

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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ROLL CALL HEARING

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IN THE MATTER OF: .

Lee's Mini Market, Inc. .

t/a Lee's Mini Market .

3853 Alabama Avenue, S.E. .

License #ABRA-084939 .

Retailer B - Substantial .

Change (liquor store) .

Case #13-PRO-00130 .

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October 15, 2013

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The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Board Hearing Room, Reeves Building, Suite 400S, 2000 14th Street, N.W., Washington, D.C., at 10:00 a.m., La VERNE FLETCHER, Agent, presiding.

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

(10:01 a.m.)

AGENT FLETCHER: Can the parties in the matter of Lee's Mini Market please come forward, the parties in the matter of Lee's Mini Market? Thank you.

This is case number 13-PRO-00130, Lee's Mini Market, Inc., trading as Lee's Mini Market, 3853 Alabama Avenue, Southeast, license number ABRA-084939. This is a retailer class B, substantial change, change of license class from class B market to class A liquor store.

Introduction beginning with the applicant, please?

MR. LEE: Good morning. My name is Kevin Lee, representing Lee's Mini Market, Inc. Next to me is the owner of the establishment, the applicant, named --

MR. KO: My name is Lee's Mini Market president, Don Ko.

AGENT FLETCHER: And would you please state your name one more time and spell

1 it for the record?

2 MR. LEE: Okay. My name Kevin Lee.
3 And?

4 MR. KO: My name is Don Ko. First
5 name is D-o-n. Last name is K-o.

6 AGENT FLETCHER: And what's the
7 first name again, Mr. Ko?

8 MR. KO: First name is D-o-n.

9 AGENT FLETCHER: Okay. Thank you
10 very much. Okay.

11 And present on behalf of ANC 7B? Is
12 anyone here on before of ANC 7B?

13 MS. TILGHMAN: He's not here yet.

14 AGENT FLETCHER: Is Paulette
15 Tilghman present?

16 MS. TILGHMAN: Right here.

17 AGENT FLETCHER: Hi, Ms. Tilghman.
18 Would you please state your name and spell it
19 for the court reporter?

20 MS. TILGHMAN: Paulette, P-a-u-l-e-
21 t-t-e, last name T-i-l-g-h-m-a-n.

22 AGENT FLETCHER: And, Ms. Tilghman,

1 there are 61 people in your protest group.

2 MS. TILGHMAN: Yes.

3 AGENT FLETCHER: You are
4 representing the entire group?

5 MS. TILGHMAN: Yes.

6 AGENT FLETCHER: Are there any other
7 members present from your group of 61 today?

8 MS. TILGHMAN: Yes, ma'am.

9 AGENT FLETCHER: Anyone else? It's
10 okay. I'm just making sure if there's anyone
11 out in the audience that's a part of your group.

12 MS. TILGHMAN: No, ma'am.

13 AGENT FLETCHER: Okay. That's fine.
14 And so who are the other individuals present
15 from your group? Any other individuals today?

16 MS. TILGHMAN: Yes. Elsie?

17 MS. FRAZIER: Elsie Frazier.

18 AGENT FLETCHER: Ms. Frazier, would
19 you spell your name for the record, please?

20 MS. FRAZIER: E-l-s-i-e.

21 F-r-a-z-i-e-r.

22 AGENT FLETCHER: Thank you.

1 Your name, ma'am?

2 MS. CHATMON: Lillian Chatmon,
3 L-i-l-l-i-a-n M., as in Mary, C-h-a-t-m-o-n.

4 AGENT FLETCHER: Lillian Mary?

5 MS. CHATMON: Lillian Mary.

6 AGENT FLETCHER: And what's the last
7 name again? Chatmon?

8 MS. CHATMON: Chatmon, C-h-a-t, as
9 in Tom, m-o-n.

10 AGENT FLETCHER: Thank you, Ms.
11 Chatmon.

12 MS. TILGHMAN: And one more.

13 AGENT FLETCHER: Oh.

14 MR. MINCEY: Herbert Mincey,
15 M-i-n-c-e-y, Herbert Mincey.

16 AGENT FLETCHER: And okay. Just a
17 second. And each of you signed the protest
18 letter? The protest letter? I know you signed
19 it, Ms. Tilghman, but everyone else signed it as
20 well?

21 MS. TILGHMAN: Yes.

22 AGENT FLETCHER: I just have to

1 verify that. Give me one moment.

2 MS. TILGHMAN: Because we sent in 28
3 names designating me as their --

4 AGENT FLETCHER: That's right.

5 MS. TILGHMAN: -- representative,
6 but I have the additional signatures here, --

7 AGENT FLETCHER: I'll take those.

8 MS. TILGHMAN: -- including the
9 civic association.

10 AGENT FLETCHER: Okay. Thank you.
11 Thank you. Thanks a lot. Okay.

12 Mr. Mincey, are you at 1655? Okay.
13 We couldn't read your last name, but I do have
14 your first name. Spell your last name for the
15 record.

16 MR. MINCEY: M-i-n-c-e-y.

17 AGENT FLETCHER: Thank you. Okay.

18 Ms. Tilghman, the group that you
19 represent has conditional standing today. What
20 that means is that at least five people need to
21 appear for your group to have standing. So I'm
22 going to give you a date in a moment for a

1 status hearing. At the status hearing, one more
2 person from your group will need to appear in
3 order for the Board to grant you full standing.

4 MS. TILGHMAN: Okay.

5 AGENT FLETCHER: We need to see at
6 least five faces. You have four here today,
7 which is fine. Even if you had come, that would
8 have been fine. It's just that you would have
9 needed four more people. But since four people
10 from your group are present today, at the status
11 hearing, one more person who is not present
12 today will need to appear for the upcoming
13 status hearing or the Board may dismiss your
14 protest.

15 MS. TILGHMAN: Okay. We had
16 somebody who would have been here, but her
17 husband died yesterday.

18 AGENT FLETCHER: Is that right?
19 Yes. That's okay. We'll grant you conditional
20 standing anyway. And just bring one more person
21 for the status hearing that's not here today.

22 MR. LEE: Do you want me to follow

1 with that?

2 AGENT FLETCHER: Not yet, Mr. Lee.

3 MR. LEE: Okay.

4 AGENT FLETCHER: Ms. Tilghman, you
5 mentioned that you are also representing the
6 Fort Davis --

7 MS. TILGHMAN: Civic Association.

8 AGENT FLETCHER: -- Civic
9 Association?

10 MS. TILGHMAN: It's Keith. What's
11 Keith's last name?

12 AGENT FLETCHER: The first vice
13 president is Raymond Keith.

14 MS. TILGHMAN: Yes.

15 AGENT FLETCHER: So he signed one of
16 these --

17 MS. TILGHMAN: Yes.

18 AGENT FLETCHER: -- letters of
19 designation?

20 MS. TILGHMAN: He sent in a letter.
21 The civic association --

22 AGENT FLETCHER: But he didn't --

1 MS. TILGHMAN: -- did send in a
2 letter.

3 AGENT FLETCHER: But he did not
4 designate a representative in his letter.

5 MS. TILGHMAN: No. But he signed
6 designating me.

7 AGENT FLETCHER: I'm looking for his
8 name.

9 MS. TILGHMAN: Oh, okay. On the
10 paper that only has two names on it --

11 AGENT FLETCHER: He's on that one?

12 MS. TILGHMAN: Yes, ma'am.

13 AGENT FLETCHER: Okay. I see that.

14 MS. TILGHMAN: And I think he says
15 for Fort Davis Civic Association.

16 AGENT FLETCHER: He does. Thank
17 you.

18 And so I have a couple of questions
19 for you about the Fort Davis Civic Association
20 that I would ask him if he were present, but he
21 is not here. So I'll have to direct them to you
22 because there are certain criteria that an

1 association has to meet in order to have
2 standing as a protestant. The first thing is,
3 do you know if the association is incorporated
4 in the District of Columbia?

5 MS. TILGHMAN: Yes, it is --

6 AGENT FLETCHER: Is membership --

7 MS. TILGHMAN: -- by the executive
8 members here.

9 AGENT FLETCHER: Is membership in
10 the organization open to all residents in the
11 area?

12 MS. TILGHMAN: Yes.

13 AGENT FLETCHER: Was there a meeting
14 held in accordance with your bylaws to discuss
15 the application?

16 MS. TILGHMAN: Yes.

17 AGENT FLETCHER: To discuss the fact
18 that you would be protesting the application, a
19 meeting was held?

20 MS. TILGHMAN: Yes.

21 AGENT FLETCHER: And a vote was
22 taken by the association to protest the

1 application?

2 MS. TILGHMAN: Yes. Our ANC
3 representative is now here.

4 AGENT FLETCHER: Thank you.

5 MS. TILGHMAN: Does he count as
6 five?

7 AGENT FLETCHER: No.

8 MS. TILGHMAN: Okay.

9 AGENT FLETCHER: And I'll get to --
10 Mr. Richards?

11 MS. TILGHMAN: Yes.

12 AGENT FLETCHER: -- in a moment.
13 Thank you for coming.

14 Also, did the association give the
15 applicant at least a seven-day notice of the
16 meeting that was held to discuss the
17 application? Do you know? Do you know if the
18 applicant was given notice of the meeting that
19 was held to discuss the application?

20 MS. TILGHMAN: Did we give him a
21 notice telling him about the meeting, the
22 meeting discussing opposition to the license?

1 AGENT FLETCHER: Because a meeting
2 was held to discuss the application and the
3 association voted to protest the application.
4 And so you did. And so that's just the last
5 question, whether or not the association gave at
6 least a seven-day notice to Mr. Ko or Mr. Lee
7 regarding the fact that you would be protesting
8 the application and that you would be discussing
9 it at the meeting. Was he invited to attend?

10 MS. FRAZIER: No. And we did let
11 them know at the ANC meeting, though, that we
12 were against it.

13 AGENT FLETCHER: This is only
14 related to the association.

15 MS. TILGHMAN: Okay.

16 AGENT FLETCHER: This is only
17 related to --

18 MS. TILGHMAN: I don't think we did.

19 AGENT FLETCHER: Okay. There are
20 members here from the association. What do you
21 have to say about it? Was Mr. Ko invited or did
22 he attend the meeting where you discussed the

1 application? Do you recall?

2 MS. FRAZIER: No. And we didn't
3 know --

4 MS. TILGHMAN: That we had to invite
5 him.

6 MS. FRAZIER: -- that we had to
7 invite him or either let him know. There was
8 nothing in -- no one told us and nothing in
9 writing.

10 MR. LEE: We attended the ANC
11 meeting. So they invited us.

12 AGENT FLETCHER: Which meeting, Mr.
13 Lee?

14 MR. LEE: ANC.

15 AGENT FLETCHER: The ANC?

16 MR. LEE: Yes. We went there.

17 AGENT FLETCHER: Okay. The --

18 MR. LEE: But not from the civic
19 association.

20 AGENT FLETCHER: Thank you.

21 The law requires that a civic
22 association provide written notice to an

1 applicant within seven days of a meeting. It's
2 a new law. It's been on the books since about
3 the beginning of 2013 that requires a civic
4 association to give an applicant at least seven-
5 day notice of the fact that you are holding a
6 meeting to give the applicant an opportunity to
7 attend the meeting to hear about the concerns of
8 the community.

9 And I understand that you didn't
10 know about that. This agency at some point sent
11 a notice to all civic associations letting them
12 know about this requirement.

13 So what we are doing, we are
14 dismissing all civic associations who filed
15 protests and have not notified the applicant of
16 the meeting within at least seven days.

17 So I am dismissing the Fort Davis
18 Civic Association as a protestant in this matter
19 for that reason. And you will receive an order
20 from the ABC Board dismissing the protest, but
21 you will also have an opportunity to petition
22 the ABC Board to reinstate your protest.

1 And the reasons that you were
2 dismissed will be in the order. And you will
3 have an opportunity to explain to the Board why
4 you did not give notice to the applicant. If
5 the Board accepts your explanation, the Board
6 will grant you standing as protestants.

7 But for the purpose of the roll call
8 hearing, the protest filed by the Fort Davis
9 Civic Association has to be dismissed.

10 MR. RICHARDS: One observation.

11 AGENT FLETCHER: Who is speaking?
12 Mr. Richards, can you state your name for the --
13 let's do this first. Mr. Richards, you are here
14 on behalf of ANC 7B?

15 MR. RICHARDS: Yes, Madam Chairman.

16 AGENT FLETCHER: Thank you very
17 much.

18 And would you please state your name
19 and spell it for the court reporter?

20 MR. RICHARDS: Robert Richards.
21 Robert is the usual spelling. Richards is
22 R-i-c-h-a-r-d-s.

1 AGENT FLETCHER: Thank you, Mr.
2 Richards.

3 ANC 7B does have standing as a
4 protestant. And, Mr. Richards, are you going to
5 be representing the ANC throughout the
6 proceedings?

7 MR. RICHARDS: Yes.

8 AGENT FLETCHER: Okay. If you
9 decide to designate a representative, another
10 representative, just let us know who it is going
11 to be, but we have got you down as representing
12 ANC 7B. And, Mr. Richards, you were about to
13 say something?

14 MR. RICHARDS: Yes. The civic
15 association did give notice at the first
16 instance, the first time this case was filed, to
17 Mr. Ko. And that I know personally because I
18 was present when the notice was given.

19 I don't know if that was done in
20 this case, but the person who gave the notice
21 isn't here. So I don't know whether it was done
22 or it was not done.

1 AGENT FLETCHER: Okay.

2 MR. RICHARDS: Could the record
3 reflect that we don't know whether it was done,
4 rather than it wasn't done?

5 AGENT FLETCHER: What you can do
6 when -- if the Fort Davis Civic Association
7 petitions the Board for standing, include that
8 in your reason for why you think you should have
9 standing as a protestant. Include that in the
10 letter.

11 MS. TILGHMAN: All right. Now, to
12 get standing with the civic association, do we
13 have to give them a seven-day notice and have
14 another meeting?

15 AGENT FLETCHER: You can't do it
16 now. That has to happen --

17 MS. TILGHMAN: Okay.

18 AGENT FLETCHER: Yes. That's what
19 you have to do initially. If you are a civic
20 association and you hold a meeting, you hold a
21 meeting to discuss the application and you vote
22 on whether or not to protest, the applicant has

1 to be given at least a seven-day notice of that
2 meeting because the law changed and they now
3 need to have an opportunity to come to your
4 meeting. They're not required to come, but they
5 have to have an opportunity to come and discuss
6 with the voting body the application or address
7 any concerns that you have. That's just now a
8 requirement.

9 MS. TILGHMAN: Okay. So we have to
10 write a letter stating --

11 AGENT FLETCHER: No. You are
12 representing the group of 61. Who are you
13 speaking on behalf of right now, Ms. Tilghman?

14 MS. TILGHMAN: The civic
15 association.

16 AGENT FLETCHER: Okay. Are you
17 speaking on behalf of the civic association?
18 Now what you have to do is because -- the
19 protest for the Fort Davis Civic Association has
20 been dismissed. So you need to wait to receive
21 an order from the ABC Board. You are going to
22 receive a written order that dismisses the

1 protest because the applicant was not given at
2 least a seven-day notice of the meeting where a
3 vote was taken to protest the application.

4 That order will give you ten days to
5 seek reinstatement or to seek standing as a
6 protestant for good cause. And if you decide to
7 do that, you will need to write a letter to the
8 ABC Board explaining why the applicant was not
9 given at least a seven-day notice of your
10 meeting.

11 And if the ABC Board accepts that
12 explanation, then they will grant standing to
13 the Fort Davis Civic Association. If they
14 don't, they don't. And we'll proceed with the
15 group that you are representing and ANC 7B.

16 MS. TILGHMAN: Understood.

17 AGENT FLETCHER: But there is
18 nothing you need to do until you receive the
19 order.

20 Any other question about the
21 protest?

22 MS. TILGHMAN: No.

1 AGENT FLETCHER: ANC 7B has standing
2 as a protestant. And the group that you're
3 representing, Ms. Tilghman, also has standing as
4 protestants. Just at the status hearing, bring
5 that one other person. You're granted
6 conditional standing today. I should repeat
7 that. And make sure that at the status hearing,
8 you bring one additional person who is not here
9 today --

10 MS. TILGHMAN: Okay.

11 AGENT FLETCHER: -- unless Mr.
12 Richards happened to sign your protest letter.
13 I don't think he did.

14 Mr. Richards, you did sign the
15 protest letter?

16 MS. TILGHMAN: For the ANC.

17 AGENT FLETCHER: Let me see
18 something.

19 MR. RICHARDS: I don't believe I
20 signed --

21 AGENT FLETCHER: The information
22 that I have here --

1 MR. RICHARDS: -- coordinated a
2 group of five protest letters.

3 AGENT FLETCHER: Okay. Thank you.

4 MR. RICHARDS: I did the last time
5 but not this time.

6 AGENT FLETCHER: Okay. Perfect.
7 Okay. Thank you.

8 MS. TILGHMAN: The ANC
9 representative signed, but he didn't.

10 AGENT FLETCHER: So then just bring
11 your one other person to the status hearing.
12 And then you'll be able to maintain standing.

13 MS. TILGHMAN: You say bring another
14 person, we'll maintain the standing?

15 AGENT FLETCHER: Yes.

16 MS. TILGHMAN: Okay.

17 AGENT FLETCHER: Yes. Today because
18 you have four people, you are granted -- okay.
19 So if you bring one more person, you will be
20 granted full standing as a participant.

21 MS. TILGHMAN: Yes. We would have
22 done it. We just thought that with the letter,

1 us saying --

2 AGENT FLETCHER: Well, yes. Do you
3 know what happens? Because you brought the
4 letters, those people aren't dismissed. But we
5 need to see five faces.

6 MS. TILGHMAN: We misread your
7 letter.

8 AGENT FLETCHER: Yes. Yes. But
9 thanks for these letters because these people
10 can continue to be a part of your group, the
11 people who sent letters today who had not
12 designated you as a representative before.

13 MS. TILGHMAN: Because it says, "You
14 must appear for the roll call hearing in person
15 or provide a written statement designating a
16 representative, who must appear for the hearing
17 on your behalf."

18 AGENT FLETCHER: That's right.

19 MS. TILGHMAN: And when we read
20 that, we thought that we didn't need the five
21 people.

22 AGENT FLETCHER: You don't because

1 there are only four of you here today. If you
2 needed five, you would have been dismissed. You
3 could have come alone today with no one, but
4 because the individuals designated you as their
5 representative, you could have represented all
6 of them, just you alone. Five people are
7 required, but for the purpose of the roll call
8 hearing, five people don't have to show up. You
9 can send one person to represent everybody.
10 That's actually what that means.

11 MS. TILGHMAN: Okay.

12 AGENT FLETCHER: All right? And I
13 understand the confusion. But it is because of
14 that paragraph that you are reading that your
15 protest is not being dismissed today, because of
16 it.

17 MS. TILGHMAN: Okay.

18 AGENT FLETCHER: So at the roll call
19 hearing, five people -- we need to see five
20 people, but at the roll call hearing, five
21 people do not need to appear. We'll accept one
22 person on behalf of everyone.

1 And today we accepted -- there was a
2 time when the fact that the four of you were
3 present would have meant that you were dismissed
4 because five people didn't show up but not
5 anymore. If one person shows up on behalf of
6 everybody and that person has been designated as
7 a representative, that's fine. We just need to
8 see four more at the status hearing. But
9 because you are four today, we only need to see
10 one more at the status hearing.

11 MS. TILGHMAN: You're saying at the
12 next status hearing, these three don't have to
13 come?

14 AGENT FLETCHER: One person who --
15 that's right.

16 MS. TILGHMAN: Just one person --

17 AGENT FLETCHER: Just one person --

18 MS. TILGHMAN: -- who is not here?

19 AGENT FLETCHER: -- who is not here.

20 MS. TILGHMAN: One different person?

21 AGENT FLETCHER: Exactly, a

22 different person.

1 MS. TILGHMAN: Okay.

2 AGENT FLETCHER: We have to see five
3 different faces. So we don't need to see --
4 even if you didn't come, it wouldn't matter. We
5 just need to -- and you will because you are the
6 designated representative. We just need to see
7 the fact of one other person on your list who is
8 not here today to account for a group of five.

9 MS. TILGHMAN: So let me double
10 check. The next time I come, I need me --

11 AGENT FLETCHER: Yes.

12 MS. TILGHMAN: -- and somebody else
13 on the list?

14 AGENT FLETCHER: Yes, who is not
15 here today.

16 MS. TILGHMAN: Who is not here.
17 Okay.

18 AGENT FLETCHER: And then that will
19 be five. We will have seen five faces from this
20 list --

21 MS. TILGHMAN: Okay.

22 AGENT FLETCHER: -- in person.

1 MS. TILGHMAN: Thank you.

2 AGENT FLETCHER: You're welcome.

3 MR. LEE: I got a letter from the
4 director from the ABRA. It says that two
5 protestors, it's one from Fort Davis Civic
6 Association and the ANC 7B. So at this moment,
7 Fort Davis Civic Association is dismissed,
8 right?

9 AGENT FLETCHER: Yes.

10 MR. LEE: And then the only one
11 qualified for that protest is the ANC 7B?

12 AGENT FLETCHER: So, Mr. Lee, I
13 think what you are saying is you were never
14 informed about the group of 61?

15 MR. LEE: That's correct.

16 AGENT FLETCHER: Okay. That was in
17 --

18 MR. LEE: This is the first time I
19 saw the copy of that, that copy from the --

20 AGENT FLETCHER: Okay. So you
21 didn't know before today that there was a group
22 of 61?

1 MR. LEE: Yes.

2 AGENT FLETCHER: Okay.

3 MR. LEE: I didn't know that. And
4 only we got informed from the ANC 7B.

5 AGENT FLETCHER: Right. And of the
6 Fort Davis Civic Association, you only knew
7 about ANC 7B?

8 MS. TILGHMAN: Excuse me. Can I
9 speak, please?

10 AGENT FLETCHER: Yes.

11 MS. TILGHMAN: At the last ANC
12 meeting --

13 AGENT FLETCHER: Ms. Tilghman is
14 speaking. Ms. Tilghman?

15 MS. TILGHMAN: And they were at the
16 last ANC meeting.

17 MR. LEE: Yes.

18 MS. TILGHMAN: We presented a
19 petition to the ANC. And we let them know that
20 we had the 61 names in protest.

21 AGENT FLETCHER: Yes. That's fine.
22 You know, what Mr. Lee is referring to is that

1 our agency is supposed to send him a copy of
2 your protest ahead of time. That's what he's
3 talking about. So, even though he comes to the
4 meeting, we're supposed to send him a copy of
5 your protest. That was an administrative
6 oversight. We did not. And someone will send
7 that to you, Mr. Lee. He said he didn't get a
8 copy of the protest that you sent in.

9 MS. TILGHMAN: Do you all send us a
10 copy of anything?

11 AGENT FLETCHER: No because you
12 filed it. We don't send you anything. We just
13 send you a scheduling notice. You filed the
14 protest. And so we have to then send a copy to
15 the applicant so they know who the protestants
16 are.

17 MS. TILGHMAN: Okay. I understand.

18 AGENT FLETCHER: And the person in
19 our office that does that did not send that to
20 Mr. Lee or Mr. Ko. So they didn't know until
21 today that there was a group of 61. You still
22 have standing as -- it becomes formal when we

1 tell it. It's formal. But we were supposed to
2 send him a notice to let him know and send him a
3 copy of the protest.

4 MR. LEE: Where is the copy of the
5 61 people?

6 AGENT FLETCHER: That's what I'm
7 telling Ms. Tilghman. The staff didn't send
8 that. That's exactly what I'm saying. Mr. Lee
9 doesn't have that.

10 MS. TILGHMAN: Okay.

11 AGENT FLETCHER: So he's just
12 finding out today. But he already knows the
13 procedure that he should know. So he's saying
14 nobody told him.

15 MS. TILGHMAN: That just has 28
16 people. You don't have the other ones.

17 MR. LEE: This one?

18 AGENT FLETCHER: So we'll take care
19 of that.

20 MS. TILGHMAN: No, not that. Keep
21 going.

22 MR. LEE: That's all I have from the

1 ABRA.

2 AGENT FLETCHER: Yes. We should
3 have sent him --

4 MS. TILGHMAN: Turn over to the next
5 page.

6 MR. LEE: Hold on. No, no. It's
7 different. I'm sorry.

8 MS. TILGHMAN: See that one right
9 there? Yes. Those will say that I am
10 designated.

11 AGENT FLETCHER: Here's what's going
12 to happen. If there's something you don't have,
13 Mr. Lee, you know we are going to send it to
14 you. For the purpose of roll call, we're done.
15 Ms. Tilghman, I'm about to conclude this roll
16 call hearing right now.

17 If you don't have that, Mr. Lee, you
18 can let Tesha Anderson, T-e-s-h-a, know and she
19 will send you anything you are supposed to have
20 because she was the person who should have sent
21 it to you.

22 MS. TILGHMAN: But I just gave it to

1 you.

2 AGENT FLETCHER: It doesn't matter.

3 MS. TILGHMAN: Okay.

4 AGENT FLETCHER: It doesn't matter.

5 MS. TILGHMAN: She just got it.

6 MR. LEE: The way I got this one,
7 after the --

8 AGENT FLETCHER: Yes.

9 MR. LEE: -- right after that, I
10 just contacted Tesha and "Do you have a copy of
11 the protest?"

12 AGENT FLETCHER: Exactly.

13 MR. LEE: That's why I got it.
14 After that, she got mail from that.

15 AGENT FLETCHER: Yes.

16 MR. LEE: Just making sure it's the
17 same one. Right after petition date, I just
18 contacted the ABRA to get this one. That's the
19 way.

20 AGENT FLETCHER: Okay.

21 MR. LEE: Until then, I didn't see
22 any list of protestants.

1 AGENT FLETCHER: So, then, the next
2 step is for us to schedule a mediation, a status
3 hearing, and a protest hearing.

4 MR. LEE: Yes.

5 AGENT FLETCHER: and I am going to
6 give you the date for the status hearing first.

7 MR. LEE: Actually, can we just ask
8 for mediation first, before protest status?

9 AGENT FLETCHER: I'm going to give
10 you the status hearing and the protest hearing
11 dates first and then set the mediation date.

12 MR. LEE: All right.

13 AGENT FLETCHER: The status hearing
14 is set for November the 20th.

15 MR. LEE: November 20th.

16 AGENT FLETCHER: November 20 at 9:30
17 a.m.

18 MR. LEE: That is a Wednesday.

19 AGENT FLETCHER: Yes. November 20
20 is a Wednesday at 9:30. And you will receive a
21 notice of these dates, a written notice of these
22 dates, as well. So that is November 20 at 9:30

1 for the status hearing.

2 The protest hearing is scheduled for
3 January the 8th, 2014 at 4:30 p.m.

4 MS. TILGHMAN: January 8th at 4:30
5 p.m.

6 AGENT FLETCHER: 4:30 p.m.

7 MS. TILGHMAN: January 8th?

8 AGENT FLETCHER: 4:30 p.m.

9 MS. TILGHMAN: January 8th?

10 AGENT FLETCHER: January 8th.

11 MR. LEE: Is that the earliest one
12 available?

13 AGENT FLETCHER: That's the earliest
14 one available. That is the earliest one.

15 MS. TILGHMAN: And that's protest,
16 right?

17 AGENT FLETCHER: That's the protest
18 hearing, January 8, 2014 at 4:30 p.m. We need
19 to set a date for mediation to occur prior to
20 November 20. The next date available for
21 mediation is Tuesday, October 29, Tuesday,
22 October 29, at 9:10, 11:00, or 1:00.

1 MR. LEE: 11:00.

2 AGENT FLETCHER: 11:00? Is that
3 good for you, Ms. Tilghman and --

4 MS. TILGHMAN: What time?

5 AGENT FLETCHER: 11:00 on Tuesday,
6 November 29 at 11:00.

7 MR. RICHARDS: What time?

8 AGENT FLETCHER: 11:00. Is that
9 good for you, Mr. Richards? Ms. Tilghman, is
10 that good for you?

11 MS. TILGHMAN: P.m. or a.m.?

12 AGENT FLETCHER: A.m.

13 MS. TILGHMAN: A.m. Yes. And this
14 is the mediation hearing, correct?

15 AGENT FLETCHER: Yes. It's
16 mediation at 11:00.

17 MS. TILGHMAN: He's got a meeting
18 at, what, 3:00 o'clock?

19 MR. RICHARDS: No. 2:00 o'clock.

20 MS. TILGHMAN: At 2:00 o'clock on
21 the 29th.

22 AGENT FLETCHER: We'll be done long

1 before 2:00.

2 MS. TILGHMAN: Okay.

3 AGENT FLETCHER: If that works for
4 you, Mr. Richards? Okay. It won't. Okay.
5 That's perfect.

6 Ms. Tilghman, did you write your
7 contact information on that sheet? There's a
8 sheet right there.

9 MS. TILGHMAN: Yes, but I don't do
10 email. So I just had to put my phone number.

11 AGENT FLETCHER: Okay. Could you
12 pass that to Mr. Richards or, Mr. Richards, if
13 you could come to the table and put your contact
14 information on that sheet?

15 So, Ms. Tilghman, do you by any
16 chance know if Raymond --

17 MS. TILGHMAN: Keith?

18 AGENT FLETCHER: -- has an email
19 address?

20 MS. TILGHMAN: I know he has one. I
21 just don't know what it is.

22 AGENT FLETCHER: Okay.

1 MS. TILGHMAN: And I can call it in
2 if you'd like.

3 AGENT FLETCHER: Can you take my
4 card on the table --

5 MS. TILGHMAN: Yes, ma'am.

6 AGENT FLETCHER: -- and ask him to
7 email me his email address?

8 MS. TILGHMAN: Yes.

9 AGENT FLETCHER: Because most of our
10 communication beyond today is normally done by
11 email, but I know that you don't have an email
12 address. So if we want to talk to you, we'll
13 call you or we'll put it in the mail.

14 MS. TILGHMAN: Okay. Thank you.

15 AGENT FLETCHER: No problem.

16 MS. TILGHMAN: I hate email.

17 AGENT FLETCHER: So mediation is set
18 for October 29 at 11:00. Mediation will take
19 place here. I'm the Board's mediator as well.
20 And so I will see you on October 29 at 11:00.

21 If you have no other questions?

22 MS. TILGHMAN: No, ma'am.

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AGENT FLETCHER: The mediation will
take place, as I said, at 11:00 right here. And
the roll call hearing is concluded. Thank you
for coming.

MS. TILGHMAN: Thank you.

(Whereupon, the roll call hearing
was concluded at 10:31 a.m.)

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