

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

In the Matter of:)	
Mendelsohn Hospitality Group, t/a)	
Beárnaise)	Case Nos.: 16-PRO-00023
313-315 Pennsylvania Ave., S.E.)	16-PRO-00024
Washington, D.C. 20003)	16-PRO-00029
Kookoovaya, Inc., t/a)	
We, The Pizza)	License Nos.: ABRA-089622
305-307 Pennsylvania Ave., S.E.)	ABRA-082062
Washington, D.C. 20003)	ABRA-078027
Sunnyside Group, LLC, t/a)	Order No.: 2016-518
Good Stuff Eatery)	
303 Pennsylvania Ave., S.E.)	
Washington, D.C. 20003)	
Application for Renewal of a)	
Retailer's Class DR and CR Licenses)	
)	

Andrew Kline, Counsel, of the Veritas Law Firm, on behalf of Mendelsohn Hospitality Group, t/a Beárnaise; Kookoovaya, Inc., t/a We, The Pizza; and Sunnyside Group, LLC, t/a Good Stuff Eatery, Licensees

Chander Jayaraman, Chairman, ABC Committee, Advisory Neighborhood Commission (ANC) 6B, Petitioner

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

ORDER GRANTING MOTION TO CONSOLIDATE PROTESTS

The Applications filed by Mendelsohn Hospitality Group, t/a Beárnaise, Kookoovaya, Inc., t/a We, The Pizza, and Sunnyside Group, LLC, t/a Good Stuff Eatery

(collectively referred to as “Licensees”)¹, for the renewal of their Retailer’s DR and CR licenses, respectively,² having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on May 16, 2016, and for a Protest Status Hearing on June 8, 2016. The Licensees, represented by Counsel, Chander Jayaraman, on behalf of ANC 6B (Petitioner), and Sylvia Csiffary³ were present at the Protest Status Hearing on the Renewal License Applications.

On September 15, 2016, the Petitioner filed a Motion to Consolidate the Protest Hearings for each of the Applicants. Presently, the protest hearings are scheduled on three different dates: enter dates. The Petitioner seeks consolidation because the parties, the witnesses, and the issues are the same in all three protest hearings. Additionally, judicial economy regarding the Board’s own resources warrants consolidation. Lastly, Andrew Kline, counsel for the Applicants, does not object to the Motion to Consolidate.

Therefore, upon consideration of the Petitioner’s Motion to Consolidate, the Board finds that as a matter of administrative economy and fairness to the parties, consolidation of the three protest hearings is warranted.

ORDER

Therefore, the Board, on this 21st day of September 2016, **GRANTS** the Petition to Consolidate. Therefore, the Protest Hearings for Case Nos.: 16-PRO-00023, 16-PRO-00024, and 16-PRO-00029 shall be consolidated into one hearing, to be held on October 5, 2016, at 1:30 p.m.

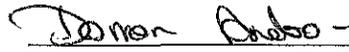
Copies of this Order shall be sent to the Andrew Kline, on behalf of the Licensees, and ANC 6B.

¹ Good Stuff Eatery, We, The Pizza, and Béarnaise are family-owned restaurants under the same ownership.

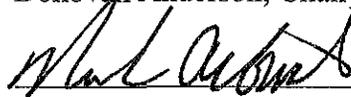
² Good Stuff Eatery possesses a Retailers DR license and We, The Pizza and Béarnaise possess Retailer CR licenses.

³ Sylvia Csiffary was the Designated Representative for the Group of Five or More Individuals (Group). The Alcoholic Beverage Control Board dismissed the Group due to their failure to sign their protest letters in accordance with D.C. Official Code § 1605.3 and 23 DCMR § 1801.2(f). See *In the Matter of Sunnyside Group, LLC, t/a Good Stuff Eatery*, Case No. 16-PRO-00029, Board Order No. 2016-325 (D.C.A.B.C.B. May 18, 2016); *In the Matter of Kookoovaya, Inc., t/a We, The Pizza*, Case No. 16-PRO-00024, Board Order No. 2016-323 (D.C.A.B.C.B. May 18, 2016); and *Mendelsohn Hospitality Group, t/a Béarnaise*, Case No. 16-PRO-00023, Board Order No. 2016-324 (May 18, 2016). See also *In the Matter of Kookoovaya, Inc., We, The Pizza, et al.*, Case Nos. 16-PRO-00024, 16-PRO-00023, and 16-PRO-00029, Board Order No. 2016-375 (D.C.A.B.C.B. June 8, 2016)(jointly denying the Group’s Motion for Reconsideration of the Board’s dismissal of their protest).

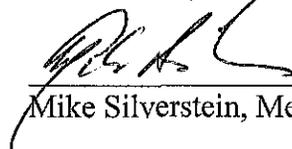
District of Columbia
Alcoholic Beverage Control Board



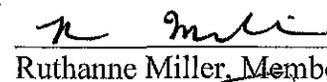
Donovan Anderson, Chairperson



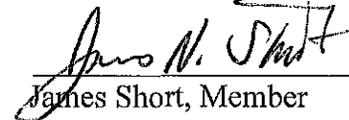
Nick Alberti, Member



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).