

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

In the Matter of:)	
)	
Island Café, Inc.)	License Number: 060578
t/a Island Café)	Case Number: N/A
)	Order Number: 2011-133
Application for an)	
Entertainment Endorsement)	
at premises)	
829 Upshur Street, N.W.)	
Washington, D.C. 20011)	

BEFORE: Charles Brodsky, Chairperson
Mital Gandhi, Member
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Calvin Nophlin, Member
Mike Silverstein, Member

ORDER AMENDING BOARD ORDER NO. 2011-121

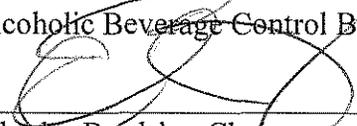
Island Café, Inc., t/a Island Café (Applicant), at premises 829 Upshur Street, N.W., Washington, D.C., filed an application to extend its entertainment hours (Application). The Applicant has requested that the Board allow the Applicant to have entertainment in its establishment from 6:00 p.m. to 2:00 a.m., Sunday to Monday; 7:00 p.m. to 2:00 a.m., on Tuesday through Thursday; and 7:00 p.m. to 3:00 a.m., on Friday and Saturday. The last day to file a protest against the Application was December 27, 2010. Advisory Neighborhood Commission (ANC) 4C filed a protest letter but admitted that it filed its protest letter one day after the petition deadline expired. As such, ANC 4C was denied standing to protest the Application.

In Board Order No. 2011-121, the Board denied ANC 4C's Motion for Reconsideration, which requested that the Board grant ANC 4C standing. Board Order No. 2011-121 did not reflect that Board Member Nophlin and Board Member Silverstein dissented with the position taken by the majority of the Board. Consequently, the Board amends Board Order No. 2011-121 to indicate their dissent.

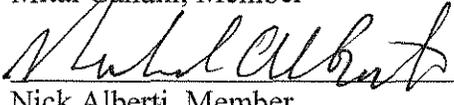
Accordingly, it is this 16th day of February 2011, **ORDERED** that:

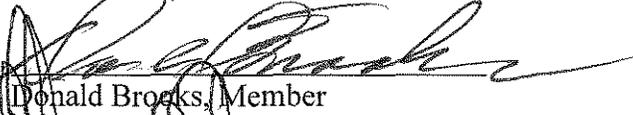
1. Board Order No. 2011-121 is **AMENDED** to show that: Board Member Calvin Nophlin and Board Member Mike Silverstein dissent from the position taken by the majority of the Board in Board Order No. 2011-121.
2. All other terms and conditions of Order No. 2011-121 shall remain in full force and effect.
3. Copies of this order shall be sent to both the Applicant and ANC 4C.

District of Columbia
Alcoholic Beverage Control Board

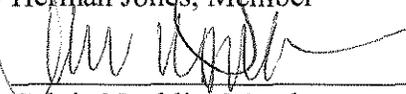


Charles Brodsky, Chairperson

Mital Gandhi, Member

Nick Alberti, Member

Donald Brooks, Member

Herman Jones, Member

Calvin Nophlin, Member

Mike Silverstein, Member

Pursuant to 23 DCMR § 1719.1 (2008), 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, 1250 U Street, N.W., 3rd Floor, Washington, D.C. 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, 500 Indiana Avenue, N.W.,

Washington, D.C. 20001. 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).