

DISTRICT OF COLUMBIA
+ + + + +
ALCOHOLIC BEVERAGE CONTROL BOARD
+ + + + +
MEETING

p-----»
IN THE MATTER OF: :
: :
Moonkor Corporation :
t/a Southeast Market : Protest
1123 H Street Northeast : Hearing
Retailer B : (Status)
License No. 89011 :
ANC 6B :
Case Nos. 11-PRO-00087 :
Renewal Application :
p-----¼

MAY 9, 2012

The Alcoholic Beverage Control Board met in Suite 400S, 2000 14th Street, Northwest, Washington, D.C. 20009 Ruthanne

Miller, Chairperson, presiding.

- PRESENT
RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
CALVIN NOPHLIN, Member

MIKE SILVERSTEIN, Member
JEANETTE MOBLEY, Member

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

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

9:42 a.m.

CHAIRPERSON MILLER: Good morning,
ladies and gentlemen.

I'd like to welcome you to the
regularly scheduled meeting of the District of
Columbia Alcoholic Beverage Control Board.
Today is May 9, 2012.

My name is Ruthanne Miller, and
I'm the Chairperson. Joining me today to my
far right is Mr. Calvin Nophlin. To his
immediate left is Mr. Donald Brooks. To my
immediate right is Mr. Nick Alberti. To my
far left is Ms. Jeannette Mobley. And to my
immediate left is Mr. Mike Silverstein.

The Board has six Members in
attendance for the conduct of business today
with three constituting a quorum.

Copies of today's hearing calendar
and agenda are available at the receptionist's
desk.

Please be aware that these

1 proceedings are being reported by a Court
2 Reporter. Accordingly, we must ask you to
3 refrain from any disruptive noises or actions
4 in the hearing room. If yo have any
5 electronic devices, pagers, cell phones or
6 such, please make certain that they're turned
7 off to avoid any interruption of the
8 proceedings.

9 Please note that there's a piece
10 of paper on the table at the front. When you
11 come forward as your case is called, please
12 take a seat at the table and sign-in. This is
13 to ensure the correct spelling of your name
14 for the record.

15 The record will be closed at the
16 conclusion of each case except for any
17 materials specifically requested by the Board
18 or if the parties elect to submit proposed
19 Findings of Fact and Conclusions of Laws
20 within 30 calendar days after the conclusion
21 of the hearing, as permitted by 23 DCMR
22 Section 1717.2. After the record is closed no

1 other information will be accepted by the
2 Board.

3 Copies of transcripts are
4 available by contacting ABRA's Records Manager
5 Bill Hager. And it's the sole responsibility
6 of the parties to make this request.

7 The Open Meetings Act requires
8 that the Public Hearing on each case be open
9 to the public. The Board may, consistent with
10 Section 405(b) of the Opening Meetings Act
11 enter a closed meeting during or after the
12 Public Hearings on a case to consult with an
13 attorney to obtain level advice, discuss
14 settlement agreements or deliberate upon a
15 decision in an adjudication proceeding.

16 The first case on our calendar is
17 a Protest Status Hearing involving Southeast
18 Market. Are the parties here yet?

19 Okay. We just received word that
20 one of the parties may be parking right now,
21 so I'm going to go on to the next Status case
22 and come back to this one since all the

1 parties aren't here.

2 (Whereupon, at 9:46 a.m. off the
3 record until 9:48 a.m.)

4 CHAIRPERSON MILLER: I don't
5 believe anyone has come in for Southeast
6 Market. You have? Okay. So let's go with
7 that case. Southeast Market.

8 Would you sign the piece of paper
9 on the table, that's so that we have your name
10 spelled right for the record. Okay. When
11 you're ready, will the parties introduce
12 yourselves for the record, please?

13 MR. MOON: Hi. My name is Sun Ho
14 Moon. This is my father Tae Won Moon. He's
15 the owner at -- the new owner at Southeast
16 Market.

17 CHAIRPERSON MILLER: Okay. You
18 can have a seat. That's fine. All right.

19 COMMISSIONER GREEN: And I'm Carol
20 Green, ANC 6B Commissioner and Chair of the
21 ABC Committee.

22 CHAIRPERSON MILLER: Okay. So,

1 are there any preliminary issues in the case?

2 Fine.

3 Are you ready for me just to set
4 this for a hearing? Okay.

5 Now my record indicates that a
6 Protest Hearing would be on June 27th at 1:30
7 p.m. All right. And I'm just going to give
8 you a few instructions regarding preparation
9 for the Protest Hearing. Okay.

10 And these instructions are so that
11 the parties can focus on the issues for that
12 hearing because the Board doesn't need to hear
13 issues that are extraneous to the matter.

14 You should have received in a
15 mailing from an adjudication assistant Sarah
16 Fashgow a letter explaining the protest
17 process and a copy of the Protest Information
18 Form. If you don't have those documents,
19 please see Ms. Fashgow at the conclusion of
20 this hearing. It's imperative that you follow
21 them as closely and adhere to them before
22 adjourning the Protest Hearing.

1 You're required to complete and
2 submit the Protest Information Form seven days
3 before the date of the hearing. The document
4 needs to be submitted to ABRA and to the
5 opposing parties in this matter. If we do not
6 received a copy of PIF, your application or
7 your protest, whichever side you're on, may be
8 subject to dismissal.

9 This form is very important and it
10 assists the Board in narrowing the protest
11 issues facilitating the process and keeping
12 the parties on point during the hearing.

13 So, that's it for my instructions,
14 but if you have any questions you should
15 contact Ms. Fashgow at 202-397-3971.

16 So that's it. Thank you very
17 much.

18 (Whereupon, the Protest Hearing
19 (Status) was adjourned at 9:52 a.m.)
20
21
22

A	Calvin 1:19 2:11 Carol 5:19 case 1:10 3:11,16 4:8,12,16,21 5:7 6:1 cell 3:5 certain 3:6 Chair 5:20 Chairperson 1:16 1:18 2:3,10 5:4,17 5:22 closed 3:15,22 4:11 closely 6:21 Columbia 1:1 2:7 come 3:11 4:22 5:5 Commissioner 5:19,20 Committee 5:21 complete 7:1 conclusion 3:16,20 6:19 Conclusions 3:19 conduct 2:17 consistent 4:9 constituting 2:18 consult 4:12 contact 7:15 contacting 4:4 Control 1:2,14 2:7 Copies 2:19 4:3 copy 6:17 7:6 Corporation 1:6 correct 3:13 Court 3:1	document 7:3 documents 6:18 Donald 1:19 2:12 D.C 1:15	E	I	Mike 1:21 2:15 Miller 1:16,18 2:3 2:9 5:4,17,22 Mobley 1:22 2:14 Moon 5:13,14,14 Moonkor 1:6 morning 2:3
ABC 5:21 ABRA 7:4 ABRA's 4:4 accepted 4:1 Act 4:7,10 actions 3:3 adhere 6:21 adjourned 7:19 adjourning 6:22 adjudication 4:15 6:15 advice 4:13 agenda 2:20 agreements 4:14 Alberti 1:18 2:13 Alcoholic 1:2,14 2:7 ANC 1:9 5:20 application 1:10 7:6 assistant 6:15 assists 7:10 attendance 2:17 attorney 4:13 available 2:20 4:4 avoid 3:7 aware 2:22 a.m 2:2 5:2,3 7:19	F	elect 3:18 electronic 3:5 ensure 3:13 enter 4:11 explaining 6:16 extraneous 6:13	immediate 2:12,13 2:15 imperative 6:20 important 7:9 indicates 6:5 information 4:1 6:17 7:2 instructions 6:8,10 7:13 interruption 3:7 introduce 5:11 involving 4:17 issues 6:1,11,13 7:11	N	
B	facilitating 7:11 Fact 3:19 far 2:11,14 Fashgow 6:16,19 7:15 father 5:14 Findings 3:19 fine 5:18 6:2 first 4:16 focus 6:11 follow 6:20 form 6:18 7:2,9 forward 3:11 front 3:10	J	K	name 2:9 3:13 5:9 5:13 narrowing 7:10 need 6:12 needs 7:4 new 5:15 Nick 1:18 2:13 noises 3:3 Nophlin 1:19 2:11 Northeast 1:8 Northwest 1:15 Nos 1:10 note 3:9	
Bill 1:8 back 4:22 believe 5:5 Beverage 1:2,14 2:7 Bill 4:5 Board 1:2,15 2:7 2:16 3:17 4:2,9 6:12 7:10 Brooks 1:19 2:12 business 2:17	G	JEANETTE 1:22 Jeannette 2:14 Joining 2:10 June 6:6	L	O	
C	gentlemen 2:4 give 6:7 go 4:21 5:6 going 4:21 6:7 Good 2:3 Green 5:19,20	M	keeping 7:11	obtain 4:13 Okay 4:19 5:6,10 5:17,22 6:4,9 open 4:7,8 Opening 4:10 opposing 7:5 owner 5:15,15	
calendar 2:19 3:20 4:16 called 3:11	H	mailing 6:15 Manager 4:4 Market 1:7 4:18 5:6,7,16 materials 3:17 matter 1:5 6:13 7:5 meeting 1:3 2:6 4:11 Meetings 4:7,10 Member 1:18,19 1:19,21,22 Members 2:16 met 1:15	P	papers 3:5 paper 3:10 5:8 parking 4:20 parties 3:18 4:6,18 4:20 5:1,11 6:11 7:5,12 permitted 3:21 phones 3:5 piece 3:9 5:8 PIF 7:6 please 2:22 3:6,9 3:11 5:12 6:19 point 7:12 preliminary 6:1 preparation 6:8	
	date 7:3 days 3:20 7:2 DCMR 3:21 decision 4:15 deliberate 4:14 desk 2:21 devices 3:5 discuss 4:13 dismissal 7:8 disruptive 3:3 District 1:1 2:6	H 1:8 Hager 4:5 hear 6:12 hearing 1:8 2:19 3:4,21 4:8,17 6:4 6:6,9,12,20,22 7:3 7:12,18 Hearings 4:12 Hi 5:13 Ho 5:13			

PRESENT 1:17	Section 3:22 4:10	P		
presiding 1:16	see 6:19	p 1:5,11		
proceeding 4:15	set 6:3	1		
proceedings 3:1,8	settlement 4:14	1:30 6:6		
process 6:17 7:11	seven 7:2	11-PRO-00087		
proposed 3:18	side 7:7	1:10		
protest 1:7 4:17 6:6	sign 5:8	1123 1:8		
6:9,16,17,22 7:2,7	sign-in 3:12	14th 1:15		
7:10,18	Silverstein 1:21	1717.2 3:22		
public 4:8,9,12	2:15	2		
P-R-O-C-E-E-D-...	six 2:16	2000 1:15		
2:1	sole 4:5	20009 1:15		
p.m 6:7	Southeast 1:7 4:17	2012 1:13 2:8		
Q	5:5,7,15	202-397-3971 7:15		
questions 7:14	specifically 3:17	23 3:21		
quorum 2:18	spelled 5:10	27th 6:6		
R	spelling 3:13	3		
ready 5:11 6:3	Status 1:8 4:17,21	30 3:20		
received 4:19 6:14	7:19	4		
7:6	Street 1:8,15	400S 1:15		
receptionist's 2:20	subject 7:8	405(b) 4:10		
record 3:14,15,22	submit 3:18 7:2	6		
5:3,10,12 6:5	submitted 7:4	6B 1:9 5:20		
Records 4:4	Suite 1:15	8		
refrain 3:3	Sun 5:13	89011 1:9		
regarding 6:8	T	9		
regularly 2:6	table 3:10,12 5:9	9 1:13 2:8		
Renewal 1:10	Tae 5:14	9:42 2:2		
reported 3:1	take 3:12	9:46 5:2		
Reporter 3:2	Thank 7:16	9:48 5:3		
request 4:6	three 2:18	9:52 7:19		
requested 3:17	today 2:8,10,17			
required 7:1	today's 2:19			
requires 4:7	transcripts 4:3			
responsibility 4:5	turned 3:6			
Retailer 1:8	t/a 1:7			
right 2:11,13 4:20	W			
5:10,18 6:7	Washington 1:15			
room 3:4	welcome 2:5			
Ruthanne 1:15,18	whichever 7:7			
2:9	Won 5:14			
S	word 4:19			
Sarah 6:15	Y			
scheduled 2:6	yo 3:4			
seat 3:12 5:18				