

TOUCHDOWN

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GOVERNMENT OF THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

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IN THE MATTER OF: :

SBI, LLC

t/a Touchdown Case Number 16-CMP-00339

1334 U Street NW

License Number 86233

Retailer CT

ANC 1B

FACT FINDING HEARING

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Wednesday, June 29, 2016

Whereupon, the above referenced matter came on for hearing at the Alcoholic Beverage Control Board, Reeves Center, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009.

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2 CHAIRPERSON:

3 DONOVAN W. ANDERSON, Presiding

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5 OTHER PERSONS PRESENT:

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7 RUTHANNE MILLER, BOARD MEMBER

8 JAMES SHORT, BOARD MEMBER

9 MIKE SILVERSTEIN, BOARD MEMBER

10 NICK ALBERTI, BOARD MEMBER

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

2 CHAIRPERSON ANDERSON: All right. We then  
3 move on to our fact finding hearing. The first matter  
4 is Case Number 16-CMP-00339, Touchdown, License Number  
5 86233. Will the parties please approach and identify  
6 yourself for the record please. Can you please identify  
7 yourself for the record please.

8 MR. SAHRI: Jamal Sahri.

9 CHAIRPERSON ANDERSON: And who are you, sir?

10 MR. SAHRI: I'm -- I'm the owner of  
11 Touchdown.

12 CHAIRPERSON ANDERSON: Okay. Mr. Puente.

13 INVESTIGATOR PUENTE: Kevin Puente,  
14 investigator.

15 CHAIRPERSON ANDERSON: All right.

16 Mr. Sahri --

17 MR. SAHRI: Yes, sir.

18 CHAIRPERSON ANDERSON: -- do you know why  
19 you're here today, sir?

20 MR. SAHRI: Yes, sir. I give my -- to my --  
21 my guy who work for me, and I give it a change of name  
22 and I don't think he -- he changed any names. And I was

1 taking a name change from Touchdown to Handsome Cock,  
2 but I never changed it.

3 CHAIRPERSON ANDERSON: So do you --

4 MR. SAHRI: I am guilty.

5 CHAIRPERSON ANDERSON: So what is it that  
6 you plan since the ABRA records has one name for the  
7 establishment, you have another name on the  
8 establishment? So what -- what -- what is it that you  
9 plan to do to be in compliance with the law, sir?

10 MR. SAHRI: Well, I was thinking just to  
11 take the sign out and put it -- the sign back. That's  
12 my guy, he never did put the -- he never go and change  
13 the name. We still have the old sign, Touchdown. I was  
14 thinking just take the other one back. We could put --  
15 put the old sign back if it's okay.

16 CHAIRPERSON ANDERSON: But it's my  
17 understanding that --

18 MR. SAHRI: Yes, sir.

19 CHAIRPERSON ANDERSON: -- you have been --  
20 this is not the first time that an ABRA investigator has  
21 informed you that the name changed. So --

22 MR. SAHRI: Yes, sir. Yes, sir. For me --

1 the first time for me. My management didn't ever tell  
2 me about this.

3 CHAIRPERSON ANDERSON: All right.

4 MR. SAHRI: Sorry about that.

5 CHAIRPERSON ANDERSON: All right.

6 Mr. Puente --

7 MR. SAHRI: That's why I come. I -- I --  
8 that's why they call me and I come from Atlanta just for  
9 this too. I live in Atlanta too, and I think they never  
10 told me about this before.

11 CHAIRPERSON ANDERSON: All right. All  
12 right. Hold on. Mr. Puente, what can you provide to  
13 us?

14 INVESTIGATOR PUENTE: Yes. On April 16th,  
15 2016 at approximately [inaudible 21:34] I entered the  
16 establishment to conduct a regulatory inspection. I  
17 observed above the establishment there's a sign with a  
18 rooster and Handsome Cock on it. I went inside and  
19 identified myself to the ABC manager. I asked him if  
20 they submitted a trade name application. They said they  
21 haven't since the owner is out of the town. I came back  
22 to the office, did a ABRA records check, and determined

1 that there has been several other cases with a trade  
2 name violation. In each of those cases in the reports  
3 its been noted that they always said the owner's out of  
4 town and whatnot. So I advised the establishment they  
5 had to do a trade name application prior to leaving.  
6 And they said they will let the owner know when he gets  
7 back in town.

8 CHAIRPERSON ANDERSON: So can you tell us  
9 like when was this -- if you recall, when was the first  
10 time -- the first time they have been on -- on notice  
11 that they needed to change the name?

12 INVESTIGATOR PUENTE: Well, the first time  
13 occurred on June 24th, 2014, Case Number 14-CMP-00387.  
14 They got a warning by The Board. The second it occurred  
15 on July 11th, 2014, Case Number 14-CC-00131, and they  
16 received a \$500 fine for the trade name. Then they  
17 received another violation on January 8, 2016, Case  
18 16-CMP-0026, and they received a \$750 citation and fine.

19 CHAIRPERSON ANDERSON: So, sir, are you --  
20 is it your representation today that you have not been  
21 made aware of these warnings or the fines that's been  
22 paid to -- to -- to the agency stating that --

1 MR. SAHRI: For me it was the first time.

2 Yeah. That's why they called me on this matter. That's  
3 why I come. Yeah.

4 CHAIRPERSON ANDERSON: So who has been  
5 paying all these fines?

6 MR. SAHRI: My -- my guy. My general  
7 manager I think he did. Yeah, I think so.

8 CHAIRPERSON ANDERSON: Well, so if your  
9 general -- so why is it that if you're the owner of the  
10 business and you're -- you're not complying with the  
11 law, why is that your employees are not telling you what  
12 is it that you need to do?

13 MR. SAHRI: I don't know. That's a mistake,  
14 sir. I don't know.

15 CHAIRPERSON ANDERSON: This has been going  
16 on for two years, sir. It can't be just a mistake.

17 MR. SAHRI: It is very mistake.

18 CHAIRPERSON ANDERSON: Hold on one minute  
19 please, sir.

20 MR. SAHRI: Yes, sir.

21 CHAIRPERSON ANDERSON: It -- it's a mistake  
22 if you told me that you just got a warning and you're

1 here today. But I'm being told that this has been going  
2 on since 2014 that you got a warning, you have paid two  
3 violations, and -- and you're here today. And your  
4 response is that it's just a mistake.

5 MR. SAHRI: Yes, sir. I -- I told I have  
6 the guy here who has power of attorney and he was doing  
7 my stuff. I was in North Africa and Morocco for a  
8 while. I've been in Morocco for a while. My mom die,  
9 you know. And then I have Mr. Mike Stone, he had the  
10 power of attorney and was doing all in my paperwork.  
11 And I -- and they think -- my management, my son, and my  
12 general manager, they have a license and they think  
13 everything will be done by Mr. -- by the guy I hired, he  
14 has power of attorney and it never happened. And he  
15 never told me about that. I'm sure he go and he pay for  
16 the -- for the fine, and I never knew about it. I've  
17 been in North Africa for a while, and -- and I just  
18 found out. I just found out about, what, four or five  
19 days ago and I come from Atlanta. I live in Atlanta  
20 [inaudible 24:44]. Yes, sir.

21 CHAIRPERSON ANDERSON: So what -- so  
22 specifically what is it that you're going to do to come

1 in compliance with the law?

2 MR. SAHRI: Whatever the law say I guess. I

3 am --

4 CHAIRPERSON ANDERSON: I'm sure. What?

5 MR. SAHRI: Whatever you say guys, the  
6 law -- whatever the law. I can take the sign out and  
7 I'll put my other sign back. It's called Touchdown.  
8 Whatever -- yeah. I cannot tell you what. I -- I --  
9 I'm trying to be clean here. I know I'm guilty. I can  
10 see the paper, and I know Michael he didn't do the job  
11 he's supposed to do. The guy has power of attorney. He  
12 didn't do the job he was supposed to do, and I'm telling  
13 you I'm guilty because I saw the paper and --

14 CHAIRPERSON ANDERSON: All right.

15 MR. SAHRI: And if I can change the -- I'm  
16 sorry.

17 CHAIRPERSON ANDERSON: No. Go ahead.

18 MR. SAHRI: If I can change, go ahead. I  
19 still have the sign out. I can just put the sign back.  
20 It's for Touchdown. Since all the paperwork --  
21 everything still -- the sales taxes and everything is  
22 still under Touchdown. The guy, he never -- I hired,

1 and he never did the job he's supposed to do.

2 CHAIRPERSON ANDERSON: All right. Mr.  
3 Alberti.

4 MR. ALBERTI: So, Investigator Puente, any  
5 report -- sir -- what's your name again, sir?

6 MR. SAHRI: Jamal Sahri.

7 MR. ALBERTI: Jamal Sahri.

8 MR. SAHRI: Yes, sir.

9 MR. ALBERTI: Okay. So, Mr. Puente, you  
10 spoke with an Amir Sahri?

11 INVESTIGATOR PUENTE: Yes. The ABC manager  
12 on duty.

13 MR. ALBERTI: Sorry. S-H --

14 MR. SAHRI: That's my son.

15 MR. ALBERTI: Oh, it's your son?

16 MR. SAHRI: Yes, sir.

17 MR. ALBERTI: Mr. Sahri, it's your son?

18 MR. SAHRI: Yes, sir.

19 MR. ALBERTI: Okay. And you're telling us  
20 your son didn't tell you?

21 MR. SAHRI: Yeah, he didn't tell me.

22 [Inaudible 26:10].

1 MR. ALBERTI: Oh, no. No. I don't --

2 MR. SAHRI: He was dealing with the guy I  
3 hired who has power of attorney.

4 MR. ALBERTI: This -- this is -- now I'm  
5 just -- I just need simple answers to my questions.

6 MR. SAHRI: Yes, sir.

7 MR. ALBERTI: Thank you. This will go -- go  
8 much quicker. So you -- there are two other partners in  
9 this business, right, besides yourself?

10 MR. SAHRI: Yes, sir. Yes, sir. They are  
11 no longer there, sir.

12 MR. ALBERTI: Pardon?

13 MR. SAHRI: Yes, sir.

14 MR. ALBERTI: They are no longer there?

15 MR. SAHRI: They -- they move out. Yes,  
16 sir. And I -- I bought them out.

17 MR. ALBERTI: You bought them out?

18 MR. SAHRI: Yes, sir.

19 MR. ALBERTI: When did you do that?

20 MR. SAHRI: About whenever, two years and a  
21 half.

22 MR. ALBERTI: Okay. So you've got two

1 problems. One -- one, you haven't -- you have an  
2 incorrect trade name.

3 MR. SAHRI: Yes, sir.

4 MR. ALBERTI: Right. Which you need to  
5 take --

6 MR. SAHRI: But I am in the --

7 MR. ALBERTI: -- which you need to take care  
8 of ASAP, as soon as possible. And two, you need to  
9 change the information on your license as to who the  
10 owners are which hasn't been done. Because our records  
11 currently have the other two owners as partners with  
12 you. All right. So none of that has been done. So you  
13 have been negligent in doing anything to update your  
14 records with us which is not a good thing. All right.  
15 So you have offered to take down your sign and put back  
16 up the Touch -- the Touchdown sign.

17 MR. SAHRI: Yes, sir.

18 MR. ALBERTI: That does not really give me a  
19 lot of confidence. All right. I'm -- I'm a little  
20 leery on that because this -- this Handsome Cock sign  
21 has been up for two years.

22 MR. SAHRI: Yes, sir.

1 MR. ALBERTI: I mean I see it all the time.  
2 I drive by it, I see the Handsome Cock.

3 MR. SAHRI: Yes, sir.

4 MR. ALBERTI: All right. Are you -- do you  
5 have any -- any interest in The Codmother?

6 MR. SAHRI: Yes, sir.

7 MR. ALBERTI: What's your interest in the  
8 Codmother?

9 MR. SAHRI: Part owner. [Inaudible 27:53].

10 MR. ALBERTI: Part owner. All right. Which  
11 is the bar?

12 MR. SAHRI: The bar. I saw -- I saw you  
13 before passing by from it.

14 MR. ALBERTI: No. You haven't seen me.  
15 I -- I've been in my car. You -- you -- your eyesight's  
16 not that good, Mr. Sahri.

17 MR. SAHRI: I sit next to you.

18 MR. ALBERTI: No, you're not. You haven't  
19 seen me. Your eyesight's not that good.

20 MR. SAHRI: [Inaudible 28:08].

21 MR. ALBERTI: All right. So you could today  
22 walk into our office and start the paperwork to do the

1 trade name change.

2 MR. SAHRI: And I will, sir.

3 MR. ALBERTI: What -- what is stopping you  
4 from going from here into the office and starting that  
5 process?

6 MR. SAHRI: I told you I had some problem.  
7 I was in North Africa for a while, and I can prove it in  
8 Atlanta. And I have a girl -- Mike Stone, he was my --  
9 he has power of attorney and he's supposed to do all  
10 that.

11 MR. ALBERTI: I know. What -- that's not my  
12 question. I don't care about the past.

13 MR. SAHRI: Yes, sir.

14 MR. ALBERTI: Moving forward --

15 MR. SAHRI: Yeah.

16 MR. ALBERTI: -- what's to prevent you from  
17 starting the process today?

18 MR. SAHRI: I just got back -- I got back  
19 four days ago.

20 MR. ALBERTI: Pardon?

21 MR. SAHRI: I just got back four days ago.

22 MR. ALBERTI: What --

1 MR. SAHRI: I am going to do it.

2 MR. ALBERTI: That's fine. That's great.

3 Welcome back -- welcome back to the country. You look  
4 well rested. That's great. What's to prevent you from  
5 starting the process today?

6 MR. SAHRI: I will start. Yes, sir. I  
7 promise I will start.

8 MR. ALBERTI: You'll go from here into the  
9 office and start the process?

10 MR. SAHRI: Yes, sir. I will do it now.

11 MR. ALBERTI: Okay. Great.

12 MR. SAHRI: Yes, sir.

13 MR. ALBERTI: Because there's no need to  
14 take down --

15 MR. SAHRI: Well, because --

16 MR. ALBERTI: You know, there's no reason to  
17 back -- put up the Touchdown. And I'm not confident  
18 that Touchdown -- quite honestly --

19 MR. SAHRI: Yeah.

20 MR. ALBERTI: -- given that its been two  
21 years and your son's known and I'm sure you talk to your  
22 son -- hopefully you have some kind of relationship with

1 him.

2 MR. SAHRI: Well, I do. I do, but --

3 MR. ALBERTI: Sir, I have no confidence that  
4 the Touchdown -- Touchdown sign will actually --

5 MR. SAHRI: I do, and my son --

6 MR. ALBERTI: -- let me finish --

7 MR. SAHRI: Yes, sir.

8 MR. ALBERTI: -- will actually go up or stay  
9 up to be honest with you. So I think that the best  
10 course of action is to actually go and do what you'd  
11 like which is to -- is to change the name. All right.  
12 All right. Now, you're going to need some other  
13 paperwork to update the ownership. And I --

14 MR. SAHRI: Yes, sir.

15 MR. ALBERTI: And since we know about it,  
16 you're on the hook to do that.

17 MR. SAHRI: Right away.

18 MR. ALBERTI: So I suggest that you start  
19 that as soon as possible.

20 MR. SAHRI: Yes, sir.

21 MR. ALBERTI: This week.

22 MR. SAHRI: I will do -- yes, sir.

1 MR. ALBERTI: Okay. Thank you.

2 MR. SAHRI: Yes. Yes, sir. Thank you.

3 CHAIRPERSON ANDERSON: Any other questions  
4 by any other board members? Yes, Ms. Miller.

5 MS. MILLER: I -- I just want to comment. I  
6 think that Mr. Alberti's advice was -- was helpful. But  
7 I -- I just want to be clear that you have a -- you do  
8 have a choice in compliance. You can just put up the  
9 Touchdown sign.

10 MR. SAHRI: Yeah. I was -- I was thinking  
11 to go to this thing I was thinking I will just go ahead  
12 and put -- if it's okay with the -- the ABC Board -- I  
13 mean the alcoholic judges -- put the other -- the other  
14 sign up.

15 MS. MILLER: So The Board just wants you  
16 to --

17 MR. SAHRI: And I will --

18 MS. MILLER: -- be in compliance and you --

19 MR. SAHRI: And I will be in compliance  
20 with --

21 MS. MILLER: Either way you're in  
22 compliance. Either do the new paperwork or put up the

1 old sign.

2 MR. SAHRI: And I will do the paperwork for  
3 the ownership and stuff I promise.

4 MS. MILLER: Okay. Thank you, Mr. Chairman.

5 CHAIRPERSON ANDERSON: Yes, Ms. Miller. Any  
6 other questions by any other board members? I -- I  
7 think, sir, the -- the -- you have -- I think one of the  
8 reasons why we have this fact finding today is because  
9 clearly it's -- giving you a warning, fining you, it is  
10 not -- it -- it -- it doesn't appear that you're getting  
11 it. So what assurances will you bring -- what will you  
12 provide to The Board today that you will comply on the  
13 law? And I guess based on the questions that were made  
14 by -- that were asked by Mr. Alberti, we now find out  
15 that there is some issue with the -- the ownership of  
16 the establishment.

17 MR. SAHRI: Yes, sir.

18 CHAIRPERSON ANDERSON: So what assurances is  
19 it that you're providing -- can you provide The Board  
20 today to state that this is what I'm going to do, this  
21 is when I'm going to do it because we need to make a  
22 decision. There are several -- one of the things that

1 we can make -- we can do today is I think we can say  
2 we're not going to take any further action based on  
3 your -- your representation or we can also vote to say  
4 that we're going to -- I think that we're -- we're going  
5 to send this to --

6 MR. ALBERTI: Its been sent -- its already  
7 been sent over.

8 CHAIRPERSON ANDERSON: All right. Well --

9 MR. ALBERTI: Its been sent over.

10 CHAIRPERSON ANDERSON: All right. So --

11 MR. ALBERTI: And may I just interject  
12 something, Mr. Sahri?

13 MR. SAHRI: Yes, sir.

14 MR. ALBERTI: If this doesn't get taken care  
15 of, I -- I don't know what the other board members will  
16 do, but I will advise the director to send someone out  
17 there every two weeks and cite you for a trade name  
18 violation until this gets taken care of.

19 MR. SAHRI: Yes, sir.

20 MR. ALBERTI: All right?

21 MR. SAHRI: Yes, sir.

22 MR. ALBERTI: It has been two years. You've

1 gotten three -- you've gotten three counts against you  
2 for trade name violation. So your son knows. The fact  
3 that you don't know is your problem, not ours. We have  
4 made it abundantly clear to you -- all right -- and  
5 given you every opportunity. It's your responsibility  
6 to make sure your son tells you.

7 MR. SAHRI: Yes, sir.

8 CHAIRPERSON ANDERSON: All right. As what I  
9 was saying -- one of the things that I was saying prior  
10 to is that we could refer this matter to the -- for the  
11 Government for them to prosecute it, but it appears that  
12 it's also on that track already. So therefore you have  
13 some decisions to make, sir. What is it that you're  
14 going to do to be in compliance.

15 MR. SAHRI: I'm going to -- I'm going to --

16 CHAIRPERSON ANDERSON: -- with the -- with  
17 the law?

18 MR. SAHRI: I'm going to go ahead and start  
19 to do it right now.

20 CHAIRPERSON ANDERSON: All right. So you  
21 are --

22 MR. SAHRI: Or today I'm going to go and

1 start, take up this matter right now to be finished.

2 CHAIRPERSON ANDERSON: All right. All  
3 right. So any other -- any comments by any other board  
4 members? All right. Thank you, sir. We'll -- thank  
5 you.

6 MR. SAHRI: Thank you very much. Sorry.

7 CHAIRPERSON ANDERSON: You -- you know the  
8 decision that you need to make. And since you're  
9 here --

10 MR. SAHRI: Yes, sir.

11 CHAIRPERSON ANDERSON: -- then you can make  
12 those decisions.

13 MR. SAHRI: Thank you very much.

14 MR. ALBERTI: Thank you, investigator.

15 INVESTIGATOR PUENTE: You're welcome.

16 (Whereupon the above-entitled matter was  
17 concluded.)

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