

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

In the Matter of:

Seaton Motor Company, LLC
t/a Red Hen

Applicant for a New
Retailer's Class CR License

at premises
1822 1st Street, N.W.
Washington, D.C. 20001

Case No. 12-PRO-00088
License No. ABRA-090832
Order No. 2013-045

Seaton Motor Company, LLC, t/a Red Hen (Applicant)

Bertha G. Holliday, on behalf of A Group of Five or More Individuals (Approximately 11 Individuals)

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

**ORDER DENYING A GROUP OF FIVE OR MORE INDIVIDUALS' REQUEST
FOR REINSTATEMENT**

The Application filed by Seaton Motor Company, LLC, t/a Red Hen, for a new Retailer's Class CR License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on January 7, 2013, in accordance with D.C. Official Code § 25-601 (2001).

On January 7, 2013, pursuant to Title 23 of the District of Columbia Municipal Regulations (23 DCMR) § 1602.3, the Board dismissed the Group of Five or More Individuals, because only Bertha Holliday was present at the Roll Call Hearing and at least four more individuals must appear at the hearing to be granted standing as A Group of Five or More Individuals. See Board Order No. 2013-020, dated January 9, 2013.

On January 10, Alcoholic Beverage Regulation Administration (ABRA) sent Board Order No. 2013-020 to the parties.

On January 23, 2013, Bertha G. Holliday, on behalf of the Group of Five or More

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Individuals, submitted a Request for Reinstatement of the Group of Five or More Individuals, dated January 22, 2013. The deadline for receipt of the Request for Reinstatement was January 19, 2013. However, the Group of Five or More Individuals' Request for Reinstatement was received by ABRA on January 23, 2013; therefore, its request is considered untimely filed.

The Board finds that the Group of Five or More Individuals' Request for Reinstatement was untimely filed, and the Board finds no good cause to reinstate the Group of Five or More Individuals, pursuant to 23 DCMR §1602.3.

ORDER

For these reasons, the Board does hereby, this 13th day of February, 2013, **DENY** the reinstatement of the Group of Five or More Individuals as protestants of the Application filed by Seaton Motor Company, LLC, t/a Red Hen, for a new Retailer's Class CR License.

Copies of this Order shall be sent to the Applicant and Bertha Holliday, on behalf of A Group of Five or More Individuals.

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District of Columbia
Alcoholic Beverage Control Board



Ruthanne Miller, Chairperson



Nick Alberti, Member



Donald Brooks, Member



Herman Jones, Member



Mike Silverstein, Member

Pursuant to D.C. Official Code § 25-433, 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 14th Street, N.W., Suite 400S, Washington, DC 20009.