

## Complaint Against Licensee

- Read Complaint Form Information before completing this form.
- Fill in as many of the blanks as you possibly can.
- After completing the form, print and mail to the nearest ABC District Office or  
Department of Alcoholic Beverage Control  
Attention: Complaint Desk  
3927 Lennane Drive, Suite 100  
Sacramento, CA. 95834

It is not required that you give "Information About You." You may remain anonymous.  
If you do give personal information, it will not be released outside of the department and will remain confidential.

Name: The Bloom Firm, Attorneys Lisa Bloom and Tiffany Helfman on behalf of Fernanda Celarie, Khloe Rios and Jennifer [REDACTED]  
Address: 7655 Winnetka Ave., #3408  
City: Winnetka State: CA Zip Code: 91396  
Phone: (Day): (818) 914-7334 (Evening): \_\_\_\_\_  
Email: Tiffany@thebloomfirm.com

Name of Business: Pouring with Heart, LLC DBA Las Perlas  
Business Address: 107 6th Street  
City: Los Angeles State: CA Zip Code: 90014  
Phone: (213) 988-8355  
Name of Owner if known: \_\_\_\_\_

Nature of Complaint: (Check all that apply)

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Disorderly House                      | <input type="checkbox"/> Sales After 2:00 A.M. | <input type="checkbox"/> False Owner            |
| <input type="checkbox"/> Sales to Minors                       | <input type="checkbox"/> Drink Solicitation    | <input type="checkbox"/> Excessive Noise        |
| <input type="checkbox"/> Sales to Obviously Intoxicated Patron | <input checked="" type="checkbox"/> Other      | <u>Cal. Bus. &amp; Prof. Code 24200(a) -</u>    |
| <input type="checkbox"/> Illegal Drug Activities               | <input type="checkbox"/> Gambling              | <u>continuance of business license would</u>    |
| <input type="checkbox"/> Prostitution                          | <input type="checkbox"/> Lewd Conduct          | <u>be contrary to public welfare or morals.</u> |

Date of incident: August 23, 2019 Time of incident: \_\_\_\_\_

Have you contacted the business owner regarding your complaint? Yes ☒ No ☐

Have you filed this with another law enforcement agency? Yes ☐ No ☒

If you answer yes, name of law enforcement agency: \_\_\_\_\_

Other Details:

Please see attached Addendum A.

### Addendum A

On August 23, 2019, our clients, Fernanda Celarie, Jennifer [REDACTED] and Khloe Rios were working at the DTLA Proud Festival. After a long day of peaceful advocacy, our clients decided to have dinner at Las Perlas bar in Downtown, Los Angeles which should have been a place for our transgender clients to *safely* relax after a hard day's work. What happened at Las Perlas was anything but safe or relaxing.

Our clients sat together with others with whom they had worked and enjoyed a brief moment of levity that was suddenly shattered when Ms. Celarie and another member of their group returned from the bar and reported that they were being harassed by a transphobic man and woman. The harassers stalked them all the way from the bar back to the table where the others were seated. There, the harassers proceeded to hurl transphobic slurs at the group, at which point members of our Client's group, in fear of their safety, attempted repeatedly to convince assistant manager "Luis" to call 911. The transphobic couple escalated their harassment from words to physical violence when they attempted to attack Ms. Celarie and made threats to "kill all the faggots."

Rather than calling 911 and letting the professionals handle this dangerous situation, Luis asked the transphobic couple to leave, and they were removed without being dragged, forced or choked by security. Then, without any provocation, Mr. Diaz was forcibly and violently carried out of the bar by a security guard after the group was ordered out, although they had done nothing but report conduct which placed them in harm's way. Ms. Rios began to video record the melee that was unfolding as she watched in shock and confusion as to why Mr. Diaz was being forcibly and violently removed from the bar when all he had done was try to calmly deescalate the increasingly-violent transphobic attacks against his transgender colleagues.

Ms. Rios watched in horror, as Mr. Diaz was thrown up against a wall. She heard a woman scream and turned around to see Ms. [REDACTED] being violently manhandled by a large security guard. Ms. Rios recorded security drag Ms. [REDACTED] to the door and shove her outside, after which time Ms. Celarie was placed in a painful chokehold and dragged to the door. Finally, security grabbed Ms. Rios by her arm and neck and flung her through the door, causing her to stumble down the stairs.

The security guards formed a blockade outside the front door, effectively trapping our clients outside, without any protection against the same transphobic couple who was still harassing and threatening them. As soon as they realized that they were trapped outside with their victimizers, the transphobic man grabbed a large steel object, which appeared to be a street tree grate, and threatened to use it to kill our clients. At some point during the terrifying chaos, the police were called, not by Las Perlas personnel, but by Ms. Rios and other members of the group. When Los Angeles Police Department officers arrived on the scene, they took a report for a hate crime, recognizing the danger our clients were in. Unlike security and management at Las Perlas, the LAPD offered our clients the protection they deserved. The transphobic man has been charged with Penal Code Section 422(a), criminal threat of committing a crime "which will result in death or bodily injury to another person" with the specific intent that the statement be taken as a threat,

which is made so unequivocally, unconditionally, immediately and specifically so as to convey to the person threatened the immediate prospect of execution of the threat.

When the management and security of Las Perlas used violent force to punish our clients for complaining about illegal transphobic harassment, they contributed to the statistics of murder and hate violence that disproportionately plagues the transgender community. Transgender people in the United States face disparate rates of fatal violence: from 2013 to 2018, advocates tracked the murders of at least 128 transgender people.<sup>1</sup> Among the transgender people murdered in 2018, eighty-two percent (82%) were women of color.<sup>2</sup> These figures do not account for unreported murders or for anti-transgender hate crimes that did not result in fatalities.

Our Clients also have video footage of Las Perlas' assistant manager, Luis, admitting that he heard the transphobic couple telling our Clients they were going to "kill you" and "shoot you." Luis states, "yes, I was right there with you." Furthermore, we have footage of our Client, Mr. Diaz confirming to the assistant manager that he asked him, "multiple times to call the police" and Luis admits to not doing so. Las Perlas was in a position to call police and provide our Clients safe accommodations rather than throwing them out onto the street, but opted to violently throw our Clients into the face of danger.

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**note** <sup>1</sup> HUMAN RIGHTS CAMPAIGN FOUNDATION, A NATIONAL EPIDEMIC: FATAL ANTI-TRANSGENDER VIOLENCE IN AMERICA IN 2018 62-66 (2018).

**note** <sup>2</sup> HUMAN RIGHTS CAMPAIGN FOUNDATION, A NATIONAL EPIDEMIC: FATAL ANTI-TRANSGENDER VIOLENCE IN AMERICA IN 2018 4 (2018).