

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

In the Matter of:)	
)	
AKA, Inc.)	
t/a Club AKA 555)	
)	
Application for Substantial Change)	Case No. 10-PRO-00097
to Retailer's Class CN License)	License No. ABRA-084241
at premises)	Order No. 2010-547
2046 West Virginia Avenue, N.E.)	
Washington, D.C. 20002)	
)	

AKA, Inc., t/a Club AKA 555 ("Applicant")

William Shelton, Chairperson, on behalf of Advisory Neighborhood Commission (ANC) 5B ("Protestant")

Bleik Pickett, on behalf of Arboretum Neighborhood Association ("Protestant")

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

AMENDED ORDER ON DISMISSAL OF APPLICATION AND PROTESTS

The Application filed by AKA, Inc., t/a Club AKA 555 ("Applicant"), for a Substantial Change to its Retailer's Class CN License, having been protested, came before the Alcoholic Beverage Control Board ("Board") for a Roll Call Hearing on July 26, 2010, a Status Hearing on September 8, 2010, and a Protest Hearing on October 27, 2010. The Applicant; Chairperson William Shelton, on behalf of ANC 5B; and Bleik Pickett, on behalf of the Arboretum Neighborhood Association, failed to file a Protest Information Form ("PIF") with the Alcoholic Beverage Regulation Administration ("ABRA") seven days prior to the October 27, 2010, hearing and failed to serve the PIF on all parties as required by the Board.

On October 27, 2010, pursuant to Title 23 of the District of Columbia Municipal Regulations ("23 DCMR") § 1602.3 (2004), the Board issued Order No. 2010-542 indicating that the Application and Protests were dismissed because the Applicant and Protestants failed to file a PIF.

AKA, Inc.
t/a Club AKA 555
Case No. 10-PRO-00097
License No. ABRA-084241
Page 2

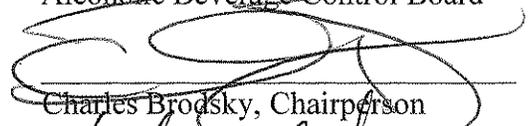
The Board now seeks to amend Order No. 2010-542 to clarify that the Application is dismissed, because the Applicant failed to file a timely PIF. However, the Protests are not dismissed; instead the Protests are rendered moot in light of the dismissal of the application. The Board also notes that ANC 5B was initially dismissed for failure to appear, but arrived shortly thereafter, and the Board voided the dismissal.

All other terms and conditions adopted by Order No. 2010-542 shall remain in full force and effect.

ORDER

The Board does hereby, this 3rd day of November, 2010, **DISMISS** the Substantial Change Application of AKA, Inc., t/a Club AKA 555. The Protests of ANC 5B and the Arboretum Neighborhood Association are rendered moot. Copies of this Order shall be sent to the Applicant and Protestants.

District of Columbia
Alcoholic Beverage Control Board



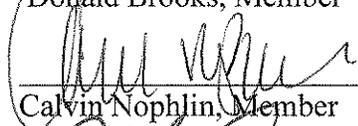
Charles Brodsky, Chairperson



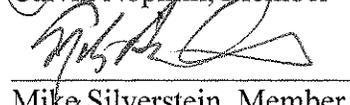
Nick Alberti, Member



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., 3rd Floor, Washington, D.C. 20009.