

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

2 2:14 p.m.

3 CHAIRPERSON ANDERSON: Good afternoon,
4 we're back on record. Our next case is a fact-
5 finding hearing on Fresh Direct, license no.
6 104699.

7 It's in the sixth request for
8 safekeeping of the license, and this is a
9 Retailer A. And one of the reasons why we have
10 brought the parties in for this request, Retailer
11 As are very valuable licenses.

12 We caps on two licenses, on A and on
13 B. And so, therefore, the Board is concerned
14 that if we have a license that's very valuable,
15 it should be on board earning taxpayer revenue
16 for the Government.

17 So we need to find out why is it that
18 this license is not on board so can you please
19 identify yourself for the record, please?

20 MS. HIRAO: Sure, I'm applicant's
21 counsel, Risa Hirao with Pascal and Weiss
22 representing Fresh Direct and to my right is Mr.

1 Teepoo Riaz.

2 He's the senior vice president and
3 general counsel for Fresh Direct, and he just
4 traveled here from New York. So thank you for
5 accommodating our schedule today.

6 CHAIRPERSON ANDERSON: Thank you,
7 there's a sign in sheet, can you please sign in
8 on it?

9 MS. HIRAO: Yes.

10 MR. RIAZ: We did.

11 MS. HIRAO: We did.

12 CHAIRPERSON ANDERSON: Now, where are
13 we and why that you are now requesting for the
14 sixth time, I see, for a safekeeping request?
15 And if the Board was to grant the
16 request, it would be through March 31st, 2019.
17 So we can start from there.

18 MS. HIRAO: Sure.

19 CHAIRPERSON ANDERSON: If the request
20 was to be granted, will this license on board by
21 March 31st, 2019? And if it's not going to be on
22 board by March 31st, 2019, why not? Okay, and

1 yes.

2 MS. HIRAO: Okay, sure, Chairman, so
3 one thing I wanted to clarify is Fresh Direct is
4 an e-commerce grocer. So this A license would be
5 in the Internet category.

6 The applicant purchased this license
7 before the release of the A licenses, so I did
8 want to make that clarification.

9 CHAIRPERSON ANDERSON: So why didn't
10 you, why don't you transfer it from A to a AI, if
11 it's going to be Internet-based? If it's not if
12 you're not going to have a brick and mortar?

13 MS. HIRAO: But we would like to keep
14 in safekeeping, especially with the investment
15 that has been made to purchase it.

16 CHAIRPERSON ANDERSON: But I'm saying
17 though, and I'm just saying, as you know we
18 changed and we created a different category.

19 MS. HIRAO: Yes.

20 CHAIRPERSON ANDERSON: And so,
21 therefore, if and we have informed all the
22 Internet-based A and give them a period of time

1 to either come up with a brick and mortar or
2 we're going to transfer it to AI.

3 So if your business model is that it's
4 going to be an AI, why not transfer it to an AI?
5 I mean it still will be in, I guess, a concept, I
6 think it still would be in safekeeping.

7 But at least you wouldn't be hearing
8 from me.

9 MS. HIRAO: True.

10 CHAIRPERSON ANDERSON: To say why is
11 it that you're, why are you holding onto an A
12 that we can give to someone else. You will still
13 have an AI because it's still an A, but it's
14 strictly Internet-based.

15 MS. HIRAO: Sure, we felt that that
16 clarification should have been made after the
17 license was taken out of safekeeping. But if
18 there is a process to change that classification
19 while it's in safekeeping, we will take a look at
20 that.

21 CHAIRPERSON ANDERSON: You did not
22 get, you did not receive notice from --

1 MS. HIRAO: During different rules.

2 CHAIRPERSON ANDERSON: You didn't get
3 notice from agency that says that we now have
4 this class of listen AI, and that --

5 MS. HIRAO: We did receive it, but as
6 far as the timing for the conversion, this was
7 actually what we were thinking of.

8 But if I can also add to this the
9 reason why we're making this a safekeeping
10 request, what the basis was basically there was a
11 change, I guess what you would say is this fresh
12 Direct was originally based in Long Island City.

13 MS. HIRAO: And they changed their
14 headquarters to the Bronx location. And as a
15 result of that change, as things were progressing
16 there were some logistical problems that had
17 arisen.

18 There was intent to go full force and
19 look in open in D.C. at some point. But this
20 logistical problems that have occurred in the New
21 York location had definitely impacted the timing
22 for Fresh Direct to open and proceed to have a

1 green light on their D.C. operations.

2 So part one, this was part of our
3 explanation to the Board, the reason why we're
4 seeking a safekeeping request extension for this,
5 for the applicant.

6 And then the next one would have been
7 the next process was to convert to from a General
8 Class A to an AI.

9 CHAIRPERSON ANDERSON: Because there's
10 never, no intent to open a brick and mortar. Is
11 that correct?

12 MS. HIRAO: The intent is to have a
13 brick and mortar eventually in D.C., however,
14 since it would be an Internet-based operation, it
15 would not be open to the public.

16 So I'm wondering if I answered the
17 Chairman's question? But it's a matter of
18 logistics, do we convert now to an AI to ensure
19 that this license can remain in safekeeping, and
20 also at the same time, while it's in this status,
21 request the Board to also extend it so that we
22 have time for the conversion.

1 CHAIRPERSON ANDERSON: Well, I sense,
2 since I'm bringing this up for the first time.

3 MS. HIRAO: Sure.

4 CHAIRPERSON ANDERSON: And I would be
5 in favor of granting, at least make a
6 recommendation to the Board to grant the
7 extension --

8 MS. HIRAO: Thank you.

9 CHAIRPERSON ANDERSON: -- through
10 March and I would like to make a motion to --

11 MS. HIRAO: Okay, sorry.

12 CHAIRPERSON ANDERSON: -- I tell you,
13 I tell you, although I am the Chairman, I can
14 only speak for myself.

15 MS. HIRAO: I'm sorry.

16 CHAIRPERSON ANDERSON: And that's why
17 I'm saying that, so yes I can make the
18 recommendation to the Board, and we'll decide
19 today. So, therefore, I'm saying I'm speaking to
20 say based on the presentation you're making, I
21 would be in favor of making the motion to the
22 Board for them to do that.

1 MS. HIRAO: All right.

2 CHAIRPERSON ANDERSON: But it can't
3 happen until I make the motion and someone
4 seconds it and I have at least two other members
5 that agree with me.

6 But I'm going to let them ask some
7 questions; I'll let them have some questions.
8 But, yes, and I said before, when the letters
9 went out about the conversion process it was a
10 while back, and I don't remember.

11 I know that a couple of locations did
12 change to AI and I think others, maybe one or two
13 decided that they were going to convert to a
14 brick and mortar and so we gave them a period of
15 time to either find a location or that we were
16 going to automatically you over.

17 So we gave them that option, but okay,
18 all right. Any questions by, go ahead Mr. Short.

19 MEMBER SHORT: Well, good afternoon.

20 MS. HIRAO: Good afternoon, how are
21 you?

22 MEMBER SHORT: I'm a lot better, thank

1 you, and I'm glad you are better. I'll just say
2 this, the reason the policy has changed about
3 safekeeping is because at one time we had over a
4 thousand licenses in safekeeping which was kind
5 of stagnating the city.

6 And so we cracked down on it. Why
7 shouldn't we crack down on you if you don't
8 convert right away? Why should we treat you any
9 different than anybody else who comes here who
10 says I have a valuable license, I don't want to
11 open up, I just want to keep it in safekeeping and
12 pay the fees rather than have a functioning
13 business paying taxes to the city?

14 MS. HIRAO: Well, the --

15 MR. RIAZ: May I, may I?

16 MEMBER SHORT: Please.

17 MR. RIAZ: Hi, so well one of the
18 reasons is --

19 CHAIRPERSON ANDERSON: State who you
20 are, sir.

21 MR. RIAZ: Hi, Teepoo Riaz, I'm the
22 general counsel from Fresh Direct. Just to

1 Risa's initial point, to your point, Member, is
2 that we're here, so we're delivering groceries to
3 the D.C. metropolitan area.

4 And so we have already put a stake in
5 the ground for one component of our business.

6 MEMBER SHORT: So you have a
7 functioning business here in Washington?

8 MR. RIAZ: We do, we have, it has been
9 compressed because of our struggle.

10 MEMBER SHORT: Can you tell us what
11 the name of it is and the location?

12 MR. RIAZ: Yes, it is Fresh Direct,
13 and we have a facility located in Capitol Height,
14 Maryland which is basically --

15 MEMBER SHORT: What about Washington,
16 D.C.? You've applied for a license in
17 Washington, D.C.

18 MR. RIAZ: Correct, we did, and we
19 were going to open, and we understood that
20 opening the facility in Maryland, we could not go
21 across state lines with alcohol.

22 And so our intent was to get, our

1 intent still is to get a space in the Washington,
2 D.C. area to run our online business. And so we
3 have one component of business here which is our
4 food component.

5 And we have put a stake in the ground
6 here coming down from New York that we want to be
7 in the D.C. metropolitan area. We're serving all
8 the wards in the D.C. area, and so the component
9 that we --

10 MEMBER SHORT: Let me stop you for a
11 moment, so you are actually functioning in
12 business in Washington, D.C. in all the wards,
13 right now?

14 MR. RIAZ: Correct, food delivery.

15 MS. HIRAO: Only food delivery.

16 MR. RIAZ: Only food delivery.

17 MS. HIRAO: Not alcohol.

18 MR. RIAZ: Not alcohol.

19 MEMBER SHORT: Okay.

20 MR. RIAZ: And so that stake is in the
21 ground as our commitment to basically the city
22 and the surrounding area. To your point that why

1 are we not generating tax revenue for the city,
2 we would not just be a liquor store.

3 We're kind of more than that, and so
4 that is the reason why I'm telling you that we're
5 different than other places. Because I'm not
6 just an individual holding a license that's not
7 using it.

8 I am running a component of my
9 business here. It's not as much as we want right
10 now.

11 MEMBER SHORT: Good, that's what I
12 wanted on the record. So, maybe that would give
13 us reason to treat you a little different than
14 someone who does not have any component.

15 So that would give me another reason
16 to want to vote along with the Chair, but I
17 wanted to hear that, without hearing you put that
18 on the record, I wouldn't have had a clue.

19 MR. RIAZ: Fair enough and so that is
20 our commitment here. And we have, and we want to
21 be a part of D.C. when we open. We had our
22 government areas, the public affairs people come

1 down and meet with representatives.

2 MEMBER SHORT: And now my quest would
3 be, how soon or do you have any estimations of
4 time that you will be functioning your AI here in
5 Washington, D.C. if granted the AI.

6 MR. RIAZ: And so having to talk to
7 counsel about, I'm not versed enough about the
8 switching of the license.

9 CHAIRPERSON ANDERSON: Yes, but even
10 without switching the license, it's something you
11 need to consider to see if it's worthwhile to do
12 an AI. So if you're not switching, so the
13 question is that you have an A.

14 So how close are you to bringing this
15 A on board?

16 MR. RIAZ: And so we have periodically
17 been looking for space in the area. It's been a
18 challenge to find space, and so what we continue
19 to do to look for that, we would end up taking a
20 space that would most likely be not open to the
21 public as an online retailer.

22 Our hope would be that sometime over

1 the winter, we would be able to start looking in
2 earnest for a space to come online.

3 CHAIRPERSON ANDERSON: But the
4 problem, as I said before, if we were to grant
5 the extension, which more likely than not we
6 will.

7 It would be through March 31st, 2019,
8 so therefore if you have not identified a space
9 to utilize it, then you have to come back to us
10 again for another six months.

11 So that's why I'm saying, I mean, do
12 you, is it reasonable, realistic in fact that you
13 will bring this license on board by March 31st,
14 2019, or are you going to say to me, based on
15 where we are, we are going to come back for an
16 extension again to take you to another year?

17 MR. RIAZ: Right.

18 CHAIRPERSON ANDERSON: And that's
19 where I am because it's only for six months.

20 MR. RIAZ: Right.

21 CHAIRPERSON ANDERSON: And we're
22 already a couple months in the six months.

1 MR. RIAZ: Right, so when I did
2 mention to Risa that I would need another six
3 months back over the summer when my business
4 started struggling in New York which affected
5 deliveries everywhere, including the D.C.
6 metropolitan area.

7 We had to kind of focus on the
8 headquarters, and so my answer to you is within
9 six months most likely I could be in a position
10 where I would at least be able to come to you
11 with either we're working or lease or we have a
12 lease.

13 Versus right now, I've had to kind of,
14 we've had to like come in, focus on the Bronx
15 facility and that is kind of where that's what
16 happened over the summer.

17 We are getting better; our capacity is
18 increasing, our ability to service customers is
19 growing. And that means we're able to focus on
20 things other than, "Oh, no, the Bronx is
21 suffering right now."

22 And so that's where I would be able to

1 come back to you. I don't want to over promise
2 to you, but that's where I would be able to come
3 back to you that we are either working on a
4 lease, or we have an LOI, or we are in a lease
5 negotiation.

6 And we could even share that in
7 advance of March 31st.

8 CHAIRPERSON ANDERSON: Well, I -- go
9 ahead.

10 MS. HIRAO: I mean, I'm sorry, and
11 finding that ideal spot where it meets Fresh
12 Direct's requirements to be able to be in a
13 central location to deliver within their one-hour
14 time slot is critical.

15 And also, as you know, finding
16 warehouse space is extremely difficult in the
17 District of Columbia, so this is where we're at
18 right now is the New York operations have
19 impacted D.C.

20 We are still, and when I say we, Fresh
21 Direct, is still looking for that ideal location
22 where they can thrive. And have, they've be

1 called a D.C. business, but it's to find that
2 location.

3 And again, if I can emphasize the
4 license class, Fresh Direct will be an Internet,
5 an Internet-based operation. So no, it will not
6 be opened to the public as traditional As are.

7 I'm sorry, I'm losing --

8 CHAIRPERSON ANDERSON: No, that's
9 fine. Well, I, if, the suggestion I'm making is
10 that you need to talk to licensing about
11 converting to an AI if the goal is that you're
12 going to be a strictly Internet-based business.

13 There will be less pressure; I see on
14 you if you're an AI than an A because there is a
15 cap on As. And I'm not sure where we are in the
16 250 cap. I think a couple of licenses came on
17 board, a couple dates we realized, I think, a
18 couple of licenses.

19 So I'm not quite sure if there are
20 even anymore licenses available. And so,
21 therefore, if you have an A and it's not being
22 utilized, then the Board, if you haven't

1 converted and it doesn't sound to me that this
2 license is going to be onboard by March 31st,
3 2018, I'm sorry, 2019.

4 And so if you're going to come back
5 for another extension, if you're still an A then
6 it has to be you have a lease, or we're in the
7 final negotiation of a lease.

8 But if it's "Okay, we're still looking
9 for property." Since you have, this decision was
10 made, the summer, to say what was going on with
11 your business.

12 You were forward looking to say this
13 is what's going on, this is why we need an
14 extension, and we need for the extension. If the
15 Board, if there's a definition when the period
16 would end, then the Board would look at it by
17 saying, "We're going to move forward to revoking
18 the license."

19 And again, we would have to have a
20 hearing. It would be a contested case where
21 you'd have to come and present why the Board
22 should not, should not revoke the license.

1 So I'm just letting you know that if
2 you're able to convert, there'll be less pressure
3 because there's not that hard cap on the AIs, but
4 there's a hard cap on the A.

5 And so that's why that I would again
6 would meet with our licensing specialist to see
7 whether or not this is something that you can do.
8 Yes, I want you to utilize the license, whether
9 or not it's A or AI, but at least in my view
10 there would be less pressure.

11 So if you have to come back to us for
12 another extension then having an AI, it's a
13 little bit easier. But as an A, I'm going to
14 say, if you're coming back as an A, then you
15 would need to have a signed license or
16 substantial negotiation where you've identified a
17 property, and we are in discussion to sign a
18 lease.

19 I just want to let you know that.

20 MR. RIAZ: No, I understand. And I
21 again, I'll reiterate that I have no reason, I
22 can chat about the, I was not aware of the A

1 versus AI component. And so I'm happy to talk to
2 her and strategize regarding the best move for
3 the business.

4 And if that turns out to be the AI is
5 the way to go, then -- if they can be involved, I
6 was not aware of that.

7 CHAIRPERSON ANDERSON: For Internet-
8 based --

9 MR. RIAZ: Right.

10 CHAIRPERSON ANDERSON: And you said
11 that your business is Internet-based.

12 MR. RIAZ: Correct.

13 CHAIRPERSON ANDERSON: We have created
14 a class of license for Internet-based licenses
15 which are AI. So, and I said before, if that is,
16 if you are strictly an Internet-based business
17 then it makes sense to convert to an AI.

18 You're not losing anything; your
19 license is not any less valuable, it's only, I
20 guess in your purpose it would be less valuable
21 if you had an anticipated to open a brick and
22 mortar where people can come and shop.

1 But if you're saying that that is not
2 my business model, then there is no loss to you
3 to convert to an AI, if your business model is
4 strictly Internet-based.

5 Okay, anything else, anything else for
6 the recommendation? All right with that said,
7 I'll make a motion that will grand the extension
8 through March 31st, 2019.

9 And I'm going to make this a part of
10 the motion to grant the extensions that licensee
11 meet with our licensing division to make a
12 determination whether or not it should be, they
13 should convert from an A to an AI.

14 And that is the conversion doesn't
15 occur, that for, if they are making
16 recommendations for us for further extension, we
17 need is a signed lease or substantial negotiation
18 that they have identified a location to operate.
19 Is there a second?

20 MEMBER SHORT: Second.

21 CHAIRPERSON ANDERSON: Mr. Short has
22 seconded the motion. All those in favor say aye.

1 (Chorus of ayes.)

2 CHAIRPERSON ANDERSON: Those opposed,
3 okay the matter passed, four/zero/zero, so it's
4 clear you as a businessman, of course, you want
5 timelines. You're dealing with timelines. You
6 have some timelines, so you know where the work
7 standard.

8 DR. SUZUKI: Understood and thank you.

9 CHAIRPERSON ANDERSON: And thank you
10 for being here today, sir.

11 MR. RIAZ: Oh, we appreciate it very
12 much.

13 MS. HIRAO: Thank you Board members,
14 thank you Chairman.

15 CHAIRPERSON ANDERSON: All right, with
16 that said, we are adjourned for the day. Thank
17 you.

18 (Whereupon, the above-entitled matter
19 went off the record at 2:36 p.m.)
20
21
22

A

ability 16:18
able 15:1 16:10,19,22
 17:2,12 20:2
above-entitled 23:18
accommodating 3:5
add 6:8
adjourned 23:16
advance 17:7
affairs 13:22
afternoon 2:3 9:19,20
agency 6:3
agree 9:5
ahead 9:18 17:9
AI 4:10 5:2,4,4,13 6:4
 7:8,18 9:12 14:4,5,12
 18:11,14 20:9,12 21:1
 21:4,15,17 22:3,13
Als 20:3
alcohol 11:21 12:17,18
Alcoholic 1:2,13,13
Anderson 1:15,17 2:3
 3:6,12,19 4:9,16,20
 5:10,21 6:2 7:9 8:1,4
 8:9,12,16 9:2 10:19
 14:9 15:3,18,21 17:8
 18:8 21:7,10,13 22:21
 23:2,9,15
answer 16:8
answered 7:16
anticipated 21:21
anybody 10:9
anymore 18:20
applicant 1:21 4:6 7:5
applicant's 1:21 2:20
applied 11:16
appreciate 23:11
area 11:3 12:2,7,8,22
 14:17 16:6
areas 13:22
arisen 6:17
automatically 9:16
available 18:20
aware 20:22 21:6
aye 22:22
eyes 23:1

B

B 2:13
back 2:4 9:10 15:9,15
 16:3 17:1,3 19:4
 20:11,14
based 6:12 8:20 15:14
 21:8
basically 6:10 11:14
 12:21
basis 6:10
best 21:2

better 9:22 10:1 16:17
Beverage 1:2,13,13
bit 20:13
board 1:2,13,13 2:13,15
 2:18 3:15,20,22 7:3
 7:21 8:6,18,22 14:15
 15:13 18:17,22 19:15
 19:16,21 23:13
BOBBY 1:18
brick 4:12 5:1 7:10,13
 9:14 21:21
bring 15:13
bringing 8:2 14:14
Bronx 6:14 16:14,20
brought 2:10
Building 1:14
business 5:3 10:13
 11:5,7 12:2,3,12 13:9
 16:3 18:1,12 19:11
 21:3,11,16 22:2,3
businessman 23:4

C

called 18:1
cap 18:15,16 20:3,4
capacity 16:17
Capitol 11:13
caps 2:12
case 2:4 19:20
category 4:5,18
CATO 1:18
central 17:13
Chair 13:16
Chairman 4:2 8:13
 23:14
Chairman's 7:17
Chairperson 1:15,17
 2:3 3:6,12,19 4:9,16
 4:20 5:10,21 6:2 7:9
 8:1,4,9,12,16 9:2
 10:19 14:9 15:3,18,21
 17:8 18:8 21:7,10,13
 22:21 23:2,9,15
challenge 14:18
change 5:18 6:11,15
 9:12
changed 4:18 6:13 10:2
chat 20:22
Chorus 23:1
city 6:12 10:5,13 12:21
 13:1
clarification 4:8 5:16
clarify 4:3
class 6:4 7:8 18:4 21:14
classification 5:18
clear 23:4
close 14:14
clue 13:18

Columbia 1:1 17:17
come 5:1 13:22 15:2,9
 15:15 16:10,14 17:1,2
 19:4,21 20:11 21:22
comes 10:9
coming 12:6 20:14
commitment 12:21
 13:20
component 11:5 12:3,4
 12:8 13:8,14 21:1
compressed 11:9
concept 5:5
concerned 2:13
consider 14:11
contested 19:20
continue 14:18
Control 1:2,13,13
conversion 6:6 7:22 9:9
 22:14
convert 7:7,18 9:13
 10:8 20:2 21:17 22:3
 22:13
converted 19:1
converting 18:11
correct 7:11 11:18
 12:14 21:12
counsel 1:21 2:21 3:3
 10:22 14:7
couple 9:11 15:22
 18:16,17,18
course 23:4
crack 10:7
cracked 10:6
created 4:18 21:13
critical 17:14
customers 16:18

D

D.C 1:14 6:19 7:1,13
 11:3,16,17 12:2,7,8
 12:12 13:21 14:5 16:5
 17:19 18:1
dates 18:17
day 23:16
dealing 23:5
decide 8:18
decided 9:13
decision 19:9
definitely 6:21
definition 19:15
deliver 17:13
deliveries 16:5
delivering 11:2
delivery 12:14,15,16
determination 22:12
different 4:18 6:1 10:9
 13:5,13
difficult 17:16

Direct 1:6,6 2:5,22 3:3
 4:3 6:12,22 10:22
 11:12 17:21 18:4
Direct's 17:12
discussion 20:17
District 1:1 17:17
division 22:11
Donovan 1:15,17
DR 23:8

E

e-commerce 4:4
earnest 15:2
earning 2:15
easier 20:13
either 5:1 9:15 16:11
 17:3
emphasize 18:3
ensure 7:18
especially 4:14
estimations 14:3
eventually 7:13
explanation 7:3
extend 1:9 7:21
extension 7:4 8:7 15:5
 15:16 19:5,14,14
 20:12 22:7,16
extensions 22:10
extremely 17:16

F

facility 11:13,20 16:15
fact 1:7 15:12
fact- 2:4
Fair 13:19
far 6:6
favor 8:5,21 22:22
fees 10:12
felt 5:15
final 19:7
find 2:17 9:15 14:18
 18:1
finding 1:7 2:5 17:11,15
fine 18:9
first 8:2
focus 16:7,14,19
food 12:4,14,15,16
force 6:18
forward 19:12,17
four/zero/zero 23:3
fresh 1:6,6 2:5,22 3:3
 4:3 6:11,22 10:22
 11:12 17:11,20 18:4
full 6:18
functioning 10:12 11:7
 12:11 14:4
further 22:16

G

general 3:3 7:7 10:22
generating 13:1
getting 16:17
give 4:22 5:12 13:12,15
glad 10:1
go 6:18 9:18 11:20 17:8 21:5
goal 18:11
going 3:21 4:11,12 5:2 5:4 9:6,13,16 11:19 15:14,15 18:12 19:2,4 19:10,13,17 20:13 22:9
good 2:3 9:19,20 13:11
government 2:16 13:22
grand 22:7
grant 3:15 8:6 15:4 22:10
granted 3:20 14:5
granting 8:5
green 7:1
grocer 4:4
groceries 11:2
ground 11:5 12:5,21
growing 16:19
guess 5:5 6:11 21:20

H

happen 9:3
happened 16:16
happy 21:1
hard 20:3,4
headquarters 6:14 16:8
hear 13:17
hearing 1:7,14 2:5 5:7 13:17 19:20
Height 11:13
Hi 10:17,21
Hirao 1:21 2:20,21 3:9 3:11,18 4:2,13,19 5:9 5:15 6:1,5,13 7:12 8:3 8:8,11,15 9:1,20 10:14 12:15,17 17:10 23:13
holding 5:11 13:6
hope 14:22

I

ideal 17:11,21
identified 15:8 20:16 22:18
identify 2:19
impacted 6:21 17:19
including 16:5
increasing 16:18
individual 13:6
informed 4:21

initial 11:1
intent 6:18 7:10,12 11:22 12:1
Internet 4:5 18:4
Internet- 21:7
Internet-based 4:11,22 5:14 7:14 18:5,12 21:11,14,16 22:4
investment 4:14
involved 21:5
Island 6:12

J

JAMES 1:19

K

keep 4:13 10:11
kind 10:4 13:3 16:7,13 16:15
know 4:17 9:11 17:15 20:1,19 23:6

L

lease 16:11,12 17:4,4 19:6,7 20:18 22:17
letters 9:8
letting 20:1
license 1:8 2:5,8,14,18 3:20 4:4,6 5:17 7:19 10:10 11:16 13:6 14:8 14:10 15:13 18:4 19:2 19:18,22 20:8,15 21:14,19
licensee 22:10
licenses 2:11,12 4:7 10:4 18:16,18,20 21:14
licensing 18:10 20:6 22:11
light 7:1
lines 11:21
liquor 13:2
listen 6:4
little 13:13 20:13
LLC 1:6
located 11:13
location 1:7 6:14,21 9:15 11:11 17:13,21 18:2 22:18
locations 9:11
logistical 6:16,20
logistics 7:18
LOI 17:4
Long 6:12
look 5:19 6:19 14:19 19:16
looking 14:17 15:1 17:21 19:8,12

losing 18:7 21:18
loss 22:2
lot 9:22

M

making 6:9 8:20,21 18:9 22:15
March 3:16,21,22 8:10 15:7,13 17:7 19:2 22:8
Maryland 11:14,20
matter 1:5 7:17 23:3,18
mean 5:5 15:11 17:10
means 16:19
meet 14:1 20:6 22:11
MEETING 1:3
meets 17:11
Member 1:18,18,19 9:19,22 10:16 11:1,6 11:10,15 12:10,19 13:11 14:2 22:20
members 9:4 23:13
mention 16:2
met 1:13
metropolitan 11:3 12:7 16:6
MIKE 1:18
model 5:3 22:2,3
moment 12:11
months 15:10,19,22,22 16:3,9
mortar 4:12 5:1 7:10,13 9:14 21:22
motion 8:10,21 9:3 22:7 22:10,22
move 19:17 21:2

N

N.W 1:14
name 11:11
need 2:17 14:11 16:2 18:10 19:13,14 20:15 22:17
negotiation 17:5 19:7 20:16 22:17
never 7:10
New 3:4 6:20 12:6 16:4 17:18
notice 5:22 6:3
November 1:11

O

occur 22:15
occurred 6:20
Oh 16:20 23:11
okay 3:22 4:2 8:11 9:17 12:19 19:8 22:5 23:3
onboard 19:2

one-hour 17:13
online 12:2 14:21 15:2
open 6:19,22 7:10,15 10:11 11:19 13:21 14:20 21:21
opened 18:6
opening 11:20
operate 22:18
operation 7:14 18:5
operations 7:1 17:18
opposed 23:2
option 9:17
originally 6:12

P

P-R-O-C-E-E-D-I-N-G-S 2:1
p.m 2:2 23:19
part 7:2,2 13:21 22:9
parties 2:10
Pascal 2:21
passed 23:3
pay 10:12
paying 10:13
people 13:22 21:22
period 4:22 9:14 19:15
periodically 14:16
places 13:5
please 2:18,19 3:7 10:16
point 6:19 11:1,1 12:22
policy 10:2
position 16:9
present 1:16,20 19:21
presentation 8:20
president 3:2
presiding 1:15
pressure 18:13 20:2,10
problem 15:4
problems 6:16,20
proceed 6:22
process 5:18 7:7 9:9
progressing 6:15
promise 17:1
property 19:9 20:17
public 7:15 13:22 14:21 18:6
purchase 4:15
purchased 4:6
purpose 21:20
put 11:4 12:5 13:17

Q

quest 14:2
question 7:17 14:13
questions 9:7,7,18
quite 18:19

<p style="text-align: center;">R</p> <p>realistic 15:12 realized 18:17 reason 6:9 7:3 10:2 13:4,13,15 20:21 reasonable 15:12 reasons 2:9 10:18 receive 5:22 6:5 recommendation 8:6 8:18 22:6 recommendations 22:16 record 2:4,19 13:12,18 23:19 Reeves 1:14 regarding 21:2 reiterate 20:21 release 4:7 remain 7:19 remember 9:10 representatives 14:1 representing 2:22 request 1:9 2:7,10 3:14 3:16,19 6:10 7:4,21 requesting 3:13 requirements 17:12 result 6:15 retailer 1:7 2:9,10 14:21 revenue 2:15 13:1 revoke 19:22 revoking 19:17 Riaz 1:21 3:1,10 10:15 10:17,21,21 11:8,12 11:18 12:14,16,18,20 13:19 14:6,16 15:17 15:20 16:1 20:20 21:9 21:12 23:11 right 2:22 9:1,18 10:8 12:13 13:9 15:17,20 16:1,13,21 17:18 21:9 22:6 23:15 Risa 1:21 2:21 16:2 Risa's 11:1 Room 1:14 rules 6:1 run 12:2 running 13:8</p> <hr/> <p style="text-align: center;">S</p> <p>safekeeping 1:9 2:8 3:14 4:14 5:6,17,19 6:9 7:4,19 10:3,4,11 saying 4:16,17 8:17,19 15:11 19:17 22:1 says 6:3 10:10 schedule 3:5 second 22:19,20 seconded 22:22</p>	<p>seconds 9:4 see 3:14 14:11 18:13 20:6 seeking 7:4 senior 3:2 sense 8:1 21:17 service 16:18 serving 12:7 share 17:6 sheet 3:7 shop 21:22 Short 1:19 9:18,19,22 10:16 11:6,10,15 12:10,19 13:11 14:2 22:20,21 sign 3:7,7 20:17 signed 20:15 22:17 SILVERSTEIN 1:18 sir 10:20 23:10 six 15:10,19,22 16:2,9 sixth 2:7 3:14 slot 17:14 soon 14:3 sorry 8:11,15 17:10 18:7 19:3 sound 19:1 space 12:1 14:17,18,20 15:2,8 17:16 speak 8:14 speaking 8:19 specialist 20:6 spot 17:11 stagnating 10:5 stake 11:4 12:5,20 standard 23:7 start 3:17 15:1 started 16:4 state 10:19 11:21 status 7:20 stop 12:10 store 13:2 strategize 21:2 Street 1:14 strictly 5:14 18:12 21:16 22:4 struggle 11:9 struggling 16:4 substantial 20:16 22:17 suffering 16:21 suggestion 18:9 Suite 1:14 summer 16:3,16 19:10 sure 2:20 3:18 4:2 5:15 8:3 18:15,19 surrounding 12:22 SUZUKI 23:8 switching 14:8,10,12</p>	<p style="text-align: center;">T</p> <p>t/a 1:6 take 5:19 15:16 taken 5:17 talk 14:6 18:10 21:1 tax 13:1 taxes 10:13 taxpayer 2:15 Teepoo 1:21 3:1 10:21 tell 8:12,13 11:10 telling 13:4 thank 3:4,6 8:8 9:22 23:8,9,13,14,16 thing 4:3 things 6:15 16:20 think 5:6 9:12 18:16,17 thinking 6:7 thousand 10:4 thrive 17:22 Thursday 1:11 time 3:14 4:22 7:20,22 8:2 9:15 10:3 14:4 17:14 timelines 23:5,5,6 timing 6:6,21 today 3:5 8:19 23:10 traditional 18:6 transfer 4:10 5:2,4 traveled 3:4 treat 10:8 13:13 True 5:9 turns 21:4 two 2:12 9:4,12</p> <hr/> <p style="text-align: center;">U</p> <p>understand 20:20 understood 11:19 23:8 utilize 15:9 20:8 utilized 18:22</p> <hr/> <p style="text-align: center;">V</p> <p>valuable 2:11,14 10:10 21:19,20 versed 14:7 versus 16:13 21:1 vice 3:2 view 20:9 vote 13:16</p> <hr/> <p style="text-align: center;">W</p> <p>W 1:15,17 want 4:8 10:10,11 12:6 13:9,16,20 17:1 20:8 20:19 23:4 wanted 4:3 13:12,17 wards 12:8,12 warehouse 17:16</p>	<p>Washington 1:14 11:7 11:15,17 12:1,12 14:5 way 21:5 we'll 8:18 we're 2:4 5:2 6:9 7:3 11:2,2 12:7 13:3,4 15:21 16:11,19 17:17 19:6,8,17 we've 16:14 Weiss 2:21 went 9:9 23:19 winter 15:1 wondering 7:16 work 23:6 working 16:11 17:3 worthwhile 14:11 wouldn't 5:7 13:18</p> <hr/> <p style="text-align: center;">X</p> <hr/> <p style="text-align: center;">Y</p> <p>year 15:16 York 3:4 6:21 12:6 16:4 17:18</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p style="text-align: center;">0</p> <hr/> <p style="text-align: center;">1</p> <p>104699 1:8 2:6 14th 1:14</p> <hr/> <p style="text-align: center;">2</p> <p>2:14 2:2 2:36 23:19 2000 1:14 20009 1:14 2018 1:11 19:3 2019 3:16,21,22 15:7,14 19:3 22:8 250 18:16</p> <hr/> <p style="text-align: center;">3</p> <p>31st 3:16,21,22 15:7,13 17:7 19:2 22:8</p> <hr/> <p style="text-align: center;">4</p> <p>400S 1:14</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p style="text-align: center;">8</p> <p>8 1:11</p>
--	---	---	---

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Fresh Direct, LLC

Before: ALCOHOLIC BEVERAGE CONTROL BOARD

Date: 11-08-18

Place: WASHINGTON, DC

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

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701