

1 **APPROVED HEARING MINUTES**

2 **South Carolina Board of Cosmetology**
3 **9:00 A.M., December 17, 2012**
4 **Synergy Business Park**
5 **Kingstree Building, Conference Room 108**
6 **110 Centerview Drive, Columbia, SC 29210**

7 **View the Board Meeting On-line at www.llr.state.sc.us/POL/Cosmetology**

8 **Meeting Called to Order**

9 Public notice of this meeting was properly posted at the SC Board of Cosmetology office, Synergy Business
10 Park, Kingstree Building and provided to all requesting persons, organizations, and news media in
11 compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

12 **Pledge of Allegiance**

13 **Rules of the Meeting Read by the Vice Chairman – Cynthia Rodgers**

14 **All Other Persons Attending**

15 Angie Shuler, Jennifer Tran Yip, Justin Chapman, Lan Mien Pham, Chuck Ormond, Eleanor R. Glover,
16 Jonathan D. McCoy, Hai V. Nguyen, Roger Beaver
17

18 **Staff Members Participating in the Meeting**

19 Sara McCartha, Advice Counsel, Tracey McCarley, Board Administrator, Matteah Taylor, Roz Bailey-
20 Glover, Administrative Staff, Cecelia P. Englert, Court Reporter. Andrew R. Rogers, Assistant General
21 Counsel, DeLeon Andrews, OIE

22 **Introduction of Board Members**

23 Stephanie Nye, Selena Brown, Cynthia Rodgers, and Janice S. Curtis

24 **Approval of Excused Absences – Melanie Thompson, Chairperson, out sick**

25 **MOTION:**

26 **Chairman’s Remarks – Vice Chairperson, Cynthia Rodgers**

27 Ms. Rodgers opened the hearing in the absence of the Board Chairperson, Melanie Thompson.

28 **New Business**

29
30 **Hearing:**

31 **Ms. Lan Mien T. Pham** was called to testify along with her attorney, Mr. Chuck Ormond.
32 Attorney Mr. Ormond stated that his client speaks poor English, and the facts are clear. Ms. Pham owns a nail
33 salon, and she had her brother managing in 2011. In June, 2011 and inspection occurred. There were
34 apparently two people working in the salon with a license from another state. In August 2011 another
35 inspection occurred when Ms. Pham was not present. Inspections found four more unlicensed people working
36 in the salon which is not being disputed. Her brother who manages the salon was not present and no longer in
37 the state. Ms. Pham is the manager. As owner she was cited and fined \$500 for each separate incident. Her
38 brother was fined \$3,000 as the manager. Ms. Pham was again required to pay an additional \$3,000 as a nail
39 technician. Ms. Pham did not understand why she has to pay an additional \$3,000. They are before the Board
40 today to see if the Board would reconsider allowing Ms. Pham to remain on probation for three year period
41 with penalty and disciplinary education course. It’s hard for her to pay the \$3,000 at once without working.
42 Mr. Ormond told Ms. Pham to save her money in case the Board allowed a lesser sentence instead of the
43 revocation of her license. They are asking that the revocation be suspended in place of probation for three
44 years and a modification of the fine with a payment plan.

45 Mr. Rogers stated that he leaves the matters to the Board and has no additional argument. Recommends the
46 sanctions stay as originally stated. Mr. Rogers deferred to the Board for determination. Ms. Rodgers clarified
47 the \$3,000 was against the license and the \$3,000 for the salon owner was paid. There was also a \$3,000
48 penalty given to her brother Mr. Pham who was the former manager. Ms. Rodgers stated that the Boards first
49 obligation was to protect the public. Ms. Pham stated that she took a continuing education class on line and
50 she is waiting for her license to become active so she can take the second class. The salon is open and Ms.
51 Pham is managing the shop, but she does not have a license so she cannot work. There are three (3) licensed
52 employees working in the salon.

53
54 **MOTION:**
55 Ms. Curtis made a motion to go into executive session for legal advice. Ms. Nye seconded the motion and the
56 motion was unanimous.

57
58 The Board returned from executive session where no votes were taken.

59 **MOTION:**
60 Ms. Brown made a motion to return to public session. Ms. Nye seconded the motion and the motion was
61 unanimous.

62
63 **MOTION:**
64 Ms. Curtis made a motion that because of the serious nature of the offenses, specifically allowing multiple
65 incidences of unlicensed practice in the shop on two documented separate occasions the Board will not lessen
66 the fine however the respondent will be able to return to the profession. It is determined that Ms. Pham's
67 license will remain on suspension for eighteen (18) months from the date of the Order issued from the Board
68 with the understanding that inspections will happen, unannounced. After that time she can reinstate the
69 license. If anything is found during inspections, she will return to the Board. Ms. Brown seconded the motion
70 and the motion was unanimous.

71
72 Ms. Pham must pay the \$3,000 fine before the license can be reinstated.

73
74 **Hearing:**
75 **Ms. Jennifer Tran Yip** was present to testify on her behalf along with her attorney, Mr. Jonathan D. McCoy.
76 Mr. McCoy called for a motion for a rehearing based on several things that took place during the previous
77 hearing. First, there was talk about the admission of fact concerning an animal that he was not aware that
78 would be submitted in as evidence, second, clients were questioned extensively about a matter, he and Mr.
79 Rogers agreed would not be brought up. Third, there's an issue about who is the actual business owner at the
80 time of the violations.

81 Mr. Rogers objected to a rehearing of this issue. All respondents were made aware of the issues surrounding
82 the previous hearing and were given extensive notice of the charges and what would occur at the hearings.
83 Mr. McCoy repeated the three reasons for asking for a rehearing. Mr. Rogers maintained that he objects to a
84 rehearing, because he properly informed the respondents and the attorney about the hearings. Regarding the
85 civil case, that is irrelevant as it only gives context to this situation. For the record, all notices given to
86 respondents include warnings that licenses are subject to all possible disciplinary actions by the Board
87 including revocation, suspensions and fines. Mr. McCoy was sent at least two letters outlining the charges
88 and the purpose of coming before the Board, and that respondents were to answer questions the Board had
89 about the case. Mr. Rogers pointed out that the State tried to resolve the matter with a consent agreement that
90 was rejected by the Board. The State then tried to resolve the matter with a Memorandum of Agreement
91 which was accepted by the Board after questioning the respondents. We are now seeing a motion from the
92 respondent's attorney to throw out the Memorandum of Agreement and have another hearing. The State is
93 ready to proceed. The respondent's argument does not include an argument of their innocence or that the
94 facts presented were wrong. They are basically unhappy with the sanctions.

95 Mr. McCoy objected and stated that the facts were misread into the record. The civil litigation happened after
96 the fact, after the second inspection, and should not have been brought up in the hearing. His clients did not
97 either admit or deny to having an animal in the salon. Mr. McCoy stated that he listened to the public
98 transcript online where the Chairperson insisted on knowing what effect the first hearing would have on his

99 client's civil case, which should not have been brought up in the hearing. Mr. McCoy stated that he only
100 wants justice for his clients and requested the rehearing proceed.

101

102 **MOTION:**

103 Ms. Curtis made a motion to go into executive session for legal advice. Ms. Nye seconded the motion and the
104 motion was unanimous.

105

106 The Board returned from executive session where no votes were taken.

107 **MOTION:**

108 Ms. Brown made a motion to return to public session. Ms. Curtis seconded the motion and the motion was
109 unanimous.

110

111 **MOTION:**

112 Ms. Curtis made a motion to grant the hearing today. Ms. Nye seconded the motion and the motion was
113 unanimous.

114

115 Ms. Rodgers called the hearing to order. All individuals present to testify were sworn in: Justin Chapman,
116 Jennifer T. Yip, Hai Nguyen and Roger Beaver.

117 Mr. McCoy open with a motion to compel the State to provide him with a FOIA request based on 41-190 to
118 get a copy of the complaint form filed against his clients, and all information from that form, because the code
119 section entitles them to any information that was filed against the respondents as part of the due process of
120 law. In order to file a complaint you must sign and list the name and statement of the complaint respondent.
121 His clients are entitled to the information, and have the right to see what was filed against them. The FOIA
122 was sent in on March 14, 2012 and there has been no response from the State.

123 Mr. Rogers stated that 40-1-1-90 is the Engine Provision which is the default used when statutes are in
124 questions and appears under the section on privileged information. A person filing a complaint cannot be
125 retaliated against. The commissioned statutes state under section 40-13-190 covers confidentiality of
126 information regarding investigations and proceedings conducted under this chapter. It states that the
127 information is confidential and cannot be disclosed. Mr. Rogers also stated that while the respondent would
128 like to have the initial complaint, that information is privileged and confidential so the respondent is not
129 entitled it.

130 Mr. Rogers stated that the record is clear and that he has been in constant contact with Mr. McCoy and has
131 already given evidence to Mr. McCoy in order for him to prepare his defense, and has already been given
132 complete due process rights to prepare their case. The State has gone out of its way to provide evidence to the
133 attorney. Section 40-1-190 is the Engine Bill and section 40-13-190 is the Cosmetology Board statute.

134

135 A discussion ensued regarding the initial complaint filed against the respondents.

136 **MOTION:**

137 Ms. Curtis made a motion to go into executive session for legal advice. Ms. Nye seconded the motion and the
138 motion was unanimous.

139

140 The Board returned from executive session where no motions were made or votes taken.

141 **MOTION:**

142 Ms. Brown made a motion to return to public session. Ms. Curtis seconded the motion and the motion was
143 unanimous.

144 Ms. Rodgers directed Mr. Rogers to provide his opening statement.

145 Mr. Rogers stated that there are three cases before the Board for consideration. The first case license is
146 regarding Market Common Nail Spa license number SAL 90411, OIE case 2011-239. The second case is for
147 licensee Justin D. Chapman, NT 65361, OIE Case 2012-31, owner of Market Common Nail Spa. The third

148 case is for Ms. Jennifer (Jennie) Yip, cosmetology license RC29542, OIE Case 2012-22. The record will
149 show that Ms. Yip is the manager of record for the salon and Mr. Chapman was the owner of the salon. The
150 State alleges that while Ms. Yip was managing the salon, and Mr. Chapman owned the salon they allowed a
151 duck into the salon on various occasions. The only animal allowed in a salon is a service animal, which the
152 duck is not. All the State has to prove is that the duck was in the salon once to prove the case. In addition, Mr.
153 Chapman and Ms. Yip allowed unlicensed persons to work on clients, and both knew the individual was
154 unlicensed. The third violation applies to the salon when Mr. Chapman became the new owner, but continued
155 to operate the salon under the old license owner. Former owner, Ms. Nguyen left the business and could not
156 transfer the license nor did she close the old license. Mr. Chapman's failure to update the salon license is a
157 violation. Mr. Chapman did not come forward to correct the salon license until after the inspector arrived and
158 revealed the current owner was not the owner of record. The inspector provided information on how to
159 officially open the salon and correct the license. Mr. Rogers asked the Board to review the evidence and find
160 for the State.

161 Mr. McCoy stated that the violations occurred under a different owner and not his client, Mr. Chapman, on
162 October 11, 2011 after the incidents. Kim Nguyen was the owner of the salon at the time. Ms. Nguyen never
163 told Mr. Chapman or Ms. Yip that she would sell the business to them. What Mr. Chapman and Ms. Yip did,
164 however was enter into a lease agreement with Ms. Nguyen to rent the apartment above and the salon. The
165 violation should go against Ms. Nguyen because she was the owner at the time of the inspection. Mr.
166 Chapman filed for a license under his name after the inspection. There were no infractions found under Mr.
167 Chapman, the salon was clean and all were licensed. When Ms. Nguyen owned the salon that's when the
168 violations were found, and as long as Ms. Nguyen continues to accept rent from Mr. Chapman, she still owns
169 the business. Once Mr. Chapman took over, LLR inspectors have since inspected the salon and did not find a
170 duck in the salon or any unlicensed practice happening. The respondents deserve a chance to make a living.
171 Ms. Yip has never been sanctioned before nor Mr. Chapman. Mr. McCoy asked the Board for mercy for his
172 clients and to have the charges immediately rectified.

173 Mr. Rogers called Mr. Roger W. Beaver, LLR Inspector for the Cosmetology and Barber Boards. Mr. Beaver
174 stated that during inspections, he checks the licenses to ensure they are current and checks the facilities to
175 ensure they are following the sanitation rules for a clean shop. Mr. Beaver conducted a general inspection of
176 Glamour Nails and Spa on October 2011 however a small sign outside of the spa indicated Market Commons
177 Salon. Mr. Beaver spoke with Ms. Yip and Mr. Chapman who were in the spa along with another person.
178 The owner listed on the license, and posted on the wall, was Kim Nguyen and the salon license had the name
179 Glamour Nails, license #89054. Mr. Beaver took a SLED agent, Ms. Pam Williams with him because he was
180 informed that the salon was serving mixed drinks in the salon. Because of the allegations, they had to remove
181 the liquor from the salon. Mr. Beaver saw Ms. Yip in the salon, but there was no whiskey in the salon during
182 the October 2011 inspection. However Mr. Beaver found a gentleman giving a pedicure to a customer at the
183 time of the inspection named Mr. Casper, from Ohio. Mr. Casper was doing nails on a client, and did not
184 have South Carolina license which Mr. Beaver checked with LLR staff. Other violations indicated that the
185 towels and pedicure chairs needed cleaning. Mr. Beaver also observed a duck sitting in a chair on a cushion,
186 outside of the salon, wearing a sweater vest and this was noted on the inspection report. Mr. Beaver saw the
187 duck on the nightly news. If he had seen the duck in the salon, it would have been a violation based on the
188 sanitation rules and regulations. Mr. Beaver spoke to Mr. Chapman who stated the duck was in the salon for
189 the news report only. Regarding Mr. Casper, from Ohio, Mr. Beaver prepared a report for the IRC since Mr.
190 Casper was doing a manicure on a customer while Mr. Beaver was in the shop. Mr. Beaver let Mr. Casper
191 know that he could not do nails because he does not have a license in SC and none was displayed. Mr.
192 Chapman and Ms. Yip had licenses hanging in the shop which expired on March 10, 2011 when the
193 inspection took place on October 11, 2011. He informed Ms. Yip of her expired license. Ms. Yip then told
194 Mr. Beaver she purchased the salon from Ms. Nguyen two years earlier. When a salon is sold, the license
195 must be returned so Mr. Beaver gave Ms. Yip a salon license application to assist her in applying for a new
196 salon license. Ms. Yip stated that they did try to lease the salon from Ms. Nguyen, owner of Glamour Nails.
197 Mr. Beaver stated he went back to the salon a month later to inspect the new salon and name change for the
198 new opening under Market Common Nail Spa. The salon was approved on November 8, 2011, and Mr.
199 Chapman signed the salon inspection report with minor violations. No unlicensed practice or any duck was
200 found. Mr. Beaver reviewed state exhibits and photos attached depicting the duck in the salon. Mr. Beaver
201 did not know where the photos came from, but stated he recognized the salon he had inspected on several
202 occasions, and the salon appeared to be Market Common Nail Spa.

203 Mr. McCoy objected to the photos showing the interior of the salon and the photos being submitted into
204 evidence. Mr. McCoy stated there was no proper foundation for the photos. An argument between attorneys
205 ensued regarding the relevance and origin of the photos. Ms. McCartha called for a hearing recess to review
206 the case with LLR General Counsel. Ms. McCartha returned stating that the photos are not properly
207 authenticated under Mr. Beaver because he did not take the photos. The objection is sustained per 901A.

208 Further attorney arguments ensued. Mr. Rogers stated that violations were written up and submitted to the
209 Board prior to the October 11, 2011 inspections, and that the salon had documents posted and success stories
210 posted in the salon to show Ms. Yip was the manager. On October 11, 2011, Mr. Beaver did not see Ms.
211 Nguyen's license on the salon wall, but there was a salon license bearing Ms. Nguyen's name. Mr. Beaver
212 stated he saw Mr. Casper working in the salon, and that he had no reason to believe Ms. Yip was not the
213 current owner as she stated. He had no reason to think Ms. Yip was not telling the truth that she purchased the
214 business from Ms. Nguyen two years ago, but was still operating with Ms. Nguyen's salon license.

215 Mr. Rogers presented the Board with an affidavit from a customer, Ms. Lisa McGlofflin, who stated she
216 witnessed the duck on one occasion being in the salon during her visit. The affidavit was submitted into
217 evidence for the State.

218 Ms. Yip was called to testify. Ms. Yip had a SC license in 2011, and was working at Market Common Nails
219 Spa. Ms. Yip asked Mr. Rogers if she could plea the fifth and not answer questions. Ms. Yip stated that she
220 was working at Market Common Nails and Nick lived with them for a short time, because she knows his
221 mother. Ms. Yip stated she did not know anything about him except he lived with them, and cleaned the
222 salon. Ms. Yip stated that she pleads the fifth on the questions asked. Ms. Yip stated that she works at Market
223 Common Nail Spa and has no power to do anything. She knows Mr. Chapman and lives with him. Ms. Yip
224 stated that, at first, she worked for Ms. Nguyen, where she's a subcontractor and receives a 1099. Ms. Yip
225 stated that she does not know who took the photos of Nick and posted them on Face book. Ms. Yip stated she
226 has a Face book page which she has not used in three (3) years and she never used U-Tube.

227 Ms. Yip stated that J.J. Swan was a duck that lives outside the salon. She met the duck at a pond, as a baby,
228 and it was alone. Ms. Yip believes J.J.'s mother was eaten by a dog. Ms. Yip said she pleads the fifth based on
229 whether or not the duck was ever in the salon. Mr. McCoy advised Ms. Yip to plea the fifth because of a
230 current criminal case pending, as anything said today can be used in the criminal case. Mr. Rogers asked
231 Board members to leave the room so he could play a video showing the duck in the salon. The video was
232 played for the respondents and attorneys only. Ms. Yip stated that sometimes she allows people to video her
233 with J.J. Swan in the nail salon. Ms. Yip stated that she pleads the fifth on the question. Mr. Rogers stated that
234 whether or not a criminal case exists does not stop the State from entering evidence. The respondent does not
235 have to answer questions that stem from or prejudice the criminal case. Mr. McCoy advised Ms. Yip not to
236 answer any questions regarding the criminal case so she does not incriminate herself. The attorneys argued
237 the relevance of evidence being submitted by the State. Ms. Yip stated she was on the video, but does not
238 know who took the video. Ms. Yip stated that about eighteen (18) months ago, the salon was closed for ten
239 (10) days for plumbing problems. Ms. Yip again pleads the fifth when asked if the video was taken in the salon
240 with the duck. Ms. Yip stated she takes care of J.J. Swan, but the duck lives in the pond, outdoors. Ms. Yip
241 stated that she baths the duck in a tub outside. If customers want to hold the duck she can't stop them. Ms.
242 Yip stated that she is just paid to work in the salon. Regarding the roommate, Nick, Ms. Yip stated she is a
243 life coach and often talked with Nick because he had so many family problems. Ms. Yip stated that she feeds
244 and clothes J.J. Swan because he is like a baby who could not take care of himself. She made him a sweater so
245 he would not be cold and die. Ms. Yip stated that she also polished J.J.'s nails.

246 Mr. Rogers called upon Mr. Joe Naylor, LLR Information Resources Consultant to testify. Mr. Naylor stated
247 that on December 3, 2012, he assisted the Office of General Counsel with pulling the video tape from the web
248 and photos for this case. Attorneys argued whether or not the video and photos should be submitted into
249 evidence, and Ms. McCartha allowed the video tape to be seen by the Board members.

250
251 **Hearing:**
252 **Mr. Justin Chapman** was present to testify on his behalf along with his attorney, Mr. Jonathan D. McCoy.
253 Mr. Chapman stated he is the sole owner of Market Common Nail Spa. He originally applied for his license in
254 2009, but the nail technician license is currently suspended. Mr. Chapman was shown a copy of the original

255 salon application for Market Common Nail Spa. He stated he never saw the document before but recognized
256 his signature. Mr. Chapman stated that the inspector, Mr. Beaver, did the salon inspection for Market
257 Common Nail Spa. The application was notarized but Ms. Nguyen refused to sign the application as the
258 former owner. Mr. Chapman stated that he was told to cross out Ms. Nguyen's name and open a new salon so
259 the application was submitted for Market Common Nail Spa and not for Glamour Nails. Mr. Chapman stated
260 that Ms. Nguyen enters both the salon and his home without permission and he had to call the police on her
261 on occasion. The sign for Glamour Nails and Spa remain on the building along with the sign for Market
262 Common Nail Spa. Mr. Chapman stated that Mr. Beaver told him that since they had a lease agreement the
263 spa should be placed in their name. Mr. Chapman provided a copy of the lease that both he and Ms. Yip
264 signed with Ms. Nguyen to lease the building and the apartment. Mr. Chapman stated that he felt it was Mr.
265 Nguyen's responsibility to notify the SC Board of the ownership change, and that in 2011, he was acting as
266 the manager. Mr. Chapman stated that Ms. Yip was working for Glamour Nails as of September 8, 2009,
267 acting as the manager for Glamour Nails and Spa.

268 On the salon application for Market Common Nail Spa, Ms. Yip is listed as the manager and Mr. Chapman is
269 listed as the owner. Mr. Chapman stated that he did not understand the application and thought he was
270 supposed to list the employees, so that's why Ms. Yip is listed on the application. Mr. Chapman stated he is
271 the manager of the salon and the duck was in the salon when it was closed for plumbing problems. To his
272 knowledge the duck was not in the salon any other time. Mr. Chapman reviewed photos of the duck in the
273 salon on different occasions and recognized the people in the photos. He stated that Market Common Nail Spa
274 does not maintain a Face book page, and he did not ask his attorney to shut off the site. Mr. Chapman stated
275 that the animal in the photos is a duck named J.J. Swan. He sits outside of the salon, and that only during the
276 time of the news video was the duck in the salon. He did not offer services to customers while J.J. was in the
277 salon. The duck was in the salon while it was closed for the news report.

278 Mr. Chapman stated that Nick was cleaning the salon and doing the laundry to pay for his rent. He was not
279 aware that Nick was performing nail services on customers. Mr. Roger asked Mr. Chapman if he was aware
280 of the term perjury, because Nick Casper performed unlicensed practice on customers based on the inspection
281 report. Mr. Chapman stated he did not authorize Nick to do manicures or pedicures, and that Ms. Yip was not
282 responsible for hiring anyone. He considered Ms. Yip as an independent contractor. Today, Ms. Chelsea
283 Watson is the manager. The salon is currently operating. Nick was someone he was helping out, and trying
284 to teach him how to be a productive member of society. He allowed Nick to move in because he did not have
285 any place to go. Nick is currently in school. Mr. Chapman stated that he was not surprised that Ms. Yip
286 thought she was the manager because she has communication problems. Mr. Chapman stated that the
287 inspector did not find a duck in the salon, but wrote on the inspection report that a pet duck was outside of the
288 salon, and he takes responsibility for having the duck in the salon, and no service happened for customers
289 while the duck was in the salon.

290 Ms. Rogers wanted to know why Ms. Yip signed the salon application if she was not the manager. Mr.
291 Chapman stated that Ms. Yip was listed as a tenant. Arguments ensued between the attorneys regarding
292 statements made by the respondents and evidence being submitted by the State.

293 Closing arguments were received by the Board from both attorneys.

294 **MOTION:**

295 Ms. Curtis made a motion to go into executive session for legal advice. Ms. Brown seconded the motion and
296 the motion was unanimous.

297

298 The Board returned from executive session where no votes were taken.

299 **MOTION:**

300 Ms. Brown made a motion to return to public session. Ms. Curtis seconded the motion and the motion was
301 unanimous.

302 **MOTION:**

303 Ms. Nye made a motion. In the matter regarding Market Common Nail Spa, license # 90411, OIE Case
304 #2011-239 the Board has determined the State has proven its case on all violations. The salon will remain on
305 probation for one year.

306 In the matter regarding the owner of Market Common Nail Spa, Mr. Justin D. Chapman, NT license # 65361,
307 OIE Case #2012-31, the Board has determined that the State has proven both violations under section 110-13-
308 A1 and 110-13-A2. The license is suspended for one year. The Board has imposed a \$500 fine for each
309 violation totaling \$1,000. The owner, Mr. Chapman is required to attend the three (3) hour law class in
310 addition to the continuing education hours required.

311 In the matter regarding Ms. Jennifer Tran Yip, RC license #29542, OIE Case #2012-22, the Board has
312 determined that the State has proven all violations presented. The license is suspended for one (1) year. The
313 Board has imposed a \$500 fine for the violations. Ms. Yip is required to attend the three (3) hour law class in
314 addition to the continuing education hours required.

315 Ms. Curtis seconded the motion and the motion was unanimous.

316 **This concludes the hearing.**

317

318 **Adjournment**

319 **MOTION:**

320 Ms. Curtis made a motion to adjourn the hearing. Ms. Brown seconded the motion and the motion was
321 unanimous.