

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

In the Matter of:)	
)	
Seaton Motor Company, LLC)	
t/a Red Hen)	
)	Case No. 13-PRO-00086
Application for Renewal of a)	License No. ABRA-090832
Retailer's Class CR License)	Order No. 2013-415
)	
at premises)	
1822 1st Street, N.W.)	
Washington, D.C. 20001)	

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

Bertha Holliday, on behalf of A Group of Five or More Individuals (Approximately Fourteen Individuals)

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

**ORDER ON DISMISSAL OF PROTEST OF A
GROUP OF FIVE OR MORE INDIVIDUALS**

The Application filed by Seaton Motor Company, LLC, t/a Red Hen, for renewal of its Retailer's Class CR License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on June 17, 2013, a Protest Status Hearing on August 7, 2013, and a Protest Hearing on September 19, 2013, in accordance with D.C. Official Code § 25-601 (2001).

On June 6, 2013, ABRA staff mailed the individuals of the Group of Five or More Individuals a letter informing them to appear in person or provide a written statement designating a representative who must appear for the Roll Call Hearing on their behalf.

At the Roll Call Hearing on June 17, 2013, the Board's agent advised Dr. Holliday the only individual of the Group of Five or More Individuals who appeared at the Roll Call Hearing, that at least four more individuals must appear at the Protest Status Hearing to be granted standing as A Group of Five or More Individuals. Because only one person appeared at the Roll Call Hearing, the Group of Five or More Individuals was granted conditional standing.

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On June 19, 2013, ABRA staff mailed Dr. Holliday a letter informing her that five or more individuals must be present for the Protest Status Hearing in order to gain standing as a protestant group.

On September 12, 2013, ABRA staff informed Dr. Holliday via email and mail that because the Group of Five or More Individuals was granted conditional standing at the Roll Call Hearing held on June 17, 2013, and because the Group of Five or More Individuals did not produce the requisite number of individuals at the Protest Status Hearing on August 7, 2013, the Group of Five or More Individuals was not granted standing. As a result, Dr. Holliday was advised to bring four additional individuals to the Protest Hearing scheduled for September 19, 2013.

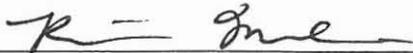
On September 19, 2013, the Board dismissed the Protest of the Group of Five or More Individuals, because only Dr. Holliday was present at the Protest Hearing after being advised on numerous occasions by ABRA staff to produce at least four more individuals at the hearings to be granted standing as A Group of Five or More Individuals. The Group of Five or More Individuals may file a Motion for Reconsideration with the Board within ten (10) days from the date of this Order.

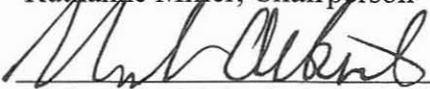
ORDER

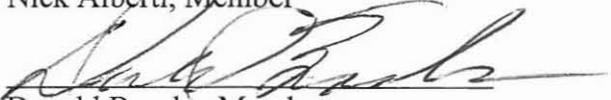
The Board does hereby, this 19th day of September, 2013, **DISMISS** the Protest of the Group of Five or More Individuals. Copies of this Order shall be sent to the Applicant and Bertha Holliday, on behalf of the Group of Five or More Individuals.

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District of Columbia
Alcoholic Beverage Control Board


Ruthanne Miller, Chairperson


Nick Alberti, Member


Donald Brooks, Member

Pursuant to D.C. Official Code § 25-433, 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.