

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

In the Matter of:

Inner Circle 1420, LLC
t/a Lotus

Application for Renewal of a
Retailer's Class CN License

at premises
1420 K Street, N.W.
Washington, D.C. 20005

Case No. 13-PRO-00178
License No. ABRA-075162
Order No. 2014-329

Inner Circle 1420, LLC, t/a Lotus (Applicant)

John Patrick Brown, Jr., on behalf of 1400 K Co., LLC (1400 K)

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

ORDER ON DISMISSAL OF PROTEST OF 1400 K

The Application filed by Inner Circle 1420, LLC, t/a Lotus, for renewal of its Retailer's Class CN License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on December 16, 2013, in accordance with D.C. Official Code § 25-601 (2001).

On November 25, 2013, 1400 K Co., LLC (1400 K) filed a Protest against the renewal of the license. 1400 K is an owner of the high-rise office building with ground floor retail at 1400 K Street N.W., Washington, D.C., which is located immediately adjacent to the premises.

At the Roll Call Hearing, on December 16, 2013, the Board's agent informed John Patrick Brown, Jr., on behalf of 1400 K, that 1400 K commercial property does not share a common wall. Thus, he is not an abutting property owner, nor a member of a group of five or more property owners or residents, which qualifies for standing under D.C. Official Code § 25-601(1).

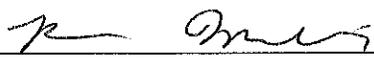
Pursuant to Title 23 of the District of Columbia Municipal Regulations (23 DCMR) § 1602.3 (2004), the Board dismissed the Protest of 1400 K, because its property at 1400 K Street N.W., Washington, D.C., does not abut the Applicant's establishment, nor it is a member of a group of five or more property owners or residents under D.C. Official Code § 25-601(1),.

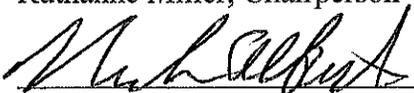
1400 K may file a Request for Reinstatement with the Board within ten (10) days from the date of this Order.

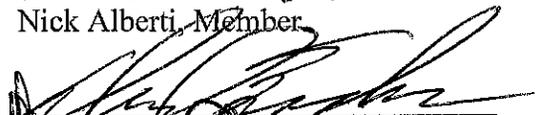
ORDER

The Board does hereby, this 10th day of September, 2014, **DISMISS** the Protest of 1400 K Co., LLC. Copies of this Order shall be sent to the Applicant and John Patrick Brown, Jr., on behalf of 1400 K.

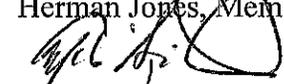
District of Columbia
Alcoholic Beverage Control Board

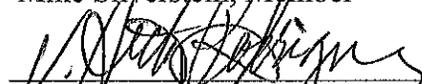

Ruthanne Miller, Chairperson


Nick Alberti, Member


Donald Brooks, Member


Herman Jones, Member


Mike Silverstein, Member


Hector Rodriguez, Member


James Short, Member

Pursuant to D.C. Official Code § 25-433, 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, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration pursuant to D.C. Official Code § 25-433, 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).