

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

In the Matter of:	)	
	)	
1624 U Street, Inc..	)	Case No.: 13-PRO-026519
t/a Chi-Cha Lounge	)	License No: 026519
	)	Order No: 2016-507
Application to Renew a	)	
Retailer's Class CT License	)	
	)	
at premises	)	
1624 U Street, N.W.	)	
Washington, D.C. 20009	)	

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

**ALSO PRESENT:** 1624 U Street, Inc., t/a Chi-Cha Lounge, Applicant  
  
Emanuel Mpras, Esq., on behalf of the Applicant  
  
Guangsha Wang, Abutting Property Owner, Protestant  
  
Martha Jenkins, General Counsel  
Alcoholic Beverage Regulation Administration

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**ORDER ON REMAND**

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In *Chi-Cha Lounge*, the Alcoholic Beverage Control Board renewed the license of the Applicant without conditions. *In re 1624 U Street, Inc., t/a Chi-Cha Lounge*, Case No. 13-PRO-00132, Board Order No. 2014-262, 1 (D.C.A.B.C.B. Aug. 6, 2014).

Subsequently, in *Wang*, the District of Columbia Court of Appeals sustained the Board's holding with one exception. *Guangsha Wang v. District of Columbia Alcoholic Beverage Control Board*, No. 14-AA-1290, 1 (D.C. 2016). Specifically, according to the court, "the Board ha[s] not come to grips with evidence that the applicant, through its audio engineer Michael Reed, had installed soundproofing in only the rear section of the Lounge, not in the front

of the establishment, which is the area beneath the apartment owned (and leased to successive renters) by” the Protestant. *Id.* at 1. In light of this ruling, the court indicated that the Board should reconsider or clarify its holding. *Id.* at 4.

### **ORDER**

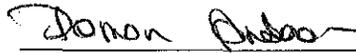
Accordingly, on this 14th day of September 2016, the Board provides the following instructions and guidance to the Parties:

1. The Parties may submit new Findings of Fact and Conclusions of Law related to the issue identified by the Court of Appeals in its decision. The Parties should make this submission by **October 26, 2016**. The Board further instructs the Parties that this submission should be based on the existing record, and that the Board will not consider new evidence.
2. After October 26, 2016, the Board will issue a new Order that addresses the issues identified by the court in its decision.

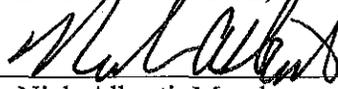
The Parties are further **ADVISED** that the Board will accept a settlement agreement resolving this matter under D.C. Official Code § 25-446 by October 26, 2016, as an alternative resolution. If the Parties require additional time to negotiate a settlement, then the Parties should request an extension of time in a motion. Otherwise, the Board will proceed as indicated above.

The ABRA shall deliver a copy of this order to the Parties.

District of Columbia  
Alcoholic Beverage Control Board



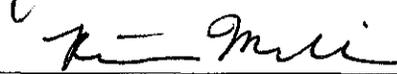
Donovan Anderson, Chairperson



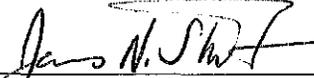
Nick Alberti, Member



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, Reeves Center, 2000 14th Street, NW, 400S, Washington, D.C. 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. However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 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).