

Capital Reporting Company  
In the Matter of: Sun Ok Kim t/a Strand Liquors 08-08-2012

1

DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :  
: :  
Sun Ok Kim, :  
t/a Strand Liquors :  
65 Division Ave. NE :  
Retailer A : Protest  
License No. 9272 : Hearing  
ANC 7C : (Status)  
Case No. 12-PRO-00051 :  
Renewal Application :  
-----x

August 8, 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.

PRESENT

RUTHANNE MILLER, Chairperson

NICK ALBERTI, Member

DONALD BROOKS, Member

HERMAN JONES, Member

CALVIN NOPHLIN, Member

MIKE SILVERSTEIN, Member

ALSO PRESENT

SYLVIA BROWN, ANC 7C

(866) 448 - DEPO

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2

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

2 CHAIRPERSON MILLER: Good morning, ladies and  
3 gentlemen. I'd like to welcome you to the regular  
4 scheduled meeting of the District of Columbia Alcoholic  
5 Beverage Control Board. Today is August 8th, 2012.

6 My name is Ruthanne Miller. I'm the  
7 chairperson. Joining me today, to my far right is Mr.  
8 Calvin Nophlin, to his immediate left is Mr. Donald  
9 Brooks, to my immediate right is Mr. Nick Alberti, to  
10 my far left is Mr. Herman Jones, and to his immediate  
11 right and my immediate left is Mr. Mike Silverstein.  
12 The Board has six members in attendance for the conduct  
13 of business today, with three constituting a quorum.

14 Copies of today's hearing calendar and agenda  
15 are available at the receptionist's desk. Please be  
16 aware that these proceedings are being recorded by a  
17 court reporter. Accordingly, we must ask you to  
18 refrain from any disruptive noises or actions in the  
19 hearing room. If you have any electronic devices,  
20 pagers, cell phones or such, please make certain that  
21 they are turned off to avoid any interruption of the  
22 proceedings.

Capital Reporting Company  
In the Matter of: Sun Ok Kim t/a Strand Liquors 08-08-2012

3

1           Please note, when you come forward, there's a  
2 piece of paper on each table. When your case is  
3 called, take a seat at the table and please sign in.  
4 This is to ensure the correct spelling of your name for  
5 the record.

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

14           Okay, we're ready to proceed with this  
15 morning's calendar. The first case on the calendar is  
16 a status protest hearing case, Number 12-PRO-00051.  
17 Strand Liquor is located at 605 Division Avenue  
18 Northeast, License Number 9272 and ANC 7C.

19           Would the parties in that case please come  
20 forward? Good morning.

21           MS. KIM: Good morning.

22           MS. E. KIM: Good morning.

Capital Reporting Company  
In the Matter of: Sun Ok Kim t/a Strand Liquors 08-08-2012

4

1 CHAIRPERSON MILLER: And when you're ready,  
2 if you would identify yourselves for the record.

3 MS. KIM: Oh, I'm from Strand Liquor. My  
4 name is Sun Ok Kim.

5 CHAIRPERSON MILLER: Okay. Are you the owner  
6 of the --

7 MS. KIM: Yes.

8 CHAIRPERSON MILLER: -- liquor store? Okay.  
9 And with you is?

10 MS. KIM: My daughter.

11 MS. E. KIM: Elizabeth Kim.

12 CHAIRPERSON MILLER: Okay.

13 COMMISSIONER BROWN: Hi. Commissioner Sylvia  
14 Brown, representative of Advisor Neighborhood  
15 Commission 7C.

16 CHAIRPERSON MILLER: Okay, are there any  
17 preliminary matters in this case?

18 COMMISSIONER BROWN: The Applicant and I met  
19 with the Board agent, La Verne Fletcher, on the  
20 appointed mediation date and went over the draft  
21 voluntary agreement, and there are some edits being  
22 made on the commission's and community's part. And

Capital Reporting Company  
In the Matter of: Sun Ok Kim t/a Strand Liquors 08-08-2012

5

1 there were some questions that have been broached, as  
2 well, with the agency that we're waiting to get  
3 additional responses back. So that's the status.

4 We're hopeful that once the edits are made,  
5 shared with the Applicant, that we can move forward  
6 continuing with the discussions about the VA.

7 CHAIRPERSON MILLER: Good. Ms. Kim? Anything  
8 you want to say?

9 MS. E. KIM: Speaking on behalf of my mother,  
10 we have not yet agreed due to the revisions that have  
11 to be made onto this voluntary agreement, not to sign  
12 the voluntary agreement. We're currently waiting on 7C  
13 to provide us with the revisions. Excuse me. So  
14 that's our current status at the moment.

15 CHAIRPERSON MILLER: Okay. All right, so  
16 what I'm going to do, right now, is set the protest  
17 hearing for a date, which is October 10, at 4:00 p.m.  
18 In the event you don't reach an agreement, you have --  
19 you'll go forward at that -- at that -- at that day.

20 MS. E. KIM: Okay.

21 CHAIRPERSON MILLER: If you do reach an  
22 agreement than that will come off the calendar.

Capital Reporting Company  
In the Matter of: Sun Ok Kim t/a Strand Liquors 08-08-2012

6

1 MS. E. KIM: Okay. I'm sorry, October?

2 CHAIRPERSON MILLER: October 10, 2012 at 4:00  
3 p.m.

4 And I'm just going to read you a few  
5 instructions, in the event that you go forward for the  
6 -- with the protest hearing. And, basically, the  
7 protest hearing is going to be focused on just the  
8 issues that are being protested. And the Board won't  
9 hear testimony on matters that won't be relevant to  
10 that protest. Most importantly, you should've  
11 received, in a mailing, from Adjudication Assistant  
12 Sarah Fashbough, a letter explaining the protest  
13 process and a copy of the protest information form,  
14 which is sometimes referred to as a PIF. If you do not  
15 have these documents, please see Ms. Fashbough at the  
16 end of this hearing.

17 It's important that you look at the rules  
18 closely and adhere to them before and during the  
19 protest hearing. You're required to complete and  
20 submit this protest information form seven days before  
21 the date of the hearing. The document needs to be  
22 submitted to ABRA and to the opposing parties in this

Capital Reporting Company  
In the Matter of: Sun Ok Kim t/a Strand Liquors 08-08-2012

7

1 matter. If we don't receive a copy of your PIF, your  
2 application or your protest, whichever side you're  
3 representing may be subject to dismissal.

4 So pay attention to that seven day deadline  
5 because some cases have been dismissed for not meeting  
6 that deadline. The form is important in helping the  
7 Board narrow the protest issues and facilitate the  
8 process and keeping parties on point during the  
9 hearing.

10 So, I want to give you Ms. Fashbough's number  
11 in case you don't have it. It's 202-397-3971. So you  
12 should contact her if you have any questions about  
13 that. Okay?

14 MS. E. KIM: Question.

15 CHAIRPERSON MILLER: Mm-hm.

16 MS. E. KIM: Would I, in any way, be able to  
17 take the place of my mother for the October 10th  
18 hearing, or will she have to attend?

19 CHAIRPERSON MILLER: She can't attend?

20 MS. E. KIM: Well, with the business, we're  
21 definitely trying to -- well, I'm trying to have her  
22 avoid closing the store.

Capital Reporting Company  
In the Matter of: Sun Ok Kim t/a Strand Liquors 08-08-2012

8

1 CHAIRPERSON MILLER: I see. I see.

2 MS. E. KIM: So, you know, I've discussed in  
3 detail with my mother on the requirements of the  
4 agreement, and thought maybe I could attend instead of  
5 her.

6 (Board members confer.)

7 CHAIRPERSON MILLER: Okay, one minute. Okay,  
8 we have what's called authorization form that -- if you  
9 meet with Ms. Fashbough I think she'll be able to help  
10 you on that if your mother wants to authorize you to  
11 represent her.

12 MS. E. KIM: Okay, thank you.

13 CHAIRPERSON MILLER: Okay, anything else?

14 MS. E. KIM: That is it. Thank you.

15 CHAIRPERSON MILLER: Okay. Thank you very  
16 much.

17 MS. KIM: Thank you.

18 (WHEREUPON, at 9:48 a.m., the hearing was  
19 concluded.)

20

21

22

<p style="text-align: center;"><u>1</u></p> <p><b>10</b> 5:17 6:2  <b>10th</b> 7:17  <b>12-PRO-00051</b> 1:9                  3:16  <b>14th</b> 1:14</p> <hr/> <p style="text-align: center;"><u>2</u></p> <p><b>2000</b> 1:14  <b>2012</b> 1:11 2:5 6:2  <b>202-397-3971</b> 7:11</p> <hr/> <p style="text-align: center;"><u>4</u></p> <p><b>4:00</b> 5:17 6:2  <b>405(b)</b> 3:8</p> <hr/> <p style="text-align: center;"><u>6</u></p> <p><b>605</b> 3:17  <b>65</b> 1:7</p> <hr/> <p style="text-align: center;"><u>7</u></p> <p><b>7C</b> 1:8,21 3:18                  4:15 5:12</p> <hr/> <p style="text-align: center;"><u>8</u></p> <p><b>8</b> 1:11  <b>8th</b> 2:5</p> <hr/> <p style="text-align: center;"><u>9</u></p> <p><b>9:48</b> 8:18  <b>9272</b> 1:8 3:18</p> <hr/> <p style="text-align: center;"><u>A</u></p> <p><b>a.m</b> 8:18  <b>able</b> 7:16 8:9  <b>ABRA</b> 6:22  <b>Accordingly</b> 2:17</p>	<p><b>Act</b> 3:6,9  <b>actions</b> 2:18  <b>additional</b> 5:3  <b>adhere</b> 6:18  <b>adjudication</b> 3:13                  6:11  <b>advice</b> 3:11  <b>Advisor</b> 4:14  <b>agency</b> 5:2  <b>agenda</b> 2:14  <b>agent</b> 4:19  <b>agreed</b> 5:10  <b>agreement</b> 4:21                  5:11,12,18,22                  8:4  <b>agreements</b> 3:12  <b>Alberti</b> 1:18 2:9  <b>Alcoholic</b>                  1:2,12,14 2:4  <b>ANC</b> 1:8,21 3:18  <b>anything</b> 5:7 8:13  <b>Applicant</b> 4:18 5:5  <b>application</b> 1:9 7:2  <b>appointed</b> 4:20  <b>Assistant</b> 6:11  <b>attend</b> 7:18,19 8:4  <b>attendance</b> 2:12  <b>attention</b> 7:4  <b>attorney</b> 3:11  <b>August</b> 1:11 2:5  <b>authorization</b> 8:8  <b>authorize</b> 8:10  <b>available</b> 2:15  <b>Ave</b> 1:7</p>	<p><b>Avenue</b> 3:17  <b>avoid</b> 2:21 7:22  <b>aware</b> 2:16</p> <hr/> <p style="text-align: center;"><u>B</u></p> <p><b>basically</b> 6:6  <b>behalf</b> 5:9  <b>Beverage</b>                  1:2,12,14 2:5  <b>Board</b> 1:2,14                  2:5,12 3:8 4:19                  6:8 7:7 8:6  <b>broached</b> 5:1  <b>Brooks</b> 1:18 2:9  <b>Brown</b> 1:21                  4:13,14,18  <b>Building</b> 1:14  <b>business</b> 2:13 7:20</p> <hr/> <p style="text-align: center;"><u>C</u></p> <p><b>calendar</b> 2:14 3:15                  5:22  <b>Calvin</b> 1:19 2:8  <b>case</b> 1:9                  3:2,7,10,15,16,1                  9 4:17 7:11  <b>cases</b> 7:5  <b>cell</b> 2:20  <b>certain</b> 2:20  <b>chairperson</b>                  1:15,17 2:2,7                  4:1,5,8,12,16                  5:7,15,21 6:2                  7:15,19                  8:1,7,13,15  <b>closed</b> 3:9  <b>closely</b> 6:18</p>	<p><b>closing</b> 7:22  <b>Columbia</b> 1:1 2:4  <b>Commission</b> 4:15  <b>Commissioner</b>                  4:13,18  <b>commission's</b> 4:22  <b>community's</b> 4:22  <b>complete</b> 6:19  <b>concluded</b> 8:19  <b>conduct</b> 2:12  <b>confer</b> 8:6  <b>consistent</b> 3:8  <b>constituting</b> 2:13  <b>consult</b> 3:10  <b>contact</b> 7:12  <b>continuing</b> 5:6  <b>Control</b> 1:2,12,14                  2:5  <b>Copies</b> 2:14  <b>copy</b> 6:13 7:1  <b>correct</b> 3:4  <b>court</b> 2:17  <b>current</b> 5:14  <b>currently</b> 5:12</p> <hr/> <p style="text-align: center;"><u>D</u></p> <p><b>D.C</b> 1:15  <b>date</b> 4:20 5:17                  6:21  <b>daughter</b> 4:10  <b>day</b> 5:19 7:4  <b>days</b> 6:20  <b>deadline</b> 7:4,6  <b>decision</b> 3:12</p>
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<p><b>definitely</b> 7:21  <b>deliberate</b> 3:12  <b>desk</b> 2:15  <b>detail</b> 8:3  <b>devices</b> 2:19  <b>discuss</b> 3:11  <b>discussed</b> 8:2  <b>discussions</b> 5:6  <b>dismissal</b> 7:3  <b>dismissed</b> 7:5  <b>disruptive</b> 2:18  <b>District</b> 1:1 2:4  <b>Division</b> 1:7 3:17  <b>document</b> 6:21  <b>documents</b> 6:15  <b>Donald</b> 1:18 2:8  <b>draft</b> 4:20  <b>due</b> 5:10  <b>during</b> 3:9 6:18                  7:8</p> <hr/> <p style="text-align: center;"><b>E</b></p> <hr/> <p><b>edits</b> 4:21 5:4  <b>electronic</b> 2:19  <b>Elizabeth</b> 4:11  <b>else</b> 8:13  <b>ensure</b> 3:4  <b>enter</b> 3:9  <b>event</b> 5:18 6:5  <b>Excuse</b> 5:13  <b>explaining</b> 6:12</p> <hr/> <p style="text-align: center;"><b>F</b></p> <hr/> <p><b>facilitate</b> 7:7</p>	<p><b>Fashbough</b>                  6:12,15 8:9  <b>Fashbough's</b> 7:10  <b>first</b> 3:15  <b>Fletcher</b> 4:19  <b>focused</b> 6:7  <b>form</b> 6:13,20 7:6                  8:8  <b>forward</b> 3:1,20                  5:5,19 6:5</p> <hr/> <p style="text-align: center;"><b>G</b></p> <hr/> <p><b>gentlemen</b> 2:3</p> <hr/> <p style="text-align: center;"><b>H</b></p> <hr/> <p><b>hear</b> 6:9  <b>hearing</b> 1:8,14                  2:14,19                  3:7,10,16 5:17                  6:6,7,16,19,21                  7:9,18 8:18  <b>help</b> 8:9  <b>helping</b> 7:6  <b>Herman</b> 1:19 2:10  <b>Hi</b> 4:13  <b>hopeful</b> 5:4</p> <hr/> <p style="text-align: center;"><b>I</b></p> <hr/> <p><b>I'd</b> 2:3  <b>identify</b> 4:2  <b>I'm</b> 2:6 4:3 5:16                  6:1,4 7:21  <b>immediate</b>                  2:8,9,10,11  <b>important</b> 6:17                  7:6  <b>importantly</b> 6:10</p>	<p><b>information</b>                  6:13,20  <b>instead</b> 8:4  <b>instructions</b> 6:5  <b>interruption</b> 2:21  <b>issues</b> 6:8 7:7  <b>It's</b> 6:17 7:11  <b>I've</b> 8:2</p> <hr/> <p style="text-align: center;"><b>J</b></p> <hr/> <p><b>Joining</b> 2:7  <b>Jones</b> 1:19 2:10</p> <hr/> <p style="text-align: center;"><b>K</b></p> <hr/> <p><b>Kim</b> 1:6 3:21,22                  4:3,4,7,10,11                  5:7,9,20 6:1                  7:14,16,20                  8:2,12,14,17</p> <hr/> <p style="text-align: center;"><b>L</b></p> <hr/> <p><b>La</b> 4:19  <b>ladies</b> 2:2  <b>legal</b> 3:11  <b>letter</b> 6:12  <b>License</b> 1:8 3:18  <b>liquor</b> 3:17 4:3,8  <b>Liquors</b> 1:6  <b>located</b> 3:17</p> <hr/> <p style="text-align: center;"><b>M</b></p> <hr/> <p><b>mailing</b> 6:11  <b>matter</b> 1:5 7:1  <b>matters</b> 4:17 6:9  <b>may</b> 3:8 7:3  <b>maybe</b> 8:4</p>	<p><b>mediation</b> 4:20  <b>meet</b> 8:9  <b>meeting</b> 1:3 2:4                  3:9 7:5  <b>Meetings</b> 3:6,9  <b>Member</b>                  1:18,19,20  <b>members</b> 2:12 8:6  <b>met</b> 1:14 4:18  <b>Mike</b> 1:20 2:11  <b>Miller</b> 1:15,17                  2:2,6                  4:1,5,8,12,16                  5:7,15,21 6:2                  7:15,19                  8:1,7,13,15  <b>minute</b> 8:7  <b>Mm-hm</b> 7:15  <b>moment</b> 5:14  <b>morning</b> 2:2                  3:20,21,22  <b>morning's</b> 3:15  <b>mother</b> 5:9 7:17                  8:3,10  <b>move</b> 5:5</p> <hr/> <p style="text-align: center;"><b>N</b></p> <hr/> <p><b>N.W</b> 1:14  <b>narrow</b> 7:7  <b>NE</b> 1:7  <b>Neighborhood</b>                  4:14  <b>Nick</b> 1:18 2:9  <b>noises</b> 2:18  <b>Nophlin</b> 1:19 2:8  <b>Northeast</b> 3:18</p>
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<p><b>note</b> 3:1</p> <hr/> <p><b>O</b></p> <p><b>obtain</b> 3:11</p> <p><b>October</b> 5:17 6:1,2 7:17</p> <p><b>Oh</b> 4:3</p> <p><b>Ok</b> 1:6 4:4</p> <p><b>onto</b> 5:11</p> <p><b>open</b> 3:6,7,9</p> <p><b>opposing</b> 6:22</p> <p><b>owner</b> 4:5</p> <hr/> <p><b>P</b></p> <p><b>p.m</b> 5:17 6:3</p> <p><b>paggers</b> 2:20</p> <p><b>paper</b> 3:2</p> <p><b>parties</b> 3:19 6:22 7:8</p> <p><b>pay</b> 7:4</p> <p><b>phones</b> 2:20</p> <p><b>piece</b> 3:2</p> <p><b>PIF</b> 6:14 7:1</p> <p><b>please</b> 2:15,20 3:1,3,19 6:15</p> <p><b>point</b> 7:8</p> <p><b>preliminary</b> 4:17</p> <p><b>PRESENT</b> 1:17,20</p> <p><b>presiding</b> 1:15</p> <p><b>proceed</b> 3:14</p> <p><b>proceeding</b> 3:13</p> <p><b>proceedings</b> 2:16,22</p> <p><b>process</b> 6:13 7:8</p> <p><b>protest</b> 1:7 3:16</p>	<p>5:16 6:6,7,10,12,13,1 9,20 7:2,7</p> <p><b>protested</b> 6:8</p> <p><b>provide</b> 5:13</p> <p><b>public</b> 3:7,10</p> <hr/> <p><b>Q</b></p> <p><b>Question</b> 7:14</p> <p><b>questions</b> 5:1 7:12</p> <p><b>quorum</b> 2:13</p> <hr/> <p><b>R</b></p> <p><b>reach</b> 5:18,21</p> <p><b>ready</b> 3:14 4:1</p> <p><b>receive</b> 7:1</p> <p><b>received</b> 6:11</p> <p><b>receptionist's</b> 2:15</p> <p><b>record</b> 3:5 4:2</p> <p><b>recorded</b> 2:16</p> <p><b>Reeves</b> 1:14</p> <p><b>referred</b> 6:14</p> <p><b>refrain</b> 2:18</p> <p><b>regular</b> 2:3</p> <p><b>relevant</b> 6:9</p> <p><b>Renewal</b> 1:9</p> <p><b>reporter</b> 2:17</p> <p><b>represent</b> 8:11</p> <p><b>representative</b> 4:14</p> <p><b>representing</b> 7:3</p> <p><b>required</b> 6:19</p> <p><b>requirements</b> 8:3</p> <p><b>requires</b> 3:6</p> <p><b>responses</b> 5:3</p>	<p><b>Retailer</b> 1:7</p> <p><b>revisions</b> 5:10,13</p> <p><b>room</b> 1:14 2:19</p> <p><b>rules</b> 6:17</p> <p><b>Ruthanne</b> 1:15,17 2:6</p> <hr/> <p><b>S</b></p> <p><b>Sarah</b> 6:12</p> <p><b>scheduled</b> 2:4</p> <p><b>seat</b> 3:3</p> <p><b>Section</b> 3:8</p> <p><b>settlement</b> 3:11</p> <p><b>seven</b> 6:20 7:4</p> <p><b>shared</b> 5:5</p> <p><b>she'll</b> 8:9</p> <p><b>should've</b> 6:10</p> <p><b>sign</b> 3:3 5:11</p> <p><b>Silverstein</b> 1:20 2:11</p> <p><b>six</b> 2:12</p> <p><b>sorry</b> 6:1</p> <p><b>Speaking</b> 5:9</p> <p><b>spelling</b> 3:4</p> <p><b>status</b> 1:8 3:16 5:3,14</p> <p><b>store</b> 4:8 7:22</p> <p><b>Strand</b> 1:6 3:17 4:3</p> <p><b>Street</b> 1:14</p> <p><b>subject</b> 7:3</p> <p><b>submit</b> 6:20</p> <p><b>submitted</b> 6:22</p> <p><b>Sun</b> 1:6 4:4</p>	<p><b>Sylvia</b> 1:21 4:13</p> <hr/> <p><b>T</b></p> <p><b>t/a</b> 1:6</p> <p><b>table</b> 3:2,3</p> <p><b>testimony</b> 6:9</p> <p><b>thank</b> 8:12,14,15,17</p> <p><b>that's</b> 5:3,14</p> <p><b>there's</b> 3:1</p> <p><b>today</b> 2:5,7,13</p> <p><b>today's</b> 2:14</p> <p><b>trying</b> 7:21</p> <p><b>turned</b> 2:21</p> <hr/> <p><b>U</b></p> <p><b>upon</b> 3:12</p> <hr/> <p><b>V</b></p> <p><b>VA</b> 5:6</p> <p><b>Verne</b> 4:19</p> <p><b>voluntary</b> 4:21 5:11,12</p> <hr/> <p><b>W</b></p> <p><b>waiting</b> 5:2,12</p> <p><b>Washington</b> 1:15</p> <p><b>welcome</b> 2:3</p> <p><b>we're</b> 3:14 5:2,4,12 7:20</p> <p><b>WHEREUPON</b> 8:18</p> <p><b>whichever</b> 7:2</p> <hr/> <p><b>Y</b></p> <p><b>yet</b> 5:10</p> <p><b>you'll</b> 5:19</p>
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Capital Reporting Company  
In the Matter of: Sun Ok Kim t/a Strand Liquors 08-08-2012

Page 4

<b>yourselves 4:2</b>			
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