



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

2 3:10 p.m.

3 CHAIRPERSON ANDERSON: The next case  
4 on our calendar is Case No. 20-PRO-00034, JS  
5 Mart, License No. 116822. Ms. Andrews, can you  
6 please elevate the rights of the parties in JS  
7 Mart, please?

8 MS. ANDREWS: Sure. Stand by.

9 CHAIRPERSON ANDERSON: Thank you.

10 MS. ANDREWS: Mr. Lee, your rights  
11 have been elevated. Ms. Voorhis, your rights  
12 have been elevated.

13 MS. VOORHIS: Good afternoon.

14 MS. ANDREWS: Ms. Simmons, your rights  
15 have been elevated.

16 MS. LINNELL-SIMMONS: Hi. Thank you.

17 MS. ANDREWS: Okay, that's all, Mr.  
18 Chair.

19 CHAIRPERSON ANDERSON: I apologize.  
20 Are all the parties here?

21 MR. LEE: I'm here.

22 MS. LINNELL-SIMMONS: Yes.

23 MS. VOORHIS: Yes, Mr. Chairman.

24 CHAIRPERSON ANDERSON: Let's start  
25 with the Licensee.

1                   MR. LEE: Yes, my name is Kevin Lee.  
2 I'm the attorney for the Licensee, JS LLC, JS  
3 Mart Liquor. Can you hear me?

4                   CHAIRPERSON ANDERSON: Yes, Mr. Lee.  
5 Is the Licensee joining us today?

6                   MR. LEE: Actually if he is required  
7 to attend, he is on standby outside.

8                   CHAIRPERSON ANDERSON: Is he on the  
9 line?

10                  MR. LEE: He is not on the line yet.

11                  CHAIRPERSON ANDERSON: That's fine.  
12 We have a group of -- hold on one minute, please.  
13 We have a group and so Ms. Voorhis, can you  
14 identify yourself for the record and who you  
15 represent, ma'am?

16                  MS. VOORHIS: Yes, Mr. Chairman. I am  
17 a member of the abutting community and also a  
18 representative of the neighbors signing the  
19 petition against JS Liquor Mart. My name is Meg  
20 or Megan Voorhis, M-E-G V-O-O-R-H-I-S.

21                  CHAIRPERSON ANDERSON: So who are with  
22 you?

23                  MS. VOORHIS: I believe Ms. Simmons is  
24 on the line, and we have ample representation  
25 that was on the line either through the phone

1 call dial-in or on the WebEx physically until  
2 2:30. We have written documentation from them  
3 through chat or email to Ms. Simmons of their  
4 participation.

5 CHAIRPERSON ANDERSON: Who are all the  
6 people who were on the line?

7 MS. VOORHIS: Of course. Mary, do you  
8 want to state your name first and then I'll --

9 CHAIRPERSON ANDERSON: Hold on, hold  
10 on. Ms. Simmons? I need if you are not speaking  
11 for you to put your microphone on mute. Mr. Lee,  
12 put your microphone on mute, please. Who's  
13 speaking?

14 MS. VOORHIS: This is Meg Voorhis.

15 CHAIRPERSON ANDERSON: Who else is on  
16 the line?

17 MS. LINNELL-SIMMONS: I am on the  
18 line. My name is Mary Linnell-Simmons.

19 CHAIRPERSON ANDERSON: Spell your  
20 name, please.

21 MS. LINNELL-SIMMONS: M-A-R-Y L-I-N-N-  
22 E-L-L hyphen S-I-M-M-O-N-S. I can also type it  
23 in the chat.

24 CHAIRPERSON ANDERSON: That's fine.  
25 No, we have a court reporter on the line. The

1 reason why I ask folks to spell their name is for  
2 the court reporter to capture your name, that's  
3 why. Who else do we have, please, as a part of  
4 the group?

5 MS. VOORHIS: Mr. Chairman, I've  
6 included and I can spell their names, as well,  
7 four other attendees that were in attendance  
8 until 2:30 and per your direction had either  
9 chatted their name and information into the chat  
10 or sent an email to Ms. Simmons. Specifically  
11 Jorge Berges, J-O-R-G-E, B-E-R-G-E-S; Vannak  
12 Tann, V-A-N-N-A-K, T-A-N-N; Thomas Bauer, T-H-O-  
13 M-A-S, B-A-U-E-R; and Mr. Ian Simmons, I-A-N, S-  
14 I-M-M-O-N-S.

15 CHAIRPERSON ANDERSON: All right  
16 that's it. At the roll call hearing, the group  
17 of five was given provisional status and the  
18 group of five was informed that four additional  
19 members needed to be present at today's hearing.  
20 Since the four additional members did appear at  
21 the hearing today, I know that this hearing ran  
22 short, so I did inform the participants that they  
23 could identify them through the chat and what  
24 cases that they were for so we do have written  
25 record that they were here today for the hearing

1 and that for personal emergencies they had to  
2 depart.

3 I therefore make a motion to provide  
4 status to the group of five or more. Is there a  
5 second?

6 MEMBER CROCKETT: Ms. Crockett  
7 seconds.

8 CHAIRPERSON ANDERSON: Ms. Crockett  
9 has second the motion. I now will take a roll  
10 call vote on the motion that was properly second  
11 by Ms. Crockett. Mr. Short?

12 MEMBER SHORT: Mr. Short, I agree.

13 CHAIRPERSON ANDERSON: Mr. Cato?

14 MEMBER CATO: Bobby Cato, I agree.

15 CHAIRPERSON ANDERSON: Ms. Crockett?

16 MEMBER CROCKETT: Rafi Crockett, I  
17 agree.

18 CHAIRPERSON ANDERSON: Ms. Hansen?

19 MEMBER HANSEN: Jeni Hansen, I agree.

20 CHAIRPERSON ANDERSON: Mr. Grandis?

21 MEMBER GRANDIS: Ed Grandis, I agree.

22 CHAIRPERSON ANDERSON: And Mr.

23 Anderson, I agree. The matter passed 6-0-0, so  
24 standing has now been granted to the group of  
25 five or more. Are those the only Protestants in

1 this case is the group? I'm sorry. Let me get  
2 myself clear. I'm not looking at the list. Hold  
3 on, please. So the group was granted standing.  
4 Are there any preliminary matters that need to be  
5 brought to my attention? The Board's attention?

6 MR. LEE: No preliminary matters for  
7 the Applicant.

8 CHAIRPERSON ANDERSON: Thank you, Mr.  
9 Lee. Ms. Voorhis?

10 MS. VOORHIS: Mr. Chairman, we've  
11 already met with a moderator, a mediator, excuse  
12 me, and determined that there was no settlement  
13 agreement in order. I'd also like to ask if all  
14 of the people have read through the petition and  
15 the arguments or if it's helpful for me to also  
16 provide an update on those as well?

17 CHAIRPERSON ANDERSON: No, that's not  
18 necessary for our purpose here. There's never a  
19 never. Didn't James Bond/Sean Connery say never  
20 say never. There's never -- I have hope that if  
21 parties decide that they can, unless you're  
22 saying I don't want this establishment in my  
23 neighborhood, I don't want it there. But if  
24 there's some inkling that it can exist, but with  
25 these conditions -- I don't like when folks say

1 never.

2 MS. VOORHIS: Sure, I appreciate that.  
3 Let me rephrase. In this particular location it  
4 is unacceptable. We've already discussed if  
5 there's a different location they'd like to go  
6 into and they have an opportunity to look beyond.  
7 May I also make it clear that the person that is  
8 actually the owner of this establishment has not  
9 shown up for this call, neither for any of the  
10 mediated discussions, so I'm not even sure who  
11 that representation is or if that in any way is  
12 challenging for them.

13 CHAIRPERSON ANDERSON: Ms. Voorhis,  
14 Mr. Lee is an attorney.

15 MR. LEE: Yeah, I'm an attorney.

16 (Simultaneous speaking.)

17 CHAIRPERSON ANDERSON: Mr. Lee, Mr.  
18 Lee, Mr. Lee. He's an attorney and he has  
19 informed the ABC Board in writing that he's the  
20 designated representative of the owner. It is  
21 not necessarily incorrect if the owner hasn't  
22 shown up. But Mr. Lee, it appears that the  
23 residents would like to meet the owner.

24 MR. LEE: Okay.

25 CHAIRPERSON ANDERSON: Maybe that can



1 help, that's what I'm saying. I know that you  
2 represent your client and I know that you  
3 represent your client zealously. Sometimes the  
4 people in the neighborhood, they want to know who  
5 the client is. Ms. Voorhis said earlier, she  
6 said never ever. Maybe your client will show up  
7 and he or she will have such a wonderful charm  
8 that she'll change her mind. You never know.

9 MR. LEE: Actually I want to speak.  
10 This is Kevin Lee talking, but we'd like to have  
11 an informal meeting with the Protestant and my  
12 client. We'd love to. Once we get done and Ms.  
13 Voorhis, anytime just email me to arrange a  
14 meeting and I will have my client sit down and  
15 talk with you. He'd love to. I accept your  
16 meeting invitation and anytime, just email me I  
17 will arrange it for you.

18 CHAIRPERSON ANDERSON: I've done my  
19 part.

20 MR. LEE: Yeah, that's right.

21 CHAIRPERSON ANDERSON: I've done my  
22 part, but we'll see. As I stated before, if the  
23 matter can be settled, I support it. If the  
24 parties decide that it cannot be settled, we'll  
25 have a hearing. I am unable to provide a date

1 for the hearing. However, we will provide a date  
2 shortly when we will have this protest hearing.  
3 But I do support having conversations because you  
4 never know by having a conversation what parties  
5 can agree to if there's a conversation, okay?

6 MR. LEE: All right, thank you very  
7 much. May I just make sure Ms. Voorhis has my  
8 email and just follow-up email to me to arrange  
9 any meeting. That would be great.

10 CHAIRPERSON ANDERSON: Now that we  
11 have scheduled this matter for a protest hearing,  
12 there are a few things that I would like to  
13 instruct you about so that the protest hearing is  
14 focused and addresses only those issues that are  
15 being protested. You either have already  
16 received or will soon be receiving an email from  
17 Imani Moreland that contains a copy of the  
18 Protest Information Form, PIF, and a copy of an  
19 exhibit form. Both parties are required to  
20 complete and submit the Protest Information Form,  
21 PIF, and the exhibit form at least seven days  
22 before the date of the hearing.

23 If we do not receive a copy of your  
24 forms seven days before the date of the hearing,  
25 your application or your protest may be subject

1 to dismissal. These documents not only need to  
2 be submitted to ABRA, but to the opposing party,  
3 as well. Please note that these documents  
4 greatly assist the Board in narrowing the protest  
5 issues, facilitating the process, and keeping the  
6 parties on point during the hearing.

7 Each side will have 90 minutes to  
8 present their case. This includes all direct and  
9 cross-examination witnesses. The Board does not  
10 intend to hear testimony on matters that are not  
11 relevant to these issues that are being  
12 protested, nor will the Board tolerate repetitive  
13 testimony. Are there any questions?

14 MS. VOORHIS: No sir.

15 CHAIRPERSON ANDERSON: Hearing none,  
16 we thank you greatly for your cooperation. If  
17 you have any questions at any time leading up to  
18 the hearing, please do not hesitate to contact  
19 AGC April Randall at 202-442-4353. I want to  
20 wish you both, all the parties, a happy healthy  
21 holiday season. I always support conversations.  
22 Even if you go to a protest hearing, at least the  
23 parties have spoken and it's clear what each side  
24 is requesting.

25 Conversations can't hurt. They can

1 only help. Even if a settlement can't be reached  
2 and if we go to a protest hearing then the  
3 parties can say we agree on these issues, but we  
4 can't agree on this other issue so you make a  
5 decision there. That's all I'm stating. If I  
6 don't see you in the new year I won't take it  
7 personally, but if I see you in the new year to  
8 have this protest, the Board will gladly sit and  
9 make a determination, okay?

10 MR. LEE: Thank you very much.

11 CHAIRPERSON ANDERSON: Thank you for  
12 your cooperation today.

13 MR. LEE: Thank you for your time.  
14 Thank you. Bye now.

15 (Whereupon, the above-entitled matter  
16 went off the record at 3:26 p.m.)  
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This is to certify that the foregoing transcript

In the matter of: JS Mart Liquor

Before: DCABRA

Date: 12-10-20

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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