

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF:

Lee's Mini Market, Inc. :
t/a Lee's Mini Market : Protest
Hearing :
3853 Alabama Ave. SE : (Status)
Retailer B, ANC 7B :
License No. 84939 :
Case No. 13-PRO-00130 :
Substantial Change (Change of :
License from Class B to Class A:
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Wednesday,
November 20, 2013

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, 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

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P R O C E E D I N G S

9:48 A.M.

CHAIRPERSON MILLER: Okay, I'm going to call the next case The next Protest Status Hearing case is 13-PRO-00130. Lee's Mini Market located at 3853 Alabama Avenue, S.E., License No. 84939 in ANC 7B.

When you're ready, if you would introduce yourselves for the record.

MR. LEE: Good morning, Board members. My name is Kyung-Huan Lee. I am the owner of the establishment.

MR. KO: Good morning, Dol Ko. President. Thank you very much.

CHAIRPERSON MILLER: Okay, thank you.

MS. TILGHMAN: Good morning. I'm Paulette Tilghman. I represent a Group of 61. We did withdraw, but I didn't get a letter saying not to come.

CHAIRPERSON MILLER: Oh, okay. I

1 do have in my records that you did withdraw
2 and I'm sorry you didn't have to come, but
3 thank you for coming. Nice to meet you.

4 Do we have the ANC here though?
5 They're still a party?

6 MS. TILGHMAN: He's not here.

7 CHAIRPERSON MILLER: Do you know
8 if he's on his way?

9 MS. TILGHMAN: He didn't tell me
10 anything.

11 CHAIRPERSON MILLER: Okay. What
12 we normally do -- it's just a status.

13 MS. TILGHMAN: He didn't come the
14 last time either.

15 MR. LEE: I want to bring up an
16 issue. Probably you got the note on the file.
17 They didn't show up at the mediation, even
18 though Ms. Fletcher emailed us to remind us of
19 the mediation session, but ANC didn't come in.

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21 MS. TILGHMAN: He said the last
22 time he didn't come because he had to go to

1 the City Council to testify there, but I don't
2 know if he told Ms. Fletcher that. Because I
3 called him after he didn't show up the first
4 time.

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6 CHAIRPERSON MILLER: Okay, I think
7 what I'd like to do is be consistent here and
8 just move this to the end of the status
9 hearings. It's not that much longer, but in
10 the event that he does show up. Thank you
11 very much.

12 You can go. Thank you. In the
13 future, also feel free to call, too, in the
14 event you have a question about something.

15 MS. TILGHMAN: I always find if
16 it's not in writing, I better not trust it.

17 CHAIRPERSON MILLER: All right,
18 thank you.

19 (Whereupon, at 9:50 a.m., the
20 proceeding was adjourned, to reconvene later
21 in the morning.)

22 10:13 a.m.

1 CHAIRPERSON MILLER: Mr. Lee's
2 Mini Market. We have another case we passed
3 by. Lee's Mini Market. This is Lee's Mini
4 Market, Case No. 13-PRO-00130, 3853 Alabama
5 Avenue, S.E., License No. 84939 in ANC 7B.
6 And it regards an application for substantial
7 change.

8 Would you introduce yourselves for
9 the record again, please?

10 MR. LEE: My name is Kyung-Huan
11 Lee representing Lee's Mini Market and owner
12 of the establishment.

13 MR. KO: My name is Dol Ko, Lee's
14 Mini Market, president. Thank you very much.

15 CHAIRPERSON MILLER: And you're
16 the owner, correct?

17 MR. LEE: Yes, ma'am.

18 CHAIRPERSON MILLER: So we passed
19 this case earlier because the ANC which is the
20 remaining party in this case, protestant, was
21 not here. The case was called for 9:30. It's
22 now 10:15, the last case we're calling of the

1 status cases.

2 Have you heard anything from the
3 ANC?

4 MR. LEE: I never had contact with
5 her. They never called us.

6 CHAIRPERSON MILLER: And I don't
7 believe our office was contacted. I believe
8 that our rules and processes that we dismiss
9 for failure to appear at this hearing,
10 pursuant to Rule 1603.3, failure to appear in
11 person or through a designated representative
12 may result in denial of the license
13 application or dismissal of a protest in the
14 discussion of the Board the cause was shown
15 for failure to appear. A request of
16 reinstatement with the Board must be filed
17 within 10 days of the dismissal or denial
18 date. So based on that rule and no word from
19 the ANC, I move that we dismiss the ANC
20 protest.

21 Do I have a second?

22 MEMBER SILVERSTEIN: I second,

1 Madam Chair, based on this and multiple
2 failures on the part of the protestant to
3 appear at other stages of this process.

4 CHAIRPERSON MILLER: Right, we did
5 hear that also at roll call, believe.

6 Is that right, Mr. Lee?

7 MR. LEE: That's right.

8 CHAIRPERSON MILLER: Any other
9 comments? Okay, there's a motion to dismiss
10 that's been seconded. All those in favor say
11 aye.

12 (Chorus of ayes.)

13 All those opposed?

14 (No response.)

15 All those abstaining?

16 (No response.)

17 Motion passes 4-0-0.

18 And there are no other
19 protestants, I believe remaining in this case.
20 Group of 55 withdraw and Fort Davis Civic
21 Association was dismissed earlier. Okay,
22 thank you very much.

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MR. LEE: Thank you.

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CHAIRPERSON MILLER: All right, I

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think that concludes all the status hearings.

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(Whereupon, at 10:17 a.m., the

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Protest Hearing (Status) was concluded.)

<p style="text-align: center;">A</p> <p>a.m 2:3 4:19,22 8:4 abstaining 7:15 adjourned 4:20 Alabama 1:9 2:7 5:4 ALBERTI 1:21 Alcoholic 1:2,16,17 ANC 1:9 2:8 3:4,19 5:5,19 6:3,19,19 appear 6:9,10,15 7:3 application 5:6 6:13 Association 7:21 Ave 1:9 Avenue 2:7 5:5 aye 7:11 eyes 7:12</p>	<p>Chorus 7:12 City 4:1 Civic 7:20 Class 1:12,12 COLUMBIA 1:1 come 2:21 3:2,13 3:19,22 coming 3:3 comments 7:9 concluded 8:5 concludes 8:3 consistent 4:7 contact 6:4 contacted 6:7 Control 1:2,16,17 correct 5:16 Council 4:1</p>	<p>file 3:16 filed 6:16 find 4:15 first 4:3 Fletcher 3:18 4:2 Fort 7:20 free 4:13 future 4:13</p>	<p>ma'am 5:17 Madam 7:1 Market 1:7,8 2:7 5:2,3,4,11,14 MATTER 1:6 mediation 3:17,19 meet 3:3 MEETING 1:3 Member 1:21,22,22 6:22 members 2:12 met 1:17 MIKE 1:22 Miller 1:18,21 2:4 2:16,22 3:7,11 4:6 4:17 5:1,15,18 6:6 7:4,8 8:2 Mini 1:7,8 2:7 5:2,3 5:3,11,14 morning 2:11,14,18 4:21 motion 7:9,17 move 4:8 6:19 multiple 7:1</p>	<p>party 3:5 5:20 passed 5:2,18 passes 7:17 Paulette 2:19 person 6:11 please 5:9 PRESENT 1:19 president 2:15 5:14 presiding 1:18 Probably 3:16 proceeding 4:20 process 7:3 processes 6:8 protest 1:8 2:5 6:13 6:20 8:5 protestant 5:20 7:2 protestants 7:19 pursuant 6:10</p>
<p style="text-align: center;">B</p> <p>B 1:9,12 based 6:18 7:1 believe 6:7,7 7:5,19 better 4:16 Beverage 1:2,16,17 Board 1:2,17 2:11 6:14,16 bring 3:15 BROOKS 1:22</p>	<p style="text-align: center;">D</p> <p>D 2:2 D.C 1:18 date 6:18 Davis 7:20 days 6:17 denial 6:12,17 designated 6:11 discussion 6:14 dismiss 6:8,19 7:9 dismissal 6:13,17 dismissed 7:21 DISTRICT 1:1 Dol 2:14 5:13 DONALD 1:22</p>	<p style="text-align: center;">G</p> <p>G 2:2 go 3:22 4:12 going 2:5 Good 2:11,14,18 Group 2:19 7:20</p>	<p style="text-align: center;">N</p> <p>N 2:2 N.W 1:17 name 2:12 5:10,13 never 6:4,5 Nice 3:3 NICK 1:21 normally 3:12 note 3:16 November 1:14</p>	<p style="text-align: center;">Q</p> <p>question 4:14</p>
<p style="text-align: center;">C</p> <p>C 2:2 call 2:5 4:13 7:5 called 4:3 5:21 6:5 calling 5:22 case 1:10 2:5,6 5:2 5:4,19,20,21,22 7:19 cases 6:1 cause 6:14 Chair 7:1 Chairperson 1:18 1:21 2:4,16,22 3:7 3:11 4:6,17 5:1,15 5:18 6:6 7:4,8 8:2 change 1:12,12 5:7</p>	<p style="text-align: center;">E</p> <p>E 2:2,2 earlier 5:19 7:21 either 3:14 emailed 3:18 establishment 2:13 5:12 event 4:10,14</p>	<p style="text-align: center;">H</p> <p>hear 7:5 heard 6:2 hearing 1:8,17 2:6 6:9 8:5 hearings 4:9 8:3</p>	<p style="text-align: center;">O</p> <p>O 2:2 office 6:7 Oh 2:22 okay 2:4,16,22 3:11 4:6 7:9,21 opposed 7:13 owner 2:13 5:11,16</p>	<p style="text-align: center;">R</p> <p>R 2:2 ready 2:9 reconvene 4:20 record 2:10 5:9 records 3:1 regards 5:6 reinstatement 6:16 remaining 5:20 7:19 remind 3:18 represent 2:19 representative 6:11 representing 5:11 request 6:15 response 7:14,16 result 6:12 Retailer 1:9 right 4:17 7:4,6,7 8:2 roll 7:5 Room 1:17 rule 6:10,18 rules 6:8 Ruthanne 1:18,21</p>
	<p style="text-align: center;">F</p> <p>failure 6:9,10,15 failures 7:2 favor 7:10 feel 4:13</p>	<p style="text-align: center;">I</p> <p>introduce 2:10 5:8 issue 3:16</p>	<p style="text-align: center;">P</p> <p>P 2:2 part 7:2</p>	
		<p style="text-align: center;">J</p> <p>introduce 2:10 5:8 issue 3:16</p>	<p style="text-align: center;">L</p> <p>Lee 2:11,12 3:15 5:10,11,17 6:4 7:6 7:7 8:1 Lee's 1:7,8 2:6 5:1 5:3,3,11,13 letter 2:20 license 1:10,12 2:8 5:5 6:12 located 2:7 longer 4:9</p>	
		<p style="text-align: center;">K</p> <p>know 3:7 4:2 Ko 2:14,14 5:13,13 Kyung-Huan 2:12 5:10</p>		
		<p style="text-align: center;">M</p>		

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