

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

In the Matter of:)	
)	
Jefferson Grill, Inc.)	Case Number: 12-251-00046
t/a Macombo Lounge)	License Number: 771
)	Order Number: 2012-522
Holder of a)	
Retailer's Class CN License)	
)	
at premises)	
5335 Georgia Avenue, N.W.)	
Washington, D.C. 20011)	

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member

ALSO PRESENT: Jefferson Grill, Inc., t/a Macombo Lounge, Respondent

Robert B. Clayton, Esq., on behalf of the Respondent

Christine Gephardt, Esq., Assistant Attorney General
on behalf of the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

**ORDER DENYING RESPONDENT'S REQUEST FOR LEAVE FOR
ADDITIONAL TIME TO SUBMIT PROPOSED FINDINGS OF FACT AND
CONCLUSIONS OF LAW**

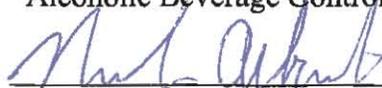
The Government and the Jefferson Grill, Inc., t/a Macombo Lounge, (Respondent) appeared before the Alcoholic Beverage Control Board (Board) for a Show Cause Hearing on October 10, 2012. At the conclusion of the hearing, the parties indicated that they would submit Proposed Findings of Fact and Conclusions of Law. The Board set a deadline of 30 days from the receipt of the transcript, which ended on November 30, 2012. On December 4, 2012, the Respondent filed a request to file its Proposed Findings of Fact and Conclusions of Law after the statutory deadline. The Respondent avers that its counsel did not receive the transcript in this matter until October 30, 2012, and he could not complete the Proposed Findings of Fact and Conclusions of Law due to Hurricane Sandy's deleterious impact on counsel's law offices. The law only allows a party to seek an

extension within twenty (20) calendar days once the parties receive the transcript. 23 DCMR § 1717.2 (West Supp. 2012). Nevertheless, counsel has had almost a month to request an extension, and the motion contains no explanation as to why counsel did not attempt to seek an extension before the twenty-day period expired.

ORDER

Therefore, the Board, on this 12th day of December 2012, hereby **DENIES** the Respondent's Request for Leave for Additional Time to Submit Proposed Findings of Fact and Conclusions of Law filed by Jefferson Grill, Inc., t/a Macombo Lounge. Copies of this Order shall be delivered to the Respondent and the Government.

District of Columbia
Alcoholic Beverage Control Board



Nick Alberti, Member

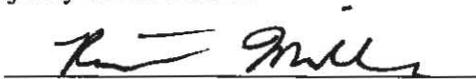


Donald Brooks, Member



Herman Jones, Member

I dissent from the decision reached by the majority of the Board.



Ruthanne Miller, Chairperson

Under 23 DCMR § 1719.1 (2008), 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, under 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 under 23 DCMR § 1719.1 (2008) 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).