

**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:)	
)	
Chloe, LLC)	License No.: 92742
t/a District)	Case No.: N/A
)	Order No.: 2014-197
Holder of a)	
Retailer's Class CR License)	
at premises)	
2473 18th Street, N.W.)	
Washington, D.C. 20009)	
)	

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Mike Silverstein, Member
Hector Rodriguez, Member
James Short, Member

ALSO PRESENT: Showboat 2473, LLC

Stephen J. O'Brien, of the Law Offices of Mallios & O'Brien, on behalf of
Showboat 2473, LLC

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER DENYING NON-LICENSE HOLDER REQUEST FOR SAFEKEEPING

INTRODUCTION


This matter comes before the Alcoholic Beverage Control Board (Board) on the safekeeping request filed by Showboat 2473, LLC, (Showboat) for the Retailer's Class CR License held by Chloe, LLC, t/a District, (District) at premises 2473 18th Street, N.W., Washington, D.C. Counsel for Showboat submitted a transfer consent form along with its request, and a lease agreement assigning Showboat all rights, title, and interest to District's license.

At this time, Showboat lacks standing to request the safekeeping of the District's license. Under § 25-405(b), a voluntary transfer must be approved by the Board before a new owner may begin controlling the license. D.C. Official Code §§ 25-405(b). Likewise, an involuntary transfer of the license also requires approval of the Board before the new owner may begin controlling the license. D.C. Official Code § 25-361. Consequently, until the Board approves a voluntary or involuntary transfer of the license, Showboat lacks the legal authority to control the license held by District.

ORDER

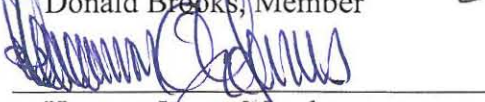
Therefore, based on the foregoing, the Board, on this 7th day of May 2014, hereby **DENIES** the safekeeping request filed by Showboat 2473, LLC. ABRA shall deliver copies of this Order to Showboat 2473, LLC, and Chloe, LLC.


District of Columbia
Alcoholic Beverage Control Board

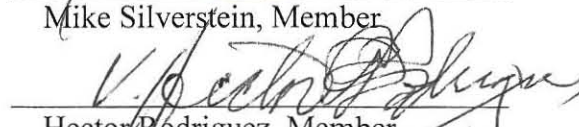

Ruthanne Miller, Chairperson

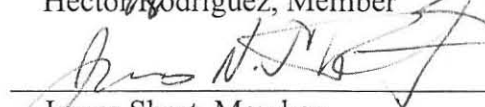

Nick Alberti, Member


Donald Brooks, Member


Herman Jones, Member


Mike Silverstein, Member


Hector Rodriguez, Member


James Short, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, Reeves Center, 2000 14th Street, N.W., 400S, Washington, D.C. 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, District of Columbia Official Code § 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 (April 2004) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b).