

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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JH and YJ, Inc. :

t/a Fairfax Liquors :

3851 Pennsylvania Ave. SE :

License #ABRA-078013 :

Retailer A - License Renewal :

Case #12-PRO-00035 :

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MONDAY, May 21, 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

10:41 a.m.

AGENT FLETCHER: Will the parties in the matter of Fairfax Liquors please come forward? Fairfax Liquors. This is the matter of Fairfax Liquors.

MR. SEO: Yes, ma'am.

AGENT FLETCHER: The Licensee on this side; the Protestants on that side. Thank you. This is the matter of JH and YJ, Inc, trading as Fairfax Liquors.

MR. SEO: Yes, ma'am.

AGENT FLETCHER: 3851 Pennsylvania Avenue, SE, License Number ABRA-078013, Retailer Class A, License Renewal Application, Case Number 12-PRO-00035. The protest issues are adverse impact on peace, order, and quiet.

My name is La Verne Fletcher. I'm conducting the Roll Call Hearing as the Board's Agent, pursuant to DC Official Code 1601.2. Introductions, beginning with the Licensee, please? Okay. Your name, sir?

1 MR. SEO: Joung Seo, J-O-U-N-G.

2 AGENT FLETCHER: And how do you
3 spell the first name?

4 MR. SEO: J-O-U-N-G.

5 AGENT FLETCHER: J-O-U-N-G?

6 MR. SEO: J-O.

7 AGENT FLETCHER: U-N-G? J-O-U-N-
8 G?

9 MR. SEO: Yes, ma'am.

10 AGENT FLETCHER: And what's the
11 last name?

12 MR. SEO: S-E-O.

13 AGENT FLETCHER: S-E?

14 MR. SEO: O.

15 AGENT FLETCHER: S-E-O? Thank
16 you. And you may be seated. Thank you, very
17 much. And you're the -- you're the owner?

18 MR. SEO: Yes, ma'am.

19 AGENT FLETCHER: Thank you. And
20 your name, sir?

21 MR. JORDAN: Robert Jordan.

22 That's

1 R-O-B-E-R-T J-O-R-D-A-N.

2 AGENT FLETCHER: And Mr. Jordan,
3 will you be the designated representative for
4 ANC-7B?

5 MR. JORDAN: That's correct.

6 AGENT FLETCHER: Thank you. And
7 Mr. Jordan, are you the Chair of ANC-7B? Or
8 a Commissioner?

9 MR. JORDAN: I'm a Commissioner
10 within ANC-7B.

11 AGENT FLETCHER: Would you, for
12 the record, have the Chair of ANC-7B, give us
13 a letter designating you as the
14 representative, just for the record? We
15 accept you as the designated representative.
16 But, just as a matter of record, we just need
17 something designating you as the
18 representative for the ANC.

19 MR. JORDAN: No problem at all.

20 AGENT FLETCHER: Okay. Thank you,
21 very much.

22 MR. JORDAN: Would a motion in the

1 meeting minutes work?

2 AGENT FLETCHER: Yes, that would
3 work. Yes. And if you don't have that, just
4 one sentence, ANC-7B designates Robert Jordan
5 as its representative in this matter. That's
6 it.

7 MR. JORDAN: Okay. I'll -- I'll
8 complete that.

9 AGENT FLETCHER: That's all there
10 needs to be. And I've already noted here that
11 you're the designated representative. But --
12 and that's just for the record. When you can
13 get that down to me, I would appreciate it.

14 MR. JORDAN: No problem.

15 AGENT FLETCHER: There is only one
16 Protestant in this matter, ANC-7B. And ANC-7B
17 is granted standing as a Protestant in this
18 matter. I have a question for you, Mr. Jordan
19 Did you receive an e-mail from me regarding
20 the Protestants in this matter, other than the
21 ANC?

22 MR. JORDAN: Did I receive an

1 e-mail from the Protestants?

2 AGENT FLETCHER: Yes.

3 MR. JORDAN: I received -- from
4 the Hillcrest Civic Association, I received
5 their meeting minutes, where they -- where the
6 motion was put on the floor and they approved
7 the -- to protest the -- the liquor license.
8 Also, though, the five people with standing --
9 the five people that formed -- came together
10 as a party with standing. They have also
11 communicated with me via e-mail.

12 AGENT FLETCHER: And that is
13 exactly what I wanted to discuss with you. In
14 your protest letter, you mentioned -- you did
15 mention the Hillcrest Civic Association.

16 MR. JORDAN: Yes.

17 AGENT FLETCHER: You indicated in
18 your protest letter -- you referred to them as
19 party with standing. And you did the same
20 with the group of five that you mentioned
21 expressed an interest in filing a protest.
22 And so you did mention the party of five and

1 the Hillcrest Civic Association in your
2 protest letter as having party status.
3 However, neither one of them filed a protest.
4 They'd have to file a protest on their own.

5 MR. JORDAN: Oh, I see.

6 AGENT FLETCHER: I just wanted to
7 clear that up for you. And you can let them
8 know, they are not considered Protestants. If
9 they had filed a protest of their own, we
10 could have considered it. But they informed
11 you, but not us, so we don't have a protest
12 letter from them, signed by them.

13 MR. JORDAN: Okay.

14 AGENT FLETCHER: So that is the
15 reason that they are not considered to be
16 Protestants. But you're the ANC and so I
17 suppose you can represent their interest,
18 since you represent the entire community.

19 MR. JORDAN: Definitely.

20 AGENT FLETCHER: Okay. So there
21 is only one Protestant in this matter, ANC-7B.
22 And Mr. Jordan, would you write your contact

1 information on that sheet -- your name,
2 telephone number, and e-mail address. And Mr.
3 Seo, could you do the same. If you have an
4 e-mail and daytime telephone number, if you
5 could jot it -- do you need a pen?

6 MR. JORDAN: Yes, I do.

7 AGENT FLETCHER: There you go.
8 And you can leave that over there too. I have
9 another one. Thank you.

10 So we will need to set a date for
11 mediation, a Status Hearing and a Protest
12 Hearing. We're going to set a date now for
13 the mediation, the Status Hearing and the
14 Protest Hearing. I will give you the dates
15 for the Status Hearing and the Protest Hearing
16 first. The Status Hearing is scheduled for
17 July 11, 2012, at 9:30 a.m. July 11, 2012, at
18 9:30 a.m. The Protest Hearing is scheduled
19 for October 10, 2012, at 1:30 p.m. That's
20 October 10, 2012, at 1:30 p.m. We need to set
21 a date for mediation to occur prior to the
22 July 11, 2012 Status Hearing. And I will give

1 you some dates that are available.

2 Mediation is mandatory. The
3 parties must appear for mediation. Otherwise,
4 either the protest will be dismissed or the
5 application will be dismissed. It is a
6 requirement that you appear. The first
7 available date for mediation is Thursday,
8 June 7, 2012 at 9:00 a.m., 10:00 a.m., or
9 11:00 a.m. At 9:00 a.m., 10:00 a.m., or 11:00
10 a.m.? Is anyone available on that day at
11 either one of those times?

12 MR. JORDAN: Yes. I --

13 AGENT FLETCHER: Yes, Mr. --

14 MR. JORDAN: Yes. I would be
15 available at 11:00 a.m., preferably than 9:00
16 a.m.

17 AGENT FLETCHER: Yes.

18 MR. JORDAN: If it works better
19 with his schedule.

20 AGENT FLETCHER: Okay. Mr. Seo,
21 do you have a preference? Are you available
22 on that day, at all?

1 MR. SEO: All right. 10:00
2 o'clock.

3 AGENT FLETCHER: Ten o'clock? Is
4 that good for you, Mr. Jordan? Can you both
5 do 10:00 a.m.?

6 MR. JORDAN: You want to do 10:00?

7 MR. SEO: Yes.

8 AGENT FLETCHER: If that doesn't
9 work, we'll look at a different day.

10 MR. SEO: 10:00 a.m.

11 MR. JORDAN: All right, 10:00 a.m.

12 AGENT FLETCHER: If that day
13 doesn't work for both, I can keep moving
14 along. I have some other dates that are
15 available. So, Mr. Jordan, 9:00 a.m. is too
16 early for you?

17 MR. JORDAN: No. The 9:00 a.m. is
18 fine for me.

19 AGENT FLETCHER: Are you available
20 at 9:00 Mr. Seo?

21 MR. SEO: No. I'm not.

22 AGENT FLETCHER: That's too early

1 for you? Okay. So the earliest -- you know,
2 we try to take everybody's schedule into
3 consideration. But you will have to find a
4 time you can both come. I'm available any
5 time that I give you. What would be the best
6 time for you, Mr. Seo?

7 MR. SEO: 10:00 a.m. or 11:00 a.m.

8 AGENT FLETCHER: So Mr. Jordan, is
9 there any day that you can come?

10 MR. JORDAN: 11:00?

11 MR. SEO: Yes.

12 MR. JORDAN: We can do 11:00 a.m.

13 AGENT FLETCHER: Okay. Then we'll
14 do Thursday, June 7, 2012, at 11:00 a.m.

15 MR. JORDAN: I'd also like to --
16 can we request also an interpreter for the
17 mediation?

18 AGENT FLETCHER: For who? For
19 whom? I mean, yes.

20 MR. JORDAN: For Fairfax Liquors.

21 AGENT FLETCHER: Yes. To answer
22 your question, yes we can. But the person --

1 who needs an interpreter?

2 MR. JORDAN: Would you like to
3 have an interpreter?

4 AGENT FLETCHER: We can -- we
5 absolutely provide interpreters. And, Mr.
6 Seo, if you would prefer or your would be more
7 comfortable with having one, then we can
8 absolutely, positively do that. But the
9 request just has to come from Mr. Seo.

10 MR. SEO: I am --

11 AGENT FLETCHER: And what
12 language?

13 MR. SEO: Korean.

14 AGENT FLETCHER: Yes. Would that
15 be helpful?

16 MR. SEO: Yes. I would.

17 AGENT FLETCHER: Okay.

18 MR. SEO: Thank you.

19 AGENT FLETCHER: Thank you. And
20 Mr. Seo, I will request an interpreter for
21 mediation for Thursday, June 7, 2012, at 11:00
22 a.m. I will do that.

1 MR. SEO: Okay. Thank you.

2 AGENT FLETCHER: Thank you.

3 MR. JORDAN: Thank you.

4 AGENT FLETCHER: And Mr. Seo,
5 would you prefer also for me to schedule a
6 Korean language interpreter for all of your
7 upcoming hearings, the Status Hearing and the
8 Protest Hearing? If you are going to be
9 present before the ABC Board, would it be
10 helpful to have a Korean language interpreter
11 present? If so, I can arrange to do that. If
12 you think that would be helpful.

13 MR. SEO: Okay. Yes.

14 AGENT FLETCHER: Thank you. Thank
15 you, very much. I appreciate that. Would
16 that be good?

17 MR. SEO: Yes.

18 AGENT FLETCHER: Okay. And Mr.
19 Seo, once an interpreter has been arranged, I
20 will e-mail you to let you know who it's going
21 to be and give you their name so you will know
22 who it is.

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MR. SEO: Okay.

AGENT FLETCHER: Thank you. Any questions? Anybody?

MR. JORDAN: Thank you.

AGENT FLETCHER: Okay. Well thank you, very much. And I will see you on the 7th of June at 11:00 a.m. Thank you, very much. The Roll Call Hearing is concluded.

(Whereupon, the Roll Call Hearing was concluded at 10:54 a.m.)

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