

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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QUAN, LLC :

t/a To Be Determined :

1401 S Street NW :

License #ABRA-088683 :

Retailer CR - New Application:

Case #12-PRO-00020 :

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MONDAY, April 2, 2012

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The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, 2000 14th Street, N.W., Suite 400S Washington, D.C., Ms. La Verne Fletcher, Agent, presiding.

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

10:37 a.m.

AGENT FLETCHER: Would the parties in the matter of QUAN, LLC, please come forward? The parties in the matter of QUAN? This is Case Number 12-PRO-00020, QUAN, LLC, trading as Trade Name to be Determined, 1401 S Street, NW, License Number ABRA-088683, Retailer Class CR, New Application. The protest issues are adverse impact on peace, order, and quiet, residential parking and vehicular and pedestrian safety, and real property values.

My name is La Verne Fletcher, and I will be conducting the Roll Call Hearing as the Board's Agent pursuant to D.C. Official Code 1601.2. Are there any Protestants present for QUAN? Are there any Protestants present for QUAN?

MR. ESTRADA: Yes.

AGENT FLETCHER: Thank you.

(Off the record comments from

1 10:37 a.m. until 10:38 a.m.)

2 AGENT FLETCHER: Present on behalf
3 of the Applicant?

4 MR. FONSECA: Michael Fonseca, on
5 behalf of the Applicant, F-O-N-S-E-C-A. Mark
6 Kuller, who is the managing member and sole
7 member of the -- of the Applicant, is not
8 available. I can document -- I don't know if
9 it will be necessary, to advise the
10 Protestants -- he -- he as a contract with the
11 University of Miami Law School, and he teaches
12 a course on Mondays. So he is unavailable.

13 AGENT FLETCHER: Okay.

14 MR. FONSECA: I will make sure he
15 is available at the Status Hearing.

16 AGENT FLETCHER: And, Mr. Fonseca,
17 how does Mark spell his last name?

18 MR. FONSECA: Kuller, K-U-L-L-E-R.

19 AGENT FLETCHER: Thank you. And,
20 for the Protestants, can we begin with who is
21 present on behalf of ANC-2B?

22 MR. ESTRADA: That would be me,

1 Commissioner Ramon Estrada; first name Ramon,
2 R-A-M-O-N, last name Estrada, E-S-T-R-A-D-A,
3 representing ANC-2B and the businesses in my
4 single member district 2B-09.

5 AGENT FLETCHER: Okay. Thank you.
6 So now let's see who's present on behalf of
7 the group of five or more. Am I correct that
8 there's just one group of Protestants -- just
9 the one group of the individuals that are part
10 of one group? Or is there more than one
11 protesting group?

12 MR. COUMARIS: There were two
13 petitions, but we're willing to combine groups
14 for expediency?

15 AGENT FLETCHER: Well, what
16 happened -- you're right. There are two
17 petitions. But a lot of you signed the same
18 two. So I'm just trying to determine if you
19 intended to be one group of Protestants, or --
20 there are actually two petitions. But you
21 signed two. Most of you signed two.

22 MR. COUMARIS: We would be happy

1 to combine them.

2 AGENT FLETCHER: Okay.

3 MR. FONSECA: At this point, I
4 think you'd need to at least establish them
5 both as having standing --

6 AGENT FLETCHER: No. I don't know
7 if I can do that --

8 MR. FONSECA: -- separate, but --

9 AGENT FLETCHER: -- Mr. Fonseca,
10 because everybody didn't sign. If I do that,
11 there's a group that's probably not going to
12 have standing because that leaves only maybe
13 one person that didn't -- that's on a list
14 that didn't sign the other list. Well, let me
15 take a look. Let me take a look.

16 MR. FONSECA: All right.

17 MS. GIANGOLA: We can be either,
18 whichever you -- whichever --

19 AGENT FLETCHER: No. I need --
20 what I need is for you to be whatever you
21 intended. It's not clear, because there is
22 more than one protest letter and a lot of

1 people signed two protest letters. So that
2 was my first question. Do you know if -- is
3 there anybody here who wants -- who is not a
4 part of the group that's present today? I'm
5 just trying to determine who is here today and
6 what your intention is for the individuals
7 that are present today. I can go down -- what
8 we can do, you can come forward, and you
9 should, and state your name, for the record,
10 and spell it for the record. And maybe that's
11 just a good place to start. And then we can
12 go from there.

13 MS. GIANGOLA: Okay. And we have
14 26 representative letters, I think.

15 AGENT FLETCHER: Oh, for people
16 who are not here?

17 MS. GIANGOLA: That's right.

18 AGENT FLETCHER: Okay.

19 MS. GIANGOLA: Who have elected
20 either Tom or me to represent them.

21 AGENT FLETCHER: Okay. And can I
22 see those?

1 MS. GIANGOLA: Sure.

2 AGENT FLETCHER: I'll get those
3 for you, Mr. Fonseca. Okay. So these are 26
4 people who signed the protest letters, who are
5 not here today, but designated you --

6 MS. GIANGOLA: Some of them are
7 here today --

8 AGENT FLETCHER: Okay.

9 MS. GIANGOLA: -- but they would
10 like to designate us as representatives.

11 AGENT FLETCHER: Okay. All right.
12 So this is -- okay. I'll take a look at
13 these. Thank you.

14 MR. COUMARIS: Okay.

15 MS. GIANGOLA: Okay.

16 AGENT FLETCHER: Thank you, very
17 much. Okay. So the first thing is for all --

18 MR. FONSECA: Ms. Fletcher, if I
19 may.

20 AGENT FLETCHER: Yes.

21 MR. FONSECA: Just so we could --
22 and, of course, you're running the hearing by

1 all means.

2 AGENT FLETCHER: Yes.

3 MR. FONSECA: But, when each of
4 these individuals identifies themselves, it
5 might be helpful if they tell us whether or
6 not they signed both petitions.

7 AGENT FLETCHER: Yes. That will
8 have to occur, Mr. Fonseca, in order for us to
9 sort this out.

10 MR. FONSECA: Right.

11 AGENT FLETCHER: That's the
12 purpose of letting everyone state their names
13 first, so that we can see, first of all, who
14 is here, and then yes, we'll find out if they
15 signed both petitions. It would save time.
16 I've got both petitions here. But if they
17 would state that, then that would be helpful.

18 MR. FONSECA: Yes.

19 AGENT FLETCHER: And so who is
20 going to start first, stating your name and
21 spelling it for the court reporter. And may
22 I say something? Anybody that's going to

1 state your name, you will actually need to
2 stand behind that microphone -- there is a
3 microphone on the table -- in order for the
4 court reporter to hear it. Okay.

5 MS. GIANGOLA: We forgot one
6 letter, so I'll give that to you, as well.

7 AGENT FLETCHER: That's okay.
8 Okay. Thank you.

9 MS. GIANGOLA: Okay.

10 MR. COUMARIS: Tom Coumaris.

11 AGENT FLETCHER: And would you
12 spell that for the court reporter, please?

13 MR. COUMARIS: C-O-U-M-A-R-I-S.

14 AGENT FLETCHER: Thank you.

15 MS. GIANGOLA: Norissa Giangola,
16 N-O-R-I-S-S-A G-I-A-N-G-O-L-A.

17 AGENT FLETCHER: Thank you. Any
18 one else?

19 MR. TAYLOR: Charles Taylor, last
20 name T-A-Y-L-O-R, first name C-H-A-R-L-E-S.

21 AGENT FLETCHER: Thank you.

22 MS. FU: Stephenie Fu.

1 S-T-E-P-H-E-N-I-E F-U.

2 AGENT FLETCHER: Stephenie, how
3 did you spell your first name?

4 MS. FU: S-T-E-P-H-E-N-I-E.

5 AGENT FLETCHER: Oh, okay. Thank
6 you.

7 MS. MOLSKY: Audrey Molsky,
8 A-U-D-R-E-Y M-O-L-S-K-Y.

9 AGENT FLETCHER: Thanks.

10 MR. PAGE: Russell Page, that's
11 R-U-S-S-E-L-L, last name P-A-G-E.

12 AGENT FLETCHER: Mr. Page, let me
13 ask you something. You signed both protest
14 letters?

15 MR. PAGE: I did.

16 AGENT FLETCHER: Yes. I didn't do
17 that as we went along because I actually
18 already know. But I'm going to ask everyone
19 else, and we'll clarify with the others if,
20 from this point on you'll say if you signed
21 both letters. I know that you did.

22 MR. PAGE: And, just as a point on

1 that, I'll speak for myself.

2 AGENT FLETCHER: Yes.

3 MR. PAGE: My intent was we
4 weren't sure whether Norissa would be
5 available to submit the applications or Tom.
6 So we signed both.

7 AGENT FLETCHER: Exactly.

8 MR. PAGE: Just to make sure.
9 That was the intent.

10 AGENT FLETCHER: Exactly. And
11 your intention was to be a part of one group;
12 not to file two separate protests?

13 MR. PAGE: Right. Correct.

14 AGENT FLETCHER: Okay. Thank you,
15 very much.

16 MR. TEN HOOPEN: Jonathan Ten
17 Hoopen. Jonathan, J-O-N-A-T-H-A-N, Ten Hoopen
18 is two words. The first word is Ten, like the
19 number. The second word is H-O-O-P-E-N.

20 AGENT FLETCHER: Jonathan, did you
21 say H-O-O-P-E-N, P like Paul?

22 MR. TEN HOOPEN: P like Paul, yes.

1 AGENT FLETCHER: And I don't
2 recall that you signed both protest letters.

3 MR. TEN HOOPEN: I signed one.

4 AGENT FLETCHER: You signed one?
5 Okay. Thank you.

6 MR. TEN HOOPEN: Thanks.

7 AGENT FLETCHER: Anybody else?

8 MS. LITWIN: Zelda Litwin,
9 Z-E-L-D-A --

10 AGENT FLETCHER: I'm sorry.
11 What's the first name?

12 MS. LITWIN: Zelda, Z-E-L-D-A.

13 AGENT FLETCHER: Z-E-L, did you
14 say Z-E-L-D-A?

15 MS. LITWIN: Correct.

16 AGENT FLETCHER: Okay.

17 MS. LITWIN: Very good. Litwin,
18 L as in Larry, I-T-W-I-N.

19 AGENT FLETCHER: Okay.

20 MS. LITWIN: I'm also on both
21 petitions.

22 AGENT FLETCHER: Yes.

1 MS. LITWIN: Okay.

2 AGENT FLETCHER: Thank you. And
3 are any other Litwin's present?

4 MS. LITWIN: No. They sent notes.

5 AGENT FLETCHER: Okay. Because
6 they also signed both letters.

7 MS. LITWIN: Yes.

8 AGENT FLETCHER: Was it the
9 intention of --

10 MS. LITWIN: No. Just so we are
11 represented.

12 AGENT FLETCHER: Okay.

13 MS. LITWIN: They're represented.

14 AGENT FLETCHER: Okay. Thank you.

15 MS. LITWIN: Thank you.

16 AGENT FLETCHER: Thank you, very
17 much. Anyone else?

18 MR. JOHNSON: Keith Johnson,
19 K-E-I-T-H J-O-H-N-S-O-N.

20 AGENT FLETCHER: Did you sign both
21 letters, Mr. Johnson?

22 MR. JOHNSON: I'm not sure. I

1 think I might have only signed one.

2 AGENT FLETCHER: I think you
3 signed only one and your intention was only to
4 be a part of this group that's present today?

5 MR. JOHNSON: Yes.

6 AGENT FLETCHER: Okay. Thank you.

7 MS. MOUSSET: Caroline Mousset,
8 C-A-R-O-L-I-N-E M-O-U-S-S-E-T. And my
9 intention is to be --

10 AGENT FLETCHER: And you signed
11 one letter?

12 MS. MOUSSET: Yes.

13 AGENT FLETCHER: Yes. Thank you.

14 Okay And Mr. Coumaris, I know you signed
15 both, but your intention was to be a part of
16 the group that's present today?

17 MR. COUMARIS: Yes.

18 AGENT FLETCHER: Ms. Giangola, I
19 know you signed both, but your intention was
20 to be a part of the group present today?

21 MS. GIANGOLA: Exactly. Thanks.

22 AGENT FLETCHER: Thanks.

1 Stephenie Fu, you signed both, but your
2 intention was to be a member of the protesting
3 group present today?

4 MS. FU: Yes.

5 AGENT FLETCHER: I don't recall
6 that Audrey Molsky signed both.

7 MS. MOLSKY: Audrey.

8 AGENT FLETCHER: I think you
9 signed one.

10 MS. MOLSKY: Yes. I didn't sign
11 both.

12 AGENT FLETCHER: Okay. So is the
13 intention of everybody here today to be a part
14 of this one protesting group? Okay. So we
15 have one protesting group present today.
16 Okay. So let's see how many people are
17 represented from the group today.

18 Let me just note for the record
19 that, if there are any members of the
20 individual protesting group who are not
21 present today and did not designate a
22 representative, they are dismissed. If there

1 is any Protestant not present today and not
2 represented by a representative, is dismissed.
3 They received notices to that effect. So they
4 know that if they are not here and not
5 represented, their protest is dismissed.
6 That's just for the record.

7 MS. GIANGOLA: Okay.

8 AGENT FLETCHER: There are ten
9 individuals present today from the protesting
10 group. And so the protesting group does have
11 standing, except for those individuals that
12 are dismissed. So I'm going to go through the
13 letters of designation that you have here
14 today, because the individuals that designated
15 you as representatives do have standing.

16 MS. GIANGOLA: Okay.

17 AGENT FLETCHER: I have a letter
18 from a Mr. Goldberg, G-O-L-D-B-E-R-G. Is his
19 first name Burton?

20 MR. COUMARIS: Burton.

21 AGENT FLETCHER: B-U-R-T-O-N?

22 MR. COUMARIS: Yes.

1 AGENT FLETCHER: Burton Goldberg,
2 I have a letter --

3 MR. COUMARIS: I think it's
4 Goldberg.

5 AGENT FLETCHER: Is it Goldberg?
6 Yes. It is Goldberg. Thank you.

7 MR. COUMARIS: Goldberg.

8 AGENT FLETCHER: G-O-L-D-B-E-R-G,
9 Goldberg, is designating Tom Coumaris as his
10 representative. Markus Zeffler, M-A-R-K-U-S
11 Z-E-F-F-L-E-R, is designating -- may I call
12 you Norissa?

13 MS. GIANGOLA: Yes.

14 AGENT FLETCHER: -- is designating
15 Norissa, N-O-R-I-S-S-A as his representative.
16 Elaine Zuckerman, E-L-A-I-N-E
17 Z-U-C-K-E-R-M-A-N is designating Norissa as
18 her representative. David Rubenstein,
19 R-U-B-E-N-S-T-E-I-N, and Brian Grundstrom,
20 B-R-I-A-N G-R-U-N-D-S-T-R-O-M, is designating
21 Norissa as his designated representative.
22 Lori -- how does she spell her last name,

1 Norissa? Lori is that F-A-R-T-H-R?

2 MS. GIANGOLA: I think it's
3 F-A-E-T-H.

4 AGENT FLETCHER: F-A-E-T-H?

5 MS. GIANGOLA: Yes.

6 AGENT FLETCHER: Is designating
7 Norissa as her representative. Did she sign
8 the protest letter?

9 MS. GIANGOLA: She did.

10 AGENT FLETCHER: Let's see. James
11 Andrews, J-A-M-E-S A-N-D-R-E-W-S with an S, is
12 designating Norissa as his designated
13 representative. Did Andrews sign the protest
14 letter?

15 MS. GIANGOLA: Ma'am, we might
16 have additional letters than protest letter
17 signers.

18 AGENT FLETCHER: Yes. I'll check
19 in a moment.

20 MS. GIANGOLA: I'm not sure about
21 that. Lori might not have. If you don't
22 recognize her name.

1 AGENT FLETCHER: I'll -- let me
2 just keep going. I have an idea who did. I'm
3 asking for the ones that don't sound familiar.

4 MS. GIANGOLA: Okay.

5 AGENT FLETCHER: I'll go back and
6 check those that I'm not sure about.

7 MS. GIANGOLA: Okay.

8 AGENT FLETCHER: And if I call out
9 the name of somebody that you know that didn't
10 sign the protest letter, if you can let me
11 know, that would be helpful.

12 MS. GIANGOLA: Sure. And then I
13 don't know if it's relevant, but we have a few
14 that are -- that were sent by e-mail, but we
15 don't have hand signatures.

16 AGENT FLETCHER: Yes. We can't
17 use those.

18 MS. GIANGOLA: Those don't count?
19 Okay.

20 AGENT FLETCHER: Edward Downs,
21 E-D-W-A-R-D D-O-W-N-S designated Norissa as
22 his representative. Did he sign the protest

1 letter?

2 MS. GIANGOLA: I don't know. I'm
3 not sure. I don't think so.

4 AGENT FLETCHER: I'm putting those
5 letters to the side. Some of their names, I
6 recognize. I'm just --

7 MS. GIANGOLA: I don't think he
8 did.

9 AGENT FLETCHER: Okay. Thank you.
10 Norissa, here is something I think you
11 probably didn't -- I don't think this is for
12 me. This is related to the voluntary
13 agreement status. This is a document --

14 MS. GIANGOLA: Oh, Peter signed in
15 the middle of that -- in the middle.

16 AGENT FLETCHER: There is
17 something in the middle here?

18 MS. GIANGOLA: Yes. His name is
19 Peter Knapp.

20 AGENT FLETCHER: So you want me to
21 keep this?

22 MS. GIANGOLA: Sure. But I don't

1 think he signed the petition.

2 AGENT FLETCHER: Okay.

3 MR. COUMARIS: Oh, Peter signed
4 the petition letter.

5 AGENT FLETCHER: Yes, he did.

6 MS. GIANGOLA: Oh, he signed
7 Tom's.

8 AGENT FLETCHER: Peter Knapp did
9 sign. Yes.

10 MS. GIANGOLA: Okay. Perfect.

11 AGENT FLETCHER: Okay. So Peter
12 Knapp, K-N-A-P-P, is designating Norissa as
13 his representative. Derek Chen, D-E-R-E-K
14 C-H-E-N and I'm going to try to pronounce
15 this, but I'll spell it, Hiau Looi Kee. The
16 first name is spelled H-I-A-U. The middle
17 name is L-O-O-I. The last name is K-E-E,
18 designating Norissa as their designated
19 representatives. Did they sign the protest
20 letters?

21 MS. GIANGOLA: And the second
22 gentleman did not sign the petitions.

1 AGENT FLETCHER: Thank you.

2 MR. FONSECA: And the first one,
3 the last name was Chen, what was the first
4 name?

5 AGENT FLETCHER: Yes. The first
6 name for Chen was Derek, D-E-R-E-K.

7 MR. FONSECA: Oh, okay.

8 AGENT FLETCHER: He did not sign
9 the protest letter.

10 MS. GIANGOLA: Derek did, but the
11 second person didn't.

12 AGENT FLETCHER: Derek did but the
13 second person didn't?

14 MS. GIANGOLA: Correct.

15 AGENT FLETCHER: David Conklin,
16 C-O-N-K-L-I-N, designating Norissa as his
17 representative. He did sign the protest
18 letter.

19 MS. GIANGOLA: He did.

20 AGENT FLETCHER: George Schuberet,
21 S-C-H-U-B-E-R-E-T, designating Norissa. He
22 did sign the protest letter. Bruce Molsky,

1 designating Norissa. And Audrey Molsky.

2 MS. GIANGOLA: Audrey is here
3 today.

4 AGENT FLETCHER: Audrey is here
5 today?

6 MS. GIANGOLA: Yes.

7 AGENT FLETCHER: That's
8 M-O-L-S-K-Y. Audrey, you're here today?

9 MS. MOLSKY: Yes, ma'am.

10 AGENT FLETCHER: Is Bruce Molsky
11 here?

12 MS. MOLSKY: No.

13 AGENT FLETCHER: Did you sign the
14 protest letter?

15 MS. MOLSKY: Yes.

16 MR. FONSECA: Just for the
17 records, I want to be clear. Did Bruce Molsky
18 sign a designation?

19 AGENT FLETCHER: I'm going to --

20 MR. FONSECA: I'm sorry. Okay.

21 AGENT FLETCHER: Yes, he did.

22 They both signed --

1 MR. FONSECA: And he signed the
2 petition?

3 AGENT FLETCHER: Yes. Yes.
4 Rachel Bluebond-Langer. And Rachel is
5 R-A-C-H-E-L. Bluebond is B-L-U-E-B-O-N-D,
6 hyphen L-A-N-G-N-E-R, designating Norissa.
7 Did she sign the protest letter?

8 MS. GIANGOLA: She did.

9 AGENT FLETCHER: I do believe I
10 saw her name, but it was not really legible.
11 But seeing it in print, it looks familiar.

12 MS. GIANGOLA: She's on there.

13 AGENT FLETCHER: Okay. Thank you.

14 MR. FONSECA: I noticed that she
15 didn't use the middle --

16 AGENT FLETCHER: Right.

17 MR. FONSECA: But the first of the
18 hyphenated name --

19 AGENT FLETCHER: Right. Exactly.

20 MR. FONSECA: She has Litman.

21 AGENT FLETCHER: Then Louisa
22 Terrell, L-O-U-I-S-A T-E-R-R-E-L-L designating

1 Norissa. Did she sign the protest letter?

2 MS. GIANGOLA: Yes, she did.

3 AGENT FLETCHER: Okay. Thank you.

4 MR. FONSECA: Would you read that
5 last name again?

6 AGENT FLETCHER: Yes. It's
7 Louisa, L-O-U-I-S-A, Terrell, T-E-R-R-E-L-L,
8 Louisa. And then there is -- the next one is
9 Alan Field, A-L-A-N F-I-E-L-D, designating
10 Norissa. He did sign the protest letter?

11 MS. GIANGOLA: He did. It's a
12 little hard to read, but I think he did.

13 AGENT FLETCHER: Yes. I think he
14 did. I'll double check it. But I thought I
15 saw his name on the protest letters. I have
16 a little stack here of all the ones I need to
17 check.

18 MR. COUMARIS: He's number 19.

19 AGENT FLETCHER: Okay. Okay. So,
20 he did sign. Louisa Terrell did sign.

21 MS. GIANGOLA: Yes.

22 AGENT FLETCHER: Audrey Molsky did

1 sign. And Bruce Molsky. Derek C. Chen did
2 sign, but Ms. Kee (K-E-E) did not.

3 MS. GIANGOLA: Yes.

4 AGENT FLETCHER: Let me just
5 clarify something now, for the record. Okay.
6 The next one is Stephenie Fu who did sign the
7 protest letter. That's S-T-E-P-H-E-N-I-E F-U,
8 designating Norissa. The next letter is from
9 Eric Krempp, K-R-E-M-P-P, designating Norissa.
10 Did he sign the protest letter?

11 MS. GIANGOLA: He did.

12 AGENT FLETCHER: You said that he
13 did?

14 MS. FU: He did. He would have
15 signed it right after me, or before me.

16 MR. COUMARIS: He's on my
17 petition.

18 AGENT FLETCHER: Pardon?

19 MR. COUMARIS: I know Eric is on
20 mine.

21 AGENT FLETCHER: Okay. Maybe he's
22 on there.

1 MR. COUMARIS: He's the third one
2 on mine.

3 AGENT FLETCHER: Okay. I see it.
4 I thank you. I have it. Let's see. The next
5 letter is from Denise Johnson, D-E-N-I-S-E,
6 Johnson, J-O-H-N-S-O-N, designating Norissa.
7 She signed?

8 MS. GIANGOLA: She did.

9 AGENT FLETCHER: The next letter
10 is from Allen Rotz, A-L-I-L-E-N R-O-T-Z,
11 designating Norissa. Mr. Rotz' name was not
12 legible, but I saw this. Now I know what it
13 is. So I did see this name. I couldn't
14 figure out what it is. I had actually written
15 it down as R-O-E-S, but it's R-O-T-Z. So he
16 did sign the protest letter.

17 MS. GIANGOLA: Yes. Thank you.

18 AGENT FLETCHER: Charles Taylor is
19 designating Norissa as his representative.
20 Mr. Taylor is present.

21 MR. TAYLOR: Yes, I am.

22 AGENT FLETCHER: And he did sign

1 the protest letter. Rachel Litwin,
2 R-A-C-H-E-L L-IT-W-I-N, designated Norissa.
3 And she did sign the protest letter. Stephen
4 Litwin, S-T-E-P-H-E-N L-I-T-W-I-N,
5 designating Norissa. And he did sign the
6 protest letter.

7 MS. GIANGOLA: Yes.

8 AGENT FLETCHER: Oh this is
9 George. This is George Coumaris,
10 C-O-U-M-A-R-I-S, designating Norissa. Mr.
11 Coumaris, you and George signed together.

12 MR. COUMARIS: I go by Tom.

13 AGENT FLETCHER: I was going to
14 say, either you go by Tom, or you're two
15 different -- you have George. You are --

16 MR. COUMARIS: I'm both.

17 AGENT FLETCHER: Okay. Let me --

18 MR. COUMARIS: It's George Tom
19 Coumaris.

20 AGENT FLETCHER: Okay. Because
21 you know what it looks like? It looks like
22 two people, but it's you. Okay.

1 MR. COUMARIS: So we designated --
2 should we tell her that?

3 MR. COUMARIS: We designated each
4 other.

5 AGENT FLETCHER: Okay.

6 MS. GIANGOLA: In case one of us
7 can't come.

8 AGENT FLETCHER: Okay. I mean,
9 but on the protest letter -- were you going to
10 say something, Mr. Fonseca?

11 MR. FONSECA: Which -- did George
12 or Tom designate Norissa?

13 MS. GIANGOLA: Tom.

14 MR. COUMARIS: Tom.

15 AGENT FLETCHER: Okay. That's
16 funny.

17 MR. FONSECA: Just trying to keep
18 it fun.

19 AGENT FLETCHER: Let's see. And
20 so we have another letter from Mr. -- we've
21 already determined that Alan Rotz is a
22 Protestant. Now, he also designated you, Mr.

1 Coumaris, to represent him, as well. So Alan
2 Rotz, R-O-T-Z, also designated Tom Coumaris to
3 represent him.

4 MR. COUMARIS: Alan's here today.

5 AGENT FLETCHER: Pardon?

6 MR. COUMARIS: He's here today.

7 AGENT FLETCHER: He's here today?

8 MS. GIANGOLA: No, that's Russell.

9 MR. COUMARIS: Oh, Russell is?

10 That's right. Fine.

11 MR. FONSECA: So who was that
12 again?

13 AGENT FLETCHER: That was Alan
14 Rotz, R-O-T-Z.

15 MR. FONSECA: Which I thought we
16 had. Yes. We had him.

17 AGENT FLETCHER: He designated Tom
18 Coumaris and Norissa.

19 MR. FONSECA: Okay.

20 AGENT FLETCHER: To represent him.
21 Stephen Litwin also designated Tom Coumaris to
22 represent him. So he has designated Mr.

1 Coumaris or Norissa to represent him. And
2 that's Stephen Litwin, S-T-E-P-H-E-N
3 L-I-T-W-I-N, designated both, Mr. Coumaris and
4 Norissa. Rachel Litwin did the same.
5 R-A-C-H-E-L L-I-T-W-I-N, she designated Tom
6 Coumaris and Norissa as her designated
7 representatives. And Norissa also designated
8 Tom Coumaris as her representative, in case
9 she's not present. So I will spell Norissa's
10 full name this go round. That's
11 N-O-R-I-S-S-A G-I-A-N-G-O-L-A, designated Tom
12 Coumaris as her designated representative.
13 Charles Taylor also designated Tom Coumaris as
14 his representative. So Mr. Taylor designated
15 Norissa and Tom Coumaris as his
16 representative.

17 MR. FONSECA: Ms. Fletcher, you'll
18 need to make copies of those letters.

19 AGENT FLETCHER: Yes. Someone
20 will.

21 MR. FONSECA: For my client.

22 Thank you.

1 AGENT FLETCHER: Yes. Someone
2 will take care of that for you, Mr. Fonseca.
3 And, let's see here, I also have, on a three
4 by five card, who is that?

5 MS. MOUSSET: Caroline Mousset.

6 AGENT FLETCHER: Ms. Mousset,
7 you're designating Norissa to represent you,
8 as well?

9 MS. MOUSSET: Correct.

10 AGENT FLETCHER: Okay.

11 MR. FONSECA: And we might add,
12 for the record, on a lovely card.

13 AGENT FLETCHER: On a lovely,
14 three by five card. Thank you.

15 MR. FONSECA: Because the record
16 would never know that.

17 AGENT FLETCHER: I will spell
18 Caroline's name, C-A-R-O-L-I-N-E
19 M-O-U-S-S-E-T, designated Norissa as her
20 designated representative on this lovely three
21 by five card.

22 And I'm going to read the names

1 one more time of the individuals who
2 designated representatives, who did not sign
3 the protest letter. So they are not
4 Protestants in this matter.

5 MS. GIANGOLA: Okay.

6 AGENT FLETCHER: That would be --
7 those would be Lori (L-O-R-I), is that
8 F-A-E-T-H? What did we say?

9 MS. GIANGOLA: She signed the
10 letter.

11 MR. FONSECA: Yes. But she's not
12 -- didn't sign the petition.

13 MS. GIANGOLA: She didn't?

14 MR. FONSECA: That's -- she's
15 concerned --

16 AGENT FLETCHER: I didn't think
17 she signed the protest. Let me double check.

18 MS. GIANGOLA: You're probably
19 right. Yes. That's -- that's --

20 AGENT FLETCHER: Is that correct?

21 MS. GIANGOLA: That's correct.

22 AGENT FLETCHER: The other person

1 who didn't sign the protest letter is David
2 Downs -- not David, Edward Downs. Edward
3 Downs, E-D-W-A-R-D D-O-W-N-S, Edward Downs.

4 MS. GIANGOLA: That's right.

5 AGENT FLETCHER: He did not sign
6 the protest letter and so Mr. Downs is not a
7 Protestant. And the other person is James
8 Andrews. James Andrews did not sign the
9 protest letter with anybody.

10 MR. FONSECA: On the last one --

11 AGENT FLETCHER: Let me see here,
12 I'll double check.

13 MS. GIANGOLA: He did.

14 MR. FONSECA: He did?

15 MS. GIANGOLA: Yes.

16 AGENT FLETCHER: He did sign the
17 protest letter?

18 MS. GIANGOLA: Yes.

19 AGENT FLETCHER: Oh, here he is.
20 I see him. He's number 15.

21 MS. GIANGOLA: He's 15.

22 AGENT FLETCHER: Okay. So James

1 Andrews is a Protestant and he is being
2 represented by Norissa.

3 MS. GIANGOLA: Yes. And then we
4 know three that aren't -- that didn't sign
5 those letters, if you want to strike them from
6 the petition. Do you want their names?

7 AGENT FLETCHER: Yes. What's
8 going to happen is -- actually, we can do
9 that. But just so you know, if they're not
10 here and represented, then they're
11 automatically dismissed.

12 MS. GIANGOLA: Okay.

13 AGENT FLETCHER: They received
14 letters telling them. But they gave you
15 letters. Did you say they gave you letters?

16 MS. GIANGOLA: No. They sent us
17 e-mails. So they wouldn't be part any more.

18 AGENT FLETCHER: They sent
19 e-mails saying what?

20 MS. GIANGOLA: That we should --
21 we should represent them. But if that doesn't
22 count, then --

1 AGENT FLETCHER: It doesn't. But
2 you can say what their names are.

3 MS. GIANGOLA: Okay. Dan Bready,
4 B-R-E-A-D-Y.

5 AGENT FLETCHER: Did you say Stan?

6 MS. GIANGOLA: Dan, with a D, like
7 David.

8 AGENT FLETCHER: Oh. And what's
9 the last name?

10 MS. GIANGOLA: Bready,
11 B-R-E-A-D-Y.

12 AGENT FLETCHER: Okay.

13 MS. GIANGOLA: Allison Speaker,
14 S-P-E-A-K-E-R.

15 AGENT FLETCHER: How do you spell
16 it again, F-E?

17 MS. GIANGOLA: S like Sam.

18 AGENT FLETCHER: S like Sam?

19 MS. GIANGOLA: P-E --

20 AGENT FLETCHER: Did you say S
21 like Sam?

22 MS. GIANGOLA: Yes, ma'am.

1 AGENT FLETCHER: Okay.

2 MS. GIANGOLA: P-E-A-K-E-R.

3 AGENT FLETCHER: And what's the
4 first name?

5 MS. GIANGOLA: Allison.

6 AGENT FLETCHER: A-L-L-I-S-O-N?

7 MS. GIANGOLA: Yes.

8 AGENT FLETCHER: So those two
9 people sent you e-mails, asking you to
10 represent them. They signed the protest
11 letters. But we're not accepting their
12 letters of designation because they're not
13 signed?

14 MS. GIANGOLA: Exactly. And then
15 we have another one, Hilda, who should be
16 dismissed. I don't know her last name. Do
17 you?

18 AGENT FLETCHER: Well, I saw it.

19 MS. GIANGOLA: There's a Hilda on
20 here.

21 AGENT FLETCHER: Yes. I did see
22 her name. But I'll find her name. But Hilda

1 also sent you an e-mail?

2 (Whereupon, off the record
3 discussion ensued.)

4 MS. GIANGOLA: Hilda McDaniel.
5 It's on the first page. It's M-C-D-A-N-I-E-L.

6 AGENT FLETCHER: Oh, I see,
7 McDaniel.

8 MS. GIANGOLA: So Richard Seaton,
9 also.

10 AGENT FLETCHER: Richard?

11 MS. GIANGOLA: Seaton,
12 S-E-A-T-O-N.

13 AGENT FLETCHER: Oh, he's number
14 seven.

15 MS. GIANGOLA: Yes.

16 AGENT FLETCHER: Okay. So Mr.
17 Seaton also e-mailed you?

18 MS. GIANGOLA: No. He didn't
19 e-mail us. He's just dismissed.

20 AGENT FLETCHER: And why are you
21 saying he should be dismissed?

22 MS. GIANGOLA: He's not here and

1 he didn't give us a letter.

2 AGENT FLETCHER: Okay. Well, that
3 does cause him to be dismissed as a
4 Protestant.

5 MS. GIANGOLA: Right.

6 AGENT FLETCHER: But he has his
7 own letter that tells him, if he didn't show
8 up and he is not represented, he is dismissed.

9 MS. GIANGOLA: Okay.

10 AGENT FLETCHER: So yes, he is not
11 granted standing as a Protestant. And, as you
12 said, Norissa, the three individuals, Dan
13 Bready, Allison Speaker, Hilda McDaniel are
14 not granted standing because they are not
15 present. They designated a representative,
16 but didn't designate them in writing with
17 signatures.

18 MS. GIANGOLA: Right.

19 AGENT FLETCHER: And all of these
20 individuals received their notices except Dan,
21 Allison, and Hilda will expect that they were
22 Protestants because you're present. But what

1 they maybe didn't understand is the
2 requirement to do it in writing with a
3 signature.

4 MS. GIANGOLA: Yes. We'll let
5 them know.

6 AGENT FLETCHER: Okay.

7 MR. FONSECA: If I may, just to
8 confirm -- because, at one time, you switched
9 gears, but the last -- the last four, one,
10 two, three, four that you names were --
11 they're dismissed because they're not here and
12 they didn't properly designate.

13 AGENT FLETCHER: Right. Exactly.

14 MR. FONSECA: Then, prior to that,
15 are individuals that designated and were
16 struck because their names don't appear.

17 AGENT FLETCHER: Right.

18 MR. FONSECA: I just want to be
19 clear on that.

20 AGENT FLETCHER: Yes.

21 MR. FONSECA: So that was Lori
22 Faeth, F-A-E-T-H?

1 AGENT FLETCHER: Yes.

2 MR. FONSECA: Edward Downs or
3 Dons, W-N-S?

4 AGENT FLETCHER: Downs, D-O-W-N-S.

5 MR. FONSECA: And then the
6 gentlemen assigned, who designated, was Derek
7 Chen, with a last name Kee?

8 AGENT FLETCHER: Yes.

9 MR. FONSECA: Okay.

10 AGENT FLETCHER: Those three, yes.
11 They didn't sign the protest letter.

12 MR. FONSECA: Okay.

13 AGENT FLETCHER: Let me clarify
14 that for the record. There are three
15 individuals who did not sign the protest
16 letter and are not granted standing, even
17 though they submitted letters designating
18 representatives. That's Edward Downs, Lori
19 Faeth, L-O-R-I F-A-E-T-H? Is that right? I
20 cannot read her handwriting.

21 MS. GIANGOLA: Yes, T-H.

22 AGENT FLETCHER: Okay. F-A-E-T-H,

1 Lori Faeth, and Mr. Kee, K-E-E. They signed
2 letters designating representatives, but they
3 did not sign the protest letter. And so they
4 are not granted standing as Protestants.

5 (Whereupon, off the record
6 conversations ensued.)

7 AGENT FLETCHER: So Norissa and
8 Mr. Coumaris, it appears that you have 30
9 people, approximately, in the group that
10 you're representing, between the individuals
11 that are present today -- you submitted 20 --
12 it appears to be 20. I'm going to do a double
13 count. But there are approximately 30 people
14 in the group that you're representing.

15 MS. GIANGOLA: That's right.

16 AGENT FLETCHER: Okay. And so
17 your group has designated standing as
18 Protestants, along with ANC-2B.

19 MR. ESTRADA: Thank you.

20 MS. GIANGOLA: That was a long
21 time getting us there.

22 MR. COUMARIS: I think it was the

1 longest one this year.

2 MR. FONSECA: And, in all fairness
3 to the group, I now want to challenge the
4 ANC's standing.

5 MR. ESTRADA: I think we signed
6 our letter.

7 AGENT FLETCHER: And Mr. Fonseca,
8 if you want to wait while these letters of
9 designation are copies, you may do that.
10 Would you like to wait for these?

11 MR. FONSECA: Sure.

12 AGENT FLETCHER: Okay.

13 MR. FONSECA: Yes. And actually,
14 if we could -- you know, I guess you don't
15 have a phone up there to get someone from
16 Staff to come back while we go through the
17 Hearing schedule. But I'll wait. It's not a
18 problem.

19 AGENT FLETCHER: No, I don't have
20 a phone to do that. And I'll make it quick.

21 MR. FONSECA: Okay. Thank you.

22 AGENT FLETCHER: I'll give you the

1 dates for the Status Hearing, the Protest
2 Hearing and the mediation. Let's see. Mr.
3 Fonseca, if you like, I can copy them and have
4 them mailed to you, if you don't have time to
5 wait for them. I can also do that.

6 MR. FONSECA: Unless it's going to
7 be a burden on you, I'll just wait.

8 AGENT FLETCHER: It's not.
9 Assuming the copy machines are working.

10 MR. FONSECA: I don't mind
11 waiting.

12 AGENT FLETCHER: It won't take
13 long.

14 MR. FONSECA: Understood.
15 Understood. Not a problem.

16 AGENT FLETCHER: The date for the
17 Status Hearing is May 2, 2012 at 9:30 a.m.
18 The Protest Hearing is June 11, 2012, at 4:00
19 p.m. And I'll give you some dates for
20 mediation. Thursday, the 12th is available.
21 Tuesday -- no, actually, that's not good. So
22 the Thursday, the 12th, Tuesday -- this is

1 April 17, 2012, Thursday, April 19th, or the
2 20th. So is anybody available on the 12th?

3 MS. GIANGOLA: The 12th works for
4 me.

5 AGENT FLETCHER: Is that good for
6 you, Mr. Coumaris or Mr. Estrada?

7 MR. COUMARIS: The 12th is all
8 right.

9 AGENT FLETCHER: Is that good for
10 you, Mr. Estrada?

11 MR. ESTRADA: Yes. That's the day
12 after our ANC meeting.

13 MR. FONSECA: I assume you want it
14 later than the first thing in the morning,
15 then?

16 MR. ESTRADA: Yes. Not the first
17 thing in the morning.

18 AGENT FLETCHER: So, do you want
19 11:00 a.m. or 1:00 p.m.?

20 MR. ESTRADA: One is good.

21 AGENT FLETCHER: One is better?
22 Is that good for you?

1 MS. GIANGOLA: That's fine for me.

2 Yes.

3 MR. COUMARIS: Yes.

4 AGENT FLETCHER: Is that good? So
5 QUAN's mediation is Thursday, April 12, 2012,
6 and 11:00 a.m.

7 MR. FONSECA: One.

8 MS. GIANGOLA: I think one.

9 AGENT FLETCHER: I'm sorry. I did
10 write one. I don't know why I said 11:00 a.m.
11 Thank you. I need to write that more clearly.

12 MS. GIANGOLA: And, just to
13 clarify, no one in this group needs to be
14 there, if they've sent a representative? Is
15 that right?

16 AGENT FLETCHER: Exactly. For the
17 purpose of mediation, only you and Mr.
18 Coumaris need to be present, because you're
19 the designated representatives. Others can
20 come. But we recommend the designated
21 representatives come.

22 MS. GIANGOLA: Okay.

1 AGENT FLETCHER: On behalf of the
2 group. You've got a group of 30 --

3 MR. COUMARIS: Since everyone,
4 pretty much, has designated both of us, either
5 one can also be here, right?

6 AGENT FLETCHER: Either three
7 or -- not everybody that designated Norissa,
8 designated you.

9 MR. COUMARIS: That's right.

10 MR. COUMARIS: But I think
11 everyone that designated me, also designated
12 Norissa.

13 MR. FONSECA: Sir, could you say
14 that again, into the mike?

15 MR. COUMARIS: I think that
16 everyone that designated me, also designated
17 Norissa.

18 AGENT FLETCHER: Yes. Everyone
19 that designated you, also designated Norissa.
20 Everyone that designated Mr. Coumaris, also
21 designated Norissa. So Norissa, if you show
22 up and Mr. Coumaris doesn't, everybody is

1 represented.

2 MR. FONSECA: Just clarification,
3 because I didn't -- the very first person who
4 had a -- that you wrote into the record with
5 a designation letter was Burton Goldberg. In
6 my note there, it just says Mr. Coumaris.

7 AGENT FLETCHER: For Goldberg?

8 MR. FONSECA: Yes. Which I'm not
9 disputing. It's just a clarification, if both
10 were. Because then you could just cure that
11 by getting an additional designation.

12 MR. COUMARIS: I think he's
13 correct.

14 AGENT FLETCHER: Okay. So, if
15 that's the case, if you -- if that is the case
16 --

17 MR. FONSECA: On the bottom, Mr.
18 Goldberg has designated Mr. Coumaris.

19 AGENT FLETCHER: I'm just checking
20 to see here. If you want -- one second, Mr.
21 Coumaris.

22 (Whereupon, off the record

1 discussion ensued.)

2 AGENT FLETCHER: So, Mr. Coumaris
3 if, for some reason, you're not able to come
4 to the mediation, with regard to Mr. Goldberg,
5 he can designate Norissa.

6 MR. COUMARIS: Right.

7 AGENT FLETCHER: And that would be
8 fine. So there are two Protestants in this
9 group, ANC-2B and a group of 30, represented
10 by Norissa, N-O-R-I-S-S-A G-I-A-N-G-O-L-A,
11 represented by Norissa and/or Tom Coumaris,
12 T-O-M C-O-U-M-A-R-I-S. Okay. Any questions
13 about anything? The Roll Call Hearing is
14 concluded. Thank you.

15 (Whereupon, the Roll Call Hearing
16 was concluded at 11:21 a.m.)

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