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GOVERNMENT OF THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

- - - - -X

IN THE MATTER OF: :
Dos Ventures, LLC :
t/a Saint Yves : Case #15-PRO-00099
1220 Connecticut Avenue NW : Protest Hearing
License 99876, Retailer CT : (status)
ANC-2B :
Application for New License :

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Wednesday, November 18, 2015

Whereupon, the above-referenced matter
came on for hearing at the Alcoholic Beverage
Control Board, Reeves Center, 2000 14th Street,
N.W., Suite 400S, Washington, D.C. 20009.

1 CHAIRPERSON:

2 DONOVAN W. ANDERSON, Presiding

3

4 BOARD MEMBERS:

5 RUTHANNE MILLER

6 NICK ALBERTI

7 MICHAEL SILVERSTEIN

8 JAMES SHORT

9

10 ALSO PRESENT:

11 ALLISON JANG, ANC-2B

12 ALLISON JANG, representing Dos Ventures

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

2 [10:01 a.m.]

3 CHAIRMAN ANDERSON: Our next case on the
4 agenda is Case No. PRO-00099, Dos Ventures, LLC,
5 1220 Connecticut Avenue, Northwest; License No.
6 99876.

7 Will the parties -- will they please come
8 and have a seat, and please remember to sign your
9 name on the sheet in front of you, and please
10 identify yourself.

11 MS. NICHOLS: Good morning, Mr. Chairman,
12 and welcome to your position, and thank you,
13 former Chairman Ruthanne Miller, and thank you to
14 all of you for your service. I am Abigail
15 Nichols. I am representing the ANC-2B at this
16 status hearing.

17 MS. JANG: Hi. I'm Allison Jang, and I'm
18 representing Dos Ventures.

19 CHAIRMAN ANDERSON: Can you -- who
20 exactly -- identify you position, please.

21 MS. JANG: So I'm an employee for one of
22 their other establishments, and I'm going to be

1 working at Dos Ventures. I'm here on behalf of
2 Mr. Ki Jun Sung. I have a letter that I was told
3 to bring.

4 CHAIRMAN ANDERSON: Can we see that
5 letter?

6 MS. JANG: Yes.

7 [Pause.]

8 CHAIRMAN ANDERSON: The letter is a
9 letter written by Ki Jun Sung, Managing Member.
10 It's stated that Allison Jang is authorized to
11 appear on behalf of Dos Ventures, LLC, for the
12 status hearing in this matter.

13 All right. Is there any preliminary
14 matters?

15 MS. NICHOLS: Not that I'm aware of, no.

16 MS. JANG: We were supposed to have a
17 mediation, but that was cancelled.

18 CHAIRMAN ANDERSON: Can you -- you'll
19 have to speak up.

20 MS. JANG: Sorry.

21 We were supposed to have a mediation, but
22 it was canceled, so --

1 CHAIRMAN ANDERSON: Has it been
2 rescheduled?

3 MS. NICHOLS: That was by mutual
4 agreement because we were -- because we were
5 meeting so often outside of the mediation
6 process, so we submitted jointly a -- actually,
7 what we call -- it was postponement of mediation.
8 It didn't seem to be the best time. If we
9 needed, we'll ask. We would like to ask for it,
10 but we're continuing discussions. We have a
11 discussion with the owners set up for Friday.
12 That would be our third face-to-face meeting with
13 owners, and we have a newly elected commissioner
14 for the single-member district in which the
15 business is --

16 One issue I should bring up is that the
17 date for this is 4:30 on December 9th. If
18 Commissioner Silverstein were here for that, that
19 might mean that four of our nine commissioners
20 were here instead of at the ANC Commission. So
21 you're likely going to get a request to change
22 the time of that hearing.

1 CHAIRMAN ANDERSON: Okay. Well, it is
2 currently schedule for December 9th at 4:15, and
3 if you have an issue, you can contact the General
4 Counsel to make some changes. And if there are
5 no other issues, I wish you guys --

6 MS. MILLER: Can I just follow up on that
7 to understand what you were saying? Because --
8 you're going to be asking for a continuance? Is
9 that --

10 MS. NICHOLS: Yes, but we haven't
11 discussed -- what we realized is that 4:30 in the
12 afternoon in the general scheduling, our ANC
13 meeting is set for seven o'clock that evening,
14 and so it could create a lot of problems.

15 MS. MILLER: But did you also say just
16 four people wouldn't be able to be at the ANC
17 meeting?

18 MS. NICHOLS: Well, if we go to protest
19 hearing, which, of course, we hope we won't, it
20 could involve our chairman, the single-member
21 district, me, and Mr. Silverstein as a Board
22 member, which I think is a pretty big

1 complication, because we don't know that it would
2 actually be able to start at 4:15. That's an
3 issue. But, of course, we don't expect hearings
4 -- we're trying to do hearings and time quickly
5 once they start, but we have a -- it turns out
6 you have quite a few scheduled right now.

7 MS. MILLER: Okay. Thank you, Mr.
8 Chairman.

9 CHAIRMAN ANDERSON: All right. Now that
10 we have scheduled the matter for protest hearing,
11 there are a few things that I would like to
12 instruct the Applicant and the Protestants about
13 the -- the Applicant and the Protestants so that
14 the protest hearing is focused and addresses only
15 those issues that are pertinent, that are being
16 protest.

17 The Board does not intend to hear
18 testimony on matters that are not relevant to the
19 case.

20 You should receive by electronic mail,
21 well in advance of the hearing, a letter
22 explaining the protest process, a copy of the

1 protest information form, and a copy of the
2 exhibit form.

3 It is important that you review the rules
4 closely and adhere to them before and during the
5 protest hearing.

6 You are also required to complete and
7 submit the protest information form and the
8 exhibit form 7 days before the date of the
9 hearing. These two forms and accompanying
10 documents need to be submitted to our legal
11 counsel on behalf of the Board and to all
12 opposing counsel and all matters -- all parties
13 to the matter.

14 If we do not receive a copy of your
15 protest information form, your application, or
16 your protest, whichever side you are representing
17 may be subject to dismissal.

18 Likewise, if we do not receive a copy of
19 the exhibit form and the exhibits themselves,
20 your exhibits may be included from the record
21 upon a finding that opposing parties has been
22 prejudiced or no good cause for the failure has

1 been shown.

2 Likewise, witnesses, other than a party,
3 may also be subject to exclusion, if not
4 identified on the protest information form.

5 Accordingly, these forms are very
6 important. They greatly assist the Board during
7 the protest issues, facilitate in the process,
8 and keeping the parties on point during the
9 hearing, and that's very important. As you said,
10 time is important to everyone coming here, and if
11 we are focused on what the issues are, then we
12 will have these hearings move through
13 expeditiously as possible.

14 And I would like to thank you for your
15 time, and I wish you good luck. And my goal --
16 and I will always say this -- that I don't want
17 you to come back to a hearing because I hope that
18 the residents and the business can work it out,
19 and all we do is approve what you have agreed to.
20 So thank you.

21 MS. MILLER: Mr. Chairman, I'm sorry. I
22 just wanted to ask one more question on this

1 possible continuance.

2 You're not making a motion or request at
3 this time?

4 MS. NICHOLS: No. Because we realized
5 this yesterday, and we haven't approached the
6 business.

7 MS. MILLER: Okay, exactly.

8 MS. NICHOLS: We need to put that needs
9 to come to joint because we're up against the
10 75-day limit.

11 MS. MILLER: Okay. So that was my
12 question. That if you do decide you need to ask
13 for another date, you will confer with the
14 opposing party and then bring it to the attention
15 of our General Counsel --

16 MS. NICHOLS: Yes.

17 MS. MILLER: -- and see what they might
18 need to --

19 MS. NICHOLS: I spoke to Ms. Jenkins
20 yesterday --

21 MS. MILLER: Oh, good.

22 MS. NICHOLS: -- when we realized this

1 problem.

2 MS. MILLER: Okay.

3 MS. NICHOLS: And I father that your
4 schedule is pretty full for the 16th as well.

5 MS. MILLER: Thank you very much.

6 Thank you, Mr. Chairman.

7 MS. NICHOLS: Just planning ahead. Maybe
8 it won't be necessary. Thank you.

9 [Whereupon, at 10:09 a.m., the
10 above-entitled matter concluded.]

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