

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

In the Matter of:

Fasika Ethiopia Cuisine, LLC
t/a Fasika Ethiopia Cuisine

Application for a New
Retailer's Class CR License

at premises
1924 9th Street, N.W.
Washington, D.C. 20001

Case No.: 16-PRO-00095
License No.: ABRA-095180
Order No.: 2016-652

Fasika Ethiopia Cuisine, LLC, t/a Fasika Ethiopia Cuisine (Applicant)

James A. Turner, Chairperson, Advisory Neighborhood Commission (ANC) 1B

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
James Short, Member
Mafara Hobson, Member
Jake Perry, Member

ORDER VACATING BOARD ORDER NO. 2016-646

The application filed by Fasika Ethiopia Cuisine, LLC, t/a Fasika Ethiopia Cuisine (Applicant), for a new Retailer's Class CR License, having been protested by Advisory Neighborhood Commission (ANC) 1B, came before the Alcoholic Beverage Control Board (Board) for a Protest Status Hearing (Hearing) on November 9, 2016, in accordance with D.C. Official Code § 25-601 (2001). ANC 1B and the Applicant failed to appear at the Hearing on November 9, and the Board dismissed the protest and the application. *See in the Matter of Fasika Ethiopia Cuisine, LLC, t/a Fasika Ethiopia Cuisine*, Board Order No. 2016-646 (D.C.A.B.C.B. November 9, 2016).

The Alcoholic Beverage Regulation Administration's (ABRA) records reveal that ANC 1B submitted an executed settlement agreement to the agency on November 8, 2016, for the Board's review and approval. Due to the submission of the settlement

agreement, neither the Applicant nor ANC 1B appeared at the Hearing as is customary when a settlement agreement is submitted for the Board's review prior to a roll call hearing, protest status hearing, or protest hearing.

Based on a complete review of ABRA's records, ANC 1B's protest and the Applicant's application were dismissed erroneously.

Accordingly, it is this 16th day of November 2016, **ORDERED** that:

1. Board Order No. 2016-646 is vacated;
2. Copies of this Order shall be sent to the Applicant and ANC 1B.

District of Columbia
Alcoholic Beverage Control Board



Donovan Anderson, Chairperson



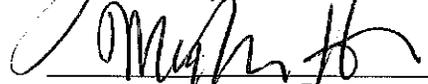
Nick Alberti, Member



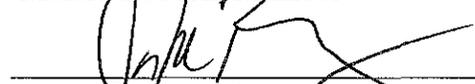
Mike Silverstein, Member



James Short, Member



Mafara Hobson, Member



Jake Petry, Member

Pursuant to D.C. Official Code § 25-433(d)(1), 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, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. 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, 430 E Street, N.W., Washington, D.C. 20001; (202/879-1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR §1719.1 (2008) 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) (2004).

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BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
James Short, Member
Mafara Hobson, Member
Jake Perry, Member

ORDER ON DISMISSAL OF APPLICATION AND PROTEST OF ANC 1B

The Application filed by Fasika Ethiopia Cuisine, LLC, t/a Fasika Ethiopia Cuisine, for a new Retailer's Class CR License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Protest Status Hearing on November 9, 2016, in accordance with D.C. Official Code § 25-601 (2001).

On November 9, 2016, the Board dismissed the Application and the Protest of ANC 1B, because the Applicant and ANC 1B failed to appear at the Protest Status Hearing. The Applicant and ANC 1B may file a Request for Reinstatement with the Board within ten (10) days from the date of this Order.

ORDER

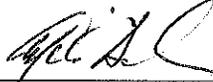
The Board does hereby this 9th day of November, 2016, **DISMISS** the Application and the Protest of ANC 1B. Copies of this Order shall be sent to the Applicant and ANC 1B.

District of Columbia
Alcoholic Beverage Control Board

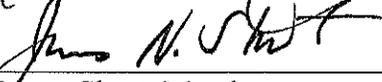


Donovan Anderson, Chairperson

Nick Alberti, Member



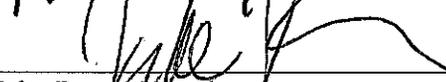
Mike Silverstein, Member



James Short, Member



Mafara Hobson, Member



Jake Perry, Member



Pursuant to D.C. Official Code § 25-433(d)(1), 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, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. 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, 430 E Street, N.W., Washington, D.C. 20001; (202/879-1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR §1719.1 (2008) 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) (2004).