

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

In the Matter of:)
)
Crave, LLC)
t/a Mess Hall)
)
Application for Substantial Change)
(Entertainment Endorsement and Cover Charge))
to a Retailer's Class CT License)
)
at premises)
703 Edgewood Street, N.E.)
Washington, D.C. 20017)
)

Case No. 15-PRO-00083
License No. ABRA-095398
Order No. 2015-450

Crave, LLC, t/a Mess Hall (Applicant)

Deborah Steiner, on behalf of A Group of Five or More Individuals (Approximately 16 Individuals)

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

**ORDER DENYING APPLICANT'S MOTION TO DISMISS A GROUP OF FIVE
OR MORE INDIVIDUALS' PROTEST**

The Application filed by Crave, LLC, t/a Mess Hall, for a Substantial Change to include an Entertainment Endorsement and Cover Charge, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on September 8, 2015, in accordance with D.C. Official Code § 25-601 (2001). A Protest Status Hearing is scheduled for October 7, 2015.

Mediation was scheduled for September 18, 2015 at 9:00 a.m. The Mediation was not held because the Group of Five or More Individuals failed to appear.

On September 22, 2015, Al Goldberg, on behalf of the Applicant, submitted a Motion to Dismiss the Protest due to the Group of Five or More Individuals' absence at Mediation.

Deborah Steiner, on behalf of the Group of Five or More Individuals, submitted correspondence dated September 24, 2015, indicating that her late arrival to Mediation was due to a medical emergency. Ms. Steiner stated that she arrived at 10:15 a.m. and met briefly with the Board's agent.

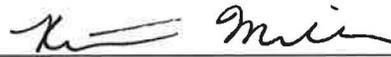
Pursuant to § 25-445(d), no Protestant shall unreasonably refuse to make himself or herself available to attend Mediation.

Based upon the explanation provided by Ms. Steiner, the Board finds that the Group of Five or More Individuals demonstrated its intention to attend Mediation by arriving at 10:15 a.m. As such, the Board denies the Applicant's request to dismiss the protest and orders that the Mediation be rescheduled as soon as the Parties' schedules permit.

ORDER

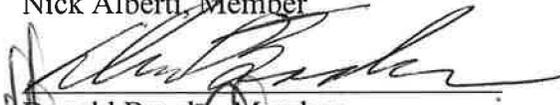
The Board does hereby, this 7th day of October, 2015, **DENY** the Applicant's Motion to Dismiss the Group of Five or More Individuals' Protest. Copies of this Order shall be sent to the Applicant and to Deborah Steiner, on behalf of A Group of Five or More Individuals.

District of Columbia
Alcoholic Beverage Control Board



Ruthanne Miller, Chairperson

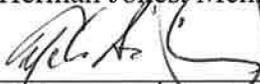
Nick Alberti, Member



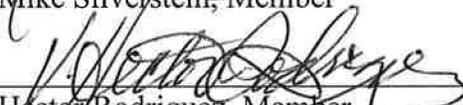
Donald Brooks, Member



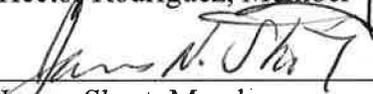
Herman Jones, Member



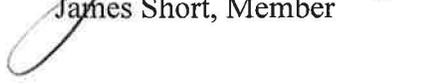
Mike Silverstein, Member



Hector Rodriguez, Member



James Short, Member



Pursuant to D.C. Official Code § 25-433(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).