

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA  
2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
3 ALCOHOLIC BEVERAGE CONTROL BOARD  
4

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6 IN THE MATTER OF: :  
7 917 U, LLC :  
8 t/a Dodge City : Fact Finding  
9 917 U Street, NW : Hearing  
10 License #ABRA-78749 :  
11 Retailer Class CT :  
12 ANC-1B :  
13 Request for a Fact Finding :  
14 Hearing (MPD Letter dated :  
15 11/7/2015), Assault with a :  
16 Deadly Weapon :

17 - - - - -X

18 Thursday, January 14, 2016

19  
20 Whereupon, the above-referenced matter  
21 came on for hearing at the Alcoholic Beverage  
22 Control Board, Reeves Center, 2000 14th Street,

1 N.W., Suite 400S, Washington, D.C. 20009.

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3

4 CHAIRPERSON:

5 DONOVAN ANDERSON, Presiding

6

7 BOARD MEMBERS:

8 RUTHANNE MILLER

9 NICK ALBERTI

10 MICHAEL SILVERSTEIN

11 JAMES SHORT

12

13 ALSO PRESENT:

14

15 FELICIA DANTZLER,

16 ABRA Investigator

17 MICHAEL WHITESIDE,

18 MPD Lieutenant

19 DAVID FOX,

20 On behalf of Dodge City

21 RICKIE JONES,

22 On behalf of Dodge City

1           HAILE MICHAEL BERHANE,  
2           On behalf of Dodge City

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

2 [11:09 a.m.]

3 CHAIRMAN ANDERSON: All right. Um, the  
4 next case on our calendar is -- is a fact finding  
5 hearing on Case Number 15-251-00158, um, Sign of  
6 the Whale, and this matter has been continued to  
7 February 03rd -- February 03rd, 2016, at 1:30. It  
8 is -- Okay.

9 The next case on our -- on our -- on our  
10 schedule is, um -- is Case Number 15-251-00198,  
11 Dodge City, License Number 78749. Would the  
12 parties, um, please approach?

13 (Off-mic conversation)

14 CHAIRMAN ANDERSON: Um, we're waiting for  
15 the, um -- the board's investigator to, um -- uh,  
16 and just for the audience, um, we're having a  
17 hearing on an establishment by the name of Dodge  
18 City, and the reason why we're having the  
19 hearing, it's because on, um -- on Saturday,  
20 November 07th, that there was a stabbing -- Hold  
21 on. I'm sorry.

22 MALE SPEAKER: There was a stabbing in

1 front of the --

2 CHAIRMAN ANDERSON: Yeah, there was a  
3 stabbing in front of the establishment. And so,  
4 because -- because there was a stabbing in front  
5 of the establishment -- Any time there is any  
6 violence in any of the -- a licensed  
7 establishment, um, the, um -- And this hearing is  
8 because the chief of police asked us to have a  
9 hearing because her -- the chief of police, Cathy  
10 Lanier, her view is that this was a -- a bad  
11 establishment, and they shouldn't have violence  
12 in their clubs.

13 And so, she's asked us to have a hearing  
14 so we can bring the owner of the establishment in  
15 to explain about this incident, and what is it  
16 that -- and whether or not -- and we're going to  
17 decide whether or not they were -- because the  
18 incident occur, what is it that they did to  
19 prevent it, or what they could have done to  
20 prevent it, and how was -- what actions, if any,  
21 did they take to prevent this incident.

22 And so, what I'm waiting for is that --

1 Once this incident occurred, um, ABRA, this  
2 agency, was contacted. We had an investigator who  
3 went out and found out what happened, and so I'm  
4 waiting for her to come to give us a -- to give  
5 us her version of what happened, and then, um, we  
6 have someone from the Metropolitan Police  
7 Department who, if he has something to add -- I  
8 said -- You didn't listen to what I said. If he  
9 has something to add, then --

10 (Laughter)

11 CHAIRMAN ANDERSON: -- he can. If he  
12 doesn't have anything to add, then -- then --  
13 then not. And then we have the owner of the  
14 establishment just over here, and I -- it's my  
15 understanding this is the attorney for the  
16 establishment.

17 I mean, I -- I think that if -- I mean,  
18 if you guys are the owner of the establishment,  
19 you should be sitting at the table. If -- whoever  
20 the owner is -- Are -- are they here?

21 MR. FOX: Um, two --

22 (Simultaneous speaking)

1 CHAIRMAN ANDERSON: Are the --

2 MR. FOX: -- of the witnesses are here.  
3 The owner's on his way.

4 CHAIRMAN ANDERSON: Okay.

5 MR. FOX: But he doesn't need to, uh --

6 CHAIRMAN ANDERSON: No, I'm just --

7 ATTORNEY: -- be -- be here for the  
8 preliminary part.

9 CHAIRMAN ANDERSON: All right. Um, the  
10 investigator is not here at the moment. Oh.

11 MALE SPEAKER: Is the investigator here  
12 now?

13 CHAIRMAN ANDERSON: The investigator is  
14 here. All right. So. So.

15 (Off-mic conversation)

16 CHAIRMAN ANDERSON: All right. All right.  
17 So -- so -- All right. So, we -- we'll now start  
18 our hearing. Um, so could -- can you please, uh,  
19 um, identify yourself for the record? And there's  
20 a sign-in sheet. Uh, please sign your name there,  
21 um, so please -- please -- would the parties  
22 please identify themselves for the record? You

1 can start.

2 MR. FOX: My name is David Fox.

3 (Off-mic speaking)

4 MR. FOX: David Fox, F-o-x. And, uh, I'm  
5 here representing Dodge City, and, uh, my, uh,  
6 affiliation is, I'm the CEO of a business called  
7 Linden Business Advisors. Thank you.

8 (Off-mic conversation)

9 CHAIRMAN ANDERSON: Oh, hello. Um, what's  
10 the problem?

11 (Off-mic conversation)

12 MALE SPEAKER: Is your --

13 CHAIRMAN ANDERSON: Is the microphone on?

14 MALE SPEAKER: Her mic's on.

15 CHAIRMAN ANDERSON: It's on now. It  
16 wasn't on before.

17 (Off-mic conversation)

18 MS. DANTZLER: Felicia Dantzler, ABRA  
19 investigator.

20 (Off-mic conversation)

21 MS. DANTZLER: F, like "Frank," e-l-i-c-  
22 i-a, Dantzler, D like "David," a-n-t-z like

1 "zebra"-l-e-r.

2 MR. WHITESIDE: Lieutenant Michael  
3 Whiteside, W-h-i-t-e-s-i-d-e, Metropolitan Police  
4 Department.

5 CHAIRMAN ANDERSON: I -- I'm waiting on  
6 you Ms. -- uh, it appears that you're reading  
7 something, so I was waiting to see -- for when  
8 you ready, for you to let me know when you're  
9 ready.

10 MS. DANTZLER: Uh, yes, apologies to --  
11 to the board here. I, uh, did -- I overlooked  
12 this case when I looked at -- um, checked the,  
13 uh, site for cases, and so I'm just briefly  
14 reviewing my, uh, report, um, so that I can  
15 accurately report it.

16 MS. MILLER: Mr. -- Mr. Chair, can I just  
17 ask a question of Mr. Fox while we're -- while --

18 CHAIRMAN ANDERSON: Uh, right.

19 MS. MILLER: -- the investigator's  
20 reading --

21 CHAIRMAN ANDERSON: Sure.

22 MS. MILLER: -- for a second? I just --

1 um, I'm just not clear of what your relation is  
2 to Dodge City. You're --

3 MR. FOX: I -- I'm their designated  
4 representative, Ms. Miller.

5 MS. MILLER: Their designated -- and --

6 MR. FOX: And, um --

7 MS. MILLER: You're not an attorney,  
8 right?

9 MR. FOX: Uh, I am an attorney, but I'm  
10 appearing as the designated representative, not  
11 as a lawyer, per se.

12 MS. MILLER: Okay.

13 MR. FOX: Um, if I may, I have a  
14 preliminary matter, which the Chair and the, uh,  
15 board may wish to hear at this time.

16 CHAIRMAN ANDERSON: What is the  
17 preliminary matter?

18 MR. FOX: The preliminary matter is that  
19 we believe there's been a technical violation of  
20 the rules in the publication. Uh, if you go to  
21 the D.C. Code, the violation that's alleged is  
22 under Title 25. It's not in the book. It's not in

1 the D.C. Code, the published volume. So, if you  
2 go with the regulation, that section is also not  
3 in the regulations published in May of 2015. This  
4 is a photocopy I ran off this morning by the  
5 traditional act of going to Google. And so, uh,  
6 it's not in the official Act.

7           With all due respect to the agency, uh, I  
8 called the lawyers for the agency, and I said,  
9 "This is not in the books, therefore there's no,  
10 uh, due process. The public needs to know of the  
11 rules and the procedures in order to obey them."  
12 Uh, the lawyers for the agency smiled and said,  
13 "Well, it is findable," and came in and gave me a  
14 photocopy of 25-821. The only thing -- and -- and  
15 a few other provisions.

16           And I respect that. I just would like to  
17 maintain the objection and the request that it be  
18 dismissed, because if you can't find it in the  
19 law book, and you can't find it on Google, we  
20 believe it doesn't exist. And I understand that  
21 it's a very technical obligation. Uh, I'm not  
22 objecting to the investigator telling the board

1 about its findings, the investigator findings,  
2 and I'm not objecting to us proceeding and  
3 telling you our views, because this is an event  
4 that happened after hours in front, or near the  
5 front, of a bar of which we know very little  
6 about.

7 CHAIRMAN ANDERSON: But I'm not sure what  
8 your objection is. This is a fact finding  
9 hearing. The --

10 MR. FOX: Right.

11 CHAIRMAN ANDERSON: -- chief -- and it --  
12 an incident occurred in front of -- in front of  
13 your establishment, and the chief of the police  
14 sent us a letter asking to -- um, saying that  
15 they -- they -- she had some concerns with the  
16 operation of your establishment.

17 This is not an adversarial, um, matter.  
18 All we are doing is trying to find some facts to  
19 see what happened from -- from the investigator,  
20 from the establishment. You could state that, um,  
21 "The -- the incident occurred; he was not -- he  
22 did not come out of our establishment. It just so

1 happened that it happened in front of our club,  
2 and then, because it happened in front of our  
3 club, we didn't have any responsibility." I'm  
4 just saying you can state that, but it's not --  
5 um, it's not -- it's not adversarial. It's just -  
6 - we're just gathering facts.

7           We are, as -- since the chief of police  
8 has requested that, um -- as she has done any  
9 time any violent incident occurs in or around any  
10 club in the city. She has certain powers where  
11 she can request that we have this hearing. And  
12 you -- you're -- Yes, sir.

13           MR. FOX: Yeah. And, Mr. Anderson, we're  
14 not objecting to going forward and hearing from  
15 the investigator or anyone else that the board  
16 wishes to call. We're only trying to preserve a  
17 technical objection as to whether or not the law  
18 on the rule has been properly set forth in a way  
19 in which this particular bar, or in effect, any  
20 member of the public, could be expected to have  
21 knowledge of those rules.

22           It's not published in the book, the D.C.

1 Code, and it's not published in the rules on the  
2 computer. Something's wrong, and we would, you  
3 know, technically be asking that the whole matter  
4 be, um, dismissed.

5 But in order for the convenience of the  
6 board and the investigator and whoever else the -  
7 - the board may be calling as a witness, uh,  
8 we're not objecting to that, but we are  
9 objecting, ultimately, uh, the bar cannot be  
10 found to be guilty because of the failure to  
11 follow technical requirements. That's all. I just  
12 want a record of -- of that being known.

13 CHAIRMAN ANDERSON: Yes, Mr. Alberti?

14 MR. ALBERTI: So -- so, Mr. Fox, I'm  
15 trying to really understand your objection. So,  
16 first of all, your -- your objection, you  
17 couldn't find it on Google?

18 MR. FOX: Well, we ran off -- physically  
19 ran off the laws and regulations --

20 MR. ALBERTI: You -- you said you  
21 couldn't find it on Google.

22 MR. FOX: -- and the whole section's not

1 there.

2 MR. ALBERTI: Couldn't find it on Google.  
3 That's really not -- that's really not a defense,  
4 because, you know, Google depends on what search  
5 items you put in. So, the fact that you couldn't  
6 find it doesn't mean that I couldn't find it on  
7 Google.

8 MR. FOX: Well --

9 MR. ALBERTI: But -- so let's move on. So  
10 you say it wasn't printed --

11 MR. FOX: I don't mind moving on.

12 MR. ALBERTI: -- it wasn't printed in  
13 D.C. Code? What version of D.C. Code do you have  
14 there?

15 MR. FOX: I have the --

16 MR. ALBERTI: Published.

17 MR. FOX: What -- when was this  
18 published? It -- it's not the latest. I -- I'm  
19 not saying that's true.

20 MR. ALBERTI: But tell me when it was  
21 published. For the record. You have an objection;  
22 I'd like to know when it was published for the

1 record.

2 MR. FOX: Sure. Sure. I'm happy to tell  
3 you. This was published 2001, and the copy that's  
4 -- uh, you find on Google, which appears to have  
5 the official seal of District of Columbia, was  
6 published May of 2015.

7 MR. ALBERTI: Right, and it's not --  
8 you're -- you're saying it's --

9 (Simultaneous speaking)

10 MR. FOX: Not there.

11 MR. ALBERTI: It's not there?

12 (Off-mic speaking)

13 MR. ALBERTI: What's not there?

14 MR. FOX: (Inaudible) for the agency.

15 MR. ALBERTI: 25-286 is not -- or 25-283  
16 -- I'm sorry. I'm stumbling here.

17 (Off-mic speaking)

18 MR. ALBERTI: 25-823 is not in there?

19 MR. FOX: It's not in the one that I get  
20 as the official publication.

21 MR. ALBERTI: Well, you -- you -- you  
22 should look again. You're maybe missing --

1 CHAIRMAN ANDERSON: Look at page 100.

2 MR. ALBERTI: You must be --

3 CHAIRMAN ANDERSON: That's right, look at  
4 page 100.

5 MR. ALBERTI: You may be missing a page  
6 there.

7 MR. FOX: I -- I have it.

8 MR. ALBERTI: Okay, look at page 100.

9 MR. FOX: I have it from the lawyer --

10 MR. ALBERTI: Can you -- can you --

11 MR. FOX: -- for --

12 MR. ALBERTI: -- look at page 100 for me?

13 MR. FOX: Mr. Anderson is correct.

14 MR. ALBERTI: Can you look at page 100  
15 for me right now?

16 MR. FOX: I have page 100 right here.  
17 What I'm saying is that I got page 100 from one  
18 of the lawyers for the agency.

19 MR. ALBERTI: But -- all right.

20 MR. FOX: I respect that.

21 MR. ALBERTI: Did you -- did you look at  
22 ABRA's website?

1 MR. FOX: I have it right here. Yes, sir.

2 MR. ALBERTI: Did you look on ABRA's  
3 website?

4 MR. FOX: Yes, I think this is  
5 (inaudible) --

6 MR. ALBERTI: I just went to ABRA's  
7 website --

8 MR. FOX: -- (inaudible) --

9 MR. ALBERTI: I just went to ABRA's  
10 website. It's there. It's in the -- it's in the  
11 version that's on ABRA's website.

12 MR. FOX: So I -- I'm willing to --

13 MR. ALBERTI: So the fact that you didn't  
14 find it -- be careful. I'm just -- you know, you  
15 need to be careful of your objection. Do you want  
16 -- want to make an objection that doesn't hold  
17 water? I mean, I don't -- I don't think you do.  
18 Anyways -- And so, if it's there, you -- just --  
19 I'm suggesting that you take another look, Mr.  
20 Fox. That's all I'm suggesting.

21 CHAIRMAN ANDERSON: All right. As I -- as  
22 I said, this is not an adversarial proceeding.

1 We're just trying to gather some facts, and, um,  
2 um, that's all, and it's -- it's a hearing that  
3 was convened based on the request we received  
4 from (inaudible).

5 MR. FOX: I -- I respect what Mr. Alberti  
6 is saying. I'm not trying to drag this out.

7 MR. ALBERTI: Well, you are.

8 MR. FOX: I'm saying to the board that  
9 one of the lawyers who I asked, I said, "How is  
10 this possible?" I'm not trying to make this into  
11 a big deal. I'm only trying to preserve the  
12 objection so if, technically, we need it at some  
13 future point, we will be able to raise it. It's  
14 not my desire to argue about it or --

15 MR. ALBERTI: Fine.

16 MR. FOX: -- or whatever. I'm just  
17 saying, I think there's a technical violation in  
18 the publication. If you can't find it on Google,  
19 and you can't find it in the law book, I'm not  
20 sure that it's improper to not follow -- follow a  
21 regulation that's not properly published. I'm  
22 just trying to preserve --

1 CHAIRMAN ANDERSON: And -- and -- and --  
2 and I hear your objection, and I'll --

3 MR. FOX: Thank you.

4 CHAIRMAN ANDERSON: -- for the record, I  
5 have a copy in front of me of, um, ABRA's rules  
6 and regulations, um, dated -- revised May 2015,  
7 and the -- the -- the provision is in the -- the  
8 copy of the regulations that I have in front of  
9 me. So, I just want a record. But I -- I do hear  
10 what you stated, and just for the record, I just  
11 wanted to clarify the record.

12 All right. And I think this, um -- this -  
13 - I -- I want to move forward to have the -- the  
14 -- the investigator, um, question. I think this  
15 has given her more than sufficient time to  
16 refresh her recollection. So, Ms. Dantzler,  
17 please, uh, move forward and let us know what it  
18 is that you were able to -- to gather on this  
19 case.

20 MS. DANTZLER: Sure. On November 07th of  
21 2015, MPD -- the Metropolitan Police Department -  
22 - reported to ABRA that a -- that, um, an

1 altercation, um, was in -- was, um -- took place  
2 in front of Dodge City, located at 917 U Street,  
3 NW. Um, from that, um, altercation, a physical  
4 altercation, um, a, um, male was stabbed, um, and  
5 received a laceration to the back of his head.

6           According to, um, MPD Officer, uh, Ruth  
7 Larrios (ph) Casarus (ph), she stated that, um,  
8 they -- she and other officers were on foot and  
9 standing across the street from Dodge City, and  
10 they were standing in front of, uh, Nellie's Bar,  
11 uh, when the incident, um, occurred. Um, Officer,  
12 um, Lararis (ph) Casarus stated that, um, she and  
13 other officers ran across the street, um, to  
14 determine what was going on, and there, um, there  
15 were numerous witnesses standing outside of Dodge  
16 City; however, um, none -- only one witness came  
17 forward, uh, to report what they saw.

18           Um, although this incident happened on  
19 the early morning hours of Saturday, November,  
20 um, 07th of 2015, um, in the, um, early evenings  
21 of, uh, Saturday, uh, November 07th of 2015, I  
22 responded to, um, Dodge City, and met with, uh,

1 the owner, Mr. Michael Berhane, and Mr. Berhane,  
2 um, stated that he, um, uh, was working on the  
3 night of the incident. Um, however, his -- his,  
4 um, establishment was incident free. Um, Mr.  
5 Berhane, um, stated that, um, one of his, um,  
6 security guards alerted him to some sort of  
7 commotion that was outside of the establishment,  
8 and Mr. Berhane, um, stated that, um, he had two  
9 security -- security, um, guards posted outside  
10 of the establishment, and neither of them alerted  
11 him to a stabbing.

12 Also on that same night, I interviewed  
13 Rickie Jones, who, um, identified himself as one  
14 of the security guards, and Mr., um, Jones also  
15 stated that the, um, establishment was incident  
16 free. Mr. Jones stated, at the close of business,  
17 he left, um, the establishment just to go a short  
18 distance away to a nearby, um, gas station, and  
19 upon his return, um, he saw that the area of  
20 Dodge City, um, and the block had been cordoned  
21 off by MPD. Um, and, um, Mr. Jones stated that he  
22 became aware that there was a stabbing, um,

1 outside of the establishment.

2 Um, on Friday, November 13th of 2015, I -  
3 - uh, I telephonically interviewed MPD Sergeant  
4 Shawn Hill. Um, Sergeant Hill, um, stated that he  
5 did respond, um, to the scene, um, and the -- one  
6 of the officers came over the, uh, police radio,  
7 um, with a priority asking for assistance. Uh,  
8 Mr. -- correction, um, Sergeant Hill stated that  
9 once on the scene, um, he observed, um, a male  
10 who was -- who appeared to be tussling, uh, with  
11 police officers, um, who later turned out to be  
12 the victim. Um, and Mr. -- correction, Sergeant  
13 Hill stated that, um, uh, the victim, uh, refused  
14 to cooperate, um, with the police and that, um --  
15 and that he did not speak to, um, anyone from,  
16 uh, Dodge City to, um, um, obtain any statements  
17 from them.

18 Also, later on Thursday, November the  
19 12th of 2015, I, uh, spoke with MPD Officer Emile  
20 Castillio(ph). Um, Officer Castillio, um, um,  
21 confirmed that he, too, was standing across the  
22 street and that, uh, he, um, went across the --

1 he was standing across the street at Nellie's,  
2 and he went across the street to assist, uh, um,  
3 other officers during a commotion out front of  
4 Dodge City.

5 Um, it was later learned that the, um,  
6 victim, according to, uh -- brief indulgence. Oh.  
7 It was later learned, um, through, uh, Sergeant,  
8 um, Sean Hill that there was, um, some sort of  
9 incident where there was a bumping between the  
10 victim and the suspect. Um, from that, um,  
11 interaction, um, the victim sustained some sort  
12 of, uh, laceration. There were no arrests, um, in  
13 this, uh, incident, and that's the end of my  
14 testimony.

15 CHAIRMAN ANDERSON: Any of the board  
16 members have any questions that you would like to  
17 ask the investigator?

18 (No audible response)

19 CHAIRMAN ANDERSON: No?

20 (Off-mic speaking)

21 CHAIRMAN ANDERSON: Lieutenant Whiteside,  
22 do you have anything you -- you can add? If -- if

1 you don't, you can say you don't.

2 MR. WHITESIDE: I -- I don't believe I  
3 can add anything for you.

4 CHAIRMAN ANDERSON: All right. Thank you.

5 MR. SILVERSTEIN: I have a question.

6 CHAIRMAN ANDERSON: Yes, Mr. Silverstein.

7 MR. SILVERSTEIN: Lieutenant, could --  
8 could you talk to us about -- at all about the  
9 establishment's response, or the response of  
10 those around, to this particular incident?

11 MR. WHITESIDE: Uh, not -- not in this  
12 case at all. No, sir.

13 MR. SILVERSTEIN: Thank you, sir.

14 (Off-mic speaking)

15 CHAIRMAN ANDERSON: Yes, Mr. Short.

16 MR. SHORT: Good morning, Lieutenant.

17 MR. WHITESIDE: How you doing, sir?

18 (Off-mic speaking)

19 MR. SHORT: Okay. Um, you weren't working  
20 that night, I take it?

21 MR. WHITESIDE: Um, I believe I was  
22 working that night. Um, I don't recall this

1 incident specifically. Um, I think it was an  
2 incident where we had a homicide, and I was on  
3 the homicide scene, because if it was a stabbing,  
4 I would normally go to that scene. Um, to clarify  
5 would be the watch commander.

6 MR. SHORT: Okay.

7 CHAIRMAN ANDERSON: So the officer who  
8 was there, who -- who called our Investigator  
9 Dantzler, she was unable to come here today to  
10 testify?

11 MR. WHITESIDE: I don't know her status,  
12 sir. I -- I -- I couldn't tell you.

13 MR. SHORT: Okay. That's all I have.

14 CHAIRMAN ANDERSON: Yes, um, Mr. Fox?

15 MR. FOX: Um, I'd like to ask a question  
16 of you.

17 CHAIRMAN ANDERSON: You are free to ask.

18 (Off-mic speaking)

19 CHAIRMAN ANDERSON: Yes.

20 MR. FOX: Thank you very much. Uh, Ms.  
21 Dantzler, am I correct that you never saw any  
22 event occur inside the bar?

1 MS. DANTZLER: Correct.

2 MR. FOX: And you arrived in the area at  
3 what time?

4 MS. DANTZLER: Uh, I don't know what time  
5 I arrived on November 07th.

6 MR. FOX: And is it fair to say that you  
7 arrived after, uh, the close of the bar, after  
8 2:30 in the morning?

9 MS. DANTZLER: That is correct.

10 MR. FOX: And whatever you saw happened  
11 out on a street in front of the bar, not in the  
12 bar.

13 MS. DANTZLER: Correct.

14 MR. FOX: And is it true, Ms. Dantzler,  
15 that the, um, time in the police report was that  
16 the event occurred approximately 2:40 at night?  
17 Two forty a.m.?

18 MS. DANTZLER: That sounds about right,  
19 yes.

20 MR. FOX: And the official closing by  
21 D.C. regulation for the bar is -- is what time?

22 MS. DANTZLER: Um, if the incident

1 occurred on a, uh, Friday or Saturday, the  
2 closing hour would be 3:00 a.m., and if it  
3 happened between Sunday and Thursday night, the  
4 closing is 2:00 a.m.

5 MR. FOX: And what day of the week did  
6 this happen?

7 MS. DANTZLER: Uh, I'm not certain of the  
8 day of the week.

9 MR. FOX: Do you have any information as  
10 to whether or not, uh, Dodge City was open or  
11 closed at 2:30 in the morning of November 07th,  
12 year 2015?

13 MS. DANTZLER: Uh, yes. According to the  
14 owner and the, um -- one of the security, um,  
15 personnel, um, each stated that the establishment  
16 was closed.

17 MR. FOX: And you have no information to  
18 the contrary.

19 MS. DANTZLER: That's correct.

20 MR. FOX: Thank you. Um, and all of the  
21 information that you presented here today is  
22 information you obtained from other people

1 because you yourself were not on that street at  
2 2:40 that night.

3 MS. DANTZLER: That's correct.

4 MR. FOX: Um, the date of the occurrence,  
5 of November 07th, is in your report, correct?

6 MS. DANTZLER: Correct.

7 MR. FOX: And you have no information  
8 that this event occurred inside the bar, and no  
9 information that it occurred before 2:30 in the  
10 morning, do you?

11 MS. DANTZLER: I'm sorry, repeat that  
12 again?

13 MR. FOX: Do you have any information  
14 that this event occurred before 2:30 in the  
15 morning?

16 MS. DANTZLER: That's correct.

17 MR. FOX: And no information that it  
18 occurred inside the bar.

19 MS. DANTZLER: That's correct.

20 MR. FOX: And you have no information  
21 that the, uh, tussle or the bumping that you've  
22 described occurred inside the bar, do you?

1 MS. DANTZLER: That's correct.

2 MR. FOX: Uh, I have no further questions  
3 to ask the investigator.

4 CHAIRMAN ANDERSON: Do any other board  
5 members have any questions for the investigator?

6 (No audible response)

7 CHAIRMAN ANDERSON: Um, hearing none,  
8 you're free to go.

9 MS. DANTZLER: Okay. Thank you.

10 CHAIRMAN ANDERSON: Thank you. Um, and  
11 then the -- you can (inaudible), um, uh,  
12 Lieutenant Whiteside, you are free to listen to,  
13 um -- or -- or if you want. It's up to you.

14 MR. WHITESIDE: Stay here or go back?

15 MALE SPEAKER: Either.

16 CHAIRMAN ANDERSON: It's your -- your  
17 choice, wherever you're more comfortable. I mean,  
18 if you -- if you plan to say something, we can  
19 (inaudible); we've got the recording here, so --  
20 but it's -- yeah. If you want to listen to see,  
21 since this is in -- is this within your -- this -  
22 - is this establishment within your jurisdiction?

1 MR. WHITESIDE: As a -- as a watch  
2 commander, not as a PSA lieutenant.

3 CHAIRMAN ANDERSON: Okay.

4 MR. WHITESIDE: If that makes sense.

5 CHAIRMAN ANDERSON: Well, so, um, I'm --  
6 I'll (inaudible) -- Okay. That's fine. Thanks.  
7 Yes -- yes, Mr., um, Fox with the establishment.

8 MR. FOX: Um, Mr. Anderson, um, we -- we  
9 have, uh, the security guard here today. May I  
10 call him as a witness?

11 CHAIRMAN ANDERSON: Mm-hmm. Sure. Can  
12 you, um --

13 MR. FOX: May I proceed to question him?

14 CHAIRMAN ANDERSON: Yeah. Um, state your  
15 name for the record, and also there's a sign-in  
16 sheet. You can sign, um, your name in, please.

17 MR. FOX: Would you like it on the same  
18 one that I signed?

19 CHAIRMAN ANDERSON: Yeah, the same --  
20 that's for everyone -- everyone who comes up --

21 (Simultaneous speaking)

22 MR. FOX: (Inaudible).

1           CHAIRMAN ANDERSON:  -- needs to sign  
2 that, so at the end of the -- the day, he will  
3 know what to -- the correct spelling. But, yes,  
4 go ahead.

5           MR. RICKIE JONES:  Uh, my name is Rickie  
6 Jones.

7           (Off-mic speaking)

8           MR. RICKIE JONES:  That's Rickie with an  
9 -ie at the end, not a -y.

10          MR. FOX:  And -- and, Mr. Jones, uh, do  
11 you, uh, have a recollection of being at work at  
12 Dodge City on November 07th of last year?

13          MR. RICKIE JONES:  Uh, yes. Um, my  
14 recollection -- basically, um --

15          MR. FOX:  Do you remember being there?

16          MR. RICKIE JONES:  Yeah, I remember being  
17 there.

18          MR. FOX:  And what was your job at that  
19 time, back -- back in November?

20          MR. RICKIE JONES:  I was the doorman that  
21 evening.

22          MR. FOX:  And as a doorman, what was

1 your, uh -- what were your duties for Dodge City?

2 MR. RICKIE JONES: Um, it was checking  
3 IDs and, um -- basically, like, I'm in charge of  
4 the line, make sure everybody's straight, single-  
5 file line. I'm checking IDs, getting everybody in  
6 and outside of the club in a timely manner,  
7 basically. It's a lot of commotion and a lot of  
8 peoples (sic).

9 MR. FOX: All right. And do you recall  
10 what time the bar closed back then, on November  
11 the 07th of 2015?

12 MR. RICKIE JONES: It closed  
13 approximately 2:30.

14 MR. FOX: All right. And by closing, I  
15 mean, what, if anything, do they do to the front  
16 door at 2:30?

17 MR. RICKIE JONES: By 2:30, we're, um --  
18 we have our gates locked. Our doors are locked,  
19 and we have a, um -- it's like a gate. It fits --  
20 we use it to close our windows. At 2:30, all of  
21 that is done.

22 MR. FOX: And on this particular night,

1 do you recall if the gates and doors were all  
2 locked up and closed by 2:30 in the morning?

3 MR. RICKIE JONES: Yes, they were.

4 MR. FOX: They were locked. What did you  
5 yourself do at 2:30, after the doors and gates  
6 were closed?

7 MR. RICKIE JONES: All the employees, we  
8 usually exit from the back door. I proceeded to  
9 go -- there's a gas station to the back --

10 MR. FOX: Well, wait, let me ask you: You  
11 usually exit from the back door.

12 MR. RICKIE JONES: Well, we --

13 MR. FOX: Right?

14 MR. RICKIE JONES: Um, we usually --

15 (Off-mic speaking)

16 MR. RICKIE JONES: We exit out of the  
17 back door.

18 MR. FOX: And on this particular night,  
19 November 07th, did you in fact exit by the back  
20 door?

21 MR. RICKIE JONES: Yes, I did.

22 MR. FOX: And do you remember where you

1 went when you exited out the back door?

2 MR. RICKIE JONES: I went to the gas  
3 station that was directly behind our  
4 establishment, and --

5 MR. FOX: And --

6 MR. RICKIE JONES: -- afterwards, I  
7 proceeded to go down the street.

8 MR. FOX: All right. Let's -- let's go to  
9 that exit now. Is that an exit on U Street or the  
10 street, I guess, that's to the north of U Street?

11 MR. RICKIE JONES: What is that? Vermont  
12 Street, I believe? Whatever it's --

13 MR. FOX: All right.

14 MR. RICKIE JONES: It's to the side of U  
15 Street.

16 MR. FOX: And what's the name of that gas  
17 station, or what do you know about that gas  
18 station?

19 MR. RICKIE JONES: I believe it's a  
20 Exxon.

21 MR. FOX: Exxon at the rear of the  
22 station.

1 MR. RICKIE JONES: Yeah.

2 MR. FOX: It's not on U Street, is it?

3 MR. RICKIE JONES: No.

4 MR. FOX: So, you go out the rear, which  
5 is to the gas station, and did there come a time  
6 when you learned that somebody was saying there  
7 was an event that occurred on U Street in front  
8 of the bar?

9 MR. RICKIE JONES: No one actually told  
10 me anything. I, um, proceeded to walk down  
11 Vermont Street to the bus stop, and I just seen  
12 police lights.

13 MR. FOX: All right. And where is the bus  
14 stop?

15 MR. RICKIE JONES: It's -- it's at  
16 Vermont and U.

17 MR. FOX: All right. And that -- is it  
18 correct to say that was also past the 2:30 close,  
19 when you walked out the back and then walked up  
20 to -- to U and Vermont?

21 MR. RICKIE JONES: Yes.

22 MR. FOX: And what did you see when you

1 walked up to U and Vermont?

2 MR. RICKIE JONES: I just saw there were  
3 a lot of police officers on the street, and there  
4 were a lot of lights. I just remember lights.

5 MR. FOX: And were they on the side of  
6 the street where Dodge City is located or the  
7 other side of the street?

8 MR. RICKIE JONES: It was more like -- it  
9 was on the side where Dodge City was, but more  
10 towards the corner.

11 MR. FOX: All right. And were those  
12 police and those lights visible to you when you  
13 guys closed the gate in the window at around  
14 2:30?

15 MR. RICKIE JONES: Yes, sir.

16 MR. FOX: They were visible? So at the  
17 time you closed up, you knew there were police  
18 around, and you knew something was going on?

19 (Off-mic speaking)

20 MR. RICKIE JONES: Yeah, something, I  
21 knew something was going on, but I wasn't sure  
22 what.

1           MR. FOX:   Okay. And did you see any  
2 disturbance on the street before 2:30?

3           MR. RICKIE JONES:   No.

4           MR. FOX:   At the time you walked around  
5 to the front, were you aware of what,  
6 specifically, was going on?

7           MR. RICKIE JONES:   No.

8           MR. FOX:   About what time did you walk  
9 around to the front?

10          MR. RICKIE JONES:   At about 2:50, 2:55.

11          MR. FOX:   Did you ever see anybody  
12 bleeding at 2:50 or 2:55?

13          MR. RICKIE JONES:   No.

14          MR. FOX:   Did you ever see anybody  
15 arrested at 2:50 or 2:55?

16          MR. RICKIE JONES:   No.

17          MR. FOX:   Did there come a time when you  
18 learned what allegedly happened at 2:50 or 2:55?

19          MR. RICKIE JONES:   I learned exactly what  
20 happened the following week.

21          MR. FOX:   And who'd you learn from?

22          MR. RICKIE JONES:   Uh, just employees,

1 somebody on corridors.

2 MR. FOX: Okay. So, it's fair to say that  
3 you didn't interview the guy who was supposedly  
4 knifed?

5 MR. RICKIE JONES: No.

6 MR. FOX: Is it fair to say you never saw  
7 the guy who was the attacker, the guy who did the  
8 knifing?

9 MR. RICKIE JONES: No.

10 MR. FOX: Thank you, Mr. Jones. I -- I  
11 don't have any other questions at this time.

12 CHAIRMAN ANDERSON: I just want to ask,  
13 um -- I should ask (inaudible) just a couple of  
14 questions. What time did the establishment close  
15 that night, Mr. Jones?

16 MR. RICKIE JONES: Two-thirty.

17 CHAIRMAN ANDERSON: Two-thirty. And, um,  
18 did you -- once the establishment closed, were  
19 there people standing in front of the  
20 establishment, or did -- did everyone disperse  
21 from the area as soon as the establishment was  
22 closed?

1           MR. RICKIE JONES: I really couldn't tell  
2 you. I was -- we have a back patio area where we  
3 exit, so I really couldn't tell you if there were  
4 people there.

5           CHAIRMAN ANDERSON: So you don't know.

6           MR. RICKIE JONES: No, sir.

7           CHAIRMAN ANDERSON: All right. Does any  
8 other board members have any questions?

9           MALE SPEAKER: I have one.

10          CHAIRMAN ANDERSON: Let me ask this --  
11 Um, go ahead, Ms. Miller. (Inaudible).

12          MS. MILLER: Oh, okay. Um, first of all,  
13 I just want to say to Mr. Fox, um, I -- I wasn't  
14 clear -- I know that the chair told you this  
15 wasn't an adversarial hearing, and I'm just not  
16 sure if you understand, basically, the -- the  
17 difference, that this is a fact finding hearing.  
18 We got a letter from the chief of police asking  
19 us to hold a hearing looking into this, but no  
20 one is under oath, and, um, this is not, uh,  
21 pursuing any charges against your -- your clients  
22 right now.

1           So, there's a more informality here, so  
2 as far as I'm concerned, I -- I'm looking at the  
3 letter only, and, um -- well, not only, there's a  
4 report from the investigator, um -- but, you  
5 know, where they just say certain things  
6 happened, and we just want to find out what your  
7 side of it is. And -- and my greatest concern is  
8 that it says that -- and I'll -- You have a copy  
9 of this letter, am I -- is that right?

10           MR. FOX: I do.

11           MS. MILLER: Okay. So, my -- my concern  
12 is -- is, when, uh, I think it's either in the  
13 letter or the report that they say that, um,  
14 security saw the incident or something, or  
15 someone heard, and didn't do anything. And the  
16 victim -- in -- in -- in -- in -- in -- in Ms.  
17 Dantzler's report, it says, "The victim stated  
18 that the incident occurred in the presence of one  
19 of Dodge City's security personnel, and he did  
20 nothing to help him."

21           Okay. So, Mr. Jones, the -- would that  
22 refer to you? Were you in the presence of, um, a

1 victim being hurt in front of the establishment?

2 MR. RICKIE JONES: No.

3 MS. MILLER: Okay. So, are you aware of -  
4 - of any other security personnel that were  
5 there?

6 MR. RICKIE JONES: No.

7 MS. MILLER: Um, and are you the head of  
8 security? Are you -- or just a --

9 MR. RICKIE JONES: I'm just -- I'm -- I'm  
10 the doorman. I would be the only person outside,  
11 so I don't know where that would even come from  
12 that (inaudible).

13 MS. MILLER: How many security personnel  
14 are there at the Dodge City on a -- on a regular  
15 evening or --

16 MR. RICKIE JONES: Five.

17 MS. MILLER: Five. So, were there five  
18 that night, do you know?

19 MR. RICKIE JONES: Five, there was five  
20 that night.

21 MS. MILLER: Okay. So, you know, I -- we  
22 understand. Uh, I don't think anybody's talking

1 about what happened inside the establishment. I  
2 don't think that's at issue. So, if something  
3 happens outside the establishment, does security  
4 have some role?

5 MR. RICKIE JONES: No.

6 (Off-mic speaking)

7 MS. MILLER: Okay. Are you -- so if you  
8 heard somebody yelling for help, would you --  
9 what would you do?

10 MR. RICKIE JONES: You mean, like,  
11 directly in front of the establishment or --

12 MS. MILLER: Yeah.

13 MR. RICKIE JONES: I would -- I would  
14 like to think that -- I mean, if it was something  
15 like to that extent of someone -- like, a weapon  
16 being drawn or someone to, like, just as a human  
17 being, like, I would probably at the -- you know  
18 -- But I mean, there are usually, like, police  
19 officers out there, so usually, when there's  
20 something like that, I was trained to, like,  
21 notify the police or something like that.

22 MS. MILLER: Um -- okay. So, what kind of

1 training do you all get?

2 MR. RICKIE JONES: Oh, I worked for a  
3 company called Securitas for a few months.

4 MS. MILLER: I'm sorry, I can't hear you.

5 MR. RICKIE JONES: I worked for a company  
6 called Securitas for a few months.

7 MS. MILLER: So you worked for a security  
8 company?

9 MR. RICKIE JONES: Yes.

10 MS. MILLER: So do -- do all the security  
11 personnel work for that same company?

12 MR. RICKIE JONES: I can't speak for  
13 anybody else's background. I really couldn't tell  
14 you.

15 MS. MILLER: Okay. So you get trained by  
16 that company then, is that correct?

17 MR. RICKIE JONES: Yeah.

18 MS. MILLER: You follow their guidelines?  
19 Or are there guidelines that you follow?

20 MR. RICKIE JONES: Um, it's my  
21 understanding that that's -- uh, I'm not sure if  
22 it's theirs or everywhere, so, um, I guess, yes,

1 I was going by theirs.

2 MS. MILLER: Okay. So they have some?

3 They have some guidelines --

4 MR. RICKIE JONES: Yes.

5 MS. MILLER: -- that you follow. So --

6 but there -- there -- are there any guidelines

7 that all the security follow at -- at Dodge City

8 so that they, you know, know what to do in

9 certain, um, situations?

10 MR. RICKIE JONES: (Inaudible). Uh,

11 again, if there's something like -- to the extent

12 of, like, a weapon being drawn, the police. But

13 anything, like, directly -- like if there's

14 something going on in the line, and I'm

15 controlling the line --

16 MS. MILLER: Mm-hmm.

17 MR. RICKIE JONES: -- of course I would

18 do something because I would look at that as,

19 that's part of the establishment.

20 MS. MILLER: Mm-hmm. Okay.

21 MR. RICKIE JONES: The thing on Saturday,

22 just like -- I feel like, okay, especially if

1 there's a weapon involved, I will run and notify  
2 the police.

3 MS. MILLER: Okay. So, um -- I hear what  
4 you're saying, what you -- you know what you  
5 would do based on the guidelines that your  
6 security company has trained you, and -- and also  
7 how you would react as a person, I think, out  
8 there. But do you have any knowledge about the  
9 other security personnel, what -- what they're  
10 doing?

11 MR. RICKIE JONES: What they're doing?

12 MS. MILLER: Mm-hmm. What their areas are  
13 to -- for security?

14 MR. RICKIE JONES: As far as their  
15 training and background (inaudible) --

16 MS. MILLER: No, I mean, like, you're --  
17 it sounds like you're the door person, right? And  
18 you do IDs and do the door.

19 MR. RICKIE JONES: Yes.

20 MS. MILLER: And you said there are four  
21 other security people there.

22 MR. RICKIE JONES: Yeah. Everyone has a

1 post on the inside. Everybody has a different  
2 post, so.

3 MS. MILLER: Okay. Okay. Go ahead.

4 CHAIRMAN ANDERSON: Mr. Short.

5 MS. MILLER: Mm-hmm.

6 MR. SHORT: Yes, um, Rickie Jones?

7 MR. RICKIE JONES: Yes.

8 MR. SHORT: Rickie, um, how long have you  
9 been employed by the Dodge City?

10 MR. RICKIE JONES: About 3-1/2 months  
11 now.

12 MR. SHORT: Three and a half months,  
13 okay. Um, what time do you normally open? And  
14 this would have been a Saturday, November the  
15 07th. Well, actually, so you would have opened up  
16 on November the 06th, Friday night, correct?

17 (No audible response)

18 MR. SHORT: So there was five of you  
19 working. You had the door. So, what do you do  
20 just as soon as you open up?

21 MR. RICKIE JONES: Well, I'm -- I don't  
22 get there until 10:00 on Saturdays.

1           MR. SHORT:   Okay, 10:00. So they opened  
2 already?

3           MR. RICKIE JONES:   Yes.

4           MR. SHORT:   Um, okay. So when you come  
5 in, what do you do at 10:00?

6           MR. RICKIE JONES:   Soon as I come in, I  
7 go straight to the door and begin to, you know,  
8 check IDs and keep order in the line.

9           MR. SHORT:   Uh, any -- uh, do you do any  
10 wandering or pat downs -- I mean, how -- to make  
11 sure people don't bring weapons in, other than  
12 just checking IDs?

13           MR. RICKIE JONES:   Well, we check bags,  
14 but we don't really put our hands on anybody.

15           MR. SHORT:   No pat downs, no wandering. So,  
16 if somebody had a weapon, all they'd do is show  
17 you ID and walk in. Is that correct?

18           MR. RICKIE JONES:   I guess, well, if you  
19 say it like that then --

20           MR. SHORT:   No, no, I'm asking your  
21 duties, what are your duties?

22           MR. RICKIE JONES:   Yes, just to, um, make

1 sure that everybody's, you know, age appropriate  
2 that I'm letting in, make sure that bags are  
3 clear.

4 MR. SHORT: Okay. Now, if the bags are  
5 clear, somebody has a overcoat on, it's  
6 wintertime, most clubs -- or, really, a lot of  
7 them, anyway, do wanding and do pat downs. And  
8 you're saying that's not policy of your club to  
9 do that.

10 MR. RICKIE JONES: Not to my knowledge.

11 MR. SHORT: All right. Now, you closed at  
12 what time? What time did you say you closed,  
13 again?

14 MR. RICKIE JONES: Two-thirty.

15 MR. SHORT: Two-thirty. And did you just  
16 testify, at 2:30 you were walking out of the back  
17 door?

18 MR. RICKIE JONES: Uh, we were closing at  
19 2:30.

20 MR. SHORT: You were closing at 2:30. So,  
21 when you closed the door at 2:30, there was no  
22 one at all in front of the -- in front of Dodge

1 City, or was it?

2 MR. RICKIE JONES: I mean, there were  
3 people out there, but as far as, like -- you  
4 mean, like, just hanging out, posted-up type.

5 MR. SHORT: So let me -- let me get this  
6 clear. So, if you close at 2:30, and everybody's  
7 out of the club, and that -- so they're allowed  
8 just to stand in front of Dodge City, or you --  
9 you disperse them, or you make sure that they  
10 clear the street, or -- or that's not a part of  
11 anybody's duties at Dodge City?

12 (Off-mic conversation)

13 MR. RICKIE JONES: No.

14 MR. SHORT: How's that?

15 MR. RICKIE JONES: No, sir.

16 MR. SHORT: Okay. So, again, you closed  
17 up --

18 (Off-mic conversation)

19 MR. SHORT: -- you locked the door, and  
20 at 2:30, you were going out of the back door.

21 MR. RICKIE JONES: I'm not sure what time  
22 exactly I left. All -- all I know for a fact that

1 is, we have the last call at 2:15. By the time  
2 2:30 is, there's no one in our establishment. Our  
3 windows are barred up, and our doors are locked,  
4 and we are waiting in the back, and we -- we're  
5 leaving out of the back door. I'm not exactly  
6 sure what time I left, though.

7 MR. SHORT: Okay. Let me ask you this:  
8 Since you've been working there for the last 3  
9 months, have there been any incidents where you  
10 had to get involved with the clientele or someone  
11 walking up the street or -- Have there been any  
12 incidents that you would consider to be something  
13 you would have had to call the police about?

14 MR. RICKIE JONES: No, not in our  
15 establishment, not in the time I've been there.

16 MR. SHORT: Thank you very much. That's  
17 all I have.

18 CHAIRMAN ANDERSON: Yes, Mr. Alberti.

19 MR. ALBERTI: Mr. Fox --

20 CHAIRMAN ANDERSON: I'm sorry, go ahead.

21 MR. ALBERTI: Mr. Fox, where -- where's  
22 the owner?

1 MR. FOX: The owner is right here, Mr.  
2 Alberti.

3 (Simultaneous speaking)

4 MR. ALBERTI: Well, I -- You know, I  
5 don't really have a whole bunch of questions, but  
6 I think that all of the questions my two fellow  
7 board members asked should more appropriately be  
8 directed to the owner. You want to know about  
9 security --

10 MR. FOX: We're happy to bring him  
11 forward.

12 MR. ALBERTI: I think -- I think you --  
13 if you're going to investigate security, I think  
14 we should get it from the person who's in charge.

15 CHAIRMAN ANDERSON: Well, I -- When we  
16 started, he said that the owner was -- uh, uh,  
17 not -- um --

18 MR. ALBERTI: But I think he should come  
19 forward.

20 CHAIRMAN ANDERSON: No, I wasn't aware --

21 MR. FOX: Happy to do so.

22 CHAIRMAN ANDERSON: All right.

1 MR. ALBERTI: Fine. (Inaudible). Fine.

2 All right.

3 MR. FOX: May I --

4 CHAIRMAN ANDERSON: Sure. Please.

5 MR. ALBERTI: -- come forward?

6 MR. FOX: First, would you please put  
7 your name and address on that line? Thank you.

8 Mr. Berhane, would you state your name, please?

9 MR. BERHANE: Haile Michael -- sorry,  
10 Haile Michael Berhane.

11 MR. FOX: And for the spelling purpose,  
12 may I?

13 FEMALE SPEAKER: Mm-hmm.

14 MR. FOX: That's H-a-i-l-e Michael, M-i-  
15 c-h-a-e-l, last name Berhane, B-e-r-h-a-n-e.

16 Uh, Mr. Berhane, I'd like to ask you a  
17 few questions. Uh, what is your, uh, relationship  
18 with a bar called Dodge City?

19 MR. BERHANE: Uh, owner.

20 MR. FOX: And for how many years have you  
21 been the owner?

22 MR. BERHANE: Almost 8 years.

1 MR. FOX: And do you recall any event  
2 taking place at Dodge City on November 07 of the  
3 year 2015?

4 MR. BERHANE: I heard something happened,  
5 but it was closed November 17 -- uh, 7th, and,  
6 uh, we were -- everybody was inside, everything  
7 was locked, so I didn't see anything.

8 MR. FOX: What did you hear -- or how did  
9 you hear that something was going on?

10 MR. BERHANE: Well, Jones, uh, before he  
11 left, tell me.

12 MR. FOX: Who told you?

13 MR. BERHANE: Jones, with security --  
14 Rickie.

15 MR. FOX: Rickie.

16 MR. BERHANE: Yeah.

17 MR. FOX: Okay, that's the fellow --

18 MR. BERHANE: Yeah, yeah --

19 MR. FOX: -- who just testified.

20 MR. BERHANE: -- it was -- Yeah,  
21 (inaudible).

22 MR. FOX: Okay. And what did Rickie tell

1 you?

2 MR. BERHANE: Uh, there was something  
3 going on, the police was there, but everything  
4 (inaudible), and I wasn't about to -- I seen the  
5 window there was, uh, closing, everything's  
6 secure -- okay. We are closing (inaudible)  
7 inside, but there (inaudible) going on. So Rickie  
8 said (inaudible).

9 MR. FOX: All right. So that we're clear  
10 --

11 CHAIRMAN ANDERSON: Hold on, I -- I'm not  
12 following sir. Sir, can you just speak slower?  
13 Just speak a little bit slower, please, so --

14 MR. FOX: I -- I --

15 CHAIRMAN ANDERSON: -- I can hear.

16 MR. FOX: -- can ask a few additional  
17 questions --

18 CHAIRMAN ANDERSON: Well, no --

19 MR. FOX: -- and try to clarify.

20 CHAIRMAN ANDERSON: It's -- no, it's not  
21 the clarification. I just need him to -- to speak  
22 slower. I'm from Jamaica, too, so I know -- So --

1 I'm from Jamaica. But I'm just saying, just speak  
2 slower so I can hear, because I'm not  
3 understanding anything you're saying. Okay?

4 MR. FOX: All right. Mr. Berhane, um, you  
5 told us that Rickie advised you that something  
6 happened after 2:30, correct?

7 MR. BERHANE: Yeah.

8 MR. FOX: Where were you when Rickie was  
9 telling you this?

10 MR. BERHANE: I was in the back.

11 MR. FOX: The back of the bar?

12 MR. BERHANE: Yeah, behind the back of  
13 the bar, because I was make sure cleaning  
14 (inaudible) was what they did.

15 MR. FOX: Okay. So, back of the bar is  
16 inside the bar, correct?

17 MR. BERHANE: Yeah, inside.

18 MR. FOX: And was that before or after  
19 2:30 when Rickie told you this?

20 MR. BERHANE: (Inaudible) was, uh, by  
21 time to leave, like close to 3:00, something like  
22 that.

1           MR. FOX: Is it fair to say sometime  
2 after 2:30 and --

3           MR. BERHANE: No it's --

4           MR. FOX: -- before 3:00?

5           MR. BERHANE: No, about 2:55 or 3:00  
6 (inaudible).

7           MR. FOX: Okay. And Rickie told you --  
8 did Rickie tell you where this disturbance was  
9 taking place?

10          MR. BERHANE: Well, he says outside, "Oh,  
11 what's going on?" (Inaudible) somebody around by  
12 the bus station he said. Yeah. So (inaudible).

13          MR. FOX: And what did you do, if  
14 anything, after Rickie told you about a  
15 disturbance outside?

16          MR. BERHANE: Well, he told me there was  
17 -- he see the police. The police was there, the  
18 police check out everything. But if there  
19 (inaudible) or something, we're going to, uh,  
20 call the police to help. But the police were  
21 already there.

22          MR. FOX: So with the knowledge that the

1 police were already there, did you do anything  
2 further when Rickie told you there was something  
3 going on?

4 MR. BERHANE: No, I say, "Make sure  
5 everything clear," if -- you know.

6 MR. FOX: Make sure everything's what?

7 MR. BERHANE: Everything's clear, what's  
8 going on, just, uh, you know -- who's having a  
9 problem here or nobody have a problem here, you  
10 know.

11 MR. FOX: So the record's clear, would  
12 you please tell the panel, the board, whether or  
13 not anything happened inside the bar before 2:30  
14 that you saw as a problem.

15 MR. BERHANE: Yeah. I didn't see any  
16 problem before 2:30. After we close, even this is  
17 -- I heard what is outside after -- almost 'til  
18 leave, at, like, close to 3:00.

19 MR. FOX: Did you see any trouble inside  
20 the bar before 2:30?

21 MR. BERHANE: No, I didn't see anything.  
22 I was there.

1           MR. FOX:   Okay. And did you ever see a  
2 person bleeding outside of the bar after 2:30?

3           MR. BERHANE:  No, I didn't see anybody.

4           MR. FOX:   Did you ever see anybody  
5 carrying a knife outside the bar after 2:30?

6           MR. BERHANE:  No, I didn't see them.

7           MR. FOX:   In fact, did you personally  
8 ever see either the person who allegedly was  
9 stabbed or the person who allegedly did the  
10 stabbing? Did you ever see either one?

11          MR. BERHANE:  No, I didn't see.

12          MR. FOX:   I have no further questions for  
13 Mr. Berhane.

14          CHAIRMAN ANDERSON:  Uh, I just want to  
15 ask you a quick question, and it's clear that the  
16 incident occurred outside the establishment. So,  
17 what is, um, your closing procedure? I mean, once  
18 the club -- once the -- the -- you have lost --  
19 last call, folks come out, you lock the door. So,  
20 are there people standing in front of the  
21 establishment, or do you have procedures to have  
22 people move along?

1           MR. BERHANE: Yeah, once (inaudible) we  
2 close, everybody (inaudible). The first thing  
3 that (inaudible) and lock the gate, lock the  
4 door, make sure nobody come inside. And, uh,  
5 usually, there's a police officer in front of us  
6 that will come in; they, uh, (inaudible) all the  
7 crowds if they are crowded. But most of the  
8 people, they know the times, that after we tell  
9 them, they will go, because some people that  
10 waited and see, they're waiting in (inaudible).

11           CHAIRMAN ANDERSON: So, basically, after  
12 you close your door, you basically don't know --  
13 you don't -- you don't take any responsibility  
14 for what happens in --

15           MR. BERHANE: Outside.

16           CHAIRMAN ANDERSON: -- front of the club.

17           MR. BERHANE: But if it's just something  
18 bad, you know, (inaudible).

19           CHAIRMAN ANDERSON: Okay. Yes, Mr.  
20 Silverstein.

21           MR. SILVERSTEIN: All right. That's --  
22 that's the point, and that's why we're all here.

1 And I -- I want you all to understand, because I  
2 think there's been a -- a serious  
3 misunderstanding in the way that, uh -- that  
4 you've -- you've approached this.

5 We get a letter from the police chief  
6 that is dated November 07th on an event that  
7 happened November 07th. It is the immediate  
8 response to a violent action. We had a hundred  
9 and -- we had a 65% increase in homicides in this  
10 city last year. One occurred in a licensed  
11 establishment, and for us, that's one too many.

12 But the key to it is that you folks are  
13 part of the hospitality industry that provides  
14 58,000 jobs in this city and \$2.8 billion in  
15 revenue, and that's \$280 million in taxes to the  
16 city. You folks are part of the goose that lays  
17 the golden egg.

18 Our concern here isn't what happened  
19 before, but it is to make sure that we are doing  
20 everything we can to assure -- to ensure that  
21 people are safe not just in your establishment,  
22 but that all of us, all together, have to do what

1 we can to ensure the safety of people.

2           This may have seemed to you, uh, some  
3 kind of an overreaction, but we have an  
4 obligation to ensure the safety of the people of  
5 the District of Columbia. And there was an  
6 incident that took place outside of your  
7 establishment. The initial report -- initial  
8 report -- was that you didn't do all you could.

9           Now, that -- you were closed; it didn't  
10 happen inside. This was a fact finding hearing,  
11 gentlemen, to determine, A)whether you did -- or  
12 for us to understand that, and for all of us to  
13 understand that we have an obligation, as fellow  
14 citizens, that if something does happen, and you  
15 see something, you render prudent assistance and,  
16 at the very least, call 911.

17           And as such, this was not to be an  
18 adversarial hearing. No one's going after your  
19 license today or anything like that. We simply  
20 want to make sure that we are all doing  
21 everything we can to ensure the safety of our  
22 fellow citizens. Are we okay with that?

1 (No audible response)

2 MR. SILVERSTEIN: Nothing further.

3 CHAIRMAN ANDERSON: Yes, Mr. Short.

4 MR. SHORT: Well, I'm glad that you got  
5 here -- a little late, but I'm glad you got here.  
6 I -- I have a situation where I heard Rickie  
7 Jones say, at 2:30 he closed the door, he exited  
8 the club, he walked around through the gasoline  
9 station and back down Vermont Avenue to the  
10 corner of Vermont and U, where the bus stop is,  
11 adjacent to the school there, and he said he  
12 looked down and saw the lights, and he did not  
13 find out there was an incident 'til he came back  
14 to work. Then, I hear you say he came back to you  
15 about 2:55 and said to you, "There's an incident  
16 outside." So, which is true?

17 MR. BERHANE: Yeah, about 2:55,  
18 everybody's -- Rickie was outside. When we exit,  
19 everybody's walking -- even myself, I exit by the  
20 back door. So, when I was exiting by the, uh --  
21 by the back door, by the trash can with  
22 something, and --

1 MR. SHORT: Okay.

2 MR. BERHANE: -- when I walk, I see  
3 Rickie (inaudible), because I always stand out  
4 there after we close because we -- we don't keep  
5 any employees inside because we don't want a  
6 problem.

7 MR. SHORT: I understand.

8 MR. BERHANE: So when I see -- I see him  
9 there, he told me that I say. I back up, because  
10 I was -- I'm the last person to lock everything.

11 MR. SHORT: Okay, the facts are the  
12 facts. The fact is, Mr. Jones said he didn't find  
13 out about the incident until he got back to work.  
14 That's what he said, sitting right where you're  
15 sitting. Mr. Jones said that. And then, you come  
16 and say Mr. Jones told you at 2:55, "There's an  
17 incident out front." So, the fact, to me, now --  
18 I don't know -- just a little fluttered.

19 MR. BERHANE: I say that -- you say Jones  
20 said I meet him by the back door, right? After he  
21 left already.

22 MR. SHORT: Mr. Jones was gone.

1 MR. BERHANE: Yeah. But he was outside.  
2 (Inaudible) no leave because they hang around  
3 outside.

4 MR. SHORT: Who did tell you there was an  
5 incident on the front?

6 MR. BERHANE: Pardon me?

7 MR. SHORT: Who told you there was an  
8 incident on the front of your establishment?

9 MR. BERHANE: Jones, the security,  
10 Rickie.

11 MR. SHORT: Jones told you that.

12 MR. BERHANE: Yeah, because (inaudible)  
13 Jones said there was something, but I don't  
14 (inaudible) what is going on. Then, before I  
15 left, and I say I make sure, I come back --

16 MR. SHORT: This is a fact finding  
17 hearing, so the facts are the facts, and that's  
18 the reason why the police chief wanted us to get  
19 in here today, to find out exactly what it is.

20 Now, I did ask Mr. Jones about your  
21 security, and he says that although they're --  
22 they look inside of women's bags, or if a man has

1 a bag, but there's no detection of weapons, and  
2 as -- as Board Member Anders -- uh, just stated  
3 that we've had a lot of bad things to happen  
4 inside and outside of clubs, and one homicide.  
5 So, if you're not checking for weapons, you're  
6 not checking to make sure the patrons are coming  
7 inside of your club, how do you know it's safe in  
8 there?

9 MR. BERHANE: They check their bags.

10 MR. SHORT: Excuse me?

11 MR. BERHANE: They're always checking --  
12 even when they check, even -- the people that  
13 come with a hat, we ask them to move their hat,  
14 too --

15 MR. SHORT: So the --

16 MR. BERHANE: -- to check --

17 MR. SHORT: Without -- without patting  
18 someone down, or pointing a wand, how would you  
19 know if they had a gun or knife on them?

20 MR. BERHANE: I don't understand.

21 MR. SHORT: If you don't pat --  
22 physically pat someone down, or physically take a

1 wand, how do you know or not a weapon is coming  
2 into your establishment?

3 MR. BERHANE: (Inaudible) the people we -  
4 - we don't know, they don't, but if they suspect  
5 something, or they see -- look something, they  
6 will check it.

7 MR. SHORT: Okay. Let me ask you this: Do  
8 you have a -- a written log or a written --  
9 anything in writing on the establishment's  
10 security, how it's handled --

11 MR. BERHANE: Yeah.

12 MR. SHORT: -- is there a plan -- You do  
13 have a security plan?

14 MR. BERHANE: Yes, sir.

15 MR. SHORT: Can we ask you for a copy of  
16 it?

17 MR. BERHANE: Yeah.

18 MR. SHORT: When -- when can you provide  
19 that for us?

20 MR. BERHANE: Maybe tomorrow, after  
21 tomorrow end day.

22 MR. SHORT: You do have one?

1 MR. BERHANE: Yes.

2 MR. SHORT: And you're going to provide  
3 it for us?

4 MR. BERHANE: Yes, sir.

5 MR. SHORT: Okay. That's fine, and -- and  
6 that will be -- what you're saying is, your  
7 business is -- when was it done?

8 MR. BERHANE: Long time ago.

9 MR. SHORT: A long time ago. So it hasn't  
10 been revised in a while?

11 MR. BERHANE: Everybody knows, yeah.

12 MR. SHORT: So the date that you're going  
13 to give us on the security plan will be the --  
14 the one you did a long time ago.

15 MR. BERHANE: Yeah.

16 MR. SHORT: Okay. Can I ask you to do  
17 this? Can you look at the old one --

18 MR. BERHANE: Okay.

19 MR. SHORT: -- and then maybe, because of  
20 this incident, maybe adjust it a little and --

21 MR. BERHANE: Okay.

22 MR. SHORT: -- give us something a little

1 updated, where you might do some wandering or  
2 patting? Something to make your -- your business  
3 a little more secure?

4 MR. BERHANE: Okay.

5 MR. SHORT: And that's the -- another  
6 reason why the police chief wanted you to come in  
7 today, because maybe you need some help with your  
8 security.

9 MR. BERHANE: Okay.

10 MR. SHORT: And I as a board member voted  
11 for you to come in, uh -- maybe some other board  
12 members don't feel as strongly, but I -- I think  
13 we as a board wanted to hear from you, and say to  
14 you, "We want your club to be a lot safer."

15 MR. BERHANE: Okay.

16 MR. SHORT: And we understand that with a  
17 policeman right across the street who saw the  
18 stabbing and ran across -- so you're right,  
19 there's police there. But, also, the fact is, did  
20 your business do everything it could do -- You  
21 said you were in the back and someone told you in  
22 the back that it happened. Okay? That -- those

1 things have gone now. But let's -- let's hope  
2 that this never happens again and we have a  
3 better plan. So, when can I look for you to bring  
4 that plan to the board?

5 MR. BERHANE: Tomorrow, after tomorrow I  
6 can bring it.

7 MR. SHORT: Tomorrow? Okay. All right.  
8 Give it to Ms. Jenkins, our --

9 MR. BERHANE: Okay.

10 MR. SHORT: -- uh, our, uh, attorney  
11 (inaudible). She'll give you a card before you  
12 leave.

13 MR. BERHANE: Okay.

14 MR. SHORT: Thank you very much.

15 CHAIRMAN ANDERSON: Yes, Ms. Miller.

16 MS. MILLER: I just have a few questions.  
17 Um, first of all, I'm happy to hear you have a  
18 security plan. Um, we -- we couldn't tell that  
19 from, um, Mr. Jones' testimony, so I don't know  
20 how it's communicated and stuff, but it'll be  
21 good to see -- see your plan and then you can see  
22 if it needs any improvements. Um, have you had

1 any problem with weapons in the establishment?

2 MR. BERHANE: No, not at all.

3 MS. MILLER: Okay, so that's probably why  
4 you haven't been doing the pat downs or whatever.  
5 Okay. Um, this particular incident, um, it says  
6 in the report -- and this is the one line that I  
7 just wanted to -- to pursue a little bit that was  
8 of concern to me. The victim stated that the  
9 incident occurred in the presence of one of Dodge  
10 City's security personnel, and he did nothing to  
11 help him. Are you aware that the -- that you had  
12 a security person there?

13 MR. BERHANE: No.

14 MS. MILLER: Okay. Do you have a reaction  
15 to that statement?

16 MR. BERHANE: I mean, nobody told -- I  
17 mean, if all the people, they see something, you  
18 know, they would say something. They would help.  
19 I say anyone. Not even our security. Our -- any  
20 customer that see something, they would always  
21 tell, you know -- they would come to me, "Hey,  
22 let's help this." I would have helped, too. They

1 were not in my establishment. If -- it's  
2 (inaudible) next door or anywhere --

3 MS. MILLER: All right.

4 MR. BERHANE: -- (inaudible).

5 MS. MILLER: Right. Okay. Thank you. And  
6 so, when you heard about this, at 3:00, that  
7 there were police in front of your establishment  
8 -- were the police still there?

9 MR. BERHANE: No, I didn't see.

10 MS. MILLER: It was over?

11 MR. BERHANE: (Inaudible) -- yeah.

12 MS. MILLER: So when you heard about it,  
13 it was over?

14 MR. BERHANE: Yeah.

15 MS. MILLER: Okay. Um, to the best of  
16 your knowledge, then, none of your security  
17 personnel knew about it while it was going on?

18 MR. BERHANE: No.

19 MS. MILLER: Because you were closed  
20 already?

21 MR. BERHANE: Yeah.

22 MS. MILLER: Is that it?

1 MR. BERHANE: Yes. I -- I told them it  
2 was closed.

3 MS. MILLER: Okay. All right. Is there  
4 anything else you want to say?

5 (No audible response)

6 MR. FOX: Uh, when it's appropriate, I'd  
7 like to make a few statements in the nature of a  
8 -- a closing presentation.

9 CHAIRMAN ANDERSON: Sure, that -- that  
10 will be all right. That's fine. Do we have any  
11 other -- does any board members have any other  
12 questions they want to ask?

13 (Chorus of nos)

14 CHAIRMAN ANDERSON: Um, if you have  
15 another -- if you have another witness, or you  
16 can make your statement.

17 MR. FOX: All right. We're not going to  
18 call another witness, and if I may proceed?

19 CHAIRMAN ANDERSON: Sure. Go ahead,  
20 please.

21 MR. FOX: Um, this is not a bar that was  
22 having a lot of trouble that night. Uh, there's

1 been no presentation from any investigator that  
2 anything happened, whatsoever, inside the bar.  
3 And as a matter of fact, there's the somewhat  
4 unusual circumstance that the ones who were on  
5 the scene -- the District of Columbia employees,  
6 the police -- are across the street at a bar  
7 called Nellie's. That's in their own report. So  
8 they're right outside, in a position to deal with  
9 an event that happened outside on the street.

10           And that being the case, um, I think the,  
11 uh, testimony or presentation of both the  
12 security guard and the owner suggests that there  
13 really was not much the bar owners could do for  
14 an event that happened outside where the police  
15 were already there. In other words, there was no  
16 need to call 911. There was no need to approach  
17 anyone and try and get their name, be they a  
18 witness or the -- be they the actual assailant.

19           Um, and I would submit that the security  
20 guard cannot go in and interfere, which was at  
21 that time a police investigation. I would submit  
22 that the security guard should not be grabbing an

1    assailant, even if he was in the position to do  
2    so. That's a police duty, and the security guard  
3    is not a peace officer authorized by D.C. law to  
4    arrest an assailant or to detain an assailant.  
5    The most a security guard should be doing is to  
6    describe him, to look for a license tag,  
7    whatever.

8                   But that would assume that to do those  
9    things, the security guard had to see what was  
10   going on. In this case, where the -- the door is  
11   locked, and everybody's in the process of exiting  
12   out the rear, and the event was not known to  
13   Rickie Jones or to Mr. Berhane, there was nothing  
14   for them to be do -- to be done.

15                   We respect what the board members are  
16   saying about a need to assist in the process of -  
17   - of keeping order, and that may require, at some  
18   point, things like a phone call to 911, but these  
19   security guards really have no authority to -- to  
20   touch anyone, even if they suspect that he is an  
21   assailant. As a matter of fact, if an -- a  
22   security guard were to do that, the bar would be

1 opening itself up to litigation, you know, of  
2 going beyond their authority, of doing something  
3 like detaining somebody improperly.

4 Uh, so I would submit to the board that  
5 there's a line that private security can't cross,  
6 and as much as we would like to see high security  
7 -- because that would, in fact, help the bar as  
8 much as it would help the city. The bar is not  
9 going to benefit from bad events; it's not going  
10 to benefit from things like a homicide. They want  
11 a peaceful situation.

12 But when the police are across the street  
13 at Nellie's Bar, uh, this is not a situation  
14 where the duty of the bar was a -- a exceedingly  
15 high one. There -- there's duty to call the  
16 police, to call 911. I don't know if that duty  
17 was still there. The police were already there.  
18 They certainly can get 911 there if they need  
19 them; they can get more police there if they need  
20 them. Uh, there does come a point where private  
21 security really shouldn't even interfere, which  
22 was then a police investigation. Uh, we thank

1 you.

2 CHAIRMAN ANDERSON: All right. Thank you.

3 Uh, just -- um, and I wasn't on the board when  
4 the decision was made to bring you in for a fact  
5 finding, but, um, from what I see from the  
6 investigative report, the victim did state that,  
7 um -- that they -- that they had visited the --  
8 your -- your establishment, and the victim stated  
9 that the incident occurred in front of one of  
10 your security and that the security personnel  
11 offered no assistance. And I think that is what  
12 is of concern to the board.

13 I don't think that the board was saying  
14 that the establishment's closed, and you should  
15 be a police and -- and interfere with a police  
16 matter. I think the victim was saying that the  
17 incident occurred in front -- and I'm not sure if  
18 it's correct. I'm just saying, that's what we  
19 have in front of us.

20 And so -- and I think, for board members,  
21 it was like, if one of your patrons leave your  
22 establishment, um, something occurred, and -- in

1 front of one of your security, and you didn't  
2 offer assistance to the victim -- and I think  
3 that is a concern. And I don't know if it's  
4 correct, but -- but that's -- that's the only  
5 reason why I think that you're here, that the  
6 victim stated that -- that the victim stated that  
7 it occurred in front of the establishment, in  
8 front of one of your security, and your security  
9 did not provide assistance. That's -- I just --  
10 that's from their perspective.

11 And so, it's to bring you here to get  
12 your version, to say did -- did one of your  
13 security personnel see this incident that  
14 occurred. I know that -- well, Mr. Jones is not  
15 the only security that the club had, and he said  
16 that he had left. He did not see it. And I don't  
17 know who -- who the security that the person said  
18 saw it, but that's just -- that's -- that's what  
19 the report says.

20 MR. FOX: All right.

21 CHAIRMAN ANDERSON: Yeah.

22 MR. FOX: Mr. Anderson, we -- we respect

1 what you're saying, but I would ask you to, in  
2 addition, to, um, consider Ms. Dantzler's report,  
3 on page 2, where Sergeant Hill says the victim  
4 refused to cooperate with the police, where  
5 Sergeant Hill says that he did not speak to  
6 anyone from Dodge City -- "he" the victim -- and  
7 that, um, Officer Castillo (ph) -- still on page  
8 2 -- uh, there were people across the street at  
9 Nellie's who saw the commotion and then ran over  
10 to the incident. And Castillo -- Officer Castillo  
11 said it was unclear if there was a previous  
12 altercation, and then Officer Ruth Cacheras  
13 (ph) stated that she was standing in front of  
14 Nellie's bar when it occurred -- when it  
15 occurred.

16 CHAIRMAN ANDERSON: I'm not -- as I said  
17 before, I'm not -- this is not asking the -- uh,  
18 all I've stated to you is that this is what the  
19 report says, that our victim said it happened in  
20 front of them -- of one of the club's security,  
21 and the security personnel offered no assistance.  
22 So, it's not -- you don't necessarily need

1 (inaudible) for a fact finding event. Um, we have  
2 heard in -- in -- sufficient information.

3 It's not my understanding that we can  
4 take any type of formalized -- this is very  
5 informal, so it's not that the board is going to  
6 say that your license is suspended, all because  
7 you didn't do X, Y, Z. The police chief sent us a  
8 request to say, an incident occurred in front of  
9 the establishment. Um, we need to call the -- the  
10 -- the owner in to see if the owner is aware of  
11 what's happening in front of his -- his  
12 establishment, and what measures can the owner  
13 put in place to ensure that once your -- your --  
14 your guests leave that they safely, uh, move  
15 home, as I said. Okay?

16 MR. FOX: We -- we will take your -- your  
17 comments constructively.

18 CHAIRMAN ANDERSON: Okay. That's fine.  
19 And --

20 MR. FOX: Okay.

21 CHAIRMAN ANDERSON: Thank you. All right.  
22 So, you're -- we're done.

1 MR. FOX: Thank you very much.

2 CHAIRMAN ANDERSON: All right. Thank you.

3 MR. FOX: Um, we are still on the  
4 calendar for another, um, hearing, another --

5 CHAIRMAN ANDERSON: Is that the --

6 MR. FOX: -- fact finding.

7 CHAIRMAN ANDERSON: -- Velvet Lounge?

8 MR. FOX: Yes.

9 CHAIRMAN ANDERSON: All right.

10 MR. FOX: My client owns the Velvet  
11 Lounge.

12 CHAIRMAN ANDERSON: Okay, I was not aware  
13 of that, so I was about to -- All right. So, um -  
14 - well, I'm glad for that, then. I think if I'd  
15 realized that, we could have done it a little bit  
16 better.

17 [Whereupon the matter concluded at  
18 12:20 p.m.]

19