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Washington, D.C.-based
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BEHIND THE KITCHEN DOOR

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FIRM TO TABLE: PLATING THE BEST INGREDIENTS

By *Thai Phi Le*

In a saturated legal market, what are some key ingredients to make your business stand out from the rest? For some law firms, running their business like a restaurant could pave a path for success.



*Chef Mike
Isabella*

EXPERIMENT WITH NEW FLAVORS

Twenty years ago, fine dining meant French cuisine, says Washington, D.C.-based chef and restaurateur Mike Isabella. Today we've gone global. German. Greek. Moroccan. Ethiopian. It's time to stop following the same recipe and cook up something new. For law firms, a large portion of innovation leaves clients satisfied.

Allen & Overy offers alternative fee structures for different legal services, instead of sticking to the usual expensive hourly rate that has been the cornerstone of the industry for decades. According to the *Financial Times*, the firm's profits have increased 133 percent over the past 10 years.

The term "virtual" doesn't just apply to video gamers. Potomac Law Group has found great success as a virtual law firm, where more than 40 of its lawyers telecommute most days, reducing overhead and increasing employee satisfaction while landing big clients who seek an alternative to big law firms and high legal fees.

Some flavor profiles may not seem like a natural match, but be willing to take risks. Morrison & Foerster LLP embraced its nickname MoFo to show that a law firm with serious talent also can make fun of itself. The rebrand increased its name recognition and was even featured on *The Tonight Show with Jay Leno* in 2010.

HIGHLIGHT THE MAIN COMPONENT: YOUR CLIENT

The minute a guest walks into a Mike Isabella restaurant, he wants them in full control of their dining experience. Law firms should adopt a similar mentality. Clients want control over how they get legal advice, says Jack Newton, founder of Clio D.C., who spoke at the D.C. Bar's Practice 360° | A Day for Lawyers & Law Firms. If you serve them the meal they want and how they want it, they're likely to come back for seconds.

Customer expectation is shifting, Newton says. According to a study by the CEB Institute, consumer loyalty is not created by exceeding expectations. It's tied to creating an effortless experience — easy and convenient.

Research shows that the majority of customer behavior is not driven by what you sell, but how you deliver the service. Many clients do not want to come into your office or talk on the phone. They want to interact with you online. You will have a competitive advantage in the marketplace if you can offer online service, payment, and collaboration, Newton says.

 Hear more from Jack Newton at dcbbar.org

Whether running a law firm or a restaurant, creating a successful business requires passion, innovation, and risk-taking.

By Thai Phi Le

Every day on his way to work at Zaytinya, one of Washington, D.C.'s top Mediterranean dining destinations, chef Mike Isabella would walk by an empty two-story red brick building on 6th Street NW. The structure was nestled between G and H streets in the booming Penn Quarter neighborhood.

"I thought this could be a cool [place for] a restaurant," recalls Isabella, who at the time had lived in the city for four years. D.C. was a natural fit for the former *Top Chef* contestant. He knew the clientele. He knew the purveyors. "I love D.C. There is a lot of camaraderie with the chefs. I just had everything that I wanted."

In 2010 Isabella left Zaytinya where he'd worked as executive chef, and signed the lease for the red brick building. The following year he opened the doors to Graffiato, his first foray into owning a business. Five years later, Isabella has opened eight more eateries, written a cookbook, started a catering service, and launched other food ventures under his umbrella company Mike Isabella Concepts.

STEP ONE: COOK UP A BUSINESS PLAN

Like Isabella and others, Marjorie Meek-Bradley was inspired by a simple reason: a love of cooking. For Meek-Bradley, executive chef at Ripple and Roofers Union, both in Washington, D.C., cooking was always a part of life growing up in California.

"I love food. I love bringing people together," she says. Her mom grew fruits and vegetables in the backyard, which were often the highlight of their family meals. Meek-Bradley could also be found near the stove at her parents' soup kitchen.

As an adult, she worked with some of the industry's top chefs, from Thomas Keller to Marcus Samuelsson. In 2011 she joined Isabella at Graffiato and served as his executive sous chef before leaving to run the kitchen at Ripple. This past year she also was a contestant on *Top Chef* and made it to the final round before packing her knives.

Isabella grew up cooking with his mother and grandmother in New Jersey. "It was the one thing I knew how to do growing up. When I was younger, I never wanted to own a business," he says. He wanted to cook and travel. Isabella's culinary skills took him to high-profile restaurants in New York City, Philadelphia, and Atlanta.

However, after years of working under renowned chefs, including José Andrés and Samuelsson, he decided he wanted to take the next step and be his own boss.

Like any other business, opening and running a restaurant requires more than passion and a knack for flavor combinations. Being able to whip up a decadent three-course meal does not always translate to a successful three-star restaurant. "A lot of young chefs don't have the ability to either find the financials or know the exact operations when it comes to insurances or contractors or permits," says Isabella. "You can go out of business before you even open it if you don't know how to open a restaurant."

Sean Morris, founder of Morris Law Firm, LLC in Bethesda, Maryland, and an expert in restaurant law, urges aspiring restaurant entrepreneurs to talk to a real estate broker and a lawyer. "Those two people can enable you to survey the legal landscape and the actual physical landscape of what the local real estate market is," Morris says. Restaurateurs also need to focus on four key legal relationships: those with their business partner, their employees, with government regulators, and with their landlord. (For tips on what you need to know and what you should avoid when creating those relationships, visit dcbar.org/news.)

The key is your lease, says Morris. "Your lease, probably more than any other document, is going to determine whether you make or break it," he says. It controls your monthly costs and can include restrictions on how you conduct your business. Some lease agreements also may require a specific timetable for when you need to get permits issued and when to open your business.

"Any opening is going to be super challenging," says Meek-Bradley, whose time working with Isabella proved to be a great training ground for her future business ventures. "I definitely credit Mike Isabella for teaching me that side when we opened Graffiato. I worked for some very talented chefs and had a really strong background in math, but I had never really done the numbers before. I feel like that was a good opportunity to see how it's run from the opening to a year and a half in."

Meek-Bradley would later use that experience in opening Roofers Union in 2014. "I had never opened as an executive chef before. I opened as a sous chef and as a cook," she says. There were early missteps, she admits. What's one she learned from the most? "There's a million of them!" she laughs, but goes on to talk about her hurried training of the staff prior to opening.

"You only get one shot at opening, and if you rush it or you don't have a clear vision of what you're trying to do before that, you're going to spend so many more months trying to catch up than if you had just taken two weeks at the beginning to do it right," she says.

Getting it right is top of mind as Meek-Bradley prepares to open her pastrami shop Smoked & Stacked on 9th Street NW. "I'm not going to rush. I have said from the beginning that I need three weeks from the day we get health inspections to open properly. I've stuck my ground on that," she says.

Smoked & Stacked will be Meek-Bradley's first attempt as a business owner, creating a new level of stress for her as she worries about permitting, hiring, and delays. "It was the building of a business plan that I had never done before. I had always done the fun part like eating out," she says. "I did a lot of that, too, but it's definitely a different approach when you're doing it for yourself."

FIND THE FRESHEST IDEAS

Even after a successful opening, it's critical for restaurateurs to keep the business from going stale. "The industry just keeps getting stronger. Instead of having a few great restaurants, now there are hundreds of them across the country," says Isabella. "You're doing as much as you can now to keep up with the big leagues."

Meek-Bradley agrees: "It's definitely an industry where you have to take a lot of risks. It's highly competitive. It's highly judged. It's an instant product. The food is put down and you either like it or you don't."

The competition is fierce as restaurants around the world try to set the trends and continue to reinvent dining. In 2001 the famous L'Arpege in Paris shocked the culinary world when it removed red meat from its menu and made organic vegetables the star of the meal. Today vegetarian restaurants have become mainstream.

Noma in Copenhagen, considered one of the world's best restaurants, takes its diners through a Nordic journey, emphasizing local cuisine while preparing imaginative meals. The restaurant's drive for continued innovation is so important that it established the Nordic Food Lab in 2008 to explore how food and science can work together.

BEHIND THE KITCHEN DOOR



Chef Mike Isabella

To keep his ideas fresh, Isabella travels around the world researching cuisines, ingredients, and flavors. This past year he trekked through Portugal, Spain, and Morocco, checking out markets, restaurants, and bars. "It's seeing the drink program, seeing the food, seeing the presentation, seeing the wineries, going to tonic developers in Spain," says Isabella. "Those are things I strive for — seeing and learning new things. Putting it in my journal and keeping it going."

With every trip comes ideas to alter his menus and potential restaurant concepts. "We experiment and change things up all the time," he says.

Meek-Bradley has worked as executive chef at Ripple for three years, but the restaurant opened in 2010. "When you are running a restaurant that is six years old, it's [about] staying relevant. Everyone wants to talk about the new and shiny. You have to keep reinventing yourself to be part of the city," she says.

A recent visit to Cosme restaurant in New York City had her rethinking her menu, and a jaunt as guest chef at a

Patrón Secret Dining Society event prompted her to delve into Mexican cuisine. A meal at Thai restaurant Thip Khao made her want to experiment with heat in her food, while a short trip to a farmers market brings a rush of ideas. "I get inspired by what's around me. My sous chefs get mad at me because I order crazy large farm orders. [They ask] 'What are you going to do with all of this?' I always find something that's fun," she says.

SERVE UP DIVERSE FLAVORS

The booming local restaurant scene is hitting two new milestones. In August, the magazine *Bon Appétit* named Washington, D.C., the Restaurant City of the Year, and this October marks the arrival of the Michelin Guide, which rates the top restaurants in the world.

"I don't think I ever thought that would happen, and that wouldn't have happened without so many amazing things happening here," says Meek-Bradley. "It pushes you to be better. It pushes you to work harder."

The explosion of restaurants isn't simmering down anytime soon as chefs work to deliver high-quality food that meets evolving diner demands. More adventurous and social diners, for example, have created a market for communal dining. These restaurants, with tables big enough to seat 20 to 30 customers, have cropped up everywhere from Singapore to Buenos Aires to Salzburg.

"There used to be two types of restaurants out there. There was fast food and there was the sit-down, full-service restaurant," Morris, the restaurant law attorney, says. Not anymore. Today there are pop-up kitchens, food trucks, fast-casual and upscale casual restaurants, fine dining establishments, tasting menus, supper clubs, and more. Customers want creative cocktail lists and a robust beer menu. They want to know what's in their food and where it comes from. They want different dining experiences. They want choice.

But with greater choices come greater confusion in zoning regulations as cities struggle to keep pace with expanding restaurant concepts. In early August, Meek-Bradley hit a roadblock when the D.C. government deemed her upcoming sandwich shop, Smoked & Stacked, a fast food joint. The problem? Zoning regulations first created in 1985 restrict fast food restaurants from opening along 9th Street NW in the Shaw neighborhood.

Those restrictions were modified in 2007 with three specific criteria that would qualify an establishment as fast food. Under the amended rules, any establishment that meets any one of the three criteria — a drive-through window, upfront payment for food, and use of disposable tableware — is considered fast food. Smoked & Stacked, like many fast casuals, is set up to have customers order and pay for food at the same time.

The city's zoning regulations are set to change again in September, allowing for greater flexibility in the definition of a fast food restaurant. The city has identified five characteristics of a fast food establishment: prepares food on a production line, serves standardized food shipped from a central location, provides trash cans in the dining area for customers to clear their tables, offers seating for diners, and serves food on disposable tableware. Unlike the 2007 rules, however, the latest regulations do not automatically place a restaurant in

the fast food bucket if it meets any of these conditions to allow for more nuances in the industry.

Meek-Bradley and her business partners told the *Washington Post* that they hope Smoked & Stacked will receive a different designation come September. If not, they will be forced to appeal the decision or change their concept.

Morris believes these zoning changes are a result of a fast-growing industry. "With the new regulations going in effect in September, they're trying to catch up. Clearly they're not moving fast enough, but that's the nature of regulation. They're so often reactive," he says.

While the old regulations were "problematic," says Morris, the new ones also introduce their own issues. "The one good thing about the old regulations was at least you knew what the criteria was. [The new regulations] introduce a level of uncertainty when committing to leases and other commitments you need to make early on when opening a restaurant," he says. "We're going from one system that was very rigid, but at least was predictable, to one that is more flexible but will be unpredictable and put the decision in the hands of a human being who may or may not see things the way you do."

The introduction of fast casual dining also has created challenges for liquor licensing laws. Local regulators are used to issuing full-service licenses to full-service restaurants, says Morris. "The idea of just a beer and wine license for one place that might have half a dozen locations, that's a genuinely new thing on the liquor licensing front," he says. "The liquor licensing law has not recognized the reality of fast casual."

As laws play catch-up with changes in the restaurant industry, innovations in the way food is served and consumed will continue at blistering speed.

"A lot of innovation is happening on the restaurant level, from emerging kitchens around the community to the delivery of food to the various new food compositions. It's a whirlwind of activity figuring out how the law works and doesn't work in many cases," says Michael T. Roberts, founding executive director of the Resnick Program for Food Law and Policy at UCLA School of Law. "It's affecting the industry in many ways. There's concern about nutrition and transparency, giving information to consumers. It's a volatile world. In the restaurant side of things, perhaps it's the most volatile."

The volatility may be a byproduct of foodie culture. "There's so much more knowledge nowadays about the whole package of a restaurant compared to what it was 10 years ago. People know about food from the Internet, from TV shows," says Isabella. "[There's] a lot more focus on healthy eating across America. I think that's very special. That's why the restaurant scene is blowing up." It's also one reason why Isabella is pursuing major expansions to his business.

Known initially for his Greek and Italian cuisine, Isabella recently opened Yona, an Asian restaurant, with chef

Jonah Kim, and the French seafood spot Requin, which began as a pop-up, with chef Jennifer Carroll. Both restaurants are located in Virginia. "We have a lot more depth from a culinary standpoint," Isabella says.

In addition to his upscale casual restaurants, Isabella runs G Sandwiches, which was later adapted as a concession stand at Nationals Park. Three of his restaurants have made their way into airports in D.C., Los Angeles, and Pensacola, Florida. He's tweaked his recipe for running his businesses to take into account kitchen size and his partnerships with building owners without sacrificing flavors. "The main focus is that you want to try to keep your brand the same as it is at a full-service restaurant," he says.

His biggest challenge to date is Isabella Eatery, a 10-concept, 42,000-square-foot food emporium at Tysons Galleria in McLean, Virginia, that is projected to open in 2017. He's nervous, he says. "It's our toughest and biggest project. It's going to double the size of my company just with the amount of employees I'm going to hire for that." But he follows that up with his well-known bravado: "Go big or go home!"

KNOW WHAT TO PLATE, WHAT TO POST

Stirring up the pot for restaurateurs is customer demand to connect online. Isabella integrates social media into his marketing and branding plan. He's on Facebook, Twitter, and Instagram. "I'm fighting Snapchat," he jokes. "I don't have it yet, but I'm sure I eventually will!"

He and the chefs at his restaurants post photos of beautiful meals and tasty cocktails, guest chef events at other eateries, and media coverage of his business ventures. "You have a brand to represent. Your team has to represent your brand. It's keeping people posted on what's going on, what you're doing, and what you're serving," he says.

"Branding is definitely very important. You have to self-promote," says Meek-Bradley. "It's about standing out. Social media is a really important tool." Scrolling through her Instagram account, there are pictures of fresh ingredients, plated food that she's created or eaten, as well as of evenings spent working alongside her chef community. There are even peeks at her personal life — images of her as a child with her father, of her goofing around with her brother.

But restaurateurs must be mindful of the risks — and the law. Morris warns that social media is not the platform to solicit investors. "You can't just say, 'We're trying to open a restaurant. Call us if you want to be a part of this hot new restaurant.' Federal securities regulators really look closely at that. Once you do that, you engage in general solicitation and you've put yourself in a whole different silo when it comes to federal securities law," Morris says. His advice? Use social media as an avenue to market your next happy hour, showcase your personality, and feature your food.

For these chefs, the simple inspiration behind their work is apparent in their social media posts. Cooking brings family and friends together and creates community. Even with a room full of investors, a great marketing strategy, and an iron-clad business plan, success still centers on one's love of cooking.

"Be involved. Be aware. Be passionate. Be genuine," says Meek-Bradley to would-be entrepreneurs. "The restaurants [that] are successful are the ones that are opened by the people who genuinely believed in what they were doing. That really shines through."

WHERE THE FOOD MOVEMENT GOES, THE LAW FOLLOWS

The food movement is truly global. Its rise has forced laws around the world to evolve as consumers' interest in what they're eating grows.

"The food system has changed so dramatically that it's different from anything we've experienced before," says Michael T. Roberts, founding executive director of the Resnick Program for Food Law and Policy at UCLA School of Law. "It evokes a sustained interest in food. It has changed dramatically in terms of how I approach food law."

Whether in China, the EU, or the U.S., Roberts has seen a growing interest in food law and policy on the international stage.

New challenges are cropping up in respect to:

- Food safety
- Menu labeling
- Accessibility of food
- Food composition
- Biotechnology
- Nanotechnology
- Animal cloning

"You have all these similarities that are really quite striking, but you have a different legal system in each country and different attitudes in each country," says Roberts.



For more on the changing food laws, visit dcbar.org/news.