

Capital Reporting Company
In the Matter of: Three Way Liquors, Inc. 07-25-2012

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DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :
 :
Three Way Liquors, Inc. :
t/a Three Way Liquors, Inc. :
4823 Georgia Avenue, NW :
Retailer A : Protest
License No. 21972 : Hearing
ANC 4D : (Status)
Case No. 12-PRO-00058 :
Renewal Application :
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July 25, 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

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

2 9:41 a.m.

3 CHAIRPERSON MILLER: Okay. Good morning.

4 I'd like to welcome everyone to the regularly scheduled
5 meeting of the District of Columbia Alcoholic Beverage
6 Control Board. Today is July 25th, 2012. My name is
7 Ruthanne Miller. I'm the chair. Joining me today to
8 my far right is Mr. Calvin Nophlin. To his immediately
9 left is Mr. Donald Brooks. To my immediate right is
10 Mr. Nick Alberti. And to my immediate left is Mr. Mike
11 Silverstein.

12 The Board has six members in attendance for
13 the conduct of business today with three constituting a
14 quorum. Copies of today's hearing calendar and agenda
15 are available at the receptionist's desk. Please be
16 aware that these proceedings are being recorded by a
17 court reporter. Accordingly, we must ask you to
18 refrain from any disruptive noises or actions in the
19 hearing room.

20 If you have any electronic devices, pagers,
21 cell phones or such, please make certain that they're
22 turned off to avoid any interruption of the

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1 proceedings. Please note, when you come forward to the
2 tables in the front, there will be a piece of paper on
3 each table. Please take a seat at the table and sign
4 in. This is to ensure the proper spelling of your name
5 for the record.

6 The Open Meetings Act requires that the
7 public hearing on each case be open to the public. The
8 Board may, consistent with Section 405(b) of the Open
9 Meetings Act, enter a closed meeting during or after
10 the public hearing in a case to consult with an
11 attorney, to obtain legal advice, discuss settlement
12 agreements or deliberate upon a decision in an
13 adjudication proceeding.

14 We'll now go forward with this morning's
15 calendar. We have a few protest status hearings to
16 begin with. The first case I'm going to call is Case
17 No. 12- PRO-00058, Three Way Liquors, at 4823 Georgia
18 Avenue, N.W., License No. 21972, in ANC 4D.

19 And when the parties are ready, would you
20 identify yourselves for the record?

21 MR. DIETZ: My name is Bernard C. Dietz. I
22 represent the applicant. I have with me Mr. Steve Yu

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1 and he's president of the corporation.

2 CHAIRPERSON MILLER: Okay.

3 MR. YU: My name -- my name is Jung Soo Yu
4 [ph], the Three Way Liquor owner.

5 CHAIRPERSON MILLER: Okay. And your name?

6 MR. BOND: Good morning. My name is Charles
7 Bond, B-O-N-D. I'm a representative for Faith Assembly
8 of Christ.

9 CHAIRPERSON MILLER: And could you just tell
10 me how you're affiliated with the Faith Assembly of
11 Christ Church?

12 MR. BOND: I'm a member.

13 CHAIRPERSON MILLER: You're a member. Okay.
14 And you're authorized to represent the church?

15 MR. BOND: Yes, I am.

16 CHAIRPERSON MILLER: Okay. Can I just --
17 just for the record, do you have anything in writing or
18 were you at the roll call or anything like that?

19 MR. BOND: I'm sorry?

20 CHAIRPERSON MILLER: Do you have anything in
21 writing authorizing you or were you at the roll call or --

22 MR. BOND: I've been from step one.

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1 CHAIRPERSON MILLER: Okay.

2 MR. BOND: There are three representatives
3 for Faith Assembly of Christ. Pastor Alfonso Way, Ms.
4 Tawana Way and Charles Bond.

5 CHAIRPERSON MILLER: Okay.

6 MR. BOND: Pastor Way is on his way but he's
7 in traffic.

8 CHAIRPERSON MILLER: Okay. Thank you. Yeah,
9 he was the one I was expecting. But --

10 MR. BOND: Yes.

11 CHAIRPERSON MILLER: -- thank you.

12 MR. BOND: Uh-huh.

13 CHAIRPERSON MILLER: Okay.

14 MR. DIETZ: For the record --

15 CHAIRPERSON MILLER: Uh-huh.

16 MR. DIETZ: -- Mr. Bond has been at the --
17 has made his appearance. We know that.

18 CHAIRPERSON MILLER: Okay. Good. Are there
19 any preliminary issues? Otherwise I'm going to just --

20 MR. DIETZ: No. We'll go forward with the --
21 with the hearing scheduled.

22 CHAIRPERSON MILLER: Okay. Okay. All right,

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1 then. This protesting hearing is scheduled for
2 November 7th, 2012 at 1:30 p.m. And I just want to
3 read you a few instructions.

4 MR. BOND: November 7th?

5 CHAIRPERSON MILLER: Yes.

6 MR. BOND: At

7 CHAIRPERSON MILLER: At 1:30 p.m. And I'm
8 just going to read you a few instructions so that the
9 protest hearing is focused and addresses only the
10 issues that are being protested. The Board won't hear
11 testimony on matters that aren't relevant to the case.
12 You should have received in the mailing from
13 Adjudication Assistant Sarah Fashbaugh a letter
14 explaining the protest process and a copy of the
15 protest information form, sometimes referred to as a
16 PIF.

17 If you do not have these documents, please
18 see Ms. Fashbaugh at the conclusion of this hearing.
19 It's very important that you review the rules closely
20 and adhere to them before and during a protest hearing.
21 Specifically, you're required to complete and submit
22 the protest information form seven days before the date

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1 of the hearings. This document needs to be submitted
2 to ABRA and to the opposing parties in this matter.

3 If we do not receive a copy of your PIF, your
4 application or your protest, whichever side you're
5 representing may be subject to dismissal. The form is
6 very important in assisting the Board in narrowing the
7 protest issues, facilitating the process and keeping
8 the parties on point during the hearing.

9 So basically it's most important that you get
10 a copy of the protest information form if you don't
11 have it. Just see Ms. Fashbaugh if you don't have it.
12 And I'm going to give you her telephone number as well.
13 It's 202-397-3971. And pay attention to the deadline
14 because parties have been dismissed for failure to file
15 them on time.

16 Okay. Any questions?

17 MR. DIETZ: No.

18 CHAIRPERSON MILLER: All right. Well, then
19 thank you very much.

20 MR. DIETZ: Thank you.

21 CHAIRPERSON MILLER: If you happen to think
22 of any questions later, contact Ms. Fashbaugh.

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1 MR. DIETZ: Thank you.

2 (WHEREUPON, at 9:47 a.m., the hearing was
3 concluded.)

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CERTIFICATE OF NOTARY PUBLIC

I, BRADLEY ANGLIN, the officer before whom the foregoing hearing was taken, do hereby certify that the testimony appearing in the foregoing transcript was recorded by me and thereafter reduced to typewriting under my direction; that said transcription is a true record of the testimony given by said parties; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

BRADLEY ANGLIN

Notary Public in and for the

DISTRICT OF COLUMBIA

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1 CERTIFICATE OF TRANSCRIPTION

2

3 I, MIRANDA PENNACHI, hereby certify that I am not
4 the Court Reporter who reported the following
5 proceeding and that I have typed the transcript of this
6 proceeding using the Court Reporter's notes and
7 recordings. The foregoing/attached transcript is a
8 true, correct and complete transcription of said
9 proceeding.

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11

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13

14

15 Date

MIRANDA PENNACHI

16

Transcriptionist

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19

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