

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

In the Matter of:

Techno Excess, LLC
t/a Ababa Ethiopian Restaurant

Applicant for a New
Retailer's Class CR License

at premises
2106 18th Street, N.W.
Washington, D.C. 20009

Case No.: 16-PRO-00094
License No.: ABRA-103289
Order No.: 2016-550

Techno Excess, LLC, t/a Ababa Ethiopian Restaurant (Applicant)

Julie Seiwell, Commissioner, on behalf of Advisory Neighborhood Commission (ANC) 1C
(Protestant)

Denis James, President, Kalorama Citizens Association (KCA)

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

ORDER ON DISMISSAL OF KCA'S PROTEST

The Application filed by Techno Excess, LLC, t/a Ababa Ethiopian Restaurant (Applicant), for a new Retailer's Class CR License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on October 3, 2016, in accordance with D.C. Official Code § 25-601 (2001).

On October 3 2016, the Board dismissed the Protest of KCA, because KCA failed to appear at the Roll Call Hearing.

Additionally, the Board's agent informed KCA by correspondence dated October 3, 2016, that its protest letter did not indicated that KCA gave the Applicant at least seven days advanced notice of the KCA meeting, pursuant to D.C. Official Code § 25-601(3)(B).

KCA may file a Request for Reinstatement with the Board within ten (10) days from the date of this Order. If KCA file a Request for Reinstatement, KCA is required to provide proof to the Board of the D.C. Official Code § 25-601(3)(B) requirement.

ORDER

The Board does hereby, this 19th day of October, 2016, **DISMISS** the Protest of KCA. Copies of this Order shall be sent to the Applicant, ANC 1C, and KCA.

The Board advises the parties that the protest of ANC 1C remains, and the Protest Status Hearing is set for October 26, 2016 at 9:30 a.m. and the Protest Hearing for November 30, 2016 at 4:30 p.m.

District of Columbia
Alcoholic Beverage Control Board

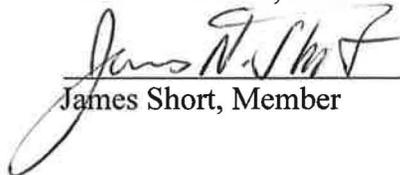


Donovan Anderson, Chairperson



Nick Alberti, Member

Mike Silverstein, 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).