

DISTRICT OF COLUMBIA

+ + + + +

ALCOHOLIC BEVERAGE CONTROL BOARD

+ + + + +

PUBLIC MEETING

p-----»

IN THE MATTER OF: :

Eun & Peter, Inc., :

t/a Uncle Lee's Seafood :

1102 Eastern Avenue, NE :

License No. 85918 :Protest

Retailer A, ANC 7C :Hearing

Renewal Application :

Case No. 12-PRO-00038 :

p-----¼

December 5, 2012

The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Washington, D.C., Chair Miller, presiding.

PRESENT

RUTHANNE MILLER, CHAIRPERSON

NICK ALBERTI, Member

DONALD BROOKS, Member

HERMAN JONES, Member

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

2 3:04 p.m.

3 CHAIRPERSON MILLER: Back on the
4 record.

5 We have a Protest Hearing
6 scheduled today for 2:30. It's now 3:04.

7 The Case No. is 12-PRO-0038.

8 Uncle Lee's Seafood, located at 1102 Eastern
9 Avenue, NE. License No. 85918, in ANC 7C and
10 this is a Renewal Application.

11 So, as I said, the parties to
12 introduce themselves for the record please?

13 MEMBER ALBERTI: Your name?

14 MS. KIM: Eun Sun Kim.

15 CHAIRPERSON MILLER: Okay. And
16 you're the owner?

17 MS. KIM: Yes.

18 CHAIRPERSON MILLER: Okay. Fine.
19 And the protestant did not appear to be here.
20 That would be ANC 7C. Thirty-five minutes
21 into the hearing and I have not been alerted
22 that they are on their way or anything to that

1 effect. Have you?

2 MR. JUNH: No.

3 CHAIRPERSON MILLER: No. Okay.

4 Then our procedure then aut this point based
5 on the fact that they're not here and have not
6 indicated any reason that they're running late
7 or anything like that our procedure is to
8 dismiss the protest actually. And I do also
9 want to note that the ANC failed to file a PIF
10 in this case. They were previously dismissed
11 for failure to appear but then we reinstated
12 them.

13 So, I'm going to make a motion
14 based on our rule, 1503.3, failure to appear
15 in person or through a designated
16 representative may result in denial of the
17 license application or dismissal of a protest
18 unless in the discretion of the Board good
19 cause is shown for the failure to appear.

20 There has been no cause shown
21 whatsoever for a failure to appear so I would
22 move that we dismiss the protest in this case.

1 MEMBER ALBERTI: Second.

2 CHAIRPERSON MILLER: Second. Mr.
3 Alberti has seconded the motion.

4 Is there any comments from Board
5 Members or questions? Okay.

6 Then we have a motion to dismiss
7 this and it's been seconded.

8 All those in favor say aye.

9 (AYES)

10 CHAIRPERSON MILLER: All those
11 opposed? All those abstaining?

12 Then the motion passes by a vote
13 of four, zero, zero.

14 Okay. So, that means there will
15 be no hearing today and the protest is
16 dismissed and the Board will be acting on your
17 application.

18 MR. JUNH: Thank you.

19 MEMBER ALBERTI: Thank you for
20 coming.

21 CHAIRPERSON MILLER: Have a good
22 day.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

MEMBER ALBERTI: And thank you for
coming on time.

(Whereupon, the above matter was
concluded at 3:07 p.m.

A	dismissed 3:10 4:16 DISTRICT 1:1 DONALD 1:21 D.C 1:14	means 4:14 MEETING 1:3 Member 1:20,21 1:22 2:13 4:1,19 5:1 Members 4:5 met 1:13 Miller 1:14,19 2:3 2:15,18 3:3 4:2,10 4:21 minutes 2:20 motion 3:13 4:3,6 4:12 move 3:22	Q	P
abstaining 4:11 acting 4:16 Alberti 1:20 2:13 4:1,3,19 5:1 Alcoholic 1:2,12,13 alerted 2:21 ANC 1:8 2:9,20 3:9 appear 2:19 3:11 3:14,19,21 application 1:9 2:10 3:17 4:17 aut 3:4 Avenue 1:7 2:9 aye 4:8 AYES 4:9	E	name 2:13 NE 1:7 2:9 NICK 1:20 note 3:9 N.W 1:14	questions 4:5	p 1:5,10
B	F	N	R	1
Back 2:3 based 3:4,14 Beverage 1:2,12,13 Board 1:2,13 3:18 4:4,16 BROOKS 1:21 Building 1:13	fact 3:5 failed 3:9 failure 3:11,14,19 3:21 favor 4:8 file 3:9 Fine 2:18 four 4:13	O	reason 3:6 record 2:4,12 Reeves 1:13 reinstated 3:11 Renewal 1:9 2:10 representative 3:16 result 3:16 Retailer 1:8 Room 1:13 rule 3:14 running 3:6 RUTHANNE 1:19	1102 1:7 2:8 12-PRO-00038 1:9 12-PRO-0038 2:7 14th 1:13 1503.3 3:14
C	G	P	S	2
case 1:9 2:7 3:10,22 cause 3:19,20 Chair 1:14 CHAIRPERSON 1:19 2:3,15,18 3:3 4:2,10,21 COLUMBIA 1:1 coming 4:20 5:2 comments 4:4 concluded 5:4 Control 1:2,12,13	going 3:13 good 3:18 4:21	Okay 2:15,18 3:3 4:5,14 opposed 4:11 owner 2:16	scheduled 2:6 Seafood 1:6 2:8 Second 4:1,2 seconded 4:3,7 shown 3:19,20 Street 1:14 Sun 2:14	2000 1:13 2012 1:11
D	H	T	U	3
day 4:22 December 1:11 denial 3:16 designated 3:15 discretion 3:18 dismiss 3:8,22 4:6 dismissal 3:17	hearing 1:8,13 2:5 2:21 4:15 HERMAN 1:22	thank 4:18,19 5:1 Thirty-five 2:20 time 5:2 today 2:6 4:15 t/a 1:6	running 3:6	3:04 2:2,6 3:07 5:4
E	I	V	W	5
dismissed 3:10 4:16 DISTRICT 1:1 DONALD 1:21 D.C 1:14	indicated 3:6 introduce 2:12	vote 4:12	Uncle 1:6 2:8	5 1:11
F	J	Z	X	7
fact 3:5 failed 3:9 failure 3:11,14,19 3:21 favor 4:8 file 3:9 Fine 2:18 four 4:13	JONES 1:22 JUNH 3:2 4:18	want 3:9 Washington 1:14 way 2:22 whatsoever 3:21	zero 4:13,13	7C 1:8 2:9,20
G	K	Y	Z	8
going 3:13 good 3:18 4:21	Kim 2:14,14,17			85918 1:8 2:9
H	L			
hearing 1:8,13 2:5 2:21 4:15 HERMAN 1:22	late 3:6 Lee's 1:6 2:8 license 1:8 2:9 3:17 located 2:8			
I	M			
indicated 3:6 introduce 2:12	matter 1:5 5:3			
J				
JONES 1:22 JUNH 3:2 4:18				
K				
Kim 2:14,14,17				
L				
late 3:6 Lee's 1:6 2:8 license 1:8 2:9 3:17 located 2:8				
M				
matter 1:5 5:3				
N				
name 2:13 NE 1:7 2:9 NICK 1:20 note 3:9 N.W 1:14				
O				
Okay 2:15,18 3:3 4:5,14 opposed 4:11 owner 2:16				
P				
parties 2:11 passes 4:12 person 3:15 Peter 1:6 PIF 3:9 please 2:12 point 3:4 PRESENT 1:16 presiding 1:14 previously 3:10 procedure 3:4,7 protest 1:8 2:5 3:8 3:17,22 4:15 protestant 2:19 PUBLIC 1:3 P-R-O-C-E-E-D-... 2:1 p.m 2:2 5:4				
Q				
questions 4:5				
R				
reason 3:6 record 2:4,12 Reeves 1:13 reinstated 3:11 Renewal 1:9 2:10 representative 3:16 result 3:16 Retailer 1:8 Room 1:13 rule 3:14 running 3:6 RUTHANNE 1:19				
S				
scheduled 2:6 Seafood 1:6 2:8 Second 4:1,2 seconded 4:3,7 shown 3:19,20 Street 1:14 Sun 2:14				
T				
thank 4:18,19 5:1 Thirty-five 2:20 time 5:2 today 2:6 4:15 t/a 1:6				
U				
Uncle 1:6 2:8				
V				
vote 4:12				
W				
want 3:9 Washington 1:14 way 2:22 whatsoever 3:21				
X				
zero 4:13,13				
Y				
Z				