

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

IN THE MATTER OF:

Taj Mahal Enterprises, LTD
t/a The Manor
1327 Connecticut Ave., NW
Retailer CR - ANC-2B
License No. 882
Case #15-CMP-00017

Fact-
Finding
Hearing

(Transfer of License Without
Board Approval, Failed to
Post Window Lettering)

May 6, 2015

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
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

MARK BRASHEARS, ABRA Investigator

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

2 10:41 a.m.

3 CHAIRPERSON MILLER: All right. I'm
4 going to call the next case then, Case No. 15-
5 CMP-00017, The Manor located at 1327 Connecticut
6 Avenue, N.W., License No. 882, in ANC-2B. Good
7 morning.

8 MS. KALIVAS: Good morning.

9 CHAIRPERSON MILLER: When you are
10 ready, could you introduce yourself for the
11 record?

12 MS. KALIVAS: Sure. I'm Sara Kalivas,
13 managing member of 1327 Connecticut Avenue. I'm
14 the tenant of Mr. Mallick.

15 MR. MALLICK: Good morning.

16 CHAIRPERSON MILLER: Good morning.
17 And you are Mr. Mallick?

18 MR. MALLICK: Thank you very much.

19 CHAIRPERSON MILLER: And what's your
20 position, Mr. Mallick?

21 MR. MALLICK: This is with regard to
22 the transfer of the liquor license #882.

1 CHAIRPERSON MILLER: You're Mr.
2 Mallick. You own the property?

3 MR. MALLICK: (No audible response.)

4 CHAIRPERSON MILLER: What's your
5 relation to this case? Do you own the property?

6 MR. MALLICK: The owner of the
7 property.

8 MEMBER ALBERTI: He's the licensee.

9 CHAIRPERSON MILLER: Are you the
10 licensee?

11 MS. KALIVAS: He's the licensee, yes.

12 CHAIRPERSON MILLER: You're the
13 licensee.

14 MR. MALLICK: Yes.

15 MS. KALIVAS: Yes.

16 MR. MALLICK: Yes.

17 CHAIRPERSON MILLER: All right. Thank
18 you. And our Investigator?

19 INVESTIGATOR BRASHEARS: ABRA
20 Investigator Mark Brashears.

21 CHAIRPERSON MILLER: Okay. Good
22 morning. And so this is what is called a Fact-

1 Finding Hearing and no one is under oath. We are
2 not taking evidence, but we are wanting to gather
3 information and have a conversation about the
4 issue which is, in this case, perhaps
5 transferring a license without Board approval.
6 That's what we want to talk about here.

7 It's possible that the information we
8 get here, we may send it to the Office of the
9 Attorney General if it looks like there was a
10 violation.

11 MS. KALIVAS: Yes.

12 CHAIRPERSON MILLER: But you are not
13 being tried here or anything. That would happen
14 at a later date if the Attorney General brought
15 charges or whatever.

16 So what -- we are going to figure out
17 exactly what the situation is here. So I think
18 that we should start with Mr. Brashears.

19 Did you do the investigative report
20 for this case?

21 INVESTIGATOR BRASHEARS: Yes, ma'am,
22 I did.

1 CHAIRPERSON MILLER: All right. Thank
2 you.

3 INVESTIGATOR BRASHEARS: Back in
4 December 2014, I received a complaint from the
5 Office of Tax and Revenue. The licensee was
6 being looked at for, you know, tax issues, at the
7 time. And basically, the Investigator told me
8 that she had run into a situation where the ABC
9 License had been, as she called, sub-leased to
10 tenants of the building.

11 When I looked into the records
12 relevant to ABRA, it showed Mr. Mallick as the
13 licensee. But over the past, you know, 18 months
14 to two years, there have been two different
15 establishments operating out of that location,
16 Fiesta and The Manor. And in both situations,
17 the LLC never changed, only the trade name.

18 And in speaking with the individuals
19 involved that had leased the space, they
20 basically told me that the ABC License came as
21 part of the rental agreement to rent the space.
22 And in one instance when I was dealing with Mr.

1 Oneal and Ms. Kalivas --

2 MS. KALIVAS: Kalivas.

3 INVESTIGATOR BRASHEARS: -- they
4 basically stated that that was the case. And
5 when I asked them, you know, if they were the
6 owners, they said they were the owners, but then
7 they produced ABC Manager's cards. And I
8 informed them if they were, in fact, on the LLC
9 or a part of the ownership, they wouldn't be
10 required to do that, but I was told they were
11 informed by Mr. Mallick that in order to operate
12 there, they would have to have ABC Manager's
13 Licenses.

14 So you know, it appeared that there
15 was a situation where there should have been a
16 transfer and it had not occurred. Upon further
17 review of records and talking with our Director
18 of Licensing, he recalled a conversation
19 previously back in November 12, 2014 where he had
20 spoken with Mr. Mallick about this issue and
21 basically informed him that if anyone were to
22 move in, that the license would have to be

1 transferred.

2 But to date, according to Mr. -- the
3 Licensing Director, he has not heard from him.
4 So for all practical purposes, everything that I
5 could ascertain during my investigation showed
6 that new ownership had taken over and there had
7 not been a proper transfer.

8 CHAIRPERSON MILLER: Okay. Thank you.

9 INVESTIGATOR BRASHEARS: Yes, ma'am.

10 CHAIRPERSON MILLER: Now, would either
11 of you like to respond?

12 MS. KALIVAS: I would like to respond.

13 CHAIRPERSON MILLER: Okay.

14 MS. KALIVAS: We signed a lease with
15 Mr. Mallick as well in July, which allotted us
16 three months rent to be able to take care of
17 things. In the process of it, it was actually
18 included in the lease.

19 He had mentioned to us that just
20 changing the trade name would allow us to be in
21 accordance with the ABC Board, which we did do
22 that, that's when the Investigator showed up and

1 notified us that this is not the correct
2 protocol. When he came a specialist as well as
3 the Investigator came and we had a meeting and
4 they gave us options that either (A) we could put
5 our names under Taj Mahal, Ltd. as managing
6 members and then allow us to use the license or
7 completely do a transfer of liquor license.

8 At that time, we spoke to Mr. Mallick
9 and Mr. Mallick was very hesitant on doing the
10 transfer of liquor license, because we was
11 nervous that he would lose the license and he
12 would never obtain it back.

13 So then we decided to go with the
14 accordance of adding ourselves as a managing
15 member. My application process, we went to my
16 partner, Mr. Grey, they -- then Investigator -- I
17 think the specialist called and said that you
18 guys denied it and you preferred to have the
19 transfer of application done, which, at that
20 moment, we sat down with the Investigator again
21 and the specialist and the head of the department
22 and we decided to say we will do it that way.

1 We submitted all the documentations
2 within and I believe that we even had time to
3 make sure there was no lag time at all. We
4 actually got the approval last week pending two
5 documentations that I have right now with me,
6 which I will submit to the specialist after this
7 meeting and then, therefore, the transfer would
8 be complete from Taj Mahal to 1327 Connecticut,
9 LLC.

10 So through the duration of all this,
11 we have been very compliant to make sure that
12 what we are doing is correct, because by all
13 means, we don't want any violations or any kind
14 of issues with the Board. We were just fed
15 incorrect information by the landlord. And then
16 once we realized what we needed to do, we did a
17 very prompt time communicating with the
18 Investigator and especially with the specialist
19 Beatrice.

20 MR. MALLICK: Now, we have had this
21 license since 1965. And throughout the time of
22 over 50 years that we have had the privilege of

1 having this license, it has always complied with
2 all of the rules and regulations and it has never
3 known to be an issue.

4 There were unfortunately some issues
5 while the license was being used by one of our
6 lessees, which had been -- there was some file, I
7 had a meeting yesterday with Mr. Rivero and that
8 was taken care of. That was regrettable. To the
9 best of my knowledge, even when the new tenant of
10 ours, The Manor, I came with them, we went to
11 ABRA. We went through all of the applications
12 and all the approvals and the Certificate of
13 Occupancy before we opened or before they opened.

14 Then simply we were told that it was
15 often that the license would transfer rather than
16 be operated with my permission and the
17 arrangement of the licensee. We have gone
18 through all of those respectfully and yesterday
19 at this meeting with Mr. Rivero, I was handed
20 over the approval of a transfer of the license.

21 And if you have not seen it, may I
22 present it to you?

1 CHAIRPERSON MILLER: Do you want to
2 get it? Sure. I want to ask our staff person to
3 go get it. Is that your only copy or is that a
4 copy for us?

5 MS. KALIVAS: Those are the two
6 contingencies for the actual approval. Yes, I
7 submitted to Beatrice. Thank you.

8 MR. MALLICK: We respect this
9 privilege and have done everything that we were
10 made aware of to be done correctly.

11 CHAIRPERSON MILLER: Okay. Are there
12 Board questions?

13 MEMBER BROOKS: Yes, Madam Chair.

14 CHAIRPERSON MILLER: Yes, Mr. Brooks?

15 MEMBER BROOKS: Yes. I just want to
16 be clear. Now, this is the first time you have
17 transferred or attempted to transfer the license
18 to another licensee or applicant for a license?
19 Is this the first time?

20 MR. MALLICK: I'm sorry, I do not
21 understand.

22 MEMBER BROOKS: Is this the first time

1 you are attempting to transfer the license?

2 MR. MALLICK: Yes.

3 MEMBER BROOKS: Okay. Within the last
4 50 years?

5 MR. MALLICK: Yes.

6 MEMBER BROOKS: Okay. Thank you,
7 Madam Chair.

8 MEMBER SILVERSTEIN: I have a quick
9 question.

10 CHAIRPERSON MILLER: Yes, go ahead,
11 Mr. Silverstein.

12 MEMBER SILVERSTEIN: I would like to
13 ask Investigator Brashears if he has any comments
14 regarding any comments made by the two folks at
15 the other table?

16 INVESTIGATOR BRASHEARS: Oh, well,
17 yes, sir. Everything that Ms. Kalivas said, you
18 know, transpired. Once it was brought to her
19 attention that a transfer needed to be made and
20 the way things were being handled were
21 inappropriate, she took the actions to remedy the
22 situation. And she was cooperative and worked

1 the Licensing Manager as well as myself.

2 But the issue that I took with the
3 whole situation was the fact that our Licensing
4 Director had informed the licensee previously
5 that just allowing someone to use the license was
6 inappropriate.

7 MEMBER SILVERSTEIN: Right.

8 INVESTIGATOR BRASHEARS: Yet, it was
9 allowed to happen. And there was no further
10 correspondence, at that time, from the licensee
11 to ABRA. And although Mr. Mallick has made the
12 corrections to transfer the license, all of that
13 came about because we conducted an investigation
14 and brought the situation to light.

15 So from what I could see, the last two
16 owners of the establishment were simply as the
17 labor folks, but subleasing the license.

18 MEMBER SILVERSTEIN: That's very
19 helpful. Thank you for your investigation.
20 Thanks for your work in trying to bring this into
21 compliance.

22 MS. KALIVAS: May I please add that as

1 well what he just stated, we were unaware of the
2 meeting that Mr. Mallick had with the head
3 department. Once again the Investigator came in
4 and notified us and we came here with my partner,
5 Oneal, and we were aware of the situation, at
6 that point, we took action to make sure that we
7 were in compliance with the Board's rules.

8 CHAIRPERSON MILLER: Yes, Mr. Short?

9 MEMBER SHORT: Good morning, everyone.

10 MS. KALIVAS: Good morning.

11 MEMBER SHORT: Besides the transfer or
12 lack of transfer, are there any other issues with
13 this licensee currently?

14 INVESTIGATOR BRASHEARS: No, sir.
15 There didn't seem to be any ABRA history on the
16 establishment, just the situation with the
17 transfer.

18 MEMBER SHORT: And that came about
19 because of? What triggered the investigation?

20 INVESTIGATOR BRASHEARS: That was a
21 complaint from the Department of Revenue, an
22 unrelated issue with the licensee, a tax issue

1 and she had stated that, you know, the individual
2 she spoke with concerning the establishment, the
3 previous owners of Fiesta and the current owners
4 of The Manor had basically told her that the ABC
5 License came with the lease of the establishment.
6 And the previous owners from Fiesta used the term
7 sublease.

8 She -- the individual -- the
9 Investigator wasn't totally up to speed on ABRA
10 Regulations, but she knew the term sublease and
11 what was happening to be inappropriate, so she
12 contacted ABRA and I was given the investigation.
13 And through the course of the investigation, I
14 was able to basically prove that that was the
15 case.

16 MEMBER SHORT: Okay. And so to this
17 point, since -- are you saying now that the
18 transfer has been made, appropriate and proper,
19 or hasn't been made yet?

20 INVESTIGATOR BRASHEARS: The document
21 has been submitted.

22 MS. KALIVAS: It has been, yes. It

1 has been approved. I'm waiting. I just will
2 submit the two documentations that will allow to
3 and then pay the fee and then we should be okay
4 with the transfer.

5 CHAIRPERSON MILLER: Let me just check
6 this.

7 MS. KALIVAS: I did hand it to you
8 guys, too, so you could see that.

9 INVESTIGATOR BRASHEARS: I think the
10 only thing I noted other than that during the
11 investigation, sir, during the change of
12 ownership as it were, the establishment did not
13 have the Board-approved window lettering. I gave
14 them temporary lettering to fix the situation,
15 issued a warning citation and they took care of
16 it.

17 MEMBER ALBERTI: That's being very
18 efficient.

19 INVESTIGATOR BRASHEARS: Yes, sir.

20 MEMBER SHORT: Thank you. That's all
21 I have, Madam Chair. Thank you very much.

22 CHAIRPERSON MILLER: Okay. Mr.

1 Alberti?

2 MEMBER ALBERTI: Okay. I'm trying to
3 understand the terms of the transference of the
4 ownership of this license.

5 So, Mr. Mallick, have you signed a
6 Transfer Consent Form?

7 MR. MALLICK: (No audible answer.)

8 MEMBER ALBERTI: Did you sign a
9 Transfer Consent Form?

10 MR. MALLICK: What did you say?

11 MS. KALIVAS: Oh, the Transfer Consent
12 Form. Are you speaking of the one that was in
13 the application that --

14 MEMBER ALBERTI: Yes. You would have
15 submitted a Transfer Consent Form.

16 MS. KALIVAS: Yes, yes.

17 MEMBER ALBERTI: Mr. Mallick has
18 signed that?

19 MS. KALIVAS: Yes, yes.

20 MEMBER ALBERTI: Okay.

21 MS. KALIVAS: Which allowed us to
22 procure, yes.

1 CHAIRPERSON MILLER: Okay.

2 MEMBER ALBERTI: Sir, I'm trying to
3 understand the terms of the sale. So 1327 LLC
4 will own the license?

5 MS. KALIVAS: Yes.

6 MEMBER ALBERTI: What rights do you
7 have to transfer that license?

8 MS. KALIVAS: I'm sorry, can you
9 explain that?

10 MEMBER ALBERTI: What rights do you
11 have to transfer that license?

12 MS. KALIVAS: To him?

13 MEMBER ALBERTI: No, to someone else.

14 MS. KALIVAS: What rights do I have to
15 transfer the license?

16 MEMBER ALBERTI: Yes.

17 MS. KALIVAS: If I was to sell my
18 business?

19 MEMBER ALBERTI: You sell the
20 business.

21 MS. KALIVAS: Sell my business.

22 MEMBER ALBERTI: You are the owner.

1 MS. KALIVAS: Then I would have to
2 rightfully make sure that they -- whoever is
3 actually going to be taking over the business
4 takes the right steps to actually do what I did
5 just a month ago to make sure that they are
6 approved for that transfer.

7 MEMBER ALBERTI: So you could sell the
8 license?

9 MS. KALIVAS: No, I cannot sell the
10 license. It stays with the building.

11 MEMBER ALBERTI: Okay. Do we have a
12 contract that shows this?

13 MS. KALIVAS: We have a -- the license
14 was not served by any monetary possession. The
15 purchase of it was through the actual --

16 MEMBER ALBERTI: I understand, but
17 there should be a contract that legally lays out
18 your rights as license holder and ownership of
19 that license.

20 MS. KALIVAS: I don't -- I apologize.
21 I don't understand what that means. In the lease
22 term it says that we were able to use the

1 license. And the purchase of the actual --

2 MEMBER ALBERTI: So you don't really
3 own the license? You don't really own the
4 license. It's some piece of property that you
5 have.

6 (Simultaneous speaking.)

7 MS. KALIVAS: Absolutely not.

8 MEMBER ALBERTI: The license --

9 MS. KALIVAS: No.

10 MEMBER ALBERTI: -- and the piece of
11 property --

12 MS. KALIVAS: It belongs to,
13 obviously, the --

14 MEMBER ALBERTI: And this is not a
15 piece of property that you have rights to? I
16 don't see -- you have no legal documents to
17 describe your rights to that piece of property.

18 INVESTIGATOR BRASHEARS: As a lessee,
19 sir.

20 MS. KALIVAS: As -- a lease.

21 INVESTIGATOR BRASHEARS: There is a
22 lease.

1 MS. KALIVAS: Yes.

2 MEMBER ALBERTI: Mr. Brashears, I'll
3 get to that.

4 MS. KALIVAS: Yes.

5 INVESTIGATOR BRASHEARS: Okay.

6 MEMBER ALBERTI: But the way she is
7 describing the lease, it doesn't tell me that.

8 INVESTIGATOR BRASHEARS: Yes, sir.

9 MS. KALIVAS: In the lease itself, it
10 states the fact that we are taking over the
11 actual lease terms of 1327 Connecticut Avenue.
12 And in that it says that --

13 MEMBER ALBERTI: The lease terms of
14 27 --

15 MS. KALIVAS: 1327 Connecticut Avenue,
16 the actual property that we are renting from Mr.
17 Mallick.

18 MEMBER ALBERTI: Right.

19 MS. KALIVAS: Within that it states
20 the fact that we purchase all the fixtures, all
21 the restaurant equipments as well as the lease
22 itself. There is a liquor license that is within

1 that building itself. So --

2 MEMBER ALBERTI: But that's not the
3 way we operate.

4 MS. KALIVAS: -- he -- I agree with
5 you and now we --

6 MEMBER ALBERTI: The building itself--
7 the property cannot own the license.

8 MS. KALIVAS: It's --

9 MEMBER ALBERTI: An individual owns
10 the license.

11 MS. KALIVAS: -- the person, the
12 landlord himself that owns the license.

13 MEMBER ALBERTI: Or a corporation owns
14 the license.

15 MS. KALIVAS: Yes, so --

16 MEMBER ALBERTI: And that's Mr.
17 Mallick's corporation.

18 MS. KALIVAS: Yes.

19 MEMBER ALBERTI: So he is now --

20 MS. KALIVAS: But he told me by --

21 MEMBER ALBERTI: -- there is no sale
22 of the alcoholic beverage license, so you're not

1 saying you own the license?

2 MS. KALIVAS: I own the license.

3 MEMBER ALBERTI: You're not a
4 licensee. You own the license?

5 MS. KALIVAS: I am, but there was --
6 there is nothing in the terminology agreement
7 that it will be a dollar value of exactly -- for
8 us to own the actual liquor license.

9 MEMBER ALBERTI: Okay. I am going to
10 have to discuss this with my fellow Board
11 Members. I will tell my fellow Board Members I
12 need to look at this closely. Right now, I am
13 not convinced that Ms. Kalivas has -- I'm sorry
14 if I'm mispronouncing your name.

15 MS. KALIVAS: That's okay. Kalivas.

16 MEMBER ALBERTI: Kalivas. Ms. Kalivas
17 has -- really owns this license. It seems to me
18 like she is getting -- it is being lent to her.
19 So we are going to have to take a close look at
20 this and we will get back to you about it.

21 CHAIRPERSON MILLER: Sir --

22 MEMBER ALBERTI: And if you have any

1 other legal documents you would like to submit in
2 the interim, do it, because right now, I don't
3 think there is sufficient legal documents to
4 describe your rights as owner and that is a
5 stumbling block for me. I'm just being honest
6 with you.

7 MS. KALIVAS: No, I just --

8 MEMBER ALBERTI: I don't want you to
9 leave here with false impressions --

10 MS. KALIVAS: -- know that per the
11 lease and then through the documentation --

12 MEMBER ALBERTI: -- about that.

13 MS. KALIVAS: -- that we --

14 MEMBER ALBERTI: Okay. Look, Ms.
15 Kalivas, what we have seen in the past --

16 MS. KALIVAS: Yes.

17 MEMBER ALBERTI: -- is that people
18 lease their building and if they default on their
19 lease, the license reverts to the owner if they
20 default somehow.

21 MS. KALIVAS: Okay.

22 MEMBER ALBERTI: All right.

1 MS. KALIVAS: Okay.

2 MEMBER ALBERTI: But they own the
3 license.

4 MS. KALIVAS: Okay.

5 MEMBER ALBERTI: And as far as I know,
6 they legally have the right to transfer that
7 license, sell that license, do whatever they want
8 and it's described in the lease. I don't see --
9 you need to provide us with a legal document that
10 describes what your rights are as owner of that
11 license.

12 MS. KALIVAS: Okay.

13 MEMBER ALBERTI: And you have not done
14 that.

15 MS. KALIVAS: Okay.

16 CHAIRPERSON MILLER: Ms. Kalivas?

17 MS. KALIVAS: Yes.

18 CHAIRPERSON MILLER: I mean, from my
19 point, it looks to me like you have been doing
20 everything you can think of to comply, so if
21 there is a stumbling block here, I don't know if
22 there is or isn't. I don't know if these are the

1 only documents that go to this or not.

2 MS. KALIVAS: Okay.

3 CHAIRPERSON MILLER: But are you
4 working with the Agency to determine what you
5 need to do to comply?

6 MS. KALIVAS: I am working with
7 Beatrice, so she is the one that let me know of
8 exactly what I needed to do after the approval.
9 So if there is anything that I can talk to her
10 about to make sure that I can provide any kind of
11 documentations, by all means, I have no problem
12 doing that.

13 CHAIRPERSON MILLER: Okay. Okay. I
14 mean, because I see language in here that says
15 yes, you transferred, but --

16 MS. KALIVAS: Yes.

17 CHAIRPERSON MILLER: -- we don't have
18 a lease. And you refer to the lease and so --

19 MS. KALIVAS: Okay. If I had brought
20 that maybe with me, it would of made a
21 difference.

22 CHAIRPERSON MILLER: Maybe, maybe,

1 maybe.

2 MS. KALIVAS: Okay.

3 CHAIRPERSON MILLER: But I guess, you
4 know, there is a question of what does transfer
5 mean or what does ownership mean.

6 MS. KALIVAS: Yes, yes.

7 CHAIRPERSON MILLER: It's a little
8 complicated, but I appreciate that you have been
9 taking all the steps to try to comply. And I
10 think you would need to keep working with the
11 Agency, because it's a little bit complicated. I
12 don't think it's clear, you know, on its face.

13 MS. KALIVAS: Okay. Absolutely. I
14 have no problem doing that.

15 CHAIRPERSON MILLER: Okay. And is
16 your, just to be clear, establishment The Manor?

17 MS. KALIVAS: Yes.

18 CHAIRPERSON MILLER: Is that it?

19 MS. KALIVAS: Yes.

20 CHAIRPERSON MILLER: Okay. And when
21 we refer to 1337 or something, that's just the
22 LLC?

1 MS. KALIVAS: Yes, that's the LLC,
2 yes.

3 CHAIRPERSON MILLER: Okay. And, Mr.
4 Brashears, I just want to also get straight with
5 the history here. From what I heard you say that
6 -- what's your name again?

7 MS. KALIVAS: I'm Mrs. Kalivas.

8 CHAIRPERSON MILLER: Kalivas.

9 MEMBER RODRIGUEZ: Kalivas.

10 CHAIRPERSON MILLER: Has taken -- you
11 know, as soon as she found out there was a
12 problem, she has been trying to cooperate to fix
13 it. Is that right?

14 INVESTIGATOR BRASHEARS: I visited the
15 establishment, I believe, on a Friday or Saturday
16 night. She came to ABRA Monday morning.

17 CHAIRPERSON MILLER: Okay. And then
18 but you were saying there is a history with Mr.
19 Mallick where he was told over a year ago?

20 INVESTIGATOR BRASHEARS: Yes, ma'am.

21 CHAIRPERSON MILLER: Okay. He had
22 another establishment that had this arrangement?

1 INVESTIGATOR BRASHEARS: Yes, ma'am.
2 From my understanding Fiesta had the -- the
3 owners of Fiesta had the same arrangement. It
4 was the licensee's LLC on the license with the
5 trade name picked by the individual leasing the
6 building.

7 CHAIRPERSON MILLER: Okay. And
8 somebody, an Investigator told him that that was
9 not proper?

10 INVESTIGATOR BRASHEARS: No, the
11 Director of Licensing here at ABRA.

12 CHAIRPERSON MILLER: Director of
13 Licensing. Okay. Over a year ago.

14 INVESTIGATOR BRASHEARS: Yes, ma'am.

15 CHAIRPERSON MILLER: And then what
16 happened? Nothing?

17 INVESTIGATOR BRASHEARS: Nothing.

18 CHAIRPERSON MILLER: Okay.

19 INVESTIGATOR BRASHEARS: Well,
20 actually what occurred after that, after the
21 Licensing Director had the conversation with the
22 previous establishment owner, Fiesta, and Mr.

1 Mallick here at ABRA, shortly thereafter the same
2 arrangement for Fiesta when they turned in --
3 they basically turned in the keys and walked away
4 from the establishment, the same sublease-type
5 situation was offered --

6 CHAIRPERSON MILLER: Okay.

7 INVESTIGATOR BRASHEARS: -- to The
8 Manor.

9 CHAIRPERSON MILLER: Okay. Do you
10 know when that was?

11 INVESTIGATOR BRASHEARS: The
12 conversation --

13 CHAIRPERSON MILLER: The sublease
14 where he did it again?

15 INVESTIGATOR BRASHEARS: The
16 conversation between the Licensing Director and
17 Mr. Mallick, according to the Licensing Director,
18 took place November 12, 2014.

19 CHAIRPERSON MILLER: Okay. And when
20 did this new lease start?

21 INVESTIGATOR BRASHEARS: I believe it
22 was, I want to say, a few months after that,

1 ma'am.

2 CHAIRPERSON MILLER: Okay.

3 INVESTIGATOR BRASHEARS: But I would
4 have to double check.

5 CHAIRPERSON MILLER: Okay. Okay.
6 That's where I see you think there is a problem.

7 INVESTIGATOR BRASHEARS: Yes, ma'am.

8 CHAIRPERSON MILLER: Yes.

9 INVESTIGATOR BRASHEARS: I mean, you
10 know, the third -- the new LLC that basically
11 leased the building, obviously, didn't know all
12 the facts and circumstances of the history of the
13 establishment. Didn't necessarily know all the
14 facts and circumstances of how to appropriately,
15 you know, get an ABRA License.

16 CHAIRPERSON MILLER: Yes.

17 INVESTIGATOR BRASHEARS: So obviously,
18 there was some fault there, but, you know, at the
19 end of the day the licensee is responsible for
20 the license. And from what I could ascertain
21 through my investigation, there were two basic
22 transfers that were done inappropriately.

1 CHAIRPERSON MILLER: Okay. Thank you.

2 INVESTIGATOR BRASHEARS: Yes, ma'am.

3 CHAIRPERSON MILLER: Any other
4 questions? Okay.

5 MEMBER RODRIGUEZ: I won't say a
6 question. So if a property owner cannot own a
7 liquor license, then where does that leave then
8 Mr. Mallick? That license basically it's null
9 and void, isn't it?

10 INVESTIGATOR BRASHEARS: Sir?

11 MEMBER RODRIGUEZ: He cannot transfer
12 that license, because it's null and void. If he
13 -- he is not allowed to --

14 MEMBER ALBERTI: Mr. Mallick --

15 CHAIRPERSON MILLER: Wait, wait.

16 MEMBER ALBERTI: -- owns the license.

17 INVESTIGATOR BRASHEARS: Owns the
18 license.

19 MEMBER RODRIGUEZ: Yes, sir. And he
20 owns the license as an individual though?

21 INVESTIGATOR BRASHEARS: Well, his
22 LLC.

1 MEMBER RODRIGUEZ: As a corporation?

2 INVESTIGATOR BRASHEARS: Yes, sir.

3 MEMBER RODRIGUEZ: Okay. I'm clear.

4 Okay. As a corporation.

5 INVESTIGATOR BRASHEARS: Yes, sir.

6 MEMBER RODRIGUEZ: Now he is
7 transferring that license over to Ms. Kalivas?

8 INVESTIGATOR BRASHEARS: That's my
9 understanding.

10 MEMBER RODRIGUEZ: Right? Okay.

11 MS. KALIVAS: To our corporation, yes,
12 1327 Connecticut, LLC.

13 INVESTIGATOR BRASHEARS: All right.

14 MEMBER RODRIGUEZ: Okay. And so that
15 has to be done under proper legal structure,
16 right?

17 INVESTIGATOR BRASHEARS: Yes, sir.

18 MEMBER RODRIGUEZ: Okay. And that is
19 being taken care of right now with our Agency and
20 whatever legal counsel is available?

21 INVESTIGATOR BRASHEARS: That -- my
22 understanding from the Licensing Specialist that

1 the appropriate paperwork and documentation had
2 been turned in requesting the transfer.

3 MEMBER RODRIGUEZ: Okay. Okay. I'm
4 clear. Okay.

5 CHAIRPERSON MILLER: Okay. Mr.
6 Alberti?

7 MEMBER ALBERTI: Okay. Ms. Kalivas,
8 I know I have been kind of harsh with you, but
9 here is the deal. I'm looking at your lease.

10 MS. KALIVAS: Yes.

11 MEMBER ALBERTI: Have you signed a new
12 lease since all of this has happened?

13 MS. KALIVAS: We just -- no, we have
14 not.

15 MEMBER ALBERTI: Okay. I've got --

16 MS. KALIVAS: We have had stuff going
17 on right now.

18 MEMBER ALBERTI: Okay. All of my
19 comments before are on point with my concerns
20 looking at your lease.

21 MS. KALIVAS: Okay.

22 MEMBER ALBERTI: All right. It

1 doesn't spell out what your rights as owner are.

2 MS. KALIVAS: Okay.

3 MEMBER ALBERTI: It says that you can
4 use the license. It doesn't speak with you as
5 the owner of the license who when you take some
6 action, you have to have -- have to transfer it
7 back to the lessee.

8 MS. KALIVAS: Okay.

9 MEMBER ALBERTI: It talks nothing of
10 that.

11 MS. KALIVAS: Okay.

12 MEMBER ALBERTI: You need to -- I
13 can't tell you what to do.

14 MS. KALIVAS: Yes.

15 MEMBER ALBERTI: But you need -- you
16 and Mr. Mallick need to redo your lease.

17 MS. KALIVAS: Okay.

18 MEMBER ALBERTI: Before I will
19 recommend to my fellow Board Members that this
20 transfer be issued.

21 MS. KALIVAS: Okay.

22 MEMBER ALBERTI: All right. So you

1 need to -- and consult with our staff about maybe
2 what the language might be, what others have
3 used, but I'm looking at your lease and it's not
4 there yet.

5 MS. KALIVAS: It's very vague.

6 MEMBER ALBERTI: It's just not there
7 yet. All right. You have got to be more
8 specific about your right. It has to speak with
9 you as the owner of the license and then what
10 happens if you decide that you no longer want the
11 license.

12 MS. KALIVAS: Okay.

13 MEMBER ALBERTI: You can make that
14 happen in this lease.

15 MS. KALIVAS: Okay.

16 MEMBER ALBERTI: Or in some other
17 document.

18 MS. KALIVAS: Okay.

19 MEMBER ALBERTI: But right now, the
20 document I have says to me you are using it. You
21 are not the owner.

22 MS. KALIVAS: That's fine. Okay.

1 MEMBER ALBERTI: All right. So that's
2 -- you need to clean this up.

3 MS. KALIVAS: I will make sure that is
4 taken care of.

5 MEMBER ALBERTI: Okay. That's the
6 next step in all of this.

7 MS. KALIVAS: Thank you.

8 MEMBER ALBERTI: All right. Thank
9 you.

10 CHAIRPERSON MILLER: Okay. Any other
11 questions? So I just want to discuss with the
12 Board how we might want to proceed here. I think
13 there are really two parts to this. One is with
14 Ms. Kalivas and one is with Mr. Mallick. I think
15 with Ms. Kalivas, I think we should take this
16 under advisement and we will get, I think, some
17 more materials to look at, after she has an
18 opportunity to work with staff and work with Mr.
19 Mallick on improving some of the language and you
20 identifying, you know, this ownership issue.

21 MS. KALIVAS: Okay. Absolutely.

22 CHAIRPERSON MILLER: With Mr. Mallick,

1 we have heard from Mr. Brashears that this is --
2 he has a past history where, I guess, with the
3 Fiesta Restaurant where he also did the same
4 thing and when he was told it was not proper, he
5 did the same thing again. So I'm wondering
6 whether we might want to send that to OAG for
7 them to take a look at for a possible Show Cause.

8 Any comments on that before -- yes?

9 MEMBER RODRIGUEZ: I just had a
10 question for Mr. Mallick. Maybe I'll wait until
11 you --

12 CHAIRPERSON MILLER: Okay. So other
13 questions in regard to -- would the Board just
14 like to take that one under advisement?

15 MEMBER SHORT: Madam Chair, I think we
16 should take it under advisement.

17 MEMBER ALBERTI: I think we should
18 take all of it under advisement.

19 CHAIRPERSON MILLER: Okay. We can do
20 that.

21 MEMBER RODRIGUEZ: I had a question
22 for Mr. Mallick.

1 CHAIRPERSON MILLER: Yes.

2 MEMBER RODRIGUEZ: If it's not --

3 CHAIRPERSON MILLER: All right. There
4 is a question for Mr. Mallick. Go ahead.

5 MEMBER RODRIGUEZ: Mr. Mallick, is it
6 your intent that this license be for ownership,
7 not use?

8 MR. MALLICK: (No audible answer.)

9 MEMBER RODRIGUEZ: Do you understand
10 my question, sir? Is your intent for this
11 license to be owned by Ms. Kalivas, not to be
12 used?

13 MR. MALLICK: Yes.

14 CHAIRPERSON MILLER: What do you mean?

15 MEMBER RODRIGUEZ: Okay. Thank you.

16 CHAIRPERSON MILLER: Okay.

17 MEMBER ALBERTI: Just, Ms. Miller, to
18 be fair to everybody --

19 CHAIRPERSON MILLER: Yes?

20 MEMBER ALBERTI: -- and we will
21 discuss this more, but it's my opinion that I'm
22 I'm concerned about the ongoing situation,

1 because it's just not -- you know, completely
2 within the bounds of the law. So my opinion is
3 that we will decide on a time period for all of
4 this to get straightened out, at which point, the
5 operation -- well, we will talk about what
6 happens with the operation.

7 But it can't -- we can't go on this
8 way for six months.

9 MEMBER RODRIGUEZ: No.

10 MS. KALIVAS: Absolutely not.

11 MEMBER ALBERTI: I'm telling you in my
12 opinion, we can't.

13 MS. KALIVAS: I won't allow that to
14 happen for six months.

15 MEMBER ALBERTI: So I just --

16 MS. KALIVAS: I will make sure.

17 MEMBER ALBERTI: -- want to sort of
18 leave you with that as you leave here that --

19 MS. KALIVAS: No, you have my word,
20 Mr. Alberti.

21 MEMBER ALBERTI: -- there is going to
22 have to be -- and I know you will. I know you

1 will, but there is going to have -- but I want it
2 to be said and so there is no misunderstanding.
3 There is going to have to be some time period for
4 which you are required to -- and it will be
5 reasonable. I promise you it will be reasonable
6 and I know you are going to be working towards
7 that. Thank you.

8 MS. KALIVAS: Certainly.

9 CHAIRPERSON MILLER: I think she is
10 working towards it right now.

11 MEMBER ALBERTI: I think she is. I
12 think she is, that's why I --

13 CHAIRPERSON MILLER: Yes.

14 MEMBER ALBERTI: -- but I just want to
15 make sure that we all understand that this is --
16 you know, you can't --

17 CHAIRPERSON MILLER: Okay.

18 MEMBER ALBERTI: -- let it go six
19 months.

20 MS. KALIVAS: No absolutely. And I
21 don't want to do that and I have been doing a
22 vigilant job to make sure that we are definitely

1 in compliance. And as well when the Investigator
2 came in, we made sure that whatever his
3 recommendations were, that we did as well.

4 MEMBER ALBERTI: Okay.

5 MS. KALIVAS: So it's unfortunate the
6 situation at hand, especially because being a new
7 business owner, I, by all means, don't want to be
8 in any kind of --

9 MEMBER ALBERTI: Sure.

10 MS. KALIVAS: -- issue.

11 MEMBER ALBERTI: It's a learning
12 experience. And you have been cooperative.

13 MS. KALIVAS: Yes.

14 MEMBER ALBERTI: And we appreciate
15 that.

16 MS. KALIVAS: And I will make sure my
17 partner is aware that we will get it done as soon
18 as possible, so it does not get to the level of
19 any kind of suspension, because that will
20 definitely hurt our pockets.

21 CHAIRPERSON MILLER: Right.

22 MEMBER ALBERTI: Right, right. Okay.

1 MS. KALIVAS: So thank you.

2 CHAIRPERSON MILLER: So, Mr. Brooks?

3 MEMBER BROOKS: I just want to follow-
4 up. So now are you currently in operation?

5 MS. KALIVAS: Yes, we are.

6 MEMBER BROOKS: Okay. So if we
7 determine that another violation occurs --

8 MS. KALIVAS: It will -- we --

9 MEMBER BROOKS: -- show us.

10 MS. KALIVAS: -- had ABC Manager on
11 duty all the time, but it's going to be me and my
12 partner would be the response for it. It would
13 be me and Oneal Grey, which is managing members
14 of the owners. Once we correct the
15 documentations, we will be liable.

16 MEMBER BROOKS: But in the meantime?

17 MS. KALIVAS: For the meantime?

18 MEMBER BROOKS: Yes.

19 MS. KALIVAS: It -- you can put it on
20 me, it's fine.

21 MEMBER ALBERTI: So I think Mr.
22 Brooks --

1 MS. KALIVAS: You can put it on me.
2 I'm fine with it.

3 MEMBER ALBERTI: What Mr. Brooks is
4 pointing out is why I'm concerned.

5 MS. KALIVAS: Yes.

6 MEMBER ALBERTI: All right. We are in
7 this limbo, so if there is a violation, who
8 gets --

9 MS. KALIVAS: Right.

10 MEMBER ALBERTI: -- faulted legally.

11 MS. KALIVAS: Well, right now --

12 MEMBER ALBERTI: We don't --

13 MS. KALIVAS: -- with the approval --

14 MEMBER ALBERTI: No, I'm not asking
15 you to speak to it.

16 MS. KALIVAS: Yes, yes.

17 MEMBER ALBERTI: But I'm just telling
18 you that's where it should --

19 MS. KALIVAS: It should be our
20 responsibility.

21 MEMBER ALBERTI: I gotcha.

22 MS. KALIVAS: Yes.

1 MEMBER ALBERTI: But I'm telling you--

2 MS. KALIVAS: I understand how these
3 things work.

4 MEMBER ALBERTI: -- that's where we
5 are in limbo here.

6 MS. KALIVAS: I understand that.

7 MEMBER ALBERTI: And that's why so you
8 understand why we are concerned.

9 MS. KALIVAS: Yes, I agree with you.

10 MEMBER ALBERTI: All right.

11 CHAIRPERSON MILLER: Ms. Kalivas, I'm
12 under the impression you are going to try to deal
13 with this in weeks, not months. Is that right?

14 MS. KALIVAS: No. Like in the next
15 week.

16 CHAIRPERSON MILLER: In like days. In
17 like days. Okay. All right. Anybody else?

18 MS. KALIVAS: Starting a new business,
19 we don't have time to, you know, waste money
20 right now.

21 CHAIRPERSON MILLER: Yes.

22 MS. KALIVAS: So --

1 CHAIRPERSON MILLER: Okay. Anything
2 else? All right. So then we are taking it under
3 advisement and we will look for those documents.

4 MS. KALIVAS: Absolutely.

5 CHAIRPERSON MILLER: You will work
6 with the staff and counsel.

7 MS. KALIVAS: Okay.

8 CHAIRPERSON MILLER: Okay. Great.

9 MS. KALIVAS: Absolutely.

10 CHAIRPERSON MILLER: Thank you.

11 MS. KALIVAS: Thank you, Chairman.

12 CHAIRPERSON MILLER: Okay. Oh, you
13 have to wait, I'll return to you.

14 MS. KALIVAS: Yes, yes, please.

15 CHAIRPERSON MILLER: Okay.

16 MS. KALIVAS: I would like to actually
17 sit with Beatrice after this and see what we can
18 do.

19 CHAIRPERSON MILLER: All right. Thank
20 you very much. I think that's it for this case.

21 MS. KALIVAS: Thank you very much.

22 CHAIRPERSON MILLER: All right. Good

1 luck.

2 MR. MALLICK: Thank you very much.

3 CHAIRPERSON MILLER: Okay.

4 MEMBER RODRIGUEZ: Thank you, sir.

5 (Whereupon, the Fact-Finding Hearing
6 in the above-entitled matter was concluded at
7 11:14 a.m.)

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

A

a.m 2:2 4:7
ABC 5:8,20 6:7,12 7:21
 15:4 43:10
able 7:16 15:14 19:22
above-entitled 47:6
ABRA 1:21 3:19 5:12
 10:11 13:11 14:15
 15:9,12 28:16 29:11
 30:1 31:15
absolutely 20:7 27:13
 37:21 40:10 41:20
 46:4,9
action 14:6 35:6
actions 12:21
actual 11:6 19:15 20:1
 21:11,16 23:8
add 13:22
adding 8:14
advisement 37:16
 38:14,16,18 46:3
Agency 26:4 27:11
 33:19
ago 19:5 28:19 29:13
agree 22:4 45:9
agreement 5:21 23:6
ahead 12:10 39:4
Alberti 1:17 3:8 16:17
 17:1,2,8,14,17,20
 18:2,6,10,13,16,19,22
 19:7,11,16 20:2,8,10
 20:14 21:2,6,13,18
 22:2,6,9,13,16,19,21
 23:3,9,16,22 24:8,12
 24:14,17,22 25:2,5,13
 32:14,16 34:6,7,11,15
 34:18,22 35:3,9,12,15
 35:18,22 36:6,13,16
 36:19 37:1,5,8 38:17
 39:17,20 40:11,15,17
 40:20,21 41:11,14,18
 42:4,9,11,14,22 43:21
 44:3,6,10,12,14,17,21
 45:1,4,7,10
alcoholic 1:2,13,13
 22:22
allotted 7:15
allow 7:20 8:6 16:2
 40:13
allowed 13:9 17:21
 32:13
allowing 13:5
ANC-2B 1:7 2:6
answer 17:7 39:8
Anybody 45:17
apologize 19:20
appeared 6:14
applicant 11:18

application 8:15,19
 17:13
applications 10:11
appreciate 27:8 42:14
appropriate 15:18 34:1
appropriately 31:14
approval 1:10 4:5 9:4
 10:20 11:6 26:8 44:13
approvals 10:12
approved 16:1 19:6
arrangement 10:17
 28:22 29:3 30:2
ascertain 7:5 31:20
asked 6:5
asking 44:14
attempted 11:17
attempting 12:1
attention 12:19
Attorney 4:9,14
audible 3:3 17:7 39:8
available 33:20
Ave 1:7
Avenue 2:6,13 21:11,15
aware 11:10 14:5 42:17

B

back 5:3 6:19 8:12
 23:20 35:7
basic 31:21
basically 5:7,20 6:4,21
 15:4,14 30:3 31:10
 32:8
Beatrice 9:19 11:7 26:7
 46:17
believe 9:2 28:15 30:21
belongs 20:12
best 10:9
beverage 1:2,13,13
 22:22
bit 27:11
block 24:5 25:21
Board 1:2,10,13 4:5
 7:21 9:14 11:12 23:10
 23:11 35:19 37:12
 38:13
Board's 14:7
Board-approved 16:13
bounds 40:2
Brashears 1:21 3:19,20
 4:18,21 5:3 6:3 7:9
 12:13,16 13:8 14:14
 14:20 15:20 16:9,19
 20:18,21 21:2,5,8
 28:4,14,20 29:1,10,14
 29:17,19 30:7,11,15
 30:21 31:3,7,9,17
 32:2,10,17,21 33:2,5
 33:8,13,17,21 38:1

bring 13:20
Brooks 1:18 11:13,14
 11:15,22 12:3,6 43:2
 43:3,6,9,16,18,22
 44:3
brought 4:14 12:18
 13:14 26:19
building 1:14 5:10
 19:10 22:1,6 24:18
 29:6 31:11
business 18:18,20,21
 19:3 42:7 45:18

C

call 2:4
called 3:22 5:9 8:17
cards 6:7
care 7:16 10:8 16:15
 33:19 37:4
case 1:8 2:4,4 3:5 4:4
 4:20 6:4 15:15 46:20
Cause 38:7
Certainly 41:8
Certificate 10:12
Chair 11:13 12:7 16:21
 38:15
Chairman 46:11
Chairperson 1:14,17
 2:3,9,16,19 3:1,4,9,12
 3:17,21 4:12 5:1 7:8
 7:10,13 11:1,11,14
 12:10 14:8 16:5,22
 18:1 23:21 25:16,18
 26:3,13,17,22 27:3,7
 27:15,18,20 28:3,8,10
 28:17,21 29:7,12,15
 29:18 30:6,9,13,19
 31:2,5,8,16 32:1,3,15
 34:5 37:10,22 38:12
 38:19 39:1,3,14,16,19
 41:9,13,17 42:21 43:2
 45:11,16,21 46:1,5,8
 46:10,12,15,19,22
 47:3
change 16:11
changed 5:17
changing 7:20
charges 4:15
check 16:5 31:4
circumstances 31:12
 31:14
citation 16:15
clean 37:2
clear 11:16 27:12,16
 33:3 34:4
close 23:19
closely 23:12
CMP-00017 2:5

COLUMBIA 1:1
comments 12:13,14
 34:19 38:8
communicating 9:17
complaint 5:4 14:21
complete 9:8
completely 8:7 40:1
compliance 13:21 14:7
 42:1
compliant 9:11
complicated 27:8,11
complied 10:1
comply 25:20 26:5 27:9
concerned 39:22 44:4
 45:8
concerning 15:2
concerns 34:19
concluded 47:6
conducted 13:13
Connecticut 1:7 2:5,13
 9:8 21:11,15 33:12
Consent 17:6,9,11,15
consult 36:1
contacted 15:12
contingencies 11:6
contract 19:12,17
Control 1:2,13,13
conversation 4:3 6:18
 29:21 30:12,16
convinced 23:13
cooperate 28:12
cooperative 12:22
 42:12
copy 11:3,4
corporation 22:13,17
 33:1,4,11
correct 8:1 9:12 43:14
corrections 13:12
correctly 11:10
correspondence 13:10
counsel 33:20 46:6
course 15:13
CR 1:7
current 15:3
currently 14:13 43:4

D

D.C 1:14
date 4:14 7:2
day 31:19
days 45:16,17
deal 34:9 45:12
dealing 5:22
December 5:4
decide 36:10 40:3
decided 8:13,22
default 24:18,20
definitely 41:22 42:20

denied 8:18
department 8:21 14:3
 14:21
describe 20:17 24:4
described 25:8
describes 25:10
describing 21:7
determine 26:4 43:7
difference 26:21
different 5:14
Director 6:17 7:3 13:4
 29:11,12,21 30:16,17
discuss 23:10 37:11
 39:21
DISTRICT 1:1
document 15:20 25:9
 36:17,20
documentation 24:11
 34:1
documentations 9:1,5
 16:2 26:11 43:15
documents 20:16 24:1
 24:3 26:1 46:3
doing 8:9 9:12 25:19
 26:12 27:14 41:21
dollar 23:7
DONALD 1:18
double 31:4
duration 9:10
duty 43:11

E

efficient 16:18
either 7:10 8:4
Enterprises 1:6
equipments 21:21
especially 9:18 42:6
establishment 13:16
 14:16 15:2,5 16:12
 27:16 28:15,22 29:22
 30:4 31:13
establishments 5:15
everybody 39:18
evidence 4:2
exactly 4:17 23:7 26:8
experience 42:12
explain 18:9

F

face 27:12
fact 1:6 3:22 6:8 13:3
 21:10,20
Fact-Finding 47:5
facts 31:12,14
Failed 1:10
fair 39:18
false 24:9
far 25:5

fault 31:18
faulted 44:10
fed 9:14
fee 16:3
fellow 23:10,11 35:19
Fiesta 5:16 15:3,6 29:2
 29:3,22 30:2 38:3
figure 4:16
file 10:6
Finding 1:7 4:1
fine 36:22 43:20 44:2
first 11:16,19,22
fix 16:14 28:12
fixtures 21:20
folks 12:14 13:17
follow 43:3
Form 17:6,9,12,15
found 28:11
Friday 28:15
further 6:16 13:9

G

gather 4:2
General 4:9,14
getting 23:18
given 15:12
go 8:13 11:3 12:10 26:1
 39:4 40:7 41:18
going 2:4 4:16 19:3
 23:9,19 34:16 40:21
 41:1,3,6 43:11 45:12
Good 2:6,8,15,16 3:21
 14:9,10 46:22
gotcha 44:21
Great 46:8
Grey 8:16 43:13
guess 27:3 38:2
guys 8:18 16:8

H

hand 16:7 42:6
handed 10:19
handled 12:20
happen 4:13 13:9 36:14
 40:14
happened 29:16 34:12
happening 15:11
happens 36:10 40:6
harsh 34:8
head 8:21 14:2
heard 7:3 28:5 38:1
Hearing 1:7,13 4:1 47:5
HECTOR 1:19
helpful 13:19
hesitant 8:9
history 14:15 28:5,18
 31:12 38:2
holder 19:18

honest 24:5
hurt 42:20

I

identifying 37:20
impression 45:12
impressions 24:9
improving 37:19
inappropriate 12:21
 13:6 15:11
inappropriately 31:22
included 7:18
incorrect 9:15
individual 15:1,8 22:9
 29:5 32:20
individuals 5:18
information 4:3,7 9:15
informed 6:8,11,21
 13:4
instance 5:22
intent 39:6,10
interim 24:2
introduce 2:10
investigation 7:5 13:13
 13:19 14:19 15:12,13
 16:11 31:21
investigative 4:19
Investigator 1:21 3:18
 3:19,20 4:21 5:3,7 6:3
 7:9,22 8:3,16,20 9:18
 12:13,16 13:8 14:3,14
 14:20 15:9,20 16:9,19
 20:18,21 21:5,8 28:14
 28:20 29:1,8,10,14,17
 29:19 30:7,11,15,21
 31:3,7,9,17 32:2,10
 32:17,21 33:2,5,8,13
 33:17,21 42:1
involved 5:19
issue 4:4 6:20 10:3 13:2
 14:22,22 37:20 42:10
issued 16:15 35:20
issues 5:6 9:14 10:4
 14:12

J

JAMES 1:19
job 41:22
July 7:15

K

Kalivas 2:8,12,12 3:11
 3:15 4:11 6:1,2,2 7:12
 7:14 11:5 12:17 13:22
 14:10 15:22 16:7
 17:11,16,19,21 18:5,8
 18:12,14,17,21 19:1,9
 19:13,20 20:7,9,12,20

21:1,4,9,15,19 22:4,8
 22:11,15,18,20 23:2,5
 23:13,15,15,16,16
 24:7,10,13,15,16,21
 25:1,4,12,15,16,17
 26:2,6,16,19 27:2,6
 27:13,17,19 28:1,7,7
 28:8,9 33:7,11 34:7
 34:10,13,16,21 35:2,8
 35:11,14,17,21 36:5
 36:12,15,18,22 37:3,7
 37:14,15,21 39:11
 40:10,13,16,19 41:8
 41:20 42:5,10,13,16
 43:1,5,8,10,17,19
 44:1,5,9,11,13,16,19
 44:22 45:2,6,9,11,14
 45:18,22 46:4,7,9,11
 46:14,16,21

keep 27:10
keys 30:3
kind 9:13 26:10 34:8
 42:8,19
knew 15:10
know 5:6,13 6:5,14
 12:18 15:1 24:10 25:5
 25:21,22 26:7 27:4,12
 28:11 30:10 31:10,11
 31:13,15,18 34:8
 37:20 40:1,22,22 41:6
 41:16 45:19
knowledge 10:9
known 10:3

L

labor 13:17
lack 14:12
lag 9:3
landlord 9:15 22:12
language 26:14 36:2
 37:19
law 40:2
lays 19:17
learning 42:11
lease 7:14,18 15:5
 19:21 20:20,22 21:7,9
 21:11,13,21 24:11,18
 24:19 25:8 26:18,18
 30:20 34:9,12,20
 35:16 36:3,14
leased 5:19 31:11
leasing 29:5
leave 24:9 32:7 40:18
 40:18
legal 20:16 24:1,3 25:9
 33:15,20
legally 19:17 25:6 44:10
lent 23:18

lessee 20:18 35:7
lessees 10:6
lettering 1:10 16:13,14
level 42:18
liable 43:15
license 1:8,9 2:6,22 4:5
 5:9,20 6:22 8:6,7,10
 8:11 9:21 10:1,5,15
 10:20 11:17,18 12:1
 13:5,12,17 15:5 17:4
 18:4,7,11,15 19:8,10
 19:13,18,19 20:1,3,4
 20:8 21:22 22:7,10,12
 22:14,22 23:1,2,4,8
 23:17 24:19 25:3,7,7
 25:11 29:4 31:15,20
 32:7,8,12,16,18,20
 33:7 35:4,5 36:9,11
 39:6,11
licensee 3:8,10,11,13
 5:5,13 10:17 11:18
 13:4,10 14:13,22 23:4
 31:19
licensee's 29:4
Licenses 6:13
Licensing 6:18 7:3 13:1
 13:3 29:11,13,21
 30:16,17 33:22
light 13:14
limbo 44:7 45:5
liquor 2:22 8:7,10 21:22
 23:8 32:7
little 27:7,11
LLC 5:17 6:8 9:9 18:3
 27:22 28:1 29:4 31:10
 32:22 33:12
located 2:5
location 5:15
longer 36:10
look 23:12,19 24:14
 37:17 38:7 46:3
looked 5:6,11
looking 34:9,20 36:3
looks 4:9 25:19
lose 8:11
luck 47:1

M

ma'am 4:21 7:9 28:20
 29:1,14 31:1,7 32:2
Madam 11:13 12:7
 16:21 38:15
Mahal 1:6 8:5 9:8
Mallick 2:14,15,17,18
 2:20,21 3:2,3,6,14,16
 5:12 6:11,20 7:15 8:8
 8:9 9:20 11:8,20 12:2
 12:5 13:11 14:2 17:5

 17:7,10,17 21:17
 28:19 30:1,17 32:8,14
 35:16 37:14,19,22
 38:10,22 39:4,5,8,13
 47:2
Mallick's 22:17
Manager 13:1 43:10
Manager's 6:7,12
managing 2:13 8:5,14
 43:13
Manor 1:6 2:5 5:16
 10:10 15:4 27:16 30:8
Mark 1:21 3:20
materials 37:17
matter 1:5 47:6
mean 25:18 26:14 27:5
 27:5 31:9 39:14
means 9:13 19:21
 26:11 42:7
meeting 1:3 8:3 9:7
 10:7,19 14:2
member 1:17,18,18,19
 1:19 2:13 3:8 8:15
 11:13,15,22 12:3,6,8
 12:12 13:7,18 14:9,11
 14:18 15:16 16:17,20
 17:2,8,14,17,20 18:2
 18:6,10,13,16,19,22
 19:7,11,16 20:2,8,10
 20:14 21:2,6,13,18
 22:2,6,9,13,16,19,21
 23:3,9,16,22 24:8,12
 24:14,17,22 25:2,5,13
 28:9 32:5,11,14,16,19
 33:1,3,6,10,14,18
 34:3,7,11,15,18,22
 35:3,9,12,15,18,22
 36:6,13,16,19 37:1,5
 37:8 38:9,15,17,21
 39:2,5,9,15,17,20
 40:9,11,15,17,21
 41:11,14,18 42:4,9,11
 42:14,22 43:3,6,9,16
 43:18,21 44:3,6,10,12
 44:14,17,21 45:1,4,7
 45:10 47:4
members 8:6 23:11,11
 35:19 43:13
mentioned 7:19
met 1:13
MIKE 1:18
Miller 1:15,17 2:3,9,16
 2:19 3:1,4,9,12,17,21
 4:12 5:1 7:8,10,13
 11:1,11,14 12:10 14:8
 16:5,22 18:1 23:21
 25:16,18 26:3,13,17
 26:22 27:3,7,15,18,20

 28:3,8,10,17,21 29:7
 29:12,15,18 30:6,9,13
 30:19 31:2,5,8,16
 32:1,3,15 34:5 37:10
 37:22 38:12,19 39:1,3
 39:14,16,17,19 41:9
 41:13,17 42:21 43:2
 45:11,16,21 46:1,5,8
 46:10,12,15,19,22
 47:3
mispronouncing 23:14
misunderstanding 41:2
moment 8:20
Monday 28:16
monetary 19:14
money 45:19
month 19:5
months 5:13 7:16 30:22
 40:8,14 41:19 45:13
morning 2:7,8,15,16
 3:22 14:9,10 28:16
move 6:22

N

N.W 1:14 2:6
name 5:17 7:20 23:14
 28:6 29:5
names 8:5
necessarily 31:13
need 23:12 25:9 26:5
 27:10 35:12,15,16
 36:1 37:2
needed 9:16 12:19 26:8
nervous 8:11
never 5:17 8:12 10:2
new 7:6 10:9 30:20
 31:10 34:11 42:6
 45:18
NICK 1:17
night 28:16
noted 16:10
notified 8:1 14:4
November 6:19 30:18
null 32:8,12
NW 1:7

O

OAG 38:6
oath 4:1
obtain 8:12
obviously 20:13 31:11
 31:17
Occupancy 10:13
occurred 6:16 29:20
occurs 43:7
offered 30:5
Office 4:8 5:5
Oh 12:16 17:11 46:12

okay 3:21 7:8,13 11:11
 12:3,6 15:16 16:3,22
 17:2,20 18:1 19:11
 21:5 23:9,15 24:14,21
 25:1,4,12,15 26:2,13
 26:13,19 27:2,13,15
 27:20 28:3,17,21 29:7
 29:13,18 30:6,9,19
 31:2,5,5 32:1,4 33:3,4
 33:10,14,18 34:3,3,4
 34:5,7,15,18,21 35:2
 35:8,11,17,21 36:12
 36:15,18,22 37:5,10
 37:21 38:12,19 39:15
 39:16 41:17 42:4,22
 43:6 45:17 46:1,7,8
 46:12,15 47:3
once 9:16 12:18 14:3
 43:14
Oneal 6:1 14:5 43:13
ongoing 39:22
opened 10:13,13
operate 6:11 22:3
operated 10:16
operating 5:15
operation 40:5,6 43:4
opinion 39:21 40:2,12
opportunity 37:18
options 8:4
order 6:11
owned 39:11
owner 3:6 18:22 24:4
 24:19 25:10 29:22
 32:6 35:1,5 36:9,21
 42:7
owners 6:6,6 13:16
 15:3,3,6 29:3 43:14
ownership 6:9 7:6
 16:12 17:4 19:18 27:5
 37:20 39:6
owns 22:9,12,13 23:17
 32:16,17,20

P

P-R-O-C-E-E-D-I-N-G-S
 2:1
paperwork 34:1
part 5:21 6:9
partner 8:16 14:4 42:17
 43:12
parts 37:13
pay 16:3
pending 9:4
people 24:17
period 40:3 41:3
permission 10:16
person 11:2 22:11
picked 29:5

piece 20:4,10,15,17
place 30:18
please 13:22 46:14
pockets 42:20
point 14:6 15:17 25:19
 34:19 40:4
pointing 44:4
position 2:20
possession 19:14
possible 4:7 38:7 42:18
Post 1:10
practical 7:4
preferred 8:18
present 1:16,20 10:22
presiding 1:15
previous 15:3,6 29:22
previously 6:19 13:4
privilege 9:22 11:9
problem 26:11 27:14
 28:12 31:6
proceed 37:12
process 7:17 8:15
procure 17:22
produced 6:7
promise 41:5
prompt 9:17
proper 7:7 15:18 29:9
 33:15 38:4
property 3:2,5,7 20:4
 20:11,15,17 21:16
 22:7 32:6
protocol 8:2
prove 15:14
provide 25:9 26:10
purchase 19:15 20:1
 21:20
purposes 7:4
put 8:4 43:19 44:1

Q

question 12:9 27:4 32:6
 38:10,21 39:4,10
questions 11:12 32:4
 37:11 38:13
quick 12:8

R

ready 2:10
realized 9:16
really 20:2,3 23:17
 37:13
reasonable 41:5,5
recalled 6:18
received 5:4
recommend 35:19
recommendations 42:3
record 2:11
records 5:11 6:17

redo 35:16
Reeves 1:14
refer 26:18 27:21
regard 2:21 38:13
regarding 12:14
regrettable 10:8
regulations 10:2 15:10
relation 3:5
relevant 5:12
remedy 12:21
rent 5:21 7:16
rental 5:21
renting 21:16
report 4:19
requesting 34:2
required 6:10 41:4
respect 11:8
respectfully 10:18
respond 7:11,12
response 3:3 43:12
responsibility 44:20
responsible 31:19
restaurant 21:21 38:3
Retailer 1:7
return 46:13
Revenue 5:5 14:21
reverts 24:19
review 6:17
right 2:3 3:17 5:1 9:5
 13:7 19:4 21:18 23:12
 24:2,22 25:6 28:13
 33:10,13,16,19 34:17
 34:22 35:22 36:7,8,19
 37:1,8 39:3 41:10
 42:21,22,22 44:6,9,11
 45:10,13,17,20 46:2
 46:19,22

rightfully 19:2
rights 18:6,10,14 19:18
 20:15,17 24:4 25:10
 35:1

Rivero 10:7,19
RODRIGUEZ 1:19 28:9
 32:5,11,19 33:1,3,6
 33:10,14,18 34:3 38:9
 38:21 39:2,5,9,15
 40:9 47:4

Room 1:14
rules 10:2 14:7
run 5:8
Ruthanne 1:15,17

S

sale 18:3 22:21
Sara 2:12
sat 8:20
Saturday 28:15
saying 15:17 23:1

28:18
says 19:22 21:12 26:14
 35:3 36:20
see 13:15 16:8 20:16
 25:8 26:14 31:6 46:17
seen 10:21 24:15
sell 18:17,19,21 19:7,9
 25:7
send 4:8 38:6
served 19:14
Short 1:19 14:8,9,11,18
 15:16 16:20 38:15
shortly 30:1
show 38:7 43:9
showed 5:12 7:5,22
shows 19:12
sign 17:8
signed 7:14 17:5,18
 34:11
Silverstein 1:18 12:8,11
 12:12 13:7,18
simply 10:14 13:16
Simultaneous 20:6
sir 12:17 14:14 16:11
 16:19 18:2 20:19 21:8
 23:21 32:10,19 33:2,5
 33:17 39:10 47:4
sit 46:17
situation 4:17 5:8 6:15
 12:22 13:3,14 14:5,16
 16:14 30:5 39:22 42:6
situations 5:16
six 40:8,14 41:18
somebody 29:8
soon 28:11 42:17
sorry 11:20 18:8 23:13
sort 40:17
space 5:19,21
speak 35:4 36:8 44:15
speaking 5:18 17:12
 20:6
specialist 8:2,17,21 9:6
 9:18 33:22
specific 36:8
speed 15:9
spell 35:1
spoke 8:8 15:2
spoken 6:20
staff 11:2 36:1 37:18
 46:6
start 4:18 30:20
Starting 45:18
stated 6:4 14:1 15:1
states 21:10,19
stays 19:10
step 37:6
steps 19:4 27:9
straight 28:4

straightened 40:4
Street 1:14
structure 33:15
stuff 34:16
stumbling 24:5 25:21
sub-leased 5:9
sublease 15:7,10 30:13
sublease-type 30:4
subleasing 13:17
submit 9:6 16:2 24:1
submitted 9:1 11:7
 15:21 17:15
sufficient 24:3
Suite 1:14
sure 2:12 9:3,11 11:2
 14:6 19:2,5 26:10
 37:3 40:16 41:15,22
 42:2,9,16
suspension 42:19

T

t/a 1:6
table 12:15
Taj 1:6 8:5 9:8
take 7:16 23:19 35:5
 37:15 38:7,14,16,18
taken 7:6 10:8 28:10
 33:19 37:4
takes 19:4
talk 4:6 26:9 40:5
talking 6:17
talks 35:9
tax 5:5,6 14:22
tell 21:7 23:11 35:13
telling 40:11 44:17 45:1
temporary 16:14
tenant 2:14 10:9
tenants 5:10
term 15:6,10 19:22
terminology 23:6
terms 17:3 18:3 21:11
 21:13
thank 2:18 3:17 5:1 7:8
 11:7 12:6 13:19 16:20
 16:21 32:1 37:7,8
 39:15 41:7 43:1 46:10
 46:11,19,21 47:2,4
Thanks 13:20
thing 16:10 38:4,5
things 7:17 12:20 45:3
think 4:17 8:17 16:9
 24:3 25:20 27:10,12
 31:6 37:12,14,15,16
 38:15,17 41:9,11,12
 43:21 46:20
third 31:10
three 7:16
time 5:7 8:8 9:2,3,17,21

11:16,19,22 13:10 40:3 41:3 43:11 45:19 told 5:7,20 6:10 10:14 15:4 22:20 28:19 29:8 38:4 totally 15:9 trade 5:17 7:20 29:5 transfer 1:9 2:22 6:16 7:7 8:7,10,19 9:7 10:15,20 11:17 12:1 12:19 13:12 14:11,12 14:17 15:18 16:4 17:6 17:9,11,15 18:7,11,15 19:6 25:6 27:4 32:11 34:2 35:6,20 transference 17:3 transferred 7:1 11:17 26:15 transferring 4:5 33:7 transfers 31:22 transpired 12:18 tried 4:13 triggered 14:19 try 27:9 45:12 trying 13:20 17:2 18:2 28:12 turned 30:2,3 34:2 two 5:14,14 9:4 11:5 12:14 13:15 16:2 31:21 37:13	want 4:6 9:13 11:1,2,15 24:8 25:7 28:4 30:22 36:10 37:11,12 38:6 40:17 41:1,14,21 42:7 43:3 wanting 4:2 warning 16:15 Washington 1:14 wasn't 15:9 waste 45:19 way 8:22 12:20 21:6 22:3 40:8 week 9:4 45:15 weeks 45:13 went 8:15 10:10,11 window 1:10 16:13 wondering 38:5 word 40:19 work 13:20 37:18,18 45:3 46:5 worked 12:22 working 26:4,6 27:10 41:6,10 wouldn't 6:9	<hr/> 4 <hr/> 400S 1:14 <hr/> 5 <hr/> 50 9:22 12:4 <hr/> 6 <hr/> 6 1:12 <hr/> 7 <hr/> 8 <hr/> 882 1:8 2:6,22
<hr/> U <hr/> unaware 14:1 understand 11:21 17:3 18:3 19:16,21 39:9 41:15 45:2,6,8 understanding 29:2 33:9,22 unfortunate 42:5 unfortunately 10:4 unrelated 14:22 use 8:6 13:5 19:22 35:4 39:7	<hr/> X <hr/> <hr/> Y <hr/> year 28:19 29:13 years 5:14 9:22 12:4 yesterday 10:7,18	
<hr/> V <hr/> vague 36:5 value 23:7 vigilant 41:22 violation 4:10 43:7 44:7 violations 9:13 visited 28:14 void 32:9,12	<hr/> Z <hr/> <hr/> 0 <hr/> <hr/> 1 <hr/> 10:41 2:2 11:14 47:7 12 6:19 30:18 1327 1:7 2:5,13 9:8 18:3 21:11,15 33:12 1337 27:21 14th 1:14 15 2:4 15-CMP-00017 1:8 18 5:13 1965 9:21	
<hr/> W <hr/> wait 32:15,15 38:10 46:13 waiting 16:1 walked 30:3	<hr/> 2 <hr/> 2000 1:14 20009 1:14 2014 5:4 6:19 30:18 2015 1:12 27 21:14	
	<hr/> 3 <hr/>	