

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

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IN THE MATTER OF: :  
 :  
Good Hope Market, LLC :  
t/a Dollar Plus Store : Protest  
1429 Good Hope Road, SE : Hearing  
Retailer A - ANC-8A : (Status)  
License No. 92680 :  
Case #13-PRO-00113 :  
 :  
(New Application) :  
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October 2, 2013  
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

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

2 (9:44 a.m.)

3 CHAIRPERSON MILLER: All right.

4 The second case on the calendar is also a  
5 Protest (Status) Hearing, Case No. 13-PRO-  
6 00113, Dollar Plus Store, located at 1429 Good  
7 Hope Road, S.E., License No. 92680, in ANC-8A.

8 So when you are ready, if you have  
9 signed-in on the piece of paper.

10 MR. CHURNET: Good morning.

11 CHAIRPERSON MILLER: All right.

12 So if you are ready to introduce yourselves  
13 for the record, please?

14 MR. CHURNET: My name is Workneh  
15 Churnet and I'm appearing on behalf of the  
16 applicant, Dollar Plus. The applicant,  
17 unfortunately, has had an emergency and is not  
18 present. He had to go to Baltimore.

19 CHAIRPERSON MILLER: Okay. But  
20 you have authorization to represent him?

21 MR. CHURNET: Yes.

22 CHAIRPERSON MILLER: Okay. Have

1 you entered your appearance in the case yet?

2 MR. CHURNET: I attended the first  
3 hearing together with him.

4 CHAIRPERSON MILLER: What hearing?

5 MR. CHURNET: And they told me  
6 that there is no form to fill out.

7 CHAIRPERSON MILLER: So you --  
8 what hearing are you making reference to? The  
9 Roll Call?

10 MR. CHURNET: I'm sorry?

11 CHAIRPERSON MILLER: What hearing?

12 MR. CHURNET: Oh, the first  
13 hearing held here, the Status Hearing.

14 CHAIRPERSON MILLER: Okay. This  
15 is a Status Hearing.

16 MR. CHURNET: Oh, no, before that,  
17 you know, the first hearing I was here.

18 CHAIRPERSON MILLER: Okay. So all  
19 right. So I'm taking it that at the hearing  
20 you are referencing, you entered your  
21 appearance --

22 MR. CHURNET: That's right.

1 CHAIRPERSON MILLER: -- at the  
2 hearing, in the hearing.

3 MR. CHURNET: I did. I did, yes.

4 CHAIRPERSON MILLER: Okay. Do you  
5 have questions?

6 MEMBER ALBERTI: Has he filled out  
7 the form that he needs?

8 CHAIRPERSON MILLER: All right.  
9 Over here?

10 MR. WILSON: Hello. My name is  
11 Charles Wilson, ANC Commissioner for 8A05.

12 CHAIRPERSON MILLER: Okay.

13 MS. FULLER: Greta Fuller, ANC  
14 Commissioner 8A06.

15 MS. MOORE: Good morning. I'm  
16 Yvonne Moore, Chair of 8A.

17 CHAIRPERSON MILLER: What's your  
18 name?

19 MS. MOORE: Yvonne.

20 CHAIRPERSON MILLER: Yvonne?

21 MS. MOORE: Moore.

22 CHAIRPERSON MILLER: Moore?

1 MS. MOORE: Yes.

2 CHAIRPERSON MILLER: Okay. Okay.  
3 Got it. All right. So I have as protestants  
4 in the case, ANC-8A and was represented by all  
5 of you, all three of you?

6 MS. MOORE: Um-hum.

7 CHAIRPERSON MILLER: And then a  
8 party of five or nine. Who are they? Is  
9 anybody here on behalf of the party of nine?

10 MS. FULLER: I am. Well, both of  
11 us, Charles Wilson and Greta Fuller are here  
12 on behalf of the party.

13 CHAIRPERSON MILLER: So I have in  
14 my notes that five must appear at the Status  
15 Hearing if five haven't appeared before  
16 together. What?

17 MS. FULLER: We had five at the  
18 Roll Call Hearing.

19 CHAIRPERSON MILLER: You had five  
20 at the Roll Call?

21 MR. WILSON: Yes.

22 MS. MOORE: Um-hum.

1 CHAIRPERSON MILLER: Okay. Then  
2 my notes may not -- I don't know if my notes  
3 are correct. It said you were given -- my  
4 notes say you were given conditional standing,  
5 because not all five were there.

6 MR. WILSON: Yes, we had five.

7 CHAIRPERSON MILLER: You had five  
8 there. Do you want to put on the record who  
9 was there?

10 MS. MOORE: Oh.

11 MEMBER ALBERTI: Could you give us  
12 their names?

13 MR. WILSON: Barbara Clark.

14 MEMBER ALBERTI: Barbara Parks?

15 CHAIRPERSON MILLER: Clark.

16 MEMBER ALBERTI: Clark.

17 MR. WILSON: And the other two we  
18 don't know their last names. Bill.

19 MS. MOORE: Oh, his name is  
20 William El. His name is --

21 MR. WILSON: William Alston.

22 MS. MOORE: No. Oh, it's Alston

1 William El. Yes, Alston, A-L-S-T-O-N, William  
2 El, E-L, is his last name.

3 MS. FULLER: Charles is going to  
4 address something.

5 MR. WILSON: Yes, if you are  
6 referring to five of the nine who actually  
7 sent in their own individual letters.

8 MS. FULLER: Letters.

9 MEMBER ALBERTI: Um-hum.

10 MR. WILSON: Then the five aren't  
11 here today. Ms. Fuller and myself are  
12 representing that five.

13 CHAIRPERSON MILLER: My question  
14 is and we can look at this later, but the  
15 notes from the Roll Call Hearing, but I want  
16 to hear from you now to get your side of the  
17 story and make sure I got everything.

18 Five people make up a party of  
19 five have to appear in person together, either  
20 at -- they have to appear either in -- at the  
21 Roll Call or the Status Hearing or they can be  
22 dismissed because we didn't see all five

1 bodies.

2 Okay. So my question is were  
3 there five bodies of the part of nine or did  
4 they have a designated representative?

5 MEMBER SILVERSTEIN: No designated  
6 representative.

7 CHAIRPERSON MILLER: Okay.

8 MEMBER SILVERSTEIN: We must see  
9 them.

10 MR. WILSON: We were the  
11 designated representatives.

12 CHAIRPERSON MILLER: You were?  
13 Okay.

14 MEMBER SILVERSTEIN: No, you were  
15 not.

16 CHAIRPERSON MILLER: Okay. I just  
17 want to know what happened.

18 MR. WILSON: So the five that --  
19 today are not here.

20 CHAIRPERSON MILLER: The five -- I  
21 just want to without characterizing whether  
22 you meet it or don't meet it, I just want to

1 get straight whether there were five of the  
2 party of five at the Roll Call.

3 MR. WILSON: No.

4 MS. FULLER: It was three of them.

5 CHAIRPERSON MILLER: There were  
6 three?

7 MS. MOORE: There was only three.  
8 There wasn't five.

9 CHAIRPERSON MILLER: There were  
10 three?

11 MS. MOORE: No.

12 CHAIRPERSON MILLER: Okay. Three  
13 appeared at the Roll Call and those other two  
14 that didn't appear, they are not here today  
15 either?

16 MR. WILSON: Correct. So we are  
17 just here representing the folks and the ANC.

18 CHAIRPERSON MILLER: You are here  
19 representing the protest from the ANC. Okay.  
20 Okay. And let me just get one other thing  
21 straight. Were you saying that some of you  
22 are representing the ANC and you are part of

1 the party of five?

2 MS. FULLER: Yes.

3 MEMBER BROOKS: Both?

4 MS. FULLER: That's what we were  
5 told when our constituents wrote in their  
6 letters that they thought that their writing  
7 the letters that they could have a  
8 representative represent them here at the  
9 Board because -- if they weren't able to make  
10 it. That was their understanding and ours.  
11 And then when we came and now we are hearing  
12 today that that is not the case. That I  
13 suppose they have to show up --

14 MEMBER SILVERSTEIN: Um-hum.

15 MS. FULLER: -- in person even  
16 though they sent a letter in saying I would  
17 like Greta Fuller to represent me at the ABRA  
18 Board, so --

19 CHAIRPERSON MILLER: Okay.

20 MS. FULLER: -- is that what --

21 CHAIRPERSON MILLER: I just wanted  
22 to get the facts and then we can take a look

1 at this later.

2 MS. FULLER: Does that make sense  
3 to you?

4 CHAIRPERSON MILLER: Yes.

5 MS. FULLER: Okay.

6 CHAIRPERSON MILLER: One other  
7 question just to get our facts though. As far  
8 as your representing them, is there any kind  
9 of letter authorizing you to represent them?

10 MR. WILSON: Yes, you should have  
11 that in the file.

12 CHAIRPERSON MILLER: In the file?

13 MR. WILSON: Yes.

14 CHAIRPERSON MILLER: Okay. So we  
15 will look for that. Okay. All right.

16 MEMBER SILVERSTEIN: Madam Chair?

17 CHAIRPERSON MILLER: Yes?

18 MEMBER SILVERSTEIN: If they  
19 haven't shown up, they have no standing. And  
20 they have no standing for anyone to represent  
21 them.

22 CHAIRPERSON MILLER: I'm just not

1 clear about the --

2 MEMBER SILVERSTEIN: The ANC can  
3 go forward --

4 CHAIRPERSON MILLER: -- designated  
5 representatives.

6 MEMBER SILVERSTEIN: -- with the  
7 protest certainly.

8 MR. WILSON: Okay, so again, when  
9 the party of nine sent in their protest  
10 letters, they stated in their protest letters  
11 that they could not make the hearing and they  
12 chose to have Ms. Fuller and myself be the  
13 representatives.

14 CHAIRPERSON MILLER: At the Roll  
15 Call. At the Roll Call?

16 MS. MOORE: Yes.

17 MR. WILSON: Yes.

18 CHAIRPERSON MILLER: Okay. So  
19 they designated you as their representative at  
20 the Roll Call?

21 MR. WILSON: Correct.

22 CHAIRPERSON MILLER: Two people

1 did? Is that what you said?

2 MR. WILSON: Nine, nine people.

3 CHAIRPERSON MILLER: Nine people  
4 represented. I mean, nine people designated  
5 you as their representative. How many people  
6 showed up at the Roll Call?

7 MR. WILSON: Of that nine?

8 CHAIRPERSON MILLER: Three?

9 MR. WILSON: Of that nine?

10 CHAIRPERSON MILLER: Yes.

11 MR. WILSON: Three. We just said  
12 that.

13 MS. FULLER: Yes, it was only two.

14 MEMBER ALBERTI: Wait. Can I ask,  
15 of the three of you here, who signed off that  
16 letter? Who signed that letter?

17 MS. FULLER: I did, Greta Fuller.

18 MEMBER ALBERTI: Did you, Mr.  
19 Wilson?

20 MR. WILSON: No.

21 MEMBER ALBERTI: No. And, ma'am?

22 MS. MOORE: No.

1 MEMBER ALBERTI: You didn't.

2 Okay. So only two people who signed that  
3 protest letter of the group of nine were at  
4 the Roll Call Hearing?

5 MS. FULLER: Actually, there were  
6 about 30 protest letters, but only nine --

7 MEMBER ALBERTI: I understand.

8 MS. FULLER: Okay.

9 MEMBER ALBERTI: But of the nine  
10 that we are counting, only two of those people  
11 showed up at the Roll Call Hearing?

12 MR. WILSON: That's right.

13 MS. FULLER: That is correct.

14 MEMBER ALBERTI: Okay. Now, is it  
15 Ms. Fuller?

16 MS. FULLER: Yes.

17 MEMBER ALBERTI: Yes. Ms. Fuller,  
18 what was your understanding when you left that  
19 Roll Call Hearing as to people having to  
20 appear?

21 MS. FULLER: My understanding was  
22 that five people were to show up.

1 MEMBER ALBERTI: When? Show up --

2 MS. FULLER: At the Status  
3 Hearing. Yes, because first we thought we  
4 were having mediation. So at the Status  
5 Hearing in order for them to be counted.

6 MEMBER ALBERTI: Right. So you  
7 knew that coming out of the Roll Call?

8 MS. FULLER: That is what I  
9 believed.

10 MEMBER ALBERTI: Okay. Okay. And  
11 they are not here today?

12 MS. FULLER: That is correct.

13 MEMBER ALBERTI: Okay. All right.  
14 Thank you. So unfortunately, we have to take  
15 that into account, but thank you very much for  
16 that.

17 MR. WILSON: But the ANC protest  
18 will then --

19 MEMBER ALBERTI: Right. The ANC  
20 representative is here. So I'll leave that up  
21 to the Chairperson.

22 CHAIRPERSON MILLER: Okay. So

1 with respect to the party of five then, it's  
2 my understanding that they would be dismissed.  
3 That we should dismiss them.

4 MEMBER ALBERTI: A motion to that  
5 effect. I have another question I would like  
6 to ask.

7 CHAIRPERSON MILLER: Oh, you have  
8 a question before we move forward on that?  
9 Okay.

10 MEMBER ALBERTI: Well, no.

11 CHAIRPERSON MILLER: I didn't make  
12 a motion yet so --

13 MEMBER ALBERTI: Okay. Ma'am,  
14 maybe it's the appropriate time. Mr. Churnet?

15 MR. CHURNET: Yes, sir.

16 MEMBER ALBERTI: My notes show  
17 that you submitted a settlement agreement?

18 MR. CHURNET: That's right.

19 CHAIRPERSON MILLER: Oh, you're  
20 moving into another --

21 MEMBER ALBERTI: Yes, I'm moving  
22 to another thing, but --

1 CHAIRPERSON MILLER: Okay.

2 MEMBER ALBERTI: -- there is a  
3 reason for it.

4 CHAIRPERSON MILLER: Okay.

5 MEMBER ALBERTI: All right?

6 CHAIRPERSON MILLER: Um-hum.

7 MEMBER ALBERTI: Who are the  
8 signatures on that settlement agreement?

9 MR. CHURNET: Signatures, Charles  
10 -- Mr. Charles Wilson and Daniel Desta.

11 MEMBER ALBERTI: And Daniel Desta  
12 is the applicant?

13 MR. CHURNET: That's right.

14 MEMBER ALBERTI: And Mr. Wilson is  
15 here. So we have a settlement agreement. Is  
16 this your --

17 MR. WILSON: That is a great  
18 question. About a week or so ago, I got an  
19 email from an ABRA representative notifying me  
20 that -- of my signature on a settlement  
21 agreement. At that time, I notified her -- I  
22 asked her if I could see that settlement

1 agreement. She sent it to me. I looked at it  
2 and that is not my signature on that  
3 settlement agreement. And we have never seen  
4 that settlement agreement until she submitted  
5 that to us.

6 MEMBER ALBERTI: Wait, wait. Mr.  
7 Wilson, this lists you as the ANC-8A Chairman.  
8 Are you -- do you have any knowledge of anyone  
9 else on the ANC having been involved with  
10 negotiations on the settlement agreement?

11 MR. WILSON: No, I do not and I'm  
12 not the ANC-8A Chair. That is Yvonne Moore.

13 MS. MOORE: I am.

14 MEMBER ALBERTI: Okay. Great.  
15 I'm just telling you what is on the settlement  
16 agreement I have before me.

17 MR. WILSON: As soon as I got  
18 notified of the settlement agreement, I sent  
19 it to my fellow commissioners and none of us  
20 have any knowledge of that settlement  
21 agreement.

22 MEMBER ALBERTI: Okay. Thank you.

1 Just pause here. Okay. Mr. Churnet, do you  
2 have anything to add to what we know today?

3 MR. CHURNET: Well, I was  
4 contacted by Mr. Daniel Desta, the owner of  
5 Dollar Plus Store, and I was told by him that  
6 it has been signed by the Chairperson. And I  
7 asked him can he bring the document and he did  
8 and this is the document that I got from him.

9 MEMBER ALBERTI: Okay. So you  
10 have --

11 MR. CHURNET: I have no --

12 MEMBER ALBERTI: Your client  
13 represented to you --

14 MR. CHURNET: Yes.

15 MEMBER ALBERTI: -- that this had  
16 been signed?

17 MR. CHURNET: Yes, yes.

18 MEMBER ALBERTI: Okay. Thank you.  
19 I think we have all the information we need  
20 right now. At least I do anyway. Thank you.

21 MR. CHURNET: Okay. And since it  
22 is disputed that Mr. Charles Wilson not sign

1 this settlement agreement, then I ask for a  
2 continuance, if possible, because I just want  
3 to get to the bottom of this. And because of  
4 an emergency, my client had to go to  
5 Baltimore.

6 And, you know, I would very much  
7 appreciate if you could give me an opportunity  
8 to get to the bottom of this and do something  
9 about it.

10 CHAIRPERSON MILLER: Okay. So  
11 what I am hearing, basically, is that there is  
12 a settlement agreement with a signature on it  
13 from Mr. Wilson, who is denying that that's  
14 his signature. So at this point, I think we  
15 should --

16 MEMBER SILVERSTEIN: Madam Chair,  
17 there is a document.

18 CHAIRPERSON MILLER: There's a  
19 document? The settlement agreement?

20 MEMBER SILVERSTEIN: Right. We  
21 have it.

22 CHAIRPERSON MILLER: It's called a

1 settlement agreement.

2 MEMBER SILVERSTEIN: There is an  
3 alleged settlement agreement.

4 CHAIRPERSON MILLER: Okay. And  
5 Mr. Churnet says he doesn't know how that  
6 happened and your client is not here. Okay.  
7 So at this point, this is not a settlement  
8 agreement that I believe that the Board would  
9 be looking at as a valid settlement agreement,  
10 since you are contesting that's your  
11 signature.

12 MR. WILSON: Right. I guess my  
13 question is since that is not a valid  
14 settlement and, obviously, my name was forged  
15 by someone, shouldn't the case be dismissed?

16 CHAIRPERSON MILLER: We are not  
17 necessarily making a conclusion. We are just  
18 -- because of the client -- the other person  
19 may deny that it's a forgery. I don't know.  
20 That's what the allegations are, but we are  
21 not going to be -- unless the Board differs  
22 with me, there is a big question mark on this

1 agreement.

2 So we are going to go forward as  
3 if there is not a settlement agreement, at  
4 least at this point, that the Board would be  
5 ready to approve.

6 So there is a Protest Hearing date  
7 set for October 30, 2013 at 1:30 p.m. And I  
8 understand that you all missed mediation. Is  
9 that correct?

10 MR. WILSON: They canceled the  
11 mediation because of this agreement. Once I  
12 notified them that that was not a valid  
13 agreement, they canceled the mediation session  
14 and said that you guys were going to take this  
15 up at the Status Hearing today.

16 MEMBER ALBERTI: We'll move  
17 forward.

18 CHAIRPERSON MILLER: Okay.

19 MEMBER ALBERTI: And we will  
20 discuss it.

21 CHAIRPERSON MILLER: Okay. So I  
22 just want to ask you one question. Do you

1 want to meet with Ms. Fletcher today and set  
2 another mediation date or as of now --

3 MR. WILSON: I'm sort of --

4 CHAIRPERSON MILLER: She is here  
5 in this office. She is in this office.

6 MR. WILSON: Actually can I speak?

7 MEMBER SILVERSTEIN: Please wait  
8 until you are called.

9 MR. CHURNET: There may be some  
10 problem with the neighborhood association,  
11 because this -- there may be some problem  
12 there.

13 CHAIRPERSON MILLER: With what?

14 MR. CHURNET: In short with our  
15 last case, another mediation session, okay.  
16 And in the meantime if we can come up with a  
17 settlement document or some explanation as to  
18 what is happening in the neighborhood  
19 association, there is a problem there, then we  
20 would --

21 CHAIRPERSON MILLER: Okay. You  
22 are in favor of mediation?

1 MR. CHURNET: Yes.

2 CHAIRPERSON MILLER: Are you all?

3 MR. WILSON: We know -- we -- at  
4 the Roll Call Hearing, we told Ms. Fletcher  
5 that we were not interested in the mediation.  
6 Why? Because there is actually another liquor  
7 store on the very next block and both of them  
8 are in between the elementary school.

9 CHAIRPERSON MILLER: Okay. So we  
10 are not going to force you to go to mediation.  
11 I just wanted to let you know that you are all  
12 here and the mediator is here if you wanted to  
13 make arrangements for that. Okay.

14 So then we are going to take this  
15 document under advisement, but we are going to  
16 now just set the Protest Hearing date for  
17 October 30, 2013 at 1:30 p.m.

18 MR. WILSON: Madam Chair?

19 CHAIRPERSON MILLER: Yes.

20 MR. WILSON: Has this ever  
21 happened before in your experience?

22 MEMBER ALBERTI: We can't address

1 that.

2 CHAIRPERSON MILLER: I really  
3 can't go into that. You know, I understand  
4 there is an issue here with respect to that,  
5 yeah.

6 MEMBER ALBERTI: Mr. Wilson?

7 MR. WILSON: Yes, sir?

8 MEMBER ALBERTI: Look, I am not  
9 ignoring the fact that we have a dispute on  
10 that signature. All right? I will ask the  
11 Board to talk about it. We are making no  
12 decision right now, but it's not something  
13 that will be forgotten by me.

14 MR. WILSON: Okay.

15 MEMBER ALBERTI: All right. So  
16 we're setting a protest date, but there will  
17 be -- I will ask the Board to have further  
18 discussions on this matter. And if anything  
19 comes out of that, both parties will be  
20 informed.

21 MR. WILSON: Yes, sir.

22 MEMBER ALBERTI: Thank you.

1 CHAIRPERSON MILLER: I want to  
2 also say that if there is any other  
3 information you want to provide on that topic,  
4 you can provide that in writing to the Board  
5 and we will look at it.

6 Okay. So at this point then, I  
7 just want to give you some basic information  
8 about the Protest Hearing.

9 Most important, you should have  
10 received a mailing from Adjudication Assistant  
11 Tesha Anderson explaining the protest process  
12 and a copy of the Protest Information Form.  
13 If you don't have those documents, please, see  
14 her at the conclusion of the hearing.

15 Most important, there is a Protest  
16 Information Form in there that needs to be  
17 filed and served on the parties in this case  
18 seven days before the date of the hearing.  
19 And on that document, you will be indicating  
20 your issues and your witnesses and evidence.  
21 It is very important that you do that as fully  
22 as possible.

1           It gives the Board an indication  
2           of the issues that will be considered at the  
3           hearing and then we can facilitate the hearing  
4           much more easily if we understand exactly what  
5           the issues are and who your witnesses are  
6           going to be. Yes, sir?

7           MR. CHURNET: Can I ask you a  
8           question? Can the Chairperson be willing to  
9           share with us his ideas about -- the issue of  
10          who could have signed this document? I just  
11          want to know.

12          CHAIRPERSON MILLER: No.

13          MR. CHURNET: Do you have any  
14          idea?

15          CHAIRPERSON MILLER: No. We are  
16          not going to go into that. No. We are going  
17          to take it under advisement. If you have any  
18          other information, you can submit it in  
19          writing, but we are not going to make  
20          judgments right now and opinions based on  
21          what's on that document.

22          MEMBER SILVERSTEIN: And being

1 especially the sensitive nature of this, this  
2 should not be what is called a pro se  
3 communication. That if you have anything that  
4 you wish to share with the Board with our  
5 counsel, Martha Jenkins, you should also  
6 inform the other side at the same time, so  
7 that we don't have back-channel discussions  
8 with one group and the other does not know.

9 Both sides need to know any  
10 communication with us. This is a matter of  
11 fairness and transparency and this is how we  
12 try to operate. I hope you understand that.  
13 It's all a matter of fairness.

14 MS. FULLER: I'm not quite clear,  
15 so are you saying if we send in some  
16 correspondence to the counsel, that we need to  
17 let him know? Is that what you are saying?

18 MEMBER SILVERSTEIN: Yes.

19 CHAIRPERSON MILLER: If you send  
20 any correspondence for the Board's  
21 consideration --

22 MS. FULLER: Okay.

1                   CHAIRPERSON MILLER:  -- on this as  
2                   a contested case, you would send it to Ms.  
3                   Jenkins, but it would be for the Board's  
4                   consideration.  You need to serve the other  
5                   side.

6                   MS. FULLER:  When you say serve,  
7                   is there --

8                   CHAIRPERSON MILLER:  Serve a copy,  
9                   provide them a copy of whatever you are  
10                  providing to the Board.

11                  MS. FULLER:  Do we have his  
12                  information?

13                  MS. MOORE:  He keeps referring to  
14                  our Chair as a male.  I am the Chair.

15                  MR. CHURNET:  I'm sorry.  I'm  
16                  sorry.

17                  MS. MOORE:  And I am not a male.  
18                  And I did not sign that agreement and neither  
19                  did anybody on our committee.

20                  CHAIRPERSON MILLER:  Okay.  Okay.  
21                  So what's left hanging is we have also -- so  
22                  those are your instructions for the Protest

1 Hearing. If you have any questions, you can  
2 ask either Ms. Anderson at 442-6942 or contact  
3 Ms. Jenkins.

4 MR. CHURNET: Sorry?

5 CHAIRPERSON MILLER: Ms. Tesha  
6 Anderson, 442-6942, or you can contact our  
7 general counsel, Martha Jenkins. I think you  
8 all have her email. Okay. Also, I think we  
9 need to -- I think I will move to dismiss the  
10 party of nine for failure to appear with all  
11 five individuals pursuant to 1603.3 of our  
12 rules. Do I have a second?

13 MEMBER BROOKS: Second.

14 CHAIRPERSON MILLER: Okay. All  
15 those in favor then of the Motion to Dismiss  
16 the party of nine say aye.

17 ALL: Aye.

18 CHAIRPERSON MILLER: All those  
19 opposed? All those abstaining? Okay. That  
20 party will have an opportunity to file a  
21 request for reinstatement with the Board, if  
22 they can show good cause within 10 days of the

1 written order that will be issued.

2 Okay. Then I think that concludes  
3 this Status Hearing.

4 MR. WILSON: So the Protest  
5 Hearing is October 30th?

6 MS. FULLER: At 1:30.

7 CHAIRPERSON MILLER: 1:30, yes,  
8 1:30 p.m. Okay. Thank you.

9 (Whereupon, the Protest (Status)  
10 Hearing in the above-entitled matter was  
11 concluded at 10:07 a.m.)

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