

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

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In the Matter of: )

Bacchus Importers, Ltd. )  
t/a same )

Application for a Wholesaler's License ) Case No. 35118-97077P  
Class B - transfer to new location )  
at premises )  
2800 V Street, N.E. )  
Washington, D.C. )

**Ricaud Owens, Protestant**

**Paul L. Pascal, Esquire, on behalf of Applicant**

**John Mantis, President, Bacchus Importers Ltd.**

**BEFORE: Barbara L. Smith, Esquire, Chair;  
Dennis Bass, Member  
Allen Beach, Member  
Mary Eva Candon, Esquire, Member  
Laverne King, Member  
Duane Wang, Member  
Eydie Whittington, Member**

**ORDER ON WITHDRAWN PROTEST**

The application, having been protested, came before the Board for public hearing on July 9, 1997, in accordance with D.C. Code Section 25-115 (c)(5)(1996 Supp.), providing for remonstrants to be heard. Ricaud Owens and Leslie Bournes, President, on behalf of the Gateway Civic Association, filed timely protests by petitions dated June 24, 1997. However, at the roll call hearing on July 9, 1997, Ms. Bournes failed to appear and the Board dismissed her protest on the basis that she has abandoned her opposition against the above application. Further, Protestant Bournes was given ten (10) days to file an explanation regarding her absence from the roll call hearing and failed to do so. Consequently, the Board's decision to dismiss her opposition stands.

The official records of the Board reflect that the parties have now reached an Agreement which has been reduced to writing, and has been properly executed and filed with the Board.<sup>1/</sup> Pursuant to the Agreement, the Protestant has agreed to withdraw his protest provided, however, that the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the Agreement.

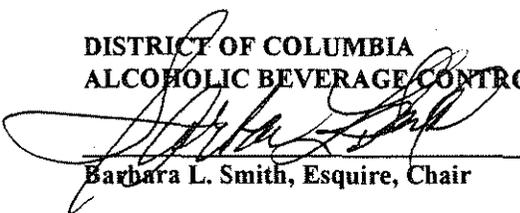
<sup>1/</sup> See Agreement dated August 13, 1997.

Bacchus Importers Ltd.  
t/a same  
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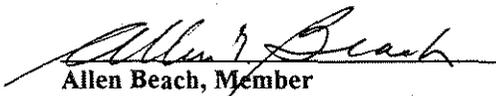
Accordingly, it is this 10<sup>th</sup> day of September 1997, **ORDERED** that:

1. The protest of Ricaud Owens, be, and the same hereby, is **WITHDRAWN**;
2. The protest of Leslie Bournes, President, on behalf of the Gateway Civic Association, be, and the same hereby, is **DISMISSED**;
3. The above-referenced Agreement between the parties be, and the same hereby, is **INCORPORATED** as part of this **ORDER**;
3. The application of Bacchus Importers, Ltd. t/a same for a wholesaler's license class A at premises 2800 V Street, N.E., be, and the same hereby, is **GRANTED**; and,
4. Copies of this Order shall be sent to the Protestants and the Applicant.

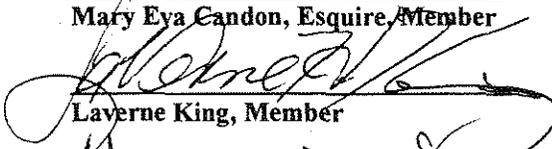
**DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL DIVISION**

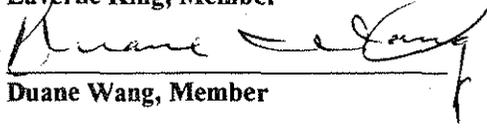
  
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Laverne King, Member

  
Duane Wang, Member

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Eydie Whittington, Member

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ALCOHOLIC BEVERAGE CONTROL DIVISION  
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**AGREEMENT**

Made this 13 day of August, 1997, by and between Bacchus Importers, Ltd. ("the Applicant"), the Advisory Neighborhood Commission 5A11; the Gateway Community Association; Ricaud Owens.

**WITNESSETH**

**WHEREAS**, pending before the District of Columbia Alcoholic Beverage Control (ABC) Board is the Applicant's application for a transfer of its Class "A" wholesalers license to premises at 2800 V Street, N.E., ABC Application #35118-97077P; and

**WHEREAS**, premises 2800 V Street, N.E. is within the jurisdictional boundaries of the ANC; and

**WHEREAS**, the parties desire to enter into an agreement commemorating certain understandings regarding the Applicant's operating plans;

**NOW, THEREFORE**, in consideration of the premises above recited, and the covenants and promises set forth below, the parties agree as follows:

1. No trucks of the licensee will traverse through the adjacent neighborhood or park in the upper parking lot.
2. All customers and suppliers of the licensee will be notified in writing that entrance to the facility will be from V Street. Copies of the notice will be supplied to the ANC.

