

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

<b>In the Matter of:</b>	)	
	)	
Taste Group, Inc.	)	
t/a Hush Restaurant and Lounge	)	
	)	
Applicant for a New	)	Case No. 12-PRO-00059
Retailer's Class CT License	)	License No. ABRA-089332
	)	Order No. 2012-407
at premises	)	
2121 New York Avenue, N.E.	)	
Washington, D.C. 20002	)	

Taste Group, Inc., t/a Hush Restaurant and Lounge (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)

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

**ORDER DENYING APPLICANT'S MOTION FOR CONTINUANCE**

The Application filed by Taste Group, Inc., t/a Hush Restaurant and Lounge, for a new Retailer's Class CT License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on June 18, 2012, and a Protest Status Hearing on August 15, 2012, in accordance with D.C. Official Code § 25-601 (2001). The Protest Hearing is scheduled for October 17, 2012.

The Applicant submitted a Motion for Continuance, dated October 2, 2012, requesting that the Board continue the Protest Hearing until the month of December

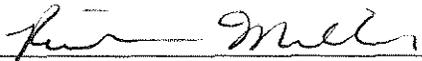
2012. The Applicant argues that a sudden family emergency during the past thirty (30) days prevented the Applicant from preparing its case for the upcoming Protest Hearing. Also, the Applicant wants more time to secure legal counsel and to propose a solution to Protestants in order to reach a Voluntary Agreement and avoid a hearing. ANC 5B, the Group of Five or More Individuals and The Schaeffers opposed the Applicant's request.

Section 25-441 grants the Board the discretion to grant a continuance for good cause or an extreme emergency. D.C. Official Code § 25-441(a) (2001). The Board finds that the circumstances described by the Applicant do not constitute good cause or extreme emergency. There is no reason to delay the proceedings further, especially given the fact that the Applicant's Application was accepted by the Licensing Division on April 11, 2012. As such, the Board denies the Motion for Continuance.

### **ORDER**

It is hereby **ORDERED**, on this 17<sup>th</sup> day of October, 2012, that the Applicant's Motion for Continuance is **DENIED**. 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; and Christopher Collins, Esq., on behalf of The Schaeffers.

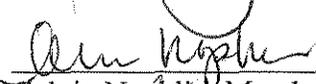
District of Columbia  
Alcoholic Beverage Control Board

  
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 may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, DC 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, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 (April 2004) 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).