

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

In the Matter of:)	
)	
Golden Eagle, Inc.)	
t/a Al Forno Pizzeria and Trattoria)	
)	
Applicant for a New)	Case No. 11-PRO-00045
Retailer's Class CR License)	License No. ABRA-087728
)	Order No. 2011-471
at premises)	
3201 New Mexico Avenue, N.W.)	
Washington, D.C. 20016)	

Golden Eagle, Inc., t/a Al Forno Pizzeria and Trattoria (Applicant)

Thomas M. Smith, Chairperson, Advisory Neighborhood Commission (ANC) 3D
(Protestant)

Michael Muzzchi, Vice President, Spring Valley-Wesley Heights Citizen Association
(Protestant)

John G. Johnson Jr., on behalf of A Group of Five or More Individuals (Approximately
106 Individuals) (Protestant)

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

**ORDER DENYING GLEN WESTLEY AND JEANNE HOLZGREFE'S REQUEST
FOR REINSTATEMENT AND CLARIFICATION REGARDING BENJAMIN
TESSLER AS A PROTESTANT**

The Application filed by Golden Eagle, Inc., t/a Al Forno Pizzeria and Trattoria, 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 17, 2011, in accordance with D.C. Official Code § 25-601 (2001).

On October 17, 2011, pursuant to Title 23 of the District of Columbia Municipal Regulations ("23 DCMR") § 1602.3 (2004), the Board dismissed Glen Westley, Jeanne Holzgreffe, and Jacqueline Westley as protestants with the Group of Five or More

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Individuals, because the letter of designation submitted on their behalf did not designate a representative.

Glen Westley and Jeanne Holzgreffe filed a request for reinstatement indicating that they were away on travel; they believed, in good faith, that the form of designation of representative submitted to the Board at the Roll Call Hearing was sufficient and if they had known otherwise, they would have signed a designation of representative; their residence is located within 1,000 feet of the Applicant; and no prejudice to the Applicant will result if the Board reinstates them.

Upon consideration of this request to reinstate Glen Westley and Jeanne Holzgreffe as protestants with the Group of Five or More Individuals, the Board does not find good cause to reinstate Glen Westley and Jeanne Holzgreffe as protestants with the Group of Five or More Individuals pursuant to D.C. Official Code § 25-601.

In addition, the Board clarifies that Benjamin Tessler is considered a protestant with the Group of Five or More Individuals.

ORDER

For these reasons, the Board does hereby, this 16th day of November, 2011, **DENY** the reinstatement of Glen Westley and Jeanne Holzgreffe as protestants with the Group of Five or More Individuals.

Copies of this Order shall be sent to the Applicant, ANC 3D, Spring Valley-Wesley Heights Citizen Association, Glen Westley, Jeanne Holzgreffe, and John G. Johnson Jr., on behalf of A Group of Five or More Individuals.

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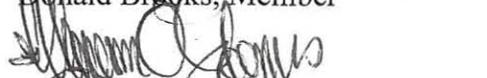
District of Columbia
Alcoholic Beverage Control Board



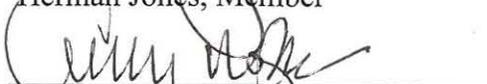
Nick Alberti, Interim Chairperson



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.