

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: :  
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 IVZ, LCC :  
 t/a J & K Market :  
 234 15th Street, NE :  
 License #090684 :  
 Retailer B - License Renewal :  
 Case #14-PRO-00081 :  
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MONDAY, NOVEMBER 10, 2014

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The Alcoholic Beverage Control Board met at 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009

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

10:43 a.m.

MEDIATOR FLETCHER: Would the parties in the matter of J & K Market please come forward, the parties in the matter of J & K Market? This is Case Number 14-PRO-00081, IVZ, LLC trading as J & K Market, 234 15th Street, NE, License Number ABRA-090864.

This is a Retailer B License Renewal. The protest issues are adverse impact on peace, order, and quiet, real property values, pedestrian safety, and residential parking.

My name is LaVerne Fletcher, and I'm conducting the roll call hearing as the Board's agent pursuant to D.C. Official Code 1601.2.

There is a group of six. I'm going to ask you to state your name, and spell it for the record, because I know you need to leave at 10:45.

MR. BARIS: My name is Reuben

1 Baris, R-E-U-B-E-N, Baris B-A-R-I-S.

2 MEDIATOR FLETCHER: Thank you.

3 MS. DANCH: My name is Sharyn  
4 Danch, S-H-A-R-Y-N, last name D-A-N-C-H.

5 MEDIATOR FLETCHER: Thank you.

6 MR. MORRISON: My name is Aaron  
7 Morrison, A-A-R-O-N, last name Morrison M-O-R-  
8 R-I-S-O-N.

9 MEDIATOR FLETCHER: Thank you.

10 MS. BOON: My name is Denali Boon,  
11 D-E-N-A-L-I B-O-O-N.

12 MS. MORRISON: My name is Kathleen  
13 Morrison, M-O-R-R-I-S-O-N.

14 MEDIATOR FLETCHER: Okay, thank  
15 you.

16 MR. DIETZ: I'm

17 MEDIATOR FLETCHER: Excuse me one  
18 second, Mr. Dietz. So do you need to leave  
19 right now?

20 MS. MORRISON: I'm okay. We're  
21 good.

22 MEDIATOR FLETCHER: You're good?

1 Okay, we'll be done in just a minute or so,  
2 okay. All right, and on behalf of J & K  
3 Market?

4 MR. DIETZ: I'm Bernard C. Dietz  
5 on behalf on the applicant.

6 MEDIATOR FLETCHER: Mr. Dietz,  
7 would you spell your name for the court  
8 reporter, please?

9 MR. DIETZ: D-I-E-T-Z.

10 MEDIATOR FLETCHER: Thank you.  
11 Your name, sir?

12 MS. ZHANG: My name is Cheng Li  
13 Zhang, C-H-E-N-G L-I Z-H-A-N-G.

14 MEDIATOR FLETCHER: Thank you very  
15 much. There was one other individual in your  
16 group, someone by the name of Lee. It appears

17

18 MR. BARIS: She's not present.

19 MEDIATOR FLETCHER: Okay, thank  
20 you. So what we're going to do are either  
21 one of you designated to represent her?

22 MR. BARIS: I'm designated to

1 Reuben Baris, Mr. Reuben Baris is designated  
2 to represent the

3 MEDIATOR FLETCHER: So you're all  
4 designated to represent one another if I  
5 recall correctly. So your group of six is  
6 granted standing as a protestant. Mr. Baris,  
7 I already have your contact information, but  
8 would you just sign your name on that sheet?

9 MR. BARIS: I did.

10 MEDIATOR FLETCHER: Thank you.

11 MR. BARIS: Thank you.

12 MEDIATOR FLETCHER: And I know  
13 that each of you are designated to represent  
14 the entire group. I need to check to see if  
15 I have contact information for everyone, I  
16 mean, email addresses.

17 Or, what we can do, Mr. Baris, you  
18 are the primary representative, so I'm going  
19 to communicate primarily with you. If you  
20 want to pass off designation to one of the  
21 others, you can let me know, and then I'll get  
22 that person's contact information at that

1 time.

2 MR. BARIS: Okay.

3 MEDIATOR FLETCHER: So I'm going  
4 to move forward with just you as the primary.

5 MR. BARIS: Okay, thank you.

6 MEDIATOR FLETCHER: Now, what I do  
7 have for you that I'm going to give to you  
8 right now are your actual letters that you  
9 would have received in the mail, your roll  
10 call hearing notices. You didn't receive  
11 those in the mail.

12 You got an email from me  
13 confirming mediation, but you would normally  
14 have received an official notice. I want to  
15 give that to you so that you know how the  
16 process works.

17 MR. BARIS: Okay.

18 MEDIATOR FLETCHER: So I'm going  
19 to give you those in a moment. And Mr. Dietz,  
20 I have a copy of the protest letter for J & K  
21 Market.

22 MR. DIETZ: Thank you.

1                   MEDIATOR FLETCHER: So what I'm  
2 going to do first is give you the dates for  
3 the mediation, the status hearing, and the  
4 protest hearing.

5                   The date for the status hearing is  
6 December 10, December 10 at 9:30 a.m.,  
7 December 10 at 9:30 a.m. for the status  
8 hearing. The protest hearing is set for  
9 January 28, 2015 at 4:30 p.m.

10                  MR. DIETZ: Excuse me?

11                  MEDIATOR FLETCHER: Yes, Mr.  
12 Dietz?

13                  MR. DIETZ: Could we possibly have  
14 the date on which the hearing would be at an  
15 earlier time? As you may recall, I live a  
16 long way from here, and the trains simply  
17 don't run that late.

18                  MEDIATOR FLETCHER: So Mr. Dietz,  
19 what you can do is petition the Board via  
20 Martha Jenkins, our General Counsel. Do you  
21 have Martha's email address?

22                  MR. DIETZ: Yes.

1                   MEDIATOR FLETCHER: If you would  
2 petition the board via Martha Jenkins to  
3 reschedule the date for your protest hearing  
4 explaining the reason for that request, and if  
5 you would copy Mr. Baris on your request?

6                   MR. DIETZ: Okay, because a 1:00  
7 time or earlier

8                   MEDIATOR FLETCHER: And so, do you  
9 have Mr. Baris's contact information, or Mr.  
10 Baris, could you provide him with your email  
11 address?

12                   MEDIATOR FLETCHER: So then we  
13 need to set a date for mediation to occur  
14 prior to December 10, and I'll give you the  
15 next date that is available.

16                   Is anyone available on Thursday,  
17 November 20 at 9:00, 10:00, 11:00 or 1:00?  
18 That's actually next Thursday. If not, we'll  
19 just keep moving through the calendar.

20                   MR. BARIS: It's okay for the  
21 petitioners at 9:00 a.m.

22                   MR. DIETZ: You're not available

1 do you have you don't have another opening  
2 on the 18th? Because I'm here for one at 1:00  
3 on the 18th.

4 MEDIATOR FLETCHER: Oh, you're  
5 here for the one at well, in that case, we  
6 could do 9:30 or 10:00 on the 18th.

7 MR. BARIS: I won't be here.

8 MR. DIETZ: You won't be here?  
9 That's next Tuesday.

10 MR. BARIS: I'll be out of town.

11 MR. DIETZ: Okay, it doesn't work  
12 for them, so.

13 MEDIATOR FLETCHER: So is anybody  
14 here the week of Thanksgiving?

15 MR. BARIS: I'm here Tuesday.

16 MR. DIETZ: No, I mean, we could  
17 do it on the 20th. It's just I mean, I was  
18 just trying to consolidate.

19 MEDIATOR FLETCHER: Oh, you can do  
20 it on the 20th. Okay, so then Mr. Baris, is  
21 the 20th good for you, next Thursday?

22 MR. BARIS: The 20th does not

1 work.

2 MEDIATOR FLETCHER: Okay, we'll  
3 just we're going to move on through the  
4 calendar, okay. So is anyone available the  
5 week of Thanksgiving?

6 MR. DIETZ: I'm going to be down  
7 in Richmond with my grandkids all week.

8 MEDIATOR FLETCHER: No problem,  
9 we're just going to move on into December.  
10 The first available date in December is  
11 Tuesday, December 2 at 9:00, 10:00, 11:00, or  
12 1:00.

13 MR. DIETZ: That works.

14 MR. BARIS: 9:00 a.m.

15 MS. DANCH: What day of the week  
16 is that, please?

17 MEDIATOR FLETCHER: Tuesday.

18 MR. BARIS: Tuesday at 10:00?

19 MEDIATOR FLETCHER: Mm-hmm. Is  
20 that good for you, Mr. Dietz?

21 MR. DIETZ: That works.

22 MEDIATOR FLETCHER: Tuesday,

1 December 2 at 10:00. So mediation is set for  
2 Tuesday, December 2 at 10:00. Any questions?  
3 So, I'm going to bring you your letters.

4 So after reading the notice, if  
5 you have any questions, please feel free to  
6 give me a call. Otherwise, the roll call  
7 hearing is concluded. Thank you very much.

8 (Whereupon, the above-entitled  
9 matter went off the record at 10:53 a.m.)

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