

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :
 :
Kang Young J. & Kang In S., :
t/a Family Market :
1309 5th Street, NE : Fact Finding
Retailer B : Hearing
License No. 10660 :
ANC 5D :
License in Safekeeping :
Alcoholic Beverages Off :
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JUNE 26, 2013

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Washington, D.C., Nick Alberti, Acting Chairman, presiding.

PRESENT
NICK ALBERTI, Acting Chairman
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member

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

9:57 a.m.

ACTING CHAIRMAN ALBERTI: The next case I'm going to call is a fact finding hearing regarding Kang Young J. and Kang In S, trading as Family Market, License No. 10660.

I don't believe this --

MR. STERN: No, we're not involved in that. I did just separately want to tell -- I understand that the owner for Seki Restaurant is here today.

ACTING CHAIRMAN ALBERTI: For which restaurant?

MR. STERN: Seki Restaurant. Restaurant Seki, I guess is the name of it. 13-CMP-00144. It's on the calendar.

ACTING CHAIRMAN ALBERTI: Do you know when that was scheduled for?

MR. STERN: It was scheduled for today.

ACTING CHAIRMAN ALBERTI: Oh, I'm sorry. Just one moment.

1 MR. STERN: I understand that --

2 ACTING CHAIRMAN ALBERTI: Oh, I'm
3 sorry. I passed over that. It was my error.
4 Can you just bear with me for one moment?

5 MR. STERN: Sure.

6 ACTING CHAIRMAN ALBERTI: We're
7 going to continue with the fact finding. You
8 can remain seated. We'll come right back to
9 you.

10 So we're still considering the
11 fact finding for License No. 10660, Family
12 Market. Is there anyone here for that
13 license?

14 (No audible response.)

15 ACTING CHAIRMAN ALBERTI: Okay.
16 It is my understanding that the Licensee has
17 asked for a continuation just I believe last
18 night, just yesterday. This is the second
19 continuation that they've asked for. They
20 were scheduled to appear on May 29th and we
21 granted them a continuation until today. And
22 just yesterday they told us that they could

1 not make it. So I am going to move that we
2 not the grant the continuation of this
3 hearing.

4 MEMBER SILVERSTEIN: I second this
5 motion.

6 ACTING CHAIRMAN ALBERTI: And all
7 those in favor, say aye?

8 (Chorus of ayes.)

9 ACTING CHAIRMAN ALBERTI: All
10 those opposed?

11 (No audible response.)

12 ACTING CHAIRMAN ALBERTI: The
13 motion carries 3-0.

14 This is a matter involving a
15 license in safekeeping. The license has been
16 in safekeeping since 2011, September 26th,
17 2011. There was a fire at the establishment,
18 as I understand it, but no movement has been
19 made to use the license since then. So we
20 wanted to review it. But since this Licensee
21 is not making himself available for us to find
22 out what the status is, I'm going to recommend

1 that we cancel the license today. The
2 Licensee will have 10 days to ask for a
3 reconsideration, and we can take that up at
4 that time. So I move that we cancel this
5 license, License No. 10660.

6 MEMBER BROOKS: I second.

7 ACTING CHAIRMAN ALBERTI: Okay.

8 Thank you. Seconded by Mr. Brooks.

9 Just one moment, please.

10 MEMBER SILVERSTEIN: Mr. Chair?

11 Mr. Chairman?

12 ACTING CHAIRMAN ALBERTI: Yes, Mr.

13 Silverstein?

14 MEMBER SILVERSTEIN: I want to
15 associate myself with your remarks. We have
16 done similar actions in recent weeks with
17 other cases. This is not singling this
18 particular Licensee out. If the Licensee
19 wishes to make himself available and if the
20 Licensee wishes to provide us with a
21 compelling reason why we should do otherwise,
22 we are open to that. But we cannot act in a

1 vacuum and the tail does not wag the dog.

2 ACTING CHAIRMAN ALBERTI: Thank
3 you for that, Mr. Silverstein. So the motion
4 is to cancel this license, License No. 10660.
5 It's been seconded. All those in favor, say
6 aye?

7 (Chorus of ayes.)

8 ACTING CHAIRMAN ALBERTI: All
9 those opposed?

10 (No audible response.)

11 ACTING CHAIRMAN ALBERTI: Motion
12 carries 3-0.

13 (Whereupon, the hearing was
14 concluded at 10:01 a.m.)

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<p style="text-align: center;">A</p> <p>act 5:22</p> <p>Acting 1:16,20 2:3 2:12,17,21 3:2,6 3:15 4:6,9,12 5:7 5:12 6:2,8,11</p> <p>actions 5:16</p> <p>Alberti 1:16,20 2:3 2:12,17,21 3:2,6 3:15 4:6,9,12 5:7 5:12 6:2,8,11</p> <p>Alcoholic 1:2,10,13 1:14</p> <p>ANC 1:9</p> <p>appear 3:20</p> <p>asked 3:17,19</p> <p>associate 5:15</p> <p>audible 3:14 4:11 6:10</p> <p>available 4:21 5:19</p> <p>aye 4:7 6:6</p> <p>eyes 4:8 6:7</p> <p>a.m 2:2 6:14</p> <hr/> <p style="text-align: center;">B</p> <p>B 1:8</p> <p>back 3:8</p> <p>bear 3:4</p> <p>believe 2:7 3:17</p> <p>Beverage 1:2,13,14</p> <p>Beverages 1:10</p> <p>Board 1:2,14</p> <p>Brooks 1:21 5:6,8</p> <p>Building 1:14</p> <hr/> <p style="text-align: center;">C</p> <p>calendar 2:16</p> <p>call 2:4</p> <p>cancel 5:1,4 6:4</p> <p>carries 4:13 6:12</p> <p>case 2:4</p> <p>cases 5:17</p> <p>Chair 5:10</p> <p>Chairman 1:16,20 2:3,12,17,21 3:2,6 3:15 4:6,9,12 5:7 5:11,12 6:2,8,11</p>	<p>Chorus 4:8 6:7</p> <p>COLUMBIA 1:1</p> <p>come 3:8</p> <p>compelling 5:21</p> <p>concluded 6:14</p> <p>considering 3:10</p> <p>continuation 3:17 3:19,21 4:2</p> <p>continue 3:7</p> <p>Control 1:2,13,14</p> <hr/> <p style="text-align: center;">D</p> <p>days 5:2</p> <p>DISTRICT 1:1</p> <p>dog 6:1</p> <p>DONALD 1:21</p> <p>D.C 1:15</p> <hr/> <p style="text-align: center;">E</p> <p>error 3:3</p> <p>establishment 4:17</p> <hr/> <p style="text-align: center;">F</p> <p>fact 1:8 2:4 3:7,11</p> <p>Family 1:7 2:6 3:11</p> <p>favor 4:7 6:5</p> <p>find 4:21</p> <p>finding 1:8 2:4 3:7 3:11</p> <p>fire 4:17</p> <hr/> <p style="text-align: center;">G</p> <p>going 2:4 3:7 4:1 4:22</p> <p>grant 4:2</p> <p>granted 3:21</p> <p>guess 2:15</p> <hr/> <p style="text-align: center;">H</p> <p>hearing 1:8,14 2:5 4:3 6:13</p> <hr/> <p style="text-align: center;">I</p> <p>involved 2:8</p> <p>involving 4:14</p> <hr/> <p style="text-align: center;">J</p> <p>J 1:6 2:5</p>	<p>JUNE 1:12</p> <hr/> <p style="text-align: center;">K</p> <p>Kang 1:6,6 2:5,5</p> <p>know 2:18</p> <hr/> <p style="text-align: center;">L</p> <p>license 1:9,10 2:6 3:11,13 4:15,15 4:19 5:1,5,5 6:4,4</p> <p>Licensee 3:16 4:20 5:2,18,18,20</p> <hr/> <p style="text-align: center;">M</p> <p>making 4:21</p> <p>Market 1:7 2:6 3:12</p> <p>matter 1:5 4:14</p> <p>MEETING 1:3</p> <p>Member 1:21,22 4:4 5:6,10,14</p> <p>met 1:14</p> <p>MIKE 1:22</p> <p>moment 2:22 3:4 5:9</p> <p>motion 4:5,13 6:3 6:11</p> <p>move 4:1 5:4</p> <p>movement 4:18</p> <hr/> <p style="text-align: center;">N</p> <p>name 2:15</p> <p>NE 1:8</p> <p>Nick 1:15,20</p> <p>night 3:18</p> <p>N.W 1:15</p> <hr/> <p style="text-align: center;">O</p> <p>Oh 2:21 3:2</p> <p>Okay 3:15 5:7</p> <p>open 5:22</p> <p>opposed 4:10 6:9</p> <p>owner 2:10</p> <hr/> <p style="text-align: center;">P</p> <p>particular 5:18</p> <p>passed 3:3</p> <p>please 5:9</p>	<p>PRESENT 1:19</p> <p>presiding 1:16</p> <p>provide 5:20</p> <p>P-R-O-C-E-E-D-... 2:1</p> <hr/> <p style="text-align: center;">R</p> <p>reason 5:21</p> <p>recommend 4:22</p> <p>reconsideration 5:3</p> <p>Reeves 1:14</p> <p>regarding 2:5</p> <p>remain 3:8</p> <p>remarks 5:15</p> <p>response 3:14 4:11 6:10</p> <p>restaurant 2:11,13 2:14,15</p> <p>Retailer 1:8</p> <p>review 4:20</p> <p>right 3:8</p> <p>Room 1:14</p> <hr/> <p style="text-align: center;">S</p> <p>S 1:6 2:5</p> <p>safekeeping 1:10 4:15,16</p> <p>scheduled 2:18,19 3:20</p> <p>seated 3:8</p> <p>second 3:18 4:4 5:6</p> <p>seconded 5:8 6:5</p> <p>Seki 2:10,14,15</p> <p>separately 2:9</p> <p>September 4:16</p> <p>Silverstein 1:22 4:4 5:10,13,14 6:3</p> <p>similar 5:16</p> <p>singling 5:17</p> <p>sorry 2:22 3:3</p> <p>status 4:22</p> <p>STERN 2:8,14,19 3:1,5</p> <p>Street 1:8,15</p> <p>Sure 3:5</p> <hr/> <p style="text-align: center;">T</p>	<p>tail 6:1</p> <p>take 5:3</p> <p>tell 2:9</p> <p>Thank 5:8 6:2</p> <p>time 5:4</p> <p>today 2:11,20 3:21 5:1</p> <p>told 3:22</p> <p>trading 2:6</p> <p>t/a 1:7</p> <hr/> <p style="text-align: center;">U</p> <p>understand 2:10 3:1 4:18</p> <p>understanding 3:16</p> <p>use 4:19</p> <hr/> <p style="text-align: center;">V</p> <p>vacuum 6:1</p> <hr/> <p style="text-align: center;">W</p> <p>wag 6:1</p> <p>want 2:9 5:14</p> <p>wanted 4:20</p> <p>Washington 1:15</p> <p>weeks 5:16</p> <p>We'll 3:8</p> <p>we're 2:8 3:6,10</p> <p>wishes 5:19,20</p> <hr/> <p style="text-align: center;">Y</p> <p>yesterday 3:18,22</p> <p>Young 1:6 2:5</p> <hr/> <p style="text-align: center;">P</p> <p>p 1:5,11</p> <hr/> <p style="text-align: center;">I</p> <p>10 5:2</p> <p>10:01 6:14</p> <p>10660 1:9 2:6 3:11 5:5 6:4</p> <p>13-CMP-00144 2:16</p> <p>1309 1:8</p> <p>14th 1:14</p>
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