

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

In the Matter of:)
)
2101 Venture, LLC)
t/a Club Illusions)
)
Applicant for a New)
Retailer's Class CN License)
)
at premises)
2101 New York Avenue, N.E.)
Washington, D.C. 20002)
)

Case No. 12-PRO-00054
License No. ABRA-088682
Order No. 2012-279

2101 Venture, LLC, t/a Club Illusions (Applicant)

Jacqueline Manning and Vaughn Bennett, Commissioners, Advisory Neighborhood Commission (ANC) 5B (Protestant)

Vaughn Bennett and Don Padou, on behalf of A Group of Five or More Individuals (Approximately 78 Individuals) (Protestant)

Randall Chandler, on behalf of Arboretum Neighborhood Association (Protestant)

Christopher Collins, Esq., on behalf of The Schaeffers (Property Owners) (Protestant)

Major Steve Morris, Area Commander, The Salvation Army

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

**ORDER ON DISMISSAL OF PROTEST OF THE SALVATION ARMY AND
DALE BANNON AS A PROTESTANT OF A GROUP OF FIVE OR MORE
INDIVIDUALS**

The Application filed by 2101 Venture, LLC, t/a Club Illusions, for a new Retailer's Class CN License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on June 11, 2012, in accordance with D.C. Official Code § 25-601 (2001).

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On June 11, 2012, pursuant to Title 23 of the District of Columbia Municipal Regulations (23 DCMR) § 1602.3 (2004), the Board dismissed the Protest of The Salvation Army, because its protest was untimely filed.

The protest petition deadline was May 29, 2012, and The Salvation Army's protest was received by the Alcoholic Beverage Regulation Administration (ABRA) on June 8, 2012.

Dale Bannon, protestant with A Group of Five or More Individuals, was not granted standing as a member of the Group of Five or More Individuals, because Mr. Bannon signed the protest letter in his capacity as the Executive Director of The Salvation Army, rather than as an individual of the Group of Five or More Individuals. Mr. Bannon's signature on the protest letter was not considered to be a protest filed by The Salvation Army, because the protest was clearly filed by the Group of Five or More Individuals. In addition, Mr. Bannon does not reside in the area and could not be granted standing as an individual of the Group of Five or More Individuals. Mr. Bannon's intention, by signing the protest letter, was to file a protest on behalf of The Salvation Army.

The Shaeffers were granted standing as property owners sharing common ground in the District of Columbia, in accordance with D.C. Official Code § 25-601. The Shaeffers are owners of various Limited Liability Corporations and Limited Partnerships that own various properties in the District of Columbia that share common ground.

The Salvation Army and Dale Bannon 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 13th day of June, 2012, **DISMISS** the Protest of The Salvation Army and Dale Bannon as a protestant of the Group of Five or More Individuals. Copies of this Order shall be sent to the Applicant; ANC 5B; Vaughn Bennett and Don Padou, on behalf of A Group of Five or More Individuals; Randall Chandler, on behalf of Arboretum Neighborhood Association; Christopher Collins, Esq., on behalf of The Schaeffers; Major Steve Morris, on behalf of The Salvation Army; and Dale Bannon.

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District of Columbia
Alcoholic Beverage Control Board



Ruthanne Miller, Chairperson

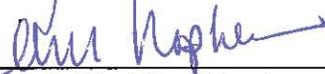


Nick Alberti, Member

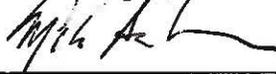


Donald Brooks, Member

Herman Jones, Member



Calvin Nophlin, Member



Mike Silverstein, Member

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.