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# Churchill's Pub Drama Resurfaces with Liquor License Suspension and Battery Charges

**OLIVIA MCAULEY** | **APRIL 12, 2021** | **8:00AM**



Churchill's Pub closed last month after the landlord revoked its liquor license. **Photo by Karli Evans**

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Miami-Dade may be rolling back the restrictions, but there's one venue where the

Miami Dale may be coming back the restrictions, but there's one venue where the party hasn't yet resumed: Churchill's Pub. The landmark live-music venue in Little Haiti remains entangled in an escalating dispute between its landlord, Mallory Kauderer, and its operations manager, Franklin Dale.

Churchill's liquor license was suspended by the state last month at Kauderer's behest, after he learned that the venue had reopened for business on weekends in January.

Subsequently, on March 17, Dale was arrested on a misdemeanor battery charge after he allegedly assaulted a man who was accompanying an engineer whom Kauderer had sent to Churchill's to survey the property.

The most recent closure was announced on March 26 on the **Churchill's Pub Instagram account** run by Dale and his company, District Live Agency LLC (not to be confused with the other **Churchill's Instagram account**, which is managed by Kauderer).

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"Churchill's is being forced to close by the landlord. The landlord has removed the liquor license from the premise[s]. We cannot serve alcohol," **reads the caption on the Instagram post.**

Churchill's liquor license is owned by Kauderer's company, 5501 NE Second Avenue LLC. Under the lease agreement, it was to be used by Dale as long as he held the lease.

Kauderer confirms that he and his legal team requested that the Florida Division of Alcoholic Beverage and Tobacco suspend the club's license when they discovered that Dale had reopened without his consent.

"As [Dale] has been removed as manager, he was operating illegally, which is a problem for me," Kauderer tells *New Times*.

Those are just the latest skirmishes in a tug-of-war over the venue that **began last August** with a three-day notice tacked to Churchill's front door demanding \$92,838.03 in overdue rent owed by Dale's District Live Agency. At the time, Dale took to social media to complain that he was being "unlawfully evicted from the venue," and shared with *New Times* a series of texts that he said constituted proof Kauderer had handed over ownership of Churchill's to him and that the landlord owed him money for unpaid consultancy services.

Kauderer counters that the entire matter is a simple issue of an operator defaulting on their lease.

Last week, the **Churchill's Instagram account** Kauderer controls offered reassurance that the venue lives on.

"Contrary to disinformation and misinformation, Churchill's Pub is not closing, not changing ownership, and not going anywhere," **the post stated**.

The post also cited the pandemic-induced backlog of court cases, which has kept the eviction matter from being resolved, adding that "once the court catches up and there is a hearing, we are confident the delinquent tenant will be evicted and Churchill's Pub will be back in action."

Following last summer's motion to evict, which cited failure to pay rent and unmet obligations under the lease agreement, District Live Agency and its sister company, the Beverage Group LLC, filed a three-count counterclaim for payment of services rendered, breach of the implied covenant of good faith and fair dealing, and accounting, along with a notice of action for fraudulent inducement, among other requests for relief.

Then there's the alleged battery incident on March 17.

That day, Miami police were summoned to Churchill's while an engineer was conducting a survey of the premises at Kauderer's behest. According to the arrest report obtained by *New Times*, police arrested Dale on a misdemeanor battery charge after he allegedly assaulted a man who was accompanying the engineer, during a dispute about where the man had chosen to park his car.

The alleged victim told police that Dale "got into the victim's face, and was shouting and pushed the victim in the chest area then pushed the victim in the face causing his glasses to fall off and a small cut to the victim's top lip." After the man got into his car, Dale allegedly "came around to victim driver side window and began banging on it with a closed fist and he continued to yell and scream."

Dale has entered a plea of not guilty.

*New Times* attempted to interview Dale for this story but was referred to District Live Agency's press contact, Kimberly Macleod, who declined to comment, saying, "I can't engage with you because *New Times* has not been as respectful as they need to be."

Meanwhile, the eviction case has been moved from county to circuit court, a move that will likely prolong the proceedings.

Since Dave Daniels, an expatriate Englishman, **opened its original incarnation on NW 54th Street in 1979**, Churchill's Pub – which relocated to its present location at 5501 NE Second Ave. the following year – has been one of Miami's most important venues for live music, often serving as a stepping stone for emerging and underground acts. (Daniels sold the business, lock, stock, and building, to Kauderer in 2014.) Although Churchill's has a reputation as a "punk club," artists from many genres – rock, ska, hip-hop, jazz, electronic, experimental, noise – have played on its well-worn stage.

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