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ABRA - Three Way Liquors, Inc. 11-07-2012

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DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :
 :
Three Way Liquors, Inc. :
t/a Three Way Liquors, Inc. :
4823 Georgia Avenue, NW : Protest
Retailer A : Hearing
License No. 21972 :
ANC 4D :
Case No. 12-PRO-00058 :
Renewal Application :
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November 7, 2012

The Alcoholic Beverage Control Board met in the
Alcoholic Beverage Control Hearing Room, Reeves
Building, 2000 14th Street, N.W., Washington, D.C.,
Ruthanne Miller, Chairperson, presiding.

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<p style="text-align: right;">2</p> <p>1 PRESENT</p> <p>2</p> <p>3 RUTHANNE MILLER, Chairperson</p> <p>4 NICK ALBERTI, Member</p> <p>5 DONALD BROOKS, Member</p> <p>6 HERMAN JONES, Member</p> <p>7 CALVIN NOPHLIN, Member</p> <p>8 MIKE SILVERSTEIN, Member</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>	<p style="text-align: right;">4</p> <p style="text-align: center;">P R O C E E D I N G S</p> <p>1</p> <p>2 2:54 p.m.</p> <p>3 CHAIRPERSON MILLER: Okay. It's 2:54. I</p> <p>4 don't know if everybody is back here on the Three Way</p> <p>5 Liquors case. Mr. Dietz isn't? Okay. You can come to</p> <p>6 the table, whoever is a party in this case. I'm going</p> <p>7 to wait for the -- for the other party except to say</p> <p>8 you can use this time to sign in on that piece of</p> <p>9 paper. And I'll call the case. I can do that as well.</p> <p>10 This is Case No. 12-PRO-00058, Three Way</p> <p>11 Liquors, located at 4823 Georgia Avenue, N.W., License</p> <p>12 No. 21972, in ANC 4D. Okay. Thank you all for waiting</p> <p>13 and I apologize that your case was delayed as a result</p> <p>14 of another hearing taking longer than expected. Why</p> <p>15 don't we start with introductions of the parties</p> <p>16 starting with the Licensee?</p> <p>17 MR. DIETZ: I'm Bernard C. Dietz representing</p> <p>18 the applicant, Three Way Liquors, Inc. I have with me</p> <p>19 Mr. Jung S. Yu, who is president of the corporation.</p> <p>20 CHAIRPERSON MILLER: Okay. It's Mr. Yu?</p> <p>21 MR. YU: Yeah, my name is Jung Yu.</p> <p>22 CHAIRPERSON MILLER: Okay.</p>
<p style="text-align: right;">3</p> <p style="text-align: center;">C O N T E N T S</p> <p>1</p> <p>2</p> <p>3 Opening Statement for the Licensee 14</p> <p>4 Opening Statement for the Protestant 15</p> <p>5</p> <p>6 WITNESSES</p> <p>7 Jung Yu 17</p> <p>8 Tawanna Way 59</p> <p>9 Charles Bond 112</p> <p>10</p> <p>11 EXHIBITS</p> <p>12 Licensee's</p> <p>13 1 Photograph of Licensee's property 50</p> <p>14 2 Photograph of Protestant's church 50</p> <p>15 3 Photograph of Licensee property, interior 50</p> <p>16 4 Photograph of Licensee property, interior 50</p> <p>17 5 Photograph of Licensee property, interior 50</p> <p>18 6 Photograph of neighborhood storefronts 50</p> <p>19 7 Photograph of Colony Liquor Store 50</p> <p>20 8 Photograph of neighborhood nightclub 50</p> <p>21 Protestant's</p> <p>22 1 Photos of loiterer, trash, etc. 147</p> <p>1 Citation from Health Department of Licensee . . . 147</p> <p>4 Photographs of trash near property of Licensee . 147</p>	<p style="text-align: right;">5</p> <p>1 MR. YU: I'm the Three Way Liquor co-owner.</p> <p>2 CHAIRPERSON MILLER: Thank you. All right.</p> <p>3 And then the protestants?</p> <p>4 MR. WAY: I'm Reverend Alfonso Way, pastor of</p> <p>5 Faith Assembly of Christ Church.</p> <p>6 CHAIRPERSON MILLER: Okay.</p> <p>7 MS. WAY: I'm Ms. Tawanna Way. I am a member</p> <p>8 and the first lady of the Assembly of Christ in</p> <p>9 Washington.</p> <p>10 MR. BOND: My name is Charles Bond, B-O-N-D.</p> <p>11 I'm the owner of Faith Assembly of Christ and I'm also</p> <p>12 an elder of the church.</p> <p>13 MS. SHELER: I'm Ms. Donna Sheler, member of</p> <p>14 CHAIRPERSON MILLER: I wait -- oh, wait. You</p> <p>15 know what? I think you all may have to come speak into</p> <p>16 the microphone in the -- in the back. Are you</p> <p>17 witnesses or are you individual parties, those of you</p> <p>18 in the back?</p> <p>19 PARTICIPANT: Witnesses.</p> <p>20 CHAIRPERSON MILLER: Witnesses. They're all</p> <p>21 just a part of your party and you're representing the</p> <p>22 party, correct?</p>

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6	<p>1 MR. WAY: Yeah.</p> <p>2 CHAIRPERSON MILLER: So you can identify</p> <p>3 yourselves later when you're going to testify. Okay.</p> <p>4 And this woman?</p> <p>5 MR. YU: My wife.</p> <p>6 CHAIRPERSON MILLER: Okay. What's your name?</p> <p>7 MS. YU: Sunghee Yu (ph).</p> <p>8 CHAIRPERSON MILLER: Okay. All right. Now,</p> <p>9 I want to start with just addressing some logistical</p> <p>10 issues that I think we -- that I -- that have been</p> <p>11 brought to my attention. One is that we have to end</p> <p>12 this hearing by 5:00 because one of the attorneys, Mr.</p> <p>13 Dietz, has to leave to go to New York -- or is that</p> <p>14 correct -- for a family emergency?</p> <p>15 MR. DIETZ: I have to go take care of my</p> <p>16 wife.</p> <p>17 CHAIRPERSON MILLER: Okay.</p> <p>18 MR. DIETZ: My wife is home from the</p> <p>19 hospital. She requires an infusion of antibiotic at</p> <p>20 7:30. I live in Western Loudoun County. And the only</p> <p>21 train that would -- the last train that would get me to</p> <p>22 Brunswick, Maryland leaves the station at 5:30.</p>	8	<p>1 will have to continue is our investigator is sick, the</p> <p>2 one who did the investigative report on this protest.</p> <p>3 And he is a key witness, I would think, for everybody</p> <p>4 to ask questions about the report. So we will be</p> <p>5 scheduling a continuation. I hope it's just for, like,</p> <p>6 for that purpose.</p> <p>7 So we're going to see if we can get through</p> <p>8 the rest of the case within the two hours that we have.</p> <p>9 Yeah.</p> <p>10 MR. WAY: Well, just for protocol is that</p> <p>11 mandatory that the investigator be here? Is it</p> <p>12 optional?</p> <p>13 CHAIRPERSON MILLER: It is not mandatory</p> <p>14 actually with -- if you all want to waive your right to</p> <p>15 cross-examine, you could do that. But we don't want to</p> <p>16 take that right away from you if you want it.</p> <p>17 MR. WAY: Right. The only reason that I --</p> <p>18 CHAIRPERSON MILLER: Yeah.</p> <p>19 MR. WAY: -- state that is because we've gone</p> <p>20 to immeasurable lengths to take off from working our</p> <p>21 jobs to be here.</p> <p>22 CHAIRPERSON MILLER: Okay.</p>
7	<p>1 CHAIRPERSON MILLER: Okay. So --</p> <p>2 MR. DIETZ: Which means I have to hop on the</p> <p>3 green line, get over to Union Station in time to make</p> <p>4 the train.</p> <p>5 CHAIRPERSON MILLER: Okay.</p> <p>6 MR. DIETZ: It's very important she has this</p> <p>7 infusion. She --</p> <p>8 CHAIRPERSON MILLER: I -- that's okay. You</p> <p>9 don't have to go into all the personal details. I</p> <p>10 accept that. What I want to know is 5:00 --</p> <p>11 MR. DIETZ: Yeah.</p> <p>12 CHAIRPERSON MILLER: Can you leave at 5:00?</p> <p>13 Because I will plan that we'll end at 5:00 or at an</p> <p>14 appropriate stopping point unless it has to be earlier.</p> <p>15 MR. DIETZ: As long as I'm out the door by</p> <p>16 5:00.</p> <p>17 CHAIRPERSON MILLER: 5:00. Okay. We have</p> <p>18 another logistical problem. But, you know, your case</p> <p>19 is going to get heard. It's going to get heard fully.</p> <p>20 It doesn't mean we're going to end at 5:00 and if we</p> <p>21 haven't heard from you, forget it. We'll continue.</p> <p>22 Okay. So the other issue we have, which we actually</p>	9	<p>1 MR. WAY: And we've waited a long time. And</p> <p>2 we've been brushed off before and not saying that</p> <p>3 that's the case. But investigator -- the</p> <p>4 investigator's presence is not critical to us --</p> <p>5 CHAIRPERSON MILLER: Okay.</p> <p>6 MR. WAY: -- because his report is over 50</p> <p>7 pages long. And much of the testimony will provide the</p> <p>8 panel with the -- with the data and facts that you can</p> <p>9 determine the case.</p> <p>10 CHAIRPERSON MILLER: All right.</p> <p>11 MR. WAY: So we don't want to prolong the</p> <p>12 case.</p> <p>13 CHAIRPERSON MILLER: Well, let me ask if both</p> <p>14 parties -- do you have a concern about cross-examining?</p> <p>15 MR. DIETZ: It's absolutely essential that</p> <p>16 the investigator be here --</p> <p>17 CHAIRPERSON MILLER: Cross-examine?</p> <p>18 MR. DIETZ: -- for cross-examination.</p> <p>19 CHAIRPERSON MILLER: Okay. So it will be a</p> <p>20 short, I assume, continuation if that's all that's</p> <p>21 left. So -- and there's a right to cross-examination.</p> <p>22 And this is a key witness. So I can't just brush it</p>

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10	<p>1 off. All right. So why don't we then -- you know, we 2 normally start with the investigator and the report. 3 The investigator's report is in the record. He's not 4 here so we'll move to -- I don't know if you've been 5 here for a protest hearing before but it's usually the 6 investigator goes first. So he's not here. So then we 7 go to -- and we ask preliminary issues between the two 8 parties. How many witnesses are you going to have? 9 Who -- 10 MR. DIETZ: I'm going to have the two owners 11 and two individuals. 12 CHAIRPERSON MILLER: And you have two 13 individuals as well? 14 MR. DIETZ: Yes. 15 CHAIRPERSON MILLER: And are they -- I just 16 want to get an idea of what they're going to be 17 testifying to. We have a rule on witnesses that 18 sometimes people can -- 19 MR. DIETZ: Very, very brief and they'll be 20 actually testifying in rebuttal. They'll be rebuttal 21 witnesses. 22 CHAIRPERSON MILLER: On -- oh, you don't</p>	12	<p>1 CHAIRPERSON MILLER: Okay. 2 MR. DIETZ: And that's verified -- that's 3 also on the transcript of the status hearing. So it's 4 my understanding we have one protestant. 5 CHAIRPERSON MILLER: Right. One protestant 6 and it's you all as abutting neighbor. Okay. Yeah, 7 there's no question. I'm just checking out the 8 witnesses and I just want to let you know that 9 sometimes people invoke what's called the rule on 10 witnesses, in which they ask that all witnesses be out 11 of the room while other witnesses are testifying, so as 12 not to be influenced by the other party's testimony or 13 your own witness's testimony. 14 So not everybody invokes it. We -- I will -- 15 you know, it will only happen if either one of you want 16 to invoke the rule on witnesses. So your witnesses are 17 your church members. Are they also residents? 18 MR. WAY: They're both. 19 CHAIRPERSON MILLER: They're both. Okay. 20 They're both. Some people are both resident and church 21 member, correct? Okay. Does anybody want to invoke 22 this rule on witnesses, which would require witnesses</p>
11	<p>1 know. Okay. 2 MR. DIETZ: Yeah. 3 CHAIRPERSON MILLER: Peace, order and quiet? 4 MR. DIETZ: They're residents of the 5 neighborhood. 6 CHAIRPERSON MILLER: Residents of the 7 neighborhood. 8 MR. DIETZ: (Inaudible) resides at 4828 8th 9 Street, N.W. 10 CHAIRPERSON MILLER: Okay. 11 MR. DIETZ: I mean, Kenneth Simmons (ph) 12 resides at 1110 Buchanan Street, N.W. And Althea Dixon 13 (ph) resides at 802 Buchanan Street, N.W. So they're 14 residents of the immediate neighborhood. 15 CHAIRPERSON MILLER: Okay. 16 MR. DIETZ: But I have a -- I have a question 17 regarding the order of this case. The -- there's some 18 confusion here. The investigator's report identifies 19 this protest as a group of five. But it's my 20 understanding that the protestant is the Faith Assembly 21 Church of Christ. And it's standing as an abutting 22 property owner.</p>	13	<p>1 to step out? Okay. Good. 2 MR. DIETZ: I have no objection. 3 CHAIRPERSON MILLER: Okay. Fine. Then now, 4 we can proceed. So we have -- start with opening 5 statements. The Licensee will go first, just talk 6 about what his -- what this case is not going to be 7 about, not testify to anything. Just tell what the 8 case is about and then why he thinks they should get 9 the license or whatever. And then you all will -- you 10 can do an opening if you want -- it's not required -- 11 as to what your case will show. 12 And then the applicant will put on his 13 witnesses. You'll have the right to cross-examine. We 14 can ask questions. And then you'll put on your 15 witnesses and same thing, and then closing, and also if 16 there's any exhibits in the meantime that you might 17 want to offer. All right. Any questions before we 18 start? Oh, all right. Mr. Dietz. Thank you. 19 MR. JONES: Madam Chair, point of record. 20 CHAIRPERSON MILLER: Oh, I'm sorry, Mr. 21 Jones. 22 MR. JONES: Did we ever give them the time?</p>

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<p style="text-align: right;">14</p> <p>1 CHAIRPERSON MILLER: Oh, boy, boy, boy. 2 Well, we only have -- okay. We're going to stop at 3 five. But Mr. Jones brings up a point that normally -- 4 and this will apply to the entire case -- each side 5 gets an hour and a half each total. And that includes 6 when you are cross-examining somebody else's witness. 7 That's your time. And -- but it does not include 8 opening and closing, which you get up to five minutes 9 for. Okay. We all right on the rules? All right. 10 MR. WAY: Five minutes each or two and a 11 half? 12 CHAIRPERSON MILLER: Five minutes each. 13 Okay. 14 MR. DIETZ: Okay. This is -- this hearing is 15 based on a renewal application of a Retailer Class A 16 license for Three Way Liquors, Inc. That trades as 17 Three Way Liquors at 4823 Georgia Avenue, N.W. My 18 clients have owned and operated the store for more than 19 20 years and they own the building and have owned the 20 building for the past 13 years -- 12 years rather. 21 There's been absolutely -- other than the 22 protest filed by this protestant six years ago and this</p>	<p style="text-align: right;">16</p> <p>1 criminal activity, the outright mess that is direct -- 2 that has come directly from this church have an adverse 3 effect on not only the church, the citizens and our 4 members who are diverse in this community. 5 CHAIRPERSON MILLER: Thank you. Okay. Mr. 6 Dietz? 7 MR. DIETZ: I'll call as my first witness Mr. 8 Jung S. Yu. AND I'll proffer to the protestant and to 9 the Board a series of photographs which have been 10 marked as exhibits -- marked number exhibits. 11 CHAIRPERSON MILLER: Mr. Dietz, are you -- 12 are you asking that they be marked as one whole exhibit 13 or individual photos of the -- 14 MR. DIETZ: Individual exhibits. 15 CHAIRPERSON MILLER: Individual exhibit. 16 MR. DIETZ: And I've marked them -- they've 17 been marked and numbered. 18 CHAIRPERSON MILLER: Okay. Good. Could you 19 go behind there? There's actually -- you can sit down 20 there. But first I need to swear you in. I need to 21 have you stand and raise your right hand. Do you swear 22 to tell the truth, the whole truth, nothing but the</p>
<p style="text-align: right;">15</p> <p>1 current protest, there have been no protests against 2 the business, no citations against the business. The 3 investigator's report shows -- reports absolutely no 4 offending activity. My clients operate a good -- a 5 good, clean business. And they respectfully request 6 permission to continue to do business. 7 CHAIRPERSON MILLER: Thank you. Okay. 8 MR. WAY: Good afternoon. As pastor of Faith 9 Assembly of Christ, I will communicate and show that 10 there's adverse impact on the peace and the order and 11 the quiet in the resident -- of the residents and the 12 members in the surrounding area of 4821 Georgia Avenue 13 which has been our church for over 20 -- over 41 14 continuous years. We'll be celebrating our 42nd 15 anniversary in January of next year. 16 Secondly, I will show and our church will 17 show that the parking and pedestrian safety is a major 18 issue. We'd rather have prevention than to bury 19 someone because of the both direct and indirect 20 negligence of the patrons of Three Way Liquors. And 21 thirdly, as pastor and as the director of the church, 22 we will show that the trash, the loitering, the</p>	<p style="text-align: right;">17</p> <p>1 truth? 2 MR. YU: Yes. 3 CHAIRPERSON MILLER: Okay. Thank you. 4 MR. DIETZ: Please state your name. 5 MR. YU: My name is Jung Su Yu (ph). 6 MR. DIETZ: Okay. Are you the owner of Three 7 Way Liquors? 8 MR. YU: Yes. 9 MR. DIETZ: Okay. And you're the president 10 of the corporation; is that true? 11 MR. YU: Yes. 12 MR. DIETZ: Okay. When did you start the 13 business, Three Way Liquor? 14 MR. YU: 1994. 15 MR. DIETZ: Did you -- did you purchase that 16 as a going business? 17 MR. YU: Yes. 18 MR. DIETZ: Okay. And do you own the 19 building that the business occupies? 20 MR. YU: Yes. 21 MR. DIETZ: When did you purchase the 22 building?</p>

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<p style="text-align: right;">18</p> <p>1 MR. YU: 2000. Year 2000.</p> <p>2 MR. DIETZ: Okay. Now, what are the hours of</p> <p>3 operation at your store?</p> <p>4 MR. YU: Monday through Thursday, 10:00 to</p> <p>5 9:00; and then Friday, Saturday, 10:00 to 10:00.</p> <p>6 MR. DIETZ: Are you closed on Sundays?</p> <p>7 MR. YU: Yeah, we closed Sunday.</p> <p>8 MR. DIETZ: Okay. And what time do you close</p> <p>9 on Thursday evening?</p> <p>10 MR. YU: 9:00.</p> <p>11 MR. DIETZ: Looking at the -- at the -- you -</p> <p>12 - I'm sorry, I must have given them the photograph.</p> <p>13 Yeah. Looking at the first photograph, which has been</p> <p>14 marked as Applicant's Exhibit No. 1, can you identify</p> <p>15 what that photograph shows?</p> <p>16 MR. YU: Yeah, that's my store.</p> <p>17 MR. DIETZ: That's your store. Now, looking</p> <p>18 at the next photograph, which is marked as Applicant's</p> <p>19 Exhibit No. 2, can you identify the building that</p> <p>20 appears to the right side of that photograph?</p> <p>21 MR. YU: Yeah, that's the church.</p> <p>22 MR. DIETZ: And that's the protestant?</p>	<p style="text-align: right;">20</p> <p>1 MR. DIETZ: Is that looking to the north?</p> <p>2 MR. YU: North? The other one, number --</p> <p>3 MR. DIETZ: No, Number 6.</p> <p>4 MR. YU: Number 6?</p> <p>5 MR. DIETZ: Yes.</p> <p>6 MR. YU: That's my store and church.</p> <p>7 MR. DIETZ: Is in the north of the</p> <p>8 photograph; is that correct?</p> <p>9 MR. YU: Right.</p> <p>10 MR. DIETZ: Okay. And that's Georgia Avenue;</p> <p>11 is that right?</p> <p>12 MR. YU: Uh-huh.</p> <p>13 MR. DIETZ: Okay. And on Photograph No. 7,</p> <p>14 what does that look like?</p> <p>15 MR. YU: That's my store and next door liquor</p> <p>16 store, you know --</p> <p>17 MR. DIETZ: Okay.</p> <p>18 MR. YU: -- Colony Liquor Store.</p> <p>19 MR. DIETZ: Okay. And what's between your</p> <p>20 store and the liquor store?</p> <p>21 MR. YU: The parking lot.</p> <p>22 MR. DIETZ: And who does the parking lot</p>
<p style="text-align: right;">19</p> <p>1 MR. YU: Yes, sir.</p> <p>2 MR. DIETZ: Okay. And what's the building in</p> <p>3 the center of that photograph?</p> <p>4 MR. YU: That's my store.</p> <p>5 MR. DIETZ: Okay. And what's the building to</p> <p>6 the left of that photograph?</p> <p>7 MR. YU: I think that's belong to church.</p> <p>8 CHAIRPERSON MILLER: I'm sorry, can you speak</p> <p>9 up a little more? Can you speak a little louder?</p> <p>10 MR. YU: That's belong to church.</p> <p>11 MR. DIETZ: Now, I'm going to show you</p> <p>12 exhibits -- the next three photographs, which are 3, 4</p> <p>13 and 5. Can you identify what they show?</p> <p>14 MR. YU: That's my store inside.</p> <p>15 MR. DIETZ: That shows your inventory and --</p> <p>16 MR. YU: Yes.</p> <p>17 MR. DIETZ: -- your layout of your store?</p> <p>18 Now, the next photograph is marked No. 6. Okay. And</p> <p>19 what does that photograph show?</p> <p>20 MR. YU: That's my store, church and carryout</p> <p>21 and next is an Indian restaurant and some club, you</p> <p>22 know.</p>	<p style="text-align: right;">21</p> <p>1 belong to?</p> <p>2 MR. YU: That belong -- bank parking lot.</p> <p>3 MR. DIETZ: And where is the bank located?</p> <p>4 MR. YU: Across from my store.</p> <p>5 MR. DIETZ: Okay.</p> <p>6 MR. YU: Across the street.</p> <p>7 MR. DIETZ: And finally, in Photograph No. 8,</p> <p>8 what does that show?</p> <p>9 MR. YU: That's a club -- nightclub. That's</p> <p>10 nightclub. And then he's a restaurant, you know.</p> <p>11 MR. DIETZ: Okay.</p> <p>12 MR. YU: Moroni Pizza Restaurant.</p> <p>13 MR. DIETZ: Okay. And where's the -- where</p> <p>14 are they located?</p> <p>15 MR. YU: That's just, you know, south, you</p> <p>16 know, so --</p> <p>17 MR. DIETZ: In the next block south?</p> <p>18 MR. YU: Right. Next block. That's right.</p> <p>19 Because show them -- you had a picture.</p> <p>20 MR. DIETZ: Okay. Now, is there a bus stop</p> <p>21 anywhere near your store?</p> <p>22 MR. YU: Yeah, north of the corner, next</p>

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22	1 block corner on the street, Georgia Avenue -- on 2 Georgia Avenue. 3 MR. DIETZ: On the corner? 4 MR. YU: Yeah. 5 MR. DIETZ: Now, in the 20 plus years that 6 you've operated the store -- 7 MR. YU: Yes. 8 MR. DIETZ: -- have you received any 9 complaints regarding your operation of the store other 10 than those coming from the church? 11 MR. YU: No. 12 MR. DIETZ: Have any of the neighbors 13 complained to you? 14 MR. YU: Unh-unh. No. 15 MR. DIETZ: Have any ANC members complained 16 to you? 17 MR. YU: No. 18 MR. DIETZ: Has there ever been a complaint 19 from the ANC? 20 MR. YU: No. 21 MR. DIETZ: Has there ever been an ABC 22 protest?	24	1 CHAIRPERSON MILLER: But I -- we couldn't 2 really hear it. That's what I'm saying. You're having 3 a little side -- 4 MR. DIETZ: Okay. I'm sorry. I object to 5 the question because the question that I posed was has 6 he been ticketed or charged with a crime by the police. 7 CHAIRPERSON MILLER: Okay. And question your 8 was? 9 MR. DIETZ: He answered, "No." 10 CHAIRPERSON MILLER: Okay. He answered, 11 "No." 12 MR. WAY: The way I heard question -- 13 CHAIRPERSON MILLER: So what was your 14 question that was objected to then? What -- 15 MR. WAY: He had -- he had indicated no 16 citation. 17 CHAIRPERSON MILLER: Oh, okay. 18 MR. WAY: And there have been -- there is a 19 response and I do have a question because -- 20 CHAIRPERSON MILLER: Okay. Why don't you 21 phrase your question differently based on what he just 22 said?
23	1 MR. YU: No. 2 MR. DIETZ: Have the police ever charged you 3 with -- you or your business with a crime? 4 MR. YU: Unh-unh. No. 5 MR. DIETZ: Have you ever received a ticket 6 from the police? 7 MR. YU: No. 8 MR. DIETZ: I have no further questions. 9 CHAIRPERSON MILLER: Okay. Mr. Way, do you 10 have any cross-examination? 11 MR. WAY: I do have a question. Mr. Yu, you 12 answered that you have received no violations. 13 MR. YU: We didn't. 14 MR. DIETZ: I asked him if he was charged 15 with a crime or received a ticket. 16 CHAIRPERSON MILLER: But is there an 17 objection to the question? Wait, Mr. Dietz. I don't 18 want to have a little conversation there. Is there 19 objection to his question? 20 MR. DIETZ: No, I object to the question. 21 CHAIRPERSON MILLER: Because? 22 MR. DIETZ: I stated the reason.	25	1 MR. WAY: Is it true, Mr. Yu, that you have 2 in fact been cited for several violations including the 3 Department of Health, Food and Sanitation? There were 4 11 violations in this year where you have 10 violations 5 that were designated as minor and one as major. Since 6 then -- 7 CHAIRPERSON MILLER: Okay. Is that the 8 question? You want to -- 9 MR. WAY: Yes. 10 CHAIRPERSON MILLER: Okay. Go ahead. You 11 got the question, Mr. Yu? 12 MR. YU: No. I don't -- I don't think so. 13 No. 14 MR. WAY: You don't -- 15 MR. YU: That has -- the first one is I had 16 to call the paper -- everything I think -- 17 MR. WAY: I just wanted a, "Yes," or, "No." 18 Have you been cited by the Department of Health for 11 19 citations? 20 MR. YU: Oh, one day closed, you mean, that 21 one? 22 MR. WAY: The Department of Health --

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26	<p>1 MR. YU: For -- yeah, cat -- my cat. That's 2 why we closed one day. I explained to them. 3 MR. WAY: I didn't ask about the cat. There 4 were 11 citations that were on the internet where you 5 were cited. Had -- well, is that true at this -- 6 MR. YU: Huh? 7 MR. WAY: Were you cited for 11 violations 8 with the Department of Health? 9 MR. YU: Yes. Yeah, Health -- 10 MR. WAY: Thank you. 11 MR. YU: Oh 12 CHAIRPERSON MILLER: Mr. Jones? 13 MR. JONES: But just for a point of 14 clarification, I just want to -- I know it's a tendency 15 to kind of give verbal or facial or physical reactions 16 or answers but I just want to make sure that the 17 witness is instructed to answer the question to his or 18 her best ability without coaching or prodding or 19 implication or indication from his bench or her bench, 20 i.e., that side of the table or that side of the table. 21 If you could just remind the witness that the 22 witness should be answer the question based on his</p>	28	<p>1 MR. DIETZ: Okay. Good. 2 MR. JONES: I think you know exactly what it 3 is I'm referring to so I will not go any further into 4 that. I just caution you to make sure she's aware of 5 that as well. 6 MR. DIETZ: Okay. 7 MR. JONES: Thank you. 8 CHAIRPERSON MILLER: Okay. 9 MR. WAY: I have one more question. 10 CHAIRPERSON MILLER: I -- you have additional 11 question? I don't know though because of this -- we 12 got off track here -- what the answer to the question 13 was. You asked whether he had been cited just -- could 14 you just -- what was the last answer that you gave, do 15 you recall -- about the citations? 16 MR. YU: I (inaudible) -- 17 CHAIRPERSON MILLER: Was the answer, "Yes?" 18 You did get citations? 19 MR. YU: Yeah, I -- yes. 20 MR. WAY: Thank you. 21 CHAIRPERSON MILLER: Okay. 22 MR. WAY: My second question --</p>
27	<p>1 knowledge -- 2 CHAIRPERSON MILLER: Okay. 3 MR. JONES: -- and not anything else? 4 CHAIRPERSON MILLER: That -- 5 MR. JONES: I great appreciate it. 6 CHAIRPERSON MILLER: Okay. 7 MR. WAY: Thank you. 8 CHAIRPERSON MILLER: That's correct. If you 9 don't know the answer to the question, you can say, "I 10 don't know." You shouldn't be looking to somebody else 11 for your answer -- for an answer to the question. You 12 either know it or you don't. If you know it, state it 13 to the best of your ability. If you don't know it, you 14 can say you don't know it. Okay. 15 MR. JONES: And Mr. Yu, if you could -- 16 MR. YU: Yeah, excuse me. I -- 17 MR. JONES: -- if you could make sure that 18 she understands that as well? 19 MR. DIETZ: I hope you're not referring to my 20 tic. I have -- I have high blood pressure. 21 MR. JONES: Mr. Dietz, you've been here 22 several times. I am not referring to that at all.</p>	29	<p>1 CHAIRPERSON MILLER: Okay. 2 MR. WAY: And also Judge Miller -- 3 CHAIRPERSON MILLER: Yeah. 4 MR. WAY: -- what is the proper way to refer 5 to you so that I can give you the proper -- 6 CHAIRPERSON MILLER: Oh, Chairman Miller -- 7 MR. WAY: Thank you. 8 CHAIRPERSON MILLER: -- or Chair Miller, 9 whatever. 10 MR. WAY: Because this is my first time here. 11 CHAIRPERSON MILLER: That's fine. That's 12 absolutely fine. 13 MR. WAY: I want to make sure. 14 CHAIRPERSON MILLER: Okay. 15 MR. WAY: Yes, thank you. I want to make 16 sure I'm following your protocol. 17 CHAIRPERSON MILLER: Or Madam Chair. There 18 are a lot of different options. Yeah, whatever you're 19 comfortable with. 20 MR. WAY: I have one additional question. 21 CHAIRPERSON MILLER: Okay. 22 MR. WAY: Is it true, Mr. Yu, that just in</p>

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30	<p>1 the year 2012 that there have been several both hold up 2 alarms, burglar arms, disabled autos and disorderly 3 conduct as a result of Three Way Liquor Store calling 4 to the Metropolitan Police Department? Is that true? 5 MR. YU: Let me explain something. Okay? 6 MR. WAY: I just asked, "Yes," or, "No." 7 MR. YU: It was so sensitive. My alarm is so 8 sensitive. Our upstairs some, you know, tenants live. 9 They sometimes drop some chair or some, you know, thing 10 and alarm on it. That's why it's happening. It's not 11 -- I think it's nothing relating to you know.. Yeah, 12 those alarm too sensitive. 13 MR. WAY: And as a follow up, I have a 14 document from the Metro Police Department that there 15 was disorderly -- 16 MR. YU: Uh-huh. 17 MR. WAY: -- on July 27th, '12. That's just 18 one example. There are several, even into 2011. I 19 just want a, "Yes," or, "No," answer. 20 MR. YU: Yes. But it's not relation to 21 anything, just, you know, alarm's so sensitive. I 22 could have real motion or noise alarm. Because you're</p>	32	<p>1 we're not in our buildings 24/7. So that's really 2 irrelevant to my question. Thank you. Thank you, 3 Madam Chair. 4 CHAIRPERSON MILLER: Okay. Any Board 5 questions? 6 MR. BROOKS: Yeah, I have a question. 7 CHAIRPERSON MILLER: Yes, Mr. Brooks. 8 MR. BROOKS: Yeah. The building that's 9 adjacent to the church, do you own the building? 10 MR. YU: Yes. 11 MR. BROOKS: Okay. And how long have you 12 owned it? 13 MR. YU: I've been -- almost 20 years but my 14 -- I own building, like, 2000 -- so 12 years. 15 MR. BROOKS: Twelve years. Okay. And have 16 you had it renovated recently? 17 MR. YU: Yeah, recently. Like, a couple of 18 years ago probably remodel all, you know, front of the 19 store. Like, you look a picture -- 20 MR. BROOKS: Okay. Yeah, I'm looking at 21 Picture No. -- I guess 2. 22 MR. YU: Yes.</p>
31	<p>1 next door, your house is empty. So I worry about -- I 2 told you before, it's empty so somebody could come 3 through the -- you know, break through my wall. That's 4 what I worry about. I got a shock sensor. I got 5 motion sensor. I got basement. I got all sensor 6 because most time empty -- my next door -- your 7 building and all other building is empty. 8 So I scared about somebody come through your 9 property and they break the so many -- maybe, you know 10 -- I just -- that's why alarm on it. 11 MR. WAY: You still didn't answer -- 12 MR. YU: That's why alarm on it. 13 MR. WAY: You still didn't answer my -- 14 because the police department wouldn't report -- I only 15 asked for a, "Yes," or, "No." We have several 16 destruction of property, hold up alarms, business 17 alarm, burglar alarm, business alarm, disabled auto. I 18 just want it established; are you aware that this is 19 the record, that it's not made up? So the answer is, 20 "Yes," you are aware? 21 MR. YU: Yes. 22 MR. WAY: All right. I didn't ask for --</p>	33	<p>1 MR. BROOKS: Yeah. 2 MR. YU: I remodel that. 3 MR. BROOKS: Send me a copy of that? 4 MR. YU: Yes. 5 MR. BROOKS: Thank you. So you had it 6 renovated to look like this? 7 MR. YU: Yes. 8 MR. BROOKS: Okay. And how long ago was 9 that? 10 MR. YU: Time -- you want a time? 11 MR. BROOKS: Uh-huh. 12 MR. YU: That could be almost, like, three 13 months. It's take a while because I'm not involved 14 with all, you know -- 15 MR. BROOKS: Oh, but how long ago did you 16 have it done? 17 MR. YU: You mean it's take how long or how 18 long ago? 19 MR. BROOKS: How long ago? 20 MR. YU: Two years ago. 21 MR. BROOKS: Okay. So two years ago you had 22 it renovated?</p>

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<p style="text-align: right;">34</p> <p>1 MR. YU: Uh-huh. 2 MR. BROOKS: Okay. Thank you, Madam Chair. 3 CHAIRPERSON MILLER: Thank you. Yes, Mr. 4 Alberti. 5 MR. ALBERTI: Hi, Mr. Yu. So if I'm facing 6 your store, to the left of you is a building -- is a 7 storefront -- is a building. 8 MR. YU: Yeah. 9 MR. ALBERTI: Is that -- do you know if that 10 building's occupied or not? I mean, do you know some - 11 - how -- do you know how that building is used? Is 12 there someone living there? Is there someone using it? 13 Is there someone using that building currently, the one 14 to the left of you? 15 MR. YU: No. 16 MR. ALBERTI: Is it empty? Do you know if 17 it's -- 18 MR. YU: Empty, yes. 19 MR. ALBERTI: Okay. So it's vacant? It's 20 not in use as far as you know? 21 MR. YU: No. 22 MR. ALBERTI: Okay. Do you know how long</p>	<p style="text-align: right;">36</p> <p>1 MR. ALBERTI: Okay. Do you have -- do you -- 2 okay. So you don't have first-hand knowledge of how 3 that building is being used -- far is that's being 4 used; is that correct? 5 MR. YU: I don't -- I don't understand. 6 MR. ALBERTI: You don't know for sure how 7 that -- how that building is being used or if it's 8 being used; is that correct? 9 MR. YU: Yes. 10 MR. ALBERTI: Okay. Now, next to that 11 building -- to the left of that building is a parking 12 lot? 13 MR. YU: Right. 14 MR. ALBERTI: And that parking lot belongs to 15 the bank, you said? 16 MR. YU: Yes. 17 MR. ALBERTI: Okay. Does anyone use that 18 parking lot -- I think I see a sign on the fence that 19 says, "For customers only." So I'm assuming that 20 during banking hours, it's only for customers, right? 21 MR. YU: Most time no bank, you know -- 22 MR. ALBERTI: After -- when the bank is</p>
<p style="text-align: right;">35</p> <p>1 it's been that way? 2 MR. YU: I've been there -- I'm in my store? 3 MR. ALBERTI: No. How long -- the building 4 next to you -- to the left of you -- 5 MR. YU: Uh-huh. Most time he -- like, 6 nobody lives there. And then, you know, cops come. 7 Maybe he go in and -- I don't know, you know. I think 8 nobody -- 9 MR. ALBERTI: So -- 10 MR. YU: -- nobody's there most of the time. 11 MR. ALBERTI: -- church goes -- comes and 12 goes? 13 MR. YU: Yeah, but I don't know. Actually, 14 you know, most time it's empty. I know that. 15 MR. ALBERTI: Okay. But -- all right. But 16 you do -- you do see people coming -- enter -- 17 MR. YU: No, I don't. 18 MR. ALBERTI: At least occasionally you see 19 people coming and going -- 20 MR. YU: No, no. 21 MR. ALBERTI: -- on that property? No? 22 MR. YU: No, occasionally not. No.</p>	<p style="text-align: right;">37</p> <p>1 closed, does anyone use that parking lot? 2 MR. YU: I don't think so. But sometime they 3 use, you know, but I don't know who uses that. But 4 most of the time it's, like, empty. But on Thursday I 5 think they use -- the church member. I think. 6 MR. ALBERTI: Okay. And what -- you're not 7 sure? Why are you -- 8 MR. YU: I'm not sure. 9 MR. ALBERTI: Why are you not sure? I mean, 10 are there cars parked there on Thursdays? 11 MR. YU: Yes, sometime. 12 MR. ALBERTI: Are there a lot of cars parked 13 there on Thursdays? 14 MR. YU: Thursday? 15 MR. ALBERTI: Yeah. Are there any period -- 16 are there any times when -- all right. How many cars 17 do you see parked in that -- in that lot when the 18 bank's not open? 19 MR. YU: Unh-unh. Not many cars. 20 MR. ALBERTI: Not many. Okay. All right. 21 Thank you. 22 CHAIRPERSON MILLER: Other questions? Mr. Yu?</p>

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38	1 MR. YU: Yes, ma'am. 2 CHAIRPERSON MILLER: Do you know who took 3 these pictures that your attorney has given -- 4 MR. YU: Oh, I think -- 5 CHAIRPERSON MILLER: -- offered into 6 evidence? 7 MR. YU: I do. 8 CHAIRPERSON MILLER: You took them? 9 MR. YU: Right. 10 CHAIRPERSON MILLER: Okay. And when did you 11 take them? 12 MR. YU: This picture, like, two months ago. 13 CHAIRPERSON MILLER: Okay. 14 MR. YU: I think. Yeah. 15 CHAIRPERSON MILLER: Okay. 16 MR. YU: I did it just to show off to my 17 neighborhood, you know, how to locate, you know. 18 Because you're not, you know -- 19 CHAIRPERSON MILLER: Right. 20 MR. YU: I just tried to show them how, you 21 know, my neighborhood like. Therefore, I make picture 22 for my lawyer, you know.	40	1 MR. YU: Yeah, he just make -- yeah, yeah. 2 We did -- we made, you know -- 3 MR. JONES: These pictures are numbered? 4 MR. YU: Yes. 5 MR. JONES: Do you see that? 6 MR. YU: Uh-huh. 7 MR. JONES: Okay. Can you tell me which 8 pictures were taken on the same days? Do you have that 9 -- do you have access to that information? 10 MR. YU: I know the one through six -- that's 11 -- I took same day. And the other store inside, that's 12 the other day. 13 MR. JONES: So you're -- can you repeat that? 14 I didn't quite understand what you said. 15 MR. YU: Oh, I think Photo 1, 2, 3, 4, 5, 6, 16 7, I make, I think, the same day. And then -- 17 MR. JONES: One -- 18 MR. YU: Two -- 19 MR. JONES: -- two -- 20 MR. YU: One, two, three. 21 MR. JONES: One through three? Okay. 22 MR. YU: Yeah.
39	1 CHAIRPERSON MILLER: Okay. And do you 2 remember what time of the day you took the outdoor 3 picture? 4 MR. YU: Like, during, like, afternoon. Like 5 -- 6 CHAIRPERSON MILLER: Okay. All right. Thank 7 you. Oh, Mr. Jones. 8 MR. JONES: Thank you, Madam Chair. Were 9 these all -- excuse me. Were these pictures all taken 10 by you? 11 MR. YU: Yeah. 12 MR. JONES: And were they all taken on the 13 same day? 14 MR. YU: No, no, no. It's not same day. 15 MR. JONES: Some of them weren't the same 16 day? 17 MR. YU: It's not the same day. 18 MR. JONES: Do you have any idea which ones 19 were not -- so these pictures are numbered -- 20 MR. YU: Yes. 21 MR. JONES: -- on the back. Are your 22 pictures numbered?	41	1 MR. JONES: Were taken on one day? 2 MR. YU: Yes, I think. Yeah. 3 MR. JONES: Okay. And what about the others? 4 MR. YU: And the other one is not same day. 5 MR. JONES: Okay. So it's two different 6 days, 1 through 3 -- 7 MR. YU: Two or three -- two or three. 8 MR. JONES: Two or three days? 9 MR. YU: Yeah, I don't -- some of them we 10 arrange them -- I mean, arrange it. So -- 11 MR. JONES: Okay. So you're really not sure? 12 Okay. On the picture that's labeled -- that's No. 7 -- 13 MR. YU: No. 7? 14 MR. JONES: Yeah. 15 MR. YU: Yeah. 16 MR. JONES: There's a -- on that picture, as 17 I see it, it's a slightly angled or profiled view. And 18 there's a big sign that's a light that says, "Liquor." 19 MR. YU: Yes. 20 MR. JONES: Okay. If you look slightly to 21 the right -- 22 MR. YU: Uh-huh.

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42	<p>1 MR. JONES: -- of that, you'll see a brick 2 wall -- 3 MR. YU: Uh-huh. 4 MR. JONES: -- which I believe is part of the 5 structure of the church. But I don't want to speculate 6 that. 7 MR. YU: Uh-huh. 8 MR. JONES: On the bottom half or the bottom 9 portion of that wall, there appears to be a liquid or 10 fluid stain of some sort. 11 MR. YU: I saw that. Yeah. 12 MR. JONES: Yes. 13 MR. YU: They asked me at that time, "What is 14 that? Who did that?" What -- we didn't know that. I 15 go out and look but it's not like (inaudible) you know, 16 paint or some, you know -- yeah, I -- they mentioned 17 about that. So, you know -- 18 MR. JONES: Okay. So you're -- 19 MR. YU: "Do you know about this?" I say, "I 20 don't know about that." You know, which I had to -- 21 they ask one time, you know. 22 MR. JONES: Okay. So you --</p>	44	<p>1 MR. DIETZ: It was a cat? 2 MR. YU: Yeah, move our cat. And then -- so 3 I pay \$100 fine for that. After that, you know, we 4 reopened. Well, that's normal. And then -- yeah, and 5 then I feel okay right now, you know. I got some 6 judge. He -- I got some -- pay for that, you know, 7 with all -- it's okay. 8 MR. DIETZ: Okay. 9 MR. YU: You know, that's -- 10 MR. DIETZ: Thank you. 11 MR. WAY: Madam Chair, is it appropriate -- 12 just help me here. We have material. Do we do that at 13 another time or do we wait until the ordered time to 14 introduce that? 15 CHAIRPERSON MILLER: Well, at this point, 16 unless you want to use it with this witness, you would 17 wait for the time to put on your case. 18 MR. WAY: Fine. 19 CHAIRPERSON MILLER: And then you could offer 20 those at the beginning if you like. Okay. Any other 21 questions? 22 MR. DIETZ: Do you have anything else to --</p>
43	<p>1 MR. YU: Happening that day. 2 MR. JONES: You observed it. You noticed it 3 but you have no understanding of how that stain got on 4 that wall? 5 MR. YU: Yeah, I saw that but I don't know 6 who did that, you know. 7 MR. JONES: Okay. Thank you. 8 CHAIRPERSON MILLER: Okay. Any other 9 questions? Is there redirect based on the Board's 10 questions? 11 MR. DIETZ: Yes. Yeah, I got some. 12 Regarding the citation, the problem with the Health 13 Department, what was that problem all about? 14 MR. YU: That's for -- I got a cat. Yeah, 15 so, you know, they asked if -- to come in. And then 16 you're supposed to get -- stay -- I mean, can't have 17 cat inside store. So that's why I got a, you know, 18 one-day closed for -- 19 MR. DIETZ: So what did -- what did you do 20 with the cat? 21 MR. YU: So I, you know, next day we, you 22 know, move cat out, you know. So -- yeah.</p>	45	<p>1 MR. YU: Yeah, I want to (inaudible) I never 2 say to Mr. Way and then I didn't express, you know so - 3 - but this time may be time to -- I do some talk about, 4 you know, this decision, you know. Can I do that? 5 MR. DIETZ: No, no. 6 MR. YU: No. Well, I got some statement. 7 CHAIRPERSON MILLER: I know. Right. 8 MR. YU: Well, I make -- 9 CHAIRPERSON MILLER: Does this have to do 10 with the Board's questions? 11 MR. DIETZ: Yes, it does. 12 CHAIRPERSON MILLER: Okay. Go ahead. 13 MR. YU: Okay. Okay. I will tell you 14 something, you know. Okay. Can I stand up or -- when 15 his father -- elder Mr. Way who was worship -- his 16 father, he and I good relationship. I let him use my - 17 - back out of the garage. And he told me, you know, 18 "Hey." But I say, "No, it's okay." We so good 19 relationship. And when he own the church, before his 20 son took over, a lot of people attend that church. I 21 know that, you know. I remember. 22 Even that time we don't have any problem each</p>

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<p style="text-align: right;">46</p> <p>1 other. But after his father died, his son, Mr. Alfonso 2 Way, took over the church. I don't know. Not many 3 people come. And I don't know why. After that, he 4 started protest our liquor license renewal. Anyway, my 5 store closed on Sunday and open regularly weekdays. 6 Every morning, when I come store, I pick up storefront, 7 I see (inaudible) church is staying, you know, level. 8 So (inaudible) you know, I get something else 9 over there -- 10 CHAIRPERSON MILLER: Mr. Dietz -- 11 MR. YU: -- that I pick up. 12 CHAIRPERSON MILLER: Excuse me a second. 13 MR. YU: I pick -- 14 CHAIRPERSON MILLER: Wait. This is the point 15 where if there's something in response to the Board's 16 question -- I'm not -- we're not seeing how this is -- 17 it looks like new testimony again. 18 MR. DIETZ: It's in response to the questions 19 that were -- 20 CHAIRPERSON MILLER: To which question? 21 MR. DIETZ: It's further clarification of the 22 questions that were asked.</p>	<p style="text-align: right;">48</p> <p>1 CHAIRPERSON MILLER: A few sentences? All 2 right. 3 MR. WAY: Because of the time -- 4 CHAIRPERSON MILLER: Yeah. 5 MR. WAY: I'm sorry, as you said -- 6 CHAIRPERSON MILLER: Right. 7 MR. WAY: -- about length of time and it 8 really does, in my opinion -- I don't think that -- 9 that's going to jam us up at the end. And -- 10 CHAIRPERSON MILLER: Yeah, sometimes we spend 11 more time arguing about it. 12 MR. WAY: I think we can -- 13 CHAIRPERSON MILLER: It's just -- how many 14 sentences? Is it two sentences? 15 MR. YU: Two, three sentences. 16 CHAIRPERSON MILLER: Two, three sentences? 17 Okay. Just finish up and then -- 18 MR. YU: And then you didn't clean the walls 19 and I change -- big change, you know, like a nice, 20 clean controlled -- like, 10, 15 years ago. My 21 neighborhood a different place, like, he said, you 22 know. But -- and his father never complained to me</p>
<p style="text-align: right;">47</p> <p>1 MR. SILVERSTEIN: Which questions, sir? 2 MR. JONES: Which questions, Mr. Dietz? 3 MR. DIETZ: Pardon? 4 MR. JONES: Which questions? 5 MR. DIETZ: The questions that I posed to him 6 regarding were there any complaints about the -- from 7 the neighborhood. 8 CHAIRPERSON MILLER: No. But it's with -- 9 MR. DIETZ: There's more -- 10 MR. SILVERSTEIN: The questions that the 11 Board -- this is -- this is -- 12 CHAIRPERSON MILLER: This is the end. This 13 is, like, kind of what Board issues were raised, you 14 know, about the -- about the stain or about the things 15 like that, you know, that just come up, that didn't 16 come up earlier in your -- in his testimony. It's not 17 new testimony at this point. Is it going anywhere -- 18 if you have anything in there that's responsive, he 19 should jump to it. But -- 20 MR. YU: It's just a little left so can I -- 21 CHAIRPERSON MILLER: Just a little left? 22 MR. YU: Yeah, yeah.</p>	<p style="text-align: right;">49</p> <p>1 before, you know, he owned church. But I don't know 2 why he complains -- he start protesting me, you know. 3 CHAIRPERSON MILLER: Okay. I think that -- I 4 -- we're not hearing anything that's responsive. So 5 you'll have a chance to do closing and -- so thank you 6 very much. 7 MR. YU: Oh, thank you. 8 CHAIRPERSON MILLER: You can go back to your 9 table. Do you have another witness, Mr. Dietz? 10 MR. DIETZ: No. I'll -- I'm going to have -- 11 CHAIRPERSON MILLER: Rebuttal? 12 MR. DIETZ: -- Ms. -- rebuttal witnesses 13 based upon the testimony of the protestants. 14 CHAIRPERSON MILLER: Okay. You can do that. 15 MR. DIETZ: So it looks to me like I have 25 16 minutes left. 17 CHAIRPERSON MILLER: I'm not keeping track. 18 I guess Mr. Jones is. But I'm sure you've got time 19 left. 20 MR. SILVERSTEIN: More than an hour. 21 CHAIRPERSON MILLER: Are you keeping -- Mr. 22 Jones, you have that?</p>

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50	1 MR. JONES: I certainly do. 2 CHAIRPERSON MILLER: Okay. Is he right, 25 3 minutes or -- or you'll tell him when you get -- 4 MR. JONES: I'll tell him when I need to tell 5 him. 6 MR. SILVERSTEIN: Much more than that. 7 CHAIRPERSON MILLER: You're all right. Okay. 8 I -- were you intending on moving these pictures into 9 evidence at this point or are you going to wait? 10 MR. DIETZ: Pardon? 11 CHAIRPERSON MILLER: Did -- were you 12 intending on moving the pictures into evidence? 13 MR. DIETZ: Yes. I'd like to move the 14 Exhibits 1-8 into evidence. 15 CHAIRPERSON MILLER: Okay. So I want to ask 16 Mr. Way if you have any objection to the pictures? 17 MR. WAY: No, I do not. 18 CHAIRPERSON MILLER: Okay. Then they are 19 admitted as Licensee's Exhibits 1-8. Okay. So now, 20 it's your turn to put on your case. He's saving some 21 witnesses for rebuttal, which he can do. Okay. 22 MR. WAY: May I bring the -- we prepared some	52	1 years we have always been grateful for the government. 2 I'm getting right to the point. As I stated earlier, 3 there are several issues that relate to the peace, 4 order and quiet of our beautiful and diverse 5 neighborhood. 6 At this time in front of you, you will find 7 that there are four exhibits. And the protestant's 8 exhibit marked No. 1 (inaudible) to honor the time, 9 Madam Miller. 10 CHAIRPERSON MILLER: Okay. 11 MR. WAY: So we organized and we've been 12 working on this for years just trying to find a 13 solution. And the protestant Exhibit No. 1, you will 14 see an example on any given day of the loitering, the 15 destruction and peace and order -- 16 CHAIRPERSON MILLER: I just have a logistical 17 thing with you. Okay? Because it sounds like you're 18 acting both, like, as an attorney and maybe also as a 19 witness. 20 MR. WAY: No, I'm just sharing. 21 CHAIRPERSON MILLER: You are? Okay. If you 22 get to the point where you're actually going to be
51	1 folders we -- 2 CHAIRPERSON MILLER: Okay. So have some -- 3 oh, wait. We have someone over to get that actually 4 for you. 5 MR. WAY: Right here, seven folders. 6 CHAIRPERSON MILLER: And does -- and the 7 Licensee has a -- 8 MR. WAY: Yes. 9 CHAIRPERSON MILLER: -- folder? Okay. Good. 10 Thank you. 11 MR. JONES: Madam Chair? 12 CHAIRPERSON MILLER: Yes. 13 MR. JONES: Point of clarification. Were 14 these pictures ever officially admitted or were they 15 just -- 16 MR. SILVERSTEIN: We just did. 17 CHAIRPERSON MILLER: I just did. 18 MR. JONES: Okay. 19 MR. ALBERTI: She just did. 20 MR. JONES: Thanks. 21 MR. WAY: First I want to say, "Thank you, 22 panel," for working with us. And down through the	53	1 almost testifying, I'll swear you in. If you're just 2 kind of introducing like an attorney -- 3 MR. WAY: I'm introducing. 4 CHAIRPERSON MILLER: Okay. Go ahead then. 5 MR. WAY: You want me to sit for the sake -- 6 CHAIRPERSON MILLER: No, whatever is 7 comfortable. As long as -- can you sit? No. As long 8 as you can be heard by the court reporter. He's okay? 9 All right. 10 MR. WAY: So as -- in the context of sharing, 11 Exhibit 1 is just a sample. The second photograph is a 12 sample. These are people (inaudible) often. This 13 could range from anywhere from five or six to sometimes 14 as many as 15 or 20. And Page No. 3 is a sample -- 15 just say, "Sample." We certainly don't spend all of 16 our time trying to document but we do our best. And 17 these were taken over a variety of time. 18 Some of the tagging -- this is one on our 19 building just to the left. And by the way, we have a 20 wonderful, diverse church that serves both elders and 21 youth. And we own both properties on both sides of the 22 liquor store. And we use them every day for -- from

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54	<p>1 storage to -- as a parsonage to a library to summer 2 activities. We have a moon bounce and so -- we're 3 running late. 4 CHAIRPERSON MILLER: I know. I know. Okay. 5 MR. WAY: I just wanted to just give that 6 footnote. 7 CHAIRPERSON MILLER: Excuse me. I'm just -- 8 I'm getting the same kind of pushback here. As I was 9 asking you, if he -- if -- I can see how you're falling 10 into this, which is fine. I think I'm just going to 11 swear you in because you are talking about what's in 12 the pictures and stuff. And that's -- 13 MR. WAY: Oh, you don't want me to talk about 14 -- 15 CHAIRPERSON MILLER: No, it's fine. It's, 16 like -- 17 MR. WAY: I don't want to because we -- 18 CHAIRPERSON MILLER: -- that's, like -- no. 19 MR. WAY: -- really use our time and I have 20 others who are going to speak. So I won't go into the 21 detail. 22 CHAIRPERSON MILLER: All right. Just --</p>	56	<p>1 MR. WAY: -- Madam Chair. So these are self- 2 evident. 3 CHAIRPERSON MILLER: Well, they're not 4 exactly self-evident and that's why I would like to 5 have some witness where -- whom I could ask questions 6 on, like, you know, "Where is this? When did you take 7 it?" 8 MR. WAY: All right. All right. 9 CHAIRPERSON MILLER: Do you have a witness 10 that will do that? 11 MR. WAY: Yes. 12 CHAIRPERSON MILLER: Okay. 13 MR. WAY: My wife -- 14 CHAIRPERSON MILLER: Okay. Good. Okay. 15 MR. WAY: -- will be my first witness. 16 CHAIRPERSON MILLER: Okay. 17 MR. WAY: And then I can ask her questions? 18 CHAIRPERSON MILLER: Yes. 19 MR. WAY: Okay. 20 CHAIRPERSON MILLER: Yes, absolutely. Like 21 Mr. Dietz did. 22 MR. JONES: Madam Chair?</p>
55	<p>1 because if you want to, I just want to swear you in so 2 it counts as evidence. If an attorney -- if you're not 3 sworn in, it's not counting as evidence. If you would 4 like to talk about the pictures too, you're welcome. 5 MR. WAY: No. I'll just share them then. 6 Okay. 7 CHAIRPERSON MILLER: Okay. 8 MR. SILVERSTEIN: Back to the -- the issue 9 is, you're presenting this. And if you're a witness, 10 he has the right to cross-examine you. 11 MR. WAY: Okay. I'll just present-- 12 MR. SILVERSTEIN: It's all rules and 13 fairness. 14 MR. WAY: I'm a fast learner. I will just 15 present. 16 CHAIRPERSON MILLER: You know, there are -- 17 there are pros and cons to being a witness. 18 MR. WAY: All right. 19 CHAIRPERSON MILLER: Okay. 20 MR. WAY: I will just -- I will just follow 21 that direction. Thank you -- 22 CHAIRPERSON MILLER: Okay.</p>	57	<p>1 CHAIRPERSON MILLER: Yeah. 2 MR. JONES: I just want to make -- if I may 3 address the protestant now? 4 CHAIRPERSON MILLER: Okay. 5 MR. JONES: Just want to be -- you've made -- 6 and this is -- you take it for what it's worth but just 7 make sure -- so you have 90 minutes. So I personally 8 as an individual Board member don't want you to feel 9 rushed -- 10 MR. WAY: Okay. 11 MR. JONES: -- or feel that you are under any 12 duress because of the 5:00 deadline. 13 MR. WAY: I think that's what I was doing. 14 MR. JONES: You have 90 minutes to present 15 your case. And whether we get to your 90 minutes and 16 it's done by 5:00 or not, my understanding as an 17 individual Board member is that you will get your 90 if 18 you need the 90 minutes. And if that means we have to 19 come back another day or continue, then so be it. But 20 I don't want you to feel rushed. Okay? 21 So do what you need to do to comfortably 22 present your case because I don't want you to feel</p>

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58	<p>1 rushed in how you present your case. I don't want you 2 to feel like we've rushed you in this process. Okay? 3 MR. WAY: Thank you so much. 4 MR. JONES: Thank you. 5 MR. WAY: Thank you, Mr. Jones. 6 CHAIRPERSON MILLER: And we probably will -- 7 we will come back because of the cross-examination of 8 the investigator. Yeah, if you are ever concerned 9 about your time, you can check with Mr. Jones and he'll 10 give it periodically. But -- yeah, 90 minutes is a 11 long time usually. So -- 12 MR. WAY: Uh-huh. 13 CHAIRPERSON MILLER: -- take your time. 14 MR. WAY: All right. 15 CHAIRPERSON MILLER: Okay. 16 MR. WAY: Ms. Tawanna Way, she's an elder, 17 ordained elder. 18 CHAIRPERSON MILLER: Oh, raise your right 19 hand, please. Do you swear to tell the truth, the 20 whole truth, nothing but the truth? 21 MS. WAY: I certainly do. 22 CHAIRPERSON MILLER: Thank you.</p>	60	<p>1 pictures of the guys just hanging out. And usually, 2 they're panhandling, asking for money from any of our 3 members who may come inside the church. So -- and 4 these pictures are taken over several, several months 5 to just take snapshots. And you may see some that are 6 in the summertime, some that are in the fall. 7 But we were trying to make sure that we 8 established a picture and -- a picture of -- they gave 9 you a picture of what they do when we protest. This is 10 the real picture of what happens all the other five 11 years. When the sixth year comes, that's when they 12 clean up and do all the other stuff. So this is what's 13 going on -- really what's going on in front of the 14 church at any given day. 15 The investigator said that he didn't see 16 anything but, of course, it's because we're protesting. 17 These pictures that was taken last year, this year, 18 several months ago, this is the true -- this is the 19 true -- what you will really see about what's going on 20 in front of Georgia Avenue and the activity that's 21 going on. So any of the pictures -- these two guys 22 always -- they're always asking Pastor for money.</p>
59	<p>1 MS. WAY: I'm a little short so should I sit 2 or just stand? 3 CHAIRPERSON MILLER: Let's see how it is when 4 you sit. That's fine. 5 MS. WAY: Okay. 6 CHAIRPERSON MILLER: That's fine. Just 7 because you're closer to that mike there. So we really 8 need -- 9 MS. WAY: Okay. 10 CHAIRPERSON MILLER: -- to hear you most 11 importantly. Okay. 12 MR. SILVERSTEIN: And for the record, if she 13 could identify herself? 14 MR. WAY: Yes. Elder T. Way, would you 15 identify yourself? 16 MS. WAY: Good afternoon. My name is Ms. 17 Tawanna Way and I am senior elder at Faith Assembly of 18 Christ of Washington, DC. 19 CHAIRPERSON MILLER: Okay. 20 MR. WAY: Ms. Way, in the protestant Exhibit 21 No. 1, can you describe what this picture's about? 22 MS. WAY: In Exhibit No. 1, you can see the</p>	61	<p>1 As you can see, the graffiti that's on the 2 wall, they have now -- that's been cleaned up. 3 MR. WAY: Are you referring to Page No. 3? 4 MS. WAY: Page No. 3, yes. 5 MR. WAY: Okay. All right. And how often do 6 -- how often do the good workers at the District of 7 Columbia come and clean up after -- they are so kind to 8 come up and clean up because of the anti-gang efforts 9 of both Adrian Fenty and now, our current mayor. But 10 what happens -- does this happen once a year or was it 11 all the time? 12 MS. WAY: Oh, this goes on all the time. And 13 they come by and they are gracious enough to clean up. 14 So we're grateful for that. Page No. 4 -- I'm going to 15 go quickly -- you can see the broken bottles. 16 MR. WAY: Are they actually in the way -- do 17 you find them on the church property that abuts -- 18 though we're commercially zoned, is this an anomaly or 19 is this often? 20 MS. WAY: This is often and especially in the 21 alley, where our church is where we have all of our 22 units. We have to go and clean out the units</p>

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62	<p>1 constantly because we always -- we have bottles and -- 2 MR. WAY: Are you referring to air- 3 conditioning units? 4 MS. WAY: I'm sorry, the air-conditioning 5 units in -- thank you -- the air-conditioning units in 6 the back of the church, where they're fenced in -- but 7 are constantly having to clean up bottles, broken 8 bottles, cups. 9 MR. WAY: How high is the fence go to? 10 MS. WAY: I don't -- it's higher than you. 11 So it must be about -- 12 MR. WAY: So someone has to throw a bottle 13 over? 14 MS. WAY: Yeah, or something. Yeah. 15 MR. WAY: Or do you have any idea or any 16 sense -- any sense as to how all this bottle gets over 17 a six, seven-foot fence? 18 MS. WAY: Right. It's a seven-foot fence 19 that's enclosed. So we don't know all the stuff -- you 20 have to literally throw it over the fence in order to 21 get all of the bottles and stuff that we have to clean 22 up. And we --</p>	64	<p>1 saved. I mean, she has been has been out in the street 2 with her mouth busted open. I personally picked her 3 up. 4 MR. WAY: What is the connection to Three Way 5 Liquors? 6 MS. WAY: That's where she buys all of her 7 alcohol. She -- that's where she goes and that's where 8 she buys all of it. And I personally got her into a 9 rehab program and she's doing great. But that's the 10 disparity that goes on in Washington, DC. So all -- 11 MR. WAY: To your knowledge -- 12 MS. WAY: Yes. 13 MR. WAY: -- Ms. Way, is there any other 14 liquor store adjacent to a mosque, a synagogue, a 15 Church of Scientology bookstore, to any religious-based 16 institution in -- on Georgia Avenue? Let's just start 17 there -- to your knowledge. 18 MS. WAY: To my knowledge, there is not. And 19 the fact that he has the liquor store looking like the 20 church now is amazing. 21 MR. WAY: What do -- what do you mean when 22 you say the liquor store looking like the church?</p>
63	<p>1 MR. WAY: Would you say that -- you're saying 2 that it's almost being used as a dumping ground -- 3 MS. WAY: Yes. 4 MR. WAY: -- a convenient dumping ground 5 because we're next to the church? 6 MS. WAY: Yes. It's definitely a -- as you 7 can see on the next page after the broken bottles, this 8 is the debris that we clean up every -- 9 MR. WAY: For the sake of time, Elder Way, 10 what exactly is this? 11 MS. WAY: Okay. This is the back of the 12 church and this is by one of our air-condition units 13 and by the fence. And as you can see, it's a bunch of 14 bottles, a bunch of beer cans, trash, whatever it is. 15 The church gets all of it. And we are constantly 16 cleaning up the back of that. 17 MR. WAY: All right. I will return you for 18 the second time to the next page. There's a picture of 19 you and it's a photograph. Can you tell me what is the 20 significance of this person and this photograph? 21 MS. WAY: I personally included this one 22 because this is one of the person we -- a person we've</p>	65	<p>1 MS. WAY: His new front. People that come 2 with us want to know, is that our -- is that -- do we 3 own that because our last name is Way and it looks like 4 the church. People now are asking us, "Do you own -- 5 did you all go into the liquor business now?" So we 6 find that really interesting that it looks like the 7 church and that -- 8 MR. WAY: For the second time -- 9 MS. WAY: Yes. 10 MR. WAY: For the second time, Ms. Way -- we 11 have other witnesses -- 12 MS. WAY: Yeah. 13 MR. WAY: -- the shot of the children, how 14 does that connect to the exhibit that Mr. Dietz showed 15 of where there were oil -- some chemical that were 16 sprayed -- exactly how near is that for the young 17 children where they're sitting? 18 MS. WAY: Oh, if they were out there sitting, 19 they would have sat on the -- whatever that was. As a 20 matter of fact, that happened the week that we had our 21 first hearing. We had intimidation. We've been 22 threatened. And one of his patrons came in and -- it's</p>

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66	<p>1 already in this. I don't have to repeat it. It's 2 already in the report. 3 MR. WAY: It's already in the report. 4 MS. WAY: So we've been threatened. And 5 then, after we came down, to intimidate us, they came 6 and threw something all over the church, all over the 7 front, all over everywhere. And then I -- we asked Mr. 8 Yu and Ms. Yu, "Did you happen to see? Because you're 9 there a lot -- you know, more than I am. Did you 10 happen to see who did this?" 11 And the first thing that she said to me is 12 that, "We didn't hire anybody to do this." I said, 13 "That's not what I asked you. I didn't accuse you of 14 anything. You're here 24/7." 15 MR. WAY: Right. We're only there one. 16 MS. WAY: "So did you see anybody do this?" 17 And that was -- that was her response to me is that, 18 "We didn't hire anybody to do this." 19 MR. WAY: Is that what she said to you? 20 MS. WAY: That's what she said to me. 21 MR. WAY: "We did not hire anybody to do 22 this?"</p>	68	<p>1 MR. WAY: Is this the last picture? 2 MS. WAY: That's the last picture. We're out 3 cleaning up in exhibit -- so -- and Exhibit No. 4 just 4 goes on with this -- some of the same pictures as you 5 can see, the bottles, the bags, to-go cups that are not 6 supposed to be allowed in the District of Columbia. 7 And so -- 8 MR. WAY: Thank you, Ms. Way. 9 MS. WAY: Yes, thank you so much. 10 MR. WAY: Is there anything else you'd like 11 to say to the -- 12 MS. WAY: And I'd like to say -- and my point 13 would be -- and as I end is that there is nowhere -- 14 first of all, who wants to be next to a church? I 15 really don't understand why he -- and he talks about my 16 father-in-law and how they didn't have any issues and 17 blah, blah, blah. But we own the building on the other 18 side of him. He's in the middle. And we're here. And 19 for him to say that we're -- first of all, it's 20 disrespectful to him to even try to infer that nobody 21 goes to our church. 22 I don't even know. He doesn't even -- and he</p>
67	<p>1 MS. WAY: "To do this." Right. 2 MR. WAY: All right. And your question was 3 open-ended? 4 MS. WAY: Oh, sure. 5 MR. WAY: And what is this picture -- 6 MS. WAY: Did you see -- 7 MR. WAY: -- here -- what does it represent 8 to you? 9 MS. WAY: The other picture represents is 10 that -- 11 MR. WAY: On the bottom. 12 MS. WAY: That's what Faith Assembly does. 13 We beautify the neighborhood. We clean up. We get 14 out. We plant -- they take our flowers. They urinate 15 on our flowers. We have found needles in our bins -- 16 in our flower bins. And so, you know, it goes on. 17 Like I said, they're going to put you on a pretty good 18 show, how clean it is, because they want their license 19 renewed. 20 But this is the real deal and this is what 21 really happens. And so we're out cleaning. As you can 22 see, we're out cleaning up in the neighborhood.</p>	69	<p>1 doesn't even go to church. So how disrespectful is 2 that? The disrespect continues and I just -- I just 3 want to leave with that. 4 MR. WAY: Ms. Way, I have one additional 5 question. 6 MS. WAY: Yes. 7 MR. WAY: When you mentioned that there was 8 someone -- one of his patrons that came into the church 9 after our Sunday worship and there was intimidation 10 directed at me, at the pastor -- 11 MS. WAY: YES. 12 MR. WAY: -- and there were 20 witnesses -- I 13 will ask others -- but what was your recollection of 14 what happened and what was the physical threat that was 15 threatened? And talk about how this person said they 16 own the liquor store but Mr. Yu is just a front. Would 17 you address that? 18 MS. WAY: His name is Mr. Williams. 19 MR. DIETZ: Objection. 20 MR. WAY: I'm asking her a question -- 21 CHAIRPERSON MILLER: But he can object. He 22 can object. So --</p>

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70	<p>1 MR. DIETZ: I have the right to object. 2 Okay. This is speculation and hearsay. And unless she 3 has corroboration -- independent corroboration -- 4 MR. WAY: We have. 5 MR. DIETZ: -- to this testimony, that -- 6 CHAIRPERSON MILLER: From what I understand, 7 he was asking her what she heard or something. 8 MR. WAY: Exactly. I asked her -- 9 CHAIRPERSON MILLER: Yeah. 10 MR. WAY: -- what she heard. Thank you. 11 CHAIRPERSON MILLER: Let me hear the question 12 again. Go ahead. 13 MR. WAY: What do you recollect and what did 14 you hear from the incident where one of his patrons 15 came into the church after I had preached and we were 16 downstairs in our fellowship hall? 17 MS. WAY: Right. 18 MR. WAY: Would you please share with -- 19 CHAIRPERSON MILLER: Okay. That is 20 overruled. Go ahead. 21 MS. WAY: On the -- well, first of all, this 22 person has personally cussed me out.</p>	72	<p>1 MR. WAY: Thank you. 2 MS. WAY: "And why are you doing this? And 3 why are you protesting us? And I own the liquor store. 4 And I own the liquor store but I can't -- I can't put 5 it in my name because I have a felony against me." And 6 he was just going -- I'm sure he was drunk that day 7 too. But he was just going on and on and -- 8 MR. WAY: Did he make any treats against the 9 senior pastor? 10 MS. WAY: I -- yes, he did. And he said -- 11 MR. WAY: What did he say? 12 MS. WAY: And he said, "You know, I own a -- 13 I own a gun." And so just the subliminal -- and then 14 after that, that Thursday -- that Sunday -- that 15 Thursday is when we came back on -- the stuff was 16 thrown on the church. So it's been just -- ever since 17 we've been in this process, there's been a pattern of 18 intimidation and harassment. And we have a right -- he 19 keeps saying it hasn't happened but we do have a right 20 to come and be involved in the process of protesting. 21 Whether he thinks it should not happen, it is 22 the law that every six years that we have this</p>
71	<p>1 CHAIRPERSON MILLER: What person? 2 MS. WAY: His name is Mr. Williams. He hangs 3 out in front of Mr. Yu's. He owns a white van. And he 4 takes up the parking space every day where -- of course 5 he's not there anymore because it's protest time. So - 6 - but he's out with his van and he's selling God knows 7 what out of the van. We don't know what he's selling 8 out of the van. 9 MR. WAY: What did he say when he came into 10 the church that time? 11 MS. WAY: But he came -- well, I had an 12 altercation with him at every -- he's inebriated. And 13 I've gotten personally cussed out by him. He walks in 14 the church. We have people coming in who use the 15 bathroom. Our kids could be in the bathroom on a 16 Thursday. I mean, they'll walk in and just use the 17 bathroom. 18 And so -- but this person came in and he was, 19 like, "What are you doing? What are you doing? Don't 20 be" -- 21 MR. WAY: Who was that directed at? 22 MS. WAY: It was directed at you, Pastor Al.</p>	73	<p>1 opportunity. Our first opportunity, we didn't -- we 2 never were heard and he was relicensed and reissued a 3 license. There -- we were never heard. You all -- not 4 you but the other Board brushed us off. So we never 5 even got this opportunity. So I'm thankful that you 6 all are going through due process this time. 7 MR. WAY: Thank you, Elder Way. I would like 8 to call -- I would like to pass this -- 9 CHAIRPERSON MILLER: He has -- he has time -- 10 MR. WAY: Yes. 11 CHAIRPERSON MILLER: What -- 12 MR. WAY: Can I call another witness or does 13 he cross? 14 CHAIRPERSON MILLER: Oh, he has -- yes. He - 15 - no. She needs to -- 16 MR. WAY: I mean, I thought it was my time. 17 CHAIRPERSON MILLER: It's your time but it's 18 the same thing -- it's okay. You're just learning this 19 process. 20 MR. WAY: Right. I understand. 21 CHAIRPERSON MILLER: As what's happened with 22 Mr. Dietz's witness, you know, he puts -- you put on a</p>

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<p style="text-align: right;">74</p> <p>1 witness. That's your witness. But he has a chance to 2 cross-examine her. And the Board has a chance to ask 3 questions. And then you all have a chance again to ask 4 questions based on the subject matter that the Board 5 asked questions on. Okay. So -- 6 MR. WAY: Just one additional question. 7 CHAIRPERSON MILLER: All right. 8 MR. WAY: Ms. Way, to your knowledge, has Ms. 9 Yu or Mr. Yu ever been at either of our properties that 10 we so proudly own and have taken care of? 11 MS. WAY: Not to my -- 12 MR. WAY: Has he ever stepped foot inside any 13 of our properties to your knowledge? 14 MS. WAY: Not to my knowledge. 15 MR. WAY: Is he there on Sundays? 16 MS. WAY: No, he is not. 17 MR. WAY: Therefore, is it your response, 18 "Yes," or, "No," that -- how would he know what we do 19 and utilize our buildings on a Sunday? 20 MS. WAY: No, he would not. No. 21 MR. WAY: And what time do our Thursday bible 22 studies conclude on the average?</p>	<p style="text-align: right;">76</p> <p>1 witness. 2 CHAIRPERSON MILLER: This witness? Okay, 3 okay. Mr. Dietz? 4 MR. DIETZ: Ms. Way, what are the hours of 5 operation when the church building is being used on 6 Thursday? 7 MS. WAY: We come up from maybe 5:00 or 6:00 8 until 10:00, 11:00 on Thursdays. 9 MR. DIETZ: And how about on Sunday? 10 MS. WAY: All day. 11 MR. DIETZ: On other days you have scheduled 12 activities? 13 MS. WAY: We come up for business -- church 14 business almost all the time during the week. 15 MR. DIETZ: So you use the building full- 16 time; is that correct? 17 MS. WAY: Yes, of course. It's our building. 18 MR. DIETZ: Okay. Now, looking at your 19 Exhibit No. 1 -- 20 MS. WAY: Yes. 21 MR. DIETZ: -- when was this photograph 22 taken?</p>
<p style="text-align: right;">75</p> <p>1 MS. WAY: Around 9:30. 2 MR. WAY: So he's gone by 9:00? 3 MS. WAY: Yes. 4 MR. WAY: So he would not know what we do the 5 rest -- 6 MS. WAY: We don't come in. Right. 7 MR. WAY: -- if you don't come in and if 8 you're not there? 9 MS. WAY: Yes, that's right. 10 MR. WAY: I just want to establish that on 11 record. 12 CHAIRPERSON MILLER: Okay. Go -- 13 MR. WAY: So disrespectful. Yes. Madam, no, 14 thank you. 15 CHAIRPERSON MILLER: Okay. 16 MR. WAY: I may have further questions but -- 17 CHAIRPERSON MILLER: Okay. You'll have to 18 wait. I mean, this is your -- if you have questions 19 now, you should because they get narrower and narrower, 20 where you're limited to the subject matter of ours. 21 Okay. So you're done, right? 22 MR. WAY: I do have -- I'm done with this</p>	<p style="text-align: right;">77</p> <p>1 MS. WAY: This photograph was taken -- as you 2 can see, he had not done his fascia yet. 3 MR. DIETZ: Pardon? 4 MS. WAY: So he -- you can see -- 5 MR. WAY: The fascia, the front architecture. 6 CHAIRPERSON MILLER: No, wait. But let the 7 witness answer the questions. 8 MR. DIETZ: I asked the witness what the -- 9 MS. WAY: I'm getting ready to tell you. As 10 you can see, they have not -- it was not -- so this 11 picture was taking last year. 12 MR. DIETZ: And did you hear Mr. Yu testify 13 that the renovation took place a couple years ago? 14 MS. WAY: A couple of years ago? This 15 renovation did not take a couple -- a couple of years 16 ago? When was the renovation taken? 17 MR. DIETZ: Thank you. 18 MS. YU: September 2010.. 19 CHAIRPERSON MILLER: Wait a second. I'm 20 sorry. All right. Calm down. I mean, I understand 21 that we have people here that don't know the rules. 22 MS. WAY: I first -- I can go back -- I can</p>

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78	<p>1 go back and get my -- just like you have your stamp -- 2 all are time-stamped so I could be fine. So that's 3 fine. I will find out when that stamp -- 4 MR. DIETZ: So it was taken years ago, wasn't 5 it? 6 MS. WAY: Not years ago. 7 MR. DIETZ: More than one year ago? 8 MS. WAY: You know what? I can go and check 9 and see for you so I won't lie under oath. 10 MR. DIETZ: And the second picture there, 11 that's actually an enlargement of the first picture, 12 isn't that? 13 MS. WAY: That's probably a close-up. 14 CHAIRPERSON MILLER: I'm sorry. I can't hear 15 your -- wait a second. I can't -- I can't hear as 16 well. 17 MS. WAY: I'm sorry. 18 CHAIRPERSON MILLER: Because I don't know 19 about the other Board members. Like, when you were 20 testifying -- 21 MS. WAY: Yes. 22 CHAIRPERSON MILLER: -- and you're facing</p>	80	<p>1 MR. DIETZ: Okay. And turning to -- turning 2 to the picture -- the second to the last picture, on 3 the bottom of that page -- 4 MS. WAY: Yes. 5 MR. DIETZ: -- is that tree still there? 6 MS. WAY: That tree is gone. So that is an 7 older picture. Yes, that is. 8 CHAIRPERSON MILLER: Which -- 9 MR. DIETZ: And how about the picture of the 10 children? 11 CHAIRPERSON MILLER: Excuse me. Which -- 12 MR. DIETZ: When was that taken? 13 CHAIRPERSON MILLER: Mr. Dietz, which picture 14 were you looking at? 15 MR. DIETZ: The second to the last page at 16 the bottom here. 17 CHAIRPERSON MILLER: Oh, thank you. Okay. 18 MS. WAY: Yes, that tree has since then been 19 cut. So that is an older picture. 20 MR. DIETZ: So when did you take a picture of 21 the children? 22 MS. WAY: You know, I have to go back and see</p>
79	<p>1 this way, we heard everything. 2 MS. WAY: I'm sorry. 3 CHAIRPERSON MILLER: But just -- there is a 4 mike there. 5 MR. WAY: Face that way. 6 CHAIRPERSON MILLER: Okay. You can -- 7 MS. WAY: Okay. 8 CHAIRPERSON MILLER: -- either face my way or 9 you can face in the middle. Just so -- 10 MS. WAY: Okay. 11 CHAIRPERSON MILLER: We don't want to miss 12 what you're saying. 13 MS. WAY: That's probably a close-up. He was 14 asking me is this a duplicate. I said, "It's probably 15 a close-up." 16 CHAIRPERSON MILLER: Oh, okay. 17 MS. WAY: Yes. 18 CHAIRPERSON MILLER: Thank you. 19 MR. DIETZ: Now, what day of the week was it 20 taken? 21 MS. WAY: That was taken on a Thursday, when 22 we were coming to church.</p>	81	<p>1 when that stamp, Mr. Dietz. What is your point, sir? 2 CHAIRPERSON MILLER: No, that's okay. 3 MR. ALBERTI: That is not -- 4 MS. WAY: I'm sorry. 5 CHAIRPERSON MILLER: Okay. So you have to 6 have a -- maintain a certain decorum in this here. 7 MS. WAY: Okay. 8 CHAIRPERSON MILLER: And you -- the witness 9 isn't allowed to ask the questioner -- 10 MS. WAY: Okay. Thank you. 11 CHAIRPERSON MILLER: -- questions. Okay. 12 MR. DIETZ: So basically over what period of 13 time were these pictures taken? 14 MS. WAY: Those pictures are from this year, 15 last year and maybe up to two or three years ago. 16 MR. DIETZ: And do you have any way of 17 identifying when and where the pictures were taken? 18 MS. WAY: Probably. 19 MR. DIETZ: How? 20 MS. WAY: All pictures now are time-stamped. 21 MR. DIETZ: Pardon? 22 MS. WAY: All pictures now are date and time-</p>

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82	1 stamped. 2 MR. DIETZ: Where's the date and time stamp 3 on these pictures? 4 MS. WAY: I -- they're on my computer. 5 MR. DIETZ: Where's your computer? 6 MS. WAY: At my house. Where is your -- I'm 7 sorry. 8 CHAIRPERSON MILLER: No, no, no. 9 MS. WAY: Sorry. 10 CHAIRPERSON MILLER: Okay. 11 MS. WAY: Sorry. 12 MR. DIETZ: I have no further questions of 13 this witness. 14 MS. WAY: Okay. 15 CHAIRPERSON MILLER: Okay. Are there Board 16 questions? Yeah, Mr. Brooks. 17 MR. BROOKS: Yeah. Elder Way, is this your 18 first protest of this Licensee? 19 MS. WAY: This is the second. 20 MR. BROOKS: The second? 21 MS. WAY: Yes, sir. 22 MR. BROOKS: So you protested before?	84	1 address that to Pastor because he was -- he was -- 2 MR. WAY: We were -- we were told -- 3 CHAIRPERSON MILLER: Wait, no. 4 MR. BROOKS: Our turn. 5 MS. WAY: Okay. 6 MR. BROOKS: Okay. 7 MS. WAY: To my knowledge -- because Pastor 8 Way handles all the other -- he was the -- like he is 9 now, he was the one -- the contact person. So he can 10 tell you exactly what happened, how it ended. But to 11 my knowledge, no, we never heard from anyone. They 12 were -- he was just reissued his license. 13 MR. BROOKS: And the people standing outside, 14 have you ever told them to move on? 15 MS. WAY: We've tried to be peaceful as much 16 as possible. And so for us, as ladies, I mean, you can 17 get called outside your name, be very flirtatious. You 18 know, but we try as much as possible to be respectful. 19 And we make our way through the door. 20 MR. BROOKS: Okay. Madam Chair, I don't... 21 CHAIRPERSON MILLER: Okay. Mr. Silverstein? 22 MR. SILVERSTEIN: Elder Way, thank you for
83	1 MS. WAY: Yes, we did. 2 MR. BROOKS: How long ago was that? 3 MS. WAY: 2006. 4 MR. BROOKS: 2006. And what happened after 5 that? 6 MS. WAY: We -- they never got to us. They 7 never talked to us. They never wrote us. The Board 8 never did anything and they reissued a license to him 9 without even testimony. We didn't even have this -- 10 MR. BROOKS: So you've never had a protest 11 hearing as you're having now -- 12 MS. WAY: No, we never did. 13 MR. BROOKS: -- back in 2006? 14 MS. WAY: No, we did not. 15 MR. BROOKS: And no one ever gave you an 16 answer as to why not? 17 MS. WAY: Nobody. 18 MR. BROOKS: Did you talk to someone here? 19 MS. WAY: No one. 20 MR. BROOKS: So you never called or checked 21 back on your protest? 22 MS. WAY: I can go -- you can -- you can	85	1 coming and for being involved in the community as you 2 are. This intimidation from this Mr. Williams, did you 3 see this -- did you all see this as a direct threat or 4 was this just the ramblings of a pathetic alcoholic? 5 MS. WAY: We saw it as a direct threat. 6 MR. SILVERSTEIN: Did you call the police? 7 MS. WAY: That Sunday we did not. 8 MR. SILVERSTEIN: Do you wish you had? 9 MS. WAY: Yes. 10 MR. SILVERSTEIN: Have you had any additional 11 confrontations or problems with this -- I won't call 12 him a gentleman -- with this man? 13 MS. WAY: It seems he's disappeared and he's 14 been called off. His van is no longer in front and 15 he's just -- we don't see him anymore ever since that 16 incident happened, we -- ever since the -- whatever got 17 threw in front of the church. And so we don't see him 18 anymore. 19 MR. SILVERSTEIN: Have you had occasion on 20 other -- on other occasions to call the police or any 21 reason to call the police because of any loitering, 22 threat, public urination, any of these things that

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86	<p>1 really are violations of the law? 2 MS. WAY: Yeah. The peaceful people that we 3 are -- extremely -- this is our last resort. This is 4 not something we wanted to do. This is not something 5 we wanted to pick up and come down -- we don't want to 6 fight. But our neighborhood is constant -- I mean, and 7 our people are deteriorating with alcohol. Yesterday, 8 me and Ms. Yu had the chance to see a man walking on 9 the yellow line in front with a big, blue blanket, 10 sitting. And he was so drunk, he sat in the middle of 11 Georgia Avenue. 12 Then he gets up and he's walking down the 13 street. And I'm, like, "Oh, my god, he's going to be 14 dead if somebody does come." And he just literally 15 walked -- and we had a funeral yesterday at church. He 16 has this huge blanket on him, drunk as -- I just can't 17 even tell you how drunk this man -- in a stupor. Now, 18 I'm not saying he got his liquor from there. That's 19 not what I'm saying. 20 But this is the ravishing that is going on in 21 our neighborhood because there's liquor stores so 22 abundantly until somebody has to take a stand and say,</p>	88	<p>1 clear -- 2 MS. WAY: Yes. 3 MR. ALBERTI: -- where were you standing when 4 you took this picture? 5 MS. WAY: On the bank parking lot but that's 6 our wall. 7 MR. ALBERTI: Oh, so that -- okay. So this 8 is the building next to the bank parking lot? 9 MS. WAY: Yes, it is. 10 MR. ALBERTI: Okay. I understand you own 11 that building. 12 MS. WAY: Yes, yes. 13 MR. ALBERTI: Okay. All right. Okay. When 14 was this taken? 15 MS. WAY: That picture was probably taken two 16 years ago. 17 MR. ALBERTI: Okay. 18 CHAIRPERSON MILLER: Okay. For the -- for 19 the record, you're referring to Page 3 of -- 20 MR. ALBERTI: Page 3. 21 CHAIRPERSON MILLER: -- protestant's Exhibit 22 1.</p>
87	<p>1 "How many people have to die?" How many people with 2 services being cut back -- they're not going to be 3 helped because all the drug rehab programs are going to 4 be closed because of the changing landscape of DC now. 5 So we probably should have called but we 6 didn't because of the peace -- we -- just like he said, 7 we have always been peaceful people. But enough is 8 enough. Enough is enough. 9 MR. SILVERSTEIN: Thank you. No further 10 questions. 11 CHAIRPERSON MILLER: Mr. Alberti? 12 MR. ALBERTI: Hi, Elder Way. 13 MS. WAY: Yes. 14 MR. ALBERTI: This picture -- it's the third 15 page of the exhibits. 16 MS. WAY: Yes, sir. 17 MR. ALBERTI: What building is that? 18 MS. WAY: That is our building. 19 MR. ALBERTI: The church building? 20 MS. WAY: Yes, it is. We own the -- we own 21 the house that's -- 22 MR. ALBERTI: Okay. All right. Just to be</p>	89	<p>1 MR. ALBERTI: Yes. 2 CHAIRPERSON MILLER: Okay. 3 MS. WAY: Page 3, yes. 4 MR. ALBERTI: And when did Mr. -- when did 5 the threat from Mr. Williams occur? 6 MS. WAY: The week of our hearing that -- 7 what is called, the first one? 8 MR. ALBERTI: Status hearing? 9 MS. WAY: Status hearing, yes. That week -- 10 that Sunday and we were to come down. Yes. 11 MR. ALBERTI: Okay. 12 MS. WAY: It happened that week. 13 MR. ALBERTI: And your -- is it your 14 testimony that's the last time you saw him? 15 MS. WAY: We have not seen him since. 16 MR. ALBERTI: Okay. How often does he -- 17 okay. Are you there at the church every day? 18 MS. WAY: We're, like, maybe three times -- 19 well, Mr. Way -- Pastor Way is there more than I am. 20 So he'll go up and check on the building or do church 21 business during the week. And we'll go check in on the 22 building. And so we have many things that are going on</p>

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90	1 -- 2 MR. ALBERTI: Oh, okay. 3 MS. WAY: -- in the mission projects. We're 4 -- he's there several times a week. I'm there on 5 Thursday and Sunday. 6 MR. ALBERTI: Okay. 7 MS. WAY: Yes. 8 MR. ALBERTI: So he's there -- other than 9 Thursdays and Sundays, he's there one or two days? 10 MS. WAY: Oh, yeah, sure. We'll have a 11 Saturday event. We have our women's meetings on 12 Saturdays. So I'm there on Saturdays. 13 MR. ALBERTI: Okay. And how often did you 14 see Mr. Williams there? 15 MS. WAY: Mr. Williams is usually there 16 almost every -- I mean, every -- this -- 17 MR. ALBERTI: Every time you're there? 18 MS. WAY: Yeah. 19 MR. ALBERTI: Okay. Sundays? 20 MS. WAY: Yeah. No, not on Sundays. But 21 during the weekday he's there, like, every time with 22 his white van selling, like I said, I don't know what	92	1 And I know there's some kind of law about what -- to-go 2 cups or something. 3 MR. JONES: Okay. 4 MS. WAY: They're not allowed in the 5 District. 6 MR. JONES: So this is -- this is 7 representative of a piece of litter? 8 MS. WAY: Yes. 9 MR. JONES: Okay. Where is this? 10 MS. WAY: This is right out in our -- on that 11 property that we own, 4825, we have a -- some bushes -- 12 MR. JONES: Uh-huh. 13 MS. WAY: -- right where our church -- is the 14 planters. 15 MR. JONES: Yes, ma'am. 16 MS. WAY: That's where that was. 17 MR. JONES: Okay. 18 MS. WAY: That was right inside one of the 19 planters. 20 MR. JONES: Did you take that photo? 21 MS. WAY: Yes, I did. 22 MR. JONES: Okay. Is there a reason why it's
91	1 out of it. 2 MR. ALBERTI: Have you -- 3 MS. WAY: But I don't know -- 4 MR. ALBERTI: Have you called the police to 5 report that? 6 MS. WAY: No, we have not. 7 MR. ALBERTI: Thank you. No further 8 questions. 9 MS. WAY: You're welcome. 10 CHAIRPERSON MILLER: Mr. Jones? 11 MR. JONES: Thank you, Madam Chair. Ma'am, 12 are you -- do you have this Exhibit 1 -- protestant 13 Exhibit 1 available? 14 MS. WAY: Yes, I do. 15 MR. JONES: The -- one, two -- there is a 16 page -- I don't know what page count it is but the top 17 half of that photo has a woman that you saved. 18 MS. WAY: Yeah. 19 MR. JONES: What's the bottom half of that 20 photo? 21 MS. WAY: The bottom half is the cup -- the 22 cups that they throw around. That was just more trash.	93	1 -- what was your rationale for zooming in so tightly on 2 the cup? 3 MS. WAY: I think I had -- when I took it, I 4 think I had heard something about a to-go cup law. 5 They're not supposed to have cups or something -- not 6 to give out cups. I'm not sure the clarity of it. 7 MR. JONES: Okay. 8 MS. WAY: But I think that was my reasoning 9 that -- when I took it. 10 MR. JONES: Do you have any recollection of, 11 when you took this picture, what the surrounding area 12 around this cup looked like? Was this the only piece 13 of trash -- the only piece of litter, and if so, the 14 only piece of litter for 2 square feet, 20 square feet? 15 MS. WAY: Well, like I said, if it was in our 16 planter -- 17 MR. JONES: Uh-huh. 18 MS. WAY: -- it could have been the only 19 thing that was in the planter. But if you stick your 20 hand down in the planter, we always had -- which we 21 always had to put gloves on -- Pastor Way did because 22 you had to make sure -- you didn't know what you were

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94	<p>1 going to pull up out of the planters. So that could 2 have just been something that was on top of the bush. 3 MR. JONES: Okay. And do you have -- I know 4 it just seems to be a plain, white cup, like, Styrofoam 5 cup. 6 MS. WAY: Yes. 7 MR. JONES: Do you have any knowledge -- you 8 -- first-hand knowledge of whether or not this 9 establishment either gives away or sells these plain, 10 white, Styrofoam cups? 11 MS. WAY: Do I have any personal knowledge? 12 No, I do not have any personal knowledge. 13 MR. JONES: Okay. So you haven't sent 14 somebody in there to buy? You haven't gone in 15 personally to buy? 16 MS. WAY: Right. 17 MR. JONES: Have you seen anybody walk out 18 with said cup? 19 MS. WAY: With a cup? No, just the bags and 20 the bottles and -- 21 MR. JONES: Okay. 22 MS. WAY: -- personal whatnot.</p>	96	<p>1 on the broken bottles. But as you can see on Page No. 2 -- the next page behind is, is -- it was probably in 3 this whole big pile of stuff. But I zoomed in on the 4 crack glass. Because we -- basically what I thought -- 5 my rationale was, I'm taking samples of what goes on in 6 the pile of stuff that's there. I may zoom in on 7 something but the majority of it is always in the piles 8 of stuff like -- 9 MR. JONES: Okay. 10 MS. WAY: -- that's on this last page. 11 MR. JONES: And you pointed me to Page 4. On 12 that Page 4, is that inside or outside of a fence? Is 13 this the air-conditioning area that you referenced? 14 MS. WAY: Yeah, this is -- this is inside. 15 MR. JONES: This is inside the fenced area? 16 MS. WAY: Yes, it is. 17 MR. JONES: So when you took this picture, 18 were you inside the fenced area? 19 MS. WAY: I was probably -- the way that we 20 have it, I was -- yep. I sure was. Because I'm not -- 21 the fence is not there. So -- yeah. 22 MR. JONES: Yes, ma'am.</p>
95	<p>1 MR. JONES: All right. Similar question for 2 the Heineken bottle -- 3 MS. WAY: Yes. 4 MR. JONES: -- that is broken. Where is 5 this? 6 MS. WAY: The Heineken bottle is in the back 7 of the church in the alley. 8 MR. JONES: In the back of the church in the 9 alley? 10 MS. WAY: Right. Where our park -- well, 11 it's in our property where (inaudible) -- 12 CHAIRPERSON MILLER: Your paper is on the 13 microphone there. And so -- 14 MR. ALBERTI: Mr. Dietz, your -- 15 MR. JONES: Thank you. The picture also is 16 zoomed in -- 17 MS. WAY: Yes. 18 MR. JONES: -- very detailed, very focused -- 19 MS. WAY: Yes. 20 MR. JONES: -- area. Is there -- was there a 21 rationale for that? 22 MS. WAY: Right. Because I wanted to zoom in</p>	97	<p>1 MS. WAY: I can go outside the church door. 2 MR. JONES: Okay. 3 MS. WAY: And I can -- yeah. 4 MR. JONES: Okay. 5 CHAIRPERSON MILLER: For the record, could 6 you -- one of you identify the picture you're looking 7 at? 8 MS. WAY: I'm sorry. In Exhibit No. 1, 9 Picture 1, 2, 3, 4 -- Picture No. 5. 10 CHAIRPERSON MILLER: Thank you. Okay. 11 MS. WAY: You're welcome. 12 MR. JONES: And is this picture, Picture No. 13 5 of protestant's Exhibit No. 1, is this representative 14 of the trash -- level of trash -- level of litter that 15 you would see behind your establishment -- is -- on a 16 regular basis? 17 MS. WAY: Yes, sir. 18 MR. JONES: Okay. How often do you clean up 19 this? 20 MS. WAY: My -- the church members who go out 21 to help Pastor, they're cleaning up every week. 22 MR. JONES: So this is cleaned up every week.</p>

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<p style="text-align: right;">98</p> <p>1 MS. WAY: Yes.</p> <p>2 MR. JONES: So every week you're cleaning up</p> <p>3 approximately -- I mean, on a representative level --</p> <p>4 MS. WAY: Yes.</p> <p>5 MR. JONES: -- this much described --</p> <p>6 MS. WAY: Oh, yeah.</p> <p>7 MR. JONES: -- this much letter?</p> <p>8 MS. WAY: Oh, yeah.</p> <p>9 MR. JONES: Okay. Behind a fence -- roughly</p> <p>10 a seven-foot fence --</p> <p>11 MS. WAY: Yes.</p> <p>12 MR. JONES: -- if I heard you correctly --</p> <p>13 MS. WAY: Yes.</p> <p>14 MR. JONES: -- area behind your church</p> <p>15 establishment?</p> <p>16 MS. WAY: Yes.</p> <p>17 MR. JONES: Okay. Do you have -- outside of</p> <p>18 the proximity of the licensed establishment, do you</p> <p>19 have any reason to believe that this accumulation of</p> <p>20 litter is directly attributable to the licensed</p> <p>21 establishment's operation?</p> <p>22 MS. WAY: Yes, I do.</p>	<p style="text-align: right;">100</p> <p>1 MR. JONES: -- is there any other reason</p> <p>2 besides their proximity that you would tie this amount</p> <p>3 of litter -- this particular trash accumulation to this</p> <p>4 licensed establishment as opposed to a patron coming</p> <p>5 from the other licensed establishment and walking by</p> <p>6 your location and subsequently dumping their trash?</p> <p>7 And --</p> <p>8 MS. WAY: I understand what you're saying.</p> <p>9 MR. JONES: Okay.</p> <p>10 MS. WAY: Yeah, yeah. I understand what</p> <p>11 you're saying. And I guess it's subjective.</p> <p>12 MR. JONES: Okay. So from that standpoint,</p> <p>13 is it safe to say that you have -- you personally have</p> <p>14 not seen someone come out of this licensed</p> <p>15 establishment, walk to this back area and toss trash</p> <p>16 into that location that I'm looking at on Page 5 of</p> <p>17 protestant Exhibit No. 1?</p> <p>18 MS. WAY: Have I personally --</p> <p>19 MR. JONES: Have you --</p> <p>20 MS. WAY: I don't go in the alley that often.</p> <p>21 MR. JONES: Understood. So --</p> <p>22 MS. WAY: Yeah, I don't -- I don't know if --</p>
<p style="text-align: right;">99</p> <p>1 MR. JONES: Okay. And what might that be?</p> <p>2 MS. WAY: Because these are people who are</p> <p>3 purchasing and they're just liquors -- bottles and</p> <p>4 liquor. There are cans and everything and they're</p> <p>5 making our church a dump site.</p> <p>6 MR. JONES: Understood. But outside of the</p> <p>7 proximity of this licensed establishment to your church</p> <p>8 -- so let me ask it different.</p> <p>9 MS. WAY: Okay.</p> <p>10 MR. JONES: Are there any other liquor stores</p> <p>11 or any other establishments that sell alcohol within</p> <p>12 walking distance of your church?</p> <p>13 MS. WAY: Yes. Yeah, there is another liquor</p> <p>14 store.</p> <p>15 MR. JONES: There is another liquor store.</p> <p>16 So given that --</p> <p>17 MS. WAY: Uh-huh.</p> <p>18 MR. JONES: -- outside of the immediate</p> <p>19 proximity of this licensed establishment to your church</p> <p>20 grounds -- so this localized area behind your church</p> <p>21 where the air-conditioner units are --</p> <p>22 MS. WAY: Yes.</p>	<p style="text-align: right;">101</p> <p>1 MR. JONES: -- would the -- would the answer</p> <p>2 be, "No?"</p> <p>3 MS. WAY: So my answer would be, "Maybe."</p> <p>4 MR. JONES: Maybe you --</p> <p>5 MS. WAY: Yeah.</p> <p>6 MR. JONES: -- you might have seen someone</p> <p>7 throw --</p> <p>8 MS. WAY: Oh, have I seen someone personally?</p> <p>9 No, I have not seen anyone personally throw over. No.</p> <p>10 MR. JONES: Okay. That's fair enough. And -</p> <p>11 - oh, the license -- I'm not sure if you had an</p> <p>12 opportunity to review these photos that were presented</p> <p>13 by the Licensee but the Licensee had a Photo No. 7.</p> <p>14 And on No. 7, I believe the stain -- yes -- that's the</p> <p>15 stain that's on the wall.</p> <p>16 MS. WAY: Yes. And I have a bigger picture</p> <p>17 of that if you'd like.</p> <p>18 MR. JONES: Okay. I was just curious. Did</p> <p>19 you have an opinion as to what that might have been?</p> <p>20 MS. WAY: You know, it was oily. Because I</p> <p>21 was the first one to arrive that Thursday. And it was</p> <p>22 an oily substance. And they tried to water it down, as</p>

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102	1 you can see, and try to, you know -- and we couldn't 2 get it off. 3 MR. JONES: Okay. In your -- 4 MS. WAY: And it was inside -- it was 5 literally inside of the foyer. So they threw something 6 inside the -- because, you know, when you have a glass 7 door, it may be just a little teeny spot or, you know, 8 maybe like a space in-between the door. 9 MR. JONES: Yes, ma'am. 10 MS. WAY: So this substance was also inside 11 the church lot. 12 MR. JONES: Okay. So would you -- 13 MS. WAY: And Mr. Yu's place was clean. I 14 mean, I took a picture of his spot. It was totally -- 15 there was nothing on his. 16 MR. JONES: Yes, ma'am. 17 MS. WAY: So they went from our church -- 18 they skipped the liquor store and then they went to our 19 property at 4825. 20 MR. JONES: Okay. 21 MS. WAY: It was just our properties. 22 MR. JONES: So would you characterize this	104	1 CHAIRPERSON MILLER: Okay. 2 MS. WAY: -- one of our Christmas functions 3 we were having. 4 CHAIRPERSON MILLER: There's one in -- so I 5 just have a few questions on the pictures too. Exhibit 6 1, No. 3 that you were looking at with Mr. Jones, it's 7 graffiti? 8 MS. WAY: Yes. 9 CHAIRPERSON MILLER: Do you know what it 10 said? 11 MS. WAY: Oh, no. I'm not into gang signs. 12 CHAIRPERSON MILLER: Is it still there? 13 MS. WAY: No. The city has come by and 14 cleaned it up. 15 CHAIRPERSON MILLER: Okay. That was the 16 third -- the fourth picture of protestant's Exhibit 1, 17 where is that taken? It has a Beck's in it. 18 MS. WAY: Right. As Mr. Jones -- I think he 19 asked that question too. That was taken -- 20 CHAIRPERSON MILLER: Oh, I'm sorry. 21 MS. WAY: -- in the back in the alley? 22 CHAIRPERSON MILLER: Is it -- okay. Is that
103	1 picture that I'm looking at with this stain as an 2 attempt to vandalize your property? 3 MS. WAY: Vandalize, intimidate. Yes. 4 MR. JONES: Okay. Thank you. 5 MS. WAY: No question. Yes. 6 MR. JONES: Thank you, Madam Chair. 7 CHAIRPERSON MILLER: Mr. Jones, the 8 Licensee's exhibits -- their pictures have numbers on 9 them. So the picture you were just referring to, what 10 number was that? 11 MR. JONES: I said, "Seven." 12 CHAIRPERSON MILLER: Oh, seven. Thank you. 13 Okay. Good. Okay. Other questions? I just have a 14 few, Ms. Way. 15 MS. WAY: Yes. 16 CHAIRPERSON MILLER: Okay. So did I -- did I 17 hear you say that you took all the pictures -- 18 MS. WAY: Yes. 19 CHAIRPERSON MILLER: -- except the one you're 20 in probably, unless you did it on, like -- 21 MS. WAY: No, that was in our Christmas of 22 Champions --	105	1 different from -- so that's different from the next 2 picture after that? 3 MS. WAY: Well, I -- and I was telling him, I 4 probably zoomed in on some of the crack -- to show that 5 not only is it cans, but there are crack bottles that 6 go along too with the trash, which is very dangerous to 7 kids and -- 8 CHAIRPERSON MILLER: Okay. 9 MS. WAY: Yeah. 10 CHAIRPERSON MILLER: Do the kids go back 11 there? 12 MS. WAY: Well, not that they would be in the 13 back but we have found some of this in the front in the 14 tree -- in the tree -- 15 CHAIRPERSON MILLER: Right. 16 MS. WAY: -- (inaudible) that we were working 17 in, which the tree is no longer there. 18 CHAIRPERSON MILLER: Okay. So well, let's go 19 to protestant's Exhibit No. 4, which is more pictures. 20 The first one, is that in the same place as -- 21 MS. WAY: I'm sorry, which one are you at? 22 CHAIRPERSON MILLER: Well, the first picture

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106	<p>1 on Exhibit -- protestant Exhibit 4. It's also trash. 2 And I'm just wondering if it's in the same place as 3 one, two, three -- 4 MS. WAY: Yes, that's -- that is a zoomed-in 5 picture of -- yeah. 6 CHAIRPERSON MILLER: Near your air- 7 conditioning units? 8 MS. WAY: I'm sorry? 9 CHAIRPERSON MILLER: I thought -- were there 10 two -- what two places are you referring to? One is, 11 like, near the air-conditioning unit -- 12 MS. WAY: Right. 13 CHAIRPERSON MILLER: -- and the alley, 14 they're two different places? 15 MS. WAY: No, no, no. 16 CHAIRPERSON MILLER: The same place? 17 MS. WAY: They're the same. So you could 18 have trash going along outside of the fence. And then 19 we have stuff that's inside of the fence. So we have 20 two places where we clean up. 21 CHAIRPERSON MILLER: So the fence is between 22 what -- between your property and the liquor store's</p>	108	<p>1 this picture, where is your property, on the right-hand 2 side? 3 MS. WAY: Where the fence is. 4 CHAIRPERSON MILLER: Where the fence is. 5 Okay. 6 MS. WAY: Yes. 7 CHAIRPERSON MILLER: So someone could throw 8 trash from the alley -- 9 MS. WAY: Yes. 10 CHAIRPERSON MILLER: -- over the fence? Is 11 there another way that -- another side that trash could 12 be thrown from or is that it from the alley? 13 MS. WAY: Well, all of this is a locked 14 fenced-in -- so it's locked. I mean, it's -- 15 CHAIRPERSON MILLER: Oh 16 MS. WAY: -- it has chains and locks on it. 17 So there's -- you literally have to make an effort to 18 get trash over there. 19 CHAIRPERSON MILLER: What's the gray building 20 on the other side of the alley? 21 MS. WAY: On the other side of the -- 22 CHAIRPERSON MILLER: This is the alley?</p>
107	<p>1 property? 2 MS. WAY: Well, I -- in the back we have the 3 air-conditioning units. So it's all fenced in. 4 CHAIRPERSON MILLER: Okay. 5 MS. WAY: So the liquor store is next to us. 6 So there -- we have a lot of activity in the alley. 7 That's where a lot of people hang out. That's where a 8 lot of -- they urinate all out. 9 CHAIRPERSON MILLER: So the alley -- is the 10 picture of the alley -- is that protestant Exhibit 4, 11 Page 3, the property -- 12 MS. WAY: Yes. 13 CHAIRPERSON MILLER: Okay. 14 MS. WAY: That is the -- that is the alley. 15 CHAIRPERSON MILLER: So that's the alley. So 16 you could -- lots of people hang out there? 17 MS. WAY: They don't -- well, I'm not sure if 18 they hang out there but we sure get a lot of trash. 19 CHAIRPERSON MILLER: You have a lot of trash 20 there? 21 MS. WAY: Yeah. 22 CHAIRPERSON MILLER: And so from looking at</p>	109	<p>1 MS. WAY: Yes, that is a house -- 2 CHAIRPERSON MILLER: That's a house. 3 MS. WAY: -- that was up for sale at one 4 time. I think somebody just bought it. 5 CHAIRPERSON MILLER: And the other side with 6 the fence and the red brick is your church? 7 MS. WAY: Yes. 8 CHAIRPERSON MILLER: Okay. So looking at the 9 Licensee's Exhibit No. 2, the photo -- 10 MS. WAY: Yes. 11 CHAIRPERSON MILLER: -- there's your church. 12 And it's next -- and then there's this brick building 13 surrounding the liquor store? 14 MS. WAY: Yes. 15 CHAIRPERSON MILLER: Okay. Do you 16 acknowledge a -- do people live in that building, work 17 in the red brick building? 18 MS. WAY: You mean our building or the -- 19 CHAIRPERSON MILLER: This is your building, 20 the church, correct? You don't -- you don't own -- do 21 you own the red brick building next to it? 22 MS. WAY: Well, it's kind of tedious because</p>

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110	<p>1 we -- there are people who live over top --</p> <p>2 CHAIRPERSON MILLER: Right.</p> <p>3 MS. WAY: -- of the liquor store.</p> <p>4 CHAIRPERSON MILLER: Right.</p> <p>5 MS. WAY: So after the liquor store, that's</p> <p>6 us. So we're there -- like, I show you --</p> <p>7 CHAIRPERSON MILLER: Do you have this? Can</p> <p>8 you -- can someone give her a copy of --</p> <p>9 MR. WAY: Which?</p> <p>10 CHAIRPERSON MILLER: No. 2. The Licensee's</p> <p>11 Exhibit No. 2.</p> <p>12 MS. WAY: Yeah.</p> <p>13 CHAIRPERSON MILLER: So next to the church it</p> <p>14 looks like there's a little doorway in-between the</p> <p>15 liquor store --</p> <p>16 MS. WAY: Right. That's Mr. Yu's property.</p> <p>17 CHAIRPERSON MILLER: That's all his property?</p> <p>18 MS. WAY: Yes.</p> <p>19 CHAIRPERSON MILLER: Okay. Fine.</p> <p>20 MS. WAY: And then where the --</p> <p>21 CHAIRPERSON MILLER: So where is the alley?</p> <p>22 MS. WAY: -- where the bay window -- where</p>	112	<p>1 MR. WAY: Not at this time. --</p> <p>2 CHAIRPERSON MILLER: -- and you -- okay.</p> <p>3 Yeah.</p> <p>4 MR. WAY: I'm getting the hang of it.</p> <p>5 CHAIRPERSON MILLER: Okay. Good. Okay.</p> <p>6 You'll be an expert. Right. Thank you.</p> <p>7 MR. WAY: Thank you, Ms. Way.</p> <p>8 CHAIRPERSON MILLER: Okay.</p> <p>9 MR. WAY: Thank you, Elder.</p> <p>10 CHAIRPERSON MILLER: Thank you very much.</p> <p>11 MR. WAY: My next -- my -- thank you. My</p> <p>12 next witness is Elder Bond -- Elder Charles Bond, B-O-</p> <p>13 N-D.</p> <p>14 CHAIRPERSON MILLER: Why don't you raise your</p> <p>15 right hand? Do you swear to tell the truth, the whole</p> <p>16 truth, nothing but the truth?</p> <p>17 MR. BOND: I do.</p> <p>18 CHAIRPERSON MILLER: Thank you. Okay.</p> <p>19 MR. WAY: Elder Bond, would you take out</p> <p>20 protestant Exhibit No. 2, please?</p> <p>21 CHAIRPERSON MILLER: Okay. Well --</p> <p>22 MR. WAY: Charles, how long have you been a</p>
111	<p>1 the bay window starts, that's where we start.</p> <p>2 CHAIRPERSON MILLER: What?</p> <p>3 MS. WAY: Where the bay window begins, that's</p> <p>4 where we start. Where the light -- break is, that's</p> <p>5 where Faith Assembly -- our annex starts. And that's</p> <p>6 4825. So it's 4821. He's 4823. And then we have</p> <p>7 4825. So he's, like, smashed in-between us.</p> <p>8 CHAIRPERSON MILLER: Right. Okay.</p> <p>9 MS. WAY: Yeah.</p> <p>10 CHAIRPERSON MILLER: And the alley, is that</p> <p>11 behind your church?</p> <p>12 MS. WAY: Yes, it is.</p> <p>13 CHAIRPERSON MILLER: Oh, okay. Okay. Okay.</p> <p>14 I don't have any other questions. Anybody else on the</p> <p>15 Board? Okay. Any --</p> <p>16 MR. WAY: Now, will --</p> <p>17 CHAIRPERSON MILLER: Yes. Now, you can ask</p> <p>18 questions based on Mr. Dietz --</p> <p>19 MR. WAY: Could I bring my next witness?</p> <p>20 CHAIRPERSON MILLER: Oh, no. Well, not what</p> <p>21 -- I just want to make sure there are no more questions</p> <p>22 for Ms. Way. You don't have anymore based --</p>	113	<p>1 member?</p> <p>2 MR. BOND: I've been a member of Faith</p> <p>3 Assembly of Christ since 1999 -- April of 1999.</p> <p>4 MR. WAY: He already swore in. And --</p> <p>5 CHAIRPERSON MILLER: Let me just say</p> <p>6 something. I just -- it's probably a good idea if he</p> <p>7 just states his name for the record on there even</p> <p>8 though you've introduce him.</p> <p>9 MR. BOND: My name is Charles Bond, B-O-N-D.</p> <p>10 CHAIRPERSON MILLER: Okay. Thank you.</p> <p>11 MR. WAY: Charles, how long have you been a</p> <p>12 member of Faith Assembly of Christ?</p> <p>13 MR. BOND: I've been a member of Faith</p> <p>14 Assembly of Christ since April of 1999.</p> <p>15 MR. WAY: And with protestant Exhibit No. 2,</p> <p>16 I'm going to ask you to talk about whether you have</p> <p>17 observed Three Way Liquors in any way disregarding its</p> <p>18 duty as a good neighbor? And has it created an</p> <p>19 atmosphere of criminal activity, as well as food and</p> <p>20 safety hazards? Knowing that you are a professional</p> <p>21 recreational therapist and you're involved in the</p> <p>22 health community, what exactly does this picture</p>

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114	<p>1 represent when you see -- when you saw this sign? 2 CHAIRPERSON MILLER: What are you referring 3 to? He may have already said but -- 4 MR. WAY: The protestant Exhibit No. 2. 5 CHAIRPERSON MILLER: Okay. 6 MR. WAY: Protestant Exhibit No. 2. 7 CHAIRPERSON MILLER: Okay. 8 MR. WAY: When you see this image, what does 9 this mean to you? 10 MR. BOND: It means that the establishment 11 was out of protocol. They were out of compliance. 12 CHAIRPERSON MILLER: Can you please -- 13 MR. WAY: They were out of compliance? What 14 does that mean? 15 CHAIRPERSON MILLER: Sorry. Wait. Can you 16 speak up a little more? Speak a little more loudly? 17 MR. BOND: When I see this exhibit -- 18 CHAIRPERSON MILLER: Uh-huh. 19 MR. BOND: -- I see that the establishment is 20 out of compliance. 21 CHAIRPERSON MILLER: Okay. Thank you. 22 MR. BOND: And it is a violation.</p>	116	<p>1 what did happen prior to Bishop Way, the owner of the 2 church prior to Pastor Way. But we did what we had to 3 do six years ago. And it's based on our concerns and 4 so forth and so on. To give it to -- an example, I 5 live in Ward 1 but I work in Ward 3. And you will not 6 -- I'm more than certain you will not find a liquor 7 store right next to a church. 8 And as far as I'm concerned, that is 9 unacceptable. That's the bottom line. It's total 10 disregard and it's total disrespectful. That is -- 11 that is my premise and that is my position. 12 MR. WAY: Elder Bond, you do have strong 13 feelings with regard to the health and safety. You 14 teach a Sunday School class at the church; is that 15 correct? 16 MR. BOND: Yes. 17 MR. WAY: And what age group do you teach? 18 MR. BOND: I have ages about 10-17. 19 MR. WAY: Do you have concerns with your 20 students who are in your Sunday School class about this 21 issue on Thursday when they're still open, when they're 22 coming in for choir rehearsal for other -- or by many</p>
115	<p>1 MR. WAY: What was your reaction when you 2 first learned that Three Way Liquors was out of 3 violence -- or was out of compliance? 4 MR. BOND: I wasn't -- I wasn't surprised. 5 MR. WAY: Can you speaker loudly so we can 6 hear? 7 MR. BOND: I wasn't surprised. 8 MR. WAY: And going to Page 2 and looking at 9 the Food Establishment Inspection Report, what are your 10 concerns with the -- with the renewing of the license 11 as it relates not only to our church, but to our 12 community, that entire block and neighborhood? 13 MR. BOND: Well, I just -- I just want to 14 make this perfectly clear. The issue is the fact of 15 having a liquor store right next to our church. 16 Regardless of what Bishop Way did or did not do prior 17 to Pastor Way becoming the pastor of the church, as far 18 as I'm concerned, that is irrelevant. The point is 19 that we had the opportunity six years ago to protest 20 and that's what we did. We did not get our due process 21 but that's what we did. 22 So there's been questions about, you know,</p>	117	<p>1 myriad of activities? What are your concerns as it 2 relates to your students and to other young people in 3 this room? 4 MR. BOND: The bottom -- the bottom line is 5 safety. I'm sorry, the bottom -- the bottom issue is 6 safety of the -- of the students that comes in. That's 7 the bottom line, safety. No if and buts about it, it's 8 safety. 9 MR. WAY: What if -- and my last question at 10 this moment, what have been your observations -- often 11 you get to church early on Thursdays -- 12 MR. BOND: Uh-huh. 13 MR. WAY: -- to touch up and as we all know, 14 you play a major role in making sure that you have to 15 clean up -- for a period time you've cleaned up the 16 exterior. What have been some of your findings and 17 what are your concerns when you get to church early, 18 especially in the spring to fall when the traffic is 19 high? What are your concerns? Can you please speak to 20 that? 21 MR. BOND: Okay. To give an example, I don't 22 think it's part of the exhibit but just maybe a month</p>

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118	<p>1 ago -- there's a little crepe myrtle bush that's in 2 front of the church. The issue was about the tree that 3 was there. The tree is no longer there. But there was 4 a crepe myrtle bush that's there. And when I got to -- 5 when I got to church that evening, there was a liquor 6 bottle that was right there in -- right there where the 7 bush is. 8 MR. WAY: Did you see a patron from Three Way 9 Liquor put it there or is your concern -- or talk about 10 that. What is your -- have you ever seen -- what have 11 you physically seen, not just on that occasion? 12 MR. BOND: I didn't see anyone put the bottle 13 there. But from time to time there is, as evidence has 14 shown, the trash and the debris. No, I didn't see -- I 15 didn't see anyone come out of Three Way Liquors that 16 day and place the bottle there. The bottle was empty. 17 There was a picture taken. I'm not sure what happened 18 but it is what it is. 19 MR. WAY: And Elder Bond, what would -- what 20 did you witness when our senior elder had an 21 interaction -- I don't -- that would be decent to call 22 it, "interaction," with Mr. Williams -- the incident</p>	120	<p>1 MR. BOND: Absolutely. 2 MR. WAY: From your perspective? 3 MR. BOND: Absolutely. 4 MR. WAY: All right. All right. And have 5 there been other incidences? Were you there on the day 6 that Mr. Williams came into our church after I had 7 given the homily? Did he -- do you recollect what he 8 said to me and what were -- what were the threatenings 9 and can you talk about the amount of children and 10 seniors that were in our lower auditorium? Can you 11 speak to the specifics? 12 MR. BOND: On that particular Sunday, I was 13 in the back taking care of church business. There was 14 a knock on the door and I was asked to come out because 15 there was a gentleman inside the church in the lower 16 auditorium and he was being disrespectful. 17 MR. WAY: Is that person's name -- referring 18 in other testimony -- Mr. Williams? 19 MR. BOND: Yes. 20 MR. WAY: The owner of the white van? 21 MR. BOND: Yes. 22 MR. WAY: Please continue.</p>
119	<p>1 that she referred to -- you, I believe, were outside at 2 the time. And I remember you being very upset. Can 3 you tell us from your perspective, what did you 4 physically see happen in front of Three Way Liquor 5 Stores that involved the use of profanity and involved 6 the language to one of our senior elders? 7 MR. BOND: That particular evening -- it was 8 on a Thursday evening -- Mr. Williams came in. I'm not 9 sure all of the details but when I walked up, he was 10 cursing the first lady of the church out. And I 11 stepped in and I made it clear that it was not 12 tolerated. And I made sure that he was escorted 13 outside of the building. He was inside the lobby of 14 our church at that point. 15 MR. WAY: He was cussing her out all the way 16 inside our church? 17 MR. BOND: Yes. She -- when I walked up, he 18 was inside. 19 MR. WAY: And our religious belief is -- did 20 you consider that defilement? 21 MR. BOND: Absolutely. 22 MR. WAY: That's defilement?</p>	121	<p>1 MR. BOND: Yes. So when I walked out of the 2 back room to where Pastor Way was sitting, Mr. Williams 3 was standing over Pastor Way, questioning why was he 4 doing what he was doing. 5 MR. WAY: Why was I what, protesting or -- 6 MR. BOND: Yes. 7 MR. WAY: Okay. Go ahead. 8 MR. BOND: Yes. So he proceeded to make it 9 clear that -- Mr. Williams made it clear that he was 10 the owner of the property. He made it clear. He had 11 some violation that prohibited him from having the 12 liquor license in his name. So basically the way he 13 presented is that Mr. -- 14 MR. WAY: Yu. 15 MR. BOND: -- Mr. Yu was fronting for him and 16 that he made it clear that under no circumstances would 17 the Alcohol -- the ABRA revoke the liquor license 18 because of the amount of money that Three Way Liquors 19 was bringing in for the city. He made that perfectly 20 clear. 21 MR. WAY: Were there any threats made -- 22 MR. BOND: And he also made it clear that he</p>

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122	<p>1 had a gun. He had a gun. He left that -- at that 2 point. But the bottom line was, why would you tell 3 someone you have a gun if it was only to intimidate or 4 put fear in someone? 5 MR. WAY: One additional item. How did Mr. 6 Williams know that we were protesting? To that -- how 7 did he know since no one had told anyone -- the only 8 person who knew, Elder Bond, was Mr. Dietz, the Yu -- 9 CHAIRPERSON MILLER: Sorry. 10 MR. DIETZ: Objection. 11 CHAIRPERSON MILLER: Okay. Sustained. You 12 can't testify. You can only -- 13 MR. WAY: Okay. I'm sorry, I didn't know 14 that was testimony. Let me rephrase -- 15 CHAIRPERSON MILLER: Okay. Okay. Rephrase 16 your question. 17 MR. WAY: How did Mr. -- you said that Mr. 18 Williams said that he was the owner. 19 MR. BOND: Uh-huh. 20 MR. WAY: How did he -- and he asked the 21 pastor -- he asked me why was I protesting. 22 MR. BOND: Uh-huh.</p>	124	<p>1 MR. WAY: -- when it was at North Capitol 2 Street? 3 MR. BOND: Yes. 4 MR. WAY: So you have direct knowledge that 5 they -- that ABRA and that that Board said that we 6 would reschedule; is that a fact? 7 MR. BOND: Absolutely, yes. 8 MR. WAY: That's not here -- okay. So you 9 heard them say that? 10 MR. BOND: Yes. 11 MR. WAY: Yes. Very good. 12 MR. BOND: And the next thing that we know is 13 that Three Way Liquors received their liquor license. 14 And -- 15 MR. WAY: Is that an issue for you, Mr. Bond? 16 MR. BOND: It's an issue because, as far as 17 I'm concerned, we did not receive due process. So how 18 do you -- how do you -- how do you issue a liquor 19 license to someone when there was not due process? I'm 20 not an attorney. I'm not a legal scholar but I do have 21 basic knowledge and understanding. We -- there was not 22 a due process regardless of what anyone has to say.</p>
123	<p>1 MR. WAY: How did he even know that that 2 process was going on? 3 MR. BOND: The only thing that we could 4 assume was that Mr. Williams had been informed by the 5 owners of Three Way Liquors. 6 MR. WAY: Is that your belief? 7 MR. BOND: Yes. 8 MR. WAY: Thank you. Is there anything else 9 you'd like to see before I open it up for -- or allow 10 the panel -- 11 MR. BOND: I just -- I just want to say to 12 the Board again, we really thank you for having this 13 opportunity to get this far in this process. Six years 14 ago we did not have that opportunity. We filled out 15 the papers for the hearing. We went several times down 16 to the -- to ABRA. And the two or three times that we 17 went down to ABRA, we were told that the case was 18 rescheduled. We were told that they would call us 19 again and that never happened. 20 MR. WAY: Were you one of the participants at 21 that -- 22 MR. BOND: Yes.</p>	125	<p>1 And that's the bottom line. 2 MR. WAY: Thank you, Elder. 3 CHAIRPERSON MILLER: Okay. Mr. Dietz, do you 4 have any cross-examination? 5 MR. DIETZ: Are you familiar with Colony 6 Liquors? 7 MR. BOND: Yes, I am. 8 MR. DIETZ: And where is located? 9 MR. BOND: It's located with the next block. 10 MR. DIETZ: Is it on the corner? 11 MR. BOND: Yes. 12 MR. DIETZ: Okay. So how many feet is it 13 from your church? 14 MR. BOND: I'm not sure how many feet it is. 15 But, sir, with all due respect, as far as I'm 16 concerned, it's not an issue about Colony Liquors. 17 Colony Liquors is not -- 18 MR. DIETZ: Sir, excuse me, I asked a 19 question. 20 MR. WAY: It was answered. 21 CHAIRPERSON MILLER: I think he is answering 22 your question.</p>

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126	1 MR. DIETZ: The question I asked is how far 2 away is it? 3 MR. BOND: And I said I didn't know. 4 CHAIRPERSON MILLER: Oh 5 MR. BOND: And I was responding. 6 CHAIRPERSON MILLER: Oh, okay. He just asked 7 you how -- you just asked how far away it is? 8 MR. DIETZ: Are you aware that they sell 9 liquor there? 10 MR. BOND: Yes. 11 MR. DIETZ: And is it your testimony that the 12 offending liquor bottles come from Three Way and not 13 from Colony; is that correct? 14 MR. BOND: Excuse me? 15 MR. DIETZ: Is it your testimony that the 16 offending liquor bottles that you've discussed come 17 from Three Way and not from Colony; is that correct? 18 MR. BOND: Well, let me say this, sir. With 19 my testimony regarding the liquor bottle that I saw, as 20 far as I'm concerned, my premise was that it came from 21 Three Way Liquors. Maybe it did come from Colony. But 22 the bottom line -- the liquor bottle was in front of	128	1 being neighborly. And if it happens again, I will call 2 whoever needs to be called because I see where this is 3 going to. It is what it is. I have no reason to lie 4 or fabricate the truth. The facts are the facts. 5 MR. DIETZ: But basically -- 6 MR. BOND: And may I say something, sir? 7 With all due respect again, references continue to be 8 made about Colony Liquors and the establishments that 9 are in the next block. As far as I'm concerned, that 10 is irrelevant. We're talking about 4825 and we're 11 talking about 4821. There is no -- Colony Liquors is 12 not abutting to our property. And again, as it's been 13 testified, we frequently -- people assume that we own 14 the liquor store. 15 People ask -- people have personally asked 16 me, "Why would anyone have" -- 17 MR. DIETZ: Excuse me. 18 MR. BOND: -- "a liquor store next to a 19 synagogue?" 20 MR. DIETZ: Is he on my clock? Because he's 21 testifying. He's not answering my questions. 22 CHAIRPERSON MILLER: And he -- you asked him
127	1 the church at the crepe myrtle bush. 2 MR. DIETZ: But you don't know where it came 3 from, do you? 4 MR. BOND: I didn't say I did, sir. 5 MR. DIETZ: Okay. Now, what is it -- what is 6 your occupation? 7 MR. BOND: My -- I'm a recreational 8 therapist. 9 MR. DIETZ: Okay. And as a -- as a therapist 10 -- okay -- if someone threatens someone with a gun, do 11 you consider that serious? 12 MR. BOND: Absolutely. 13 MR. DIETZ: Is it serious enough to call the 14 police? 15 MR. BOND: Absolutely and we should have. 16 MR. DIETZ: But why didn't you? 17 MR. BOND: Again, as it was stated, with us 18 trying to be neighborly, we elected not to. 19 MR. DIETZ: So it's your testimony that it's 20 neighborly not to notify the police when individuals 21 are threatened with a gun; is that correct? 22 MR. BOND: Let me say this, sir. We were	129	1 about Colony Liquor Store, did you not? 2 PARTICIPANT: No, he asked -- 3 MR. BOND: Yeah. 4 CHAIRPERSON MILLER: Yes, he did. That was 5 the next question. 6 MR. BOND: Answer the question. 7 CHAIRPERSON MILLER: He asked about Colony. 8 He -- okay. What about Colony? Has he gone -- has he 9 -- 10 MR. DIETZ: Right. 11 CHAIRPERSON MILLER: What did you ask him 12 about Colony? 13 MR. DIETZ: He answered the question. Then 14 he's -- now, he's going on to lecture. 15 CHAIRPERSON MILLER: What was the question? 16 Do you remember the question? 17 MR. WAY: No different than what Mr. Yu did. 18 MR. DIETZ: Let me move on. 19 CHAIRPERSON MILLER: Okay. 20 MR. DIETZ: Okay. The bottom line for you, 21 though, is that the liquor store is next door to a 22 church; is that correct?

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130	1 MR. BOND: Yes. 2 MR. DIETZ: Okay. I have no further 3 questions. 4 CHAIRPERSON MILLER: Okay. 5 MR. BOND: Can I ask a -- can I say 6 something, Madam Chair? 7 CHAIRPERSON MILLER: In response to his 8 question or just -- 9 MR. BOND: No, no. I -- 10 CHAIRPERSON MILLER: No. You'll have to -- 11 MR. BOND: Can I -- 12 CHAIRPERSON MILLER: You'll have a chance for 13 redirect. So you can -- no. 14 MR. BOND: I just -- 15 CHAIRPERSON MILLER: You can't say -- 16 remember what you want to say but you can't say it 17 right now -- 18 MR. BOND: Okay. All right. 19 CHAIRPERSON MILLER: -- if it's not 20 responsive to the question. But your -- but, no, sit 21 down. You're not done. Mr. Way will have a chance -- 22 one more chance to ask questions based on this line of	132	1 MR. BOND: Yes. 2 CHAIRPERSON MILLER: Okay. Right. Because I 3 can't tell from this picture how that -- 4 MR. BOND: In-between there's a -- 5 CHAIRPERSON MILLER: -- liquor store is -- 6 MR. BOND: -- street there. 7 CHAIRPERSON MILLER: Okay. What street is 8 that? 9 MR. BOND: Emerson. 10 CHAIRPERSON MILLER: Okay. And are there 11 buildings abutting each side of Colony Liquor? 12 MR. BOND: Yes. 13 CHAIRPERSON MILLER: Do you remember what 14 they are? 15 MR. BOND: If I'm not -- no. I don't recall 16 but I think to the -- to the right there's a restaurant 17 or something. And honestly, I don't know what -- 18 CHAIRPERSON MILLER: Okay. 19 MR. BOND: -- are the other stores. 20 CHAIRPERSON MILLER: That's fine. Do you 21 notice people coming from Colony Liquor Store to in 22 front of your property?
131	1 questioning. There's been some questions about Colony 2 Liquor Store. So I notice in plaintiff's -- we have a 3 picture, the Licensee's Exhibit No. 7. Is this Colony 4 Liquor Store? 5 MR. BOND: What is your question, ma'am? 6 CHAIRPERSON MILLER: Well, first of all, is 7 this the Colony Liquor Store that people are talking 8 about right now? 9 MR. BOND: Okay. 10 CHAIRPERSON MILLER: Yes. Yes? 11 12 MR. BOND: Yes. 13 CHAIRPERSON MILLER: Okay. My question is 14 what is it next to? 15 MR. BOND: Let me say this, ma'am, to answer 16 your question. When you look at this picture, you 17 would assume -- or one would assume that possibly -- 18 there is a street -- there's a street here. Whether 19 it's seen or not, there's a street here. There's a 20 street between where you see Three Way Liquors and 21 where you see Colony Liquor. There's a street there. 22 CHAIRPERSON MILLER: There's a street there.	133	1 MR. BOND: I can't -- I can't -- 2 CHAIRPERSON MILLER: You can't tell? 3 MR. BOND: -- answer. I don't -- I don't 4 know -- I don't know where they're coming from. 5 CHAIRPERSON MILLER: Okay. Okay. That's 6 fine. Okay. I don't have any further questions. So 7 other Board members? Mr. Jones. 8 MR. JONES: Yeah, thank you, Madam Chair. I 9 just want to clarify. You've made -- you've made it 10 pointedly clear that your issue is with the abutting 11 Licensee to the whole -- I mean, to the church -- I 12 apologize -- correct? 13 MR. BOND: Yes, sir. 14 MR. JONES: So you don't have a problem with 15 Colony Liquors and how it -- 16 MR. BOND: No, I don't. 17 MR. JONES: So you don't have a problem with 18 liquor stores in your neighborhood? You don't have a 19 problem with liquor stores in close proximity to the 20 church? You just have a problem with the fact that 21 this one happens to be connected to -- abutting your 22 property?

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134	<p>1 MR. BOND: That's my main concern. Yes, sir. 2 MR. JONES: Okay. So it would seem as though 3 based on that train -- that logic that you're applying 4 that you don't care how this store is operated. If 5 this store was the best neighbor in the world, the fact 6 that it's abutting the church is your problem? That's 7 the premise of your issue, not that it's operated 8 poorly, not that it's creating issues, the way in which 9 it's being operated, not the fact that it had an issue 10 with some kind of Department of Health? It's the fact 11 that it's abutting your property, period? 12 MR. BOND: Mr. Jones, I do take issue with 13 the other issues -- 14 MR. JONES: Okay. 15 MR. BOND: -- for safety. But again, the 16 point that I'm trying to make is the fact that there's 17 a liquor store next door to a church. And what I'm 18 saying is that is basically almost unheard of. It's 19 definitely unacceptable. And as I was saying, I live 20 in -- I live in Ward 1 and I work in Ward 3. And you 21 will not find a liquor store next to a church or a 22 synagogue. You will not.</p>	136	<p>1 MR. JONES: -- is to understand and 2 appreciate how the operation of this liquor store has 3 now created an issue based on the protestable issues 4 that you put forward in your -- in your -- in what it 5 is put forward in your -- in the protest. Well, 6 how is it creating a problem for you? So you're 7 standing on, right now, its abutting is unacceptable. 8 That's your opinion, right? 9 But I can only operate -- or as an individual 10 Board member, I can only operate on the regs, the law, 11 and officially documented criteria. So I am trying to 12 help you help me understand how this operation of this 13 establishment has now created a distressful environment 14 for you, your church and your other -- the other 15 members of your church. Help me understand that beyond 16 what you're saying in terms of it just being -- it's 17 there. It exists, therefore, it's a problem. Right. 18 I -- do you understand what I'm -- 19 MR. BOND: Yes, sir. 20 MR. JONES: Is it creating a parking issue? 21 Is it creating a litter issue? Is it creating a 22 loitering issue? What are the specific issues that the</p>
135	<p>1 And with all due respect to the people that 2 own the liquor store, I'm more than certain that where 3 they live, you will not find a liquor store next to 4 their property or to their church. 5 MR. JONES: Okay. 6 MR. BOND: That's all I'm saying, sir. 7 MR. JONES: So let me ask -- let me ask this 8 question and you can take it for what it's worth. Do 9 you -- do you recognize the fact that -- the fact that 10 a licensed -- an ABC-licensed establishment abutting a 11 church is not a violation of the law? 12 MR. BOND: I understand that, sir. And I 13 know that that has not always been the case in the 14 District of Columbia. I know this. 15 MR. JONES: As it stands -- as it stands 16 today -- 17 MR. BOND: Yes. 18 MR. JONES: -- do you -- okay. 19 MR. BOND: Yes. 20 MR. JONES: So what I'm trying to -- what I'm 21 trying to get you to help me with -- 22 MR. BOND: Okay.</p>	137	<p>1 fact that this particular licensed establishment is 2 causing your church? 3 MR. BOND: Mr. Jones, it's an issue of 4 safety. It's a -- it's an issue of the litter, the 5 loitering, the littering of the trash and then just 6 everything that has -- the -- everything that's in our 7 -- in the record for why we are protesting the renewal 8 of the liquor license. I am 100 percent -- I am 100 9 percent in support of what has been documented. Maybe 10 I've taken it over the -- maybe I took it to the 11 extreme. 12 But Mr. Jones, it's very frustrating. It 13 really is. It's just very frustrating. But safety -- 14 MR. JONES: Okay. 15 MR. BOND: -- the loitering -- 16 MR. JONES: And just to make sure I'm clear 17 on this one, you do not have a problem with Colony 18 Liquors? 19 MR. BOND: If -- for me, Mr. Jones? 20 MR. JONES: Yes, sir. For you. 21 MR. BOND: No. 22 MR. JONES: Okay. Thank you. Thank you,</p>

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<p style="text-align: right;">138</p> <p>1 Madam Chair.</p> <p>2 CHAIRPERSON MILLER: All right. Mr. Alberti.</p> <p>3 MR. ALBERTI: Hi, Mr. Bond. Oh, yes, it's</p> <p>4 clear. The exhibit with the citation from the Health</p> <p>5 Department --</p> <p>6 MR. BOND: Uh-huh.</p> <p>7 MR. ALBERTI: -- that was presented to us --</p> <p>8 MR. BOND: Uh-huh.</p> <p>9 MR. ALBERTI: -- and you implied there was</p> <p>10 some significance to it. You implied that there was</p> <p>11 some significance to this. So I want to understand</p> <p>12 what that significance is.</p> <p>13 MR. BOND: There -- I mean --</p> <p>14 MR. ALBERTI: So in this -- starting on the</p> <p>15 second page at the bottom, I see a number of</p> <p>16 observations. Two, three, Thirty-six, thirty-six,</p> <p>17 thirty-six, forty-five, fifty-one, fifty-three, and</p> <p>18 fifty-three. Which of those -- that pretty much sum --</p> <p>19 I mean, those observations sum up the violations that</p> <p>20 were noted by the inspector. Which of those are of</p> <p>21 concern to you?</p> <p>22 MR. BOND: What numbers are you looking at,</p>	<p style="text-align: right;">140</p> <p>1 it in its entirety? Mr. Bond?</p> <p>2 MR. BOND: Yes, sir.</p> <p>3 MR. ALBERTI: Do you have specific concerns</p> <p>4 about the violations as described by the inspector and</p> <p>5 what are they?</p> <p>6 MR. BOND: No. 36, it states there was a cat</p> <p>7 walking around in the lounge and behind the counter.</p> <p>8 MR. ALBERTI: Okay. And it -- and why is</p> <p>9 that a concern to you and the church?</p> <p>10 MR. BOND: It shows that the establishment</p> <p>11 was in violation of the Department of Health, sir.</p> <p>12 MR. ALBERTI: But -- okay. But that</p> <p>13 violation, why is that -- is that violation of concern</p> <p>14 to you? Other than the fact that he may be in</p> <p>15 violation of the District of -- do you see -- are you</p> <p>16 telling me that your concern is that he didn't -- he's</p> <p>17 in violation of the Department of Health regulation?</p> <p>18 It's not the particular regulation; it's just the fact</p> <p>19 that he's in violation is of concern to you?</p> <p>20 MR. BOND: Mr. Nick --</p> <p>21 MR. ALBERTI: Mr. Alberti.</p> <p>22 MR. BOND: All right. As far as I'm</p>
<p style="text-align: right;">139</p> <p>1 sir?</p> <p>2 MR. ALBERTI: The observations are numbered.</p> <p>3 MR. BOND: Which numbers did you identify?</p> <p>4 MR. ALBERTI: All of them. There are</p> <p>5 observations. There are one, two, three, four, five,</p> <p>6 six, seven, eight, nine, ten observations.</p> <p>7 CHAIRPERSON MILLER: Okay. Mr. Bond, do you</p> <p>8 know -- do you --</p> <p>9 MR. ALBERTI: Do you know what I'm talking</p> <p>10 about?</p> <p>11 CHAIRPERSON MILLER: Do you see where he is?</p> <p>12 MR. ALBERTI: Second page. Yeah.</p> <p>13 MR. BOND: This document --</p> <p>14 MR. ALBERTI: Down here at the bottom.</p> <p>15 CHAIRPERSON MILLER: On that third page.</p> <p>16 MR. ALBERTI: First block -- go to the third</p> <p>17 page. Go to the third page. Have you read this</p> <p>18 before, Mr. Bond? Have you -- have you looked at this</p> <p>19 before? Have you examined this before? Let's start</p> <p>20 there. Have you examined this?</p> <p>21 MR. BOND: I've seen some of it, sir. Yes.</p> <p>22 MR. ALBERTI: Have you read -- have you read</p>	<p style="text-align: right;">141</p> <p>1 concerned, this report here, it basically validates the</p> <p>2 issues.</p> <p>3 MR. ALBERTI: Validates the -- how does it</p> <p>4 validate the issues as I understand that you've</p> <p>5 articulated them? How does it validate those issues?</p> <p>6 MR. BOND: No. 1, there is an issue of safety</p> <p>7 to protect the public.</p> <p>8 MR. ALBERTI: Okay. I have no further</p> <p>9 questions. I was just trying to understand the</p> <p>10 significance of this since we have it in evidence.</p> <p>11 CHAIRPERSON MILLER: We don't have it in</p> <p>12 evidence yet. Before we go though, let's --</p> <p>13 MR. ALBERTI: Well, I've seen it though.</p> <p>14 I've seen it.</p> <p>15 CHAIRPERSON MILLER: So that doesn't matter</p> <p>16 because the other side hasn't had a chance to raise any</p> <p>17 objections to the proposed exhibits, which we think we</p> <p>18 want to finish with this witness, I think. Are there</p> <p>19 other Board questions? Okay. Are there redirect, Mr.</p> <p>20 Way?</p> <p>21 MR. WAY: Yes. Mr. Bond, thank you for your</p> <p>22 candor. And the issue of safety and looking for the</p>

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<p style="text-align: right;">142</p> <p>1 connecting dot that was just raised, your -- to restate 2 my question, your concern is that if there is a -- are 3 you concerned that if there's a pattern of lack of 4 responsibility and leadership and safety in one area, 5 that it could lead to -- or suggest that there's other 6 patterns? 7 MR. BOND: Absolutely. 8 MR. WAY: Okay. So -- 9 MR. BOND: That is my concern. 10 MR. WAY: So your concern is that if this is 11 the issue, that you're concerned that there is a -- 12 there is an issue with a pattern? So is that -- is 13 that specifically what you're trying to say, "Yes," or, 14 "No?" 15 MR. BOND: Yes. 16 MR. WAY: Thank you. I have another witness. 17 CHAIRPERSON MILLER: Okay. 18 MR. ALBERTI: Well, Mr. Dietz has a -- 19 CHAIRPERSON MILLER: Do you have a recross? 20 MR. WAY: I thought I had the last word then. 21 CHAIRPERSON MILLER: Oh, actually we've been 22 given recross. You -- do you? You each get one.</p>	<p style="text-align: right;">144</p> <p>1 me just say this. First of all, I want to get to your 2 exhibits before we close if I can. We have ten 3 minutes. Before I started, I said he's got a family 4 medical issue. And we said we would stop at 5:00 and 5 we would pick up at another date. You'll get to put on 6 -- 7 MR. WAY: We have people who have taken off 8 from work. 9 CHAIRPERSON MILLER: I understand that. 10 MR. WAY: This is a grave sacrifice that's 11 just as great and as serious as -- with all due 12 respect, to his wife and the concern. 13 CHAIRPERSON MILLER: Well, we're going to -- 14 MR. WAY: Mr. Jones said that we would be 15 able to use our 90 minutes. We haven't used our 90 16 minutes. 17 CHAIRPERSON MILLER: No, you haven't. That's 18 not what Mr. Jones said. Mr. Jones said you will have 19 a chance to use your 90 minutes between now and the 20 next time that we have the hearing. You're not losing 21 -- you will put on your witnesses. Okay. But it does 22 not look like you can put them on in ten minutes. So -</p>
<p style="text-align: right;">143</p> <p>1 MR. DIETZ: My wife's health is at stake. 2 Okay. I'm not going to miss that train. And I -- 3 CHAIRPERSON MILLER: Oh, okay. See? That's 4 what I wanted to know. It's 4:49. 5 MR. DIETZ: I thought you would understand 6 that. 7 MR. WAY: You said 5:00. 8 MR. DIETZ: I know. 9 CHAIRPERSON MILLER: So what we're going to 10 do -- 11 MR. DIETZ: But you're not -- 12 CHAIRPERSON MILLER: All right. I hear you, 13 Mr. Dietz. 14 MR. DIETZ: -- going to be done by 5:00. 15 CHAIRPERSON MILLER: We won't have time to 16 call another witness today, I don't believe. Because 17 they wouldn't be done -- 18 MR. DIETZ: (Inaudible) -- 19 CHAIRPERSON MILLER: -- in ten minutes. 20 MR. WAY: Yeah, we've been gracious if -- for 21 him to call the shot 22 CHAIRPERSON MILLER: No, no. We -- sir, let</p>	<p style="text-align: right;">145</p> <p>1 - 2 MR. WAY: Okay. Well, my only issue is, as 3 grave as this issue is, we came with the expectation to 4 be heard. I do not want to assume -- the members of 5 our team to -- we -- they are -- they are very busy. 6 And to me, that is equally important and I feel that 7 that's just an example of disrespect. 8 CHAIRPERSON MILLER: I -- No. I understand 9 that. I don't think it's -- stop. I don't think -- 10 MR. DIETZ: How dare you. 11 CHAIRPERSON MILLER: Mr. Dietz, please. 12 BOARD MEMBER: Sir -- 13 CHAIRPERSON MILLER: We have limited amount 14 of time. 15 BOARD MEMBER: His wife -- 16 MR. DIETZ: My wife is about to -- she's in 17 danger of losing her right leg. 18 CHAIRPERSON MILLER: Okay. 19 MR. DIETZ: And I'm infusing her with an 20 antibiotic on a doctor's schedule. And I live in 21 Lovettsville, Virginia, which is 70 miles from here, an 22 hour and 40 minutes on the train.</p>

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146	<p>1 CHAIRPERSON MILLER: All right. 2 MR. DIETZ: The train leaves the station at 3 5:30 -- at 5:30 or 5:35. I have that much time to get 4 to the station to get home to save my wife. 5 CHAIRPERSON MILLER: Right. 6 MR. DIETZ: Okay. I've been married for 46 7 years. We've been together for 52 years. And I'm not 8 giving up on her for a liquor store. 9 CHAIRPERSON MILLER: Right. 10 MR. DIETZ: That's outrageous. 11 CHAIRPERSON MILLER: Right. And we promised 12 you that this would be over -- 13 MR. DIETZ: How dare you. 14 CHAIRPERSON MILLER: -- this would be over by 15 5:00. Let's not -- let's not -- 16 MR. DIETZ: No, excuse me. 17 MR. JONES: With all due respect -- 18 CHAIRPERSON MILLER: Wait. 19 MR. JONES: -- both individuals, please, just 20 keep this thing professional. Everybody, with all due 21 -- no -- with all due respect, Mr. Dietz, keep it 22 professional. This gentleman will do the same. All</p>	148	<p>1 out today. And I know that you missed time from work 2 and that's a sacrifice. And the best we can do is have 3 our general counsel coordinate with you the next date, 4 which I don't expect it to be a long hearing, and make 5 sure that your case will start on time and that's the 6 best that we can do. 7 So unless there are any other questions, 8 we'll recess this hearing and coordinate with our 9 general counsel on the date. 10 MR. WAY: Will you -- Madam Miller, will you 11 give us an opportunity because of our -- both of our 12 busy schedules and of course his health -- his wife 13 health concern, would you give us -- if it's protocol, 14 would you give us the opportunity to respond -- in the 15 past as we have noticed we have been rescheduled, 16 rescheduled, rescheduled. And sometimes we have not 17 always -- not you -- but sometimes we have not been 18 given any option. It's, like, this date or your case 19 will be dismissed or -- 20 CHAIRPERSON MILLER: No. 21 MR. SILVERSTEIN: No. 22 CHAIRPERSON MILLER: No. It won't happen.</p>
147	<p>1 right. Just respect the situation, respect the Chair, 2 respect the Board. If you don't want to respect 3 yourself, respect these entities here. Okay? 4 CHAIRPERSON MILLER: All right. Let's just - 5 - we have nine minutes max. Now, we can end this 6 earlier. I want to ask you a question. If we can do 7 this quickly, we can finish up one segment. Do you 8 object to his exhibits? 9 MR. DIETZ: No. 10 CHAIRPERSON MILLER: Okay. So there you've 11 made -- they will all be entered into evidence. Now, 12 we don't have a date yet. Martha Jenkins will get back 13 to you, coordinate, let you all know when we have space 14 on the calendar to finish this hearing. We said this 15 at the beginning of the hearing that Mr. Dietz has a 16 very important personal issue and we would stop by no 17 later than 5:00. But we will guarantee that we will -- 18 we will continue the hearing. 19 You'll be able to put on your witnesses and 20 you'll have due process. We're not going to have that 21 happen again. I'm sorry about the way the schedule 22 ended up today, that we can't hear everybody that came</p>	149	<p>1 That's not going to happen to you. Ms. Jenkins is 2 going to talk to you about coordinating dates. You're 3 not going to be -- 4 MR. WAY: Yeah, she can discuss before we 5 decide. That's all -- 6 CHAIRPERSON MILLER: Yes. You're not going 7 to be mandated a date. 8 MR. WAY: I have to coordinate all these -- 9 CHAIRPERSON MILLER: Yeah. 10 MR. WAY: -- great people. That's all. 11 That's all I was saying. 12 CHAIRPERSON MILLER: No. That is -- that is 13 not going to happen. We don't -- you know, she's going 14 to work with you and the full schedule. 15 MR. WAY: I mean, because in the past, we've 16 just been given a date and say, "That's it." 17 CHAIRPERSON MILLER: Right. That's not going 18 to happen again. 19 MR. WAY: Okay. 20 CHAIRPERSON MILLER: You're going to get your 21 due process. 22 MR. WAY: Thank you.</p>

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<p>1 CHAIRPERSON MILLER: Everybody's going to get 2 be heard. And I'm just sorry it had to be split up but 3 that happens sometimes. So -- okay. That's all. 4 MR. WAY: Will we get a letter? 5 CHAIRPERSON MILLER: She'll call you and -- 6 to work out a date, she'll call you. Okay. All right. 7 Thank you. 8 MR. WAY: Thank you. 9 MR. JONES: Just for the record, before 10 everyone leaves, time -- 11 CHAIRPERSON MILLER: Oh, okay. 12 MR. JONES: The protestants have 60 minutes 13 remaining. The Licensee has 73 minutes remaining for 14 the record. And I will -- we will hold on to that 15 record so when we reconvene, you will have that much 16 time remaining to put on your cases respectively, as I 17 understand it, as per guidance from the Chair. 18 CHAIRPERSON MILLER: Okay. 19 MR. DIETZ: Thank you. 20 CHAIRPERSON MILLER: Thank you very much. 21 Have a good night. 22 (WHEREUPON, at 4:54 p.m., the hearing was concluded.)</p>	<p>1 CERTIFICATE OF TRANSCRIPTION 2 3 I, MIRANDA PENNACHI, hereby certify that I am not 4 the Court Reporter who reported the following 5 proceeding and that I have typed the transcript of this 6 proceeding using the Court Reporter's notes and 7 recordings. The foregoing/attached transcript is a 8 true, correct and complete transcription of said 9 proceeding. 10 11 12 _____ 13 Date MIRANDA PENNACHI 14 Transcriptionist 15 16 17 18 19 20 21</p>
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<p>1 CERTIFICATE OF REPORTER 2 3 I, ERICK MCNAIR, the officer before whom the 4 foregoing hearing was taken, do hereby certify that 5 the testimony appearing in the foregoing pages was 6 recorded by me and thereafter reduced to typewriting 7 under my direction; that said transcription is a true 8 record of the testimony given by said parties; that I 9 am neither counsel for, related to, nor employed by 10 any of the parties to the action in which this hearing 11 was taken; and, further, that I am not a relative or 12 employee of any counsel or attorney employed by the 13 parties hereto, nor financially or otherwise 14 interested in the outcome of this action. 15 16 17 18 19 20 ERICK MCNAIR 21 Court Reporter 22</p>	

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