

Capital Reporting Company
In the Matter of: Sun Ok Kim t/a Strand Liquors 08-08-2012

1

DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

-----x
IN THE MATTER OF: :
: :
Sun Ok Kim, :
t/a Strand Liquors :
65 Division Ave. NE :
Retailer A : Protest
License No. 9272 : Hearing
ANC 7C : (Status)
Case No. 12-PRO-00051 :
Renewal Application :
-----x

August 8, 2012

The Alcoholic Beverage Control

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

PRESENT

RUTHANNE MILLER, Chairperson

NICK ALBERTI, Member

DONALD BROOKS, Member

HERMAN JONES, Member

CALVIN NOPHLIN, Member

MIKE SILVERSTEIN, Member

ALSO PRESENT

SYLVIA BROWN, ANC 7C

(866) 448 - DEPO

www.CapitalReportingCompany.com © 2012

Capital Reporting Company
In the Matter of: Sun Ok Kim t/a Strand Liquors 08-08-2012

<p style="text-align: right;">2</p> <p>1 P R O C E E D I N G S</p> <p>2 CHAIRPERSON MILLER: Good morning, ladies and</p> <p>3 gentlemen. I'd like to welcome you to the regular</p> <p>4 scheduled meeting of the District of Columbia Alcoholic</p> <p>5 Beverage Control Board. Today is August 8th, 2012.</p> <p>6 My name is Ruthanne Miller. I'm the</p> <p>7 chairperson. Joining me today, to my far right is Mr.</p> <p>8 Calvin Nophlin, to his immediate left is Mr. Donald</p> <p>9 Brooks, to my immediate right is Mr. Nick Alberti, to</p> <p>10 my far left is Mr. Herman Jones, and to his immediate</p> <p>11 right and my immediate left is Mr. Mike Silverstein.</p> <p>12 The Board has six members in attendance for the conduct</p> <p>13 of business today, with three constituting a quorum.</p> <p>14 Copies of today's hearing calendar and agenda</p> <p>15 are available at the receptionist's desk. Please be</p> <p>16 aware that these proceedings are being recorded by a</p> <p>17 court reporter. Accordingly, we must ask you to</p> <p>18 refrain from any disruptive noises or actions in the</p> <p>19 hearing room. If you have any electronic devices,</p> <p>20 pagers, cell phones or such, please make certain that</p> <p>21 they are turned off to avoid any interruption of the</p> <p>22 proceedings.</p>	<p style="text-align: right;">4</p> <p>1 CHAIRPERSON MILLER: And when you're ready,</p> <p>2 if you would identify yourselves for the record.</p> <p>3 MS. KIM: Oh, I'm from Strand Liquor. My</p> <p>4 name is Sun Ok Kim.</p> <p>5 CHAIRPERSON MILLER: Okay. Are you the owner</p> <p>6 of the --</p> <p>7 MS. KIM: Yes.</p> <p>8 CHAIRPERSON MILLER: -- liquor store? Okay.</p> <p>9 And with you is?</p> <p>10 MS. KIM: My daughter.</p> <p>11 MS. E. KIM: Elizabeth Kim.</p> <p>12 CHAIRPERSON MILLER: Okay.</p> <p>13 COMMISSIONER BROWN: Hi. Commissioner Sylvia</p> <p>14 Brown, representative of Advisor Neighborhood</p> <p>15 Commission 7C.</p> <p>16 CHAIRPERSON MILLER: Okay, are there any</p> <p>17 preliminary matters in this case?</p> <p>18 COMMISSIONER BROWN: The Applicant and I met</p> <p>19 with the Board agent, La Verne Fletcher, on the</p> <p>20 appointed mediation date and went over the draft</p> <p>21 voluntary agreement, and there are some edits being</p> <p>22 made on the commission's and community's part. And</p>
<p style="text-align: right;">3</p> <p>1 Please note, when you come forward, there's a</p> <p>2 piece of paper on each table. When your case is</p> <p>3 called, take a seat at the table and please sign in.</p> <p>4 This is to ensure the correct spelling of your name for</p> <p>5 the record.</p> <p>6 The Open Meetings Act requires that the</p> <p>7 public hearing, on each case, be open to the public.</p> <p>8 The Board may, consistent with Section 405(b) of the</p> <p>9 Open Meetings Act, enter a closed meeting during or</p> <p>10 after the public hearing on a case to consult with an</p> <p>11 attorney to obtain legal advice, discuss settlement</p> <p>12 agreements, or deliberate upon a decision in an</p> <p>13 adjudication proceeding.</p> <p>14 Okay, we're ready to proceed with this</p> <p>15 morning's calendar. The first case on the calendar is</p> <p>16 a status protest hearing case, Number 12-PRO-00051.</p> <p>17 Strand Liquor is located at 605 Division Avenue</p> <p>18 Northeast, License Number 9272 and ANC 7C.</p> <p>19 Would the parties in that case please come</p> <p>20 forward? Good morning.</p> <p>21 MS. KIM: Good morning.</p> <p>22 MS. E. KIM: Good morning.</p>	<p style="text-align: right;">5</p> <p>1 there were some questions that have been broached, as</p> <p>2 well, with the agency that we're waiting to get</p> <p>3 additional responses back. So that's the status.</p> <p>4 We're hopeful that once the edits are made,</p> <p>5 shared with the Applicant, that we can move forward</p> <p>6 continuing with the discussions about the VA.</p> <p>7 CHAIRPERSON MILLER: Good. Ms. Kim? Anything</p> <p>8 you want to say?</p> <p>9 MS. E. KIM: Speaking on behalf of my mother,</p> <p>10 we have not yet agreed due to the revisions that have</p> <p>11 to be made onto this voluntary agreement, not to sign</p> <p>12 the voluntary agreement. We're currently waiting on 7C</p> <p>13 to provide us with the revisions. Excuse me. So</p> <p>14 that's our current status at the moment.</p> <p>15 CHAIRPERSON MILLER: Okay. All right, so</p> <p>16 what I'm going to do, right now, is set the protest</p> <p>17 hearing for a date, which is October 10, at 4:00 p.m.</p> <p>18 In the event you don't reach an agreement, you have --</p> <p>19 you'll go forward at that -- at that -- at that day.</p> <p>20 MS. E. KIM: Okay.</p> <p>21 CHAIRPERSON MILLER: If you do reach an</p> <p>22 agreement than that will come off the calendar.</p>

Capital Reporting Company
In the Matter of: Sun Ok Kim t/a Strand Liquors 08-08-2012

6	<p>1 MS. E. KIM: Okay. I'm sorry, October? 2 CHAIRPERSON MILLER: October 10, 2012 at 4:00 3 p.m. 4 And I'm just going to read you a few 5 instructions, in the event that you go forward for the 6 -- with the protest hearing. And, basically, the 7 protest hearing is going to be focused on just the 8 issues that are being protested. And the Board won't 9 hear testimony on matters that won't be relevant to 10 that protest. Most importantly, you should've 11 received, in a mailing, from Adjudication Assistant 12 Sarah Fashbough, a letter explaining the protest 13 process and a copy of the protest information form, 14 which is sometimes referred to as a PIF. If you do not 15 have these documents, please see Ms. Fashbough at the 16 end of this hearing. 17 It's important that you look at the rules 18 closely and adhere to them before and during the 19 protest hearing. You're required to complete and 20 submit this protest information form seven days before 21 the date of the hearing. The document needs to be 22 submitted to ABRA and to the opposing parties in this</p>	8	<p>1 CHAIRPERSON MILLER: I see. I see. 2 MS. E. KIM: So, you know, I've discussed in 3 detail with my mother on the requirements of the 4 agreement, and thought maybe I could attend instead of 5 her. 6 (Board members confer.) 7 CHAIRPERSON MILLER: Okay, one minute. Okay, 8 we have what's called authorization form that -- if you 9 meet with Ms. Fashbough I think she'll be able to help 10 you on that if your mother wants to authorize you to 11 represent her. 12 MS. E. KIM: Okay, thank you. 13 CHAIRPERSON MILLER: Okay, anything else? 14 MS. E. KIM: That is it. Thank you. 15 CHAIRPERSON MILLER: Okay. Thank you very 16 much. 17 MS. KIM: Thank you. 18 (WHEREUPON, at 9:48 a.m., the hearing was 19 concluded.) 20 21 22</p>
7	<p>1 matter. If we don't receive a copy of your PIF, your 2 application or your protest, whichever side you're 3 representing may be subject to dismissal. 4 So pay attention to that seven day deadline 5 because some cases have been dismissed for not meeting 6 that deadline. The form is important in helping the 7 Board narrow the protest issues and facilitate the 8 process and keeping parties on point during the 9 hearing. 10 So, I want to give you Ms. Fashbough's number 11 in case you don't have it. It's 202-397-3971. So you 12 should contact her if you have any questions about 13 that. Okay? 14 MS. E. KIM: Question. 15 CHAIRPERSON MILLER: Mm-hm. 16 MS. E. KIM: Would I, in any way, be able to 17 take the place of my mother for the October 10th 18 hearing, or will she have to attend? 19 CHAIRPERSON MILLER: She can't attend? 20 MS. E. KIM: Well, with the business, we're 21 definitely trying to -- well, I'm trying to have her 22 avoid closing the store.</p>		

<p><u>1</u> 10 5:17 6:2 10th 7:17 12-PRO-00051 1:9 3:16 14th 1:14</p>	<p>Act 3:6,9 actions 2:18 additional 5:3 adhere 6:18 adjudication 3:13 6:11</p>	<p>Avenue 3:17 avoid 2:21 7:22 aware 2:16</p>	<p>closing 7:22 Columbia 1:1 2:4 Commission 4:15 Commissioner 4:13,18 commission's 4:22 community's 4:22</p>
<p><u>2</u> 2000 1:14 2012 1:11 2:5 6:2 202-397-3971 7:11</p>	<p>advice 3:11 Advisor 4:14 agency 5:2 agenda 2:14 agent 4:19 agreed 5:10</p>	<p><u>B</u> basically 6:6 behalf 5:9 Beverage 1:2,12,14 2:5 Board 1:2,14 2:5,12 3:8 4:19 6:8 7:7 8:6</p>	<p>complete 6:19 concluded 8:19 conduct 2:12 confer 8:6 consistent 3:8 constituting 2:13 consult 3:10 contact 7:12 continuing 5:6</p>
<p><u>4</u> 4:00 5:17 6:2 405(b) 3:8</p>	<p>agreement 4:21 5:11,12,18,22 8:4</p>	<p>broached 5:1 Brooks 1:18 2:9 Brown 1:21 4:13,14,18</p>	<p>Control 1:2,12,14 2:5</p>
<p><u>6</u> 605 3:17 65 1:7</p>	<p>agreements 3:12 Alberti 1:18 2:9 Alcoholic 1:2,12,14 2:4</p>	<p>Building 1:14 business 2:13 7:20</p>	<p>control 7:12 continuing 5:6 Control 1:2,12,14 2:5</p>
<p><u>7</u> 7C 1:8,21 3:18 4:15 5:12</p>	<p>ANC 1:8,21 3:18 anything 5:7 8:13 Applicant 4:18 5:5</p>	<p><u>C</u> calendar 2:14 3:15 5:22 Calvin 1:19 2:8</p>	<p>Copies 2:14 copy 6:13 7:1 correct 3:4 court 2:17</p>
<p><u>8</u> 8 1:11 8th 2:5</p>	<p>application 1:9 7:2 appointed 4:20 Assistant 6:11</p>	<p>case 1:9 3:2,7,10,15,16,1 9 4:17 7:11 cases 7:5</p>	<p>current 5:14 currently 5:12</p>
<p><u>9</u> 9:48 8:18 9272 1:8 3:18</p>	<p>attend 7:18,19 8:4 attendance 2:12 attention 7:4 attorney 3:11</p>	<p>cell 2:20 certain 2:20 chairperson 1:15,17 2:2,7 4:1,5,8,12,16 5:7,15,21 6:2 7:15,19 8:1,7,13,15</p>	<p><u>D</u> D.C 1:15 date 4:20 5:17 6:21</p>
<p><u>A</u> a.m 8:18 able 7:16 8:9 ABRA 6:22 Accordingly 2:17</p>	<p>August 1:11 2:5 authorization 8:8 authorize 8:10 available 2:15 Ave 1:7</p>	<p>closed 3:9 closely 6:18</p>	<p>daughter 4:10 day 5:19 7:4 days 6:20 deadline 7:4,6 decision 3:12</p>

<p>definitely 7:21 deliberate 3:12 desk 2:15 detail 8:3 devices 2:19 discuss 3:11 discussed 8:2 discussions 5:6 dismissal 7:3 dismissed 7:5 disruptive 2:18 District 1:1 2:4 Division 1:7 3:17 document 6:21 documents 6:15 Donald 1:18 2:8 draft 4:20 due 5:10 during 3:9 6:18 7:8</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>edits 4:21 5:4 electronic 2:19 Elizabeth 4:11 else 8:13 ensure 3:4 enter 3:9 event 5:18 6:5 Excuse 5:13 explaining 6:12</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>facilitate 7:7</p>	<p>Fashbough 6:12,15 8:9 Fashbough's 7:10 first 3:15 Fletcher 4:19 focused 6:7 form 6:13,20 7:6 8:8 forward 3:1,20 5:5,19 6:5</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>gentlemen 2:3</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>hear 6:9 hearing 1:8,14 2:14,19 3:7,10,16 5:17 6:6,7,16,19,21 7:9,18 8:18 help 8:9 helping 7:6 Herman 1:19 2:10 Hi 4:13 hopeful 5:4</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>I'd 2:3 identify 4:2 I'm 2:6 4:3 5:16 6:1,4 7:21 immediate 2:8,9,10,11 important 6:17 7:6 importantly 6:10</p>	<p>information 6:13,20 instead 8:4 instructions 6:5 interruption 2:21 issues 6:8 7:7 It's 6:17 7:11 I've 8:2</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>Joining 2:7 Jones 1:19 2:10</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>Kim 1:6 3:21,22 4:3,4,7,10,11 5:7,9,20 6:1 7:14,16,20 8:2,12,14,17</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>La 4:19 ladies 2:2 legal 3:11 letter 6:12 License 1:8 3:18 liquor 3:17 4:3,8 Liquors 1:6 located 3:17</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>mailing 6:11 matter 1:5 7:1 matters 4:17 6:9 may 3:8 7:3 maybe 8:4</p>	<p>mediation 4:20 meet 8:9 meeting 1:3 2:4 3:9 7:5 Meetings 3:6,9 Member 1:18,19,20 members 2:12 8:6 met 1:14 4:18 Mike 1:20 2:11 Miller 1:15,17 2:2,6 4:1,5,8,12,16 5:7,15,21 6:2 7:15,19 8:1,7,13,15 minute 8:7 Mm-hm 7:15 moment 5:14 morning 2:2 3:20,21,22 morning's 3:15 mother 5:9 7:17 8:3,10 move 5:5</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>N.W 1:14 narrow 7:7 NE 1:7 Neighborhood 4:14 Nick 1:18 2:9 noises 2:18 Nophlin 1:19 2:8 Northeast 3:18</p>
--	---	--	--

<p>note 3:1</p> <hr/> <p>O</p> <p>obtain 3:11</p> <p>October 5:17 6:1,2 7:17</p> <p>Oh 4:3</p> <p>Ok 1:6 4:4</p> <p>onto 5:11</p> <p>open 3:6,7,9</p> <p>opposing 6:22</p> <p>owner 4:5</p> <hr/> <p>P</p> <p>p.m 5:17 6:3</p> <p>paggers 2:20</p> <p>paper 3:2</p> <p>parties 3:19 6:22 7:8</p> <p>pay 7:4</p> <p>phones 2:20</p> <p>piece 3:2</p> <p>PIF 6:14 7:1</p> <p>please 2:15,20 3:1,3,19 6:15</p> <p>point 7:8</p> <p>preliminary 4:17</p> <p>PRESENT 1:17,20</p> <p>presiding 1:15</p> <p>proceed 3:14</p> <p>proceeding 3:13</p> <p>proceedings 2:16,22</p> <p>process 6:13 7:8</p> <p>protest 1:7 3:16</p>	<p>5:16 6:6,7,10,12,13,1 9,20 7:2,7</p> <p>protested 6:8</p> <p>provide 5:13</p> <p>public 3:7,10</p> <hr/> <p>Q</p> <p>Question 7:14</p> <p>questions 5:1 7:12</p> <p>quorum 2:13</p> <hr/> <p>R</p> <p>reach 5:18,21</p> <p>ready 3:14 4:1</p> <p>receive 7:1</p> <p>received 6:11</p> <p>receptionist's 2:15</p> <p>record 3:5 4:2</p> <p>recorded 2:16</p> <p>Reeves 1:14</p> <p>referred 6:14</p> <p>refrain 2:18</p> <p>regular 2:3</p> <p>relevant 6:9</p> <p>Renewal 1:9</p> <p>reporter 2:17</p> <p>represent 8:11</p> <p>representative 4:14</p> <p>representing 7:3</p> <p>required 6:19</p> <p>requirements 8:3</p> <p>requires 3:6</p> <p>responses 5:3</p>	<p>Retailer 1:7</p> <p>revisions 5:10,13</p> <p>room 1:14 2:19</p> <p>rules 6:17</p> <p>Ruthanne 1:15,17 2:6</p> <hr/> <p>S</p> <p>Sarah 6:12</p> <p>scheduled 2:4</p> <p>seat 3:3</p> <p>Section 3:8</p> <p>settlement 3:11</p> <p>seven 6:20 7:4</p> <p>shared 5:5</p> <p>she'll 8:9</p> <p>should've 6:10</p> <p>sign 3:3 5:11</p> <p>Silverstein 1:20 2:11</p> <p>six 2:12</p> <p>sorry 6:1</p> <p>Speaking 5:9</p> <p>spelling 3:4</p> <p>status 1:8 3:16 5:3,14</p> <p>store 4:8 7:22</p> <p>Strand 1:6 3:17 4:3</p> <p>Street 1:14</p> <p>subject 7:3</p> <p>submit 6:20</p> <p>submitted 6:22</p> <p>Sun 1:6 4:4</p>	<p>Sylvia 1:21 4:13</p> <hr/> <p>T</p> <p>t/a 1:6</p> <p>table 3:2,3</p> <p>testimony 6:9</p> <p>thank 8:12,14,15,17</p> <p>that's 5:3,14</p> <p>there's 3:1</p> <p>today 2:5,7,13</p> <p>today's 2:14</p> <p>trying 7:21</p> <p>turned 2:21</p> <hr/> <p>U</p> <p>upon 3:12</p> <hr/> <p>V</p> <p>VA 5:6</p> <p>Verne 4:19</p> <p>voluntary 4:21 5:11,12</p> <hr/> <p>W</p> <p>waiting 5:2,12</p> <p>Washington 1:15</p> <p>welcome 2:3</p> <p>we're 3:14 5:2,4,12 7:20</p> <p>WHEREUPON 8:18</p> <p>whichever 7:2</p> <hr/> <p>Y</p> <p>yet 5:10</p> <p>you'll 5:19</p>
--	---	---	---

Capital Reporting Company
In the Matter of: Sun Ok Kim t/a Strand Liquors 08-08-2012

Page 4

yourselves 4:2			
-----------------------	--	--	--

(866) 448 - DEPO