

# **Transcript of Hearing**

Date: November 13, 2017 Case: St. Charles Liquor Commission Hearing

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WORLDWIDE COURT REPORTING | INTERPRETATION | TRIAL SERVICES

1 BEFORE THE LIQUOR CONTROL COMMISSION 2 OF THE CITY OF ST. CHARLES 3 4 -----X 5 In Re: : 6 Special Meeting Regarding : 7 Shangri-La Massage & Spa. : 8 -----x 9 10 11 HEARING St. Charles, Illinois 60174 12 Monday, November 13, 2017 13 14 4:30 p.m. 15 16 17 18 19 20 Job No.: 164195 21 22 Pages: 1 - 89 23 Reported by: Melanie L. Humphrey-Sonntag, 24 CSR, RDR, CRR, CRC, FAPR

1	HEARING, held at the location of:
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4	ST. CHARLES CITY HALL
5	2 East Main Street
6	St. Charles, Illinois 60174
7	(630) 377-4400
8	
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11	
12	
13	Before Melanie L. Humphrey-Sonntag, a Certified
14	Shorthand Reporter, Registered Diplomate Reporter,
15	Certified Realtime Reporter, and a Notary Public
16	in and for the State of Illinois.
17	
18	
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24	

1	PRESENT:
2	MAYOR RAYMOND ROGINA, Chairman
3	CLIFFORD CARRIGNAN, Member
4	ROBERT GEHM, Member
5	RON SILKAITIS, Member
6	LORA VITEK, Member
7	
8	ALSO PRESENT:
9	JOHN MC GUIRK, Counsel for the Mayor
10	and City
11	TIMOTHY D. O'NEIL, Counsel for Complainant
12	and Chief Keegan
13	RICHARD J. MILLER, Counsel for Licensee
14	TRACEY CONTI, Clerk
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1	PROCEEDINGS
2	MAYOR ROGINA: Good afternoon, everyone.
3	I want to call the special Liquor Control
4	Commission meeting for Monday, November 13th,
5	2017, to order.
6	And, Tracey, would you please call the
7	roll.
8	CLERK CONTI: Silkaitis.
9	MEMBER SILKAITIS: Here.
10	CLERK CONTI: Carrignan.
11	MEMBER CARRIGNAN: Here.
12	CLERK CONTI: Vitek.
13	MEMBER VITEK: Here.
14	CLERK CONTI: Gehm.
15	MEMBER GEHM: Here.
16	MAYOR ROGINA: Thank you.
17	First of all, taking care of some
18	business, housekeeping, a motion to accept and
19	approve the minutes of the October 16th, 2017,
20	Liquor Control Commission meeting.
21	May I have a motion to approve these.
22	MEMBER GEHM: So moved.
23	MAYOR ROGINA: Moved by Gehm.
24	MEMBER SILKAITIS: Second.

1	MAYOR ROGINA: Seconded by Silkaitis.
2	Any further conversation on that?
3	(No response.)
4	MAYOR ROGINA: All in favor signify by
5	saying aye.
6	(Ayes heard.)
7	MAYOR ROGINA: Opposed?
8	(No response.)
9	MAYOR ROGINA: Motion carried.
10	Good afternoon. This is a hearing before
11	the local Liquor Commissioner and the members of
12	the St. Charles Liquor Commission in the matter of
13	the massage establishment licensee Shangri-La
14	Massage & Spa, 2015 Dean Street, Suite 7A, in the
15	city of St. Charles.
16	I'm Raymond Rogina, the Mayor and the
17	Liquor Commissioner, who oversees the Liquor,
18	Tobacco, and Massage Commissions.
19	I am joined by members of the Liquor
20	Commission, Alderman Ron Silkaitis, Alderman Lora
21	Vitek, Mr. Robert Gehm, and Mr. Clifford
22	Carrignan.
23	Representing the Mayor is Mr. John
24	McGuirk.

1	Representing the police chief and
2	complainant in this matter, James Keegan,
3	Mr. Timothy O'Neil.
4	Representing the licensee, Mr. Richard
5	Miller.
6	Now, prior to calling witnesses, I will
7	ask if any lawyer would like to make an opening
8	statement, and, after both sides have presented
9	their cases, I will ask for closing arguments.
10	The complaint was read to the licensee on
11	October 16, 2017. The Petitioner, James Keegan,
12	alleges that the following sections of the
13	St. Charles Massage Establishment Code were
14	violated by the licensee, by and through its
15	employees, officers, or agents, on or about
16	January 11th, 2017, at approximately 7:41 p.m.
17	Those sections are 5.20.130(G),
18	Section 5.20.130(H), Section 5.20.180(B)(10),
19	Section 5.10.110(A), Section 5.20.130(E), and
20	Section 5.20.130(F).
21	Further, on January 17th, 2017, at
22	approximately 9:35 p.m., it is alleged and I've
23	been corrected on that; maybe it's 9:35 a.m
24	the licensee, by and through its agents,

1	
1	employees, or officers, violated Section 5.20.110(A)
2	of the Massage Establishment Code.
3	Now, on October 16th, 2017, the licensee,
4	through its attorney, denied each of these
5	charges.
6	Now, before we begin, are there any
7	matters we can take care of, either Petitioner or
8	respondent?
9	Mr. O'Neil.
10	MR. O'NEIL: Good afternoon, your Honor.
11	No, I have we're I'm ready to begin.
12	MAYOR ROGINA: Okay.
13	Mr. Miller, anything we can take care of
14	before
15	MR. MILLER: Good afternoon.
16	For ease, because my client is a little
17	bit challenged in English as a second language,
18	we'll have a translator, so we can swear her in,
19	as well.
20	MAYOR ROGINA: No objection there?
21	MR. O'NEIL: No objection.
22	MAYOR ROGINA: That will be fine, sir.
23	All right. Mr. O'Neil, do you wish to
24	make an opening statement?

1	MR. O'NEIL: Briefly.
2	The City will call two police officers who
3	will testify as to their activities on
4	January 11th, 2017, at Shangri-La at 2015 Dean
5	Street.
6	Special Agent Michael Young of the
7	Illinois State Police went into the facility with
8	officially advanced funds; in other words, known
9	as OAF. Those are bills. The serial numbers on
10	the bills are marked and handed to an agent when
11	they go in to conduct an operation.
12	At that time he will go through some
13	detail and some graphic detail about what occurred
14	in there. As he walked in, there was no one at
15	the front desk. As he stood there, a woman by the
16	name of Hongbo Cui, C-u-i, came out and a
17	conversation began. She was just wearing a long
18	sweater, no shoes.
19	She told him to come back to Room No. 10.
20	He wanted a massage. He gave her \$60. The charge
21	for a massage was \$45. She directed him to Room
22	No. 10, told him to get into a white robe which
23	was hanging from the wall. She came back with the
24	\$15 in change.

1	She told him to go shower. He took a
2	shower for some time. At some point he came out
3	and they began with the massage. Various
4	conversations took place between Special Agent
5	Young and Ms. Cui. Ms. Cui is an employee of
6	Shangri-La. At no time did Special Agent Young
7	see any other persons on the premises that
8	evening.
9	At some point and this will came out in
10	graphic detail the employee of the massage spa
11	asked if he wanted something else. And they began
12	talking about various sex acts, and it came down
13	to ultimately negotiating for sex, being
14	fornication, for \$125.
15	At that point the employee of the
16	establishment removed her clothes and sat on top
17	of Officer Young, who was completely naked. The
18	rules say that all genitalia are to be covered
19	with towels, et cetera, and there's strict
20	liability wording in the ordinance.
21	She began to massage his thighs up through
22	his pelvic area, put her knee on his pelvic area.
23	She asked him if he had a condom. He said, "No.
24	Do you have a condom?"

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1	She want to a pair of shorts on a chair
2	that was in the corner of Room No. 10 that had not
3	been there when the special agent walked in. From
4	the pocket of the shorts she pulled out a condom,
5	removed it from its wrapper, and began to try to
6	insert it on his penis.
7	At that time he said I'm summarizing;
8	this was a lot more detail he said, "I feel
9	guilty; I'm married."
10	She asked him if he wanted a blow job,
11	various other things. Ultimately, the special
12	agent said, "Well, no. I just want to see you
13	pleasure yourself," where she stripped down and
14	got on the table and began masturbating. She
15	asked him if he wanted to jerk off on the table.
16	He said no. He said, "My time's up. I've got to
17	go." Again, I'm going over a lot of details.
18	He left. The other agents that were
19	outside came in and found the \$60 officially
20	advanced funds that the agent had brought in with
21	him in the cash register of the establishment
22	up front.
23	They found \$100 of the officially advanced
24	funds that the agent had brought in in Ms. Cui's

1	locker, along with her expired massage license,
2	credit cards, and other indicia of whose property
3	was in that locker.
4	Inspector Anyon will testify that she
5	entered into and spoke to the and I want to get
6	the names right straight; I'm going to get my
7	report.
8	She spoke to Lifa, L-i-f-a, Jiang,
9	J-i-a-n-g. Ms. Jiang said she had not been there.
10	She said that the manager had left at 5:30. Now,
11	this all took place a couple hours after that.
12	Various other conversations took place.
13	On January 17th of 2017, Inspector Anyon
14	went back out to the facility with Officer Jerry
14	went back out to the facility with Officer Jerry
14 15	went back out to the facility with Officer Jerry Schomer of the St. Charles Police Department to
14 15 16	went back out to the facility with Officer Jerry Schomer of the St. Charles Police Department to serve the establishment with a notice of
14 15 16 17	went back out to the facility with Officer Jerry Schomer of the St. Charles Police Department to serve the establishment with a notice of forfeiture that's a notice of preliminary
14 15 16 17 18	went back out to the facility with Officer Jerry Schomer of the St. Charles Police Department to serve the establishment with a notice of forfeiture that's a notice of preliminary hearing on the \$501 of United States currency
14 15 16 17 18 19	went back out to the facility with Officer Jerry Schomer of the St. Charles Police Department to serve the establishment with a notice of forfeiture that's a notice of preliminary hearing on the \$501 of United States currency that was also found in the cash register. And on
14 15 16 17 18 19 20	went back out to the facility with Officer Jerry Schomer of the St. Charles Police Department to serve the establishment with a notice of forfeiture that's a notice of preliminary hearing on the \$501 of United States currency that was also found in the cash register. And on that date when she answered, there was only one
14 15 16 17 18 19 20 21	went back out to the facility with Officer Jerry Schomer of the St. Charles Police Department to serve the establishment with a notice of forfeiture that's a notice of preliminary hearing on the \$501 of United States currency that was also found in the cash register. And on that date when she answered, there was only one person on in the facility and the manager was
14 15 16 17 18 19 20 21 22	went back out to the facility with Officer Jerry Schomer of the St. Charles Police Department to serve the establishment with a notice of forfeiture that's a notice of preliminary hearing on the \$501 of United States currency that was also found in the cash register. And on that date when she answered, there was only one person on in the facility and the manager was not there or a manager was not there.

1	Thank you.
2	MAYOR ROGINA: Thank you very much.
3	Response, Mr. Miller?
4	MR. MILLER: Good afternoon.
5	What the evidence is really going to show
6	is that my client is a little bit challenged as it
7	relates to the English language. She speaks
8	Mandarin Chinese; hence, the translator.
9	And subsequent, the my client was there
10	both on the 11th and the 17th. What the evidence
11	is going to show is that she was on the premises
12	the whole time.
13	On the 11th she was actually in a separate
14	room playing her son had a table tennis
15	tournament, which is in a separate room on
16	facility grounds.
17	So when someone asked her if she's
18	actually working, she misinterprets that as
19	actually working on a client. She was there on
20	the premises on the 11th and, pursuant to the
21	report an hour and seven minutes later, she's
22	there, pursuant to the report. So she was on the
23	premises the whole time.
24	On the 17th she was actually working on a

1	client. So when the officer appeared or the
2	detective appeared said he wanted to talk to
3	her, she instructed the front-of-store personnel
4	to she's not to be interrupted. So she was
5	there, also, on the 17th.
6	As it relates to the actual acts of
7	prostitution, my client promptly terminated her.
8	They have policies and procedures and an
9	employment agreement that says once if they're
10	ever alleged prostitution, that they'll be
11	terminated, rightly, and they will be responsible
12	for any monetary damages, subsequent
13	indemnification, et cetera.
14	So we hope the Commission will hear the
15	evidence and judge it fairly.
16	Thank you.
17	MAYOR ROGINA: Thank you, Mr. Miller.
18	Now, if I could ask both attorneys to make
19	sure that you instruct your witnesses on this
20	particularly in this case with the interpreter
21	I'm going to ask all witnesses who are going to
22	testify today if you would stand, and I will
23	administer the oath one time, and then we'll go
24	from there. All right?

1	Just raise your right hand.
2	(Five witnesses duly sworn.)
3	MAYOR ROGINA: All right. Thank you.
4	With that, Mr. O'Neil, you may call your
5	first witness.
6	MR. O'NEIL: I would call Lifa Jiang as
7	our first witness.
8	MR. MILLER: Lifa, come here.
9	MAYOR ROGINA: Ms. Jiang.
10	MR. MILLER: Come sit here.
11	THE INTERPRETER: Can I use my phone in
12	case I don't know how to translate?
13	MAYOR ROGINA: Absolutely.
14	MR. MILLER: Lifa, why don't you sit right
15	here.
16	And why don't you stand right here and
17	listen.
18	MAYOR ROGINA: Mr. O'Neil, you're pretty
19	good with your projection. How about if we make
20	sure we get that microphone so that everybody can
21	hear everyone.
22	MR. O'NEIL: I just need a place to
23	balance my notes.
24	MAYOR ROGINA: I know. Thank you.

16

1	All right. Proceed.
2	MR. O'NEIL: Thank you.
3	(Testimony taken through a Mandarin Chinese
4	interpreter.)
5	LIFA JIANG,
6	after having been duly sworn/affirmed, through the
7	interpreter testified as follows:
8	DIRECT EXAMINATION BY COUNSEL FOR THE CLAIMANT
9	BY MR. O'NEIL:
10	Q Ma'am, would you state your name for the
11	Commission, please.
12	THE WITNESS (in English): My name's
13	MAYOR ROGINA: You've got to repeat it out
14	loud.
15	THE COURT REPORTER: And through the
16	interpreter, please. Just give all your answers
17	to the interpreter and the interpreter can answer.
18	A My name is Lifa Jiang.
19	Q And, ma'am, how old are you?
20	A 41 years old.
21	Q And where do you reside?
22	A Aurora.
23	Q Do you have a business interest in the
24	Shangri-La Massage & Spa?

1	A Yes.
2	Q What is that business interest? Are you
3	an owner?
4	A Owner and manager.
5	Q Do you own
6	MAYOR ROGINA: Can you hear?
7	MEMBER GEHM: Yes.
8	Q Do you own the Shangri-La business all by
9	yourself, or are there other owners?
10	THE INTERPRETER: They are the family
11	business, her and her husband.
12	Q And what is your husband's name?
13	A Ming Ng. Ming Ng; N-g, last name.
14	MR. MILLER: Can you speak up?
15	THE INTERPRETER: Oh, me up?
16	A (Continuing.) Ming Ng; N-g, last name.
17	Ming, M-i-n-g. Last name, N-g.
18	Q Okay. And when you applied for your
19	massage license, did you disclose that your
20	husband was also an owner?
21	A Yes.
22	Q All right. I'm going to show you
23	I only have one copy. I'm going to mark it as
24	City or Chief's Exhibit 5.

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1
            (Chief's Exhibit 5 marked for
2
    identification.)
3
            THE INTERPRETER: So you asked if her
4
    husband -- I'm sorry. I just want to make sure
5
     I translate it right.
6
            MR. O'NEIL: Okay. That's a very
7
     important question.
            THE INTERPRETER: Yeah. So --
8
    BY MR. O'NEIL:
9
           When you applied for your massage therapy
10
         0
    license in the city of St. Charles, did you
11
12
    disclose your husband as an owner?
13
            That's a simple yes-or-no question, ma'am.
14
            THE INTERPRETER: The building is --
15
    belong to her family. The business is her,
16
    under her.
17
           So your husband does not own any portion
        0
18
    of the Shangri-La Massage & Spa?
19
            THE INTERPRETER: Let me just get this
20
    clear.
            Are you talking about -- I'm sorry.
21
22
            Are you talking about ownership or the
23
    management of the business?
24
           MR. O'NEIL: The ownership of the
```

1	business, not of the property.
2	THE INTERPRETER: Let me translate, see if
3	it makes sense.
4	She's saying the property, the building,
5	is the family's and the Shangri-La's business is
6	under her name.
7	MR. O'NEIL: Okay.
8	BY MR. O'NEIL:
9	Q Does your husband have any ownership
10	interest in Shangri-La Massage & Spa?
11	MR. MILLER: Objection; asked and
12	answered. She already said that she is the sole
13	member of the LLC.
14	MR. O'NEIL: She never said that.
15	MR. MILLER: Well, I believe that's what
16	she said.
17	MAYOR ROGINA: Were any of the
18	Commissioners doubting the fact that I heard
19	from the translator the husband and her own the
20	building, the Shangri-La business itself is owned
21	by the witness.
22	Did everybody hear that?
23	MEMBER GEHM: Yes.
24	MAYOR ROGINA: Objection's sustained.

1	MEMBER SILKAITIS: Kind of. Not really.
2	I never heard her specifically saying that she's
3	the sole owner.
4	Is she the sole owner of the business?
5	MAYOR ROGINA: All right. Then this is
6	informal. This is a hearing. You may ask her, to
7	the witness.
8	MEMBER SILKAITIS: Is she the sole owner
9	of Shangri-La, the business?
10	THE INTERPRETER: The business
11	MEMBER SILKAITIS: Not the building. Is
12	she the sole owner?
13	MAYOR ROGINA: See, there's some doubt
14	here. We're not getting a clear answer here.
15	THE INTERPRETER: She's a little bit
16	confused, and I am a little confused, too.
17	MR. MILLER: Counsel, if you have the
18	articles of organization, we'll stipulate to that.
19	MR. O'NEIL: I don't. That's what I'm
20	trying to find out.
21	All right. I'm going to move on.
22	MAYOR ROGINA: All right.
23	BY MR. O'NEIL:
24	Q Now, on January 11th excuse me.

1	January 11th of this year, at approximately
2	7:41 in the evening, were you on the premises at
3	2015 Dean Street?
4	THE INTERPRETER: 7 what time did
5	you say?
6	MR. O'NEIL: 7:41 in the evening.
7	THE INTERPRETER: She said she's at that
8	building but she's at a different business
9	activity
10	MAYOR ROGINA: Okay.
11	THE INTERPRETER: working
12	responsibility.
13	BY MR. O'NEIL:
14	Q You weren't conducting any business of the
15	massage spa at that time?
16	THE INTERPRETER: She she's saying the
17	Shangri-La has massage and also the table tennis
18	part
19	Q Okay.
20	THE INTERPRETER: includes both of
21	both
22	MAYOR ROGINA: Was she present was she
23	present in the table tennis area?
24	THE INTERPRETER: That's what she's

1 saying, she's doing that part of it. 2 MAYOR ROGINA: All right. BY MR. O'NETL: 3 4 You were supervising the table tennis part Q 5 of the -- that was going on in the premises; is 6 that correct? 7 Α Yes. 8 Q Okay. 9 MAYOR ROGINA: That's clear. 10 0 Did you have a conversation with Inspector 11 Anyon approximately an hour later? 12 А Inspector? Police? Inspector Anyon, A-n-y-o-n. 13 Q What is the -- Anyon? 14 А 15 0 Let me withdraw the question. 16 MR. O'NEIL: Inspector Anyon, will you 17 step up here for a second? MAYOR ROGINA: Counsel, are we talking 18 about the events as it -- as they occurred on the 19 20 evening of the 17th? 21 MR. O'NEIL: Yes -- no. The evening of 22 January 11th, 2017, yes. 23 Step up here. /// 24

BY MR. O'NEIL:
Q On the night of January 11th when you were
supervising the table tennis, did you have a
conversation with this young woman?
THE WITNESS (in English): Yes, sir.
Yes, sir.
Q And you recognize she's a police officer?
THE WITNESS (in English): Yes
THE COURT REPORTER: I need her to speak
through the interpreter, please.
THE INTERPRETER: She said yes.
Q Did you advise Inspector Anyon that
Ming Ng M-i-n-g; last name, N-g is the
manager of the business and left there at 5:30 in
the evening?
THE INTERPRETER: So she she calls
everybody up front manager. And her husband was
there that day. She calls and there is another
front desk. She calls her manager, as well. It
wasn't meaning that they are the manager of the
Shangri-La, but she calls them manager.
Q Okay. My question is, did you tell
Inspector Anyon that your husband was the manager
and left that day at 5:30 in the evening?

THE INTERPRETER: She did tell her that 1 2 her husband left. 3 Okay. Thanks. 0 4 All right. Now, the next day, did you 5 meet with Sergeant Lamela from the St. Charles 6 Police Department? 7 Miller? I'm sorry. Α 8 Lamela, L-a-m-e-l-a. 0 THE INTERPRETER: She doesn't remember. 9 She doesn't remember who. 10 All right. The next day did you make a 11 0 12 telephone call to the St. Charles Police Department and speak with Sergeant Lamela? 13 THE INTERPRETER: Yes, she did. 14 15 So you called Sergeant Lamela? 0 16 Did he ask you if you were aware of what 17 had happened the night before? THE INTERPRETER: She said she knows. 18 She was there. 19 20 Okay. Did you tell Sergeant Lamela that Q 21 you were not working at the time of the incident? 22 THE INTERPRETER: She says she meant she 23 was not at the front desk, but that doesn't mean 24 she wasn't in the premises, in the building.

Г

1	Q Did you tell Sergeant Lamela that you were
2	called and informed of what occurred and responded
3	out to Shangri-La?
4	THE INTERPRETER: I'm sorry.
5	Q Did you tell Sergeant Lamela the
6	following: That you were called by someone,
7	informed of what occurred, and responded to
8	Shangri-La?
9	THE INTERPRETER: Called by
10	MR. O'NEIL: I'll take it one at a time.
11	THE WITNESS: Okay.
12	Q You called Sergeant Lamela; correct?
13	A Yes.
14	MR. MILLER: Objection. You're leading
15	the witness.
16	MR. O'NEIL: This is cross-examination of
17	an adverse witness, Counsel.
18	MR. MILLER: This isn't cross-examination.
19	You called her as a witness in your case in chief.
20	MR. O'NEIL: It's an adverse witness.
21	MR. MILLER: You didn't call her as an
22	adverse witness
23	MAYOR ROGINA: I'm going to try my best to
24	avoid the idiosyncrasies of leading and so on.

1 I'm hoping we can get through it in a collegial 2 fashion. 3 But let's ask the questions and let's see 4 if we can get the answers clearly. 5 BY MR. O'NEIL: 6 Did somebody call you and inform you what 0 7 had occurred between the Illinois State Police 8 agent and Hongbo Cui the night before? Did 9 somebody call you and tell you that? THE INTERPRETER: She said there is --10 11 several days later there's someone tell -- told 12 her. Q Okay. Do you -- were you represented by 13 14 an attorney by the name of James Hyun, H-y-u-n? 15 THE INTERPRETER: James Hyun? MR. O'NEIL: H-y-u-n. 16 17 Yes. А 18 Were you present here in front of this Q Commission on February 6th, 2017? 19 20 THE INTERPRETER: February 6th, 2017? 21 MR. O'NEIL: February 6th, 2017. 22 Yes. А 23 0 Do you recall -- and Mr. Hyun was your 24 attorney?

1	THE INTERPRETER: She said, yes, Hyun is
2	the attorney.
3	Q Do you recall him addressing this body on
4	that evening?
5	THE INTERPRETER: She said she remembered
6	but she didn't understand.
7	Q Okay. Do you understand when you speak
8	to Mr. Hyun, do you understand what he says?
9	A No. There was no translator.
10	THE INTERPRETER: So she doesn't
11	understand.
12	Q Do you recall him saying that you were not
13	at the business establishment that night, that you
14	were at home and had a personal commitment with
15	your son?
16	Do you remember your attorney saying that
17	to this body right here?
18	THE INTERPRETER: She says she never said
19	that.
20	MR. O'NEIL: No, I'm not asking if she
21	said that.
22	Q Do you recall your attorney saying that to
23	this Board?
24	MR. MILLER: I'm going to object to that

1	question. She already said she didn't understand
2	what her attorney was saying.
3	MR. O'NEIL: Well, she can answer it that
4	way.
5	MAYOR ROGINA: I think the point's been
6	made. You can move on, Counsel.
7	MR. O'NEIL: Okay.
8	THE INTERPRETER: Do I translate anything
9	or
10	MAYOR ROGINA: He'll ask another question.
11	BY MR. O'NEIL:
12	Q Finally, ma'am, on May 26th, 2015
13	THE INTERPRETER: '15?
14	MR. O'NEIL: '15.
15	Q were you charged with prostitution by
16	the Geneva Police Department?
17	MR. MILLER: Objection. She was never
18	charged with prostitution. You're misleading,
19	misstating. The witness
20	MAYOR ROGINA: I'm going to sustain the
21	objection.
22	BY MR. O'NEIL:
23	Q Did you complete a pretrial diversion
24	program through the Kane County State's Attorney

1 office for that charge? 2 THE INTERPRETER: I -- did -- did --3 I'm sorry. 4 Did you complete a diversion program Q 5 through the Kane County State's Attorney's office? 6 THE INTERPRETER: "Diversion program"? 7 I have to look up that word. 8 Sorry. 9 What did you say? "Diversion"? MR. O'NEIL: "Diversion," d-i-v-e-r-s-i-o-n. 10 Q Let me ask --11 12 MAYOR ROGINA: I think, based upon the question -- I think it's simple to ask her did she 13 complete a program sponsored by Kane County. 14 15 Back then. Start with that. She either did or she didn't so --16 17 THE INTERPRETER: She doesn't know. She doesn't remember. 18 MAYOR ROGINA: She doesn't remember going 19 20 to a program -- I want to make this clear. 21 Counsel, I think, asked a clear question. 22 She does not remember attending a program 23 sponsored by the County? 24 THE INTERPRETER: Kane County; right?

1	MAYOR ROGINA: I think the answer
2	I think the Commissioners understand. She's
3	you don't understand that?
4	THE WITNESS (in English): I don't
5	understand.
6	MAYOR ROGINA: All right. Let's proceed.
7	MR. O'NEIL: That's all the questions
8	I have of this witness, your Honor.
9	MAYOR ROGINA: Mr. Miller, do you have
10	some questions for the witness?
11	MR. MILLER: Yeah, I just have a couple
12	follow-up questions.
13	Thank you.
14	CROSS-EXAMINATION BY COUNSEL FOR THE LICENSEE
15	BY MR. MILLER:
16	Q Ms. Jiang, it's your testimony today that
17	you were actually on the premises on January 11th,
18	pursuant to the alleged prostitution charge; is
19	that correct?
20	THE INTERPRETER: Yes. She says, yeah,
21	she's in that building.
22	Q Okay. And you testified today that you
23	were actually in a table tennis tournament;
24	correct?

1	A Yeah.
2	THE INTERPRETER: She was watching the
3	kids.
4	Q And the table tennis tournament or the
5	table tennis itself was actually in the same
6	building that the Shangri-La Spa is; correct?
7	A Yes. It's next door to the Shangri-La
8	there's a door.
9	Q So it's in the same building; correct?
10	A It's in the same building.
11	THE WITNESS (in English): Yes. Same
12	building.
13	Q And on January 12th, when the detective
14	came to speak with you, were you on the premises,
15	as well?
16	THE INTERPRETER: January 12th?
17	MR. MILLER: The next day, January 12th.
18	THE INTERPRETER: Yes, she said.
19	Q And on the 12th, when the police officer
20	came to speak with you, do you recall where you
21	were actually?
22	THE INTERPRETER: She was working with a
23	client.
24	She was working with a client and she says

1	she will contact the police after she's she
2	was
3	Q Is it fair to say that, if you're actually
4	working on a client, that you've instructed the
5	front office personnel not to bother you?
6	A Yes.
7	THE INTERPRETER: She has instructed the
8	front desk.
9	Q And on January 17th, when the police
10	allegedly visited the establishment and asked for
11	you, do you recall where you were on that day?
12	THE INTERPRETER: 17th?
13	Q Were you working on a client?
14	THE INTERPRETER: She says she's working
15	on a client.
16	Q Okay. Is it fair to say that when someone
17	asks you if you're actually working, that you
18	connotate that statement or question with actually
19	working on a client as opposed to being in the
20	building?
21	A Yes.
22	THE INTERPRETER: That would be her
23	understanding.
24	Q And isn't it true in this matter that

1 you've pled guilty to no prostitution charges? Is 2 that correct? 3 THE INTERPRETER: She says she didn't 4 understand what they were saying. 5 MR. MILLER: Okay. No more questions. 6 MAYOR ROGINA: Can I -- Counsel, I want to 7 get clarity on that last question that you asked. 8 Repeat that last question you asked her. 9 MR. MILLER: Well, I should say --MAYOR ROGINA: You can --10 MR. MILLER: I think she said she didn't 11 12 understand the question. So subsequent if she, in fact, pled 13 guilty -- which isn't the case -- I don't think 14 15 she has an understanding of being able to --16 MAYOR ROGINA: I'll sustain your objection 17 originally. 18 THE INTERPRETER: Can I interrupt a little bit? 19 20 MAYOR ROGINA: In a minute. 21 But, Counsel, maybe through you we can get 22 an answer. We didn't get an answer on the 23 diversion program. 24 And I'm just wondering if, through you --

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1	MR. MILLER: I don't think that's
2	dispositive in this matter, quite frankly, whether
3	she entered a diversion program or not. That's
4	not one of the charges being offered here
5	MAYOR ROGINA: I understand that.
6	MR. MILLER: to revoke the license.
7	MAYOR ROGINA: But on direct when counsel
8	asked the question, you didn't object to that, and
9	I thought to myself, "Well"
10	MR. MILLER: I didn't.
11	MAYOR ROGINA: "you're going to allow
12	that to come in," and then she as I recall, she
13	said she didn't understand the question about the
14	diversion program.
15	So I guess we'll leave that sit as is and
16	we'll move on.
17	MR. MILLER: Okay.
18	MAYOR ROGINA: Is that fair?
19	MEMBER SILKAITIS: May I ask a question?
20	MR. MILLER: That's fair.
21	MAYOR ROGINA: Yes.
22	MEMBER SILKAITIS: What was your question
23	to her? What was your question to her?
24	MR. MILLER: Did she plead guilty to

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1	any let me clarify solicitation charge.
2	MEMBER SILKAITIS: But your question was
3	prostitution charge.
4	MR. MILLER: Well, it's the same thing.
5	MEMBER SILKAITIS: Okay. So and she
6	did not answer the question; correct?
7	MAYOR ROGINA: She said she didn't
8	understand the question.
9	MEMBER SILKAITIS: She didn't understand
10	the question.
11	MAYOR ROGINA: All right.
12	MR. MILLER: I'll strike the question.
13	MAYOR ROGINA: All right, Counsel.
14	Thanks.
15	Redirect?
16	MR. O'NEIL: Just one.
17	MAYOR ROGINA: Please.
18	REDIRECT EXAMINATION BY COUNSEL FOR THE CLAIMANT
19	BY MR. O'NEIL:
20	Q Were you arrested on May 26th, 2015, for
21	solicitation of prostitution?
22	THE INTERPRETER: "Solicitation"?
23	May
24	MR. O'NEIL: May 26th, 2015.

1	MR. MILLER: I'm going to object to that
2	question. I'm not sure
3	THE INTERPRETER: She said she said
4	they they she did. They withdraw the charge
5	because she didn't do what they said she did.
6	MAYOR ROGINA: They withdrew the charge?
7	All right.
8	THE INTERPRETER: She didn't so they
9	withdraw the charge to her.
10	MAYOR ROGINA: All right.
11	MR. O'NEIL: Nothing further.
12	MAYOR ROGINA: Anything else for her, this
13	witness?
14	MR. MILLER: No further questions.
15	MAYOR ROGINA: You may step down.
16	Thank you.
17	THE INTERPRETER: Sorry if I did wrong.
18	MAYOR ROGINA: Call your next witness,
19	Mr. O'Neil.
20	MR. O'NEIL: I call Special Agent Mike
21	Young of the Illinois State Police.
22	MAYOR ROGINA: Mike Young?
23	MR. O'NEIL: Common spelling, Y-o-u-n-g.
24	MAYOR ROGINA: Very good.

1	Mr. Young?
2	THE WITNESS: Yes, sir.
3	MR. O'NEIL: Maybe we can get you a chair
4	without well
5	THE WITNESS: It's okay.
6	MEMBER GEHM: Is he
7	MAYOR ROGINA: Is he okay? Tight
8	quarters.
9	THE WITNESS: A little bit.
10	MICHAEL YOUNG,
11	having been duly sworn, testified as follows:
12	DIRECT EXAMINATION BY COUNSEL FOR THE CLAIMANT
13	BY MR. O'NEIL:
14	Q Sir, state your name for the record.
15	A Special Agent Michael Young, Y-o-u-n-g.
16	Q And, Mr. Young, obviously what is your
17	occupation?
18	A I'm a special agent with the Illinois
19	State Police, North Central Narcotics Task Force.
20	Q Okay. And how long have you been a sworn
21	peace officer for the state of Illinois?
22	A Approximately 8 1/2 years.
23	Q All right. And as a special agent, what
24	areas do you look into you said you're with the

1	North Central Narcotics Task Force, but you're not
2	confined to that task force; is that correct?
3	A No. We investigate narcotics
4	investigations; obviously, prostitution
5	investigations; felony charges, that sort of
6	thing. Misdemeanors.
7	Q Okay. And I want to draw your attention
8	to January 11th of 2017 in the evening. Do you
9	recall that evening?
10	A Yes.
11	Q And do you recall what your assignment was
12	that night?
13	A I was acting in an undercover capacity to
14	enter the Shangri-La Massage parlor and conduct an
15	investigation into a complaint of prostitution.
16	Q All right. And prior to going to that
17	location, what, if anything, did you do to prepare
18	yourself?
19	A I'm not sure I understand.
20	Q Okay. At some point you were going in to
21	investigate a complaint of prostitution.
22	Did you procure United States currency in
23	order to consummate a deal in the event one was
24	made?

1	A I did.
2	Q What did you do?
3	A I received officially advanced funds from
4	my supervisor, were signed over to me.
5	I photocopied those official advanced funds prior
6	to entering the establishment.
7	Q Why did you photocopy the official
8	advanced funds?
9	A To record the serial numbers and the
10	denominations.
11	Q And those serial numbers that you
12	photocopied, you then use them after a transaction
13	is made?
14	A Yes. They are recorded.
15	Q When you walked into the establishment at
16	2015 Dean Street, how were you dressed?
17	A In normal, everyday clothes. My exact
18	attire I don't recall exactly.
19	Q You weren't in a coat and tie with your
20	badge hanging on it?
21	A No, sir.
22	Q Okay. As you walked in the door, what did
23	you see?
24	A There was a front desk, which I do not

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1	recall anybody standing at. The lobby was empty.
2	Q And how did you just stand there? Did
3	you sit down? What did you do?
4	A I believe I stood at the counter and
5	waited. And a young lady came from the back and
6	spoke to me.
7	Q Okay. When a young lady came from the
8	back, can you tell the Board here, the Commission,
9	what she was wearing?
10	A She was wearing a long sweater-type dress
11	and no shoes.
12	MAYOR ROGINA: You said "no shoes"?
13	THE WITNESS: Correct.
14	Q And how far down her body would you say
15	the sweater went?
16	A I believe it was in the area of the knee,
17	but I couldn't I can't remember exactly the
18	length.
19	Q Did you have a conversation with her?
20	A Yes.
21	Q What did she say to you and what did you
22	say to her?
23	A I asked for a 30-minute massage, and she
24	said it would be \$45. I provided \$60 United

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1	States currency, official advanced funds, at which
2	point she said that she would have to get me
3	change.
4	Q Okay. And when she said she had to go get
5	change, what did you do?
6	A I asked her if she wanted me to follow her
7	and she said yes. She showed me to Room No. 10,
8	showed me where a white robe was, and said that
9	I could shower.
10	I removed my clothes, placed the white
11	robe on, and walked towards the shower. She had
12	mentioned that she had turned the shower on
13	for me.
14	Q When you say you removed your clothes, did
15	you remove all of your clothes?
16	A Yes, I did.
17	Q So when you went to the shower, all you
18	had on was a white robe?
19	A Correct.
20	Q How long did you stay in the shower?
21	A A couple minutes. I couldn't tell you
22	exactly.
23	Q After you got out of the shower, what did
24	you do?

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1	A I returned to Room No. 10.
2	Q Do you recall approximately what time it
3	was that you returned to Room No. 10?
4	A I believe it was 8:10. I'm not a hundred
5	percent sure, though.
6	Q All right. When you were back in the
7	room you went in by yourself?
8	A I believe so.
9	Q And at some point did the woman who met
10	you at the front desk before enter the room?
11	A Yes.
12	Q What did you do?
13	A I removed the white robe and laid on the
14	table, face down.
15	Q You removed the robe? And you had no
16	clothes on underneath?
17	A Correct.
18	Q Did she tell you to put the robe on or to
19	put a towel over any part of yourself?
20	A No.
21	Q Over did she cover any part of your
22	genitals?
23	A No.
24	Q Were you laying on your stomach or on your

1	back or on your side?
2	A On my stomach.
3	Q As you were laying on your stomach, what
4	did you experience?
5	A I believe she started to massage my lower
6	extremities, my legs.
7	Q Did she apply any sort of cream, oil, any
8	sort of lubricant?
9	A Yes. She applied oil.
10	Q And can you describe what exactly she was
11	massaging on your legs and what portion of your
12	lower extremities?
13	A My thighs up to about approximately my
14	buttocks.
15	Q Now, are there any markings on your body
16	that would draw her attention?
17	A Yes.
18	Q What do you have?
19	A I have numerous tattoos, tattoos on my
20	left leg from my hip to my foot, as well as from
21	my back on my back from approximately my
22	shoulder to just above my buttocks and as well as
23	my right arm.
24	Q Now, as she's massaging your legs up to

1	your buttocks, what was the lighting like in the
2	room?
3	A It was dim.
4	Q At any point were the lights turned down
5	further?
6	A Yes, they were.
7	Q What prompted the lights being turned
8	down?
9	A I believe it was when we had a
10	conversation about what else I wanted.
11	Q Okay.
12	A I didn't I said I didn't understand.
13	Again she asked me again, "What do you want?"
14	I said I didn't understand.
15	So she asked me to turn over to my back.
16	And
17	Q Let's let me ask a question prior to
18	you turning over.
19	As you're laying on your stomach getting a
20	massage, did you hear her do something or feel
21	something?
22	A I don't think I know I don't remember.
23	I'm sorry.
24	Q All right. Let me ask you this: At some

1	point did you look over at a lounge chair in the
2	corner of the room?
3	A Yes, I did.
4	Q When you had entered the room that
5	night when you had entered the room after
6	taking the shower, were there any articles of
7	clothing in that chair?
8	A No, there was not.
9	Q As she started asking "What else do you
10	want?" did you happen to see the chair?
11	A Yes. There was a pair of what appeared to
12	be women's jean shorts placed on the chair.
13	Q And when you say "jean shorts," are they
14	necessarily short-cut shorts?
15	A Yes.
16	Q So it's possible she could have had them
17	underneath the long sweater?
18	A Correct.
19	Q At some point during the massage she asked
20	you to turn over; is that correct?
21	A Yes.
22	Q What did she say as you turned over?
23	A I believe she asked me again what
24	I wanted.

1	Q As you turned over, were you still naked?
2	A Yes, I was.
3	Q So at this point your genitals were
4	exposed to her?
5	A Yes.
6	Q Did she continue the massage of your lower
7	body after you turned over?
8	A Yes. It was up on the front of my thighs.
9	Q Would you stand up and show the
10	Commissioners where she massaged your thighs and
11	to what point she went.
12	A It was up to approximately this area up
13	here.
14	Q So indicating, for the record, up almost
15	to the hips, over the thighs, up and around the
16	pelvic area?
17	A Yes.
18	Q Do you want to show counsel?
19	A (Indicating.)
20	Q At that point what did she say to you?
21	A I believe our conversation turned to
22	whether I wanted a hand job, I believe. I don't
23	recall exactly.
24	Q And do you recall what you asked her, what

1	the cost was?
2	A Yes. I believe she said it was a hundred
3	dollars and that she could take her clothes off,
4	at which point I said that I didn't agree with
5	that, it was too expensive.
6	She asked me how much it cost me the last
7	time I was within Shangri-La, and I said that it
8	was not offered to me. She asked why. At that
9	point I said I didn't know, and she speculated
10	that the last girl was scared.
11	So we had a conversation about the cost of
12	what the hand job would be. I said 20, she said
13	40, at which point I said, "Well, how much for
14	sex?"
15	Q And when you said "How much for sex?" what
16	were you implying there?
17	A Sexual intercourse.
18	Q And when you asked her how much for sex,
19	how did she respond?
20	A "\$125."
21	Q How did you respond to that?
22	A I said, "I have a hundred."
23	At which point she had excuse me
24	went over to the shorts I'm sorry. Let me

1	back up.
2	We had a conversation about whether I had
3	a condom or not. I said I did not. I asked her
4	if she had a condom, and she retrieved one from
5	the pair of shorts that were sitting on the red
6	lounge chair.
7	She retrieved the condom and removed it
8	from the package and began to place it on my
9	penis.
10	And I told her that I didn't want to do
11	this because I was married, at which point she
12	asked me if I wanted a blow job instead. She
13	began to start and I stopped her immediately, at
14	which point I said, you know, "I I don't want
15	to do that. What if I just watch you?" at which
16	point she agreed and laid on the table.
17	And do you want me to continue?
18	Q And what did she do?
19	A I'm sorry?
20	Q And what did she do?
21	A She had to touch herself, at which point
22	I covered myself with my hands, and we had a
23	conversation while she was touching herself.
24	Q And as she's touching herself, did she

1	make any suggestions to you?
2	A Yes. She asked if I wanted to jerk off on
3	the table.
4	MAYOR ROGINA: Repeat.
5	A (Continuing.) I wanted she asked if
6	I wanted to jerk off onto the table, at which
7	point I said, no, I was fine where I was at.
8	Q Did she ask you if you were a police
9	officer?
10	A She did.
11	Q And what did you how did you respond?
12	A After some conversation I told her no. We
13	did kind of have a back-and-forth about it,
14	similar to she asked me if I was a police
15	officer, and I said, "You wouldn't know if I was"
16	and kind of had this back-and-forth.
17	But eventually I said that I was not.
18	Q So when she took the condom out of the
19	shorts first of all, let me back up.
20	The shorts weren't in that chair when you
21	entered the room after the shower; is that
22	correct?
23	A Correct.
24	Q And sometime before the time you saw her

1	going into the pocket, somehow the shorts got
2	there?
3	A Correct.
4	Q As she went to place the condom on your
5	penis, did she touch your penis?
6	A Yes.
7	Q Did you provide her with the \$100 of
8	official advanced funds?
9	A I did.
10	Q And what were the denominations of those
11	dollars?
12	A \$20 bills.
13	Q So there were five \$20 bills?
14	A Yes.
15	Q So at two points you gave her 60 for
16	the massage, she gave you \$15 change?
17	A Yes.
18	Q And for the purported intercourse that you
19	wanted, you gave her a hundred dollars?
20	A Yes.
21	Q She accepted took that from your hand?
22	A Yes.
23	Q I'm going to show you City Exhibit 1.
24	///

1	(City Exhibit 1 marked for
2	identification.)
3	Q Do you recognize that exhibit, sir?
4	A Yes, I do.
5	Q And what is that?
6	A That is Ms. Cui, the young lady that
7	conducted the massage as well as negotiated a
8	sex act.
9	MR. O'NEIL: All right. I'd ask that
10	Exhibit 1 be entered in evidence.
11	MAYOR ROGINA: Marked Exhibit 1 placed in
12	evidence, a picture of the individual that he
13	testified he had a massage on that date.
14	(City Exhibit 1 admitted into evidence.)
15	BY MR. O'NEIL:
16	Q Now, after you I believe you stated
17	that you told her that your time is up.
18	A Yes.
19	Q And what did what did the woman
20	depicted in Exhibit 1 do?
21	A After a conversation about, well, time
22	didn't matter, she was the boss and I said,
23	"You're the boss?" and she said she was the boss
24	of the room we had clothed and I had provided

1	her money. We continued to have a conversation.
2	She hugged me. She kissed my cheek. And we
3	walked out of the room.
4	Q When you walked out of the room let me
5	ask you this: When you walked into the facility
6	that night, did you see any other woman except for
7	the woman portrayed in Exhibit 1?
8	A I did not see another woman. I heard a
9	voice.
10	Q Okay.
11	A The phone
12	Q When you exited the facility that night,
13	was there any person at the front desk or out
14	about the front of the premises?
15	A Not that I recall.
16	Q After you went out, did other officers
17	enter the premises?
18	A Yes, they did.
19	Q And at that time did you receive a text
20	from Inspector Anyon concerning the person that
21	was being placed under arrest?
22	A Yes.
23	Q And did you affirm that was the person
24	that performed or attempted to perform these sex

1 acts upon you? 2 А Yes. 3 MR. O'NEIL: May I have a moment, your 4 Honor. I'm probably done. 5 MAYOR ROGINA: Yes. One. 6 MR. O'NEIL: No further questions of this 7 witness. 8 MAYOR ROGINA: Thank you. 9 Mr. Miller, cross-examination. 10 CROSS-EXAMINATION BY COUNSEL FOR THE LICENSEE 11 BY MR. MILLER: 12 Q Officer, good afternoon. As it relates to the hundred dollars that 13 14 you gave the alleged individual in Exhibit 1, what 15 was the hundred dollars for? 16 It was taken in there just as -- it was А 17 carried in, obviously, for the purchase of the massage, as well as if I needed to pay for any 18 19 sex acts. 20 Okay. But the actual hundred dollars Q 21 that, quote/unquote, "was asked for in relation to 22 a sex act," what sex act was performed for that 23 hundred dollars? 24 A There was no -- there was an agreed-upon

1	act for sexual intercourse for \$125.
2	Q Okay. But there was no sexual act
3	actually performed; correct?
4	A Correct.
5	MR. MILLER: No further questions.
6	MAYOR ROGINA: Redirect?
7	MR. O'NEIL: Very quickly.
8	REDIRECT EXAMINATION BY COUNSEL FOR THE CLAIMANT
9	BY MR. O'NEIL:
10	Q Did the woman depicted in Chief's
11	Exhibit 1 touch any part of your body, any sexual
12	or genital area of your body?
13	A Yes, she did.
14	Q And at any point did she tell you or
15	tell you to cover up or make you cover up when you
16	exposed your genitalia?
17	A No.
18	MR. O'NEIL: That's it.
19	MAYOR ROGINA: Recross?
20	MR. MILLER: Yeah.
21	MAYOR ROGINA: Scope of the redirect,
22	obviously.
23	MR. MILLER: Okay.
24	///

1	RECROSS-EXAMINATION BY COUNSEL FOR THE LICENSEE
2	BY MR. MILLER:
3	Q Officer, I'm looking at your report. And
4	you just testified that she never the alleged
5	perpetrator in Exhibit 1 never advised you to
6	cover up yourself; correct? Isn't that what you
7	just testified to?
8	A Correct.
9	Q But, in fact, if I read your report, it
10	says, "Cui stated I should have covered myself.
11	I stated it was impossible for me to cover myself
12	with a towel."
13	A That was
14	Q So, in fact, she did say to cover
15	yourself; correct?
16	A At the end of the night, yes.
17	MR. MILLER: No further questions.
18	MAYOR ROGINA: The answer was "At the end
19	of the night"?
20	THE WITNESS: Yes. Near the end of the
21	encounter, yes.
22	MAYOR ROGINA: Eight I think that's it,
23	redirect, recross. I think we
24	MR. O'NEIL: I'm done.

1	MAYOR ROGINA: can excuse this witness.
2	Officer, thank you so much. We
3	appreciate it.
4	MR. MILLER: Thank you, Officer.
5	MAYOR ROGINA: Call your next witness.
6	MR. O'NEIL: I don't have any are you
7	anticipating recalling him as
8	MR. MILLER: I don't have any other
9	witnesses.
10	MR. O'NEIL: All right. Judge, can the
11	special agent be excused?
12	MAYOR ROGINA: The special agent can be
13	excused.
14	(Witness excused.)
15	MR. O'NEIL: Or you can stay if you want to.
16	Inspector Anyon.
17	MAYOR ROGINA: Good evening.
18	THE WITNESS: Good evening.
19	MR. O'NEIL: You've been sworn, haven't
20	you?
21	THE WITNESS: Yes, I have.
22	MELINDA ANYON,
23	having been duly sworn, testified as follows:
24	///

1	DIRECT EXAMINATION BY COUNSEL FOR THE CLAIMANT
2	BY MR. O'NEIL:
3	Q State your name and spell your last for
4	the record, please.
5	A Melinda Anyon, A-n-y-o-n.
6	Q And what is your occupation?
7	A Police officer.
8	Q What is your present assignment?
9	A I'm currently assigned to the Illinois
10	State Police North Central Narcotics Task Force.
11	Q How many years have you been a peace
12	officer?
13	A Approximately 11.
14	Q And but for your present assignment to the
15	Illinois State Police North Central Narcotics Task
16	Force, what is your permanent assignment?
17	A Approximately two years currently.
18	Q No, I mean
19	A I'm sorry.
20	Q where are you employed normally if
21	you're not on assignment?
22	A St. Charles.
23	Q You're a police officer for the City of
24	St. Charles?

1	A Yes.
2	Q All right. I want to draw your attention
3	to the evening of January 11th of this year.
4	Do you recall meeting with Special Agent
5	Young?
6	A Yes.
7	Q And there was a master sergeant for the
8	State Police?
9	A Yes.
10	Q And where did you meet prior to going to
11	Dean Street?
12	A St. Charles Police Department.
13	Q And at that time did you observe the
14	officially advanced funds?
15	A I did.
16	Q And did you or did did you keep copies
17	of the money that was run on the copier?
18	A I did have a copy in my vehicle.
19	Q All right. At some point you went to
20	2015 Dean Street; is that correct?
21	A That is correct.
22	Q Who did you ride with?
23	A I was I believe I was on that
24	night I'm sorry. We did a surveillance detail

1	a few times so I believe I was by myself, but
2	I was part of a surveillance team.
3	Q But Special Agent Young went separately?
4	A Correct. He was in his own vehicle by
5	himself.
6	Q And when you arrived at the premises, at
7	the 2015 Dean, were you there when Special Agent
8	Young entered?
9	A Yes. I observed him enter the business.
10	Q Where were you parked?
11	A I was in the parking lot that is just east
12	of the business.
13	Q And necessarily at 7:40 in the evening in
14	January it's dark out?
15	A Yes.
16	Q Was the front of the business lighted?
17	A It was.
18	Q As you sat there, other than seeing the
19	special agent go in, did you see anyone else go in
20	that night?
21	A I saw one male subject leave that evening.
22	I was not there when he entered.
23	Q All right. At approximately what time, if
24	you recall, did Special Agent Young exit the

1	building?
2	A I do not recall.
3	Q Okay. A few minutes?
4	Don't guess. Don't guess. At some point
5	you saw him exit?
6	A Correct.
7	Q And then what did you do?
8	A He gave a signal that that the exchange
9	of money for a sex act was completed.
10	Q And you entered with whom?
11	A Master Sergeant Smith.
12	Q Were there any other St. Charles police
13	officers with you that evening?
14	A Officer Grove.
15	Q And when you entered, what did you do?
16	A I believe initially just Master Sergeant
17	Smith and I entered and encountered Ms
18	Q Cui?
19	A Cui. Thank you.
20	And I took a picture of her and sent it to
21	Special Agent Young to confirm that that is who,
22	indeed, was in the room with him.
23	Q At some point did you have a conversation
24	with Lifa Jiang?

1	A I did.
2	Q Okay. Do you see her here in this room
3	today?
4	A I do.
5	Q Can you point her out and describe an
6	article of clothing, please.
7	A Sure. She's sitting with a black-and-red
8	plaid shirt, long black hair.
9	Q And when you spoke to her, was it just the
10	two of you, or was anyone else present?
11	A I believe Master Sergeant Smith was there,
12	but there was no one else present other than law
13	enforcement.
14	Q Did you announce who you were?
15	A Yes.
16	Q Were you dressed plainclothes or uniform?
17	A I had a tactical vest that said "Police"
18	with a badge.
19	Q And what did you say to her and what did
20	she say to you?
21	A I asked to speak to the manager on duty,
22	and she advised that the manager had to leave
23	earlier in the evening and provided a name.
24	Q Was that name Ming Ng?

1	A I believe so.
2	Q That's okay.
3	A I documented it in my report.
4	Q When you entered, was there anyone in the
5	area the vestibule where you entered?
6	A No.
7	Q There was no one at the front desk?
8	A There was no one at the front desk.
9	Q At some point did you recover currency?
10	A I did.
11	Q Can you tell the Commission what currency
12	you recovered and where?
13	A There were three \$20 bills in the cash
14	register at the front of the lobby. There was a
15	desk and there is a cash register there. The
16	three \$20 bills OAF which was prerecorded
17	and I had a copy of serial numbers and
18	denominations were located in that cash register.
19	Q And those numbers matched what you had
20	copied earlier?
21	A Correct.
22	Q At some point did you discover other
23	money?
24	A Yes. We asked Ms

1	Q Cui?
2	A Cui where the money was that she
3	received from her last client.
4	And then she took a key to a locker
5	located within the business, unlocked the locker,
6	and the hundred dollars which was prerecorded
7	I was able to match that that was, indeed, the
8	hundred dollars that Special Agent Young entered
9	the business with, along with her driver's license
10	and some credit cards, things of that were
11	identifiable with her name in that locker.
12	Q Was there also an expired massage
13	therapist's license in the locker?
14	A Yes, there was.
15	Q At some point did you place her under
16	arrest? Or who placed her under arrest?
17	A I can't recall who actually put
18	handcuffs put her into handcuffs. Officer
19	Grove transported her to St. Charles Police
20	Department for us.
21	Q And at some point did you ask her to make
22	a statement?
23	A I did. I advised her of her Miranda
24	rights.

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1	Q Okay. And I'm going to show you what's
2	marked as Chief's Exhibit 3.
3	(Chief's Exhibit 3 marked for
4	identification.)
5	Q Would you take a look at that. First of
6	all, tell me if you recognize that.
7	A Yes, I do.
8	Q And what do you recognize that exhibit
9	to be?
10	A It's the statement of constitutional
11	rights and waiver.
12	Q All right. And whose signatures appear on
13	that?
14	A It is mine and Officer Grove's.
15	Q All right. And is this this is a copy,
16	obviously. Is this in substantially the same
17	condition as the waiver of constitutional rights
18	and waiver was on January 11, 2017?
19	A Yes, it is.
20	Q Did you read that form to her?
21	A I did.
22	Q Did you have and when you read it to
23	her, what did you do to make sure she understood
24	and acknowledged that those rights had been read

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1	to her?
2	A I asked her to initial next to each right,
3	just indicating that she understood them.
4	Q Okay. And that's what each C on the
5	left is?
6	A Correct.
7	Q I'm curious. At any time that night did
8	you have any problem communicating with Ms. Jiang
9	in English I mean I'm strike that.
10	Did when you were back at the did
11	you have any problems communicating with Ms. Jiang
12	in English?
13	A No, I did not.
14	MR. O'NEIL: I'm going to ask that
15	Exhibit 3 be entered into evidence.
16	MAYOR ROGINA: Exhibit 3, marked, Chief's
17	Exhibit 3, into evidence.
18	MR. MILLER: No objection.
19	MAYOR ROGINA: Thank you.
20	(Chief's Exhibit 3 admitted into evidence.)
21	BY MR. O'NEIL:
22	Q Now, she didn't want to give a statement,
23	did she
24	A She did not.

1	Q Ms. Cui.
2	Now, on January 17th of this year, you
3	went back out to 2015 Dean Street, didn't you?
4	A I did.
5	Q What was the purpose of going there?
6	A I needed to issue the forfeiture for the
7	funds that were taken from the register that
8	evening.
9	Q Okay. And perhaps we should explain that.
10	Other than the officially advanced funds,
11	you also found what in the cash register?
12	A I don't remember the dollar amount, but
13	there was additional currency in that cash
14	register mixed in with the OAF.
15	Q With the officially advanced funds?
16	A With the official advanced funds.
17	Q So you had to serve them with a notice as
18	to what the disposition of that currency could be?
19	A Correct.
20	Q Do you recall what time you responded
21	there with Officer Schomer?
22	A I do not. I don't recall.
23	Q Okay.
24	A I did document it in the report.

1	Q Is there anything that would reflect
2	refresh your recollection as to what time you
3	arrived at 2015 Dean Street on the night of
4	January 17th?
5	A My report will reflect that.
6	MR. O'NEIL: May I approach so she can
7	refresh her recollection as to the time?
8	MAYOR ROGINA: Any objection?
9	MR. MILLER: No objection.
10	A On the 17th I I was there at
11	approximately 9:35 p.m.
12	Q Okay. And at that time did you have a
13	conversation with an employee of Shangri-La?
14	A I did.
15	Q Would that be Suzhen, S-u-z-h-e-n, Jiang?
16	A That is how she identified herself, yes.
17	Q All right. Did you have any problem
18	communicating in English with her?
19	A No.
20	Q You don't speak Mandarin, do you?
21	A No, I do not.
22	Q Did you ask her where the manager was?
23	A I did.
24	Q And what how did she respond?

1	A She stated that there was not a manager
2	there at that time.
3	Q And this was at 9:35 in the evening?
4	A Correct.
5	Q And the business was open?
6	A It was open.
7	Q All the lights were on?
8	A Yes.
9	MR. O'NEIL: If I may have a moment, your
10	Honor, I may be done.
11	I have no further questions.
12	MAYOR ROGINA: Mr. Miller, before you do
13	cross, I just want to go back to
14	MR. MILLER: Thank you.
15	MAYOR ROGINA: the beginning of this
16	hearing when I may have said "9:35 a.m." And
17	I think the record clearly reflects the fact that
18	it's 9:35 p.m., and we'll proceed with that for
19	the record.
20	Cross-examination.
21	MR. MILLER: Thank you.
22	CROSS-EXAMINATION BY COUNSEL FOR THE LICENSEE
23	BY MR. MILLER:
24	Q Officer, on January 11th, after the

1	Officer Young left Shangri-La, did you guys have
2	that facility under surveillance?
3	A Yes.
4	Q Did you see any vehicles come and go?
5	A No.
6	Q So it's quite possible that Ms. Lifa Jiang
7	was actually in the premises since you didn't see
8	any vehicles come and go; is that correct?
9	A Yes.
10	Q On the 17th of January, is it possible
11	that Ms. Jiang was actually in the facility and
12	you didn't see her?
13	A I only encountered one subject at the
14	front counter.
15	Q But is it possible that she was in the
16	facility and you didn't see her?
17	MR. O'NEIL: Object. It's asking for
18	speculation.
19	MAYOR ROGINA: She's she can speculate.
20	It's a clear question.
21	You can answer the question.
22	A It's possible either way. I only
23	encountered one subject so it's possible.
24	Q Right.

1	MR. MILLER: I have no further questions.
2	MAYOR ROGINA: All right. Redirect?
3	MR. O'NEIL: None.
4	MAYOR ROGINA: None.
5	Officer, thank you so much. Appreciate it.
6	THE WITNESS: Thank you.
7	MAYOR ROGINA: Anything further,
8	Mr. O'Neil?
9	MR. O'NEIL: If I may have a moment to
10	speak with my client.
11	MAYOR ROGINA: You may.
12	MR. O'NEIL: Thank you.
13	MAYOR ROGINA: Is that a prelude to
14	another witness or to closing argument?
15	MR. O'NEIL: That's what I have to find out.
16	You always talk to your client before you
17	make a decision on what you're going to do.
18	MAYOR ROGINA: Take a momentary recess.
19	(A recess was taken from 5:42 p.m. to
20	5:43 p.m.)
21	MR. O'NEIL: At this time, your Honor, the
22	chief rests.
23	MAYOR ROGINA: Chief rests their case.
24	All right.

We'll go to Mr. Miller, and you may 1 2 call --3 MR. MILLER: Your Honor, the Respondent 4 would like to call Lifa Jiang to the stand. 5 MAYOR ROGINA: All right. Proceed, 6 Counselor. 7 MR. MILLER: Thank you. 8 LIFA JIANG, after having been duly sworn/affirmed and 9 10 testified, through the interpreter testified further as follows: 11 12 FURTHER DIRECT EXAMINATION BY COUNSEL 13 FOR THE LICENSEE BY MR. MILLER: 14 15 Ms. Jiang, is it your policy within the Ο 16 spa not to allow acts of prostitution? 17 Yes, it is true. А 18 Do you have a company policy whereby, if 0 an employee is found to have solicited 19 20 prostitution, that they're terminated? THE INTERPRETER: So she -- she has a 21 22 policy to terminate -- to terminate -- she has a 23 policy to terminate the person and, also, the 24 person needs to compensate for the loss, if there

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1	are some business losses.
2	Q Did you terminate Ms. Cui?
3	THE INTERPRETER: She did fire her right
4	away.
5	Q When did you terminate her? The next day?
6	THE INTERPRETER: Right away she
7	terminated her.
8	MR. MILLER: I have no further questions,
9	your Honor.
10	MAYOR ROGINA: Cross?
11	FURTHER CROSS-EXAMINATION BY COUNSEL
12	FOR THE CLAIMANT
13	BY MR. O'NEIL:
14	Q When's the last time you had contact
15	with her?
16	THE INTERPRETER: The last time? The most
17	recent?
18	MR. O'NEIL: With Ms. Cui, the most recent
19	time.
20	THE INTERPRETER: About three months ago,
21	she she asked her about you know, because of
22	her business loss, she wanted her to what's the
23	word? Is it "compensate"? I don't know if
24	it's "compensate" is the right word but like,

1	you know
2	MR. O'NEIL: I understand.
3	THE INTERPRETER: because they are
4	business losses, then she needs to
5	Q She wanted some money for losing her job?
6	THE INTERPRETER: Not her. No, no, no.
7	No. For com the business
8	MAYOR ROGINA: No, no.
9	Can we clarify here?
10	You asked a question as to the last time
11	she had contact
12	MR. O'NEIL: Correct.
13	MAYOR ROGINA: with Ms. Cui.
14	MR. O'NEIL: Correct.
15	THE INTERPRETER: It's three months ago.
16	MAYOR ROGINA: And the answer I thought
17	I heard was three months ago.
18	MR. O'NEIL: Correct.
19	MAYOR ROGINA: And the reasoning for that
20	was to seek compen her to seek compensation
21	THE INTERPRETER: Right.
22	MAYOR ROGINA: for loss of business.
23	MR. O'NEIL: Oh, okay.
24	MAYOR ROGINA: Is that correct? Did

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1	you is that the interpreter's
2	THE INTERPRETER: Yes. Yes.
3	MAYOR ROGINA: All right.
4	MR. O'NEIL: All right. No further
5	questions.
6	MAYOR ROGINA: Anything else, Mr. Miller?
7	MR. MILLER: No, your Honor.
8	MAYOR ROGINA: Very good.
9	You may step down.
10	(Witness excused.)
11	MAYOR ROGINA: I would ask each lawyer to
12	take just a quick moment, and then I would like to
13	hear short closing arguments by each side.
14	MR. O'NEIL: Before we do that, your
15	Honor, I would ask the Liquor Control Commission
16	to take judicial notice of its own minutes of the
17	meeting of February 6th, 2017, which I have a
18	copy of.
19	I can get another copy for you. Do you
20	have them?
21	MR. MILLER: I've got a copy of it.
22	MR. O'NEIL: And I'll refer to them in my
23	closing argument.
24	MAYOR ROGINA: All right.

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1	MR. MILLER: I'm going to object to
2	that I'm going to object to that document in
3	totality
4	MAYOR ROGINA: All right.
5	MR. MILLER: standing objection.
6	It was remanded for hearing. None of that
7	should matter.
8	MAYOR ROGINA: All right. Let's approach.
9	(An off-the-record discussion was held.)
10	MAYOR ROGINA: The objection's sustained.
11	Mr. O'Neil.
12	MR. O'NEIL: This is the problem you have
13	when you have too many pieces of paper and trying
14	to keep them orderly.
15	This is it.
16	Thank you for your time. Thank you for
17	hearing the evidence in this matter.
18	Recall this is not a criminal case. It
19	
	doesn't require proof beyond a reasonable doubt.
20	doesn't require proof beyond a reasonable doubt. This is an administrative hearing where proof is
20 21	
	This is an administrative hearing where proof is
21	This is an administrative hearing where proof is by a preponderance of the evidence.
21 22	This is an administrative hearing where proof is by a preponderance of the evidence. What is a preponderance of the evidence?

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1	on TV here are the scales of justice. If the
2	chief has met the burden by that much, the case is
3	proven.
4	So what has to be proved for this case is
5	contained right out of the complaint of violation.
6	The first one, 5.20.130, is that no person
7	shall place his or her hands, to touch upon with
8	any part of his or her body, to touch a sexual or
9	genital area of another person.
10	The evidence is unrebutted that the
11	employee of Shangri-La touched the genital area of
12	Special of the special agent by placing the
13	condom onto his penis.
14	The second charge is 5.20.130(H), "No
15	massage therapist" et cetera, et cetera
16	"whether or not for compensation of any form,
17	which would require the touching of the patron's
18	sexual or genital area." That Count 2 is guilty.
19	No. 3, 5.20.180(B)(10), "The license
20	holder permits acts of prostitution or
21	solicitation for acts of prostitution to be
22	performed within the premises."
23	Now, we don't know what the past
24	relationship between Ms. Cui and Ms. Jiang are,

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1	but this we do know: Ms. Cui was in the licensed
2	facility by herself when the agent entered. He
3	saw no one else.
4	Ms. Cui, by her own admission, was beyond
5	a door I actually think she says in another
6	building; she had to go through a door
7	supervising a table tennis match.
8	So maybe Ms. Cui is acting as a rogue on
9	her own; maybe not. You never heard her deny that
10	she warned Ms. Cui not to perform any acts of
11	prostitution, that they were trained not to
12	perform any acts of prostitution. All she did,
13	which was self-serving, was sometime thereafter
14	fire her.
15	Now, it seems to me a person of reasonable
16	experience and reasonable sensitivities, when they
17	hire massage therapists, they look beyond "Do they
18	have a license?"
19	They would say, "What is your background?
20	Where have you been? Why are you coming to me
21	now? You know these are our rules. We do not
22	touch genital areas. We do not solicit for sex."
23	We never heard any evidence of the sort
24	that that's the sort of training that this

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1	enterprise takes place in. When they get caught,
2	they get fired, but that's the lack of quality
3	control.
4	Violation 5.20.110(A), "A licensee of a
5	licensed massage establishment shall"
6	mandatory, not permissive "have the premises
7	supervised at all times when open for business
8	with at least one person who is a licensed massage
9	therapist. The licensee shall personally
10	supervise the business or shall delegate."
11	Well, now, Ms. Jiang says tonight she was
12	beyond the door, managing the table tennis
13	tournament. There was no one else in the
14	building. She told Inspector Anyon that her
15	husband went home at 5:30. There was no one else
16	on the premises that was supervising. There was
17	Ms. Cui in there running her little gamut of
18	illegal activities.
19	So in a sense, by commission or omission,
20	she permitted her employee and, therefore, her
21	business to violate this count.
22	5.20.130(E), again, "A patron's sexual and
23	genital areas, as defined herein, must be covered
24	by towels, cloths" et cetera, et cetera

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1	"when in the presence of a massage therapist or
2	employee."
3	So what did we hear unrebutted in this
4	case? The special agent went in, took a shower,
5	dried off, put his robe back on, and went back to
6	Room No. 10. When he got back to Room No. 10, he
7	took the robe off. He told you he was completely
8	naked. Ms. Cui walks in and doesn't say "Cover
9	up." She doesn't say that until the end of the
10	transaction is done.
11	That is a strict liability offense. If a
12	patron wants to uncover themselves, taking off a
13	robe, you give them a towel to cover their genital
14	area. That was not done at all. In fact, I don't
15	think there was any testimony that there was any
16	towels other than in the shower area in the
17	massage room to cover up the genital areas.
18	Now, the charges from January 17th are
19	quite simple, quite not simple but they're not
20	as elaborate and not as specific, not as deep.
21	Inspector Anyon went out there with
22	Officer Schomer of the St. Charles Police
23	Department to serve the paper the papers the
24	forfeiture notice for the money that was

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1	intermingled with the officially advanced funds in
2	the cash register at the business.
3	When she got there, a person with the same
4	last name we still don't know who she was
5	said the manager left at eight o'clock. Now,
6	Officer Anyon and Officer Schomer went there at
7	9:35. Again, there's a lack of supervision there.
8	By a preponderance of the evidence, by
9	both direct and circumstantial evidence, you can
10	discern there is no supervision at this business.
11	It's a free-for-all. Whatever these employees
12	want to do, there's no one there to instruct them,
13	to make sure they're doing it right, to do
14	anything that's correct under the Code.
15	I would respectfully submit to you that
16	the chief has met the burden of proof with
17	competent evidence on all of the items contained
18	in the complaint of violation, and I would
19	respectfully request that you find the business
20	guilty on all counts.
21	Thank you.
22	MAYOR ROGINA: Thank you.
23	Response, Mr. Miller?
24	MR. MILLER: Well, preponderance of the

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1	evidence is certainly more likely than not that my
2	client was in the premises both on the 11th and
3	the 17th.
4	In fact, the officer testified while the
5	facility was under surveillance they didn't see
6	any cars come and go. So at 8:48 they went in; my
7	client was there, nothing to contradict her
8	testimony that she was there on the 11th.
9	Certainly, on the 17th she was there;
10	however, she instructs the front the front
11	office staff to elaborate that she's not available
12	or not there because she's working on a client.
13	In terms of policies and procedures,
14	knowingly allowing prostitution to exhibit on the
15	premises, she's testified she didn't. They have a
16	company policy; they actually have employees
17	actually execute an agreement. She terminated
18	that employee the day after or shortly after she
19	became aware of it.
20	Quite frankly, the Petitioner can't meet
21	their burden of proof. This is a rogue employee
22	who perpetrated or allegedly perpetrated an act of
23	solicitation.
24	My client didn't knowingly allow it; she

1	has a policy against it; she supervised on the
2	premises both on the 11th and the 17th. She was
3	just in an adjacent office watching table tennis
4	on the 11th.
5	I respectfully submit to you and the Board
6	that my client's license is valuable to her, it's
7	a source of her her single source of income,
8	and she takes it seriously.
9	We submit to you that you find that she
10	didn't violate, personally, any of the ordinances
11	that the police have accused her of.
12	Thank you.
13	MAYOR ROGINA: Mr. Miller, if you may
14	and I the reason I sustained the objection from
15	Mr. O'Neil is the fact that Judge Akemann vacated
16	that last decision so and vacated the
17	decision and, obviously, basically wiped off the
18	hearing from the face of the earth.
19	So having said that, I'll ask you the same
20	question I asked previous counsel at that
21	particular hearing, and it simply is this: Do you
22	recognize or accept, as a matter of law, the fact
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23	that an employer not in a criminal basis; I'm
23 24	that an employer not in a criminal basis; I'm not implying that at all but on a civil basis

1	an employer is responsible for the actions of the
2	employee in the scope of the job?
3	MR. MILLER: I accept the respondeat
4	superior, which is your analogy to that.
5	MAYOR ROGINA: Respondeat superior?
6	MR. MILLER: Yeah.
7	But that's only, quite frankly, in issues
8	of negligence, not when you're talking about tort
9	law. Tort law is where there's an intentional act.
10	you can't control employees from perpetrating
11	intentional acts.
12	So if you look at the common law here in
13	Illinois or any case law, an employer is
14	responsible for their employee when they commit an
15	act of negligence, certainly not when it's a tort,
16	an intentional, willful act. You cannot hold an
17	employer responsible if they committed an
18	intentional act.
19	MAYOR ROGINA: That leads me to my second
20	question, which comes from your closing argument.
21	And that is the fact that did you imply
22	in your closing argument that the licensee fired
23	or released the perpetrator of this act or alleged
24	act because of the fact she believed that the act

2 MR. MILLER: Well, I think her test 3 was that she terminated her immediately. 4 my closing argument what I advocate for is	-
4 my closing argument what I advocate for is	And in
	And In
	there's
5 a policy within the scope of her business,	which
6 is any allegations of impropriety or solic	itation
7 warrants a termination, and that's what sh	e did.
8 And, mind you, she terminated her t	he
9 next day when, in fact, those were just	
10 allegations. I haven't heard any testimon	y from
11 anyone that and it's certainly not my b	urden
12 of proof that Ms. Cui was found guilty	of
13 solicitation.	
14 So, you know, you're innocent until	you're
15 proven guilty. My client didn't even wait	for
16 that. She exercised her right, as an equi	table
17 employer, to terminate the relationship	
18 immediately upon these allegations.	
19 MAYOR ROGINA: All right.	
20 Rebuttal?	
21 MR. O'NEIL: Just quickly.	
22 Counsel's stated not based on an	У
23 evidence that his client has their empl	oyees
24 execute an agreement not to commit any crit	mes, not

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1	to prostitute themselves.
2	Where is it? Where's the agreement?
3	Thank you.
4	MAYOR ROGINA: All right. I'm going to
5	thank both Mr. O'Neil and Mr. Miller
6	MR. MILLER: Thank you.
7	MAYOR ROGINA: and the members of the
8	Liquor Commission and I will retire to executive
9	session to discuss this matter.
10	In accordance with Judge Akemann's order
11	on September 20th, 2017, the following will occur:
12	In 10 to 14 days, I will render a decision in this
13	matter.
14	If I believe the Petitioner has not met
15	its burden on every count, I will so order the
16	licensee to carry on with business as usual.
17	If I believe the Petitioner has met his
18	burden on one or more of the named violations of
19	the Massage Establishment Code, per Judge
20	Akemann's order, I will ask if you would like to
21	present a mitigation argument or mitigation
22	document. If an argument, I would hope to
23	schedule within two weeks of the order. If a
24	document, I would like it presented within

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1	two weeks of the order.
2	Any final questions?
3	MR. MILLER: No, your Honor. I appreciate
4	the opportunity to do that in mitigation.
5	MAYOR ROGINA: All right.
6	Then thank you to Mr. O'Neil, Mr. Miller,
7	and the witnesses who presented testimony.
8	And may I entertain a motion to move to
9	executive session.
10	MEMBER GEHM: So moved.
11	MEMBER VITEK: Second.
12	MEMBER CARRIGNAN: Second.
13	MAYOR ROGINA: Seconded, I think Lora
14	got in on the second. Seconded by Vitek.
15	We need to call the roll, then, Tracey.
16	CLERK CONTI: Silkaitis.
17	MEMBER SILKAITIS: Yes.
18	CLERK CONTI: Carrignan.
19	MEMBER CARRIGNAN: Yes.
20	CLERK CONTI: Vitek.
21	MEMBER VITEK: Yes.
22	CLERK CONTI: Gehm.
23	MEMBER GEHM: Yes.
24	MAYOR ROGINA: Thank you.

1	We'll move to executive session.
2	(Off the record at 6:05 p.m.)
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	PLANET DEPOS

1	CERTIFICATE OF SHORTHAND REPORTER
2	CERTIFICATE OF SHORTHAND REPORTER
3	I, Melanie L. Humphrey-Sonntag, Certified
4	Shorthand Reporter No. 084-004299, CSR, RDR, CRR,
5	CRC, FAPR, and a Notary Public in and for the
6	County of Kane, State of Illinois, the officer
7	before whom the foregoing proceedings were taken,
8	do certify that the foregoing transcript is a true
9	and correct record of the proceedings, that said
10	proceedings were taken by me and thereafter
11	reduced to typewriting under my supervision, and
12	that I am neither counsel for, related to, nor
13	employed by any of the parties to this case and
14	have no interest, financial or otherwise, in its
15	outcome.
16	
17	IN WITNESS WHEREOF, I have hereunto set my
18	hand and affixed my notarial seal this 22nd day of
19	November, 2017.
20	My commission expires July 3, 2021.
21	() OFFICIAL SEAL
22	ML Humphrey-Soontag Notary Public, State of Illinois My Commission Expires July 3, 2021
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