

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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ROLL CALL HEARING

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IN THE MATTER OF: :

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Quang V. Le :

t/a Le Liquor :

1776 Columbia Road, N.W. :

License #ABRA-090659 :

Retailer A :

New Application :

CASE 12-PRO-00087 :

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TUESDAY, January 22, 2013

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The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street N.W., Washington, D.C., Ms. La Verne

Fletcher, Agent, presiding.

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

(9:31 a.m.)

MS. FLETCHER: Would the parties in the matter of Le Liquor please come forward. This is Case Number 12-PRO-00087.

MR. GUTHRIE: I'm sorry --

MS. FLETCHER: Can you hear me?

MR. GUTHRIE: -- I'm having a hard time hearing.

MS. FLETCHER: I'm sorry. The microphones may be off in the back. Is this Le Liquor?

MR. GUTHRIE: Yes, I'm here on behalf of the agency.

MS. FLETCHER: Okay, sure. Just have a seat right at the table.

MR. GUTHRIE: Okay.

MS. FLETCHER: Thank you. And you too, sir. Are you the Applicant?

MR. LE: Yes.

MS. FLETCHER: Just have a seat right at the table. And if the interpreter,

1 the Vietnamese interpreter, would please join  
2 the Applicant at the table. Thank you very  
3 much.

4 This is the matter of Quang V. Le,  
5 trading as Le Liquor, 1776 Columbia Road, NW.  
6 The License Number ABRA-09659. This is a  
7 Retailer, Class A, New Application.

8 Introductions beginning with the  
9 Applicant, and before we have the Applicant  
10 introduce himself, would you state your name  
11 for the record, the interpreter?

12 MR. LE: Yes, my name is Quang  
13 Le. I live in Alexandria, Virginia.

14 MS. FLETCHER: And, Mr. Le, you're  
15 the Applicant?

16 MR. LE: Yes.

17 MS. FLETCHER: And what is your  
18 first name again?

19 MR. LE: Quang, Q-U-A-N-G.

20 MS. FLETCHER: Could you spell  
21 that again, please?

22 MR. LE: Q-U-A-N-G.

1 MS. FLETCHER: Oh, Quang, Q-U-A-N-  
2 G?

3 MR. LE: Yes.

4 MS. FLETCHER: And the last name  
5 is L-E?

6 MR. LE: L-E, yes.

7 MS. FLETCHER: Okay, and thank  
8 you. And you're the interpreter for today,  
9 sir?

10 INTERPRETER: That is correct,  
11 ma'am.

12 MS. FLETCHER: Okay. Could you  
13 spell your name for me?

14 INTERPRETER: Yes. First name is  
15 Duy, D-U-Y. Last name is N as November, G as  
16 golf, U as uniform, Y as Yankee, E as --

17 MS. FLETCHER: After the N what's  
18 the spelling?

19 INTERPRETER: G.

20 MS. FLETCHER: G.

21 INTERPRETER: U.

22 MS. FLETCHER: Yes.

1 INTERPRETER: Y.

2 MS. FLETCHER: Yes.

3 INTERPRETER: E-N.

4 MS. FLETCHER: And how is that  
5 pronounced, the last name?

6 INTERPRETER: It's Nguyen.

7 MS. FLETCHER: Nguyen?

8 INTERPRETER: Correct.

9 MS. FLETCHER: Okay. Thank you  
10 very much.

11 INTERPRETER: No problem.

12 MS. FLETCHER: And so Mr. Nguyen,  
13 you may be seated, you and Mr. Le. Mr. Nguyen  
14 is present today at the request of you, Mr.  
15 Le. You requested a Vietnamese interpreter.  
16 Is that correct?

17 MR. LE: Yes.

18 MS. FLETCHER: Okay, and so Mr.  
19 Nguyen is present to interpret for you this  
20 morning.

21 MR. LE: Yes.

22 MS. FLETCHER: Okay, thank you

1 very much. And on behalf of the Protestant?

2 MR. GUTHRIE: It's Ted Guthrie, G-  
3 U-T-H-R-I-E, for ANC 1C.

4 MS. FLETCHER: Thank you, Mr.  
5 Guthrie, ANC 1C, thank you. There is only one  
6 Protestant in this matter, that is ANC 1C.  
7 And ANC 1C is granted standing as a  
8 Protestant. So if you could translate that  
9 for Mr. Le? Thank you very much.

10 The protest issues in this matter  
11 are aired for its impact on peace, order, and  
12 quiet. My name is La Verne Fletcher, and I'm  
13 conducting the Roll Call Hearing as the  
14 Board's agent, pursuant to DC Official Code  
15 1601.2. Mr. Nguyen, could you please ask Mr.  
16 Le if he has any questions at this stage?

17 INTERPRETER: Yes, he's having a  
18 question. Why would this be an issue when  
19 there's one block on upper street and one  
20 block down the street from him already have a  
21 liquor store?

22 MS. FLETCHER: Okay. The answer

1 to that is this is the Roll Call Hearing. And  
2 the purpose of the hearing today is just to  
3 determine who the Protestants are. But we  
4 won't discuss the actual case or the issues  
5 today.

6 MR. LE: Okay.

7 MS. FLETCHER: But we will discuss  
8 the issues of both Mr. Le and the ANC at the  
9 next step.

10 MR. LE: Yes.

11 MS. FLETCHER: So for the purpose  
12 of today, Mr. Le gets to know who the  
13 Protestant is, which is ANC 1C. And that's  
14 all we're here to do today, and to schedule  
15 some dates, which I'll do next.

16 MR. LE: Okay.

17 MS. FLETCHER: We'll need to  
18 schedule dates for a mediation, a status  
19 hearing, and a protest hearing.

20 MR. LE: Okay.

21 MS. FLETCHER: Mediation is  
22 mandatory. And the purpose of the mediation

1 is for Mr. Le and Mr. Guthrie, or the ANC, to  
2 get together to discuss the protest issues in  
3 an attempt to try and resolve them.

4 If the matter can be resolved in  
5 mediation, then the ABC Board will not need to  
6 hold a protest hearing.

7 MR. LE: Yes, okay.

8 MS. FLETCHER: If the Board holds  
9 a protest hearing, then both sides will have  
10 an opportunity to present their testimony.  
11 And the Board will make a decision, based on  
12 testimony, with respect to whether or not a  
13 liquor license is issued.

14 And if the parties can resolve the  
15 matter in mediation, and come to terms that  
16 they're both in agreement with, then the  
17 protest hearing will be cancelled.

18 MR. LE: Okay.

19 MS. FLETCHER: So I will give you  
20 the dates for the status hearing and the  
21 protest hearing first. The status hearing is  
22 scheduled for February the 20th, 2013, at 9:30

1 a.m.

2 The status hearing is held before  
3 the ABC Board. And at the status hearing,  
4 you'll inform the Board with respect to the  
5 results of the mediation.

6 MR. LE: Yes.

7 MS. FLETCHER: And if you inform  
8 the Board at the status hearing that the  
9 matter was resolved in mediation, then the  
10 Board will cancel the protest hearing at that  
11 time.

12 MR. LE: Okay.

13 MS. FLETCHER: So long as the  
14 parties submit a written agreement signed by  
15 both parties.

16 MR. LE: Okay.

17 MS. FLETCHER: The date for the  
18 protest hearing is March the 20th, 2013, at  
19 1:30 p.m. in the afternoon. And all of the  
20 hearings are held here, in this room.

21 MR. LE: Okay.

22 MS. FLETCHER: And the mediation

1 may also be held in this room, if this room is  
2 available.

3 MR. LE: Yes.

4 MS. FLETCHER: Mr. Le, would you  
5 also like for the agency to schedule a  
6 Vietnamese interpreter for you at all upcoming  
7 proceedings, the mediation, the status  
8 hearing, and the protest hearing?

9 MR. LE: Yes, please.

10 MS. FLETCHER: Thank you. I will  
11 give you some dates for mediation to consider.  
12 The mediation has to be scheduled prior to the  
13 status hearing.

14 I'll give you the next dates that  
15 are available for the mediation. The next  
16 available date is Friday, February, oh,  
17 actually that's not available, just a second.

18 The next date that's available is,  
19 one second please, is Thursday, January 31st.  
20 You can let me know if that's good for you,  
21 Mr. Le and Mr. Guthrie.

22 MR. GUTHRIE: What time?

1 MS. FLETCHER: It could be at  
2 9:00, 10:00, 11:00, or 1:00. Is that a good  
3 date for you, Mr. Le?

4 MR. LE: 10 o'clock is the best  
5 for them.

6 MS. FLETCHER: Is that a good date  
7 for you, Mr. Guthrie?

8 MR. GUTHRIE: That will work.

9 MS. FLETCHER: Do you have a  
10 preference for time? Do you want morning,  
11 afternoon?

12 MR. GUTHRIE: 10:00 is fine with  
13 me. I think they said 10 o'clock --

14 MS. FLETCHER: Is that 10:00?  
15 Okay. Is 10:00 good for --

16 INTERPRETER: They can return.

17 MS. FLETCHER: Okay, thank you.  
18 So the mediation is set for Thursday, January  
19 31st, at 10:00. And when you come you can  
20 just check in with the receptionist.

21 MR. GUTHRIE: I'm here too.

22 MS. FLETCHER: Yes, you would just

1 check in with the receptionist on that day  
2 though. And the mediation may be in this  
3 room, if it's available.

4 Otherwise, we'll have it some  
5 place else. So just check in with the  
6 receptionist and she'll come out and she'll  
7 call me. And I'll come out. So mediation is  
8 confirmed for Thursday, January 31st, at  
9 10:00. Any questions?

10 MR. GUTHRIE: No.

11 MS. FLETCHER: And, Mr. Guthrie,  
12 are you going to represent the ANC at the  
13 mediation as well?

14 MR. GUTHRIE: I believe I am, yes.  
15 If I need to have someone else come and do it,  
16 I just call you, right?

17 MS. FLETCHER: Yes. And my card  
18 is on the table.

19 MR. GUTHRIE: I'll pick it up.

20 MS. FLETCHER: Okay, that'll be  
21 fine. Okay, then the Roll Call hearing is  
22 concluded. Thank you for coming.

1 MR. LE: Thank you.

2 INTERPRETER: May I approach, Your  
3 Honor?

4 MS. FLETCHER: Yes.

5 (Off microphone comments)

6 MS. FLETCHER: I sure will, thank  
7 you.

8 (Off microphone comments)

9 MS. FLETCHER: And Mr. Nguyen, I'm  
10 going to request you for the next available  
11 dates for hearings, in the event you're  
12 available, since you started.

13 (Off microphone comments)

14 MS. FLETCHER: Yes. And I'll do  
15 the same.

16 (Off microphone comments)

17 MS. FLETCHER: Okay, thank you,  
18 thanks a lot.

19 (Whereupon the hearing in the  
20 above- entitled matter was concluded at 10:17  
21 a.m.)

22

<p style="text-align: center;"><b>A</b></p> <p><b>ABC</b> 8:5 9:3  <b>ABRA-090659</b>  1:12  <b>ABRA-09659</b> 3:6  <b>actual</b> 7:4  <b>afternoon</b> 9:19  11:11  <b>agency</b> 2:14 10:5  <b>agent</b> 1:22 6:14  <b>agreement</b> 8:16  9:14  <b>aired</b> 6:11  <b>Alcoholic</b> 1:3,18,18  <b>Alexandria</b> 3:13  <b>ANC</b> 6:3,5,6,7 7:8  7:13 8:1 12:12  <b>answer</b> 6:22  <b>Applicant</b> 2:19 3:2  3:9,9,15  <b>Application</b> 1:13  3:7  <b>approach</b> 13:2  <b>attempt</b> 8:3  <b>available</b> 10:2,15  10:16,17,18 12:3  13:10,12  <b>a.m</b> 2:2 9:1 13:21</p>	<p><b>cancelled</b> 8:17  <b>card</b> 12:17  <b>case</b> 1:13 2:5 7:4  <b>check</b> 11:20 12:1,5  <b>Class</b> 3:7  <b>Code</b> 6:14  <b>Columbia</b> 1:1,11  3:5  <b>come</b> 2:4 8:15  11:19 12:6,7,15  <b>coming</b> 12:22  <b>comments</b> 13:5,8  13:13,16  <b>concluded</b> 12:22  13:20  <b>conducting</b> 6:13  <b>confirmed</b> 12:8  <b>consider</b> 10:11  <b>Control</b> 1:3,18,18  <b>correct</b> 4:10 5:8,16</p>	<p>2:10,15,18,21  3:14,17,20 4:1,4,7  4:12,17,20,22 5:2  5:4,7,9,12,18,22  6:4,12,22 7:7,11  7:17,21 8:8,19 9:7  9:13,17,22 10:4  10:10 11:1,6,9,14  11:17,22 12:11,17  12:20 13:4,6,9,14  13:17</p>	<p><b>interpreter</b> 2:22  3:1,11 4:8,10,14  4:19,21 5:1,3,6,8  5:11,15 6:17 10:6  11:16 13:2  <b>introduce</b> 3:10  <b>Introductions</b> 3:8  <b>issue</b> 6:18  <b>issued</b> 8:13  <b>issues</b> 6:10 7:4,8  8:2</p>	<p>7:22 8:5,15 9:5,9  9:22 10:7,11,12  10:15 11:18 12:2  12:7,13  <b>met</b> 1:18  <b>microphone</b> 13:5,8  13:13,16  <b>microphones</b> 2:11  <b>morning</b> 5:20  11:10</p>
<p style="text-align: center;"><b>B</b></p> <p><b>back</b> 2:11  <b>based</b> 8:11  <b>beginning</b> 3:8  <b>behalf</b> 2:14 6:1  <b>believe</b> 12:14  <b>best</b> 11:4  <b>Beverage</b> 1:3,18,18  <b>block</b> 6:19,20  <b>Board</b> 1:3,18 8:5,8  8:11 9:3,4,8,10  <b>Board's</b> 6:14  <b>Building</b> 1:19</p>	<p style="text-align: center;"><b>D</b></p> <p><b>date</b> 9:17 10:16,18  11:3,6  <b>dates</b> 7:15,18 8:20  10:11,14 13:11  <b>day</b> 12:1  <b>DC</b> 6:14  <b>decision</b> 8:11  <b>determine</b> 7:3  <b>discuss</b> 7:4,7 8:2  <b>DISTRICT</b> 1:1  <b>Duy</b> 4:15  <b>D-U-Y</b> 4:15  <b>D.C</b> 1:20</p>	<p style="text-align: center;"><b>G</b></p> <p><b>G</b> 4:2,15,19,20 6:2  <b>give</b> 8:19 10:11,14  <b>going</b> 12:12 13:10  <b>golf</b> 4:16  <b>good</b> 10:20 11:2,6  11:15  <b>granted</b> 6:7  <b>Guthrie</b> 2:6,8,13  2:17 6:2,2,5 8:1  10:21,22 11:7,8  11:12,21 12:10,11  12:14,19</p>	<p style="text-align: center;"><b>J</b></p> <p><b>January</b> 1:15 10:19  11:18 12:8  <b>join</b> 3:1</p>	<p style="text-align: center;"><b>N</b></p> <p><b>N</b> 4:15,17  <b>name</b> 3:10,12,18  4:4,13,14,15 5:5  6:12  <b>need</b> 7:17 8:5 12:15  <b>New</b> 1:13 3:7  <b>Nguyen</b> 5:6,7,12,13  5:19 6:15 13:9  <b>November</b> 4:15  <b>Number</b> 2:5 3:6  <b>NW</b> 3:5  <b>N.W</b> 1:11,20</p>
<p style="text-align: center;"><b>C</b></p> <p><b>call</b> 1:5 6:13 7:1  12:7,16,21  <b>cancel</b> 9:10</p>	<p style="text-align: center;"><b>E</b></p> <p><b>E</b> 4:16  <b>entitled</b> 13:20  <b>event</b> 13:11  <b>E-N</b> 5:3</p> <p style="text-align: center;"><b>F</b></p> <p><b>February</b> 8:22  10:16  <b>fine</b> 11:12 12:21  <b>first</b> 3:18 4:14 8:21  <b>Fletcher</b> 1:22 2:3,7</p>	<p style="text-align: center;"><b>H</b></p> <p><b>hard</b> 2:8  <b>hear</b> 2:7  <b>hearing</b> 1:5,19 2:9  6:13 7:1,2,19,19  8:6,9,17,20,21,21  9:2,3,8,10,18 10:8  10:8,13 12:21  13:19  <b>hearings</b> 9:20  13:11  <b>held</b> 9:2,20 10:1  <b>hold</b> 8:6  <b>holds</b> 8:8  <b>Honor</b> 13:3</p>	<p style="text-align: center;"><b>K</b></p> <p><b>know</b> 7:12 10:20</p> <p style="text-align: center;"><b>L</b></p> <p><b>La</b> 1:20 6:12  <b>Le</b> 1:10,10 2:4,12  2:20 3:4,5,12,13  3:14,16,19,22 4:3  4:6 5:13,15,17,21  6:9,16 7:6,8,10,12  7:16,20 8:1,7,18  9:6,12,16,21 10:3  10:4,9,21 11:3,4  13:1  <b>license</b> 1:12 3:6  8:13  <b>liquor</b> 1:10 2:4,12  3:5 6:21 8:13  <b>live</b> 3:13  <b>long</b> 9:13  <b>lot</b> 13:18  <b>L-E</b> 4:5,6</p>	<p style="text-align: center;"><b>O</b></p> <p><b>Official</b> 6:14  <b>oh</b> 4:1 10:16  <b>okay</b> 2:15,17 4:7,12  5:9,18,22 6:22 7:6  7:16,20 8:7,18  9:12,16,21 11:15  11:17 12:20,21  13:17  <b>opportunity</b> 8:10  <b>order</b> 6:11  <b>o'clock</b> 11:4,13</p>
		<p style="text-align: center;"><b>I</b></p> <p><b>impact</b> 6:11  <b>inform</b> 9:4,7  <b>interpret</b> 5:19</p>	<p style="text-align: center;"><b>M</b></p> <p><b>mandatory</b> 7:22  <b>March</b> 9:18  <b>matter</b> 1:9 2:4 3:4  6:6,10 8:4,15 9:9  13:20  <b>ma'am</b> 4:11  <b>mediation</b> 7:18,21</p>	<p style="text-align: center;"><b>P</b></p> <p><b>parties</b> 2:3 8:14  9:14,15  <b>peace</b> 6:11  <b>pick</b> 12:19  <b>place</b> 12:5  <b>please</b> 2:4 3:1,21  6:15 10:9,19  <b>preference</b> 11:10  <b>present</b> 5:14,19</p>

8:10 <b>presiding</b> 1:22 <b>prior</b> 10:12 <b>problem</b> 5:11 <b>proceedings</b> 10:7 <b>pronounced</b> 5:5 <b>protest</b> 6:10 7:19 8:2,6,9,17,21 9:10 9:18 10:8 <b>Protestant</b> 6:1,6,8 7:13 <b>Protestants</b> 7:3 <b>purpose</b> 7:2,11,22 <b>pursuant</b> 6:14 <b>P-R-O-C-E-E-D-...</b> 2:1 <b>p.m</b> 9:19	<hr/> <b>S</b> <hr/> <b>schedule</b> 7:14,18 10:5 <b>scheduled</b> 8:22 10:12 <b>seat</b> 2:16,21 <b>seated</b> 5:13 <b>second</b> 10:17,19 <b>set</b> 11:18 <b>she'll</b> 12:6,6 <b>sides</b> 8:9 <b>signed</b> 9:14 <b>sir</b> 2:19 4:9 <b>sorry</b> 2:6,10 <b>spell</b> 3:20 4:13 <b>spelling</b> 4:18 <b>stage</b> 6:16 <b>standing</b> 6:7 <b>started</b> 13:12 <b>state</b> 3:10 <b>status</b> 7:18 8:20,21 9:2,3,8 10:7,13 <b>step</b> 7:9 <b>store</b> 6:21 <b>street</b> 1:20 6:19,20 <b>submit</b> 9:14 <b>sure</b> 2:15 13:6	<b>translate</b> 6:8 <b>try</b> 8:3 <b>TUESDAY</b> 1:15 <b>t/a</b> 1:10	<hr/> <b>2</b> <hr/> <b>20th</b> 8:22 9:18 <b>2000</b> 1:19 <b>2013</b> 1:15 8:22 9:18 <b>22</b> 1:15
<hr/> <b>Q</b> <hr/> <b>Quang</b> 1:10 3:4,12 3:19 4:1 <b>question</b> 6:18 <b>questions</b> 6:16 12:9 <b>quiet</b> 6:12 <b>Q-U-A-N</b> 4:1 <b>Q-U-A-N-G</b> 3:19 3:22	<b>signed</b> 9:14 <b>sir</b> 2:19 4:9 <b>sorry</b> 2:6,10 <b>spell</b> 3:20 4:13 <b>spelling</b> 4:18 <b>stage</b> 6:16 <b>standing</b> 6:7 <b>started</b> 13:12 <b>state</b> 3:10 <b>status</b> 7:18 8:20,21 9:2,3,8 10:7,13 <b>step</b> 7:9 <b>store</b> 6:21 <b>street</b> 1:20 6:19,20 <b>submit</b> 9:14 <b>sure</b> 2:15 13:6	<hr/> <b>U</b> <hr/> <b>U</b> 4:16,21 <b>uniform</b> 4:16 <b>upcoming</b> 10:6 <b>upper</b> 6:19 <b>U-T-H-R-I-E</b> 6:3	<hr/> <b>3</b> <hr/> <b>31st</b> 10:19 11:19 12:8
<hr/> <b>R</b> <hr/> <b>receptionist</b> 11:20 12:1,6 <b>record</b> 3:11 <b>Reeves</b> 1:19 <b>represent</b> 12:12 <b>request</b> 5:14 13:10 <b>requested</b> 5:15 <b>resolve</b> 8:3,14 <b>resolved</b> 8:4 9:9 <b>respect</b> 8:12 9:4 <b>results</b> 9:5 <b>Retailer</b> 1:12 3:7 <b>return</b> 11:16 <b>right</b> 2:16,22 12:16 <b>Road</b> 1:11 3:5 <b>Roll</b> 1:5 6:13 7:1 12:21 <b>room</b> 1:19 9:20 10:1,1 12:3	<hr/> <b>T</b> <hr/> <b>table</b> 2:16,22 3:2 12:18 <b>Ted</b> 6:2 <b>terms</b> 8:15 <b>testimony</b> 8:10,12 <b>thank</b> 2:18 3:2 4:7 5:9,22 6:4,5,9 10:10 11:17 12:22 13:1,6,17 <b>thanks</b> 13:18 <b>think</b> 11:13 <b>Thursday</b> 10:19 11:18 12:8 <b>time</b> 2:9 9:11 10:22 11:10 <b>today</b> 4:8 5:14 7:2 7:5,12,14 <b>trading</b> 3:5	<hr/> <b>V</b> <hr/> <b>V</b> 1:10 3:4 <b>Verne</b> 1:20 6:12 <b>Vietnamese</b> 3:1 5:15 10:6 <b>Virginia</b> 3:13	<hr/> <b>9</b> <hr/> <b>9:00</b> 11:2 <b>9:30</b> 8:22 <b>9:31</b> 2:2
		<hr/> <b>W</b> <hr/> <b>want</b> 11:10 <b>Washington</b> 1:20 <b>we'll</b> 7:17 12:4 <b>we're</b> 7:14 <b>work</b> 11:8 <b>written</b> 9:14	
		<hr/> <b>Y</b> <hr/> <b>Y</b> 4:16 5:1 <b>Yankee</b> 4:16	
		<hr/> <b>P</b> <hr/> <b>p</b> 1:8,14	
		<hr/> <b>1</b> <hr/> <b>1C</b> 6:3,5,6,7 7:13 <b>1:00</b> 11:2 <b>1:30</b> 9:19 <b>10</b> 11:4,13 <b>10:00</b> 11:2,12,14,15 11:19 12:9 <b>10:17</b> 13:20 <b>11:00</b> 11:2 <b>12-PRO-00087</b> 1:13 2:5 <b>14th</b> 1:19 <b>1601.2</b> 6:15 <b>1776</b> 1:11 3:5	