

1 P-R-O-C-E-E-D-I-N-G-S

2 10:48 a.m.

3 MS. FLETCHER: Would the parties in
4 the matter of Good Hope Deli and Market please
5 come forward, the parties in the matter of Good
6 Hope Deli and Market? This is Case Number 14-
7 PRO-00018, S&A Deli, Inc., trading as Good Hope
8 Deli and Market, 1736 Good Hope Road SE, License
9 Number ABRA-093974.

10 This is a Retailer B new application.
11 The protest issues are adverse impact on peace,
12 order, and quiet, proximity to library, mental
13 health facility, and another liquor store.

14 My name is LaVerne Fletcher. I'm
15 conducting the Roll Call Hearing as the Board's
16 Agent pursuant to D.C. Official Code 1601.2.
17 Introductions beginning with the Applicant,
18 please?

19 MR. PARK: Yes, my name is Jaewan
20 Park. I'm here on behalf of S&A Deli, Inc., also
21 known as Good Hope Deli and Market.

22 MS. FLETCHER: Are you the Applicant?

1 MR. PARK: No, I'm the Agent.

2 MS. FLETCHER: You're the owner?

3 MR. PARK: No, I'm the Agent for the -

4

5 MS. FLETCHER: You're the Agent?

6 MR. PARK: Right.

7 MS. FLETCHER: Okay, the owner -

8 SPEAKER: Has to show up.

9 MS. FLETCHER: - will need - It's fine

10 that you're here. It's okay that the Agent is

11 here.

12 MR. PARK: Okay, because I already

13 contacted Ms. Clark, which is the Commissioner

14 for ANC 8A-02. Then, she told me that we need

15 make some sort of, like, voluntary agreement with

16 ANC?

17 MS. FLETCHER: No, we're not - just,

18 no. We're not at that point yet.

19 MR. PARK: Okay.

20 MS. FLETCHER: Let me stick with what

21 we do next.

22 MR. PARK: Okay.

1 MS. FLETCHER: The first thing I need
2 you to do is to state your name one more time and
3 spell it for the record.

4 MR. PARK: Okay, my name is Jaewan
5 Park, spelled as J-A-E-W-A-N last name is P-A-R-
6 K.

7 MS. FLETCHER: And Mr. Park, is that
8 W-A-N or M?

9 MR. PARK: N and in Nancy.

10 MS. FLETCHER: N, okay, thank you very
11 much.

12 MR. PARK: Thank you.

13 MS. FLETCHER: And you're the Agent
14 for the Applicant. It's fine that you're here
15 today. We accept designated representatives at
16 Roll Call Hearings. Just make sure that the
17 Applicant is present for the status hearing. I'm
18 going to give you a date for the status hearing.

19 MR. PARK: Okay.

20 MS. FLETCHER: At that point, the
21 person who would be issued the license would need
22 to be present.

1 MR. PARK: Okay.

2 MS. FLETCHER: And I'm going to give
3 you a date for mediation -

4 MR. PARK: Okay.

5 MS. FLETCHER: - in a moment. The
6 ideal situation is that that person would also be
7 present for mediation. But, that person is
8 required to be present at the status hearing.

9 MR. PARK: Okay.

10 MS. FLETCHER: So, if you could just
11 make a note of that, that would be helpful.
12 Thank you. And present on behalf of the
13 protestants?

14 MS. CLARK: Barbara Clark, the Chair
15 of 8A.

16 MR. MUHAMMAD: I'm Anthony Muhammad,
17 the Advisor.

18 MS. FLETCHER: Ms. Clark, could you
19 spell your name for the record, please?

20 MS. CLARK: C-L-A-R-K.

21 MS. FLETCHER: In your protest letter,
22 you refer to yourself as the single-member

1 district.

2 MS. CLARK: Yes, I'm sort of the - the
3 establishment is in my single-member district,
4 AA-02, but I'm also the Chair of 8A.

5 MS. FLETCHER: Okay, one second. Your
6 protest letter says, "I am ANC 8A-02, Barbara J.
7 Clark. I am protesting the new application."
8 So, did you file a protest on behalf of ANC 8A?

9 MS. CLARK: Yes, ma'am, and actually
10 I have a letter that we voted on formally, the
11 whole ANC, designating - oops, excuse me.

12 MS. FLETCHER: Thank you. Ms. Clark,
13 I'm reading the letter that you just gave me.
14 Just a second. This letter, Ms. Clark, is dated
15 March the 13th.

16 MS. CLARK: It was after our meeting.
17 We meet the first Tuesday of a month, and we have
18 to do everything in a public forum. So,
19 therefore, we could not vote as a body until our
20 formal meeting. We can't do it in an executive
21 meeting either.

22 MS. FLETCHER: So, is that the reason

1 that ANC 8A did not file the protest by March 3rd?

2 MS. CLARK: Yes, ma'am, because we -
3 I cannot speak for 8A until after we have voted
4 on the whole, and the whole ANC - they were
5 unanimous in the decision. I knew this, but I
6 couldn't - I had to do it in a public forum.

7 MS. FLETCHER: I understand, I'm just
8 making certain points for the record.

9 MS. CLARK: Okay.

10 MS. FLETCHER: Thank you. So, what
11 I'm going to ask you to do, Ms. Clark, what you
12 would - I don't know if you know this procedure
13 or not. What you would do under that
14 circumstance, anytime there is a petition
15 deadline, you need to send a letter to the Board
16 informing them that you're unable to file a
17 protest by the petition deadline, and the reason.

18 MS. CLARK: Okay.

19 MS. FLETCHER: And because you're the
20 ANC, the Board gives you great weight. And
21 because you're the ANC, the Board could schedule
22 - extend the petition deadline. You have

1 options.

2 MS. CLARK: Okay.

3 MS. FLETCHER: So, I understand that
4 you didn't know it, so I'm going to grant
5 standing to the ANC. Under normal circumstances,
6 your protest would be untimely.

7 MS. CLARK: Okay.

8 MS. FLETCHER: But, it won't be
9 because unless Mr. Park decides to challenge it,
10 and he could, you're the ANC. I have a letter
11 from you stating that you held your meeting on
12 March 4th which was the day after the petition
13 deadline, and you would not have been able to
14 vote on March 3rd because you have to hold your
15 public hearing first.

16 You just need to tell us that so that
17 you don't miss the petition deadline altogether.
18 But, if you had informed us of that, the Board
19 would have given you additional time to vote.
20 So, that is the reason that I'm going to grant
21 standing to ANC 8A today.

22 MS. CLARK: Okay, thank you.

1 MS. FLETCHER: Because they would have
2 granted you time to vote. And also, just so that
3 you know, Ms. Clark, the letter that you did
4 submit where you said, "I am the SMD filing a
5 protest," a single-member district member cannot
6 file a protest, only the Chair of the ANC can
7 file a protest, and you're the Chair.

8 MS. CLARK: I'm the Chair.

9 MS. FLETCHER: I'm just making that
10 note for the record as well. A single-member
11 district would have to be a part of a group of
12 five. So, as an individual, you can't, but you
13 are the Chair as well. So, I just wanted to tell
14 you that, FYI, for the future.

15 If there are any other SMDs in ANC 8A,
16 they cannot file a protest as - on behalf of the
17 ANC. They have to be a part - They can do it on
18 behalf of the ANC, but not as an individual.

19 MS. CLARK: Okay.

20 MS. FLETCHER: Any questions about
21 that at all?

22 MS. CLARK: No, I understand. Thank

1 you.

2 MS. FLETCHER: Mr. Park, do you have
3 any comments you'd like to make?

4 MR. PARK: Yes, I believe the -
5 according to the protest letter from Ms. Clark,
6 she mentioned the library.

7 MS. FLETCHER: Oh, we don't discuss
8 the issues at Roll Call.

9 MR. PARK: Oh, not yet? Okay.

10 MS. FLETCHER: The only purpose of a
11 Roll Call is to identify the parties.

12 MR. PARK: Okay.

13 MS. FLETCHER: And Mr. Muhammad, I
14 forgot to ask you, could you spell your name for
15 the court reporter?

16 MR. MUHAMMAD: M-U-H-A-M-M-A-D.

17 MS. FLETCHER: And what's the first
18 name?

19 MR. MUHAMMAD: Anthony.

20 MS. FLETCHER: Okay, thank you. Ms.
21 Clark, did you put your contact information on
22 the sign-in sheet, your daytime number and email

1 address?

2 MS. CLARK: I will do that. Thank
3 you.

4 MS. FLETCHER: There's one protestant
5 in this matter, ANC 8A. We need to set a date
6 for a mediation, a status hearing, and the
7 protest hearing. The date for the - I'll give
8 you a moment, Ms. Clark.

9 The status hearing is scheduled for
10 April the 23rd at 9:30 a.m. That's the status
11 hearing, April 23rd at 9:30 a.m. The protest
12 hearing is set for May 7th at 1:30, May 7th at 1:30
13 for the protest hearing.

14 We need to set a date for mediation to
15 occur prior to April 23rd. The next date
16 available for mediation is Friday, April the 18th.
17 Is anyone good at that time, Friday, April 18th at
18 9:00, 10:00 or 11:00?

19 MS. CLARK: April 18?

20 MS. FLETCHER: Yes.

21 MS. CLARK: At 11:00?

22 MS. FLETCHER: 10:00 or 11:00. Do you

1 have a preference, 11:00? So, Mr. Park, if you
2 would let the owner know that it is preferable
3 that he or she is present for the mediation,
4 please?

5 MR. PARK: Okay. And also the status
6 hearing, right?

7 MS. FLETCHER: The owner must be
8 present for the status hearing. If not, the
9 application can be dismissed if they don't appear
10 at the status, so that's a requirement. For
11 mediation, we strongly encourage it because it's
12 difficult to try and resolve protest issues when
13 the person who's applying for the license is not
14 present.

15 MR. PARK: What if we come to a mutual
16 agreement with ANC?

17 MS. FLETCHER: If you do that, then
18 we'll cancel. If you can resolve this matter,
19 we'll - there won't be any need to appear for the
20 mediation if you do it before the status hearing.

21

22 And if you come to mediation and

1 resolve the matter, then the Board would dismiss
2 the status and the protest hearings. So, to
3 answer your question, if you can resolve the
4 matter outside of this agency, that's fine with
5 us.

6 MR. PARK: Okay.

7 MS. FLETCHER: Mr. Park, did you put
8 your contact information on that sheet though?
9 Did you put your contact information, your
10 daytime phone number and your email address?

11 MR. PARK: I gave my email address to
12 Tesha Anderson, but I'll write it down here as
13 well.

14 MS. FLETCHER: Thank you. The
15 mediation will most likely take place in this
16 room, just check in with the receptionist. And
17 my card is on the table is you have any questions
18 beyond today.

19 MR. PARK: Thank you.

20 MS. CLARK: Thank you.

21 MS. FLETCHER: You're welcome. Okay,
22 thank you very much. The roll call hearing is

1 concluded. Thank you.

2 (Whereupon, the Roll Call Hearing was
3 concluded at 11:03 a.m.)

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