

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

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IN THE MATTER OF: :  
 :  
Showboat 2473, LLC, :  
t/a District Lounge and :  
Grille :  
2473 18th Street, NW : Fact Finding  
Retailer CR : Hearing  
License No. 91034 : (Status)  
New Application :  
Case No. (Not Given) :  
b-----¼

October 24, 2012

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

PRESENT:  
RUTHANNE MILLER, Chairperson  
NICK ALBERTI, Member  
DONALD BROOKS, Member  
HERMAN JONES, Member  
MICHAEL SILVERSTEIN, Member

ALSO PRESENT:  
Richard Bianco, Counsel for Applicant

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

(2:21 p.m.)

CHAIRPERSON MILLER: Okay, the next case on our calendar is District Lounge and Grill, 2473 18th Street, N.W., License Number 91034, in ANC 1C. When you're ready, sign in and then you can identify yourselves for the record.

MR. TAPPER: Dino Tapper, D-I-N-O, T-A-P-P-E-R.

MR. BIANCO: Good afternoon, Madam Chair, and the Board. My name is Richard Bianco. I am Counsel for the Applicant.

MR. HAJALIGHOLI: Good afternoon. Alireza Hajaligholi, A-L-I-R-E-Z-A, H-A-J-A-L-I-G-H-O-L-I.

CHAIRPERSON MILLER: Okay.

MR. RENEAU: My name is Paul Reneau, and I'm the owner of the building.

CHAIRPERSON MILLER: Oh, okay.

(Off the record comments)

CHAIRPERSON MILLER: And with you

1 is?

2 (Off the record comments)

3 CHAIRPERSON MILLER: Yes, please.

4 MS. NJOROGE: Joyce Njoroge, I'm  
5 the accountant.

6 CHAIRPERSON MILLER: Okay, what's  
7 your last name?

8 MS. NJOROGE: Njoroge, spelled as  
9 N-J-O-R-O-G-E.

10 CHAIRPERSON MILLER: Okay, bear  
11 with me one second. Okay. Let me just recap  
12 a little bit. You all are here before us on  
13 the request to take the license out of  
14 safekeeping. And the line of questioning went  
15 into business plan issues, for which, I  
16 believe, you weren't expecting to discuss.

17 And therefore, we concluded that  
18 hearing after, that was almost an hour anyway,  
19 that hearing, I believe, and sent you some  
20 questions about business plan and operations,  
21 and you have responded. Now, I'm just seeing  
22 these responses so I think what -- when did

1 you file these responses?

2 MR. BIANCO: We were \*\*\*2:24:16  
3 response in today.

4 CHAIRPERSON MILLER: Today?

5 MR. BIANCO: I provided  
6 electronically to the Board's counsel, I also  
7 advised her that I would bring enough copies  
8 for the Board Members of the individual  
9 packets if you don't have them in front of  
10 you.

11 CHAIRPERSON MILLER: No, we do.

12 MR. BIANCO: How we anticipated  
13 going forward is essentially I'm \*\*\*2:24:39  
14 presented a list of questions, or requests.

15 CHAIRPERSON MILLER: Correct.

16 MR. BIANCO: Which we responded to  
17 in point-by-point fashion with both narrative  
18 and exhibits. I'm happy to go through each  
19 one and, the narrative portion at least, and  
20 deal with those issues. And then, if you have  
21 questions on the exhibits, we have our  
22 operations folks that are here --

1                   CHAIRPERSON MILLER: Okay.

2                   MR. BIANCO: -- that can deal with  
3 questions on the exhibits.

4                   CHAIRPERSON MILLER: All right,  
5 that sounds fine with me. Is that all right  
6 with the other Board Members?

7                   (Off the record comments)

8                   CHAIRPERSON MILLER: How much  
9 time, we set aside an hour. We're starting 25  
10 minutes late. How long do you think it will  
11 take to go through --

12                  MR. BIANCO: Well, a lot of my  
13 responses that we prepared are simply, see the  
14 exhibit. And there are things that are self-  
15 explanatory, such as the floor plan.

16                  It's the actual drawing. You can  
17 look at it and if you have questions about  
18 what it shows, then we can deal with that as  
19 it comes up.

20                  Some of them are a little more  
21 involved, like the Supplement to the Security  
22 Plan that already exists. But if we need to

1       hurry up or slow down, we can do that, as --

2                   CHAIRPERSON MILLER:   Okay.

3                   MR. BIANCO:   -- Madam Chair sees  
4       fit.

5                   CHAIRPERSON MILLER:   Okay.   Right,  
6       some areas will take longer than others.

7                   MR. BIANCO:   Yes.

8                   CHAIRPERSON MILLER:   All right, so  
9       why don't you start, as you had planned.

10                  MR. BIANCO:   Sure.

11                  CHAIRPERSON MILLER:   Okay.

12                  MR. BIANCO:   So the first request  
13       that you have was to provide a diagram and  
14       layout of seating, we've done that.   You'll  
15       see attached as Exhibit A, which is two pages,  
16       floor plans of the third and fourth floor.

17                   It's the upper portion of the  
18       building so you can see the third floor, which  
19       is the main level of the restaurant, and the  
20       fourth floor which is a mezzanine level, and  
21       it's an open space overlooking the main floor  
22       of the restaurant.   And it shows both the

1 architectural effects, as well as where the  
2 seating is going to be.

3 CHAIRPERSON MILLER: Which page  
4 are you -- which floor?

5 MR. BIANCO: Exhibit A.

6 CHAIRPERSON MILLER: Yes, I have  
7 Exhibit A.

8 MR. BIANCO: Okay, it says third  
9 floor and fourth floor.

10 CHAIRPERSON MILLER: Right. Okay.

11 MR. BIANCO: Third floor is the  
12 main level of the restaurant --

13 CHAIRPERSON MILLER: Okay.

14 MR. BIANCO: -- which is on the  
15 third floor of the building, that's why it's  
16 called third floor.

17 CHAIRPERSON MILLER: Okay.

18 MR. BIANCO: And fourth floor,  
19 which is a mezzanine level, so it's  
20 essentially an open balcony space from which  
21 you can view the main level of the restaurant.

22 CHAIRPERSON MILLER: Okay. And

1 I'm just going to suggest, as a procedure that  
2 as we go through each thing, if any Board  
3 Member has a question, that, you know, let me  
4 know at that time and we can take the  
5 questions per topic, not wait for his whole  
6 presentation. Yes. Okay.

7 MR. BIANCO: Okay.

8 CHAIRPERSON MILLER: Anybody? Mr.  
9 Jones.

10 MEMBER JONES: Thank you, Madam  
11 Chair. So just to be clear, the third floor  
12 diagram floor plan is where you're planning,  
13 the third floor and fourth floor are both  
14 areas that you plan to use to serve your  
15 restaurant patrons? Yes?

16 MR. BIANCO: That's correct.

17 MS. NJOROGE: Yes.

18 MEMBER JONES: Okay. And the  
19 kitchen, just to be clear, I'm not totally  
20 familiar, where's the kitchen located?

21 MR. BIANCO: If you look on the  
22 exhibit, the first page of Exhibit A, on the

1 third floor, at the very top of the drawing,  
2 the very large open space in the upper most  
3 portion of the drawing is the kitchen. It's  
4 a very large kitchen to serve the space.

5 MEMBER JONES: Okay, so I see  
6 stairs.

7 CHAIRPERSON MILLER: Yes.

8 MR. BIANCO: And if you look  
9 directly to the right --

10 MEMBER JONES: To the right of  
11 that?

12 MR. BIANCO: -- you'll see what  
13 appears to be a double galley. I'm sorry.  
14 You'll see a space and then a wall and then  
15 another space, both parts of that space are a  
16 kitchen.

17 So there's a forward part of the  
18 kitchen and a rear part of the kitchen. And  
19 then you'll see a door that swings open and  
20 shut and a smaller room that is a walk-in  
21 freezer.

22 MEMBER JONES: Okay. Thank you.

1 MR. BIANCO: \*\*\*2:28:10 the  
2 kitchen.

3 MEMBER JONES: That's all I have  
4 for now, thank you.

5 CHAIRPERSON MILLER: Okay. Any  
6 other questions on the floor plan? All right.

7 MR. BIANCO: Number 2, projected  
8 sales per month, food versus alcohol.  
9 Attachment B is an exhibit that Mr. Tapper  
10 prepared, based on projected food sales.

11 It's broken out in more detail  
12 than monthly, it actually goes day-by-day.  
13 But for the purposes of this hearing, I went  
14 through and did the math and came up with the  
15 estimated monthly food sales, which is the  
16 specific question that the Board asked.

17 Those numbers are included in the  
18 narrative. So on a monthly basis the  
19 projected food sales for all services, is  
20 \$105,280, which represents 62 percent of the  
21 total sales.

22 And then, the alcohol sales is

1 actually broken out in more detail and  
2 fashioned by category. Roughly \$12,000 for  
3 beer sales, \$28,000 for liquor sales, \$19,000  
4 for wine sales, representing 7.2, 16.5, and  
5 11.5 of total sales respectively.

6 And then there's also nominal  
7 allowance for non-alcoholic beverage sales,  
8 which we anticipate to be in the neighborhood  
9 of about \$5,000 per month.

10 MEMBER JONES: Okay, so please  
11 bear with me, because I'm sure it's just me,  
12 I'm just slow. So could you break that down  
13 one more time and just go through it slowly?

14 MR. BIANCO: Absolutely. Exhibit  
15 B shows on a day-by-day basis, the anticipated  
16 revenue.

17 MEMBER JONES: Okay, so pause  
18 right there. So day-by-day, Monday through  
19 Sunday. I see number of guests, price per  
20 person, dinner, et cetera.

21 MR. BIANCO: That's correct.

22 MEMBER JONES: Okay, got it.

1 MR. BIANCO: So what I did is went  
2 through an added up the weekly totals to  
3 formulate a monthly total by category, which  
4 is specifically what the Board requested. So  
5 the information you see in my narrative  
6 portion is a mathematical extrapolation of  
7 Exhibit B. And these --

8 MEMBER JONES: Okay, when you say,  
9 your narrative portion, I'm looking at Exhibit  
10 B and I just see the spreadsheet and there's  
11 a narrative on the inside, another piece?

12 MR. BIANCO: The narrative is the  
13 cover letter.

14 MEMBER JONES: Got it.

15 MR. BIANCO: So the top of Page 2  
16 of the cover letter shows the mathematical  
17 extrapolation of the weekly totals to a  
18 monthly total.

19 MEMBER JONES: That's what I was  
20 missing. All right.

21 MR. BIANCO: Okay.

22 MEMBER JONES: And the Excel

1 spreadsheet has per day, weekly and then  
2 yearly.

3 MR. BIANCO: Yes.

4 MEMBER JONES: And you took that  
5 and extrapolated that, or did some math, to  
6 come up with what a monthly total --

7 MR. BIANCO: Correct.

8 MEMBER JONES: -- would be?

9 MR. BIANCO: Yes.

10 MEMBER JONES: All right. I'm  
11 sorry, continue.

12 MR. BIANCO: So if there is, I  
13 don't know if the Board has any further  
14 questions --

15 CHAIRPERSON MILLER: Does anyone  
16 else have a questions? No. We're okay.

17 MR. BIANCO: Okay.

18 MEMBER ALBERTI: Well --

19 CHAIRPERSON MILLER: No, you do,  
20 Mr. Alberti?

21 MEMBER ALBERTI: And I may be  
22 going ahead of myself here, for just, so we've

1 got a number of guests, but we haven't  
2 established the seating for this. I think we  
3 have it in our record, but can you tell us  
4 what the number of seats are?

5 (Off the record comments)

6 MR. BIANCO: One twenty-five.

7 MS. NJOROGE: One hundred twenty.

8 MEMBER JONES: And along those  
9 lines, there's no seats layout in the floor  
10 plan that you provide. So there's no way to  
11 correlate whatever it is you're about to say,  
12 to whatever it is you plan to do, based on the  
13 diagrams you provided. I see bars.

14 MR. HAJALIGHOLI: There are  
15 seats.

MEMBER JONES: Excuse me?

16 MR. BIANCO: Yes, there are seats  
17 shown.

18 (Off the record comments)

19 MEMBER JONES: Oh, okay. I missed  
20 that, break it down for me.

21 MR. BIANCO: Okay, so if you look  
22 at Exhibit A, where it says third floor,

1 you'll see the circular, it looks like the --

2 (Off the record comments)

3 MR. BIANCO: -- tables and chairs,  
4 at the bottom of the drawing, are represented  
5 by circles and squares.

6 (Off the record comments)

7 MEMBER JONES: So what's a circle  
8 and what's a square?

9 MR. BIANCO: So it looks like a  
10 circle is a --

11 (Off the record comments)

12 MR. BIANCO: -- these are chairs.  
13 And then the squares are the tables.

14 (Off the record comments)

15 MR. BIANCO: And then you'll see  
16 booth seating at the very bottom in what  
17 appear to be the window bump-outs.

18 MR. HAJALIGHOLI: And here, too.

19 MEMBER JONES: Okay, so if I'm  
20 looking at this, I'm looking at the third  
21 floor, I'm starting to the bottom left.

22 MR. HAJALIGHOLI: Those are seats,

1       yes.

2                   MEMBER JONES:   Okay, so is that a  
3 booth or a table?  It looks like a table for  
4 four.

5                   MR. BIANCO:   That's correct.

6                   MEMBER JONES:   Yes?  Okay.  Then I  
7 move to the right --

8                   MR. BIANCO:   Well, actually, if  
9 you move up from there --

10                   MEMBER JONES:   Okay.

11                   MR. BIANCO:   -- that's a large  
12 booth there.  That's booth seating.  Semi-  
13 circular figures represent booth seating.

14                   MEMBER JONES:   So what's the semi-  
15 circle, is that a table?

16                   MR. BIANCO:   That's the table,  
17 correct.

18                   MEMBER JONES:   Okay.  Are these  
19 things in place now?

20                   MR. HAJALIGHOLI:   Yes.

21                   MR. BIANCO:   Yes.

22                   MEMBER JONES:   Okay.  So how many

1 people can sit at that fake booth, half booth,  
2 semi-booth, whatever you want to call it?

3 MR. BIANCO: Twelve --

4 (Off the record comments)

5 MR. BIANCO: Twelve to 15.

6 MEMBER JONES: Twelve to 15.

7 MR. BIANCO: Twelve. It can  
8 accommodate 15 \*\*\*2:32:58 almost.

9 MEMBER JONES: Okay. So there are  
10 no chairs on the other side of that table? So  
11 you have a booth, right, then you have a  
12 table, and then immediately to the right of  
13 that table you have no chairs. So what's  
14 going on, on that side, in terms of your  
15 business model, why you wouldn't have chairs  
16 for people to sit down and eat?

17 (Off the record comments)

18 MR. BIANCO: Well there's --

19 (Off the record comments)

20 MR. BIANCO: -- there's  
21 televisions on the wall. And then they can  
22 see that there's bar seats to the right-hand

1 side, so you wouldn't be able to have chairs  
2 backing up that close to one another. So  
3 there needs to be passage way.

4 MEMBER JONES: So what's space?

5 MR. BIANCO: People to walk  
6 through.

7 MEMBER JONES: What's the space?

8 MR. BIANCO: You mean the square  
9 footage of that particular --

10 MEMBER JONES: No, what's the  
11 distance between that table and the bar?

12 (Off the record comments)

13 MR. BIANCO: I don't know.

14 MEMBER JONES: So how have you  
15 made the assessment that you couldn't put  
16 chairs there? I guess, from the standpoint of  
17 a restaurant, right, you're talking about  
18 turnover, you're talking about seats, right?

19 MR. BIANCO: Yes.

20 MEMBER JONES: It seems like a  
21 prime opportunity to have seats there. Why  
22 don't you have seats there? I mean, and there

1       could be a valid reason, I just want to  
2       understand. I don't think it's space.

3                   MR. HAJALIGHOLI: I don't know.  
4       There's not enough room, sir, to have seats.  
5       If you want people to be able to pass through.

6                   MEMBER JONES: What's blocking  
7       them?

8                   MR. HAJALIGHOLI: What is blocking  
9       it?

10                  MEMBER JONES: Yes.

11                  MR. HAJALIGHOLI: If somebody's  
12       sitting at the bar there and somebody's  
13       sitting on the other inside, there's no room  
14       to be able to serve these people, so that's  
15       how we laid it out.

16                  Some places you may have room and  
17       the other side cross on the right side, we  
18       have plenty of room. But on the left side  
19       it's narrow.

20                  MEMBER JONES: So how much space  
21       is there? So you're saying there's not enough  
22       room, so from that table to the bar, is that

1 ten feet, is that three feet, is that two  
2 feet?

3 MR. HAJALIGHOLI: It's probably  
4 three feet, four feet --

5 MEMBER JONES: Probably three  
6 feet?

7 MR. HAJALIGHOLI: -- something  
8 like that, yes.

9 MEMBER JONES: Okay.

10 MR. BIANCO: If I'm not mistaken,  
11 the Certificate of Occupancy for this  
12 establishment is for 143 seats.

13 MR. HAJALIGHOLI: One hundred  
14 forty-five.

15 MR. BIANCO: Hundred forty-five  
16 seats, which will be the, I suppose, the basis  
17 for the calculation, if you're doing it on a  
18 per seat basis.

19 MEMBER JONES: No, I'm not talking  
20 about that. I'm just talking about where you  
21 have the layout for your seating, I'm trying  
22 to see where these seats are in your

1 establishment.

2 So just because you have C of O  
3 that says that, doesn't tell me that's how  
4 you're going to lay it out in your space,  
5 right? You could have a C of O for 145, but  
6 you can only use 20.

7 So I'm trying to understand how,  
8 I'm not seeing 145 right now. So you're  
9 walking me through it. So I'm trying to get  
10 there. And you're telling me there's not  
11 enough space.

12 You can fit 12 people in this  
13 half, semi-booth, but there's not enough space  
14 between the table and the bar to fit chairs at  
15 those tables. Okay. So you have 15 at that  
16 booth area, then you have four at this table,  
17 right?

18 MR. BIANCO: That's correct.

19 MEMBER JONES: Are you counting  
20 your bar seating as seating for your  
21 restaurant patrons?

22 MR. BIANCO: Yes.

1                   MEMBER JONES: Yes? Okay, so how  
2 many at the bar? I see chairs on the left  
3 side of the bar, I see chairs on the right  
4 side of the bar, but I do not see chairs on  
5 the top side and I do not see chairs at the  
6 bottom side.

7                   MR. BIANCO: Correct, it's --

8                   MEMBER JONES: Okay.

9                   MR. BIANCO: -- I could let Dino  
10 address this, but I believe the top and the  
11 bottom --

12                  MR. HAJALIGHOLI: It's the service  
13 area.

14                  MR. BIANCO: -- would be for the  
15 service area. So you have one, two, three,  
16 four seats on the left side of the bar, and  
17 one, two, three, four, five, six on the right  
18 side of the bar.

19                  MR. HAJALIGHOLI: This bottom one  
20 here, as a matter of fact, the reason that we  
21 don't have seat is because this booth here  
22 takes that allowance.

1 (Off the record comments)

2 MR. BIANCO: The service bar at  
3 the bottom of the bar area, also that portion  
4 has to be used as a service bar so you have  
5 sufficient space to walk from the booth, the  
6 middle booth at the bottom of the page, past  
7 the bar. You know, if they put chairs there,  
8 there wouldn't be sufficient room to pass.

9 MEMBER JONES: Okay, I think I'm  
10 following. So you have four chairs on the  
11 left side, x-number of chairs on the right  
12 side of the bar, and then we have this booth  
13 in the middle, the middle booth?

14 MR. BIANCO: Correct.

15 MR. HAJALIGHOLI: Correct.

16 MEMBER JONES: How many people are  
17 there, four?

18 (Off the record comments)

19 MR. BIANCO: That's nine. That's  
20 a nine seat table.

21 MEMBER JONES: So it's a nine-  
22 person booth there?

1 (Off the record comments)

2 MEMBER JONES: And is that area  
3 any bigger or smaller than the area where you  
4 have the table for four?

5 (Off the record comments)

6 MR. HAJALIGHOLI: They're all  
7 different sizes, sir.

8 MEMBER JONES: Excuse me?

9 MR. HAJALIGHOLI: They're all  
10 different sizes.

11 MEMBER JONES: When you say all?

12 MR. HAJALIGHOLI: All three of  
13 them.

14 MEMBER JONES: All three of these  
15 areas?

16 MR. HAJALIGHOLI: Yes.

17 MEMBER JONES: Okay.

18 MR. HAJALIGHOLI: It is.

19 MEMBER JONES: So your answer is  
20 yes?

21 MR. HAJALIGHOLI: Yes.

22 MR. BIANCO: Yes. Mr. Tapper

1 explains that the seating there is different  
2 than the four-top, because there's bench seats  
3 around the window area, which gives you more  
4 room.

5 MEMBER JONES: Okay, so that's not  
6 pictorially represented in this?

7 MR. BIANCO: Well, it is.

8 MEMBER JONES: I see a circular  
9 table, is that, what's that circular object?

10 MR. BIANCO: Correct, you see a  
11 circular object, which is a table. And then  
12 you see rectangular objects on the interior of  
13 the exterior walls, which represents bench  
14 seating.

15 If you look, for example, at the  
16 table on the left-hand side of the page, where  
17 there's a square and semi-circles.

18 MEMBER JONES: Yes.

19 MR. BIANCO: It's a four-top table  
20 with chairs, whereas this one here is a  
21 circular table with bench seating around. So  
22 that --

1                   MEMBER JONES: Okay, so this is an  
2 actual representation of what you plan to use  
3 going forward?

4                   MR. BIANCO: It's actually what's  
5 there now.

6                   MEMBER JONES: Okay. So this is  
7 my challenge.

8                   MR. BIANCO: Okay.

9                   MEMBER JONES: So you have a table  
10 that seats four people. That table, the  
11 surface area of that table, is clearly larger  
12 than the circular area of the table that is  
13 servicing 12 patrons.

14                   MR. BIANCO: No.

15                   MEMBER JONES: Twelve restaurant  
16 patrons.

17                   MR. BIANCO: Nine.

18                   MEMBER JONES: So you have, well,  
19 how many?

20                   MR. BIANCO: Nine.

21                   MEMBER JONES: Nine patrons.

22                   MR. BIANCO: But yes, it's --

1                   MEMBER JONES:  It's considerably  
2                   smaller.

3                   MR. BIANCO:  Right.

4                   MEMBER JONES:  So you have plates,  
5                   you have glassware, you have flatware, you  
6                   have napkins.  All that for nine people on  
7                   this very small circular table, by comparison  
8                   to a table that is to seat four people to the  
9                   left of that.  And I'm trying to understand,  
10                  because that looks more like lounge seating.

11                  (Off the record comments)

12                  MEMBER JONES:  You know,  
13                  typically, when I go to a lounge, it's like,  
14                  I have a drink, I'll sit down at a lounge at  
15                  that bench seating like this.

16                  I have just enough table space to  
17                  put down a drink and napkin, not to have a  
18                  dinner, a full dinner, as you are saying  
19                  you're going to be doing at this location.  
20                  Right?  So I'm trying to follow.

21                  And maybe, that's why I was giving  
22                  you a chance to help me better understand your

1 diagram, because it doesn't comport with what  
2 I'm understanding to be what you're saying in  
3 your business model.

4 So maybe this picture isn't  
5 representative of what it should be. But  
6 you're telling me this is what it is. This is  
7 what you plan to do going forward. So then  
8 help close my gap in logic.

9 (Off the record comments)

10 MEMBER JONES: And I apologize,  
11 but I just got this shortly after you sent it  
12 in, so I'm just kind of going through this on  
13 the fly.

14 MR. BIANCO: I understand. It's  
15 fair enough.

16 MEMBER JONES: Yes.

17 MR. BIANCO: It's just, my  
18 client's communicating something to me and I'm  
19 going to take a look at it. He's our  
20 operations guy and --

21 MEMBER JONES: No problem.

22 MR. BIANCO: -- formulate our

1 response. But it's my understanding that  
2 there is sufficient table space here to do a  
3 full service meal for nine guests,  
4 notwithstanding the appearance on the scale  
5 drawing.

6 MEMBER JONES: Okay, so what's the  
7 size of the table? How did you come to that  
8 conclusion?

9 (Off the record comments)

10 MR. HAJALIGHOLI: We don't have  
11 the measurement of the table, sir.

12 (Off the record comments)

13 MEMBER ALBERTI: Approximate  
14 measurement, I think, would --

15 MEMBER JONES: Yes, just  
16 \*\*\*2:40:15 approximately, what's the size? So  
17 based on that, what would a table size need to  
18 be in order to adequately service nine  
19 simultaneous restaurant patrons? Do you have  
20 a question?

21 CHAIRPERSON MILLER: Well, I'm  
22 wondering if they might just supplement the

1 record with, they say that they have the  
2 tables there, with pictures of the tables, if  
3 that would -- the question is, is this an  
4 accurate --

5 MR. HAJALIGHOLI: We have a 100 --

6 CHAIRPERSON MILLER: depiction of  
7 the space?

8 MR. HAJALIGHOLI: -- we do have a  
9 145 seats, 25 in the patio, 120 in our space.  
10 I mean, you know, you're asking detailed  
11 questions that we should bring the architect  
12 to answer you. This --

13 MR. BIANCO: Whoa, whoa, whoa --

14 MEMBER JONES: No, no, no, no, I'm  
15 asking questions and I expect the individual  
16 that's planning to operate a legitimate  
17 restaurant to be able to answer.

18 MR. BIANCO: If you'd like us to  
19 send, to email in pictures of the table tops,  
20 we can, we'd be happy to do that.

21 CHAIRPERSON MILLER: Well, I  
22 think, I mean, in addition to this, I think it

1       might be a good idea to clarify it.  Because  
2       what I've heard you say is, they're there,  
3       they are there right now.  So if they're there  
4       --

5                       (Off the record comments)

6               CHAIRPERSON MILLER:  -- it seems  
7       like we could see them --

8               MR. HAJALIGHOLI:  Yes.

9               CHAIRPERSON MILLER:  -- see that  
10       it's actually --

11                      (Off the record comments)

12               CHAIRPERSON MILLER:  -- we can do  
13       that.

14               MR. BIANCO:  That's fine.  We're  
15       happy to send you --

16               CHAIRPERSON MILLER:  Okay.

17               MR. BIANCO:  -- pictures.

18               MEMBER ALBERTI:  Are they all  
19       approximately the same size?

20                      (Off the record comments)

21               MR. BIANCO:  All the tables are,  
22       they vary from location to location, some are

1 larger, some are smaller.

2 MEMBER SILVERSTEIN: The large  
3 tables, how large are they in comparison to  
4 what you're sitting at?

5 MR. HAJALIGHOLI: We have some  
6 here that's two-tops, that they are small,  
7 like they're approximately two-by-two, the  
8 table.

9 (Off the record comments)

10 MR. HAJALIGHOLI: And then we have  
11 some that's like three-by-four foot.

12 (Off the record comments)

13 MEMBER SILVERSTEIN: Is two-by-two  
14 large enough to hold two dinners?

15 MR. TAPPER: Yes, sir.

16 MR. HAJALIGHOLI: Two guests.

17 MR. TAPPER: There's actually 24  
18 by 30. And yes, sir.

19 MEMBER SILVERSTEIN: Twenty-four  
20 by 30?

21 MR. TAPPER: Yes, so if any  
22 restaurant you go to and you know how there's

1 --

2 MEMBER SILVERSTEIN: Yes.

3 MR. TAPPER: I don't mean to  
4 challenge anyone here. But, you know, you go  
5 to a restaurant, there's an obvious difference  
6 between a two-top, what we call a table set  
7 only for two.

8 MEMBER SILVERSTEIN: Right.

9 MR. TAPPER: And a four-top. A  
10 standard two-top is 24 by 30.

11 MEMBER SILVERSTEIN: And that's  
12 what you have, or you're having 24 by 24?

13 MR. TAPPER: Yes, well that's  
14 exact and the round, what you're seeing here,  
15 is 36 inches diameter.

16 MEMBER JONES: Thirty-six inches  
17 diameter?

18 MR. TAPPER: Yes.

19 MEMBER JONES: So three feet  
20 diameter.

21 MR. TAPPER: Right.

22 CHAIRPERSON MILLER: That's the

1 table for nine?

2 MR. TAPPER: Yes.

3 MEMBER ALBERTI: That's a table  
4 for nine?

5 MEMBER JONES: That's the table  
6 for nine.

7 CHAIRPERSON MILLER: For nine,  
8 okay.

9 MEMBER ALBERTI: And so the layout  
10 would be, if people were sitting around it --

11 MR. TAPPER: Right.

12 MEMBER ALBERTI: -- their plates  
13 would be along the edge?

14 MR. TAPPER: As we've spoken  
15 before, this is a sports-theme restaurant, so  
16 people are --

17 MEMBER JONES: So is the answer to  
18 his question is, yes? That the people would  
19 sit at it and then the table, the plates would  
20 be around there on the edge --

21 MR. BIANCO: Yes.

22 MEMBER ALBERTI: Around the

1 circumference.

2 MEMBER JONES: -- so that the  
3 individual patron can get to their plates?

4 MEMBER ALBERTI: How large would  
5 the plates be for like say nine people for  
6 brunch?

7 MR. TAPPER: If you look back at  
8 our --

9 (Off the record comments)

10 MR. TAPPER: -- Exhibit C, a good  
11 portion of our menu is actually small plates,  
12 tapas style.

13 MEMBER ALBERTI: Okay.

14 MR. TAPPER: These are plates that  
15 are about this big.

16 MEMBER ALBERTI: So you're serving  
17 more tapas style?

18 MR. TAPPER: Okay, you're  
19 misinterpreting when I say, tapas, as a type  
20 of plate, which I just mean a small plate.

21 MEMBER ALBERTI: But I'm looking -  
22 -

1 MR. TAPPER: A cuisine style.

2 MEMBER ALBERTI: Okay, here's my  
3 confusion. And I'm sorry to interrupt you,  
4 Mr. Jones.

5 MEMBER JONES: Oh, no problem.

6 MEMBER ALBERTI: I do remember  
7 your name. Let me go back to the spreadsheet  
8 here. You know, we're talking, for brunch  
9 we're talking \$30 per person for food, or is  
10 that total?

11 (Off the record comments)

12 MR. BIANCO: For brunch it's is  
13 \$30.

14 MR. TAPPER: Thirty dollars per  
15 person.

16 MR. HAJALIGHOLI: Twenty-five  
17 dollars food, one drink.

18 MEMBER ALBERTI: Twenty-five  
19 dollars for food?

20 MR. TAPPER: Correct, it's an all  
21 you can eat.

22 MR. HAJALIGHOLI: All you can eat.

1 MEMBER ALBERTI: Served on what  
2 size plates?

3 MR. HAJALIGHOLI: It's all you can  
4 eat.

5 MR. TAPPER: It's a buffet, so you  
6 serve yourself on the plates.

7 MEMBER ALBERTI: And how big would  
8 the plates be?

9 MR. TAPPER: Six inches, ovals.

10 MR. BIANCO: Actually, we have --

11 MEMBER ALBERTI: Okay.

12 MR. BIANCO: -- included in  
13 Exhibit D, there's several color photos that  
14 show the buffet setup and you can see in the  
15 upper left-hand corner of the first photo, the  
16 size of the plates they use.

17 MEMBER ALBERTI: Oh, okay.

18 MR. BIANCO: That's the buffet  
19 that's currently being served downstairs at --

20 MR. HAJALIGHOLI: At Federal.

21 MR. BIANCO: -- Federal.

22 MEMBER ALBERTI: Look like eight

1       inch plates to me, but I'll accept six inch,  
2       if you say so.

3                   CHAIRPERSON MILLER:  When you  
4       calculate the \$40 for dinners per person, is  
5       that including one drink, or what is that  
6       including?

7                   MR. HAJALIGHOLI:  Are you talking  
8       about the brunch?

9                   CHAIRPERSON MILLER:  I'm talking  
10      about, no the dinner.  The \$40, is that  
11      dinner?

12                   (Off the record comments)

13                   MR. BIANCO:  The \$40 per person is  
14      inclusive of everything, food and drink.  
15      That's the anticipated cost per person.

16                   CHAIRPERSON MILLER:  Okay.

17                   MR. BIANCO:  Per patron.

18                   MEMBER ALBERTI:  So -- and I hate  
19      to kind of be all over the place here but, you  
20      know, I'm looking at brunch and, where is  
21      brunch going to be served?

22                   (Off the record comments)

1                   MEMBER ALBERTI: I'm just focusing  
2 on that because it's easy to focus on, in  
3 trying to understand --

4                   (Off the record comments)

5                   MEMBER ALBERTI: -- what your  
6 figures are telling me.

7                   (Off the record comments)

8                   MEMBER ALBERTI: Is it served on  
9 both floors, one floor, where is brunch  
10 served? You've now have implied, or telling  
11 us, I think, that brunch is served as a  
12 buffet. Four people seated for brunch.

13                   MR. BIANCO: Correct. Well, the  
14 food, they intend the food to be placed  
15 centralized. So if you look in the middle of  
16 the drawing, there appears to be a circular  
17 staircase directly in the middle of the  
18 drawing.

19                   MEMBER ALBERTI: Yes.

20                   MR. BIANCO: And the food will be  
21 setup around that area there.

22                   MEMBER ALBERTI: And the entire --

1                   MR. BIANCO: In front of the  
2 kitchen. And then the entire, the remaining  
3 entirety of the restaurant seating is  
4 available for brunch, as well.

5                   So people can get their food and  
6 then be seated, as they would for dinner or  
7 any other meal in the restaurant.

8                   MEMBER ALBERTI: Okay.

9                   CHAIRPERSON MILLER: As a follow-  
10 up though, are you serving on both floors,  
11 third and fourth, for brunch and dinner and  
12 whatever?

13                  MR. TAPPER: Please, let me. For  
14 the buffet, yes.

15                  MR. BIANCO: The food's placed on  
16 third floor, but the fourth floor seating's  
17 available. And it's anticipated will be  
18 needed, based on the projections for food  
19 sales.

20                  That they'll be using seating on  
21 both the third and the fourth floor. The  
22 third floor is where the food will be placed

1 for the buffet.

2 CHAIRPERSON MILLER: Okay, so  
3 that's like a buffet for brunch. And they  
4 pick it up on the third floor, can go on the  
5 fourth floor, if you need that seating, okay.

6 MR. BIANCO: Correct.

7 (Off the record comments)

8 CHAIRPERSON MILLER: How many  
9 seats on each floor?

10 MR. HAJALIGHOLI: How many seats  
11 on each floor?

12 MR. BIANCO: Yes.

13 MR. HAJALIGHOLI: I don't  
14 remember, exactly, how many seats on each  
15 floor, but I know there are 25 seats upon the  
16 patio, then there's 120 left. The majority of  
17 the seats, or bigger portion is on the third  
18 floor, because the mezzanine is a smaller.

19 CHAIRPERSON MILLER: Okay.

20 MEMBER JONES: So I guess that's  
21 where I was going, before I got interrupted.  
22 I'm just trying to figure out, where are these

1 seats that you speak of that are on the third  
2 floor? So we got through some section and we  
3 got to the bar, we got to middle booth --

4 MR. HAJALIGHOLI: If you need --

5 MEMBER JONES: -- with a three --

6 MR. HAJALIGHOLI: -- you need a --

7 MEMBER JONES: -- with a three --

8 MR. HAJALIGHOLI: -- listen.

9 MEMBER JONES: -- foot diameter  
10 table servicing nine people, correct? And  
11 then we're moving on to the next spot. Right  
12 immediately to the right of that, looks like  
13 it's a 24 inch by 24 inch table for two.

14 MR. HAJALIGHOLI: On the right  
15 side of the --

16 MEMBER JONES: Yes.

17 MR. HAJALIGHOLI: On the bottom,  
18 right?

19 MR. BIANCO: No, it's --

20 MEMBER JONES: And on the bottom.

21 MR. BIANCO: Correct, that's what  
22 you want --

1 MEMBER JONES: All right.

2 MR. BIANCO: -- 24 by 30 two-top  
3 right there.

4 MR. HAJALIGHOLI: Those are two-  
5 tops, yes.

6 MR. BIANCO: Yes.

7 MEMBER JONES: Say that one more  
8 time.

9 MR. BIANCO: Yes, that's a 24 by  
10 30 two-top.

11 MEMBER JONES: Twenty-four by 30,  
12 okay. Twenty-four inch by 30 inch, all right.  
13 Then immediately to the right of that, at the  
14 bottom, there's a booth, booth for how many?

15 MR. BIANCO: The seating setup  
16 there is the same, it's for nine.

17 MEMBER JONES: Nine, or the same  
18 size table?

19 MR. BIANCO: Correct.

20 MEMBER JONES: Okay.

21 MR. BIANCO: Similar size table.

22 (Off the record comments)

1                   MEMBER JONES: Okay, so we have  
2 nine, that leaves \*\*\*2:49:44 we have three  
3 two-tops, for a total of six?

4                   MR. HAJALIGHOLI: Correct.

5                   MR. BIANCO: Three two-tops for a  
6 total of six, right.

7                   MEMBER JONES: And then  
8 immediately to the right of that --

9                   MR. BIANCO: That was 30 by 30  
10 tables that are pushed --

11                  MEMBER JONES: When you say, that,  
12 is what I just asked about?

13                  MR. BIANCO: What you just asked  
14 about, the four square tables that are  
15 depicted there, those are four 30 by 30 tables  
16 that are pushed together, okay, and the area  
17 around them is seating for 12.

18                  MEMBER JONES: It's like a big  
19 booth, or four tables.

20                  MR. BIANCO: Like a, right, it's a  
21 big booth, but it's comprised of four tables.

22                  MEMBER JONES: So there are four

1 tables at a single booth area?

2 MR. HAJALIGHOLI: It's a big u-  
3 shaped booth, but they have four tables.  
4 These are set up, sir, sometimes if you need  
5 to, you can push two together and have half of  
6 the booth for one party to sit, sometimes we  
7 can just sit the whole booth can be one party,  
8 they can all sit and enjoy --

9 MEMBER JONES: I get the concept,  
10 my only challenge with that is that's not,  
11 that doesn't comport with what I understand to  
12 be restaurant-type environment that comports  
13 with my experience of more of a lounge-type  
14 environment. So I'm just trying to understand  
15 how this is restaurant'ish, if you will, but  
16 I mean, it's your model, that's fine, I'm just  
17 trying to understand it. So you're saying you  
18 could have up to four individual parties at  
19 these 30 by 30 tables in this area, correct?

20 MR. HAJALIGHOLI: If we have to.

21 MEMBER JONES: The bottom line is,  
22 it's a seating for 12?

1 MR. HAJALIGHOLI: If it's a --

2 MR. TAPPER: It's seating for 12,  
3 however you configure it.

4 MEMBER JONES: All right, move up  
5 to the top, third floor, where are the other  
6 seats located in another bar, or something?

7 (Off the record comments)

8 MEMBER JONES: With some seats?

9 (Off the record comments)

10 MR. HAJALIGHOLI: That's another  
11 bar.

12 MR. BIANCO: Yes, there's a bar  
13 there and there's one, two, three, four, five,  
14 six seats there.

15 (Off the record comments)

16 MR. BIANCO: So six seats at the  
17 bar here, where that is.

18 (Off the record comments)

19 MR. BIANCO: And then there's  
20 additional seating just to the left of the  
21 staircase on the right-hand side, it looks  
22 like a rectangular box, it's bench seating

1 setup for television viewing with a table in  
2 front.

3 MEMBER JONES: All right, so I see  
4 a set of stairs to the right.

5 MR. BIANCO: Correct.

6 MEMBER JONES: Okay. So you're  
7 saying there is a table there?

8 MR. BIANCO: To the left of the  
9 set of stairs you'll see a rectangular  
10 diagram, it's --

11 MR. HAJALIGHOLI: It's a bench.

12 MR. BIANCO: -- which is a bench.  
13 And there's a table in front of that  
14 rectangular bench.

15 MEMBER JONES: Okay, where is the  
16 table?

17 (Off the record comments)

18 MEMBER JONES: On the diagram, is  
19 that the smudge?

20 MR. TAPPER: Correct.

21 MR. BIANCO: Yes, it appears to be  
22 a shaded gray area.

1 MEMBER JONES: It's a challenge.

2 Okay, what kind of table is that?

3 MR. BIANCO: It's a low, what you  
4 can describe as a low coffee table-type of  
5 setup.

6 MEMBER JONES: Like a low coffee  
7 table?

8 MR. BIANCO: Yes.

9 MEMBER JONES: Like someplace  
10 where you'd put drinks as opposed to having a  
11 sit down dinner?

12 MR. BIANCO: Well --

13 MR. HAJALIGHOLI: Well the bench  
14 also is low, sir.

15 MR. BIANCO: Drinks, food,  
16 whatever would --

17 MR. HAJALIGHOLI: The seats are  
18 low, as well.

19 (Off the record comments)

20 MEMBER JONES: Interesting. Okay.  
21 So how many people, how many seats is that?

22 (Off the record comments)

1 MR. BIANCO: It's four or five  
2 seats. And it faces --

3 MEMBER JONES: Four --

4 MR. BIANCO: And it faces a  
5 projection screen.

6 MEMBER JONES: How are you  
7 counting them as, four or five?

8 MR. BIANCO: Four.

9 MEMBER JONES: Four, okay.

10 MR. BIANCO: And it faces a  
11 projection screen.

12 MEMBER JONES: That's all, that's  
13 lovely. So that's a seating for four at a  
14 bench with a low coffee table like for --

15 MR. BIANCO: Correct.

16 MEMBER JONES: Okay, got it.

17 (Off the record comments)

18 MEMBER JONES: And that's all the  
19 seating that you have?

20 MR. HAJALIGHOLI: No, sir, we also  
21 have a u-shape, like a big table.

22 MR. BIANCO: No, no, no, we

1       \*\*\*2:54:07.

2                   MR. HAJALIGHOLI: Oh, okay.

3                   (Off the record comments)

4                   MEMBER JONES: So it sounds like,  
5       yes, that's all the --

6                   MR. BIANCO: Yes.

7                   MEMBER JONES: -- seating that you  
8       have on the --

9                   MR. BIANCO: That's all the  
10       seating on that level.

11                   MEMBER JONES: Okay.

12                   (Off the record comments)

13                   MEMBER JONES: Well if it's not on  
14       the diagram, I'm confused. So is this all the  
15       seating that you have?

16                   (Off the record comments)

17                   MR. TAPPER: On that floor, yes.

18                   MR. BIANCO: For the third floor,  
19       yes.

20                   MEMBER JONES: Yes, on the third  
21       floor. Okay. What does that total?

22                   (Off the record comments)

1 MEMBER JONES: So now we have the  
2 total number. Now we're going to answer the  
3 Chairperson's question.

4 MR. BIANCO: Right.

5 MEMBER JONES: So what's the total  
6 number of seats on the third floor, upon which  
7 you based your business model, and upon which  
8 you based your calculations?

9 (Off the record comments)

10 MR. BIANCO: Okay, on the third  
11 floor it's 64 seats and then there's an  
12 additional 24 on the patio.

13 MEMBER JONES: The patio, where's  
14 the patio?

15 MR. BIANCO: The patio is not --

16 MR. HAJALIGHOLI: It's shown right  
17 here.

18 (Off the record comments)

19 MR. BIANCO: Oh, I'm sorry.

20 (Off the record comments)

21 MR. BIANCO: I'm sorry, it's shown  
22 on the fourth floor plan.

1 MEMBER JONES: Okay, so on the  
2 third --

3 MR. BIANCO: Right, on the third  
4 floor, 64.

5 MEMBER JONES: Sixty-four, okay.

6 (Off the record comments)

7 MEMBER JONES: Got it. All right.  
8 So now, let's jump to the, well actually,  
9 question. So based on how you have your  
10 seating setup, there appears to be open areas  
11 that are not being used for seating, are these  
12 areas actually open, or is there some type of  
13 thing, some type of architectural fixture that  
14 is preventing you from using that area for  
15 seating?

16 (Off the record comments)

17 MR. HAJALIGHOLI: Are you talking  
18 about the mezzanine, or are you talking about  
19 the --

20 MEMBER JONES: I'm on the third  
21 floor --

22 MR. BIANCO: On the third --

1                   MEMBER JONES:  So let's say for  
2                   example, the area that you said was the bench  
3                   with the low coffee table for seating of four,  
4                   directly in front of that between that space  
5                   and the back of the bar, there seems to be a  
6                   fairly substantial service area.  And  
7                   immediately to the top of that area, there  
8                   seems to be an equally large area.

9                   MR. BIANCO:  If you look  
10                  immediately to the left of the bench you'll  
11                  see a dotted line in a semi-circular fashion,  
12                  which represents the --

13                  (Off the record comments)

14                  MR. HAJALIGHOLI:  Are special  
15                  beams.

16                  MR. BIANCO:  -- mezzanine level  
17                  overhang of the third floor.

18                  MEMBER JONES:  Yes, I see the  
19                  dotted line.

20                  MR. BIANCO:  And there's  
21                  structural beams impeding the, that's not a  
22                  big open space, there's structural beams

1       impeding the full use of that particular  
2       space.

3                   MEMBER JONES:   Okay, so there's  
4       structural beams?

5                   MR. HAJALIGHOLI:   Yes.

6                   MEMBER JONES:   Where are they on  
7       this diagram?   Because I see structural beams  
8       noted in this architectural drawing, but I  
9       don't see structural beams for that, so where  
10      would they be?

11                  MR. HAJALIGHOLI:   There's one  
12      here, one here, and one here.

13                  MR. BIANCO:   There's one, where  
14      the dotted line originates, there's a  
15      structural beam there.

16                  MEMBER JONES:   So what's the  
17      origin for the dotted line?   There's two  
18      spots.   At the top or the bottom?

19                  MR. BIANCO:   Looking at the lower  
20      most origin of the dotted line.

21                  MEMBER JONES:   Okay, so where it  
22      interfaces with the main wall?

1 MR. BIANCO: Correct.

2 MEMBER JONES: Okay, and then you  
3 go up?

4 MR. BIANCO: And then you go up  
5 following the semi-circle around, and as it  
6 comes back down there's another structural  
7 beam, which looks like is depicted with a, at  
8 least on my copy, there's a dot there, showing  
9 another structural beam and then a third, as  
10 you follow it back.

11 (Off the record comments)

12 MR. BIANCO: There's two more, as  
13 you follow the dotted line back to its upper  
14 most origin point, and then in the middle of  
15 the passageway there, there's a fourth  
16 structural beam.

17 MEMBER JONES: All right, so a  
18 total of four. So you're saying --

19 MR. BIANCO: Correct.

20 MEMBER JONES: -- those structural  
21 beams prevent you from putting a table top of  
22 any type there?

1 MR. BIANCO: Well, impede the use  
2 of that space.

3 MR. HAJALIGHOLI: Plus, these are  
4 steps here, by the way, the building is not  
5 exactly the same level. This portion you have  
6 steps. So there are steps that go from here  
7 to the bathrooms. So that area's dead because  
8 of that.

9 MEMBER JONES: So there's a large  
10 surface area here that you're not able to use  
11 for servicing patrons that would be sitting  
12 down to eat, correct, because of these four  
13 structural beams?

14 MR. BIANCO: Well, it's --

15 MR. HAJALIGHOLI: Of course.

16 MR. BIANCO: The configuration is  
17 made more difficult by the structural beams  
18 for seating.

19 MEMBER JONES: Does that mean you  
20 cannot provide --

21 MR. HAJALIGHOLI: No, you cannot.

22 MEMBER JONES: -- it would be

1 almost impossible?

2 MR. HAJALIGHOLI: No.

3 MR. BIANCO: No, certainly not  
4 impossible.

5 MEMBER JONES: Okay, so you're  
6 choosing not to --

7 MR. BIANCO: Correct.

8 MEMBER JONES: -- occupy that  
9 space for the seats, because you're choosing  
10 to occupy or utilize it for what purpose?  
11 What revenue generating purpose are you going  
12 to have that space there, just for people to  
13 congregate, talking, for people to dance? I'm  
14 trying to understand, because it's  
15 restaurants, table tops, table tops, seats,  
16 seats, revenue, you're choosing not to  
17 exercise that opportunity for revenue, what  
18 are you replacing it with?

19 MR. BIANCO: Well there's  
20 additional standing room in that area by the  
21 bar that has to be provided for, where patrons  
22 can congregate.

1                   MEMBER JONES: So it's for  
2 standing patrons?

3                   MR. BIANCO: Sure.

4                   MEMBER JONES: Okay.

5                   MR. BIANCO: Cool.

6                   MEMBER JONES: And standing  
7 patrons would typically be eating dinner off  
8 a plate or would they be typically being  
9 serviced with beverage? In terms of your  
10 mockup, how would you anticipate them and  
11 providing revenue for your establishment?

12                  MR. BIANCO: Standing patrons  
13 typically are not eating.

14                  MEMBER JONES: Got it. Okay.  
15 Thank you. How many standing patrons do you  
16 anticipate that you will have down there?

17                  MR. BIANCO: I'm not sure how many  
18 are going to be in that particular area. They  
19 have a Certificate of Occupancy, which sets  
20 what their maximum number of patrons.

21                  MEMBER JONES: Which is?

22                  MR. HAJALIGHOLI: Three Hundred

1 Fifty-five.

2 MEMBER JONES: What's the level,  
3 for the third floor, how many?

4 MR. HAJALIGHOLI: That's all  
5 together.

6 MEMBER JONES: For the third  
7 floor, how many?

8 MR. HAJALIGHOLI: I have no idea  
9 for on this third floor. The total is 355 for  
10 third and fourth, including the patio.

11 MEMBER JONES: Three Hundred  
12 Fifty-five --

13 MR. HAJALIGHOLI: If you want the  
14 exact breakdown, we can go ahead and do a  
15 drawing of the tables and make everybody's  
16 life easier. But you ask questions that we  
17 we're not anticipate. We know we have a 120  
18 seats inside of our establishment and plus 25  
19 on the patio.

20 MEMBER JONES: I hear you loud and  
21 clear. I got that. You've said it multiple  
22 times.

1 MR. HAJALIGHOLI: Okay.

2 MEMBER JONES: It's been conveyed.

3 So I'm asking additional questions to get  
4 additional clarity on how you plan to utilize  
5 your restaurant space, as a restaurant.

6 That's the purpose of these questions, do you  
7 understand me?

8 MR. HAJALIGHOLI: I understand you  
9 perfectly, sir.

10 MEMBER JONES: Okay. Great. So  
11 we're not going to get the same answer to a  
12 different question, right?

13 MR. HAJALIGHOLI: No.

14 MEMBER JONES: Thank you. So in  
15 this area, how many standing patrons would you  
16 anticipate being able to service? And I'm  
17 asking that, because you provided us a table  
18 here that broke down financials, right, what  
19 you expect your revenue to be.

20 And you assumed one drink per  
21 patron for dinner. I don't see these  
22 assumption by making that based off of what

1 you communicated here today, verbally, is that  
2 a fair assumption?

3 (Off the record comments)

4 MR. HAJALIGHOLI: Sir, we have a -  
5 -

6 (Off the record comments)

7 MR. HAJALIGHOLI: Yes, go ahead.

8 (Off the record comments)

9 MR. BIANCO: The table that we  
10 presented, assuming a price per person of \$40,  
11 based on the percentages that we provided of  
12 55 percent.

13 Were not assuming one drink per  
14 person, but it's allotted in here for \$20 per  
15 person for non-food items. So based on our  
16 projections, we're not assuming one drink per  
17 patron, it's more like two.

18 MEMBER JONES: So you're assuming  
19 two drinks per sit down patron?

20 MR. BIANCO: Correct.

21 MEMBER JONES: Okay. It sounded  
22 like, based on what you just said, you kind of

1 arrived at the number of patrons percentage as  
2 opposed to a, I plan on charging X, and that  
3 will equal this amount. So I'm trying to  
4 figure out how you got to this --

5 (Off the record comments)

6 MEMBER JONES: I guess now I'm  
7 concerned about how you arrived at your dollar  
8 amount.

9 MR. BIANCO: Well we arrived at  
10 the dollar amount based on the menu that we  
11 provided and based on our forecast of number  
12 of patrons in the establishment at any given  
13 time. So it's not --

14 MEMBER JONES: So you assumed --

15 MR. BIANCO: -- so what --

16 MEMBER JONES: -- what, when you  
17 came up with this \$40 --

18 MR. BIANCO: That's --

19 MEMBER JONES: -- per person?

20 (Off the record comments)

21 MEMBER JONES: You assumed they'd  
22 be buying \$25 worth of food, but how did you

1 arrive at that \$25 worth of food? And you  
2 assumed X number of dollars for drinks, which  
3 means they'd be buying an X number of drinks,  
4 based on whatever price you put forward.

5 (Off the record comments)

6 MEMBER JONES: So how are you  
7 getting, I'm just -- I don't know your  
8 assumptions.

9 MR. BIANCO: Sure.

10 MEMBER JONES: I can see that  
11 sheet, right, I'm trying reverse engineering,  
12 for lack of a better expression. I'm trying  
13 to understand how you came to this point so I  
14 can get the same number you got --

15 MR. BIANCO: We came --

16 MEMBER JONES: -- and see if that  
17 comports with logic.

18 MR. BIANCO: Sure. We came to  
19 that point based on Mr. Tapper's experience at  
20 his other establishments. The average order  
21 of a guest, with similarly priced menu items  
22 and the corresponding percentages of food to

1 alcohol sales.

2 So, you know, when we have an  
3 establishment here with no operating history,  
4 we have to base it on something. And what  
5 we're basing it on is the experience of the  
6 operators at the other establishments that  
7 they presently operate with similarly priced  
8 food items.

9 MEMBER JONES: Okay, so is this  
10 other establishment the same business model,  
11 same layout, same type of floor plan, same  
12 type of concept, same type of audience, same  
13 type of clientele?

14 MR. BIANCO: Every restaurant's a  
15 little bit different.

16 MEMBER JONES: Exactly.

17 MR. BIANCO: The concept of  
18 restaurant --

19 MEMBER JONES: As I understand --

20 MR. BIANCO: But we have to base  
21 it on something, so we're going based on the  
22 nearest possible real numbers that we can come

1 up. They're projections. By their nature,  
2 it's guesswork. I can't --

3 MEMBER JONES: But I understand  
4 guesswork --

5 MR. BIANCO: I can't, I mean, we  
6 can't --

7 (Crosstalk)

8 MEMBER JONES: -- understand what  
9 specific assumptions you used to come up with  
10 these specific calculations.

11 (Off the record comments)

12 MEMBER JONES: Right now you're  
13 telling me you base it off of his experience.

14 MR. BIANCO: Correct.

15 MEMBER JONES: Check. So how did  
16 he quantify his experience in such a way that  
17 he could put it into an Excel spreadsheet and  
18 thus come up with a calculation?

19 MR. BIANCO: There's --

20 MEMBER JONES: So there's some,  
21 it's called assumption, I'm assuming that  
22 those are baseline assumptions. I'm just

1 trying to understand what your assumption was.

2 (Off the record comments)

3 MR. TAPPER: Sir, five years of  
4 owning one of my other restaurants, and two-  
5 and-a-half years of owning another one of my  
6 restaurants.

7 MEMBER JONES: That's how you came  
8 up with what you consider to be a valid  
9 assumption, but that's not telling me what  
10 your assumption is, what is your assumption?

11 MR. TAPPER: My assumption is that  
12 it's a restaurant that's going to serve 55  
13 percent of food, sir. My assumption is that  
14 we are going to play football on Sundays.

15 There are going to be people  
16 eating and watching sports on TV. My  
17 assumption is that people will come for the  
18 food and the ambiance, sir.

19 MEMBER JONES: Are you currently  
20 serving at your restaurant that you're talking  
21 about you're pulling your experience from, is  
22 that what you're, these are the numbers that

1 you're, where you're operating at right now?

2 MR. TAPPER: Correct. This is  
3 actually even a little lower because it's  
4 Adams Morgan, correct.

5 MEMBER JONES: When you say it's a  
6 little lower, what does that mean?

7 MR. TAPPER: I mean at Floriana I  
8 do a little bit more than 60 percent food.  
9 And at Pulpo I do almost 70 percent food. So  
10 I'm figuring into this 55 percent food that it  
11 is Adams Morgan.

12 MEMBER JONES: Okay, what are  
13 these two establishments, again?

14 MR. TAPPER: (No response.)

15 MEMBER JONES: What are these two  
16 establishments you mentioned?

17 MR. TAPPER: Floriana Restaurant,  
18 sir, 1602 17th Street, NW, Washington, D.C.  
19 And the other one is Pulpo, okay, that's 3407  
20 Connecticut Avenue, NW --

21 MEMBER JONES: Can you spell that  
22 for me?

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MR. TAPPER: P--

MEMBER JONES: The second one.

MR. TAPPER: P-U-L-P-O.

MEMBER JONES: Sorry, start over  
again.

MR. TAPPER: P, like Paul, U, like  
underwear.

MEMBER JONES: Yes.

MR. TAPPER: L, like Larry.

MEMBER JONES: Yes.

MR. TAPPER: P, like Paul.

MEMBER JONES: Yes.

MR. TAPPER: O, like over.

MEMBER JONES: Pulpo.

MR. TAPPER: Correct.

MEMBER JONES: Thank you.

MR. TAPPER: You're welcome.

MEMBER JONES: Okay. So your  
seating that you have for this location that  
you're projecting based on, is based on the 64  
seats for the third floor?

(Off the record comments)

1 MR. BIANCO: The seating is based  
2 on the 64 that we counted in --

3 MEMBER JONES: No, no, sir. The  
4 projections are based on, in part --

5 MR. BIANCO: The total seating.  
6 In part of the seating, correct.

7 MEMBER JONES: With the way that  
8 you have this laid out currently, that is --  
9 what you presented is your planned layout  
10 going forward?

11 MR. BIANCO: That's the planned --

12 MEMBER JONES: With the number of  
13 seats here, you're not planning to add seats,  
14 you're not planning to take any away?

15 MR. BIANCO: Yes. I think, yes, I  
16 think you --

17 MEMBER JONES: For the third  
18 floor?

19 MR. BIANCO: -- had a very, yes,  
20 touched on a very important concept there,  
21 which is planned. Yes, that's presently what  
22 is planned, how they intend to go forward.

1                   But as this business, like any  
2                   other restaurant business, requires them to  
3                   make adjustments as they gain an operating  
4                   history. We're dealing with projections and  
5                   plans right now. And --

6                   (Off the record comments)

7                   MR. BIANCO: You're absolutely  
8                   correct, that's their plan, as of right now,  
9                   and these are the projections that we have  
10                  based on that plan.

11                  MEMBER JONES: Okay. Sounds good.  
12                  Madam Chair, I'll take a pause, because I  
13                  don't think they're -- I don't think it's  
14                  going well. So I appreciate it.

15                  CHAIRPERSON MILLER: Okay.

16                  MEMBER JONES: Yes.

17                  CHAIRPERSON MILLER: We'll see how  
18                  it goes down the road. All right, where are  
19                  you now? All right, we did the floor plan.  
20                  Unless others want to --

21                  MEMBER ALBERTI: Well, I'm --

22                  CHAIRPERSON MILLER: -- right now?

1 MEMBER ALBERTI: Yes, because I'm

2 --

3 CHAIRPERSON MILLER: Okay.

4 MEMBER ALBERTI: I'm a little  
5 confused and I'm not going to be quite as  
6 logical and organized as Mr. Jones, and I  
7 apologize for that. But, so I'm trying to  
8 understand, on Page 2, you have monthly food  
9 sales for 62 percent. But on your spreadsheet  
10 you have food sales of 55 percent for dinner  
11 and 80 percent for brunch. So where does that  
12 62 percent come from?

13 MR. BIANCO: The 62 percent comes  
14 from adding up the total, the dinner total and  
15 the brunch total and dividing by the total  
16 revenue.

17 MEMBER ALBERTI: Okay, so --

18 MR. HAJALIGHOLI: Yes, sir.

19 MEMBER ALBERTI: Okay, cool.

20 MR. BIANCO: That's how we get it.

21 MEMBER ALBERTI: Got you there.

22 All right. And I'm not trying to do got you

1 here. So on Page 2, these figures are based  
2 on dinner and brunch sales only, or are they  
3 based on all your sales?

4 MR. BIANCO: It's dinner and  
5 brunch only, that is all their sales.

6 MEMBER ALBERTI: Well last time  
7 you were here, you said that you were going to  
8 do late night events until 3:00 a.m. You  
9 know, I mean, I don't see people eating dinner  
10 from 11:00 p.m. to 3:00 a.m. every day, not in  
11 the proportions that you have here, all right?

12 The proportions you have here are  
13 believable for dinner crowd in the early and  
14 the mid evenings. They're believable for  
15 brunch. But they don't carry over to that  
16 late night crowd. And so --

17 MEMBER JONES: Yes, after 12:00  
18 a.m.?

19 MEMBER ALBERTI: Right.

20 MEMBER JONES: Right. It doesn't  
21 comport.

22 MEMBER ALBERTI: So if you're

1 going to tell me that it's the proportions  
2 that you're using in your spreadsheet here are  
3 the average for your whole week, I can't  
4 believe it.

5 Because, you know, it's been a  
6 long time since I've been carousing at night,  
7 put it that way. But I know what the crowds  
8 look like between 11:00 a.m. and 3 o'clock in  
9 the morning, and they're not standing around  
10 with plates of food.

11 And I know what their drink bills  
12 are, it hadn't been that long ago. And  
13 they're going to skew these numbers. So I'm  
14 having trouble giving credence to some of the  
15 numbers you're giving me. I'm just going to  
16 be honest with you.

17 MR. BIANCO: No, I understand.  
18 But I think that's a good point. But I think  
19 it's also a good point that cuts the other  
20 way, okay?

21 MEMBER ALBERTI: Okay.

22 MR. BIANCO: People eating dinner

1 at 5 o'clock are having two drinks with  
2 dinner. So you have, essentially, from the  
3 period of let's say, 5:00 p.m. to 7:00 p.m.,  
4 or 5:00 p.m. to 8:00 p.m., you have sales that  
5 are essentially 100 percent food, as opposed  
6 to flipping it on its head, the way you're  
7 flipping it on its head, and saying well, from  
8 Midnight to 3:00 a.m. you're going to have  
9 significantly less.

10 So I think it's a point well-taken  
11 that, you know, that food sales with dinner  
12 ebbs and flows and the earlier crowd is going  
13 to be more food than alcohol and the later  
14 crowd's going to be more alcohol than food.

15 But essentially, under the  
16 projections from dinner, it's an average for  
17 the entirety of service from whenever the  
18 service starts until whenever the  
19 establishment closes.

20 So we didn't break it out  
21 separately by --

22 MR. HAJALIGHOLI: Hourly.

1 MR. BIANCO: -- early dinner  
2 crowd, standard dinner crowd and then, you  
3 know, the late post-dinner crowd.

4 MR. HAJALIGHOLI: Bar food.

5 MR. BIANCO: Bar food and what  
6 have you.

7 MEMBER ALBERTI: You said dinner  
8 drink, what's the average dinner drink cost?

9 (Off the record comments)

10 MR. BIANCO: Eight dollars.

11 MEMBER JONES: What's the cheapest  
12 dinner drink that you plan on offering for  
13 sale?

14 (Off the record comments)

15 MR. BIANCO: Three bucks for a,  
16 say, domestic draft.

17 MEMBER JONES: Got it.

18 MEMBER ALBERTI: I'm going to have  
19 to take a little closer look at these numbers.  
20 I'm just --

21 MEMBER JONES: Madam Chair.

22 CHAIRPERSON MILLER: Yes.

1 MEMBER JONES: Just a quick  
2 follow-up.

3 CHAIRPERSON MILLER: Go ahead.

4 MEMBER JONES: So just for the  
5 purpose of completeness, third floor, fourth  
6 floor, excuse me, how many seats are up there?

7 (Off the record comments)

8 MR. BIANCO: So if you look at the  
9 top portion of the drawing, there are 25 seats  
10 on the patio.

11 MEMBER JONES: I don't see that on  
12 the drawing, am I missing it, or are you just  
13 --

14 MR. HAJALIGHOLI: They're showing  
15 it as a bench. We have seating there right  
16 now, tables.

17 MR. BIANCO: You have tables  
18 there?

19 MR. HAJALIGHOLI: Yes, we have  
20 tables, yes.

21 MR. BIANCO: It's depicted on the  
22 drawing as the bench seating surrounding the

1 patio, but there are presently tables placed  
2 on the patio. Are there chairs, additionally,  
3 or just these bench side tables that --

4 MR. HAJALIGHOLI: Yes, tables,  
5 chairs --

6 MEMBER JONES: I'm sorry, like I  
7 said, I'm slow. Just, can you just tell me  
8 where the patio is --

9 MR. BIANCO: Sure.

10 MEMBER JONES: -- first, so I can  
11 get --

12 MR. BIANCO: If you look at the  
13 top portion of the drawing.

14 MEMBER JONES: Yes.

15 MR. BIANCO: You'll see the  
16 stairs, and then, if you look to the right,  
17 the square area there is the patio.

18 MEMBER JONES: Okay, so I see a  
19 hatched square area.

20 MR. BIANCO: That is on the patio.

21 MEMBER JONES: That's on the  
22 patio?

1 MR. BIANCO: That is on the patio.

2 MEMBER JONES: So this area here,  
3 there are no seats in this area at all that  
4 have been noted on this diagram, as you  
5 submitted, correct?

6 MR. BIANCO: Well there are, if  
7 you look along the sides, there's some  
8 rectangles that denote that there is bench  
9 seating there. But there are actually tables  
10 in addition to that seating.

11 MEMBER JONES: Okay, so the bench  
12 seating is shown, but there are no tables?

13 MR. BIANCO: It's not a very good  
14 drawing.

15 MR. HAJALIGHOLI: We have four  
16 tables, four big tables.

17 MEMBER JONES: But they're not  
18 showing here on the diagram?

19 MR. HAJALIGHOLI: No, they're not.

20 MR. BIANCO: They're not showing.

21 MEMBER JONES: Okay.

22 MR. HAJALIGHOLI: No they're not.

1                   MEMBER JONES: All right. Okay,  
2                   so there's 25 seats there?

3                   MR. HAJALIGHOLI: Correct.

4                   MR. BIANCO: Twenty-five.

5                   MEMBER JONES: So that bench can  
6                   accommodate 25 people, not necessarily --  
7                   okay, got you.

8                   MR. HAJALIGHOLI: No. The bench,  
9                   plus the four tables, all together 25.

10                  MEMBER JONES: Nobody's sitting on  
11                  a table though, sir, right?

12                  MR. HAJALIGHOLI: We have chairs.

13                  MEMBER JONES: Oh, well the chairs  
14                  aren't here, that's what I was asking.

15                  MR. HAJALIGHOLI: I --

16                  MEMBER JONES: I want to see --

17                  (Crosstalk)

18                  MEMBER JONES: I want it  
19                  represented --

20                  MR. HAJALIGHOLI: I admitted that  
21                  it's not here. There are tables and chairs in  
22                  the patio that's not showing here.

1 MEMBER JONES: Sir, I --

2 MR. HAJALIGHOLI: Because we have  
3 25 total --

4 MEMBER JONES: Do you have 25  
5 chairs?

6 MR. HAJALIGHOLI: -- chairs,  
7 including the little bench. We don't have 25  
8 chairs, no.

9 MEMBER JONES: Okay.

10 MR. HAJALIGHOLI: But including  
11 the bench, we have 25 seats.

12 MEMBER JONES: How many people can  
13 sit on the bench?

14 MR. HAJALIGHOLI: We have four  
15 tables there to which, there are about four  
16 each, that's 16, and the rest will be the  
17 bench.

18 MEMBER JONES: So you have four  
19 four-tops?

20 MR. HAJALIGHOLI: Right.

21 MEMBER JONES: All right.

22 (Off the record comments)

1                   MEMBER JONES: Got it. All right,  
2 and where are the other seats, on the fourth  
3 floor?

4                   (Off the record comments)

5                   MEMBER JONES: On the fourth  
6 floor?

7                   MR. BIANCO: On the fourth, we're  
8 still on the fourth floor.

9                   MEMBER JONES: Yes.

10                  (Off the record comments)

11                  MEMBER JONES: In accordance with  
12 the diagram that you submitted as your floor  
13 plan, where are the seats that we are to  
14 count?

15                  MR. TAPPER: You know, I believe  
16 us to be a loss, is that the diagram for the  
17 fourth floor is not actually showing chairs.  
18 I do apologize for that.

19                  MEMBER JONES: Oh, okay. Thank  
20 you.

21                  MR. TAPPER: Right.

22                  MEMBER JONES: So where would they

1 be?

2 MR. TAPPER: So on the bottom left  
3 corner, right?

4 MEMBER JONES: Yes.

5 (Off the record comments)

6 MR. TAPPER: There's 20 seats  
7 here, okay?

8 MEMBER JONES: In the bottom left  
9 corner?

10 MR. TAPPER: Bottom left corner,  
11 over on that wall.

12 MEMBER JONES: And they're  
13 configured how?

14 MR. TAPPER: for the chair, it's a  
15 long bench --

16 MEMBER JONES: Are they table  
17 tops, are they benches?

18 MR. TAPPER: -- and it's a bench  
19 along the bottom left-hand side along the wall  
20 towards the outline of the staircase that is  
21 one large booth.

22 MEMBER JONES: So the bottom left

1 corner?

2 MR. TAPPER: Correct.

3 MEMBER JONES: Is that what you  
4 said, I'm sorry?

5 (Off the record comments)

6 MR. TAPPER: Right. If you look  
7 along the bottom left line here, which is our  
8 wall, there's a staircase here at the end of  
9 the staircase there's a railing, from there to  
10 there is one long bench.

11 MEMBER JONES: One long bench.

12 MR. TAPPER: That's 20 guests.

13 MEMBER JONES: How many guests?

14 MR. TAPPER: Twenty.

15 MEMBER JONES: Twenty. How many  
16 tables are in front of this? Is this one big  
17 bench?

18 MR. TAPPER: It's --

19 MEMBER JONES: One big table?

20 MR. TAPPER: Yes, it's large  
21 tables that can be put together or drawn  
22 apart.

1 MEMBER JONES: All right.

2 MR. TAPPER: So we could actually  
3 seat more than 20, if we wanted to, at that  
4 specific location, but it's designed for, you  
5 know, ten two-tops, or five four-tops, however  
6 you want to make that.

7 MEMBER JONES: All right, so you  
8 have 20 --

9 MR. TAPPER: Correct.

10 MEMBER JONES: -- in that space.

11 MR. TAPPER: There is a large  
12 communal table to the right of that, right in  
13 the center of the mezzanine on the right-hand  
14 side you'll see a big square right there.

15 MEMBER JONES: Okay, so I'm  
16 looking at the bottom of this diagram, near  
17 the middle there's like a horseshoe looking  
18 thing.

19 MR. TAPPER: Okay, above --

20 MEMBER JONES: dash dash --

21 MR. TAPPER: -- I want to start --

22 MEMBER JONES: Is it above that?

1 MR. TAPPER: I want to start above  
2 that, correct.

3 MEMBER JONES: All right.

4 MR. TAPPER: That is a large  
5 communal table.

6 MEMBER JONES: There's a large  
7 communal table --

8 MR. TAPPER: Correct.

9 MEMBER JONES: -- in this --

10 MR. TAPPER: In that square space  
11 there's --

12 MEMBER JONES: The mezzanine that  
13 overlooks?

14 MR. TAPPER: Correct.

15 MEMBER JONES: All right.

16 MR. TAPPER: That is a table for  
17 16 people.

18 MEMBER JONES: Got it.

19 MR. TAPPER: The booth below it,  
20 do you see what I'm speaking of, sir?

21 MEMBER JONES: Is that the  
22 horseshoe?

1 MR. TAPPER: The horseshoe,  
2 correct.

3 MEMBER JONES: Sir, yes, sir.

4 MR. TAPPER: That's the same size  
5 booth, as below. It is structurally the same  
6 Victorian window. So we have bench seating  
7 there also, for nine.

8 MEMBER JONES: Understood.

9 MR. TAPPER: There's the bar  
10 seating and then 25 seating on the patio.

11 MEMBER JONES: So the bar seating  
12 I see four, to the left.

13 MR. TAPPER: One, two, oh, that's  
14 to the left, correct.

15 MEMBER JONES: Yes, because the  
16 other --

17 MR. TAPPER: Right.

18 MEMBER JONES: I can't believe  
19 this is pictorially accurate, given the  
20 layout. That this is an overhang, unless  
21 there's a -- what's over on the far right  
22 side, is this another cutout?

1 MR. TAPPER: That whole thing is a  
2 cutout. This whole space right here, sir.

3 MEMBER JONES: Yes.

4 MR. TAPPER: This is all a cutout.  
5 There is no floor there.

6 MEMBER JONES: Correct.

7 MR. TAPPER: That's an overlook.

8 MEMBER JONES: It says overhang.

9 MR. TAPPER: Correct.

10 MEMBER JONES: So everything to  
11 the right of this squiggly line that serves as  
12 the mezzanine, I'm overlooking that down to  
13 the third floor?

14 MR. TAPPER: Correct.

15 MR. HAJALIGHOLI: Correct.

16 MEMBER JONES: All right, so  
17 beyond the bar --

18 MR. TAPPER: There is also a  
19 staircase.

20 MEMBER JONES: -- to the left?

21 MR. TAPPER: Correct.

22 MEMBER JONES: Excuse me?

1 MR. TAPPER: There is also a  
2 staircase.

3 MEMBER JONES: Okay. A staircase  
4 to get down to the third floor?

5 MR. TAPPER: Correct.

6 MEMBER JONES: All right.

7 MR. TAPPER: And that staircase  
8 then connects with the street level.

9 MEMBER JONES: Okay. And the bar  
10 that you were referring to is the one to the  
11 left?

12 MR. TAPPER: What, there's two  
13 bars up there.

14 MEMBER JONES: There's two bars up  
15 there?

16 MR. TAPPER: Correct.

17 MEMBER JONES: So I'm not  
18 following it. So where are the two bars?

19 MR. TAPPER: Directly across from  
20 each other. There's a very small one, and --

21 MEMBER JONES: All right, so  
22 there's four seats there?

1 MR. TAPPER: There are four seats  
2 there.

3 MEMBER JONES: And then to the  
4 far, on the right-hand side?

5 MR. TAPPER: Correct.

6 MEMBER JONES: All right, there --  
7 (Off the record comments)

8 MR. TAPPER: Seven.

9 MR. HAJALIGHOLI: Seven.

10 MEMBER JONES: Seven?

11 MR. TAPPER: Yes.

12 MEMBER JONES: All right. Is that  
13 representative of all the seating that you  
14 have for your restaurant patrons on the fourth  
15 floor?

16 MR. TAPPER: Currently, yes, sir.

17 MEMBER JONES: And that's what you  
18 planned, that's what you based your  
19 projections on, correct?

20 MR. TAPPER: That's what I'd like  
21 to open with, correct, sir.

22 MEMBER JONES: All right. Thank

1 you, Madam Chair.

2 CHAIRPERSON MILLER: Okay,

3 \*\*\*3:20:01.

4 MEMBER ALBERTI: I wanted to  
5 return to my questions about alcohol served  
6 without food service. Because, a quick back  
7 of the envelope comparison of your numbers,  
8 tells me that this 62 percent of total sales  
9 for food, comports with the figures that you  
10 gave me on your spreadsheet for total dollar  
11 amounts, where you come up with 55 percent  
12 food for dinner and 80 percent food for  
13 brunch, all right. So that's 62 percent looks  
14 like that's an accurate calculation.

15 So that raises the question for  
16 me, where in the alcohol sales do your liquor,  
17 wine, all those sales, where in there is it  
18 reflected, the alcohol sales on weekends, late  
19 night crowd on weekends?

20 Is it in there, and if it is, what  
21 is the amount and what proportion? Because it  
22 sure doesn't look like it, from the figures

1 you gave me that it's in there.

2 MR. TAPPER: I'm sorry, can you  
3 repeat the question?

4 MEMBER ALBERTI: No, my point was,  
5 the figures --

6 MR. TAPPER: Totals --

7 MEMBER ALBERTI: -- you've given  
8 me, don't seem to include the late night non-  
9 dinner alcohol service. All right? So --

10 MR. TAPPER: Correct.

11 MEMBER ALBERTI: -- if it's in  
12 there, tell me where it's in there.

13 MR. TAPPER: What I'm trying to  
14 establish is that my entire total sales for  
15 the entire year, including Friday and Saturday  
16 night, late night that you speak of, is that  
17 projected revenue. I don't have a projection  
18 for minute by minute or hour by hour of sales.  
19 I don't --

20 MEMBER ALBERTI: Yes, well --

21 MR. TAPPER: -- I don't believe I  
22 possess the ability to give you that.

1                   MEMBER ALBERTI: Well, then if  
2                   it's in here, then if it's in here, follow me,  
3                   if it's in here, all right? Then, logical,  
4                   that if I'm just thinking about dinner crowd,  
5                   and I was just thinking about the crunch crowd  
6                   and ignoring the late night crowd, that 55  
7                   percent food sales for dinner, all right --

8                   MR. TAPPER: Correct.

9                   MEMBER ALBERTI: -- would have to  
10                  be lower.

11                  MR. TAPPER: Lower?

12                  MEMBER ALBERTI: I mean would have  
13                  to be higher.

14                  MEMBER JONES: Higher.

15                  MEMBER ALBERTI: It would have to  
16                  be much higher.

17                  MR. TAPPER: It is an average that  
18                  we're looking at, you know.

19                  MEMBER ALBERTI: So what do you  
20                  think the percentage for food sales is each  
21                  dinner, at dinnertime?

22                  MR. TAPPER: I'm sorry, the what?

1 MR. HAJALIGHOLI: At dinnertime.

2 MEMBER ALBERTI: Does Floriana  
3 have a late night crowd?

4 MEMBER JONES: Thank you.

5 MR. TAPPER: It has a little bit  
6 of a bar scene, yes, sir.

7 MEMBER JONES: What time does your  
8 bar scene start, roughly?

9 MR. TAPPER: 5:00 p.m.

10 MEMBER JONES: 5:00 p.m.?

11 MR. TAPPER: Correct.

12 MEMBER JONES: So from 5:00 p.m. -

13 -

14 MR. TAPPER: Happy hour.

15 MEMBER JONES: -- until close?

16 MR. TAPPER: Correct.

17 MEMBER JONES: Okay, so what is  
18 your percentage distribution at that point in  
19 time between your alcohol sales and your food  
20 sales, based on your experience?

21 MR. TAPPER: Has a total 60  
22 percent food.

1 MEMBER JONES: No.

2 MR. TAPPER: I still have people  
3 eating at --

4 MEMBER JONES: Between 5:00 p.m.  
5 and close, you're saying at 60 percent food?

6 MR. TAPPER: Correct. My  
7 restaurant sales 60 percent food from 5:00  
8 p.m. to close, and that --

9 MEMBER JONES: What time is your  
10 closing?

11 MR. TAPPER: And that is with a  
12 bar.

13 MEMBER JONES: What times are you  
14 operating?

15 (Crosstalk)

16 MR. TAPPER: And that's with a bar  
17 and a bar scene, sir.

18 MEMBER JONES: What are your  
19 operating hours?

20 MR. TAPPER: From 5:00 p.m. to  
21 last call.

22 MEMBER JONES: Which is?

1 MR. TAPPER: 1:30 a.m. on  
2 weekdays, 2:30 a.m. on Fridays and Saturdays,  
3 Sunday, obviously, 1:30 a.m. also.

4 MEMBER JONES: Same thing for  
5 Pulpo?

6 MR. TAPPER: Correct. Actually,  
7 Pulpo sales even more food than alcohol. I  
8 actually have lower alcohol sales at Pulpo,  
9 even though it has a larger bar area.

10 MEMBER JONES: Okay. And those  
11 two establishments they had roughly the same,  
12 I guess, bar scene, bar size, table layout and  
13 TVs for sports and things like that?

14 MR. TAPPER: Pulpo has TVs,  
15 Floriana does not?

16 MEMBER JONES: Does not, okay.

17 MEMBER ALBERTI: So in coming up  
18 with the dinner versus brunch, how did you  
19 make one 55 and one 80 percent? I mean, where  
20 did you include --

21 MR. TAPPER: So the --

22 MEMBER ALBERTI: Let me think.

1 MR. TAPPER: I'm sorry.

2 MEMBER ALBERTI: Where did you  
3 include the effect of non-food associated  
4 alcohol sales?

5 MR. TAPPER: I don't --

6 MEMBER ALBERTI: Because you're  
7 going to have some of that, we all know that.

8 MR. TAPPER: At dinner. It's --

9 MEMBER ALBERTI: So it's all in  
10 the dinner?

11 MR. TAPPER: I mean, it's figured  
12 into the percentage, so I will obviously, have  
13 people that are having a beer at the bar and  
14 not necessarily eating. I will also be have  
15 people that are eating and not necessarily  
16 drinking.

17 MEMBER ALBERTI: And I'm trying to  
18 think --

19 MR. TAPPER: And that's the way I  
20 --

21 MEMBER ALBERTI: What did you say  
22 your --

1 MR. TAPPER: -- and that's the way  
2 I draw my, you know, I mean, the same thing  
3 happens at Pulpo and Floriana, obviously. I  
4 have people that come in and just get water  
5 and a lasagna. I also have people that come  
6 in and get a bottle of wine and a couple of  
7 salads. It's bound to happen here. It's a  
8 play on numbers at some point where you  
9 average out this, okay?

10 MEMBER ALBERTI: Absolutely.

11 MR. TAPPER: I believe that --

12 MEMBER ALBERTI: Absolutely, so --

13 MR. TAPPER: -- in my experiences  
14 operating as a restaurateur here in this city,  
15 this is what my establishments seem to average  
16 out, which is 55 percent food, 45 percent  
17 beverage. Of that beverage, I believe that  
18 around two or three percent is non-alcoholic,  
19 you do get your guests that drink bottled  
20 water, or ice tea --

21 MR. HAJALIGHOLI: Soda.

22 MR. TAPPER: -- or Coca Cola. You

1 can't expect a child to drink a beer, because  
2 they're not allowed to.

3 MR. HAJALIGHOLI: Right.

4 MR. TAPPER: But they are going to  
5 drink a Coca Cola, and they might have three  
6 of them.

7 MEMBER ALBERTI: All right.

8 MR. TAPPER: And, you know, what  
9 I'm trying to convey here is my experience as  
10 an operator in this city, this is what my  
11 establishments operate at.

12 MEMBER JONES: What are the sizes  
13 of, what are the number of seats for Floriana  
14 and Pulpo?

15 MR. TAPPER: Ninety-four and 185.

16 MEMBER JONES: Respectively?

17 MR. TAPPER: Floriana 94.

18 MEMBER JONES: Got it.

19 MR. TAPPER: And Pulpo is a  
20 Certificate of Occupancy for 185.

21 MEMBER JONES: All right, how many  
22 seats do you have in those?

1 MR. TAPPER: Ninety-four at  
2 Floriana, and I believe I have 150 at, or 140,  
3 at Pulpo.

4 (Off the record comments)

5 CHAIRPERSON MILLER: Let me ask  
6 you this.

7 MR. TAPPER: Yes.

8 CHAIRPERSON MILLER: With these  
9 calculations, did you come up with a  
10 calculation, a percentage for Pulpo and a  
11 percentage for Floriana, or you're just saying  
12 you just looked at those?

13 MR. TAPPER: I looked at my  
14 historical output of both restaurants and used  
15 that to help me form a guideline for this  
16 basis.

17 CHAIRPERSON MILLER: Okay, so they  
18 were pretty similar?

19 MR. TAPPER: Correct.

20 CHAIRPERSON MILLER: But one may  
21 have had more alcohol?

22 MR. TAPPER: Floriana has a lot

1 more wine sales than Pulpo has. I mean,  
2 obviously, location, location, location,  
3 concept to concept is going to skew certain  
4 variances a little bit. You know, as I said,  
5 I sale even more food at Pulpo than I do at  
6 Floriana. So, you know, I took that into  
7 effect that Adams Morgan is a little bit of a  
8 different of a neighborhood, and I toned down  
9 my belief of food sales. I, you know, I  
10 wanted the budget for 65 percent food, but I  
11 believe that in that neighborhood that 65  
12 percent is an unachievable number for me. I  
13 believe that the achievable that I am  
14 targeting is 55 percent. Madam Chair, it's an  
15 estimate. At some point I could be serving 70  
16 percent food, I don't know.

17 CHAIRPERSON MILLER: It's an  
18 estimate based on your other two restaurants.

19 MR. TAPPER: Correct.

20 CHAIRPERSON MILLER: And in your  
21 opinion, they are similar enough for you to  
22 feel confident in your numbers?

1 MR. TAPPER: Correct.

2 MEMBER JONES: But just to be  
3 clear, did you say they were located in Adams  
4 Morgan?

5 MR. TAPPER: One is in DuPont,  
6 which is eight blocks down the street.

7 MEMBER JONES: Right.

8 MR. TAPPER: One is in Cleveland  
9 Park, eight blocks up the street.

10 MEMBER JONES: Okay. So no,  
11 they're not located in Adams Morgan?

12 MR. TAPPER: Correct.

13 MEMBER JONES: Okay.

14 MR. TAPPER: Is that to imply that  
15 Adams Morgan -- okay. Yes.

16 MEMBER JONES: Just, not to imply  
17 anything, it's just a question for  
18 clarification purposes.

19 MR. TAPPER: Understood, Mr.  
20 Jones. Thank you.

21 CHAIRPERSON MILLER: Okay. It's  
22 almost 3:30 p.m.

1 MEMBER ALBERTI: Can I just ask --

2 CHAIRPERSON MILLER: No, no, you  
3 can ask them a question.

4 MEMBER ALBERTI: Okay.

5 CHAIRPERSON MILLER: I just want  
6 to see where we are in this. Go ahead.

7 MEMBER ALBERTI: I'm just going to  
8 switch gears for a second.

9 CHAIRPERSON MILLER: Okay.

10 MEMBER ALBERTI: Regarding

11 \*\*\*3:28:28.

12 CHAIRPERSON MILLER: Yes, ask what  
13 you need to ask.

14 MEMBER ALBERTI: The \*\*\*3:28:29  
15 restaurant, that was a former establishment  
16 that \*\*\*3:28:34 had a security plan, do you  
17 intend to have a security plan? I know that  
18 you're a restaurant, but I have to ask you --

19 MR. BIANCO: Yes, they do.

20 MEMBER ALBERTI: -- but if you're  
21 going to have a late night crowd, we talked  
22 about that.

1 MR. BIANCO: And, you know, this  
2 is more of a legal issue, than I suppose I  
3 should probably be responding to. But it's my  
4 understanding, in speaking with the  
5 Administration's Record Department, that there  
6 is an approved security plan for this  
7 particular establishment.

8 I've gotten a copy of it. We've  
9 attached the file-stamped copy of it. But  
10 then I conducted a more detailed review of the  
11 security plan and it appears to fall short of  
12 the statutory criteria in several material  
13 ways.

14 So if you take a look at the  
15 narrative portion of our submission, I state  
16 with a pretty detailed, with a lot of  
17 particularity, how we intend to modify the  
18 security plan, in order to comply with the  
19 statutory standards.

20 And if you look at the specific  
21 language I've chosen, some of you may  
22 recognize it from security plans that the

1 Board has approved in the past for others of  
2 my client.

3 So it was a very unscientific way  
4 that we came about that, cut and paste,  
5 compare it to the statutory criteria. So if  
6 granted, when we go forward, the security plan  
7 will be amended to comply with the statutory  
8 criteria, the specifics of which you can find  
9 between Pages 2 and 4.

10 MEMBER ALBERTI: So just to  
11 summarize your response. Yes, you do intend  
12 to have a security plan and you will, you do  
13 intend to make it compliant with the  
14 District's statutes on what's required in  
15 security plan, is that correct?

16 MR. BIANCO: Yes. I would modify  
17 that slightly to say, we already have one,  
18 whether we like it or not.

19 MEMBER ALBERTI: Okay.

20 MR. BIANCO: Because it's attached  
21 to the license. But we would modify it, to  
22 make sure it complies with the District's

1 statutes.

2 MEMBER ALBERTI: Okay, great.

3 Thanks.

4 MR. BIANCO: Yes.

5 MEMBER ALBERTI: And the other  
6 thing, I'm going to have to switch gears  
7 again. So we talked a little bit last time  
8 you were here. And I appreciate you guys  
9 coming back in, all right.

10 But I was a little left  
11 unsatisfied by the information I was getting  
12 about the idea that you might combine  
13 kitchens.

14 You've got two restaurants, you  
15 got overlapping owners. So it's, you know, on  
16 paper it's separate, but in reality you have  
17 people, you've got \*\*\*3:31:21. So do you  
18 intend to combine kitchens?

19 MR. BIANCO: That's the intention.

20 MEMBER ALBERTI: Okay. Fine. I  
21 appreciate the honesty.

22 MR. BIANCO: Separate systems, but

1 combined kitchens.

2 MEMBER ALBERTI: Well, that's what  
3 I want to understand. I want to understand  
4 what those separate systems are. Because I  
5 understand how the CLS Systems can be  
6 completely -- there could be a firewall  
7 between those two, all right, I understand all  
8 that. It's all electronic, it's not that hard  
9 to do.

10 But what I'm having a little  
11 trouble grabbling is, is that you're ordering  
12 supplies and you got one kitchen. And how do  
13 you keep your books and records separate for  
14 those two entities, when the supplies are  
15 sitting there right in the same room?

16 You're ordering from the same  
17 company. You're not going to be ordering beef  
18 from Company A and beef from Company B.

19 MEMBER JONES: Well, with all due  
20 respect --

21 MEMBER ALBERTI: Right.

22 MEMBER JONES: -- Board Member

1 Alberti, I don't --

2 MEMBER ALBERTI: Maybe I'm going  
3 too far with this.

4 MEMBER JONES: I don't know that  
5 you know that we know that.

6 MEMBER ALBERTI: We don't know  
7 that. We don't know that.

8 MEMBER JONES: So you're making an  
9 assumption that could be off base.

10 MEMBER ALBERTI: Absolutely right.  
11 Thank you, Mr. Jones. But you get my point,  
12 why are --

13 MR. TAPPER: This menu is  
14 different. So there is very small overlap of  
15 ingredients that are commonly used.  
16 Obviously, both restaurants will use potatoes,  
17 both restaurants will use eggs.

18 We will leverage buying quantity  
19 of these materials to get a better price.  
20 That's just simple business for me. We will  
21 make the conservative effort in those items  
22 that Federal orders what it needs for Federal.

1 District will order what it needs for  
2 District.

3 We have ample walk-in rooms  
4 between the two places that we can store our  
5 food in separate locations for the separate  
6 entities. I do not have the same caliber of  
7 kitchen upstairs that I do downstairs.

8 MEMBER ALBERTI: I understand.

9 MR. TAPPER: Right. We, Mr.  
10 Alberti, you and I, you saw the glow in my  
11 eyes the last time I spoke of that kitchen,  
12 you know.

13 MEMBER ALBERTI: No, I get it. I  
14 get it, you know.

15 MR. TAPPER: I can tell you that  
16 we will be purchasing separately for each  
17 business.

18 MR. BIANCO: But there's --

19 MEMBER JONES: So how are you  
20 tracking your inventory to ensure that there's  
21 no commingling going on?

22 MR. TAPPER: Separate storage

1 areas.

2 MEMBER JONES: Okay, so the  
3 separate -- how are you tracking enforcing  
4 that with your staff, to ensure that there is  
5 no contamination, cross contamination of any  
6 type?

7 You run short on a steak, you run  
8 short on an octopus head, whatever it is you  
9 serving, right? And you go down and say oh,  
10 man, I got one. There's one right downstairs,  
11 let me go get it. I'll make sure I make a  
12 note of it. Like, what are you doing --

13 MR. TAPPER: As far as food,  
14 they'll be transfer logs.

15 MEMBER JONES: Say that one more  
16 time.

17 MR. TAPPER: As far as food goes,  
18 there will be transfer logs.

19 MEMBER JONES: Okay, so you are  
20 implementing a process by which you will be  
21 allowed to take items that you purchased for  
22 one entity --

1 MR. TAPPER: We'll --

2 MEMBER JONES: -- and migrate them  
3 from that entity to another entity?

4 MR. TAPPER: Sir, it happens  
5 between restaurants all the time --

6 MEMBER JONES: It does not.  
7 That's, I'm not that smart, so that's not  
8 really relevant --

9 MR. TAPPER: But if I --

10 (Crosstalk)

11 MEMBER JONES: -- make sure you  
12 have --

13 (Crosstalk)

14 MR. TAPPER: Okay, if I run out of  
15 heavy cream, I may go to a neighboring  
16 restaurant and be like, hey, can I borrow a  
17 quart of heavy cream, my delivery comes  
18 tomorrow and return it.

19 MEMBER JONES: So that's not  
20 comforting for me. Because you're saying  
21 that's part of the practice, that's part of  
22 what you do.

1                   So you're probably going to plan  
2                   to do that and not see \*\*\*3:34:55, right?

3                   MR. TAPPER:   No, that's not right.

4                   MEMBER JONES:   And therefore, I  
5                   don't know that you're going to be able to  
6                   implement a system that adequately addresses  
7                   our concerns and/or needs about the lack of  
8                   contamination that could proliferate through  
9                   your two establishments, right now, based on  
10                  what you just said.

11                  So I'm trying to get a better  
12                  understanding of -- I'll even let you try to  
13                  answer it again so that I can have a better  
14                  feel for how you're going to make sure --

15                  MR. TAPPER:   It is --

16                  MEMBER JONES:   -- that you are  
17                  going to keep those things separate.

18                  MR. TAPPER:   It is by no means my  
19                  intention to commingle inventory, sir.  I just  
20                  simply implied that in the case of an issue of  
21                  where I run out of hamburger meat, or a  
22                  hamburger bun, that I do have a system in

1 place that allows me to say, I'm borrowing  
2 today and it will be returned tomorrow.

3 MEMBER JONES: Okay, so you --

4 MR. TAPPER: For the --

5 MEMBER JONES: -- use that system?

6 MR. TAPPER: Correct.

7 MEMBER JONES: Okay, so you --

8 MR. TAPPER: So that --

9 MEMBER JONES: -- use that system  
10 for alcohol?

11 MR. BIANCO: No.

12 MR. TAPPER: No, sir.

13 MEMBER JONES: Okay.

14 MEMBER ALBERTI: What I think  
15 you're saying, well, question then, \*\*\*3:35:55  
16 because I was waiting to hear the answer was,  
17 what about alcohol? I mean --

18 MR. TAPPER: I say yes, to food.

19 (Crosstalk)

20 MEMBER ALBERTI: You can see that  
21 that's a focus of ours --

22 (Crosstalk)

1 MR. TAPPER: The answer to alcohol  
2 is, no.

3 MEMBER ALBERTI: Pardon?

4 MR. TAPPER: The answer to food  
5 is, yes. The answer to alcohol is, no.

6 MEMBER ALBERTI: It will be kept  
7 completely separate between entities?

8 MR. TAPPER: Completely separate,  
9 sir.

10 MEMBER ALBERTI: Completely, there  
11 will be no --

12 MR. TAPPER: Completely separate.

13 MEMBER ALBERTI: -- no borrowing?

14 MR. TAPPER: There's no sharing of  
15 liquor rooms. There is no sharing of space.  
16 The only reason the food becomes an issue is  
17 because we're using the same kitchen to  
18 prepare it.

19 We are not storing the alcohol in  
20 the same establishment. As in, Federal has a  
21 designated liquor room with invoices.  
22 District has a dedicated liquor room with

1 invoices.

2 MEMBER ALBERTI: Okay, that's  
3 fair.

4 CHAIRPERSON MILLER: Okay. While  
5 we're on a separate record, maybe we can just  
6 finish that area, if the Board Members have  
7 anymore concern.

8 We asked you about how you were  
9 maintaining separate and distinct records for  
10 the alcohol. I assume that's an easier  
11 question, even than the storage, but do you  
12 want to address that?

13 (Off the record comments)

14 MR. BIANCO: They're separate  
15 entities that are on separate accounts. And  
16 they have separate bank accounts. They have  
17 separate lines of credit. They have separate  
18 accounts with wholesalers, and storage, the  
19 deliveries, everything is going to be  
20 completely segregated from the other  
21 establishment, there's not going to be any  
22 crossover whatsoever.

1 MR. TAPPER: We do also use  
2 QuickBooks. So it's easy for us to track an  
3 invoice from one purveyor, et cetera.

4 CHAIRPERSON MILLER: Okay.

5 MR. TAPPER: So if you ask me for  
6 a specific check number that paid a specific  
7 alcohol invoice, you know, I could match it to  
8 an actual check day.

9 CHAIRPERSON MILLER: There's  
10 separate checkbooks for each establishment?

11 MR. TAPPER: Correct, different,  
12 separate bank accounts.

13 CHAIRPERSON MILLER: Separate bank  
14 accounts, okay.

15 MR. BIANCO: And they have  
16 separate EINs, as well. So they have to file  
17 separate tax returns for the District, they  
18 have to file separate quarterly sales and use  
19 tax returns, they have to have separate  
20 unemployment tax accounts, separate insurance,  
21 separate workers comp, everything is going to  
22 have to be done twice by the separate --

1 MR. TAPPER: Oh yes, separate cash  
2 registers.

3 (Off the record comments)

4 CHAIRPERSON MILLER: Let me ask  
5 you about the special events. Did you project  
6 revenue from special events in your --

7 (Off the record comments)

8 MR. BIANCO: What we provided is  
9 an estimate of what these represents per  
10 month. And then what we broke out was in  
11 Exhibit D, an example of a special event and  
12 the allocation of sales for that specific  
13 event, assuming an event costs about \$10,000  
14 for 300 people.

15 CHAIRPERSON MILLER: Where is  
16 that?

17 MR. BIANCO: Exhibit D.

18 CHAIRPERSON MILLER: Exhibit D,  
19 okay.

20 MR. BIANCO: And I'm told by Mr.  
21 Tapper, our expert, that the special event  
22 frequency is very season in nature. So in

1 certain parts of the year you'll have a larger  
2 number of special events that --

3 (Crosstalk)

4 MR. TAPPER: Holiday parties, I'll  
5 have a lot in December. August, it'll be like  
6 crickets when it comes to special events.

7 MR. BIANCO: Yes.

8 MR. TAPPER: You know.

9 CHAIRPERSON MILLER: The \$10,000  
10 party stat here, is that an average, is that  
11 a most common estimate?

12 MR. TAPPER: It was just an  
13 example I used to allow you to see easy  
14 numbers to decipher.

15 CHAIRPERSON MILLER: Okay.

16 MR. TAPPER: It could be \$9,000.  
17 It could be, 100 people for \$3,000. I don't  
18 know.

19 CHAIRPERSON MILLER: Okay.

20 MR. TAPPER: It really depends on  
21 what the market's dictating at that time.

22 CHAIRPERSON MILLER: So --

1 MR. TAPPER: Especially with our  
2 close proximity to the Omni Shoreham that has  
3 a large convention areas, which we'll really  
4 be able to target when they have conventions  
5 in town.

6 CHAIRPERSON MILLER: So what is it  
7 that we should be drawing from this \$10,000  
8 breakdown, that the food sales are going to be  
9 55 percent?

10 MR. TAPPER: Correct, that our  
11 standard practice, this is how we approach a  
12 client and explain to them how a function at  
13 our event will work.

14 CHAIRPERSON MILLER: Okay. One  
15 other question though, does it vary depending  
16 on what type of clients or event?

17 MR. TAPPER: Correct. I mean, if  
18 the client wants to do filet mignons, then the  
19 per person average goes up. If they want to  
20 do crab cakes, the per person cost may  
21 decrease.

22 (Off the record comments)

1                   CHAIRPERSON MILLER:  And also, are  
2                   you going to have some events that are more  
3                   dinner oriented and some that are going to be  
4                   more, you know --

5                   (Crosstalk)

6                   MR. TAPPER:  The example that I  
7                   gave you was basically like a wedding  
8                   reception dinner, was what I used as an  
9                   example.  You know, some may be larger.  
10                  Christmas parties may be longer or shorter,  
11                  depending on how that works.

12                  CHAIRPERSON MILLER:  Okay.

13                  MEMBER ALBERTI:  I guess, you go  
14                  ahead.

15                  CHAIRPERSON MILLER:  No, no, I  
16                  think I'm finished.

17                  MEMBER ALBERTI:  I just sort of in  
18                  that \*\*\*3:41:29 I just want, I mean, I had  
19                  some more questions, what are my options as a  
20                  client, and I, you know, I want to have a  
21                  Christmas party, but wouldn't want to go to  
22                  late in the evening, you know, we might end up

1 in there at 1:00 a.m. or 2 o'clock in the  
2 morning, for my Christmas parties. And I do  
3 it with just the minimum of food and drinks.

4 MR. TAPPER: No, sir.

5 MEMBER ALBERTI: Do you do that  
6 kind of contract?

7 MR. TAPPER: No, sir.

8 MEMBER ALBERTI: So what's the  
9 range?

10 MR. TAPPER: It --

11 MEMBER ALBERTI: What are my  
12 options, what's the range of options for me as  
13 a client? So I know whether I can come to  
14 your establishment.

15 MR. TAPPER: It's a little bit  
16 different at Floriana. I mean, the most we  
17 can hold at one time is 30. So our per person  
18 just food minimum starts at \$45. And then  
19 alcohol is on consumption.

20 MEMBER ALBERTI: I got you. But  
21 we're at, what are you calling your place now?

22 MR. TAPPER: District.

1                   MEMBER ALBERTI: District. So I'm  
2                   at District.

3                   MR. TAPPER: Right.

4                   MEMBER ALBERTI: Which is, it's  
5                   got a pretty, it's got a big standing room --

6                   (Off the record comments)

7                   MEMBER ALBERTI: -- layout.

8                   MR. TAPPER: Correct. We will --

9                   MEMBER ALBERTI: What are my  
10                  options, as a client?

11                  MR. TAPPER: We will not allow you  
12                  just to use it as a bar room. That is not,  
13                  that's against our policy.

14                  MEMBER ALBERTI: So what would be  
15                  the minimum food that you would require?

16                  MR. TAPPER: Fifty-five percent  
17                  food.

18                  MEMBER ALBERTI: Pardon?

19                  MR. TAPPER: That, 55 percent  
20                  food. That way we can protect the clientele,  
21                  making sure that they have enough food to not  
22                  be inebriated.

1 MEMBER ALBERTI: Okay.

2 MR. TAPPER: I mean, our standard,  
3 you know, our standard operating practices is  
4 also to be very protective of our guests.

5 MEMBER ALBERTI: Okay. Thank you.

6 MEMBER BROOKS: More questions.

7 CHAIRPERSON MILLER: Yes, Mr.  
8 Brooks.

9 MEMBER BROOKS: Do you have  
10 special events at Floriana?

11 MR. TAPPER: Correct.

12 MEMBER BROOKS: You do?

13 MR. TAPPER: Yes, sir.

14 MEMBER BROOKS: How many a year,  
15 approximately?

16 MR. TAPPER: We do about one a  
17 week.

18 MEMBER BROOKS: One a week?

19 MR. TAPPER: Correct.

20 MEMBER BROOKS: Okay. Thank you,  
21 Madam Chair.

22 MR. TAPPER: Can I readdress that?

1                   MEMBER BROOKS: Yes, you can,  
2                   that's fine.

3                   MR. TAPPER: What drew me to this  
4                   property is, I had stated the last time, was  
5                   that I have two restaurants that cannot  
6                   accommodate the number of the large parties  
7                   that we get requests for.

8                   That was a large part of my  
9                   interest in this property, was I can funnel  
10                  business that I am now losing, or giving to  
11                  colleagues of mine, because I can't  
12                  accommodate them.

13                  MEMBER BROOKS: I see. Thank you.

14                  MR. TAPPER: You're welcome, sir.

15                  CHAIRPERSON MILLER: And just as a  
16                  follow-up, when you say large parties, how  
17                  many people do you mean?

18                  MR. TAPPER: I mean, at Floriana,  
19                  I can't do more than 30 in my private dinning  
20                  room. At Pulpo, we can't do more than 40.

21                  CHAIRPERSON MILLER: So greater  
22                  than 40.

1 MR. TAPPER: Correct.

2 MEMBER BROOKS: But you can do 300  
3 at District, right?

4 MR. TAPPER: Yes.

5 CHAIRPERSON MILLER: Okay.

6 MEMBER JONES: Cool, just so based  
7 on that, you're saying you're turning down  
8 business for these special events, and you're  
9 doing one a week at one of your  
10 establishments?

11 MR. TAPPER: Correct. Well and, I  
12 mean, special event --

13 MEMBER JONES: So you're turning  
14 down business --

15 MR. TAPPER: -- I mean by private  
16 dinner.

17 MEMBER JONES: That's fine. So  
18 you're turning down business and you're still  
19 doing one a week, right?

20 MR. TAPPER: Yes.

21 MEMBER JONES: What would you  
22 project that volume to be at a place such as

1 District, i.e., you're saying, how many  
2 special events per what?

3 MR. TAPPER: As I had spoken, as I  
4 had talked to this Board previously, my big  
5 dream of mine for this property is to do an  
6 Iron Chef-type deal at the venue once a month,  
7 which is two restaurants competing against  
8 each other with part of the proceeds going to  
9 charity.

10 (Off the record comments)

11 MEMBER JONES: So at least one  
12 special event each month?

13 MR. TAPPER: I would hope so, yes,  
14 sir.

15 MEMBER JONES: At a minimum,  
16 that's your objective, right?

17 MR. TAPPER: Correct, sir.

18 MEMBER JONES: But that's not the  
19 minimum, that's not the threshold, right, so  
20 you wouldn't, that's once a month, it wouldn't  
21 prevent you from doing it once a week like  
22 you're doing at your other place, right?

1 MR. TAPPER: Correct, sir.

2 MEMBER JONES: Okay. So how you  
3 would want to use the space, are there any  
4 limits, considering the number of special  
5 events, or simultaneous special events that  
6 you would be hosting, or providing for at this  
7 location?

8 MR. TAPPER: I'm sorry, could you  
9 repeat that, I didn't quite --

10 MEMBER JONES: Sure. Based on  
11 your wish list, right, is there any minimum  
12 number that you're looking for, in terms of  
13 special events, in order for you to achieve  
14 your business model?

15 MR. TAPPER: I think that's a good  
16 question, but I'm not really understanding the  
17 question.

18 MR. HAJALIGHOLI: I thought we had  
19 discussed this --

20 (Crosstalk)

21 MEMBER JONES: So your business  
22 model closes right now, you make money, right,

1 you're in this business to make money, right?

2 MR. TAPPER: Correct.

3 MEMBER JONES: Is part of what's  
4 going to help you be able to close your  
5 business plan the process of doing special  
6 events? So in other words, if --

7 (Crosstalk.)

8 MR. TAPPER: Now I understand.

9 MEMBER JONES: -- said no, you  
10 can't do any special events with your business  
11 model closed.

12 MR. TAPPER: No, sir.

13 MEMBER JONES: They won't?

14 MR. TAPPER: They will not.

15 MEMBER JONES: Okay, so you have  
16 to have special events.

17 MR. TAPPER: No, no, I'm confused  
18 by, no it will not deter me from being  
19 successful.

20 MEMBER JONES: Okay.

21 MR. TAPPER: Part of my business  
22 is not contingent on the private events

1 ultimately, it helps me be much more  
2 profitable.

3 MEMBER JONES: All right.

4 MR. TAPPER: But dinner service  
5 and brunch service is what I need to make  
6 money at this.

7 MEMBER JONES: Got it. Now, would  
8 you limit yourself to any number of special  
9 events? So for example, right now you're  
10 doing once a week special events at one of  
11 your other establishments. And you're turning  
12 down business that you otherwise would be  
13 doing, if you had more space.

14 MR. TAPPER: Well I --

15 MEMBER JONES: So that's one a  
16 week, would you be doing more?

17 MR. TAPPER: I'm turning away ones  
18 that I can't accommodate.

19 MEMBER JONES: Correct, but you  
20 would be doing it at this location.

21 MR. TAPPER: Correct.

22 MEMBER JONES: Right. So you're

1 turning down some and you're still able to  
2 manage a pretty consistent one a week special  
3 event at your location.

4 MR. TAPPER: Correct.

5 MEMBER JONES: Based on what you  
6 said, right?

7 MR. TAPPER: Correct. I think --

8 MEMBER JONES: So would you be  
9 doing --

10 MR. TAPPER: I think the special  
11 event is not, I think this is being twisted.  
12 A special event is a private dinner of 15. If  
13 you and 14 of your friends want to have a  
14 private dinner in a private room, I mean,  
15 that's a special event, in your terminology,  
16 I call that dinner, also.

17 MEMBER JONES: Okay. So how you  
18 defined it in the information you provided to  
19 us, right?

20 MR. TAPPER: Correct.

21 MEMBER JONES: So I'm not trying  
22 to twist it. I'm not trying to make it any

1 more confusing that it needs to be. I'm just  
2 trying to understand, you defined something as  
3 a special event, right?

4 (Off the record comments)

5 MR. TAPPER: Okay, so we're close  
6 to the pipe.

7 MEMBER JONES: And you're giving  
8 me a meaning now.

9 MR. TAPPER: A special event would  
10 be a dedicated area, which like outside people  
11 can --

12 (Off the record comments)

13 MR. BIANCO: It's based on the  
14 information we provided, that we anticipated  
15 one to two special events per month. And we  
16 gave some examples of what we believe special  
17 events to be.

18 And I think Mr. Tapper gave a  
19 couple more. For example, Christmas party is  
20 what he discussed today, Iron Chef  
21 competition, which is something that he wants  
22 to host.

1                   And in our submission, the  
2                   examples of special events that we gave would  
3                   be like, a March Madness party, Super Bowl  
4                   party, something to that effect.

5                   MEMBER JONES: So let me ask it  
6                   differently. Is there any conditions by which  
7                   you would self regulate and say I would not  
8                   want to do any more than 24 special events in  
9                   a single year?

10                  MR. TAPPER: Why?

11                  MEMBER JONES: Or any, whatever  
12                  bounds you want to put on it. I'm just trying  
13                  to understand. Or is it unlimited, you can  
14                  have a special event there every day if you  
15                  wanted to and you would be okay with that in  
16                  your business model.

17                  MR. BIANCO: I can't speak from a  
18                  business standpoint, but legally, they're not  
19                  looking to put some type of limitation on the  
20                  number of special events that they have. If  
21                  they can book them and they can accommodate  
22                  them, they're not going to turn the business

1 away.

2 MEMBER JONES: Do you agree with  
3 that?

4 MR. TAPPER: I mean, I don't want  
5 to turn away business. I don't understand how  
6 this is relevant to this.

7 MEMBER JONES: Okay. That's fine.

8 MR. TAPPER: And by no means do I  
9 mean any disrespect, I don't understand the  
10 line of questioning here. No, I don't want to  
11 turn any business away.

12 If I could literally be sold out  
13 every day of the year, I would happily be run  
14 capacity every day of the year, sir. A great  
15 example is a restaurant across the street from  
16 me, which is Komi, across the street from  
17 Floriana.

18 Komi is, you know, regarded as one  
19 of the best restaurants in the city. It's  
20 reservation only, you know, four months ahead.  
21 I would love to be able to do that. You know,  
22 if I could mimic Johnny Manes in that

1 approach, I would happily do it. I don't know  
2 how.

3 MEMBER JONES: So special event  
4 isn't only a dinner party, right? So a  
5 special event could be --

6 MR. TAPPER: A wedding. It could  
7 be an anniversary. It could be a Christmas  
8 party. It could be an engagement party. It  
9 could be a birthday. It could be a going away  
10 party. It could be --

11 MR. HAJALIGHOLI: Super Bowl.

12 MR. TAPPER: -- a baby shower.

13 MEMBER JONES: Could it be a Super  
14 Bowl viewing party? Could it be a fight  
15 viewing party?

16 MR. TAPPER: Yes, sir, it could.

17 MEMBER JONES: Okay, it could be,  
18 right?

19 MR. TAPPER: Yes, sir.

20 MEMBER JONES: So given that, the  
21 nature and the type of audience that you have  
22 at that 300 people, drinking at a special

1 event party at your location takes on a  
2 different connotation than a 300 people  
3 sitting down to have dinner with fine china,  
4 or whatever the case may be. You didn't put  
5 any balance on that.

6 So when you define special event,  
7 it could be anything. You're going to have  
8 TVs, you're going to have X number of things  
9 in there that's going to cater to a sports  
10 crowd, cater to that type of crowd.

11 So I just wanted to get  
12 clarification from you, as to what your  
13 concept of one special event was in its  
14 entirety, whether you were limiting yourself  
15 to, and what the frequency of those could be.  
16 But that's the context, that's why I developed  
17 it from my standpoint.

18 (Off the record comments)

19 MR. TAPPER: Okay.

20 MEMBER JONES: Does that help?

21 MR. TAPPER: I guess, sir.

22 MEMBER JONES: Okay.

1                   CHAIRPERSON MILLER: Okay. So now  
2 we're at ten of 4:00 p.m. I want to make sure  
3 that any Board Member have a pressing question  
4 they definitely want to ask before we close  
5 out the line.

6                   MEMBER JONES: No, I'm good.

7                   CHAIRPERSON MILLER: Okay. I  
8 would like to request that you send us those  
9 photos, if you would, of the layout. Because  
10 I'm not sure that all Board Members have a  
11 good sense of really, you know, where the  
12 tables are and the bar and the space.

13                   And that seems to be one of the  
14 significant issues. So if you've got it laid  
15 out, you know, a picture's worth a thousand  
16 words, kind of thing.

17                   MR. BIANCO: I'll be happy to get  
18 them for you.

19                   (Off the record comments)

20                   CHAIRPERSON MILLER: Okay, thank  
21 you. All right, well thank you for all this  
22 documentation, which you know, we hadn't had

1 a chance to see before the hearing, so we'll  
2 take a look at this after the hearing.

3 MR. BIANCO: And if the Board has  
4 any supplemental requests based on our  
5 submission, I'm reachable by your attorney, we  
6 can sit down and get that information for you.

7 CHAIRPERSON MILLER: Great.

8 MEMBER JONES: Madam Chair, just  
9 to be clear, I'm not sure we, do we know all  
10 the people that are here?

11 MEMBER ALBERTI: I think we got  
12 introductions earlier.

13 CHAIRPERSON MILLER: The owner and  
14 the accountant.

15 MEMBER JONES: Got it, got it.

16 CHAIRPERSON MILLER: Is that  
17 correct?

18 MR. RENEAU: Do you want me to  
19 leave?

20 CHAIRPERSON MILLER: Is there  
21 anything you want to say?

22 (Laughter)

1 CHAIRPERSON MILLER: Okay. No,  
2 thank you very much. We appreciate it.

3 MR. HAJALIGHOLI: Thank you.

4 CHAIRPERSON MILLER: Okay.

5 (Off the record comments)

6 MR. BIANCO: Madam Chair, if I can  
7 --

8 CHAIRPERSON MILLER: Yes.

9 MR. BIANCO: -- before we recess,  
10 if I can inquire briefly. I understand the  
11 Board has a very busy calendar, but is there  
12 some sense of when we're going to have a  
13 decision on the license transfer, as it is our  
14 second time.

15 It's a fact-finding and we  
16 understand there's a lot to consider here and  
17 don't want to be out of line by asking, but  
18 Mr. Reneau's here, who owns the building and  
19 we're incurring rent as we're going along and  
20 there's operating expenses without the  
21 opportunity for revenue.

22 And if there's some sense by the

1 Board of when we could expect a decision so we  
2 know, one way or the other, how we're going  
3 forward, it would be greatly appreciated.

4 CHAIRPERSON MILLER: Well, glad  
5 that you, you know, brought that to our  
6 attention. And certainly, I can't give you an  
7 exact answer.

8 However, if you get those photos  
9 in, I think that's the only thing that we  
10 would be waiting for and I asked for that.  
11 But, you know, we convene once a week though.

12 So we can hopefully take a look at  
13 everything next week, but I can't exactly  
14 commit to, you know, when we would have an  
15 answer. By the way, we're cognizant of your  
16 situation and appreciate your cooperation and  
17 we're not going to just let this sit there.

18 MR. BIANCO: I appreciate that.

19 CHAIRPERSON MILLER: Okay.

20 MR. BIANCO: I didn't mean to push  
21 the Board in any way.

22 CHAIRPERSON MILLER: Right.

1 MR. BIANCO: But we need, there's  
2 certain business realities that I wanted to  
3 make the Board aware of.

4 CHAIRPERSON MILLER: Okay. Thank  
5 you.

6 MEMBER JONES: So just --

7 CHAIRPERSON MILLER: Mr. Jones.

8 MEMBER JONES: And just to be  
9 clear, despite whatever impression that you  
10 may get from me, as I sit here, I'm very, very  
11 cognizant and very, very empathetic to all of  
12 this, as it comes before us.

13 So I recognize and appreciate that  
14 every day we don't make a decision impacts  
15 you, so my personal commitment to you, as an  
16 individual Board Member, is to give this the  
17 due attention that it deserves so that you can  
18 have a firm decision, one way or the other,  
19 from us so you can effectively make the  
20 appropriate business decision going forward.

21 So no intent to hold this up or  
22 drag it out any longer than necessary, from my

1       standpoint.

2                   MR. HAJALIGHOLI: Thank you, sir.

3                   MR. BIANCO: Thank you, Mr. Jones,  
4 I appreciate that.

5                   MR. HAJALIGHOLI: Thank you very  
6 much.

7                   MR. TAPPER: Have a wonderful day,  
8 everyone.

9                   CHAIRPERSON MILLER: Thank you,  
10 you too.

11                   (Chorus of thank you)

12                   (Off the record comments)

13                   CHAIRPERSON MILLER: So why don't  
14 we take at least a ten minute break anyway.

15                   MEMBER ALBERTI: If we need to?

16                   CHAIRPERSON MILLER: Yes.

17                   (Off the record comments)

18                   (Whereupon, the foregoing matter  
19 went off the record at 3:54 p.m.)

20

21

22

| <b>A</b>                  |                            |                           |                          |                            |
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