

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

2 (10:50 a.m.)

3 CHAIRPERSON MILLER: Okay, let's
4 see, it's 10:50. All right, we now have a
5 Show Cause Hearing, Case Number 12-251-00136.
6 This is Northeast Supermarket located at 1201
7 Mount Olivet Road Northeast, License Number
8 81240 in ANC 5D.

9 Okay, so when you are ready if you
10 would introduce yourselves for the record.

11 MS. DANIEL: Good morning, Maureen
12 Daniel on behalf of the District of Columbia.

13 MR. CHUN: Good morning, Your
14 Honor, my name is Sung Chun from Law Office of
15 Sung Chung representing the Defendant and we
16 have two person and a translator. Soon Jung,
17 who is the licensee at the time of the
18 violation, and --

19 CHAIRPERSON MILLER: I'm sorry,
20 could you repeat that?

21 MR. CHUN: Soon, S-O-O-N, Jung, J-
22 U-N-G, last name is J-U-N-G, and she was the

1 licensee at the time of the violation. And we
2 have Soon Hee Ko, K-O, is the last name, she
3 is the current licensee.

4 They are mother and a daughter
5 family. This is a family business operation,
6 Your Honor. And we have a preliminary matter
7 --

8 CHAIRPERSON MILLER: Do we, wait a
9 minute though. We do have an interpreter
10 here?

11 MR. CHUN: Yes, Your Honor.

12 CHAIRPERSON MILLER: Okay, so I
13 want to swear in the interpreter. And what
14 language?

15 MR. YANG: Korean.

16 CHAIRPERSON MILLER: Okay. Could
17 you get, say your name?

18 MR. YANG: Sung Yang, S-A-N-G, Y-
19 A-N-G.

20 CHAIRPERSON MILLER: Okay. Do you
21 solemn affirm that you will faithfully and
22 accurately interpret the proceedings in this

1 matter from Korean into English and from
2 English into Korean to the best of your
3 abilities?

4 MR. YANG: I do.

5 CHAIRPERSON MILLER: All right,
6 thank you. Okay, then there are preliminary
7 matters in this case?

8 MS. DANIEL: Yes, we've had
9 discussions and we have come to an Offer in
10 Compromise that we would recommend to the
11 Board. And it consists of this.

12 As to Charge 1, there would be a
13 fine of \$2,000. Charge 2, will be dismissed.
14 As to Charge 3, a fine of \$2,000 for a total
15 fine of \$4,000 which must be paid within 90
16 days.

17 Additional, the compromise is that
18 there will be eight days of suspension all
19 stayed, pending no further violations in the
20 next year.

21 MR. CHUN: Thank you, Your Honor,
22 that is my understanding and that

1 understanding has been fully discussed and
2 explained and we accept that understanding,
3 Your Honor.

4 CHAIRPERSON MILLER: Okay, and
5 whose, okay, whose paying?

6 MR. CHUN: The business
7 corporation is going to be paid from the
8 corporate account.

9 CHAIRPERSON MILLER: I'm sorry,
10 what?

11 MR. CHUN: The corporation is
12 going to pay form the corporation checking
13 account.

14 CHAIRPERSON MILLER: Okay. Board
15 Members have question?

16 MEMBER ALBERTI: I do.

17 CHAIRPERSON MILLER: Yes.

18 MEMBER ALBERTI: This is sort of
19 off track, but this license is held by a
20 corporation and so who are the members of this
21 corporation and the officers? Can you just
22 tell us briefly?

1 MR. CHUN: At the time of the
2 violation?

3 MEMBER ALBERTI: Currently.

4 MR. CHUN: The mother.

5 MEMBER ALBERTI: No, currently.

6 CHAIRPERSON MILLER: Currently.

7 MR. CHUN: Oh, is the daughter.

8 MEMBER ALBERTI: Ms. Ko?

9 MR. CHUN: Soon Hee Ko is the
10 officer and also a personal licensee along
11 with the corporation, having that license,
12 Your Honor.

13 MS. DANIEL: The ABRA records
14 would reflect that she's a 100 percent owner
15 of the corporation.

16 CHAIRPERSON MILLER: Okay.

17 MEMBER ALBERTI: She's the 100
18 percent owner of the corporation?

19 MR. CHUN: Yes.

20 MEMBER ALBERTI: Okay. Thank you
21 very much.

22 CHAIRPERSON MILLER: Okay, any

1 other questions?

2 MR. CHUN: I just wanted to share
3 a couple documents which I already shared with
4 Ms. Daniel's which is basically a bunch of
5 photographs of the new store layout.

6 Basically pinpoints refrigeration
7 unit to sell fresh vegetable, fresh produce,
8 fresh meat as well as have a petition
9 signature of about a 1,000 signature from the,
10 I guess the patrons of that establishment,
11 indicating that the business does provide a
12 contribution to the local community that is
13 served. And I'll incorporate that into --

14 CHAIRPERSON MILLER: Oh, okay. Is
15 that a change? Is that a change with the new
16 ownership or just a --

17 MR. CHUN: As soon as the
18 violation did occur we decided to just upgrade
19 the store layout in such a way so that it
20 become more beneficial to the community.
21 Although it may not be popular enough in a
22 city, it comes up selling enough volume for

1 vegetable produced, poultry, fresh meat and
2 etcetera.

3 But we felt that that would be one
4 way of demonstrating to the community that we
5 mean benefit to the community as opposed to
6 the burden.

7 CHAIRPERSON MILLER: Okay, that's
8 good. Okay, I mean we've taken this into the
9 record, but we're not really going to be
10 looking at the petition or the --

11 MR. CHUN: I --

12 CHAIRPERSON MILLER: -- okay, the
13 photographs now in consideration of the Offer
14 in Compromise. Okay. But I'm glad to hear
15 what you're saying.

16 All right, are there any other
17 questions at this point? Does your Client
18 know that they waive their right to a hearing
19 if they enter into a Offer In Compromise?

20 MR. CHUN: Yes, we do.

21 CHAIRPERSON MILLER: Okay. Okay,
22 then I would move that we accept this Offer in

1 Compromise of a \$2,000 penalty for Charge 1,
2 Charge 2 will be dismissed, Charge 3 a \$2,000
3 penalty totaling \$4,000 to be paid within 90
4 days. Also the license will be suspended for
5 eight days, but that will be stayed pending no
6 further violations within a year. Do I have
7 a second?

8 MEMBER BROOKS: Second.

9 CHAIRPERSON MILLER: Okay, Mr.
10 Brooks has seconded the motion, any other
11 comments? All those in favor then of the
12 motion say I?

13 (Chorus of ayes)

14 CHAIRPERSON MILLER: All those
15 opposed? All those abstaining? And the
16 motion passes 3-0-0. Okay, thank you.

17 MR. CHUN: Thank you, ma'am.

18 MS. DANIEL: Thank you.

19 CHAIRPERSON MILLER: That
20 concludes our hearings for this morning and
21 we'll now go into recess.

22 (Whereupon, the hearing in the

1 above-mentioned matter was adjourned at 10:59
2 a.m.)

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<p style="text-align: center;">A</p> <p>\$2,000 4:13,14 9:1 9:2</p> <p>\$4,000 4:15 9:3</p> <p>A-N-G 3:19</p> <p>a.m 2:2 10:2</p> <p>abilities 4:3</p> <p>above-mentioned 10:1</p> <p>ABRA 6:13</p> <p>abstaining 9:15</p> <p>accept 5:2 8:22</p> <p>account 5:8,13</p> <p>accurately 3:22</p> <p>Additional 4:17</p> <p>adjourned 10:1</p> <p>affirm 3:21</p> <p>ALBERTI 1:17 5:16,18 6:3,5,8,17 6:20</p> <p>Alcoholic 1:2,13,13</p> <p>ANC 2:8</p> <p>ayes 9:13</p>	<p>3:16,20 4:5 5:4,9 5:14,17 6:6,16,22 7:14 8:7,12,21 9:9 9:14,19</p> <p>change 7:15,15</p> <p>Charge 4:12,13,14 9:1,2,2</p> <p>checking 5:12</p> <p>Chorus 9:13</p> <p>Chun 2:13,14,21 3:11 4:21 5:6,11 6:1,4,7,9,19 7:2 7:17 8:11,20 9:17</p> <p>Chung 2:15</p> <p>city 7:22</p> <p>Client 8:17</p> <p>Columbia 1:1 2:12</p> <p>come 4:9</p> <p>comes 7:22</p> <p>comments 9:11</p> <p>community 7:12,20 8:4,5</p> <p>comply 1:9</p> <p>compromise 4:10 4:17 8:14,19 9:1</p> <p>concludes 9:20</p> <p>consideration 8:13</p> <p>consists 4:11</p> <p>contribution 7:12</p> <p>Control 1:2,13,13</p> <p>corporate 5:8</p> <p>corporation 5:7,11 5:12,20,21 6:11 6:15,18</p> <p>couple 7:3</p> <p>current 3:3</p> <p>currently 6:3,5,6</p>	<p>demonstrating 8:4</p> <p>discussed 5:1</p> <p>discussions 4:9</p> <p>dismissed 4:13 9:2</p> <p>District 1:1 2:12</p> <p>documents 7:3</p> <p>DONALD 1:18</p> <p style="text-align: center;">E</p> <p>eight 4:18 9:5</p> <p>English 4:1,2</p> <p>enter 8:19</p> <p>establishment 7:10</p> <p>etcetera 8:2</p> <p>explained 5:2</p> <p style="text-align: center;">F</p> <p>Failure 1:9</p> <p>faithfully 3:21</p> <p>family 3:5,5</p> <p>favor 9:11</p> <p>felt 8:3</p> <p>fine 4:13,14,15</p> <p>form 5:12</p> <p>fresh 7:7,7,8 8:1</p> <p>fully 5:1</p> <p>further 4:19 9:6</p> <p style="text-align: center;">G</p> <p>glad 8:14</p> <p>go 9:21</p> <p>going 5:7,12 8:9</p> <p>good 2:11,13 8:8</p> <p>guess 7:10</p> <p style="text-align: center;">H</p> <p>hear 8:14</p> <p>hearing 1:8,14 2:5 8:18 9:22</p> <p>hearings 9:20</p> <p>Hee 3:2 6:9</p> <p>held 5:19</p> <p>Honor 2:14 3:6,11 4:21 5:3 6:12</p> <p style="text-align: center;">I</p> <p>incorporate 7:13</p> <p>indicating 7:11</p>	<p>interpret 3:22</p> <p>interpreter 3:9,13</p> <p>introduce 2:10</p> <p style="text-align: center;">J</p> <p>J 2:21</p> <p>J-U-N-G 2:22</p> <p>Jung 1:6 2:16,21</p> <p style="text-align: center;">K</p> <p>K-O 3:2</p> <p>know 8:18</p> <p>Ko 3:2 6:8,9</p> <p>Korean 3:15 4:1,2</p> <p style="text-align: center;">L</p> <p>language 3:14</p> <p>Law 2:14</p> <p>layout 7:5,19</p> <p>let's 2:3</p> <p>license 1:9 2:7 5:19 6:11 9:4</p> <p>licensee 2:17 3:1,3 6:10</p> <p>local 7:12</p> <p>located 2:6</p> <p>looking 8:10</p> <p style="text-align: center;">M</p> <p>ma'am 9:17</p> <p>matter 1:5 3:6 4:1 10:1</p> <p>matters 4:7</p> <p>Maureen 1:22 2:11</p> <p>mean 8:5,8</p> <p>meat 7:8 8:1</p> <p>MEETING 1:3</p> <p>Member 1:17,18 1:18 5:16,18 6:3,5 6:8,17,20 9:8</p> <p>members 5:15,20</p> <p>met 1:13</p> <p>MICHAEL 1:18</p> <p>Miller 1:15,17 2:3 2:19 3:8,12,16,20 4:5 5:4,9,14,17 6:6,16,22 7:14 8:7 8:12,21 9:9,14,19</p>	<p>minute 3:9</p> <p>morning 2:11,13 9:20</p> <p>mother 3:4 6:4</p> <p>motion 9:10,12,16</p> <p>Mount 1:8 2:7</p> <p>move 8:22</p> <p style="text-align: center;">N</p> <p>N.W 1:14</p> <p>name 2:14,22 3:2 3:17</p> <p>NE 1:8</p> <p>new 7:5,15</p> <p>NICK 1:17</p> <p>Northeast 1:7 2:6,7</p> <p>Number 2:5,7</p> <p style="text-align: center;">O</p> <p>occur 7:18</p> <p>Offer 4:9 8:13,19 8:22</p> <p>Office 2:14</p> <p>officer 6:10</p> <p>officers 5:21</p> <p>Oh 6:7 7:14</p> <p>okay 2:3,9 3:12,16 3:20 4:6 5:4,5,14 6:16,20,22 7:14 8:7,8,12,14,21,21 9:9,16</p> <p>Olivet 1:8 2:7</p> <p>operation 3:5</p> <p>opposed 8:5 9:15</p> <p>owner 6:14,18</p> <p>ownership 7:16</p> <p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-... 2:1</p> <p>paid 4:15 5:7 9:3</p> <p>passes 9:16</p> <p>patrons 7:10</p> <p>pay 5:12</p> <p>paying 5:5</p> <p>penalty 9:1,3</p> <p>pending 4:19 9:5</p> <p>percent 6:14,18</p>
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