

CITY OF CAMBRIDGE  
LICENSE COMMISSION

GENERAL HEARING

APRIL 23, 2013

6:00 P.M.

in

Michael J. Lombardi Building  
Basement Conference Room  
831 Massachusetts Avenue  
Cambridge, Massachusetts 02139

Michael P. Gardner, Chairman  
Christopher Burke, Superintendent

Elizabeth Y. Lint, Executive Director

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**I N D E X**

|                                                                              |     |
|------------------------------------------------------------------------------|-----|
| Application: Veggie Galaxy, LLC<br>d/b/a Veggie Galaxy                       | 11  |
| Application: The Just Crust, LLC<br>d/b/a The Just Crust Pizzeria            | 15  |
| Application: Atwood's Corner, LLC<br>d/b/a Atwood's Tavern                   | 3   |
| Application: One Broadway Donuts, LLC<br>d/b/a Dunkin' Donuts                | 41  |
| Application: Bao & Mein, Inc.<br>d/b/a Shabu at Kendall                      | 47  |
| Application: Met Boston Limo, Inc.<br>d/b/a Orient Express Limousine Service | 63  |
| Application: Bourbon Lesley, LLC<br>d/b/a Bourbon Coffee                     | 75  |
| Application: Town & Country Art, LLC<br>d/b/a Paint                          | 76  |
| Application: G&G Restaurant Group<br>d/b/a Primo Pizza & Roast Beef          | 98  |
| Application: Lebanese Grill, Inc.<br>d/b/a Sabra Grill                       | 105 |

## **P R O C E E D I N G S**

ELIZABETH LINT: We'd like to get started. If anyone has a cellphone on, we would appreciate it if you turned it off. That rear door is to remain open at all times for fire purposes, and this is an exit as well.

License Commission General Hearing,  
Tuesday, April 23, at 6:10 p.m. We're in the Michael J. Lombardi building, 831 Mass. Ave., basement conference room.

Before you the Commissioners, Chairman, Michael Gardner and Superintendent Chris Burke. And we're going to go slightly out of order this evening to the third application down Atwood's Corner, LLC, doing business as Atwood's Tavern, Ryan Magee, manager, holder of an all alcoholic beverages as a restaurant license at 877 Cambridge Street has applied for a transfer of stock and change of members in the LLC. Applicant is also applying for a

change of manager to Patrick Magee.

And the reason we're taking it out of order is the C.L.A.B. Member and that is one of the benefits to being a C.L.A.B. Member, you don't have to sit and wait.

MICHAEL GARDNER: All right, good evening. If you'd be so kind, Mr. Rafferty, to state and spell your last name for the record and introduce the other members of your group here.

ATTORNEY JAMES RAFFERTY: Certainly. Good evening, Mr. Chairman, Superintendent Burke. For the record my name is James Rafferty, R-a-f-f-e-r-t-y. I'm an attorney with offices at 130 Bishop Allen Drive in Cambridge, appearing this evening on behalf of Atwood's Corner, LLC. Seated to my immediate right is one of the two family members that operate -- this is a Patrick Magee, M-a --

PATRICK MAGEE: G, double e.

ATTORNEY JAMES RAFFERTY: M-a-g-e-e.

And to Patrick's right is his brother Ryan Magee.

The Commissioner I'm sure is familiar with Atwood's, 877 Cambridge Street. It began as a sibling enterprise. The three Magee brothers acquired the building and the business and they literally live above the store, and they have taken what was a somewhat troubled license location, had some disciplinary issues, and wasn't particularly commercially successful, and had turned it into a true gem that contributes to the dining and nightlife scene in Cambridge. They recently completed the facade improvement program. If you've been down premises you'll see the facade on the building is really impressive. One of the -- Ryan actually, involved directly with the work. But as is often the case in sibling relationships, the younger brother was left

out the ownership position in the early going and we're here today to correct that. So that Patrick Magee is going to take position. And John Magee who is no longer actively involved in the business. He keeps busy as an employee of the Cambridge Fire Department, is not going to have an ownership interest. And Patrick is also applying to be the manager of record. He's actively involved in the business, serves as at President of the East Cambridge Business Association, and is very familiar with licensing operations and active member of C.L.A.B., as noted by the Executive Director, and he's -- we're here tonight to seek to have him appointed manager and to also have his ownership interest approved.

MICHAEL GARDNER: Okay. So it's the moving from John to Patrick?

ATTORNEY JAMES RAFFERTY: Correct.

MICHAEL GARDNER: In terms of the

stock ownership? That's the transfer?

ATTORNEY JAMES RAFFERTY: Correct.

MICHAEL GARDNER: And Mr. Patrick Magee would you describe some of the experience you've had either here or elsewhere in licensed premises that qualify you for this?

PATRICK MAGEE: Absolutely. We've opened several years ago and I've been an active employee for those seven years doing everything that needs to get done to facilitate the business. And prior to that I spent six years at the Burn in Davis Square, Somerville, starting as a doorman and then building my way up to door manager and also bartender. So I've spent the better part of --

MICHAEL GARDNER: You've never been a manager of record before?

PATRICK MAGEE: No.

MICHAEL GARDNER: What's your sense

about the biggest change entailing in this new responsibility for you?

PATRICK MAGEE: Just being -- I mean I'm fairly present currently. It's just having more of that individual kind of onus of responsibility on me as Ryan steps out and has other interests that he's working on. So that burden will be mine essentially.

MICHAEL GARDNER: It's on you?

PATRICK MAGEE: It's on me.

MICHAEL GARDNER: Any questions?

CHRISTOPHER BURKE: None.

MICHAEL GARDNER: We have everything still subject to background checks, Ms. Lint?

ELIZABETH LINT: Yes. And I do have letters of support from the East Cambridge Business Association as well as from Councillor Toomey.

MICHAEL GARDNER: Okay.

We haven't been able to complete all of our background checks that would have been

done last week that are typically done by law enforcement personnel for unfortunately obvious reasons. So any actions we take tonight on matters such as this will be subject to background checks.

Is that right, Ms. Lint?

ELIZABETH LINT: That's correct.

ATTORNEY JAMES RAFFERTY: And by that, Mr. Chair, that would mean a satisfactory review by the Commission of what those results are?

MICHAEL GARDNER: Yes.

ATTORNEY JAMES RAFFERTY: That wouldn't require any further appearance?

MICHAEL GARDNER: Oh, no, it won't require any process unless there is a question.

ELIZABETH LINT: Once I receive them I'll be in touch with the Board.

ATTORNEY JAMES RAFFERTY: Okay, understood.

MICHAEL GARDNER: You know, most of the time there isn't an issue but we haven't had them completed. If there are no issues, it will just be administrative review. If there's anything that needs to come up and if you refute, then we'll be back in touch.

Are there any members of the public who would like to be heard on this matter?

(No Response.)

MICHAEL GARDNER: Seeing none, I'll make the motion to approve the transfer of stock and change of member of the LLC and to approve the appointment of Patrick Magee as the manager of record.

CHRISTOPHER BURKE: I would second that subject to the background check.

MICHAEL GARDNER: Motion having been made and seconded, all those in favor signify by saying "Aye."

CHRISTOPHER BURKE: Aye.

MICHAEL GARDNER: Aye.

None opposed.

So good luck with you in your new responsibilities and congratulations on your new venture.

ATTORNEY JAMES RAFFERTY: Thank you.

\* \* \* \* \*

ELIZABETH LINT: Application, Veggie Galaxy, LLC, doing business as Veggie Galaxy, Adam Penn, manager, holder of a wine and malt beverages as a restaurant license and 450 Mass. Avenue has applied for an alteration of premise to include alcohol and food service on an outdoor patio on public property.

MICHAEL GARDNER: Good evening. If you would, again, be so kind to state and spell your last name for the record and identify your role.

ADAM PENN: Hi. My name is Adam Penn. Last name spelled P, as in Peter-e-n-n. I am the owner of Veggie Galaxy which is located on the other end of Central

Square. We opened in September of 2011, so this will be our second outdoor season. Last year we did have a patio, but I did not pursue a wine, malt license last year. So we just served food out there. And my impressions throughout the season were that beer and wine would be a very nice addition. I think a lot of customers chose not to sit out on the patio because they were not able to get a glass of wine or beer. So I've decided that this year we would provide that if approved.

MICHAEL GARDNER: So last year you cleared -- got all your clearances from Public Works and anyone else who needed to --

ADAM PENN: For the patio itself?

MICHAEL GARDNER: For the patio itself?

ADAM PENN: Yes, and I have renewed the license for this year as well.

MICHAEL GARDNER: So the only issue

is whether or not you can serve the beer and wine?

ADAM PENN: Correct.

ELIZABETH LINT: Not entirely.

The footprint changes. For ABCC purposes, once there's any type of alcoholic beverages so it has to --

MICHAEL GARDNER: They have to have the enclosure.

ELIZABETH LINT: It has to be enclosed. So Public Works would have to go down again and make sure that the footprint works. I think in that part of Mass. Ave. it shouldn't be a problem. I know there are other establishments.

ADAM PENN: Okay. We actually also did have an enclosure last year.

MICHAEL GARDNER: But you understand we have to issue a requirement?

ADAM PENN: Yes.

ELIZABETH LINT: Public Works would

need to go down again, and we would need a copy of the permits that they sign off on.

MICHAEL GARDNER: Other questions?

CHRISTOPHER BURKE: What's the seating capacity of the patio?

ADAM PENN: The patio is going to be eight tables, 16 seats.

MICHAEL GARDNER: Is that the same as last year?

ADAM PENN: Yes.

MICHAEL GARDNER: And you've had a wine and malt license from the beginning?

ADAM PENN: Since we opened, yes.

MICHAEL GARDNER: Are there any members of the public who would like to be heard on this matter?

(No Response.)

MICHAEL GARDNER: Seeing none, I'll make the motion to approve the alteration of the premises to include the service of wine and malt on the seasonal patio provided that

the layout meets Public Works' Department requirements, and upon submission of the satisfactory approval from them.

CHRISTOPHER BURKE: I would second that motion.

MICHAEL GARDNER: Motion having been made and seconded, all those in favor signify by saying "Aye."

CHRISTOPHER BURKE: Aye.

MICHAEL GARDNER: Aye.

None opposed.

So good luck with your new addition.

ADAM PENN: Thank you very much.

\* \* \* \* \*

ELIZABETH LINT: Application, The Just Crust, LLC, doing business as the Just Crust Pizzeria, Kevin Liss-Riordan, manager, has applied for a wine and malt beverages as a restaurant license at 47-49 Brattle Street. The proposed application is for 18 seats and hours of operation from 10:00 a.m. to 1:00

a.m. Sunday through Thursday and 10:00 a.m. to 2:00 a.m. Friday and Saturday. Applicant is also applying for an entertainment license to include background music and a TV.

MICHAEL GARDNER: Good evening, Mr. Rafferty. If you would again for the record state and spell your name and introduce or identify your members who are here.

ATTORNEY JAMES RAFFERTY: Surely. Good evening, Mr. Chairman and Superintendent. Again, James Rafferty appearing on behalf of Just Crust, LLC. To my immediate right is Shannon, S-h-a-n-n-o-n Liss-Riordan L-i-s-s-R-i-o-r-d-a-n. And to Ms. Riordan's right is her husband Kevin Riordan, R-i-o-r-d-a-n.

The Commission may be familiar with the location at 47-49 Brattle Street, because for approximately four or five years it was the location of a licensed establishment known as

The Upper Crust. And The Upper Crust was a regional chain of pizza restaurants. And as I said, they were successful for applying for a no value beer and wine license which they operated at that location for several years. The predecessor ran into a number of complications in their running of this business involving some difficulty, involved his employees, immigration issues, and ultimately a falling out between the ownership that led to a bankruptcy. And Ms. Liss-Riordan and her husband were the successful purchasers of this location, of this lease, out the bankruptcy proceedings. They intend to operate the restaurant in many ways like the predecessor. The capacity is similar, the hours are similar, the layout is largely unchanged, but there is a very relevant distinction, and that is, they are going to have a focus on a different employee structure. The prior operator is facing a

series of allegations around unfair labor practices involving his employees. And frankly, Ms. Liss-Riordan is actively involved in the litigation of those matters on behalf of many of those workers. But she is the principal, the manager of the LLC. And her husband will be the manager at this location.

The objective here, really, is to try to simply allow the employees that worked here the opportunity to return to work and to establish the business, because whatever other shortcomings might have existed with the other operators, they proved to be successful. Their use of their wine and beverage license was well received. They operated that location for many years without any conflict with surrounding uses. And so for this reason, the Applicants are merely looking to be able to continue to serve the public in much the same manner that the

predecessor licensee did.

There are only 18 seats here. And the economics of acquiring licenses for venues of that size proves to be challenging. I know the Commission would typically expect an Applicant to determine if other licenses are available for sale, but given the size of this location, frankly, at 18 seats, there are no licenses of that size around. And, frankly, I'm not aware at any moment of any beer and wine licenses for sale. But given what they typically transfer on in the marketplace, it's unlikely to envision that an operation of this size could have beer and wine or be able to afford a license. But as I said, the predecessors really did an effective job of serving the public. And as we all know, the license criteria involves satisfying public need. And at this location the restaurant proved to be successful, and it's for that reason that the Applicant hopes

to be able to resume an operation as soon as possible that mirrors the prior operation in everything but its laborer practices.

MICHAEL GARDNER: So in terms of any renovation or construction, it's all pretty much the same?

ATTORNEY JAMES RAFFERTY: Very limited. I know, but the layout, the equipment -- as part of the acquisition, the kitchen equipment, there might be some new tables and chairs, but the infrastructure of the restaurant and all that and the ovens and locations and everything is largely unchanged. The floor plan is nearly identical from the predecessor, just a counter along one wall that hadn't existed before.

MICHAEL GARDNER: And was the prior management operating under a franchise from a larger corporation?

ATTORNEY JAMES RAFFERTY: No, I

don't believe --

MICHAEL GARDNER: So Upper Crust, this was Upper Crust or Upper Crust had other locations?

ATTORNEY JAMES RAFFERTY: My understanding is Upper Crust had several locations. I think as many as 15 or 16. So those numbers probably classified them as a chain, but they were not, I don't believe, a fran -- they might have had one or two franchises?

SHANNON LISS-RIORDAN: They had some franchises, but this wasn't a franchise.

ATTORNEY JAMES RAFFERTY: This was an owner/occupied location.

MICHAEL GARDNER: And so there were other locations that were under bankruptcy.

ATTORNEY JAMES RAFFERTY: Yes.

MICHAEL GARDNER: And is the purchase here involving only this location or is it --

SHANNON LISS-RIORDAN: Yes.

MICHAEL GARDNER: -- or is it a multiple location?

ATTORNEY JAMES RAFFERTY: Just this location. The assets are different.

In fact, some of the -- to the extent it's relevant, I believe some of the other locations are going to resume operation under the name, under the prior name. So -- but this has a significant distinction. This is going to be called The Just Crust, and with all the implications that that name carries.

MICHAEL GARDNER: I regret that I actually didn't get that until you said it, but I take your point.

And so, Mr. Liss-Riordan, could you just describe what experience you've had in restaurant operations and in the management of a beer and wine license?

KEVIN LISS-RIORDAN: Right. We're in the process of opening a larger restaurant

in Brookline for which we have a beer and wine -- actually, a full liquor license there, but....

MICHAEL GARDNER: And so what is -- prior to now, what is the experience, if any, you've had in restaurant management?

KEVIN LISS-RIORDAN: Prior to that no experience.

MICHAEL GARDNER: Okay. And how are you going to learn how to do the job?

KEVIN LISS-RIORDAN: I'm TIPS Certified and, you know, we intend to have -- we have family members who have worked in the restaurant industry and we're gonna have the many of the same employees. And we intend to really just kind of maintain the operation that they had before, but with, you know, a little bit higher quality food and better labor practices. And it's a small enough operation that it's -- I feel like it's easy to control, you know, keep watch over to make

sure we're not serving underage people, make sure that people aren't leaving the premises with alcohol. Just with 18 seats it's very manageable.

MICHAEL GARDNER: And have you had any experience at all in working in the serving industry?

KEVIN LISS-RIORDAN: I haven't. I've just always been a person who loves restaurants, going to restaurants, and always just wanted to get into the industry.

MICHAEL GARDNER: Okay. And apart from being TIPS Certified what are the other steps that you're taking or intend to take to bring yourself up to speed with respect to the requirements of being the manager of record?

KEVIN LISS-RIORDAN: You know, just to familiarize myself as much with the laws and to -- I've done the TIPS training. You know, I'm still on their e-mail list. And

they send out various updates and, you know, just I'm familiar with all the laws.

ATTORNEY JAMES RAFFERTY: We've discussed the benefits of joining C.L.A.B., and I believe I would anticipate if successful, that the Applicants would join C.L.A.B. so they could learn in a collaborative setting from other licensees effective ways to work with the Commissioner on the enforcement of regulations.

MICHAEL GARDNER: With respect to sanitation or the preparation of food, I'm just --

KEVIN LISS-RIORDAN: Right.

MICHAEL GARDNER: -- tell us how the steps you're going to take so that you'll be confident that you're doing it right.

KEVIN LISS-RIORDAN: With respect to food? We have, you know, we have the same team who have been operating it before. We have our cooks who have been pizza chefs

before for seven years. Part of the goal of ours is to just make this a model place for workers and for the public so we really, you know, really wanted to clean the place up. We've painted it. I mean, it's really important to us to have really high standards. We hired the people with knowledge, and we're viewing this as something that we want to contribute to the community and, you know, we take great pride in it.

MICHAEL GARDNER: And how long have the current employees been out of work?

KEVIN LISS-RIORDAN: They have moved on from Upper Crust to other places in the meantime, but they're, you know, they're excited about going back to --

MICHAEL GARDNER: How long has Upper Crust been closed?

KEVIN LISS-RIORDAN: At that location?

SHANNON LISS-RIORDAN: October.

ATTORNEY JAMES RAFFERTY: The fall.

SHANNON LISS-RIORDAN: There's been -- some of the employees -- we're trying to draw as many of Upper Crust employees as possible to start this operation. So some of them have been working more recently at other locations that stayed open. Some of them lost their jobs when that location closed and they moved on to other employers, and now we're excited to have them back. We are keeping, like my husband said, as much of the same team as possible. And a manager who is going to help us open, who is in fact here tonight, he was an operations manager for Upper Crust, practices and knows about their operations; trash removal, the flow of food, the way the system's operated. So we're going to be relying as much as possible on the processes that they were using before, but like everyone has said, our goal is to do

it well, being a model employer, and really focusing on the well-being of the employees of the --

MICHAEL GARDNER: Okay.

And how long do you anticipate the operations manager continuing in either that role or the consulting role? I'm not exactly sure how you would describe it.

SHANNON LISS-RIORDAN: Well, we're hoping that is going to be ongoing.

MICHAEL GARDNER: Okay.

Other questions?

CHRISTOPHER BURKE: What percentage of the workforce do you see being returning employees?

SHANNON LISS-RIORDAN: There will probably be about a dozen or so employees. And at this point I think a good majority of them are going to be returning Upper Crust employees. There are a few, for instance, counter staff that we may be pulling from

other -- they might not be coming from Upper Crust, but kitchen workers ultimately for delivery workers and others will be Upper Crust employees.

CHRISTOPHER BURKE: Do you anticipate any menu or recipe changes?

SHANNON LISS-RIORDAN: Yes. Actually we just handed out some -- dropped off our current menu. It's got some nice pictures if you flip through it later on. It's going to be the same style pizza that Upper Crust sold, but we're really excited about bringing in fresher, local, high quality ingredients. And so it's going to be, you know, I would call it upscale pizza, but it's going to be -- just with great ingredients. So we're pretty excited about that. So it will be a similar type of menu. There will be about 10 different pizza offerings. People can mix and match with toppings. We're thinking about having a

breakfast pizza and a dessert pizza just to expand the offer. But we're going to keep the menu simple.

MICHAEL GARDNER: And what about price points; how different will the pricing be than the prior operator?

SHANNON LISS-RIORDAN: We've done comparisons, it's going to be pretty comparable.

KEVIN LISS-RIORDAN: Yeah, it's very similar.

MICHAEL GARDNER: Okay. So I don't know a lot about this business, but one of the things I have heard is that in order to be a successful a restaurant/bar operator, one has to be able to control one's labor costs. And that's the real key to being successful and that's -- I don't know, I read that in Wall Street Journal. So I just would say I admire your efforts here, and certainly we can't have restaurants operating that

violate labor laws. I mean, that's not the way it has to work. And in that regard with larger efforts I'm a little worried about the thinness of experience. And could you explore a little more the -- or tell us a little more about the Brookline plan and whether or not -- and you're -- Mr. Riordan's involvement in that, and if you are involved there, how you're going to split your time between there and here?

KEVIN LISS-RIORDAN: That's an old building that we're renovating, so we're still quite a ways from that being opened. You know, we don't even have our shift yet. We have our people --

ATTORNEY JAMES RAFFERTY: And just by way of comparison, that's a full service restaurant with a dining room, full kitchen staff. I don't wish to minimize this operation, but this is an 18-seat pizza parlor as we might have called it years ago,

and, you know, not much different than what Armando's started when he went into this business or other venerable pizza shop operators. I think what's distinctive here is the opportunity to allow experienced staff to return. But I think there are ample models in existence that they'll be able to rely upon to operate successfully both in terms of the size of the workforce, the hours of operation. It's a pretty well-defined footprint, a rather small footprint, and I think the concern, if we were talking capacities and 80s or 100s, I would think one would have a greater concern. But like I said, I don't wish to minimize this, but they're going to use the same takeout model with bicycles that the predecessor used. It's very popular with the visiting populations and the student populations in the square. It's a, it's a location that's built up a following, so the timing here is

pretty good to get open before the students leave town and reawaken people to the product also. I think they feel very confident that they've got a formula here that will allow them to succeed by largely replicating many of the practices. As I said, it was a successful operation and it was discipline-free to my understanding. I checked the file. I couldn't find any history of difficulty or problems.

MICHAEL GARDNER: Okay.

Just a clarification, do you intend to be the manager of record in the Brookline location as well?

KEVIN LISS-RIORDAN: I am now, yes. Yes.

MICHAEL GARDNER: Okay, thank you.

Any other questions?

CHRISTOPHER BURKE: None.

MICHAEL GARDNER: Are there members of the public who would like to be heard on

this matter?

ELIZABETH LINT: I have quite a few letters of support, including Harvard Square Business Association, some residents in the area.

ATTORNEY JAMES RAFFERTY: I believe there are some members of the public, too.

MICHAEL GARDNER: Okay. Are there members of the public who would like to be heard? I'm sorry if I missed you. Please come forward.

Would somebody be willing to give up a seat?

LINDA GARMON: Good evening.

MICHAEL GARDNER: Good evening. If you just state and spell your last name for the record and then you can tell us about your interest.

LINDA GARMON: My name is Linda Garmon, G-a-r-m-o-n. I'm a long-time resident of Cambridge, a 30-year resident of

Cambridge. I came really tonight not to say anything at first, but it is the -- because I know what you've already said is true. That I know Kevin and Shannon, and I know that they intend to model the restaurant on the good neighbor practices that their predecessors have. But as you've raised the issue of the thinness of experience, I've had the opportunity to work with Kevin Riordan on other projects, and I know few people who are as quick studies as Kevin is and who also surrounds himself with a good team, people who know what he doesn't know. So I would just like to say publicly that I support him, and I just had the pleasure of working with him and seeing him make the seemingly impossible, possible.

MICHAEL GARDNER: Thank you. And I think we have a letter in the file from you?

LINDA GARMON: I did send a letter.

MICHAEL GARDNER: Okay.

LINDA GARMON: Thank you for your time.

MICHAEL GARDNER: Any other members of the public who would like to be heard? Just please state and spell your last name for the record and have a seat and please advise us of your interest.

ALEX van PRAAGH: Alex van Praagh, A-l-e-x v-a-n P-r-a-a-g-h. I would largely just echo what Linda said. I, too, am a Cambridge resident. I live locally in Inman Square with my family. We would love to patronize a restaurant like this. We're familiar with The Upper Crust. We're also familiar with Kevin and Shannon and know that they do surround themselves with good and capable people and have seen the efforts involved, they've taken to seek out the advice of others and make sure that they do things right. So, just echo a good vote of confidence.

MICHAEL GARDNER: Right. And I'm not mistaken, you also submitted a letter?

ALEX van PRAAGH: Yes, I did.

MICHAEL GARDNER: Thank you very much.

Any other members of the public who would like to be heard?

(No Response.)

MICHAEL GARDNER: Seeing none, I'll make the motion to approve a no value wine and malt license for the restaurant. We need a common victualer license, too, right?

ELIZABETH LINT: It's part and parcel.

ATTORNEY JAMES RAFFERTY: A common victualer with wine and malt.

MICHAEL GARDNER: Okay. As stated in the application for the 18 seats with the operating hours as listed in the application, and also the entertainment license to include background music and TV subject to a staff

review of the operation within six months of its reopening, because I don't necessarily feel the need to ask you to come back and have us ask you how it's going. But I would like to have a requirement that you check in with the staff and the staff can make visits to just see if there are any issues. So that's the motion.

ELIZABETH LINT: 21-Proof.

MICHAEL GARDNER: And subject to 21-Proof training. And subject to an appropriate passing of the required background checks.

ELIZABETH LINT: Got it.

CHRISTOPHER BURKE: And I'll second that motion.

MICHAEL GARDNER: Okay. And before we vote on it, I neglected to inquire, are these the same hours of operation that the prior establishment had?

ELIZABETH LINT: That, I don't know.

MICHAEL GARDNER: Do -- does the applicant or counsel know?

ATTORNEY JAMES RAFFERTY: My -- it's a one a.m. license, and the prior license was a one a.m. I don't know about the start times.

MICHAEL GARDNER: Okay. This says two a.m. Friday and Saturday. And I don't want to change the hours of operation from the prior licensee.

SHANNON LISS-RIORDAN: I don't know what it was.

MICHAEL GARDNER: So I will amend my motion to say that the hours of operation, the closing time for hours of operation will be the same as for the prior licensee. And if in fact it was two o'clock, it's two o'clock. If it's not two o'clock, then we want you to come back and make the case for why it should be two o'clock after you've had some experience.

ATTORNEY JAMES RAFFERTY: Okay.

The only thing I'm noting, I'm nearly certain it was a one a.m., but the Applicant is wondering whether the Commission would -- because there is some people that -- there is an audience at that hour, whether the CV license could be two o'clock on Thursday, Friday, and Saturday? And with the wine and beer service to end at one o'clock. Or would you rather us review that?

MICHAEL GARDNER: No. I'm -- I guess I'm -- the only issue I would have there are any neighbor concerns, but this has been advertised with two a.m.?

ELIZABETH LINT: Yes.

ATTORNEY JAMES RAFFERTY: Yes.

MICHAEL GARDNER: I'll amend my motion yet again to say: Hours of operation for the CV 10:00 to 1:00 Saturday through Thursday; 10:00 to 2:00 Friday and Saturday, with wine and malt sales authorized to 1:00

a.m. Sunday through Saturday.

Will you accept that?

CHRISTOPHER BURKE: I would accept and second that amendment to your original motion.

ATTORNEY JAMES RAFFERTY: Thank you.

MICHAEL GARDNER: All those in favor signify by saying "Aye."

CHRISTOPHER BURKE: Aye.

MICHAEL GARDNER: Aye.

None opposed.

Welcome to Cambridge and thank you with trying to show us that it can be done the right way and still stay open.

Just to clarify the six-month staff review stays in place.

ATTORNEY JAMES RAFFERTY:  
Understood.

\* \* \* \* \*

ELIZABETH LINT: Application, One Broadway Donuts, LLC, doing business as

Dunkin' Donuts, David Carvalho, manager, has applied for a common victualer license to be exercised at One Broadway. Said license if granted would allow food and non-alcoholic beverages to be sold, served, and consumed on said premises with the seating capacity of 14. Hours of operation will be 5:00 a.m. to 11:00 p.m. seven days per week. This is an existing license moving in to another space in the same building.

MICHAEL GARDNER: Mr. Rafferty, I think we'll at least the third time we'll take note of your name and spelling. All right? And would you please introduce your applicant.

ATTORNEY JAMES RAFFERTY: Thank you. To my right is David Carvalho, C-a-r-v-a-l-h-o. And Mr. Carvalho is a principal at Riverside Management Group. They are a common victualer licensee in several locations throughout the City of

Cambridge operating Dunkin' Donuts franchises. In this particular location at One Broadway they've been there now for maybe five or seven years?

DAVID CARVALHO: Close to ten.

ATTORNEY JAMES RAFFERTY: Close to ten.

And their landlord, MIT, has negotiated with them to move two storefronts down in the same building. So it's -- the premises is roughly the same size, maybe slightly smaller, but same approximate frontage, and the operation is the essentially going to close one day and open the next. So it's --

MICHAEL GARDNER: Is it the same number of seats?

DAVID CARVALHO: Less.

MICHAEL GARDNER: Less?

DAVID CARVALHO: Less.

MICHAEL GARDNER: If you could just tell us what the old one is. We see this as

14. What did the old one --

DAVID CARVALHO: I believe we currently have 26 seats.

MICHAEL GARDNER: Okay.

It strikes me that 14 seats is pretty small for a Dunkin' Donuts. Would you agree with that?

DAVID CARVALHO: Yes. The total square footage we're currently in approximately 1900 square feet. We're going to be going into just under 1200 square feet.

MICHAEL GARDNER: All right.

And that's okay because so much of the business is takeout?

DAVID CARVALHO: Precisely, yes.

MICHAEL GARDNER: Is that how it works?

DAVID CARVALHO: Yes.

MICHAEL GARDNER: And you've been the manager before? There's going to be no change in any --

DAVID CARVALHO: That is correct.

MICHAEL GARDNER: -- of those procedures?

DAVID CARVALHO: That's correct.

MICHAEL GARDNER: Other questions?

CHRISTOPHER BURKE: Two storefronts down, are you moving towards Third Street or towards the bridge?

DAVID CARVALHO: Towards the bridge. We're taking half of the former Domino's space.

MICHAEL GARDNER: And when will this occur?

DAVID CARVALHO: Yeah, hopefully by the end of the summer to early fall.

MICHAEL GARDNER: Okay.

Are there members of the public who would like to be heard on this matter?

(No Response.)

MICHAEL GARDNER: Seeing none, I'll make the motion to approve the common

victualer license at One Broadway with the hours of operation and seating capacity as stated in the agenda and change to take place when the renovations are ready.

ELIZABETH LINT: And we will need Zoning sign-offs since it is moving.

ATTORNEY JAMES RAFFERTY: Right. We are in the process of obtaining that.

ELIZABETH LINT: Okay.

MICHAEL GARDNER: Subject to Zoning requirements and any other requirements of the City.

CHRISTOPHER BURKE: I second that motion.

MICHAEL GARDNER: All those in favor signify by saying "Aye."

CHRISTOPHER BURKE: Aye.

MICHAEL GARDNER: Aye.

None opposed.

Good luck with your move and with the reduction in capacity.

DAVID CARVALHO: Thank you.

ATTORNEY JAMES RAFFERTY: Thank you.  
Have a good evening.

MICHAEL GARDNER: We won't be seeing  
you anymore?

ATTORNEY JAMES RAFFERTY: I regret  
that I have no more cases. There might be  
another lawyer out there.

\* \* \* \* \*

ELIZABETH LINT: Application, Bao &  
Mein, Incorporated, doing business as Shabu  
at Kendall, Tony Liang, manager, has applied  
for an all alcoholic beverages as a  
restaurant license at 1 Rogers Street. The  
proposed capacity is 100 seats inside and 32  
seats on a seasonal outdoor patio. The hours  
of operation would be 10:00 a.m. to 1:00 a.m.  
seven days per week. Applicant is also  
applying for an entertainment license to  
include: Reading of poetry and other works;  
live music with amplification; music which

may be played below, at, or above conversation level; TV, radio; iPod.

MICHAEL GARDNER: Good evening. If you both would be so kind as to state and spell your last names for the record and identify your roles in the application.

TONY LIANG: Good evening. My name is Tony Liang, L-i-a-n-g. And this is Jimmy Liang my business partner, also L-i-a-n-g.

MICHAEL GARDNER: And --

TONY LIANG: Jimmy and myself are partners in a restaurant group. For this one we are partners for Bao & Mein, Incorporated, d/b/a Shabu at Kendall. And I am one of the owners and also I will be the manager of record for this license. And before I get started on this space, I would just like to give a brief background on our experience.

We currently own five restaurants in the state of Massachusetts, four of them in which are in Quincy, and one of them is on

Third Street in Kendall Square. We -- our experience dates back to 1998, and since then we have expanded. And as far as the restaurant that we currently have, three of them have full liquor licenses, and one of them have a beer and wine license. And three and two -- I'm sorry, three of them have entertainment licenses as well.

MICHAEL GARDNER: So, I believe I remember something of the earlier Cambridge application, but why don't you tell us about that establishment; how long it's been in operation and what your experience has been so far.

TONY LIANG: Okay, so we opened December of 2011 on 300 Third Street. That one is called Fuji at Kendall and it's a sushi bar with a full liquor license. And it has exceeded our expectations as far as our projections go. We have done extremely well over there. Lunch has been full house from

Monday through Fridays. Dinner has been building, and on Thursday, Friday, and Saturdays, we have about like a 30-minute wait. As far as the experience over there, the neighbors are really great. I think people that work near is great to us. As far as the business itself, is profiting and it's sustaining. We have no issues with any of the customers or any violations of any types.

MICHAEL GARDNER: And you've been in operation now, if I get this right, less than five months?

TONY LIANG: About a year, year and close to.

MICHAEL GARDNER: Eleven?

TONY LIANG: Yes.

MICHAEL GARDNER: So a year and three or four months.

JIMMY LIANG: Yes, correct.

MICHAEL GARDNER: Any issues there?

ELIZABETH LINT: None.

MICHAEL GARDNER: And do you have a liquor license there or not?

TONY LIANG: Yes, full liquor.

MICHAEL GARDNER: And are you applying here for a no value license or are you seeking to transfer an existing license?

TONY LIANG: We are applying for a no value, non-transferable license to be used at 1 Rogers.

MICHAEL GARDNER: Okay.

And do you have any evidence of community need?

TONY LIANG: Yes. We actually have a letter from East Cambridge Planning Team. Before I continue, I just want to say that we actually submitted an application that was approved back in June of 2012 for this specific location and we -- after some planning, we actually decided that we have to change a little bit of the shareholders as well as adding more on to the menu and a

little bit of the floor plan. And since there were so many changes, rather than amending to our previous approved application, we decided to file a brand new one just to make everything nice and clean. During that time we had a recommendation letter from the residents that live near, and also we went before the East Cambridge Planning Committee to get their approval. And from doing experience at 300 Third Street, we actually feel as though there's a high need for ethnic cuisine. For example, during lunchtime we turn away customers. We turn away maybe about, it's like 10 during lunchtime. And during dinnertime, I don't know, I would say like on average like maybe 10 Thursday, Friday, and Saturday nights. And due to the demand of the food, we've decided that we should -- we want to add more to the area.

MICHAEL GARDNER: And how is both

the menu or other aspects of the operation for the new application different from the existing restaurant?

TONY LIANG: We -- so the current restaurant that we have now serves sushi. We will also be serving sushi at this new location, but that is not our main attraction. The main attraction will be hot pot. Japanese hot pot which is similar to fondue but instead of chocolates and cheeses, it's actually a big bowl of broth and then you can order your side dishes of meats, seafood, and vegetables. The side dishes come raw, and when the pot boils, you take the ingredients, cook it for anywhere from five seconds to two minutes, take it out, dip it in sauce, and eat it with rice and noodles.

It's -- we have sushi there just because we know that there's a high demand for it, and that will be icing on top of the

cake. But as far as the main attraction will be hot pot.

MICHAEL GARDNER: And how do you handle making sure that the customers know how long they should cook the food to make it safe?

TONY LIANG: It will be on our menu and also our staff is thoroughly trained. We currently own the hot pot restaurant in Quincy. And all the staff go through a pretty intensive training prior to them actually becoming servers. And part of making sure that all the staff is properly trained for this new location, we are actually bringing on managers that we currently have in the Quincy locations. And with myself being the manager on record, I was actually the one that opened the one in Quincy, and I was the one that actually trained all the staff there. And we plan doing the same thing here.

MICHAEL GARDNER: Who's the manager of record for the current Cambridge location?

TONY LIANG: Current Cambridge location will be Matthew Smith.

MICHAEL GARDNER: And that's not going to change.

TONY LIANG: That's not gonna change.

MICHAEL GARDNER: And the prior application was approved this past summer?

ELIZABETH LINT: It was approved, yes.

MICHAEL GARDNER: Okay. And has it now been withdrawn?

ELIZABETH LINT: Yes.

MICHAEL GARDNER: So you've withdrawn that application?

ELIZABETH LINT: Well, it's approved so it's just kind of dead in the water because everything is ready to go, but they've decided not to move forward on that

one and change the concept. So it's the same location, and --

MICHAEL GARDNER: Okay. So tell me what's different about from what we approved before?

TONY LIANG: The difference would be the ownership. There's different ownership. The floor plan has slightly changed. We have decreased the patio seating and we have moved some equipment around, and also the menu has increased in size. We've elaborated on the menu.

MICHAEL GARDNER: Okay.

TONY LIANG: And I'm sorry, and also the d/b/a as well as the corporate name has changed.

MICHAEL GARDNER: What about the entertainment?

TONY LIANG: And we're adding on to the entertainment.

MICHAEL GARDNER: Okay. So tell us

about what would be amplified music played above conversation level? What are you thinking?

TONY LIANG: Just, I was thinking Pandora. Maybe Sirius radio. Just background music.

MICHAEL GARDNER: But you will have live music as well?

TONY LIANG: That's something that we are throwing around as a possibility. We might have some live music.

MICHAEL GARDNER: So you're putting it in the application even though your plans aren't concrete?

TONY LIANG: Well, the thing is we actually -- the restaurant space, I was going to go into it a little bit further into detail. It's going to be separated into two locations. I mean, sorry, two rooms. One is a dining room and one's more a bar atmosphere. And we may ask people to come in

with acoustic guitar and just to do, you know, performances.

MICHAEL GARDNER: Other questions?

CHRISTOPHER BURKE: I take it the hot pot sits on a burner that's incorporated into the table?

TONY LIANG: That is correct.

CHRISTOPHER BURKE: Okay.

TONY LIANG: And it is an induction shun burner. So it's only heats up if it's in contact with metal.

CHRISTOPHER BURKE: What portion of your diagram is the second room?

TONY LIANG: So this here is First Street. And this here is the dining room with the patio here and the bar here.

CHRISTOPHER BURKE: Okay.

MICHAEL GARDNER: And the patio's on private property?

TONY LIANG: Yes.

MICHAEL GARDNER: You'll reduce the

number of seats?

TONY LIANG: That's correct.

MICHAEL GARDNER: To some amount.

Do you know how many?

TONY LIANG: Originally I believe it was at 80 and now 32.

MICHAEL GARDNER: And the reason for that?

TONY LIANG: Negotiations with the landlord for the space.

MICHAEL GARDNER: So you're getting a smaller amount of space?

TONY LIANG: Correct.

MICHAEL GARDNER: And you'll have it properly enclosed?

TONY LIANG: Yes.

MICHAEL GARDNER: Alcohol will be served out there?

TONY LIANG: It will be. Actually, the only access point will be actually right here which is accessing through the front

door. This is all going to be gated off.

MICHAEL GARDNER: Okay. Anything else?

CHRISTOPHER BURKE: No.

MICHAEL GARDNER: Any members of the public who would like to be heard on this matter?

ELIZABETH LINT: They do have a letter of support from Councillor Toomey.

MICHAEL GARDNER: May I see it.

I would say typically for a no value license we are looking for somewhat more evidence about the public need, but I will take the representations that we dealt with that issue when we passed on the existing -- the original application for this space.

TONY LIANG: Thank you.

JIMMY LIANG: Thank you, sir.

MICHAEL GARDNER: So, I will make the motion to approve the all alcohol as a restaurant license, no value, no transfer,

for 1 Rogers Street with the capacity as stated in the agenda, and the hours of operation as stated in the agenda. Also approving the entertainment license as listed in the agenda subject to background check verification. And you're TIPS Certified?

TONY LIANG: Yes.

JIMMY LIANG: Yes.

ELIZABETH LINT: 21-Proof.

MICHAEL GARDNER: 21-Proof?

TONY LIANG: No. 21-Proof meaning?

MICHAEL GARDNER: 21-Proof is the Cambridge version.

TONY LIANG: Oh, okay. No.

JIMMY LIANG: We'll get that.

TONY LIANG: Yeah.

I am currently TIP Certified and CPR trained and anti-choke. And prior to opening I will also take the SAFE Serve as well the as allergy qualifications.

MICHAEL GARDNER: And 21-Proof.

ELIZABETH LINT: Yes.

TONY LIANG: Got it.

MICHAEL GARDNER: Because whoever is at the other restaurants is 21-Proof.

ELIZABETH LINT: Yes, he is.

JIMMY LIANG: Okay.

ELIZABETH LINT: I would also just add so that there are no surprises, that the Commission has -- is exploring changing the fee structure for the no value, non-transferable licenses, and it's likely that within the next few months that the fee will be increasing significantly.

JIMMY LIANG: Okay.

ELIZABETH LINT: It's currently being reviewed at the Law Department.

MICHAEL GARDNER: That's the motion.

CHRISTOPHER BURKE: And I will second that motion.

MICHAEL GARDNER: Motion having been made and seconded, all those in favor signify

by saying "Aye."

CHRISTOPHER BURKE: Aye.

MICHAEL GARDNER: Aye.

None opposed.

And this includes withdrawal of the other application now that we've taken this action.

TONY LIANG: Yes. Thank you very much.

JIMMY LIANG: Thank you, gentlemen.

MICHAEL GARDNER: Good luck.

\* \* \* \* \*

ELIZABETH LINT: Application, Met Boston Limo, Incorporated, doing business as Orient Express Limousine Service has applied for a livery/limousine license at 186 Alewife Brook Parkway, Suite 304, for eight vehicles that will be parked at 23 Bay State Road.

MICHAEL GARDNER: Good evening. If you would be so kind as to state and spell your last name for the record and identify

your affiliation with the application.

TOM SHIELS: Tom Shiels, S-h-i-e-l-s is the last name, and I am the owner of the business.

MICHAEL GARDNER: Okay. So tell us about the details of the business and your business plan.

TOM SHIELS: Sure. It's a -- primarily airport runs. It's been in business since 1990. It's all black cars. There's six Lincoln Town Cars, there's a Mercedes Sprinter van and an SUV. Do a lot of work for Boston Coach, that was a big part of our -- probably 50 percent of the business is affiliated work with Boston Coach. Probably 80 percent of it is airport, to or from the airport.

MICHAEL GARDNER: So if you've been in business since 1990, what's this application about?

TOM SHIELS: So it was owned by Rose

Abrahamian (phonetic), and she sold it to me on March 6th. Rose is still actively involved in managing, but no longer has an ownership stake. Her and her son both are full-time employees.

MICHAEL GARDNER: And are you increasing the number of vehicles from six to eight?

TOM SHIELDS: No. It's been eight. Actually, it was 11 two years ago. It's been eight for the last year and a half roughly.

MICHAEL GARDNER: Okay.

Do our applications specify a number of vehicles, Ms. Lint?

ELIZABETH LINT: No, they don't.

MICHAEL GARDNER: So if they get the permit, then they can have the number of vehicles that the market bears or no?

ELIZABETH LINT: No. They have to have approval from you as to the number of vehicles that they're applying for and

whether or not you feel that's an appropriate number.

MICHAEL GARDNER: Okay. All right, that was the question I was trying to ask.

ELIZABETH LINT: Yes.

TOM SHIELS: So actually can I correct one thing?

MICHAEL GARDNER: Sure.

TOM SHIELS: The location that I have approval from the landlord is actually at 186 Alewife Brook Parkway. I have a picture of the location. It's the Fresh Pond Mall. And behind the movie theatre there's a -- let me bring this around so you can see it.

And there's a letter in there from the landlord.

ELIZABETH LINT: Yes, I have that.

TOM SHIELS: The landlord owns all of that building plus the movie theatre plus the office building next-door, and then there

are train tracks on the other side of it. So there's really nothing in terms of abutters.

MICHAEL GARDNER: Okay. So --

TOM SHIELS: And my office is in that building.

MICHAEL GARDNER: So that's where you're operating out of. And where are the vehicles parked?

TOM SHIELS: The vehicles will be parked there. The prior owner was using Watertown as her business address, but the office has always been in the Fresh Pond Mall.

MICHAEL GARDNER: Okay. And the license was through Cambridge?

TOM SHIELS: The license was through Watertown. So I have a business license in Cambridge. She had one in Watertown.

MICHAEL GARDNER: Okay.

So we've never regulated this business before?

ELIZABETH LINT: No.

MICHAEL GARDNER: Okay. Thank you for clarifying that.

CHRISTOPHER BURKE: So where does 23 Bay State Road come into play?

TOM SHIELS: Initially I talked to Jack Markarian (phonetic) where to park the vehicles, and he said you could park them in my shop. And then he called me back and said you're better off parking them where I used to be, which is right where your office is, which is on the same -- my office is at 186 Alewife. So he's at 304. So he said, you're better off parking them at the building I showed you which is in back of the movie theatre and it's part of 186 Alewife. So that was his suggestion. So I talked to the landlord and they wrote a letter confirming that that would be acceptable to them.

MICHAEL GARDNER: And so you're amending your application for that change?

TOM SHIELS: Correct. I came in to amend to the office, but it had already been posted in the paper. I did send it to the Tria Hotel which is right next to me. It's really the only abutter, is the Tria Hotel.

MICHAEL GARDNER: Okay.

And tell us about your experience in the limousine or livery service.

TOM SHIELS: Sure. My sister's owned a limousine company for the last eight years in Florida. My experience is all in transportation, but not in livery. I was the vice president of transportation handling delivery of packages but not people. So my direct livery experience is through my sister, and I've owned this company since March 6th.

MICHAEL GARDNER: Okay.

And have you been operating out of Watertown since March 6th or are you actually here already?

TOM SHIELS: I have -- I'm here. The cars are parked in Watertown, but my office is in Cambridge. And I have gotten Massport badges already.

MICHAEL GARDNER: Okay.

And what's your understanding of the restrictions that you're under as a livery operator with respect to transporting passengers or packages?

TOM SHIELS: Yeah. So the difference would be that unlike a cab I just can't go pick people up. I've got to have a scheduled pick up. So someone's got to call the office and I can go pick someone up at a location. I can't park out on Mass. Ave. and pick up anyone I want.

MICHAEL GARDNER: And are you familiar with the Cambridge time limits with respect to how much notice our regulations say is required for the prescheduling of the pick up?

TOM SHIELS: I don't remember what it was. I believe I read it.

ELIZABETH LINT: Yes, eight hours.

TOM SHIELS: Eight hours.

MICHAEL GARDNER: And is that doable within your business plan?

TOM SHIELS: It is, yes.

MICHAEL GARDNER: And you're committing to us that you'll comply with that?

TOM SHIELS: I will.

MICHAEL GARDNER: So this doesn't add to the capacity at least in the region?

TOM SHIELS: Correct.

MICHAEL GARDNER: There having been the Watertown business license before. What is your sense of the percentage of the business previously that came through -- that was Cambridge generated? Either the Cambridge hotels or the Cambridge residences, etcetera.

TOM SHIELS: Yes. The office has always been in Cambridge, in the Fresh Pond Mall and she had parking in Watertown. That won't change from what it was previously. We do a fair amount with the universities. Not directly the university hiring us, but professors or people associated with, you know, Harvard and MIT. In terms of what percentage is Cambridge? I'd say, you know, 25 percent, 30 percent. We do a lot of business in Boston.

MICHAEL GARDNER: And I'm not sure I understand the arrangement with Boston Coach.

TOM SHIELS: Boston Coach every day has more jobs than they can handle during peak times. So they have 100 drivers, and at noontime they need 100 drivers. At four to six in the evening and from seven to ten in the morning they need 150 drivers, so we do a lot of their rides.

MICHAEL GARDNER: Okay.

And who are you using for drivers?

TOM SHIELS: I submitted a list of the drivers. So the drivers have all been -- they put in for Massport badges, and I think five out of six have already received the badge as of today. And they've been driving with the prior owner.

MICHAEL GARDNER: Okay. Other questions?

CHRISTOPHER BURKE: None.

ELIZABETH LINT: We need background as well.

MICHAEL GARDNER: Are there members of the public who would like to be heard on this matter?

(No Response.)

TOM SHIELS: I did submit the CORI forms for the CORI background checks.

ELIZABETH LINT: Yes, I have them.

MICHAEL GARDNER: We're just a little backed up right now because of

staffing concerns that came out of last week.

TOM SHIELS: Yes.

MICHAEL GARDNER: All right. Well, I'll make the motion to approve the livery/limousine license for 186 Alewife Brook Parkway, suite 304, with vehicles -- for eight vehicles to be parked at that same location.

TOM SHIELS: And if I wanted to expand to 10, would I need to come back or would I -- could I at this point --

MICHAEL GARDNER: You would need to come back.

TOM SHIELS: Okay.

MICHAEL GARDNER: And I'll also make my motion subject to a six-month staff review just to see how the operation is going, we get some sense from you about that. You'll be keeping data about trips?

TOM SHIELS: Yes.

MICHAEL GARDNER: And I think we'll

want to see some of that, too.

TOM SHIELS: You want to see a record of all of our trips?

MICHAEL GARDNER: The staff will tell you what they want to see.

TOM SHIELS: Sure.

MICHAEL GARDNER: So that's the motion.

CHRISTOPHER BURKE: I will second that motion.

MICHAEL GARDNER: Motion having been made and seconded, all those in favor signify by saying "Aye."

CHRISTOPHER BURKE: Aye.

MICHAEL GARDNER: Aye.

None opposed.

So good luck with the operation.

\* \* \* \* \*

ELIZABETH LINT: Application, Bourbon Lesley, LLC, doing business as Bourbon Coffee, Tareq Yaghmour, manager,

holder of a common victualer license at 1815 Mass. Ave. has applied for a seasonal outdoor patio on the public sidewalk for 16 seats. Total capacity (indoor and outdoor) could never exceed 75.

Nobody here?

Okay, we will inquire.

\* \* \* \* \*

ELIZABETH LINT: Application, Town and Country Art, LLC, doing business as Paint, Leslie Belkner, manager, has applied for a wine and malt beverages as a restaurant license at 31 Belmont Street. The proposed application is for 20 seats, hours of operation from 5:00 p.m. to 10:00 p.m. Tuesday through Sunday.

MICHAEL GARDNER: Please come forward, state and spell your last names for the record, and just identify your affiliation with the application.

LESLIE BELKNER: My name is Leslie

Belkner, L-e-s-l-i-e B-e-l-k-n-e-r and I'm the owner and manager.

JOHN BELKNER: John Belkner. Same last name, same last spelling B-e-l-k-n-e-r. And I am the silent husband and partner.

MICHAEL GARDNER: So tell us about your plan and prior experience in the business.

LESLIE BELKNER: So the plan is to open something that is completely unique for Cambridge. It's sort of a combination art class/restaurant where you can hopefully also have a glass of wine or beer. I'm an artist. I'm a painter. And I would be giving an art instruction. And it would be sort of like a fun atmosphere where -- less of a structured art class, but more of a cocktail party atmosphere or a restaurant atmosphere and, yeah.

So it's something that's starting to become a trend. You might have heard about

it on Chronicle a few weeks ago. Some people call it a paint bar. I'm not really calling mine that, but it's a fun sort of alternative to a night out rather than going to a bar or a restaurant. It's something where people can come and -- I'll lead an instruction on a painting and just really make it really easy for someone to complete a painting in one night.

JOHN BELKNER: You start and finish something pretty simple. But that is --

LESLIE BELKNER: I went to another one and did this there. It's just an example of what kind of painting you can do. And it's been received really well. It's starting to get really popular. There's a couple around, but none in Cambridge right now.

MICHAEL GARDNER: Where are some of the other locations?

LESLIE BELKNER: There's one in

South Boston and one in Newton. And there's a few other on the North Shore there's a couple.

MICHAEL GARDNER: So is it typically that some customers come in and just simply use the restaurant and bar facilities?

LESLIE BELKNER: It would not be that kind of thing at all. People come for the class, and the option to get food or wine is basically an amenity to that. So it's focussed primarily on the art class, but it enhances the experience to be able to have a glass of wine, maybe think you're a little bit more creative than you really are, and really enjoy the art.

MICHAEL GARDNER: So you're essentially open to conduct art classes and have the food and beverages as the side amenity as you say?

LESLIE BELKNER: Yes.

MICHAEL GARDNER: Tell us about the

food.

LESLIE BELKNER: So the food is, it's a basic menu of mostly cold options, but some of them will be prepackaged. There will be no heat, no ovens, nothing like that. Just a counter in the back of the location that serves -- I have a copy of the menu if you'd like to see that.

So everything is pretty much prepared on-site or I will have bought it prepared from suppliers.

JOHN BELKNER: Yeah, the idea is not -- we can't distract from the painting. The painting is what they're there for. So whatever is going to be served will truly be accessory.

MICHAEL GARDNER: Okay.

And how important is the alcohol to the success of the business in your mind?

LESLIE BELKNER: So the alcohol is very important. It's definitely not the

primary business model, but it is very important. It's kind of what makes this business model unique. People who come to these kinds of things, they get, they may not get a drink at all. They may get one drink. This is not a drinking establishment. It's something that is just there as an option, as an enhancement to the experience, but it's not something where like I said before, you -- it wouldn't be something people could come to and just stay and have a drink at the bar. You're enrolled in the class and you're at a seat with an easel and your paintbrushes and -- it's a class pretty much.

JOHN BELKNER: And a social experience, though, and that's really where the alcohol, you know, will come into play. There is a lot of exchange among the folks who don't know each other, and sometimes to have a nice glass of wine is -- eases that sort of introduction.

LESLIE BELKNER: Yeah, it's less structured -- although it is a class, it's less structured than a class so that talking amongst each other is encouraged, and there will be some music playing, just soft music in the background, and eating and drinking. So it's meant to be relaxed and fun.

MICHAEL GARDNER: So, before I forget, you probably need an entertainment license as well; is that right?

LESLIE BELKNER: I wasn't quite sure about that because it's at or below conversation level.

MICHAEL GARDNER: Yes, so you need --

ELIZABETH LINT: Yes, and I would need a better notifications.

JOHN BELKNER: We've got that.

LESLIE BELKNER: Oh. So we haven't received anything back, although I just recently discovered that there's a problem

with my mail. We just took occupancy a few weeks ago and there's -- I haven't received any mail. I didn't realize that it wasn't being delivered there. So I have to find out where it is and what's going on with it. but --

JOHN BELKNER: The certified letters were also sent out after the required deadline.

LESLIE BELKNER: Yeah, we sent them out a little late.

JOHN BELKNER: On the 18th. There was some miscommunication on our behalf. So they had been sent out as certified, but only as of five days ago.

MICHAEL GARDNER: Okay.

JOHN BELKNER: And there was about seven, I think, abutters.

MICHAEL GARDNER: My sense of it, then, is that we probably won't act on this application tonight, but we might move it

over for review at our next decision hearing which is May the 2nd.

ELIZABETH LINT: I believe so.

MICHAEL GARDNER: At ten a.m., a Thursday.

And is it all right for them to amend here this evening to include the entertainment?

ELIZABETH LINT: It has to be advertised.

MICHAEL GARDNER: Okay. So if you plan on music and, you know, you can, you can choose either to package it all together or conceivably you can choose to do the entertainment application later.

LESLIE BELKNER: That's what I'm thinking, yeah.

MICHAEL GARDNER: But you're not supposed to be playing music without an entertainment license even if it's below conversation level.

LESLIE BELKNER: Okay.

MICHAEL GARDNER: Okay?

Will these be pretty much all pre-registered people who come in for the class?

LESLIE BELKNER: Uh-huh.

MICHAEL GARDNER: Or how will walk-ins be handled if at all?

LESLIE BELKNER: There aren't really any walk-ins. People would register on-line beforehand. All the other ones are booking two months out. So they would go to my website and there would be a calendar and on each day there's a different painting, and they would choose whichever painting they want to do and which night they can come and they will register on-line and that transaction will happen completely on-line.

MICHAEL GARDNER: I'm not sure I understand about the different paintings. Are they all copying existing work? Or, I'm

not sure I got that.

LESLIE BELKNER: So every night will be a different -- I'll be leading a class on a different painting. Everyone in the room will be working on that same painting. Maybe this is Monday night, this is Tuesday night --

MICHAEL GARDNER: People aren't coming in to paint their own self-portraits?

LESLIE BELKNER: Oh, no.

JOHN BELKNER: Everyone leaves with the same design.

LESLIE BELKNER: We brought some samples to show you.

JOHN BELKNER: We brought these two because this was my first time painting ever, and this was my wife's, who -- she's a very accomplished painter. And I don't notice that much of the difference between the two personally.

LESLIE BELKNER: Well, let's let the

board decide.

JOHN BELKNER: But this is what somebody can do with real simple instruction.

LESLIE BELKNER: No experience required. And so it takes the intimidation and the sort of fussiness out of art and makes everyone feel like it's accessible and everyone can do it because I believe everyone can.

MICHAEL GARDNER: Well, I don't know about the superintendent, but judging the relative quality and merits of two different paintings is beyond my classification and job description so I won't offer.

CHRISTOPHER BURKE: Well, I did notice the different shapes of the sun. I think the sun is supposed to be more round.

LESLIE BELKNER: And not red, right? His sun is red.

JOHN BELKNER: It was very dangerous.

CHRISTOPHER BURKE: Good.

MICHAEL GARDNER: Ms. Belkner, tell us about your experience in the alcohol business and/or the restaurant business.

LESLIE BELKNER: So for the past 19 years I've been employed as a graphic designer. I have a BFA in painting from Providence College. But as far as my restaurant experience, I was an assistant manager at a restaurant called The Four 66 in Danvers in I think in about '03 for about two years. And before that I have many years of server experience that I actually have kind of blocked out, but I have many years. I worked at -- after I was assistant manager at Four 66 -- I mean, before that I worked at a restaurant called O'Brien's in Edgartown. I worked at the Black Cow in Hamilton. I worked at --

JOHN BELKNER: As a waitress.

LESLIE BELKNER: As a server, yeah.

And a few other places. I did some catering jobs.

And then also one of my design jobs for about two years I was a graphic designer at Sam Adams, so even though I was senior designer there, I was very involved in the food aspect of beer and pairing beer with food, and actually it was --

MICHAEL GARDNER: Was this at a corporate level?

LESLIE BELKNER: Yeah, uh-huh.

MICHAEL GARDNER: And in Danvers did they have alcohol?

LESLIE BELKNER: They did.

MICHAEL GARDNER: And you were assistant manager?

LESLIE BELKNER: Assistant manager.

MICHAEL GARDNER: Tell us what you think are the principal challenges for somebody who is a manager of record at an establishment which serves alcohol.

LESLIE BELKNER: Well, based on my experience, a big part of the responsibility is managing the staff. That was quite challenging. I think that for me was probably the most challenging part of it. And that might have been particular to that situation. But also I did some dealing with the suppliers and ordering the food and making sure we had what we need. And also, it was a smaller restaurant, family-owned restaurant. It was very hands-on. I was very often involved in cooking, which I actually liked. But as far as the bar, the bar was somewhat separate. It was two separate rooms so I didn't deal too much with serving of alcohol or having to deal with things that revolved around alcohol, but it was definitely part of the job.

MICHAEL GARDNER: So what do you imagine our principal concerns are with respect to the service of alcohol?

LESLIE BELKNER: I would imagine that you want to make sure that I know how to be a responsible server of alcohol. I'm in the process of getting TIPS Certified. I'm about halfway through the on-line program. And I'm fully aware of 21-Proof. It's something that I will absolutely do. I wish I had more experience to bring at this point as far as alcohol, but I will absolutely get myself up to par with whatever needs to be done. We are responsible members of the Cambridge community. My husband has lived here his whole life. I have a letter from Mark McGovern attesting to our character. And, you know, this is, this is a change of career for me pretty much. I mean, I -- it's a change and it's also a combination of a few different things that I've done. I've been running a business, my own graphic design business for the past 10 years. So as far as running a business, I've got a lot of

experience with that. I've got some experience from the restaurant industry. I've never owned my own restaurant. So it's a little bit of a new, something venturing into new waters here, but it's something that I'm very excited about, and I absolutely am aware of all of the things that I need to do to be responsible.

JOHN BELKNER: I think maybe one of the things that you didn't say which you maybe just seem obvious, but over serving seems to be obviously something that you have to be certainly concerned about when you're responsible for a license such as this.

LESLIE BELKNER: And serving underage people as well.

JOHN BELKNER: Underage. You know --

MICHAEL GARDNER: Those were the two answers I was looking for. What we care about is underage and over serving mostly.

JOHN BELKNER: Yes.

MICHAEL GARDNER: And I mean you've got to follow the other rules. You can't substitute liquids and all of that.

LESLIE BELKNER: Right.

MICHAEL GARDNER: I interrupted you. Go ahead.

JOHN BELKNER: I was just going to say without certainly belittling those issues, the model that exists in these other businesses, which we are following, and the model that we will offer up here, the alcohol and the food is clearly something that will not be emphasized. I don't see somebody having more than one or two drinks over the course of the evening. All the ones that I have attended, that seems to be the model. The folks who attend these things, they're not there for alcohol and beer and food. They're there for art. Now, that doesn't mean that we don't have to be aware of the

over serving and the underage serving and all of the issues that we'll be required to, but certainly it's more of a -- we don't have the direct alcohol experience and I'd be concerned about that if I was opening up a restaurant or a bar more so than I am with this venture.

LESLIE BELKNER: It's somewhat secondary. It's very important to the business model but it's a secondary.

MICHAEL GARDNER: I take it that the success of the business, in fact, depends on how much fun and --

LESLIE BELKNER: Exactly.

MICHAEL GARDNER: -- the quality of the art lesson or the painting experience is mostly.

LESLIE BELKNER: Exactly.

MICHAEL GARDNER: And so will you be serving wine just by the glass or do you contemplate serving it by the bottle as well?

LESLIE BELKNER: Just by the glass.

JOHN BELKNER: Just by the glass.  
We're thinking four bottles of wine. Four  
varieties of beer. That's pretty much going  
to be the limit of it.

MICHAEL GARDNER: And how much staff  
do you anticipate having?

LESLIE BELKNER: Between five and  
six employees with two or three on each night  
on a rotating basis.

JOHN BELKNER: Our capacity is for  
20 seats right now.

MICHAEL GARDNER: Right.

Other questions?

CHRISTOPHER BURKE: None.

MICHAEL GARDNER: Are there any  
members of the public who would like to be  
heard on this matter?

(No Response.)

MICHAEL GARDNER: So because we  
don't have the abutter notices and because

there may be some issues with the notice, I'll -- do you think there's enough time for whatever else needs to be done? I don't know if they need to resend the notices or not.

LESLIE BELKNER: I can hold off on the music end for now. I'm fine for putting that off for now.

MICHAEL GARDNER: Yes, this is apart from the music. This is the actual application itself.

ELIZABETH LINT: Yes. I think, I think maybe we should see what happens if they can track their mail down and -- because if they have the cards back, then it's a non-issue.

MICHAEL GARDNER: Okay.

ELIZABETH LINT: And if you don't have anything back, then you can just call me and we can figure out what we'll do from there.

LESLIE BELKNER: Okay.

MICHAEL GARDNER: So I'll make the motion to put this over to the decision hearing on May the 2nd at 10:00 a.m.

That's a hearing or a meeting where we don't actually take public testimony typically. You can attend if you like, but we're not going to -- it's not required, but we will be relying on Ms. Lint to find out the status of the abutter notice.

LESLIE BELKNER: Okay.

MICHAEL GARDNER: And if we're not in a position to act on it that day, the next scheduled hearing of the Commission is May the 14th.

LESLIE BELKNER: Okay.

MICHAEL GARDNER: Does that cause you horrific problems with respect to your schedule?

LESLIE BELKNER: No.

MICHAEL GARDNER: So I'll make the motion to defer this matter to May the 2nd.

CHRISTOPHER BURKE: Second that motion.

MICHAEL GARDNER: Motion having been made and seconded, all those in favor signify by saying "Aye."

CHRISTOPHER BURKE: Aye.

MICHAEL GARDNER: Aye.

Thank you for this interesting application.

LESLIE BELKNER: Thank you.

MICHAEL GARDNER: And we'll look forward to hearing what the neighbor says.

LESLIE BELKNER: Thank you.

\* \* \* \* \*

ELIZABETH LINT: Application, G&G Restaurant Group, Incorporated, doing business as Primo Pizza and Roast Beef, George Panagopoulos, manager, has applied for a common victualer license to be exercised at 783 Main Street. Said license if granted would allow food and non-alcoholic beverages

to be sold, served, and consumed on said premises with a seating capacity of 18. The hours of operation will be 11:00 a.m. to 11:00 p.m. seven days per week.

MICHAEL GARDNER: Good evening. Again, if you would be so kind as to state and spell your last names for the record --

GEORGE PANAGOPOULOS: George Panagopoulos --

MICHAEL GARDNER: -- and to tell us your affiliation.

GEORGE PANAGOPOULOS:  
P-a-n-a-g-o-p-o-u-l-o-s.

GEORGE MAKRAKIS: George Makrakis, M-a-k-r-a-k-i-s. And partner/owner.

MICHAEL GARDNER: Okay. And so you're the manager, sir?

GEORGE PANAGOPOULOS: Yes.

MICHAEL GARDNER: So tell us a little bit about your plan here, and also what experience you have --

GEORGE PANAGOPOULOS: We are buying Stefani's Pizza which has been there since 1980. I've been in the business since 1982. Last business was in Lynn. Primo Pizza and Roast Beef. George had --

GEORGE MAKRAKIS: I have an existing restaurant up in Rockport. Rockport Pizza. I've been in the business my whole life. Greek raised, so any Greek family, you know pizza place you go into, so we know the business.

MICHAEL GARDNER: Okay. So what's the roast beef part it?

GEORGE MAKRAKIS: The roast beef is -- I don't know if guys are familiar with the North Shore style roast beef. Nick's Roast Beef, I'm sure you guys heard about that.

GEORGE PANAGOPOULOS: Bill and Bob's.

GEORGE MAKRAKIS: Bill and Bob's Roast Beef.

MICHAEL GARDNER: I lead a pretty sheltered life.

GEORGE PANAGOPOULOS: It's a roast beef sandwich.

GEORGE MAKRAKIS: It's a roast beef sandwich, barbecue sauce --

GEORGE PANAGOPOULOS: Sliced thin.

GEORGE MAKRAKIS: With Mayonnaise, yeah.

GEORGE PANAGOPOULOS: Barbecue sauce mainly.

GEORGE MAKRAKIS: So trying to introduce it to this area --

GEORGE PANAGOPOULOS: Down here.

MICHAEL GARDNER: So that will be a different menu item then?

GEORGE PANAGOPOULOS: Well, it's the only different menu item. Everything else is the same.

GEORGE MAKRAKIS: Is the same thing, pizza and subs, yeah.

MICHAEL GARDNER: What is it about that location that's attractive to you?

GEORGE PANAGOPOULOS: It's a great location. A lot of walk-by business. Great neighborhood in the back. We've been meeting the neighbors. The reverend next-door.

GEORGE MAKRAKIS: Population basically.

GEORGE PANAGOPOULOS: Just a lot of traffic.

MICHAEL GARDNER: You'll keep -- will you keep the Lynn establishment?

GEORGE PANAGOPOULOS: No, no. I sold that and just own the building now.

MICHAEL GARDNER: Okay. So in other words, you're going to be focusing your managerial efforts --

GEORGE PANAGOPOULOS: We're both going to be together.

MICHAEL GARDNER: Here?

GEORGE PANAGOPOULOS: Yes, yes.

GEORGE MAKRAKIS: My wife --

MICHAEL GARDNER: You're keeping the North Shore operation?

GEORGE MAKRAKIS: My wife runs that business up there.

MICHAEL GARDNER: Do we have the abutter notices?

ELIZABETH LINT: I do not. Do you have the abutter notifications?

GEORGE PANAGOPOULOS: No.

ELIZABETH LINT: Oh, wait a minute. Is it the same hours, same seating?

GEORGE PANAGOPOULOS: Same seating. Nothing's changing.

ELIZABETH LINT: Don't need them.

CHRISTOPHER BURKE: No remodeling or anything like that?

GEORGE PANAGOPOULOS: No, just painting and cleaning.

MICHAEL GARDNER: Okay. Do you have questions?

CHRISTOPHER BURKE: None.

MICHAEL GARDNER: Are there any members of the public who would like to be heard on this matter?

(No Response.)

MICHAEL GARDNER: Seeing none, do we need a background check?

ELIZABETH LINT: No.

MICHAEL GARDNER: Well, I'll make the motion to approve the common victualer license to be exercised at 783 Main as stated in the application, using also the hours of operation of the application and the seating capacity.

CHRISTOPHER BURKE: Second that motion.

MICHAEL GARDNER: Motion having been made and seconded, all those in favor signify by saying "Aye."

CHRISTOPHER BURKE: Aye.

MICHAEL GARDNER: Aye.

None opposed.

Welcome to Cambridge. Good luck in taking over --

GEORGE PANAGOPOULOS: Thank you. A lot of work.

MICHAEL GARDNER: -- it's kind of an institution, right, Stefani's? It's been there a long time.

GEORGE MAKRAKIS: You gotta come by for the roast beef, too.

MICHAEL GARDNER: Well, okay. Good luck.

\* \* \* \* \*

ELIZABETH LINT: Application, Lebanese Grill, Incorporated, doing business as Sabra Grill, Saide Sebaaly, manager, holder of a common victualer license at 20 Eliot Street has applied for a change of hours from 10:00 a.m. to 10:00 p.m. seven days per week to 10:00 a.m. to 3:30 a.m. seven days per week.

SAIDE SEBAALY: Hi.

MICHAEL GARDNER: Hi. Good evening.  
If you would be so kind as to state and spell  
your last name for the record and your role.

SAIDE SEBAALY: It's Sebaaly,  
S-e-b-a-a-l-y.

MICHAEL GARDNER: Why do you want to  
stay open so late?

SAIDE SEBAALY: Um, because, you  
know, I have my competition down the street,  
and I see they're doing a lot of business,  
have a lot of my customers, you know, they're  
young students and they always ask me why I  
don't stay open sometimes.

MICHAEL GARDNER: Who's your  
competition?

SAIDE SEBAALY: The Falafel Corner.  
Another Middle Eastern --

MICHAEL GARDNER: What are their  
hours of operation?

SAIDE SEBAALY: They stay until

three a.m., they're open. They deliver and they....

MICHAEL GARDNER: How long have you been operating at this operation?

SAIDE SEBAALY: I've been at this operation for six months, but Sabra Grill have been there for over 20 years.

MICHAEL GARDNER: So you took over six months ago?

SAIDE SEBAALY: Yes.

MICHAEL GARDNER: What are the -- tell us a little bit about the neighborhood and what kinds of steps you can take to make sure that neighbors aren't bothered at the late hour?

SAIDE SEBAALY: Well, I don't have a lot of -- it's just -- I'm across the street from the business, not the business, the JFK, that's the Harvard School of Government. So and next to me there's the parking garage. I don't actually have residents around me, just

the school across the street. And I have the Dunkin' Donuts next to me. IHOP is up the street. So there's not much of, you know, residential places over there. But it's very busy, you know, sometimes after, after the hours. You know, the students they go out to the bars and they want to come and grab a bite. So I thought it will be, you know, good business for me because I've seen the other people around doing some business, too. And I've been asked if I can stay late. And I'm considering if -- I didn't see any, you know, like I said, there's no residential places around me so it won't be -- it won't bother anybody. And I don't have any alcohol anyway. I don't have an alcohol license.

MICHAEL GARDNER: So I guess the concern would be they might be out anyway someplace else, but people leaving your place after having left a bar and then being in your place and then leaving and then being

loud as they walk through residential neighborhoods would be sort of what we would I think mostly worry about.

Do you have questions?

CHRISTOPHER BURKE: No. I do know the area, and it's kind of quiet at night. How far will you estimate you are from the Charles Hotel?

SAIDE SEBAALY: Like....

UNIDENTIFIED MALE: Probably 500 yards? We are in the building under the garage basically. You know, the garage where Cambridge Police, they actually have an office next-door inside the garage.

CHRISTOPHER BURKE: What about the Harvard student residents?

UNIDENTIFIED MALE: It's too far.

SAIDE SEBAALY: It's too far from us.

ELIZABETH LINT: I can tell you Ms. Jilson supports the application.

MICHAEL GARDNER: Okay.

Did you say the other place falafel place is open till three?

SAIDE SEBAALY: Yeah.

MICHAEL GARDNER: Why shouldn't we keep the competition the same and restrict your license to three?

SAIDE SEBAALY: Three a.m.? That's what I was asking for.

ELIZABETH LINT: It says 3:30.

SAIDE SEBAALY: We can do three, that's fine with me.

MICHAEL GARDNER: And are you -- do you really intend to stay open until three a.m. on, I don't know, Sunday, Monday, and Tuesday nights.

SAIDE SEBAALY: Not really, no. The, the most, you know, that I'm hoping that I want to do is the weekends, like Fridays and Saturdays.

MICHAEL GARDNER: Okay. So one of

the problems that we come up with with applicants sometimes is they think that if they have the widest band of hours, then they'll have more flexibility and in terms of being able to deal with whatever the business need is or the volumes. But the way we think about it is that if we approve hours of operation for a set time period, we're actually expecting you to be open those hours because that's kind of the commitment between you and us. So I am wondering whether or not an earlier closing time during the -- at the front end of the week would actually fit with what you really want, what you need, and then we would, we could try to tailor the hours to something that actually fit closer to what you intended if you found out that, you know, you were losing a lot of business and you thought that making a change in the future you could always reapply for a change.

UNIDENTIFIED MALE: Yeah, I was

thinking three night, Thursday, Friday, Saturday is plenty.

MICHAEL GARDNER: How late would you want to stay open Sunday through Wednesday?

SAIDE SEBAALY: Honestly like you said, what you said is actually right. I am planning on the end of the week. Like, the weekends mostly. And I was, you know, like I -- like you said it, maybe if I see I can have more business -- but if you want me to say exactly what days I'm gonna be open, I would say Thursday, Friday, and Saturday.

MICHAEL GARDNER: Okay.

So suppose we approved an amended application that allowed you to stay open till 11:00 p.m. Sunday through Wednesday and 3:00 p.m. Thursday through Saturday?

ELIZABETH LINT: Three a.m.

MICHAEL GARDNER: Three a.m. Did I say p.m.? I really meant a.m.

ELIZABETH LINT: You've got to be

right on the record.

MICHAEL GARDNER: I know, that's right.

Would that fit with what you need?

SAIDE SEBAALY: I would say yes for now. And like you said, I could have the option in the future if I want to --

MICHAEL GARDNER: If you do that you're committed to stay open until 11:00.

SAIDE SEBAALY: Uh-huh.

MICHAEL GARDNER: And that's okay?

SAIDE SEBAALY: Yes.

MICHAEL GARDNER: And committed to staying open until 3:00 on other nights?

SAID SEBAALY: Yes.

MICHAEL GARDNER: Are there any members of the public who would like to be heard on this matter?

MARK LEVY: Sure. I'm Mark Levy, and support later night businesses staying open later in general.

MICHAEL GARDNER: And would you please spell your last name for the record, Mr. Levy.

MARK LEVY: L-e-V as in Victor-y.

MICHAEL GARDNER: Thank you very much.

MARK LEVY: I think the late night adds to vibrancy, and I'd rather see a local business getting money than IHOP which is right there and stays open even later I think.

SAIDE SEBAALY: Yeah, next-door. Thank you.

MICHAEL GARDNER: Thank you.

Any other questions?

CHRISTOPHER BURKE: None.

MICHAEL GARDNER: So I will make the motion to approve a change in hours from 10:00 a.m. to 11:00 p.m. Sunday through Wednesday and 10:00 a.m. to 3:00 a.m. Thursday, Friday, and Saturday.

Do we need this subject to submission of abutter records?

ELIZABETH LINT: Yes.

SAIDE SEBAALY: Okay.

ELIZABETH LINT: Did you notify any abutters?

SAIDE SEBAALY: No, I didn't know that I --

ELIZABETH LINT: Let me look into it because there may not be -- you know, it may just be the landlord or -- let me check into it.

MICHAEL GARDNER: Okay.

I'll make my motion subject to Ms. Lint's reviewing the matter to make sure all of the legal notification requirements have been met.

SAIDE SEBAALY: Okay.

MICHAEL GARDNER: Otherwise we have to ask you to do all that.

SAIDE SEBAALY: Okay, thank you.

CHRISTOPHER BURKE: I'll second that motion.

MICHAEL GARDNER: Motion having been made and seconded, all those in favor signify by saying "Aye."

CHRISTOPHER BURKE: Aye.

MICHAEL GARDNER: Aye.

None opposed.

So good luck with getting enough sleep and staying open and getting it done.

SAIDE SEBAALY: Thank you very much.

\* \* \* \* \*

APPROVAL OF MINUTES:

ELIZABETH LINT: Would you like to approve any minutes?

MICHAEL GARDNER: Well, yes, if we can.

ELIZABETH LINT: You can. You can approve if you so chose February 12th and March 19th.

MICHAEL GARDNER: So I'll make the

motion to approve February 12th and March 19th minutes.

CHRISTOPHER BURKE: Second that motion.

MICHAEL GARDNER: Motion having been made and seconded, all those in favor signify by saying "Aye."

CHRISTOPHER BURKE: Aye.

MICHAEL GARDNER: Aye.

None opposed. So the minutes are approved.

ELIZABETH LINT: Okay. You're done.

MICHAEL GARDNER: Okay. You don't have a hundred ratifications for us to accept?

ELIZABETH LINT: No tonight.

MICHAEL GARDNER: I'll make the motion to -- we have no other business before us?

ELIZABETH LINT: No, unless you can think of something.

MICHAEL GARDNER: I'll make the motion to adjourn at 7:45 in the evening of April 23, 2013.

CHRISTOPHER BURKE: Second that motion.

MICHAEL GARDNER: All in favor signify by saying "Aye."

CHRISTOPHER BURKE: Aye.

MICHAEL GARDNER: Aye.

None opposed. We're adjourned.

Thank you.

(Whereupon, at 7:45 p.m., the  
Licensing Commission Adjourned.)

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**ERRATA SHEET AND SIGNATURE INSTRUCTIONS**

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**C E R T I F I C A T E**

**COMMONWEALTH OF MASSACHUSETTS  
BRISTOL, SS.**

I, Catherine Lawson Zelinski, a  
Certified Shorthand Reporter, the undersigned  
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this matter.

I further certify that the testimony  
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| <p>'03<sup>[1]</sup> - 88:11</p> <p><b>0</b></p> <p><b>02139</b><sup>[1]</sup> - 1:10</p> <p><b>1</b></p> <p><b>1</b><sup>[3]</sup> - 47:14, 51:9, 61:1</p> <p><b>10</b><sup>[5]</sup> - 29:19, 52:14, 52:17, 74:10, 91:20</p> <p><b>100</b><sup>[3]</sup> - 47:15, 72:16, 72:17</p> <p><b>100s</b><sup>[1]</sup> - 32:13</p> <p><b>105</b><sup>[1]</sup> - 2:20</p> <p><b>10:00</b><sup>[12]</sup> - 15:21, 16:1, 40:19, 40:20, 47:17, 76:15, 97:3, 105:19, 105:20, 114:19, 114:20</p> <p><b>11</b><sup>[2]</sup> - 2:2, 65:10</p> <p><b>119</b><sup>[1]</sup> - 120:7</p> <p><b>11:00</b><sup>[6]</sup> - 42:8, 99:3, 99:4, 112:16, 113:9, 114:19</p> <p><b>1200</b><sup>[1]</sup> - 44:11</p> <p><b>12th</b><sup>[2]</sup> - 116:19, 117:1</p> <p><b>130</b><sup>[1]</sup> - 4:15</p> <p><b>14</b><sup>[3]</sup> - 42:7, 44:1, 44:5</p> <p><b>147703</b><sup>[1]</sup> - 121:15</p> <p><b>14th</b><sup>[1]</sup> - 97:14</p> <p><b>15</b><sup>[2]</sup> - 2:4, 21:7</p> <p><b>150</b><sup>[1]</sup> - 72:19</p> <p><b>16</b><sup>[3]</sup> - 14:7, 21:7, 76:3</p> <p><b>18</b><sup>[6]</sup> - 15:20, 19:2, 19:8, 24:3, 37:18, 99:2</p> <p><b>18-seat</b><sup>[1]</sup> - 31:20</p> <p><b>1815</b><sup>[1]</sup> - 76:1</p> <p><b>186</b><sup>[5]</sup> - 63:16, 66:11, 68:12, 68:16, 74:5</p> <p><b>18th</b><sup>[1]</sup> - 83:12</p> <p><b>19</b><sup>[1]</sup> - 88:5</p> <p><b>1900</b><sup>[1]</sup> - 44:10</p> <p><b>1980</b><sup>[1]</sup> - 100:3</p> <p><b>1982</b><sup>[1]</sup> - 100:3</p> <p><b>1990</b><sup>[2]</sup> - 64:10, 64:19</p> <p><b>1998</b><sup>[1]</sup> - 49:2</p> <p><b>19th</b><sup>[2]</sup> - 116:20, 117:2</p> <p><b>1:00</b><sup>[4]</sup> - 15:21, 40:19, 40:21, 47:17</p> | <p><b>2</b></p> <p><b>20</b><sup>[4]</sup> - 76:14, 95:12, 105:17, 107:7</p> <p><b>2011</b><sup>[2]</sup> - 12:1, 49:16</p> <p><b>2012</b><sup>[1]</sup> - 51:17</p> <p><b>2013</b><sup>[3]</sup> - 1:6, 118:3, 121:11</p> <p><b>2015</b><sup>[1]</sup> - 121:16</p> <p><b>21-Proof</b><sup>[9]</sup> - 38:9, 38:11, 61:9, 61:10, 61:11, 61:12, 61:21, 62:4, 91:6</p> <p><b>23</b><sup>[6]</sup> - 1:6, 3:9, 63:18, 68:4, 118:3, 121:16</p> <p><b>25</b><sup>[1]</sup> - 72:10</p> <p><b>26</b><sup>[1]</sup> - 44:3</p> <p><b>2:00</b><sup>[2]</sup> - 16:2, 40:20</p> <p><b>2nd</b><sup>[3]</sup> - 84:2, 97:3, 97:21</p> <p><b>3</b></p> <p><b>3</b><sup>[1]</sup> - 2:6</p> <p><b>30</b><sup>[1]</sup> - 72:10</p> <p><b>30-minute</b><sup>[1]</sup> - 50:3</p> <p><b>30-year</b><sup>[1]</sup> - 34:21</p> <p><b>300</b><sup>[2]</sup> - 49:16, 52:10</p> <p><b>304</b><sup>[3]</sup> - 63:17, 68:13, 74:6</p> <p><b>31</b><sup>[1]</sup> - 76:13</p> <p><b>32</b><sup>[2]</sup> - 47:15, 59:6</p> <p><b>3:00</b><sup>[3]</sup> - 112:17, 113:14, 114:20</p> <p><b>3:30</b><sup>[2]</sup> - 105:20, 110:10</p> <p><b>4</b></p> <p><b>4/23/13</b><sup>[1]</sup> - 120:1</p> <p><b>41</b><sup>[1]</sup> - 2:8</p> <p><b>450</b><sup>[1]</sup> - 11:10</p> <p><b>47</b><sup>[1]</sup> - 2:10</p> <p><b>47-49</b><sup>[2]</sup> - 15:19, 16:19</p> <p><b>5</b></p> <p><b>50</b><sup>[1]</sup> - 64:14</p> <p><b>500</b><sup>[1]</sup> - 109:10</p> <p><b>5:00</b><sup>[2]</sup> - 42:7, 76:15</p> <p><b>6</b></p> <p><b>617.786.7783/617.639.0396</b><sup>[1]</sup> - 1:17</p> <p><b>63</b><sup>[1]</sup> - 2:12</p> | <p><b>66</b><sup>[2]</sup> - 88:10, 88:16</p> <p><b>6:00</b><sup>[1]</sup> - 1:7</p> <p><b>6:10</b><sup>[1]</sup> - 3:9</p> <p><b>6th</b><sup>[4]</sup> - 65:2, 69:17, 69:20, 121:11</p> <p><b>7</b></p> <p><b>75</b><sup>[2]</sup> - 2:14, 76:5</p> <p><b>76</b><sup>[1]</sup> - 2:16</p> <p><b>783</b><sup>[2]</sup> - 98:20, 104:11</p> <p><b>7:45</b><sup>[2]</sup> - 118:2, 118:12</p> <p><b>8</b></p> <p><b>80</b><sup>[2]</sup> - 59:6, 64:16</p> <p><b>80s</b><sup>[1]</sup> - 32:13</p> <p><b>831</b><sup>[2]</sup> - 1:10, 3:10</p> <p><b>877</b><sup>[2]</sup> - 3:19, 5:5</p> <p><b>9</b></p> <p><b>98</b><sup>[1]</sup> - 2:18</p> <p><b>A</b></p> <p><b>a.m</b><sup>[28]</sup> - 15:21, 16:1, 16:2, 39:4, 39:5, 39:8, 40:3, 40:14, 41:1, 42:7, 47:17, 84:4, 97:3, 99:3, 105:19, 105:20, 107:1, 110:8, 110:15, 112:18, 112:19, 112:20, 114:19, 114:20</p> <p><b>ABCC</b><sup>[1]</sup> - 13:5</p> <p><b>ability</b><sup>[1]</sup> - 121:10</p> <p><b>able</b><sup>[9]</sup> - 8:20, 12:9, 18:20, 19:15, 20:1, 30:16, 32:7, 79:12, 111:5</p> <p><b>Abrahamic</b><sup>[1]</sup> - 65:1</p> <p><b>absolutely</b><sup>[4]</sup> - 7:8, 91:7, 91:9, 92:6</p> <p><b>abutter</b><sup>[7]</sup> - 69:5, 82:17, 95:21, 97:9, 103:7, 103:9, 115:2</p> <p><b>abutters</b><sup>[3]</sup> - 67:2, 83:18, 115:6</p> <p><b>accept</b><sup>[3]</sup> - 41:2, 41:3, 117:15</p> <p><b>acceptable</b><sup>[1]</sup> - 68:19</p> <p><b>access</b><sup>[1]</sup> - 59:20</p> <p><b>accessible</b><sup>[1]</sup> - 87:7</p> <p><b>accessing</b><sup>[1]</sup> - 59:21</p> <p><b>accessory</b><sup>[1]</sup> - 80:16</p> | <p><b>accomplished</b><sup>[1]</sup> - 86:18</p> <p><b>accurate</b><sup>[2]</sup> - 120:20, 121:9</p> <p><b>acoustic</b><sup>[1]</sup> - 58:1</p> <p><b>acquired</b><sup>[1]</sup> - 5:7</p> <p><b>acquiring</b><sup>[1]</sup> - 19:3</p> <p><b>acquisition</b><sup>[1]</sup> - 20:9</p> <p><b>act</b><sup>[2]</sup> - 83:20, 97:12</p> <p><b>action</b><sup>[1]</sup> - 63:7</p> <p><b>actions</b><sup>[1]</sup> - 9:3</p> <p><b>active</b><sup>[2]</sup> - 6:13, 7:10</p> <p><b>actively</b><sup>[4]</sup> - 6:4, 6:9, 18:3, 65:2</p> <p><b>actual</b><sup>[1]</sup> - 96:9</p> <p><b>Adam</b><sup>[2]</sup> - 11:9, 11:18</p> <p><b>ADAM</b><sup>[10]</sup> - 11:18, 12:16, 12:19, 13:3, 13:16, 13:20, 14:6, 14:10, 14:13, 15:13</p> <p><b>Adams</b><sup>[1]</sup> - 89:5</p> <p><b>add</b><sup>[3]</sup> - 52:19, 62:8, 71:13</p> <p><b>adding</b><sup>[2]</sup> - 51:21, 56:19</p> <p><b>addition</b><sup>[2]</sup> - 12:7, 15:12</p> <p><b>address</b><sup>[1]</sup> - 67:11</p> <p><b>adds</b><sup>[1]</sup> - 114:8</p> <p><b>adjourn</b><sup>[1]</sup> - 118:2</p> <p><b>adjourned</b><sup>[1]</sup> - 118:10</p> <p><b>Adjourned</b><sup>[1]</sup> - 118:13</p> <p><b>administerial</b><sup>[1]</sup> - 10:4</p> <p><b>admire</b><sup>[1]</sup> - 30:20</p> <p><b>advertised</b><sup>[2]</sup> - 40:14, 84:10</p> <p><b>advice</b><sup>[1]</sup> - 36:19</p> <p><b>advise</b><sup>[1]</sup> - 36:7</p> <p><b>affiliated</b><sup>[1]</sup> - 64:15</p> <p><b>affiliation</b><sup>[3]</sup> - 64:1, 76:20, 99:11</p> <p><b>afford</b><sup>[1]</sup> - 19:15</p> <p><b>agenda</b><sup>[4]</sup> - 46:3, 61:2, 61:3, 61:5</p> <p><b>ago</b><sup>[7]</sup> - 7:9, 31:21, 65:10, 78:1, 83:2, 83:15, 107:9</p> <p><b>agree</b><sup>[1]</sup> - 44:6</p> <p><b>ahead</b><sup>[1]</sup> - 93:7</p> <p><b>airport</b><sup>[3]</sup> - 64:9, 64:16, 64:17</p> <p><b>alcohol</b><sup>[20]</sup> - 11:12, 24:3, 59:17, 60:20, 80:18, 80:20, 81:17, 88:3, 89:13, 89:21, 90:16, 90:17, 90:21, 91:3, 91:9, 93:12,</p> | <p>93:19, 94:4, 108:15, 108:16</p> <p><b>alcoholic</b><sup>[5]</sup> - 3:18, 13:6, 42:4, 47:13, 98:21</p> <p><b>Alewife</b><sup>[5]</sup> - 63:16, 66:11, 68:13, 68:16, 74:5</p> <p><b>ALEX</b><sup>[3]</sup> - 36:8, 36:9, 37:3</p> <p><b>Alex</b><sup>[1]</sup> - 36:8</p> <p><b>allegations</b><sup>[1]</sup> - 18:1</p> <p><b>Allen</b><sup>[1]</sup> - 4:15</p> <p><b>allergy</b><sup>[1]</sup> - 61:20</p> <p><b>allow</b><sup>[5]</sup> - 18:10, 32:5, 33:4, 42:4, 98:21</p> <p><b>allowed</b><sup>[1]</sup> - 112:15</p> <p><b>alteration</b><sup>[2]</sup> - 11:11, 14:19</p> <p><b>alternative</b><sup>[1]</sup> - 78:3</p> <p><b>amend</b><sup>[4]</sup> - 39:13, 40:17, 69:2, 84:6</p> <p><b>amended</b><sup>[1]</sup> - 112:14</p> <p><b>amending</b><sup>[2]</sup> - 52:3, 68:21</p> <p><b>amendment</b><sup>[1]</sup> - 41:4</p> <p><b>amenity</b><sup>[2]</sup> - 79:10, 79:19</p> <p><b>amount</b><sup>[3]</sup> - 59:3, 59:12, 72:5</p> <p><b>ample</b><sup>[1]</sup> - 32:6</p> <p><b>amplification</b><sup>[1]</sup> - 47:21</p> <p><b>amplified</b><sup>[1]</sup> - 57:1</p> <p><b>AND</b><sup>[2]</sup> - 119:1, 119:19</p> <p><b>AND/OR</b><sup>[1]</sup> - 121:19</p> <p><b>answers</b><sup>[1]</sup> - 92:20</p> <p><b>anti</b><sup>[1]</sup> - 61:18</p> <p><b>anti-choke</b><sup>[1]</sup> - 61:18</p> <p><b>anticipate</b><sup>[4]</sup> - 25:5, 28:5, 29:6, 95:7</p> <p><b>ANY</b><sup>[2]</sup> - 121:18, 121:19</p> <p><b>anyway</b><sup>[2]</sup> - 108:16, 108:18</p> <p><b>apart</b><sup>[2]</sup> - 24:12, 96:8</p> <p><b>appearance</b><sup>[1]</sup> - 9:14</p> <p><b>appearing</b><sup>[2]</sup> - 4:16, 16:13</p> <p><b>Applicant</b><sup>[3]</sup> - 19:6, 19:21, 40:3</p> <p><b>applicant</b><sup>[5]</sup> - 3:21, 16:2, 39:2, 42:15, 47:18</p> <p><b>applicants</b><sup>[1]</sup> - 111:2</p> <p><b>Applicants</b><sup>[2]</sup> - 18:19, 25:6</p> <p><b>Application</b><sup>[11]</sup> - 2:2, 2:4, 2:6, 2:8, 2:10,</p> |
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| <p>2:12, 2:14, 2:16,<br/>2:18, 2:20, 41:20</p> <p><b>application</b> [35] -<br/>3:15, 11:7, 15:15,<br/>15:20, 37:18, 37:19,<br/>47:10, 48:6, 49:11,<br/>51:16, 52:4, 53:2,<br/>55:10, 55:17, 57:13,<br/>60:16, 63:6, 63:13,<br/>64:1, 64:20, 68:21,<br/>75:19, 76:9, 76:14,<br/>76:20, 83:21, 84:15,<br/>96:10, 98:9, 98:15,<br/>104:12, 104:13,<br/>105:14, 109:21,<br/>112:15</p> <p><b>applications</b> [1] -<br/>65:13</p> <p><b>applied</b> [10] - 3:19,<br/>11:11, 15:18, 42:2,<br/>47:12, 63:15, 76:2,<br/>76:11, 98:18,<br/>105:18</p> <p><b>APPLY</b> [1] - 121:18</p> <p><b>applying</b> [8] - 3:21,<br/>6:8, 16:3, 17:3,<br/>47:19, 51:5, 51:7,<br/>65:21</p> <p><b>appointed</b> [1] - 6:15</p> <p><b>appointment</b> [1] -<br/>10:13</p> <p><b>appreciate</b> [1] - 3:4</p> <p><b>appropriate</b> [2] -<br/>38:12, 66:1</p> <p><b>approval</b> [4] - 15:3,<br/>52:9, 65:20, 66:10</p> <p><b>APPROVAL</b> [1] -<br/>116:13</p> <p><b>approve</b> [13] - 10:11,<br/>10:13, 14:19, 37:10,<br/>45:21, 60:20, 74:4,<br/>104:10, 111:7,<br/>114:18, 116:15,<br/>116:19, 117:1</p> <p><b>approved</b> [10] - 6:17,<br/>12:12, 51:17, 52:3,<br/>55:10, 55:11, 55:18,<br/>56:4, 112:14,<br/>117:11</p> <p><b>approving</b> [1] - 61:4</p> <p><b>approximate</b> [1] -<br/>43:12</p> <p><b>APRIL</b> [1] - 1:6</p> <p><b>april</b> [1] - 121:16</p> <p><b>April</b> [2] - 3:9, 118:3</p> <p><b>area</b> [4] - 34:5, 52:20,<br/>101:13, 109:6</p> <p><b>Armando's</b> [1] - 32:2</p> <p><b>arrangement</b> [1] -<br/>72:13</p> <p><b>art</b> [9] - 77:11, 77:14,</p> | <p>77:17, 79:11, 79:15,<br/>79:17, 87:6, 93:20,<br/>94:16</p> <p><b>Art</b> [2] - 2:16, 76:10</p> <p><b>artist</b> [1] - 77:13</p> <p><b>aspect</b> [1] - 89:7</p> <p><b>aspects</b> [1] - 53:1</p> <p><b>assets</b> [1] - 22:5</p> <p><b>assistant</b> [4] - 88:9,<br/>88:15, 89:16, 89:17</p> <p><b>associated</b> [1] - 72:7</p> <p><b>Association</b> [3] -<br/>6:11, 8:17, 34:4</p> <p><b>atmosphere</b> [4] -<br/>57:21, 77:16, 77:18</p> <p><b>ATTACH</b> [1] - 120:1</p> <p><b>attend</b> [2] - 93:18,<br/>97:6</p> <p><b>attended</b> [1] - 93:17</p> <p><b>attesting</b> [1] - 91:14</p> <p><b>ATTORNEY</b> [30] -<br/>4:11, 5:1, 6:20, 7:2,<br/>9:8, 9:13, 9:20,<br/>11:5, 16:10, 20:7,<br/>20:21, 21:5, 21:14,<br/>21:18, 22:4, 25:3,<br/>27:2, 31:16, 34:6,<br/>37:15, 39:3, 40:1,<br/>40:16, 41:6, 41:17,<br/>42:16, 43:6, 46:7,<br/>47:2, 47:6</p> <p><b>attorney</b> [1] - 4:14</p> <p><b>attraction</b> [3] - 53:8,<br/>54:1</p> <p><b>attractive</b> [1] - 102:2</p> <p><b>Atwood's</b> [6] - 2:6,<br/>2:6, 3:16, 3:17,<br/>4:17, 5:5</p> <p><b>audience</b> [1] - 40:6</p> <p><b>authorized</b> [1] - 40:21</p> <p><b>available</b> [1] - 19:7</p> <p><b>Ave</b> [4] - 3:10, 13:13,<br/>70:15, 76:2</p> <p><b>Avenue</b> [2] - 1:10,<br/>11:11</p> <p><b>average</b> [1] - 52:16</p> <p><b>aware</b> [4] - 19:10,<br/>91:6, 92:7, 93:21</p> <p><b>Aye</b> [14] - 10:19,<br/>10:20, 10:21, 15:8,<br/>41:8, 41:9, 46:16,<br/>63:1, 75:13, 98:5,<br/>104:19, 116:5,<br/>117:7, 118:7</p> <p><b>aye</b> [19] - 15:9, 15:10,<br/>41:10, 46:17, 46:18,<br/>63:2, 63:3, 75:14,<br/>75:15, 98:6, 98:7,<br/>104:20, 104:21,<br/>116:6, 116:7, 117:8,<br/>117:9, 118:8, 118:9</p> | <p><b>B</b></p> <p><b>B-e-l-k-n-e-r</b> [1] - 77:4</p> <p><b>backed</b> [1] - 73:21</p> <p><b>background</b> [14] -<br/>8:14, 8:21, 9:5,<br/>10:16, 16:4, 37:21,<br/>38:13, 48:18, 57:6,<br/>61:5, 73:11, 73:18,<br/>82:6, 104:7</p> <p><b>badge</b> [1] - 73:6</p> <p><b>badges</b> [2] - 70:4,<br/>73:4</p> <p><b>band</b> [1] - 111:3</p> <p><b>bankruptcy</b> [3] -<br/>17:11, 17:14, 21:17</p> <p><b>Bao</b> [3] - 2:10, 47:10,<br/>48:13</p> <p><b>bar</b> [11] - 49:18,<br/>57:20, 58:16, 78:2,<br/>78:4, 79:6, 81:11,<br/>90:13, 90:14, 94:6,<br/>108:20</p> <p><b>barbecue</b> [2] - 101:6,<br/>101:10</p> <p><b>bars</b> [1] - 108:7</p> <p><b>bartender</b> [1] - 7:16</p> <p><b>based</b> [1] - 90:1</p> <p><b>Basement</b> [1] - 1:9</p> <p><b>basement</b> [1] - 3:11</p> <p><b>basic</b> [1] - 80:3</p> <p><b>basis</b> [1] - 95:10</p> <p><b>Bay</b> [2] - 63:18, 68:5</p> <p><b>bears</b> [1] - 65:18</p> <p><b>become</b> [1] - 77:21</p> <p><b>becoming</b> [1] - 54:12</p> <p><b>beef</b> [6] - 100:13,<br/>100:14, 100:16,<br/>101:4, 101:5,<br/>105:10</p> <p><b>Beef</b> [5] - 2:18, 98:17,<br/>100:5, 100:17,<br/>100:21</p> <p><b>beer</b> [15] - 12:7,<br/>12:10, 13:1, 17:4,<br/>19:11, 19:14, 22:19,<br/>23:1, 40:9, 49:6,<br/>77:13, 89:7, 93:19,<br/>95:4</p> <p><b>beforehand</b> [1] -<br/>85:11</p> <p><b>began</b> [1] - 5:6</p> <p><b>beginning</b> [1] - 14:12</p> <p><b>behalf</b> [4] - 4:16,<br/>16:13, 18:5, 83:13</p> <p><b>behind</b> [1] - 66:13</p> <p><b>belittling</b> [1] - 93:9</p> <p><b>Belkner</b> [4] - 76:11,<br/>77:1, 77:3, 88:2</p> <p><b>BELKNER</b> [63] -</p> | <p>76:21, 77:1, 77:3,<br/>77:9, 78:10, 78:12,<br/>78:21, 79:7, 79:20,<br/>80:2, 80:12, 80:20,<br/>81:15, 82:1, 82:11,<br/>82:18, 82:19, 83:7,<br/>83:10, 83:12, 83:17,<br/>84:16, 85:1, 85:6,<br/>85:9, 86:2, 86:10,<br/>86:11, 86:13, 86:15,<br/>86:21, 87:2, 87:4,<br/>87:18, 87:20, 88:5,<br/>88:20, 88:21, 89:11,<br/>89:14, 89:17, 90:1,<br/>91:1, 92:9, 92:15,<br/>92:17, 93:1, 93:5,<br/>93:8, 94:8, 94:14,<br/>94:18, 95:1, 95:2,<br/>95:8, 95:11, 96:5,<br/>96:21, 97:10, 97:15,<br/>97:19, 98:10, 98:13</p> <p><b>Belmont</b> [1] - 76:13</p> <p><b>below</b> [3] - 48:1,<br/>82:12, 84:20</p> <p><b>benefits</b> [2] - 4:4, 25:4</p> <p><b>best</b> [1] - 121:10</p> <p><b>better</b> [4] - 7:16,<br/>23:18, 68:10, 68:14</p> <p><b>between</b> [5] - 17:10,<br/>31:10, 86:19, 95:8,<br/>111:10</p> <p><b>beverage</b> [1] - 18:16</p> <p><b>beverages</b> [9] - 3:18,<br/>11:10, 13:7, 15:18,<br/>42:5, 47:13, 76:12,<br/>79:18, 98:21</p> <p><b>beyond</b> [1] - 87:13</p> <p><b>BFA</b> [1] - 88:7</p> <p><b>bicycles</b> [1] - 32:17</p> <p><b>big</b> [3] - 53:11, 64:13,<br/>90:2</p> <p><b>biggest</b> [1] - 8:1</p> <p><b>Bill</b> [1] - 100:18</p> <p><b>bill</b> [1] - 100:20</p> <p><b>Bishop</b> [1] - 4:15</p> <p><b>bit</b> [8] - 23:18, 51:20,<br/>52:1, 57:17, 79:14,<br/>92:4, 99:20, 107:12</p> <p><b>bite</b> [1] - 108:8</p> <p><b>Black</b> [1] - 88:18</p> <p><b>black</b> [1] - 64:10</p> <p><b>blocked</b> [1] - 88:14</p> <p><b>blood</b> [1] - 121:6</p> <p><b>Board</b> [1] - 9:19</p> <p><b>board</b> [1] - 87:1</p> <p><b>Bob's</b> [2] - 100:19,<br/>100:20</p> <p><b>boils</b> [1] - 53:14</p> <p><b>booking</b> [1] - 85:11</p> <p><b>Boston</b> [8] - 2:12,<br/>63:14, 64:13, 64:15,</p> | <p>72:11, 72:13, 72:14,<br/>79:1</p> <p><b>bother</b> [1] - 108:15</p> <p><b>bothered</b> [1] - 107:14</p> <p><b>bottle</b> [1] - 94:21</p> <p><b>bottles</b> [1] - 95:3</p> <p><b>bought</b> [1] - 80:10</p> <p><b>Bourbon</b> [4] - 2:14,<br/>2:14, 75:20, 75:21</p> <p><b>bowl</b> [1] - 53:11</p> <p><b>brand</b> [1] - 52:4</p> <p><b>Brattle</b> [2] - 15:19,<br/>16:19</p> <p><b>breakfast</b> [1] - 30:1</p> <p><b>bridge</b> [2] - 45:8, 45:9</p> <p><b>brief</b> [1] - 48:18</p> <p><b>bring</b> [3] - 24:15,<br/>66:14, 91:8</p> <p><b>bringing</b> [2] - 29:13,<br/>54:15</p> <p><b>BRISTOL</b> [1] - 121:3</p> <p><b>Broadway</b> [5] - 2:8,<br/>41:21, 42:3, 43:3,<br/>46:1</p> <p><b>Brook</b> [3] - 63:17,<br/>66:11, 74:6</p> <p><b>Brookline</b> [3] - 23:1,<br/>31:6, 33:13</p> <p><b>broth</b> [1] - 53:11</p> <p><b>brother</b> [2] - 5:2, 5:21</p> <p><b>brothers</b> [1] - 5:7</p> <p><b>brought</b> [2] - 86:13,<br/>86:15</p> <p><b>Building</b> [1] - 1:9</p> <p><b>building</b> [14] - 3:10,<br/>5:7, 5:18, 7:15,<br/>31:12, 42:10, 43:10,<br/>50:2, 66:20, 66:21,<br/>67:5, 68:14, 102:14,<br/>109:11</p> <p><b>built</b> [1] - 32:21</p> <p><b>burden</b> [1] - 8:8</p> <p><b>Burke</b> [3] - 1:12, 3:14,<br/>4:13</p> <p><b>BURKE</b> [44] - 8:12,<br/>10:15, 10:20, 14:4,<br/>15:4, 15:9, 28:13,<br/>29:5, 33:19, 38:15,<br/>41:3, 41:9, 45:6,<br/>46:13, 46:17, 58:4,<br/>58:8, 58:12, 58:17,<br/>60:4, 62:18, 63:2,<br/>68:4, 73:10, 75:9,<br/>75:14, 87:15, 88:1,<br/>95:15, 98:1, 98:6,<br/>103:16, 104:1,<br/>104:15, 104:20,<br/>109:5, 109:15,<br/>114:16, 116:1,<br/>116:6, 117:3, 117:8,<br/>118:4, 118:8</p> |
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| <p><b>Burn</b> <sup>[1]</sup> - 7:13<br/> <b>burner</b> <sup>[2]</sup> - 58:5, 58:10<br/> <b>business</b> <sup>[61]</sup> - 3:16, 5:8, 6:5, 6:10, 7:12, 11:8, 15:16, 17:8, 18:12, 30:13, 32:3, 41:21, 44:14, 47:11, 48:9, 50:7, 63:14, 64:4, 64:6, 64:7, 64:10, 64:14, 64:19, 67:11, 67:17, 67:20, 71:6, 71:16, 71:18, 72:11, 75:20, 76:10, 77:8, 80:19, 81:1, 81:3, 88:4, 91:19, 91:20, 91:21, 94:10, 94:12, 98:17, 100:3, 100:4, 100:8, 100:11, 102:4, 103:5, 105:15, 106:11, 107:18, 108:9, 108:10, 111:5, 111:18, 112:10, 114:9, 117:18<br/> <b>Business</b> <sup>[3]</sup> - 6:11, 8:17, 34:4<br/> <b>businesses</b> <sup>[2]</sup> - 93:11, 113:20<br/> <b>busy</b> <sup>[2]</sup> - 6:5, 108:5<br/> <b>but...</b> <sup>[1]</sup> - 23:3<br/> <b>buying</b> <sup>[1]</sup> - 100:1<br/> <b>BY</b> <sup>[1]</sup> - 121:19</p> | <p>46:21, 47:15, 61:1, 71:13, 76:4, 95:11, 99:2, 104:14<br/> <b>CAPTURING</b> <sup>[1]</sup> - 1:16<br/> <b>cards</b> <sup>[1]</sup> - 96:14<br/> <b>care</b> <sup>[1]</sup> - 92:20<br/> <b>career</b> <sup>[1]</sup> - 91:16<br/> <b>carries</b> <sup>[1]</sup> - 22:12<br/> <b>cars</b> <sup>[2]</sup> - 64:10, 70:2<br/> <b>Cars</b> <sup>[1]</sup> - 64:11<br/> <b>Carvalho</b> <sup>[3]</sup> - 42:1, 42:17, 42:18<br/> <b>CARVALHO</b> <sup>[12]</sup> - 43:5, 43:17, 43:19, 44:2, 44:8, 44:15, 44:18, 45:1, 45:4, 45:9, 45:14, 47:1<br/> <b>case</b> <sup>[2]</sup> - 5:20, 39:19<br/> <b>cases</b> <sup>[1]</sup> - 47:7<br/> <b>catering</b> <sup>[1]</sup> - 89:1<br/> <b>Catherine</b> <sup>[2]</sup> - 121:4, 121:13<br/> <b>CAZ</b> <sup>[1]</sup> - 120:2<br/> <b>cellphone</b> <sup>[1]</sup> - 3:3<br/> <b>Central</b> <sup>[1]</sup> - 11:21<br/> <b>certain</b> <sup>[1]</sup> - 40:3<br/> <b>certainly</b> <sup>[5]</sup> - 4:11, 30:20, 92:13, 93:9, 94:3<br/> <b>CERTIFICATION</b> <sup>[1]</sup> - 121:18<br/> <b>Certified</b> <sup>[7]</sup> - 23:12, 24:13, 61:6, 61:17, 91:4, 121:4, 121:14<br/> <b>certified</b> <sup>[2]</sup> - 83:7, 83:14<br/> <b>certify</b> <sup>[2]</sup> - 121:5, 121:8<br/> <b>CERTIFYING</b> <sup>[1]</sup> - 121:20<br/> <b>chain</b> <sup>[2]</sup> - 17:2, 21:9<br/> <b>chair</b> <sup>[1]</sup> - 9:9<br/> <b>Chairman</b> <sup>[4]</sup> - 1:12, 3:12, 4:12, 16:11<br/> <b>chairs</b> <sup>[1]</sup> - 20:11<br/> <b>challenges</b> <sup>[1]</sup> - 89:19<br/> <b>challenging</b> <sup>[3]</sup> - 19:4, 90:4, 90:5<br/> <b>CHANGE</b> <sup>[8]</sup> - 120:9, 120:10, 120:11, 120:12, 120:13, 120:14, 120:15, 120:16<br/> <b>change</b> <sup>[20]</sup> - 3:20, 4:1, 8:1, 10:12, 39:9, 44:21, 46:3, 51:20, 55:6, 55:8, 56:1, 68:21, 72:4, 91:15, 91:17, 105:18, 111:19,</p> | <p>111:20, 114:18, 120:4<br/> <b>changed</b> <sup>[2]</sup> - 56:8, 56:16<br/> <b>changes</b> <sup>[5]</sup> - 13:5, 29:6, 52:2, 119:14, 120:19<br/> <b>changing</b> <sup>[2]</sup> - 62:9, 103:14<br/> <b>character</b> <sup>[1]</sup> - 91:14<br/> <b>Charles</b> <sup>[1]</sup> - 109:8<br/> <b>check</b> <sup>[5]</sup> - 10:16, 38:5, 61:5, 104:7, 115:11<br/> <b>checked</b> <sup>[1]</sup> - 33:9<br/> <b>checks</b> <sup>[5]</sup> - 8:14, 8:21, 9:5, 38:13, 73:18<br/> <b>cheeses</b> <sup>[1]</sup> - 53:10<br/> <b>chefs</b> <sup>[1]</sup> - 25:21<br/> <b>chocolates</b> <sup>[1]</sup> - 53:10<br/> <b>choke</b> <sup>[1]</sup> - 61:18<br/> <b>choose</b> <sup>[3]</sup> - 84:13, 84:14, 85:15<br/> <b>chose</b> <sup>[2]</sup> - 12:8, 116:19<br/> <b>Chris</b> <sup>[1]</sup> - 3:13<br/> <b>CHRISTOPHER</b> <sup>[44]</sup> - 8:12, 10:15, 10:20, 14:4, 15:4, 15:9, 28:13, 29:5, 33:19, 38:15, 41:3, 41:9, 45:6, 46:13, 46:17, 58:4, 58:8, 58:12, 58:17, 60:4, 62:18, 63:2, 68:4, 73:10, 75:9, 75:14, 87:15, 88:1, 95:15, 98:1, 98:6, 103:16, 104:1, 104:15, 104:20, 109:5, 109:15, 114:16, 116:1, 116:6, 117:3, 117:8, 118:4, 118:8<br/> <b>Christopher</b> <sup>[1]</sup> - 1:12<br/> <b>Chronicle</b> <sup>[1]</sup> - 78:1<br/> <b>City</b> <sup>[2]</sup> - 42:21, 46:12<br/> <b>CITY</b> <sup>[1]</sup> - 1:2<br/> <b>clarification</b> <sup>[1]</sup> - 33:12<br/> <b>clarify</b> <sup>[1]</sup> - 41:15<br/> <b>clarifying</b> <sup>[1]</sup> - 68:3<br/> <b>class</b> <sup>[9]</sup> - 77:17, 79:9, 79:11, 81:12, 81:14, 82:2, 82:3, 85:5, 86:3<br/> <b>class/restaurant</b> <sup>[1]</sup> - 77:12<br/> <b>classes</b> <sup>[1]</sup> - 79:17<br/> <b>classification</b> <sup>[1]</sup> - 87:13</p> | <p><b>classified</b> <sup>[1]</sup> - 21:8<br/> <b>clean</b> <sup>[2]</sup> - 26:4, 52:5<br/> <b>cleaning</b> <sup>[1]</sup> - 103:19<br/> <b>clearances</b> <sup>[1]</sup> - 12:14<br/> <b>cleared</b> <sup>[1]</sup> - 12:14<br/> <b>clearly</b> <sup>[1]</sup> - 93:13<br/> <b>close</b> <sup>[4]</sup> - 43:5, 43:6, 43:14, 50:14<br/> <b>closed</b> <sup>[2]</sup> - 26:19, 27:9<br/> <b>closer</b> <sup>[1]</sup> - 111:16<br/> <b>closing</b> <sup>[2]</sup> - 39:15, 111:12<br/> <b>Coach</b> <sup>[4]</sup> - 64:13, 64:15, 72:13, 72:14<br/> <b>cocktail</b> <sup>[1]</sup> - 77:17<br/> <b>Coffee</b> <sup>[2]</sup> - 2:14, 75:21<br/> <b>cold</b> <sup>[1]</sup> - 80:3<br/> <b>collaborative</b> <sup>[1]</sup> - 25:8<br/> <b>College</b> <sup>[1]</sup> - 88:8<br/> <b>combination</b> <sup>[2]</sup> - 77:11, 91:17<br/> <b>coming</b> <sup>[2]</sup> - 29:1, 86:9<br/> <b>commercially</b> <sup>[1]</sup> - 5:12<br/> <b>COMMISSION</b> <sup>[2]</sup> - 1:3, 120:1<br/> <b>Commission</b> <sup>[14]</sup> - 3:8, 9:10, 16:18, 19:5, 40:4, 62:9, 97:13, 118:13, 119:4, 119:8, 119:13, 120:4, 120:19, 121:16<br/> <b>Commissioner</b> <sup>[2]</sup> - 5:4, 25:9<br/> <b>Commissioners</b> <sup>[1]</sup> - 3:12<br/> <b>commitment</b> <sup>[1]</sup> - 111:10<br/> <b>committed</b> <sup>[2]</sup> - 113:9, 113:13<br/> <b>Committee</b> <sup>[1]</sup> - 52:9<br/> <b>committing</b> <sup>[1]</sup> - 71:9<br/> <b>common</b> <sup>[9]</sup> - 37:12, 37:15, 42:2, 42:20, 45:21, 76:1, 98:19, 104:10, 105:17<br/> <b>COMMONWEALTH</b> <sup>[1]</sup> - 121:2<br/> <b>community</b> <sup>[3]</sup> - 26:10, 51:12, 91:12<br/> <b>company</b> <sup>[2]</sup> - 69:10, 69:16<br/> <b>comparable</b> <sup>[1]</sup> - 30:9<br/> <b>comparison</b> <sup>[1]</sup> - 31:17<br/> <b>comparisons</b> <sup>[1]</sup> -</p> | <p>30:8<br/> <b>competition</b> <sup>[3]</sup> - 106:10, 106:16, 110:6<br/> <b>complete</b> <sup>[2]</sup> - 8:20, 78:8<br/> <b>completed</b> <sup>[3]</sup> - 5:15, 10:3, 119:6<br/> <b>COMPLETED</b> <sup>[1]</sup> - 119:19<br/> <b>completely</b> <sup>[2]</sup> - 77:10, 85:18<br/> <b>complications</b> <sup>[1]</sup> - 17:7<br/> <b>comply</b> <sup>[1]</sup> - 71:9<br/> <b>conceivably</b> <sup>[1]</sup> - 84:14<br/> <b>concept</b> <sup>[1]</sup> - 56:1<br/> <b>concern</b> <sup>[3]</sup> - 32:12, 32:14, 108:18<br/> <b>concerned</b> <sup>[2]</sup> - 92:13, 94:5<br/> <b>concerns</b> <sup>[3]</sup> - 40:13, 74:1, 90:20<br/> <b>concrete</b> <sup>[1]</sup> - 57:14<br/> <b>conduct</b> <sup>[1]</sup> - 79:17<br/> <b>Conference</b> <sup>[1]</sup> - 1:9<br/> <b>conference</b> <sup>[1]</sup> - 3:11<br/> <b>confidence</b> <sup>[1]</sup> - 36:21<br/> <b>confident</b> <sup>[2]</sup> - 25:17, 33:3<br/> <b>confirming</b> <sup>[1]</sup> - 68:18<br/> <b>conflict</b> <sup>[1]</sup> - 18:18<br/> <b>congratulations</b> <sup>[1]</sup> - 11:3<br/> <b>considering</b> <sup>[1]</sup> - 108:12<br/> <b>construction</b> <sup>[1]</sup> - 20:5<br/> <b>consulting</b> <sup>[1]</sup> - 28:7<br/> <b>consumed</b> <sup>[2]</sup> - 42:5, 99:1<br/> <b>contact</b> <sup>[1]</sup> - 58:11<br/> <b>contemplate</b> <sup>[1]</sup> - 94:21<br/> <b>continue</b> <sup>[2]</sup> - 18:20, 51:15<br/> <b>continuing</b> <sup>[1]</sup> - 28:6<br/> <b>contribute</b> <sup>[1]</sup> - 26:9<br/> <b>contributes</b> <sup>[1]</sup> - 5:13<br/> <b>control</b> <sup>[2]</sup> - 23:21, 30:16<br/> <b>CONTROL</b> <sup>[1]</sup> - 121:19<br/> <b>conversation</b> <sup>[4]</sup> - 48:2, 57:2, 82:13, 84:21<br/> <b>cook</b> <sup>[2]</sup> - 53:15, 54:5<br/> <b>cooking</b> <sup>[1]</sup> - 90:12<br/> <b>cooks</b> <sup>[1]</sup> - 25:21</p> |
| <b>C</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p><b>C-a-r-v-a-l-h-o</b> <sup>[1]</sup> - 42:18<br/> <b>C.L.A.B</b> <sup>[5]</sup> - 4:3, 4:4, 6:13, 25:4, 25:7<br/> <b>cab</b> <sup>[1]</sup> - 70:11<br/> <b>cake</b> <sup>[1]</sup> - 54:1<br/> <b>calendar</b> <sup>[1]</sup> - 85:13<br/> <b>CAMBRIDGE</b> <sup>[1]</sup> - 1:2<br/> <b>Cambridge</b> <sup>[33]</sup> - 1:10, 3:19, 4:16, 5:5, 5:14, 6:6, 6:11, 8:16, 34:21, 35:1, 36:11, 41:12, 43:1, 49:10, 51:14, 52:8, 55:2, 55:3, 61:13, 67:15, 67:18, 70:3, 70:18, 71:19, 71:20, 72:2, 72:9, 77:11, 78:17, 91:12, 105:2, 109:13<br/> <b>capable</b> <sup>[1]</sup> - 36:17<br/> <b>capacities</b> <sup>[1]</sup> - 32:13<br/> <b>capacity</b> <sup>[12]</sup> - 14:5, 17:16, 42:6, 46:2,</p>                                                                                                                            | <p>46:21, 47:15, 61:1, 71:13, 76:4, 95:11, 99:2, 104:14<br/> <b>CAPTURING</b> <sup>[1]</sup> - 1:16<br/> <b>cards</b> <sup>[1]</sup> - 96:14<br/> <b>care</b> <sup>[1]</sup> - 92:20<br/> <b>career</b> <sup>[1]</sup> - 91:16<br/> <b>carries</b> <sup>[1]</sup> - 22:12<br/> <b>cars</b> <sup>[2]</sup> - 64:10, 70:2<br/> <b>Cars</b> <sup>[1]</sup> - 64:11<br/> <b>Carvalho</b> <sup>[3]</sup> - 42:1, 42:17, 42:18<br/> <b>CARVALHO</b> <sup>[12]</sup> - 43:5, 43:17, 43:19, 44:2, 44:8, 44:15, 44:18, 45:1, 45:4, 45:9, 45:14, 47:1<br/> <b>case</b> <sup>[2]</sup> - 5:20, 39:19<br/> <b>cases</b> <sup>[1]</sup> - 47:7<br/> <b>catering</b> <sup>[1]</sup> - 89:1<br/> <b>Catherine</b> <sup>[2]</sup> - 121:4, 121:13<br/> <b>CAZ</b> <sup>[1]</sup> - 120:2<br/> <b>cellphone</b> <sup>[1]</sup> - 3:3<br/> <b>Central</b> <sup>[1]</sup> - 11:21<br/> <b>certain</b> <sup>[1]</sup> - 40:3<br/> <b>certainly</b> <sup>[5]</sup> - 4:11, 30:20, 92:13, 93:9, 94:3<br/> <b>CERTIFICATION</b> <sup>[1]</sup> - 121:18<br/> <b>Certified</b> <sup>[7]</sup> - 23:12, 24:13, 61:6, 61:17, 91:4, 121:4, 121:14<br/> <b>certified</b> <sup>[2]</sup> - 83:7, 83:14<br/> <b>certify</b> <sup>[2]</sup> - 121:5, 121:8<br/> <b>CERTIFYING</b> <sup>[1]</sup> - 121:20<br/> <b>chain</b> <sup>[2]</sup> - 17:2, 21:9<br/> <b>chair</b> <sup>[1]</sup> - 9:9<br/> <b>Chairman</b> <sup>[4]</sup> - 1:12, 3:12, 4:12, 16:11<br/> <b>chairs</b> <sup>[1]</sup> - 20:11<br/> <b>challenges</b> <sup>[1]</sup> - 89:19<br/> <b>challenging</b> <sup>[3]</sup> - 19:4, 90:4, 90:5<br/> <b>CHANGE</b> <sup>[8]</sup> - 120:9, 120:10, 120:11, 120:12, 120:13, 120:14, 120:15, 120:16<br/> <b>change</b> <sup>[20]</sup> - 3:20, 4:1, 8:1, 10:12, 39:9, 44:21, 46:3, 51:20, 55:6, 55:8, 56:1, 68:21, 72:4, 91:15, 91:17, 105:18, 111:19,</p> | <p>111:20, 114:18, 120:4<br/> <b>changed</b> <sup>[2]</sup> - 56:8, 56:16<br/> <b>changes</b> <sup>[5]</sup> - 13:5, 29:6, 52:2, 119:14, 120:19<br/> <b>changing</b> <sup>[2]</sup> - 62:9, 103:14<br/> <b>character</b> <sup>[1]</sup> - 91:14<br/> <b>Charles</b> <sup>[1]</sup> - 109:8<br/> <b>check</b> <sup>[5]</sup> - 10:16, 38:5, 61:5, 104:7, 115:11<br/> <b>checked</b> <sup>[1]</sup> - 33:9<br/> <b>checks</b> <sup>[5]</sup> - 8:14, 8:21, 9:5, 38:13, 73:18<br/> <b>cheeses</b> <sup>[1]</sup> - 53:10<br/> <b>chefs</b> <sup>[1]</sup> - 25:21<br/> <b>chocolates</b> <sup>[1]</sup> - 53:10<br/> <b>choke</b> <sup>[1]</sup> - 61:18<br/> <b>choose</b> <sup>[3]</sup> - 84:13, 84:14, 85:15<br/> <b>chose</b> <sup>[2]</sup> - 12:8, 116:19<br/> <b>Chris</b> <sup>[1]</sup> - 3:13<br/> <b>CHRISTOPHER</b> <sup>[44]</sup> - 8:12, 10:15, 10:20, 14:4, 15:4, 15:9, 28:13, 29:5, 33:19, 38:15, 41:3, 41:9, 45:6, 46:13, 46:17, 58:4, 58:8, 58:12, 58:17, 60:4, 62:18, 63:2, 68:4, 73:10, 75:9, 75:14, 87:15, 88:1, 95:15, 98:1, 98:6, 103:16, 104:1, 104:15, 104:20, 109:5, 109:15, 114:16, 116:1, 116:6, 117:3, 117:8, 118:4, 118:8<br/> <b>Christopher</b> <sup>[1]</sup> - 1:12<br/> <b>Chronicle</b> <sup>[1]</sup> - 78:1<br/> <b>City</b> <sup>[2]</sup> - 42:21, 46:12<br/> <b>CITY</b> <sup>[1]</sup> - 1:2<br/> <b>clarification</b> <sup>[1]</sup> - 33:12<br/> <b>clarify</b> <sup>[1]</sup> - 41:15<br/> <b>clarifying</b> <sup>[1]</sup> - 68:3<br/> <b>class</b> <sup>[9]</sup> - 77:17, 79:9, 79:11, 81:12, 81:14, 82:2, 82:3, 85:5, 86:3<br/> <b>class/restaurant</b> <sup>[1]</sup> - 77:12<br/> <b>classes</b> <sup>[1]</sup> - 79:17<br/> <b>classification</b> <sup>[1]</sup> - 87:13</p> | <p><b>classified</b> <sup>[1]</sup> - 21:8<br/> <b>clean</b> <sup>[2]</sup> - 26:4, 52:5<br/> <b>cleaning</b> <sup>[1]</sup> - 103:19<br/> <b>clearances</b> <sup>[1]</sup> - 12:14<br/> <b>cleared</b> <sup>[1]</sup> - 12:14<br/> <b>clearly</b> <sup>[1]</sup> - 93:13<br/> <b>close</b> <sup>[4]</sup> - 43:5, 43:6, 43:14, 50:14<br/> <b>closed</b> <sup>[2]</sup> - 26:19, 27:9<br/> <b>closer</b> <sup>[1]</sup> - 111:16<br/> <b>closing</b> <sup>[2]</sup> - 39:15, 111:12<br/> <b>Coach</b> <sup>[4]</sup> - 64:13, 64:15, 72:13, 72:14<br/> <b>cocktail</b> <sup>[1]</sup> - 77:17<br/> <b>Coffee</b> <sup>[2]</sup> - 2:14, 75:21<br/> <b>cold</b> <sup>[1]</sup> - 80:3<br/> <b>collaborative</b> <sup>[1]</sup> - 25:8<br/> <b>College</b> <sup>[1]</sup> - 88:8<br/> <b>combination</b> <sup>[2]</sup> - 77:11, 91:17<br/> <b>coming</b> <sup>[2]</sup> - 29:1, 86:9<br/> <b>commercially</b> <sup>[1]</sup> - 5:12<br/> <b>COMMISSION</b> <sup>[2]</sup> - 1:3, 120:1<br/> <b>Commission</b> <sup>[14]</sup> - 3:8, 9:10, 16:18, 19:5, 40:4, 62:9, 97:13, 118:13, 119:4, 119:8, 119:13, 120:4, 120:19, 121:16<br/> <b>Commissioner</b> <sup>[2]</sup> - 5:4, 25:9<br/> <b>Commissioners</b> <sup>[1]</sup> - 3:12<br/> <b>commitment</b> <sup>[1]</sup> - 111:10<br/> <b>committed</b> <sup>[2]</sup> - 113:9, 113:13<br/> <b>Committee</b> <sup>[1]</sup> - 52:9<br/> <b>committing</b> <sup>[1]</sup> - 71:9<br/> <b>common</b> <sup>[9]</sup> - 37:12, 37:15, 42:2, 42:20, 45:21, 76:1, 98:19, 104:10, 105:17<br/> <b>COMMONWEALTH</b> <sup>[1]</sup> - 121:2<br/> <b>community</b> <sup>[3]</sup> - 26:10, 51:12, 91:12<br/> <b>company</b> <sup>[2]</sup> - 69:10, 69:16<br/> <b>comparable</b> <sup>[1]</sup> - 30:9<br/> <b>comparison</b> <sup>[1]</sup> - 31:17<br/> <b>comparisons</b> <sup>[1]</sup> -</p> | <p>30:8<br/> <b>competition</b> <sup>[3]</sup> - 106:10, 106:16, 110:6<br/> <b>complete</b> <sup>[2]</sup> - 8:20, 78:8<br/> <b>completed</b> <sup>[3]</sup> - 5:15, 10:3, 119:6<br/> <b>COMPLETED</b> <sup>[1]</sup> - 119:19<br/> <b>completely</b> <sup>[2]</sup> - 77:10, 85:18<br/> <b>complications</b> <sup>[1]</sup> - 17:7<br/> <b>comply</b> <sup>[1]</sup> - 71:9<br/> <b>conceivably</b> <sup>[1]</sup> - 84:14<br/> <b>concept</b> <sup>[1]</sup> - 56:1<br/> <b>concern</b> <sup>[3]</sup> - 32:12, 32:14, 108:18<br/> <b>concerned</b> <sup>[2]</sup> - 92:13, 94:5<br/> <b>concerns</b> <sup>[3]</sup> - 40:13, 74:1, 90:20<br/> <b>concrete</b> <sup>[1]</sup> - 57:14<br/> <b>conduct</b> <sup>[1]</sup> - 79:17<br/> <b>Conference</b> <sup>[1]</sup> - 1:9<br/> <b>conference</b> <sup>[1]</sup> - 3:11<br/> <b>confidence</b> <sup>[1]</sup> - 36:21<br/> <b>confident</b> <sup>[2]</sup> - 25:17, 33:3<br/> <b>confirming</b> <sup>[1]</sup> - 68:18<br/> <b>conflict</b> <sup>[1]</sup> - 18:18<br/> <b>congratulations</b> <sup>[1]</sup> - 11:3<br/> <b>considering</b> <sup>[1]</sup> - 108:12<br/> <b>construction</b> <sup>[1]</sup> - 20:5<br/> <b>consulting</b> <sup>[1]</sup> - 28:7<br/> <b>consumed</b> <sup>[2]</sup> - 42:5, 99:1<br/> <b>contact</b> <sup>[1]</sup> - 58:11<br/> <b>contemplate</b> <sup>[1]</sup> - 94:21<br/> <b>continue</b> <sup>[2]</sup> - 18:20, 51:15<br/> <b>continuing</b> <sup>[1]</sup> - 28:6<br/> <b>contribute</b> <sup>[1]</sup> - 26:9<br/> <b>contributes</b> <sup>[1]</sup> - 5:13<br/> <b>control</b> <sup>[2]</sup> - 23:21, 30:16<br/> <b>CONTROL</b> <sup>[1]</sup> - 121:19<br/> <b>conversation</b> <sup>[4]</sup> - 48:2, 57:2, 82:13, 84:21<br/> <b>cook</b> <sup>[2]</sup> - 53:15, 54:5<br/> <b>cooking</b> <sup>[1]</sup> - 90:12<br/> <b>cooks</b> <sup>[1]</sup> - 25:21</p> |

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----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>copy</b> [3] - 14:2, 80:7, 119:6</p> <p><b>copying</b> [1] - 85:21</p> <p><b>CORI</b> [2] - 73:17, 73:18</p> <p><b>Corner</b> [4] - 2:6, 3:16, 4:17, 106:17</p> <p><b>corporate</b> [2] - 56:15, 89:10</p> <p><b>corporation</b> [1] - 20:20</p> <p><b>correct</b> [14] - 6:2, 6:20, 7:2, 9:7, 13:3, 45:1, 45:4, 50:19, 58:7, 59:2, 59:13, 66:7, 69:1, 71:14</p> <p><b>correction</b> [1] - 120:5</p> <p><b>corrections</b> [2] - 119:13, 120:19</p> <p><b>costs</b> [1] - 30:17</p> <p><b>Councillor</b> [2] - 8:18, 60:9</p> <p><b>counsel</b> [1] - 39:2</p> <p><b>counter</b> [3] - 20:16, 28:21, 80:6</p> <p><b>Country</b> [2] - 2:16, 76:10</p> <p><b>couple</b> [2] - 78:17, 79:3</p> <p><b>course</b> [1] - 93:16</p> <p><b>Cow</b> [1] - 88:18</p> <p><b>CPR</b> [1] - 61:17</p> <p><b>creative</b> [1] - 79:14</p> <p><b>criteria</b> [1] - 19:18</p> <p><b>Crust</b> [21] - 2:4, 2:4, 15:16, 15:17, 16:13, 17:1, 21:2, 21:3, 21:6, 22:11, 26:15, 26:19, 27:5, 27:16, 28:19, 29:2, 29:4, 29:12, 36:14</p> <p><b>cuisine</b> [1] - 52:12</p> <p><b>current</b> [5] - 26:13, 29:9, 53:4, 55:2, 55:3</p> <p><b>customers</b> [6] - 12:8, 50:9, 52:13, 54:4, 79:5, 106:12</p> <p><b>CV</b> [2] - 40:6, 40:19</p> | <p><b>DATE</b> [1] - 120:1</p> <p><b>date</b> [1] - 120:6</p> <p><b>dates</b> [1] - 49:2</p> <p><b>David</b> [2] - 42:1, 42:17</p> <p><b>DAVID</b> [12] - 43:5, 43:17, 43:19, 44:2, 44:8, 44:15, 44:18, 45:1, 45:4, 45:9, 45:14, 47:1</p> <p><b>Davis</b> [1] - 7:13</p> <p><b>days</b> [7] - 42:8, 47:18, 83:15, 99:4, 105:20, 105:21, 112:11</p> <p><b>dead</b> [1] - 55:19</p> <p><b>deadline</b> [1] - 83:9</p> <p><b>deal</b> [3] - 90:15, 90:16, 111:5</p> <p><b>dealing</b> [1] - 90:7</p> <p><b>dealt</b> [1] - 60:14</p> <p><b>December</b> [1] - 49:16</p> <p><b>decide</b> [1] - 87:1</p> <p><b>decided</b> [5] - 12:11, 51:19, 52:4, 52:19, 55:21</p> <p><b>decision</b> [2] - 84:1, 97:2</p> <p><b>decreased</b> [1] - 56:9</p> <p><b>defer</b> [1] - 97:21</p> <p><b>defined</b> [1] - 32:10</p> <p><b>definitely</b> [2] - 80:21, 90:18</p> <p><b>deliver</b> [1] - 107:1</p> <p><b>delivered</b> [5] - 83:4, 119:4, 119:7, 119:8, 119:10</p> <p><b>delivery</b> [2] - 29:3, 69:14</p> <p><b>demand</b> [2] - 52:18, 53:20</p> <p><b>Department</b> [3] - 6:6, 15:1, 62:16</p> <p><b>describe</b> [3] - 7:4, 22:17, 28:8</p> <p><b>description</b> [1] - 87:14</p> <p><b>design</b> [3] - 86:12, 89:3, 91:19</p> <p><b>designer</b> [3] - 88:7, 89:4, 89:6</p> <p><b>dessert</b> [1] - 30:1</p> <p><b>detail</b> [1] - 57:18</p> <p><b>details</b> [1] - 64:6</p> <p><b>determine</b> [1] - 19:6</p> <p><b>diagram</b> [1] - 58:13</p> <p><b>difference</b> [3] - 56:6, 70:11, 86:19</p> <p><b>different</b> [17] - 17:20, 22:5, 29:19, 30:5, 32:1, 53:2, 56:4, 56:7, 85:14, 85:20, 86:3, 86:4, 87:12, 87:16, 91:18, 101:16, 101:18</p> <p><b>difficulty</b> [2] - 17:8, 33:10</p> <p><b>dining</b> [4] - 5:14, 31:18, 57:20, 58:15</p> <p><b>dinner</b> [1] - 50:1</p> <p><b>dinnertime</b> [1] - 52:15</p> <p><b>dip</b> [1] - 53:16</p> <p><b>DIRECT</b> [1] - 121:19</p> <p><b>direct</b> [2] - 69:15, 94:4</p> <p><b>DIRECTION</b> [1] - 121:19</p> <p><b>directly</b> [2] - 5:19, 72:6</p> <p><b>Director</b> [2] - 1:14, 6:14</p> <p><b>disciplinary</b> [1] - 5:11</p> <p><b>discipline</b> [1] - 33:8</p> <p><b>discipline-free</b> [1] - 33:8</p> <p><b>discovered</b> [1] - 82:21</p> <p><b>discussed</b> [1] - 25:4</p> <p><b>dishes</b> [2] - 53:12, 53:13</p> <p><b>distinction</b> [2] - 17:19, 22:10</p> <p><b>distinctive</b> [1] - 32:4</p> <p><b>distract</b> [1] - 80:13</p> <p><b>distribution</b> [1] - 120:7</p> <p><b>DO</b> [1] - 120:5</p> <p><b>doable</b> [1] - 71:5</p> <p><b>DOES</b> [1] - 121:18</p> <p><b>Domino's</b> [1] - 45:10</p> <p><b>done</b> [12] - 7:11, 9:1, 24:20, 30:7, 41:13, 49:20, 91:11, 91:18, 96:3, 116:10, 117:12</p> <p><b>Donuts</b> [7] - 2:8, 2:8, 41:21, 42:1, 43:1, 44:6, 108:2</p> <p><b>door</b> [7] - 3:5, 7:15, 60:1, 66:21, 102:6, 109:14, 114:12</p> <p><b>doorman</b> [1] - 7:14</p> <p><b>double</b> [1] - 4:21</p> <p><b>down</b> [9] - 3:16, 5:16, 13:12, 14:1, 43:9, 45:7, 96:13, 101:14, 106:10</p> <p><b>dozen</b> [1] - 28:17</p> <p><b>draw</b> [1] - 27:5</p> <p><b>drink</b> [3] - 81:5, 81:11</p> <p><b>drinking</b> [2] - 81:6, 82:6</p> <p><b>drinks</b> [1] - 93:15</p> <p><b>Drive</b> [1] - 4:15</p> <p><b>drivers</b> [6] - 72:16, 72:17, 72:19, 73:1, 73:3</p> | <p>110:10, 112:18, 112:21, 115:3, 115:5, 115:9, 116:14, 116:18, 117:12, 117:16, 117:20</p> <p><b>elsewhere</b> [1] - 7:6</p> <p><b>emphasized</b> [1] - 93:14</p> <p><b>employed</b> [1] - 88:6</p> <p><b>employee</b> [3] - 6:6, 7:10, 17:20</p> <p><b>employees</b> [14] - 17:9, 18:2, 18:10, 23:15, 26:13, 27:4, 27:5, 28:2, 28:15, 28:17, 28:20, 29:4, 65:5, 95:9</p> <p><b>employer</b> [1] - 28:1</p> <p><b>employers</b> [1] - 27:10</p> <p><b>enclosed</b> [2] - 13:11, 59:15</p> <p><b>enclosure</b> [2] - 13:9, 13:17</p> <p><b>encouraged</b> [1] - 82:4</p> <p><b>end</b> [6] - 11:21, 40:9, 45:15, 96:6, 111:13, 112:7</p> <p><b>enforcement</b> [2] - 9:2, 25:10</p> <p><b>enhancement</b> [1] - 81:8</p> <p><b>enhances</b> [1] - 79:12</p> <p><b>enjoy</b> [1] - 79:15</p> <p><b>enrolled</b> [1] - 81:12</p> <p><b>entailing</b> [1] - 8:1</p> <p><b>enterprise</b> [1] - 5:6</p> <p><b>entertainment</b> [11] - 16:3, 37:20, 47:19, 49:8, 56:18, 56:20, 61:4, 82:9, 84:8, 84:15, 84:20</p> <p><b>entirely</b> [1] - 13:4</p> <p><b>envision</b> [1] - 19:13</p> <p><b>equipment</b> [3] - 20:9, 20:10, 56:10</p> <p><b>errata</b> [1] - 120:6</p> <p><b>ERRATA</b> [3] - 119:1, 119:19, 120:3</p> <p><b>Errata</b> [4] - 119:3, 119:5, 119:14, 120:7</p> <p><b>essentially</b> [3] - 8:8, 43:13, 79:17</p> <p><b>establish</b> [1] - 18:12</p> <p><b>establishment</b> [6] - 16:21, 38:20, 49:12, 81:6, 89:21, 102:12</p> <p><b>establishments</b> [1] - 13:15</p> <p><b>estimate</b> [1] - 109:7</p> |
| <p><b>E</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p><b>e-mail</b> [1] - 24:21</p> <p><b>early</b> [2] - 6:1, 45:15</p> <p><b>easel</b> [1] - 81:13</p> <p><b>eases</b> [1] - 81:20</p> <p><b>East</b> [4] - 6:11, 8:16, 51:14, 52:8</p> <p><b>Eastern</b> [1] - 106:18</p> <p><b>easy</b> [2] - 23:20, 78:7</p> <p><b>eat</b> [1] - 53:17</p> <p><b>eating</b> [1] - 82:6</p> <p><b>echo</b> [2] - 36:10, 36:20</p> <p><b>economics</b> [1] - 19:3</p> <p><b>Edgartown</b> [1] - 88:17</p> <p><b>effective</b> [2] - 19:17, 25:9</p> <p><b>efforts</b> [4] - 30:20, 31:3, 36:17, 102:17</p> <p><b>eight</b> [9] - 14:7, 63:17, 65:8, 65:9, 65:11, 69:10, 71:3, 71:4, 74:7</p> <p><b>either</b> [4] - 7:5, 28:6, 71:19, 84:13</p> <p><b>elaborated</b> [1] - 56:11</p> <p><b>eleven</b> [1] - 50:15</p> <p><b>Eliot</b> [1] - 105:18</p> <p><b>Elizabeth</b> [1] - 1:14</p> <p><b>ELIZABETH</b> [63] - 3:2, 8:15, 9:7, 9:18, 11:7, 13:4, 13:10, 13:21, 15:15, 34:2, 37:13, 38:9, 38:14, 38:21, 40:15, 41:20, 46:5, 46:9, 47:10, 50:21, 55:11, 55:15, 55:18, 60:8, 61:9, 62:1, 62:5, 62:7, 62:15, 63:13, 65:15, 65:19, 66:5, 66:18, 68:1, 71:3, 73:11, 73:19, 75:19, 76:9, 82:16, 84:3, 84:9, 96:11, 96:17, 98:15, 103:8, 103:11, 103:15, 104:8, 105:14, 109:20,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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| <p><b>etcetera</b> [1] - 71:21<br/> <b>ethnic</b> [1] - 52:12<br/> <b>evening</b> [19] - 3:15, 4:7, 4:12, 4:16, 11:14, 16:5, 16:11, 34:14, 34:15, 47:3, 48:3, 48:7, 63:19, 72:18, 84:7, 93:16, 99:5, 106:2, 118:2<br/> <b>evidence</b> [2] - 51:11, 60:13<br/> <b>exactly</b> [4] - 28:7, 94:14, 94:18, 112:11<br/> <b>example</b> [2] - 52:12, 78:13<br/> <b>exceed</b> [1] - 76:5<br/> <b>exceeded</b> [1] - 49:19<br/> <b>except</b> [1] - 120:19<br/> <b>exchange</b> [1] - 81:18<br/> <b>excited</b> [5] - 26:17, 27:11, 29:12, 29:17, 92:6<br/> <b>Executive</b> [2] - 1:14, 6:14<br/> <b>exercised</b> [3] - 42:3, 98:19, 104:11<br/> <b>existed</b> [2] - 18:13, 20:16<br/> <b>existence</b> [1] - 32:7<br/> <b>existing</b> [6] - 42:9, 51:6, 53:3, 60:15, 85:21, 100:6<br/> <b>exists</b> [1] - 93:10<br/> <b>exit</b> [1] - 3:6<br/> <b>expand</b> [2] - 30:2, 74:10<br/> <b>expanded</b> [1] - 49:3<br/> <b>expect</b> [1] - 19:5<br/> <b>expectations</b> [1] - 49:19<br/> <b>expecting</b> [1] - 111:9<br/> <b>experience</b> [31] - 7:5, 22:17, 23:5, 23:8, 24:6, 31:4, 35:8, 39:21, 48:18, 49:2, 49:13, 50:4, 52:10, 69:7, 69:11, 69:15, 77:7, 79:12, 81:8, 81:16, 87:4, 88:3, 88:9, 88:13, 90:2, 91:8, 92:1, 92:2, 94:4, 94:16, 99:21<br/> <b>experienced</b> [1] - 32:5<br/> <b>Expires</b> [1] - 121:16<br/> <b>explore</b> [1] - 31:5<br/> <b>exploring</b> [1] - 62:9<br/> <b>Express</b> [2] - 2:12, 63:15<br/> <b>extent</b> [1] - 22:6</p> | <p><b>extremely</b> [1] - 49:20</p> <hr/> <p style="text-align: center;"><b>F</b></p> <hr/> <p><b>facade</b> [2] - 5:15, 5:17<br/> <b>facilitate</b> [1] - 7:12<br/> <b>facilities</b> [1] - 79:6<br/> <b>facing</b> [1] - 17:21<br/> <b>fact</b> [4] - 22:6, 27:14, 39:17, 94:12<br/> <b>fair</b> [1] - 72:5<br/> <b>fairly</b> [1] - 8:4<br/> <b>Falafel</b> [1] - 106:17<br/> <b>falafel</b> [1] - 110:2<br/> <b>fall</b> [2] - 27:2, 45:15<br/> <b>falling</b> [1] - 17:10<br/> <b>familiar</b> [8] - 5:4, 6:12, 16:18, 25:2, 36:14, 36:15, 70:18, 100:15<br/> <b>familiarize</b> [1] - 24:19<br/> <b>family</b> [5] - 4:18, 23:13, 36:12, 90:10, 100:9<br/> <b>family-owned</b> [1] - 90:10<br/> <b>far</b> [13] - 49:3, 49:14, 49:19, 50:4, 50:6, 54:1, 88:8, 90:13, 91:9, 91:20, 109:7, 109:17, 109:18<br/> <b>favor</b> [11] - 10:18, 15:7, 41:7, 46:15, 62:21, 75:12, 98:4, 104:18, 116:4, 117:6, 118:6<br/> <b>Fax</b> [1] - 1:17<br/> <b>February</b> [2] - 116:19, 117:1<br/> <b>fee</b> [2] - 62:10, 62:12<br/> <b>feet</b> [2] - 44:10, 44:11<br/> <b>few</b> [9] - 28:20, 34:2, 35:10, 62:12, 78:1, 79:2, 83:1, 89:1, 91:17<br/> <b>figure</b> [1] - 96:19<br/> <b>file</b> [3] - 33:9, 35:19, 52:4<br/> <b>fine</b> [2] - 96:6, 110:12<br/> <b>finish</b> [1] - 78:10<br/> <b>fire</b> [1] - 3:6<br/> <b>Fire</b> [1] - 6:6<br/> <b>first</b> [2] - 35:2, 86:16<br/> <b>First</b> [1] - 58:14<br/> <b>fit</b> [3] - 111:13, 111:16, 113:4<br/> <b>five</b> [8] - 16:20, 43:4, 48:19, 50:12, 53:16, 73:5, 83:15, 95:8<br/> <b>flexibility</b> [1] - 111:4</p> | <p><b>flip</b> [1] - 29:10<br/> <b>floor</b> [3] - 20:14, 52:1, 56:8<br/> <b>Florida</b> [1] - 69:11<br/> <b>flow</b> [1] - 27:17<br/> <b>focus</b> [1] - 17:20<br/> <b>focusing</b> [2] - 28:2, 102:16<br/> <b>focussed</b> [1] - 79:11<br/> <b>folks</b> [2] - 81:18, 93:18<br/> <b>follow</b> [1] - 93:3<br/> <b>following</b> [2] - 32:21, 93:11<br/> <b>fondue</b> [1] - 53:10<br/> <b>food</b> [19] - 11:12, 12:5, 23:18, 25:12, 25:19, 27:17, 42:4, 52:18, 54:5, 79:9, 79:18, 80:1, 80:2, 89:7, 89:8, 90:8, 93:13, 93:19, 98:21<br/> <b>footage</b> [1] - 44:9<br/> <b>footprint</b> [4] - 13:5, 13:12, 32:11<br/> <b>foregoing</b> [1] - 120:18<br/> <b>FOREGOING</b> [1] - 121:18<br/> <b>forget</b> [1] - 82:9<br/> <b>former</b> [1] - 45:10<br/> <b>forms</b> [1] - 73:18<br/> <b>formula</b> [1] - 33:4<br/> <b>forth</b> [1] - 121:9<br/> <b>forward</b> [4] - 34:11, 55:21, 76:18, 98:12<br/> <b>four</b> [6] - 16:20, 48:20, 50:18, 72:17, 95:3<br/> <b>Four</b> [2] - 88:10, 88:16<br/> <b>fran</b> [1] - 21:10<br/> <b>franchise</b> [2] - 20:19, 21:13<br/> <b>franchises</b> [3] - 21:11, 21:13, 43:2<br/> <b>frankly</b> [3] - 18:3, 19:8, 19:10<br/> <b>free</b> [1] - 33:8<br/> <b>Fresh</b> [3] - 66:12, 67:12, 72:2<br/> <b>fresher</b> [1] - 29:13<br/> <b>Friday</b> [9] - 16:2, 39:8, 40:8, 40:20, 50:2, 52:17, 112:1, 112:12, 114:21<br/> <b>Fridays</b> [2] - 50:1, 110:19<br/> <b>front</b> [2] - 59:21, 111:13<br/> <b>frontage</b> [1] - 43:12<br/> <b>Fuji</b> [1] - 49:17</p> | <p><b>full</b> [8] - 23:2, 31:17, 31:18, 49:5, 49:18, 49:21, 51:3, 65:5<br/> <b>full-time</b> [1] - 65:5<br/> <b>fully</b> [1] - 91:6<br/> <b>fun</b> [4] - 77:16, 78:3, 82:7, 94:13<br/> <b>fussiness</b> [1] - 87:6<br/> <b>future</b> [2] - 111:19, 113:7</p> <hr/> <p style="text-align: center;"><b>G</b></p> <hr/> <p><b>G&amp;G</b> [2] - 2:18, 98:15<br/> <b>G-a-r-m-o-n</b> [1] - 34:20<br/> <b>Galaxy</b> [5] - 2:2, 2:2, 11:8, 11:20<br/> <b>garage</b> [4] - 107:20, 109:12, 109:14<br/> <b>Gardner</b> [2] - 1:12, 3:13<br/> <b>GARDNER</b> [267] - 4:6, 6:18, 6:21, 7:3, 7:18, 7:21, 8:9, 8:11, 8:13, 8:19, 9:12, 9:15, 10:1, 10:10, 10:17, 10:21, 11:14, 12:13, 12:17, 12:21, 13:8, 13:18, 14:3, 14:8, 14:11, 14:14, 14:18, 15:6, 15:10, 16:5, 20:4, 20:18, 21:2, 21:16, 21:19, 22:2, 22:13, 23:4, 23:9, 24:5, 24:12, 25:11, 25:15, 26:12, 26:18, 28:4, 28:11, 30:4, 30:12, 33:11, 33:17, 33:20, 34:8, 34:15, 35:18, 35:21, 36:3, 37:1, 37:4, 37:9, 37:17, 38:10, 38:17, 39:1, 39:7, 39:13, 40:11, 40:17, 41:7, 41:10, 42:11, 43:15, 43:18, 43:20, 44:4, 44:12, 44:16, 44:19, 45:2, 45:5, 45:12, 45:16, 45:20, 46:10, 46:15, 46:18, 47:4, 48:3, 48:10, 49:9, 50:10, 50:15, 50:17, 50:20, 51:1, 51:4, 51:10, 52:21, 54:3, 55:1, 55:5, 55:9, 55:13, 55:16, 56:3, 56:13, 56:17, 56:21, 57:7, 57:12, 58:3, 58:18, 58:21, 59:3, 59:7,</p> | <p>59:11, 59:14, 59:17, 60:2, 60:5, 60:10, 60:19, 61:10, 61:12, 61:21, 62:3, 62:17, 62:20, 63:3, 63:11, 63:19, 64:5, 64:18, 65:6, 65:12, 65:16, 66:3, 66:8, 67:3, 67:6, 67:14, 67:19, 68:2, 68:20, 69:6, 69:18, 70:5, 70:17, 71:5, 71:8, 71:12, 71:15, 72:12, 72:21, 73:8, 73:13, 73:20, 74:3, 74:12, 74:15, 74:21, 75:4, 75:7, 75:11, 75:15, 76:17, 77:6, 78:19, 79:4, 79:16, 79:21, 80:17, 82:8, 82:14, 83:16, 83:19, 84:4, 84:11, 84:18, 85:2, 85:7, 85:19, 86:8, 87:10, 88:2, 89:9, 89:12, 89:15, 89:18, 90:19, 92:19, 93:2, 93:6, 94:11, 94:15, 94:19, 95:6, 95:13, 95:16, 95:20, 96:8, 96:16, 97:1, 97:11, 97:16, 97:20, 98:3, 98:7, 98:11, 99:5, 99:10, 99:16, 99:19, 100:12, 101:1, 101:15, 102:1, 102:11, 102:15, 102:20, 103:2, 103:6, 103:20, 104:2, 104:6, 104:9, 104:17, 104:21, 105:6, 105:11, 106:2, 106:7, 106:15, 106:19, 107:3, 107:8, 107:11, 108:17, 110:1, 110:5, 110:13, 110:21, 112:3, 112:13, 112:19, 113:2, 113:8, 113:11, 113:13, 113:16, 114:1, 114:5, 114:14, 114:17, 115:13, 115:19, 116:3, 116:7, 116:16, 116:21, 117:5, 117:9, 117:13, 117:17, 118:1, 118:6, 118:9<br/> <b>GARMON</b> [4] - 34:14, 34:19, 35:20, 36:1<br/> <b>Garmon</b> [1] - 34:20</p> |
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| <p><b>gated</b> <sup>[1]</sup> - 60:1<br/><b>gem</b> <sup>[1]</sup> - 5:13<br/><b>general</b> <sup>[1]</sup> - 113:21<br/><b>General</b> <sup>[1]</sup> - 3:8<br/><b>GENERAL</b> <sup>[1]</sup> - 1:4<br/><b>generated</b> <sup>[1]</sup> - 71:19<br/><b>gentlemen</b> <sup>[1]</sup> - 63:10<br/><b>GEORGE</b> <sup>[31]</sup> - 99:8, 99:12, 99:14, 99:18, 100:1, 100:6, 100:14, 100:18, 100:20, 101:3, 101:5, 101:7, 101:8, 101:10, 101:12, 101:14, 101:17, 101:20, 102:3, 102:7, 102:9, 102:13, 102:18, 102:21, 103:1, 103:4, 103:10, 103:13, 103:18, 105:4, 105:9<br/><b>George</b> <sup>[4]</sup> - 98:18, 99:8, 99:14, 100:5<br/><b>given</b> <sup>[2]</sup> - 19:7, 19:11<br/><b>glass</b> <sup>[7]</sup> - 12:10, 77:13, 79:13, 81:20, 94:20, 95:1, 95:2<br/><b>goal</b> <sup>[2]</sup> - 26:1, 27:21<br/><b>gonna</b> <sup>[3]</sup> - 23:14, 55:7, 112:11<br/><b>gotta</b> <sup>[1]</sup> - 105:9<br/><b>Government</b> <sup>[1]</sup> - 107:19<br/><b>grab</b> <sup>[1]</sup> - 108:7<br/><b>granted</b> <sup>[2]</sup> - 42:4, 98:20<br/><b>graphic</b> <sup>[3]</sup> - 88:6, 89:4, 91:19<br/><b>great</b> <sup>[6]</sup> - 26:10, 29:16, 50:5, 50:6, 102:3, 102:4<br/><b>greater</b> <sup>[1]</sup> - 32:14<br/><b>Greek</b> <sup>[2]</sup> - 100:9<br/><b>Grill</b> <sup>[5]</sup> - 2:20, 2:20, 105:15, 105:16, 107:6<br/><b>group</b> <sup>[2]</sup> - 4:10, 48:12<br/><b>Group</b> <sup>[3]</sup> - 2:18, 42:19, 98:16<br/><b>guess</b> <sup>[2]</sup> - 40:12, 108:17<br/><b>guitar</b> <sup>[1]</sup> - 58:1<br/><b>guys</b> <sup>[2]</sup> - 100:15, 100:17</p> | <p><b>halfway</b> <sup>[1]</sup> - 91:5<br/><b>Hamilton</b> <sup>[1]</sup> - 88:18<br/><b>hand</b> <sup>[1]</sup> - 121:11<br/><b>handed</b> <sup>[1]</sup> - 29:8<br/><b>handle</b> <sup>[2]</sup> - 54:4, 72:15<br/><b>handled</b> <sup>[1]</sup> - 85:8<br/><b>handling</b> <sup>[1]</sup> - 69:13<br/><b>hands</b> <sup>[1]</sup> - 90:11<br/><b>hands-on</b> <sup>[1]</sup> - 90:11<br/><b>Harvard</b> <sup>[4]</sup> - 34:3, 72:8, 107:19, 109:16<br/><b>heard</b> <sup>[15]</sup> - 10:8, 14:16, 30:14, 33:21, 34:10, 36:4, 37:7, 45:18, 60:6, 73:14, 77:21, 95:18, 100:17, 104:4, 113:18<br/><b>hearing</b> <sup>[5]</sup> - 84:1, 97:3, 97:4, 97:13, 98:12<br/><b>Hearing</b> <sup>[1]</sup> - 3:8<br/><b>HEARING</b> <sup>[1]</sup> - 1:4<br/><b>heat</b> <sup>[1]</sup> - 80:5<br/><b>heats</b> <sup>[1]</sup> - 58:10<br/><b>help</b> <sup>[1]</sup> - 27:14<br/><b>hereby</b> <sup>[1]</sup> - 120:19<br/><b>hereinbefore</b> <sup>[1]</sup> - 121:9<br/><b>hereunto</b> <sup>[1]</sup> - 121:11<br/><b>hi</b> <sup>[3]</sup> - 11:18, 106:1, 106:2<br/><b>high</b> <sup>[4]</sup> - 26:6, 29:13, 52:12, 53:20<br/><b>higher</b> <sup>[1]</sup> - 23:18<br/><b>himself</b> <sup>[1]</sup> - 35:12<br/><b>hired</b> <sup>[1]</sup> - 26:7<br/><b>hiring</b> <sup>[1]</sup> - 72:6<br/><b>history</b> <sup>[1]</sup> - 33:10<br/><b>hold</b> <sup>[1]</sup> - 96:5<br/><b>holder</b> <sup>[4]</sup> - 3:17, 11:9, 76:1, 105:17<br/><b>honestly</b> <sup>[1]</sup> - 112:5<br/><b>hopefully</b> <sup>[2]</sup> - 45:14, 77:12<br/><b>hopes</b> <sup>[1]</sup> - 19:21<br/><b>hoping</b> <sup>[2]</sup> - 28:10, 110:18<br/><b>horrific</b> <sup>[1]</sup> - 97:17<br/><b>hot</b> <sup>[5]</sup> - 53:8, 53:9, 54:2, 54:9, 58:5<br/><b>Hotel</b> <sup>[3]</sup> - 69:4, 69:5, 109:8<br/><b>hotels</b> <sup>[1]</sup> - 71:20<br/><b>hour</b> <sup>[2]</sup> - 40:6, 107:15<br/><b>hours</b> <sup>[27]</sup> - 15:21, 17:17, 32:9, 37:19, 38:19, 39:9, 39:14,</p> | <p>39:15, 40:18, 42:7, 46:2, 47:16, 61:2, 71:3, 71:4, 76:14, 99:3, 103:12, 104:12, 105:19, 106:20, 108:6, 111:3, 111:7, 111:9, 111:15, 114:18<br/><b>house</b> <sup>[1]</sup> - 49:21<br/><b>hundred</b> <sup>[1]</sup> - 117:14<br/><b>husband</b> <sup>[6]</sup> - 16:16, 17:12, 18:7, 27:12, 77:5, 91:12</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p><b>induction</b> <sup>[1]</sup> - 58:9<br/><b>industry</b> <sup>[4]</sup> - 23:14, 24:7, 24:11, 92:2<br/><b>infrastructure</b> <sup>[1]</sup> - 20:11<br/><b>ingredients</b> <sup>[3]</sup> - 29:14, 29:17, 53:15<br/><b>Inman</b> <sup>[1]</sup> - 36:11<br/><b>inquire</b> <sup>[2]</sup> - 38:18, 76:7<br/><b>inside</b> <sup>[2]</sup> - 47:15, 109:14<br/><b>instance</b> <sup>[1]</sup> - 28:20<br/><b>instead</b> <sup>[1]</sup> - 53:10<br/><b>institution</b> <sup>[1]</sup> - 105:7<br/><b>instruction</b> <sup>[3]</sup> - 77:15, 78:6, 87:3<br/><b>INSTRUCTIONS</b> <sup>[3]</sup> - 119:1, 119:12, 120:4<br/><b>instructions</b> <sup>[1]</sup> - 120:8<br/><b>intend</b> <sup>[7]</sup> - 17:15, 23:12, 23:15, 24:14, 33:12, 35:5, 110:14<br/><b>intended</b> <sup>[1]</sup> - 111:17<br/><b>intensive</b> <sup>[1]</sup> - 54:11<br/><b>interest</b> <sup>[4]</sup> - 6:7, 6:16, 34:18, 36:7<br/><b>interested</b> <sup>[1]</sup> - 121:7<br/><b>interesting</b> <sup>[1]</sup> - 98:8<br/><b>interests</b> <sup>[1]</sup> - 8:7<br/><b>interrupted</b> <sup>[1]</sup> - 93:6<br/><b>intimidation</b> <sup>[1]</sup> - 87:5<br/><b>introduce</b> <sup>[4]</sup> - 4:9, 16:8, 42:14, 101:13<br/><b>introduction</b> <sup>[1]</sup> - 81:21<br/><b>involved</b> <sup>[10]</sup> - 5:19, 6:5, 6:9, 17:8, 18:4, 31:8, 36:18, 65:3, 89:6, 90:12<br/><b>involvement</b> <sup>[1]</sup> - 31:8<br/><b>involves</b> <sup>[1]</sup> - 19:18<br/><b>involving</b> <sup>[3]</sup> - 17:8, 18:2, 21:20<br/><b>iPod</b> <sup>[1]</sup> - 48:2<br/><b>issue</b> <sup>[7]</sup> - 10:2, 12:21, 13:19, 35:8, 40:12, 60:15, 96:15<br/><b>issues</b> <sup>[9]</sup> - 5:11, 10:3, 17:9, 38:7, 50:8, 50:20, 93:10, 94:2, 96:1<br/><b>item</b> <sup>[2]</sup> - 101:16, 101:18<br/><b>itself</b> <sup>[6]</sup> - 12:16, 12:18, 50:7, 96:10, 119:15, 120:6</p> | <p><b>J</b></p> <p><b>Jack</b> <sup>[1]</sup> - 68:7<br/><b>JAMES</b> <sup>[30]</sup> - 4:11, 5:1, 6:20, 7:2, 9:8, 9:13, 9:20, 11:5, 16:10, 20:7, 20:21, 21:5, 21:14, 21:18, 22:4, 25:3, 27:2, 31:16, 34:6, 37:15, 39:3, 40:1, 40:16, 41:6, 41:17, 42:16, 43:6, 46:7, 47:2, 47:6<br/><b>James</b> <sup>[2]</sup> - 4:13, 16:12<br/><b>Japanese</b> <sup>[1]</sup> - 53:9<br/><b>JFK</b> <sup>[1]</sup> - 107:18<br/><b>jilson</b> <sup>[1]</sup> - 109:21<br/><b>Jimmy</b> <sup>[2]</sup> - 48:8, 48:11<br/><b>JIMMY</b> <sup>[7]</sup> - 50:19, 60:18, 61:8, 61:15, 62:6, 62:14, 63:10<br/><b>job</b> <sup>[4]</sup> - 19:17, 23:10, 87:13, 90:18<br/><b>jobs</b> <sup>[4]</sup> - 27:9, 72:15, 89:2, 89:3<br/><b>JOHN</b> <sup>[19]</sup> - 77:3, 78:10, 80:12, 81:15, 82:18, 83:7, 83:12, 83:17, 86:11, 86:15, 87:2, 87:20, 88:20, 92:9, 92:17, 93:1, 93:8, 95:2, 95:11<br/><b>John</b> <sup>[3]</sup> - 6:4, 6:19, 77:3<br/><b>join</b> <sup>[1]</sup> - 25:6<br/><b>joining</b> <sup>[1]</sup> - 25:4<br/><b>Journal</b> <sup>[1]</sup> - 30:19<br/><b>judging</b> <sup>[1]</sup> - 87:11<br/><b>June</b> <sup>[1]</sup> - 51:17</p> <p><b>K</b></p> <p><b>keep</b> <sup>[5]</sup> - 23:21, 30:2, 102:11, 102:12, 110:6<br/><b>keeping</b> <sup>[3]</sup> - 27:12, 74:19, 103:2<br/><b>keeps</b> <sup>[1]</sup> - 6:5<br/><b>Kendall</b> <sup>[5]</sup> - 2:10, 47:12, 48:14, 49:1, 49:17<br/><b>Kevin</b> <sup>[6]</sup> - 15:17, 16:16, 35:4, 35:9, 35:11, 36:15<br/><b>KEVIN</b> <sup>[12]</sup> - 22:20, 23:7, 23:11, 24:8, 24:18, 25:14, 25:18,</p> |
| <p><b>H</b></p> <p><b>half</b> <sup>[2]</sup> - 45:10, 65:11</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p><b>I</b></p> <p><b>icing</b> <sup>[1]</sup> - 53:21<br/><b>idea</b> <sup>[1]</sup> - 80:12<br/><b>identical</b> <sup>[1]</sup> - 20:15<br/><b>identify</b> <sup>[5]</sup> - 11:17, 16:8, 48:6, 63:21, 76:19<br/><b>IHOP</b> <sup>[2]</sup> - 108:2, 114:9<br/><b>imagine</b> <sup>[2]</sup> - 90:20, 91:1<br/><b>immediate</b> <sup>[2]</sup> - 4:18, 16:14<br/><b>immigration</b> <sup>[1]</sup> - 17:9<br/><b>implications</b> <sup>[1]</sup> - 22:12<br/><b>important</b> <sup>[5]</sup> - 26:6, 80:18, 80:21, 81:2, 94:9<br/><b>impossible</b> <sup>[1]</sup> - 35:17<br/><b>impressions</b> <sup>[1]</sup> - 12:6<br/><b>impressive</b> <sup>[1]</sup> - 5:18<br/><b>improvement</b> <sup>[1]</sup> - 5:16<br/><b>IN</b> <sup>[1]</sup> - 121:11<br/><b>INC</b> <sup>[1]</sup> - 1:16<br/><b>Inc</b> <sup>[3]</sup> - 2:10, 2:12, 2:20<br/><b>include</b> <sup>[6]</sup> - 11:12, 14:20, 16:4, 37:20, 47:20, 84:7<br/><b>includes</b> <sup>[1]</sup> - 63:5<br/><b>including</b> <sup>[1]</sup> - 34:3<br/><b>incorporated</b> <sup>[1]</sup> - 58:5<br/><b>Incorporated</b> <sup>[5]</sup> - 47:11, 48:13, 63:14, 98:16, 105:15<br/><b>increased</b> <sup>[1]</sup> - 56:11<br/><b>increasing</b> <sup>[2]</sup> - 62:13, 65:7<br/><b>indicate</b> <sup>[1]</sup> - 119:13<br/><b>individual</b> <sup>[1]</sup> - 8:5<br/><b>indoor</b> <sup>[1]</sup> - 76:4</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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| <p>26:14, 26:20, 30:10, 31:11, 33:15</p> <p><b>key</b> [1] - 30:17</p> <p><b>kind</b> [16] - 4:7, 8:5, 11:15, 23:16, 48:4, 55:19, 63:20, 78:14, 79:8, 81:2, 88:13, 99:6, 105:6, 106:3, 109:6, 111:10</p> <p><b>kinds</b> [2] - 81:4, 107:13</p> <p><b>kitchen</b> [3] - 20:10, 29:2, 31:18</p> <p><b>knowledge</b> [2] - 26:8, 121:10</p> <p><b>known</b> [1] - 16:21</p> <p><b>knows</b> [1] - 27:16</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p><b>leaves</b> [1] - 86:11</p> <p><b>leaving</b> [3] - 24:2, 108:19, 108:21</p> <p><b>Lebanese</b> [1] - 105:15</p> <p><b>lebanese</b> [1] - 2:20</p> <p><b>led</b> [1] - 17:11</p> <p><b>left</b> [2] - 5:21, 108:20</p> <p><b>legal</b> [1] - 115:16</p> <p><b>Lesley</b> [2] - 2:14, 75:20</p> <p><b>Leslie</b> [2] - 76:11, 76:21</p> <p><b>LESLIE</b> [44] - 76:21, 77:1, 77:9, 78:12, 78:21, 79:7, 79:20, 80:2, 80:20, 82:1, 82:11, 82:19, 83:10, 84:16, 85:1, 85:6, 85:9, 86:2, 86:10, 86:13, 86:21, 87:4, 87:18, 88:5, 88:21, 89:11, 89:14, 89:17, 90:1, 91:1, 92:15, 93:5, 94:8, 94:14, 94:18, 95:1, 95:8, 96:5, 96:21, 97:10, 97:15, 97:19, 98:10, 98:13</p> <p><b>less</b> [6] - 43:17, 43:19, 50:11, 77:16, 82:1, 82:3</p> <p><b>Less</b> [1] - 43:18</p> <p><b>lesson</b> [1] - 94:16</p> <p><b>letter</b> [9] - 35:19, 35:20, 37:2, 51:14, 52:7, 60:9, 66:16, 68:18, 91:13</p> <p><b>letters</b> [3] - 8:16, 34:3, 83:7</p> <p><b>LEV</b> [1] - 114:4</p> <p><b>level</b> [5] - 48:2, 57:2, 82:13, 84:21, 89:10</p> <p><b>LEVY</b> [3] - 113:19, 114:4, 114:7</p> <p><b>Levy</b> [2] - 113:19, 114:3</p> <p><b>Liang</b> [3] - 47:12, 48:8, 48:9</p> <p><b>LIANG</b> [42] - 48:7, 48:11, 49:15, 50:13, 50:16, 50:19, 51:3, 51:7, 51:13, 53:4, 54:7, 55:3, 55:7, 56:6, 56:14, 56:19, 57:4, 57:9, 57:15, 58:7, 58:9, 58:14, 58:20, 59:2, 59:5, 59:9, 59:13, 59:16, 59:19, 60:17, 60:18, 61:7, 61:8, 61:11, 61:14, 61:15, 61:16,</p> | <p>62:2, 62:6, 62:14, 63:8, 63:10</p> <p><b>license</b> [54] - 3:8, 3:19, 5:10, 11:10, 12:4, 12:20, 14:12, 15:19, 16:3, 17:4, 18:16, 19:15, 19:18, 22:19, 23:2, 37:11, 37:12, 37:20, 39:4, 40:7, 42:2, 42:3, 42:9, 46:1, 47:14, 47:19, 48:16, 49:6, 49:18, 51:2, 51:5, 51:6, 51:8, 60:12, 60:21, 61:4, 63:16, 67:15, 67:16, 67:17, 71:16, 74:5, 76:1, 76:13, 82:10, 84:20, 92:14, 98:19, 98:20, 104:11, 105:17, 108:16, 110:7</p> <p><b>LICENSE</b> [2] - 1:3, 120:1</p> <p><b>License</b> [6] - 119:4, 119:8, 119:13, 120:4, 120:19, 121:15</p> <p><b>licensed</b> [2] - 7:6, 16:21</p> <p><b>licensee</b> [4] - 19:1, 39:10, 39:16, 42:20</p> <p><b>licensees</b> [1] - 25:8</p> <p><b>licenses</b> [7] - 19:3, 19:6, 19:9, 19:11, 49:5, 49:8, 62:11</p> <p><b>licensing</b> [1] - 6:12</p> <p><b>Licensing</b> [1] - 118:13</p> <p><b>life</b> [3] - 91:13, 100:8, 101:2</p> <p><b>like...</b> [1] - 109:9</p> <p><b>likely</b> [1] - 62:11</p> <p><b>limit</b> [1] - 95:5</p> <p><b>limited</b> [1] - 20:8</p> <p><b>limits</b> [1] - 70:18</p> <p><b>Limo</b> [2] - 2:12, 63:14</p> <p><b>limousine</b> [2] - 69:8, 69:10</p> <p><b>Limousine</b> [2] - 2:12, 63:15</p> <p><b>Lincoln</b> [1] - 64:11</p> <p><b>LINDA</b> [4] - 34:14, 34:19, 35:20, 36:1</p> <p><b>Linda</b> [2] - 34:19, 36:10</p> <p><b>line</b> [4] - 85:10, 85:17, 85:18, 91:5</p> <p><b>LINE</b> [1] - 120:9</p> <p><b>Lint</b> [4] - 8:14, 9:6, 65:14, 97:8</p> <p><b>LINT</b> [63] - 3:2, 8:15, 9:7, 9:18, 11:7,</p> | <p>13:4, 13:10, 13:21, 15:15, 34:2, 37:13, 38:9, 38:14, 38:21, 40:15, 41:20, 46:5, 46:9, 47:10, 50:21, 55:11, 55:15, 55:18, 60:8, 61:9, 62:1, 62:5, 62:7, 62:15, 63:13, 65:15, 65:19, 66:5, 66:18, 68:1, 71:3, 73:11, 73:19, 75:19, 76:9, 82:16, 84:3, 84:9, 96:11, 96:17, 98:15, 103:8, 103:11, 103:15, 104:8, 105:14, 109:20, 110:10, 112:18, 112:21, 115:3, 115:5, 115:9, 116:14, 116:18, 117:12, 117:16, 117:20</p> <p><b>lint</b> [1] - 1:14</p> <p><b>Lint's</b> [1] - 115:15</p> <p><b>liquids</b> [1] - 93:4</p> <p><b>liquor</b> [5] - 23:2, 49:5, 49:18, 51:2, 51:3</p> <p><b>Liss</b> [5] - 15:17, 16:15, 17:12, 18:3, 22:16</p> <p><b>LISS</b> [21] - 21:12, 22:1, 22:20, 23:7, 23:11, 24:8, 24:18, 25:14, 25:18, 26:14, 26:20, 27:1, 27:3, 28:9, 28:16, 29:7, 30:7, 30:10, 31:11, 33:15, 39:11</p> <p><b>Liss-Riordan</b> [5] - 15:17, 16:15, 17:12, 18:3, 22:16</p> <p><b>LISS-RIORDAN</b> [21] - 21:12, 22:1, 22:20, 23:7, 23:11, 24:8, 24:18, 25:14, 25:18, 26:14, 26:20, 27:1, 27:3, 28:9, 28:16, 29:7, 30:7, 30:10, 31:11, 33:15, 39:11</p> <p><b>list</b> [2] - 24:21, 73:2</p> <p><b>listed</b> [2] - 37:19, 61:4</p> <p><b>literally</b> [1] - 5:8</p> <p><b>litigation</b> [1] - 18:4</p> <p><b>live</b> [6] - 5:8, 36:11, 47:21, 52:7, 57:8, 57:11</p> <p><b>lived</b> [1] - 91:12</p> <p><b>livery</b> [4] - 69:8, 69:12, 69:15, 70:7</p> <p><b>livery/limousine</b> [2] - 63:16, 74:5</p> <p><b>LLC</b> [17] - 2:2, 2:4,</p> | <p>2:6, 2:8, 2:14, 2:16, 3:16, 3:21, 4:17, 10:12, 11:8, 15:16, 16:13, 18:6, 41:21, 75:20, 76:10</p> <p><b>local</b> [2] - 29:13, 114:8</p> <p><b>locally</b> [1] - 36:11</p> <p><b>located</b> [1] - 11:21</p> <p><b>location</b> [31] - 5:10, 16:19, 16:21, 17:5, 17:13, 18:8, 18:17, 19:8, 19:19, 21:15, 21:20, 22:3, 22:5, 26:21, 27:9, 32:20, 33:14, 43:2, 51:18, 53:7, 54:14, 55:2, 55:4, 56:2, 66:9, 66:12, 70:15, 74:8, 80:6, 102:2, 102:4</p> <p><b>locations</b> [10] - 20:13, 21:4, 21:7, 21:17, 22:8, 27:8, 42:21, 54:16, 57:19, 78:20</p> <p><b>Lombardi</b> [2] - 1:9, 3:10</p> <p><b>long-time</b> [1] - 34:20</p> <p><b>look</b> [3] - 98:11, 105:2, 115:9</p> <p><b>looking</b> [3] - 18:20, 60:12, 92:20</p> <p><b>losing</b> [1] - 111:18</p> <p><b>lost</b> [1] - 27:9</p> <p><b>loud</b> [1] - 109:1</p> <p><b>love</b> [1] - 36:12</p> <p><b>loves</b> [1] - 24:9</p> <p><b>luck</b> [7] - 11:2, 15:12, 46:20, 63:11, 75:17, 105:12, 116:9</p> <p><b>lunch</b> [1] - 49:21</p> <p><b>lunchtime</b> [2] - 52:13, 52:15</p> <p><b>Lynn</b> [2] - 100:4, 102:12</p> |
| <b>L</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            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                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p><b>L-i-a-n-g</b> [2] - 48:8, 48:9</p> <p><b>L-i-s-s-R-i-o-r-d-a-n</b> [1] - 16:15</p> <p><b>labor</b> [4] - 18:1, 23:19, 30:16, 31:1</p> <p><b>laborer</b> [1] - 20:3</p> <p><b>landlord</b> [7] - 43:8, 59:10, 66:10, 66:17, 66:19, 68:18, 115:11</p> <p><b>largely</b> [4] - 17:18, 20:13, 33:5, 36:9</p> <p><b>larger</b> [3] - 20:20, 22:21, 31:3</p> <p><b>last</b> [24] - 4:8, 9:1, 11:16, 11:19, 12:2, 12:4, 12:13, 13:17, 14:9, 34:16, 36:5, 48:5, 63:21, 64:3, 65:11, 69:10, 74:1, 76:18, 77:4, 99:7, 100:4, 106:4, 114:2</p> <p><b>late</b> [6] - 83:11, 106:8, 107:15, 108:11, 112:3, 114:7</p> <p><b>Law</b> [1] - 62:16</p> <p><b>law</b> [1] - 9:1</p> <p><b>laws</b> [3] - 24:19, 25:2, 31:1</p> <p><b>Lawson</b> [1] - 121:4</p> <p><b>lawyer</b> [1] - 47:8</p> <p><b>layout</b> [3] - 15:1, 17:17, 20:8</p> <p><b>lead</b> [2] - 78:6, 101:1</p> <p><b>leading</b> [1] - 86:3</p> <p><b>learn</b> [2] - 23:10, 25:7</p> <p><b>lease</b> [1] - 17:14</p> <p><b>least</b> [2] - 42:12, 71:13</p> <p><b>leave</b> [1] - 33:2</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         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| <b>M</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               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                                                                                                                                                                                                                                                                                                       |
| <p><b>M-a-g-e-e</b> [1] - 5:1</p> <p><b>M-a-k-r-a-k-i-s</b> [1] - 99:15</p> <p><b>MA</b> [1] - 4:20</p> <p><b>Magee</b> [9] - 3:17, 4:1, 4:20, 5:3, 5:7, 6:3, 6:4, 7:4, 10:13</p> <p><b>MAGEE</b> [5] - 4:21, 7:8, 7:20, 8:3, 8:10</p> <p><b>mail</b> [4] - 24:21, 83:1, 83:3, 96:13</p> <p><b>main</b> [3] - 53:7, 53:8, 54:1</p> <p><b>Main</b> [2] - 98:20,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            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----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>104:11<br/> <b>maintain</b> <sup>[1]</sup> - 23:16<br/> <b>majority</b> <sup>[1]</sup> - 28:18<br/> <b>MAKRAKIS</b> <sup>[12]</sup> - 99:14, 100:6, 100:14, 100:20, 101:5, 101:8, 101:12, 101:20, 102:7, 103:1, 103:4, 105:9<br/> <b>Makrakis</b> <sup>[1]</sup> - 99:14<br/> <b>MALE</b> <sup>[3]</sup> - 109:10, 109:17, 111:21<br/> <b>Mall</b> <sup>[3]</sup> - 66:13, 67:13, 72:3<br/> <b>malt</b> <sup>[9]</sup> - 11:9, 12:4, 14:12, 14:21, 15:18, 37:11, 37:16, 40:21, 76:12<br/> <b>manageable</b> <sup>[1]</sup> - 24:4<br/> <b>Management</b> <sup>[1]</sup> - 42:19<br/> <b>management</b> <sup>[3]</sup> - 20:19, 22:18, 23:6<br/> <b>manager</b> <sup>[33]</sup> - 3:17, 4:1, 6:9, 6:15, 7:15, 7:19, 10:14, 11:9, 15:17, 18:6, 18:7, 24:16, 27:13, 27:15, 28:6, 33:13, 42:1, 44:20, 47:12, 48:15, 54:17, 55:1, 75:21, 76:11, 77:2, 88:10, 88:15, 89:16, 89:17, 89:20, 98:18, 99:17, 105:16<br/> <b>managerial</b> <sup>[1]</sup> - 102:17<br/> <b>managers</b> <sup>[1]</sup> - 54:15<br/> <b>managing</b> <sup>[2]</sup> - 65:3, 90:3<br/> <b>manner</b> <sup>[1]</sup> - 18:21<br/> <b>March</b> <sup>[5]</sup> - 65:2, 69:17, 69:20, 116:20, 117:1<br/> <b>MARK</b> <sup>[3]</sup> - 113:19, 114:4, 114:7<br/> <b>Mark</b> <sup>[2]</sup> - 91:14, 113:19<br/> <b>Markarian</b> <sup>[1]</sup> - 68:7<br/> <b>market</b> <sup>[1]</sup> - 65:18<br/> <b>marketplace</b> <sup>[1]</sup> - 19:13<br/> <b>marks</b> <sup>[2]</sup> - 119:15, 120:5<br/> <b>marriage</b> <sup>[1]</sup> - 121:6<br/> <b>Mass</b> <sup>[5]</sup> - 3:10, 11:11, 13:13, 70:15, 76:2<br/> <b>Massachusetts</b> <sup>[3]</sup> - 1:10, 1:10, 48:20</p> | <p><b>MASSACHUSETTS</b> <sup>[1]</sup> - 121:2<br/> <b>Massport</b> <sup>[2]</sup> - 70:4, 73:4<br/> <b>match</b> <sup>[1]</sup> - 29:20<br/> <b>matter</b> <sup>[13]</sup> - 10:8, 14:16, 34:1, 45:18, 60:7, 73:15, 95:18, 97:21, 104:4, 113:18, 115:15, 121:6, 121:7<br/> <b>matters</b> <sup>[2]</sup> - 9:4, 18:4<br/> <b>Matthew</b> <sup>[1]</sup> - 55:4<br/> <b>Mayonnaise</b> <sup>[1]</sup> - 101:8<br/> <b>McGovern</b> <sup>[1]</sup> - 91:14<br/> <b>mean</b> <sup>[9]</sup> - 8:3, 9:9, 26:5, 31:1, 57:19, 88:16, 91:16, 93:2, 93:21<br/> <b>meaning</b> <sup>[1]</sup> - 61:11<br/> <b>MEANS</b> <sup>[1]</sup> - 121:19<br/> <b>meant</b> <sup>[2]</sup> - 82:7, 112:20<br/> <b>meantime</b> <sup>[1]</sup> - 26:16<br/> <b>meats</b> <sup>[1]</sup> - 53:12<br/> <b>meeting</b> <sup>[2]</sup> - 97:4, 102:5<br/> <b>meets</b> <sup>[1]</sup> - 15:1<br/> <b>Mein</b> <sup>[3]</sup> - 2:10, 47:11, 48:13<br/> <b>Member</b> <sup>[2]</sup> - 4:3, 4:4<br/> <b>member</b> <sup>[2]</sup> - 6:13, 10:12<br/> <b>members</b> <sup>[19]</sup> - 3:20, 4:9, 4:19, 10:7, 14:15, 16:8, 23:13, 33:20, 34:7, 34:9, 36:3, 37:6, 45:17, 60:5, 73:13, 91:11, 95:17, 104:3, 113:17<br/> <b>menu</b> <sup>[13]</sup> - 29:6, 29:9, 29:18, 30:3, 51:21, 53:1, 54:7, 56:10, 56:12, 80:3, 80:7, 101:16, 101:18<br/> <b>Mercedes</b> <sup>[1]</sup> - 64:12<br/> <b>merely</b> <sup>[1]</sup> - 18:19<br/> <b>merits</b> <sup>[1]</sup> - 87:12<br/> <b>met</b> <sup>[2]</sup> - 2:12, 115:17<br/> <b>Met</b> <sup>[1]</sup> - 63:13<br/> <b>metal</b> <sup>[1]</sup> - 58:11<br/> <b>Michael</b> <sup>[4]</sup> - 1:9, 1:12, 3:10, 3:13<br/> <b>MICHAEL</b> <sup>[267]</sup> - 4:6, 6:18, 6:21, 7:3, 7:18, 7:21, 8:9, 8:11, 8:13, 8:19, 9:12, 9:15, 10:1,</p> | <p>10:10, 10:17, 10:21, 11:14, 12:13, 12:17, 12:21, 13:8, 13:18, 14:3, 14:8, 14:11, 14:14, 14:18, 15:6, 15:10, 16:5, 20:4, 20:18, 21:2, 21:16, 21:19, 22:2, 22:13, 23:4, 23:9, 24:5, 24:12, 25:11, 25:15, 26:12, 26:18, 28:4, 28:11, 30:4, 30:12, 33:11, 33:17, 33:20, 34:8, 34:15, 35:18, 35:21, 36:3, 37:1, 37:4, 37:9, 37:17, 38:10, 38:17, 39:1, 39:7, 39:13, 40:11, 40:17, 41:7, 41:10, 42:11, 43:15, 43:18, 43:20, 44:4, 44:12, 44:16, 44:19, 45:2, 45:5, 45:12, 45:16, 45:20, 46:10, 46:15, 46:18, 47:4, 48:3, 48:10, 49:9, 50:10, 50:15, 50:17, 50:20, 51:1, 51:4, 51:10, 52:21, 54:3, 55:1, 55:5, 55:9, 55:13, 55:16, 56:3, 56:13, 56:17, 56:21, 57:7, 57:12, 58:3, 58:18, 58:21, 59:3, 59:7, 59:11, 59:14, 59:17, 60:2, 60:5, 60:10, 60:19, 61:10, 61:12, 61:21, 62:3, 62:17, 62:20, 63:3, 63:11, 63:19, 64:5, 64:18, 65:6, 65:12, 65:16, 66:3, 66:8, 67:3, 67:6, 67:14, 67:19, 68:2, 68:20, 69:6, 69:18, 70:5, 70:17, 71:5, 71:8, 71:12, 71:15, 72:12, 72:21, 73:8, 73:13, 73:20, 74:3, 74:12, 74:15, 74:21, 75:4, 75:7, 75:11, 75:15, 76:17, 77:6, 78:19, 79:4, 79:16, 79:21, 80:17, 82:8, 82:14, 83:16, 83:19, 84:4, 84:11, 84:18, 85:2, 85:7, 85:19, 86:8, 87:10, 88:2, 89:9, 89:12, 89:15, 89:18, 90:19, 92:19, 93:2, 93:6, 94:11, 94:15, 94:19, 95:6, 95:13, 95:16,</p> | <p>95:20, 96:8, 96:16, 97:1, 97:11, 97:16, 97:20, 98:3, 98:7, 98:11, 99:5, 99:10, 99:16, 99:19, 100:12, 101:1, 101:15, 102:1, 102:11, 102:15, 102:20, 103:2, 103:6, 103:20, 104:2, 104:6, 104:9, 104:17, 104:21, 105:6, 105:11, 106:2, 106:7, 106:15, 106:19, 107:3, 107:8, 107:11, 108:17, 110:1, 110:5, 110:13, 110:21, 112:3, 112:13, 112:19, 113:2, 113:8, 113:11, 113:13, 113:16, 114:1, 114:5, 114:14, 114:17, 115:13, 115:19, 116:3, 116:7, 116:16, 116:21, 117:5, 117:9, 117:13, 117:17, 118:1, 118:6, 118:9<br/> <b>Middle</b> <sup>[1]</sup> - 106:18<br/> <b>might</b> <sup>[11]</sup> - 18:13, 20:10, 21:10, 29:1, 31:21, 47:7, 57:11, 77:21, 83:21, 90:6, 108:18<br/> <b>mind</b> <sup>[1]</sup> - 80:19<br/> <b>mine</b> <sup>[2]</sup> - 8:8, 78:3<br/> <b>minimize</b> <sup>[2]</sup> - 31:19, 32:15<br/> <b>minute</b> <sup>[1]</sup> - 103:11<br/> <b>MINUTES</b> <sup>[1]</sup> - 116:13<br/> <b>minutes</b> <sup>[4]</sup> - 53:16, 116:15, 117:2, 117:10<br/> <b>mirrors</b> <sup>[1]</sup> - 20:2<br/> <b>miscommunication</b> <sup>[1]</sup> - 83:13<br/> <b>missed</b> <sup>[1]</sup> - 34:10<br/> <b>mistaken</b> <sup>[1]</sup> - 37:2<br/> <b>MIT</b> <sup>[2]</sup> - 43:8, 72:8<br/> <b>mix</b> <sup>[1]</sup> - 29:20<br/> <b>model</b> <sup>[10]</sup> - 26:2, 28:1, 32:16, 35:5, 81:1, 81:3, 93:10, 93:12, 93:17, 94:10<br/> <b>models</b> <sup>[1]</sup> - 32:7<br/> <b>moment</b> <sup>[1]</sup> - 19:10<br/> <b>Monday</b> <sup>[3]</sup> - 50:1, 86:6, 110:15</p> | <p><b>money</b> <sup>[1]</sup> - 114:9<br/> <b>month</b> <sup>[2]</sup> - 41:15, 74:16<br/> <b>months</b> <sup>[7]</sup> - 38:1, 50:12, 50:18, 62:12, 85:12, 107:6, 107:9<br/> <b>morning</b> <sup>[1]</sup> - 72:19<br/> <b>most</b> <sup>[3]</sup> - 10:1, 90:5, 110:18<br/> <b>mostly</b> <sup>[5]</sup> - 80:3, 92:21, 94:17, 109:3, 112:8<br/> <b>motion</b> <sup>[39]</sup> - 10:11, 10:17, 14:19, 15:5, 15:6, 37:10, 38:8, 38:16, 39:14, 40:18, 41:5, 45:21, 46:14, 60:20, 62:17, 62:19, 62:20, 74:4, 74:16, 75:8, 75:10, 75:11, 97:2, 97:21, 98:2, 98:3, 104:10, 104:16, 104:17, 114:18, 115:14, 116:2, 116:3, 117:1, 117:4, 117:5, 117:18, 118:2, 118:5<br/> <b>move</b> <sup>[4]</sup> - 43:9, 46:20, 55:21, 83:21<br/> <b>moved</b> <sup>[3]</sup> - 26:14, 27:10, 56:9<br/> <b>movie</b> <sup>[3]</sup> - 66:13, 66:20, 68:15<br/> <b>moving</b> <sup>[4]</sup> - 6:19, 42:9, 45:7, 46:6<br/> <b>multiple</b> <sup>[1]</sup> - 22:3<br/> <b>music</b> <sup>[14]</sup> - 16:4, 37:21, 47:21, 57:1, 57:6, 57:8, 57:11, 82:5, 84:12, 84:19, 96:6, 96:9</p> |
| <b>N</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                            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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p><b>name</b> <sup>[21]</sup> - 4:8, 4:13, 11:16, 11:18, 11:19, 16:7, 22:9, 22:12, 34:16, 34:19, 36:5, 42:13, 48:7, 56:15, 63:21, 64:3, 76:21, 77:4, 106:4, 114:2<br/> <b>names</b> <sup>[3]</sup> - 48:5, 76:18, 99:7<br/> <b>near</b> <sup>[2]</sup> - 50:6, 52:7<br/> <b>nearly</b> <sup>[2]</sup> - 20:14, 40:2<br/> <b>necessarily</b> <sup>[1]</sup> - 38:2<br/> <b>need</b> <sup>[26]</sup> - 14:1, 19:19, 37:11, 38:3, 46:5, 51:12, 52:12,</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                            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------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>60:13, 72:17, 72:19, 73:11, 74:10, 74:12, 82:9, 82:15, 82:17, 90:9, 92:7, 96:4, 103:15, 104:7, 111:6, 111:14, 113:4, 115:1</p> <p><b>needed</b> [1] - 12:15</p> <p><b>needs</b> [4] - 7:11, 10:5, 91:10, 96:3</p> <p><b>neglected</b> [1] - 38:18</p> <p><b>negotiated</b> [1] - 43:8</p> <p><b>negotiations</b> [1] - 59:9</p> <p><b>neighbor</b> [3] - 35:6, 40:13, 98:12</p> <p><b>neighborhood</b> [2] - 102:5, 107:12</p> <p><b>neighborhoods</b> [1] - 109:2</p> <p><b>neighbors</b> [3] - 50:5, 102:6, 107:14</p> <p><b>never</b> [4] - 7:18, 67:20, 76:5, 92:3</p> <p><b>new</b> [11] - 8:2, 11:2, 11:4, 15:12, 20:10, 52:4, 53:2, 53:6, 54:14, 92:4, 92:5</p> <p><b>Newton</b> [1] - 79:1</p> <p><b>next</b> [11] - 43:14, 62:12, 66:21, 69:4, 84:1, 97:12, 102:6, 107:20, 108:2, 109:14, 114:12</p> <p><b>next-door</b> [4] - 66:21, 102:6, 109:14, 114:12</p> <p><b>nice</b> [4] - 12:7, 29:9, 52:5, 81:20</p> <p><b>nick's</b> [1] - 100:16</p> <p><b>night</b> [11] - 78:4, 78:9, 85:16, 86:2, 86:6, 86:7, 95:9, 109:6, 112:1, 113:20, 114:7</p> <p><b>nightlife</b> [1] - 5:14</p> <p><b>nights</b> [3] - 52:17, 110:16, 113:14</p> <p><b>nobody</b> [1] - 76:6</p> <p><b>non</b> [5] - 42:4, 51:8, 62:11, 96:15, 98:21</p> <p><b>non-alcoholic</b> [2] - 42:4, 98:21</p> <p><b>non-issue</b> [1] - 96:15</p> <p><b>non-transferable</b> [2] - 51:8, 62:11</p> <p><b>none</b> [23] - 8:12, 10:10, 11:1, 14:18, 15:11, 33:19, 37:9, 41:11, 45:20, 46:19, 50:21, 63:4, 73:10,</p> | <p>75:16, 78:17, 95:15, 104:1, 104:6, 105:1, 114:16, 116:8, 117:10, 118:10</p> <p><b>noodles</b> [1] - 53:18</p> <p><b>noontime</b> [1] - 72:17</p> <p><b>North</b> [3] - 79:2, 100:16, 103:3</p> <p><b>NOT</b> [3] - 119:15, 120:5, 121:18</p> <p><b>Notary</b> [3] - 120:6, 121:5, 121:14</p> <p><b>notations</b> [2] - 119:15, 120:5</p> <p><b>note</b> [2] - 42:13, 120:4</p> <p><b>noted</b> [2] - 6:13, 120:19</p> <p><b>notes</b> [1] - 121:9</p> <p><b>nothing</b> [2] - 67:2, 80:5</p> <p><b>Nothing's</b> [1] - 103:14</p> <p><b>notice</b> [5] - 70:19, 86:18, 87:16, 96:1, 97:9</p> <p><b>notices</b> [3] - 95:21, 96:4, 103:7</p> <p><b>notification</b> [1] - 115:16</p> <p><b>notifications</b> [2] - 82:17, 103:9</p> <p><b>notify</b> [1] - 115:5</p> <p><b>noting</b> [1] - 40:2</p> <p><b>number</b> [8] - 17:6, 43:16, 59:1, 65:7, 65:13, 65:17, 65:20, 66:2</p> <p><b>numbers</b> [1] - 21:8</p> | <p>67:4, 67:12, 68:11, 68:12, 69:2, 70:3, 70:14, 72:1, 109:14</p> <p><b>offices</b> [1] - 4:15</p> <p><b>OFFICIAL</b> [1] - 1:16</p> <p><b>offs</b> [1] - 46:6</p> <p><b>often</b> [2] - 5:20, 90:12</p> <p><b>old</b> [3] - 31:11, 43:21, 44:1</p> <p><b>on-line</b> [4] - 85:10, 85:17, 85:18, 91:5</p> <p><b>on-site</b> [1] - 80:10</p> <p><b>once</b> [2] - 9:18, 13:6</p> <p><b>one</b> [37] - 4:3, 4:18, 5:18, 20:16, 21:10, 30:13, 30:16, 32:13, 39:4, 39:5, 40:3, 40:9, 43:14, 43:21, 44:1, 48:12, 48:14, 48:21, 49:5, 49:17, 52:5, 54:18, 54:19, 56:1, 57:19, 66:7, 67:18, 78:8, 78:13, 78:21, 79:1, 81:5, 89:3, 92:9, 93:15, 110:21</p> <p><b>One</b> [5] - 2:8, 41:20, 42:3, 43:3, 46:1</p> <p><b>one's</b> [2] - 30:16, 57:20</p> <p><b>ones</b> [2] - 85:11, 93:16</p> <p><b>ongoing</b> [1] - 28:10</p> <p><b>onus</b> [1] - 8:5</p> <p><b>open</b> [22] - 3:5, 27:8, 27:14, 33:1, 41:14, 43:14, 77:10, 79:17, 106:8, 106:14, 107:1, 110:3, 110:14, 111:9, 112:4, 112:11, 112:15, 113:9, 113:14, 113:21, 114:10, 116:10</p> <p><b>opened</b> [6] - 7:9, 12:1, 14:13, 31:13, 49:15, 54:18</p> <p><b>opening</b> [3] - 22:21, 61:18, 94:5</p> <p><b>operate</b> [3] - 4:19, 17:15, 32:8</p> <p><b>operated</b> [3] - 17:5, 18:17, 27:18</p> <p><b>operating</b> [8] - 20:19, 25:20, 30:21, 37:19, 43:1, 67:7, 69:19, 107:4</p> <p><b>operation</b> [35] - 15:21, 19:14, 20:1, 20:2, 22:8, 23:16, 23:20, 27:6, 31:20,</p> | <p>32:10, 33:7, 38:1, 38:19, 39:9, 39:14, 39:15, 40:18, 42:7, 43:13, 46:2, 47:17, 49:13, 50:11, 53:1, 61:3, 74:17, 75:17, 76:15, 99:3, 103:3, 104:13, 106:20, 107:4, 107:6, 111:8</p> <p><b>operations</b> [5] - 6:12, 22:18, 27:15, 27:17, 28:6</p> <p><b>operator</b> [4] - 17:21, 30:6, 30:15, 70:8</p> <p><b>operators</b> [2] - 18:14, 32:4</p> <p><b>opportunity</b> [3] - 18:11, 32:5, 35:9</p> <p><b>opposed</b> [10] - 11:1, 15:11, 41:11, 46:19, 63:4, 75:16, 105:1, 116:8, 117:10, 118:10</p> <p><b>option</b> [3] - 79:9, 81:7, 113:7</p> <p><b>options</b> [1] - 80:3</p> <p><b>order</b> [4] - 3:15, 4:3, 30:14, 53:12</p> <p><b>ordering</b> [1] - 90:8</p> <p><b>Orient</b> [2] - 2:12, 63:15</p> <p><b>original</b> [4] - 41:4, 60:16, 119:3, 119:9</p> <p><b>ORIGINAL</b> [1] - 119:8</p> <p><b>originally</b> [1] - 59:5</p> <p><b>otherwise</b> [1] - 115:19</p> <p><b>outcome</b> [1] - 121:7</p> <p><b>outdoor</b> [5] - 11:13, 12:2, 47:16, 76:3, 76:4</p> <p><b>ovens</b> [2] - 20:12, 80:5</p> <p><b>own</b> [6] - 48:19, 54:9, 86:9, 91:19, 92:3, 102:14</p> <p><b>owned</b> [5] - 64:21, 69:10, 69:16, 90:10, 92:3</p> <p><b>owner</b> [5] - 11:20, 64:3, 67:10, 73:7, 77:2</p> <p><b>owner/occupied</b> [1] - 21:15</p> <p><b>owners</b> [1] - 48:15</p> <p><b>ownership</b> [8] - 6:1, 6:7, 6:16, 7:1, 17:11, 56:7, 65:4</p> <p><b>owns</b> [1] - 66:19</p> | <p><b>P</b></p> <p><b>P-a-n-a-g-o-p-o-u-l-o-s</b> [1] - 99:13</p> <p><b>P-r-a-a-g-h</b> [1] - 36:9</p> <p><b>P.M</b> [1] - 1:7</p> <p><b>p.m</b> [11] - 3:9, 42:8, 76:15, 99:4, 105:19, 112:16, 112:17, 112:20, 114:19, 118:12</p> <p><b>package</b> [1] - 84:13</p> <p><b>packages</b> [2] - 69:14, 70:9</p> <p><b>Page</b> [1] - 120:7</p> <p><b>PAGE</b> [2] - 119:18, 120:9</p> <p><b>Paint</b> [2] - 2:16, 76:10</p> <p><b>paint</b> [2] - 78:2, 86:9</p> <p><b>paintbrushes</b> [1] - 81:13</p> <p><b>painted</b> [1] - 26:5</p> <p><b>painter</b> [2] - 77:14, 86:18</p> <p><b>painting</b> [13] - 78:7, 78:8, 78:14, 80:13, 80:14, 85:14, 85:15, 86:4, 86:5, 86:16, 88:7, 94:16, 103:19</p> <p><b>paintings</b> [2] - 85:20, 87:13</p> <p><b>pairing</b> [1] - 89:7</p> <p><b>Panagopoulos</b> [2] - 98:18, 99:9</p> <p><b>PANAGOPOULOS</b> [19] - 99:8, 99:12, 99:18, 100:1, 100:18, 101:3, 101:7, 101:10, 101:14, 101:17, 102:3, 102:9, 102:13, 102:18, 102:21, 103:10, 103:13, 103:18, 105:4</p> <p><b>Pandora</b> [1] - 57:5</p> <p><b>paper</b> [1] - 69:3</p> <p><b>par</b> [1] - 91:10</p> <p><b>parcel</b> [1] - 37:14</p> <p><b>park</b> [3] - 68:7, 68:8, 70:15</p> <p><b>parked</b> [5] - 63:18, 67:8, 67:10, 70:2, 74:7</p> <p><b>parking</b> [4] - 68:10, 68:14, 72:3, 107:20</p> <p><b>Parkway</b> [3] - 63:17, 66:11, 74:6</p> <p><b>parlor</b> [1] - 31:21</p> <p><b>part</b> [12] - 7:16, 13:13,</p> |
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----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>20:9, 26:1, 37:13, 54:12, 64:13, 68:16, 90:2, 90:5, 90:18, 100:13</p> <p><b>particular</b> [2] - 43:2, 90:6</p> <p><b>particularly</b> [1] - 5:11</p> <p><b>parties</b> [1] - 121:6</p> <p><b>partner</b> [2] - 48:9, 77:5</p> <p><b>partner/owner</b> [1] - 99:15</p> <p><b>partners</b> [2] - 48:12, 48:13</p> <p><b>party</b> [2] - 77:17, 119:7</p> <p><b>passed</b> [1] - 60:15</p> <p><b>passengers</b> [1] - 70:9</p> <p><b>passing</b> [1] - 38:12</p> <p><b>past</b> [3] - 55:10, 88:5, 91:20</p> <p><b>patio</b> [12] - 11:13, 12:3, 12:9, 12:16, 12:17, 14:5, 14:6, 14:21, 47:16, 56:9, 58:16, 76:3</p> <p><b>patio's</b> [1] - 58:18</p> <p><b>Patrick</b> [7] - 4:1, 4:19, 6:3, 6:8, 6:19, 7:3, 10:13</p> <p><b>PATRICK</b> [5] - 4:21, 7:8, 7:20, 8:3, 8:10</p> <p><b>Patrick's</b> [1] - 5:2</p> <p><b>patronize</b> [1] - 36:13</p> <p><b>peak</b> [1] - 72:16</p> <p><b>Penn</b> [2] - 11:9, 11:19</p> <p><b>PENN</b> [10] - 11:18, 12:16, 12:19, 13:3, 13:16, 13:20, 14:6, 14:10, 14:13, 15:13</p> <p><b>people</b> [26] - 24:1, 24:2, 26:7, 29:20, 31:15, 33:2, 35:10, 35:12, 36:17, 40:5, 50:6, 57:21, 69:14, 70:12, 72:7, 78:1, 78:5, 79:8, 81:3, 81:10, 85:4, 85:10, 86:8, 92:16, 108:10, 108:19</p> <p><b>per</b> [5] - 42:8, 47:18, 99:4, 105:20, 105:21</p> <p><b>percent</b> [4] - 64:14, 64:16, 72:10</p> <p><b>percentage</b> [3] - 28:13, 71:17, 72:9</p> <p><b>performances</b> [1] - 58:2</p> <p><b>period</b> [1] - 111:8</p> <p><b>permit</b> [1] - 65:17</p> | <p><b>permits</b> [1] - 14:2</p> <p><b>person</b> [1] - 24:9</p> <p><b>personally</b> [1] - 86:20</p> <p><b>personnel</b> [1] - 9:2</p> <p><b>Peter</b> [1] - 11:20</p> <p><b>Peter-e-n-n</b> [1] - 11:20</p> <p><b>phonetic</b> [2] - 65:1, 68:7</p> <p><b>pick</b> [5] - 70:12, 70:13, 70:14, 70:16, 70:21</p> <p><b>picture</b> [1] - 66:12</p> <p><b>pictures</b> [1] - 29:10</p> <p><b>Pizza</b> [5] - 2:18, 98:17, 100:2, 100:4, 100:7</p> <p><b>pizza</b> [11] - 17:2, 25:21, 29:11, 29:15, 29:19, 30:1, 31:20, 32:3, 100:10, 101:21</p> <p><b>Pizzeria</b> [2] - 2:4, 15:17</p> <p><b>place</b> [9] - 26:2, 26:4, 41:16, 46:3, 100:10, 108:19, 108:21, 110:2, 110:3</p> <p><b>places</b> [4] - 26:15, 89:1, 108:4, 108:14</p> <p><b>plan</b> [11] - 20:14, 31:6, 52:1, 54:20, 56:8, 64:7, 71:6, 77:7, 77:9, 84:12, 99:20</p> <p><b>Planning</b> [2] - 51:14, 52:9</p> <p><b>planning</b> [2] - 51:19, 112:7</p> <p><b>plans</b> [1] - 57:13</p> <p><b>play</b> [2] - 68:5, 81:17</p> <p><b>played</b> [2] - 48:1, 57:1</p> <p><b>playing</b> [2] - 82:5, 84:19</p> <p><b>pleasure</b> [1] - 35:15</p> <p><b>plenty</b> [1] - 112:2</p> <p><b>plus</b> [2] - 66:20</p> <p><b>poetry</b> [1] - 47:20</p> <p><b>point</b> [5] - 22:15, 28:18, 59:20, 74:11, 91:8</p> <p><b>points</b> [1] - 30:5</p> <p><b>Police</b> [1] - 109:13</p> <p><b>Pond</b> [3] - 66:12, 67:12, 72:2</p> <p><b>popular</b> [2] - 32:18, 78:16</p> <p><b>population</b> [1] - 102:7</p> <p><b>populations</b> [2] - 32:19</p> <p><b>portion</b> [1] - 58:12</p> | <p><b>portraits</b> [1] - 86:9</p> <p><b>position</b> [3] - 6:1, 6:3, 97:12</p> <p><b>possibility</b> [1] - 57:10</p> <p><b>possible</b> [5] - 20:2, 27:6, 27:13, 27:19, 35:17</p> <p><b>posted</b> [1] - 69:3</p> <p><b>pot</b> [6] - 53:9, 53:14, 54:2, 54:9, 58:5</p> <p><b>PRAAGH</b> [2] - 36:8, 37:3</p> <p><b>Praagh</b> [1] - 36:8</p> <p><b>practices</b> [6] - 18:2, 20:3, 23:19, 27:16, 33:6, 35:6</p> <p><b>pre</b> [1] - 85:4</p> <p><b>pre-registered</b> [1] - 85:4</p> <p><b>precisely</b> [1] - 44:15</p> <p><b>predecessor</b> [5] - 17:6, 17:16, 19:1, 20:15, 32:17</p> <p><b>predecessors</b> [2] - 19:16, 35:7</p> <p><b>premise</b> [1] - 11:12</p> <p><b>premises</b> [7] - 5:17, 7:6, 14:20, 24:2, 42:6, 43:10, 99:2</p> <p><b>prepackaged</b> [1] - 80:4</p> <p><b>preparation</b> [1] - 25:12</p> <p><b>prepared</b> [2] - 80:9, 80:10</p> <p><b>prescheduling</b> [1] - 70:20</p> <p><b>present</b> [1] - 8:4</p> <p><b>President</b> [1] - 6:10</p> <p><b>president</b> [1] - 69:13</p> <p><b>pretty</b> [14] - 20:5, 29:17, 30:8, 32:10, 33:1, 44:5, 54:11, 78:11, 80:9, 81:14, 85:3, 91:16, 95:4, 101:1</p> <p><b>previous</b> [1] - 52:3</p> <p><b>previously</b> [2] - 71:18, 72:4</p> <p><b>price</b> [1] - 30:5</p> <p><b>pricing</b> [1] - 30:5</p> <p><b>pride</b> [1] - 26:10</p> <p><b>primarily</b> [2] - 64:9, 79:11</p> <p><b>primary</b> [1] - 81:1</p> <p><b>Primo</b> [3] - 2:18, 98:17, 100:4</p> <p><b>principal</b> [4] - 18:6, 42:19, 89:19, 90:20</p> <p><b>private</b> [1] - 58:19</p> <p><b>problem</b> [2] - 13:14,</p> | <p>82:21</p> <p><b>problems</b> [3] - 33:10, 97:17, 111:1</p> <p><b>procedures</b> [1] - 45:3</p> <p><b>proceedings</b> [1] - 17:14</p> <p><b>process</b> [4] - 9:16, 22:21, 46:8, 91:4</p> <p><b>processes</b> [1] - 27:20</p> <p><b>product</b> [1] - 33:2</p> <p><b>professors</b> [1] - 72:7</p> <p><b>profiting</b> [1] - 50:7</p> <p><b>program</b> [2] - 5:16, 91:5</p> <p><b>projections</b> [1] - 49:20</p> <p><b>projects</b> [1] - 35:10</p> <p><b>properly</b> [2] - 54:13, 59:15</p> <p><b>property</b> [2] - 11:13, 58:19</p> <p><b>proposed</b> [3] - 15:20, 47:15, 76:13</p> <p><b>proved</b> [2] - 18:14, 19:20</p> <p><b>proves</b> [1] - 19:4</p> <p><b>provide</b> [1] - 12:11</p> <p><b>provided</b> [1] - 14:21</p> <p><b>Providence</b> [1] - 88:8</p> <p><b>public</b> [21] - 10:7, 11:13, 14:15, 18:21, 19:17, 19:19, 26:3, 33:21, 34:7, 34:9, 36:4, 37:6, 45:17, 60:6, 60:13, 73:14, 76:3, 95:17, 97:5, 104:3, 113:17</p> <p><b>Public</b> [7] - 12:15, 13:11, 13:21, 15:1, 120:6, 121:5, 121:14</p> <p><b>publicly</b> [1] - 35:14</p> <p><b>pulling</b> [1] - 28:21</p> <p><b>purchase</b> [1] - 21:20</p> <p><b>purchasers</b> [1] - 17:13</p> <p><b>purposes</b> [2] - 3:6, 13:6</p> <p><b>pursue</b> [1] - 12:4</p> <p><b>put</b> [2] - 73:4, 97:2</p> <p><b>putting</b> [2] - 57:12, 96:6</p> | <p><b>questions</b> [11] - 8:11, 14:3, 28:12, 33:18, 45:5, 58:3, 73:9, 95:14, 103:21, 109:4, 114:15</p> <p><b>quick</b> [1] - 35:11</p> <p><b>quiet</b> [1] - 109:6</p> <p><b>Quincy</b> [4] - 48:21, 54:10, 54:16, 54:19</p> <p><b>quite</b> [4] - 31:13, 34:2, 82:11, 90:3</p> |
| <b>R</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                  |
| <p><b>R-a-f-f-e-r-t-y</b> [1] - 4:14</p> <p><b>R-i-o-r-d-a-n</b> [1] - 16:17</p> <p><b>radio</b> [2] - 48:2, 57:5</p> <p><b>Rafferty</b> [5] - 4:7, 4:14, 16:6, 16:12, 42:11</p> <p><b>RAFFERTY</b> [30] - 4:11, 5:1, 6:20, 7:2, 9:8, 9:13, 9:20, 11:5, 16:10, 20:7, 20:21, 21:5, 21:14, 21:18, 22:4, 25:3, 27:2, 31:16, 34:6, 37:15, 39:3, 40:1, 40:16, 41:6, 41:17, 42:16, 43:6, 46:7, 47:2, 47:6</p> <p><b>raised</b> [2] - 35:7, 100:9</p> <p><b>ran</b> [1] - 17:6</p> <p><b>rather</b> [5] - 32:11, 40:10, 52:2, 78:4, 114:8</p> <p><b>ratifications</b> [1] - 117:14</p> <p><b>raw</b> [1] - 53:14</p> <p><b>read</b> [3] - 30:18, 71:2, 120:18</p> <p><b>Reading</b> [1] - 47:20</p> <p><b>reading</b> [2] - 119:13, 120:4</p> <p><b>ready</b> [2] - 46:4, 55:20</p> <p><b>real</b> [2] - 30:17, 87:3</p> <p><b>realize</b> [1] - 83:3</p> <p><b>really</b> [27] - 5:18, 18:9, 19:16, 23:16, 26:3, 26:4, 26:5, 26:6, 28:1, 29:12, 35:1, 50:5, 67:2, 69:5, 78:2, 78:7, 78:15, 78:16, 79:14, 79:15, 81:16, 85:9, 110:14, 110:17, 111:14, 112:20</p> <p><b>reapply</b> [1] - 111:20</p>                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                  |
| <b>Q</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                  |
| <p><b>qualifications</b> [1] - 61:20</p> <p><b>qualify</b> [1] - 7:6</p> <p><b>quality</b> [4] - 23:18, 29:14, 87:12, 94:15</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             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| <p><b>rear</b> [1] - 3:5</p> <p><b>REASON</b> [8] - 120:10, 120:11, 120:12, 120:13, 120:14, 120:15, 120:16, 120:17</p> <p><b>reason</b> [5] - 4:2, 18:19, 19:21, 59:7, 120:5</p> <p><b>reasons</b> [2] - 9:3, 119:14</p> <p><b>reawaken</b> [1] - 33:2</p> <p><b>receive</b> [1] - 9:18</p> <p><b>received</b> [5] - 18:16, 73:5, 78:15, 82:20, 83:2</p> <p><b>RECEIVED</b> [1] - 119:20</p> <p><b>recently</b> [3] - 5:15, 27:7, 82:21</p> <p><b>recipe</b> [1] - 29:6</p> <p><b>recommendation</b> [1] - 52:6</p> <p><b>RECORD</b> [1] - 1:16</p> <p><b>record</b> [25] - 4:9, 4:13, 6:9, 7:19, 10:14, 11:16, 16:7, 24:17, 33:13, 34:17, 36:6, 48:5, 48:16, 54:17, 55:2, 63:21, 75:3, 76:19, 89:20, 99:7, 106:4, 113:1, 114:2, 119:7, 120:20</p> <p><b>records</b> [1] - 115:2</p> <p><b>red</b> [2] - 87:18, 87:19</p> <p><b>reduce</b> [1] - 58:21</p> <p><b>reduction</b> [1] - 46:21</p> <p><b>Refer</b> [1] - 120:7</p> <p><b>refute</b> [1] - 10:6</p> <p><b>regard</b> [1] - 31:2</p> <p><b>region</b> [1] - 71:13</p> <p><b>regional</b> [1] - 17:2</p> <p><b>register</b> [2] - 85:10, 85:17</p> <p><b>registered</b> [1] - 85:4</p> <p><b>regret</b> [2] - 22:13, 47:6</p> <p><b>regulated</b> [1] - 67:20</p> <p><b>regulations</b> [2] - 25:10, 70:19</p> <p><b>related</b> [1] - 121:6</p> <p><b>relationships</b> [1] - 5:21</p> <p><b>relative</b> [1] - 87:12</p> <p><b>relaxed</b> [1] - 82:7</p> <p><b>relevant</b> [2] - 17:19, 22:7</p> <p><b>rely</b> [1] - 32:8</p> <p><b>relying</b> [2] - 27:19, 97:8</p> <p><b>remain</b> [1] - 3:5</p> | <p><b>remember</b> [2] - 49:10, 71:1</p> <p><b>remodeling</b> [1] - 103:16</p> <p><b>removal</b> [1] - 27:17</p> <p><b>renewed</b> [1] - 12:19</p> <p><b>renovating</b> [1] - 31:12</p> <p><b>renovation</b> [1] - 20:5</p> <p><b>renovations</b> [1] - 46:4</p> <p><b>reopening</b> [1] - 38:2</p> <p><b>REP</b> [1] - 120:2</p> <p><b>REPLACE</b> [1] - 119:18</p> <p><b>replicating</b> [1] - 33:5</p> <p><b>Reporter</b> [2] - 121:4, 121:14</p> <p><b>REPORTER</b> [1] - 121:20</p> <p><b>REPORTERS</b> [1] - 1:16</p> <p><b>representations</b> [1] - 60:14</p> <p><b>REPRODUCTION</b> [1] - 121:18</p> <p><b>require</b> [2] - 9:14, 9:16</p> <p><b>required</b> [6] - 38:12, 70:20, 83:8, 87:5, 94:2, 97:7</p> <p><b>required</b> [1] - 120:7</p> <p><b>requirement</b> [2] - 13:19, 38:5</p> <p><b>requirements</b> [5] - 15:2, 24:16, 46:11, 115:16</p> <p><b>resend</b> [1] - 96:4</p> <p><b>residences</b> [1] - 71:20</p> <p><b>resident</b> [3] - 34:21, 36:11</p> <p><b>residential</b> [3] - 108:4, 108:13, 109:1</p> <p><b>residents</b> [4] - 34:4, 52:7, 107:21, 109:16</p> <p><b>respect</b> [7] - 24:15, 25:11, 25:18, 70:8, 70:19, 90:21, 97:17</p> <p><b>Response</b> [7] - 10:9, 14:17, 37:8, 45:19, 73:16, 95:19, 104:5</p> <p><b>responsibilities</b> [1] - 11:3</p> <p><b>responsibility</b> [3] - 8:2, 8:6, 90:2</p> <p><b>responsible</b> [4] - 91:3, 91:11, 92:8, 92:14</p> <p><b>restaurant</b> [36] - 3:18, 11:10, 15:19, 17:15, 19:20, 20:12, 22:18,</p> | <p>22:21, 23:6, 23:14, 31:18, 35:5, 36:13, 37:11, 47:14, 48:12, 49:4, 53:3, 53:5, 54:9, 57:16, 60:21, 76:12, 77:18, 78:5, 79:6, 88:4, 88:9, 88:10, 88:17, 90:10, 90:11, 92:2, 92:3, 94:6, 100:7</p> <p><b>Restaurant</b> [2] - 2:18, 98:16</p> <p><b>restaurant/bar</b> [1] - 30:15</p> <p><b>restaurants</b> [6] - 17:2, 24:10, 30:21, 48:19, 62:4</p> <p><b>restrict</b> [1] - 110:6</p> <p><b>restrictions</b> [1] - 70:7</p> <p><b>results</b> [1] - 9:11</p> <p><b>resume</b> [2] - 20:1, 22:8</p> <p><b>return</b> [2] - 18:11, 32:6</p> <p><b>returning</b> [2] - 28:14, 28:19</p> <p><b>reverend</b> [1] - 102:6</p> <p><b>review</b> [7] - 9:10, 10:4, 38:1, 40:10, 41:16, 74:16, 84:1</p> <p><b>reviewed</b> [1] - 62:16</p> <p><b>reviewing</b> [1] - 115:15</p> <p><b>revolved</b> [1] - 90:17</p> <p><b>rice</b> [1] - 53:17</p> <p><b>rides</b> [1] - 72:20</p> <p><b>Riordan</b> [7] - 15:17, 16:15, 16:17, 17:12, 18:3, 22:16, 35:9</p> <p><b>RIORDAN</b> [21] - 21:12, 22:1, 22:20, 23:7, 23:11, 24:8, 24:18, 25:14, 25:18, 26:14, 26:20, 27:1, 27:3, 28:9, 28:16, 29:7, 30:7, 30:10, 31:11, 33:15, 39:11</p> <p><b>Riordan's</b> [2] - 16:16, 31:7</p> <p><b>Riverside</b> [1] - 42:19</p> <p><b>Road</b> [2] - 63:18, 68:5</p> <p><b>Roast</b> [5] - 2:18, 98:17, 100:5, 100:16, 100:21</p> <p><b>roast</b> [6] - 100:13, 100:14, 100:16, 101:3, 101:5, 105:10</p> <p><b>Rockport</b> [2] - 100:7</p> <p><b>Rogers</b> [3] - 47:14, 51:9, 61:1</p> <p><b>role</b> [4] - 11:17, 28:7,</p> | <p>106:4</p> <p><b>roles</b> [1] - 48:6</p> <p><b>room</b> [6] - 3:11, 31:18, 57:20, 58:13, 58:15, 86:4</p> <p><b>Room</b> [1] - 1:9</p> <p><b>rooms</b> [2] - 57:19, 90:15</p> <p><b>Rose</b> [2] - 64:21, 65:2</p> <p><b>rotating</b> [1] - 95:10</p> <p><b>roughly</b> [2] - 43:11, 65:11</p> <p><b>round</b> [1] - 87:17</p> <p><b>rules</b> [1] - 93:3</p> <p><b>running</b> [3] - 17:7, 91:19, 91:21</p> <p><b>runs</b> [2] - 64:9, 103:4</p> <p><b>Ryan</b> [4] - 3:17, 5:2, 5:19, 8:6</p> | <p><b>S</b></p> <p><b>S-e-b-a-a-l-y</b> [1] - 106:6</p> <p><b>Sabra</b> [3] - 2:20, 105:16, 107:6</p> <p><b>SAFE</b> [1] - 61:19</p> <p><b>safe</b> [1] - 54:6</p> <p><b>SAID</b> [1] - 113:15</p> <p><b>Saide</b> [1] - 105:16</p> <p><b>SAIDE</b> [24] - 106:1, 106:5, 106:9, 106:17, 106:21, 107:5, 107:10, 107:16, 109:9, 109:18, 110:4, 110:8, 110:11, 110:17, 112:5, 113:5, 113:10, 113:12, 114:12, 115:4, 115:7, 115:18, 115:21, 116:11</p> <p><b>sale</b> [2] - 19:7, 19:11</p> <p><b>sales</b> [1] - 40:21</p> <p><b>Sam</b> [1] - 89:5</p> <p><b>SAME</b> [1] - 121:19</p> <p><b>samples</b> [1] - 86:14</p> <p><b>sandwich</b> [2] - 101:4, 101:6</p> <p><b>sanitation</b> [1] - 25:12</p> <p><b>satisfactory</b> [2] - 9:10, 15:3</p> <p><b>satisfying</b> [1] - 19:19</p> <p><b>Saturday</b> [11] - 16:2, 39:8, 40:8, 40:19, 40:20, 41:1, 52:17, 112:2, 112:12, 112:17, 114:21</p> <p><b>Saturdays</b> [2] - 50:3,</p> | <p>110:20</p> <p><b>sauce</b> [3] - 53:17, 101:6, 101:10</p> <p><b>scene</b> [1] - 5:14</p> <p><b>schedule</b> [1] - 97:18</p> <p><b>scheduled</b> [2] - 70:13, 97:13</p> <p><b>School</b> [1] - 107:19</p> <p><b>school</b> [1] - 108:1</p> <p><b>seafood</b> [1] - 53:13</p> <p><b>season</b> [2] - 12:2, 12:6</p> <p><b>seasonal</b> [3] - 14:21, 47:16, 76:2</p> <p><b>seat</b> [3] - 34:13, 36:6, 81:13</p> <p><b>seated</b> [1] - 4:17</p> <p><b>seating</b> [8] - 14:5, 42:6, 46:2, 56:9, 99:2, 103:12, 103:13, 104:13</p> <p><b>seats</b> [15] - 14:7, 15:20, 19:2, 19:8, 24:3, 37:18, 43:16, 44:3, 44:5, 47:15, 47:16, 59:1, 76:4, 76:14, 95:12</p> <p><b>Sebaaly</b> [2] - 105:16, 106:5</p> <p><b>SEBAALY</b> [25] - 106:1, 106:5, 106:9, 106:17, 106:21, 107:5, 107:10, 107:16, 109:9, 109:18, 110:4, 110:8, 110:11, 110:17, 112:5, 113:5, 113:10, 113:12, 113:15, 114:12, 115:4, 115:7, 115:18, 115:21, 116:11</p> <p><b>second</b> [14] - 10:15, 12:2, 15:4, 38:15, 41:4, 46:13, 58:13, 62:19, 75:9, 98:1, 104:15, 116:1, 117:3, 118:4</p> <p><b>secondary</b> [2] - 94:9, 94:10</p> <p><b>seconded</b> [8] - 10:18, 15:7, 62:21, 75:12, 98:4, 104:18, 116:4, 117:6</p> <p><b>seconds</b> [1] - 53:16</p> <p><b>see</b> [17] - 5:17, 28:14, 38:7, 43:21, 60:10, 66:14, 74:17, 75:1, 75:2, 75:5, 80:8, 93:14, 96:12, 106:11, 108:12,</p> |
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| <p>112:9, 114:8<br/> <b>seeing</b> [7] - 10:10,<br/> 14:18, 35:16, 37:9,<br/> 45:20, 47:4, 104:6<br/> <b>seek</b> [2] - 6:15, 36:18<br/> <b>seeking</b> [1] - 51:6<br/> <b>seem</b> [1] - 92:11<br/> <b>seemingly</b> [1] - 35:16<br/> <b>self</b> [1] - 86:9<br/> <b>self-portraits</b> [1] -<br/> 86:9<br/> <b>send</b> [3] - 25:1, 35:20,<br/> 69:3<br/> <b>senior</b> [1] - 89:5<br/> <b>sense</b> [4] - 7:21,<br/> 71:17, 74:18, 83:19<br/> <b>sent</b> [3] - 83:8, 83:10,<br/> 83:14<br/> <b>separate</b> [2] - 90:14,<br/> 90:15<br/> <b>separated</b> [1] - 57:18<br/> <b>September</b> [1] - 12:1<br/> <b>series</b> [1] - 18:1<br/> <b>Serve</b> [1] - 61:19<br/> <b>serve</b> [2] - 13:1, 18:20<br/> <b>served</b> [5] - 12:5,<br/> 42:5, 59:18, 80:15,<br/> 99:1<br/> <b>server</b> [3] - 88:13,<br/> 88:21, 91:3<br/> <b>servers</b> [1] - 54:12<br/> <b>serves</b> [4] - 6:10,<br/> 53:5, 80:7, 89:21<br/> <b>Service</b> [2] - 2:12,<br/> 63:15<br/> <b>service</b> [6] - 11:12,<br/> 14:20, 31:17, 40:9,<br/> 69:8, 90:21<br/> <b>serving</b> [12] - 19:17,<br/> 24:1, 24:7, 53:6,<br/> 90:16, 92:11, 92:15,<br/> 92:21, 94:1, 94:20,<br/> 94:21<br/> <b>set</b> [3] - 111:8, 121:9,<br/> 121:11<br/> <b>setting</b> [1] - 25:8<br/> <b>seven</b> [10] - 7:10,<br/> 26:1, 42:8, 43:4,<br/> 47:18, 72:18, 83:18,<br/> 99:4, 105:19,<br/> 105:21<br/> <b>several</b> [4] - 7:9, 17:5,<br/> 21:6, 42:21<br/> <b>Shabu</b> [3] - 2:10,<br/> 47:11, 48:14<br/> <b>Shannon</b> [3] - 16:14,<br/> 35:4, 36:15<br/> <b>SHANNON</b> [10] -<br/> 16:14, 21:12, 22:1,<br/> 27:1, 27:3, 28:9,<br/> 28:16, 29:7, 30:7,</p> | <p>39:11<br/> <b>shapes</b> [1] - 87:16<br/> <b>shareholders</b> [1] -<br/> 51:20<br/> <b>SHEET</b> [3] - 119:1,<br/> 119:19, 120:3<br/> <b>Sheet</b> [4] - 119:3,<br/> 119:5, 119:14,<br/> 120:7<br/> <b>sheet</b> [2] - 120:5,<br/> 120:6<br/> <b>sheltered</b> [1] - 101:2<br/> <b>SHIELDS</b> [3] - 64:2,<br/> 64:8, 64:21, 65:9,<br/> 66:6, 66:9, 66:19,<br/> 67:4, 67:9, 67:16,<br/> 68:6, 69:1, 69:9,<br/> 70:1, 70:10, 71:1,<br/> 71:4, 71:7, 71:11,<br/> 71:14, 72:1, 72:14,<br/> 73:2, 73:17, 74:2,<br/> 74:9, 74:14, 74:20,<br/> 75:2, 75:6<br/> <b>Shiels</b> [1] - 64:2<br/> <b>shift</b> [1] - 31:14<br/> <b>shop</b> [2] - 32:3, 68:9<br/> <b>Shore</b> [3] - 79:2,<br/> 100:16, 103:3<br/> <b>shortcomings</b> [1] -<br/> 18:13<br/> <b>Shorthand</b> [2] -<br/> 121:4, 121:14<br/> <b>show</b> [2] - 41:13,<br/> 86:14<br/> <b>showed</b> [1] - 68:15<br/> <b>shun</b> [1] - 58:10<br/> <b>sibling</b> [2] - 5:6, 5:20<br/> <b>side</b> [4] - 53:12,<br/> 53:13, 67:1, 79:18<br/> <b>sidewalk</b> [1] - 76:3<br/> <b>Sign</b> [1] - 120:6<br/> <b>sign</b> [3] - 14:2, 46:6,<br/> 119:14<br/> <b>sign-offs</b> [1] - 46:6<br/> <b>SIGNATURE</b> [1] -<br/> 119:1<br/> <b>signed</b> [1] - 119:6<br/> <b>SIGNED</b> [1] - 119:19<br/> <b>significant</b> [1] - 22:10<br/> <b>significantly</b> [1] -<br/> 62:13<br/> <b>signify</b> [1] - 10:18,<br/> 15:7, 41:8, 46:16,<br/> 62:21, 75:12, 98:4,<br/> 104:18, 116:4,<br/> 117:6, 118:7<br/> <b>silent</b> [1] - 77:5<br/> <b>similar</b> [5] - 17:17,<br/> 29:18, 30:11, 53:9<br/> <b>simple</b> [3] - 30:3,<br/> 78:11, 87:3</p> | <p><b>simply</b> [2] - 18:10,<br/> 79:5<br/> <b>Sirius</b> [1] - 57:5<br/> <b>sister</b> [1] - 69:16<br/> <b>sister's</b> [1] - 69:9<br/> <b>sit</b> [2] - 4:5, 12:8<br/> <b>site</b> [1] - 80:10<br/> <b>sits</b> [1] - 58:5<br/> <b>situation</b> [1] - 90:7<br/> <b>six</b> [11] - 7:13, 38:1,<br/> 41:15, 64:11, 65:7,<br/> 72:18, 73:5, 74:16,<br/> 95:9, 107:6, 107:9<br/> <b>six-month</b> [2] - 41:15,<br/> 74:16<br/> <b>size</b> [7] - 19:4, 19:7,<br/> 19:9, 19:14, 32:9,<br/> 43:11, 56:11<br/> <b>skill</b> [1] - 121:10<br/> <b>sleep</b> [1] - 116:9<br/> <b>sliced</b> [1] - 101:7<br/> <b>slightly</b> [3] - 3:14,<br/> 43:11, 56:8<br/> <b>small</b> [3] - 23:19,<br/> 32:11, 44:6<br/> <b>smaller</b> [3] - 43:12,<br/> 59:12, 90:10<br/> <b>Smith</b> [1] - 55:4<br/> <b>social</b> [1] - 81:15<br/> <b>soft</b> [1] - 82:5<br/> <b>sold</b> [5] - 29:12, 42:5,<br/> 65:1, 99:1, 102:14<br/> <b>someone</b> [2] - 70:14,<br/> 78:8<br/> <b>someplace</b> [1] -<br/> 108:19<br/> <b>Somerville</b> [1] - 7:14<br/> <b>sometimes</b> [4] -<br/> 81:19, 106:14,<br/> 108:5, 111:2<br/> <b>somewhat</b> [4] - 5:10,<br/> 60:12, 90:14, 94:8<br/> <b>son</b> [1] - 65:4<br/> <b>soon</b> [1] - 20:1<br/> <b>sorry</b> [4] - 34:10,<br/> 49:7, 56:14, 57:19<br/> <b>sort</b> [6] - 77:11, 77:15,<br/> 78:3, 81:21, 87:6,<br/> 109:2<br/> <b>South</b> [1] - 79:1<br/> <b>space</b> [7] - 42:9,<br/> 45:11, 48:17, 57:16,<br/> 59:10, 59:12, 60:16<br/> <b>specific</b> [1] - 51:18<br/> <b>specify</b> [1] - 65:13<br/> <b>speed</b> [1] - 24:15<br/> <b>spell</b> [1] - 4:8, 11:16,<br/> 16:7, 34:16, 36:5,<br/> 48:5, 63:20, 76:18,<br/> 99:7, 106:3, 114:2<br/> <b>spelled</b> [1] - 11:19</p> | <p><b>spelling</b> [2] - 42:13,<br/> 77:4<br/> <b>spent</b> [2] - 7:13, 7:16<br/> <b>split</b> [1] - 31:9<br/> <b>Sprinter</b> [1] - 64:12<br/> <b>Square</b> [5] - 7:13,<br/> 12:1, 34:3, 36:12,<br/> 49:1<br/> <b>square</b> [4] - 32:20,<br/> 44:9, 44:10, 44:11<br/> <b>SS</b> [1] - 121:3<br/> <b>staff</b> [15] - 28:21,<br/> 31:19, 32:5, 37:21,<br/> 38:6, 41:15, 54:8,<br/> 54:10, 54:13, 54:20,<br/> 74:16, 75:4, 90:3,<br/> 95:6<br/> <b>staffing</b> [1] - 74:1<br/> <b>stake</b> [1] - 65:4<br/> <b>standards</b> [1] - 26:7<br/> <b>start</b> [3] - 27:6, 39:5,<br/> 78:10<br/> <b>started</b> [3] - 3:3, 32:2,<br/> 48:17<br/> <b>starting</b> [3] - 7:14,<br/> 77:20, 78:16<br/> <b>State</b> [2] - 63:18, 68:5<br/> <b>state</b> [11] - 4:8, 11:15,<br/> 16:7, 34:16, 36:5,<br/> 48:4, 48:20, 63:20,<br/> 76:18, 99:6, 106:3<br/> <b>statements</b> [1] -<br/> 120:20<br/> <b>status</b> [1] - 97:9<br/> <b>stay</b> [10] - 41:14,<br/> 81:11, 106:8,<br/> 106:14, 106:21,<br/> 108:11, 110:14,<br/> 112:4, 112:15,<br/> 113:9<br/> <b>stayed</b> [1] - 27:8<br/> <b>staying</b> [3] - 113:14,<br/> 113:20, 116:10<br/> <b>stays</b> [2] - 41:16,<br/> 114:10<br/> <b>Stefani's</b> [2] - 100:2,<br/> 105:7<br/> <b>stenographic</b> [1] -<br/> 121:9<br/> <b>steps</b> [4] - 8:6, 24:14,<br/> 25:16, 107:13<br/> <b>still</b> [5] - 8:14, 24:21,<br/> 31:13, 41:14, 65:2<br/> <b>stock</b> [3] - 3:20, 7:1,<br/> 10:12<br/> <b>store</b> [1] - 5:9<br/> <b>storefronts</b> [2] - 43:9,<br/> 45:6<br/> <b>street</b> [4] - 106:10,<br/> 107:17, 108:1,<br/> 108:3</p> | <p><b>Street</b> [15] - 3:19, 5:5,<br/> 15:19, 16:19, 30:19,<br/> 45:7, 47:14, 49:1,<br/> 49:16, 52:11, 58:15,<br/> 61:1, 76:13, 98:20,<br/> 105:18<br/> <b>strikes</b> [1] - 44:5<br/> <b>structure</b> [2] - 17:21,<br/> 62:10<br/> <b>structured</b> [3] - 77:16,<br/> 82:2, 82:3<br/> <b>student</b> [2] - 32:19,<br/> 109:16<br/> <b>students</b> [3] - 33:1,<br/> 106:13, 108:6<br/> <b>studies</b> [1] - 35:11<br/> <b>style</b> [2] - 29:11,<br/> 100:16<br/> <b>subject</b> [11] - 8:14,<br/> 9:5, 10:16, 37:21,<br/> 38:10, 38:11, 46:10,<br/> 61:5, 74:16, 115:1,<br/> 115:14<br/> <b>submission</b> [2] -<br/> 15:2, 115:1<br/> <b>submit</b> [1] - 73:17<br/> <b>submitted</b> [3] - 37:2,<br/> 51:16, 73:2<br/> <b>subs</b> [1] - 101:21<br/> <b>subscribe</b> [1] -<br/> 120:20<br/> <b>substitute</b> [1] - 93:4<br/> <b>succeed</b> [1] - 33:5<br/> <b>success</b> [2] - 80:19,<br/> 94:12<br/> <b>successful</b> [9] - 5:12,<br/> 17:3, 17:13, 18:15,<br/> 19:20, 25:6, 30:15,<br/> 30:18, 33:7<br/> <b>successfully</b> [1] -<br/> 32:8<br/> <b>suggestion</b> [1] -<br/> 68:17<br/> <b>Suite</b> [1] - 63:17<br/> <b>suite</b> [1] - 74:6<br/> <b>summer</b> [2] - 45:15,<br/> 55:10<br/> <b>sun</b> [3] - 87:16, 87:17,<br/> 87:19<br/> <b>Sunday</b> [7] - 16:1,<br/> 41:1, 76:16, 110:15,<br/> 112:4, 112:16,<br/> 114:19<br/> <b>Superintendent</b> [4] -<br/> 1:12, 3:13, 4:12,<br/> 16:12<br/> <b>superintendent</b> [1] -<br/> 87:11<br/> <b>supplied</b> [1] - 119:14<br/> <b>suppliers</b> [2] - 80:11,<br/> 90:8</p> |
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------------------------------------------------------------------|
| <p><b>support</b> [5] - 8:16, 34:3, 35:14, 60:9, 113:20</p> <p><b>supports</b> [1] - 109:21</p> <p><b>suppose</b> [1] - 112:14</p> <p><b>supposed</b> [2] - 84:19, 87:17</p> <p><b>surely</b> [1] - 16:10</p> <p><b>surprises</b> [1] - 62:8</p> <p><b>surround</b> [1] - 36:16</p> <p><b>surrounding</b> [1] - 18:18</p> <p><b>surrounds</b> [1] - 35:12</p> <p><b>sushi</b> [4] - 49:18, 53:5, 53:6, 53:19</p> <p><b>sustaining</b> [1] - 50:8</p> <p><b>SUV</b> [1] - 64:12</p> <p><b>system's</b> [1] - 27:18</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p><b>Third</b> [4] - 45:7, 49:1, 49:16, 52:10</p> <p><b>THIS</b> [2] - 119:18, 121:18</p> <p><b>thoroughly</b> [1] - 54:8</p> <p><b>three</b> [15] - 5:6, 49:4, 49:6, 49:7, 50:18, 95:9, 107:1, 110:3, 110:7, 110:8, 110:11, 110:14, 112:1, 112:18, 112:19</p> <p><b>throughout</b> [2] - 12:6, 42:21</p> <p><b>throwing</b> [1] - 57:10</p> <p><b>Thursday</b> [10] - 16:1, 40:7, 40:20, 50:2, 52:17, 84:5, 112:1, 112:12, 112:17, 114:21</p> <p><b>timing</b> [1] - 32:21</p> <p><b>TIP</b> [1] - 61:17</p> <p><b>TIPS</b> [5] - 23:11, 24:13, 24:20, 61:6, 91:4</p> <p><b>TO</b> [2] - 120:1, 121:18</p> <p><b>today</b> [2] - 6:2, 73:6</p> <p><b>together</b> [2] - 84:13, 102:19</p> <p><b>TOM</b> [30] - 64:2, 64:8, 64:21, 65:9, 66:6, 66:9, 66:19, 67:4, 67:9, 67:16, 68:6, 69:1, 69:9, 70:1, 70:10, 71:1, 71:4, 71:7, 71:11, 71:14, 72:1, 72:14, 73:2, 73:17, 74:2, 74:9, 74:14, 74:20, 75:2, 75:6</p> <p><b>Tom</b> [1] - 64:2</p> <p><b>tonight</b> [6] - 6:15, 9:4, 27:15, 35:1, 83:21, 117:16</p> <p><b>Tony</b> [2] - 47:12, 48:8</p> <p><b>TONY</b> [35] - 48:7, 48:11, 49:15, 50:13, 50:16, 51:3, 51:7, 51:13, 53:4, 54:7, 55:3, 55:7, 56:6, 56:14, 56:19, 57:4, 57:9, 57:15, 58:7, 58:9, 58:14, 58:20, 59:2, 59:5, 59:9, 59:13, 59:16, 59:19, 60:17, 61:7, 61:11, 61:14, 61:16, 62:2, 63:8</p> <p><b>took</b> [2] - 83:1, 107:8</p> <p><b>Toomey</b> [2] - 8:18, 60:9</p> | <p><b>top</b> [1] - 53:21</p> <p><b>toppings</b> [1] - 29:21</p> <p><b>total</b> [2] - 44:8, 76:4</p> <p><b>touch</b> [2] - 9:19, 10:6</p> <p><b>towards</b> [3] - 45:7, 45:8, 45:9</p> <p><b>town</b> [1] - 33:2</p> <p><b>Town</b> [3] - 2:16, 64:11, 76:9</p> <p><b>track</b> [1] - 96:13</p> <p><b>tracks</b> [1] - 67:1</p> <p><b>traffic</b> [1] - 102:10</p> <p><b>train</b> [1] - 67:1</p> <p><b>trained</b> [4] - 54:8, 54:14, 54:20, 61:18</p> <p><b>training</b> [3] - 24:20, 38:11, 54:11</p> <p><b>transaction</b> [1] - 85:18</p> <p><b>transcript</b> [7] - 119:9, 119:15, 120:4, 120:6, 120:7, 120:18, 120:20</p> <p><b>TRANSCRIPT</b> [2] - 119:18, 121:18</p> <p><b>transcription</b> [1] - 121:9</p> <p><b>transfer</b> [6] - 3:20, 7:1, 10:11, 19:12, 51:6, 60:21</p> <p><b>transferable</b> [2] - 51:8, 62:11</p> <p><b>transportation</b> [2] - 69:12, 69:13</p> <p><b>transporting</b> [1] - 70:8</p> <p><b>trash</b> [1] - 27:17</p> <p><b>trend</b> [1] - 77:21</p> <p><b>Tria</b> [2] - 69:4, 69:5</p> <p><b>trips</b> [2] - 74:19, 75:3</p> <p><b>troubled</b> [1] - 5:10</p> <p><b>true</b> [3] - 5:13, 35:3, 121:9</p> <p><b>truly</b> [1] - 80:15</p> <p><b>try</b> [2] - 18:9, 111:15</p> <p><b>trying</b> [4] - 27:4, 41:13, 66:4, 101:12</p> <p><b>Tuesday</b> [4] - 3:9, 76:16, 86:6, 110:16</p> <p><b>turn</b> [2] - 52:13, 52:14</p> <p><b>turned</b> [2] - 3:4, 5:12</p> <p><b>TV</b> [3] - 16:4, 37:21, 48:2</p> <p><b>two</b> [26] - 4:18, 21:10, 39:8, 39:17, 39:18, 39:20, 40:7, 40:14, 43:9, 45:6, 49:7, 53:16, 57:18, 57:19, 65:10, 85:12, 86:15, 86:19, 87:12, 88:11, 89:4, 90:14, 92:19,</p> | <p>93:15, 95:9</p> <p><b>type</b> [2] - 13:6, 29:18</p> <p><b>types</b> [1] - 50:9</p> <p><b>typically</b> [6] - 9:1, 19:5, 19:12, 60:11, 79:4, 97:6</p> | <p><b>van</b> [4] - 36:8, 37:3, 64:12</p> <p><b>VAN</b> [1] - 36:9</p> <p><b>varieties</b> [1] - 95:4</p> <p><b>various</b> [1] - 25:1</p> <p><b>vegetables</b> [1] - 53:13</p> <p><b>Veggie</b> [5] - 2:2, 2:2, 11:7, 11:8, 11:20</p> <p><b>vehicles</b> [10] - 63:17, 65:7, 65:14, 65:18, 65:21, 67:8, 67:9, 68:8, 74:6, 74:7</p> <p><b>venerable</b> [1] - 32:3</p> <p><b>venture</b> [2] - 11:4, 94:7</p> <p><b>venturing</b> [1] - 92:4</p> <p><b>venues</b> [1] - 19:3</p> <p><b>verification</b> [1] - 61:6</p> <p><b>version</b> [1] - 61:13</p> <p><b>vibrancy</b> [1] - 114:8</p> <p><b>vice</b> [1] - 69:13</p> <p><b>Victor</b> [1] - 114:4</p> <p><b>Victor-y</b> [1] - 114:4</p> <p><b>virtual</b> [9] - 37:12, 37:16, 42:2, 42:20, 46:1, 76:1, 98:19, 104:10, 105:17</p> <p><b>viewing</b> [1] - 26:8</p> <p><b>violate</b> [1] - 31:1</p> <p><b>violations</b> [1] - 50:9</p> <p><b>visiting</b> [1] - 32:18</p> <p><b>visits</b> [1] - 38:6</p> <p><b>volume</b> [3] - 119:13, 119:15, 120:6</p> <p><b>volumes</b> [1] - 111:6</p> <p><b>vote</b> [2] - 36:20, 38:18</p> |
| <p><b>T</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                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          | <p><b>W</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>table</b> [1] - 58:6</p> <p><b>tables</b> [2] - 14:7, 20:11</p> <p><b>tailor</b> [1] - 111:15</p> <p><b>takeout</b> [2] - 32:16, 44:14</p> <p><b>Tareq</b> [1] - 75:21</p> <p><b>Tavern</b> [2] - 2:6, 3:17</p> <p><b>team</b> [3] - 25:20, 27:13, 35:12</p> <p><b>Team</b> [1] - 51:14</p> <p><b>ten</b> [4] - 43:5, 43:7, 72:18, 84:4</p> <p><b>terms</b> [6] - 6:21, 20:4, 32:9, 67:2, 72:8, 111:4</p> <p><b>testimony</b> [2] - 97:5, 121:8</p> <p><b>THE</b> [7] - 1:16, 119:18, 121:18, 121:19, 121:19</p> <p><b>theatre</b> [3] - 66:13, 66:20, 68:16</p> <p><b>themselves</b> [1] - 36:16</p> <p><b>therefor</b> [2] - 119:14, 120:5</p> <p><b>thereof</b> [1] - 119:6</p> <p><b>they've</b> [5] - 33:4, 36:18, 43:3, 55:21, 73:6</p> <p><b>they...</b> [1] - 107:2</p> <p><b>thin</b> [1] - 101:7</p> <p><b>thinking</b> [6] - 29:21, 57:3, 57:4, 84:17, 95:3, 112:1</p> <p><b>thinness</b> [2] - 31:4, 35:8</p> <p><b>third</b> [2] - 3:15, 42:12</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                          | <p><b>wait</b> [3] - 4:5, 50:4, 103:11</p> <p><b>waitress</b> [1] - 88:20</p> <p><b>walk</b> [4] - 85:8, 85:10, 102:4, 109:1</p> <p><b>walk-by</b> [1] - 102:4</p> <p><b>walk-ins</b> [2] - 85:8, 85:10</p> <p><b>wall</b> [1] - 20:16</p> <p><b>Wall</b> [1] - 30:19</p> <p><b>watch</b> [1] - 23:21</p> <p><b>water</b> [1] - 55:19</p> <p><b>waters</b> [1] - 92:5</p> <p><b>Watertown</b> [7] - 67:11, 67:17, 67:18, 69:20, 70:2, 71:16, 72:3</p> <p><b>ways</b> [3] - 17:16, 25:9, 31:13</p> <p><b>website</b> [1] - 85:13</p> <p><b>Wednesday</b> [3] -</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| <p>112:4, 112:16,<br/>114:20</p> <p><b>week</b> <sup>[9]</sup> - 9:1, 42:8,<br/>47:18, 74:1, 99:4,<br/>105:20, 105:21,<br/>111:13, 112:7</p> <p><b>weekends</b> <sup>[2]</sup> -<br/>110:19, 112:8</p> <p><b>weeks</b> <sup>[2]</sup> - 78:1, 83:2</p> <p><b>welcome</b> <sup>[2]</sup> - 41:12,<br/>105:2</p> <p><b>well-being</b> <sup>[1]</sup> - 28:2</p> <p><b>well-defined</b> <sup>[1]</sup> -<br/>32:10</p> <p><b>WHEN</b> <sup>[1]</sup> - 119:19</p> <p><b>WHEREOF</b> <sup>[1]</sup> -<br/>121:11</p> <p><b>whichever</b> <sup>[1]</sup> - 85:15</p> <p><b>whole</b> <sup>[2]</sup> - 91:13,<br/>100:8</p> <p><b>widest</b> <sup>[1]</sup> - 111:3</p> <p><b>wife</b> <sup>[2]</sup> - 103:1, 103:4</p> <p><b>wife's</b> <sup>[1]</sup> - 86:17</p> <p><b>willing</b> <sup>[1]</sup> - 34:12</p> <p><b>wine</b> <sup>[26]</sup> - 11:9, 12:4,<br/>12:7, 12:10, 13:2,<br/>14:12, 14:20, 15:18,<br/>17:4, 18:15, 19:11,<br/>19:15, 22:19, 23:2,<br/>37:10, 37:16, 40:8,<br/>40:21, 49:6, 76:12,<br/>77:13, 79:9, 79:13,<br/>81:20, 94:20, 95:3</p> <p><b>wish</b> <sup>[3]</sup> - 31:19,<br/>32:15, 91:7</p> <p><b>WITH</b> <sup>[1]</sup> - 119:18</p> <p><b>withdrawal</b> <sup>[1]</sup> - 63:5</p> <p><b>withdrawn</b> <sup>[2]</sup> -<br/>55:14, 55:17</p> <p><b>WITNESS</b> <sup>[1]</sup> - 121:11</p> <p><b>wondering</b> <sup>[2]</sup> - 40:4,<br/>111:11</p> <p><b>words</b> <sup>[1]</sup> - 102:16</p> <p><b>workers</b> <sup>[4]</sup> - 18:5,<br/>26:3, 29:2, 29:3</p> <p><b>workforce</b> <sup>[2]</sup> - 28:14,<br/>32:9</p> <p><b>Works</b> <sup>[3]</sup> - 12:15,<br/>13:11, 13:21</p> <p><b>works</b> <sup>[3]</sup> - 13:13,<br/>44:17, 47:20</p> <p><b>Works'</b> <sup>[1]</sup> - 15:1</p> <p><b>worried</b> <sup>[1]</sup> - 31:3</p> <p><b>worry</b> <sup>[1]</sup> - 109:3</p> <p><b>wrote</b> <sup>[1]</sup> - 68:18</p> <p><b>www.reportersinc.<br/>com</b> <sup>[1]</sup> - 1:17</p> | <p><b>Y</b></p> <p><b>Yaghmour</b> <sup>[1]</sup> - 75:21</p> <p><b>yards</b> <sup>[1]</sup> - 109:11</p> <p><b>year</b> <sup>[11]</sup> - 12:3, 12:4,<br/>12:11, 12:13, 12:20,<br/>13:17, 14:9, 50:13,<br/>50:17, 65:11</p> <p><b>years</b> <sup>[18]</sup> - 7:9, 7:10,<br/>7:13, 16:20, 17:5,<br/>18:17, 26:1, 31:21,<br/>43:4, 65:10, 69:11,<br/>88:6, 88:12, 88:14,<br/>89:4, 91:20, 107:7</p> <p><b>young</b> <sup>[1]</sup> - 106:13</p> <p><b>younger</b> <sup>[1]</sup> - 5:21</p> <p><b>yourself</b> <sup>[1]</sup> - 24:15</p> <p><b>Z</b></p> <p><b>Zelinski</b> <sup>[2]</sup> - 121:4,<br/>121:13</p> <p><b>Zoning</b> <sup>[2]</sup> - 46:6,<br/>46:10</p> |
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