



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

2 4:32 p.m.

3 CHAIRPERSON ANDERSON: All right.

4 We're back on the record. Our next case is a  
5 Protest Hearing, Case No. 17-PRO-00080, 7 Food  
6 Store, License No. 93817.

7 Will the parties, please, approach and  
8 identify themselves for the record, please?

9 MS. HENDERSON: Good afternoon, Kathy  
10 Henderson, ANC-5D05, representative for ANC-5D.

11 CHAIRPERSON ANDERSON: Good afternoon,  
12 Ms. Henderson.

13 MR. ZIOU: My name is Sai Pa Ziou. My  
14 name is Sai Pa Ziou, owner of 7 Food Store.

15 CHAIRPERSON ANDERSON: Good afternoon.  
16 Miss, I'm sorry, you're the translator, ma'am?

17 INTERPRETER CHANG: Yes.

18 CHAIRPERSON ANDERSON: I'm sorry.  
19 Before we start --

20 INTERPRETER CHANG: Yes.

21 CHAIRPERSON ANDERSON: What language  
22 is this?

1 INTERPRETER CHANG: The Korean  
2 language.

3 CHAIRPERSON ANDERSON: Korean?

4 INTERPRETER CHANG: Korean.

5 CHAIRPERSON ANDERSON: Okay. Can you  
6 stand up, please?

7 INTERPRETER CHANG: First, yes, I'm  
8 not an attorney, but I'm just, you know, joining  
9 this as an interpreter and then here, just in  
10 case, I just, you know, try to -- I would like to  
11 submit to the Agency before my name is Hay Wang  
12 Chang.

13 CHAIRPERSON ANDERSON: Hold on, ma'am.  
14 All right. So we -- the Agency didn't provide an  
15 interpreter, so tell me, explain to me your role.

16 INTERPRETER CHANG: Oh, okay. I got  
17 involved from the beginning about all the protest  
18 matters and then we got Mr. Deets joined this  
19 deal and for some reason he left.

20 So in the meantime, we agreed, you  
21 know, the old settlement agreement we, too,  
22 separate protestants.

1 CHAIRPERSON ANDERSON: No, no, no.

2 I'm asking you --

3 INTERPRETER CHANG: Yes.

4 CHAIRPERSON ANDERSON: -- like what is  
5 your role as far as he is concerned?

6 INTERPRETER CHANG: Oh, yeah. There  
7 is no attorney representing the licensee.

8 CHAIRPERSON ANDERSON: Okay.

9 INTERPRETER CHANG: But I'm going to  
10 be, you know, the interpreter.

11 CHAIRPERSON ANDERSON: So he needs --  
12 so what I was trying to find out is that --

13 INTERPRETER CHANG: Sorry.

14 CHAIRPERSON ANDERSON: -- the Agency  
15 did not hire you to interpret for him?

16 INTERPRETER CHANG: Yes, I got hired.

17 CHAIRPERSON ANDERSON: By whom? By --

18 INTERPRETER CHANG: By the 7 Food  
19 Store, the corporation name is Run Rising.

20 CHAIRPERSON ANDERSON: All right. All  
21 right. Let me see the document that you provided  
22 to the Agency and then I'm just trying to get

1 some clarification.

2 INTERPRETER CHANG: Okay.

3 CHAIRPERSON ANDERSON: Okay. So you  
4 provided the Agency with documentation to say  
5 that you are his representative.

6 INTERPRETER CHANG: Right.

7 CHAIRPERSON ANDERSON: Is that  
8 correct? And does he -- well, I'll say this to  
9 you and what's his English -- what's his  
10 understanding of English?

11 INTERPRETER CHANG: He understands in  
12 a limited level.

13 CHAIRPERSON ANDERSON: All right. So  
14 and I guess the part of it, sir, did you -- and  
15 you never asked the Agency to provide you a  
16 translator?

17 MR. ZIOU: Yeah, I asked her to do it.

18 CHAIRPERSON ANDERSON: I'm sorry? I  
19 didn't hear what he said. He said what?

20 MR. ZIOU: I asked her do it.

21 CHAIRPERSON ANDERSON: No. I'm saying  
22 you did not ask ABRA to provide you a translator?

1 MR. ZIOU: No.

2 CHAIRPERSON ANDERSON: Okay.

3 INTERPRETER CHANG: He didn't ask ABRA  
4 to provide a translator for the case.

5 CHAIRPERSON ANDERSON: And so you are  
6 comfortable -- so you are telling us today that  
7 Ms. Chang is able to represent you in these  
8 proceedings?

9 MR. ZIOU: Yes.

10 CHAIRPERSON ANDERSON: All right.

11 MEMBER ALBERTI: Explain a little.

12 CHAIRPERSON ANDERSON: I'm still, but  
13 she is -- I don't need to discuss. She is his  
14 lawyer. All right. Although I'm going to -- all  
15 right. Raise your right hand, please.

16 INTERPRETER CHANG: Yes.

17 CHAIRPERSON ANDERSON: Do you swear or  
18 affirm to faithfully translate these proceedings  
19 from English to Korean and from Korean to English  
20 to the best of your ability?

21 INTERPRETER CHANG: Yes.

22 CHAIRPERSON ANDERSON: All right.

1 Thank you. And, sir, I just also want you to  
2 state for the record that you did not request a  
3 translator from ABRA and that you want Ms. Chang  
4 to represent you and to translate for you.

5 MR. ZIOU: Yes.

6 CHAIRPERSON ANDERSON: Yes?

7 MR. ZIOU: Yes.

8 INTERPRETER CHANG: Yes.

9 CHAIRPERSON ANDERSON: All right.

10 Okay. Can you introduce your name for the  
11 record? Your name for the record.

12 MR. ZIOU: My wife has --

13 CHAIRPERSON ANDERSON: No, your name.

14 No, your -- his name. Just tell me.

15 INTERPRETER CHANG: So okay. His wife  
16 Ms. Song Yung Choi is the sole director officer  
17 and shareholder of the licensee.

18 CHAIRPERSON ANDERSON: Right.

19 INTERPRETER CHANG: But the family  
20 emergency happened and she had to out of town.  
21 Have to go, you know, be out of town, so she  
22 wrote, you know, the authorization form to give

1 for the full authorization to his -- the husband.

2 CHAIRPERSON ANDERSON: Right. All  
3 right. The Agency has in front of us a signed, a  
4 notarized authorization from Ms. Sue Kai Chow,  
5 who is the sole owner of the establishment,  
6 authorizing her husband to represent her in these  
7 proceedings today. So I'm fine with that.

8 All right. So this matter was  
9 scheduled for --

10 MS. MOORE: Do you need me to state my  
11 name for the record?

12 CHAIRPERSON ANDERSON: Yes, I'm sorry.  
13 Go ahead, ma'am. Go ahead, I'm sorry.

14 MS. MOORE: That's all right. My name  
15 is Sydelle Moore and I'm here today representing  
16 the Langston Civic Association.

17 CHAIRPERSON ANDERSON: All right.  
18 Well, I'll say for the record, on our agenda --  
19 it's my understanding that there was a settlement  
20 agreement that was signed that was between the  
21 establishment and Langston. And we approved the  
22 settlement agreement on our agenda today.

1 I did read the agenda earlier this  
2 afternoon approving the settlement agreement, so  
3 there is really no need for you to be here,  
4 because we have agreed and signed, the Board has  
5 already approved. Hold on one minute. The Board  
6 has already approved and signed-off on the  
7 settlement agreement between the licensee and the  
8 civic association.

9 Yes, Miss? Yes, ma'am?

10 MS. HENDERSON: Henderson. Kathy  
11 Henderson.

12 CHAIRPERSON ANDERSON: Yes, Ms.  
13 Henderson? I apologize.

14 MS. HENDERSON: Thank you, Chairman  
15 Anderson, Members of the Board. There are two  
16 issues. One, our settlement agreement that  
17 needed some adjustments, so that we could move  
18 forward and close the matter.

19 We have -- the first issue is we  
20 agreed to all of the concerns and with regard to  
21 6B and 6C, we support -- we will change the  
22 language that -- to the license agrees to

1 continue to work with MPD and the ANC. And I  
2 feel that should meet your requirements.

3 And two, we ask, we respectfully -- I  
4 respectfully issue a motion, an oral motion at  
5 this time, that the Langston Civic Association be  
6 removed as a protestant, because they are not a  
7 civic association. They do not meet the  
8 definition of a civic association. They are a  
9 registered non-profit with DCRA. I have their  
10 registration number and their creation date,  
11 which was 8/11/17.

12 They have the boundaries that  
13 replicate ANC-5D05. I am the elected  
14 representative for ANC-5D05. The association is  
15 not open to every member of the community and  
16 they have made efforts to deny access to members  
17 of the community to join their civic association.

18 Most recently, there was a meeting  
19 hosted by the civic association on January 20th  
20 and not only did they not allow many members of  
21 the community not to attend the meeting, they  
22 attempted to deny my access to that meeting and

1 they even engaged the services, if you will, of a  
2 member of the 5th District Police Department, who  
3 was astounded that they would try to prevent me  
4 from attending.

5 And I can, with the Board's  
6 indulgence, provide a statement or actually  
7 present that officer to attest to what I'm  
8 sharing with you today.

9 CHAIRPERSON ANDERSON: So you are  
10 saying that we should deny them because they  
11 are --

12 MS. HENDERSON: Absolutely. They  
13 don't meet the definition. I took the  
14 opportunity to look at the definitions on your  
15 website.

16 MEMBER ALBERTI: They are not part of  
17 the protest. They have dropped their protest.

18 MS. HENDERSON: They don't meet the  
19 definitions.

20 CHAIRPERSON ANDERSON: But -- hold on,  
21 hold on. All right.

22 MS. HENDERSON: And I raised this

1 issue previously.

2 CHAIRPERSON ANDERSON: Well, not  
3 before me. That was not raised. There was --  
4 they were granted standing at the Roll Call.  
5 When we had our pre-hearing, there were no issues  
6 raised regarding standing.

7 But as of today, they do not have an  
8 active protest. So your motion is moot, because  
9 there is no -- they don't have an active protest.

10 MS. HENDERSON: They are not in a  
11 position to enter into an agreement.

12 CHAIRPERSON ANDERSON: But --

13 MS. HENDERSON: They don't have  
14 standing. And I raised the issue initially.

15 CHAIRPERSON ANDERSON: -- any -- all  
16 right.

17 MS. HENDERSON: I raised the issue  
18 initially.

19 CHAIRPERSON ANDERSON: Any -- we are  
20 not a part of contracts. Two parties can sign an  
21 agreement and say this is what we are going to  
22 do. We are not a part of it. I cannot tell a

1 licensee who they can or cannot contract with.

2 I cannot -- the Board cannot tell an  
3 establishment who they can have a relationship  
4 with. So if they decide that they want to have a  
5 formal relationship with any group outside, that  
6 is their right.

7 MS. HENDERSON: Okay.

8 CHAIRPERSON ANDERSON: And there is  
9 nothing the Board can do about that issue. So  
10 whether or not they have standing, I think that  
11 is not relevant right now, because any two  
12 parties can decide to contract and it's not up to  
13 us to tell either side that they can or cannot  
14 form a contract relationship. So that's not an  
15 issue for us.

16 MS. HENDERSON: I do understand your  
17 point and I believe you are right that the  
18 licensee can make an agreement with anyone. But  
19 for the purposes of the Protest Hearing, they  
20 don't have standing. I raised the issue timely.  
21 I raised it with your staff. This was a matter  
22 that should have been taken up and was not

1 resolved by your staff. And I indicated I spoke  
2 to Ms. Randall and indicated that I would raise  
3 this here.

4 Now, again, they can make an agreement  
5 with whomever they want, but in terms of who may  
6 legally protest, they don't have a right to be a  
7 part of the protest proceedings. And I state  
8 that clearly and emphatically for this record.

9 CHAIRPERSON ANDERSON: All right.  
10 Ma'am, you don't need to say anything. It's a  
11 moot issue. They are not a part of the protest  
12 proceeding. They signed an agreement with the  
13 licensee. The Board adopted the agreement  
14 earlier today when I read our agenda, I read that  
15 we had approved their settlement agreement.

16 MS. HENDERSON: Okay.

17 CHAIRPERSON ANDERSON: And so they are  
18 not a party to these proceedings. So the  
19 argument you are making --

20 MS. HENDERSON: Okay. Thank you.

21 CHAIRPERSON ANDERSON: -- it's --

22 MS. HENDERSON: No, I'm fine.

1                   CHAIRPERSON ANDERSON:  -- a moot  
2                   issue, because they are not a party to these  
3                   proceedings, because --

4                   MS. HENDERSON:  Thank you.

5                   CHAIRPERSON ANDERSON:  -- so they can  
6                   stay if they want to stay or they can leave.  But  
7                   if you -- I know you are here, ma'am, and you  
8                   wanted to say something, but --

9                   MS. MOORE:  There is no point.  I  
10                  mean, obviously, the allegations aren't true and  
11                  we will stay, because it's in the best interest  
12                  of the community that people from the community  
13                  be able to observe the proceedings.

14                  CHAIRPERSON ANDERSON:  Okay.

15                  MS. MOORE:  So --

16                  CHAIRPERSON ANDERSON:  Then --

17                  MS. HENDERSON:  And I'll just say for  
18                  the record that the only legitimate  
19                  representative of the ANC-5D05 community is  
20                  myself, Kathy Henderson, elected by the good  
21                  citizens of ANC-5D05.

22                  CHAIRPERSON ANDERSON:  And you are

1 here as the representative of the ANC. So you  
2 are not here as a representative of the  
3 community. You are here --

4 MS. HENDERSON: The private --

5 CHAIRPERSON ANDERSON: -- no, but I'm  
6 just saying generally, the only -- you were  
7 granted standing today as the elected ANC  
8 representative. You are not granted standing for  
9 any other reason and so, therefore, that's who  
10 you are. So I am not -- at least your  
11 representation is here is not that you are  
12 representing Ward 5. You are here --

13 MS. HENDERSON: When you say Ward 5?

14 CHAIRPERSON ANDERSON: No, I'm just--

15 MS. HENDERSON: I would say ANC-5D05.

16 CHAIRPERSON ANDERSON: -- no, but I'm  
17 giving you a -- well -- but --

18 MS. HENDERSON: The slip is telling.  
19 So thank you.

20 CHAIRPERSON ANDERSON: -- but you are  
21 supposed to be here representing -- you said 5?

22 MS. HENDERSON: ANC-5D05.

1                   CHAIRPERSON ANDERSON: Well, but you  
2 are supposed to be here representing ANC-5D, not  
3 5D05, because we granted standing to ANC-5D. So  
4 if you are not here representing ANC-5D, and ANC-  
5 5D provided the Agency with authorization to say  
6 that the representative of ANC-5D at the Protest  
7 Hearing is Kathy Henderson, who represents 5D05,  
8 then the Board can say that you cannot be here  
9 today, because you were not designated by ANC-5D  
10 to represent 5D.

11                   So you have to be careful in your  
12 choice of words. You are not here --

13                   MS. HENDERSON: I am very careful. I  
14 am here on behalf of ANC-5D.

15                   CHAIRPERSON ANDERSON: All right.

16                   MS. HENDERSON: And as an additional  
17 clarification, I am reiterating that I am the  
18 only person that legally may represent the ANC-  
19 5D05 community. I am the only legal  
20 representative. There is no civic association,  
21 no unregulated political action committee or any  
22 group of persons have the authority to speak for

1 the community.

2 CHAIRPERSON ANDERSON: All right.

3 MS. HENDERSON: That's it. And I am,  
4 again, here on -- as a representative for ANC-5D.  
5 I gave you an additional --

6 CHAIRPERSON ANDERSON: All right.

7 MS. HENDERSON: -- clarification for  
8 my Single Member District, which is appropriate.

9 CHAIRPERSON ANDERSON: And we're fine  
10 with that. All right. Are there any preliminary  
11 matters that need to be raised at this hearing?

12 MS. MOORE: No.

13 CHAIRPERSON ANDERSON: All right.

14 Well, the Board is going to raise a preliminary  
15 matter. At the -- at our pre -- and because I'm  
16 at a loss, so our Protest Hearing (Status), one  
17 of the things that I ask each side, and I have  
18 the transcript from the last hearing, is that I  
19 have requested that -- I have instructed all,  
20 both sides, that seven days prior to the hearing,  
21 that you are supposed to provide the Agency with  
22 a PIF.

1           We have received a PIF from the civic  
2 association. We have received a PIF from the  
3 licensee. However, we have not received a PIF  
4 from ANC. And so I'm trying to find out why is  
5 it that we have not received a PIF from ANC-5D?

6           MS. HENDERSON: Initially, we agreed  
7 with the Board's decision to accept the voluntary  
8 agreement. We had -- we took issue with Items 6D  
9 and 6E that the Board requested removed. I  
10 indicated in writing to Ms. Jenkins, Ms. Randall,  
11 I think, Mr. Moosally and maybe a few other  
12 people that I wanted to reach out to the Office  
13 of the Attorney General to get an opinion  
14 regarding whether or not we remove that.

15           It was never our intention to actually  
16 proceed to, you know, the full hearing, because  
17 we felt that the licensee has acted in good faith  
18 to address our concerns. And the licensee has  
19 done everything that we have asked them to do as  
20 a community, to be a good and viable part of that  
21 community. So we had every intention to believe  
22 that this matter could have been resolved prior

1 to today.

2                   Unfortunately, the Office of the  
3 Attorney General still has not addressed the  
4 issue in a manner that we have asked them to with  
5 regard to providing some language and an opinion  
6 as to whether or not this is appropriate.

7                   So we just simply agreed today, so as  
8 not to take any more time, you know, take any  
9 more of the Board's time to change the language  
10 to -- with the licensee's concurrence that they  
11 will continue to work with MPD.

12                   So it was never our intention to  
13 proceed to a hearing.

14                   CHAIRPERSON ANDERSON: So basically,  
15 you have been -- you have -- have you accepted  
16 the change that the Board had recommended as per  
17 the settlement agreement?

18                   MS. HENDERSON: Yes. Specifically,  
19 the other changes, 6I, 6J, absolutely, and I  
20 wanted to offer in compromise a general statement  
21 for 6B and 6C that the licensee agrees to  
22 continue to work with MPD. And if you will agree

1 to issue any barring notices, if appropriate.

2 CHAIRPERSON ANDERSON: All right. Why  
3 don't you -- what is the language that -- what is  
4 the language that is acceptable that both sides  
5 agree to?

6 MS. HENDERSON: Thank you. The  
7 applicant agrees to continue working with MPD to  
8 coordinate barring notices as needed -- and to  
9 coordinate barring notices as needed.

10 CHAIRPERSON ANDERSON: Is that  
11 language acceptable to you?

12 MS. HENDERSON: Yes.

13 CHAIRPERSON ANDERSON: Can I see --  
14 can I get a copy of it, please?

15 MS. HENDERSON: Yes. May I ask for  
16 just the Court's indulgence to share a clean copy  
17 with you?

18 CHAIRPERSON ANDERSON: I'll just --  
19 you can -- I want to see the document, so we can  
20 give it to the attorney for the attorney to  
21 review it and then we will say it's okay.

22 MS. HENDERSON: Okay. Thank you.

1 CHAIRPERSON ANDERSON: So --

2 (Whereupon, the above-entitled matter  
3 went off the record at 4:53 p.m. and resumed at  
4 4:54 p.m.)

5 CHAIRPERSON ANDERSON: All right.

6 It's my understanding that there was a settlement  
7 agreement between the ANC and the licensee and  
8 there was language that the Agency stated that we  
9 could not enforce, so that language should be  
10 removed from the settlement agreement.

11 There was some pushback from the ANC.  
12 I do recall when we had our Status Hearing on  
13 January 31st, I did inform the ANC that  
14 irrespective of what the Attorney General stated,  
15 that we have our own jurisdiction, so whether or  
16 not they stated that the language was acceptable  
17 or not, ABRA did not have to accept that, because  
18 we do have our own jurisdiction and we make our  
19 own determination.

20 All right. So that's clear. It's my  
21 understanding that there is now language in the  
22 settlement agreement between the licensee and the

1       ANC.   What we are asking the ANC to do is to  
2       provide us that language in writing within one  
3       week.   So therefore, we must receive this  
4       information, this, the agreed upon language.

5                MS. HENDERSON:   It's very easy.

6                CHAIRPERSON ANDERSON:   And so  
7       therefore, if this information was provided to  
8       this Board earlier, we would have dismissed this  
9       protest matter and we would have left at 1:30,  
10      because our day was over this morning.   So we  
11      have been here this entire afternoon waiting for  
12      this 4:30 Protest Hearing to start.

13               And it was also my understanding that  
14      the Agency had proposed moving this matter  
15      earlier and there were objections.   And so,  
16      basically --

17               MS. MOORE:   Not on our part.

18               CHAIRPERSON ANDERSON:   -- I'm just --  
19      I'm not -- I did not --

20               MS. HENDERSON:   If I may make just one  
21      final point?

22               CHAIRPERSON ANDERSON:   Yes, ma'am.

1 MS. HENDERSON: First of all, the ANC  
2 is willing -- we are willing to meet with the  
3 applicants to confer one final time and provide  
4 that minimal language by close of business  
5 tomorrow to make this matter very easy.

6 And further the only -- our only  
7 interest was making sure that we got the  
8 strongest voluntary agreement possible and we  
9 were buoyed by language from the Deputy -- you  
10 know, comments from the Deputy Mayor, Kevin  
11 Donahue, praising our voluntary agreement as one  
12 of the strongest voluntary agreements he has ever  
13 seen.

14 So we thought that we were -- we  
15 wanted to make sure that we were on solid ground  
16 to continue to move forward with that language,  
17 because we feel that it does make for an  
18 excellent relationship with the licensee and  
19 serve as, you know, a guidance for other  
20 communities.

21 But we do -- if you will accept our  
22 apology, it is not our interest in making, you

1 know, your service to the District any more  
2 difficult by extending your time, so we will make  
3 sure that this matter is wrapped up by close of  
4 business tomorrow and we appreciate your  
5 consideration.

6 CHAIRPERSON ANDERSON: Oh, thank you  
7 very much. I just want -- and then with that  
8 said, then there is really no need for us to have  
9 this Protest Hearing, because you have a  
10 settlement agreement that will be submitted to  
11 the Board. It is acceptable that you will  
12 provide it tomorrow. However, you have one week  
13 to provide this information. If it's not  
14 provided, this -- the ANC will be -- I will --  
15 I'm going to do a formal motion here.

16 All right. So -- yes, ma'am?

17 MS. HENDERSON: Does the Board or the  
18 attorneys have any initial objections to the  
19 sentence that has been proposed?

20 CHAIRPERSON ANDERSON: The language  
21 that you provide to us is acceptable to the  
22 Agency.

1 MS. HENDERSON: Thank you.

2 CHAIRPERSON ANDERSON: And so what I'm  
3 saying is that -- but we need you to provide us  
4 this in writing with it in the agreement signed  
5 off by both parties within one week. If this  
6 information is not provided to the Agency in one  
7 week --

8 MS. HENDERSON: May I have a copy of  
9 that back, so --

10 CHAIRPERSON ANDERSON: I'm giving you  
11 -- I'll give it back.

12 MS. HENDERSON: -- that if the  
13 language is a little different anyway.

14 CHAIRPERSON ANDERSON: I'm giving it  
15 to you back.

16 MS. HENDERSON: Thank you.

17 CHAIRPERSON ANDERSON: And so with  
18 that, if this information is not provided, then I  
19 make a motion that if it's not provided to us in  
20 one week, that the ANC be dismissed from these  
21 proceedings. Is there --

22 MS. HENDERSON: No admonishment

1 necessary. You will have it by close of business  
2 tomorrow.

3 CHAIRPERSON ANDERSON: Is there a  
4 second?

5 MS. HENDERSON: Thank you.

6 MEMBER SHORT: Second.

7 CHAIRPERSON ANDERSON: Mr. Short has  
8 seconded the motion.

9 All those in favor say aye.

10 ALL: Aye.

11 CHAIRPERSON ANDERSON: All those  
12 opposed? All right. So the decision is if it's  
13 not there in one week, the ANC will be dismissed  
14 from these proceedings.

15 All right. Thank you. Just before we  
16 adjourn for the day, I just want to let the  
17 record reflect that once we have a contested case  
18 that correspondence cannot be sent to either --  
19 any Board Members or Mr. Moosally. It has to be  
20 sent to both parties and it can be sent to --  
21 jointly, so correspondence should be sent to both  
22 parties and you can keep our General Counsel in

1 these proceedings.

2           Neither a Board Member or the Agency  
3 Director is authorized to respond, so I just  
4 wanted to let the parties know that if you are in  
5 a contested, as this matter is a contested  
6 matter, that the Agency Director or no Board  
7 Member, if you send an email to the Agency  
8 Director or you send an email to any Board Member  
9 requesting any specific advice or expect an  
10 answer, you will not receive a response, because  
11 that individual cannot respond in these  
12 proceedings.

13           MS. HENDERSON: Thank you.

14           CHAIRPERSON ANDERSON: So with that  
15 said, this matter is adjourned. I thank you.

16           MS. HENDERSON: Thank you.

17           CHAIRPERSON ANDERSON: And here you  
18 are, ma'am.

19           As Chairperson of the Alcoholic  
20 Beverage Control Board for the District of  
21 Columbia and in accordance with DC Official Code  
22 Section 2-574(b), closed meetings, and Section 2-

1 574, Notice of Meetings, of the Open Meetings  
2 Act, I move that the ABC Board hold a closed  
3 meeting on March 7, 2018 for the purpose of  
4 discussing and hearing reports concerning ongoing  
5 or planned investigations of alleged criminal or  
6 civil misconduct or violations of law or  
7 regulations and seeking legal advice from our  
8 counsel on the Board's Investigative, Legal and  
9 Licensing Agenda for March 7, 2018 as published  
10 in the DC Register on March 2, 2018. Is there a  
11 second?

12 MEMBER SHORT: Second.

13 CHAIRPERSON ANDERSON: Mr. Short has  
14 seconded the motion. I will take a roll call  
15 vote on the motion before us now that it has been  
16 seconded.

17 Mr. Silverstein?

18 MEMBER SILVERSTEIN: I agree.

19 CHAIRPERSON ANDERSON: Mr. Short?

20 MEMBER SHORT: I agree.

21 CHAIRPERSON ANDERSON: Mr. Alberti?

22 MEMBER ALBERTI: I agree.

1 CHAIRPERSON ANDERSON: Mr. Cato?

2 MEMBER CATO: I agree.

3 CHAIRPERSON ANDERSON: Mr. Anderson?

4 I agree.

5 As it appears that the motion has  
6 passed, I hereby give notice that the ABC Board  
7 will hold this aforementioned closed meeting  
8 pursuant to the Open Meetings Act. Notice will  
9 also be posted on the ABC Board hearing room  
10 bulletin board, placed on the electronic calendar  
11 on ABRA's website and published in the DC  
12 Register in as timely a manner as practicable.

13 Thank you. Ms. Henderson? Ms.  
14 Henderson? Can you, please, get her for me,  
15 please?

16 MS. HENDERSON: I can't walk out  
17 without the official language.

18 CHAIRPERSON ANDERSON: All right.  
19 Thank you everybody.

20 (Whereupon, the Protest Hearing was  
21 concluded at 5:02 p.m.)

22

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This is to certify that the foregoing transcript

In the matter of: 7 Food Store

Before: DCABRA

Date: 02-28-18

Place: Washington, DC

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