

DISTRICT OF COLUMBIA  
+ + + + +  
ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
ROLL CALL HEARING

IN THE MATTER OF: :  
:  
Bezad Corporation, :  
t/a Lee's Liquor Store :  
2339 Pennsylvania Ave SE : Roll Call  
License #ABRA-095751 : Hearing  
Retailer A - ANC 7B/8A :  
Case #21-PRO-00014 :  
:  
(License Transfer to a :  
New Location) :

Monday  
March 22, 2021

The Alcoholic Beverage Control Board  
met via WebEx videoconference, LaVerne Fletcher,  
Board's Agent, presiding.

PRESENT:

LAVERNE FLETCHER, ABRA Board's Agent

ALSO PRESENT:

TIFFANY BROWN, ANC 7B  
KYUN-HWANG LEE, Licensee's Counsel  
BRIAN THOMPSON, ANC 8A

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

2 10:07 a.m.

3 MS. FLETCHER: Well, good morning,  
4 everyone. I'd like to thank you for joining  
5 ABRA's roll call hearing that's being conducted  
6 via WebEx online.

7 My name is LaVerne Fletcher conducting  
8 the roll call hearing as the Board's agent. I'm  
9 calling Case No. 21-PRO-00014. This is Beza  
10 Corporation, trading as Lee's Liquor Store, 2329  
11 Pennsylvania Avenue SE, License No. ABRA-095751.

12 This is a retailer class A license  
13 transfer to a new location from 2329 Pennsylvania  
14 Avenue SE to, one second, please, from 2339  
15 Pennsylvania Avenue SE to 2329 Pennsylvania  
16 Avenue SE.

17 And who is present on behalf of the  
18 Applicant?

19 MR. LEE: Good morning, everybody. My  
20 name is Kevin Lee. I am attorney for the Lee's  
21 Liquor, the matter of the protest.

22 MS. FLETCHER: Thank you, Mr. Lee.  
23 Would you please spell your name for the record?

24 MR. LEE: Yeah, my name is, last name  
25 L-E-E, first name K-Y-U-N-G, H-W-A-N.

1 MS. FLETCHER: Thank you very much.  
2 And, Mr. Lee, will the Applicant be joining you  
3 today?

4 MR. LEE: No, he will but, he said  
5 that he will, but I didn't see the path today.

6 MS. FLETCHER: Okay.

7 MR. LEE: But his agent is present as  
8 --

9 (Simultaneous speaking.)

10 MR. LEE: Yeah.

11 MS. FLETCHER: Okay. Well, we can  
12 proceed without him, of course, because you're  
13 here.

14 MR. LEE: Okay.

15 MS. FLETCHER: Thank you. Present on  
16 behalf of ANC 8A? Ms. Brown?

17 COMMISSIONER BROWN: So I'm 7B.

18 MS. FLETCHER: You're 7B?

19 COMMISSIONER BROWN: Yes, I'm 7B. 8A  
20 I believe is, oh god, Commissioner Muhammad?

21 MS. FLETCHER: Yes, I don't see her  
22 present at this time.

23 COMMISSIONER BROWN: The Commissioner  
24 is still trying to get on.

25 MS. FLETCHER: Okay. We'll wait a

1 moment. Thank you.

2 COMMISSIONER BROWN: Because I'm still  
3 trying to get on on my computer, so that's why I  
4 hopped on on my phone, because my computer --

5 MS. FLETCHER: Okay.

6 COMMISSIONER BROWN: -- a little  
7 tricky. It's still doing it.

8 MS. FLETCHER: Thank you.

9 COMMISSIONER THOMPSON: Good morning.  
10 This is Commissioner Thompson.

11 MS. FLETCHER: Good morning, Mr.  
12 Thompson.

13 COMMISSIONER THOMPSON: Oh, I'm sorry.  
14 I wasn't aware -- I didn't think you could hear  
15 me. I'm representing ANC 8A, actually 8A03, SMD  
16 and the ANC.

17 MS. FLETCHER: Thank you, Mr.  
18 Thompson. Would you spell your name for the  
19 record, please, first and last name?

20 COMMISSIONER THOMPSON: Brian, B-R-I-  
21 A-N, Thompson, T-H-O-M-P-S-O-N. And can I also -  
22 -

23 MS. FLETCHER: Thank you.

24 COMMISSIONER THOMPSON: -- point out  
25 I had issues using the web app as well to get

1 into this meeting. So that's why I'm on my  
2 phone.

3 MS. FLETCHER: Maybe there were some  
4 technical issues today. My computer was a little  
5 slow. But I was able to get in. Did you have  
6 any trouble, Mr. Lee, getting in, just curious?

7 MR. LEE: Yeah, I'm okay with it.  
8 Yeah, and it's normal.

9 MS. FLETCHER: Thank you. Ms. Brown,  
10 would you spell your name for the record, please?

11 COMMISSIONER BROWN: Sure. Tiffany  
12 Brown, T-I-F-F-A-N-Y, middle initial L, Brown, B-  
13 R-O-W-N. I am the chair of ANC 7B where Lee's  
14 Liquor Store is.

15 MS. FLETCHER: Thank you very much.  
16 ANC 7B does have standing as a protestant. ANC  
17 8A has standing as a protestant as an affected  
18 ANC. It appears that the boundaries touch. The  
19 boundaries of ANC 7B and the boundaries of ANC 8A  
20 touch based on the DC Geographic Information  
21 System. And so that means that ANC 8A is an  
22 affected ANC and also has standing as a  
23 protestant.

24 MR. LEE: Could I have a question?

25 MS. FLETCHER: Yes.

1           MR. LEE: Yeah, actually this option  
2 calls attorney for 601 standing for the final  
3 protest as one of them is an affected ANC. But  
4 my client keeps saying that ANC 8A is far away  
5 and even though it's abutting the boundary line  
6 with 7B.

7           Especially, I just looked at the map  
8 the ABC Board created. And there is no school  
9 and nothing in 400 boundary, 400 feet latest  
10 boundary.

11           So you still -- I want to know that  
12 they have standing to file a protest or not.  
13 Even though it's affected the ANC, what's the  
14 definition of affected? All right. This doesn't  
15 relate to anything, school or a rec center or the  
16 other stuff, park and, you know what I'm saying  
17 here.

18           MS. FLETCHER: I do. Thank you, Mr.  
19 Lee. And that's a very important questions. And  
20 the regulations aren't crystal clear on that  
21 question.

22           If you want, you may request further  
23 explanation from the ABC Board. And the ABC  
24 Board can respond to your question.

25           We can do a couple of things. I can

1 -- because there's a question related to ANC 8A,  
2 Mr. Lee --

3 MR. LEE: Yeah --

4 MS. FLETCHER: -- it's not a question  
5 related to ANC 7B. What I can do today, I can  
6 grant standing to ANC 7B --

7 MR. LEE: Oh, no, it's ANC 8A.

8 MS. FLETCHER: I'm saying I can grant  
9 standing to ANC 7B.

10 MR. LEE: Oh, yeah, yeah, that's  
11 correct.

12 MS. FLETCHER: And for ANC 8A, I can  
13 grant conditional standing, not full standing,  
14 just conditional pending the Board's response to  
15 your question.

16 MR. LEE: Okay.

17 MS. FLETCHER: And so, Mr. Lee, beyond  
18 today, will you, in writing, ask the Board to  
19 clarify the definition of an affected ANC?

20 MR. LEE: Okay.

21 MS. FLETCHER: And I understand your  
22 question. I just can't respond to it.

23 MR. LEE: All right.

24 MS. FLETCHER: And so, Mr. Thompson,  
25 do you understand how we're going to proceed?

1                   COMMISSIONER THOMPSON: I do. And to  
2 help clarify, during the ABRA training, we were  
3 told that one of the conditions was to be within  
4 500 feet of the affected business. And ANC 8A is  
5 basically the opposite side of the block from the  
6 street facing the front of this business.

7                   MS. FLETCHER: Can you repeat that?

8                   COMMISSIONER THOMPSON: So this  
9 business is on Pennsylvania Avenue.

10                  MS. FLETCHER: Yes.

11                  COMMISSIONER THOMPSON: And the ANC,  
12 as an affected ANC, has to be within 500 feet of  
13 the affected business on the boundary line. And  
14 the opposite side of this block from Pennsylvania  
15 Avenue is the 8A boundary.

16                  MS. FLETCHER: Okay. Thank you.

17                  MR. LEE: So --

18                  COMMISSIONER THOMPSON: Yes, ma'am.

19                  MR. LEE: Yeah, additional question is  
20 across the street, does the boundary line start  
21 from the ANC 8A?

22                  COMMISSIONER THOMPSON: So south,  
23 south of Pennsylvania Avenue, the next street to  
24 the south of that -- I forget the name of the  
25 street. But that's the boundary for 8A. So all



1 of the businesses along Pennsylvania Avenue are  
2 7, ANC 7. And --

3 MR. LEE: Yeah.

4 COMMISSIONER THOMPSON: -- at 25th  
5 Street the split between 7 and 8, Ward 7 and Ward  
6 8 occurs up 25th Street. I think White Place is  
7 a slight bend in that. And I'm forgetting the  
8 name of the street behind. But on the other side  
9 of that street is ANC, it's Ward 8 but also ANC  
10 8A.

11 And as far as the school, there's a  
12 day care two storefronts over that is licensed  
13 and open, as well as Boone Elementary School is  
14 also within 500 feet of the liquor store. And  
15 that's a DCPS school.

16 MR. LEE: Okay. I will personally go  
17 there and take a look after roll call hearing  
18 between mediation.

19 COMMISSIONER THOMPSON: Oh, you  
20 haven't been to the neighborhood?

21 MR. LEE: No, I've been there, because  
22 my office is nearby. So I know the area.

23 COMMISSIONER THOMPSON: Okay --

24 MR. LEE: So, after roll call, and  
25 then I want to go there to see and talk with my

1 client first. And then we'll find out.

2 COMMISSIONER THOMPSON: Awesome.

3 Okay.

4 MR. LEE: All right. Thank you.

5 MS. FLETCHER: And just so that you  
6 know, my review of the map that I created via the  
7 DC Geographic Information System was in line with  
8 what you said, Mr. Thompson.

9 But I don't have the final word if  
10 there is any objection to anything that I say  
11 related to standing. The ABC Board would have to  
12 make the final decision.

13 And so, Mr. Thompson, I am going to  
14 grant conditional standing to ANC 8A to give Mr.  
15 Lee an opportunity to visit the area, and if he  
16 still has concerns, an opportunity to bring this  
17 issue to the matter of the ABC Board and have the  
18 Board decide whether or not ANC 8A has standing.  
19 Any questions about that?

20 COMMISSIONER THOMPSON: And Mr. Lee is  
21 the I guess hired representative, legal  
22 representative for Lee's Liquor?

23 MR. LEE: Legal representative for  
24 Applicant, Lee's --

25 MS. FLETCHER: Yes.

1 COMMISSIONER THOMPSON: Okay. I  
2 didn't get your full name, sir.

3 MR. LEE: What's your question? Was  
4 it a question to me?

5 COMMISSIONER THOMPSON: Yes. I didn't  
6 get your full name.

7 MS. FLETCHER: Your full name.

8 MR. LEE: My full name?

9 MS. FLETCHER: A full name.

10 COMMISSIONER THOMPSON: Yes.

11 MR. LEE: You can call me Kevin Lee,  
12 K-E-V-I-N, last name L-E-E.

13 COMMISSIONER THOMPSON: Okay.  
14 Awesome. Thank you, Mr. Lee.

15 MR. LEE: Yeah. And also I, just in  
16 case, I want to know your contact information,  
17 because on the letter it said Mr. Muhammad. But  
18 it's not your name. So I don't have your contact  
19 information. So would you send it to Ms.  
20 Fletcher so that it can be relayed to me? And  
21 then once I go there, I might contact you. It's  
22 okay?

23 COMMISSIONER THOMPSON: Holly Muhammad  
24 is the chair of ANC 8A. I'm a commissioner. I  
25 am not an officer of the ANC. She's still the

1 official point of contact, though we're both in  
2 the protest letter. We both were listed as  
3 points of contact for this issue.

4 MR. LEE: So --

5 MS. FLETCHER: And --

6 MR. LEE: Go ahead.

7 MS. FLETCHER: I was going to say  
8 Brian Thompson is also a designated  
9 representative in this case, in addition to Ms.  
10 Muhammad. And in terms of a contact email  
11 address, Mr. Thompson, you and Ms. Muhammad share  
12 the same email address. You don't have a  
13 separate one?

14 COMMISSIONER THOMPSON: Yeah, hers is  
15 8A01 and mine is 8A03. And both are at  
16 anc.dc.gov.

17 MS. FLETCHER: Okay. So what's your  
18 email address again, Mr. Thompson.

19 COMMISSIONER THOMPSON: 8A03@anc.  
20 dc.gov.

21 MS. FLETCHER: Isn't that the same as  
22 Ms. Muhammad?

23 COMMISSIONER THOMPSON: No, ma'am.

24 MS. FLETCHER: So what is hers?

25 COMMISSIONER THOMPSON: 8A01 @ anc .

1 dc.gov.

2 MS. FLETCHER: Okay. So you're 03 and  
3 she's 01.

4 COMMISSIONER THOMPSON: Yes.

5 MS. FLETCHER: Did you get that, Mr.  
6 Lee?

7 MR. LEE: Yeah. Would you email me  
8 his contact phone number?

9 MS. FLETCHER: I will, I will.

10 MR. LEE: Yeah, that way if I go  
11 there, I might contact him and, to talk on the  
12 street. It's okay. Yeah. I might call him if  
13 he's available.

14 MS. FLETCHER: All right. I will do  
15 that.

16 COMMISSIONER BROWN: Ms. Fletcher, I  
17 have a question.

18 MS. FLETCHER: Yes.

19 COMMISSIONER BROWN: So is the  
20 question with 8A having standing because of their  
21 proximity to the location, or is it with their  
22 protesting?

23 MS. FLETCHER: It's not with their  
24 protesting.

25 COMMISSIONER BROWN: Okay.

1 MS. FLETCHER: It's the proximity to  
2 the location. Am I right about that, Mr. Lee?

3 MR. LEE: Yes.

4 COMMISSIONER BROWN: Okay. Well, I  
5 will go on record saying that they are 400 feet,  
6 Minnesota Avenue on the opposite side of the  
7 street on --

8 MS. FLETCHER: Yes. They're right  
9 across the street.

10 COMMISSIONER BROWN: Yeah.

11 MS. FLETCHER: Yeah.

12 MR. LEE: So I'm just -- oh, I'm  
13 sorry.

14 (Simultaneous speaking.)

15 MR. LEE: Yeah.

16 MS. FLETCHER: I'm sorry.

17 MR. LEE: So your ANC and across the  
18 street is the ANC 8A. That's correct?

19 COMMISSIONER BROWN: That's correct.

20 MR. LEE: And then --

21 COMMISSIONER BROWN: Not across  
22 Pennsylvania Avenue, across Minnesota Avenue,  
23 which is 400 feet, is within the boundary.

24 MR. LEE: No, it's not 400 feet leave  
25 use for the ANC. That's for another restriction

1 --

2 COMMISSIONER BROWN: Yes, I'm sorry.

3 (Simultaneous speaking.)

4 MR. LEE: You're saying just affected  
5 ANC. So I'm just to make it clear it's affected  
6 means, because my client keeps saying that ANC 8A  
7 is far away, not connected to the new location.  
8 So you're saying and Mr. Thompson is saying that  
9 it's affected because it's across the street,  
10 right?

11 COMMISSIONER BROWN: Yes, across --

12 MR. LEE: Yeah, okay.

13 COMMISSIONER BROWN: -- Minnesota  
14 Avenue, not across Pennsylvania Avenue.

15 MR. LEE: So Minnesota Avenue, not  
16 across the bridge or anything, just across the  
17 street.

18 COMMISSIONER BROWN: No.

19 MR. LEE: Okay. So that's why  
20 probably after roll call between mediation, I  
21 myself will go there and talk with Mr. Thompson  
22 and my client and take a look at that area. So -

23 -

24 COMMISSIONER THOMPSON: So you can  
25 look the ANC maps up online.

1 MR. LEE: I just looked at the ANC  
2 map. And it's not clear, because the map is so  
3 small. But I just found that ANC 7A and then ANC  
4 8A is abutting, so touch each other. So that's  
5 why --

6 COMMISSIONER THOMPSON: -- ANC 8A and  
7 ANC 7B are in adjoining jurisdictions to the  
8 wards they're a part of.

9 MR. LEE: Okay.

10 COMMISSIONER THOMPSON: Since Ward 7  
11 and Ward 8 have adjoining boundaries, they're the  
12 two ANCs on opposite sides of that ward boundary.

13 MR. LEE: Okay. So I thought that if  
14 I read your question based on my client said and  
15 that it's kind of ANC 8A, Board will approve that  
16 ANC 8A is affected ANC. So that's what I'm  
17 asking to Ms. Fletcher today.

18 MS. FLETCHER: Okay. And so, Mr. Lee,  
19 once you take a look you can decide if you're  
20 going to --

21 (Simultaneous speaking.)

22 MS. FLETCHER: -- ABC Board to  
23 clarify. Then we'll go from there.

24 MR. LEE: Okay. That's great.

25 MS. FLETCHER: And so we'll proceed at



1 this point with ANC 7B having standing and ANC 8A  
2 having conditional standing only because that  
3 question is pending.

4 MR. LEE: Okay.

5 MS. FLETCHER: We'll proceed to  
6 schedule the mediation. And I am going to give  
7 you some available dates. Just one second. The  
8 next day available for mediation is Monday, March  
9 29 at 10:00, 10:30, pretty much any time up until  
10 2:00 p.m. That's on the 29th, if that day is  
11 good for everyone.

12 MR. LEE: I have a full schedule in  
13 March. So it can move on anytime April --

14 MS. FLETCHER: Anytime in April?

15 MR. LEE: Yeah.

16 MS. FLETCHER: Okay. Let's see.

17 MR. LEE: I have a couple of hearings  
18 and a trial for that. So I'm sorry.

19 MS. FLETCHER: No problem. What about  
20 Thursday, April 1 or Friday, April 2?

21 MR. LEE: I prefer Friday.

22 MS. FLETCHER: Okay.

23 MR. LEE: That's Good Friday.

24 MS. FLETCHER: It is.

25 MR. LEE: What time?

1 MS. FLETCHER: Same thing, anytime  
2 between 10:00 and 2:00.

3 MR. LEE: I might prefer 11:00. But  
4 I'm not sure if my client is okay with that.

5 MS. FLETCHER: Okay.

6 COMMISSIONER BROWN: So that's not the  
7 best day for me. Your client is on the line I  
8 see.

9 MR. LEE: Yes, I see that.

10 COMMISSIONER BROWN: That is not the  
11 better day for me. But I could --

12 MS. FLETCHER: We can, we'll choose a,  
13 we can choose a different day.

14 MR. LEE: Okay. And that's my  
15 personal schedule. So that's what I'm just  
16 talking about.

17 MS. FLETCHER: Yes.

18 MR. LEE: Yeah.

19 MS. FLETCHER: Well, would the 1st be  
20 better for you, Ms. Brown, or a day the following  
21 week?

22 COMMISSIONER BROWN: The following  
23 week is probably better.

24 MS. FLETCHER: What about -- we can do  
25 April 5. That's a Monday at 11:30, or we can

1 keep moving.

2 COMMISSIONER BROWN: Would that work,  
3 because there's also another, I have another roll  
4 call hearing that day. Is that the only one?

5 MS. FLETCHER: Oh, yeah, you do. So  
6 you would -- yeah, so your roll call hearing is  
7 at 10:00. Is that with Marcus Market?

8 COMMISSIONER BROWN: Yes.

9 MS. FLETCHER: So your roll call  
10 hearing is at 10:00. We can still do the  
11 mediation at 11:30, or we can just move it to  
12 another day.

13 COMMISSIONER BROWN: No, that day is  
14 fine. The 5th is fine. I can just juggle my  
15 case load around.

16 MR. LEE: Yeah. How about 11:30? Is  
17 it better for you, because I have the same  
18 schedule today? I have an 11:30 mediation. So--

19 COMMISSIONER BROWN: That's fine.

20 MR. LEE: How about Mr. Thompson? Is  
21 it okay?

22 MS. FLETCHER: Does that work for you,  
23 Mr. Thompson?

24 COMMISSIONER THOMPSON: No, that's not  
25 looking good for me. I'm --

1 MS. FLETCHER: Okay.

2 COMMISSIONER THOMPSON: So, honestly,  
3 I need to physically be in the office for my day  
4 job Monday, Wednesday, and Friday of that week.

5 MS. FLETCHER: Okay, Monday,  
6 Wednesday, and Friday.

7 COMMISSIONER THOMPSON: I have to step  
8 out to the car to do the other hearing that we  
9 have that day. But, you know, I can't take large  
10 chunks of the day off.

11 MS. FLETCHER: Oh, that's okay. What  
12 about April 8th? That's that Thursday.

13 MR. LEE: I'm available.

14 COMMISSIONER THOMPSON: Tuesday,  
15 Thursday, yeah, April 8th would work.

16 MS. FLETCHER: Would that work for  
17 you, Ms. Brown?

18 COMMISSIONER BROWN: Yeah, yeah, I can  
19 make that day work. What time?

20 MS. FLETCHER: 11:30, Mr. Lee?

21 MR. LEE: I'm okay. 11:00 or 11:30,  
22 it doesn't matter.

23 MS. FLETCHER: Do you have a  
24 preference, Ms. Brown, for 11:00 or 11:30?

25 COMMISSIONER BROWN: I'll do 11:00.

1 11:00 is better.

2 MS. FLETCHER: 11:00. So, Mr. Lee,  
3 your client is -- he's on the line --

4 (Simultaneous speaking.)

5 MS. FLETCHER: -- but he's muted.

6 MR. LEE: Yeah. Would you ask him --

7 MS. FLETCHER: He's, yeah, he's muted.  
8 He would need to unmute himself.

9 PARTICIPANT: Yes, no problem.

10 MR. LEE: Okay. So it's Thursday,  
11 April 8th --

12 MS. FLETCHER: At 11:00.

13 MR. LEE: Okay.

14 MS. FLETCHER: That works for you too,  
15 Mr. Thompson?

16 COMMISSIONER THOMPSON: Not the time.  
17 That afternoon would work. But I actually have a  
18 work responsibility that morning.

19 MS. FLETCHER: Well, that's okay. I  
20 mean, we'll keep looking at the calendar until we  
21 find a date that works for everybody. So April  
22 8th in the afternoon works on this end. But if  
23 that doesn't work for everyone else, then we  
24 would be moving to the week of April 12. So I'm  
25 available anytime on April 8th at 1:00 or 2:00 in

1 the afternoon would work on this end, or we could  
2 move to the next week.

3 COMMISSIONER BROWN: So can we do 2:00  
4 that day? Is that good for you, Commissioner  
5 Thompson?

6 COMMISSIONER THOMPSON: I believe so,  
7 yeah. 2:00 would work.

8 MS. FLETCHER: What about you, Mr.  
9 Lee?

10 MR. LEE: I'm okay with Thursday, 8th.  
11 2:00 you said, right?

12 MS. FLETCHER: Yes.

13 MR. LEE: Okay. I'm okay with that.  
14 How about Denny? Are you okay?

15 PARTICIPANT: Yes, I'm good.

16 MR. LEE: Okay.

17 MS. FLETCHER: Okay. Then the -- good  
18 morning, Mr. Testi.

19 PARTICIPANT: Good morning.

20 MS. FLETCHER: Okay. So mediation is  
21 set for Thursday, April 8th at 2:00. Okay.  
22 Thank you.

23 I am going to send you an email with  
24 the date of the status hearing. I believe that  
25 date has already been set. I don't have it with

1 me at this moment. But in just a little while I  
2 will send you the status hearing date for, the  
3 status hearing date.

4 MR. LEE: Okay. Can I ask Ms. Brown  
5 and Mr. Thompson, it would be better before  
6 scheduled mediation day if you have any  
7 suggestion or a proposal, I will review and we  
8 can talk at the mediation. That way we expedite  
9 the whole process. If they are ready for any  
10 agenda, we can discuss that at mediation.

11 COMMISSIONER BROWN: Okay. So --

12 MR. LEE: You have my email, right?

13 COMMISSIONER BROWN: I'll look.

14 COMMISSIONER THOMPSON: Can you send  
15 that request in writing, sir?

16 MR. LEE: Would you say again? I  
17 can't hear you well.

18 COMMISSIONER THOMPSON: Can you send  
19 that request in writing? I'd like to keep this  
20 dialogue --

21 MR. LEE: No, no --

22 (Simultaneous speaking.)

23 MR. LEE: It's not the writing things.  
24 If everything suggest from your agency before  
25 mediation, we can review and we can talk at the

1 mediation, because most of the time, most of the  
2 case we just submit at the mediation and start  
3 talking about what's your agency concern or  
4 something like that.

5 So we set a schedule for second  
6 mediation to expedite the whole process. If you  
7 suggest to me a proposal, something before  
8 mediation, then we can start to talk at the  
9 mediation right away.

10 COMMISSIONER THOMPSON: Well, no, I  
11 think it's a fair request. I'd just like for you  
12 to email that so that we know when and how the  
13 dialogue started, and we can have a record of  
14 what was discussed or what's going to be  
15 discussed as we go through mediation. You have  
16 our email address.

17 MS. FLETCHER: So, Mr. Thompson, this  
18 is just an option that you have. Some parties  
19 like to discuss what the issues are prior to  
20 mediation, and so you're just one step ahead  
21 during the mediation process.

22 And I understand what you're saying.  
23 You're asking Mr. Lee to write that down. So,  
24 Mr. Lee, you can write that down if you want.  
25 It's up to you.



1 MR. LEE: Yeah --

2 (Simultaneous speaking.)

3 MR. LEE: It's not required. So I'm  
4 just --

5 MS. FLETCHER: It's not a requirement.  
6 What you may also do, Mr. Thompson, you may also  
7 just think about, you know, what your concerns  
8 are and just wait and discuss those during  
9 mediation.

10 I'll leave that up to Mr. Lee in terms  
11 of whether or not he writes it. But it's not  
12 unusual that the parties discuss the issues prior  
13 to --

14 MR. LEE: That's correct.

15 MS. FLETCHER: -- mediation. So  
16 that's kind of normal. It's helpful. But I also  
17 understand why you want it in writing.

18 COMMISSIONER THOMPSON: No, I totally  
19 agree that that's efficient and smart to do. I'm  
20 just asking that we have the dialogue. I don't  
21 need it to be certified mail. I'm just talking  
22 about an email.

23 MS. FLETCHER: And what do you want  
24 the email to -- you want the email asking you to  
25 consider to write down what the concerns are and

1       how you would like to see them resolved. I'm  
2       just trying to make sure that Mr. Lee understands  
3       what it is you would be asking him to write, if  
4       he chooses to write it down.

5                COMMISSIONER THOMPSON: I mean, just  
6       a regular, standard email. Hi, this is Kevin Lee  
7       representing Lee's Liquors. We have an upcoming  
8       ABRA roll call hearing. And we would like to  
9       discuss the issues ahead of time so that we can  
10      have a productive meeting during the roll, I  
11      mean, I'm sorry, the status meeting. Please  
12      provide your concerns, et cetera.

13               MR. LEE: No, at this moment, I'm  
14      just, suggest it's okay. We will talk at the  
15      mediation. That's okay. Just for policy, if you  
16      have any proposal things and then you can provide  
17      me. If not --

18               COMMISSIONER THOMPSON: Well, no --  
19               (Simultaneous speaking.)

20               COMMISSIONER THOMPSON: Actually, the  
21      ANC will respond with thoughts on what we can  
22      discuss or what we can make headway on prior to  
23      the, I mean, to the meeting. But, like I said,  
24      you'll ask me for suggestions, and we'll provide  
25      suggestions. We'll just do it by email.

1 MS. FLETCHER: Well, let's just appear  
2 for mediation on April 8th --

3 COMMISSIONER THOMPSON: Okay.

4 MS. FLETCHER: -- at 2:00. And we'll  
5 go from there.

6 MR. LEE: Okay.

7 COMMISSIONER THOMPSON: Awesome.

8 MS. FLETCHER: Any other questions?

9 COMMISSIONER THOMPSON: No, ma'am.

10 MS. FLETCHER: Okay. Anything else,  
11 Ms. Brown?

12 COMMISSIONER BROWN: No.

13 MS. FLETCHER: Then I will see you on  
14 April 8th at 2:00.

15 COMMISSIONER BROWN: All right. Thank  
16 you.

17 MR. LEE: Thank you. I'm sorry about  
18 the confusion. It's okay, yeah --

19 MS. FLETCHER: Oh, there's no  
20 confusion. I think we know where we're going  
21 from here.

22 MR. LEE: Okay.

23 MS. FLETCHER: Okay. Thank you very  
24 much, Mr. Thompson.

25 COMMISSIONER THOMPSON: Thank you.



**A**

**A-N** 4:21  
**a.m** 2:2 28:9  
**ABC** 6:8,23,23 10:11,17  
 16:22  
**able** 5:5  
**above-entitled** 28:8  
**ABRA** 1:17 8:2 26:8  
**ABRA's** 2:5  
**ABRA-095751** 1:7 2:11  
**abutting** 6:5 16:4  
**addition** 12:9  
**additional** 8:19  
**address** 12:11,12,18  
 24:16  
**adjoining** 16:7,11  
**afternoon** 21:17,22  
 22:1  
**agency** 23:24 24:3  
**agenda** 23:10  
**agent** 1:14,17 2:8 3:7  
**agree** 25:19  
**ahead** 12:6 24:20 26:9  
**Alcoholic** 1:2,13  
**anc** 1:8,19,20 3:16 4:15  
 4:16 5:13,16,16,18,19  
 5:19,21,22 6:3,4,13  
 7:1,5,6,7,9,12,19 8:4  
 8:11,12,21 9:2,9,9  
 10:14,18 11:24,25  
 12:25 14:17,18,25  
 15:5,6,25 16:1,3,3,6,7  
 16:15,16,16 17:1,1  
 26:21  
**anc.dc.gov** 12:16  
**ANCs** 16:12  
**anytime** 17:13,14 18:1  
 21:25  
**app** 4:25  
**appear** 27:1  
**appears** 5:18  
**Applicant** 2:18 3:2  
 10:24  
**approve** 16:15  
**April** 17:13,14,20,20  
 18:25 20:12,15 21:11  
 21:21,24,25 22:21  
 27:2,14 28:1  
**area** 9:22 10:15 15:22  
**asking** 16:17 24:23  
 25:20,24 26:3  
**attorney** 2:20 6:2  
**available** 13:13 17:7,8  
 20:13 21:25  
**Ave** 1:7  
**Avenue** 2:11,14,15,16  
 8:9,15,23 9:1 14:6,22  
 14:22 15:14,14,15

**aware** 4:14  
**Awesome** 10:2 11:14  
 27:7

**B**

**B-** 5:12  
**B-R-I-** 4:20  
**based** 5:20 16:14  
**basically** 8:5  
**behalf** 2:17 3:16  
**believe** 3:20 22:6,24  
**bend** 9:7  
**best** 18:7  
**better** 18:11,20,23  
 19:17 21:1 23:5  
**Beverage** 1:2,13  
**beyond** 7:17  
**Bezad** 1:6 2:9  
**block** 8:5,14  
**Board** 1:2,13 6:8,23,24  
 7:18 10:11,17,18  
 16:15,22  
**Board's** 1:14,17 2:8  
 7:14  
**Boone** 9:13  
**boundaries** 5:18,19,19  
 16:11  
**boundary** 6:5,9,10 8:13  
 8:15,20,25 14:23  
 16:12  
**Brian** 1:20 4:20 12:8  
**bridge** 15:16  
**bring** 10:16  
**Brown** 1:19 3:16,17,19  
 3:23 4:2,6 5:9,11,12  
 5:12 13:16,19,25 14:4  
 14:10,19,21 15:2,11  
 15:13,18 18:6,10,20  
 18:22 19:2,8,13,19  
 20:17,18,24,25 22:3  
 23:4,11,13 27:11,12  
 27:15 28:4  
**business** 8:4,6,9,13  
**businesses** 9:1  
**bye** 28:5  
**Bye-** 28:4

**C**

**calendar** 21:20  
**call** 1:3,7 2:5,8 9:17,24  
 11:11 13:12 15:20  
 19:4,6,9 26:8 28:6  
**calling** 2:9  
**calls** 6:2  
**car** 20:8  
**care** 9:12  
**case** 1:8 2:9 11:16 12:9  
 19:15 24:2

**center** 6:15  
**certified** 25:21  
**cetera** 26:12  
**chair** 5:13 11:24  
**choose** 18:12,13  
**chooses** 26:4  
**chunks** 20:10  
**clarify** 7:19 8:2 16:23  
**class** 2:12  
**clear** 6:20 15:5 16:2  
**client** 6:4 10:1 15:6,22  
 16:14 18:4,7 21:3  
**COLUMBIA** 1:1  
**commissioner** 3:17,19  
 3:20,23,23 4:2,6,9,10  
 4:13,20,24 5:11 8:1,8  
 8:11,18,22 9:4,19,23  
 10:2,20 11:1,5,10,13  
 11:23,24 12:14,19,23  
 12:25 13:4,16,19,25  
 14:4,10,19,21 15:2,11  
 15:13,18,24 16:6,10  
 18:6,10,22 19:2,8,13  
 19:19,24 20:2,7,14,18  
 20:25 21:16 22:3,4,6  
 23:11,13,14,18 24:10  
 25:18 26:5,18,20 27:3  
 27:7,9,12,15,25 28:3  
 28:4

**computer** 4:3,4 5:4  
**concern** 24:3  
**concerns** 10:16 25:7,25  
 26:12  
**concluded** 28:7  
**conditional** 7:13,14  
 10:14 17:2  
**conditions** 8:3  
**conducted** 2:5  
**conducting** 2:7  
**confusion** 27:18,20  
**connected** 15:7  
**consider** 25:25  
**contact** 11:16,18,21  
 12:1,3,10 13:8,11  
**Control** 1:2,13  
**Corporation** 1:6 2:10  
**correct** 7:11 14:18,19  
 25:14  
**Counsel** 1:19  
**couple** 6:25 17:17  
**course** 3:12  
**created** 6:8 10:6  
**crystal** 6:20  
**curious** 5:6

**D**

**date** 21:21 22:24,25  
 23:2,3

**dates** 17:7  
**day** 9:12 17:8,10 18:7  
 18:11,13,20 19:4,12  
 19:13 20:3,9,10,19  
 22:4 23:6  
**DC** 5:20 10:7  
**dc.gov** 12:20 13:1  
**DCPS** 9:15  
**decide** 10:18 16:19  
**decision** 10:12  
**definition** 6:14 7:19  
**Denny** 22:14  
**designated** 12:8  
**dialogue** 23:20 24:13  
 25:20  
**different** 18:13  
**discuss** 23:10 24:19  
 25:8,12 26:9,22  
**discussed** 24:14,15  
**DISTRICT** 1:1  
**doing** 4:7

**E**

**efficient** 25:19  
**Elementary** 9:13  
**email** 12:10,12,18 13:7  
 22:23 23:12 24:12,16  
 25:22,24,24 26:6,25  
**Especially** 6:7  
**et** 26:12  
**everybody** 2:19 21:21  
**expedite** 23:8 24:6  
**explanation** 6:23

**F**

**facing** 8:6  
**fair** 24:11  
**far** 6:4 9:11 15:7  
**feet** 6:9 8:4,12 9:14  
 14:5,23,24  
**file** 6:12  
**final** 6:2 10:9,12  
**find** 10:1 21:21  
**fine** 19:14,14,19  
**first** 2:25 4:19 10:1  
**Fletcher** 1:14,17 2:3,7  
 2:22 3:1,6,11,15,18  
 3:21,25 4:5,8,11,17  
 4:23 5:3,9,15,25 6:18  
 7:4,8,12,17,21,24 8:7  
 8:10,16 10:5,25 11:7  
 11:9,20 12:5,7,17,21  
 12:24 13:2,5,9,14,16  
 13:18,23 14:1,8,11,16  
 16:17,18,22,25 17:5  
 17:14,16,19,22,24  
 18:1,5,12,17,19,24  
 19:5,9,22 20:1,5,11

20:16,20,23 21:2,5,7  
21:12,14,19 22:8,12  
22:17,20 24:17 25:5  
25:15,23 27:1,4,8,10  
27:13,19,23 28:1,6  
**following** 18:20,22  
**forget** 8:24  
**forgetting** 9:7  
**found** 16:3  
**Friday** 17:20,21,23 20:4  
20:6  
**front** 8:6  
**full** 7:13 11:2,6,7,8,9  
17:12  
**further** 6:22

**G**

**Geographic** 5:20 10:7  
**getting** 5:6  
**give** 10:14 17:6  
**god** 3:20  
**grant** 7:6,8,13 10:14  
**guess** 10:21

**H**

**H-W-A-N** 2:25  
**headway** 26:22  
**hear** 4:14 23:17  
**hearing** 1:3,7 2:5,8 9:17  
19:4,6,10 20:8 22:24  
23:2,3 26:8 28:7  
**hearings** 17:17  
**help** 8:2  
**helpful** 25:16  
**Hi** 26:6  
**hired** 10:21  
**Holly** 11:23  
**honestly** 20:2  
**hopped** 4:4

**I**

**important** 6:19  
**information** 5:20 10:7  
11:16,19  
**initial** 5:12  
**issue** 10:17 12:3  
**issues** 4:25 5:4 24:19  
25:12 26:9

**J**

**job** 20:4  
**joining** 2:4 3:2  
**juggle** 19:14  
**jurisdictions** 16:7

**K**

**K-E-V-I-N** 11:12  
**K-Y-U-N-G** 2:25

**keep** 19:1 21:20 23:19  
**keeps** 6:4 15:6  
**Kevin** 2:20 11:11 26:6  
**KYUN-HWANG** 1:19

**L**

**L** 5:12  
**L-E-E** 2:25 11:12  
**large** 20:9  
**latest** 6:9  
**LaVerne** 1:14,17 2:7  
**leave** 14:24 25:10  
**Lee's** 1:6 2:10,20 5:13  
10:22,24 26:7  
**legal** 10:21,23  
**let's** 17:16 27:1  
**letter** 11:17 12:2  
**license** 1:7,9 2:11,12  
**licensed** 9:12  
**Licensee's** 1:19  
**line** 6:5 8:13,20 10:7  
18:7 21:3  
**liquor** 1:6 2:10,21 5:14  
9:14 10:22

**Liquors** 26:7

**listed** 12:2  
**little** 4:6 5:4 23:1  
**load** 19:15  
**location** 1:10 2:13  
13:21 14:2 15:7  
**look** 9:17 15:22,25  
16:19 23:13  
**looked** 6:7 16:1  
**looking** 19:25 21:20

**M**

**ma'am** 8:18 12:23 27:9  
**mail** 25:21  
**map** 6:7 10:6 16:2,2  
**maps** 15:25  
**March** 1:12 17:8,13  
**Marcus** 19:7  
**Market** 19:7  
**matter** 1:5 2:21 10:17  
20:22 28:8  
**mean** 21:20 26:5,11,23  
**means** 5:21 15:6  
**mediation** 9:18 15:20  
17:6,8 19:11,18 22:20  
23:6,8,10,25 24:1,2,6  
24:8,9,15,20,21 25:9  
25:15 26:15 27:2  
**meeting** 5:1 26:10,11  
26:23  
**met** 1:14  
**middle** 5:12  
**mine** 12:15  
**Minnesota** 14:6,22

15:13,15  
**moment** 4:1 23:1 26:13  
**Monday** 1:11 17:8  
18:25 20:4,5  
**morning** 2:3,19 4:9,11  
21:18 22:18,19  
**move** 17:13 19:11 22:2  
**moving** 19:1 21:24  
**Muhammad** 3:20 11:17  
11:23 12:10,11,22  
**muted** 21:5,7

**N**

**name** 2:7,20,23,24,24  
2:25 4:18,19 5:10  
8:24 9:8 11:2,6,7,8,9  
11:12,18  
**nearby** 9:22  
**need** 20:3 21:8 25:21  
**neighborhood** 9:20  
**new** 1:10 2:13 15:7  
**normal** 5:8 25:16  
**number** 13:8

**O**

**objection** 10:10  
**occurs** 9:6  
**office** 9:22 20:3  
**officer** 11:25  
**official** 12:1  
**once** 11:21 16:19  
**online** 2:6 15:25  
**open** 9:13  
**opportunity** 10:15,16  
**opposite** 8:5,14 14:6  
16:12  
**option** 6:1 24:18

**P**

**P-R-O-C-E-E-D-I-N-G-S**  
2:1  
**p.m** 17:10  
**part** 6:16  
**part** 16:8  
**PARTICIPANT** 21:9  
22:15,19  
**parties** 24:18 25:12  
**path** 3:5  
**pending** 7:14 17:3  
**Pennsylvania** 1:7 2:11  
2:13,15,15 8:9,14,23  
9:1 14:22 15:14  
**personal** 18:15  
**personally** 9:16  
**phone** 4:4 5:2 13:8  
**physically** 20:3  
**Place** 9:6  
**please** 2:14,23 4:19

5:10 26:11  
**point** 4:24 12:1 17:1  
**points** 12:3  
**policy** 26:15  
**prefer** 17:21 18:3  
**preference** 20:24  
**present** 1:16,18 2:17  
3:7,15,22  
**presiding** 1:14  
**pretty** 17:9  
**prior** 24:19 25:12 26:22  
**probably** 15:20 18:23  
**problem** 17:19 21:9  
**proceed** 3:12 7:25  
16:25 17:5  
**process** 23:9 24:6,21  
**productive** 26:10  
**proposal** 23:7 24:7  
26:16  
**protest** 2:21 6:3,12 12:2  
**protestant** 5:16,17,23  
**protesting** 13:22,24  
**provide** 26:12,16,24  
**proximity** 13:21 14:1

**Q**

**question** 5:24 6:21,24  
7:1,4,15,22 8:19 11:3  
11:4 13:17,20 16:14  
17:3  
**questions** 6:19 10:19  
27:8

**R**

**R-O-W-N** 5:13  
**read** 16:14  
**ready** 23:9  
**rec** 6:15  
**record** 2:23 4:19 5:10  
14:5 24:13 28:9  
**regular** 26:6  
**regulations** 6:20  
**relate** 6:15  
**related** 7:1,5 10:11  
**relayed** 11:20  
**repeat** 8:7  
**representative** 10:21  
10:22,23 12:9  
**representing** 4:15 26:7  
**request** 6:22 23:15,19  
24:11  
**required** 25:3  
**requirement** 25:5  
**resolved** 26:1  
**respond** 6:24 7:22  
26:21  
**response** 7:14  
**responsibility** 21:18

**restriction** 14:25  
**retailer** 1:8 2:12  
**review** 10:6 23:7,25  
**roll** 1:3,7 2:5,8 9:17,24  
 15:20 19:3,6,9 26:8  
 26:10 28:6

---

**S**

---

**saying** 6:4,16 7:8 14:5  
 15:4,6,8,8 24:22  
**schedule** 17:6,12 18:15  
 19:18 24:5  
**scheduled** 23:6  
**school** 6:8,15 9:11,13  
 9:15  
**SE** 1:7 2:11,14,15,16  
**second** 2:14 17:7 24:5  
**send** 11:19 22:23 23:2  
 23:14,18  
**separate** 12:13  
**set** 22:21,25 24:5  
**share** 12:11  
**side** 8:5,14 9:8 14:6  
**sides** 16:12  
**Simultaneous** 3:9  
 14:14 15:3 16:21 21:4  
 23:22 25:2 26:19  
**sir** 11:2 23:15  
**slight** 9:7  
**slow** 5:5  
**small** 16:3  
**smart** 25:19  
**SMD** 4:15  
**So--** 19:18  
**sorry** 4:13 14:13,16  
 15:2 17:18 26:11  
 27:17  
**south** 8:22,23,24  
**speaking** 3:9 14:14  
 15:3 16:21 21:4 23:22  
 25:2 26:19  
**spell** 2:23 4:18 5:10  
**split** 9:5  
**standard** 26:6  
**standing** 5:16,17,22 6:2  
 6:12 7:6,9,13,13  
 10:11,14,18 13:20  
 17:1,2  
**start** 8:20 24:2,8  
**started** 24:13  
**status** 22:24 23:2,3  
 26:11  
**step** 20:7 24:20  
**store** 1:6 2:10 5:14 9:14  
**storefronts** 9:12  
**street** 8:6,20,23,25 9:5  
 9:6,8,9 13:12 14:7,9  
 14:18 15:9,17

**stuff** 6:16  
**submit** 24:2  
**suggest** 23:24 24:7  
 26:14  
**suggestion** 23:7  
**suggestions** 26:24,25  
**System** 5:21 10:7

---

**T**

---

**T-H-O-M-P-S-O-N** 4:21  
**T-I-F-F-A-N-Y** 5:12  
**t/a** 1:6  
**talk** 9:25 13:11 15:21  
 23:8,25 24:8 26:14  
**talking** 18:16 24:3  
 25:21  
**technical** 5:4  
**terms** 12:10 25:10  
**Testi** 22:18  
**thank** 2:4,22 3:1,15 4:1  
 4:8,17,23 5:9,15 6:18  
 8:16 10:4 11:14 22:22  
 27:15,17,23,25 28:4,7  
**things** 6:25 23:23 26:16  
**Thompson** 1:20 4:9,10  
 4:12,13,18,20,21,24  
 7:24 8:1,8,11,18,22  
 9:4,19,23 10:2,8,13  
 10:20 11:1,5,10,13,23  
 12:8,11,14,18,19,23  
 12:25 13:4 15:8,21,24  
 16:6,10 19:20,23,24  
 20:2,7,14 21:15,16  
 22:5,6 23:5,14,18  
 24:10,17 25:6,18 26:5  
 26:18,20 27:3,7,9,24  
 27:25 28:3

**thought** 16:13  
**thoughts** 26:21  
**Thursday** 17:20 20:12  
 20:15 21:10 22:10,21  
**Tiffany** 1:19 5:11  
**today** 3:3,5 5:4 7:5,18  
 16:17 19:18  
**told** 8:3  
**totally** 25:18  
**touch** 5:18,20 16:4  
**trading** 2:10  
**training** 8:2  
**transfer** 1:9 2:13  
**trial** 17:18  
**tricky** 4:7  
**trouble** 5:6  
**trying** 3:24 4:3 26:2  
**Tuesday** 20:14  
**two** 9:12 16:12

---

**U**

---

**understand** 7:21,25  
 24:22 25:17  
**understands** 26:2  
**unmute** 21:8  
**unusual** 25:12  
**upcoming** 26:7  
**use** 14:25

---

**V**

---

**videoconference** 1:14  
**visit** 10:15

---

**W**

---

**wait** 3:25 25:8  
**ward** 9:5,5,9 16:10,11  
 16:12  
**wards** 16:8  
**wasn't** 4:14  
**way** 13:10 23:8  
**web** 4:25  
**WebEx** 1:14 2:6  
**Wednesday** 20:4,6  
**week** 18:21,23 20:4  
 21:24 22:2  
**went** 28:9  
**White** 9:6  
**word** 10:9  
**work** 19:2,22 20:15,16  
 20:19 21:17,18,23  
 22:1,7  
**works** 21:14,21,22  
**write** 24:23,24 25:25  
 26:3,4  
**writes** 25:11  
**writing** 7:18 23:15,19  
 23:23 25:17

---

**X**

---



---

**Y**

---



---

**Z**

---



---

**0**

---

**01** 13:3  
**03** 13:2

---

**1**

---

**1:00** 21:25  
**10:00** 17:9 18:2 19:7,10  
**10:07** 2:2  
**10:30** 17:9  
**10:37** 28:9  
**11:00** 18:3 20:21,24,25  
 21:1,2,12  
**11:30** 18:25 19:11,16,18  
 20:20,21,24  
**12** 21:24

**1st** 18:19

---

**2**

---

**2** 17:20  
**2:00** 17:10 18:2 21:25  
 22:3,7,11,21 27:4,14  
 28:2  
**2021** 1:12  
**21-PRO-00014** 1:8 2:9  
**22** 1:12  
**2329** 2:10,13,15  
**2339** 1:7 2:14  
**25th** 9:4,6  
**29** 17:9  
**29th** 17:10

---

**3**

---



---

**4**

---

**400** 6:9,9 14:5,23,24

---

**5**

---

**5** 18:25  
**500** 8:4,12 9:14  
**5th** 19:14

---

**6**

---

**601** 6:2

---

**7**

---

**7** 9:2,2,5,5 16:10  
**7A** 16:3  
**7B** 1:19 3:17,18,19 5:13  
 5:16,19 6:6 7:5,6,9  
 16:7 17:1  
**7B/8A** 1:8

---

**8**

---

**8** 9:5,6,9 16:11  
**8A** 1:20 3:16,19 4:15  
 5:17,19,21 6:4 7:1,7  
 7:12 8:4,15,21,25  
 9:10 10:14,18 11:24  
 13:20 14:18 15:6 16:4  
 16:6,15,16 17:1  
**8A01** 12:15,25  
**8A03** 4:15 12:15  
**8A03@anc** 12:19  
**8th** 20:12,15 21:11,22  
 21:25 22:10,21 27:2  
 27:14 28:1

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In the matter of: Lee's Liquor

Before: DCABRA

Date: 03-22-21

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.



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Court Reporter

**NEAL R. GROSS**

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