

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

O'Connor's Liquor, Inc.
t/a O'Connor's Liquors
2900 Minnesota Ave., SE
Retailer A - ANC-7B
License No. 60231
Case #15-PRO-00036

Protest
Hearing
(Status)

(Application to Renew the
License)

June 24, 2015

The Alcoholic Beverage Control Board
met in the Alcoholic Beverage Control Hearing
Room, Reeves Building, 2000 14th Street, N.W.,
Suite 400S, Washington, D.C. 20009, Chairperson
Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

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

9:39 a.m.

CHAIRPERSON MILLER: Good morning, everyone. I would like to welcome you to the regularly scheduled meeting of the District of Columbia Alcoholic Beverage Control Board. Today is June 24, 2015.

My name is Ruthanne Miller. I'm the Chairperson. And joining me to my far right is Mr. Donald Brooks. Next to Mr. Brooks is Mr. Nick Alberti. Next to Mr. Alberti is Mr. Hector Rodriguez. And to my left is Mr. Mike Silverstein and Mr. James Short. And we have six Members in attendance for business this morning and three constitute a quorum.

Copies of today's hearing calendar and agenda are available at the receptionist desk. Please be aware that these proceedings are being recorded by a court reporter. Accordingly, we must ask you to refrain from any disruptive noises or actions in the hearing room.

If you have any electronic devices,

1 pagers, cell phones or such, please, make certain
2 they are turned off to avoid any interruption of
3 the proceedings.

4 When I call your case, please, come
5 forward and take a seat at one of the tables in
6 the front. You will notice that there is a piece
7 of paper on each table for you to sign-in. This
8 is to ensure the correct spelling of your name
9 for the record.

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

19 Okay. That concludes my preliminary
20 remarks and I'm going to start with the first
21 case on this morning's calendar which is Case No.
22 15-PRO-00036, O'Connor's Liquors located at 2900

1 Minnesota Avenue, S.E., License No. 60231, in
2 ANC-7B.

3 This is a Protest (Status) case. Is
4 anybody here for that case? The case is
5 O'Connor's. Okay. Come forward then, please.
6 Yes, you can sit there. Which side is the
7 applicant? Good. You're on the right side.
8 Okay. Good morning.

9 And could you identify yourselves for
10 the record, please?

11 MR. AHN: My name Byoung Ahn, B-Y-O-U-
12 N-G. First name B, like boy.

13 CHAIRPERSON MILLER: Okay. And you
14 are, ma'am?

15 MS. AHN: Stacy AHN.

16 CHAIRPERSON MILLER: Yes. And how are
17 you related?

18 MS. AHN: My husband.

19 CHAIRPERSON MILLER: Okay.

20 MS. AHN: Yes, yes.

21 CHAIRPERSON MILLER: And do you have
22 any problems with English or do you understand

1 English?

2 MS. AHN: Some words, some words I
3 don't understand.

4 CHAIRPERSON MILLER: Okay.

5 MS. AHN: But probably half of it,
6 yes.

7 CHAIRPERSON MILLER: Well, let me just
8 get this woman on the record and then we will
9 come back to you. Hi, good morning.

10 MS. HOWARD-CHITTAMS: Good morning.

11 CHAIRPERSON MILLER: And you are?

12 MS. HOWARD-CHITTAMS: Patricia Howard-
13 Chittams.

14 CHAIRPERSON MILLER: Okay.

15 MS. HOWARD-CHITTAMS: Representing
16 ANC-7B.

17 CHAIRPERSON MILLER: Okay.

18 MS. HOWARD-CHITTAMS: My SMD is 7B01.

19 CHAIRPERSON MILLER: What's your last
20 name?

21 MS. HOWARD-CHITTAMS: Howard-Chittams.

22 CHAIRPERSON MILLER: Chittams?

1 MS. HOWARD-CHITTAMS: C-H-I-T-T-A-M-S.

2 CHAIRPERSON MILLER: Okay. So I just
3 want to swing back to the applicant. I have in
4 my notes that the applicant speaks Korean,
5 correct?

6 MS. AHN: Yes.

7 CHAIRPERSON MILLER: Okay. But waived
8 his right for ABRA to provide an interpreter and
9 we were expecting to see his brother-in-law.

10 MS. AHN: It's my brother.

11 CHAIRPERSON MILLER: Yes, okay.

12 MS. AHN: Yes. But be here to what
13 reschedule?

14 CHAIRPERSON MILLER: Yes.

15 MS. AHN: Yes, because we think the
16 conclusion is of her and us, so the -- so that's
17 why we have to have a new schedule. So my lawyer
18 say he need a new schedule to conclusion of these
19 matters, solve it.

20 CHAIRPERSON MILLER: Okay. So are you
21 comfortable, you know, with the English for the
22 purposes of this status conference, which is

1 basically to schedule? And I usually give some
2 directions in the Status conference, but they are
3 also provided in writing later.

4 MS. AHN: I didn't understand what you
5 were saying.

6 CHAIRPERSON MILLER: Okay. I want to
7 make sure you are comfortable proceeding without
8 an interpreter. You waived an interpreter. This
9 is just a status conference. This is just a
10 status.

11 MS. AHN: A status conference?

12 CHAIRPERSON MILLER: Just --

13 MS. HOWARD-CHITTAMS: A status. They
14 just want to see where we are.

15 CHAIRPERSON MILLER: -- dates and
16 things like that.

17 MS. HOWARD-CHITTAMS: For us to
18 schedule for us to come back for an official --

19 MS. AHN: Yes.

20 MS. HOWARD-CHITTAMS: Okay.

21 MS. AHN: Okay.

22 CHAIRPERSON MILLER: Okay. I also

1 want to say that I give some direction about the
2 hearing --

3 MS. AHN: Uh-huh.

4 CHAIRPERSON MILLER: -- at the status,
5 but it is repeated in writing. It would be given
6 to you in writing later.

7 MS. AHN: Okay. Okay. Okay. Okay.

8 CHAIRPERSON MILLER: And if you have
9 any questions, feel free to ask me, too.

10 MS. AHN: Yes, we just need to
11 reschedule for the hearing and then --

12 CHAIRPERSON MILLER: Okay. Ms.
13 Howard-Chittams?

14 MS. HOWARD-CHITTAMS: Yes.

15 CHAIRPERSON MILLER: Okay. Do you
16 have something you want to report on?

17 MS. HOWARD-CHITTAMS: Well, initially
18 we had -- there was a draft agreement that we
19 were discussing and, unfortunately, his attorney
20 has objections to two sections of the agreement.
21 And he, the attorney, is not willing to negotiate
22 to rewrite those sections, so that we both kind

1 of get what we want.

2 CHAIRPERSON MILLER: Okay. We don't
3 want to hear too much about settlement
4 discussions. Just kind of where you are.

5 MS. HOWARD-CHITTAMS: Yes, so he has--
6 his attorney has forced us to this point.

7 CHAIRPERSON MILLER: Okay. So at this
8 point --

9 MS. HOWARD-CHITTAMS: To ask for a
10 rescheduling for --

11 CHAIRPERSON MILLER: Yes.

12 MS. HOWARD-CHITTAMS: -- mediation.

13 CHAIRPERSON MILLER: There is no
14 agreement. That's all.

15 MS. HOWARD-CHITTAMS: Yes.

16 CHAIRPERSON MILLER: We are not
17 looking to who is at fault or anything like that,
18 but there is no agreement, so you are moving
19 towards the Protest Hearing.

20 MS. HOWARD-CHITTAMS: Mediation, yes.

21 CHAIRPERSON MILLER: Okay. You went
22 to mediation?

1 MS. HOWARD-CHITTAMS: We want
2 mediation, official mediation first, but we still
3 want to keep the date of July 22nd --

4 CHAIRPERSON MILLER: Okay.

5 MS. HOWARD-CHITTAMS: -- for the
6 Protest Hearing.

7 CHAIRPERSON MILLER: Okay. So that is
8 your date, July 22nd at 4:30 p.m.

9 MR. AHN: 4:30 p.m.

10 CHAIRPERSON MILLER: And you are going
11 to receive, this is what I wanted to tell you,
12 some written instructions in the mail.

13 MR. AHN: In the mail.

14 CHAIRPERSON MILLER: So watch for --
15 email, excuse me. Email.

16 MS. AHN: Email?

17 CHAIRPERSON MILLER: So watch for
18 that.

19 MS. AHN: Okay.

20 CHAIRPERSON MILLER: But what I
21 usually say here is you need to pay attention to
22 two forms that you will get, a Protest

1 Information Form, called a PIF, and an Exhibit
2 Form.

3 The Protest Information Form you need
4 to identify your witnesses for the hearing and
5 your issues, seven days ahead. Serve the
6 opposing party and the Board your Protest
7 Information Form, which has your witnesses and
8 your issues, and your Exhibit Form, which lists
9 your exhibits that you may want to enter at the
10 hearing, and attach your exhibits.

11 So pay attention to that, because they
12 could be excluded if you don't do that. But what
13 I want to say is this will be written as well.
14 Okay.

15 Do you have any questions about that?

16 MS. HOWARD-CHITTAMS: No.

17 CHAIRPERSON MILLER: Okay. Any
18 questions?

19 MR. AHN: Speaking foreign language.

20 MS. AHN: I pay attention.

21 CHAIRPERSON MILLER: If you have any
22 questions, in the meantime you can call Ms. Janea

1 Raines 442-4353.

2 MR. AHN: 442-4353.

3 CHAIRPERSON MILLER: She is an
4 attorney.

5 MS. AHN: She is the attorney?

6 CHAIRPERSON MILLER: In our office,
7 yes. If you have any questions about the Protest
8 Hearing.

9 MS. AHN: Oh, so we can --

10 CHAIRPERSON MILLER: You can call her.

11 MS. AHN: What was the number? Can
12 you repeat one more time?

13 CHAIRPERSON MILLER: Yes.

14 MS. RAINES: I have a card.

15 CHAIRPERSON MILLER: She is going to
16 give you a card. This is Ms. Raines.

17 MS. AHN: Okay.

18 CHAIRPERSON MILLER: Okay.

19 MS. AHN: Very nice.

20 CHAIRPERSON MILLER: Anything else
21 then? You got your date?

22 MS. AHN: Yes, we got the date.

1 CHAIRPERSON MILLER: All right. Thank
2 you.

3 MS. AHN: Thank you.

4 CHAIRPERSON MILLER: Okay.

5 (Whereupon, the Protest (Status)

6 Hearing in the above-entitled matter was

7 concluded at 9:48 a.m.)

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