

**May 12, 2021  
9200 Basil Court  
Largo, MD 20774  
Virtual Hearing**

Present:

Daphne Turpin-Forbes, Board Chair  
Armando Camacho, Vice Chair  
Tammie Norman, Commissioner  
Tammy Sparkman, Commissioner  
Terence Sheppard, Director  
Jason DeLoach, Esquire, Counsel  
Robert Clark, Chief Liquor Inspector  
Christian Mendoza, Deputy Chief Liquor Inspector  
Johnny Toles, Deputy Chief Liquor Inspector  
Patricia Bell, Administrative Manager  
Leonard Vauss, Administrative Assistant  
Keyanna Little, Administrative Aide  
Katrice James, Administrative Aide  
Jamie Schaefer, Administrative Aide

**Start Time: 7:04 p.m.**

**Commissioner Forbes:** This is an open meeting for the Prince George’s County Board of License Commissioners. Welcome to our house.

To ensure compliance with the law (Maryland Open Meetings Act) and our goal of transparency, to please identify yourself when speaking and speak audibly. As a professional courtesy, when not speaking, please mute your device. If someone from the public that is not providing testimony as a witness today, I will recognize you in the hearing and give you an opportunity for your voice to be heard. Everyone’s voice matters at the BOLC. We understand that some of you may be passionate about what you have to say and that passion, in this regard, is permissible. What is not permissible is if truth, facts, and respect are not grounded in your voice. Thank you in advance for being truthful, respectful and honest during the entire proceeding.

**Director Sheppard:** During a typical hearing, there would be an exchange between the Board and the attorneys to exchange information as exhibits. Because this hearing is now virtual, we have implemented a 10-day rule to give those individuals here today, 10-days from today’s date to add to the official record. I would ask that you email myself or the administrative staff for the BOLC. You may add information to the record long as it is information that has been discussed in this hearing.

1. Maria Aguilar, President/Secretary/Treasurer, Sofia and Gicelle, Inc., **t/a Fast Eddie’s**, 4801 Allentown Road, Suitland, 20746. Class B(BLX), Beer, Wine and Liquors, is summoned to show cause for an alleged violation of R.R. No. 10 (2) failure to comply with all State laws and R.R. No. 26 (B)(4) failure to comply with all State laws of the Rules and Regulations for Prince George’s County, to wit; That on or about March 6,

2021 at approximately 11:45 p.m., Inspectors Bowden and North of the Prince George's County Board of License Commissioners conducted an inspection at the licensed premises located at 4801 Allentown Road, Suitland, MD. Inspector Bowden and North observed patron dancing in the establishment, not wearing face masks, not social distancing and the establishment was over capacity. Dancing was not permitted under the County Executive's Order at that time. Continued from the April 14, 2021 Hearing. Licensee is represented by Victor Ramirez, Esquire.

**Inspector Jaqueline Bowden, Inspector Haywood North, and Maria Aguilar** are sworn in.

**Inspector Bowden:** On March 06, 2021, at approximately 11:45 p.m. Inspector North and I conducted an inspection following an anonymous complaint toward **t/a Fast Eddie's**. The complaint was centered around the establishment not following Covid-19 guidelines. The complaint was placed regarding the establishment being over capacity, patron dancing, no mask wearing, and no social distancing. There were three officers who searched everyone in line and there was a cover charge of \$10. Once both inspectors entered the establishment, they observed a DJ playing music. It was evident that the anonymous tip was correct for the following reasons: people were dancing throughout the establishment, the establishment was packed with patrons, people were not social distancing, and most people were not wearing face masks. Video and picture evidence were captured and submitted to the Board as evidence. Therefore, as sent out in the Director's letters 12/09/2020, and 01/29/2021, which states in part, "under the County's phase 2 reopening status, establishments may have disc jockeys play music, but there is no dancing permissible". Also, the licensee has failed to follow the executive order for the county, the social distancing and capacity requirements, which is a direct violation of Rule and Regulation No. 26- Any violation of the licensee, his/her agents or employees, to a reasonable order issued to the licensee by the Board of License Commissioners or any other public authority which, in the judgement of the Board, was intended to promote the health, safety and general welfare of the public. The licensee committed a direct violation of the County Executive Order stating, not permitting dancing or large gatherings at this time. The licensee is also in violation of Rule and Regulation No. 10: the licensee premises must comply with all county and state laws, regulations and rules. Inspectors Bowden and North left the establishment at approximately 1:00 a.m.

**Commissioner Norman:** I have a question. Did you (Inspector Bowden) address management that evening?

**Inspector Bowden:** No, we were undercover.

**Victor Ramirez:** This inspection was following a tip from someone you don't know?

**Inspector Bowden:** We received an anonymous complaint.

**Mr. Ramirez:** I've received the photos and additional evidence from the Board. We are here today because we had received an email saying that Covid-19 restrictions had been lifted. The establishment stopped business for almost 2 months. We have worked with the Health Department in the meantime using their Corrective Compliance Program. The Corrective Plan was approved on March 19, 2021. Our Special Entertainment was then suspended on March 23, 2021. We didn't fight it. Ms. Maria is a very hardworking lady and this is a popular establishment. We understand that mistakes occurred and we accept

that. We met with the Board last month, giving me time to review the evidence myself and with my client. We will not try to minimize the violation, when this isn't even a violation of Liquor Licensure.

**Commissioner Forbes:** I would like to point out Mr. Ramirez... I believe you said that this isn't an issue of the Board. This is, in fact, a violation of Rule and Regulation No. 26B-4, all licensees must comply with all county and state laws, rules and regulations. So, this is something that we enforce.

**Mr. Ramirez:** It had to do with the order at that time. About a week later, dancing was allowed along with full capacity. Maria has been working so hard for many years. She was closed for 2 months and she has learned her lesson. She was able to pay all her employees throughout the duration of the Covid-19 Pandemic, with no income from the business. I'm not downplaying the violation, only trying to put it into perspective.

**Commissioner Forbes experiences technical difficulties. Pause for her to log off and log back in. Testimonies in support of t/a Fast Eddie's begin.**

**Jauhar Abraham** is sworn in.

**Mr. Abraham:** I would like to speak on behalf of the community. In the live entertainment community, I cannot believe that in the era of Black Lives Matter, I don't believe what I'm hearing. It's disappointing to hear a minority beg to be in business. This is going to stop in Prince George's County, and I look forward to working with you and being on the meetings throughout this process.

**Commissioner Forbes:** Thank you for your testimony.

**Vice Chair Deni Taveras** is sworn in.

**Ms. Taveras:** I've known the licensee for at least 4-5 years now. She's been given a hard time through her business ventures. She has invested so much money into this business. We have worked with her over the years and she has always contributed. I believe that this is a secondary employment issue. She has always wanted to have enough to pay her staff. She was basically being taxed. The presence of her business has decreased crime in the area. There have never been police issues with her business outside of medical emergencies. This is the only location of her businesses that she's experienced this issue with the Liquor Board. She wants to move her business to Charles County and we in the community would hate to see her go. I think that she has been penalized enough. Maria, I hope you do stay in Prince George's County.

**Marsha Stanard** is sworn in.

**Ms. Stanard:** I would like to speak on behalf of the community. Maria does look out for the community, the black community. We want to enjoy ourselves in a safe environment and have always felt safe at Fast Eddie's. We don't want to see them shut down.

**Commissioner Forbes:** We at the Liquor Board are not the ones to shut businesses down. We do not have that authority. We have only focused on Liquor and the Special Entertainment that comes with it. A responsibility of the Rules and Regulations for every single one of our clients to follow the same Rules and Regulations. We treat everyone fairly. We do not have the authority to focus on shutting a business down, that is a matter of other departments.

**LaTasha Ward** is sworn in.

**LaTasha Ward:** I would like to speak on behalf of the community. I have been here before (before the Board). Everything that you have asked Ms. Maria to do, she has complied. She is a positive outlet for the members of the community, the Black Community. We want Fast Eddie's open.

**Corporal Proctor** is sworn in.

**Corporal Proctor:** I have some clarification questions. (to Mr. Ramirez) Fast Eddie's was shut down and then reopened due to corrective actions put in place by the Health Department (Mr. Sims)? (**Mr. Ramirez-**Yes.) And the 19<sup>th</sup> of March it was reopened? (**Mr. Ramirez-**Yes.)

**Marc Matthews** is sworn in.

**Marc Matthews:** I'm speaking on behalf of the community. I've known Maria for the last 5 to 6 years. She has always treated us so well. I must agree with Jauhar, she is an asset to our community. MGM has had many cases of violence, without Covid-19 precautions in place. You should take it easy on Maria.

**Vice Chair Deni Taveras:** I'd like to add an additional point. Maria is a dedicated employer. She has ensured that all her employees were paid throughout the Covid-19 Pandemic, probably out of pocket.

**Mr. Abraham:** I'd encourage thinking in terms of compassion. People walk around without masks and others need to remind them to put it on. We must help each other. This Covid-19 Pandemic is new to all of us.

**Larry Blake** is sworn in.

**Larry Blake:** Throughout the years, County and State Clubs and Lounges have been attacked in Prince George's County. You should we, the public and community, feel as though we must leave the County for good entertainment? Why should we do business elsewhere? Why is Ms. Maria being attacked?

**Steve Smith** is sworn in.

**Steve Smith:** Thank you. I am not a finger pointer. Everyone needs to be able to survive. We need to support Ms. Maria's and all other businesses in a collective effort. Losing Fast Eddie's will only be harmful to the community. It's not normal for people to feel comfortable wearing masks. People just want to relax and breathe and feel as though they have a safe space to do so. The behavior will change and Ms. Maria will prove it to you.

**Erica Pierce** is sworn in.

**Erica Pierce:** I wanted to share a story. I went to the store to run errands, and I had forgotten to put on a mask. The business then provided me with a mask so that I was able to do business with them. Maria was given a violation and I believe it is unfair to pull her license. This punishment following this violation is harsh. Everyone is learning during this Covid-19 Pandemic.

**Deni Taveras:** Maybe it would be beneficial for Ms. Maria to require patrons to provide proof of vaccination or potentially use her business space as a vaccination site.

**Detrolia Allison** is sworn in.

**Detrolia Allison:** I work for Ms. Maria. I've worked with Fast Eddie's for many years. Things (regarding Covid-19 rules and regulations) weren't clear. I was taking patron temperatures at the door, made sure everyone was using hand sanitizer, and I would

provide a head count to ensure that we were within capacity. I told all other patrons to leave once capacity was reached. I got put out from extra money when the business shut down. Money that I use to take care of my child, as a single mother. Everyone has been taking a hit during this time.

**Commissioner Forbes:** I would like to remind everyone that the Health Department shut down Fast Eddie's, not the Liquor Board. Mr. Ramirez, I'll give you 2 minutes for closing statements.

**Mr. Ramirez:** It has been a long time since I've come across a business where no one from the public wants them to leave. It has been the complete opposite and they have been shown nothing but support. There has been reduced crime in the area. Ms. Maria has employed over 35 people and ensured that they received pay throughout the pandemic. There has been no crime at this establishment. An error occurred. All has been corrected. That is why we are here. Ms. Maria has endured 60 days of closing. The community has suffered in that time. I would ask that she can continue her Special Entertainment and continue to hold her Liquor License. Punishment has been her closing and potentially a fine. I would say that a fine is still too severe of a punishment after having no income from her business for 2 months. We are living in a different time.

**Commissioner Forbes** calls for a motion.

**Commissioner Camacho** makes a motion to revoke the Class B (BLX) Liquor License from t/a Fast Eddie's.

**No Second.**

**Commissioner Norman:** Can we discuss?

**Commissioner Forbes:** I would need a second prior to discussion.

**Commissioner Norman:** I'll second.

**Commissioner Forbes:** We will begin an open discussion regarding the motion on the floor.

**Commissioner Norman:** So, the Health Department shut her down, then March 19<sup>th</sup> they were given a corrective action?

**Mr. Ramirez:** There was a notice of inspection on March 30<sup>th</sup>, we were closed for 6 days following and schedule the corrective action plan. We have had extensive conversations with the Health Department. March 13<sup>th</sup> was our initial meeting with them.

**Commissioner Forbes:** To set the timeline straight, The Health Department shut down the business on March 13<sup>th</sup>, the corrective action was given March 19<sup>th</sup>, On March 6<sup>th</sup> the Special Entertainment was suspended for 30 days, we met for a Hearing on March 23<sup>rd</sup>, and the business was closed on March 30<sup>th</sup>. On the floor, we have a motion to revoke the Liquor License.

**Commissioner Camacho:** This business had been a "serial violator" of our rules and regulations. Within 1 week of receiving their Liquor License, the business had a violation issued. One week. Following the initial violations, we have heard a lot of promises that have not been kept. On April 19, we made it very clear to Ms. Maria that she was very close to losing her privileges. She once again conducted herself in an improper manner.

**Commissioner Forbes:** In the last 3 years, Fast Eddie's has been given 3 violations.

**Commissioner Camacho:** I don't see how that can be excused.

**Commissioner Norman:** I hear the Community's concerns. I know that she is an employer and an outlet for the community. Could there possibly be a compromise?

**Commissioner Forbes:** Commissioner Norman, could you help us understand what a compromise would look like?

**Commissioner Norman:** Is the business closed still?

**Mr. Ramirez:** Yes.

**Commissioner Forbes:** They were closed for 8 weeks due to the Health Department's involvement.

**Commissioner Norman:** I'm struggling to think of an amendment. How about, "Additional suspension of Special Entertainment through January 31, 2022, as well as, a probationary period for their Liquor License through January 31, 2022. Any violation in that period will result in revocation of the Liquor License".

**Commissioner Camacho:** I'm open to extending the suspension of Special Entertainment and a probationary period for the Liquor License through the end of the year. They must operate as a "Sit-Down Restaurant" only.

**Commissioner Norman:** I agree with you; however, I believe Covid-19 has really made this such a rough year.

**Commissioner Camacho:** Please understand the gravity of the situation.

**Commissioner Norman:** Commissioner Sparkman, could we have your thoughts?

**Commissioner Sparkman:** My feelings are mostly impartial; however, I'm leaning toward Mr. Camacho's argument. As a business, she has not been conducting herself in an acceptable matter and that is difficult to overlook.

**Commissioner Forbes:** The motion on the table: Extend the suspension of Special Entertainment through the end of the year (December 31, 2021), instate a probationary period on the Liquor License, stating that the restaurant will operate only as a "Sit-Down Restaurant" through December 31, 2021, and any violations will result in revocation on the liquor License.

**Commissioner Norman:** Could we change the period through September rather than the end of the year?

**Commissioner Camacho:** I stand by the end of the year, December 31, 2021.

**Commissioner Forbes:** So the motion stands from **Commissioner Camacho:** We move to extend the current suspension of Special Entertainment for t/a Fast Eddie's through December 31, 2021, place the business on a probationary period for their Liquor License, stating that the business may only operate as a "Sit-Down Restaurant" through December 31, 2021, and any violations on the business within that period will result in the revocation of their Class B (BLX) Liquor Licensure.

**Commissioner Sparkman** seconds the motion.

**Commissioner Camacho votes Aye, Commissioner Sparkman votes Aye,**

**Commissioner Norman votes Aye, Board Chair Forbes votes Aye.**

**After Board vote, the motion carries.**

2. Jay Patel, Member-Manager, Kirti K. Patel, Member-Authorized Person, Nicki, LLC, t/a **Meyers Liquors**, 3601 Old Silver Hill Road Silver Hill, 20746, Class A, Beer, Wine and Liquor, is summoned to show cause for an alleged violation of Section 6-311, Purchase Alcoholic Beverages from other than a Wholesaler of the Annotated Code of Maryland and R.R. No. 11 of the Rules and Regulation for Prince George's County, to wit; That on or about March 1, 2021 at approximately 4:30 p.m., Inspector Bagby of the Prince George's County Board of License Commissioners entered Meyers Liquors located at 3601 Old Silver Hill Road, Silver Hill, MD to conduct a routine inspection. While checking inventory boxes, Inspector Bagby came across three (3) cases of Stoli Vodka, one (1) mango flavored and two (2) pineapple flavored that had the name of Distler Bob as the establishment of receivership. The establishment could not produce invoices to show that the alcohol belonged to Meyers Liquors. These items were confiscated as evidence.

Licensee is represented by **Robert Kim, Esquire**.

**Inspector Bagby, Kirti Patel, Raj Patel, and Jay Patel** are sworn in.

**Inspector Bagby:** On Monday, March 1, 2021, at approximately 4:30 p.m., I arrived at t/a Meyer's Liquors. Once inside, I located the manager, Jay Patel, to inform him of the inspection. While the basement, checking the inventory boxes, I discovered 3 cases of 6, 1.7L bottles of Stoli Vodka, 1 Mango flavored, and 2 Pineapple flavored. All very invoice dated October 10, 2019, and on the side was written, "Distiller Bob" as the establishment having received them. I asked the manager, Mr. Patel, to provide me with the invoice, proving the cases belonged to him. Mr. Patel searched the invoices, but could not find anything regarding these cases, resulting in a violation of RR No. 11-Purchase of Alcoholic Beverages form other than a. Authorized Wholesaler. Due to the violation, the 3 cases of Stoli Vodka were confiscated and added to evidence. Pictures taken of the items were also submitted as evidence. I told Mr. Patel that if the correct invoice was found that he could contact the Board and provide that to them or he would be in receipt of a letter from the Board instructing them what to do further. I left the premises at approximately 5:25 p.m. All persons from the establishment were cooperative.

**Mr. Kim:** Mr. Bagby, I received 2 photographs of the 3 cases of vodka that were taken as evidence. It clearly states on the bottom of the label, that it is from Breakthrough Beverages, MD. Does it not?

**Mr. Bagby:** This isn't about Breakthrough Beverages. The establishment didn't have proof of receipt.

**Mr. Kim:** Who is the receiver? Did it not say Meyer's Liquors?

**Mr. Bagby:** No, it didn't.

**Mr. Kim:** Okay, what did it say?

**Mr. Bagby:** It said Distiller Bob.

**Mr. Kim:** Do you know who Distiller Bob is?

**Mr. Bagby:** He's not in this County. I have no idea. I asked Mr. Patel to pull invoices and he couldn't find the invoices.

**Mr. Kim:** I understand. Do you know who Distiller Bob is?

**Mr. Bagby:** No, I don't.

**Mr. Kim:** Would you be surprised to know that he is a sales manager for Breakthrough Beverages?

**Mr. Bagby:** Okay, but what does that have to do with Meyer's Liquors. There was no proof of receipt.

**Mr. Kim:** Where does it say receipt? It only says Distiller Bob.

**Mr. Bagby:** Yes, Meyer's Liquors need to be on the label of receipt. It was not. Only Distiller Bob.

**Mr. Kim:** I understand that they were not able to produce the invoices, but I have submitted the invoices since then.

**Mr. Bagby:** When you submitted the invoices, the invoices had nothing to do with it. If you had produced the invoice, then we wouldn't be here today.

**Mr. Kim:** I understand. Mr. Bagby, what I'm saying is, if Distiller Bob is the sales manager for Breakthrough Beverages, and it has both of their names on there, would that mean that the packages came from an authorized wholesaler?

**Mr. Bagby:** It doesn't matter where it came from. It matters who it belongs to.

**Mr. Kim:** No, sir. No. The rule is, "you must purchase alcoholic beverages from an authorized wholesaler".

**Mr. Bagby:** Okay, it came from an authorized wholesaler. If Meyer's Liquors' name had been on it, or if they had been able to produce a proper invoice, then there would be no violation. They could not provide either.

**Mr. Kim:** Mr. Bagby, I'm asking if the legal requirement to for alcoholic beverages is for them to be purchased from an authorized wholesaler. (**Mr. Bagby-Yes.**) Okay, isn't Breakthrough Beverages and authorized wholesaler? (**Mr. Bagby-Yes.**) Did you know that Bob Distiller is a sales manager for Breakthrough Beverages? (**Mr. Bagby-No.**) No questions from the Commissioners for Mr. Bagby.

**Mr. Kim:** I submitted to the Board 3 documents. Two documents are invoices showing 10 cases of crushed mango, 10 cases of crushed pineapple, and 5 cases of crushed ruby red. The one that is yellow is the copy that came from Meyer's Liquors. The other invoice, which is the same invoice, in the bottom center of the page is Mr. Patel's signature, the employee at the store when the delivery was made, proving he signed off on it. The third document that I have submitted- I spoke with the attorney for Breakthrough Beverages multiple times on this matter, and I was going to ask the Board to issue a subpoena for Mr. Distiller, but they sent me a letter saying that they could verify his employment with the company. The fact that Bob Distiller's name is on there does not mean that it was not purchased through Breakthrough Beverages. The issue is that Rule 11 says that you must buy from an authorized wholesaler. Granted, the invoices were not produced on that date, but this goes back 19 months. The inspection was March 1, 2021 and this purchase was back in July 31, 2020. So, this purchase was made 19 months earlier. When you have that many invoices, it's not always in the same location. Mr. Raj Patel, who is not related to Mr. Jay Patel, was the one to receive the order on March 1, 2021. He couldn't find them. This is not the basis for the Rule 11 violation of not purchasing from an authorized wholesaler. This didn't come from someone else. It came from Breakthrough Beverages, MD. I would submit to you that there is documentation of where these cases came from and that the licensee was never in violation. Ms. Kirti Patel, the licensee is here, Mr. Raj Patel, who was present at the time of delivery, he counted the 25 boxes and testify to that if you need him to. I believe that shows that there is no violation in this case.



**Mr. Bagby:** He gave a date that was June. The date that was on the stickers was October, not June or July. So, he could pull invoices from another time when they purchased something to try to cover this up. The date on the stickers, for date of delivery, is October 10, 2019, not June or July.

**Mr. Kim:** Madam Chair, I asked the attorney for Breakthrough Beverages what all these things mean, all these SKU numbers, she couldn't tell me. She said that they don't really mean anything. The only thing that we know is that they came from Breakthrough Beverages and it was delivered all at one time. I don't know why there is a date of October 10<sup>th</sup>. I don't know what that means. October 10<sup>th</sup> may not be the date of delivery and it seems like Mr. Bagby is making assumptions. We have Raj Patel here to testify that he was there on July 31, 2021 to receive the order and sign off on it. If you look at the invoice that I submitted, it shows that he checked it off, shows that he counted it, and shows that he accepted it.

**Mr. Bagby:** The date on the sticker is the date that it leaves the manufacturer.

**Mr. Kim:** No sir, you don't know that. Breakthrough couldn't even tell me that. If that is the issue, I would more than happy to have the Board issue a summons for members of Breakthrough Beverages to testify.

**Mr. Bagby:** If I can continue, liquor stores order the same things. If this is the case, you could go and pull an invoice from 5 years ago and say, "this is the one". We check labels. We know what the labels mean and what those dates mean.

**Mr. Kim:** What does that mean?

**Mr. Bagby:** That was a delivery or the order date. That wasn't a June or July delivery. They will not put "October" on a delivery that was made in June or July.

**Mr. Kim:** Well, Mr. Bagby, you're making assumptions as to what this means. Do you know for a fact what that means?

**Mr. Bagby:** That's my job.

**Mr. Kim:** Okay, so you're testifying, under oath, that on October 10, 2019-this is the date that it left their delivery system?

**Mr. Bagby:** I can't say what day it left, but it didn't leave in June or July. They are not going to put an October date on a June or July delivery.

**Mr. Kim:** That doesn't mean that was the date it was delivered. Raj Patel testified to when the order was accepted, Madam Chair.

**Commissioner Forbes:** You know Mr. Bagby, I raised the same question, what does the date represent?

**Mr. Kim:** I asked them and they couldn't tell me. That doesn't mean that is the date of delivery. Ms. Kirti Patel can testify that is what we ordered. It was 25 cases on July 31, 2020. They still had some as of March 1, 2021. 19 months later, they still had leftover cases. Raj, were you the one who accepted delivery from Breakthrough Beverages? (**Raj-** Yes, I did.) On July 31, 2020? (**Raj-** Yes, sir.) You counted those 25 cases? (**Raj-** I counted those 25 cases.) That is your signature on the invoices, confirming you received this order? (**Raj-** Yes, sir.) Kirti Patel, 25 cases of 1.75L Bottles of vodka, is that a large order?

(**Kirti-** Yes, it is.) Was that a large order because there was a significant discount offered with Breakthrough Beverages? (**Kirti-** Yes.) Even though those 25 cases were delivered on July 31, 2020, you still had some cases left over as of March 1, 2021. (**Kirti-** Yes, in fact, as of right now, I still have a couple cases left over.) You still have some left over.

You haven't sold them all. Just to reiterate, the reason you ordered so many and kept them was, as stated on the invoice, it looks like they gave more than a 50% discount if you ordered that many. (**Kirti**- Yes.) If you ordered one case, how much would they have charged you? (**Kirti**- I wouldn't know off the top of my head.) It says unit price: \$125.00 (**Kirti**- Yes, that is it.) They wouldn't have given you a \$66.00 discount if you hadn't ordered more. (**Kirti**- They wouldn't have, no.) That is why you ordered 25 cases? (**Kirti**-Yes.) Do you have any doubt that these came from Breakthrough Beverages? (**Kirti**-No. They came from Breakthrough Beverages.) Who else sells Stoli Vodka, Crushed Mango, Crushed Pineapple, and Crushed Ruby Red? (**Kirti**- To my knowledge, we have no one else who sells them. They are the only ones that I get my delivery from.) **Commissioner Camacho**: You're saying the date on the box doesn't matter? Whether it's 10/10/2019 or...

**Mr. Kim**: I don't know what that means.

**Commissioner Camacho**: Can we agree that there is a customer number?

**Mr. Kim**: I asked them that and they agreed to...

**Commissioner Camacho**: Can we agree that there is a customer number on the box? The customer number is on the invoice is not that number.

**Mr. Kim**: The customer number is not for Meyer's Liquors, it's for Breakthrough Beverages. It comes from the distiller.

**Commissioner Camacho**: No, the customer number comes from the number on the label, the label is their label from Breakthrough Beverages, it says, "Delivery" and it says, "Customer". That is not the customer number on their invoice.

**Mr. Kim**: I understand, but that's not how they match up. I asked that same question to Breakthrough Beverages and they told me that's not what it means. It is an ID number for Breakthrough Beverages. If the Board is willing to issue a summons, I would love to have them testify. They have not been very cooperative because they think that they will be the ones under fire. The rule is, "Did you buy from an Authorized Wholesaler?"

**Commissioner Camacho**: Yes, but our question is, "Who did it go to first?". "Did it go to another liquor store first, then reach Meyer's Liquors"?

**Mr. Kim**: Bob Distiller is the salesperson for Breakthrough Beverages, not another store.

**Commissioner Camacho**: We don't know if that delivery came right to that store. We have discrepancies on date, we have discrepancies on customer number and we can't decide and we can't determine that.

**Mr. Kim**: Then let's summon Breakthrough Beverages. I would love to have them come and testify.

**Commissioner Camacho**: Sure, I have no problem with that.

**Mr. Kim**: Can we postpone and issue the summons? I asked all the questions that you asked and they could not tell me.

**Commissioner Forbes**: Let's get the people who should have the facts to appear because we are assuming quite a bit here. This includes what the customer date means, what the date October 10, 2019 means, the discrepancy with the invoice, and the box. If we are going to be fair about this, we need some facts and they are the people who would have them. These things weren't clear. Commissioners, shall we continue and get the Breakthrough Beverages people answer the question that we have on a call?

**Commissioner Camacho**: Can we also get the cancelled check for the delivery payment?

**Mr. Kim:** Kirti, you can get a copy? (**Kirti-** I can.) Madam Chair, I would love to appeal to some of these issues with the wholesaler. They are very heavy handed. You won't believe what I had to go through in order to get that one sentence letter from them, the wholesaler.

**Commissioner Forbes:** I'll entertain a motion to continue this hearing later so that we may get our wholesaler friends on the call.

**Commissioner Camacho:** So, moved.

**Commissioner Norman** seconds the motion.

After Board vote, the motion carries.

**Adjourned: 9:09 p.m.**

*Respectfully Submitted,*

*Jamie Schaefer*  
*Administrative Aide BOLC*