

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

2 10:59 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our calendar is Case No. 21-PRO-00040,
5 Sylvia's Liquors, License No. 104606.

6 Ms. Andrews, can you please elevate
7 the rights of the parties in this case?

8 MS. ANDREWS: Sure. Stand by. Mr. or
9 Mrs. Nam Joung, your rights have been elevated.
10 That's all I have, Mr. Chair. If there's anyone
11 on the line that belongs to this case, please
12 acknowledge yourselves in the chat, and I will
13 elevate your rights.

14 MR. JUOUNG: Yes, I'm here. Should I
15 please go?

16 CHAIRPERSON ANDERSON: Hang on one
17 minute, please, sir. Is there no one here from
18 ANC 5D?

19 MS. ANDREWS: Okay. I see a few
20 people in the chat. One second, Mr. Chair.

21 CHAIRPERSON ANDERSON: All right.

22 MS. ANDREWS: Ms. Gibbs, your rights
23 have been elevated. That's all, Mr. Chair.

24 CHAIRPERSON ANDERSON: All right.
25 Thank you. Let's start the -- let the parties

1 introduce themselves for the record. Let's start
2 with the licensee. Please spell and state your
3 name for the record. Who is the licensee? Who
4 owns this establishment?

5 MS. NA: Nam Young Joung and Hye Jung
6 Na.

7 CHAIRPERSON ANDERSON: Can you please
8 spell and state your name, please, ma'am?

9 MS. NA: Okay. My first name is H-Y-
10 E, last name is N-A.

11 CHAIRPERSON ANDERSON: And what's your
12 relationship to this establishment, ma'am?

13 MS. NA: I'm a Secretary of Sylvia
14 Liquors.

15 CHAIRPERSON ANDERSON: Do you mean
16 you're the Secretary of the Board or you're --
17 explain to me what your role is?

18 MS. NA: That's just title, but I'm
19 the owner's wife, the owner.

20 CHAIRPERSON ANDERSON: Is the owner --
21 are you on the license, ma'am?

22 MS. NA: Yes.

23 CHAIRPERSON ANDERSON: All right. Now
24 is your husband on the line also?

25 MS. NA: Yes.

1 CHAIRPERSON ANDERSON: Can he please
2 identify himself by spelling and stating his name
3 for the record, please?

4 MS. NA: Can I explain it to him? I
5 don't think he understood.

6 CHAIRPERSON ANDERSON: Okay, ma'am.
7 Go ahead.

8 MS. NA: (Foreign language spoken.)

9 MR. JOUNG: I am liquor store owner.
10 My name is Nam Young Joung. My first name is N-
11 A-M, middle name is Y-O-U-N-G, last name is J-O-
12 U-N-G.

13 CHAIRPERSON ANDERSON: All right, good
14 morning. I'm sorry, ma'am. What's your last
15 name, again, please, ma'am?

16 MR. JOUNG: J-O-U-N --

17 CHAIRPERSON ANDERSON: No, no. Not
18 you. Not you, sir. Your wife, I'm sorry.
19 What's your last name again?

20 MS. NA: My last name is N-A.

21 CHAIRPERSON ANDERSON: Na, how do you
22 pronounce that, please, ma'am?

23 MS. NA: Na is correct.

24 CHAIRPERSON ANDERSON: I'm sorry?

25 MS. NA: Na is correct.

1 CHAIRPERSON ANDERSON: All right. Ms.
2 Na, if this matter goes to a protest hearing --

3 MS. NA: Yes.

4 CHAIRPERSON ANDERSON: -- if your
5 husband requires a translator, can you please
6 instruct -- you can request a translator from the
7 Agency.

8 MS. NA: Okay. I think he will need
9 it.

10 CHAIRPERSON ANDERSON: All right. But
11 I'm just saying if it goes to a protest hearing,
12 please have your husband request a translator
13 from the agency and let us know what language he
14 requires translation services.

15 MS. NA: Thank you.

16 CHAIRPERSON ANDERSON: All right.
17 Thank you. All right. Who represents the ANC?

18 MR. DIXON: Good morning, Chairman
19 Donovan. My name is Ronald Dixon, R-O-N-A-L-D D-
20 I-X-O-N. I'm counsel for ANC 5D. I'm also
21 joined by co-counsel, Ms. Madison Gibbs. And
22 we're ready to proceed.

23 CHAIRPERSON ANDERSON: And could Ms.
24 Gibbs identify herself for the record, please?

25 MS. GIBBS: Yes. Good morning, Chair

1 Anderson. Madison Gibbs, co-counsel for ANC 5D.
2 Madison, M-A-D-I-S-O-N, Gibbs, G-I-B-B-S.

3 CHAIRPERSON ANDERSON: And is there a
4 representative -- I know that you're -- and so,
5 Mr. Dixon, you're an attorney, sir?

6 MR. DIXON: Ronald Dixon, yes, I am,
7 Chairman.

8 CHAIRPERSON ANDERSON: Yes. And is
9 the ANC going to be here today or you're just
10 representing them in your capacity?

11 MR. DIXON: I do not believe that the
12 ANC is going to be here. I received my
13 instructions from Sydelle Moore, who is the Chair
14 for ANC 5D. We're ready to proceed.

15 CHAIRPERSON ANDERSON: All right. Are
16 there any preliminary matters in this case that
17 need to be brought to the attention of the Board?

18 MR. DIXON: Yes, if I may, Chairman,
19 Anderson. The ANC and the applicants have had
20 extensive negotiations with reference to the
21 outstanding protest.

22 I would note just for the record that
23 there was a previous settlement agreement entered
24 in 2018 with reference to the applicant and
25 issues at the establishment at 1818 Benning Road

1 Northeast. I can represent, and Ms. Na is on the
2 line and she can agree with this, that we have
3 spoken, and we're trying to work this out.
4 However, we have not reached a signed agreement
5 as yet.

6 So what we would ask the Board to do
7 is set this matter down for a protest.

8 CHAIRPERSON ANDERSON: All right. And
9 Mr. Dixon, if during your negotiations, if it's
10 determined that a translator is required, both
11 sides can ask ABRA to provide a translator if
12 that will help the process, if that will
13 facilitate the process. I'm just saying that's
14 available. Yes, sir?

15 MR. DIXON: If I may, Chairman
16 Anderson, I think we can pursue that. But I
17 would leave that to the applicant because I don't
18 want to overstep my bounds with reference to my
19 perception of who may or may not need an
20 interpreter. But I'll leave that to the
21 applicant. But I appreciate your offer.

22 CHAIRPERSON ANDERSON: I'm making the
23 parties aware --

24 MR. DIXON: Mm-hmm.

25 CHAIRPERSON ANDERSON: -- that in

1 order to facilitate the process, we can provide a
2 translator. So I'm not saying that you need to
3 request one on behalf. I'm just saying if it
4 will help facilitate the process and if there is
5 a language barrier issue, the agency can assist
6 in making a translator available.

7 That's all I'm putting out there.
8 Nothing else, sir. Neither am I saying that
9 anyone requires a translator. I'm just saying
10 that we want -- the agency supports discussions.
11 The agency supports settlement agreements. So
12 whatever we can do to facilitate the process, we
13 are able to do that. We will be able to assist
14 in that process. All right? But thank you for
15 your representation.

16 All right. Ms. Na, any representation
17 you need to make or preliminary matters you need
18 to make available?

19 MS. NA: Actually, just like Mr. Dixon
20 says, we had actively, you know -- we had a
21 meeting yesterday. We couldn't come out with a
22 conclusion, but we will have another mediation
23 meeting next Friday.

24 CHAIRPERSON ANDERSON: All right.
25 That's fine.

1 MS. NA: Hopefully, we can settle with
2 something.

3 CHAIRPERSON ANDERSON: All right.
4 Thank you for that. All right. This matter then
5 is scheduled -- if the matter is not settled, we
6 will have a protest hearing on September 22 at
7 1:30 p.m. All right. September 22 at 1:30 p.m.
8 All right.

9 Now that we have scheduled this matter
10 for a protest hearing, there are a few things
11 that I would like to instruct you about because
12 the Board's practices under the COVID-19
13 restrictions have changed.

14 As you know, the Board's hearings are
15 conducted virtually. So it is more important
16 than ever that protest hearings are focused and
17 addresses only those issues that are being
18 protested.

19 Following this hearing, you will be
20 receiving an email from Assistant General Counsel
21 April Randall that will include a copy of a
22 protest information form and a copy of an exhibit
23 form as well as specific instructions for the
24 hearing.

25 You are required to complete and

1 submit the PIF and exhibit forms at least seven
2 days before the hearing.

3 If we do not receive a copy of your
4 forms seven days before the hearing, your
5 application or your protest may be subject to
6 dismissal.

7 These documents need to be submitted
8 to abra.legal@dc.gov and to the opposing parties.

9 Please know that these documents
10 greatly assist the process of the Board in
11 narrowing the protest issues, facilitating the
12 process and keeping the parties on point during
13 the hearing.

14 Each side is limited to no more than
15 five witnesses, and you will only have 60 minutes
16 to present your case. This includes all direct
17 and cross-examination.

18 The Board does not intend to hear
19 testimony on matters that are not relevant to
20 those issues that are being protested. Are there
21 any questions?

22 MS. NA: No, sir.

23 MR. DIXON: Ronald Dixon, counsel for
24 ANC 5D. No questions, Chairman Anderson. Thank
25 you.

1 CHAIRPERSON ANDERSON: All right.
2 Thank you. We thank you greatly for your
3 cooperation. If you have any questions at any
4 time leading up to the hearing, please do not
5 hesitate to contact Assistant General Counsel
6 April Randall at 202-329-6354 or contact her by
7 email.

8 The Board supports settlement
9 agreements if you're able to do that. And I want
10 to wish you good luck in your next mediation
11 session. And if the matter cannot be settled,
12 then we'll see you at a protest hearing on
13 September 22 at 1:30 p.m. Have a good day and
14 thank you very much.

15 MS. NA: Thank you so much.

16 MR. JOUNG: Thank you. Bye-bye.

17 MS. GIBBS: Thank you.

18 MR. DIXON: Are we excused, Mr.

19 Anderson?

20 CHAIRPERSON ANDERSON: Yes, Mr. Dixon.

21 MR. DIXON: Okay. Thank you so much.

22 Bye-bye.

23 CHAIRPERSON ANDERSON: All right.

24 Thank you.

25 (Whereupon, the above-entitled matter

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went off the record at 11:10 a.m.)

A	C	E	I
<p>A-M 4:11 a.m 2:2 12:1 able 8:13,13 11:9 above-entitled 11:25 ABRA 1:21 7:11 abra.legal@dc.gov 10:8 acknowledge 2:12 actively 8:20 addresses 9:17 agency 5:7,13 8:5,10 8:11 agree 7:2 agreement 6:23 7:4 agreements 8:11 11:9 ahead 4:7 Alcoholic 1:2,13 ALIYA 1:17 ANC 1:7,22,23 2:18 5:17,20 6:1,9,12,14 6:19 10:24 Anderson 1:14,17 2:3 2:16,21,24 3:7,11,15 3:20,23 4:1,6,13,17 4:21,24 5:1,4,10,16 5:23 6:1,3,8,15,19 7:8 7:16,22,25 8:24 9:3 10:24 11:1,19,20,23 Andrews 1:21 2:6,8,19 2:22 applicant 1:24,25 6:24 7:17,21 applicants 6:19 application 1:9 10:5 appreciate 7:21 April 9:21 11:6 assist 8:5,13 10:10 Assistant 9:20 11:5 attention 6:17 attorney 6:5 available 7:14 8:6,18 aware 7:23</p>	<p>calendar 2:4 capacity 6:10 case 1:8 2:3,4,7,11 6:16 10:16 Chair 2:10,20,23 5:25 6:13 Chairman 5:18 6:7,18 7:15 10:24 Chairperson 1:14,17 2:3,16,21,24 3:7,11 3:15,20,23 4:1,6,13 4:17,21,24 5:1,4,10 5:16,23 6:3,8,15 7:8 7:22,25 8:24 9:3 11:1 11:20,23 changed 9:13 chat 2:12,20 co-counsel 5:21 6:1 COLUMBIA 1:1 come 8:21 complete 9:25 conclusion 8:22 conducted 9:15 contact 11:5,6 Control 1:2,13 cooperation 11:3 copy 9:21,22 10:3 correct 4:23,25 counsel 1:22,23 5:20 9:20 10:23 11:5 COVID-19 9:12 CROCKETT 1:17 cross-examination 10:17</p>	<p>email 9:20 11:7 entered 6:23 establishment 3:4,12 6:25 excused 11:18 exhibit 9:22 10:1 explain 3:17 4:4 extensive 6:20</p> <p>F</p> <p>facilitate 7:13 8:1,4,12 facilitating 10:11 fine 8:25 first 3:9 4:10 five 10:15 focused 9:16 Following 9:19 Foreign 4:8 form 9:22,23 forms 10:1,4 Friday 8:23</p>	<p>issues 6:25 9:17 10:11 10:20</p> <p>J</p> <p>J-O- 4:11 J-O-U-N 4:16 JAMES 1:19 JENI 1:18 joined 5:21 Joung 1:24 2:9 3:5 4:9 4:10,16 11:16 JR 1:19 July 1:12 Jung 1:25 3:5 JUOUNG 2:14</p>
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<hr/> <p style="text-align: center;">Q</p> <hr/> <p>questions 10:21,24 11:3</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>R-O-N-A-L-D 5:19</p>	<hr/> <p style="text-align: center;">S</p> <hr/> <p>S 1:18 saying 5:11 7:13 8:2,3 8:8,9 says 8:20 scheduled 9:5,9 second 2:20 Secretary 3:13,16 September 9:6,7 11:13 services 5:14 session 11:11 set 7:7 settle 9:1 settled 9:5 11:11 settlement 6:23 8:11 11:8 seven 10:1,4 SHORT 1:19 side 10:14 sides 7:11 signed 7:4 SIMONE 1:21 sir 2:17 4:18 6:5 7:14 8:8 10:22 sorry 4:14,18,24 specific 9:23 spell 3:2,8 spelling 4:2 spoken 4:8 7:3</p>	<hr/> <p style="text-align: center;">U</p> <hr/> <p>U-N-G 4:12 understood 4:5</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>videoconference 1:14 virtually 9:15</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>W 1:14,17 WebEx 1:14 went 12:1 wife 3:19 4:18 wish 11:10 witnesses 10:15 work 7:3</p> <hr/> <p style="text-align: center;">X</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>Y-O-U-N-G 4:11 yesterday 8:21 Young 1:24 3:5 4:10</p>	<hr/> <p style="text-align: center;">6</p> <hr/> <p>60 10:15</p>
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<hr/> <p style="text-align: center;">R</p> <hr/> <p>R-O-N-A-L-D 5:19</p>	<hr/> <p style="text-align: center;">S</p> <hr/> <p>S 1:18 saying 5:11 7:13 8:2,3 8:8,9 says 8:20 scheduled 9:5,9 second 2:20 Secretary 3:13,16 September 9:6,7 11:13 services 5:14 session 11:11 set 7:7 settle 9:1 settled 9:5 11:11 settlement 6:23 8:11 11:8 seven 10:1,4 SHORT 1:19 side 10:14 sides 7:11 signed 7:4 SIMONE 1:21 sir 2:17 4:18 6:5 7:14 8:8 10:22 sorry 4:14,18,24 specific 9:23 spell 3:2,8 spelling 4:2 spoken 4:8 7:3</p>	<hr/> <p style="text-align: center;">U</p> <hr/> <p>U-N-G 4:12 understood 4:5</p>	<hr/> <p style="text-align: center;">6</p> <hr/> <p>60 10:15</p>

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Sylvia's Liquors

Before: DC ABRA

Date: 07-15-21

Place: teleconference

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



Court Reporter

NEAL R. GROSS

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