

Capital Reporting Company

In the Matter of: Ahmed Ouihman Enterprises, LLC t/a Marrakech Lounge 10-24-2012

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DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :
 :
Ahmed Ouihman Enterprises, LLC :
t/a Marrakech Lounge :
1817 Columbia Road, NW :
Retailer CR :
License No. 87585 : Show Cause
ANC 1C : Hearing
Case No. 11-CMP-00513 : (Status)
Violation of Voluntary Agreement:
Noise Violation; Failed to :
Obtain a Sidewalk Cafe and :
Summer Garden Endorsement :
-----x

October 24, 2012

The Alcoholic Beverage Control

Board met in the Alcoholic Beverage Control Hearing
Room, Reeves Building, 2000 14th Street, N.W.,
Washington, D.C., Ruthanne Miller, Chairperson,
presiding.

PRESENT

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
HERMAN JONES, Member
CALVIN NOPHLIN, Member
MIKE SILVERSTEIN, Member

ALSO PRESENT

MICHAEL STERN, OAG

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2	1 PROCEEDINGS 2 9:47 a.m. 3 CHAIRPERSON MILLER: The next case is a 4 Marrakech Lounge case and we got a call that someone 5 was running late on that. So if you're here, please 6 come forward. Otherwise, we're going to pass that case 7 -- okay -- and get back to that later. All right. 8 (WHEREUPON, at 9:47 a.m., the hearing went 9 off record until 10:00 a.m.) 10 CHAIRPERSON MILLER: All right. Let's go 11 back to the ones we passed. 12 PARTICIPANT: Marrakech is here. 13 CHAIRPERSON MILLER: Oh, Marrakech is here? 14 Okay. Someone here from Marrakech Lounge? Okay. 15 That's Case No. 11-CMP-00513, Marrakech Lounge, located 16 at 1817 Columbia Road, N.W., License No. 87585, in ANC 17 1C. 18 MR. STERN: Michael Stern representing the 19 District of Columbia. If we can have the court's 20 indulgence for just a second? 21 CHAIRPERSON MILLER: Okay. 22 MR. STERN: Thank you.	4	1 CHAIRPERSON MILLER: Did you understand it? 2 (No audible response.) 3 CHAIRPERSON MILLER: And do you waive the 4 Board's reading of the notice into the record? 5 MR. OUIHMAN: Yes. 6 CHAIRPERSON MILLER: Okay. Mr. Stern, are 7 there any preliminary matters? 8 MR. STERN: No, there are not. 9 CHAIRPERSON MILLER: Okay. Then this case is 10 set for a hearing on January 23rd, 2013 at 2:30 p.m. 11 MR. OUIHMAN: And the problem was -- I just 12 want to explain my -- you know, I had DJ nights and, 13 you know, she applied the wrong speaker to her DJ 14 entertainment. But when the -- when the inspector came 15 over there -- 16 CHAIRPERSON MILLER: No. Let me just -- I 17 know you want to explain but this isn't a hearing on 18 the merits at all. It's, like, all we're doing is 19 saying if you came to an agreement, we'd consider your 20 agreement and then there wouldn't be a hearing. But if 21 there's no agreement, we just set the date for hearing. 22 And at that day you explain --
3	1 CHAIRPERSON MILLER: Okay. Would you 2 introduce yourself for the record, please? 3 MR. OUIHMAN: Ahmed Ouihman, previous owner 4 of Marrakech Lounge. 5 CHAIRPERSON MILLER: You're the previous 6 owner? 7 MR. OUIHMAN: Yes. 8 CHAIRPERSON MILLER: Oh 9 MR. OUIHMAN: Somebody's taken over now and 10 he's running it. 11 CHAIRPERSON MILLER: Okay. You were the 12 owner when this violation -- or alleged violation 13 occurred? 14 MR. OUIHMAN: That's correct. 15 CHAIRPERSON MILLER: Okay. What's your name 16 again? 17 MR. OUIHMAN: Ahmed Ouihman. 18 CHAIRPERSON MILLER: Okay. Got it. Did you 19 receive notice of this hearing? 20 MR. OUIHMAN: Yes, I did. 21 CHAIRPERSON MILLER: And did you read it? 22 MR. OUIHMAN: Yes.	5	1 MR. OUIHMAN: Okay. 2 CHAIRPERSON MILLER: -- what happened. 3 MR. STERN: I do have procedural questions. 4 CHAIRPERSON MILLER: Okay. 5 MR. STERN: I don't know from what the 6 gentleman is saying but perhaps the Board could either 7 inform me or inquire as to whether the change in 8 ownership has been approved already by the Board or 9 whether that is just an informal thing that he's done. 10 Because when we come back and there's a -- if there's a 11 trial and there is a violation, the new owner, quote, 12 unquote, could lose his license completely. 13 And that seems to me technically -- I mean, 14 the Board can do anything up to taking away up the 15 license. The -- that seems to me to make his interest, 16 if he really is not the owner, almost nil and someone 17 else's interest in what happens in this case grave. So 18 I think possibly -- I mean, I guess -- I don't know if 19 it has to be right this second but that should be 20 fleshed out some way. 21 CHAIRPERSON MILLER: Okay. I don't -- I'm -- 22 I don't have the answer for you right now. I don't

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<p style="text-align: right;">6</p> <p>1 know. 2 MR. OUIHMAN: The answer is, I'm still the 3 owner but it's under -- 4 CHAIRPERSON MILLER: You're still the owner? 5 MR. OUIHMAN: -- new management. 6 MR. STERN: I see. 7 MR. OUIHMAN: So the license is still under 8 me. So I'm -- 9 CHAIRPERSON MILLER: You're -- okay. There 10 hasn't been a -- has there been an application for 11 transfer of ownership? 12 MR. OUIHMAN: No. The ownership -- 13 CHAIRPERSON MILLER: No. 14 MR. OUIHMAN: -- is still the same but -- 15 CHAIRPERSON MILLER: The ownership -- 16 MR. OUIHMAN: -- the management is different. 17 CHAIRPERSON MILLER: Okay. Just the 18 management's different. All right. Are you open? 19 MR. OUIHMAN: We're opening Saturday night. 20 CHAIRPERSON MILLER: Just Saturday nights? 21 MR. OUIHMAN: Just Saturday, yes. 22 CHAIRPERSON MILLER: Okay.</p>	<p style="text-align: right;">8</p> <p>1 MR. ALBERTI: -- understanding what you're 2 saying. Have you sold the business to this new entity? 3 MR. OUIHMAN: No, it's not sold. It's under 4 -- 5 MR. ALBERTI: So you still own it? 6 MR. OUIHMAN: Yes. I still own it. Yeah. 7 MR. ALBERTI: And will you be -- will you 8 continue to own it? 9 MR. OUIHMAN: Yes. 10 MR. ALBERTI: Okay. Thank you. 11 MR. OUIHMAN: But he is running it. 12 MR. ALBERTI: Yes, I understand. Thank you. 13 MR. BROOKS: Thank you. 14 CHAIRPERSON MILLER: Oh, I want to note that 15 Mr. Jones has joined us on the Board. 16 MR. JONES: Thank you, Madam. 17 CHAIRPERSON MILLER: Did you have a question? 18 Yeah. 19 MR. JONES: I just want to make sure you 20 understand that as the owner, you're fully responsible 21 for anything that transpires at the establishment 22 regardless of who you say is running it or not. You</p>
<p style="text-align: right;">7</p> <p>1 MR. OUIHMAN: Reopening we -- well, and he's 2 doing the renovation now. So we will -- we open 3 Saturday night. So he's going to start this Saturday. 4 CHAIRPERSON MILLER: Okay. Other questions 5 from Board members? Yeah. 6 MR. BROOKS: Yeah, what's -- so you are 7 currently closed; is that correct? 8 MR. OUIHMAN: Yeah, renovation for -- 9 MR. BROOKS: And you've been renovating for 10 how long? 11 MR. OUIHMAN: Almost three months now. 12 MR. BROOKS: Three months. And it would be 13 open Saturday? 14 MR. OUIHMAN: Yeah. 15 MR. BROOKS: And you said under new 16 management? 17 MR. OUIHMAN: That's right. 18 MR. BROOKS: Okay. So will you be involved 19 in it? 20 MR. OUIHMAN: No, silent. 21 MR. ALBERTI: I'm have a little -- 22 MR. BROOKS: Yeah.</p>	<p style="text-align: right;">9</p> <p>1 understand that, correct? 2 MR. OUIHMAN: Yeah. 3 MR. JONES: Okay. When you first got up 4 here, you said, "The previous owner." And that's what 5 kind of started off as -- this always -- this 6 discussion here. So you are the owner? 7 MR. OUIHMAN: That's correct. Yes. 8 MR. JONES: So you are responsible -- fully 9 responsible for the activities that occur at your 10 licensed establishment. Okay. Thank you. 11 CHAIRPERSON MILLER: Okay. Any other 12 questions? Okay. So this is set for a hearing January 13 23rd, 2013 at 2:30 p.m. Thank you. 14 (WHEREUPON, at 10:06 a.m., the hearing was 15 concluded.) 16 17 18 19 20 21 22</p>

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<p style="text-align: right;">10</p> <p>1 CERTIFICATE OF NOTARY PUBLIC</p> <p>2</p> <p>3 I, LINDA METCALF, the officer before whom the</p> <p>4 foregoing hearing was taken, do hereby certify that the</p> <p>5 testimony appearing in the foregoing pages was recorded</p> <p>6 by me and thereafter reduced to typewriting under my</p> <p>7 direction; that said transcription is a true record of</p> <p>8 the testimony given by said parties; that I am neither</p> <p>9 counsel for, related to, nor employed by any of the</p> <p>10 parties to the action in which this hearing was taken;</p> <p>11 and, further, that I am not a relative or employee of</p> <p>12 any counsel or attorney employed by the parties hereto,</p> <p>13 nor financially or otherwise interested in the outcome</p> <p>14 of this action.</p> <p>15</p> <p>16</p> <p>17 _____</p> <p>18 LINDA METCALF</p> <p>19 Notary Public in and for the</p> <p>20 District of Columbia</p> <p>21</p> <p>22</p>	
<p style="text-align: right;">11</p> <p>1 CERTIFICATE OF TRANSCRIPTION</p> <p>2</p> <p>3 I, MIRANDA PENNACHI, hereby certify that I am not</p> <p>4 the Court Reporter who reported the proceeding and that</p> <p>5 I have typed the transcript of the proceeding using the</p> <p>6 Court Reporter's notes and recordings. The</p> <p>7 foregoing/attached transcript is a true, correct and</p> <p>8 complete transcription of the proceedings.</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13 _____</p> <p>14 Date MIRANDA PENNACHI</p> <p>15 Transcriptionist</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>	

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