

On July 12, 2010, pursuant to Title 23 of the District of Columbia Municipal Regulations (“23 DCMR”) § 1602.3 (2004), the Board dismissed the Protest of the Group of Five or More Individuals because two additional protestants from this Group of Five or More Individuals failed to appear at the Roll Call Hearing.

The Group of Five or More Individuals timely filed a request for reinstatement with the Board on July 20, 2010. Upon consideration of this request to reinstate the protest of the Group of Five, the Board finds good cause to reinstate the Group of Five or More Individuals pursuant to 23 DCMR 1602.3. In addition, two additional Protestants from the Group of Five or More Individuals must appear at the Status Hearing on August 11, 2010.

Furthermore, Julianne E. Dymowski, Esq., representing the Group of Five or More Individuals, has alleged that the Petitioner did not comply with the placarding requirements. The Board takes administrative notice that ABRA’s records indicate that ABRA properly posted the placard at the Petitioner’s establishment on May 14, 2010. As such, the Board denies the Group of Five or More Individuals’ request to re-placard the Petitioner’s establishment.

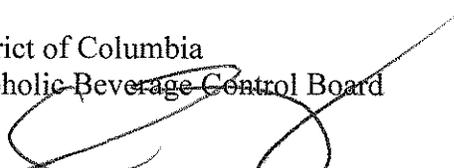
ORDER

For these reasons, the Board does hereby, this 4th day of August, 2010, **REINSTATES** the Group of Five or More Individuals as a Protestant of the Application filed by 3050 K, LLC, t/a Cabana’s, to terminate its voluntary agreement that applies to its Retailer’s Class CR License. Further, two additional Protestants from the Group of Five or More Individuals must appear at the Status Hearing on August 11, 2010

It is **FURTHER ORDERED** that the Group of Five or More Individual’s motion to re-placard the Applicant is **DENIED**.

Copies of this Order shall be sent to the Protestants and the Applicant.

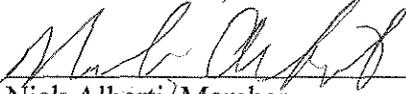
District of Columbia
Alcoholic Beverage Control Board



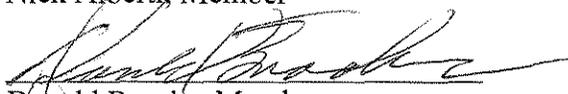
Charles Brodsky, Chairperson



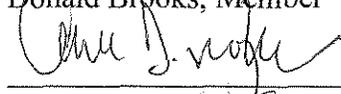
Mital M. Gandhi, Member



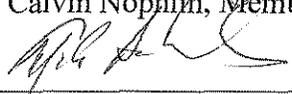
Nick Alberti, Member



Donald Brooks, Member



Calvin Nophlin, Member



Mike Silverstein, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), 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, 1250 U Street, N.W., Third Floor, Washington, D.C. 20009.