

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

In the Matter of:)	
)	
Optimism, LLC)	
t/a Optimism)	
)	
Application for Renewal of a)	Case No. 11-PRO-00019
Retailer's Class CT License)	License No. ABRA-083552
)	Order No. 2011-206
at premises)	
3301 12 th Street, N.E.)	
Washington, D.C. 20017)	

Optimism, LLC, t/a Optimism (Applicant)

Carol L. Jacobs, abutting property owner

Ed Gilbride, on behalf of A Group of Five or More Individuals

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

ORDER GRANTING REQUEST FOR REINSTATEMENT

The Application filed by Optimism, LLC, t/a Optimism (Applicant), for renewal of its Retailer's Class CT License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on April 18, 2011, in accordance with D.C. Official Code § 25-601 (2001).

On April 12, 2011, pursuant to D.C. Official Code § 25-602(a), the Board denied the Protest of A Group of Five or More Individuals for failure to file a timely protest. On April 18, 2011, Ed Gilbride, on behalf of A Group of Five or More Individuals, appeared at the Roll Call Hearing and the Board's Agent informed him that the Protest was denied before the Roll Call Hearing.

On April 20, 2011, Ed Gilbride, on behalf of A Group of Five or More Individuals, filed a request for reinstatement with the Board indicating that there was a delay in the delivery of FEDEX mailing the letter to Alcoholic Beverage Regulation Administration (ABRA) based on reliance on the ABRA addresses that was posted on the placards. Upon

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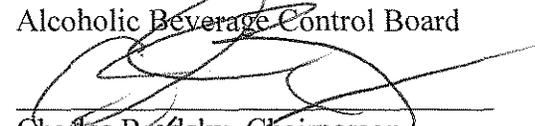
consideration of this request to reinstate the Group of Five or More Individuals, the Board finds good cause to reinstate the Group of Five or More Individuals. The Protest Status Hearing is rescheduled for June 1, 2011 at 9:30 a.m., and the Protest Hearing is scheduled for June 15, 2011 at 4:00 p.m.

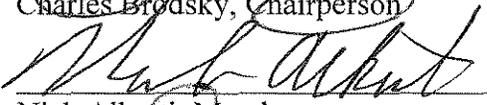
ORDER

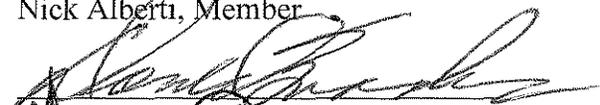
For these reasons, the Board does hereby, this 11th day of May, 2011, **REINSTATE** the Protest of the Group of Five or More Individuals. Copies of this Order shall be sent to the Applicant, Carol L. Jacobs, and Ed Gilbride, on behalf of A Group of Five or More Individuals.

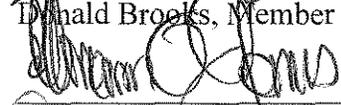
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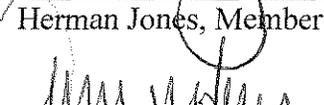
District of Columbia
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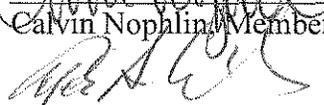

Charles Brodsky, Chairperson


Nick Alberti, Member


Donald Brooks, Member


Herman Jones, Member


Calvin Nophlin, Member


Mike Silverstein, Member

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