHAIRPERSON MILLER: No.

6                   MEMBER JONES: No, no, no, no.  
7 I'm talking about you said seven days. I'm  
8 saying six. I'm saying six days.

9                   MR. LUMUKANDA: Okay. Okay.  
10 That's fine, that's fine. That's fair enough.  
11 Fair enough, fair enough.

12                  MEMBER JONES: And what date do we  
13 get the receipts?

14                  MR. ALEMU: Which receipts?

15                  MEMBER JONES: The receipts that I  
16 asked for.

17                  CHAIRPERSON MILLER: The same  
18 time? Why don't we have it all come at the  
19 same time?

20                  MEMBER JONES: What day can I get  
21 the receipt?

22                  MR. ALEMU: Same time.

1                   CHAIRPERSON MILLER: Is that a  
2 problem?

3                   MEMBER JONES: What day can I get  
4 the receipts?

5                   MR. ALEMU: Same time.

6                   MR. LUMUKANDA: Yes, same time, I  
7 guess.

8                   MEMBER JONES: All right. I'm  
9 concerned that it's taking that long to get a  
10 receipt for services that you already worked.  
11 The reason why I asked the Board, but --

12                   MR. LUMUKANDA: For the --

13                   MEMBER JONES: -- that's fine. If  
14 you want to go there, that's fine.

15                   MR. ALEMU: If I can provide  
16 before then, I will.

17                   MEMBER JONES: That's fine.

18                   CHAIRPERSON MILLER: Okay. If you  
19 have any questions with respect to the  
20 submittals, you can contact our General  
21 Counsel, Martha Jenkins. Okay.

22                   Any other questions? Okay.

1                   MR. LUMUKANDA: Oh, actually, I do  
2 have a question.

3                   CHAIRPERSON MILLER: All right.

4                   MR. LUMUKANDA: And this question  
5 is for any of the Board Members. There were  
6 several instances during my -- during the  
7 normal standard way I do business where I'll  
8 do an art event and there may not even be a  
9 kitchen in the building, but we will out-  
10 source to a food truck or I'll out-source to  
11 another restaurant or something like that to  
12 give the client whatever food that they are  
13 asking for.

14                   From your all's understanding, is  
15 that compliant with the rule for the catering  
16 for me to out-source that?

17                   MEMBER JONES: I'm just going to  
18 jump in and say that I suggest that you talk  
19 to our Legal Counsel related to that and they  
20 will provide you their legal perspective --

21                   MR. LUMUKANDA: Okay.

22                   MEMBER JONES: -- from ABRA's

1       standpoint.

2                   MR. LUMUKANDA:   The reason why I  
3       ask is I want to continue.  I mean, the  
4       license is important and I try my very best to  
5       be as compliant as I possibly can.

6                   MR. ALEMU:   Yes.

7                   MR. LUMUKANDA:  I take it serious  
8       and I have events coming up and I don't want  
9       to have this situation in the future.

10                  CHAIRPERSON MILLER:  That --

11                  MEMBER JONES:  Our legal is here  
12       today.  I'm sure our Legal Counsel is always  
13       busy, but she is never too busy to provide  
14       customer service, as you always say, right?

15                  CHAIRPERSON MILLER:  I can't say  
16       that.  I don't know if she can today, but  
17       maybe she will say --

18                  MEMBER ALBERTI:  And she can get  
19       back to him.

20                  CHAIRPERSON MILLER:  Exactly.

21                  MEMBER JONES:  Correct.

22                  CHAIRPERSON MILLER:  You should,

1 what I said before, really feel free to call  
2 her. We don't usually give out advice from  
3 the dias, you know.

4 MR. LUMUKANDA: Thank you.

5 CHAIRPERSON MILLER: So but we  
6 really strongly urge you to call when you have  
7 any questions about how to be in compliance.  
8 You should definitely call.

9 MR. LUMUKANDA: Yes.

10 MEMBER RODRIGUEZ: Let me add, we  
11 have a very professional, capable staff. And  
12 from legal --

13 CHAIRPERSON MILLER: Yes, we are  
14 finished.

15 MEMBER RODRIGUEZ: -- it's that  
16 important. They are always ready to provide  
17 technical assistance.

18 CHAIRPERSON MILLER: Thank you.

19 MEMBER RODRIGUEZ: And really want  
20 your businesses to succeed. We are all in  
21 this together. We just want to make sure that  
22 the Liquor Laws are not violated. We want our

1 local restaurants and our establishments to be  
2 successful, because it means jobs to our city.  
3 It means taxes to our city. So if you are  
4 successful, you know, that's our mission.

5 CHAIRPERSON MILLER: And safety.  
6 Okay.

7 MR. LUMUKANDA: Thank you.

8 CHAIRPERSON MILLER: Thank you  
9 very much for coming down. And we will look  
10 forward to your submission. Have a good  
11 night.

12 That completes the hearings for  
13 this afternoon. Yes, that completes them. So  
14 the Board is going to recess and come back and  
15 do its agenda in a little while.

16 (Whereupon, the Fact-Finding  
17 Hearing in the above-entitled matter was  
18 concluded at 4:15 p.m.)

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21  
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