

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

In the Matter of:

Bar Di Bari, LLC
t/a Red Light

Holder of
a Retailer's Class CR License

at premises
1401 R Street, N.W.
Washington, D.C. 20009

Case No.: 16-AUD-00039
License No.: ABRA-090488
Order No.: 2016-473

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
Ruthanne Miller, Member
James Short, Member

ORDER ON PRAECIPE OF DISMISSAL

On July 29, 2016, the District of Columbia (Government) filed a Praecipe of Dismissal seeking dismissal of the charge listed in the Notice to Show Cause Hearing filed against Bar Di Bari, LLC, t/a Red Light (Respondent), in Case Number 16-AUD-00039. See ABRA Show Cause File No. 16-AUD-00039.

The Government seeks to dismiss the charges because there was an error in the audit that formed the basis of the Notice. Specifically, the Alcoholic Beverage Regulation Administration's (ABRA) Auditor mistakenly applied an incorrect seating capacity during his audit which resulted in incorrect food sales figures. A subject review of the figures now reveals there is not violation.

For these reasons, on this 3rd day of August, 2016, the Board hereby **ACKNOWLEDGES** receipt of the Government's Praecipe of Dismissal and **DISMISSES** Case No. 16-AUD-00039 against the Respondent. A copy of this Order shall be sent to the Respondent and the Government.

District of Columbia
Alcoholic Beverage Control Board



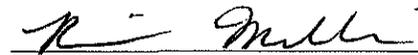
Donovan Anderson, Chairperson



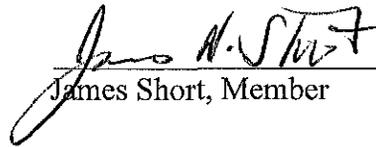
Nick Alberti, Member



Mike Silverstein, Member



Ruthanne Miller, 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).