

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

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In the Matter of: )	
)	
Brightwood Bistro, LLC )	
t/a Brightwood Bistro )	License Number: 82911
)	ORDER NUMBER: 2010-446
Applicant for Substantial Change )	
to a Retailer's Class CR License )	Case Number: 10-PRO-00011
)	
Applicant for Renewal of a )	
Retailer's Class CR License )	Case Number: 10-PRO-00016
)	
at premises )	
5832 Georgia Avenue, N.W. )	
Washington, D.C. 20011 )	
_____ )	

BEFORE: Charles Brodsky, Chairperson  
Nick Alberti, Member  
Donald Brooks, Member  
Calvin Nophlin, Member  
Mike Silverstein, Member

ALSO PRESENT: Demetrius Anderson, on behalf of the Applicant  
  
Christopher Hauser, on behalf of the Protestants

**ORDER GRANTING MOTION TO CONSOLIDATE  
AND CONTINUE PROTESTS**

The Application filed by Brightwood Bistro, LLC t/a Brightwood Bistro ("Applicant") for a Substantial Change to a Retailer's Class CR License, having been protested, came before the Alcoholic Beverage Regulation Administration ("ABRA") for a Roll Call Hearing on August 16, 2010 and a Status Hearing on August 18, 2010. The Applicant and a Group of Five or More Individuals represented by Christopher Hauser (Protestants) were present at the Roll Call and Status Hearings on the Substantial Change Application.

There is also pending before the Alcoholic Beverage Control Board ("Board") an Application filed by Brightwood Bistro, LLC t/a Brightwood Bistro for Renewal of its Retailer's Class CR License. This Application has also been protested by the same

Group of Five or More Individuals represented by Mr. Hauser. The Renewal Application came before ABRA for a Roll Call Hearing on August 18, 2010 and a Status Hearing on August 18, 2010.

On August 10, 2010, the Protestants filed a Motion to Consolidate and a Motion to Continue (“Motions”) the two protests on the Substantial Change Application and the Renewal Application. The Protestants asserted that the Motions were appropriate because of the compatibility of the issues involved with both applications. On August 11, 2010, the Applicant responded in its Opposition to the Motions, asking the Board to deny the Motions because the applications were two separate issues that should not be tied together for purposes of causing any further delay of the hearing process.

On August 18, 2010, the Board heard oral arguments on the Protestants’ Motions and the Applicant’s Opposition. The Board, having heard argument and considered the pleadings filed by the parties, finds that as a matter of economy and fairness to both parties; a consolidation and new hearing schedule is warranted. However, the Board will not set the Protest Hearing to the later date already set for the Renewal Application as requested by the Protestants.

Therefore, upon consideration of the Protestants’ Motion to Consolidate and Motion to Continue and the entire record of this matter, the Board, on this 18th day of August, 2010, hereby **GRANTS** the Protestants’ Motion. Therefore, the Protest Hearing for Case Nos. 10-PRO-00011 and Case No. 10-PRO-00116 shall be held on September 22, 2010 at 2:00 p.m.

It is so **ORDERED**.

District of Columbia  
Alcoholic Beverage Control Board

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Charles Brodsky, Chairperson



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Nick Alberti, Member



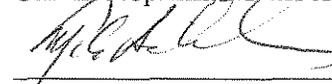
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Donald Brooks, Member



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Calvin Nophlin, Member



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Mike Silverstein, Member

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 the service of this Order, with the District of Columbia Court of Appeals, 500 Indiana Avenue, N.W., Washington D.C. 20001.

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, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 (April 2004) 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).