

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

In the Matter of:

EZ, LLC
t/a Brookland Market

Application for a Transfer from
Safekeeping to a New Location
for a Retailer's Class B License

at premises
3736 10th Street, N.E.
Washington, D.C. 20017

Case No. 12-PRO-00007
License No. ABRA-088495
Order No. 2012-069

EZ, LLC, t/a Brookland Market (Applicant)

Helen Clegg, Barbara Nipper, Bernice Lee, and Walter Brooks

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Calvin Nophlin, Member
Mike Silverstein, Member
Jeannette Mobley, Member

**ORDER ON DISMISSAL OF PROTEST OF HELEN CLEGG, BARBARA NIPPER,
BERNICE LEE, AND WALTER BROOKS**

The Application filed by EZ, LLC, t/a Brookland Market, for a Transfer from Safekeeping to a New Location of its Retailer's Class B License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on February 13, 2012, in accordance with D.C. Official Code § 25-601 (2001).

On February 13, 2012, pursuant to Title 23 of the District of Columbia Municipal Regulations (23 DCMR) § 1602.3 (2004), the Board dismissed the Protest of Helen Clegg, Barbara Nipper, Bernice Lee, and Walter Brooks, because they failed to meet the standing requirements under D.C. Official Code § 25-601(2): "A group of no fewer than 5 residents or property owners of the District sharing common grounds for their protest; provided, that in a moratorium zone established under § 25-351 (or in existence as of May 3, 2001), a

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group of no fewer than 3 residents or property owners of the District sharing common grounds for their protest.”

Pursuant to 23 DCMR § 1602.3 (2004), the Board dismissed the Protest of Helen Clegg, Barbara Nipper, Bernice Lee, and Walter Brooks, because they failed to meet the standing requirements under D.C. Official Code § 25-601(2).

Helen Clegg, Barbara Nipper, Bernice Lee, and Walter Brooks may file a Request for Reinstatement with the Board within ten (10) days from the date of this Order.

ORDER

The Board does hereby, this 15th day of February, 2012, **DISMISS** the Protest of Helen Clegg, Barbara Nipper, Bernice Lee, and Walter Brooks. Copies of this Order shall be sent to the Applicant; Kiflom T. Meles, Esq., Applicant’s Counsel; and Helen Clegg, Barbara Nipper, Bernice Lee, and Walter Brooks.

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District of Columbia
Alcoholic Beverage Control Board


Ruthanne Miller, Chairperson

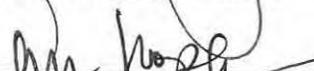
Nick Alberti, Member



Donald Brooks, Member



Herman Jones, Member



Calvin Nophlin, Member



Mike Silverstein, Member



Jeannette Mobley, 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.