

DISTRICT OF COLUMBIA

+ + + + +

ALCOHOLIC BEVERAGE CONTROL BOARD

+ + + + +

ROLL CALL HEARING

+ + + + +

p-----»

IN THE MATTER OF: :

:

TM Liquors, Inc. :

t/a Big Ben Liquors :

1300 North Capitol Street NW :

License #ABRA-060652 :

Retailer A - Renewal :

Case #12-PRO-00057 :

p-----¼

MONDAY, June 4, 2012

+ + + + +

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.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

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

10:22 a.m.

AGENT FLETCHER: Would the parties present in the matter of Big Ben Liquors come forward? The parties in the matter of Big Ben Liquors, Inc.

PARTICIPANT: They are here.

AGENT FLETCHER: Okay. The parties in the matter of Big Ben Liquors.

MR. H. SINGH: Good morning.

AGENT FLETCHER: Good morning. This is Case Number 12-PRO-00057, TM Liquors, Inc., trading as Big Ben Liquors, 1300 North Capitol Street, NE, License Number ABRA-060652. This a Retailer Class A, Renewal Application. The protest issues are adverse impact on peace, order, and quiet.

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.

Introductions, beginning with the

1 Applicant, please?

2 MR. H. SINGH: My name is
3 Harjinder Singh, and I am President of TM
4 Liquors, Inc.

5 AGENT FLETCHER: And what is your
6 role again?

7 MR. H. SINGH: President.

8 AGENT FLETCHER: Oh, the
9 president? Okay. Could you state your name
10 one more time and spell it for the court
11 reporter, please?

12 MR. H. SINGH: Harjinder Singh,
13 S-I-N-G-H. The first name is Harjinder,
14 H-A-R-J-I-N-D-E-R.

15 AGENT FLETCHER: And the first
16 name is S-I-N-G-H?

17 MR. H. SINGH: That's the last
18 name. Singh is the last name.

19 AGENT FLETCHER: Oh, that's the
20 last name. And then the first name is
21 H-A-

22 MR. H. SINGH: R.

1 AGENT FLETCHER: -R-G?

2 MR. H. SINGH: J as in jelly or J
3 for John.

4 AGENT FLETCHER: Oh J?

5 MR. H. SINGH: I-N, Nancy, and D,
6 David, E-R.

7 AGENT FLETCHER: Okay. I'm going
8 to try this one more time. The first name is
9 H-A-R-J-I-N-E-R?

10 MR. H. SINGH: D, David, E-R.
11 After N, Nancy, D, David, E-R.

12 AGENT FLETCHER: Oh. Thank you.
13 Okay, so that's D-E-R on the end. And for
14 the Protestants, please?

15 MR. THOMAS: Yes. I'm Bradley
16 Thomas. I'm the Vice-Chair of ANC-5C. I'm
17 standing in for our Chair and for our Single
18 Member District Commissioner.

19 AGENT FLETCHER: Thank you, Mr.
20 Thomas. You're the designated representative
21 for ANC5C?

22 MR. THOMAS: Yes.

1 AGENT FLETCHER: And Mr. Thomas,
2 would you, for the record, provide a statement
3 to that effect? You could e-mail it to me.
4 My e-mail address is on the table. Just the
5 statement from the Chair, designating you as
6 the representative on behalf of ANC-5C.

7 MR. THOMAS: Yes, I will.

8 AGENT FLETCHER: There is only one
9 Protestant in this matter. That is ANC-5C.
10 And ANC-5C does have standing as a Protestant.
11 We need to set a date for mediation. You
12 would normally get the date of the Status and
13 Protest Hearings today. However, I do not
14 have those dates available today. So we will
15 just be setting a date for mediation. And you
16 will receive the date for the Status Hearing
17 and a Protest Hearing beyond today, from the
18 person who does the scheduling. She is not
19 here today. So I can schedule the mediation,
20 which I will do.

21 I can tell you that the Status
22 Hearing will not occur before July 18. So,

1 let's see here, the next available date for
2 mediation. Mr. Singh, did you write your
3 daytime number and e-mail address on that
4 sheet? Thank you. The next available date
5 for mediation is Friday, June 22nd. Is that
6 a good date for anybody?

7 MR. THOMAS: June 22nd?

8 AGENT FLETCHER: Yes. That would
9 be at 9:00, 10:00, or 11:00.

10 MR. THOMAS: That is not good for
11 me.

12 AGENT FLETCHER: Okay. I'll move
13 to the next week. Let's see, Thursday, June
14 28th and Friday, June 29th are available.

15 MR. THOMAS: I'm actually out of
16 the country from June 21st until July 3rd.

17 AGENT FLETCHER: No problem. I'm
18 moving over to July. Until which day in July?

19 MR. THOMAS: July 3rd.

20 AGENT FLETCHER: July 3rd?

21 MR. THOMAS: Yes.

22 AGENT FLETCHER: Okay. The first

1 available date in July is Tuesday, July 10th.

2 MR. THOMAS: Okay.

3 AGENT FLETCHER: Does that work
4 for you, Mr. Singh?

5 MR. H. SINGH: Yes.

6 AGENT FLETCHER: The 13th is also
7 available. That's a Friday.

8 MR. THOMAS: I think the 13th
9 would be the better date.

10 AGENT FLETCHER: Is that good for
11 you, Mr. Singh?

12 MR. H. SINGH: Yes, ma'am.

13 AGENT FLETCHER: Okay. So on
14 Friday, July 13, that would be at 9:00, 10:00,
15 or 11:00?

16 MR. THOMAS: And if we submit a
17 voluntary agreement before that date?

18 AGENT FLETCHER: You can just let
19 me know -- e-mail me and let me know and we
20 will cancel the mediation. And there will not
21 be a Status Hearing or a Protest Hearing.

22 MR. THOMAS: And the time again

1 is?

2 AGENT FLETCHER: Oh the time can
3 be either 9:00, 10:00 or 11:00 on that day.

4 MR. THOMAS: Is 10:00 okay?

5 AGENT FLETCHER: Is that good for
6 you, Mr. Singh?

7 MR. H. SINGH: Yes. That's easy
8 to remember.

9 AGENT FLETCHER: So the mediation
10 is set for 10:00 on July 13th. Any questions?

11 MR. H. SINGH: Thank you.

12 MR. THOMAS: No. Thank you.

13 AGENT FLETCHER: Okay. The Roll
14 Call Hearing is concluded.

15 (Whereupon, the Roll Call Hearing
16 was concluded at 10:29 a.m.)

17

18

19

20

21

22

<p style="text-align: center;">A</p> <p>ABRA 2:14 ABRA-060652 1:12 address 5:4 6:3 adverse 2:16 Agent 1:22 2:3,8,11 2:20 3:5,8,15,19 4:1,4,7,12,19 5:1 5:8 6:8,12,17,20 6:22 7:3,6,10,13 7:18 8:2,5,9,13 agreement 7:17 Alcoholic 1:3,18,19 ANC-5C 4:16 5:6,9 5:10 ANC5C 4:21 anybody 6:6 Applicant 3:1 Application 2:16 available 5:14 6:1,4 6:14 7:1,7 a.m 2:2 8:16</p> <hr/> <p style="text-align: center;">B</p> <p>beginning 2:22 behalf 5:6 Ben 1:10 2:4,5,9,13 better 7:9 Beverage 1:3,18,19 beyond 5:17 Big 1:10 2:4,5,9,13 Board 1:3,19 Board's 2:20 Bradley 4:15</p> <hr/> <p style="text-align: center;">C</p> <p>Call 1:5 2:19 8:14 8:15 cancel 7:20 Capitol 1:11 2:14 Case 1:13 2:12 Chair 4:17 5:5 Class 2:15 Code 2:21 COLUMBIA 1:1 come 2:4</p>	<p>Commissioner 4:18 concluded 8:14,16 conducting 2:19 Control 1:3,18,19 country 6:16 court 3:10</p> <hr/> <p style="text-align: center;">D</p> <p>D 4:5,10,11 date 5:11,12,15,16 6:1,4,6 7:1,9,17 dates 5:14 David 4:6,10,11 day 6:18 8:3 daytime 6:3 designated 4:20 designating 5:5 District 1:1 4:18 D-E-R 4:13 D.C 1:21 2:20</p> <hr/> <p style="text-align: center;">E</p> <p>easy 8:7 effect 5:3 either 8:3 e-mail 5:3,4 6:3 7:19 E-R 4:6,10,11</p> <hr/> <p style="text-align: center;">F</p> <p>first 3:13,15,20 4:8 6:22 Fletcher 1:22 2:3,8 2:11,18 3:5,8,15 3:19 4:1,4,7,12,19 5:1,8 6:8,12,17,20 6:22 7:3,6,10,13 7:18 8:2,5,9,13 forward 2:5 Friday 6:5,14 7:7 7:14</p> <hr/> <p style="text-align: center;">G</p> <p>going 4:7 good 2:10,11 6:6,10 7:10 8:5</p>	<p style="text-align: center;">H</p> <p>H 2:10 3:2,7,12,17 3:22 4:2,5,10 7:5 7:12 8:7,11 Harjinder 3:3,12 3:13 Hearing 1:5,20 2:19 5:16,17,22 7:21,21 8:14,15</p> <hr/> <p style="text-align: center;">I</p> <p>impact 2:17 Introductions 2:22 issues 2:16 I-N 4:5</p> <hr/> <p style="text-align: center;">J</p> <p>J 4:2,2,4 jelly 4:2 John 4:3 July 5:22 6:16,18 6:18,19,20 7:1,1 7:14 8:10 June 1:15 6:5,7,13 6:14,16</p> <hr/> <p style="text-align: center;">K</p> <p>know 7:19,19</p> <hr/> <p style="text-align: center;">L</p> <p>La 1:21 2:18 let's 6:1,13 License 1:12 2:14 Liquors 1:10,10 2:4,6,9,12,13 3:4</p> <hr/> <p style="text-align: center;">M</p> <p>matter 1:9 2:4,5,9 5:9 ma'am 7:12 mediation 5:11,15 5:19 6:2,5 7:20</p>	<p>8:9 Member 4:18 met 1:19 MONDAY 1:15 morning 2:10,11 move 6:12 moving 6:18</p> <hr/> <p style="text-align: center;">N</p> <p>N 4:11 name 2:18 3:2,9,13 3:16,18,18,20,20 4:8 Nancy 4:5,11 NE 2:14 need 5:11 normally 5:12 North 1:11 2:13 number 2:12,14 6:3 NW 1:11 N.W 1:20</p> <hr/> <p style="text-align: center;">O</p> <p>occur 5:22 Official 2:20 Oh 3:8,19 4:4,12 8:2 okay 2:8 3:9 4:7,13 6:12,22 7:2,13 8:4 8:13 order 2:17</p> <hr/> <p style="text-align: center;">P</p> <p>PARTICIPANT 2:7 parties 2:3,5,9 peace 2:17 person 5:18 please 3:1,11 4:14 present 2:4 president 3:3,7,9 presiding 1:22 problem 6:17 protest 2:16 5:13 5:17 7:21 Protestant 5:9,10 Protestants 4:14</p>	<p>provide 5:2 pursuant 2:20 P-R-O-C-E-E-D-... 2:1</p> <hr/> <p style="text-align: center;">Q</p> <p>questions 8:10 quiet 2:17</p> <hr/> <p style="text-align: center;">R</p> <p>R 3:22 receive 5:16 record 5:2 remember 8:8 Renewal 1:12 2:15 reporter 3:11 representative 4:20 5:6 Retailer 1:12 2:15 role 3:6 Roll 1:5 2:19 8:13 8:15 Room 1:20 R-G 4:1</p> <hr/> <p style="text-align: center;">S</p> <p>schedule 5:19 scheduling 5:18 see 6:1,13 set 5:11 8:10 setting 5:15 sheet 6:4 Singh 2:10 3:2,3,7 3:12,12,17,18,22 4:2,5,10 6:2 7:4,5 7:11,12 8:6,7,11 Single 4:17 spell 3:10 standing 4:17 5:10 state 3:9 statement 5:2,5 Status 5:12,16,21 7:21 Street 1:11,20 2:14 submit 7:16 Suite 1:20 S-I-N-G-H 3:13,16</p>
--	--	---	---	--

<p style="text-align: center;">T</p> <p>table 5:4 tell 5:21 Thank 4:12,19 6:4 8:11,12 think 7:8 Thomas 4:15,16,20 4:22 5:1,7 6:7,10 6:15,19,21 7:2,8 7:16,22 8:4,12 Thursday 6:13 time 3:10 4:8 7:22 8:2 TM 1:10 2:12 3:3 today 5:13,14,17 5:19 trading 2:13 try 4:8 Tuesday 7:1 t/a 1:10</p> <hr/> <p style="text-align: center;">V</p> <p>Verne 1:21 2:18 Vice-Chair 4:16 voluntary 7:17</p> <hr/> <p style="text-align: center;">W</p> <p>Washington 1:21 week 6:13 work 7:3 write 6:2</p> <hr/> <p style="text-align: center;">P</p> <p>p 1:8,13</p> <hr/> <p style="text-align: center;">#</p> <p>#12-PRO-00057 1:13</p> <hr/> <p style="text-align: center;">0</p> <p>060652 2:15</p> <hr/> <p style="text-align: center;">1</p> <p>10th 7:1 10:00 6:9 7:14 8:3 8:4,10 10:22 2:2 10:29 8:16</p>	<p>11:00 6:9 7:15 8:3 12-PRO-00057 2:12 13 7:14 13th 7:6,8 8:10 1300 1:11 2:13 14th 1:20 1601.2 2:21 18 5:22</p> <hr/> <p style="text-align: center;">2</p> <p>2000 1:20 2012 1:15 21st 6:16 22nd 6:5,7 28th 6:14 29th 6:14</p> <hr/> <p style="text-align: center;">3</p> <p>3rd 6:16,19,20</p> <hr/> <p style="text-align: center;">4</p> <p>4 1:15 400S 1:21</p> <hr/> <p style="text-align: center;">9</p> <p>9:00 6:9 7:14 9:00 8:3</p>			
---	--	--	--	--