

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

In the Matter of:)	
)	
Dos Ventures, LLC)	Case Number: N/A
t/a Riverfront at the Ball Park)	License Number: 092040
)	Order Number: 2013-300
Application for a New)	
Retailer's Class CT License)	
)	
at premises)	
25 Potomac Avenue, S.E.)	
Washington, D.C. 20003)	

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

ALSO PRESENT: Dos Ventures, LLC, t/a Riverfront at the Ball Park, Applicant

Andy Litsky, Chairman, Advisory Neighborhood Commission
(ANC) 6D

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER DENYING ANC 6D'S MOTION FOR CONTINUANCE

Dos Ventures, LLC, t/a Riverfront at the Ball Park, (Applicant) has filed an Application for a New Retailer's Class CT License at 25 Potomac Avenue, S.E., Washington, D.C., with the Alcoholic Beverage Control Board (Board). *ABRA Licensing File No. 092040*. The Alcoholic Beverage Regulation Administration (ABRA) posted a Notice of Public Hearing on the Applicant's premises on May 3, 2013. *ABRA Licensing File No. 092040*, Notice of Public Hearing. The last day to file a petition against the Application is on June 17, 2013, and the Roll Call Hearing in this matter is scheduled for July 1, 2013. Id.

On June 12, 2013, we received a letter from Advisory Neighborhood Commission (ANC) 6D indicating that it intended to protest the Application. Letter from Andy Litsky, Chairman, ANC 6D, to Ruthanne Miller, Chairperson, Alcoholic Beverage Control Board, 1 (Jun. 12, 2013). The letter also requested that we postpone the Roll Call Hearing until

after September 15, 2013, so that the ANC has time to negotiate a settlement agreement.
Id.

Under Title 25 of the District of Columbia (D.C.) Official Code, “A hearing may be continued for good cause To be granted, the motion shall, in the opinion of the Board, set forth good and sufficient cause for continuance or demonstrate that an extreme emergency exists. D.C. Code § 25-441(a) (West Supp. 2013).

We find that the prospect of parties negotiating a settlement agreement does not constitute “good and sufficient cause” or “an extreme emergency.” § 25-441(a). Therefore, we deny the Motion for Continuance filed by ANC 6D.

ORDER

Therefore, the Board, on this 19th day of June 2013, hereby **ORDERS** that the Motion for Continuance filed by ANC 6D is **DENIED**. The Roll Call Hearing is scheduled for July 1, 2013, at 10:00 a.m. Copies of this Order shall be sent to the Applicant and ANC 6D.

District of Columbia
Alcoholic Beverage Control Board

Ruthanne Miller, Chairperson



Nick Alberti, Member



Donald Brooks, Member



Herman Jones, Member



Mike Silverstein, Member

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).