



District of Columbia

REGISTER

HIGHLIGHTS

- DC Council passes Resolution 20-70, Omnibus Criminal Code Amendments Congressional Review Declaration Resolution of 2013
- Department of Health updates requirements for the pre-licensure practice of medicine by students and post-graduate physicians
- Office of the Chief Financial Officer announces increases in the 2013 standard deduction, personal exemption, homestead deduction and trash collection credit amounts
- District Department of the Environment announces funding availability for construction of municipal wastewater facilities
- DC Taxicab Commission schedules a public hearing on the proposed rulemaking on enforcement
- Department of General Services schedules a public meeting on the proposed surplus of the Hardy School Building
- Alcoholic Beverage Administration schedules public hearings for license renewals

DISTRICT OF COLUMBIA REGISTER

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ENROLLED ORIGINAL

A RESOLUTION

20-68

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 19, 2013

To confirm the appointment of Mr. Robert L. Mallett to the District of Columbia Water and Sewer Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “District of Columbia Water and Sewer Authority Board of Directors Robert L. Mallett Confirmation Resolution of 2013”.

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Robert L. Mallett
5025 Linnean Avenue, N.W.
Washington, D.C. 20008
(Ward 3)

as a member of the Board of Directors of the District of Columbia Water and Sewer Authority, in accordance with section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), replacing William M. Walker, for a term to end September 12, 2016.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-69

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 19, 2013

To confirm the reappointment of Mr. Alan Roth to the District of Columbia Water and Sewer Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Water and Sewer Authority Board of Directors Alan Roth Confirmation Resolution of 2013".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Alan Roth
1845 Vernon Street, N.W.
Washington, D.C. 20009
(Ward 1)

as a member of the Board of Directors of the District of Columbia Water and Sewer Authority, in accordance with section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), for a term to end September 12, 2015.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-70

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 19, 2013

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the Omnibus Public Safety and Justice Amendment Act of 2009 to clarify that intentionally failing to charge a detection device is considered tampering for purposes of the offense; to amend An act for the preservation of the public peace and the protection of property within the District of Columbia to return prosecutorial authority on certain matters to the Office of the Attorney General, and to permit a charge for a less serious offense where one or more persons demonstrate in an area where it is not permitted and remain or return to the area after receiving a warning from law enforcement; to amend the District of Columbia Law Enforcement Act of 1953 to prohibit excessive noise and disruptive conduct in public buildings and to return prosecutorial authority on certain matters to the Office of the Attorney General; to amend An Act Regulating the issuance of checks, drafts, and orders for the payment of money within the District of Columbia to increase the felony threshold for a “bad check” to \$1,000; to amend An Act To establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes to a provision related to escape from an institution or officer; to amend the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001 to designate the Criminal Justice Coordinating Council as a criminal justice agency for purposes of accessing criminal justice-related data and information; to amend Title 23 of the District of Columbia Official Code to conform the District’s Crime Victim’s Rights statute with the federal statute on crime victims restitution, to modify the list of offenses for which pre-trial detention is authorized, and to allow law enforcement officers to arrest, without a warrant, an individual that he or she has probable cause to believe has committed a misdemeanor offense outside of the officer’s presence; to amend the Federal Law Enforcement Officer Cooperation Act of 1999 to make conforming changes related to amendments in Title 23 related to law enforcement officers’ ability to arrest without a warrant; to amend the District of Columbia Uniform Controlled Substances Act of 1981 to clarify the Mayor’s authority to schedule substances, and to add to the list of controlled substances those substances that have recently been added to the federal controlled substances act; to amend An Act To establish a code of law for the District of Columbia to create offenses for assault and aggravated assault on a public vehicle inspection officer; to amend the District of Columbia Taxicab Commission Establishment Act of 1985 to create an offense for fleeing from a public vehicle inspection officer; to amend the District of

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Columbia Government Comprehensive Merit Personnel Act of 1978 to approve the compensation for the Director of the Department of Forensic Sciences; to amend the District of Columbia Health Occupations Revision Act of 1985 to clarify the regulation of massage therapists; to amend the Motor Vehicle Theft Prevention Act of 2008 to incorporate technical corrections; to amend the Access to Justice Initiative Establishment Act of 2010 to enlarge the number of eligible participants and improve civil legal services to low-income residents; to amend the Omnibus Police Reform Amendment Act of 2000 to clarify the duties of the Police Officers Standards and Training Board; to amend the Arson Investigators Amendment Act of 1998 to provide authority related to ensuring compliance with the fire code; to amend the Department of Forensic Sciences Establishment Act of 2011 to clarify the membership of the Science Advisory Board; to amend the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006 to change the terms of commission members; to amend section 16-914 of the District of Columbia Official Code to prohibit a person convicted of rape from obtaining legal custody, physical custody, or any visitation rights with a child that has been conceived as a result of that rape; to amend the Innocence Protection Act of 2001 to amend the definition of "Biological material"; to repeal section 47-2811(b) of the District of Columbia Official Code; to amend the District of Columbia Traffic Act, 1925 to make technical corrections; to require the Office of the Attorney General to develop and submit a report on drug screening and drug treatment programs for youth arrested for possession of a substance; and to repeal section 401 of An Act To provide for the more effective prevention, detection, and punishment of crime in the District of Columbia; the Criminal Justice Supervisory Board Act of 1978; and Chapter 10 of Title 28 of the District of Columbia Municipal Regulations.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Omnibus Criminal Code Amendments Congressional Review Emergency Declaration Resolution of 2013".

Sec. 2. (a) The Council unanimously approved the Omnibus Criminal Code Amendments Act of 2012, signed by the Mayor on February 11, 2013 (D.C. Act 19-677; 60 DCR __), on 2nd reading at the December 18, 2012, Legislative Meeting. The legislation was transmitted to Congress on March 7, 2013, and is currently undergoing the 60-day Congressional review required of legislation that amends the criminal code. The projected law date for D.C. Act 19-677 is June 8, 2013.

(b) The Council determined that it was especially important that a number of sections in D.C. Act 19-677 were made effective as quickly as possible. As such, the Council adopted an emergency measure identical to the permanent bill at the December 18, 2012, Legislative Meeting. D.C. Act 19-599, the Omnibus Criminal Code Amendments Emergency Amendment Act of 2012, was signed by the Mayor on January 14, 2013, and will expire on April 14, 2013.

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(c) As the emergency measure, D.C. Act 19-599, is set to expire before the permanent measure, D.C. Act 19-677, completes the 60-day Congressional review period, this legislation is necessary to prevent a gap in the law.

(d) The provisions of this emergency make important amendments and clarifications to the District's criminal code and provide better tools for law enforcement to reduce crime. Among the provisions in this bill:

(1) Two sections make clarifications and returning prosecutorial authority to the Office of the Attorney General for offenses related to Disturbances of the Public Peace (blocking passage and disorderly conduct);

(2) One section updates the District's Controlled Substances statute, including a number of substances that are already banned under federal law, but law enforcement is unable to bring charges in District court as the substances are not banned at the local level.

(3) Clarifications of the law regarding tampering with a GPS tracking device; and

(4) Clarifications of the law regarding licensed massage therapists so that they may practice with minimal burden.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Omnibus Criminal Code Amendments Congressional Review Emergency Amendment Act of 2013 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-71

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 19, 2013

To declare the existence of an emergency with respect to the need to approve Change Orders No. 001 through 003 to Contract No. GF-2012-C-0039 with Consys, Inc., for renovation of the University of the District of Columbia David A. Clarke School of Law and to authorize payment in the aggregate amount of \$1,297,670.69 for goods and services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Change Orders No. 001 through 003 to Contract No. GF-2012-C-0039 Approval and Payment Authorization Emergency Declaration Resolution of 2013".

Sec. 2. (a) There exists an immediate need to approve Change Orders No. 001 through 003 to Contract No. GF-2012-C-0039 with Consys, Inc., for renovation of the University of the District of Columbia David A. Clarke School of Law, located at the Van Ness Campus, 4200 Connecticut Avenue, N.W., Washington, D.C. 20008, and authorize payment in the amount of \$1,297,670.69 for goods and services received under the contract.

(b) Contract No. GF-2012-C-0039 in the amount of \$3,198,786 was awarded to Consys, Inc., by the University of the District of Columbia on May 27, 2012.

(c) Additional scope of work under Change Order No. 003 to the contract will cause the aggregate value of change orders to the contract to exceed \$1 million in a 12-month period.

(d) Approval of Change Orders No. 001 through 003 in the amount of \$1,297,670.69 is necessary to compensate Consys, Inc., for work performed and to be performed in completing the renovation of the University of the District of Columbia David A. Clarke School of Law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Change Orders No. 001 through 003 to Contract No. GF-2012-C-0039 Approval and Payment Authorization Emergency Act of 2013 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-72

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 19, 2013

To declare the sense of the Council in support of March 23, 2013, as Earth Hour in the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Sense of the Council in Support of Earth Hour Resolution of 2013”.

Sec. 2. The Council finds that:

(1) Earth Hour is the World Wildlife Fund’s annual campaign to raise awareness of the environmental challenges we all face, such as climate change.

(2) On Saturday, March 23, 2013, at 8:30 p.m., thousands of cities around the world will go dark for one hour during Earth Hour.

(3) We are encouraged to take part in Earth Hour by turning off all non-essential lights in and around our government buildings and promote and encourage landmarks and businesses in our community to join us in recognizing Earth Hour.

(4) Earth Hour participation is only the first step, and our city can gain recognition for its efforts on climate change through the Earth Hour City Challenge.

(5) Towns and cities across the country face staggering costs, which are weather-driven by extremes due to climate change. The resulting power outages, flooding, shuttered businesses, and damaged homes are becoming more frequent than such occurrences have been in the past.

(6) Many people in cities across America understand these risks and are taking practical measures to prepare.

Sec. 3. It is the sense of the Council to recognize and support Earth Hour, to declare March 23, 2013, as “World Wildlife Fund Earth Hour City Challenge Day” in the District of Columbia, and to encourage participation of others by going dark for one hour, starting at 8:30 p.m.

Sec. 4. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the District of Columbia Delegate to the U.S. House of Representatives, to the members of the U.S. House of Representatives Committee on Government Oversight and Reform, and to the Mayor.

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Sec. 5. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

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A RESOLUTION

20-73

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 19, 2013

To declare the existence of an emergency with respect to the need to establish fines for criminal offenses, except where exempted by specific reference, proportional to the imprisonment term for each offense and to add a fine to any criminal offense that is currently punishable by a term of imprisonment but not by a fine; to establish the maximum alternative fine penalty involving pecuniary gain or loss at twice the gain or loss that has been alleged and proved; to exempt certain offenses from the fine proportionality in order to retain large fines for those offenses, to exempt certain offenses from fine proportionality in order to retain the progressive fine structure for subsequent offenses; to make conforming amendments to acts codified in Titles 22, 48, 50, and enacted titles of the District of Columbia Official Code; to clarify that the provisions of this act cannot be applied retroactively; and to provide a definitive applicability date for the act of June 1, 2013.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Criminal Fine Proportionality Emergency Declaration Resolution of 2013”.

Sec. 2. (a) The Council unanimously approved the Criminal Fine Proportionality Amendment Act of 2012, signed by the Mayor on January 23, 2013 (D.C. Act 19-641; 60 DCR 2064), on second reading at the November 1, 2012, Legislative Meeting. The legislation was transmitted to Congress on February 27, 2013, and is currently undergoing the 60-day Congressional review required of legislation that amends the criminal code.

(b) The provisions of D.C. Act 19-641 makes fines for criminal offenses, with few exceptions, proportional to the corresponding imprisonment term for the offense. The legislation imposes an organizational structure to criminal fines in the District that re-calibrates fine penalties to be more fair and justifiable. At present, individual penalty provisions scattered throughout the District of Columbia Official Code specify that a person convicted of an offense may be sentenced to not more than a particular term of imprisonment, not more than a particular fine, or both. Over time, amendments to these provisions—or a failure to update through amendment—has resulted in widespread disparity in the penalties for different offenses. D.C. Act 19-641 remedies this disparity with regard to criminal fines by setting the maximum fine in proportion to the maximum term of imprisonment for nearly all offenses.

ENROLLED ORIGINAL

(c) This legislation is the product of a statutory mandate to bring penalty proportionality to the District's criminal code. Penalty proportionality refers to the penalty for an offense, the term of imprisonment and fine, being in balance, or "proportionate", to the seriousness of the associated offense. D.C. Act 19-641, by linking the maximum fine for an offense to the maximum imprisonment term, makes major strides toward ensuring that like punishments for criminal offenses are associated with like seriousness.

(d) D.C. Act 19-641 is projected to become law on June 18, 2013, although this date can change as a result of factors outside of the District's control. In order to provide a definitive applicability date for the effectiveness of the new fine structure in D.C. Act 19-641, it is necessary to enact the legislation on an emergency basis with a stated applicability date. Doing so ensures clarity in the law and that the public is on notice of the change in criminal penalties. Thus, the Criminal Fine Proportionality Emergency Amendment Act of 2013 provides a definitive start date of June 1, 2013.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Criminal Fine Proportionality Emergency Amendment Act of 2013 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-74

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 19, 2013

To declare the existence of an emergency with respect to the need to transfer personnel authority for State Board of Education employees from the Deputy Mayor for Education to the State Board of Education by April 1, 2013.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “State Board of Education Personnel Authority Emergency Declaration Resolution of 2013”.

Sec. 2. (a) The State Board of Education Personnel Authority Amendment Act of 2013, signed by the Mayor on January 29, 2013 (D.C. Act 19-651; 60 DCR 2313), transfers personnel authority of the State Board of Education’s employees from the Deputy Mayor for Education to the State Board of Education, effective April 1, 2013. D.C. Act 19-651 was passed by the Council on 2nd reading on December 18, 2012, but was not transmitted to Congress until March 5, 2013. Thus, D.C. Act 19-651 is not projected to become law until April 30, 2013.

(b) This emergency is necessary to ensure that the personnel authority will transfer on April 1, 2013, as required by D.C. Act 19-651.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the State Board of Education Personnel Authority Emergency Amendment Act of 2013 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-75

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 19, 2013

To declare the existence of an emergency with respect to the need to permit an applicant who has submitted a completed license application involving a Retailer's Class B license to apply for and be issued a stipulated Retailer's Class B license by the Alcoholic Beverage Control Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Stipulated Retailer's License Class B Emergency Declaration Resolution of 2013".

Sec. 2. (a) The emergency legislation would amend the District of Columbia Municipal Regulations to allow the Alcoholic Beverage Control Board to issue a stipulated Class B Retailer license to a Class B Retailer, which is a retailer permitted to sell beer and wine; provided, that the applicant has applied for or holds a license and has written proof that the relevant Advisory Neighborhood Commission does not object; provided further, that the applicant would stop selling beer and wine if a valid protest were to be filed against the applicant during the 45-day protest period.

(b) The relevant Advisory Neighborhood Commission supports the license.

(c) Emergency legislation is necessary because the licensing process for the regularly issued license for an applicant opening a new Walgreens in the Chinatown neighborhood will not be completed in time for the scheduled opening on March 21, 2013.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Stipulated Retailer's License Class B Emergency Amendment Act of 2013 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-76

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 19, 2013

To declare the existence of an emergency with respect to the need to approve Modification No. 25 to Contract No. POKV-2006-C-0064 with Xerox State and Local Solutions, Inc. for ticket processing and related services and to authorize payment for goods and services received under that contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. POKV-2006-C-0064 Modification Approval and Payment Authorization Emergency Declaration Resolution of 2013".

Sec. 2. (a) There exists a need to approve Modification No. 25 to Contract No. POKV-2006-C-0064 with Xerox State and Local Solutions, Inc., to provide ticket processing and related services and to authorize payment for goods and services received under the contract.

(b) On December 30, 2011, the Council approved an extension of Contract No. POKV-2006-C-0064 with Xerox State and Local Solutions, Inc. for ticket processing and related services for the period from January 3, 2012 through January 2, 2013. in an amount not to exceed \$9,407,690.76.

(c) On December 27, 2012, by Modification No. 25, the Office of Contracting and Procurement ("OCP") increased the contract ceiling for the period from January 3, 2012 to January 2, 2013 by \$1,567,378, from \$9,407,690.76 to \$10,975,068.76.

(d) OCP now seeks Council approval to increase the total not-to-exceed amount for the period from January 3, 2012 to January 2, 2013 to \$10,975,068.76.

(e) Emergency Council approval is necessary to allow payment for the vital services that Xerox State and Local Solutions, Inc. provided in excess of \$1 million over the previously approved amount from January 3, 2012 to January 2, 2013.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. POKV-2006-C-0064 Modification Approval and Payment Authorization Emergency Act of 2013 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-77

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 19, 2013

To declare the existence of an emergency with respect to the need to approve multiyear Contract No. DCKA-2011-R-0121 with RATP DEV/McDonald Transit LLC for operation and maintenance of the District's streetcar system.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCKA-2011-R-0121 Emergency Declaration Resolution of 2013".

Sec. 2. (a) The Office of Contracting and Procurement, on behalf of the Department of Transportation, proposes to enter into a multiyear agreement with RATP Dev/McDonald Transit LLC for operation and maintenance of the District's streetcar system.

(b) The estimated total expenditure under this multiyear contract with RATP Dev/McDonald Transit LLC is in the amount of \$20,984,555.00.

(c) Emergency Council approval is necessary to allow the District to receive the benefit of the vital services that RATP Dev/McDonald Transit LLC provides and which can be obtained only through an award of the multiyear contract to RATP Dev/McDonald Transit LLC.

Sec 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCKA-2011-R-0121 Emergency Approval Resolution of 2013 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-78

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 19, 2013

To approve, on an emergency basis, multiyear Contract No. DCKA-2011-R-0121 with RATP Dev/McDonald Transit LLC for operation and maintenance of the District’s streetcar system.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Contract No. DCKA-2011-R-0121 Emergency Approval Resolution of 2013”.

Sec. 2. Pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803;; D.C. Official Code § 1-204.51(c)(3)), the Council approves Contract No.DCKA-2011-R-0121, a multiyear contract with RATP Dev/McDonald Transit LLC for operation and maintenance services for the District’s streetcar system, in the amount of \$20,984,555 for the 5-year term.

Sec. 3. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

20-79

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 19, 2013

To declare the existence of an emergency with the respect to the need to expand the Department of Human Services and the Department of Housing and Community Development's ability to contract services for permanent supportive housing.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Permanent Supportive Housing Application Streamlining Emergency Declaration Resolution of 2013".

Sec. 2. (a) The Department of Housing and Community Development ("DHCD") and the Department of Human Services ("DHS") have encountered difficulties procuring permanent supportive housing and related services in a timely manner and releasing an initial Consolidated Request for Proposals, which will involve the District of Columbia Housing Finance Agency, District of Columbia Housing Authority, DHS, along with DHCD and the Department of Mental Health, to provide funding for the production of permanent supportive housing units for individuals and families who are homeless or at risk of homelessness.

(b) The Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), prevents consolidated procurements from being combined into one contract.

(c) The Permanent Supportive Housing Application Streamlining Emergency Amendment Act of 2013 would amend the Procurement Practices Reform Act of 2010 to streamline and provide a cooperative interagency structure for the coordination of capital, operating, and supportive services funding for the production of permanent supportive housing units produced through fiscal year 2018.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Permanent Supportive Housing Application Streamlining Emergency Amendment Act of 2013 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

**COUNCIL OF THE DISTRICT OF COLUMBIA
NOTICE OF INTENT TO ACT ON NEW LEGISLATION**

The Council of the District of Columbia hereby gives notice of its intention to consider the following legislative matters for final Council action in not less than **15 days**. Referrals of legislation to various committees of the Council are listed below and are subject to change at the legislative meeting immediately following or coinciding with the date of introduction. It is also noted that legislation may be co-sponsored by other Councilmembers after its introduction.

Interested persons wishing to comment may do so in writing addressed to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, NW, Room 5, Washington, D.C. 20004. Copies of bills and proposed resolutions are available in the Legislative Services Division, 1350 Pennsylvania Avenue, NW, Room 10, Washington, D.C. 20004 Telephone: 724-8050 or online at www.dccouncil.us.

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| COUNCIL OF THE DISTRICT OF COLUMBIA | PROPOSED LEGISLATION |
|--|-----------------------------|

BILLS

- | | |
|---------|---|
| B20-193 | <p>Administrative Birth Certificate Amendment Act of 2013</p> <p>Intro. 03-26-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on the Judiciary and Public Safety</p> |
|---------|---|
- | | |
|---------|---|
| B20-196 | <p>Health Benefit Exchange Authority Establishment Amendment Act of 2013</p> <p>Intro. 03-27-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee of the Whole with comments from the Committee on Health</p> |
|---------|---|
- | | |
|---------|---|
| B20-197 | <p>Manufactures Sunday Sale Amendment Act of 2013</p> <p>Intro. 03-27-13 by Councilmembers Grosso and McDuffie and referred to the Committee on Business, Consumer and Regulatory Affairs</p> |
|---------|---|
- | | |
|---------|--|
| B20-198 | <p>Fiscal Year 2014 Budget Request Act of 2013</p> <p>Intro. 03-28-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee of the Whole</p> |
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COUNCIL OF THE DISTRICT OF COLUMBIA

PROPOSED LEGISLATION

BILLS cont.

B20-199 Fiscal Year 2014 Budget Support Act of 2013

Intro. 3-28-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee of the Whole

B20-202 Insurance Claims Consumer Protection Second Amendment Act of 2013

Intro. 3-28-13 by Councilmembers Cheh and Catania and referred to the Committee on Business, Consumer and Regulatory Affairs

PROPOSED RESOLUTIONS

PR20-157 Commission on Re-Entry and Returning Citizen Affairs Louis B. Sawyer, Jr. Confirmation Resolution of 2013

Intro. 03-21-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on the Judiciary and Public Safety

PR20-158 Commission on Re-Entry and Returning Citizen Affairs Petrina L. Williams Confirmation Resolution of 2013

Intro. 03-21-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on the Judiciary and Public Safety

PR20-159 Medical Marijuana Regulations Approval Resolution of 2013

Intro. 03-26-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

PR20-160 FEMS Ambulance Redeployment Resolution of 2013

Intro. 03-27-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on the Judiciary and Public Safety

PROPOSED RESOLUTIONS con't

PR20-162 Housing Production Trust Fund Board Stanley Jackson Confirmation Resolution of 2013

Intro. 03-28-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Economic Development

PR20-163 Housing Production Trust Fund Board Jacqueline V. Prior Confirmation Resolution of 2013

Intro. 03-28-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Economic Development

PR20-164 Housing Production Trust Fund Board Oramenta Newsome Confirmation Resolution of 2013

Intro. 03-28-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Economic Development

PR20-165 Housing Production Trust Fund Board Robert H. Pohlman Confirmation Resolution of 2013

Intro. 03-28-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Economic Development

PR20-166 Housing Production Trust Fund Board David J. Roodberg Confirmation Resolution of 2013

Intro. 03-28-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Economic Development

PR20-167 Housing Production Trust Fund Board Sue Ann Marshall Confirmation Resolution of 2013

Intro. 03-28-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Economic Development

PR20-168 Housing Production Trust Fund Board M. Craig Pascal Confirmation Resolution of 2013

Intro. 03-28-13 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Economic Development

PROPOSED RESOLUTIONS con't

PR20-169 Housing Production Trust Fund Board James D. Knight Confirmation
Resolution of 2013

Intro. 03-28-13 by Chairman Mendelson at the request of the Mayor and referred
to the Committee on Economic Development

PR20-170 Housing Production Trust Fund Board David C. Bowers Confirmation
Resolution of 2013

Intro. 03-28-13 by Chairman Mendelson at the request of the Mayor and referred
to the Committee on Economic Development

PR20-174 Public Education Master Facilities Plan Approval Resolution of 2013

Intro. 03-28-13 by Chairman Mendelson at the request of the Mayor and referred
to the Committee on Education

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT
MARY M. CHEH, CHAIR

NOTICE OF PUBLIC HEARING ON

Bill 20-61, the Non-Driver's Identification Card/Driver's Licensed Amendment Act of 2013

Bill 20-177, the Older Adult Driver Safety Amendment Act of 2013

Wednesday, May 15, 2013
at 11:00 a.m.
in Room 412 of the
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

On Wednesday, May 15, 2013, Councilmember Mary M. Cheh, Chairperson of the Committee on the Transportation and the Environment, will hold a public hearing on Bill 20-61, the Non-Driver's Identification Card/Driver's Licensed Amendment Act of 2013 and Bill 20-177, the Older Adult Driver Safety Amendment Act of 2013. The hearing will begin at 11:00 a.m. in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

Bill 20-61, the Non-Driver's Identification Card/Driver's Licensed Amendment Act of 2013, would prohibit the Mayor from requiring a Social Security number from residents who apply for a driver's license or identification card. Bill 20-177, the Older Adult Driver Safety Amendment Act of 2013, would lower from 55 to 50 the eligible age for residents to take a driver safety course that qualifies them for an insurance discount, allow the course to be taken online, and reduce the required hours for the course.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official Hearing Record. Anyone wishing to testify should contact Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, at (202) 724-8062 or via e-mail at abenjamin@dccouncil.us. Persons representing organizations will have five minutes to present their testimony. Individuals will have three minutes to present their testimony. Witnesses should bring 8 copies of their written testimony and should submit a copy of their testimony electronically to abenjamin@dccouncil.us.

If you are unable to testify in person, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 108, Washington, D.C. 20004. They may also be e-mailed to abenjamin@dccouncil.us or faxed to (202) 724-8118. The record will close at the end of the business day on Wednesday, May 29, 2013.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT
MARY M. CHEH, CHAIR

NOTICE OF PUBLIC HEARING ON

Bill 20-93, the Prohibition of Smoking Near Playground Act of 2013

Bill 20-95, the Smoking Restriction Amendment Act of 2013

Monday, May 13, 2013

at 11:00 a.m.

In Room 500 of the
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

On Monday, May 13, 2013, Councilmember Mary M. Cheh, Chairperson of the Committee on the Transportation and the Environment, will hold a public hearing on Bill 20-93, the Prohibition of Smoking Near Playground Act of 2013 and Bill 20-95, the Smoking Restriction Amendment Act of 2013. The hearing will begin at 11:00 a.m. in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

Bill 20-93, the Prohibition of Smoking Near Playground Act of 2013, would prohibit smoking within 25 feet of any playground. Bill 20-95, the Smoking Restriction Amendment Act of 2013, would also prohibit smoking within 25 feet of a playground and would also require property owners to post four signs stating that this prohibition.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official Hearing Record. Anyone wishing to testify should contact Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, at (202) 724-8062 or via e-mail at abenjamin@dccouncil.us. Persons representing organizations will have five minutes to present their testimony. Individuals will have three minutes to present their testimony. Witnesses should bring 8 copies of their written testimony and should submit a copy of their testimony electronically to abenjamin@dccouncil.us.

If you are unable to testify in person, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 108, Washington, D.C. 20004. They may also be e-mailed to abenjamin@dccouncil.us or faxed to (202) 724-8118. The record will close at the end of the business day on Monday, May 27, 2013.

**Council of the District of Columbia
Committee on the Judiciary and Public Safety
Notice of Public Hearing**

1350 Pennsylvania Avenue, NW, Washington, D.C. 20004

RESCHEDULED

**COUNCILMEMBER TOMMY WELLS, CHAIRPERSON
COMMITTEE ON THE JUDICIARY AND PUBLIC SAFETY**

ANNOUNCES A PUBLIC HEARING ON

**BILL 20-143, THE "PERSONAL PROPERTY ROBBERY PREVENTION
AMENDMENT ACT OF 2013"**

Thursday, May 23, 2013

11:30 a.m.

Room 412, John A. Wilson Building

1350 Pennsylvania Avenue, NW

Washington, D.C. 20004

Councilmember Tommy Wells, Chairperson of the Committee on the Judiciary and Public Safety, will convene a public hearing on Bill 20-143, the "Personal Property Robbery Prevention Amendment Act of 2013". The hearing will be held on Thursday May 23, 2013, beginning at 11:30 a.m. in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, D.C. 20004. **This hearing has been rescheduled from Thursday April 11, 2013.**

The purpose of this hearing is to receive public comments on Bill 20-143, which would establish a procedure for the Chief of Police to designate and provide notice of high offense contraband, require licensed businesses to maintain records on purchase of high offense contraband, and allow police access to those records. The bill also would amend the Office of Administrative Hearings Establishment Act to include within its jurisdiction post-deprivation hearings within 72 hours of a business license revocation, suspension, or restriction; and amend Title 47 of the District of Columbia Official Code to enable the Chief of Police to request the revocation, suspension, or restriction of a business license where the business is involved with high offense contraband.

The Committee invites the public to testify. Individuals and representatives of organizations who wish to testify should contact Tawanna Shuford at 724-7808 or tshuford@dccouncil.us, and furnish their name, address, telephone number, and organizational affiliation, if any, by 5 p.m. on Tuesday, May 21, 2013. Witnesses should bring 15 copies of their testimony. Testimony may be limited to 3 minutes for individuals and 5 minutes for those representing organizations or groups.

If you are unable to testify at the public hearing, written statements are encouraged and will be made part of the official record. Written statements should be submitted by 5 pm Thursday, June 6, 2013 to Ms. Shuford, Committee on the Judiciary and Public Safety, Room 109, 1350 Pennsylvania Avenue, NW, Washington, D.C., 20004, or via email at tshuford@dccouncil.us.

**Council of the District of Columbia
Committee on Business, Consumer, and Regulatory Affairs
Notice of Public Hearing**

John A. Wilson Building 1350 Pennsylvania Avenue, NW, Suite G-6 Washington, DC 20004

**COUNCILMEMBER VINCENT B. ORANGE, SR., CHAIR
COMMITTEE ON BUSINESS, CONSUMER, AND REGULATORY
AFFAIRS
ANNOUNCES A PUBLIC HEARING**

ON

B20-170, THE "FIREARM INSURANCE AMENDMENT ACT OF 2013"

**THURSDAY, MAY 16, 2013, 10:00 A.M
JOHN A. WILSON BUILDING, ROOM 500
1350 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20004**

Councilmember Vincent B. Orange, Sr. announces the scheduling of a public hearing by the Committee on Business, Consumer, and Regulatory Affairs on B20-170, the "Firearm Insurance Amendment Act of 2013". The public hearing is scheduled for Thursday, May 16, 2013 at 10:00 a.m. in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Ave., NW, Washington, DC 20004.

B20-170, the "Firearm Insurance Amendment Act of 2013", proposes to require that individuals secure liability insurance before obtaining a license to own a firearm. It also seeks to amend the Firearms Control Regulations Act of 1975 to include a reference to the insurance-liability requirement.

Individuals and representatives of organizations who wish to testify at the public hearing are asked to contact Faye Caldwell of the Committee on Business, Consumer, and Regulatory Affairs at (202) 727-6683 or by email at fcaldwell@dccouncil.us and provide their name(s), address, telephone number, email address and organizational affiliation, if any, by close of business Thursday, May 9, 2013. Each witness is requested to bring 20 copies of his/her written testimony. Representatives of organizations and government agencies will be limited to 5 minutes in order to permit each witness an opportunity to be heard. Individual witnesses will be limited to 3 minutes.

If you are unable to testify at the roundtable, written statements are encouraged and will be made a part of the official record. The official record will remain open until close of business Thursday, May 30, 2013. Copies of written statements should be submitted to the Committee on Business, Consumer, and Regulatory Affairs, Council of the District of Columbia, Suite G-6 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON TRANSPORTATION & THE ENVIRONMENT
MARY M. CHEH, CHAIR

NOTICE OF PUBLIC ROUNDTABLE ON

PR20-0059, the “Director of the Department of the Environment Keith A. Anderson Confirmation Resolution of 2013”

Monday, April 22, 2013
at 12:00 p.m.
in Room 120 of the
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

On Monday, April 22, 2013, Councilmember Mary M. Cheh, Chairperson of the Committee on the Transportation and the Environment, will hold a public Roundtable on PR20-0059, the “Director of the Department of the Environment Keith A. Anderson Confirmation Resolution of 2013”. The Roundtable will begin at 12:00 p.m. in Room 120 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W. PR20-0059 would confirm Keith A. Anderson as Director of the District Department of the Environment

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official Hearing Record. Anyone wishing to testify should contact Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, at (202) 724-8062 or via e-mail at abenjamin@dccouncil.us. Persons representing organizations will have five minutes to present their testimony. Individuals will have three minutes to present their testimony. Witnesses should bring 8 copies of their written testimony and should submit a copy of their testimony electronically to abenjamin@dccouncil.us.

If you are unable to testify in person, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to Ms. Aukima Benjamin, staff assistant to the Committee on Transportation and the Environment, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 108, Washington, D.C. 20004. They may also be e-mailed to abenjamin@dccouncil.us or faxed to (202) 724-8118. The record will close at the end of the business day on Monday, May 6, 2013.

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Reprogramming Requests

Pursuant to DC Official Code Sec 47-361 et seq. of the Reprogramming Policy Act of 1990, the Council of the District of Columbia gives notice that the Mayor has transmitted the following reprogramming request(s)

A reprogramming will become effective on the 15th day after official receipt unless a Member of the Council files a notice of disapproval of the request which extends the Council's review period to 30 days. If such notice is given, a reprogramming will become effective on the 31st day after its official receipt unless a resolution of approval or disapproval is adopted by the Council prior to that time.

Comments should be addressed to the Secretary to the Council, Room 5, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. Copies of reprogramming requests are available in Legislative Services, Room 10. Telephone: 724-8050

Reprog. 20-36: Request to reprogram \$19,000,000 of Fiscal Year 2013 Local funds budget authority from Non-Public Tuition (NPT) TO Public Charter Schools (PCS) was filed in the Office of the Secretary on March 28, 2013. This action will reprogram budget authority from NPT's Non-Public Tuition program, Comptroller Source Group (CSG) 50 (Subsidies and Transfers), to PCS's D.C. Charter School program, CSG 50 (Subsidies and Transfers).

RECEIVED: 14 day review begins April 8, 2013

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, APRIL 10, 2013
2000 14TH STREET, N.W., SUITE 400S,
WASHINGTON, D.C. 20009

Ruthanne Miller, Chairperson

Members:

Nick Alberti, Donald Brooks, Herman Jones, Mike Silverstein

Show Cause Hearing (Status) 9:30 AM
Case # 12-251-00352; Odalis Restaurant, LLC, t/a Odalis Restaurant
(Transferred to Centeno's Restaurant, Inc.), 827 Kennedy Street NW, License
#76432, Retailer CR, ANC 4D
Transfer of Ownership Without Board Approval

Show Cause Hearing (Status) 9:30 AM
Case # 12-251-00196; Superclub Ibiza, LLC, t/a Ibiza, 1222 1st Street NE
License #74456, Retailer CN, ANC 6C
Failed to Comply With the Terms of Board Order No. 2008-316

Show Cause Hearing 10:00 AM
Case # 12-CMP-00428, TRG, Inc., t/a Look (formerly Teatro Goldini)
1909 K Street NW, License #77812, Retailer CR, ANC 2B
Misuse of On-Premises Retailer's License

Show Cause Hearing 11:00 AM
Case # 12-CMP-00385; Atsede Corporation, t/a Nile Market & Kitchen, 7815
Georgia Ave NW, License #60432, Retailer CR, ANC 4B
**Failed to Maintain Books and Records, Failed to Obtain Importation
Permits, Failed to Make a Copy of Settlement Agreement Immediately
Accessible**

**BOARD RECESS AT 12:00 PM
ADMINISTRATIVE AGENDA
1:00 PM**

Show Cause Hearing 1:30 PM
Case # 12-AUD-00033, Queen of Sheba, Inc., t/a Queen of Sheba, 1503 9th
Street NW, License #73644, Retailer CR, ANC 6E
Failed to File Quarterly Statements (1st Quarter 2012)

Board's Calendar
Page -2- April 10, 2013

Show Cause Hearing **2:30 PM**
Case # 12-AUD-00039; Amde Sofenias, t/a Queen Makeda, 1917 9th Street NW
License #60510, Retailer CR, ANC 1B
Failed to File Quarterly Statements (1st Quarter 2012)

Show Cause Hearing **3:30 PM**
Case # 11-251-00372; De Amigo, LLC, t/a Sesto Senso/Andulo/Spot/Lupe/MIA
1214 18th Street NW, License #81092, Retailer CT, ANC 2B
**Allowed the Establishment to be Used for an Unlawful or Disorderly
Purpose, Failed to Follow Security Plan**

Show Cause Hearing **4:30 PM**
Case # 12-251-00206; Garay Corporation, t/a Corina's Restaurant, 831 Kennedy
Street NW, License #79873, Retailer CR, ANC 4D
Operating After Board Approved House

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: April 5, 2013
Petition Date: May 20, 2013
Roll Call Hearing Date: June 3, 2013
Protest Hearing Date: July 24, 2013

License No.: ABRA-091682
Licensee: SST Management LLC
Trade Name: BIN 1301 WINE BAR
License Class: Retailer's Class "C" Tavern
Address: 1301 - U Street, NW
Contact: Jeff Jackson: 202-251-1566

WARD 1 ANC 1B SMD 1B12

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the Roll Call Hearing Date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled on July 24, 2013 at 1:30 pm.

NATURE OF OPERATION

New Full Service Restaurant that will be serving Mexican Food. Total Load: 61, Seats Inside: 36, Summer Garden Seats: 35.

HOURS OF OPERATION AND HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Thursday: 10 am - 2 am; Friday and Saturday: 10 am - 3 am

HOURS OF SUMMER GARDEN OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Saturday: 10 am - 12 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-076629
License Class/Type: C Hotel
ANC: 2A

Applicant: RP/HH 22nd St. Owner, LLC
Trade Name: Washington Marriott Hotel (The)
Premise Address: 1221 22ND ST NW

Endorsements: Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|-------------|---------------------------|-------------------------------|-------------------------------|
| SUN: | 24 hours - | 10 am -2 am | 6 pm - 2 am |
| MON: | 24 hours - | 10 am - 2 am | 6 pm - 2 am |
| TUE: | 24 hours - | 10 am - 2 am | 6 pm - 2 am |
| WED: | 24 hours - | 10 am - 2 am | 6 pm - 2 am |
| THU: | 24 hours - | 10 am - 2 am | 6 pm - 2 am |
| FRI: | 24 hours - | 10 am - 3 am | 6 pm - 3 am |
| SAT: | 24 hours - | 10 am - 3 am | 6 pm - 3 am |

License Number: ABRA-076011
License Class/Type: C Restaurant
ANC: 1B

Applicant: Salma, LLC
Trade Name: Red Lounge
Premise Address: 2013 A 14TH ST NW

Endorsements: Cover Charge, Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|-------------|---------------------------|-------------------------------|-------------------------------|
| SUN: | 10 am - 12 am | 10 am -12 am | 10 am - 12 am |
| MON: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am |
| TUE: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am |
| WED: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am |
| THU: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am |
| FRI: | 10 am - 3 am | 10 am - 3 am | 10 am - 3 am |
| SAT: | 10 am - 3 am | 10 am - 3 am | 10 am - 3 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-074175
License Class/Type: C Restaurant
ANC: 1B

Applicant: LSS, LLC
Trade Name: Ulah Bistro
Premise Address: 1214 U ST NW

Endorsements: Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | 9 pm - 1:30 am |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | 9 pm - 1:30 am |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | 9 pm - 1:30 am |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | 9 pm - 1:30 am |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | 9 am - 1:30 am |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11 am - 12 am | 11 am - 12 am | 9 pm - 2:30 am |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 12 am | 11 am - 12 am | 9 pm - 2:30 am |

License Number: ABRA-072014
License Class/Type: C Restaurant
ANC: 2E

Applicant: Mate, LLC
Trade Name: Mate
Premise Address: 3101 K ST NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 1:30 am | 6 pm - 1:30 am |
| MON: | 11 am - 2 am | 11 am - 1:30 am | 6 pm - 1:30 am |
| TUE: | 11 am - 2 am | 11 am - 1:30 am | 6 pm - 1:30 am |
| WED: | 11 am - 2 am | 11 am - 1:30 am | 6 pm - 1:30 am |
| THU: | 11 am - 2 am | 11 am - 1:30 am | 6 pm - 1:30 am |
| FRI: | 11 am - 3 am | 11 am - 2:30 am | 6 pm - 2:30 am |
| SAT: | 11 am - 3 am | 11 am - 2:30 am | 6 pm - 2:30 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-072095
License Class/Type: C Multipurpose
ANC: 1A

Applicant: G.A.L.A., Inc.
Trade Name: Gala Hispanic Theatre
Premise Address: 3333 14TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 1 pm - 12 am | 1 pm -12 am | - |
| MON: | 7 pm - 12 am | 7 pm - 12 am | - |
| TUE: | 7 pm - 12 am | 7 pm - 12 am | - |
| WED: | 7 pm - 12 am | 7 pm - 12 am | - |
| THU: | 7 pm - 12 am | 7 pm - 12 am | - |
| FRI: | 7 pm - 12 am | 7 pm - 12 am | - |
| SAT: | 7 pm - 12 am | 7 pm - 12 am | - |

License Number: ABRA-026246
License Class/Type: C Restaurant
ANC: 3C

Applicant: Tono Inc.
Trade Name: Tono-sushi Restaurant
Premise Address: 2605 CONNECTICUT AVE NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am -2 am | 11 am - 11 pm | 11 am - 11 pm | - |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | - |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | - |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | - |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11 am - 11 pm | 11 am - 11 pm | - |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 11 pm | 11 am - 11 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-025832
 License Class/Type: C Restaurant
 ANC: 2E

Applicant: Peacock Cafe Inc.
 Trade Name: Peacock Cafe
 Premise Address: 3251 PROSPECT ST NW F

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 7:30 am - 1 am | 10 am - 1 am | 9 am - 12 am | 9 am - 12 am | - |
| MON: | 7:30 am - 1 am | 8 am - 1 am | 9 am - 12 am | 9 am - 12 am | - |
| TUE: | 7:30 am - 1 am | 8 am - 1 am | 9 am - 12 am | 9 am - 12 am | - |
| WED: | 7:30 am - 1 am | 8 am - 1 am | 9 am - 12 am | 9 am - 12 am | - |
| THU: | 7:30 am - 1 am | 8 am - 1 am | 9 am - 12 am | 9 am - 12 am | - |
| FRI: | 7:30 am - 1 am | 8 am - 1 am | 9 am - 12 am | 9 am - 12 am | - |
| SAT: | 7:30 am - 1 am | 8 am - 1 am | 9 am - 12 am | 9 am - 12 am | - |

License Number: ABRA-060347
 License Class/Type: C Restaurant
 ANC: 1C

Applicant: Meze Inc.
 Trade Name: Meze
 Premise Address: 2437 18TH ST NW

Endorsements: Dancing, Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 1:30 am | 11 am - 2 am | 11 am - 1:30 am | 8 pm - 1:30 am |
| MON: | 11 am - 2 am | 11 am - 1:30 am | 5 pm - 2 am | 5 pm - 1:30 am | 8 pm - 1:30 am |
| TUE: | 11 am - 2 am | 11 am - 1:30 am | 5 pm - 2 am | 5 pm - 1:30 am | 8 pm - 1:30 am |
| WED: | 11 am - 2 am | 11 am - 1:30 am | 5 pm - 2 am | 5 pm - 1:30 am | 8 pm - 1:30 am |
| THU: | 11 am - 2 am | 11 am - 1:30 am | 5 pm - 2 am | 5 pm - 1:30 am | 8 pm - 1:30 am |
| FRI: | 11 am - 3 am | 11 am - 2:30 am | 4 pm - 3 am | 4 pm - 2:30 am | N/A - |
| SAT: | 11 am - 3 am | 11 am - 2:30 am | 11 am - 3 am | 11 am - 2:30 am | N/A - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-023745

Applicant: Lalibela Inc.

License Class/Type: C Restaurant

Trade Name: Lalibela Ethiopian Restaurant

ANC: 2F

Premise Address: 1415 14TH ST NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 1 am | 11 am - 1 am | 11 am - 12 am | 11 am - 11 pm | 11 pm - 1 am |
| MON: | 11 am - 1 am | 11 am - 1 am | 11 am - 12 am | 11 am - 11 pm | n/a - |
| TUE: | 11 am - 1 am | 11 am - 1 am | 11 am - 12 am | 11 am - 11 pm | n/a - |
| WED: | 11 am - 1 am | 11 am - 1 am | 11 am - 12 am | 11 am - 11 pm | n/a - |
| THU: | 11 am - 1 am | 11 am - 1 am | 11 am - 12 am | 11 am - 11 pm | n/a - |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11 am - 1 am | 11 am - 12 am | 11 pm - 3 am |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 1 am | 11 am - 12 am | 11 pm - 3 am |

License Number: ABRA-007235

Applicant: Potomac Riverboat Company

License Class/Type: C Marine Vessel

Trade Name: Cherry Blossom

ANC:

Premise Address: 205 Strand ST

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 8 am - 3 am | 10 am - 2 am | - |
| MON: | 8 am - 3 am | 8 am - 2 am | - |
| TUE: | 8 am - 3 am | 8 am - 2 am | - |
| WED: | 8 am - 3 am | 8 am - 2 am | - |
| THU: | 8 am - 3 am | 8 am - 2 am | - |
| FRI: | 8 am - 3 am | 8 am - 3 am | - |
| SAT: | 8 am - 3 am | 8 am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-026656
License Class/Type: C Restaurant
ANC: 2B

Applicant: Harvest Moon, Inc.
Trade Name: Equinox
Premise Address: 818 CONNECTICUT AVE NW B

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 5 pm - 1 am | 5 pm -12 am | 5 pm - 1 am | 5 pm - 12 am | - |
| MON: | 11:30 am - 1 am | 11:30 am - 12 am | 11:30 am - 1 am | 11:30 am - 12 am | - |
| TUE: | 11:30 am - 1 am | 11:30 am - 12 am | 11:30 am - 1 am | 11:30 am - 12 am | - |
| WED: | 11:30 am - 1 am | 11:30 am - 12 am | 11:30 am - 1 am | 11:30 am - 12 am | - |
| THU: | 11:30 am - 1 am | 11:30 am - 12 am | 11:30 am - 1 am | 11:30 am - 12 am | - |
| FRI: | 11:30 am - 1 am | 11:30 am - 12 am | 11:30 am - 1 am | 11:30 am - 12 am | - |
| SAT: | 5:30 pm - 1 am | 5:30 pm - 12 am | 5:30 pm - 1 am | 5:30 pm - 12 am | - |

License Number: ABRA-060001
License Class/Type: C Restaurant
ANC: 2B

Applicant: S & W D.C. LLC
Trade Name: Smith & Wollensky
Premise Address: 1112 19TH ST NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am -2 am | 11 am - 11 pm | 11 am - 11 pm | - |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | - |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | - |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | - |
| FRI: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |
| SAT: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-020102 Applicant: Makamboo Corp.
 License Class/Type: C Restaurant Trade Name: Awash
 ANC: 1C Premise Address: 2218 - 2220 18TH ST NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 12 pm - 2 am | 12 pm - 2 am | 12 pm - 2 am | 12 pm - 2 am | 10 pm - 2 am |
| MON: | 12 pm - 2 am | 12 pm - 2 am | 12 pm - 2 am | 12 pm - 2 am | 10 pm - 2 am |
| TUE: | 12 pm - 2 am | 12 pm - 2 am | 12 pm - 2 am | 12 pm - 2 am | 10 pm - 2 am |
| WED: | 12 pm - 2 am | 12 pm - 2 am | 12 pm - 2 am | 12 pm - 2 am | 10 pm - 2 am |
| THU: | 12 pm - 2 am | 12 pm - 2 am | 12 pm - 2 am | 12 pm - 2 am | 10 pm - 2 am |
| FRI: | 12 pm - 3 am | 12 pm - 3 am | 12 pm - 3 am | 12 pm - 3 am | 10 pm - 3 am |
| SAT: | 12 pm - 3 am | 12 pm - 3 am | 12 pm - 3 am | 12 pm - 3 am | 10 pm - 3 am |

License Number: ABRA-060467 Applicant: 1600 U, Inc.
 License Class/Type: C Restaurant Trade Name: Local 16
 ANC: 2B Premise Address: 1600 U ST NW

Endorsements: Dancing, Entertainment, Sidewalk Cafe, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Summer Garden Operation | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|----------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | 11 am - 11 pm | 11 am - 1 am | 7 pm - 12 am |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 11 pm | 11 am - 1 am | 7 pm - 12 am |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 11 pm | 11 am - 1 am | 7 pm - 12 am |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 11 pm | 11 am - 1 am | 7 pm - 12 am |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 11 pm | 11 am - 1 am | 7 pm - 12 am |
| FRI: | 11 am to 3 am - | 11 am - 3 am | 11 am - 12 am | 11 am - 1 am | 7 pm - 1 am |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 12 am | 11 am - 1 am | 7 pm - 1 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-008004 Applicant: Melben Inc.
License Class/Type: C Restaurant Trade Name: Paper Moon
ANC: 2E Premise Address: 1069 31ST ST NW

Endorsements: Cover Charge, Dancing, Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|-------------|---------------------------|-------------------------------|---|-------------------------------------|-------------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 1:30 am |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 1:30 am |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 1:30 am |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 1:30 am |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 1:30 am |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 2:30 am |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 2:30 am |

License Number: ABRA-009229 Applicant: Phillips Haborplace Inc.
License Class/Type: C Restaurant Trade Name: Phillips Flagship
ANC: 6D Premise Address: 900 WATER ST SW

Endorsements: Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|-------------|---------------------------|-------------------------------|-------------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| MON: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| TUE: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2am |
| WED: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2am |
| THU: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2am |
| FRI: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2am |
| SAT: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-010284
 License Class/Type: C Restaurant
 ANC: 1C

Applicant: Adams Morgan Spaghetti Gardens Inc.
 Trade Name: Spaghetti Garden Brass Monkey Peyote
 Roxanne
 Premise Address: 2317 - 2319 18th ST NW

Endorsements: Dancing, Entertainment, Sidewalk Cafe, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Summer Garden Operation | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|----------------------------------|------------------------|
| SUN: | 12 pm - 2 am | 12 pm -1:45 am | | | 8 pm - 1:30 am |
| MON: | 12 pm - 2 am | 12 pm - 1:45 am | | | 8 pm - 1:30 am |
| TUE: | 12 pm - 2 am | 12 pm - 1:45 am | | | 8 pm - 1:30 am |
| WED: | 12 pm - 2 am | 12 pm - 1:45 am | | | 8 pm - 1:30 am |
| THU: | 12 pm - 2 am | 12 pm - 1:45 am | | | 8 pm - 1:30 am |
| FRI: | 12 pm - 3 am | 12 pm - 2:45 am | | | 8 pm - 2:30 am |
| SAT: | 12 pm - 3 am | 12 pm - 2:45 am | | | 8 pm - 2:30 am |

License Number: ABRA-000882
 License Class/Type: C Restaurant
 ANC: 2B

Applicant: Taj Mahal Enterprises Ltd
 Trade Name: Fiesta Restaurant and Lounge
 Premise Address: 1327 Connecticut AVE NW

Endorsements: Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 8 am - 2 am | 10 am -2 am | 10 am - 2 am |
| MON: | 8 am - 2 am | 8 am - 2 am | 6 pm - 2 am |
| TUE: | 8 am - 2 am | 8 am - 2 am | 6 pm - 2 am |
| WED: | 8 am - 2 am | 8 am - 2 am | 6 pm - 2 am |
| THU: | 8 am - 2 am | 8 am - 2 am | 6 pm - 2 am |
| FRI: | 8 am - 3 am | 8 am - 3 am | 6 pm - 3 am |
| SAT: | 8 am - 3 am | 8 am - 3 am | 6 pm - 3 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-080501
 License Class/Type: C Restaurant
 ANC: 2B

Applicant: PQ Blaine Mansion Inc.
 Trade Name: Le Pain Quotidien
 Premise Address: 2001 P ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 7 am - 10 pm | 10 am -10 pm | 7 am - 10 pm | 10 am - 10 pm | - |
| MON: | 7 am - 10 pm | 8 am - 10 pm | 7 am - 10 pm | 8 am - 10 pm | - |
| TUE: | 7 am - 10 pm | 8 am - 10 pm | 7 am - 10 pm | 8 am - 10 pm | - |
| WED: | 7 am - 10 pm | 8 am - 10 pm | 7 am - 10 pm | 8 am - 10 pm | - |
| THU: | 7 am - 10 pm | 8 am - 10 pm | 7 am - 10 pm | 8 am - 10 pm | - |
| FRI: | 7 am - 10 pm | 8 am - 10 pm | 7 am - 10 pm | 8 am - 10 pm | - |
| SAT: | 7 am - 10 pm | 8 am - 10 pm | 7 am - 10 pm | 8 am - 10 pm | - |

License Number: ABRA-076803
 License Class/Type: C Restaurant
 ANC: 2A

Applicant: Bullard Street, LLC
 Trade Name: RIS
 Premise Address: 2275 L ST NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 9 am - 2 am | 10 am -2 am | 9 am - 11 pm | 10 am - 11 pm | 6 pm - 2 am |
| MON: | 7 am - 2 am | 8 am - 2 am | 8 am - 11 pm | 8 am - 11 pm | 6 pm - 2 am |
| TUE: | 7 am - 2 am | 8 am - 2 am | 8 am - 11 pm | 8 am - 11 pm | 6 pm - 2 am |
| WED: | 7 am - 2 am | 8 am - 2 am | 8 am - 11 pm | 8 am - 11 pm | 6 pm - 2 am |
| THU: | 7 am - 2 am | 8 am - 2 am | 8 am - 11 pm | 8 am - 11 pm | 6 pm - 2 am |
| FRI: | 7 am - 2 am | 8 am - 2 am | 8 am - 11 pm | 8 am - 11 pm | 6 pm - 2 am |
| SAT: | 9 am - 2 am | 9 am - 2 am | 9 am - 11 pm | 9 am - 11 pm | 7 pm - 2 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-078642
 License Class/Type: C Multipurpose
 ANC: 5C

Applicant: MPAC LLC
 Trade Name: The Scene
 Premise Address: 2221 ADAMS PL NE C

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 6 pm - 3 am | 10 am - 2 am | 7 pm - 11 pm |
| MON: | 6 pm - 3 am | 6 pm - 2 am | 7 pm - 11 pm |
| TUE: | 6 pm - 3 am | 6 pm - 2 am | 7 pm - 11 pm |
| WED: | 6 pm - 3 am | 6 pm - 2 am | 7 pm - 11pm |
| THU: | 6 pm - 3 am | 6 pm - 2 am | 7 pm - 11 pm |
| FRI: | 6 pm - 4 am | 6 pm - 3 am | 7 pm - 2 am |
| SAT: | 9 am - 4 am | 10 am - 3 am | 12 am - 2 am |

License Number: ABRA-081157
 License Class/Type: C Restaurant
 ANC: 2C

Applicant: Cedar Restaurant, LLC
 Trade Name: Cedar
 Premise Address: 822 E ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 9 am - 2 am | 10 am - 2 am | 9 am - 2 am | 10 am - 2 am | - |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | - |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | - |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | - |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | - |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-076804
License Class/Type: C Restaurant
ANC: 2B

Applicant: The Griffin Group, LLC
Trade Name: Policy(2 SW Cafes & 1 Summer Garden)
Premise Address: 1904 14th ST NW

Endorsements: Entertainment, Sidewalk Cafe, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Summer Garden Operation | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|----------------------------------|------------------------|
| SUN: | 11 am - 1 am | 11 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | 6 pm - 1 am |
| MON: | 11 am - 1 am | 11 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | 6 pm - 1 am |
| TUE: | 11 am - 1 am | 11 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | 6 pm - 1 am |
| WED: | 11 am - 1 am | 11 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | 6 pm - 1 am |
| THU: | 11 am - 1 am | 11 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | 6 pm - 1 am |
| FRI: | 11 am - 2 am | 11 am - 2 am | 11 am - 11:30 pm | 11 am - 11:30 pm | 6 pm - 2 am |
| SAT: | 11 am - 2 am | 11 am - 2 am | 11 am - 11:30 pm | 11 am - 11:30 pm | 6 pm - 2 am |

License Number: ABRA-081606
License Class/Type: C Restaurant
ANC: 2E

Applicant: The Johnny Rockets Group Inc.
Trade Name: Johnny Rockets
Premise Address: 3131 M ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 8:30 am - 12 am | 10 am - 12 am | - |
| MON: | 8:30 am - 12 am | 8:30 am - 12 am | - |
| TUE: | 8:30 am - 12 am | 8:30 am - 12 am | - |
| WED: | 8:30 am - 2 am | 8:30 am - 2 am | - |
| THU: | 8:30 am - 3 am | 8:30 am - 2 am | - |
| FRI: | 8:30 am - 4 am | 8:30 am - 2 am | - |
| SAT: | 8:30 am - 4 am | 8:30 am - 2 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-079701
 License Class/Type: C Restaurant
 ANC: 2B

Applicant: Nando's Restaurant Group, Inc.
 Trade Name: Nando's Peri Peri
 Premise Address: 1210 18TH ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 10 pm | 11 am -10 pm | 11:30 am - 9 pm | 11:30 am - 9 pm | - |
| MON: | 11 am - 10 pm | 11 am - 10 pm | 11:30 am - 9 pm | 11:30 am - 9 pm | - |
| TUE: | 11 am - 10 pm | 11 am - 10 pm | 11:30 am - 9 pm | 11:30 am - 9 pm | - |
| WED: | 11 am - 10 pm | 11 am - 10 pm | 11:30 am - 9 pm | 11:30 am - 9 pm | - |
| THU: | 11 am - 10 pm | 11 am - 10 pm | 11:30 am - 9 pm | 11:30 am - 9 pm | - |
| FRI: | 11 am - 12 am | 11 am - 12 am | 11:30 am - 9 pm | 11:30 am - 9 pm | - |
| SAT: | 11 am - 12 am | 11 am - 12 am | 11:30 am - 9 pm | 11:30 am - 9 pm | - |

License Number: ABRA-081849
 License Class/Type: C Restaurant
 ANC: 6E

Applicant: Fasil Ethiopian Restaurant, LLC
 Trade Name: Uptown Ethiopian Fusion Cuisine
 Premise Address: 1608 7TH ST NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 7 am - 2 am | 11 am -2 am | 9 pm - 2 am |
| MON: | 7 am - 2 am | 11 am - 2 am | 9 pm - 2 am |
| TUE: | 7 am - 2 am | 11 am - 2 am | 9 pm - 2 am |
| WED: | 7 am - 2 am | 11 am - 2 am | 9 pm - 2 am |
| THU: | 7 am - 2 am | 11 am - 2 am | 9 pm - 2 am |
| FRI: | 7 am - 3 am | 11 am - 3 am | 9 pm - 3 am |
| SAT: | 7 am - 3 am | 11 am - 3 am | 9 pm - 3 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-075952
License Class/Type: C Hotel
ANC: 2C

Applicant: Istithmar Hotels Washington, LLC
Trade Name: W Washington DC
Premise Address: 515 15TH ST NW

Endorsements: Cover Charge, Dancing, Entertainment, Sidewalk Cafe, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Summer Garden Operation | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|----------------------------------|------------------------|
| SUN: | 24 hours - | 10 am -2 am | 8 am - 12 am | | 6 pm - 2 am |
| MON: | 24 hours - | 8 am - 2 am | 8 am - 12 am | | 6 pm - 2 am |
| TUE: | 24 hours - | 8 am - 2 am | 8 am - 12 am | | 6 pm - 2 am |
| WED: | 24 hours - | 8 am - 2 am | 8 am - 12 am | | 6 pm - 2 am |
| THU: | 24 hours - | 8 am - 2 am | 8 am - 12 am | | 6 pm - 2 am |
| FRI: | 24 hours - | 8 am - 3 am | 8 am - 1 am | | 6 pm - 2 am |
| SAT: | 24 hours - | 8 am - 3 am | 8 am - 1 am | | 6 pm - 2 am |

License Number: ABRA-082284
License Class/Type: C Restaurant
ANC: 2C

Applicant: Pezzo Forte, Inc
Trade Name: Tuscana West
Premise Address: 1350 I ST NW

Endorsements: Cover Charge, Dancing, Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am -2 am | 10 am - 2 am | 10 am - 2 am | 6 pm - 1:30 am |
| MON: | 8 am - 2 am | 8 am - 2 am | 8 am - 2 am | 8 am - 2 am | 6 pm - 1:30 am |
| TUE: | 8 am - 2 am | 8 am - 2 am | 8 am - 2 am | 8 am - 2 am | 6 pm - 1:30 am |
| WED: | 8 am - 2 am | 8 am - 2 am | 8 am - 2 am | 8 am - 2 am | 6 pm - 1:30 am |
| THU: | 8 am - 2 am | 8 am - 2 am | 8 am - 2 am | 8 am - 2 am | 6 pm - 1:30 am |
| FRI: | 8 am - 3 am | 8 am - 3 am | 8 am - 3 am | 8 am - 3 am | 6 pm - 2:30 am |
| SAT: | 8 am - 3 am | 8 am - 3 am | 8 am - 3 am | 8 am - 3 am | 6 pm - 2:30 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-082329
 License Class/Type: C Restaurant
 ANC: 2C

Applicant: Bibiana LLC
 Trade Name: BiBiana
 Premise Address: 1100 NEW YORK AVE NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 12 am | 11 am -12 am | 11 am - 12 am | 11 am - 12 am | - |
| MON: | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | - |
| TUE: | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | - |
| WED: | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | - |
| THU: | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | - |
| FRI: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | - |
| SAT: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | - |

License Number: 6BABRA-082432
 License Class/Type: C Restaurant
 ANC: 6B

Applicant: Zest Bistro, Inc.
 Trade Name: Zest Bistro
 Premise Address: 735 8TH ST SE

Endorsements: Cover Charge, Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am -2 am | 10 am - 11 pm | 10 am - 11 pm | 11 am - 3 pm |
| MON: | 10 am - 2 am | 10 am - 2 am | 10 am - 11 pm | 10 am - 11 pm | 7:30 pm - 12 am |
| TUE: | 10 am - 2 am | 10 am - 2 am | 10 am - 11 pm | 10 am - 11 pm | 7:30 pm - 12 am |
| WED: | 10 am - 2 am | 10 am - 2 am | 10 am - 11 pm | 10 am - 11 pm | 7:30 pm - 12 am |
| THU: | 10 am - 2 am | 10 am - 2 am | 10 am - 11 pm | 10 am - 11 pm | 7:30 pm - 12 am |
| FRI: | 10 am - 3 am | 10 am - 3 am | 10 am - 12 am | 10 am - 12 am | 7:30 pm - 1 am |
| SAT: | 10 am - 3 am | 10 am - 3 am | 10 am - 12 am | 10 am - 12 am | 7:30 pm - 1 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-082437
 License Class/Type: C Arena
 ANC: 2C

Applicant: Aramark Entertainment, LLC
 Trade Name: Aramark Entertainment, LLC (Verizon Center)
 Premise Address: 601 F ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 8 am - 2 am | 10 am - 2 am | - |
| MON: | 8 am - 2 am | 8 am - 2 am | - |
| TUE: | 8 am - 2 am | 8 am - 2 am | - |
| WED: | 8 am - 2 am | 8 am - 2 am | - |
| THU: | 8 am - 2 am | 8 am - 2 am | - |
| FRI: | 8 am - 2 am | 8 am - 2 am | - |
| SAT: | 8 am - 2 am | 8 am - 2 am | - |

License Number: ABRA-082439
 License Class/Type: C Restaurant
 ANC: 6E

Applicant: Izakaya, LLC
 Trade Name: Kushi Izakaya
 Premise Address: 465 K ST NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 12 am |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 2 am |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 2 am |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 2 am |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 2 am |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 3 am |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 3 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-082446 Applicant: Kabab-Ji DC One, LLC
License Class/Type: C Restaurant Trade Name: Kababji
ANC: 2B Premise Address: 1351 CONNECTICUT AVE NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 6pm - 12am |
| MON: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 6pm - 12am |
| TUE: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 6pm - 12am |
| WED: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 6pm - 12am |
| THU: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 6pm - 12am |
| FRI: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 6pm - 12am |
| SAT: | 10 am - 3 am | 10 am - 3 am | 10 am - 3 am | 10 am - 3 am | 6pm - 12am |

License Number: ABRA-082457 Applicant: CUBA LIBRE DC LLC
License Class/Type: C Restaurant Trade Name: Cuba Libre Restaurant & Rum Bar
ANC: 2C Premise Address: 801 9TH ST NW

Endorsements: Cover Charge, Dancing, Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 3 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| MON: | 11 am - 3 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| TUE: | 11 am - 3 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| WED: | 11 am - 3 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| THU: | 11 am - 3 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| FRI: | 11 am - 4 am | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 6 pm - 3 am |
| SAT: | 11 am - 4 am | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 6 pm - 3 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-078882
 License Class/Type: C Restaurant
 ANC: 1B

Applicant: Eatonville, Inc.
 Trade Name: Eatonville
 Premise Address: 2121 14TH ST NW

Endorsements: Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 7am - 2 am | 10 am -2 am | 9 am - 12 am | 9 am - 12 am | 6 pm - 10 pm |
| MON: | 7am - 2 am | 8 am - 2 am | 9 am - 12 am | 9 am - 12 am | 6 pm - 10 pm |
| TUE: | 7am - 2 am | 8 am - 2 am | 9 am - 12 am | 9 am - 12 am | 6 pm - 10 pm |
| WED: | 7am - 2 am | 8 am - 2 am | 9 am - 12 am | 9 am - 12 am | 6 pm - 10 pm |
| THU: | 7am - 2 am | 8 am - 2 am | 9 am - 12 am | 9 am - 12 am | 6 pm - 10 pm |
| FRI: | 7am - 3 am | 8 am - 3 am | 9 am - 12 am | 9 am - 12 am | 6 pm - 10 pm |
| SAT: | 7am - 3 am | 8 am - 3 am | 9 am - 12 am | 9 am - 12 am | 6 pm - 10 pm |

License Number: ABRA-082569
 License Class/Type: C Restaurant
 ANC: 6B

Applicant: Four Partners LLC
 Trade Name: Ted's Bulletin
 Premise Address: 505 8th ST SE

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am -2 am | 11am - 11pm | 11am - 11pm | - |
| MON: | 11 am - 2 am | 11 am - 2 am | 11am - 11pm | 11am - 11pm | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11am - 11pm | 11am - 11pm | - |
| WED: | 11 am - 2 am | 11 am - 2 am | 11am - 11pm | 11am - 11pm | - |
| THU: | 11 am - 2 am | 11 am - 2 am | 11am - 11pm | 11am - 11pm | - |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11am - 11pm | 11am - 11pm | - |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11am - 11pm | 11am - 11pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-083131
 License Class/Type: C Restaurant
 ANC: 2B

Applicant: Ezme, Inc.
 Trade Name: Ezme
 Premise Address: 2016 P ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10 am - 12 am | 10 am -10 pm | 10 am - 12 am | 10am - 10 pm | - |
| MON: | 11 am - 12 am | 11 am - 10 pm | 11 am - 12 am | 11 am - 10 pm | - |
| TUE: | 11 am - 12 am | 11 am - 10 pm | 11 am - 12 am | 11 am - 10 pm | - |
| WED: | 11 am - 12 am | 11 am - 10 pm | 11 am - 12 am | 11 am - 10 pm | - |
| THU: | 11 am - 12 am | 11 am - 10:30 pm | 11 am - 12 am | 11 am - 10:30 pm | - |
| FRI: | 11 am - 1 am | 11 am - 11 pm | 11 am - 1 am | 11 am - 11 pm | - |
| SAT: | 10 am - 1 am | 11 am - 11 pm | 11 am - 1 am | 11 am - 11 pm | - |

License Number: ABRA-084428
 License Class/Type: C Restaurant
 ANC: 2C

Applicant: BL Restaurant Operations LLC
 Trade Name: Bar Louie
 Premise Address: 701 7th ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am -2 am | - |
| MON: | 11 am - 2 am | 11 am - 2 am | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | - |
| WED: | 11 am - 2 am | 11 am - 2 am | - |
| THU: | 11 am - 2 am | 11 am - 2 am | - |
| FRI: | 11 am - 3 am | 11 am - 3 am | - |
| SAT: | 11 am - 3 am | 11 am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-085207
 License Class/Type: C Multipurpose
 ANC: 6A

Applicant: Atlas Performing Arts Center
 Trade Name: Atlas Performing Arts Center
 Premise Address: 1333 H ST NE

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10am - 2am | 11am -2am | - |
| MON: | 10am - 2am | 11am - 2am | - |
| TUE: | 10am - 2am | 11am - 2am | - |
| WED: | 10am - 2am | 11am - 2am | - |
| THU: | 10am - 2am | 11am - 2am | - |
| FRI: | 10am - 2am | 11am - 2am | - |
| SAT: | 10am - 2am | 11am - 2am | - |

License Number: ABRA-085239
 License Class/Type: C Restaurant
 ANC: 4B

Applicant: Sunshine Bar & Lounge LLC
 Trade Name: Sunshine Bar & Lounge
 Premise Address: 7331 Georgia AVE NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11am - 2am | 11am -2am | 11am - 12am | 11am - 12am | 9pm - 12am |
| MON: | 11am - 2am | 11am - 2am | 11am - 11 pm | 11am - 11pm | 9pm - 12am |
| TUE: | 11am - 2am | 11am - 2am | 11am - 11pm | 11am - 11pm | 9pm - 12am |
| WED: | 11am - 2am | 11am - 2am | 11am - 11pm | 11am - 11pm | 9pm - 12am |
| THU: | 11am - 2am | 11am - 2am | 11am - 11pm | 11am - 11pm | 9pm - 12am |
| FRI: | 11am - 3am | 11am - 3am | 11am - 11pm | 11am - 11pm | 9pm - 3am |
| SAT: | 11am - 3am | 11am - 3am | 11am - 12am | 11am - 12am | 9pm - 3am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-085256
License Class/Type: C Hotel
ANC: 2C

Applicant: Jayhawk Lessee, LLC
Trade Name: Hotel Monaco & Poste Restaurant
Premise Address: 700 F ST NW

Endorsements: Dancing, Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 24 Hours - | 10 am - 2 am | | 10 am - 2 am | 6 pm - 2 am |
| MON: | 24 Hours - | 8 am - 2 am | | 8 am - 2 am | 6 pm - 2 am |
| TUE: | 24 Hours - | 8 am - 2 am | | 8 am - 2 am | 6 pm - 2 am |
| WED: | 24 Hours - | 8 am - 2 am | | 8 am - 2 am | 6 pm - 2 am |
| THU: | 24 Hours - | 8 am - 2 am | | 8 am - 2 am | 6 pm - 2 am |
| FRI: | 24 Hours - | 8 am - 2 am | | 8 am - 2 am | 6 pm - 2 am |
| SAT: | 24 Hours - | 8 am - 2 am | | 8 am - 2 am | 6 pm - 2 am |

License Number: ABRA-085367
License Class/Type: C Restaurant
ANC: 2E

Applicant: Bakhtar Group LLC
Trade Name: Malmaison
Premise Address: 3401 K ST NW

Endorsements: Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 7am - 12am | 10am -12am | 6pm - 12am |
| MON: | 7am - 12am | 8am - 12am | 6pm - 12am |
| TUE: | 7am - 12am | 8am - 12am | 6pm - 12am |
| WED: | 7am - 12am | 8am - 12am | 6pm - 12am |
| THU: | 7am - 2am | 8am - 2am | 6pm - 2am |
| FRI: | 7am - 3am | 8am - 3am | 6pm - 3am |
| SAT: | 7am - 3am | 8am - 3am | 6pm - 3am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-085719 **Applicant: LPBS Group Inc.**
License Class/Type: C Restaurant **Trade Name: Neisha Thai**
ANC: 3E **Premise Address: 4445 WISCONSIN AVE NW**

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 11 pm | 11 am -11 pm | 11 am - 11 pm | 11 am - 11 pm | 6:30 pm - 9:30 pm |
| MON: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | - |
| TUE: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | - |
| WED: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 6:30 pm - 9:30 pm |
| THU: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 6:30 pm - 9:30 pm |
| FRI: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 7 pm - 10 pm |
| SAT: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 7 pm - 10 pm |

License Number: ABRA-085865 **Applicant: A.C. Adams LLC**
License Class/Type: C Restaurant **Trade Name: Mintwood Place**
ANC: 1C **Premise Address: 1811 A - 1813 COLUMBIA RD NW**

Endorsements: Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 7 am - 2 am | 10 am -2 am | 8 am - 11 pm | 10 am - 11 pm | 6 pm - 1 am |
| MON: | 7 am - 2 am | 8 am - 2 am | 8 am - 11 pm | 8 am - 11 pm | 6 pm - 1 am |
| TUE: | 7 am - 2 am | 8 am - 2 am | 8 am - 11 pm | 8 am - 11 pm | 6 pm - 1 am |
| WED: | 7 am - 2 am | 8 am - 2 am | 8 am - 11 pm | 8 am - 11 pm | 6 pm - 1 am |
| THU: | 7 am - 2 am | 8 am - 2 am | 8 am - 11 pm | 8 am - 11 pm | 6 pm - 1 am |
| FRI: | 7 am - 3 am | 8 am - 3 am | 8 am - 12 am | 8 am - 12 am | 6 pm - 2 am |
| SAT: | 7 am - 3 am | 8 am - 3 am | 8 am - 12 am | 8 am - 12 am | 6 pm - 2 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-086013
 License Class/Type: C Restaurant
 ANC: 3F

Applicant: UGLY MUG, LLC
 Trade Name: JAKE'S AMERICAN GRILLE
 Premise Address: 5016 - 5018 CONNECTICUT AVE NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|---------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10 am - 12 MIDNIGHT | 10 am -12 MIDNIGHT | 10 am - 12 MIDNIGHT | 10 am - 12 MIDNIGHT | 10 am - 12 MIDNIGHT |
| MON: | 10 am - 12 MIDNIGHT | 10 am - 12 MIDNIGHT | 10 am - 12 MIDNIGHT | 10 am - 12 MIDNIGHT | 10 am - 12 MIDNIGHT |
| TUE: | 10 am - 12 MIDNIGHT | 10 am - 12 MIDNIGHT | 10 am - 12 MIDNIGHT | 10 am - 12 MIDNIGHT | 10 am - 12 MIDNIGHT |
| WED: | 10 am - 12 MIDNIGHT | 10 am - 12 aMIDNIGHT | 10 am - 12 MIDNIGHT | 10 am - 12 MIDNIGHT | 10 am - 12 MIDNIGHT |
| THU: | 10 am - 12 MIDNIGHT | 10 am - 12 MIDNIGHT | 10 am - 12 MIDNIGHT | 10 am - 12 MIDNIGHT | 10 am - 12 MIDNIGHT |
| FRI: | 10 am - 1 am | 10 am - 1 am | 10 am - 12 MIDNIGHT | 10 am - 12 MIDNIGHT | 10 am - 1 am |
| SAT: | 10 am - 1 am | 10 am - 1 am | 10 am - 12 MIDNIGHT | 10 am - 12 MIDNIGHT | 10 am - 1 am |

License Number: ABRA-086142
 License Class/Type: C Restaurant
 ANC: 6B

Applicant: Senart's Oyster House, LLC
 Trade Name: Senart's Oyster & Chop House
 Premise Address: 520 8TH ST SE

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am -2 am | 10 am - 1 am | 10 am - 1 am | - |
| MON: | 8 am - 2 am | 8 am - 2 am | 8 am - 1 am | 8 am - 1 am | - |
| TUE: | 8 am - 2 am | 8 am - 2 am | 8 am - 1 am | 8 am - 1 am | - |
| WED: | 8 am - 2 am | 8 am - 2 am | 8 am - 1 am | 8 am - 1 am | - |
| THU: | 8 am - 2 am | 8 am - 2 am | 8 am - 1 am | 8 am - 1 am | - |
| FRI: | 8 am - 3 am | 8 am - 3 am | 8 am - 2 am | 8 am - 2 am | - |
| SAT: | 8 am - 3 am | 8 am - 3 am | 8 am - 2 am | 8 am - 2 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-086154
 License Class/Type: C Restaurant
 ANC: 2C

Applicant: Luby's Fuddruckers Restaurant, LLC
 Trade Name: FUDDRUCKERS
 Premise Address: 734 7TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 10 pm | 11 am -10 pm | - |
| MON: | 11 am - 10 pm | 11 am - 10 pm | - |
| TUE: | 11 am - 10 pm | 11 am - 10 pm | - |
| WED: | 11 am - 10 pm | 11 am - 10 pm | - |
| THU: | 11 am - 10 pm | 11 am - 10 pm | - |
| FRI: | 11 am - 11 pm | 11 am - 11 pm | - |
| SAT: | 11 am - 11 pm | 11 am - 11 pm | - |

License Number: ABRA-086192
 License Class/Type: C Restaurant
 ANC: 6D

Applicant: Hubalou, LLC
 Trade Name: Station 4
 Premise Address: 1101 4th ST SW

Endorsements: Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am -2 am | 10 am - 12 am | 10 am - 12 am | 9 pm - 1:30 am |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | 9 pm - 1:30 am |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | 9 pm - 1:30 am |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | 9 pm - 1:30 am |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | 9 pm - 1:30 am |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11 am - 12 am | 11 am - 12 am | 9 pm - 2:30 am |
| SAT: | 10 am - 3 am | 10 am - 3 am | 10 am - 12 am | 10 am - 12 am | 9 pm - 2:30 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-086253 Applicant: Kampai, LLC
 License Class/Type: C Restaurant Trade Name: Zabb Asian Restaurant
 ANC: 2B Premise Address: 1836 18TH ST NW

Endorsements: Sidewalk Cafe, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Summer Garden Operation | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|----------------------------------|------------------------|
| SUN: | 10:30 am - 2 am | 10:30 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |
| MON: | 10:30 am - 2 am | 10:30 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |
| TUE: | 10:30 am - 2 am | 10:30 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |
| WED: | 10:30 am - 2 am | 10:30 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |
| THU: | 10:30 am - 2 am | 10:30 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |
| FRI: | 10:30 am - 3 am | 10:30 am - 3 am | 11 am - 12 am | 11 am - 12 am | - |
| SAT: | 10:30 am - 3 am | 10:30 am - 3 am | 11 am - 12 am | 11 am - 12 am | - |

License Number: ABRA-086339 Applicant: FT DC, LLC
 License Class/Type: C Restaurant Trade Name: FIOLA
 ANC: 2C Premise Address: 601 Pennsylvania AVE NW

Endorsements: Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 5pm - 11pm | 5pm - 11pm | 5pm - 11pm | 5pm - 11pm | 6pm - 11pm |
| MON: | 11:45am - 12:30am | 11:45am - 12:30am | 11:45 - 11 pm | 11:45am - 11 pm | 6pm - 12:30am |
| TUE: | 11:45am - 12:30am | 11:45am - 12:30am | 11:45am - 11 pm | 11:45am - 11 pm | 6pm - 12:30am |
| WED: | 11:45am - 12:30am | 11:45am - 12:30am | 11:45am - 11 pm | 11:45am - 11 pm | 6pm - 12:30am |
| THU: | 11:45am - 12:30am | 11:45am - 12:30am | 11:45am - 11 pm | 11:45am - 11 pm | 6pm - 12:30am |
| FRI: | 11:45am - 1am | 11:45am - 1am | 11:45am - 12 am | 11:45am - 12 am | 6pm - 1am |
| SAT: | 11:45am - 1am | 11:45am - 1am | 11:45am - 12 am | 11:45am - 12 am | 6pm - 1am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-086361
 License Class/Type: C Restaurant
 ANC: 2C

Applicant: 202 By Pi, LLC
 Trade Name: District of Pi
 Premise Address: 910 F ST NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 8 am - 1 am | 10 am -1 am | - |
| MON: | 8 am - 1 am | 8 am - 1 am | - |
| TUE: | 8 am - 1 am | 8 am - 1 am | - |
| WED: | 8 am - 1 am | 8 am - 1 am | - |
| THU: | 8 am - 1 am | 8 am - 1 am | 6 pm - 1 am |
| FRI: | 8 am - 2 am | 8 am - 2 am | 6 pm - 2 am |
| SAT: | 8 am - 2 am | 8 am - 2 am | 6 pm - 2 am |

License Number: ABRA-086393
 License Class/Type: C Restaurant
 ANC: 6E

Applicant: Beau Thai LLC
 Trade Name: Beau Thai Restaurant
 Premise Address: 1700 NEW JERSEY AVE NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 11 pm | 11 am -11 pm | 11 am - 11 pm | 11 am - 11 pm | - |
| MON: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | - |
| TUE: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | - |
| WED: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | - |
| THU: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | - |
| FRI: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | - |
| SAT: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-086623
License Class/Type: C Restaurant
ANC: 1A

Applicant: Margots Chair, Inc.
Trade Name: The Coupe
Premise Address: 3415 11th ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 24 Hours - | 10 am - 2 am | - |
| MON: | 24 Hours - | 10 am - 2 am | - |
| TUE: | 24 Hours - | 10 am - 2 am | - |
| WED: | 24 Hours - | 10 am - 2 am | - |
| THU: | 24 Hours - | 10 am - 2 am | - |
| FRI: | 24 Hours - | 10 am - 3 am | - |
| SAT: | 24 Hours - | 10 am - 3 am | - |

License Number: ABRA-086726
License Class/Type: C Restaurant
ANC: 2A

Applicant: MHG Cafe Foggy Bottom, LLC
Trade Name: Circa at Foggy Bottom
Premise Address: 2221 I ST NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 8 am - 1 am | 8 am - 1 am | 8 am - 1 am | 8 am - 1 am | - |
| MON: | 8 am - 1 am | 8 am - 1 am | 8 am - 1 am | 8 am - 1 am | - |
| TUE: | 8 am - 1 am | 8 am - 1 am | 8 am - 1 am | 8 am - 1 am | - |
| WED: | 8 am - 1 am | 8 am - 1 am | 8 am - 1 am | 8 am - 1 am | - |
| THU: | 8 am - 1 am | 8 am - 1 am | 8 am - 1 am | 8 am - 1 am | - |
| FRI: | 8 am - 2 am | 8 am - 2 am | 8 am - 2 am | 8 am - 2 am | - |
| SAT: | 8 am - 2 am | 8 am - 2 am | 8 am - 2 am | 8 am - 2 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-086790
License Class/Type: C Restaurant
ANC: 3D

Applicant: Good Neighbors, LLC
Trade Name: Salt & Pepper
Premise Address: 5125 MacArthur Boulevard BLVD N

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 6 am - 11 pm | 10 am -11 pm | 8 am - 11 pm | 10 am - 11 pm | - |
| MON: | 6 am - 11 pm | 10 am - 11 pm | 8 am - 11 pm | 10 am - 11 pm | - |
| TUE: | 6 am - 11 pm | 10 am - 11 pm | 8 am - 11 pm | 10 am - 11 pm | - |
| WED: | 6 am - 11 pm | 10 am - 11 pm | 8 am - 11 pm | 10 am - 11 pm | - |
| THU: | 6 am - 11 pm | 10 am - 11 pm | 8 am - 11 pm | 10 am - 11 pm | - |
| FRI: | 6 am - 12 am | 10 am - 12 am | 8 am - 12 am | 10 am - 12 am | - |
| SAT: | 6 am - 12 am | 10 am - 12 am | 8 am - 12 am | 10 am - 12 am | - |

License Number: ABRA-086825
License Class/Type: C Restaurant
ANC: 6E

Applicant: Bohemian Restaurants, LLC
Trade Name: Bistro Bohem
Premise Address: 1840 6th ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 7 am - 2 am | 10 am -2 am | 7 am - 1 am | 10 am - 1 am | - |
| MON: | 7 am - 2 am | 11:30 am - 2 am | 7 am - 1 am | 11:30 am - 1 am | - |
| TUE: | 7 am - 2 am | 11:30 am - 2 am | 7 am - 1 am | 11:30 am - 1 am | - |
| WED: | 7 am - 2 am | 11:30 am - 2 am | 7 am - 1 am | 11:30 am - 1 am | - |
| THU: | 7 am - 2 am | 11:30 am - 2 am | 7 am - 1 am | 11:30 am - 1 am | - |
| FRI: | 7 am - 3 am | 11:30 am - 3 am | 7 am - 2 am | 11:30 am - 2 am | - |
| SAT: | 7 am - 3 am | 10am - 3 am | 7 am - 2 am | 10 am - 2 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-087031 Applicant: Cucina Moderna LLC
License Class/Type: C Restaurant Trade Name: Elisir Restaurant
ANC: 2C Premise Address: 427 11th ST NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 6 pm - 3 am |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 6 pm - 3 am |

License Number: ABRA-087042 Applicant: Rasika West End LLC
License Class/Type: C Restaurant Trade Name: Rasika West End
ANC: 2A Premise Address: 1177 22nd ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11am - 2am | 11am - 2am | 11am - 2am | 11am - 2am | - |
| MON: | 11am - 2am | 11am - 2am | 11am - 2am | 11am - 2am | - |
| TUE: | 11am - 2am | 11am - 2am | 11am - 2am | 11am - 2am | - |
| WED: | 11am - 2am | 11am - 2am | 11am - 2am | 11am - 2am | - |
| THU: | 11am - 2am | 11am - 2am | 11am - 2am | 11am - 2am | - |
| FRI: | 11am - 2am | 11am - 2am | 11am - 2am | 11am - 2am | - |
| SAT: | 11am - 2am | 11am - 2am | 11am - 2am | 11am - 2am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-087113
 License Class/Type: C Hotel
 ANC: 6D

Applicant: CHSP TRS NAVY YARD LLC
 Trade Name: Courtyard By Marriott
 Premise Address: 140 L ST SE

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 24 hr - | 11 am - 2 am | 11 am - 10:30 pm | 11 am - 10:30 pm | 6 pm - 11 pm |
| MON: | 24 hr - | 11 am - 2 am | 11 am - 10:30 pm | 11 am - 10:30 pm | 6 pm - 11 pm |
| TUE: | 24 hr - | 11 am - 2 am | 11 am - 10:30 pm | 11 am - 10:30 pm | 6 pm - 11 pm |
| WED: | 24 hrs - | 11 am - 2 am | 11 am - 10:30 pm | 11 am - 10:30 pm | 6 pm - 11 pm |
| THU: | 24 hrs - | 11 am - 2 am | 11 am - 10:30 pm | 11 am - 10:30 pm | 6 pm - 11 pm |
| FRI: | 24 hrs - | 11 am - 3 am | 11 am - 11:30 pm | 11 am - 11:30 pm | 6 pm - 12 am |
| SAT: | 24 hrs - | 11 am - 3 am | 11 am - 11:30 pm | 11 am - 11:30 pm | 6 pm - 12 am |

License Number: ABRA-087236
 License Class/Type: C Restaurant
 ANC: 2C

Applicant: Yuan Profit, Inc.
 Trade Name: New Big Wong
 Premise Address: 610 H ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10:30 an - 3 am | 10:30 am - 2 am | - |
| MON: | 10:30 am - 3 am | 10:30 am - 2 am | - |
| TUE: | 10:30 am - 3 am | 10:30 am - 2 am | - |
| WED: | 10:30 am - 3 am | 10:30 am - 2 am | - |
| THU: | 10:30 am - 3 am | 10:30 am - 2 am | - |
| FRI: | 10:30 am - 5 am | 10:30 am - 3 am | - |
| SAT: | 10:30 am - 5 am | 10:30 am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-087627
License Class/Type: C Multipurpose
ANC: 2C

Applicant: Facility Concession Services Inc
Trade Name: Spectrum
Premise Address: 1299 PENNSYLVANIA AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 8am - 2am | 8am -2am | - |
| MON: | 8am - 2am | 8am - 2am | - |
| TUE: | 8am - 2am | 8am - 2am | - |
| WED: | 8am - 2am | 8am - 2am | - |
| THU: | 8am - 2am | 8am - 2am | - |
| FRI: | 8am - 3am | 8am - 3am | - |
| SAT: | 8am - 3am | 8am - 3am | - |

License Number: ABRA-087661
License Class/Type: C Restaurant
ANC: 3B

Applicant: Five Glovers, LLC
Trade Name: Town Hall
Premise Address: 2340 - 2346 Wisconsin AVE NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11:00 am - 1 am | 11:00 am -1 am | 11:00 am - 1 am | 11:00 am - 1 am | - |
| MON: | 11:00 am - 1 am | 11:00 am - 1 am | 11:00 am - 1 am | 11:00 am - 1 am | - |
| TUE: | 11:00 am - 1 am | 11:00 am - 1 am | 11:00 am - 1 am | 11:00 am - 1 am | - |
| WED: | 11:00 am - 1 am | 11:00 am - 1 am | 11:00 am - 1 am | 11:00 am - 1 am | - |
| THU: | 11:00 am - 1 am | 11:00 am - 1 am | 11:00 am - 1 am | 11:00 am - 1 am | - |
| FRI: | 11:00 am - 3 am | 11:00 am - 3 am | 11:00 am - 3 am | 11:00 am - 3 am | - |
| SAT: | 11:00 am - 3 am | 11:00 am - 3 am | 11:00 am - 3 am | 11:00 am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-087794
License Class/Type: C Restaurant
ANC: 2B

Applicant: Boqueria DC LLC
Trade Name: Boqueria
Premise Address: 1837 M ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 8 am - 1 am | 10 am - 1 am | 11 am - 11:30 pm | 11 am - 11:30 pm | - |
| MON: | 8 am - 1 am | 8 am - 1 am | 11 am - 11:30 pm | 11 am - 11:30 pm | - |
| TUE: | 8 am - 1 am | 8 am - 1 am | 11 am - 11:30 pm | 11 am - 11:30 pm | - |
| WED: | 8 am - 1 am | 8 am - 1 am | 11 am - 11:30 pm | 11 am - 11:30 pm | - |
| THU: | 8 am - 1 am | 8 am - 1 am | 11 am - 11:30 pm | 11 am - 11:30 pm | - |
| FRI: | 8 am - 1:45 am | 8 am - 1:45 am | 11 am - 11:30 pm | 11 am - 11:30 pm | - |
| SAT: | 8 am - 1:45 am | 8 am - 1:45 am | 11 am - 11:30 pm | 11 am - 11:30 pm | - |

License Number: ABRA-088727
License Class/Type: C Restaurant
ANC: 2C

Applicant: 600 F D.C. LLC
Trade Name: Fuel Pizza & Wings
Premise Address: 600 F ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | - |
| MON: | 11 am - 2 am | 11 am - 2 am | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | - |
| WED: | 11 am - 2 am | 11 am - 2 am | - |
| THU: | 11 am - 2 am | 11 am - 2 am | - |
| FRI: | 11 am - 2 am | 11 am - 2 am | - |
| SAT: | 11 am - 2 am | 11 am - 2 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-088757
License Class/Type: C Restaurant
ANC: 4C

Applicant: EL Don LLC
Trade Name: EL DON Restaurant
Premise Address: 4403 14th ST NW

Endorsements: Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 7 am - 2 am | 10 am - 2 am | 6 pm - 11 pm |
| MON: | 7 am - 2 am | 8 am - 2 am | 6 pm - 11 pm |
| TUE: | 7 am - 2 am | 8 am - 2 am | 6 pm - 11 pm |
| WED: | 7 am - 2 am | 8 am - 2 am | 6 pm - 11 pm |
| THU: | 7 am - 2 am | 8 am - 2 am | 6 pm - 11 pm |
| FRI: | 7 am - 3 am | 8 am - 3 am | 6 pm - 12 am |
| SAT: | 7 am - 3 am | 8 am - 3 am | 6 pm - 12 am |

License Number: ABRA-088850
License Class/Type: C Restaurant
ANC: 1A

Applicant: Ruby Tuesday Inc.
Trade Name: Lime Fresh Mexican Grill #6312
Premise Address: 3100 14th ST NW, STE# 104

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11am - 11pm | 11am - 11pm | - |
| MON: | 11am - 11pm | 11am - 11pm | - |
| TUE: | 11am - 11pm | 11am - 11pm | - |
| WED: | 11am - 11pm | 11am - 11pm | - |
| THU: | 11am - 11pm | 11am - 11pm | - |
| FRI: | 11am - 12am | 11am - 12am | - |
| SAT: | 11am - 12am | 11am - 12am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-089785
License Class/Type: C Restaurant
ANC: 2F

Applicant: Barcelona 14th Street, LLC
Trade Name: Barcelona Restaurant 405.1
Premise Address: 1622 14th ST NW

Endorsements: Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 12 pm - 12 am | 12 pm -12 am | 12 pm - 12 am | 12 p m - 12 am | 6 pm - 12 am |
| MON: | 12 pm - 12 am | 12 pm - 12 am | 12pm - 12 am | 12 pm - 12 am | 6 pm - 12 am |
| TUE: | 12 pm - 2 am | 12 pm - 2 am | 12 pm - 12 am | 12pm - 12 am | 6 pm - 12 am |
| WED: | 12 pm - 2 am | 12 pm - 2 am | 12 pm - 12 am | 12 pm - 12 am | 6 pm - 2 am |
| THU: | 12 pm - 2 am | 12 pm - 2 am | 12 pm - 12 am | 12 pm - 12 am | 6 pm - 2 am |
| FRI: | 12 pm - 2 am | 12 pm - 2 am | 12 pm - 12 am | 12 pm - 12 am | 6 pm - 2 am |
| SAT: | 12 pm - 2 am | 12 pm - 2 am | 12 pm - 12 am | 12 pm - 12 am | 6 pm - 2 am |

License Number: ABRA-089823
License Class/Type: C Restaurant
ANC: 1B

Applicant: AXUMAWIT INCORORATION INC.
Trade Name: Axum Restaurant
Premise Address: 1934 9th ST NW

Endorsements: Cover Charge, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10am - 2am | 10 am -2 am | 9 pm - 1:30am |
| MON: | 10am - 2am | 10 am - 2 am | 9 pm - 1:30am |
| TUE: | 10am - 2am | 10am - 2am | 9pm - 1:30am |
| WED: | 10am - 2am | 10 am - 2am | 9pm - 1:30am |
| THU: | 10am - 2am | 10am - 2am | 9pm - 1:30am |
| FRI: | 10am - 3am | 10am - 3am | 9pm - 2:30am |
| SAT: | 10am - 3am | 10am - 3am | 9pm - 2:30am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-090240
License Class/Type: C Restaurant
ANC: 6B

Applicant: BALKAN CONCEPTS LLC
Trade Name: AMBAR
Premise Address: 523 8th ST SE

Endorsements: Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 9am - 2am | 9am -2am | 9am - 2 am | 9am - 2am | 9am - 2am |
| MON: | 9am - 2am | 9am - 2am | 9am - 2am | 9am - 2am | 9am - 2am |
| TUE: | 9am - 2am | 9am - 2am | 9am - 2am | 9am - 2am | 9am - 2am |
| WED: | 9am - 2am | 9am - 2am | 9am - 2am | 9am - 2am | 9am - 2am |
| THU: | 9am - 2am | 9am - 2am | 9am - 2am | 9am - 2am | 9am - 2am |
| FRI: | 9am - 3am | 9am - 3am | 9am - 3am | 9am - 3am | 9am - 3am |
| SAT: | 9am - 3am | 9am - 3am | 9am - 3am | 9am - 3am | 9am - 3am |

License Number: ABRA-090422
License Class/Type: C Restaurant
ANC: 1B

Applicant: ROMYO LLC
Trade Name: Ambassador Restaurant
Premise Address: 1907 9th ST NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am -2 am | 10 pm - 1 am |
| MON: | 8 am - 2 am | 8 am - 2 am | 10 pm - 2 am |
| TUE: | 8 am - 2 am | 8 am - 2 am | 10 pm - 2 am |
| WED: | 8 am - 2 am | 8 am - 2 am | 10 pm - 2 am |
| THU: | 8 am - 2 am | 8 am - 2 am | 10 pm - 2 am |
| FRI: | 8 am - 3 am | 8 am - 3 am | 10 pm - 3 am |
| SAT: | 8 am - 3 am | 8 am - 3 am | 10 pm - 3 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-090464 Applicant: THIRTEENTH STEP, LLC
License Class/Type: C Restaurant Trade Name: Kitty O'Shea's DC
ANC: 3E Premise Address: 4624 WISCONSIN AVE NW

Endorsements: Cover Charge, Dancing, Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 8 am - 2 am | 8 am - 2 am | 10 am - 1 am | 10 am - 1 am | 10 am - 12:30 am |
| MON: | 8 am - 2 am | 8 am - 2 am | 10 am - 1 am | 10 am - 1 am | 10 am - 12:30 am |
| TUE: | 8 am - 2 am | 8 am - 2 am | 10 am - 1 am | 10 am - 1 am | 10 am - 12:30 am |
| WED: | 8 am - 2 am | 8 am - 2 am | 10 am - 1 am | 10 am - 1 am | 10 am - 12:30 am |
| THU: | 8 am - 2 am | 8 am - 2 am | 10 am - 1 am | 10 am - 1 am | 10 am - 12:30 am |
| FRI: | 8 am - 3 am | 8 am - 3 am | 10 am - 2 am | 10 am - 2 am | 10 am - 1 am |
| SAT: | 8 am - 3 am | 8 am - 3 am | 10 am - 2 am | 10 am - 2 am | 10 am - 1 am |

License Number: ABRA-090488 Applicant: BAR DI BARI, LLC
License Class/Type: C Restaurant Trade Name: BAR BARI 405.1
ANC: 2F Premise Address: 1401 R ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 6:30am - 1am | 8:30am - 1am | 6:30am - 11pm | | - |
| MON: | 6:30am - 1am | 8:30am - 1am | 6:30am - 11pm | | - |
| TUE: | 6:30am - 1am | 8:30am - 1am | 6:30am - 11pm | | - |
| WED: | 6:30am - 1am | 8:30am - 1am | 6:30am - 11pm | | - |
| THU: | 6:30am - 1am | 8:30am - 1am | 6:30am - 11pm | | - |
| FRI: | 6:30am - 2am | 8:30am - 2am | 6:30am - 12am | | - |
| SAT: | 6:30am - 2am | 8:30am - 2am | 6:30am - 12am | | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-090698
License Class/Type: C Restaurant
ANC: 3E

Applicant: Cava Mezze Grill Tenleytown, LLC
Trade Name: Cava Mezze Grill
Premise Address: 4237 Wisconsin AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|---------------------|------------------------|------------------------|
| SUN: | 11:30 am - 10:30 pm | 11:30 am -10:30 pm | - |
| MON: | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | - |
| TUE: | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | - |
| WED: | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | - |
| THU: | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | - |
| FRI: | 11:30 am - 11:00 pm | 11:30 am - 11:00 pm | - |
| SAT: | 11:30 am - 11:00 pm | 11:30 am - 11:00 pm | - |

License Number: ABRA-090804
License Class/Type: C Hotel
ANC: 3C

Applicant: CS Bond St. AB-S Holdings, LLC
Trade Name: Savoy Suites Hotel
Premise Address: 2505 WISCONSIN AVE NW

Endorsements: Dancing, Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 24 hours - | 10 am -12 am | 7 am - 12 am | 10 am - 12 am | 6 pm - 12 am |
| MON: | 24 hours - | 8 am - 1 am | 7 am - 1 am | 8 am - 1 am | 6 pm - 12 am |
| TUE: | 24 hours - | 8 am - 1 am | 7 am - 1 am | 8 am - 1 am | 6 pm - 12 am |
| WED: | 24 hours - | 8 am - 1 am | 7 am - 1 am | 8 am - 1 am | 6 pm - 12 am |
| THU: | 24 hours - | 8 am - 1 am | 7 am - 1 am | 8 am - 1 am | 6 pm - 12 am |
| FRI: | 24 hours - | 8 am - 1 am | 7 am - 1 am | 8 am - 1 am | 6 pm - 12 am |
| SAT: | 24 hours - | 8 am - 1 am | 7 am - 1 am | 8 am - 1 am | 6 pm - 12 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-091129
License Class/Type: C Restaurant
ANC: 2B

Applicant: Telavi Hospitality, Inc.
Trade Name: Levante's
Premise Address: 1320 19TH ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 12 am | 11 am -12 am | 11 am - 10 pm | 11 am - 10 pm | - |
| MON: | 11 am - 1 am | 11 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | - |
| TUE: | 11 am - 1 am | 11 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | - |
| WED: | 11 am - 1 am | 11 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | - |
| THU: | 11 am - 1 am | 11 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | - |
| FRI: | 11 am - 1 am | 11 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | - |
| SAT: | 11 am - 1 am | 11 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | - |

License Number: ABRA-091333
License Class/Type: C Restaurant
ANC: 2B

Applicant: POR JAI LLC
Trade Name: Bangkok Thai Dining
Premise Address: 2016 P ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 12 pm - 10:30 pm | 12 pm -10:30 pm | - |
| MON: | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| TUE: | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| WED: | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| THU: | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| FRI: | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| SAT: | 12 pm - 11 pm | 12 pm - 11 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-089933
License Class/Type: C Restaurant
ANC: 1A

Applicant: Tekeab H. Habtu
Trade Name: Kokeb Ethiopian Restaurant(Stipulated license)
Premise Address: 3013 GEORGIA AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 8 am - 2 am | 8 am - 2 am | - |
| MON: | 8 am - 2 am | 8 am - 2 am | - |
| TUE: | 8 am - 2 am | 8 am - 2 am | - |
| WED: | 8 am - 2 am | 8 am - 2 am | - |
| THU: | 8 am - 2 am | 8 am - 2 am | - |
| FRI: | 8 am - 3 am | 8 am - 3 am | - |
| SAT: | 8 am - 3 am | 8 am - 3 am | - |

License Number: ABRA-077573
License Class/Type: C Multipurpose
ANC: 2C

Applicant: Wolfgang Puck Catering and Events, LLC
Trade Name: Newseum
Premise Address: 555 PENNSYLVANIA AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 7 am - 2 am | 10 am - 2 am | 6 pm - 2 am |
| MON: | 7 am - 2 am | 8 am - 2 am | 6 pm - 2 am |
| TUE: | 7 am - 2 am | 8 am - 2 am | 6 pm - 2 am |
| WED: | 7 am - 2 am | 8 am - 2 am | 6 pm - 2 am |
| THU: | 7 am - 2 am | 8 am - 2 am | 6 pm - 2 am |
| FRI: | 7 am - 3 am | 8 am - 3 am | 6 pm - 3 am |
| SAT: | 7 am - 3 am | 8 am - 3 am | 6 pm - 3 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-075456
 License Class/Type: C Restaurant
 ANC: 1A

Applicant: Ruby Tuesday Inc
 Trade Name: Ruby Tuesday #5320
 Premise Address: 3365 14TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 9 am - 12 am | 10 am -12 am | - |
| MON: | 10 am - 12 am | 10 am - 12 am | - |
| TUE: | 10 am - 12 am | 10 am - 12 am | - |
| WED: | 10 am - 12 am | 10 am - 12 am | - |
| THU: | 10 am - 12 am | 10 am - 12 am | - |
| FRI: | 10 am - 12 am | 10 am - 12 am | - |
| SAT: | 9 am - 12 am | 9 am - 12 am | - |

License Number: ABRA-074849
 License Class/Type: C Restaurant
 ANC: 1A01

Applicant: Amaya-I, LLC
 Trade Name: La Cabana Restaurant
 Premise Address: 3614 14TH ST NW

Endorsements: Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am -2 am | 6 pm - 2 am |
| MON: | 11 am - 2 am | 11 am - 2 am | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | - |
| WED: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| THU: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| FRI: | 11 am - 3 am | 11 am - 3 am | 6 pm - 3 am |
| SAT: | 11 am - 3 am | 11 am - 3 am | 6 pm - 3 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-075299
License Class/Type: C Restaurant
ANC: 1A07

Applicant: Staccato Enterprises Inc.
Trade Name: Redrocks
Premise Address: 1036 PARK RD NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 12:30 am | 11 am -12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| MON: | 11 am - 12:30 am | 11 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| TUE: | 11 am - 12:30 am | 11 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| WED: | 11 am - 12:30 am | 11 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| THU: | 11 am - 12:30 am | 11 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| FRI: | 11 am - 1:30 am | 11 am - 1 am | 11 am - 12 am | 11 am - 12 am | - |
| SAT: | 11 am - 1:30 am | 11 am - 1 am | 11 am - 12 am | 11 am - 12 am | - |

License Number: ABRA-029448
License Class/Type: C Restaurant
ANC: 6B

Applicant: Espresso, Inc.
Trade Name: Ninnella
Premise Address: 106 13TH ST SE

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 10:30 pm | 11 am -10:30 pm | - |
| MON: | 11 am - 10:30 pm | 11 am - 10:30 pm | - |
| TUE: | 11 am - 10:30 pm | 11 am - 10:30 pm | - |
| WED: | 11 am - 10:30 pm | 11 am - 10:30 pm | - |
| THU: | 11 am - 10:30 pm | 11 am - 10:30 pm | - |
| FRI: | 9:30 am - 11 pm | 9:30 am - 11 pm | - |
| SAT: | 9:30 am - 11 pm | 9:30 am - 11 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-060697
License Class/Type: C Restaurant
ANC: 1B

Applicant: F & Z Enterprises, Inc.
Trade Name: Dynasty Ethiopian Restaurant
Premise Address: 2210 14TH ST NW

Endorsements: Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | 10 pm - 2 am |
| MON: | 11 am - 2 am | 11 am - 2 am | 10 pm - 2 am |
| TUE: | 11 am - 2 am | 11 am - 2 am | 10 pm - 2 am |
| WED: | 11 am - 2 am | 11 am - 2 am | 10 pm - 2 am |
| THU: | 11 am - 2 am | 11 am - 2 am | 10 pm - 2 am |
| FRI: | 11 am - 3 am | 11 am - 3 am | 10:30 pm - 3 am |
| SAT: | 11 am - 3 am | 11 am - 3 am | 10:30 pm - 3 am |

License Number: ABRA-072534
License Class/Type: C Hotel
ANC: 6D

Applicant: Capitol Hospitality, LLC
Trade Name: Capitol Skyline Hotel
Premise Address: 10 I ST SW

Endorsements: Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 6 am - 2 am | 12 pm - 2 am | 6 am - 2 am | 12 pm - 2 am | 6 pm - 1 am |
| MON: | 6 am - 2 am | 12 pm - 2 am | 6 pm - 2 am | 12 pm - 2 am | 6 pm - 1 am |
| TUE: | 6 am - 2 am | 12 pm - 2 am | 6 pm - 2 am | 12 pm - 2 am | 6 pm - 1 am |
| WED: | 6 am - 2 am | 12 pm - 2 am | 6 pm - 2 am | 12 pm - 2 am | 6 pm - 1 am |
| THU: | 6 am - 2 am | 12 pm - 2 am | 6 pm - 2 am | 12 pm - 2 am | 6 pm - 1 am |
| FRI: | 6 am - 2 am | 12 pm - 2 am | 6 pm - 2 am | 12 pm - 2 am | 6 pm - 1 am |
| SAT: | 6 am - 2 am | 12 pm - 2 am | 6 pm - 2 am | 12 pm - 2 am | 6 pm - 1 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-007792
 License Class/Type: C Restaurant
 ANC: 3G

Applicant: Bread & Chocolate, Inc.
 Trade Name: Bread & Chocolate
 Premise Address: 5542 CONNECTICUT AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 7 am - 11 pm | 10 am -11 am | - |
| MON: | 7 am - 11 pm | 9 am - 11 pm | - |
| TUE: | 7 am - 11 pm | 9 am - 11 pm | - |
| WED: | 7 am - 11 pm | 9 am - 11 pm | - |
| THU: | 7 am - 11 pm | 9 am - 11 pm | - |
| FRI: | 7 am - 11 pm | 9 am - 11 pm | - |
| SAT: | 7 am - 11 pm | 9 am - 11 pm | - |

License Number: ABRA-060476
 License Class/Type: C Multipurpose
 ANC: 1B

Applicant: Circle I Productions, Inc.
 Trade Name: Black Cat
 Premise Address: 1811 14TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am -2 am | - |
| MON: | 10 am - 2 am | 10 am - 2 am | - |
| TUE: | 10 am - 2 am | 10 am - 2 am | - |
| WED: | 10 am - 2 am | 10 am - 2 am | - |
| THU: | 10 am - 2 am | 10 am - 2 am | - |
| FRI: | 10 am - 3 am | 10 am - 3 am | - |
| SAT: | 10 am - 3 am | 10 am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-020468
License Class/Type: C Restaurant
ANC: 1B

Applicant: Humberto Lopez
Trade Name: Restaurant Judy
Premise Address: 2212 14TH ST NW

Endorsements: Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 1:30 am | 10 am -1:30 am | 10:30 pm - 1:30 am |
| MON: | 10 am - 1:30 am | 10 am - 1:30 am | N/A - |
| TUE: | 10 am - 1:30 am | 10 am - 1:30 am | N/A - |
| WED: | 10 am - 1:30 am | 10 am - 1:30 am | N/A - |
| THU: | 10 am - 1:30 am | 10 am - 1:30 am | 10:30 am - 1:30 am |
| FRI: | 10 am - 3 am | 10 am - 3 am | 10:30 am - 2:30 am |
| SAT: | 10 am - 3 am | 10 am - 3 am | 10:30 am - 2:30 am |

License Number: ABRA-088258
License Class/Type: C Restaurant
ANC: 1B

Applicant: Matchbox 14th Street LLC
Trade Name: Matchbox
Premise Address: 1901 14TH ST NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10am - 2am | 10am -2am | 11am - 3pm |
| MON: | 11am - 2am | 11am - 2am | - |
| TUE: | 11am - 2am | 11am - 2am | - |
| WED: | 11am - 2am | 11am - 2am | - |
| THU: | 11am - 2am | 11am - 2am | - |
| FRI: | 11am - 3am | 11am - 3am | - |
| SAT: | 10am - 3am | 10am - 3am | 11am - 3pm |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-086926

Applicant: The Old Naval Hospital Foundation

License Class/Type: C Multipurpose

Trade Name: Hill Center

ANC: 6B

Premise Address: 921 PENNSYLVANIA AVE SE

Endorsements: Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 7 am - 2 am | 8 am - 1 am | 7 am - 10 pm | 8 am - 9 pm | 7 am - 1 am |
| MON: | 7 am - 2 am | 8 am - 2 am | 7 am - 10 pm | 8 am - 9 pm | 7 am - 1 am |
| TUE: | 7 am - 2 am | 8 am - 2 am | 7 am - 10 pm | 8 am - 9 pm | 7 am - 1 am |
| WED: | 7 am - 2 am | 8 am - 2 am | 7 am - 10 pm | 8 am - 9 pm | 7 am - 1 am |
| THU: | 7 am - 2 am | 8 am - 2 am | 7 am - 10 pm | 8 am - 9 pm | 7 am - 1 am |
| FRI: | 7 am - 3 am | 8 am - 3 am | 7 am - 10 pm | 8 am - 10 pm | 7 am - 2 am |
| SAT: | 7 am - 3 am | 8 am - 3 am | 7 am - 10 pm | 8 am - 10 pm | 7 am - 2 am |

License Number: ABRA-089019

Applicant: Meseret Ali & Yonas Chere

License Class/Type: C Restaurant

Trade Name: MERKATO ETHIOPIAN RESTAURANT

ANC: 1B

Premise Address: 1909 9th ST NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 6am - 2am | 12pm - 2am | 6pm - 2am |
| MON: | 6am - 2am | 12pm - 2am | 6pm - 2am |
| TUE: | 6am - 2am | 12pm - 2am | 6am - 2am |
| WED: | 6am - 2am | 12pm - 2am | 6am - 2am |
| THU: | 6am - 2am | 12pm - 2am | 6am - 2am |
| FRI: | 6am - 3am | 12pm - 3am | 6am - 3am |
| SAT: | 6am - 3am | 12pm - 3am | 6am - 3am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-026242
 License Class/Type: C Multipurpose
 ANC: 1B02

Applicant: Prince Hall Freemason and Eastern Star Chari
 Trade Name: Prince Hall Freemason & Eastern Star Charter Foundation
 Premise Address: 1000 U ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 3 pm - 2 am | 3 pm - 2 am | - |
| MON: | 6 pm - 2 am | 6 pm - 2 am | - |
| TUE: | 6 pm - 2 am | 6 pm - 2 am | - |
| WED: | 6 pm - 2 am | 6 pm - 2 am | - |
| THU: | 6 pm - 2 am | 6 pm - 2 am | - |
| FRI: | 6 pm - 2 am | 6 pm - 2 am | - |
| SAT: | 1 pm - 2 am | 1 pm - 2 am | - |

License Number: ABRA-060872
 License Class/Type: C Restaurant
 ANC: 1B02

Applicant: Tekle Abraham
 Trade Name: Expo Restaurant & Nightclub
 Premise Address: 1928 9TH ST NW B

Endorsements: Cover Charge, Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| MON: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| TUE: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| WED: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| THU: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| FRI: | 11 am - 3 am | 11 am - 3 am | 6 pm - 3 am |
| SAT: | 11 am - 3 am | 11 am - 3 am | 6 pm - 3 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-021837

Applicant: Sledge, Inc.

License Class/Type: C Multipurpose

Trade Name: 930 Club

ANC: 1B11

Premise Address: 815 V ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|-------------|---------------------------|-------------------------------|-------------------------------|
| SUN: | 8 am - 6 am | 8 am - 2 am | - |
| MON: | 8 am - 6 am | 8 am - 2 am | - |
| TUE: | 8 am - 6 am | 8 am - 2 am | - |
| WED: | 8 am - 6 am | 8 am - 2 am | - |
| THU: | 8 am - 6 am | 8 am - 2 am | - |
| FRI: | 8 am - 6 am | 8 am - 3 am | - |
| SAT: | 8 am - 6 am | 8 am - 3 am | - |

License Number: ABRA-007053

Applicant: The Billiken Corp

License Class/Type: C Restaurant

Trade Name: Perry's Restaurant

ANC: 1C

Premise Address: 1811 COLUMBIA RD NW

Endorsements: Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|-------------|---------------------------|-------------------------------|---|-------------------------------------|-------------------------------|
| SUN: | 10:30 - 2 am | 10:30 am - 2 am | 10:30 - 2 am | 10:30 - 2 am | 6 pm - 1:30 AM |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 1:30 AM |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 1:30 AM |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 1:30 AM |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 1:30 AM |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 6 pm - 2:30 am |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 6 pm - 2:30 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-060768
License Class/Type: C Restaurant
ANC: 2B

Applicant: Mourayo, LLC
Trade Name: Mourayo
Premise Address: 1732 CONNECTICUT AVE NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|-------------|---------------------------|-------------------------------|-------------------------------|
| SUN: | 10 am - 12 am | 11:30 am -12 am | 6 pm - 12 am |
| MON: | 10 am - 2 am | 11:30 am - 1 am | 6 pm - 1 am |
| TUE: | 10 am - 2 am | 11:30 am - 1 am | 6 pm - 2 am |
| WED: | 10 am - 2 am | 11:30 am - 1 am | 6 pm - 2 am |
| THU: | 10 am - 2 am | 11:30 am - 1 am | 6 pm - 2 am |
| FRI: | 10 am - 3 am | 11:30 am - 2 am | 6 pm - 2 am |
| SAT: | 10 am - 3 am | 11:30 am - 2 am | 6 pm - 3 am |

License Number: ABRA-024748
License Class/Type: C Restaurant
ANC: 2B

Applicant: V A Assoc. I Limited Partnership
Trade Name: Cafe Soleil
Premise Address: 839 17TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|-------------|---------------------------|-------------------------------|-------------------------------|
| SUN: | 7 am - 1 am | 11 am -1 am | - |
| MON: | 6 am - 1 am | 11 am - 1 am | - |
| TUE: | 6 am - 1 am | 11 am - 1 am | - |
| WED: | 6 am - 1 am | 11 am - 1 am | - |
| THU: | 6 am - 1 am | 11 am - 1 am | - |
| FRI: | 6 am - 1 am | 11 am - 1 am | - |
| SAT: | 7 am - 1 am | 11 am - 1 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-076693 Applicant: Grand Central, LLC
 License Class/Type: C Restaurant Trade Name: Grand Central
 ANC: 1C Premise Address: 2447 18TH ST NW

Endorsements: Cover Charge, Dancing, Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | 8pm - 2 am |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | 8pm - 2am |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | 8pm - 2am |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | 8pm - 2am |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | 8 pm - 2 am |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11 am - 12 am | 11 am - 12 am | 8 pm - 3 am |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 12 am | 11 am - 12 am | 8 pm - 3 am |

License Number: ABRA-075284 Applicant: Axis Bar & Grill, LLC
 License Class/Type: C Restaurant Trade Name: Bistro La Bonne
 ANC: 1B Premise Address: 1340 U ST NW

Endorsements: Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | 11:00 am - 2:00 am | 11:00 am - 2:00 am | 6 pm - 1:30 am |
| MON: | 11 am - 2 am | 11 am - 2 am | 5 pm - 2:00 am | 11:30 am - 2:00 am | 6 pm - 1:30 am |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11:30 am - 2:00 am | 11:30 am - 2: 00 am | 6 pm - 1:30 am |
| WED: | 11 am - 2 am | 11 am - 2 am | 11:30 am - 2:00 am | 11:30 am - 2:00 am | 6 pm - 1:30 am |
| THU: | 11 am - 2 am | 11 am - 2 am | 11:30 am - 2:00 am | 11:30 am - 2:00 am | 6 pm - 1:30 am |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11:30 am - 3:00 | 11:30 am - 3:00 am | 6 pm - 2 am |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11:30 am - 3:00 am | 11:30 am - 3:00 am | 6 pm - 2 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-060461
License Class/Type: C Restaurant
ANC: 1C

Applicant: Buca Restaurants, Inc.
Trade Name: Buca Di Beppo
Premise Address: 1825 CONNECTICUT AVE NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 12 am | 11 am -12 am | 11 am - 12 am | 11 am - 12 am | - |
| MON: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| TUE: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| WED: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| THU: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| FRI: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| SAT: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |

License Number: ABRA-017199
License Class/Type: C Restaurant
ANC: 1C03

Applicant: Brasil, Inc.
Trade Name: The Grill From Ipanema
Premise Address: 1858 COLUMBIA RD NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11:30 am - 11 pm | 11:30 am -11 pm | 11:30 am - 11:00 pm | 11:30 am - 11:00 pm | 6 pm - 9 pm |
| MON: | 11:30 am - 12 am | 11:30 am - 12 am | 5 pm - 11 pm | 5 pm - 11 pm | - |
| TUE: | 11:30 am - 12 am | 11:30 am - 12 am | 5 pm - 11 pm | 5 pm - 11 pm | - |
| WED: | 11:30 am - 12 am | 11:30 am - 12 am | 5 pm - 11 pm | 5 pm - 11 pm | 6 pm - 11 pm |
| THU: | 11:30 am - 1 am | 11:30 am - 1 am | 5 pm - 11 pm | 5 pm - 11 pm | 6 pm - 11 pm |
| FRI: | 11:30 am - 2 am | 11:30 am - 2 am | 5 pm - 11 pm | 5 pm - 11 pm | - |
| SAT: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 11:00 pm | 11:30 am - 11:00 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-075479
License Class/Type: C Restaurant
ANC: 1C06

Applicant: Family's Corporation
Trade Name: Combination Restaurant
Premise Address: 1772 COLUMBIA RD NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am - 2 am | 8pm - 1am |
| MON: | 8 am - 2 am | 8 am - 2 am | - |
| TUE: | 8 am - 2 am | 8 am - 2 am | - |
| WED: | 8 am - 2 am | 8 am - 2 am | 8pm - 1am |
| THU: | 8 am - 2 am | 8 am - 2 am | 8 pm - 1am |
| FRI: | 8 am - 3 am | 8 am - 3 am | 8 pm - 1am |
| SAT: | 8 am - 3 am | 8 am - 3 am | 8 pm - 1am |

License Number: ABRA-079577
License Class/Type: C Restaurant
ANC: 1C07

Applicant: Himalayan Heritage, Inc.
Trade Name: Himalayan Heritage
Premise Address: 2305 18TH ST NW A

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| MON: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| TUE: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| WED: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| THU: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| FRI: | 10 am - 2 am | 10 am - 2 am | - |
| SAT: | 10 am - 2 am | 10 am - 2 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-060149
License Class/Type: C Restaurant
ANC: 1C07

Applicant: Romain's Table Inc.
Trade Name: Romain's Table/The Diner
Premise Address: 2453 18TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 24 hours - | 10 am -2 am | - |
| MON: | 24 hours - | 10 am - 2 am | - |
| TUE: | 24 hours - | 10 am - 2 am | - |
| WED: | 24 hours - | 10 am - 2 am | - |
| THU: | 24 hours - | 10 am - 2 am | - |
| FRI: | 24 hours - | 10 am - 3 am | - |
| SAT: | 24 hours - | 10 am - 3 am | - |

License Number: ABRA-072685
License Class/Type: C Restaurant
ANC: 1C07

Applicant: Andes/DC LLC
Trade Name: Las Canteras
Premise Address: 2307 18TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 12 am | 11 am -12 am | - |
| MON: | 11 am - 12 am | 11 am - 12 am | - |
| TUE: | 11 am - 12 am | 11 am - 12 am | - |
| WED: | 11 am - 12 am | 11 am - 12 am | - |
| THU: | 11 am - 12 am | 11 am - 12 am | - |
| FRI: | 11 am - 1 am | 11 am - 1 am | - |
| SAT: | 11 am - 1 am | 11 am - 1 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-060401
License Class/Type: C Restaurant
ANC: 1C07

Applicant: Zinat Inc.
Trade Name: Carriage House Pub
Premise Address: 2333 18TH ST NW

Endorsements: Dancing, Entertainment, Sidewalk Cafe, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Summer Garden Operation | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|----------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | | n/a - |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | | n/a - |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | | n/a - |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | | n/a - |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | | 10 pm - 1:30 am |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | | 10 pm - 2:30 am |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | | 10 pm - 2:30 am |

License Number: ABRA-090308
License Class/Type: C Restaurant
ANC: 1D

Applicant: Beau Thai Mt. Pleasant LLC
Trade Name: Beau Thai
Premise Address: 3162 - 3164 MOUNT PLEASANT ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11am - 2am | 11am - 2am | 11am - 2am | 11am - 2am | - |
| MON: | 11am - 2am | 11am - 2am | 11am - 2am | 11am - 2am | - |
| TUE: | 11am - 2am | 11am - 2am | 11am - 2am | 11am - 2am | - |
| WED: | 11am - 2am | 11am - 2am | 11am - 2am | 11am - 2am | - |
| THU: | 11am - 2am | 11am - 2am | 11am - 2am | 11am - 2am | - |
| FRI: | 11am - 3am | 11am - 3am | 11am - 3am | 11am - 3am | - |
| SAT: | 11am - 3am | 11am - 3am | 11am - 3am | 11am - 3am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-015941
 License Class/Type: C Restaurant
 ANC: 1D04

Applicant: Corado's Restaurant, Inc.
 Trade Name: Corado's Guatemalan Restaurant
 Premise Address: 3217 MT PLEASANT ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 1:30 am | 11 am -1:30 am | - |
| MON: | 11 am - 1:30 am | 11 am - 1:30 am | - |
| TUE: | 11 am - 1:30 am | 11 am - 1:30 am | - |
| WED: | 11 am - 1:30 am | 11 am - 1:30 am | - |
| THU: | 11 am - 1:30 am | 11 am - 1:30 am | - |
| FRI: | 11 am - 2:30 am | 11 am - 2:30 am | - |
| SAT: | 11 am - 2:30 am | 11 am - 2:30 am | - |

License Number: ABRA-085729
 License Class/Type: C Restaurant
 ANC: 2A

Applicant: Watergate 600, LLC
 Trade Name: Rivers at the Watergate
 Premise Address: 600 NEW HAMPSHIRE AVE NW

Endorsements: Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11:30 am - 1 am | 11:30 am -1 am | 11:30 am - 12 am | 11:30 am - 12 am | 6 pm - 1 am |
| MON: | 11:30 am - 1 am | 11:30 am - 1 am | 11:30 am - 12 am | 11:30 am - 12 am | 6 pm - 1 am |
| TUE: | 11:30 am - 1 am | 11:30 am - 1 am | 11:30 am - 12 am | 11:30 am - 12 am | 6 pm - 1 am |
| WED: | 11:30 am - 1 am | 11:30 am - 1 am | 11:30 am - 12 am | 11:30 am - 12 am | 6 pm - 1 am |
| THU: | 11:30 am - 1 am | 11:30 am - 1 am | 11:30 am - 12 am | 11:30 am - 12 am | 6 pm - 1 am |
| FRI: | 11:30 am - 1 am | 11:30 am - 1 am | 11:30 am - 12 am | 11:30 am - 12 am | 6 pm - 1 am |
| SAT: | 11:30 am - 1 am | 11:30 am - 1 am | 11:30 am - 12 am | 11:30 am - 12 am | 6 pm - 1 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-085344
 License Class/Type: C Multipurpose
 ANC: 2A

Applicant: 2301 M Cinema, LLC
 Trade Name: West End Cinema
 Premise Address: 2301 M ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 12 am | 10 am -12 am | - |
| MON: | 10 am - 12 am | 10 am - 12 am | - |
| TUE: | 10 am - 12 am | 10 am - 12 am | - |
| WED: | 10 am - 12 am | 10 am - 12 am | - |
| THU: | 10 am - 12 am | 10 am - 12 am | - |
| FRI: | 10 am - 12 am | 10 am - 12 am | - |
| SAT: | 10 am - 12 am | 10 am - 12 am | - |

License Number: ABRA-072743
 License Class/Type: C Restaurant
 ANC: 2B

Applicant: Pasha International Inc.
 Trade Name: Pizza No. 17
 Premise Address: 1523 17TH ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 7 am - 3:30 am | 10 am -1:30 am | 9 am - 11 pm | 10 am - 11 pm | - |
| MON: | 7 am - 3:30 am | 9 am - 12:30 am | 9 am - 11 pm | 9 am - 11 pm | - |
| TUE: | 7 am - 3:30 am | 9 am - 12:30 am | 9 am - 11 pm | 9 am - 11 pm | - |
| WED: | 7 am - 3:30 am | 9 am - 12:30 am | 9 am - 11 pm | 9 am - 11 pm | - |
| THU: | 7 am - 3:30 am | 9 am - 12:30 am | 9 am - 11 pm | 9 am - 11 pm | - |
| FRI: | 7 am - 4:30 am | 9 am - 12:30 am | 9 am - 12 am | 9 am - 12 am | - |
| SAT: | 7 am - 4:30 am | 9 am - 1:30 am | 9 am - 12 am | 9 am - 12 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-060309
License Class/Type: C Hotel
ANC: 2A

Applicant: The George Washington University
Trade Name: One Washington Circle Hotel/Circle Bistro
Premise Address: 1 WASHINGTON CIR NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 24 hours - | 24 hours - | 10 am - 2 am | 10 am - 2 am | - |
| MON: | 24 hours - | 24 hours - | 8 am - 2 am | 8 am - 2 am | - |
| TUE: | 24 hours - | 24 hours - | 8 am - 2 am | 8 am - 2 am | - |
| WED: | 24 hours - | 24 hours - | 8 am - 2 am | 8 am - 2 am | - |
| THU: | 24 hours - | 24 hours - | 8 am - 2 am | 8 am - 2 am | - |
| FRI: | 24 hours - | 24 hours - | 8 am - 3 am | 8 am - 3 am | - |
| SAT: | 24 hours - | 24 hours - | 8 am - 3 am | 8 am - 3 am | - |

License Number: ABRA-060556
License Class/Type: C Restaurant
ANC: 2A

Applicant: GW University
Trade Name: Nottie Bianche
Premise Address: 824 NEW HAMPSHIRE AVE NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 24 hours - | 10 am -12 am | 10 am - 10 pm | 10 am - 10 pm | - |
| MON: | 24 hours - | 9 am - 12 am | 9 am - 10 pm | 9 am - 10 pm | - |
| TUE: | 24 hours - | 9 am - 12 am | 9 am - 10 pm | 9 am - 10 pm | - |
| WED: | 24 hours - | 9 am - 12 am | 9 am - 10 pm | 9 am - 10 pm | - |
| THU: | 24 hours - | 9 am - 12 am | 9 am - 10 pm | 9 am - 10 pm | - |
| FRI: | 24 hours - | 9 am - 1 am | 9 am - 11 pm | 9 am - 11 pm | - |
| SAT: | 24 hours - | 9 am - 1 am | 9 am - 11 pm | 9 am - 11 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-060535
License Class/Type: C Restaurant
ANC: 2A

Applicant: Ischia Inc.
Trade Name: Ristorante La Perla
Premise Address: 2600 PENNSYLVANIA AVE NW 0201

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 12 am | 11 am -12 am | 11 am - 10 pm | 11 am - 10 pm | - |
| MON: | 11 am - 12 am | 11 am - 12 am | 11 am - 10 pm | 11 am - 10 pm | - |
| TUE: | 11 am - 12 am | 11 am - 12 am | 11 am - 10 pm | 11 am - 10 pm | - |
| WED: | 11 am - 12 am | 11 am - 12 am | 11 am - 10 pm | 11 am - 10 pm | - |
| THU: | 11 am - 12 am | 11 am - 12 am | 11 am - 10 pm | 11 am - 10 pm | - |
| FRI: | 11 am - 1 am | 11 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | - |
| SAT: | 11 am - 1 am | 11 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | - |

License Number: ABRA-090259
License Class/Type: C Restaurant
ANC: 2A

Applicant: The Caucus Room, LLC
Trade Name: Caucus Room Brasserie
Premise Address: 2350 M ST NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 6 am - 2 am | 10 am -2 am | - |
| MON: | 6 am - 2 am | 11 am - 2 am | - |
| TUE: | 6 am - 2 am | 11 am - 2 am | - |
| WED: | 6 am - 2 am | 11 am - 2 am | - |
| THU: | 6 am - 2 am | 11 am - 2 am | 8 pm - 12 am |
| FRI: | 6 am - 2 am | 11 am - 2 am | 8 pm - 12 am |
| SAT: | 6 am - 2 am | 10 am - 2 am | 8 pm - 12 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-026668
 License Class/Type: C Club
 ANC: 2A01

Applicant: George Washington University Club, Inc.
 Trade Name: George Washington University Club
 Premise Address: 1918 F ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 7 am - 12 am | 10 am -12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| MON: | 7 am - 12 am | 8 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| TUE: | 7 am - 12 am | 8 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| WED: | 7 am - 12 am | 8 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| THU: | 7 am - 12 am | 8 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| FRI: | 7 am - 12 am | 8 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| SAT: | 7 am - 12 am | 8 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |

License Number: ABRA-060219
 License Class/Type: C Multipurpose
 ANC: 2A

Applicant: George Washington University
 Trade Name: Alumni House
 Premise Address: 1925 F ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 7 am - 12 am | 10 am -12 am | - |
| MON: | 7 am - 12 am | 8 am - 12 am | - |
| TUE: | 7 am - 12 am | 8 am - 12 am | - |
| WED: | 7 am - 12 am | 8 am - 12 am | - |
| THU: | 7 am - 12 am | 8 am - 12 am | - |
| FRI: | 7 am - 12 am | 8 am - 12 am | - |
| SAT: | 7 am - 12 am | 8 am - 12 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-001070
 License Class/Type: C Multipurpose
 ANC: 2A

Applicant: George Washington University
 Trade Name: Marvin Center
 Premise Address: 800 21ST ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 7 am - 12 am | 10 am -12 am | - |
| MON: | 7 am - 12 am | 8 am - 12 am | - |
| TUE: | 7 am - 12 am | 8 am - 12 am | - |
| WED: | 7 am - 12 am | 8 am - 12 am | - |
| THU: | 7 am - 12 am | 8 am - 12 am | - |
| FRI: | 7 am - 12 am | 8 am - 12 am | - |
| SAT: | 7 am - 12 am | 8 am - 12 am | - |

License Number: ABRA-023794
 License Class/Type: C Restaurant
 ANC: 2A

Applicant: Grillfish of Washington DC, LLC
 Trade Name: Grillfish
 Premise Address: 1200 NEW HAMPSHIRE AVE NW B

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am -2 am | 11:30 am - 2 am | 11:30 am - 2 am | - |
| MON: | 11 am - 2 am | 11 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | - |
| WED: | 11 am - 2 am | 11 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | - |
| THU: | 11 am - 2 am | 11 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | - |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11 am - 2:30 am | 11 am - 2:30 am | - |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 2:30 am | 11 am - 2:30 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-060618
License Class/Type: C Hotel
ANC: 2A02

Applicant: LHCW Hotel Operating Company(2002)LLC
Trade Name: The Fairmont Washington, DC
Premise Address: 2401 M ST NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am - 2 am | 6 pm - 11 pm |
| MON: | 8 am - 2 am | 8 am - 2 am | 6 pm - 11 pm |
| TUE: | 8 am - 2 am | 8 am - 2 am | 6 pm - 11 pm |
| WED: | 8 am - 2 am | 8 am - 2 am | 6 pm - 11 pm |
| THU: | 8 am - 2 am | 8 am - 2 am | 6 pm - 11 pm |
| FRI: | 8 am - 3 am | 8 am - 3 am | 6 pm - 11 pm |
| SAT: | 8 am - 3 am | 8 am - 3 am | 6 pm - 11 pm |

License Number: ABRA-075025
License Class/Type: C Hotel
ANC: 2A02

Applicant: H S T Lessee CMBS, LLC
Trade Name: The Westin Grand Washington, DC
Premise Address: 2350 M ST NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 24 hours - | 10 am - 2 am | 6 pm - 2 am |
| MON: | 24 hours - | 8 am - 2 am | 6 pm - 2 am |
| TUE: | 24 hours - | 8 am - 2 am | 6 pm - 2 am |
| WED: | 24 hours - | 8 am - 2 am | 6 pm - 2 am |
| THU: | 24 hours - | 8 am - 2 am | 6 pm - 2 am |
| FRI: | 24 hours - | 8 am - 3 am | 6 pm - 3 am |
| SAT: | 24 hours - | 8 am - 3 am | 6 pm - 3 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-075008
License Class/Type: C Hotel
ANC: 2A03

Applicant: HHC TRS Melrose LLC
Trade Name: Melrose Hotel
Premise Address: 2430 PENNSYLVANIA AVE NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 24 hours - | 10 am - 2 am | 12 pm - 11 pm | 12 pm - 11 pm | - |
| MON: | 24 hours - | 8 am - 2 am | 12 pm - 11 pm | 12 pm - 11 pm | - |
| TUE: | 24 hours - | 8 am - 2 am | 12 pm - 11 pm | 12 pm - 11 pm | - |
| WED: | 24 hours - | 8 am - 2 am | 12 pm - 11 pm | 12 pm - 11 pm | - |
| THU: | 24 hours - | 8 am - 2 am | 12 pm - 11 pm | 12 pm - 11 pm | - |
| FRI: | 24 hours - | 8 am - 3 am | 12 pm - 11 pm | 12 pm - 11 pm | - |
| SAT: | 24 hours - | 8 am - 3 am | 12 pm - 11 pm | 12 pm - 11 pm | - |

License Number: ABRA-001782
License Class/Type: C Hotel
ANC: 2A03

Applicant: Alamac, Inc.
Trade Name: The River Inn/Dish
Premise Address: 924 25TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 7 am - 1:30 am | 11:30 am - 1:30 am | - |
| MON: | 7 am - 1:30 am | 11:30 am - 1:30 am | - |
| TUE: | 7 am - 1:30 am | 11:30 am - 1:30 am | - |
| WED: | 7 am - 1:30 am | 11:30 am - 1:30 am | - |
| THU: | 7 am - 1:30 am | 11:30 am - 1:30 am | - |
| FRI: | 7 am - 1:30 am | 11:30 am - 1:30 am | - |
| SAT: | 7 am - 1:30 am | 11:30 am - 1:30 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-060813
 License Class/Type: C Restaurant
 ANC: 2A

Applicant: Atlanta Restaurant Partners LLC
 Trade Name: TGI Friday
 Premise Address: 2100 PENNSYLVANIA AVE NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 12 am | 11 am -12 am | 11 am - 12 am | 11 am - 12 am | - |
| MON: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| TUE: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| WED: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| THU: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| FRI: | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | - |
| SAT: | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | - |

License Number: ABRA-075297
 License Class/Type: C Restaurant
 ANC: 2A

Applicant: Tonic at Quigley's LLC
 Trade Name: Tonic
 Premise Address: 2036 G ST NW

Endorsements: Entertainment, Sidewalk Cafe, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Summer Garden Operation | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|----------------------------------|------------------------|
| SUN: | 10 am - 1 am | 10 am -1 am | 10 am - 11 pm | 10 am - 12 am | 6 pm - 1 am |
| MON: | 7 am - 1 am | 8 am - 1 am | 7 am - 11 pm | 7 am - 12 am | 6 pm - 1 am |
| TUE: | 7 am - 1 am | 8 am - 1 am | 7 am - 11 pm | 7 am - 12 am | 6 pm - 1 am |
| WED: | 7 am - 1 am | 8 am - 1 am | 7 am - 11 pm | 7 am - 12 am | 6 pm - 1 am |
| THU: | 7 am - 1 am | 8 am - 1 am | 7 am - 11 pm | 7 am - 12 am | 6 pm - 1 am |
| FRI: | 7 am - 2 am | 8 am - 2 am | 7 am - 12 am | 7 am - 1 am | 6 pm - 2 am |
| SAT: | 7 am - 2 am | 8 am - 2 am | 10 am - 12 am | 7 am - 1 am | 6 pm - 2 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-001133
 License Class/Type: C Restaurant
 ANC: 2A

Applicant: Restaurant Associates Inc.
 Trade Name: Restaurant Associates
 Premise Address: 2700 F ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 8 am - 12 am | 8 am - 12 am | - |
| MON: | 8 am - 12 am | 8 am - 12 am | - |
| TUE: | 8 am - 12 am | 8 am - 12 am | - |
| WED: | 8 am - 12 am | 8 am - 12 am | - |
| THU: | 8 am - 12 am | 8 am - 12 am | - |
| FRI: | 8 am - 12 am | 8 am - 12 am | - |
| SAT: | 8 am - 12 am | 8 am - 12 am | - |

License Number: ABRA-079383
 License Class/Type: C Hotel
 ANC: 2B

Applicant: IA Urban Hotel Washington DC Terrace TRS, L
 Trade Name: Doubletree Washington DC
 Premise Address: 1515 RHODE ISLAND AVE NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 24 hr - 24 hr | 10 am - 1 am | 10 am - 1 am | 10 am - 1 am | - |
| MON: | 24 hr - 24 hr | 8 am - 1 am | 8 am - 1 am | 8 am - 1 am | - |
| TUE: | 24 hr - 24 hr | 8 am - 1 am | 8 am - 1 am | 8 am - 1 am | - |
| WED: | 24 hr - 24 hr | 8 am - 1 am | 8 am - 1 am | 8 am - 1 am | - |
| THU: | 24 hr - 24 hr | 8 am - 1 am | 8 am - 1 am | 8 am - 1 am | - |
| FRI: | 24 hr - 24 hr | 8 am - 1 am | 8 am - 1 am | 8 am - 1 am | - |
| SAT: | 24 hr - 24 hr | 8 am - 1 am | 8 am - 1 am | 8 am - 1 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-084952
 License Class/Type: C Restaurant
 ANC: 2E

Applicant: GBP, LLC
 Trade Name: Tackle Box
 Premise Address: 3245 M ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 7 am - 2 am | 10 am - 2 am | - |
| MON: | 7 am - 2 am | 8 am - 2 am | - |
| TUE: | 7 am - 2 am | 8 am - 2 am | - |
| WED: | 7 am - 2 am | 8 am - 2 am | - |
| THU: | 7 am - 2 am | 8 am - 2 am | - |
| FRI: | 7 am - 3 am | 8 am - 3 am | - |
| SAT: | 7 am - 3 am | 8 am - 3 am | - |

License Number: ABRA-083468
 License Class/Type: C Restaurant
 ANC: 2B

Applicant: European Restaurant Group, LLC
 Trade Name: One
 Premise Address: 1606 20TH ST NW

Endorsements: Dancing, Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 8 am - 2am | 10 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | 6pm - 2am |
| MON: | 8 am - 2 am | 10 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | 6pm - 2am |
| TUE: | 8 am - 2am | 10 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | 6pm - 2am |
| WED: | 8 am - 2 am | 10 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | 6pm - 2am |
| THU: | 8 am - 2 am | 10 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | 6pm - 2am |
| FRI: | 8 am - 3 am | 10 am - 3 am | 11 am - 12 am | 11 am - 12 am | 6pm - 3am |
| SAT: | 8 am - 3 am | 10 am - 3 am | 11 am - 12 am | 11 am - 12 am | 6pm - 3am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-079276
 License Class/Type: C Restaurant
 ANC: 6B

Applicant: Matchbox Capitol Hill, LLC
 Trade Name: Matchbox
 Premise Address: 521 8TH ST SE

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | - |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | - |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | - |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | - |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | - |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | - |

License Number: ABRA-075526
 License Class/Type: C Hotel
 ANC: 2B

Applicant: Jefferson Beverage Services, LLC
 Trade Name: The Jefferson Hotel
 Premise Address: 1200 16TH ST NW

Endorsements: Dancing, Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 24 hours - | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am |
| MON: | 24 hours - | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am |
| TUE: | 24 hours - | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am |
| WED: | 24 hours - | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am |
| THU: | 24 hours - | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am |
| FRI: | 24 hours - | 11 am - 3 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am |
| SAT: | 24 hours - | 11 am - 3 am | 11 am - 3 am | 11 am - 12 am | 11 am - 12 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-086319 Applicant: Cities, LLC
License Class/Type: C Restaurant Trade Name: Cities
ANC: 2B Premise Address: 919 19th ST NW

Endorsements: Cover Charge, Dancing, Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 8 am - 2 am | 8 am - 2 am | 12 pm - 1:30 am | 12 pm - 1:30 am | 11 am - 2 am |
| MON: | 8 am - 2 am | 8 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11 am - 2 am |
| TUE: | 8 am - 2 am | 8 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11 am - 2 am |
| WED: | 8 am - 2 am | 8 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11 am - 2 am |
| THU: | 8 am - 2 am | 8 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11 am - 2 am |
| FRI: | 8 am - 3 am | 8 am - 3 am | 11:30 am - 2 am | 11:30 am - 2 am | 11 am - 3 am |
| SAT: | 8 am - 3 am | 8 am - 3 am | 12 pm - 1:30 am | 12 pm - 1:30 am | 11 am - 3 am |

License Number: ABRA-086254 Applicant: LGA, Inc.
License Class/Type: C Restaurant Trade Name: Luna Grill
ANC: 2B Premise Address: 1301 CONNECTICUT AVE NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 9 am - 12 am | 10 am - 12 am | 10 am - 10 pm | 10 am - 10 pm | - |
| MON: | 9 am - 12 am | 9 am - 12 am | 10 am - 10 pm | 10 am - 10 pm | - |
| TUE: | 9 am - 12 am | 9 am - 12 am | 10 am - 10 pm | 10 am - 10 pm | - |
| WED: | 9 am - 12 am | 9 am - 12 am | 10 am - 10 pm | 10 am - 10 pm | - |
| THU: | 9 am - 12 am | 9 am - 12 am | 10 am - 10 pm | 10 am - 10 pm | - |
| FRI: | 9 am - 12 am | 9 am - 12 am | 10 am - 11 pm | 10 am - 11 pm | - |
| SAT: | 9 am - 12 am | 9 am - 12 am | 10 am - 11 pm | 10 am - 11 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-087025
License Class/Type: C Restaurant
ANC: 2B

Applicant: Agora Inc
Trade Name: Agora
Premise Address: 1527 17TH ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11am - 2am | 11am -2am | 11am - 11pm | 11am - 11pm | - |
| MON: | 11am - 2am | 11am - 2am | 11am - 11pm | 11am - 11pm | - |
| TUE: | 11am - 2am | 11am - 2am | 11am - 11pm | 11am - 11pm | - |
| WED: | 11am - 2am | 11am - 2am | 11am - 12am | 11am - 12am | - |
| THU: | 11am - 2am | 11am - 2am | 11am - 12am | 11am - 12am | - |
| FRI: | 11am - 3am | 11am - 3am | 11am - 12am | 11am - 12am | - |
| SAT: | 11am - 3am | 11am - 3am | 11am - 12am | 11am - 12am | - |

License Number: ABRA-077157
License Class/Type: C Restaurant
ANC: 2B

Applicant: Jidapa Corporation
Trade Name: Pasara Thai DC
Premise Address: 1219 CONNECTICUT AVE NW

Endorsements: Cover Charge, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am -2 am | 6 pm - 2 am |
| MON: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| TUE: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| WED: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| THU: | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| FRI: | 11 am - 3 am | 11 am - 3 am | 6 pm - 3 am |
| SAT: | 11 am - 3 am | 11 am - 3 am | 6 pm - 3 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-060658 Applicant: L'Enfant Enterprises, LLC
 License Class/Type: C Restaurant Trade Name: L'Enfant Cafe & Bar
 ANC: 1C Premise Address: 2000 18TH ST NW

Endorsements: Cover Charge, Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 8 am - 2 am | 10 am - 2 am | 10 am - 1 am | 10 am - 1 am | 6 pm - 2 am |
| MON: | 8 am - 2 am | 8 am - 2 am | 10 am - 1 am | 10 am - 1 am | 6 pm - 2 am |
| TUE: | 8 am - 2 am | 8 am - 2 am | 10 am - 1 am | 10 am - 1 am | 6 pm - 2 am |
| WED: | 8 am - 2 am | 8 am - 2 am | 10 am - 1 am | 10 am - 1 am | 6 pm - 2 am |
| THU: | 8 am - 2 am | 8am - 2 am | 10 am - 1 am | 10 am - 1 am | 6 pm - 2 am |
| FRI: | 8 am - 3 am | 8 am - 3 am | 10 am - 2 am | 10 am - 2 am | 6 pm - 3 am |
| SAT: | 8 am - 3 am | 8 am - 3 am | 10 am - 2 am | 10 am - 2 am | 6 pm - 3 am |

License Number: ABRA-006251 Applicant: El Chalan, Inc.
 License Class/Type: C Restaurant Trade Name: El Chalan
 ANC: 2B Premise Address: 1922 I ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 1:30 pm - 8 pm | 1:30 pm - 8 pm | - |
| MON: | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| TUE: | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| WED: | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| THU: | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| FRI: | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| SAT: | 1 pm - 12 am | 1 pm - 12 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-005811
License Class/Type: C Restaurant
ANC: 2B

Applicant: Ben Incorporated
Trade Name: Odeon Cafe
Premise Address: 1714 CONNECTICUT AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 12 am | 10 am -12 am | - |
| MON: | 8 am - 2 am | 8 am - 2 am | - |
| TUE: | 8 am - 2 am | 8 am - 2 am | - |
| WED: | 8 am - 2 am | 8 am - 2 am | - |
| THU: | 8 am - 2 am | 8 am - 2 am | - |
| FRI: | 8 am - 2 am | 8 am - 2 am | - |
| SAT: | 8 am - 3 am | 8 am - 3 am | - |

License Number: ABRA-024326
License Class/Type: C Restaurant
ANC: 2B

Applicant: Morton's of Chicago/Washington Square, Inc.
Trade Name: Morton's The Steakhouse
Premise Address: 1050 CONNECTICUT AVE NW

Endorsements: Cover Charge, Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 1 am | 11 am -1 am | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am |
| MON: | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am |
| TUE: | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am |
| WED: | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am |
| THU: | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am |
| FRI: | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am |
| SAT: | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am | 11 am - 1 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-090805
License Class/Type: C Hotel
ANC: 2B

Applicant: CS Cond St. AB-C Holdings, LLC
Trade Name: The Carlyle Suites Hotel
Premise Address: 1731 NEW HAMPSHIRE AVE NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 24 hours - | 11 am -12 am | 6 pm - 12 am |
| MON: | 24 hours - | 12 pm - 12 am | 6 pm - 12 am |
| TUE: | 24 hours - | 12 pm - 12 am | 6 pm - 12 am |
| WED: | 24 hours - | 12 pm - 12 am | 6 pm - 12 am |
| THU: | 24 hours - | 12 pm - 12 am | 6 pm - 12 am |
| FRI: | 24 hours - | 12 pm - 12 am | 6 pm - 12 am |
| SAT: | 24 hours - | 12 pm - 12 am | 6 pm - 12 am |

License Number: ABRA-089510
License Class/Type: C Hotel
ANC: 2B

Applicant: 2120 P STREET ASSOCIATES, LLC/ZODIAC 21
Trade Name: Marriott Residence Inn/Crios
Premise Address: 2120 P ST NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 24 - HOURS | 10 am -2 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 2 am |
| MON: | 24 - HOURS | 8 am - 2 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 2 am |
| TUE: | 24 - HOURS | 8 am - 2 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 2 am |
| WED: | 24 - HOURS | 8 am - 2 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 2 am |
| THU: | 24 - HOURS | 8 am - 2 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 2 am |
| FRI: | 24 - HOURS | 8 am - 3 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 3 am |
| SAT: | 24 - HOURS | 8 am - 3 am | 11 am - 12 am | 11 am - 12 am | 6 pm - 3 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-088499
License Class/Type: C Hotel
ANC: 2B

Applicant: CHH Capital Tenant Corp.
Trade Name: Capital Hilton Hotel (The)
Premise Address: 1001 16TH ST NW

Endorsements: Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|-------------|---------------------------|-------------------------------|-------------------------------|
| SUN: | 24 hrs - 24 hrs | 11 am - 2 am | 6 pm - 2 am |
| MON: | 24 hrs - 24 hrs | 11 am - 2 am | 6 pm - 2 am |
| TUE: | 24 hrs - 24 hrs | 11 am - 2 am | 6 pm - 2 am |
| WED: | 24 hrs - 24 hrs | 11 am - 2 am | 6 pm - 2 am |
| THU: | 24 hrs - 24 hrs | 11 am - 2 am | 6 pm - 2 am |
| FRI: | 24 hrs - 24 hrs | 11 am - 2 am | 6 pm - 2 am |
| SAT: | 24 hrs - 24 hrs | 11 am - 2 am | 6 pm - 2 am |

License Number: ABRA-088512
License Class/Type: C Restaurant
ANC: 2B

Applicant: LemLem, LLC
Trade Name: Keren Restaurant
Premise Address: 1780 FLORIDA AVE NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|-------------|---------------------------|-------------------------------|-------------------------------|
| SUN: | 7 am - 2 am | 8 am - 2 am | 8 am - 2 am |
| MON: | 7 am - 2 am | 8 am - 2 am | 8 am - 2 am |
| TUE: | 7 am - 2 am | 8 am - 2 am | 8 am - 2 am |
| WED: | 7 am - 2 am | 8 am - 2 am | 8 am - 2 am |
| THU: | 7 am - 2 am | 8 am - 2 am | 8 am - 2 am |
| FRI: | 7 am - 3 am | 8 am - 3 am | 8 am - 3 am |
| SAT: | 7 am - 3 am | 8 am - 3 am | 8 am - 3 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-025084
 License Class/Type: C Restaurant
 ANC: 2B01

Applicant: 1801 Corporation
 Trade Name: Rosemary's Thyme Bistro
 Premise Address: 1801 18TH ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10 am - 10 pm | 10 am -10 pm | 10 am - 10 pm | 10 am - 10 pm | - |
| MON: | 4 pm - 10 pm | 4 pm - 10 pm | 5 pm - 10 pm | 5 pm - 10 pm | - |
| TUE: | 4 pm - 11 pm | 4 pm - 11 pm | 5 pm - 11 pm | 5 pm - 11 pm | - |
| WED: | 4 pm - 11 pm | 4 pm - 11 pm | 5 pm - 11 pm | 5 pm - 11 pm | - |
| THU: | 4 pm - 11 pm | 4 pm - 11 pm | 5 pm - 11 pm | 5 pm - 11 pm | - |
| FRI: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| SAT: | 10 am - 12 am | 10 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |

License Number: ABRA-060469
 License Class/Type: C Restaurant
 ANC: 2B01

Applicant: Rcsh Operations, LLC
 Trade Name: Ruth's Chris Steak House
 Premise Address: 2017 S ST NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am -2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 9 pm |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 10 pm |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 10 pm |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 10 pm |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 10 pm |
| FRI: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 10:30 pm |
| SAT: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 10:30 pm |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-011228 Applicant: R Street Restaurant Corporation
License Class/Type: C Restaurant Trade Name: La Tomate
ANC: 2B01 Premise Address: 1703 CONNECTICUT AVE NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 12:30 am | 11 am -12:30 am | 11:30 am - 10 pm | 11:30 am - 10 pm | 6 pm - 10:30 pm |
| MON: | 11 am - 12:30 am | 11 am - 12:30 am | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | N/A - |
| TUE: | 11 am - 12:30 am | 11 am - 12:30 am | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | N/A - |
| WED: | 11 am - 12:30 am | 11 am - 12:30 am | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | 6 pm - 10:30 pm |
| THU: | 11 am - 12:30 am | 11 am - 12:30 am | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | 6 pm - 10:30 pm |
| FRI: | 11 am - 12:30 am | 11 am - 12:30 am | 11:30 am - 11 pm | 11:30 am - 11 pm | 6 pm - 11 pm |
| SAT: | 11 am - 12:30 am | 11 am - 12:30 am | 11:30 am - 11 pm | 11:30 am - 11 pm | 6 pm - 11 pm |

License Number: ABRA-001910 Applicant: 888 Incorporated
License Class/Type: C Restaurant Trade Name: The Front Page Restaurant & Grille
ANC: 2B Premise Address: 1333 NEW HAMPSHIRE AVE NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am -2 am | 10 am - 2 am | 10 am - 2 am | N/A - |
| MON: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | N/A - |
| TUE: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | N/A - |
| WED: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 10 am - 1am |
| THU: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 5 pm - 1:30 |
| FRI: | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 am - 3 am | 8am - 2:30 am |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 8 pm - 2:30 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-077039
License Class/Type: C Restaurant
ANC: 2B02

Applicant: The Bards of Washington, LLC
Trade Name: James Hoban's
Premise Address: 1 DUPONT CIR NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 8 am - 2 am | 10 am -2 am | 11 am - 11 pm | 11 am - 11 pm | 6 pm - 2 am |
| MON: | 8 am - 2 am | 8 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | 6 pm - 2 am |
| TUE: | 8 am - 2 am | 8 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | 6 pm - 2 am |
| WED: | 8 am - 2 am | 8 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | 6 pm - 2 am |
| THU: | 8 am - 2 am | 8 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | 6 pm - 2 am |
| FRI: | 8 am - 3 am | 8 am - 3 am | 11 am - 1 am | 11 am - 1am | 6 pm - 3 am |
| SAT: | 8 am - 3 am | 8 am - 3 am | 11 am - 1 am | 11 am - 1 am | 6 pm - 3 am |

License Number: ABRA-074721
License Class/Type: C Hotel
ANC: 2B02

Applicant: Pyramid Acquisition II Management, LLC
Trade Name: The Fairfax at Embassy Row
Premise Address: 2100 MASSACHUSETTS AVE NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 24 hours - | 10 am -2 am | 6 pm - 2 am |
| MON: | 24 hours - | 8 am - 2 am | 6 pm - 2 am |
| TUE: | 24 hours - | 8 am - 2 am | 6 pm - 2 am |
| WED: | 24 hours - | 8 am - 2 am | 6 pm - 2 am |
| THU: | 24 hours - | 8 am - 2 am | 6 pm - 2 am |
| FRI: | 24 hours - | 8 am - 3 am | 6 pm - 3 am |
| SAT: | 24 hours - | 8 am - 3 am | 6 pm - 3 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-007930
License Class/Type: C Restaurant
ANC: 2B04

Applicant: Steaks Unlimited, Inc.
Trade Name: Annie's Paramount Steak House
Premise Address: 1609 17TH ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | - |
| MON: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | - |
| TUE: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | - |
| WED: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | - |
| THU: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | - |
| FRI: | 24 hours - | 10 am - 3 am | | 10 am - 3 am | - |
| SAT: | 24 hours - | 10 am - 3 am | | 10 am - 3 am | - |

License Number: ABRA-012438
License Class/Type: C Restaurant
ANC: 2B05

Applicant: Bombay Club Inc.
Trade Name: The Bombay Club
Premise Address: 815 CONNECTICUT AVE NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11:30 am - 1 am | 11:30 am - 1 am | 11:30 am - 1 am | 11:30 am - 1 am | 12 pm - 9pm |
| MON: | 11:30 am - 1 am | 11:30 am - 1 am | 11:30 am - 1 am | 11:30 am - 1 am | 6:30 pm - 10:30 pm |
| TUE: | 11:30 am - 1 am | 11:30 am - 1 am | 11:30 am - 1 am | 11:30 am - 1 am | 6:30 pm - 10:30 pm |
| WED: | 11:30 am - 1 am | 11:30 am - 1 am | 11:30 am - 1 am | 11:30 am - 1 am | 6:30 pm - 10:30 pm |
| THU: | 11:30 am - 1 am | 11:30 am - 1 am | 11:30 am - 1 am | 11:30 am - 1 am | 6:30 pm - 10:30 pm |
| FRI: | 11:30 am - 1 am | 11:30 am - 1 am | 11:30 am - 1 am | 11:30 am - 1 am | 6:45 pm - 10:45 pm |
| SAT: | 11:30 am - 1 am | 11:30 am - 1 am | 11:30 am - 1 am | 11:30 am - 1 am | 6:45 pm - 10:45 pm |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-012993
License Class/Type: C Restaurant
ANC: 2B05

Applicant: Rosewood Regency Co., Inc.
Trade Name: Bua Restaurant & Bar
Premise Address: 1635 P ST NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|---------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11:30 am - 11 pm | 12 pm -11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| MON: | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| TUE: | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| WED: | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| THU: | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| FRI: | 11:30 am - 11:30 pm | 11:30 am - 11:30 pm | 11:30 am - 11:30 pm | 11:30 am - 11:30 pm | - |
| SAT: | 12 pm - 11:30 pm | 12 pm - 11:30 pm | 12 pm - 11:30 pm | 12 pm - 11:30 pm | - |

License Number: ABRA-016066
License Class/Type: C Hotel
ANC: 2B05

Applicant: R I Associates
Trade Name: Holiday Inn Central
Premise Address: 1501 RHODE ISLAND AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 7 am - 2 am | 10 am -2 am | - |
| MON: | 7 am - 2 am | 8 am - 2 am | - |
| TUE: | 7 am - 2 am | 8 am - 2 am | - |
| WED: | 7 am - 2 am | 8 am - 2 am | - |
| THU: | 7 am - 2 am | 8 am - 2 am | - |
| FRI: | 7 am - 3 am | 8 am - 3 am | - |
| SAT: | 7 am - 3 am | 8 am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-021395
 License Class/Type: C Restaurant
 ANC: 2B05

Applicant: Oval Room LLC
 Trade Name: The Oval Room
 Premise Address: 800 CONNECTICUT AVE NW A

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | 11 am - 10 pm | 11 am - 10 pm | - |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 10 pm | 11 am - 10 pm | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 10 pm | 11 am - 10 pm | - |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 10 pm | 11 am - 10 pm | - |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 10 pm | 11 am - 10 pm | - |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11 am - 10 pm | 11 am - 10 pm | - |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 10 pm | 11 am - 10 pm | - |

License Number: ABRA-075078
 License Class/Type: C Hotel
 ANC: 2B05

Applicant: Hay Adams Holdings, Llc
 Trade Name: Hay Adams Hotel
 Premise Address: 800 16TH ST NW

Endorsements: Dancing, Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 24 hours - | 11 am - 2 am | | 11 am - 2 am | 11 am - 12:30 am |
| MON: | 24 hours - | 8 am - 2 am | | 8 am - 2 am | 6:30 pm - 12:30 am |
| TUE: | 24 hours - | 8 am - 2 am | | 8 am - 2 am | 6:30 pm - 12:30 am |
| WED: | 24 hours - | 8 am - 2 am | | 8 am - 2 am | 6:30 pm - 12:30 am |
| THU: | 24 hours - | 8 am - 2 am | | 8 am - 2 am | 6:30 pm - 12:30 am |
| FRI: | 24 hours - | 8 am - 3 am | | 8 am - 3 am | 6:30 pm - 12:30 am |
| SAT: | 24 hours - | 8 am - 3 am | | 8 am - 3 am | 6:30 pm - 12:30 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-079244
 License Class/Type: C Hotel
 ANC: 2B05

Applicant: DC Three Lessee, LLC
 Trade Name: Hotel Rouge
 Premise Address: 1315 16TH ST NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 24 Hours - | 10 am - 2 am | 6 pm - 2 am |
| MON: | 24 Hours - | 8 am - 2 am | 6 pm - 2 am |
| TUE: | 24 Hours - | 8 am - 2 am | 6 pm - 2 am |
| WED: | 24 Hours - | 8 am - 2 am | 6 pm - 2 am |
| THU: | 24 Hours - | 8 am - 2 am | 6 pm - 2 am |
| FRI: | 24 Hours - | 8 am - 3 am | 6 pm - 2 am |
| SAT: | 24 Hours - | 8 am - 3 am | 6 pm - 2 am |

License Number: ABRA-077812
 License Class/Type: C Restaurant
 ANC: 2B06

Applicant: TGR, Inc.
 Trade Name: LOOK
 Premise Address: 1909 K ST NW

Endorsements: Cover Charge, Dancing, Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11:30 am - 2 am | 11:30 am - 2 am | 5 pm - 11 pm | 5 pm - 11 pm | 6 pm - 2 am |
| MON: | 11:30 am - 2 am | 11:30 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | 6 pm - 2 am |
| TUE: | 11:30 am - 2 am | 11:30 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | 6 pm - 2 am |
| WED: | 11:30 am - 2 am | 11:30 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | 6 pm - 2 am |
| THU: | 11:30 am - 2 am | 11:30 am - 2 am | 11 am - 11 pm | 11 am - 11 pm | 6 pm - 2 am |
| FRI: | 11:30 am - 3 am | 11:30 am - 3 am | 11 am - 11 pm | 11 am - 11 pm | 6 pm - 3 am |
| SAT: | 11:30 am - 3 am | 11:30 am - 3 am | 5 pm - 11 pm | 5 pm - 11 pm | 6 pm - 3 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-078028 Applicant: Box 20, Inc.
 License Class/Type: C Restaurant Trade Name: Darlington House: Cantina/Kitchen/Library
 ANC: 2B Premise Address: 1610 20TH ST NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11:30 am - 2 am | 11:30 am - 2 am | 12 pm - 2 am | 12 pm - 2 am | - |
| MON: | 11:30 am - 2 am | 11:30 am - 2 am | 12 pm - 2 am | 12 pm - 2 am | 6 pm - 12 am |
| TUE: | 11:30 am - 2 am | 11:30 am - 2 am | 12 pm - 2 am | 12 pm - 2 am | 6 pm - 12 am |
| WED: | 11:30 am - 2 am | 11:30 am - 2 am | 12 pm - 2 am | 12 pm - 2 am | 6 pm - 12 am |
| THU: | 11:30 am - 2 am | 11:30 am - 2 am | 12 pm - 2 am | 12 pm - 2 am | 6 pm - 2 am |
| FRI: | 11:30 am - 3 am | 11:30 am - 3 am | 12 pm - 2 am | 12 pm - 2 am | 6 pm - 3 am |
| SAT: | 11:30 am - 3 am | 11:30 am - 3 am | 12 pm - 2 am | 12 pm - 2 am | 6 pm - 3 am |

License Number: ABRA-079660 Applicant: DC Born & Bread, LLC
 License Class/Type: C Restaurant Trade Name: DC Bread & Brew
 ANC: 2B06 Premise Address: 1247 20TH ST NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 8 am - 1 am | 10 am - 1 am | 9 am - 10 pm | 10 am - 10 pm | 6 pm - 12 am |
| MON: | 8 am - 1 am | 11 am - 1 am | 9 am - 11 pm | 11 am - 11 pm | 6 pm - 12 am |
| TUE: | 8 am - 1 am | 11 am - 1 am | 9 am - 11 pm | 11 am - 11 pm | 6 pm - 12 am |
| WED: | 8 am - 1 am | 11 am - 1 am | 9 am - 11 pm | 11 am - 11 pm | 6 pm - 12 am |
| THU: | 8 am - 2 am | 11 am - 2 am | 9 am - 11 pm | 11 am - 11 pm | 6 pm - 12 am |
| FRI: | 8 am - 3 am | 11 am - 3 am | 9 am - 12 am | 11 am - 12 am | 6 pm - 1 am |
| SAT: | 8 am - 3 am | 9 am - 3 am | 9 am - 12 am | 9 am - 12 am | 6 pm - 1 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-001847
License Class/Type: C Restaurant
ANC: 2B06

Applicant: Lamaree, Inc.
Trade Name: Aroma Indian Restaurant
Premise Address: 1919 I ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11:30 am - 10 pm | 11:30 am -10 pm | - |
| MON: | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| TUE: | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| WED: | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| THU: | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| FRI: | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| SAT: | 11:30 am - 11 pm | 11:30 am - 11 pm | - |

License Number: ABRA-024105
License Class/Type: C Restaurant
ANC: 2B06

Applicant: Grill Concepts-DC, Inc.
Trade Name: Daily Grill
Premise Address: 1200 18TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am -2 am | - |
| MON: | 11 am - 2 am | 11 am - 2 am | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | - |
| WED: | 11 am - 2 am | 11 am - 2 am | - |
| THU: | 11 am - 2 am | 11 am - 2 am | - |
| FRI: | 11 am - 3 am | 11 am - 3 am | - |
| SAT: | 11 am - 3 am | 11 am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-000616
License Class/Type: C Hotel
ANC: 2B

Applicant: Doyle Dupont, LLC
Trade Name: The Dupont Hotel
Premise Address: 1500 NEW HAMPSHIRE AVE NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 7 am - 2 am | 10 am - 2 am | 11 am - 1 am | 11 am - 1 am | 7 pm - 2 am |
| MON: | 7 am - 2 am | 8 am - 2 am | 11 am - 1 am | 11 am - 1 am | 7 pm - 2 am |
| TUE: | 7 am - 2 am | 8 am - 2 am | 11 am - 1 am | 11 am - 1 am | 7 pm - 2 am |
| WED: | 7 am - 2 am | 8 am - 2 am | 11 am - 1 am | 11 am - 1 am | 7 pm - 2 am |
| THU: | 7 am - 2 am | 8 am - 2 am | 11 am - 1 am | 11 am - 1 am | 7 pm - 2 am |
| FRI: | 7 am - 3 am | 8 am - 3 am | 11 am - 1 am | 11 am - 1 am | 7 pm - 3 am |
| SAT: | 7 am - 3 am | 8 am - 3 am | 11 am - 1 am | 11 am - 1 am | 7 pm - 3 am |

License Number: ABRA-000741
License Class/Type: C Club
ANC: 2B07

Applicant: The Washington Club
Trade Name: The Washington Club
Premise Address: 15 DUPONT CIR NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 9 am - 2 am | 10 am - 2 am | - |
| MON: | 9 am - 2 am | 9 am - 2 am | - |
| TUE: | 9 am - 2 am | 9 am - 2 am | - |
| WED: | 9 am - 2 am | 9 am - 2 am | - |
| THU: | 9 am - 2 am | 9 am - 2 am | - |
| FRI: | 9 am - 2 am | 9 am - 2 am | - |
| SAT: | 9 am - 2 am | 9 am - 2 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-071021
License Class/Type: C Restaurant
ANC: 2B08

Applicant: Poy Loung Inc.
Trade Name: The Regent Thai Cuisine
Premise Address: 1910 18TH ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 5 pm - 12 am | 5 pm -12 am | 5 pm - 10 pm | 5 pm - 10 pm | - |
| MON: | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| TUE: | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| WED: | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| THU: | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| FRI: | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| SAT: | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 11 pm | 11:30 am - 11 pm | - |

License Number: ABRA-076620
License Class/Type: C Restaurant
ANC: 2B08

Applicant: Good Fortune Inc
Trade Name: Plum Blossom
Premise Address: 1915 18TH ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 11 pm | 11 am -11 pm | 11 am - 10 pm | 11 am - 10 pm | - |
| MON: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 10 pm | 11 am - 10 pm | - |
| TUE: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 10 pm | 11 am - 10 pm | - |
| WED: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 10 pm | 11 am - 10 pm | - |
| THU: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 10 pm | 11 am - 10 pm | - |
| FRI: | 11 am - 12 am | 11 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| SAT: | 11 am - 12 am | 11 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-060737
License Class/Type: C Restaurant
ANC: 2B09

Applicant: Jojo Development Inc.
Trade Name: Jo Jo Restaurant & Bar
Premise Address: 1518 U ST NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am - 1 am | 8 pm - 1 am |
| MON: | 10 am - 2 am | 10 am - 1 am | N/A - |
| TUE: | 10 am - 2 am | 10 am - 1 am | 8 pm - 1 am |
| WED: | 10 am - 2 am | 10 am - 1 am | 8 pm - 1 am |
| THU: | 10 am - 2 am | 10 am - 1 am | 8 pm - 1 am |
| FRI: | 10 am - 3 am | 10 am - 2 am | 9 pm - 2 am |
| SAT: | 10 am - 3 am | 10 am - 2 am | 9 pm - 2 am |

License Number: ABRA-019269
License Class/Type: C Restaurant
ANC: 2B09

Applicant: 1414 U Street Restaurant, Inc.
Trade Name: Coppi's Pizza
Premise Address: 1414 U ST NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11:30 am - 2 am | 11:30 am - 2 am | 6:00 pm - 2 am |
| MON: | 11:30 am - 2 am | 11:30 am - 2 am | 6:00 pm - 2 am |
| TUE: | 11:30 am - 2 am | 11:30 am - 2 am | 6:00 pm - 2 am |
| WED: | 11:30 am - 2 am | 11:30 am - 2 am | 6:00 pm - 2 am |
| THU: | 11:30 am - 2 am | 11:30 am - 2 am | 6:00 pm - 2 am |
| FRI: | 11:30 am - 2 am | 11:30 am - 2 am | 6:00 pm - 2 am |
| SAT: | 11:30 am - 2 am | 11:30 am - 2 am | 6:00 pm - 2 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-060470
License Class/Type: C Restaurant
ANC: 2E

Applicant: Chop Sticks, Inc.
Trade Name: Chop Sticks
Premise Address: 1073 WISCONSIN AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11:30 am - 12 am | 11:30 am -12 am | - |
| MON: | 11:30 am - 12 am | 11:30 am - 12 am | - |
| TUE: | 11:30 am - 12 am | 11:30 am - 12 am | - |
| WED: | 11:30 am - 12 am | 11:30 am - 12 am | - |
| THU: | 11:30 am - 2 am | 11:30 am - 2 am | - |
| FRI: | 11:30 am - 2 am | 11:30 am - 2 am | - |
| SAT: | 11:30 am - 2 am | 11:30 am - 2 am | - |

License Number: ABRA-007916
License Class/Type: C Restaurant
ANC: 1C

Applicant: The Hannibal Corporation
Trade Name: Meskerem Ethiopia Restaurant
Premise Address: 2434 18TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 12 pm - 2 am | 12 pm -12 am | - |
| MON: | 12 pm - 12 am | 12 pm - 12 am | - |
| TUE: | 12 pm - 12 am | 12 pm - 12 am | - |
| WED: | 12 pm - 12 am | 12 pm - 12 am | - |
| THU: | 12 pm - 12 am | 12 pm - 12 am | - |
| FRI: | 12 pm - 3 am | 12 pm - 3 am | - |
| SAT: | 12 pm - 3 am | 12 pm - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-000895
 License Class/Type: C Club
 ANC: 1B

Applicant: The Congressional Club
 Trade Name: The Congressional Club
 Premise Address: 2001 NEW HAMPSHIRE AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 12 pm - 11 pm | 12 pm - 11 pm | - |
| MON: | 12 pm - 11 pm | 12 pm - 11 pm | - |
| TUE: | 12 pm - 11 pm | 12 pm - 11 pm | - |
| WED: | 12 pm - 11 pm | 12 pm - 11 pm | - |
| THU: | 12 pm - 11 pm | 12 pm - 11 pm | - |
| FRI: | 12 pm - 11 pm | 12 pm - 11 pm | - |
| SAT: | 12 pm - 11 pm | 12 pm - 11 pm | - |

License Number: ABRA-087920
 License Class/Type: C Hotel
 ANC: 2C

Applicant: CCHH GHDC, LLC
 Trade Name: Grand Hyatt Washington
 Premise Address: 1000 H ST NW

Endorsements: Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 24 - HOURS | 10 AM - 2 AM | 6 PM - 2 AM |
| MON: | 24 - HOURS | 8 AM - 2 AM | 6 PM - 2 AM |
| TUE: | 24 - HOURS | 8 AM - 2 AM | 6 PM - 2 AM |
| WED: | 24 - HOURS | 8 AM - 2 AM | 6 PM - 2 AM |
| THU: | 24 - HOURS | 8 AM - 2 AM | 6 PM - 2 AM |
| FRI: | 24 - HOURS | 8 AM - 3 AM | 6 PM - 3 AM |
| SAT: | 24 - HOURS | 8 AM - 3 AM | 6 PM - 3 AM |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-079306
License Class/Type: C Restaurant
ANC: 6E

Applicant: WA-ZO-BIA Entertainments, Inc.
Trade Name: WA-ZO-BIA
Premise Address: 618 T ST NW

Endorsements: Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am - 2 am | 9 pm - 2 am |
| MON: | 10 am - 2 am | 10 am - 2 am | 9 pm - 2 am |
| TUE: | 10 am - 2 am | 10 am - 2 am | 9 pm - 2 am |
| WED: | 10 am - 2 am | 10 am - 2 am | 9 pm - 2 am |
| THU: | 10 am - 2 am | 10 am - 2 am | 9 am - 2 am |
| FRI: | 10 am - 2 am | 10 am - 2 am | 9 pm - 2 am |
| SAT: | 10 am - 2 am | 10 am - 2 am | 9 pm - 2 am |

License Number: ABRA-072312
License Class/Type: C Restaurant
ANC: 2A

Applicant: Panda Cafe, Inc.
Trade Name: Panda Cafe
Premise Address: 2138 1/2 PENNSYLVANIA AVE NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 12 pm - 10 pm | 12 pm - 10 pm | 12 pm - 10 pm | 12 pm - 10 pm | - |
| MON: | 10:30 am - 11 pm | 10:30 am - 11 pm | 10:30 am - 11 pm | 10:30 am - 11 pm | - |
| TUE: | 10:30 am - 11 pm | 10:30 am - 11 pm | 10:30 am - 11 pm | 10:30 am - 11 pm | - |
| WED: | 10:30 am - 11 pm | 10:30 am - 11 pm | 10:30 am - 11 pm | 10:30 am - 11 pm | - |
| THU: | 10:30 am - 11 pm | 10:30 am - 11 pm | 10:30 am - 11 pm | 10:30 am - 11 pm | - |
| FRI: | 10:30 am - 11 pm | 10:30 am - 11 pm | 10:30 am - 11 pm | 10:30 am - 11 pm | - |
| SAT: | 12 pm - 10 pm | 12 pm - 10 pm | 12 pm - 10 pm | 12 pm - 10 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-072380
License Class/Type: C Restaurant
ANC: 3C

Applicant: Third Place Inc.
Trade Name: Open City
Premise Address: 2331 CALVERT ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 6 am - 1 am | 10 am -12 am | 10 am - 11 pm | 10 am - 11 pm | - |
| MON: | 5:30 am - 2 am | 9 am - 2 am | 9 am - 11 pm | 9 am - 11 pm | - |
| TUE: | 5:30 am - 2 am | 9 am - 2 am | 9 am - 11 pm | 9 am - 11 pm | - |
| WED: | 5:30 am - 2 am | 9 am - 2 am | 9 am - 11 pm | 9 am - 11 pm | - |
| THU: | 5:30 am - 2 am | 9 am - 2 am | 9 am - 11 pm | 9 am - 11 pm | - |
| FRI: | 5:30 am - 4 am | 9 am - 3 am | 9 am - 12 am | 9 am - 12 am | - |
| SAT: | 5:30 am - 4 am | 9 am - 3 am | 9 am - 12 am | 9 am - 12 am | - |

License Number: ABRA-025298
License Class/Type: C Restaurant
ANC: 3C

Applicant: Thoi Foods Inc.
Trade Name: Nam-viet Pho 79
Premise Address: 3419 CONNECTICUT AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 10 pm | 11 am -10 pm | - |
| MON: | 11 am - 10 pm | 11 am - 10 pm | - |
| TUE: | 11 am - 10 pm | 11 am - 10 pm | - |
| WED: | 11 am - 10 pm | 11 am - 10 pm | - |
| THU: | 11 am - 10 pm | 11 am - 10 pm | - |
| FRI: | 11 am - 12 am | 11 am - 12 am | - |
| SAT: | 11 am - 12 am | 11 am - 12 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-060326
License Class/Type: C Restaurant
ANC: 2C

Applicant: Big River Breweries, LTD
Trade Name: Gordon Biersch Brewery Restaurant
Premise Address: 600 F ST NW

Endorsements: Brewpub, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |
| FRI: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |
| SAT: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |

License Number: ABRA-060765
License Class/Type: C Restaurant
ANC: 2B

Applicant: Pizzetti 824 Inc.
Trade Name: Komi/Little Serow
Premise Address: 1509 - 1511 17TH ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11:00 am - 1:00 am | 11:00 am - 1:00 am | 11:00 am - 11:00 pm | 11:00 am - 11:00 pm | - |
| MON: | 11:00 am - 1:00 am | 11:00 am - 1:00 am | 11:00 am - 11:00 pm | 11:00 am - 11:00 pm | - |
| TUE: | 11:00 am - 1:00 am | 11:00 am - 1:00 am | 11:00 am - 11:00 pm | 11:00 am - 11:00 pm | - |
| WED: | 11:00 am - 1:00 am | 11:00 am - 1:00 am | 11:00 am - 11:00 pm | 11:00 am - 11:00 pm | - |
| THU: | 11:00 am - 1:00 am | 11:00 am - 1:00 am | 11:00 am - 11:00 pm | 11:00 am - 11:00 pm | - |
| FRI: | 11:00 am - 1:00 am | 11:00 am - 1:00 am | 11:00 am - 12:00 am | 11:00 am - 12:00 am | - |
| SAT: | 11:00 am - 1:00 am | 11:00 am - 1:00 am | 11:00 am - 12:00 am | 11:00 am - 12:00 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-070847
License Class/Type: C Restaurant
ANC: 2C

Applicant: Santoy Restaurant Group Inc.
Trade Name: Oya Restaurant & Lounge
Premise Address: 777 9TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am - 2 am | - |
| MON: | 11 am - 2 am | 11 am - 2 am | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | - |
| WED: | 11 am - 2 am | 11 am - 2 am | - |
| THU: | 11 am - 2 am | 11 am - 2 am | - |
| FRI: | 11 am - 3 am | 11 am - 3 am | - |
| SAT: | 11 am - 3 am | 11 am - 3 am | - |

License Number: ABRA-060194
License Class/Type: C Restaurant
ANC: 2C

Applicant: Legal Sea Foods, LLC.
Trade Name: Legal Sea Foods
Premise Address: 702 - 708 7th ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 8am - 2 am | 8am - 2 am | - |
| MON: | 8am - 2 am | 8am - 2 am | - |
| TUE: | 8am - 2 am | 8am - 2 am | - |
| WED: | 8am - 2 am | 8am - 2 am | - |
| THU: | 8am - 2 am | 8 am - 2 am | - |
| FRI: | 8am - 3 am | 8am - 3 am | - |
| SAT: | 8am - 3 am | 8am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-060256
License Class/Type: C Restaurant
ANC: 2C

Applicant: Tosca, LLC
Trade Name: Tosca
Premise Address: 555 12TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 5:30 pm - 10 pm | 5:30 pm -10 pm | - |
| MON: | 11:30 am - 12 am | 11:30 am - 12 am | - |
| TUE: | 11:30 am - 12 am | 11:30 am - 12 am | - |
| WED: | 11:30 am - 12 am | 11:30 am - 12 am | - |
| THU: | 11:30 am - 12 am | 11:30 am - 12 am | - |
| FRI: | 11:30 am - 12 am | 11:30 am - 12 am | - |
| SAT: | 5:30 pm - 12:30 am | 5:30 pm - 12:30 am | - |

License Number: ABRA-075870
License Class/Type: C Restaurant
ANC: 2B

Applicant: Al Tiramisu, Inc.
Trade Name: Al Tiramisu
Premise Address: 2014 P ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 12 pm - 11 pm | 12 pm -11 pm | - |
| MON: | 12 pm - 11 pm | 12 pm - 11 pm | - |
| TUE: | 12 pm - 11 pm | 12 pm - 11 pm | - |
| WED: | 12 pm - 11 pm | 12 pm - 11 pm | - |
| THU: | 12 pm - 11 pm | 12 pm - 11 pm | - |
| FRI: | 12 pm - 11 pm | 12 pm - 11 pm | - |
| SAT: | 12 pm - 11 pm | 12 pm - 11 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-073165 Applicant: Strathroy Park Corp.
License Class/Type: C Restaurant Trade Name: Bobby Van's Grill
ANC: 2C Premise Address: 1201 NEW YORK AVE NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 8 pm - 2 am |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 8 pm - 2 am |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 8 pm - 2 am |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 8 pm - 2 am |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 8 pm - 2 am |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 8 pm - 3 am |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 8 am - 3 am |

License Number: ABRA-078979 Applicant: Nandos Restaurant Group Inc.
License Class/Type: C Restaurant Trade Name: Nando's Peri Peri
ANC: 2C Premise Address: 819 7TH ST NW 1

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 10 pm | 11 am - 10 pm | - |
| MON: | 11 am - 10 pm | 11 am - 10 pm | - |
| TUE: | 11 am - 10 pm | 11 am - 10 pm | - |
| WED: | 11 am - 10 pm | 11 am - 10 pm | - |
| THU: | 11 am - 10 pm | 11 am - 10 pm | - |
| FRI: | 11 am - 12 am | 11 am - 12 am | - |
| SAT: | 11 am - 12 am | 11 am - 12 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-078307
License Class/Type: C Multipurpose
ANC: 2C

Applicant: Cinema Beverages Holding Company, LLC
Trade Name: E Street Lounge
Premise Address: 555 11TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 8 am - 1:30 am | 8 am -1:30 am | - |
| MON: | 8 am - 1:30 am | 8 am - 1:30 am | - |
| TUE: | 8 am - 1:30 am | 8 am - 1:30 am | - |
| WED: | 8 am - 1:30 am | 8 am - 1:30 am | - |
| THU: | 8 am - 1:30 am | 8 am - 1:30 am | - |
| FRI: | 8 am - 1:30 am | 8 am - 1:30 am | - |
| SAT: | 8 am - 1:30 am | 8 am - 1:30 am | - |

License Number: ABRA-060577
License Class/Type: C Restaurant
ANC: 2C

Applicant: Chef Geoff's Downtown
Trade Name: Chef Geoff's Downtown
Premise Address: 1301 PENNSYLVANIA AVE NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10:30 am - 12 am | 10:30 am -12 am | 10:30 am - 12 am | 10:30 am - 12 am | - |
| MON: | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | - |
| TUE: | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | - |
| WED: | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | - |
| THU: | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | - |
| FRI: | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | - |
| SAT: | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-088360
License Class/Type: C Multipurpose
ANC: 2C

Applicant: VSLS, LLC
Trade Name: Living Social
Premise Address: 918 F ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 8 am - 2 am | 8 am -11 pm | - |
| MON: | 8 am - 2 am | 8 am - 11 pm | - |
| TUE: | 8 am - 2 am | 8 am - 11 pm | - |
| WED: | 8 am - 2 am | 8 am - 12 am | - |
| THU: | 8 am - 2 am | 8 am - 12 am | - |
| FRI: | 8 am - 3 am | 8 am - 1 am | - |
| SAT: | 8 am - 3 am | 8 am - 1 am | - |

License Number: ABRA-089911
License Class/Type: C Restaurant
ANC: 2C

Applicant: 505 Nineth Street Partners LLC
Trade Name: Minibar
Premise Address: 855 E ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 1 am | 11 am -1 am | - |
| MON: | 11 am - 2 am | 11 am - 2 am | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | - |
| WED: | 11 am - 2 am | 11 am - 2 am | - |
| THU: | 11 am - 2 am | 11 am - 2 am | - |
| FRI: | 11 am - 2 am | 11 am - 2 am | - |
| SAT: | 11 am - 2 am | 11 am - 2 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-060584
License Class/Type: C Restaurant
ANC: 2C

Applicant: RCSH Operations
Trade Name: Ruth's Chris Steak House
Premise Address: 724 9TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | - |
| MON: | 11 am - 2 am | 11 am - 2 am | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | - |
| WED: | 11 am - 2 am | 11 am - 2 am | - |
| THU: | 11 am - 2 am | 11 am - 2 am | - |
| FRI: | 11 am - 2 am | 11 am - 2 am | - |
| SAT: | 11 am - 2 am | 11 am - 2 am | - |

License Number: ABRA-060573
License Class/Type: C Multipurpose
ANC: 2C

Applicant: The House on F Street, LLC
Trade Name: International Spy Museum/Zola
Premise Address: 800 F ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | - |
| MON: | 11 am - 2 am | 11 am - 2 am | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | - |
| WED: | 11 am - 2 am | 11 am - 2 am | - |
| THU: | 11 am - 2 am | 11 am - 2 am | - |
| FRI: | 11 am - 3 am | 11 am - 3 am | - |
| SAT: | 11 am - 3 am | 11 am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-077565
License Class/Type: C Restaurant
ANC: 2C03

Applicant: Wolfgang Puck Catering and Events, LLC
Trade Name: The Source by Wolfgang Puck
Premise Address: 575 PENNSYLVANIA AVE NW

Endorsements: Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11:30 am - 12 am | 11:30 am - 12 am | 6 pm - 12 am |
| MON: | 11:30 am - 12 am | 11:30 am - 12 am | 6 pm - 12 am |
| TUE: | 11:30 am - 12 am | 11:30 am - 12 am | 6 pm - 12 am |
| WED: | 11:30 am - 12 am | 11:30 am - 12 am | 6 pm - 12 am |
| THU: | 11:30 am - 12 am | 11:30 am - 12 am | 6 pm - 12 am |
| FRI: | 11:30 am - 1 am | 11:30 am - 1 am | 6 pm - 1 am |
| SAT: | 11:30 am - 1 am | 11:30 am - 1 am | 6 pm - 1 am |

License Number: ABRA-076676
License Class/Type: C Restaurant
ANC: 2C

Applicant: GT Capitol, LLC
Trade Name: The Green Turtle
Premise Address: 601 F ST NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 9 am - 2 am | 10 am -1:30 am | 9 am - 2 am | 10 am - 1:30 am | 6 pm - 1:30 am |
| MON: | 9 am - 2 am | 9 am - 1:30 am | 9 am - 2 am | 9 am - 1:30 am | 6 pm - 1:30 am |
| TUE: | 9 am - 2 am | 9 am - 1:30 am | 9 am - 2 am | 9 am - 1:30 am | 6 pm - 1:30 am |
| WED: | 9 am - 2 am | 9 am - 1:30 am | 9 am - 2 am | 9 am - 1:30 am | 6 pm - 1:30 am |
| THU: | 9 am - 2 am | 9 am - 1:30 am | 9 am - 2 am | 9 am - 1:30 am | 6 pm - 1:30 am |
| FRI: | 9 am - 2 am | 9 am - 1:30 am | 9 am - 2 am | 9 am - 1:30 am | 6 pm - 1:30 am |
| SAT: | 9 am - 2 am | 9 am - 1:30 am | 9 am - 2 am | 9 am - 1:30 am | 6 pm - 1:30 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-023764
License Class/Type: C Restaurant
ANC: 2C

Applicant: Tai Shan Restaurant Inc.
Trade Name: Tai Shan Restaurant
Premise Address: 622 H ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 11 pm | 11 am -11 pm | - |
| MON: | 11 am - 11 pm | 11 am - 11 pm | - |
| TUE: | 11 am - 11 pm | 11 am - 11 pm | - |
| WED: | 11 am - 11 pm | 11 am - 11 pm | - |
| THU: | 11 am - 11 pm | 11 am - 11 pm | - |
| FRI: | 11 am - 12 am | 11 am - 12 am | - |
| SAT: | 11 am - 12 am | 11 am - 12 am | - |

License Number: ABRA-060143
License Class/Type: C Restaurant
ANC: 2C

Applicant: Ruby Tuesday Inc.
Trade Name: Ruby Tuesday's
Premise Address: 710 7TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 9 am - 12 am | 10 am -12 am | - |
| MON: | 11 am - 12 am | 11 am - 12 am | - |
| TUE: | 11 am - 12 am | 11 am - 12 am | - |
| WED: | 11 am - 12 am | 11 am - 12 am | - |
| THU: | 11 am - 12 am | 11 am - 12 am | - |
| FRI: | 11 am - 1 am | 11 am - 1 am | - |
| SAT: | 9 am - 1 am | 9 am - 1 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-025796
License Class/Type: C Restaurant
ANC: 2C

Applicant: Chinatown Garden, Inc.
Trade Name: Chinatown Garden Restaurant
Premise Address: 618 H ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10:20 am - 11 pm | 10:20 am -11 pm | - |
| MON: | 10:20 am - 11 pm | 10:20 am - 11 pm | - |
| TUE: | 10:20 am - 11 pm | 10:20 am - 11 pm | - |
| WED: | 10:20 am - 11 pm | 10:20 am - 11 pm | - |
| THU: | 10:20 am - 11 pm | 10:20 am - 11 pm | - |
| FRI: | 10:20 am - 12 am | 10:20 am - 12 am | - |
| SAT: | 10:20 am - 12 am | 10:20 am - 12 am | - |

License Number: ABRA-007880
License Class/Type: C Restaurant
ANC: 2C

Applicant: Cheng Restaurant Corporation
Trade Name: Tony Chengs Mongolian Barbeque
Premise Address: 619 H ST NW A

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 1 am | 11 am -1 am | - |
| MON: | 11 am - 1 am | 11 am - 1 am | - |
| TUE: | 11 am - 1 am | 11 am - 1 am | - |
| WED: | 11 am - 1 am | 11 am - 1 am | - |
| THU: | 11 am - 1 am | 11 am - 1 am | - |
| FRI: | 11 am - 1 am | 11 am - 1 am | - |
| SAT: | 11 am - 1 am | 11 am - 1 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-011730
License Class/Type: C Restaurant
ANC: 2C

Applicant: Jumbo Seafood Restaurant Inc.
Trade Name: Tony Cheng's Seafood Restaurant
Premise Address: 619 H ST NW B

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | - |
| MON: | 11 am - 2 am | 11 am - 2 am | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | - |
| WED: | 11 am - 2 am | 11 am - 2 am | - |
| THU: | 11 am - 2 am | 11 am - 2 am | - |
| FRI: | 11 am - 3 am | 11 am - 3 am | - |
| SAT: | 11 am - 3 am | 11 am - 3 am | - |

License Number: ABRA-021995
License Class/Type: C Restaurant
ANC: 2D01

Applicant: Pines Restaurant Inc.
Trade Name: Pines Of Florence
Premise Address: 2100 CONNECTICUT AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 12 am | 11 am - 12 am | - |
| MON: | 11 am - 12 am | 11 am - 12 am | - |
| TUE: | 11 am - 12 am | 11 am - 12 am | - |
| WED: | 11 am - 12 am | 11 am - 12 am | - |
| THU: | 11 am - 12 am | 11 am - 12 am | - |
| FRI: | 11 am - 12 am | 11 am - 12 am | - |
| SAT: | 11 am - 12 am | 11 am - 12 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-074621
License Class/Type: C Hotel
ANC: 2D02

Applicant: HHC TRS Highland LLC
Trade Name: The Churchill Hotel
Premise Address: 1914 CONNECTICUT AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|-------------|---------------------------|-------------------------------|-------------------------------|
| SUN: | 24 Hours - | 10 am -2 am | - |
| MON: | 24 Hours - | 10 am - 2 am | - |
| TUE: | 24 Hours - | 10 am - 2 am | - |
| WED: | 24 Hours - | 10 am - 2 am | - |
| THU: | 24 Hours - | 10 am - 2 am | - |
| FRI: | 24 Hours - | 10 am - 2 am | - |
| SAT: | 24 Hours - | 10 am - 2 am | - |

License Number: ABRA-074333
License Class/Type: C Restaurant
ANC: 2E

Applicant: SKA Luna Corporation
Trade Name: Casbah Cafe/Ledo Pizza Restaurant
Premise Address: 1721 WISCONSIN AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|-------------|---------------------------|-------------------------------|-------------------------------|
| SUN: | 12 pm - 10 pm | 12 pm -10 pm | - |
| MON: | 11 am - 10:30 pm | 11 am - 10:30 pm | - |
| TUE: | 11 am - 10:30 pm | 11 am - 10:30 pm | - |
| WED: | 11 am - 10:30 pm | 11 am - 10:30 pm | - |
| THU: | 11 am - 10:30 pm | 11 am - 10:30 pm | - |
| FRI: | 11 am - 11 pm | 11 am - 11 pm | - |
| SAT: | 11 am - 11 pm | 11 am - 11 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-071007
License Class/Type: C Restaurant
ANC: 2E

Applicant: Millennium Partners Group, LLC
Trade Name: Cafe Bonaparte
Premise Address: 1522 WISCONSIN AVE NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 9 pm | 10 am - 9 pm | N/A - |
| MON: | 9 am - 11 pm | 9 am - 11 pm | N/A - |
| TUE: | 9 am - 11 pm | 9 am - 11 pm | N/A - |
| WED: | 9 am - 11 pm | 9 am - 11 pm | 8 pm - 11 pm |
| THU: | 9 am - 11 pm | 9 am - 11 pm | N/A - |
| FRI: | 9 am - 2 am | 9 am - 2 am | N/A - |
| SAT: | 10 am - 2 am | 10 am - 2 am | N/A - |

License Number: ABRA-003618
License Class/Type: C Restaurant
ANC: 2E

Applicant: Georgetown Restaurant, Corp.
Trade Name: Filomena
Premise Address: 1063 WISCONSIN AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| MON: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| TUE: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| WED: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| THU: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| FRI: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| SAT: | 11:30 am - 1 am | 11:30 am - 1 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-026606
License Class/Type: C Restaurant
ANC: 2E

Applicant: Basil Thai Restaurant, Corp.
Trade Name: Basil Thai Restaurant
Premise Address: 1608 WISCONSIN AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|---------------------|------------------------|------------------------|
| SUN: | 11:30 am - 10:30 pm | 11:30 am -10:30 pm | - |
| MON: | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | - |
| TUE: | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | - |
| WED: | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | - |
| THU: | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | - |
| FRI: | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| SAT: | 11:30 am - 11 pm | 11:30 am - 11 pm | - |

License Number: ABRA-060131
License Class/Type: C Restaurant
ANC: 2E

Applicant: Restaurant Enterprises, Inc.
Trade Name: Smith Point
Premise Address: 1338 WISCONSIN AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 8 am - 1:30 am | 11 am -1:30 am | - |
| MON: | 8 am - 1:30 am | 5 pm - 1:30 am | - |
| TUE: | 8 am - 1:30 am | 5 pm - 1:30 am | - |
| WED: | 8 am - 1:30 am | 5 pm - 1:30 am | - |
| THU: | 8 am - 1:30 am | 11 am - 1:30 am | - |
| FRI: | 8 am - 2:30 am | 11 am - 2:30 am | - |
| SAT: | 8 am - 2:30 am | 11 am - 2:30 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-060786
License Class/Type: C Restaurant
ANC: 1D

Applicant: Tonic of MP, LLC
Trade Name: Tonic
Premise Address: 3155 MT PLEASANT ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am - 2 am | - |
| MON: | 5 pm - 2 am | 5 pm - 2 am | - |
| TUE: | 5 pm - 2 am | 5 pm - 2 am | - |
| WED: | 5 pm - 2 am | 5 pm - 2 am | - |
| THU: | 5 pm - 2 am | 5 pm - 2 am | - |
| FRI: | 5 pm - 3 am | 5 pm - 3 am | - |
| SAT: | 10 am - 3 am | 10 am - 3 am | - |

License Number: ABRA-060407
License Class/Type: C Restaurant
ANC: 2E

Applicant: Billy Martin's Tavern, LLC
Trade Name: Billy Martins Tavern
Premise Address: 1264 WISCONSIN AVE NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 8 am - 2 am | 10 am - 2 am | 8 am - 2 am | 10 am - 2 am | - |
| MON: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | - |
| TUE: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | - |
| WED: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | - |
| THU: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | - |
| FRI: | 10 am - 3 am | 10 am - 3 am | 10 am - 3 am | 10 am - 3 am | - |
| SAT: | 8 am - 3 am | 8 am - 3 am | 8 am - 3 am | 8 am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-010664
License Class/Type: C Restaurant
ANC: 2E

Applicant: Obelisk, Inc.
Trade Name: Obelisk
Premise Address: 2029 P ST NW A

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | closed - closed | closed -closed | - |
| MON: | 12 pm - 11 pm | 12 pm - 11 pm | - |
| TUE: | 12 pm - 11 pm | 12 pm - 11 pm | - |
| WED: | 12 pm - 11 pm | 12 pm - 11 pm | - |
| THU: | 12 pm - 11 pm | 12 pm - 11 pm | - |
| FRI: | 12 pm - 11 pm | 12 pm - 11 pm | - |
| SAT: | 6 pm - 11 pm | 6 pm - 11 pm | - |

License Number: ABRA-083707
License Class/Type: C Restaurant
ANC: 2E

Applicant: GF, Inc.
Trade Name: Il Canale
Premise Address: 1063 31ST ST NW

Endorsements: Entertainment, Sidewalk Cafe, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Summer Garden Operation | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|----------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am -2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 10 pm |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 10 pm |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 10 pm |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 10 pm |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 10 pm |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11 am - 2 am | 11 am - 3 am | 11 am - 10 pm |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 2 am | 11 am - 3 am | 11 am - 10 pm |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-085260
License Class/Type: C Restaurant
ANC: 2E

Applicant: The Berliner Group, LLC
Trade Name: Lapis
Premise Address: 1032 - 1034 WISCONSIN AVE NW

Endorsements: Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 7 am - 2 am | 10 am - 2 am | 7 am - 2 am | 10 am - 2 am | 6 pm - 2 am |
| MON: | 7 am - 2 am | 8 am - 2 am | 7 am - 2 am | 8 am - 2 am | 6 pm - 2 am |
| TUE: | 7 am - 2 am | 8 am - 2 am | 7 am - 2 am | 8 am - 2 am | 6 pm - 2 am |
| WED: | 7 am - 2 am | 8 am - 2 am | 7 am - 2 am | 8 am - 2 am | 6 pm - 2 am |
| THU: | 7 am - 2 am | 8 am - 2 am | 7 am - 2 am | 8 am - 2 am | 6 pm - 2 am |
| FRI: | 7 am - 3 am | 8 am - 3 am | 7 am - 3 am | 8 am - 3 am | 6 pm - 3 am |
| SAT: | 7 am - 3 am | 8 am - 3 am | 7 am - 3 am | 8 am - 3 am | 6 pm - 3 am |

License Number: ABRA-088198
License Class/Type: C Hotel
ANC: 2E

Applicant: Georgetown Washington DC Inn, LLC
Trade Name: Georgetown Inn
Premise Address: 1310 WISCONSIN AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 6 am - 2 am | 10 am - 2 am | - |
| MON: | 6 am - 2 am | 8 am - 2 am | - |
| TUE: | 6 am - 2 am | 8 am - 2 am | - |
| WED: | 6 am - 2 am | 8 am - 2 am | - |
| THU: | 6 am - 2 am | 8 am - 2 am | - |
| FRI: | 6 am - 3 am | 8 am - 3 am | - |
| SAT: | 6 am - 3 am | 8 am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-012331
License Class/Type: C Restaurant
ANC: 2E

Applicant: President & Director of Georgetown College
Trade Name: Leavey Center
Premise Address: 3800 RESERVOIR RD NW A

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 4 pm - 12 am | 4 pm - 12 am | - |
| MON: | 4 pm - 12 am | 4 pm - 12 am | - |
| TUE: | 4 pm - 12 am | 4 pm - 12 am | - |
| WED: | 4 pm - 12 am | 4 pm - 12 am | - |
| THU: | 4 pm - 12 am | 4 pm - 12 am | - |
| FRI: | 4 pm - 12 am | 4 pm - 12 am | - |
| SAT: | 4 pm - 12 am | 4 pm - 12 am | - |

License Number: ABRA-060575
License Class/Type: C Restaurant
ANC: 2E

Applicant: Paradise Too LLC
Trade Name: Pizzeria Paradiso
Premise Address: 3282 M ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | - |
| MON: | 11 am - 2 am | 11 am - 2 am | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | - |
| WED: | 11 am - 2 am | 11 am - 2 am | - |
| THU: | 11 am - 2 am | 11 am - 2 am | - |
| FRI: | 11 am - 2 am | 11 am - 2 am | - |
| SAT: | 11 am - 2 am | 11 am - 2 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-078884
License Class/Type: C Hotel
ANC: 2E05

Applicant: Harte IHR Trading Company LP
Trade Name: Latham Hotel
Premise Address: 3000 M ST NW A

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|-------------|---------------------------|-------------------------------|-------------------------------|
| SUN: | 6 am - 2 am | 10 am - 2 am | - |
| MON: | 6 am - 2 am | 8 am - 2 am | - |
| TUE: | 6 am - 2 am | 8 am - 2 am | - |
| WED: | 6 am - 2 am | 8 am - 2 am | - |
| THU: | 6 am - 2 am | 8 am - 2 am | - |
| FRI: | 6 am - 3 am | 8 am - 3 am | - |
| SAT: | 6 am - 3 am | 8 am - 3 am | - |

License Number: ABRA-075631
License Class/Type: C Restaurant
ANC: 2E05

Applicant: Pure Hospitality LLC
Trade Name: BANDOLERO
Premise Address: 3241 M ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|-------------|---------------------------|-------------------------------|-------------------------------|
| SUN: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| MON: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| TUE: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| WED: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| THU: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| FRI: | 11:30 am - 2 am | 11:30 am - 2 am | - |
| SAT: | 11:30 am - 2 am | 11:30 am - 2 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-060660 Applicant: Mpe Hotel I (Georgetown) LLC
 License Class/Type: C Hotel Trade Name: Ritz Carlton Georgetown
 ANC: 2E05 Premise Address: 3100 SOUTH ST NW

Endorsements: Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 24 hours - | 8 am -2 am | | | - |
| MON: | 24 hours - | 8 am - 2 am | | | - |
| TUE: | 24 hours - | 8 am - 2 am | | | - |
| WED: | 24 hours - | 8 am - 2 am | | | - |
| THU: | 24 hours - | 8 am - 2 am | | | - |
| FRI: | 24 hours - | 8 am - 3 am | | | 7:30 pm - 11 pm |
| SAT: | 24 hours - | 8 am - 3 am | | | 7:30 pm - 11 pm |

License Number: ABRA-017308 Applicant: PPT, Inc.
 License Class/Type: C Restaurant Trade Name: Nick's Riverside Grille
 ANC: 2E05 Premise Address: 3050 K ST NW A

Endorsements: Cover Charge, Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am -2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am |
| FRI: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am |
| SAT: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-010762
License Class/Type: C Restaurant
ANC: 2E05

Applicant: Dancing Crab of Washington Harbour Ltd Part
Trade Name: Tony & Joe's Seafood Place
Premise Address: 3000 K ST NW A

Endorsements: Cover Charge, Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | N/A - |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am |
| FRI: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am |
| SAT: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am |

License Number: ABRA-077337
License Class/Type: C Restaurant
ANC: 2E06

Applicant: PQ Georgetown, Inc.
Trade Name: Le Pain Quotidien
Premise Address: 2815 M ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 7 am - 8:30 pm | 10 am - 8:30 pm | | | - |
| MON: | 7 am - 8:30 pm | 8 am - 8:30 pm | | | - |
| TUE: | 7 am - 8:30 pm | 8 am - 8:30 pm | | | - |
| WED: | 7 am - 8:30 pm | 8 am - 8:30 pm | | | - |
| THU: | 7 am - 8:30 pm | 8 am - 8:30 pm | | | - |
| FRI: | 7 am - 8:30 pm | 8 am - 8:30 pm | | | - |
| SAT: | 7 am - 8:30 pm | 8 am - 8:30 pm | | | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-079382
License Class/Type: C Hotel
ANC: 2C

Applicant: IA Urban Hotel Washington DC Franlin TRS, LL
Trade Name: Hilton Garden Inn Washington DC
Premise Address: 815 14TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 24 hr - 24 hr | 10 am - 2 am | - |
| MON: | 24 hr - 24 hr | 8 am - 2 am | - |
| TUE: | 24 hr - 24 hr | 8 am - 2 am | - |
| WED: | 24 hr - 24 hr | 8 am - 2 am | - |
| THU: | 24 hr - 24 hr | 8 am - 2 am | - |
| FRI: | 24 hr - 24 hr | 8 am - 3 am | - |
| SAT: | 24 hr - 24 hr | 8 am - 3 am | - |

License Number: ABRA-088060
License Class/Type: C Restaurant
ANC: 2F

Applicant: Logan Kitchen, LLC
Trade Name: The Pig
Premise Address: 1320 14TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 9 am - 12 am | 9am -12 am | - |
| MON: | 8 am - 12 am | 8 am - 12 am | - |
| TUE: | 8 am - 12 am | 8 am - 12 am | - |
| WED: | 8 am - 12 am | 8 am - 12 am | - |
| THU: | 8 am - 12 am | 8 am - 12 am | - |
| FRI: | 8 am - 1 am | 8 am - 1 am | - |
| SAT: | 9 am - 1 am | 9 am - 1 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-088243
License Class/Type: C Restaurant
ANC: 2F

Applicant: Parc Deux Restaurant Partners, LLC
Trade Name: Le Diplomate
Premise Address: 1601 14TH ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 8 am - 1 am | 8 am - 1 am | 8 am - 11 pm | 8 am - 11 pm | - |
| MON: | 8 am - 1 am | 8 am - 1 am | 8 am - 11 pm | 8 am - 11 pm | - |
| TUE: | 8 am - 1 am | 8 am - 1 am | 8 am - 11 pm | 8 am - 11 pm | - |
| WED: | 8 am - 1 am | 8 am - 1 am | 8 am - 11 pm | 8 am - 11 pm | - |
| THU: | 8 am - 1 am | 8 am - 1 am | 8 am - 11 pm | 8 am - 11 pm | - |
| FRI: | 8 am - 1:45 am | 8 am - 1:45 am | 8 am - 12 am | 8 am - 12 am | - |
| SAT: | 8 am - 1:45 am | 8 am - 1:45 am | 8 am - 12 am | 8 am - 12 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-084954
License Class/Type: C Restaurant
ANC: 2F

Applicant: Galae Thai, Inc.
Trade Name: Teak Wood Restaurant
Premise Address: 1323 14TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 11 pm | 10 am -11 pm | - |
| MON: | 10 am - 12 am | 10 am - 12 am | - |
| TUE: | 10 am - 12 am | 10 am - 12 am | - |
| WED: | 10 am - 12 am | 10 am - 12 am | - |
| THU: | 10 am - 12 am | 10 am - 12 am | - |
| FRI: | 10 am - 12 am | 10 am - 12 am | - |
| SAT: | 10 am - 12 am | 10 am - 12 am | - |

License Number: ABRA-084836
License Class/Type: C Restaurant
ANC: 2F

Applicant: Apra 1, Inc.
Trade Name: Mayur Kebab House
Premise Address: 1108 K ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 10 pm | 11 am -10 pm | - |
| MON: | 11 am - 10 pm | 11 am - 10 pm | - |
| TUE: | 11 am - 10 pm | 11 am - 10 pm | - |
| WED: | 11 am - 10 pm | 11 am - 10 pm | - |
| THU: | 11 am - 10 pm | 11 am - 10 pm | - |
| FRI: | 11 am - 12 am | 11 am - 12 am | - |
| SAT: | 11 am - 12 am | 11 am - 12 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-071487
 License Class/Type: C Restaurant
 ANC: 2F

Applicant: Logan Grill, LLC
 Trade Name: Commissary
 Premise Address: 1443 P ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 9 am - 12 am | 11 am -12 am | 9 am - 11 pm | 9 am - 11 pm | - |
| MON: | 8 am - 12 am | 12 pm - 12 am | 8 am - 11 pm | 8 am - 11 pm | - |
| TUE: | 8 am - 12 am | 12 pm - 12 am | 8 am - 11 pm | 8 am - 11 pm | - |
| WED: | 8 am - 12 am | 12 pm - 12 am | 8 am - 11 pm | 8 am - 11 pm | - |
| THU: | 8 am - 12 am | 12 pm - 12 am | 8 am - 11 pm | 8 am - 11 pm | - |
| FRI: | 8 am - 1 am | 12 pm - 1 am | 8 am - 12 am | 8 am - 12 am | - |
| SAT: | 9 am - 1 am | 11 am - 1 am | 8 am - 12 am | 8 am - 12 am | - |

License Number: ABRA-077111
 License Class/Type: C Restaurant
 ANC: 2F

Applicant: K & D, LLC
 Trade Name: Cork
 Premise Address: 1720 14TH ST NW A

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am -2 am | 11 am - 12 am | 11 am - 12 am | - |
| MON: | 11 am - 1 am | 11 am - 1 am | 11 am - 12 am | 11 am - 12 am | - |
| TUE: | 11 am - 1 am | 11 am - 1 am | 11 am - 12 am | 11 am - 12 am | - |
| WED: | 11 am - 1 am | 11 am - 1 am | 11 am - 12 am | 11 am - 12 am | - |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |
| FRI: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |
| SAT: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-060123
License Class/Type: C Restaurant
ANC: 2F

Applicant: Hermanos Amaya, Inc.
Trade Name: La Villa Restaurant
Premise Address: 1317 14TH ST NW

Endorsements: Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am - 2 am | 6 pm - 2 am |
| MON: | 10 am - 2 am | 10 am - 2 am | 6 pm - 2 am |
| TUE: | 10 am - 2 am | 10 am - 2 am | 6 pm - 2 am |
| WED: | 10 am - 2 am | 10 am - 2 am | 6 pm - 2 am |
| THU: | 10 am - 2 am | 10 am - 2 am | 6 pm - 2 am |
| FRI: | 10 am - 3 am | 10 am - 3 am | 6 pm - 3 am |
| SAT: | 10 am - 3 am | 10 am - 3 am | 6 pm - 3 am |

License Number: ABRA-025161
License Class/Type: C Hotel
ANC: 2F

Applicant: Massachusetts Mutual Life Insurance Co.
Trade Name: Crowne Plaza
Premise Address: 1001 14TH ST NW

Endorsements: Dancing, Entertainment, Sidewalk Cafe, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Summer Garden Operation | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|----------------------------------|------------------------|
| SUN: | 6 am - 2 am | 10 am - 2 am | 6 am - 2 am | 6 am - 2 am | 6pm - 2am |
| MON: | 6 am - 2 am | 8 am - 2 am | 6 am - 2 am | 6 am - 2 am | 6pm - 2am |
| TUE: | 6 am - 2 am | 8 am - 2 am | 6 am - 2 am | 6 am - 2 am | 6pm - 2am |
| WED: | 6 am - 2 am | 8 am - 2 am | 6 am - 2 am | 6 am - 2 am | 6pm - 2am |
| THU: | 6 am - 2 am | 8 am - 2 am | 6 am - 2 am | 6 am - 2 am | 6pm - 2am |
| FRI: | 6 am - 2 am | 8 am - 2 am | 6 am - 2 am | 6 am - 2 am | 6pm - 2am |
| SAT: | 6 am - 2 am | 8 am - 2 am | 6 am - 2 am | 6 am - 2 am | 6pm - 2am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-025217
 License Class/Type: C Restaurant
 ANC: 2B

Applicant: Best Hunan, Inc.
 Trade Name: Banana Leaves
 Premise Address: 2020 FLORIDA AVE NW B

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 11 pm | 11 am - 11 pm | - |
| MON: | 11 am - 11 pm | 11 am - 11 pm | - |
| TUE: | 11 am - 11 pm | 11 am - 11 pm | - |
| WED: | 11 am - 11 pm | 11 am - 11 pm | - |
| THU: | 11 am - 11 pm | 11 am - 11 pm | - |
| FRI: | 11 am - 12 am | 11 am - 12 am | - |
| SAT: | 11 am - 12 am | 11 am - 12 am | - |

License Number: ABRA-060605
 License Class/Type: C Restaurant
 ANC: 3B

Applicant: 2321 18th Street, LLC
 Trade Name: Bourbon
 Premise Address: 2348 WISCONSIN AVE NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|---------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11:30 am - 10:45 pm | 11 am - 2 am | 11 am - 2 am | 11:30 am - 10:45 pm | - |
| MON: | 5 pm - 10:45 pm | 11 am - 2 am | 11 am - 2 am | 5 pm - 10:45 pm | - |
| TUE: | 5 pm - 10:45 pm | 11 am - 2 am | 11 am - 2 am | 5 pm - 10:45 pm | - |
| WED: | 5 pm - 10:45 pm | 11 am - 2 am | 11 am - 2 am | 5 pm - 10:45 pm | - |
| THU: | 5 pm - 10:45 pm | 11 am - 2 am | 11 am - 2 am | 5 pm - 10:45 pm | - |
| FRI: | 5 pm - 11:45 pm | 11 am - 3 am | 11 am - 3 am | 5 pm - 11:45 pm | - |
| SAT: | 11:30 am - 11:45 pm | 11 am - 3 am | 11 am - 3 am | 11:30 am - 11:45 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-090311
License Class/Type: C Restaurant
ANC: 2F

Applicant: Abal, LLC
Trade Name: CherCher Ethiopian Restaurant & Mart
Premise Address: 1334 9TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 9:30 am - 12 am | 11 am -12 am | - |
| MON: | 9:30 am - 12 am | 11 am - 12 am | - |
| TUE: | 9:30 am - 12 am | 11 am - 12 am | - |
| WED: | 9:30 am - 12 am | 11 am - 12 am | - |
| THU: | 9:30 am - 12 am | 11 am - 12 am | - |
| FRI: | 9:30 am - 1 am | 11 am - 1 am | - |
| SAT: | 9:30 am - 1 am | 11 am - 1 am | - |

License Number: ABRA-090337
License Class/Type: C Hotel
ANC: 2F

Applicant: DiamondRock DC M Street Tenant, LLC
Trade Name: The Westin Washington, D.C. City Center
Premise Address: 1400 M ST NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 24 - hours | 12 pm -2 am | 6 pm - 2 am |
| MON: | 24 - hours | 12 pm - 2 am | 6 pm - 2 am |
| TUE: | 24 - hours | 12 pm - 2 am | 6 pm - 2 am |
| WED: | 24 - hours | 12 pm - 2 am | 6 pm - 2 am |
| THU: | 24 - hours | 12 pm - 2 am | 6 pm - 2 am |
| FRI: | 24 - hours | 12 pm - 3 am | 6 pm - 2 am |
| SAT: | 24 - hours | 12 pm - 3 am | 6 pm - 2 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-089428
License Class/Type: C Restaurant
ANC: 2C

Applicant: Del Frisco's Grille of Washington DC LLC
Trade Name: Del Frisco's Grille
Premise Address: 1201 PENNSYLVANIA AVE NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11am - 12am | 11am -12am | 11am - 12am | 11am - 12am | - |
| MON: | 11am - 12am | 11am - 12am | 11am - 12am | 11am - 12am | - |
| TUE: | 11am - 12am | 11am - 12am | 11am - 12am | 11am - 12am | - |
| WED: | 11am - 12am | 11am - 12am | 11am - 12am | 11am - 12am | - |
| THU: | 11am - 12am | 11am - 12am | 11am - 12am | 11am - 12am | - |
| FRI: | 11am - 12am | 11am - 12am | 11am - 12am | 11am - 12am | - |
| SAT: | 11am - 12am | 11am - 12am | 11am - 12am | 11am - 12am | - |

License Number: ABRA-060706
License Class/Type: C Restaurant
ANC: 2F

Applicant: Logan Dining, LLC
Trade Name: Logan Tavern
Premise Address: 1423 P ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 12 am | 11 am -12 am | 11 am - 10:30 pm | 11 am - 10:30 pm | - |
| MON: | 12 pm - 12 am | 12 pm - 12 am | 12 pm - 10:30 pm | 12 pm - 10:30 pm | - |
| TUE: | 12 pm - 12 am | 12 pm - 12 am | 12 pm - 10:30 pm | 12 pm - 10:30 pm | - |
| WED: | 12 pm - 12 am | 12 pm - 12 am | 12 pm - 10:30 pm | 12 pm - 10:30 pm | - |
| THU: | 12 pm - 12 am | 12 pm - 12 am | 12 pm - 10:30 pm | 12 pm - 10:30 pm | - |
| FRI: | 12 am - 1 am | 12 am - 1 am | 12 pm - 11:30 pm | 12 pm - 11:30 pm | - |
| SAT: | 11 am - 1 am | 11 am - 1 am | 11 am - 11:30 pm | 11 am - 11:30 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-060538
 License Class/Type: C Restaurant
 ANC: 2F

Applicant: The Catering Company of Washington
 Trade Name: The Catering Company Of Washington
 Premise Address: 1341 L ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 1 am | 10 am - 1 am | - |
| MON: | 10 am - 1 am | 10 am - 1 am | - |
| TUE: | 10 am - 1 am | 10 am - 1 am | - |
| WED: | 10 am - 1 am | 10 am - 1 am | - |
| THU: | 10 am - 1 am | 10 am - 1 am | - |
| FRI: | 10 am - 1 am | 10 am - 1 am | - |
| SAT: | 10 am - 1 am | 10 am - 1 am | - |

License Number: ABRA-074742
 License Class/Type: C Restaurant
 ANC: 2C

Applicant: Aria Management, LLC
 Trade Name: Aria
 Premise Address: 1300 PENNSYLVANIA AVE NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | - |
| MON: | 6 am - 2 am | 11 am - 2 am | 6 am - 2 am | 11 am - 11 am | - |
| TUE: | 6 am - 2 am | 11 am - 2 am | 6 am - 2 am | 11 am - 2 am | - |
| WED: | 6 am - 2 am | 11 am - 2 am | 6 am - 2 am | 11 am - 2 am | - |
| THU: | 6 am - 2 am | 11 am - 2 am | 6 am - 2 am | 11 am - 2 am | - |
| FRI: | 6 am - 3 am | 11 am - 3 am | 6 am - 3 am | 11 am - 3 am | - |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-060171
 License Class/Type: C Hotel
 ANC: 2C

Applicant: CCMH DC, LLC
 Trade Name: J.W. Marriott Hotel
 Premise Address: 1331 PENNSYLVANIA AVE NW A

Endorsements: Cover Charge, Dancing, Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|---------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 24 Hours - 24 Hours | 8am -2 am | 6 am - 2 am | 10 am - 2 am | 6pm - 1 am |
| MON: | 24 Hours - 24 Hours | 8 am - 2 am | 6 am - 2 am | 8 am - 2 am | 6 pm - 1 am |
| TUE: | 24 Hours - 24 Hours | 8 am - 2 am | 6 am - 2 am | 8 am - 2 am | 6 pm - 1 am |
| WED: | 24 Hours - 24 Hours | 8 am - 2 am | 6 am - 2 am | 8 am - 2 am | 6 pm - 1 am |
| THU: | 24 Hours - 24 Hours | 8 am - 2 am | 6 am - 2 am | 8 am - 2 am | 6 pm - 1 am |
| FRI: | 24 Hours - 24 Hours | 8 am - 3 am | 6 am - 3 am | 8 am - 3 am | 6 pm - 1 am |
| SAT: | 24 Hours - 24 Hours | 8 am - 3 am | 6 am - 3 am | 8 am - 3 am | 6 pm - 1 am |

License Number: ABRA-000645
 License Class/Type: C Club
 ANC: 2F

Applicant: The Sphinx Club
 Trade Name: The Sphinx Club Inc
 Premise Address: 1315 K ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 1 am | 11 am -1 am | - |
| MON: | 11 am - 1 am | 11 am - 1 am | - |
| TUE: | 11 am - 1 am | 11 am - 1 am | - |
| WED: | 11 am - 1 am | 11 am - 1 am | - |
| THU: | 11 am - 1 am | 11 am - 1 am | - |
| FRI: | 11 am - 2 am | 11 am - 2 am | - |
| SAT: | 11 am - 2 am | 11 am - 2 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-020640
 License Class/Type: C Restaurant
 ANC: 3B

Applicant: Shamiana, LLC
 Trade Name: Heritage India/Asia
 Premise Address: 2400 WISCONSIN AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | - |
| MON: | 11 am - 2 am | 11 am - 2 am | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | - |
| WED: | 11 am - 2 am | 11 am - 2 am | - |
| THU: | 11 am - 2 am | 11 am - 2 am | - |
| FRI: | 11 am - 3 am | 11 am - 3 am | - |
| SAT: | 11 am - 3 am | 11 am - 3 am | - |

License Number: ABRA-079141
 License Class/Type: C Restaurant
 ANC: 2F

Applicant: Fasa, LLC
 Trade Name: Posto
 Premise Address: 1515 14TH ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10 am - 10 pm | 10 am - 10 pm | 11 am - 10 pm | 11 am - 10 pm | - |
| MON: | 11 am - 1 am | 11 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | - |
| TUE: | 11 am - 1 am | 11 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | - |
| WED: | 11 am - 1 am | 11 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | - |
| THU: | 11 am - 1 am | 11 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | - |
| FRI: | 11 am - 1:45 am | 11 am - 1:45 am | 11 am - 12 am | 11 am - 12 am | - |
| SAT: | 11 am - 1:45 am | 11 am - 1:45 am | 11 am - 12 am | 11 am - 12 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-078406
 License Class/Type: C Restaurant
 ANC: 3B

Applicant: Madaket, LLC
 Trade Name: Surfside
 Premise Address: 2444 WISCONSIN AVE NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10 am - 1 am | 10 am - 1 am | | | - |
| MON: | 10 am - 2 am | 10 am - 2 am | | | - |
| TUE: | 10 am - 2 am | 10 am - 2 am | | | - |
| WED: | 10 am - 2 am | 10 am - 2 am | | | - |
| THU: | 10 am - 3 am | 10 am - 3 am | | | - |
| FRI: | 10 am - 4 am | 10 am - 4 am | | | - |
| SAT: | 10 am - 4 am | 10 am - 4 am | | | - |

License Number: ABRA-078085
 License Class/Type: C Restaurant
 ANC: 3B

Applicant: Glover Park F & B, LLC
 Trade Name: Breadsoda
 Premise Address: 2233 WISCONSIN AVE NW

Endorsements: Cover Charge, Dancing, Entertainment, Sidewalk Cafe, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Summer Garden Operation | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|----------------------------------|------------------------|
| SUN: | 7 am - 2 am | 10 am - 2 am | See VA Retriction on - on | 7 am - 2 am | See - Voluntary |
| MON: | 7 am - 2 am | 11 am - 2 am | Street - Level | 7 am - 2 am | Agreement - |
| TUE: | 7 am - 2 am | 11 am - 2 am | | 7 am - 2 am | - |
| WED: | 7 am - 2 am | 11 am - 2 am | | 7 am - 2 am | - |
| THU: | 7 am - 2 am | 11 am - 2 am | | 7 am - 2 am | - |
| FRI: | 7 am - 3 am | 11 am - 3 am | | 7 am - 3 am | - |
| SAT: | 7 am - 3 am | 9 am - 3 am | | 7 am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-089362
License Class/Type: C Restaurant
ANC: 3B

Applicant: Phoenix 78, LLC
Trade Name: Sprig & Sprout
Premise Address: 2317 WISCONSIN AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 10 pm | 11 am -10 pm | - |
| MON: | 11 am - 10 pm | 11 am - 10 pm | - |
| TUE: | 11 am - 10 pm | 11 am - 10 pm | - |
| WED: | 11 am - 10 pm | 11 am - 10 pm | - |
| THU: | 11 am - 10 pm | 11 am - 10 pm | - |
| FRI: | 11 am - 10 pm | 11 am - 10 pm | - |
| SAT: | 11 am - 10 pm | 11 am - 10 pm | - |

License Number: ABRA-087904
License Class/Type: C Restaurant
ANC: 3C

Applicant: The Noodle Shop Co.-Colorado, Inc.
Trade Name: Noodles & Company
Premise Address: 2635 CONNECTICUT AVE NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 12 am | 11 am -12 am | 11 am - 12 am | 11 am - 12 am | - |
| MON: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| TUE: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| WED: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| THU: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| FRI: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| SAT: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-088262
License Class/Type: C Restaurant
ANC: 3C

Applicant: Piroso, LLC
Trade Name: Cafe Sorriso
Premise Address: 2311 CALVERT ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 7 am - 12 am | 8 am -12 am | 7 am - 12 am | 8 am - 12 am | - |
| MON: | 7 am - 12 am | 8 am - 12 am | 7 am - 12 am | 8 am - 12 am | - |
| TUE: | 7 am - 12 am | 8 am - 12 am | 7 am - 12 am | 8 am - 12 am | - |
| WED: | 7 am - 12 am | 8 am - 12 am | 7 am - 12 am | 8 am - 12 am | - |
| THU: | 7 am - 12 am | 8 am - 12 am | 7 am - 12 am | 8 am - 12 am | - |
| FRI: | 7 am - 12 am | 8 am - 12 am | 7 am - 12 am | 8 am - 12 am | - |
| SAT: | 7 am - 12 am | 8 am - 12 am | 7 am - 12 am | 8 am - 12 am | - |

License Number: ABRA-026206
License Class/Type: C Restaurant
ANC: 3C

Applicant: Cairo Inc.
Trade Name: Medaterra
Premise Address: 2614 CONNECTICUT AVE NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am -2 am | 11 am - 10 pm | 11 am - 10 pm | N/A - |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 10 pm | 11 am - 10 pm | N/A - |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 10 pm | 11 am - 10 pm | N/A - |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 10 pm | 11 am - 10 pm | N/A - |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 10 pm | 11 am - 10 pm | N/A - |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11 am - 11 pm | 11 am - 11 pm | 11 am - 3 am |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 11 pm | 11 am - 11 pm | 11 am - 3 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-070945
 License Class/Type: C Restaurant
 ANC: 3C

Applicant: Rajaji Inc.
 Trade Name: Rajaji Curry House
 Premise Address: 2603 CONNECTICUT AVE NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 11 pm | 11 am -11 pm | 11 am - 11 pm | 11 am - 11 pm | - |
| MON: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | - |
| TUE: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | - |
| WED: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | - |
| THU: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | - |
| FRI: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | - |
| SAT: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | - |

License Number: ABRA-060263
 License Class/Type: C Restaurant
 ANC: 3C

Applicant: Palena, LLC
 Trade Name: Palena
 Premise Address: 3529 CONNECTICUT AVE NW

Endorsements: Sidewalk Cafe, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Summer Garden Operation | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|----------------------------------|------------------------|
| SUN: | 11 am - 11:30 pm | 11 am -11:30 pm | | 11am - 11:30 pm | - |
| MON: | 11 am - 11:30 pm | 11 am - 11:30 pm | 5:30 pm - 11 pm | 11am - 11:30 pm | - |
| TUE: | 11 am - 11:30 pm | 11 am - 11:30 pm | 5:30 pm - 11 pm | 11am - 11:30 pm | - |
| WED: | 11 am - 11:30 pm | 11 am - 11:30 pm | 5:30 pm - 11 pm | 11am - 11:30 pm | - |
| THU: | 11 am - 11:30 pm | 11 am - 11:30 pm | 5:30 pm - 11 pm | 11am - 11:30 pm | - |
| FRI: | 11 am - 11:30 pm | 11 am - 11:30 pm | 5:30 pm - 11 pm | 11am - 11:30 pm | - |
| SAT: | 11 am - 11:30 pm | 11 am - 11:30 pm | 5:30 pm - 11 pm | 11am - 11:30 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-025620
 License Class/Type: C Restaurant
 ANC: 3C

Applicant: Ardeo, LLC
 Trade Name: Ardeo/Bardeo
 Premise Address: 3309 - 3311 CONNECTICUT AVE NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 1:30 am | 11 am -1:30 am | 11 am - 12 am | 11 am - 12 am | - |
| MON: | 11 am - 1:30 am | 11 am - 1:30 am | 11 am - 12 am | 11 am - 12 am | - |
| TUE: | 11 am - 1:30 am | 11 am - 1:30 am | 11 am - 12 am | 11 am - 12 am | - |
| WED: | 11 am - 1:30 am | 11 am - 1:30 am | 11 am - 12 am | 11 am - 12 am | - |
| THU: | 11 am - 1:30 am | 11 am - 1:30 am | 11 am - 12 am | 11 am - 12 am | - |
| FRI: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |
| SAT: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |

License Number: ABRA-060352
 License Class/Type: C Restaurant
 ANC: 3C

Applicant: Two Amys LLC
 Trade Name: Two Amys
 Premise Address: 3715 MACOMB ST NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 12 am | 11 am -12 am | 11 am - 12 am | 11 am - 12 am | - |
| MON: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| TUE: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| WED: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| THU: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| FRI: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| SAT: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-060601
 License Class/Type: C Restaurant
 ANC: 3C

Applicant: PGE, Inc.
 Trade Name: Sorriso
 Premise Address: 3518 CONNECTICUT AVE NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 12 am | 11 am -12 am | 11 am - 11:30 pm | 11 am - 11:30 pm | - |
| MON: | 11 am - 12 am | 11 am - 12 am | 11 am - 11:30 pm | 11 am - 11:30 pm | - |
| TUE: | 11 am - 12 am | 11 am - 12 am | 11 am - 11:30 pm | 11 am - 11:30 pm | - |
| WED: | 11 am - 12 am | 11 am - 12 am | 11 am - 11:30 pm | 11 am - 11:30 pm | - |
| THU: | 11 am - 12 am | 11 am - 12 am | 11 am - 11:30 pm | 11 am - 11:30 pm | - |
| FRI: | 11 am - 12 am | 11 am - 12 am | 11:30 am - 11:30 pm | 11:30 am - 11:30 pm | - |
| SAT: | 11 am - 12 am | 11 am - 12 am | 11:30 am - 11:30 pm | 11:30 am - 11:30 pm | - |

License Number: ABRA-060811
 License Class/Type: C Hotel
 ANC: 6D

Applicant: Portals Hotelsite, LLC
 Trade Name: Mandarin Oriental Wash DC Hotel
 Premise Address: 1330 MARYLAND AVE SW

Endorsements: Dancing, Entertainment, Sidewalk Cafe, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Summer Garden Operation | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|----------------------------------|------------------------|
| SUN: | 24 hours - | 10 am -2 am | | 10 am - 2 am | 10 am - 2 am |
| MON: | 24 hours - | 10 am - 2 am | | 10 am - 2 am | 10 am - 2 am |
| TUE: | 24 hours - | 10 am - 2 am | | 10 am - 2 am | 10 am - 2 am |
| WED: | 24 hours - | 10 am - 2 am | | 10 am - 2 am | 10 am - 2 am |
| THU: | 24 hours - | 10 am - 2 am | | 10 am - 2 am | 10 am - 2 am |
| FRI: | 24 hours - | 10 am - 3 am | | 10 am - 3 am | 10 am - 3 am |
| SAT: | 24 hours - | 10 am - 3 am | | 10 am - 3 am | 10 am - 3 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-060750
 License Class/Type: C Restaurant
 ANC: 2A

Applicant: Thai Coast Inc.
 Trade Name: CHARMTHAI
 Premise Address: 2514 L ST NW A

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | - |
| MON: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | - |
| TUE: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | - |
| WED: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | - |
| THU: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | - |
| FRI: | 10 am - 2 am | 10 am - 2 am | 10 am - 12 am | 10 am - 2 am | - |
| SAT: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | - |

License Number: ABRA-060146
 License Class/Type: C Restaurant
 ANC: 3C01

Applicant: FDS Restaurant, Inc.
 Trade Name: Petits Plats
 Premise Address: 2653 CONNECTICUT AVE NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| MON: | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| TUE: | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| WED: | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| THU: | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| FRI: | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| SAT: | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-076441
License Class/Type: C Restaurant
ANC: 3C01

Applicant: Woodley Cafe Partners, Inc.
Trade Name: Woodley Cafe
Premise Address: 2619 CONNECTICUT AVE NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10 am - 10 pm | 10 am -10 pm | 10 am - 10 pm | 10 am - 10 pm | - |
| MON: | 10 am - 10 pm | 10 am - 10 pm | 10 am - 10 pm | 10 am - 10 pm | - |
| TUE: | 10 am - 10 pm | 10 am - 10 pm | 10 am - 10 pm | 10 am - 10 pm | - |
| WED: | 10 am - 10 pm | 10 am - 10 pm | 10 am - 10 pm | 10 am - 10 pm | - |
| THU: | 10 am - 10 pm | 10 am - 10 pm | 10 am - 10 pm | 10 am - 10 pm | - |
| FRI: | 10 am - 10 pm | 10 am - 10 pm | 10 am - 10 pm | 10 am - 10 pm | - |
| SAT: | 10 am - 10 pm | 10 am - 10 pm | 10 am - 10 pm | 10 am - 10 pm | - |

License Number: ABRA-013111
License Class/Type: C Restaurant
ANC: 3C01

Applicant: CP, Inc.
Trade Name: Cafe Paradiso
Premise Address: 2649 CONNECTICUT AVE NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11:30 am - 2 am | 11:30 am -2 am | 11:30 am - 2 am | 11:30 am - 2 am | - |
| MON: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | - |
| TUE: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | - |
| WED: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | - |
| THU: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | - |
| FRI: | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 am - 3 am | - |
| SAT: | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-072201
License Class/Type: C Restaurant
ANC: 3C

Applicant: Cicchetti E L'Ombra Inc.
Trade Name: Dino
Premise Address: 3433 CONNECTICUT AVE NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 12 am | 11 am -12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| MON: | 11 am - 12 am | 11 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| TUE: | 11 am - 12 am | 11 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| WED: | 11 am - 12 am | 11 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| THU: | 11 am - 12 am | 11 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| FRI: | 11 am - 1 am | 11 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | - |
| SAT: | 11 am - 1 am | 11 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | - |

License Number: ABRA-060747
License Class/Type: C Restaurant
ANC: 3D

Applicant: Ilija International Gourment Shoppe, Inc.
Trade Name: DC Boat House
Premise Address: 5441 MACARTHUR BLVD N

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am -2 am | - |
| MON: | 11 am - 2 am | 11 am - 2 am | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | - |
| WED: | 11 am - 2 am | 11 am - 2 am | - |
| THU: | 11 am - 2 am | 11 am - 2 am | - |
| FRI: | 11 am - 3 am | 11 am - 3 am | - |
| SAT: | 11 am - 3 am | 11 am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-060249
License Class/Type: C Restaurant
ANC: 3D

Applicant: Chef Geoff's, Inc.
Trade Name: Chef Geoff's
Premise Address: 3201 NEW MEXICO AVE NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10:30 am - 12 am | 10:30 am -12 am | 10:30 am - 12 am | 10:30 am - 12 am | - |
| MON: | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | - |
| TUE: | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | - |
| WED: | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | - |
| THU: | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | - |
| FRI: | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | - |
| SAT: | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | 11:30 am - 12 am | - |

License Number: ABRA-075599
License Class/Type: C Restaurant
ANC: 3E

Applicant: Sushi Story LLC
Trade Name: Murasaki Restaurant
Premise Address: 4620 WISCONSIN AVE NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|---------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 12 pm - 10 pm | 12 pm -10 pm | 12 pm - 10 pm | 12 pm - 10 pm | - |
| MON: | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| TUE: | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| WED: | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| THU: | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| FRI: | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | - |
| SAT: | 12 pm - 10:30 pm | 12 pm - 10:30 pm | 12 pm - 10:30 pm | 12 pm - 10:30 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-078790
 License Class/Type: C Restaurant
 ANC: 3E

Applicant: Chen & Zheng Inc.
 Trade Name: Satay Club Asian Restaurant
 Premise Address: 4654 WISCONSIN AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|---------------------|------------------------|------------------------|
| SUN: | 11:30 am - 10:30 pm | 11:30 am -10:30 pm | - |
| MON: | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | - |
| TUE: | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | - |
| WED: | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | - |
| THU: | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | - |
| FRI: | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| SAT: | 11:30 am - 11 pm | 11:30 am - 11 pm | - |

License Number: ABRA-001750
 License Class/Type: C Restaurant
 ANC: 3E

Applicant: Spring Valley Enterprises, Inc.
 Trade Name: Decarlos Restaurant
 Premise Address: 4822 YUMA ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 5:30 pm - 9 pm | 5:30 pm -9 pm | 5:30 pm - 9 pm | 5:30 pm - 9 pm | - |
| MON: | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| TUE: | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| WED: | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| THU: | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| FRI: | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| SAT: | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-025496
License Class/Type: C Restaurant
ANC: 3E

Applicant: Matisse Bar & Grill
Trade Name: Matisse Bar & Grill
Premise Address: 4934 WISCONSIN AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 12 am | 11 am -12 am | - |
| MON: | 11 am - 12 am | 11 am - 12 am | - |
| TUE: | 11 am - 12 am | 11 am - 12 am | - |
| WED: | 11 am - 12 am | 11 am - 12 am | - |
| THU: | 11 am - 12 am | 11 am - 12 am | - |
| FRI: | 11 am - 1 am | 11 am - 1 am | - |
| SAT: | 11 am - 1 am | 11 am - 1 am | - |

License Number: ABRA-001448
License Class/Type: C Restaurant
ANC: 3E

Applicant: Tamakin Inc.
Trade Name: Yosaku Restaurant
Premise Address: 4712 WISCONSIN AVE NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|---------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11:30 am - 10:30 pm | 11:30 am -10:30 pm | 5:30 pm - 10:30 pm | 5:30 pm - 10:30 pm | - |
| MON: | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | 5:30 pm - 10:30 pm | 5:30 pm - 10:30 pm | - |
| TUE: | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | 5:30 pm - 10:30 pm | 5:30 pm - 10:30 pm | - |
| WED: | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | 5:30 pm - 10:30 pm | 5:30 pm - 10:30 pm | - |
| THU: | 11:30 am - 10:30 pm | 11:30 am - 10:30 pm | 5:30 pm - 10:30 pm | 5:30 pm - 10:30 pm | - |
| FRI: | 11:30 am - 11:30 pm | 11:30 am - 11:30 pm | 5:30 pm - 11 pm | 5:30 pm - 11 pm | - |
| SAT: | 11:30 am - 11:30 pm | 11:30 am - 11:30 pm | 5:30 pm - 11 pm | 5:30 pm - 11 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-000799
License Class/Type: C Club
ANC: 3E

Applicant: Washington Council Home Inc.
Trade Name: Washington Council Home
Premise Address: 5034 WISCONSIN AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 12 pm - 10 pm | 12 pm -10 pm | - |
| MON: | - | - | - |
| TUE: | 7 pm - 8 pm | 7 pm - 8 pm | - |
| WED: | - | - | - |
| THU: | - | - | - |
| FRI: | - | - | - |
| SAT: | - | - | - |

License Number: ABRA-090853
License Class/Type: C Restaurant
ANC: 3E

Applicant: Fork 'n Spade Restaurant LLC
Trade Name: Fork 'n Spade
Premise Address: 4619 41ST ST NW

Endorsements: Cover Charge, Dancing, Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10am - 2am | 10am -2am | 10am - 2am | 10am - 2am | 6pm - 2am |
| MON: | 11am - 2am | 11am - 2am | 11am - 2am | 11am - 2am | 6pm - 2am |
| TUE: | 11am - 2am | 11am - 2am | 11am - 2am | 11am - 2am | 6pm - 2am |
| WED: | 11am - 2am | 11am - 2am | 11am - 2am | 11am - 2am | 6pm - 2am |
| THU: | 11am - 2am | 11am - 2am | 11am - 2am | 11am - 2am | 6pm - 2am |
| FRI: | 11am - 3am | 11am - 3am | 11am - 3am | 11am - 3am | 6pm - 3am |
| SAT: | 10am - 3am | 10am - 3am | 10am - 3am | 10am - 3am | 6pm - 3am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-081469

Applicant: Sula, LLC

License Class/Type: C Restaurant

Trade Name: Masa 14

ANC: 1B

Premise Address: 1825 14TH ST NW

Endorsements: Entertainment, Sidewalk Cafe, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Summer Garden Operation | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|----------------------------------|------------------------|
| SUN: | 8 am - 2 am | 10 am - 2 am | 8 am - 12 am | 8 am - 2 am | 6 pm - 2 am |
| MON: | 8 am - 2 am | 8 am - 2 am | 8 am - 12 am | 8 am - 2 am | 6 pm - 2 am |
| TUE: | 8 am - 2 am | 8 am - 2 am | 8 am - 12 am | 8 am - 2 am | 6 pm - 2 am |
| WED: | 8 am - 2 am | 8 am - 2 am | 8 am - 12 am | 8 am - 2 am | 6 pm - 2 am |
| THU: | 8 am - 2 am | 8 am - 2 am | 8 am - 12 am | 8 am - 2 am | 6 pm - 2 am |
| FRI: | 8 am - 3 am | 8 am - 3 am | 8 am - 12 am | 8 am - 3 am | 6 pm - 3 am |
| SAT: | 8 am - 3 am | 8 am - 3 am | 8 am - 12 am | 8 am - 3 am | 6 pm - 3 am |

License Number: ABRA-085720

Applicant: Epicurean Foods, LLC

License Class/Type: C Restaurant

Trade Name: Epicurean and Company

ANC: 3F

Premise Address: 4250 CONNECTICUT AVE NW

Endorsements: Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 6 am - 12 am | 10 am - 12 am | 6 pm - 11 pm |
| MON: | 6 am - 12 am | 8 am - 12 am | 6 pm - 11 pm |
| TUE: | 6 am - 12 am | 8 am - 12 am | 6 pm - 11 pm |
| WED: | 6 am - 12 am | 8 am - 12 am | 6 pm - 11 pm |
| THU: | 6 am - 12 am | 8 am - 12 am | 6 pm - 11 pm |
| FRI: | 6 am - 12 am | 8 am - 12 am | 6 pm - 11 pm |
| SAT: | 6 am - 12 am | 8 am - 12 am | 6 pm - 11 pm |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-060244
License Class/Type: C Restaurant
ANC: 3F

Applicant: RTI, Inc.
Trade Name: Il Tesoro
Premise Address: 4400 CONNECTICUT AVE NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 1 am | 11 am -1 am | 11:30 am - 12 am | 11:30 am - 12 am | - |
| MON: | 11 am - 1 am | 11 am - 1 am | 11:30 am - 12 am | 11:30 am - 12 am | - |
| TUE: | 11 am - 1 am | 11 am - 1 am | 11:30 am - 12 am | 11:30 am - 12 am | - |
| WED: | 11 am - 1 am | 11 am - 1 am | 11:30 am - 12 am | 11:30 am - 12 am | - |
| THU: | 11 am - 1 am | 11 am - 1 am | 11:30 am - 12 am | 11:30 am - 12 am | - |
| FRI: | 11 am - 2 am | 11 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | - |
| SAT: | 11 am - 2 am | 11am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | - |

License Number: ABRA-085977
License Class/Type: C Restaurant
ANC: 3G

Applicant: Blue 44 LLC
Trade Name: Blue 44
Premise Address: 5507 CONNECTICUT AVE NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 8 am - 11 pm | 10 am -11 pm | 11 am - 11 pm | 11 am - 11 pm | - |
| MON: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | - |
| TUE: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | - |
| WED: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | - |
| THU: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | 11 am - 11 pm | - |
| FRI: | 11 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |
| SAT: | 8 am - 2 am | 11 am - 2 am | 11 am - 12 am | 11 am - 12 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-012671
License Class/Type: C Restaurant
ANC: 3G

Applicant: Mandarin Palace Inc.
Trade Name: Tian Tian Fang
Premise Address: 5540 CONNECTICUT AVE NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11am - 12am | 11am -12am | 12 pm - 9:30 pm | 12 pm - 9:30 pm | 6 pm - 12 am |
| MON: | 11am - 12am | 11am - 12am | | | 6 pm - 12 am |
| TUE: | 11am - 12am | 11am - 12am | 11 am - 9:30 pm | 11 am - 9:30 pm | 6 pm - 12 am |
| WED: | 11am - 12am | 11am - 12am | 11 am - 9:30 pm | 11 am - 9:30 pm | 6 pm - 12 am |
| THU: | 11am - 12am | 11am - 12am | 11 am - 9:30 pm | 11 am - 9:30 pm | 6 pm - 12am |
| FRI: | 11am - 12am | 11am - 12am | 11 am - 10 pm | 11 am - 10 pm | 6 pm - 12 am |
| SAT: | 11am - 12am | 11am - 12am | 11 am - 10 pm | 11 am - 10 pm | 6 pm - 12 am |

License Number: ABRA-083931
License Class/Type: C Restaurant
ANC: 4C

Applicant: BMWG, LLC
Trade Name: The Highlands
Premise Address: 4706 14TH ST NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 8 am - 12 am | 10 am -12 am | 8 am - 12 am | 10 am - 12 am | 10 am - 12 am |
| MON: | 7 am - 12 am | 11 am - 12 am | 7 am - 12 am | 11 am - 12 am | 6 pm - 12 am |
| TUE: | 7 am - 12 am | 11 am - 12 am | 7 am - 12 am | 11 am - 12 am | 6 pm - 12 am |
| WED: | 7 am - 12 am | 11 am - 12 am | 7 am - 12 am | 11 am - 12 am | 6 pm - 12 am |
| THU: | 7 am - 12 am | 11 am - 12 am | 7 am - 12 am | 11 am - 12 am | 6 pm - 12 am |
| FRI: | 7 am - 12 am | 11 am - 12 am | 7 am - 12 am | 11 am - 12 am | 6 pm - 12 am |
| SAT: | 7 am - 12 am | 9:30 am - 12 am | 7 am - 12 am | 9:30 am - 12 am | 9:30 am - 12 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-074223
License Class/Type: C Hotel
ANC: 3E

Applicant: CLPF-CC Pavilion Operating Company, LLC
Trade Name: Embassy Suites
Premise Address: 5335 WISCONSIN AVE NW

Endorsements: Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 24 Hours - | 10 am -11 pm | 6 pm - 2 am |
| MON: | 24 Hours - | 8 am - 11 pm | 6 pm - 2 am |
| TUE: | 24 Hours - | 8 am - 11 pm | 6 pm - 2 am |
| WED: | 24 Hours - | 8 am - 11 pm | 6 pm - 2 am |
| THU: | 24 Hours - | 8 am - 11 pm | 6 pm - 2 am |
| FRI: | 24 Hours - | 8am - 11 pm | 6 pm - 2 am |
| SAT: | 24 Hours - | 8 am - 11 pm | 6 pm - 2 am |

License Number: ABRA-074001
License Class/Type: C Hotel
ANC: 2C

Applicant: 1000 K Street, LLC
Trade Name: Embassy Suites Hotel
Premise Address: 900 10TH ST NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 24 Hours - | 12 pm -2 am | 11 am - 2 am |
| MON: | 24 Hours - | 11 am - 2 am | 11 am - 2 am |
| TUE: | 24 Hours - | 11 am - 2 am | 11 am - 2 am |
| WED: | 24 Hours - | 11 am - 2 am | 11 am - 2 am |
| THU: | 24 Hours - | 11 am - 2 am | 11 am - 2 am |
| FRI: | 24 Hours - | 11 am - 3 am | 11 am - 2 am |
| SAT: | 24 Hours - | 11 am - 3 am | 11 am - 2 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-072165 Applicant: El Cuscatleco Carry-Out, Inc.
License Class/Type: C Restaurant Trade Name: El Torogoz Restaurant
ANC: 4C07 Premise Address: 4231 9TH ST NW

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am - 2 am | 11:30 am - 1 am | 11:30 am - 1 am | 6:30 pm - 1:30 am |
| MON: | 10 am - 2 am | 8 am - 2 am | 11:30 am - 1 am | 11:30 am - 1 am | - |
| TUE: | 10 am - 2 am | 8 am - 2 am | 11:30 am - 1 am | 11:30 am - 1 am | - |
| WED: | 10 am - 2 am | 8 am - 2 am | 11:30 am - 1 am | 11:30 am - 1 am | - |
| THU: | 10 am - 2 am | 8 am - 2 am | 11:30 am - 1 am | 11:30 am - 1 am | - |
| FRI: | 10 am - 3 am | 8 am - 3 am | 11am - 1 am | 11am - 1 am | 8 pm - 3 am |
| SAT: | 10 am - 3 am | 8 am - 3 am | 11am - 1 am | 11am - 1 am | 8 pm - 3 am |

License Number: ABRA-079873 Applicant: Garay Corporation
License Class/Type: C Restaurant Trade Name: Corina's Restaurant
ANC: 4D Premise Address: 831 KENNEDY ST NW

Endorsements: Dancing, Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 9 am - 3 am | 10 am - 2 am | 9 am - 2 am | 10 am - 2 am | 6 pm - 2 am |
| MON: | 9 am - 2 am | 10 am - 2 am | 9 am - 2 am | 10 am - 2 am | 6 pm - 2 am |
| TUE: | 9 am - 2 am | 10 am - 2 am | 9 am - 2 am | 10 am - 2 am | 6 pm - 2 am |
| WED: | 9 am - 2 am | 10 am - 2 am | 9 am - 2 am | 10 am - 2 am | 6 pm - 2 am |
| THU: | 9 am - 2 am | 10 am - 2 am | 9 am - 2 am | 10 am - 2 am | 6 pm - 2 am |
| FRI: | 9 am - 3 am | 10 am - 2 am | 9 am - 2 am | 10 am - 2 am | 6 pm - 2 am |
| SAT: | 9 am - 3 am | 10 am - 2 am | 9 am - 2 am | 10 am - 2 am | 6 pm - 2 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-077562
License Class/Type: C Restaurant
ANC: 4D06

Applicant: Moroni & Brothers Inc.
Trade Name: Moroni & Brothers Pizza Restaurant
Premise Address: 4811 GEORGIA AVE NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 11 pm | 11 am -11 pm | - |
| MON: | 8 am - 2 am | 8 am - 2 am | 6 pm - 1 am |
| TUE: | 8 am - 2 am | 8 am - 2 am | 6 pm - 1 am |
| WED: | 8 am - 2 am | 8 am - 2 am | 6 pm - 1 am |
| THU: | 8 am - 2 am | 8 am - 2 am | 6 pm - 1 am |
| FRI: | 8 am - 3 am | 8 am - 3 am | 6 pm - 1 am |
| SAT: | 8 am - 3 am | 8 am - 3 am | 6 pm - 1 am |

License Number: ABRA-075607
License Class/Type: C Restaurant
ANC: 2C

Applicant: Central Resto, LLC
Trade Name: Central-Michel Richard
Premise Address: 1001 PENNSYLVANIA AVE NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|---------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11:45 am - 10:30 pm | 12 pm -10:30 pm | 11:45 am - 10:30 pm | 12 pm - 10:30 pm | - |
| MON: | 11:45 am - 12 am | 11:45 am - 12 am | 11:45 am - 12 am | 11:45 am - 12 am | - |
| TUE: | 11:45 am - 12 am | 11:45 am - 12 am | 11:45 am - 12 am | 11:45 am - 12 am | - |
| WED: | 11:45 am - 12 am | 11:45 am - 12 am | 11:45 am - 12 am | 11:45 am - 12 am | - |
| THU: | 11:45 am - 1 am | 11:45 am - 12 am | 11:45 am - 1 am | 11:45 am - 12 am | - |
| FRI: | 11:45 am - 1:30 am | 11:45 am - 1 am | 11:45 am - 1:30 am | 11:45 am - 1 am | - |
| SAT: | 11:45 am - 1:30 am | 11:45 am - 1:30 am | 11:45 am - 1:30 am | 11:45 am - 1:30 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-083121 Applicant: The New Brookland Cafe, LLC
 License Class/Type: C Restaurant Trade Name: B Cafe/Brookland Cafe
 ANC: 5B Premise Address: 3740 12TH ST NE

Endorsements: Cover Charge, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 7 am - 2 am | 10 am -1:40 am | 10 am - 1 am |
| MON: | 7 am - 2 am | 10 am - 1:40 am | 10 am - 1 am |
| TUE: | 7 am - 2 am | 10 am - 1:40 am | 10 am - 1 am |
| WED: | 7 am - 2 am | 10 am - 1:40 am | 10 am - 1 am |
| THU: | 7 am - 2 am | 10 am - 1:40 am | 10 am - 1 am |
| FRI: | 7 am - 3 am | 10 am - 2:40 am | 10 am - 2 am |
| SAT: | 7 am - 3 am | 10 am - 2:40 am | 10 am - 2 am |

License Number: ABRA-088452 Applicant: 1606 K, LLC
 License Class/Type: C Restaurant Trade Name: Fuel Pizza & Wings
 ANC: 2B Premise Address: 1606 K ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am -2 am | 11am - 2am | 11am - 2am | - |
| MON: | 11 am - 2 am | 11 am - 2 am | 11am - 2am | 11am - 2am | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11am - 2am | 11am - 2am | - |
| WED: | 11 am - 2 am | 11 am - 2 am | 11am - 2am | 11am - 2am | - |
| THU: | 11 am - 2 am | 11 am - 2 am | 11am - 2am | 11am - 2am | - |
| FRI: | 11 am - 2 am | 11 am - 2 am | 11am - 2am | 11am - 2am | - |
| SAT: | 11 am - 2 am | 11 am - 2 am | 11am - 2am | 11am - 2am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-087813
 License Class/Type: C Restaurant
 ANC: 6A

Applicant: Ara Restaurant Group LLC
 Trade Name: Pho Bar And Grill
 Premise Address: 1360 H ST NE

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 10 pm | 10 am -10 pm | 6:00pm - 10:00pm |
| MON: | 10 am - 10 pm | 10 am - 10 pm | 6:00pm - 10:00pm |
| TUE: | 10 am - 10 pm | 10 am - 10 pm | 6:00pm - 10:00pm |
| WED: | 10 am - 10 pm | 10 am - 10 pm | 6:00pm - 10:00pm |
| THU: | 10 am - 10 pm | 10 am - 10 pm | 6:00pm - 10:00pm |
| FRI: | 10 am - 2 am | 10 am - 2 am | 6:00pm - 11:30pm |
| SAT: | 10 am - 2 am | 10 am - 2 am | 6:00pm - 11:30pm |

License Number: ABRA-087422
 License Class/Type: C Restaurant
 ANC: 6A

Applicant: Dangerously Delicious DC LLC
 Trade Name: Dangerously Delicious DC
 Premise Address: 1339 H ST NE

Endorsements: Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 8am - 3am | 10am -2am | 6pm - 2am |
| MON: | 8am - 3am | 8am - 2am | 6pm - 2am |
| TUE: | 8am - 3am | 8am - 2am | 6pm - 2am |
| WED: | 8am - 3am | 8am - 3am | 6pm - 2am |
| THU: | 8am - 3am | 8am - 2am | 6pm - 2am |
| FRI: | 8am - 4am | 8am - 3am | 6pm - 3am |
| SAT: | 8am - 4am | 8am - 3am | 6pm - 3am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-072783
 License Class/Type: C Restaurant
 ANC: 6A01

Applicant: Bee Hive, LLC
 Trade Name: Sticky Rice
 Premise Address: 1222 H ST NE

Endorsements: Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 9 pm - 2 am |
| MON: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 9 pm - 2 am |
| TUE: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 9 pm - 2 am |
| WED: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 9 pm - 2 am |
| THU: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 9 pm - 2 am |
| FRI: | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 am - 3 am | 9 pm - 2 am |
| SAT: | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 am - 3 am | 9 pm - 2 am |

License Number: ABRA-060689
 License Class/Type: C Restaurant
 ANC: 6B

Applicant: Shallamar Enterprises, LLC
 Trade Name: Capitol Hill Tandor and Grill
 Premise Address: 419 8TH ST SE

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 10:30 pm | 11 am - 10:30 pm | - |
| MON: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 10:30 pm | 11 am - 10:30 pm | - |
| TUE: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 10:30 pm | 11 am - 10:30 pm | - |
| WED: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 10:30 pm | 11 am - 10:30 pm | - |
| THU: | 11 am - 11 pm | 11 am - 11 pm | 11 am - 10:30 pm | 11 am - 10:30 pm | - |
| FRI: | 11 am - 2 am | 11 am - 2 am | 11:30 am - 11:30 pm | 11:30 am - 11:30 pm | - |
| SAT: | 11 am - 2 am | 11 am - 2 am | 11:30 am - 11:30 pm | 11:30 am - 11:30 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-060383
License Class/Type: C Restaurant
ANC: 6B

Applicant: Harlou Inc.
Trade Name: Tunnickliffs Tavern
Premise Address: 222 7TH ST SE

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 9 am - 2 am | 10 am - 2 am | 9 am - 2 am | 10 am - 2 am | - |
| MON: | 9 am - 2 am | 9 am - 2 am | 9 am - 2 am | 9 am - 2 am | - |
| TUE: | 9 am - 2 am | 9 am - 2 am | 9 am - 2 am | 9 am - 2 am | - |
| WED: | 9 am - 2 am | 9 am - 2 am | 9 am - 2 am | 9 am - 2 am | - |
| THU: | 9 am - 2 am | 9 am - 2 am | 9 am - 2 am | 9 am - 2 am | - |
| FRI: | 9 am - 3 am | 9 am - 3 am | 9 am - 3 am | 9 am - 3 am | - |
| SAT: | 9 am - 3 am | 9 am - 3 am | 9 am - 3 am | 9 am - 3 am | - |

License Number: ABRA-087549
License Class/Type: C Restaurant
ANC: 6B

Applicant: Eastern Market Entertainment, LLC
Trade Name: Boxcar
Premise Address: 224 7TH ST SE

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 9 am - 2 am | 10 am - 2 am | - |
| MON: | 9 am - 2 am | 9 am - 2 am | - |
| TUE: | 9 am - 2 am | 9 am - 2 am | - |
| WED: | 9 am - 2 am | 9 am - 2 am | - |
| THU: | 9 am - 2 am | 9 am - 2 am | - |
| FRI: | 8 am - 3 am | 8 am - 3 am | - |
| SAT: | 8 am - 3 am | 8 am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-086033 Applicant: Pacifico On Eight LLC
License Class/Type: C Restaurant Trade Name: Pacifico
ANC: 6B Premise Address: 514 8TH ST SE

Endorsements: Sidewalk Cafe, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Summer Garden Operation | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|----------------------------------|------------------------|
| SUN: | 10am - 1am | 10am -1am | 10am - 1am | 10am - 11pm | - |
| MON: | 8am - 1 am | 8am - 1am | 8am - 11pm | 8am - 11pm | - |
| TUE: | 8am - 1am | 8am - 1am | 8am - 11pm | 8am - 11pm | - |
| WED: | 8am - 1am | 8am - 1am | 8am - 11pm | 8am - 11pm | - |
| THU: | 8am - 1am | 8am - 1am | 8am - 11pm | 8am - 11pm | - |
| FRI: | 8am - 2am | 8am - 2am | 8am - 1am | 8am - 1am | - |
| SAT: | 8am - 2am | 8am - 2am | 8am - 1am | 8am - 1am | - |

License Number: ABRA-086148 Applicant: Molly Malone's, LLC
License Class/Type: C Restaurant Trade Name: Molly Malone's
ANC: 6B Premise Address: 713 8TH ST SE

Endorsements: Cover Charge, Dancing, Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am -2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 1 am |
| MON: | 8 am - 2 am | 8am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 1 am |
| TUE: | 8 am - 2 am | 8 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 1 am |
| WED: | 8 am - 2 am | 8 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 1 am |
| THU: | 8 am - 2 am | 8 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 1 am |
| FRI: | 8 am - 2 am | 8 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6 pm - 2 am |
| SAT: | 8 am - 3 am | 8 am - 3 am | 11 am - 3 am | 11 am - 3 am | 6 pm - 2 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-083029
 License Class/Type: C Restaurant
 ANC: 6B

Applicant: Barracks Row Entertainment, LLC
 Trade Name: Chesapeake Room
 Premise Address: 501 8TH ST SE

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 11 pm | - |
| MON: | 8 am - 2 am | 8 am - 2 am | 8 am - 2 am | 8 am - 11 pm | - |
| TUE: | 8 am - 2 am | 8 am - 2 am | 8 am - 2 am | 8 am - 11 pm | - |
| WED: | 8 am - 2 am | 8 am - 2 am | 8 am - 2 am | 8 am - 11 pm | - |
| THU: | 8 am - 2 am | 8 am - 2 am | 8 am - 2 am | 8 am - 11 pm | - |
| FRI: | 8 am - 3 am | 8 am - 3 am | 8 am - 3 am | 8 am - 1 am | - |
| SAT: | 8 am - 3 am | 8 am - 3 am | 8 am - 3 am | 8 am - 1 am | - |

License Number: ABRA-089616
 License Class/Type: C Restaurant
 ANC: 6B

Applicant: ANB 623, LLC
 Trade Name: Beuchert's Saloon
 Premise Address: 623 PENNSYLVANIA AVE SE

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 9 am - 2 am | 9 am - 2 am | 9 am - 5 pm | 9 am - 5 pm | - |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 5 pm | 11 am - 5 pm | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 5 pm | 11 am - 5 pm | - |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 5 pm | 11 am - 5 pm | - |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 5 pm | 11 am - 5 pm | - |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11 am - 5 pm | 11 am - 5 pm | - |
| SAT: | 9 am - 3 am | 9 am - 3 am | 9 am - 5 pm | 9 am - 5 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-091400
License Class/Type: C Restaurant
ANC: 6C

Applicant: Gilstrid's Gastronomy, LLC
Trade Name: Cafe Berlin
Premise Address: 322 MASSACHUSETTS AVE NE

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11:30 am - 10 pm | 11:30 am -10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| MON: | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| TUE: | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| WED: | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| THU: | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| FRI: | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| SAT: | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | - |

License Number: ABRA-015387
License Class/Type: C Restaurant
ANC: 6B01

Applicant: Escobar Rincon Inc.
Trade Name: La Lomita Dos
Premise Address: 308 PENNSYLVANIA AVE SE

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 4 pm - 10 pm | 4 pm -10 pm | - |
| MON: | 11 am - 10:30 pm | 11 am - 10:30 pm | - |
| TUE: | 11 am - 10:30 pm | 11 am - 10:30 pm | - |
| WED: | 11 am - 10:30 pm | 11 am - 10:30 pm | - |
| THU: | 11 am - 10:30 pm | 11 am - 10:30 pm | - |
| FRI: | 11 am - 11 pm | 11 am - 11 pm | - |
| SAT: | 12 pm - 11 pm | 12 pm - 11 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-000793
 License Class/Type: C Club
 ANC: 6B01

Applicant: National Democratic Club
 Trade Name: National Democratic Club
 Premise Address: 30 IVY ST SE

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | - | - | - |
| MON: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| TUE: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| WED: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| THU: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| FRI: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| SAT: | - | - | - |

License Number: ABRA-003812
 License Class/Type: C Restaurant
 ANC: 6B03

Applicant: 1727 Corp
 Trade Name: Las Placitas
 Premise Address: 517 8TH ST SE

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 - 11 pm | 11:30 - 11 pm | - |
| MON: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 - 11 pm | 11:30 - 11 pm | - |
| TUE: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 - 11 pm | 11:30 - 11 pm | - |
| WED: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 - 11 pm | 11:30 - 11 pm | - |
| THU: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 - 11 pm | 11:30 - 11 pm | - |
| FRI: | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 - 11 pm | 11:30 - 11 pm | - |
| SAT: | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 - 11 pm | 11:30 - 11 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-071793
License Class/Type: C Restaurant
ANC: 6B03

Applicant: Partners At 723 8th St SE, LLC
Trade Name: The Ugly Mug Dining Saloon
Premise Address: 723 8TH ST SE

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 12 pm - 1:30 am | 12 pm -1:30 am | 12 pm - 1:30 am | 12 pm - 1:30 am | 6 pm - 1:30 am |
| MON: | 11:30 am - 1:30 am | 11:30 am - 1:30 am | 11:30 am - 1:30 am | 11:30 am - 1:30 am | 6 pm - 1:30 am |
| TUE: | 11:30 am - 1:30 am | 11:30 am - 1:30 am | 11:30 am - 1:30 am | 11:30 am - 1:30 am | 6 pm - 1:30 am |
| WED: | 11:30 am - 1:30 am | 11:30 am - 1:30 am | 11:30 am - 1:30 am | 11:30 am - 1:30 am | 6 pm - 1:30 am |
| THU: | 11:30 am - 1:30 am | 11:30 am - 1:30 am | 11:30 am - 1:30 am | 11:30 am - 1:30 am | 6 pm - 1:30 am |
| FRI: | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 am - 3 am | 6 pm - 3 am |
| SAT: | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 am - 3 am | 6 pm - 3 am |

License Number: ABRA-026006
License Class/Type: C Restaurant
ANC: 6B04

Applicant: Bivco, Inc.
Trade Name: Banana Cafe And Piano Bar
Premise Address: 500 8TH ST SE

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10am - 12am | 10am -12am | 10am - 11:30 pm | 10am - 11:30 pm | 6pm - 12am |
| MON: | 8am - 12am | 8am - 12am | 8am - 11:30pm | 8am - 11:30pm | 6pm - 12am |
| TUE: | 8am - 12am | 8am - 12am | 8am - 11:30pm | 8am - 11:30pm | 6pm - 12am |
| WED: | 8am - 12am | 8am - 12am | 8am - 11:30pm | 8am - 11:30pm | 6pm - 12am |
| THU: | 8am - 12am | 8am - 12am | 8am - 11:30pm | 8am - 11:30pm | 6pm - 12am |
| FRI: | 8am - 1am | 8am - 1am | 8am - 1am | 8am - 1am | 6pm - 1am |
| SAT: | 8am - 1am | 8am - 1am | 8am - 1am | 8am - 1am | 6pm - 1am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-060160
 License Class/Type: C Restaurant
 ANC: 2C

Applicant: The Caucus Room LLC
 Trade Name: The Caucus Room
 Premise Address: 401 9TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | - |
| MON: | 11 am - 2 am | 11 am - 2 am | - |
| TUE: | 11 am - 2 am | 11 am - 2 am | - |
| WED: | 11 am - 2 am | 11 am - 2 am | - |
| THU: | 11 am - 2 am | 11 am - 2 am | - |
| FRI: | 11 am - 3 am | 11 am - 3 am | - |
| SAT: | 11 am - 3 am | 11 am - 3 am | - |

License Number: ABRA-060243
 License Class/Type: C Restaurant
 ANC: 6C

Applicant: Kwang Bae Jeon
 Trade Name: Kenny's Smokehouse
 Premise Address: 732 MARYLAND AVE NE

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | Closed - Closed | Closed -Closed | Closed - Closed | Closed - Closed | - |
| MON: | 11 am - 9:30 pm | 11 am - 9:30 pm | 11 am - 9:30 pm | 11 am - 9:30 pm | - |
| TUE: | 11 am - 9:30 pm | 11 am - 9:30 pm | 11 am - 9:30 pm | 11 am - 9:30 pm | - |
| WED: | 11 am - 9:30 pm | 11 am - 9:30 pm | 11 am - 9:30 pm | 11 am - 9:30 pm | - |
| THU: | 11 am - 9:30 pm | 11 am - 9:30 pm | 11 am - 9:30 pm | 11 am - 9:30 pm | - |
| FRI: | 11 am - 10:30 pm | 11 am - 10:30 pm | 11 am - 10:30 pm | 11 am - 10:30 pm | - |
| SAT: | 11 am - 10:30 pm | 11 am - 10:30 pm | 11 am - 10:30 pm | 11 am - 10:30 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-078742
License Class/Type: C Restaurant
ANC: 2C

Applicant: Sei Restaurant & Lounge, LLC
Trade Name: Sei Restaurant & Lounge
Premise Address: 444 7TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11:00 AM - 1:00 AM | 11:00 AM -1:00 AM | - |
| MON: | 11:00 AM - 2:00 AM | 11:00 AM - 2:00 AM | - |
| TUE: | 11:00 AM - 2:00 AM | 11:00 AM - 2:00 AM | - |
| WED: | 11:00 AM - 2:00 AM | 11:00 AM - 2:00 AM | - |
| THU: | 11:00 AM - 2:00 AM | 11:00 AM - 2:00 AM | - |
| FRI: | 11:00 AM - 2:00 AM | 11:00 AM - 2:00 AM | - |
| SAT: | 11:00 AM - 2:00 AM | 11:00 AM - 2:00 AM | - |

License Number: ABRA-080876
License Class/Type: C Multipurpose
ANC: 2C

Applicant: Woolly Mammoth Theatre Company
Trade Name: Woolly Mammoth Theatre Company
Premise Address: 641 D ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 1 am | 10 am -1 am | - |
| MON: | 10 am - 1 am | 10 am - 1 am | - |
| TUE: | 10 am - 1 am | 10 am - 1 am | - |
| WED: | 10 am - 1 am | 10 am - 1 am | - |
| THU: | 10 am - 1 am | 10 am - 1 am | - |
| FRI: | 10 am - 1 am | 10 am - 1 am | - |
| SAT: | 10 am - 1 am | 10 am - 1 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-015015
License Class/Type: C Restaurant
ANC: 2C

Applicant: Knights Bridge, Inc.
Trade Name: 701 Restaurant
Premise Address: 701 PENNSYLVANIA AVE NW

Endorsements: Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6:30 pm - 9:30 pm |
| MON: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6:30 pm - 11:00 pm |
| TUE: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6:30 pm - 11:00 pm |
| WED: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6:30 pm - 11:00 pm |
| THU: | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am | 6:30 pm - 11:00 pm |
| FRI: | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 7 pm - 12 am |
| SAT: | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 11 am - 3 am | 7 pm - 12 am |

License Number: ABRA-082758
License Class/Type: C Restaurant
ANC: 6C

Applicant: Bistro Cacao, Inc.
Trade Name: Bistro CaCao
Premise Address: 320 MASSACHUSETTS AVE NE

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 7 am - 12 am | 10 am - 12 am | 7 am - 11 pm | 10 am - 11 pm | - |
| MON: | 7 am - 12 am | 8 am - 12 am | 7 am - 11 pm | 8 am - 11 pm | - |
| TUE: | 7 am - 12 am | 8 am - 12 am | 7 am - 11 pm | 8 am - 11 pm | - |
| WED: | 7 am - 12 am | 8 am - 12 am | 7 am - 11 pm | 8 am - 11 pm | - |
| THU: | 7 am - 12 am | 8 am - 12 am | 7 am - 11 pm | 8 am - 11 pm | - |
| FRI: | 7 am - 1 am | 8 am - 1 am | 7 am - 12 am | 8 am - 12 am | - |
| SAT: | 7 am - 1 am | 8 am - 1 am | 7 am - 12 am | 8 am - 12 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-086210
License Class/Type: C Restaurant
ANC: 6C

Applicant: TBM Holdings LLC
Trade Name: TruOrleans
Premise Address: 400 H ST NE

Endorsements: Entertainment, Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 7am - 2am | 10am -2am | 7am - 10pm | 10am - 10pm | 6pm - 2am |
| MON: | 7am - 2am | 8am - 2am | 7am - 10pm | 8am - 10pm | 6pm - 2am |
| TUE: | 7am - 2am | 8am - 2am | 7am - 10pm | 8am - 10pm | 6pm - 2am |
| WED: | 7am - 2am | 8am - 2am | 7am - 10pm | 8am - 10pm | 6pm - 2am |
| THU: | 7am - 2am | 8am - 2am | 7am - 10pm | 8am - 10pm | 6pm - 2am |
| FRI: | 7am - 3am | 8am - 3am | 7am - 12am | 8am - 12am | 6pm - 3am |
| SAT: | 7am - 3am | 8am - 3am | 7am - 12am | 8am - 12am | 6pm - 3am |

License Number: ABRA-089123
License Class/Type: C Restaurant
ANC: 6C

Applicant: Culinaire International Inc
Trade Name: Watershed
Premise Address: 1225 1st ST NE

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 24 hours - | 10am -2am | 10am - 2am | 10am - 2am | - |
| MON: | 24 hours - | 10am - 2am | 10am - 2am | 10am - 2am | - |
| TUE: | 24 hours - | 10am - 2am | 10am - 2am | 10am - 2am | - |
| WED: | 24 hours - | 10am - 2am | 10am - 2am | 10am - 2am | - |
| THU: | 24 hours - | 10am - 2am | 10am - 2am | 10am - 2am | - |
| FRI: | 24 hours - | 10am - 2am | 10am - 2am | 10am - 2am | - |
| SAT: | 24 hours - | 10am - 2am | 10am - 2am | 10am - 2am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-012644
License Class/Type: C Hotel
ANC: 6C

Applicant: American Union HotelInc.
Trade Name: Washington Court Hotel
Premise Address: 525 NEW JERSEY AVE NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 24 hours - | 11 am -2 am | 6 pm - 2 am |
| MON: | 24 hours - | 11 am - 2 am | 6 pm - 2 am |
| TUE: | 24 hours - | 11 am - 2 am | 6 pm - 2 am |
| WED: | 24 hours - | 11 am - 2 am | 6 pm - 2 am |
| THU: | 24 hours - | 11 am - 2 am | 6 pm - 2 am |
| FRI: | 24 hours - | 11 am - 2 am | 6 pm - 2 am |
| SAT: | 24 hours - | 11 am - 2 am | 6 pm - 2 am |

License Number: ABRA-023539
License Class/Type: C Restaurant
ANC: 6C

Applicant: Vangho, Corp.
Trade Name: Bistro Italia
Premise Address: 320 D ST NE

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 12 am | 11 am -12 am | - |
| MON: | 11 am - 12 am | 11 am - 12 am | - |
| TUE: | 11 am - 12 am | 11 am - 12 am | - |
| WED: | 11 am - 12 am | 11 am - 12 am | - |
| THU: | 11 am - 12 am | 11 am - 12 am | - |
| FRI: | 11 am - 1 am | 11 am - 1 am | - |
| SAT: | 11 am - 1 am | 11 am - 1 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-075464
License Class/Type: C Restaurant
ANC: 6C

Applicant: AY & PS, Inc
Trade Name: Armand's Chicago Pizzeria
Premise Address: 226 MASSACHUSETTS AVE NE

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 4 pm - 10 pm | 4 pm -10 pm | 4 pm - 10 pm | 4 pm - 10 pm | - |
| MON: | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| TUE: | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| WED: | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| THU: | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| FRI: | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| SAT: | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | 11:30 am - 11 pm | - |

License Number: ABRA-073791
License Class/Type: C Restaurant
ANC: 2C

Applicant: Rasika, LLC
Trade Name: Rasika
Premise Address: 633 D ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11:30 am - 12 am | 11:30 am -12 am | - |
| MON: | 11:30 am - 12 am | 11:30 am - 12 am | - |
| TUE: | 11:30 am - 12 am | 11:30 am - 12 am | - |
| WED: | 11:30 am - 12 am | 11:30 am - 12 am | - |
| THU: | 11:30 am - 12 am | 11:30 am - 12 am | - |
| FRI: | 11:30 am - 1 am | 11:30 am - 1 am | - |
| SAT: | 11:30 am - 1 am | 11:30 am - 1 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-077964

Applicant: Busboy, Inc.

License Class/Type: C Restaurant

Trade Name: Busboys & Poets

ANC: 6E

Premise Address: 1025 5TH ST NW

Endorsements: Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 7 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 6 pm - 2 am |
| MON: | 7 am - 2 am | 8 am - 2 am | 8 am - 2 am | 8 am - 2 am | 6 pm - 2 am |
| TUE: | 7 am - 2 am | 8 am - 2 am | 8 am - 2 am | 8 am - 2 am | 6 pm - 2 am |
| WED: | 7 am - 2 am | 8 am - 2 am | 8 am - 2 am | 8 am - 2 am | 6 pm - 2 am |
| THU: | 7 am - 2 am | 8 am - 2 am | 8 am - 2 am | 8 am - 2 am | 6 pm - 2 am |
| FRI: | 7 am - 3 am | 8 am - 3 am | 8 am - 3 am | 8 am - 3 am | 6 pm - 3 am |
| SAT: | 7 am - 3 am | 8 am - 3 am | 8 am - 3 am | 8 am - 3 am | 6 pm - 3 am |

License Number: ABRA-060654

Applicant: Charlie Palmer Steak, DC, LLC

License Class/Type: C Restaurant

Trade Name: Charlie Palmer

ANC: 6C

Premise Address: 101 CONSTITUTION AVE NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | 10 am - 2 am | - |
| MON: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | - |
| TUE: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | - |
| WED: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | - |
| THU: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 2 am | - |
| FRI: | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 am - 3 am | - |
| SAT: | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-001324
 License Class/Type: C Club
 ANC: 6D

Applicant: The Capitol Yacht Club
 Trade Name: Capital Yacht Club
 Premise Address: 1000 WATER ST SW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am - 2 am | - |
| MON: | 8 am - 2 am | 8 am - 2 am | - |
| TUE: | 8 am - 2 am | 8 am - 2 am | - |
| WED: | 8 am - 2 am | 8 am - 2 am | - |
| THU: | 8 am - 2 am | 8 am - 2 am | - |
| FRI: | 8 am - 2 am | 8 am - 2 am | - |
| SAT: | 8 am - 2 am | 8 am - 2 am | - |

License Number: ABRA-090968
 License Class/Type: C Restaurant
 ANC: 6D

Applicant: BIG RIVER BREWERIES, INC
 Trade Name: GORDON BIRSCH BREWERY RESTAURANT
 Premise Address: 100 M ST SE

Endorsements: Brewpub, Entertainment, Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 8 am - 2 am | 8 am - 2 am | 11 am - 12:30 am | 11 am - 12:30 am | 11 am - 2 am |
| MON: | 8 am - 2 am | 8 am - 2 am | 11 am - 12:30 am | 1:30 am - 12:30 am | 11 am - 2 am |
| TUE: | 8 am - 2 am | 8 am - 2 am | 11 am - 12:30 am | 11 am - 12:30 am | 11 am - 2 am |
| WED: | 8 am - 2 am | 8 am - 2 am | 11 am - 12:30 am | 11 am - 12:30 am | 11 am - 2 am |
| THU: | 8 am - 2 am | 8 am - 2 am | 11 am - 1 am | 11 am - 1 am | 11 am - 2 am |
| FRI: | 8 am - 3 am | 8 am - 3 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am |
| SAT: | 8 am - 3 am | 8 am - 3 am | 11 am - 2 am | 11 am - 2 am | 11 am - 2 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-073644
License Class/Type: C Restaurant
ANC: 6E

Applicant: Queen of Sheba, Inc.
Trade Name: Queen of Sheba
Premise Address: 1503 9TH ST NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 9 am - 2 am | 12 pm - 2 am | 9 pm - 2 am |
| MON: | 9 am - 2 am | 11 am - 2 am | 9 pm - 2 am |
| TUE: | 9 am - 2 am | 11 am - 2 am | 9 pm - 2 am |
| WED: | 9 am - 2 am | 11 am - 2 am | 9 pm - 2 am |
| THU: | 9 am - 2 am | 11 am - 2 am | 9 pm - 2 am |
| FRI: | 9 am - 3 am | 11 am - 3 am | 9 pm - 3 am |
| SAT: | 9 am - 3 am | 11 am - 3 am | 9 pm - 3 am |

License Number: ABRA-010574
License Class/Type: C Restaurant
ANC: 7D04

Applicant: Chateau, Inc.
Trade Name: Chateau Inc
Premise Address: 3439 BENNING RD NE

Endorsements: Cover Charge, Dancing, Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 9 am - 2 am | 9 am - 2 am | 4 pm - 2 am |
| MON: | 9 am - 2 am | 9 am - 2 am | 4 pm - 2 am |
| TUE: | 9 am - 2 am | 9 am - 2 am | 4 pm - 2 am |
| WED: | 9 am - 2 am | 9 am - 2 am | 4 pm - 2 am |
| THU: | 9 am - 2 am | 9 am - 2 am | 4 pm - 2 am |
| FRI: | 9 am - 3 am | 9 am - 3 am | 4 pm - 3 am |
| SAT: | 9 am - 3 am | 9 am - 3 am | 4 pm - 3 am |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-074630
License Class/Type: D Restaurant
ANC: 1D

Applicant: Pupuseria San Miguel, Inc. Stipulated License
Trade Name: Pupuseria San Miguel
Premise Address: 3110 MOUNT PLEASANT ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 7 am - 2 am | 10 am -1:30 am | 10 am - 1:30 am | 10 am - 1:30 am | - |
| MON: | 7 am - 2 am | 10 am - 1:30 am | 10:30 am - 1:30 am | 1:30 am - 1:30 am | - |
| TUE: | 7 am - 2 am | 10 am - 1:30 am | 10 am - 1:30 am | 10 am - 1:30 am | - |
| WED: | 7 am - 2 am | 10 am - 1:30 am | 10 am - 1:30 am | 10 am - 1:30 am | - |
| THU: | 7 am - 2 am | 10 am - 1:30 am | 10 am - 1:30 am | 10 am - 1:30 am | - |
| FRI: | 7 am - 2 am | 10 am - 1:30 am | 10 am - 1:30 am | 10 am - 1:30 am | - |
| SAT: | 7 am - 2 am | 10 am - 1:30 am | 10 am - 1:30 am | 10 am - 1:30 am | - |

License Number: ABRA-071419
License Class/Type: D Restaurant
ANC: 6C

Applicant: Bon Appetit Management, Company
Trade Name: Bon Appetit Management Company
Premise Address: 600 New Jersey AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 2 am | 10 am -2 am | - |
| MON: | 8 am - 2 am | 8 am - 2 am | - |
| TUE: | 8 am - 2 am | 8 am - 2 am | - |
| WED: | 8 am - 2 am | 8 am - 2 am | - |
| THU: | 8 am - 2 am | 8 am - 2 am | - |
| FRI: | 8 am - 3 am | 8 am - 3 am | - |
| SAT: | 8 am - 3 am | 8 am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-083793
License Class/Type: D Restaurant
ANC: 2B

Applicant: BGR DuPont, LLC
Trade Name: BGR The Burger Joint
Premise Address: 1528 CONNECTICUT AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 11:30 pm | 11 am -11:30 pm | - |
| MON: | 11 am - 11:30 pm | 11 am - 11:30 pm | - |
| TUE: | 11 am - 11:30 pm | 11 am - 11:30 pm | - |
| WED: | 11 am - 11:30 pm | 11 am - 11:30 pm | - |
| THU: | 11 am - 11:30 pm | 11 am - 11:30 pm | - |
| FRI: | 11 am - 2 am | 11 am - 2 am | - |
| SAT: | 11 am - 2 am | 11 am - 2 am | - |

License Number: ABRA-086639
License Class/Type: D Restaurant
ANC: 2C

Applicant: Paul Penn, LLC
Trade Name: Paul Bakery
Premise Address: 801 Pennsylvania AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 8 am - 6 pm | 10 am -6 pm | - |
| MON: | 7 am - 9 pm | 8 am - 9 pm | - |
| TUE: | 7 am - 9 pm | 8 am - 9 pm | - |
| WED: | 7 am - 9 pm | 8 am - 9 pm | - |
| THU: | 7 am - 9 pm | 8 am - 9 pm | - |
| FRI: | 7 am - 9 pm | 8 am - 9 pm | - |
| SAT: | 8 am - 6 pm | 8 am - 6 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-087667
 License Class/Type: D Restaurant
 ANC: 2C

Applicant: Lukes Lobster IV LLC
 Trade Name: Luke's Lobster I
 Premise Address: 624 E ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 11 am - 10 pm | 11 am -10 pm | - |
| MON: | 11 am - 10 pm | 11 am - 10 pm | - |
| TUE: | 11 am - 10 pm | 11 am - 10 pm | - |
| WED: | 11 am - 10 pm | 11 am - 10 pm | - |
| THU: | 11 am - 10 pm | 11 am - 10 pm | - |
| FRI: | 11 am - 10 pm | 11 am - 10 pm | - |
| SAT: | 11 am - 10 pm | 11 am - 10 pm | - |

License Number: ABRA-078677
 License Class/Type: D Restaurant
 ANC: 1A03

Applicant: Wilkinson-Mehr Group, LLC
 Trade Name: Pete's New Haven Style Apizza
 Premise Address: 1400 IRVING ST NW

Endorsements: Summer Garden

| Days | Hours of Operation | Hours of Sales/Service | Hours of Summer Garden Operation | Hours of Sales Summer Garden | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10 am - 12 am | 10 am -12 am | 11 am - 10 pm | 11 am - 10 pm | - |
| MON: | 10 am - 12 am | 10 am - 12 am | 11 am - 10 pm | 11 am - 10 pm | - |
| TUE: | 10 am - 12 am | 10 am - 12 am | 11 am - 10 pm | 11 am - 10 pm | - |
| WED: | 10 am - 12 am | 10 am - 12 am | 11 am - 10 pm | 11 am - 10 pm | - |
| THU: | 10 am - 12 am | 10 am - 12 am | 11 am - 10 pm | 11 am - 10 pm | - |
| FRI: | 10 am - 1 am | 10 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | - |
| SAT: | 10 am - 1 am | 10 am - 1 am | 11 am - 11 pm | 11 am - 11 pm | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-078743
 License Class/Type: D Restaurant
 ANC: 1B

Applicant: Chix, LLC
 Trade Name: Chix
 Premise Address: 2019 11TH ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11:30 am - 10 pm | 11:30 am -10 pm | 11:30 am - 10 pm | 11:30 am - 10 pm | - |
| MON: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| TUE: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| WED: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| THU: | 11:30 am - 2 am | 11:30 am - 2 am | 11:30 am - 11 pm | 11:30 am - 11 pm | - |
| FRI: | 11:30 am - 3 am | 11:30 am - 3 am | 11:30 am - 12 am | 11:30 am - 12 am | - |
| SAT: | 12:30 pm - 3 am | 12:30 pm - 3 am | 12:30 pm - 12 am | 12:30 pm - 12 am | - |

License Number: ABRA-087362
 License Class/Type: D Restaurant
 ANC: 1B

Applicant: Zeni, LLC
 Trade Name: Habesha Market & Carry-Out Restaurant
 Premise Address: 1919 9TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 8 am - 5 am | 10 am -2 am | - |
| MON: | 8 am - 5 am | 8 am - 2 am | - |
| TUE: | 8 am - 5 am | 8 am - 2 am | - |
| WED: | 8 am - 5 am | 8 am - 2 am | - |
| THU: | 8 am - 5 am | 8 am - 2 am | - |
| FRI: | 8 am - 5 am | 8 am - 3 am | - |
| SAT: | 8 am - 5 am | 8 am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-089763
 License Class/Type: D Multipurpose
 ANC: 2B

Applicant: Merlot Art, LLC
 Trade Name: Merlot's Masterpiece
 Premise Address: 1512 U ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 6 pm | 10 am - 6 pm | - |
| MON: | 10 am - 11 pm | 10 am - 11 pm | - |
| TUE: | 10 am - 11 pm | 10 am - 11 pm | - |
| WED: | 10 am - 11 pm | 10 am - 11 pm | - |
| THU: | 10 am - 11 pm | 10 am - 11 pm | - |
| FRI: | 10 am - 12 am | 10 am - 12 am | - |
| SAT: | 10 am - 12 am | 10 am - 12 am | - |

License Number: ABRA-025007
 License Class/Type: D Restaurant
 ANC: 2B02

Applicant: DC Grill, Inc.
 Trade Name: DC Cafe
 Premise Address: 2035 P ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 24 hours - | 10 am - 2 am | 7 am - 11 pm | 10 am - 11 pm | - |
| MON: | 24 hours - | 8 am - 2 am | 7 am - 11 pm | 8 am - 11 pm | - |
| TUE: | 24 hours - | 8 am - 2 am | 7 am - 11 pm | 8 am - 11 pm | - |
| WED: | 24 hours - | 8 am - 2 am | 7 am - 11 pm | 8 am - 11 pm | - |
| THU: | 24 hours - | 8 am - 2 am | 7 am - 11:30 pm | 8 am - 11:30 pm | - |
| FRI: | 24 hours - | 8 am - 3 am | 7 am - 12 am | 8 am - 12 am | - |
| SAT: | 24 hours - | 8 am - 3 am | 7 am - 12 am | 8 am - 12 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

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RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-072780
 License Class/Type: D Restaurant
 ANC: 2B04

Applicant: Aha, Corp.
 Trade Name: Java House
 Premise Address: 1645 Q ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 7 am - 11 pm | 11 am -11 pm | 7 am - 12 am | 7 am - 12 am | - |
| MON: | 7 am - 11 pm | 11 am - 11 pm | 7 am - 12 am | 7 am - 12 am | - |
| TUE: | 7 am - 11 pm | 11 am - 11 pm | 7 am - 12 am | 7 am - 12 am | - |
| WED: | 7 am - 11 pm | 11 am - 11 pm | 7 am - 12 am | 7 am - 12 am | - |
| THU: | 7 am - 11 pm | 11 am - 11 pm | 7 am - 12 am | 7 am - 12 am | - |
| FRI: | 7 am - 12 am | 11 am - 12 am | 7 am - 12 am | 7 am - 12 am | - |
| SAT: | 7 am - 12 am | 11 am - 12 am | 7 am - 12 am | 7 am - 12 am | - |

License Number: ABRA-024489
 License Class/Type: D Restaurant
 ANC: 2B05

Applicant: District of Columbia Jewish Community Center
 Trade Name: DCJCC
 Premise Address: 1529 16TH ST NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 10 am - 9:30 pm | 10 am -9:30 pm | - |
| MON: | 6 am - 9:30 pm | 8 am - 9:30 pm | - |
| TUE: | 6 am - 9:30 pm | 8 am - 9:30 pm | - |
| WED: | 6 am - 9:30 pm | 8 am - 9:30 pm | - |
| THU: | 6 am - 9:30 pm | 8 am - 9:30 pm | - |
| FRI: | 6 am - 4 pm | 8 am - 4 pm | - |
| SAT: | 7 pm - 12 am | 7 pm - 12 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-072654
License Class/Type: D Restaurant
ANC: 2F

Applicant: Jose A. and Maria R. Carcamo
Trade Name: El Sauce Restaurant And Carry-Out
Premise Address: 1227 11TH ST NW

Endorsements: Entertainment

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 9 am - 2 am | 10 am - 2 am | 9 pm - 1:30 am |
| MON: | 9 am - 2 am | 9 am - 2 am | - |
| TUE: | 9 am - 2 am | 9 am - 2 am | - |
| WED: | 9 am - 2 am | 9 am - 2 am | - |
| THU: | 9 am - 2 am | 9 am - 2 am | 9 pm - 1:30 am |
| FRI: | 9 am - 3 am | 9 am - 3 am | 10 pm - 2:30 am |
| SAT: | 9 am - 3 am | 9 am - 3 am | 10 pm - 2:30 am |

License Number: ABRA-089396
License Class/Type: D Restaurant
ANC: 2C

Applicant: Metro Spice Company, Inc.
Trade Name: Lawson's
Premise Address: 601 13TH ST NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 7 am - 2 am | 10 am - 2 am | 7 am - 2 am | 10 am - 2 am | - |
| MON: | 7 am - 2 am | 8 am - 2 am | 7 am - 2 am | 8 am - 2 am | - |
| TUE: | 7 am - 2 am | 8 am - 2 am | 7 am - 2 am | 8 am - 2 am | - |
| WED: | 7 am - 2 am | 8 am - 2 am | 7 am - 2 am | 8 am - 2 am | - |
| THU: | 7 am - 2 am | 8 am - 2 am | 7 am - 2 am | 8 am - 2 am | - |
| FRI: | 7 am - 3 am | 8 am - 3 am | 7 am - 3 am | 8 am - 3 am | - |
| SAT: | 7 am - 3 am | 8 am - 3 am | 7 am - 3 am | 8 am - 3 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-083794
 License Class/Type: D Restaurant
 ANC: 3E

Applicant: The Knowles Marr Group, LLC
 Trade Name: Pete's New Haven Style Apizza
 Premise Address: 4940 WISCONSIN AVE NW

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 10 am - 12 am | 10 am -12 am | 11 am - 10 pm | 11 am - 10 pm | - |
| MON: | 10 am - 12 am | 10 am - 12 am | 11 am - 110 pm | 11 am - 10 pm | - |
| TUE: | 10 am - 12 am | 10 am - 12 am | 11 am - 10 pm | 11 am - 10 pm | - |
| WED: | 10 am - 12 am | 10 am - 12 am | 11 am - 10 pm | 11 am - 10 pm | - |
| THU: | 10 am - 12 am | 10 am - 12 am | 11 am - 10 pm | 11 am - 10 pm | - |
| FRI: | 10 am - 12 am | 10 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| SAT: | 10 am - 12 am | 10 am - 12 am | 10 am - 11 pm | 10 am - 11 pm | - |

License Number: ABRA-083216
 License Class/Type: D Restaurant
 ANC: 4C

Applicant: Mariamawit, LLC
 Trade Name: Fasika
 Premise Address: 4422 GEORGIA AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 8 am - 12 am | 9 am -12 am | - |
| MON: | 8 am - 12 am | 9 am - 12 am | - |
| TUE: | 8 am - 12 am | 9 am - 12 am | - |
| WED: | 8 am - 12 am | 9 am - 12 am | - |
| THU: | 8 am - 12 am | 9 am - 12 am | - |
| FRI: | 8 am - 2 am | 9 am - 2 am | - |
| SAT: | 8 am - 2 am | 9 am - 2 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
PETITION DATE: 5/20/2013
HEARING DATE: 6/3/2013

License Number: ABRA-086435
License Class/Type: D Restaurant
ANC: 5C

Applicant: Capital Fresh, Inc.
Trade Name: MGM Roast Beef
Premise Address: 1905 BRENTWOOD RD NE

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 7 am - 11:30 pm | 10 am -11:30 pm | - |
| MON: | 7 am - 11:30 pm | 8 am - 11:30 pm | - |
| TUE: | 7 am - 11:30 pm | 8 am - 11:30 pm | - |
| WED: | 7 am - 11:30 pm | 8 am - 11:30 pm | - |
| THU: | 7 am - 11:30 pm | 8 am - 11:30 pm | - |
| FRI: | 7 am - 11:30 pm | 8 am - 11:30 pm | - |
| SAT: | 7 am - 11:30 pm | 8 am - 11:30 pm | - |

License Number: ABRA-001104
License Class/Type: D Restaurant
ANC: 5D01

Applicant: Gallaudet College
Trade Name: The Abbey Rathskeller
Premise Address: 700 FLORIDA AVE NE

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | Closed - | closed -closed | - |
| MON: | 3 pm - 12 am | 3 pm - 12 am | - |
| TUE: | 3 pm - 12 am | 3 pm - 12 am | - |
| WED: | 3 pm - 12 am | 3 pm - 12 am | - |
| THU: | 3 pm - 12 am | 3 pm - 12 am | - |
| FRI: | 3 pm - 2 am | 3 pm - 2 am | - |
| SAT: | 6 pm - 2 am | 6 pm - 2 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC NOTICE

Persons objecting to the approval of a renewal application are entitled to be heard before the granting of such license on the hearing date at 10:00 am, 2000 14th Street, NW, 4th Floor, Washington, DC 20009.

RENEWAL NOTICES

POSTING DATE: 4/5/2013
 PETITION DATE: 5/20/2013
 HEARING DATE: 6/3/2013

License Number: ABRA-086069
 License Class/Type: D Restaurant
 ANC: 3B

Applicant: Whole Foods Market Group, Inc.
 Trade Name: Whole Foods Market
 Premise Address: 2323 WISCONSIN AVE NW

Endorsements:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------|--------------------|------------------------|------------------------|
| SUN: | 8 am - 10 pm | 10 am -10 m | - |
| MON: | 8 am - 10 pm | 9 am - 10 pm | - |
| TUE: | 8 am - 10 pm | 9 am - 10 pm | - |
| WED: | 8 am - 10 pm | 9 am - 10 pm | - |
| THU: | 8 am - 10 pm | 9 am - 10 pm | - |
| FRI: | 8 am - 10 pm | 9 am - 10 pm | - |
| SAT: | 8 am - 10 pm | 9 am - 10 pm | - |

License Number: ABRA-083567
 License Class/Type: D Restaurant
 ANC: 6C

Applicant: 601 Second Street Restaurant, LLC
 Trade Name: Toscana Cafe
 Premise Address: 601 2ND ST NE

Endorsements: Sidewalk Cafe

| Days | Hours of Operation | Hours of Sales/Service | Hours of Sidewalk Cafe Operation | Hours of Sales Sidewalk Cafe | Hours of Entertainment |
|------|--------------------|------------------------|----------------------------------|------------------------------|------------------------|
| SUN: | 11 am - 12 am | 11 am -12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| MON: | 11 am - 12 am | 11 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| TUE: | 11 am - 12 am | 11 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| WED: | 11 am - 12 am | 11 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| THU: | 11 am - 12 am | 11 am - 12 am | 11 am - 11 pm | 11 am - 11 pm | - |
| FRI: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |
| SAT: | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | 11 am - 12 am | - |

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
NOTICE OF PUBLIC HEARING

Posting Date: April 5, 2013
Petition Date: May 20, 2013
Hearing Date: June 3, 2013
Protest Hearing Date: July 24, 2013

License No.: ABRA-091668
Licensee: Lodging Concessions, LLC.
Trade Name: Hampton Inn-White House Suite Shop
License Class: Retailer's Class "B" Retailer
Address: 1729 H Street, N.W.
Contact: Stephen J. O'Brien, 202-625-7700

WARD 2 ANC 2B SMD 2B06

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the Hearing Date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled for 4:00 pm on July 24, 2013.

NATURE OF OPERATION

New hotel gift shop. Less than 25% of revenues will be derived from the sale of alcoholic beverages.

HOURS OF OPERATION

Sunday through Saturday 7:00 am – 12:00 am

HOURS OF SALES/SERVICE/CONSUMPTION

Sunday through Saturday 7:00 am – 12:00 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

4/5/2013

Notice is hereby given that:

License Number: ABRA-086595

License Class/Type: C Restaurant

Applicant: La Morenita Restaurant, LLC

Trade Name: La Morenita

ANC: 1A08

Has applied for the renewal of an alcoholic beverages license at the premises:

3539 Georgia AVE NW, WASHINGTON, DC 20010

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

5/20/2013

HEARING WILL BE HELD ON

6/3/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|-------------------|---------------------------|-------------------------------|-------------------------------|
| Sunday: | 7 am - 2 am | 12 pm -1:30 am | - |
| Monday: | 7 am - 2 am | 11 am - 1:30 am | - |
| Tuesday: | 7 am - 2 am | 11 am - 1:30 am | - |
| Wednesday: | 7 am - 2 am | 11 am - 1:30 am | - |
| Thursday: | 7 am - 2 am | 11 am - 1:30 am | - |
| Friday: | 7 am - 3 am | 11 am - 2:30 am | - |
| Saturday: | 7 am - 3 am | 11 am - 2:30 am | - |

FOR FURTHER INFORMATION CALL (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

3/15/2013

Notice is hereby given that:

License Number: ABRA-086595

License Class/Type: C Restaurant

Applicant: La Morenita Restaurant, LLC

Trade Name: La Morenita

ANC: 1A08

RESCIND

Has applied for the renewal of an alcoholic beverages license at the premises:

3539 Georgia AVE NW, WASHINGTON, DC 20010

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

4/29/2013

HEARING WILL BE HELD ON

5/13/2013

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS:

| Days | Hours of Operation | Hours of Sales/Service | Hours of Entertainment |
|------------|--------------------|------------------------|------------------------|
| Sunday: | 7 am - 2 am | 12 pm -1:30 am | - |
| Monday: | 7 am - 2 am | 11 am - 1:30 am | - |
| Tuesday: | 7 am - 2 am | 11 am - 1:30 am | - |
| Wednesday: | 7 am - 2 am | 11 am - 1:30 am | - |
| Thursday: | 7 am - 2 am | 11 am - 1:30 am | - |
| Friday: | 7 am - 3 am | 11 am - 2:30 am | - |
| Saturday: | 7 am - 3 am | 11 am - 2:30 am | - |

FOR FURTHER INFORMATION CALL (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: April 05, 2013

Petition Date: May 20, 2013

Hearing Date: June 03, 2013

License No.: ABRA-086254

Licensee: LGA, Inc.

Trade Name: Luna Grill

License Class: Retailer's Class "C" Restaurant

Address: 1301 Connecticut Ave. NW

Contact: Alexandra Suh, President 202-835-2280

WARD 2

ANC 2B

SMD 2B07

Notice is hereby given that this applicant has applied for a substantial change to its license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Hearing Date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date.

NATURE OF SUBSTANTIAL CHANGE

Request to change the Hours of Operation, Hours of Alcoholic Beverage Sales/Service/Consumption for Premises and Sidewalk Café.

CURRENT HOURS OF OPERATION FOR PREMISES

Monday through Sunday 9:00am – 12:00am.

CURRENT HOURS OF SALES/SERVICE/CONSUMPTION FOR PREMISES

Sunday 10:00am – 12:00am; Monday through Saturday 9:00am – 12:00am.

CURRENT HOURS OF OPERATION AND SALES/SERVICE/CONSUMPTION FOR SIDEWALK CAFÉ

Sunday through Thursday 10:00am – 10:00pm; Friday and Saturday 10:00am – 11:00pm.

PROPOSED HOURS OF OPERATION AND SALES/SERVICE/CONSUMPTION FOR PREMISES

Sunday through Thursday 8:00am – 12:00am; Friday and Saturday 8:00am – 3:00am.

PROPOSED HOURS OF OPERATION AND SALES/SERVICE/CONSUMPTION FOR SIDEWALK CAFÉ

Monday through Sunday 8:00am – 11:00pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**NOTICE OF PUBLIC HEARING**

Posting Date: April 5, 2013
Petition Date: May 20, 2013
Hearing Date: June 3, 2013
Protest Hearing Date: July 24, 2013

License No.: ABRA-091662
Licensee: Pinstripes, Inc.
Trade Name: Pinstripes, Inc.
License Class: Retailer's Class "C" Restaurant
Address: 3222 M Street, N.W.
Contact: Stephen J. O'Brien, 202-625-7700

WARD 2

ANC 2E

SMD 2E05

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the Hearing Date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled for 4:00 pm on July 17, 2013.

NATURE OF OPERATION

New restaurant. A dining and entertainment venue with Italian/American cuisine, bowling and bocce. Entertainment will consist of a DJ, live bands, and private parties. Occupancy load is 913. Two Summer Gardens (upper patio with 50 seats and lower patio with 36 seats).

HOURS OF OPERATION

Sunday through Thursday 8 am – 11:30 pm: Friday and Saturday 8 am – 1 am

HOURS OF SALES/SERVICE/CONSUMPTION

Sunday through Thursday 8 am – 11pm: Friday and Saturday 8 am – 12:30 am

HOURS OF OPERATION, SALES/SERVICE/CONSUMPTION OF SUMMER GARDEN

Sunday through Thursday 10 am – 9 pm: Friday and Saturday 10 am – 10 pm

HOURS OF ENTERTAINMENT

Sunday through Thursday 10 am – 9 pm: Friday and Saturday 10 am – 10 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: April 5, 2013
Petition Date: May 20, 2013
Hearing Date: June 3, 2013

License No.: ABRA-072781
Licensee: Bee Hive, LLC
Trade Name: Sticky Rice
License Class: Retailer's Class "C" Restaurant
Address: 1224 H Street, NE
Contact: Jason Martin (202) 397-7655

WARD 6

ANC 6A

SMD 6A01

Notice is hereby given for a request to amend the Settlement Agreement for the establishment with regard to hours of operation to allow for later operation on days authorized by the District of Columbia. This amendment was agreed to by and between the parties to the Settlement Agreement and approved by the Alcoholic Beverage Control Board. Objectors are entitled to be heard before the granting of such amendment on the Hearing Date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The amendment provides as follows:

The following language should be added after the hours stated in the existing agreement:

Provided, however, (1) on days designated by the DC ABC Board as "Extended Hours for ABC Establishments" Applicant may serve alcoholic beverages and provide entertainment for one additional hour (that is, one hour later in the morning); (2) in the event the Council of the District of Columbia or the DC ABC Board grant licensees in general extended operating hours Applicant may avail itself of such extended hours; and (3) on January 1 of each year Applicant may serve alcoholic beverages and provide entertainment until 4am.

**DISTRICT OF COLUMBIA TAXICAB COMMISSION
GOVERNMENT OF THE DISTRICT OF COLUMBIA**

NOTICE OF PUBLIC HEARING

Proposed Rulemakings for a new Chapter 7, Enforcement (and relating rulemakings in Chapters 4, 5, 6, 8, 10 and 12) of Title 31 (Taxicabs and Public Vehicles for Hire) of the District of Columbia Municipal Regulations.

**APRIL 12, 2013
10:00 A.M.**

The DC Taxicab Commission (DCTC) has scheduled a Public Hearing at 10:00 am on Friday, April 12, 2013 at the Reeves Center, 2000 14th Street, NW, in the Second Floor Community Center regarding proposed rulemakings for a new Chapter 7, Enforcement (and related rulemakings in Chapters 4, 5, 6, 8, 10 and 12).

The proposed amendments clarify jurisdiction, procedures, and timelines for enforcing violations of Title 31. Under the proposed rules, violations of any chapter of the Title by any person or entity regulated by the Commission would proceed under the new rules. The rules cover such matters as contested cases (including Notice of Infractions), public complaints, settlement negotiation and related matters.

Members of the public must register to speak. The time limit for registered speakers is five (5) minutes. A speaker should also submit two (2) copies of any prepared statement to the Assistant Secretary to the Commission. Registration to speak closes at 3:30 pm the day prior to the meeting. Call 202-645-6018, extension 4. Registration consists of your name; your phone number or email contact; and your subject matter.

The Proposed rulemaking is published at:
DC_Register_Vol_60_No_12_March_15_2013__Pages_003783_thru_003787.

Copies of the proposed rulemaking can be obtained at www.dcregs.dc.gov or by contacting Jacques P. Lerner, General Counsel and Secretary to the Commission, District of Columbia Taxicab Commission, 2041 Martin Luther King, Jr., Avenue, S.E., Suite 204, Washington, D.C. 20020. (202) 645-6018. The proposed rulemaking will also be available on the DCTC website at www.dctaxi.dc.gov.

The public hearing will take place at the following time and location:

FRIDAY, APRIL 12, 2013, 10:00 am
Reeves Center, Second Floor Community Center, 2000 14th Street, NW, Washington, DC

**BOARD OF ZONING ADJUSTMENT
PUBLIC HEARING NOTICE
TUESDAY, JUNE 11, 2013
441 4TH STREET, N.W.
JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH
WASHINGTON, D.C. 20001**

TO CONSIDER THE FOLLOWING: The Board of Zoning Adjustment will adhere to the following schedule, but reserves the right to hear items on the agenda out of turn.

9:30 A.M. MORNING HEARING SESSION

A.M.

WARD SIX

18566
ANC-6D **Application of Christopher D. French and Anya Landau French,** pursuant to 11 DCMR § 3103.2, for a variance from the floor area ratio requirements under section 402, a variance from the lot occupancy requirements under section 403, a variance from the rear yard requirements under section 404, and a variance from the nonconforming structure requirements under subsection 2001.3, to allow a third floor addition to an existing one-family row dwelling in the R-5-B District at premises 929 5th Street, S.E. (Square 824, Lot 31).

WARD ONE

18560
ANC-1A **Application of 3545 13th Street LLC,** pursuant to 11 DCMR § 3103.2, for a variance from the lot area requirements to allow the conversion of a flat into a four (4) unit apartment house under subsection 401.3, in the R-4 District at premises 3545 13th Street, N.W. (Square 2833, Lot 120).

WARD TWO

18562
ANC-2C **Application of 1538 New Jersey Avenue, LLC,** pursuant to 11 DCMR § 3103.2, for a variance from the lot area requirements to allow the conversion of a church into a seven (7) unit apartment house under subsection 401.3, in the R-4 District at premises 1538 New Jersey Avenue, N.W. (Square 510, Lot 53).

BZA PUBLIC HEARING NOTICE

JUNE 11, 2013

PAGE NO. 2

WARD TWO

18565 **Application of Nike, Inc.**, pursuant to 11 DCMR § 3104.1, for a special
ANC-2E exception from the roof structure requirements under sections 411 and
777, to allow multiple roof structures serving a retail store in the C-2-A
District at 3040 M Street, N.W. (Square 1198, Lot 74).

WARD FIVE

18567 **Application of 2321 4th Street LLC and H Street Community**
ANC-5E **Development Corporation**, pursuant to 11 DCMR § 3129.2, requesting
approval of minor modifications to the plans approved by BZA Order No.
18372, which granted lot occupancy, off-street parking, and loading berth
and clearance height relief to allow the construction of a new residential
building with ground floor retail and service uses in the C-3-A District at
premises 2321 4th Street, N.E. (Square 3629, Lot 808).

WARD TWO

18569 **Application of Endeka Enterprises**, pursuant to 11 DCMR §§ 3104.1 and
ANC-2B 3103.2, for a variance from the court requirements under subsection 776.3,
and a special exception from density restrictions under subsection 2514.2,
for a residential addition to an existing office building in the DC/SP-1 and
C-3-C Districts at premises 1337 Connecticut Avenue, N.W. (Square 137,
Lot 55).

PLEASE NOTE:

Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Board.

Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial. The public hearing in these cases will be conducted in accordance with the provisions of Chapter 31 of the District of Columbia Municipal Regulations, Title 11, and Zoning. Pursuant to Subsection 3117.4, of the Regulations, the Board will impose time limits on the testimony of all individuals. Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board. Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. **Persons seeking party status shall file with the Board, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application Form.** This form may be obtained from the Office of Zoning at the address stated below

BZA PUBLIC HEARING NOTICE

JUNE 11, 2013

PAGE NO. 3

or downloaded from the Office of Zoning's website at: www.dcoz.dc.gov. All requests and comments should be submitted to the Board through the Director, Office of Zoning, 441 4th Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence.

FOR FURTHER INFORMATION, CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

**LLOYD J. JORDAN, CHAIRMAN, NICOLE C. SORG, VICE CHAIRPERSON,
S. KATHRYN ALLEN, JEFFREY L. HINKLE AND A MEMBER OF THE
ZONING COMMISSION ----- BOARD OF ZONING ADJUSTMENT,
CLIFFORD W. MOY, SECRETARY TO THE BZA, SARA A. BARDIN,
DIRECTOR, OFFICE OF ZONING.**

Z.C. PUBLIC HEARING NOTICE
Z.C. CASE NOS. 12-14 & 12-14A
PAGE 2

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022.

How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

How to participate as a party.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3022.3.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning's website at: <http://dcoz.dc.gov/services/app.shtm>.** This form may also be obtained from the Office of Zoning at the address stated below.

To the extent that the information is not contained in the Applicant's prehearing submission as required by 11 DCMR § 3013.1, the Applicant shall also provide this information not less than 14 days prior to the date set for the hearing.

If an affected Advisory Neighborhood Commission (ANC) intends to participate at the hearing, the ANC shall submit the written report described in § 3012.5 no later than seven (7) days before the date of the hearing. The report shall contain the information indicated in § 3012.5 (a) through (i).

Time limits.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

**Z.C. PUBLIC HEARING NOTICE
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- | | | |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 60 minutes collectively |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 200-S, 441 4th Street, N.W., Washington, D.C. 20001. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, MARCIE I. COHEN, ROBERT E. MILLER, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

DEPARTMENT OF HEALTH

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth in the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.* (2007 Repl. & 2012 Supp.)), as amended, and Mayor's Order 98-140, dated August 20, 1998, hereby gives notice of its adoption, without changes, of the following amendment to §4611 of Chapter 46 (Medicine) of Title 17 (Business, Occupations, and Professions) of the District of Columbia Municipal Regulations (DCMR).

This rulemaking sets forth provisions that reduce the paperwork that the Health Regulations and Licensing Administration will receive from each applicant, thereby streamlining the application process and reducing waste; require a late fee for late renewal applications; require a late fee for applications received after the new application deadline; establish the maximum amount of hours the holder of a medical training license or registration may practice per week; restrict the Medical Training Registration program to postgraduate physicians in a clinical training residency program; rearrange the existing content to better organize the section; define key terms; clarify the language in numerous provisions to increase comprehension by the reader; and repeal *ultra vires* provisions pertaining to practice by medical students within the course of the medical school curriculum. The rulemaking adheres to the statutory provisions of the Board of Medicine Membership and Licensing Amendment Act of 2012 ("Act"), effective March 14, 2012 (D.C. Law 19-104; 59 DCR 435).

The existing regulations which this rulemaking will amend contain *ultra vires* provisions pertaining to medical students that do not conform to the Act. This rulemaking will immediately repeal those *ultra vires* provision upon publication. Furthermore, after conferring with graduate medical education program directors of District of Columbia medical institutions, it became apparent to the Board of Medicine that confusion and ambiguity existed in the interpretation of the existing regulations. This rulemaking will clarify the existing provisions and, therefore, reinforces a more structured and more uniform system of administration which will ultimately make for a better training experience for, and enhance the technical proficiency of, the postgraduate medical trainees.

The proposed rulemaking which this rulemaking adopts as final was published in the *D.C. Register* on March 15, 2013, at 60 DCR 3720. A truncated comment period of five (5) days was held based on the need to avoid entering the Medical Training Licensing year under the invalid and ambiguous provisions that existed prior to this rulemaking. No comments were received in connection with the publication of the proposed rulemaking during the comment period. As a result, no changes, substantive or technical, were made to the rulemaking.

The Director took final rulemaking action on March 22, 2013. These final rules will be effective upon the publication of this notice in the *D.C. Register*.

SECTION 4611, PRE-LICENSURE PRACTICE BY STUDENTS AND POSTGRADUATE PHYSICIANS, OF CHAPTER 46, MEDICINE, OF TITLE 17 OF THE DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONS, is amended as follows:

Delete the present Section 4611 and substitute the following section and language:

4611 PRE-LICENSURE PRACTICE BY POSTGRADUATE PHYSICIANS

4611.1 For purposes of this section, the following terms have the meanings indicated:

“Postgraduate physician” means:

- (a) A person who: (1) holds a degree in medicine or osteopathy; and (2) is enrolled in a postgraduate clinical training residency program prior to licensure in any jurisdiction in the U.S.; or
- (b) A person who: (1) has completed a residency program in a postgraduate clinical training program; (2) is enrolled in a postgraduate clinical training fellowship program; and (3) is licensed in any jurisdiction in the U.S..

“Medical training license” means a limited medical license issued only to a postgraduate physician.

“Medical training registration” means documentation and assignment of a registration number to a registrant, as defined in this chapter, only for the purpose of participating in a rotation within a postgraduate clinical training residency program.

“Medical training licensee” means a person who holds a valid medical training license issued by the Board.

“Medical training registrant” means a person who is enrolled in a postgraduate clinical training residency program in the District, participating in a rotation within that program for no more than 90 days.

4611.2 Medical training licenses shall be classified as follows:

- (a) Type I(A), who are qualifying applicants that are U.S. or Canadian medical school-trained postgraduate physicians;
- (b) Type I(B), who are qualifying applicants that are foreign medical school-trained postgraduate physicians enrolled in a postgraduate clinical training residency program; or
- (c) Type II, who are qualifying applicants that are foreign trained medical physicians participating in an Accreditation Council for Graduate Medical Education (ACGME), American Osteopathic Association (AOA), or Board approved postgraduate clinical training fellowship program.

- 4611.3 Unless the postgraduate physician qualifies for, and receives, a medical training license or medical training registration to practice medicine in the District, a postgraduate physician may not practice medicine in a clinical training program.
- 4611.4 A postgraduate physician shall do the following:
- (a) Be enrolled with one or more institutions sponsoring the clinical training program(s) describing the terms and conditions of the postgraduate physician's employment, or participation in the program, which shall be kept on file at the sponsoring institution;
 - (b) Submit, not later than 90 days prior to the commencement of the postgraduate physician's participation in a clinical training program in the District, the documentation required for a new medical training license application. A postgraduate physician may submit a late application for a new medical training license less than 90 days prior to the commencement of the clinical training program only after paying a late application fee;
 - (c) Submit, prior to the commencement of each training year, the documentation required for a medical training license renewal application for review no earlier than March 1st but not later than May 31st of the training year;
 - (d) Inform, and permit the training program to notify, the Board in writing when the postgraduate physician leaves a clinical training program before the scheduled ending date of the program, specifying the reason for leaving as academic or nonacademic reasons;
 - (e) Grant the Board access to, and permit the training program to disclose, all postgraduate education records, to the extent the disclosure does not violate any District or federal laws;
 - (f) Be supervised by a licensed physician who is: (1) a member of the medical staff of the medical institution or medical facility through which the clinical training program takes place; and (2) approved by the clinical training program to be a supervising physician;
 - (g) If it is the postgraduate physician's intention to continue to practice medicine in the District, obtain a license to practice medicine in the District within five (5) years of having graduated from a United States or Canadian medical school or upon the completion of a postgraduate clinical training residency program, whichever comes first, unless the postgraduate physician is enrolled in a seven (7) year postgraduate clinical training program in surgery, in which case the postgraduate physician shall obtain a license to practice medicine in the District within seven (7) years of having graduated from a United States or Canadian medical school or

upon the completion of a postgraduate clinical training residency program, whichever comes first;

- (h) Identify himself or herself as such at all times when practicing medicine;
- (i) Comply with the standards of conduct for a licensed physician set forth in this chapter and the Act;
- (j) Practice medicine for no more than the maximum number of hours permitted by the ACGME; and
- (k) Practice medicine only in a clinical training program where the postgraduate physician is enrolled.

4611.5

Unless waived by the Board, a postgraduate physician applying for a medical training license or registration shall submit, as appropriate, or cause to be submitted, to the Board for consideration the following:

- (a) A completed application form, with a signed statement attesting to the truth and accuracy of its contents;
- (b) A photograph taken not more than three (3) months prior to submission, whose dimensions are at least two inches (2 in.) by two inches (2 in.), which shall be affixed to the application;
- (c) The Graduate Medical Education (GME) program director's attestation that the postgraduate physician has graduated from an accredited U.S. or foreign medical school;
- (d) If a graduate of a medical school outside the U.S. or Canada, the original of a currently valid Educational Commission for Foreign Medical Graduates (ECFMG) certification;
- (e) If applicable, documentation verifying name change;
- (f) The results of a criminal background check, completed pursuant to D.C. Official Code § 3-1205.22 (2001) and Chapter 85 of this title;
- (g) Payment of the license fee plus the cost of the criminal background check;
- (h) The GME program director's attestation verifying the applicant's acceptance into the program and the commencement date of the program;
- (i) The GME program director's attestation that the applicant for a Type I medical training license has taken and received a passing score on (1) the United States Medical Licensing Examination (USMLE) Step 1 and both parts of Step 2; or (2) the Comprehensive Osteopathic Medical Licensure

Examination (COMLEX) Levels 1 and 2;

- (j) The GME program director's attestation that the applicant for a Type II medical training license has taken and received a passing score on (1) the United States Medical Licensing Exam (USMLE) Step 1, both parts of Step 2, and Step 3; or (2) the Comprehensive Osteopathic Medical Licensure Examination (COMLEX) Levels 1 and 2;
- (k) The GME program director's attestation of the accuracy and veracity of his or her attestations described in § 4611.5. The attestation shall be received by the Board no later than May 31st of each year; and
- (l) If requested, any additional information the Board considers necessary to properly evaluate the applicant's competence and character.

4611.6 Each GME program director shall submit to the Board by March 31st of each year a complete list of ACGME, AOA, and Board approved programs within their training institution including the names, specialty training, and participation year of all participants. The list of ACGME, AOA, and Board approved programs within the training institution, including the names, specialty training, and participation year of all participants may be amended until April 30th of that year.

4611.7 The Board, in its discretion, may waive any requirement for obtaining a medical training license or registration upon good cause.

4611.8 A medical training license shall be issued for a period not to exceed one (1) year.

4611.9 A postgraduate physician, as defined in paragraph 4611.1(a), may practice pursuant to this section for a maximum of five (5) years in a postgraduate clinical training program if the postgraduate physician has a valid agreement with the medical institution sponsoring the clinical training residency program, unless the postgraduate clinical training program is a seven (7) year surgery program, in which case the postgraduate physician may practice pursuant to this section for a maximum of seven (7) years:

- (a) Type I(A) licensees - the five (5) or seven (7) year period for graduates of U.S. and Canadian medical schools shall begin with the graduation from medical school; and
- (b) Type I(B) licensees - the five (5) or seven (7) year period for graduates of foreign medical schools, other than Canadian medical schools, shall begin at the beginning of an approved U.S. postgraduate clinical training residency program.

4611.10 A postgraduate physician, as defined in paragraph 4611.1(b), may renew a Type II license one (1) time pursuant to this section if the postgraduate physician has a

valid agreement with the institution, organization, or agency sponsoring the clinical training fellowship program. Any subsequent renewals of a Type II license may be approved at the discretion of the Board.

4611.11 A postgraduate physician may be disciplined for conduct that violates the Act or this chapter. The Board may deny an applicant a license, or take other disciplinary action against a student or postgraduate physician who is found to have violated the Act or this chapter, in accordance with Chapter 41 of this title.

4611.12 A postgraduate physician shall be exempt from the payment of the application fee, provided such postgraduate physician is participating in a short term, required, ACGME or AOA approved training program rotation of no more than ninety (90) days. Such participants shall enroll as medical training registrants with the Board prior to commencing the rotation. Such participants, if licensed in another state, may either enroll as a medical training licensee or apply for full licensure in the District of Columbia.

4611.13 An applicant who submits an application to renew more than sixty (60) days after the expiration date of the medical training license shall be subject to payment of a renewal late fee.

SECTION 3500, FEES, Subsection 3500.1, of Chapter 35, LICENSING FEES, of Title 17, BUSINESS, OCCUPATIONS, AND PROFESSIONS, is amended as follows:

The paragraph MEDICAL TRAINEES is amended to add as follows:

| | |
|----------------------|---------|
| Late Application Fee | \$25.00 |
|----------------------|---------|

THE DISTRICT OF COLUMBIA
LOTTERY AND CHARITABLE GAMES CONTROL BOARD
NOTICE OF FINAL RULEMAKING

The Executive Director of the District of Columbia Lottery and Charitable Games Control Board, pursuant to the authority set forth in D.C. Official Code §§ 1-204.24a(c)(6) (2012 Supp.); §§ 3-1306 and 3-1321 (2007 Repl.); District of Columbia Financial Responsibility and Management Assistance Authority Order, issued September 21, 1996; and Office of the Chief Financial Officer Financial Management Control Order No. 96-22, issued November 18, 1996, hereby gives notice of the adoption of amendments to Chapter 9 and 99 of Title 30 of the District of Columbia Municipal Regulations (DCMR). This rulemaking creates a new type of on-line game called DC Tap & Play Games.

The Notice of Proposed Rulemaking was published in *D.C. Register* on February 1, 2013 at 60 DCR 1190. No comments were received, and no substantive changes were made to the rulemaking. The rules were adopted as final on March 27, 2013. These final rules will become effective upon publication of this notice in the *D.C. Register*.

Chapter 9, DESCRIPTION OF ON-LINE GAMES, of Title 30 of the DCMR is amended to read as follows:

Amend Section 959, “RESERVED” to “DESCRIPTION OF DC TAP & PLAY GAMES”

Subsection 959 is amended to read as follows:

959 DESCRIPTION OF DC TAP & PLAY GAMES

959.1 The Agency shall conduct DC Tap & Play games to the public and for such time periods as the Executive Director determines. DC Tap & Play touch screen games are interactive lotto type games played on the Agency’s retailer online Coronis MP terminals. Each game delivers a printed game ticket. DC Tap & Play games have various themes and individual play is predetermined. DC Tap & Play games’ cost and prizes vary per game played. Prizes are paid on fixed payout levels.

959.2 All DC Tap & Play games are located on the Agency’s gaming system and played on the Coronis MP terminals. Games may be validated by the Photon terminal, Coronis MP and Winstation terminals. Each Tap & Play Game play will produce a printed ticket showing the amount won and a barcode.

- 959.3 The Executive Director will set the cost of DC Tap & Play for each game. Some DC Tap & Play games' costs may vary depending on the game. Tap & Play game cost shall be made available on the Agency's website found at <http://www.dclottery.com>. Please refer to each specific game's cost per play.
- 959.4 DC Tap & Play's how to play including basic game rules and prizes are accessible by tapping "Help" at the bottom of the Coronis screen.
- 959.5 DC Tap & Play rules, prize structure and probability shall be made available on the Agency's website found at <http://www.dclottery.com>. DC Tap & Play rules, prizes, and prize schedule payouts vary depending on the game. Please refer to each specific game's rule and its prize structure and prize probability.
- 959.6 DC Tap & Play have a variety of games and each game outcome is selected by a computer-driven random number generator which displays the individual game results on the screen and on the printed ticket.
- 959.7 The total number of outcomes varies from game to game and is stated in the individual game prizes and or prize schedule payout section for each specific DC Tap & Play games on the Agency's website.
- 959.8 The determination of DC Tap & Play winners are subject to all applicable Agency rules and regulations including but not limited to the ticket validation requirements of Chapter 6 (Claims and Prize Payments) of Title 30 of the DCMR.
- 959.9 A player is only entitled to the highest prize won from any single DC Tap & Play game ticket unless specifically stated in the game rules.
- 959.10 A DC Tap & Play game ticket may not be voided or cancelled by returning the ticket to the Agency or the selling Agency's retailer, including tickets that are printed in error.

Amend Section 960, "RESERVED" to "DESCRIPTION OF DC TAP & PLAY TICKET VALIDATION REQUIREMENTS"

Subsection 960 is amended to read as follows:

960 DC TAP & PLAY TICKET VALIDATION REQUIREMENTS

- 960.01 A DC Tap & Play game ticket, must meet the following conditions to be valid:

- (a) The ticket validation number must be present in its entirety and shall correspond, using the computer validation file, to the selected numbers printed on the ticket for the date printed on the ticket;
- (b) The ticket must be intact;
- (c) The ticket may not be mutilated, altered, reconstituted, or tampered with;
- (d) The ticket may not be counterfeit or an exact duplicate of another winning ticket;
- (e) The ticket must have been issued by the Agency in an authorized manner;
- (f) The ticket must not have been stolen;
- (g) The ticket data must have been recorded on the Agency's central computer system and the ticket data must match this computer record in every respect;
- (h) The validation number data of an apparent winning ticket must appear on the official file of winning tickets and a ticket with that exact data may not have been previously paid;
- (i) The ticket must not be misregistered, defectively printed, or produced in error to an extent that it cannot be processed by the Agency; and
- (j) The ticket must pass other confidential security checks by the Agency.

960.2 A DC Tap & Play ticket not passing the validation requirements and checks specified in § 960.01 will be considered invalid and a prize will not be paid for that ticket.

960.3 In cases of doubt regarding the validity of a ticket, the determination of the Executive Director is final and binding.

960.4 If a defective ticket is purchased or if the Executive Director determines to adjust an error, the sole and exclusive remedy will be the replacement of the defective or erroneous ticket with a ticket of equivalent sale price from a current lottery game.

960.5 The Agency shall not be responsible for lost or stolen tickets.

960.6 DC Tap & Play prizes claims must be claimed within one hundred eighty (180) days from the date that appears on the DC Tap & Play game ticket.

960.7 All applicable Agency rules and regulations apply to DC Tap & Play games and tickets including but not limited to the general lottery ticket provisions in Chapter 5 (General Provisions) of Title 30 of the DCMR.

Chapter 99, DEFINITIONS, of Title 30 of the DCMR is amended as follows:

Section 9900, DEFINITIONS, is amended by adding the following terms and definitions:

DC Tap & Play - Touch screen games that are interactive lotto type games, which are played on the Agency's Coronis MP terminals. Each game delivers a printed game ticket.

DC Tap & Play Ticket - A ticket produced by an Agency's terminal which displays the results of playing a DC Tap & Play game.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING
AND**

Z.C. ORDER NO. 04-33F

Z.C. Case No. 04-33F

**(Text Amendments: PUDs and Inclusionary Zoning – Termination of Affordability
Controls upon Foreclosure)**

March 28, 2013

The Zoning Commission for the District of Columbia (Commission), pursuant to the authority set forth in § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797; D.C. Official Code § 6-641.01 (2008 Repl.)) hereby gives notice of its adoption of amendments to §§ 2409, 2602, and 2603 of the Zoning Regulations of the District of Columbia, Title 11 (Zoning) of the District of Columbia Municipal Regulations (DCMR).

The amendments were referred to the National Capital Planning Commission (NCPC) pursuant to § 492 of the Home Rule Act. The Executive Director of NCPC, by delegated action dated January 31, 2013, found that amendments were not inconsistent with the Federal Elements of Comprehensive Plan for the National Capital.

A Notice of Proposed Rulemaking was published in the *D.C. Register* on February 22, 2013 at 60 DCR 2183. No comments were received. At a properly noticed special public meeting held on March 28, 2013, the Commission took final action to adopt the text amendments, making no changes to the text as proposed.

The amendments shall become effective upon the publication of this notice in the *D.C. Register*.

Description and Rationale for the Amendments

The amendments add a new § 2409.11 that provides for the automatic termination of affordable housing controls imposed by an order granting a planned unit development (PUD) if title to the mortgaged property is transferred following foreclosure by, or deed-in-lieu of foreclosure to, a mortgagee in the first position, or a mortgage in the first position is assigned to the Secretary of the U.S. Department of Housing and Urban Development (HUD). The automatic termination of the PUD's affordability requirements is contingent upon the prior execution of the monitoring and enforcement documents described in new § 2409.10. The execution of these documents is also made a precondition to the issuance of a certificate of occupancy for the PUD. The monitoring and enforcement documents must bind the owner and all successors in title to abide by such terms as the District considers necessary to ensure that the affordable housing will be constructed, marketed, sold, re-sold, rented, and occupied, so as to be affordable to the target households during the specified control period and safeguarded regarding foreclosure.

A new § 2602.10 provides for the automatic termination of the Inclusionary Zoning (IZ) controls set forth in Chapter 26 under the same circumstances. However, that subsection does not require the prior execution of monitoring and enforcement documents, because the decision whether to require such agreements must be made by the District agency entrusted with the administration

of that aspect of the IZ Program. In addition, the Commission adopted new § 2603.6, which permits the Mayor or the District of Columbia Housing Authority (Authority) to acquire title to any inclusionary unit in a for-sale inclusionary development if the title to that unit is at risk of being transferred or has been transferred by foreclosure, deed-in-lieu of foreclosure, or the unit's mortgage is at risk of being assigned or has been assigned to the HUD Secretary. Existing § 2603.5 grants the Mayor or the Authority the right to purchase up to twenty-five percent (25%) of inclusionary units in a for-sale inclusionary development. This right to purchase also serves as a cap. The new amendment will allow the Mayor or the Authority to negotiate the purchase of any inclusionary unit under the circumstances described.

The amendments were petitioned for by the Office of Planning in response to a decision by HUD to begin implementing 24 CFR § 203.41(b), which provides that a mortgage is ineligible for insurance underwritten by HUD if "the mortgaged property is subject to legal restrictions on conveyance." (24 CFR § 203.41(b).) However, the regulation allows an exception for eligible government programs if the "restrictions will automatically terminate if title to the mortgaged property is transferred by foreclosure or deed-in-lieu of foreclosure". (24 CFR § 203.41(c)(2).) Because this exception is not contained in the Zoning Regulations, many of the affordable units produced as a result of PUD orders and the IZ regulations do not qualify for mortgage insurance and therefore have become effectively unmarketable. These amendments were adopted to remedy this problem.

The Rulemaking Actions Taken:

Chapter 24, PLANNED UNIT DEVELOPMENT PROCEDURES, § 2409, IMPLEMENTATION, is amended by adding new § 2409.10 and 2409.11 to read as follows:

- 2409.10 The Zoning Administrator shall not approve an application for a certificate of occupancy for a PUD if the order approving the PUD includes a condition requiring the provision of affordable housing unless the owner has executed monitoring and enforcement documents with the District of Columbia, which will bind the owner and all successors in title to abide by such terms as the District considers necessary to ensure that the affordable housing will be constructed, marketed, sold, re-sold, rented, and occupied, so as to be affordable to the target households during the specified control period and safeguarded regarding foreclosure.
- 2409.11 A condition in an order approving or modifying a PUD that requires the provision of affordable housing shall automatically terminate if title to the mortgaged property is transferred following foreclosure by, or deed-in-lieu of foreclosure to, a mortgagee in the first position, or a mortgage in the first position is assigned to the Secretary of the U.S. Department of Housing and Urban Development provided the owner has executed monitoring and enforcement documents per the requirements of § 2409.10.

Chapter 26, INCLUSIONARY ZONING, is amended as follows:

Section 2602, APPLICABILITY, is amended as follows:

By amending § 2602.4 to add a reference to new §§ 2602.10 and 2603.6, so that the provision will read as follows:

2602.4 Except as provided in §§ 2602.5, 2602.10, 2603.5, 2603.6, and 2607.1(c) or the Act, all inclusionary units created pursuant to this chapter shall be leased or sold only to eligible households for so long as the inclusionary development exists.

By adding a new § 2602.10 to read as follows:

2602.10 The requirements of this chapter shall automatically terminate if title to the mortgaged property is transferred following foreclosure by, or deed-in-lieu of foreclosure to, a mortgagee in the first position, or a mortgage in the first position is assigned to the Secretary of the U.S. Department of Housing and Urban Development.

Section 2603, SET-ASIDE REQUIREMENTS, is amended by adding a new § 2603.6 to read as follows:

2603.6 Notwithstanding § 2603.5, nothing shall prohibit the Mayor or the District of Columbia Housing Authority to acquire title to inclusionary units in a for-sale inclusionary development if any of the following circumstances exist:

- (a) There is a risk that title to the units will be transferred by foreclosure or deed-in-lieu of foreclosure, or that the units' mortgages will be assigned to the Secretary of the U.S. Department of Housing and Urban Development; or
- (b) Title to the units has been transferred by foreclosure or deed-in-lieu of foreclosure, or the units' mortgages have been assigned to the Secretary of the U.S. Department of Housing and Urban Development.

On January 24, 2013, at the conclusion of the public hearing upon the motion of Commissioner Miller, as seconded by Vice Chairman Cohen, the Zoning Commission **PROPOSED** the amendments by a vote of **5-0-0** (Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, Peter G. May, and Michael G. Turnbull to propose).

On March 28, 2013, upon the motion of Commissioner Turnbull, as seconded by Vice Chairman Cohen, the Zoning Commission **ADOPTED** the amendments as proposed at its special public meeting by a vote of **5-0-0** (Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, Peter G. May, and Michael G. Turnbull to adopt).

In accordance with the provisions of 11 DCMR § 3028.9, this Order shall become effective upon publication in the *D.C. Register*; that is, on April 5, 2013.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF PROPOSED RULEMAKING

The State Superintendent of Education, pursuant to Section 3(b)(11) of the District of Columbia State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code §§ 38-2602(b)(11) (2012 Supp.)) and Section 401 of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code §§ 38-824.01) (2012 Supp.)), hereby gives notice of a rulemaking amending Chapter 27 (Interscholastic Athletics) of Subtitle A (Office of the State Superintendent of Education) of Title 5 (Education) of the District of Columbia Municipal Regulations (DCMR), with intent to take final rulemaking action to adopt these amendments in not less than thirty (30) days after the date of publication of this notice in the *D.C. Register*.

The purpose of this rulemaking is to clarify student residency requirements and information sharing to address concerns that have arisen since the last rulemaking, and prevent disruption to student athletes who are, through no fault of their own, adversely affected when a team member is found to be ineligible as a nonresident, resulting in penalties affecting the whole team.

Chapter 27 (Interscholastic Athletics) of Subtitle A (Office of the State Superintendent of Education) of Title 5 (Education) of the District of Columbia Municipal Regulations (DCMR) is amended in its entirety to read as follows:

CHAPTER 27 INTERSCHOLASTIC ATHLETICS**2700 GENERAL POLICY**

- 2700.1 Student participation in interscholastic athletic programs in the District of Columbia public schools in grades four (4) through twelve (12) shall be governed by the rules and procedures set forth in this chapter.
- 2700.2 Interscholastic athletic programs shall place an emphasis on academic achievement, principles and practices of good sportsmanship, ethical conduct, and fair play, as well as safety, skills, and the rules of a particular sport.
- 2700.3 Consistent with this chapter, each Local Educational Agency (LEA) shall promulgate and implement interscholastic athletic standards including, without limitation, safety and first aid, eligibility, satisfactory progress toward graduation, practice, equipment, training, probationary actions, and grievance procedures for participants.
- 2700.4 Each LEA shall ensure that students with disabilities consistently have appropriate opportunities to participate in extracurricular athletic activities.

- 2700.5 All coaches, officials and other personnel, including volunteers engaged with students participating in interscholastic LEA programs, shall obtain a required background check, and demonstrate expertise with regard to a respective sport, applicable rules, safety and first aid standards.
- 2700.6 A student shall not be excluded from participation in, be denied the benefits of, be treated differently from other students, or otherwise be unlawfully discriminated against in interscholastic athletics based on, race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intra-family offense, or place of residence or business.
- 2700.7 Notwithstanding § 2700.6, a public school may operate a separate sports team for members of each sex, provided that the selection for such team is based upon competitive skill or the activity involved is a contact sport.
- 2700.8 Notwithstanding § 2700.6, a public school may operate a sports team for members of a single sex, so long as the public school operates a sports team for an underrepresented sex when there is sufficient interest to maintain a team. In the event there is insufficient interest, the LEA shall allow members of the underrepresented sex to try out for existing teams and qualify based on appropriate skill level, safety, and other standards for participation on such team.
- 2700.9 Except as provided in § 2700.12, varsity teams in senior high schools shall be limited to eligible students enrolled in that high school in grades nine (9), ten (10), eleven (11), and twelve (12).
- 2700.10 Except as provided in § 2700.12, junior varsity teams in senior high schools shall be limited to eligible students enrolled in that high school in grades nine (9), ten (10), and eleven (11).
- 2700.11 A student who has participated in varsity competition in a sport during a school year shall be ineligible to participate in junior varsity competition in the same sport in the same year.
- 2700.12 A student in grade nine (9), ten (10), eleven (11), or twelve (12) who attends a public school in which a desired sport is not offered may participate in the sport on a team at another school within the LEA, or as otherwise provided by the written policy or rule of the LEA.
- 2700.13 LEAs and member schools shall annually publish their schedules for interscholastic competition.

2700.14 The State Superintendent may establish an advisory committee on interscholastic athletics to advise LEAs or the Office of the State Superintendent of Education (OSSE) on matters pertaining to interscholastic athletic programs.

2701 ELIGIBILITY TO PARTICIPATE

2701.1 The eligibility certification for students to participate in interscholastic athletics shall occur as follows:

- (a) Principals shall be responsible for determining the eligibility of the students participating in interscholastic athletics by submitting a master eligibility list to the LEA's athletic director (AD) thirty (30) days before the date of the first (1st) official contest for each team.
- (b) A supplemental eligibility list may be submitted up to fourteen (14) days after the first (1st) official contest. However, students on the supplemental eligibility list may not participate without the prior written approval of both the Principal and the LEA's AD.
- (c) Each LEA shall report the eligibility and participation of each student determined eligible to play by his or her Principal not later than seven (7) calendar days after receipt of the master eligibility list from the Principal, to the Statewide Athletics Office (SAO). Any supplemental list shall also be provided to the SAO immediately after it has been approved by the Principal and LEA.
- (d) Each LEA shall immediately provide a written report to the SAO and parent(s) or guardian of a student with regard to any determinations related to a student's ineligibility. The SAO, parent, or guardian, may respond in writing within five (5) school days after the date of the notification of ineligibility. The LEA shall provide a final written decision within five (5) school days.
- (e) An LEA shall maintain for each school year a separate hard-copy athletic eligibility file with current eligibility documentation for each student participating on a junior varsity and varsity team. All documentation required in this chapter shall be on file prior to the first (1st) official contest of each sport and maintained during the sport season.
- (f) The SAO shall be given access to review athletic eligibility files upon request. The SAO shall prepare written notification to the LEA and parents or guardian of a student regarding any non-conforming eligibility documentation, including an opportunity for the LEA, parents or guardians to respond in writing to such findings within five (5) school days.

- 2701.2 LEA and school representatives shall not engage in any activity seeking to influence a student to transfer from one (1) LEA or school to another for the purpose of participating in interscholastic athletics.
- 2701.3 A student who transfers enrollment from any school to a public school in the District of Columbia in grades nine (9), ten (10), eleven (11), or twelve (12) is ineligible to participate in interscholastic athletics unless he or she meets one (1) of the following exceptions:
- (a) A student in grade nine (9) may transfer one (1) time during that school year without loss of eligibility;
 - (b) A student attending DCPS moves to a new bona fide permanent residence in the District of Columbia, with his or her custodial parent(s), legal guardian, or primary caregiver in the boundary zone of the DCPS school to which the student transfers;
 - (c) The student is transferred to another school by any court order;
 - (d) A reorganization, consolidation, or annexation of the student's school occurs;
 - (e) The closure of the student's school or school's athletic program;
 - (f) The student is ordered to transfer for non-athletic purposes;
 - (g) The student has special needs, as identified by the Individualized Education Program (IEP) or Section 504 Plan, and is transferred to another public school for the delivery of a free appropriate public education;
 - (h) A transfer is the result of the student's being homeless as defined in the McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11434a(2), except if the student's homeless status is shown to have been created by the student or his/her family for the primary reason of eligibility in interscholastic athletics;
 - (i) The student transfers as provided for in 5 DCMR E § 3805 because his or her school has been designated as a persistently dangerous school;
 - (j) The student transfers as provided for in 5 DCMR E § 3809 because he or she has been the victim of a violent crime or a pattern of bullying or other aggressive conduct or sexual harassment;

- (k) The student is a qualified foreign exchange student under § 2701.4(e) or an international student residing in the District with his or her parents.
- (l) The period of ineligibility for students that transfer absent an exception shall be one (1) calendar year commencing with the first (1st) day of official attendance in the receiving school.

2701.4 The LEA shall develop written procedures for challenges to eligibility based upon credible information that a student may not meet the eligibility requirements set forth in this chapter. Challenges to eligibility certification shall occur as follows:

- (a) A challenge must be presented in writing and signed by the submitting party, addressed to the appropriate school authority where the student is enrolled.
- (b) The LEA shall provide a written report with supporting documentation of its findings and the student's right to appeal to the LEA, to the challenging party, SAO, and parents or guardian, not later than five (5) school days after the date the matter is reported to or by the LEA.
- (c) If the SAO receives credible written information that a participating student is ineligible, the SAO shall submit the information to the LEA for review within three (3) school days of receipt of the information, and the LEA shall provide the results of its findings to the SAO, and the parents or guardian, not later than five (5) school days after the date the matter is reported to or by the LEA.
- (d) If the LEA findings result in forfeiture of contest already played, the Athletic Appeals Panel (Panel) shall review the decision affirming or denying the decision and shall provide the results of its findings to the LEA not later than five (5) school days after the date the matter is reported to the SAO.
- (e) If the LEA fails to timely provide the reports and supporting documentation required in this subsection, the SAO may on its own initiative refer the case to the Panel for a final decision regarding eligibility and the forfeiture of contest.

2701.5 In order to be eligible to participate in interscholastic athletics at a public school, a student shall also meet the following requirements:

- (a) A student shall be a resident of the District of Columbia in conformance with all residency laws and regulations for students attending public schools in the District of Columbia.

- (b) A nonresident student shall be in conformance with all applicable laws and regulations for nonresident students attending public schools in the District of Columbia.
- (c) A student shall provide written authorization for each team that he or she wishes to participate on, and the authorization shall contain the signature of the custodial parent, legal guardian, or primary caregiver.
- (d) A student shall provide a medical certification confirming that the student is physically fit for the sport in which the student seeks to participate.
- (e) A student shall be covered by appropriate accident insurance, obtained either by his or her LEA or his or her parent or guardian and approved by his or her school's LEA, during each season the student participates. Appropriate notice of the coverage and cost of the accident insurance obtained by his or her school's LEA shall be provided annually to parents or guardians and adult students. A parent or guardian submitting a policy for approval by the student's school's LEA shall do so within the time specified by the LEA. In addition, students participating in football shall be insured by additional football accident insurance which shall be paid for by the LEA in which the student is enrolled.
- (f) A student shall maintain regular school attendance, having been present at least two-thirds ($2/3$) of the required school days during the semester preceding the sport season, and shall have no more than three (3) unexcused absences during the season of participation for each sport;
- (g) A student in grade nine (9), ten (10), eleven (11), or twelve (12), shall have a grade point average of at least 2.0 ("C") to participate in interscholastic athletics.
- (h) A student in grade four (4), five (5), six (6), seven (7), or eight (8) shall not fail more than one (1) subject in the grading period immediately preceding the sport season in which the student wishes to participate;
- (i) The student shall not have graduated from high school from the LEA for which he or she participates in a sport; provided, that an eligible student whose graduation exercises are held before the end of the school year may continue to participate in interscholastic athletics until the end of that school year.
- (j) A student who has attained the following ages on or before July 1 preceding the following school year shall not be eligible to participate in interscholastic athletics offered for the grade levels indicated:
 - (1) Grades four (4) and five (5): twelve (12) years;

- (2) Grades six (6) through eight (8): fifteen (15) years; and
 - (3) Grades nine (9) through (12): nineteen (19) years.
- (k) A student shall maintain amateur standing by engaging in sports only for the physical, educational, and social benefits derived from sports and by not accepting, directly or indirectly, a remuneration, gift, or donation based on his or her participation in a sport other than approved school, LEA, or State awards.
- (l) A student is eligible to participate in regular season, playoff, or championship interscholastic athletic contests for a maximum of:
- (1) Four (4) semesters (two (2) seasons) in grades four (4) through five (5);
 - (2) Six (6) semesters (three (3) seasons) in grades six (6) through eight (8); and
 - (3) Eight (8) semesters (four (4) seasons) in grades nine (9) through twelve (12), consistent with paragraphs in this subsection;
- (m) Semester computations pursuant to Subsection (j) shall begin from the semester in which the student was enrolled for the first time in any school in grades four (4), six (6), and nine (9), and shall be counted continuously thereafter, regardless of whether he or she remains continuously enrolled in school. For student athletes in grades nine (9) through twelve (12), eligibility shall cease at the end of the eighth semester after first entering the ninth (9th) grade.
- (n) Completion of a summer school program shall not be counted as a semester of attendance.
- (o) A student shall participate only under the name by which he or she is registered in the public school he or she attends;
- (p) A student's participation shall be classified as follows:
- (1) Grades four (4) and five (5) shall participate on the elementary level;
 - (2) Grade six (6) shall participate on the elementary level, unless enrolled in grade (6) at a middle school, in which case shall participate on the middle school level;

- (3) Grades seven (7) and eight (8) shall participate on the middle school level; and
- (3) Grades nine (9) through twelve (12) shall participate on the senior high school level.
- (q) The grade designation on the student's official record, or official transfer record, shall be controlling in determining whether a student is assigned to grades four (4) through six (6) as used in this Chapter.
- (r) A student shall be considered to be assigned to grades seven (7) through twelve (12), as used in this chapter, based upon the qualifications adopted by the Chancellor of DCPS or the director of another LEA, as applicable; or the grade designation on the official transfer record from another jurisdiction; provided that the student has met the minimum criteria required for the grade.
- (s) A student may represent only one (1) school in the same sport during a school year.
- (t) A student who has participated in varsity competition in a sport during a school year shall be ineligible to participate in junior varsity competition in the same sport in the same year.
- (u) A student who needs fewer than two (2) credits to graduate from twelfth (12th) grade and who transferred to a high school within the preceding twelve (12) months is prohibited from participation in any interscholastic athletic activity for the duration of the student's enrollment at that school.
- (v) An international student participating in a foreign exchange program shall be considered immediately eligible for a maximum period of one calendar school year if the student:
 - (1) Has not completed his or her home secondary school program;
 - (2) Meets all other eligibility requirements of this section;
 - (3) Has been randomly assigned to his or her host parents and school and neither the school the student attends nor any person associated with the school has had input in the selection of the student and no member of the school's coaching staff, paid or voluntary, serves as the resident family of the student;

- (4) Possesses a current J-1 visa issued by the U.S. State Department; and
 - (5) Is attending school under a foreign exchange program on the current Advisory List of International Educational Travel and Exchange Programs published by the Council on Standards for International Education Travel and such program assigns students to schools by a method which ensures that no student, school, or other interested party may influence the assignment.
- (w) An international student not participating in a foreign exchange program shall be treated as all other students who transfer schools.
- (x) A student in grade nine (9), ten (10), eleven (11), or twelve (12) shall not participate in the same individual or team sport outside of school, or with a team, an organized league, tournament meet, match or contest between the first (1st) and last scheduled contest of the school team during the season of the sport; provided, that a student who is selected to represent the United States in international amateur competition shall not become ineligible in school competitions for participating in qualifying trials. The following sports shall be exempted from the restrictions of this paragraph:
- (1) Golf;
 - (2) Swimming;
 - (3) Tennis;
 - (4) Gymnastics;
 - (5) Volleyball;
 - (6) Softball;
 - (7) Track and field;
 - (8) Cross-country;
 - (9) Crew;
 - (10) Soccer;
 - (11) Cheerleading;
 - (12) Lacrosse;

- (13) Rugby;
- (14) Field Hockey; and
- (15) Wrestling.

(y) A hardship waiver was granted to the student by the Panel.

2701.6 A request for a waiver of the eligibility requirements shall be made only upon presentation in writing by the AD of an LEA to the SAO for a decision by the Panel, as follows:

- (a) A request for a waiver from the requirements in this chapter shall be presented to the SAO in writing with supporting documentation by the LEA;
- (b) The SAO shall forward the waiver request received from the AD of an LEA to the Panel; and
- (c) No later than five (5) school days after the date of receipt, the Panel shall affirm or deny the waiver request in a written decision.
- (d) The decision of the Panel is final.

2702 INELIGIBILITY AND CHALLENGES

2702.1 A student who is ineligible to participate in interscholastic athletics is prohibited from playing, practicing, or otherwise participating with a team in the District of Columbia during the period of such ineligibility.

2702.2 A student who participates in interscholastic athletics and is found ineligible is prohibited from participating in any interscholastic competition for one (1) calendar year from the date of the finding of ineligibility. Additionally, in order to be considered for eligibility when the calendar year has passed, the student must show that all of the eligibility requirements are satisfied.

2702.3 A student who is ineligible to participate in interscholastic athletics at the time of transfer from one (1) school to another, for any reason other than failing to meet the requirements of this chapter, shall not be considered for eligibility at the receiving school until one (1) full calendar year has passed from the date it was determined that the student was ineligible.

2702.4 Each LEA shall establish policies addressing probationary actions based on determinations of ineligibility in accordance with this chapter. The LEA shall

provide copies of the written regulations to the SAO no later than August 1 of each school year.

- 2702.5 Any LEA carrying an ineligible student as a member of the team shall forfeit each contest played by such student.
- 2702.6 If any forfeiture creates a tie among teams, a coin toss as mutually agreed by the school ADs shall determine the requisite order.
- 2702.7 A school officer of an LEA or school, who knows, or should have known, that an ineligible student is participating or has participated in an interscholastic athletic program or contest, shall be subject to disciplinary action pursuant to LEA regulation or policy.
- 2702.8 The LEA shall provide the administrative record and disciplinary determinations pursuant to § 2702.7 to the SAO for review by the Panel no later than five (5) calendar days after the date of such action. The Panel will investigate the matter and issue a written decision whether the school officer or agent participation in SAO activities shall be reduced, suspended, or revoked, in addition to any LEA actions.

2703 ALL-STAR CONTESTS

- 2703.1 A student who participates in a team sport may participate in an “all-star” competition for the sport that occurs outside the interscholastic season of the sport without jeopardy to his or her eligibility if:
- (a) The all-star competition is an activity sanctioned by the SAO or another National Federation of State High School Association (NFHS) member;
 - (b) All participants in the all-star competition are graduating seniors or students completing their athletic eligibility at the end of the school year;
 - (c) The student has played in no more than one (1) other all-star competition in his or her sport; or
 - (d) The all-star competition occurs after the student has participated in his or her final contest for his or her school.
- 2703.2 A senior who fails to comply with § 2703.1 shall be subject to a penalty that may result in the loss of athletic eligibility for the balance of the school year. For all other students, the penalty may result in loss of eligibility for the next season in the sport in which the student participated in the all-star competition. The SAO shall review penalty decisions. The decision of the SAO shall be final.

2704 LEA REGULATIONS

2704.1 All LEA rules, policies, and procedures related to athletics shall be consistent with the provisions of this chapter. Upon request, LEAs shall provide the SAO with copies of their respective rules, policies, and procedures.

2799 DEFINITIONS

2799.1 When used in this chapter, the following terms shall have the meanings ascribed:

Athletic Appeals Panel (“Panel”)--A review Panel composed of three people appointed by the State Superintendent of Education on a case-by-case basis.

Athletic Director (“AD”) – A person who holds the position of athletic director or a person or entity that performs the functions of an athletic director as designated by an LEA.

Boundary Zone—The area designated by DCPS as in-bounds for a particular residence.

Day – One (1) calendar day, unless otherwise stated.

First year of eligibility – The school year a student first enters ninth (9th) grade for the first (1st) time.

League – An association of sports teams or clubs that compete mainly against each other.

Participate – Inclusion on the tryout roster or team roster as a member of a recognized school team to tryout or play in practices, contests, and competitions, or otherwise engaging in other activities as part of the team.

Previous participation – Prior participation in interscholastic athletics in grades nine (9) through twelve (12).

Public School – A school within the District of Columbia Public Schools (DCPS) system, a District of Columbia public charter school, or a private school member participating in the District-wide competitions approved by the SAO.

Receiving school - The school a student enrolls in, after leaving his or her previous school.

Sending School – A school that a student withdraws from, in order to attend a different school.

Semester (“full academic semester”) -- A semester is approximately two (2) marking periods during which academic coursework towards graduation requirements occurs but does not include the summer.

Statewide Athletics Office (SAO) – A unit of the Office of the State Superintendent of Education that directs, coordinates, and provides guidance for interscholastic athletic programs.

Transfer - The student has withdrawn from a sending school and has enrolled in a receiving school.

Week – Seven (7) calendar days, unless otherwise stated.

Persons wishing to comment on this notice of rulemaking should submit their comments in writing including or through an electronic submission to: Office of the State Superintendent of Education, 810 First Street, N.E., 9th Floor, Washington, D.C. 20002 [(202) 727-6436], or to Jamai.Deuberry@dc.gov with subject “Attn: Jamai Deuberry, Interscholastic Athletics Rules.” All comments must be received no later than thirty (30) days after publication of this notice in the *D.C. Register*. All comments received will be taken into consideration during the proposed rulemaking process prior to final adoption of these rules.

THE DISTRICT OF COLUMBIA
LOTTERY AND CHARITABLE GAMES CONTROL BOARD
NOTICE OF PROPOSED RULEMAKING

The Executive Director of the District of Columbia Lottery and Charitable Games Control Board, pursuant to the authority set forth in D.C. Official Code §§ 1-204.24a(c)(6) (2012 Supp.); §§ 3-1306 and 3-1321 (2007 Repl.); District of Columbia Financial Responsibility and Management Assistance Authority Order, issued September 21, 1996; and Office of the Chief Financial Officer Financial Management Control Order No. 96-22, issued November 18, 1996, hereby gives notice of its intent to amend Chapters 3 and 99 of Title 30 DCMR, "Lottery and Charitable Games." These amendments will allow D.C. Lottery and its agents the option of accepting debit cards as a method of payment from customers for lottery sales.

The Executive Director gives notice of the intent to take final rulemaking action to adopt the amendments in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Chapter 3, AGENT REQUIREMENTS, of Title 30 of the DCMR is amended to read as follows:

Amend Section 308, "AGENT RESPONSIBILITIES" to read as follows:

308.1 Agents shall do the following:

- (a) Provide for the sale of lottery tickets in accordance with instructions issued by the Agency;
- (b) Accept only cash or debit cards for the sale of lottery tickets.
 - (1) Agents are not required to accept debit cards for the sale of lottery tickets, but if an Agent chooses to accept debit cards, the Agent shall be responsible for any costs, fees or charge backs that may be associated with debit card lottery sales.
 - (2) Agents may not charge a fee associated with accepting debit cards for lottery ticket sales.
- (c) Sell lottery tickets during all hours and days that the agent's establishment is open for business, at the location set forth in the license;
- (d) Render services which meet the standards of the reasonable prudent business person;

- (e) Be financially responsible to the Agency for all revenues derived from the sale of lottery tickets and all tickets that are cashed or cancelled and are later presented to the Agency for payment;
- (f) Be financially responsible to destroy all cashed lottery tickets and all cancelled lottery tickets;
- (g) Post prominently point-of-sale and other promotional materials supplied by the Agency;
- (h) Attend all training sessions;
- (i) Provide a site for the location of any on-line computer terminal assigned to the agent;
- (j) Provide, prior to the installation of the on-line computer terminal, a dedicated electrical double duplex "U" grounded outlet on a separate circuit that remains on twenty-four (24) hours a day for the exclusive use of the on-line computer terminal, which outlet shall be located within five feet (5 ft.) of the on-line computer terminal;
- (k) Provide sufficient space for the proper operation of the on-line computer terminal at the site approved by the Agency;
- (l) Exercise due diligence in the operation and care of the on-line computer terminal and immediately notify the Agency's computer operation center of any on-line computer terminal malfunction;
- (m) Permit a representative of the Agency to conduct on-site inspections of lottery property, including the on-line computer terminal, during the agent's normal hours of operation;
- (n) Provide for the cashing of all lottery tickets and pay all claims up to a maximum of six hundred dollars (\$600.00), or such other amount as may be determined by the Executive Director, in cash, regardless of where the winning lottery ticket was purchased;
- (o) Cash checks for lottery winnings without charging fees;
- (p) Ascertain the winning numbers and immediately post them in a prominent place after each drawing;
- (q) Replace ribbons and ticket stock as required in the on-line computer terminal;
- (r) Perform no mechanical or electrical maintenance on the on-line computer terminal;

- (s) Notify the Agency in writing at least fourteen (14) days in advance of the agent's intent to temporarily cease operations (e.g., vacation), or as soon as possible in the case of an emergency;
- (t) Notify the Agency in writing of a change of address of the location, type of establishment or ownership of the establishment, in accordance with § 206 of this title;
- (u) Notify the Agency in writing seven (7) days in advance of a change of bank account maintained for the deposit of on-line revenues pursuant to § 305.1.
- (v) Pay the cost for all telephone lines resulting from agent relocations;
- (w) Permit no persons under eighteen (18) years of age to sell lottery tickets;
- (x) Provide a certificate of insurance, which indicates that the agent has and maintains casualty insurance, approved by the Agency, to cover the replacement cost of the on-line computer terminal and other Agency property assigned to the agent. The agent shall notify the Agency in writing of any change in insurance coverage fifteen (15) days in advance of the change; and
- (y) Not sell lottery tickets to anyone under the age of eighteen (18).

Chapter 99, DEFINITIONS, of Title 30 of the DCMR is amended as follows:

Section 9900, DEFINITIONS, is amended by adding the following terms and definitions:

DEBIT CARD - A card used to pay for purchases by electronic transfer from the purchaser's bank account. A debit card is not a credit card.

All persons desiring to comment on the subject matter of this amended proposed rulemaking should file comments in writing no later than thirty (30) days from the date of publication of this notice in the *D.C. Register*. Comments should be filed with the Executive Director, District of Columbia Lottery and Charitable Games Control Board, 2101 Martin Luther King, Jr., Avenue, S.E., Washington, D.C. 20020 or e-mailed to antar.johnson@dc.gov. Questions regarding these rules can either be e-mailed or asked by phone at (202) 645-8026. Copies of these proposed rules may be obtained at the address stated above.

THE DISTRICT OF COLUMBIA
LOTTERY AND CHARITABLE GAMES CONTROL BOARD

NOTICE OF PROPOSED RULEMAKING

The Executive Director of the District of Columbia Lottery and Charitable Games Control Board, pursuant to the authority set forth in D.C. Official Code § 1-204.24a(c)(6) (2012 Supp.); §§ 3-1306 and 3-1321 (2007 Repl.); District of Columbia Financial Responsibility and Management Assistance Authority Order, issued September 21, 1996; and Office of the Chief Financial Officer Financial Management Control Order No. 96-22, issued November 18, 1996, hereby gives notice of its intent to amend Chapters 9 and 99 of Title 30 “Lottery and Charitable Games” of the District of Columbia Municipal Regulations (DCMR). The amendments are necessary to implement unilateral changes to a national Hot Lotto® game. These changes to the game begin on May 12, 2013.

The Executive Director gives notice of his intent to take final rulemaking action to adopt the amendments in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

AMEND CHAPTER 9. “DESCRIPTION OF ON-LINE GAMES”

Amend Sections 940 through 944 to read as follows:

940 DESCRIPTION OF THE HOT LOTTO® GAME

- 940.1 The Agency may offer a game known as Hot Lotto® to the public.
- 940.2 The provisions of §§ 501.2, 503.4, 503.5, 607.2, 611.1, and 805.1 shall apply to ticket purchase, void and cancelled tickets, ticket validation, and prize payments in the Hot Lotto® game.
- 940.3 Hot Lotto® is a five (5) out of forty-seven (47) plus one (1) out of nineteen (19) online lottery game that pays Grand Prize payments as a cash lump sum payment on a pari-mutuel basis. All prizes are paid on a cash basis. To play Hot Lotto®, a player shall select five (5) different numbers, between one (1) and forty-seven (47) and one (1) additional number between one (1) and nineteen (19), for input into a terminal. The additional number may be the same as one of the first five numbers selected by the player.
- 940.4 Drawings shall be held at the times and places established by MUSL Product Group and the results shall be subsequently announced to the public.
- 940.5 If a single ticket contains more than one (1) winning play on separate game boards, the prize amounts shall be added together and shall be paid in accordance with the prize payment limits set forth in §§ 940.6 and 943.

- 940.6 The holder of a winning Hot Lotto® ticket may win in only one prize category per board in connection with the winning numbers drawn, and shall be entitled only to the prize for the highest prize category won by those numbers.
- 940.7 The price of a Hot Lotto® game ticket shall be one play for one dollar (\$1) or any other price designated by the Executive Director from a price schedule adopted by the Agency.
- 940.8 A ticket subject to the validations requirements of this title shall be the only proof of a wager.

941 PRIZE POOL

- 941.1 The prize pool for all prize categories shall consist of fifty percent (50%) of each drawing period's sales, including tax, after the prize reserve accounts are funded consistent with all agreements in place governing the conduct of Hot Lotto®.
- 941.2 The prize money allocated to the Grand Prize category shall be awarded equally to the number of game boards winning a Grand Prize.
- 941.3 Any amount remaining in the prize pool at the end of each game shall be carried forward to a replacement game or expended in a manner consistent with all agreements in place governing the conduct of Hot Lotto® and in accordance with District law.
- 941.4 An amount equal to up to one percent (1%) of a Lottery's sales, including tax, shall be deducted from a Lottery's Grand Prize Pool and placed in trust in one or more prize reserve accounts when the Grand Prize exceeds \$2,000,000.00. An additional two percent (2%) of a Lottery's sales, including tax, shall be deducted from a Lottery's Grand Prize Pool and placed in trust in one (1) or more prize reserve accounts when the Grand Prize exceeds \$5,000,000.00 until the Lottery's share of the prize reserve account(s) reach(es) the amounts designated by MUSL Product Group.
- 941.5 The MUSL Product Group has established the following prize reserve accounts for the Hot Lotto® game: the Prize Reserve Account ("PRA"), which is used to guarantee the payment of valid, but unanticipated, Grand Prize claims that may result from a system error or other reason, and to fund deficiencies in low-tier prize payments (subject to the limitations of these rules); the Set-Aside Account, which is used to guarantee payment of the minimum or starting Grand Prize; the Hot Lotto® Sizzler Rollover Account, which is described in Part III of these rules; and the Lower Tier Prize Pool, which holds the temporary balances that may result from having fewer than expected winners in the low-tier set prize

categories. The source of the Lower Tier Prize Pool funds is the Party Lottery's weekly prize contributions less actual set prize liability.

942 GRAND PRIZE PAYMENT

942.1 Grand Prize Payments are made as a cash lump sum payment on a pari-mutuel basis.

942.2 A Grand Prize Winner shall receive a "Withholding Taxes Paid Prize."

942.3 "Withholding Taxes Paid Prizes" is a prize where the Lottery pays the prize winner a net prize amount, that consists of the Lottery reducing the "gross prize value" by the required federal and jurisdictional withholding taxes (if any), and withholding and depositing on behalf of the prize winner the required federal and jurisdictional withholding taxes (if any) on the "gross prize value" and the Lottery pays the prizewinner the residual amount (subject to any setoff requirements). Grand Prize winners will receive a Withholding Taxes Paid prize determined after deducting all applicable withholding taxes regardless of the "Advertised Grand Prize Amount", and which may be higher or lower than the "Advertised Grand Prize amount. Federal and jurisdictional withholding tax rates are subject to change and will be determined at the time the prize is awarded.

942.4 The "Withholding Taxes Paid" prize amount reported to the federal and jurisdictional revenue authorities by the Lottery as subject to income taxation shall reflect the amount paid to the prize winner and also the amount remitted as withholding taxes to the federal and jurisdictional authorities (if any) on behalf of the prize winner. The Lottery and MUSL Product Group are not responsible for additional income or other taxes applicable in excess of the amount withheld and remitted by the Lottery that may be due when the prizewinner files all tax returns for the year the prize is claimed; Prizewinners should verify personal tax liability with a financial adviser.

For example, if a single Grand Prize winner wins the "Advertised Grand Prize" of \$2,000,000.00 that has a gross prize value of \$3,050,000.00, and the federal withholding tax rate is 25% and the jurisdictional withholding tax rate is 6%, the Lottery will withhold and remit \$762,500.00 in federal tax withholding, \$183,000.00 in jurisdictional tax withholding and pay the prize winner \$2,104,500.00 in a single cash prize payment (subject to any setoff requirements); at the end of the tax year the Lottery will communicate to the prizewinner a W-2G Form showing prize won of \$3,050,000.00.

942.5 Grand Prize winners will receive a "Withholding Taxes Paid Prize" determined after deducting all applicable withholding taxes regardless of the "Advertised

Grand Prize Amount”, and which may be higher or lower than the “Advertised Grand Prize amount.”

- 943.6 Advertised Grand Prize Amount shall be the minimum cash amount that would be paid as a “Withholding Taxes Paid” prize to the Grand Prizewinner(s), on a pari-mutuel basis, after calculating the potential federal and jurisdictional withholding taxes, if any, to the Gross Grand Prize Amount. Minimum guaranteed prizes or increases may be waived if the alternate funding mechanism set out in §941.5.
- 942.7 Entitlement to the Hot Lotto® Grand Prize, or a per winner portion thereof, shall occur upon the:
- (a) Presentation of a winning Hot Lotto® lottery ticket for validation;
 - (b) Presentation of a completed and signed claim form at a Claim Center; and
 - (c) Satisfaction of all lottery ticket and claim validation requirements set forth in this title including, without limitation, all final determinations that may be required by the Executive Director.
- 942.8 A payment election made after entitlement to the prize occurs is final and cannot be revoked, withdrawn, or changed.
- 942.9 The Executive Director may adopt procedures, requirements, and documentation to complete a Hot Lotto® Grand Prize payment election. The Executive Director's acceptance of an election is conditional upon his or her determination that the election request is valid.
- 942.10 If the documentation required by the Executive Director to complete a prize election is to be completed and signed in the name of a legal entity, the entity must designate in writing one (1) duly authorized natural person to execute the documentation.
- 942.11 If a Hot Lotto® Grand Prize claimant is unable to complete the documentation required by the Executive Director for a prize payment election due to a legal, physical, or other disability, a duly authorized representative, guardian, conservator, custodian, or other fiduciary may complete and execute all required documentation on the claimant's behalf.
- 942.12 If a natural person completing the documentation required by the Executive Director to complete prize election is the personal representative of the estate of a deceased winner, or the authorized representative of a legal person or other entity entitled to claim the prize, he or she shall submit his or her letter of administration, trust, other authorizing documents, or their legal equivalent, showing an appointment from the court having jurisdiction over the estate, or other evidence of legally binding authorization.
- 942.13 A person who executes documentation required by the Executive Director to complete a prize election shall be considered to have represented that the information contained therein is accurate and complete. Any person who willfully submits false or fraudulent documentation may be prosecuted for the offense of

making a false statement in accordance with D.C. Official Code § 22-2405 (2001 ed.).

- 942.14 All provisions of this title relating to the election of a Hot Lotto® Grand Prize payment shall be interpreted in a manner that is consistent with the purposes, requirements, and restrictions of 26 U.S.C. § 451.
- 942.15 If the Hot Lotto® Grand Prize is not won in a drawing, the prize money allocated for the Hot Lotto® Grand Prize shall roll over.
- 942.16 Prior to a drawing the Product Group shall determine and publicly announce the “Advertised Grand Prize” amount for that drawing. The Gross Grand Prize Value amount, that is used to determine the Advertised Grand Prize amount, shall be a guaranteed amount, and the Product Group may offer guaranteed minimum Gross Grand Prize Value amounts or minimum increases in the Gross Grand Prize Value amount between drawings or make other changes in the allocation of prize money where the Product Group finds that it would be in the best interest of the game. Guaranteed Gross Grand Prize Value amounts shall be funded as determined by the Product Group.
- 942.17 Grand Prizewinner shares shall be determined as follows: if there are multiple Grand Prize winners during a single drawing, then a winner's share of the Grand Prize shall be determined by dividing the Gross Grand Prize Value by the number of winners.
- 942.18 A share of the Hot Lotto® Grand Prize may be rounded to facilitate the purchase of an appropriate funding mechanism. Funds remaining after the prize has been rounded down on a Hot Lotto® Grand Prize win, (“breakage”), shall be added to the first cash payment to the winner or winners. Prizes which, under this chapter, may become single-payment, pari-mutuel prizes, may be rounded down so that prizes can be paid in multiples of whole dollars. Breakage resulting from rounding these prizes shall be carried forward to the prize pool for the next draw.

943 HOT LOTTO® PRIZE STRUCTURE

- 943.1 The Hot Lotto® Grand Prize shall be determined on a pari-mutuel basis. Except as provided in these rules, all other prizes awarded shall be paid as set cash prizes with the following expected prize payout percentages.
- 943.2 Provided the prize pools are fully funded, the fixed prize payments for Hot Lotto® based on a one dollar (\$1) bet are as follows:

| Number of Matches Per Play | Prize Payment | Prize Pool % Allocated to Prize |
|---|--------------------------|---------------------------------|
| All five (5) of first set plus one (1) of the second set | Gross Grand Prize Value* | 52.1188% |
| All five (5) of first set and none of the second set | \$30,000 | 3.7056% |
| Any four (4) of first set plus one (1) of the second set | \$3,000 | 4.3232% |
| Any four (4) of first set and none of the second set | \$100 | 2.5940% |
| Any three (3) of first set plus one (1) of the second set | \$50 | 2.9542% |
| Any three (3) of first set and none of the second set | \$6 | 6.3811% |
| Any two (2) of first set plus one (1) of the second set | \$6 | 4.7268% |
| Any one (1) of first set plus one (1) of the second set. | \$3 | 11.5214% |
| None of the first set plus one (1) of the second set | \$2 | 11.6750% |

* The above reflects the Gross Grand Prize Value; the “Advertised Grand Prize” is described elsewhere in these Rules. The Gross Grand Prize Value amount will be reduced by federal and jurisdictional withholding taxes (if any) that will be remitted by the Lottery on behalf of the prizewinner with the prizewinner receiving the residual amount as their Grand Prize payment (subject to offsets). The prize amount reported to the federal and jurisdictional revenue authorities by the Lottery as subject to income taxation shall reflect the amount paid to the prize winner (including any offsets) and also the amount remitted as withholding taxes to the federal and jurisdictional authorities (if any) on behalf of the prize winner.

943.3 The prize money allocated to the Gross Grand Prize Value category shall be divided equally by the number plays winning the Grand Prize.

943.4 If the prize pools are not fully funded and there are not sufficient funds in the prize pool to pay fixed prizes, the prizes shall be paid pursuant to § 943.5, including payment on a pari-mutuel basis if required.

943.5 The prize pool percentage allocated to the fixed prizes (the cash prize of \$30,000.00 thousand dollars or less) shall be carried forward to subsequent draws if all or a portion of it is not needed to pay the fixed prizes awarded in the current draw. If the total of the fixed prizes awarded in a drawing exceeds the percentage of the prize pool allocated to the fixed prizes, then the amount needed to fund the fixed prizes awarded shall be drawn from the following sources in the following order:

(a) The amount allocated to the fixed prizes and carried forward from previous draws, if any.

(b) An amount from the Prize Reserve Account, if available, not to exceed the balance of that account.

(c) An amount from the set-aside account, if available not to exceed the balance of the account.

943.6 If, after these sources are depleted, there are not sufficient funds to pay the fixed prizes awarded, the highest fixed prize shall become a pari-mutuel prize. If the amount of the highest fixed prize when paid on a pari-mutuel basis, drops to or

below the next highest fixed prize and there are still not sufficient funds to pay the remaining fixed prizes awarded, the next highest fixed prize shall become a pari-mutuel prize. This procedure shall continue down through all fixed prize levels, if necessary, until all fixed prize levels become pari-mutuel prize levels. In that instance, the money available from the funding sources listed in this chapter shall be divided among the winning plays in proportion to their respective prize percentages.

943.7 Minimum guaranteed prizes or increases offered by the Executive Director pursuant to § 942.14 may be waived if the alternate funding mechanism set out in Subsections §§ 943.5 and 943.6 becomes necessary.

944 PROBABILITY OF WINNING

944.1 The following table sets forth the probability of winning and the probable distribution of winners in and among each prize category, based upon the total number of possible combinations in Hot Lotto®.

| Number of Matches Per Ticket | Probability Distribution | Probable/Set Prize Amount |
|---|---------------------------------|----------------------------------|
| All five (5) of first set plus one (1) of the second set | 1: 29,144,841 | \$7,594,954.50* ** |
| All five (5) of first set and none of the second set | 1: 1,619,157.833333 | \$30,000.00 |
| Any four (4) of first set plus one (1) of the second set | 1: 138,784.957143 | \$3,000.00 |
| Any four (4) of first set and none of the second set | 1: 7,710.275397 | \$100.00 |
| Any three (3) of first set plus one (1) of the second set | 1: 3,384.998955 | \$50.00 |
| Any three (3) of first set and none of the second set | 1: 188.055497 | \$6.00 |
| Any two (2) of first set plus one (1) of the second set | 1: 253.874922 | \$6.00 |
| Any one (1) of first set plus one (1) of the second set. | 1: 52.076907 | \$3.00 |
| None of the first set plus one (1) of the second set | 1: 34.261123 | \$2.00 |
| Overall | 1: 17.217787 | |

* The Grand Prize amount does not include the Prize Reserve Account (“PRA”) deduction or any other deductions, if any.

** The Gross Grand Prize Value amount reflects the “Gross Prize Value”; the “Advertised Grand Prize” and “Withholding Taxes Paid Prize” amounts are discussed elsewhere in these Rules.

AMEND CHAPTER 9. “DESCRIPTION OF ON-LINE GAMES”

Amend section § 946 to read as follows:

946 SIZZLER PRIZE POOL, PRIZE CHART AND PROBABILITY

946.1 The Sizzler Prize Pool for all prize categories shall consist of approximately forty-seven and eight thousand eight hundred thirteen ten thousandths percent (47.8813%) of each drawing period's sales, including any specific statutorily mandated tax of a Selling Lottery to be included in the price of a lottery ticket. Any amount remaining in the prize pool at the end of this game shall be carried forward to a replacement game or expended in a manner as directed by the MUSL Product Group in accordance with state law.

946.2 Provided the prize pools are fully funded, pursuant to §§ 943.5 and 943.6 of this Chapter, the fixed prize payments for Sizzler based on a one dollar (\$1) bet are as follows:

| Match | Regular Prize Amount | Sizzler 3X |
|---|-----------------------------|-------------------|
| All five (5) of first set and none of the second set | \$30,000.00 | \$90,000.00 |
| Any four (4) of first set plus one (1) of the second set | \$3,000.00 | \$9,000.00 |
| Any four (4) of first set and none of the second set | \$100.00 | \$300.00 |
| Any three (3) of first set plus one (1) of the second set | \$50.00 | \$150.00 |
| Any three (3) of first set and none of the second set | \$6.00 | \$18.00 |
| Any two (2) of first set plus one (1) of the second set | \$6.00 | \$18.00 |
| Any one (1) of first set plus one (1) of the second set. | \$3.00 | \$9.00 |
| None of the first set plus one (1) of the second set | \$2.00 | \$6.00 |

946.2 The Hot Lotto® Grand Prize is not subject to the Sizzler multiplier.

946.3 The following table sets forth the probability of winning and the probable distribution of winners in and among each prize category, based upon the total number of possible combinations in the Hot Lotto® Sizzler game.

| Match | Probability | Sizzler 3X |
|---|---------------------|-------------|
| All five (5) of first set and none of the second set | 1: 1,619,157.833333 | \$90,000.00 |
| Any four (4) of first set plus one (1) of the second set | 1: 138,784.957143 | \$9,000.00 |
| Any four (4) of first set and none of the second set | 1: 7,710.275397 | \$300.00 |
| Any three (3) of first set plus one (1) of the second set | 1: 3,384.998955 | \$150.00 |
| Any three (3) of first set and none of the second set | 1: 188.055497 | \$18.00 |
| Any two (2) of first set plus one (1) of the second set | 1: 253.874922 | \$18.00 |
| Any one (1) of first set plus one (1) of the second set. | 1: 52.076907 | \$9.00 |
| None of the first set plus one (1) of the second set | 1: 34.261123 | \$6.00 |

Overall odds of winning: 1:17

946.4 Prize Reserve Funding. Two and one thousand one hundred eighty-seven ten thousandths percent (2.1187%) of sales, including any specific statutorily mandated tax of a Selling Lottery to be included in the price of a lottery ticket, may be collected and placed in trust in the Sizzler Prize Pool or in one or more prize reserve accounts until the prize reserve accounts reach the amounts designated by the MUSL Product Group.

946.5 In certain rare instances, the Hot Lotto® set prize amount may be less than the amount shown. In such case, the Sizzler prizes will be a multiple of the new Hot Lotto® prize amount. For example, if the Match 5 of the first set and none of the second set Hot Lotto® set prize amount of \$30,000.00 becomes \$27,000.00 under the rules of the Hot Lotto® game, then a Sizzler player winning that prize would win \$81,000.00 (\$27,000.00 x 3).

AMEND CHAPTER 99, “DEFINITIONS”

Amend Subsection 9900.1 by substituting the following:

Advertised Grand Prize - a term used in the Hot Lotto® game that means the amount determined and publicly announced by the MUSL Product Group to be the Grand Prize for the drawing. The “Advertised Grand Prize” amount is not the Gross Grand Prize Value. The Advertised Grand Prize amount shall be the minimum cash amount that would be paid as a “Withholding Taxes Paid” prize to the Grand Prizewinner(s), on a pari-mutuel basis, after calculating the potential federal and jurisdictional withholding taxes, if any, applicable to resident United States citizens with a valid Social Security Number, to the Gross Grand Prize Amount.

If a Member Lottery advertises an “Estimated Grand Prize” that shall have the same meaning as an “Advertised Grand Prize”

Gross Grand Prize Value - a term used in the Hot Lotto® game that means the prize value prior to deductions for any applicable withholding taxes due the federal or jurisdictional governments.

Withholding Taxes Paid Prize – a term used in the Hot Lotto® game that means the prizes where the Lottery pays the prize winner a net prize amount, that consists of the Lottery withholding and depositing on behalf of the prize winner the required federal and jurisdictional withholding taxes (if any) on the “Gross Grand Prize Value” and the residual amount paid to the prize winner.

All persons desiring to comment on the subject matter of this amended proposed rulemaking should file comments in writing no later than thirty (30) days from the date of publication of this notice in the *D.C. Register*. Comments should be filed with the Executive Director, District of Columbia Lottery and Charitable Games Control Board, 2101 Martin Luther King, Jr., Avenue, S.E., Washington, D.C. 20020, or e-mailed to antar.johnson@dc.gov. Questions regarding these rules can either be e-mailed or asked by phone at (202) 645-8026. Copies of these proposed rules may be obtained at the address stated above.

DISTRICT OF COLUMBIA TAXICAB COMMISSION**NOTICE OF PROPOSED RULEMAKING**

The District of Columbia Taxicab Commission (Commission), pursuant to the authority set forth in Sections 8(b)(1) (C), (D), (E), (F), (G), (I), (J), 14, and 20 of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-307(b)(1) (C), (D), (E), (F), (G), (I), (J) and 50-319 (2009 Repl.); D.C. Official Code § 50-313 (2009 Repl.; 2012 Supp.); D.C. Official Code § 47-2829 (b), (d), (e), (e-1), and (i) (2012 Supp.); Section 12 of the 1919 District of Columbia Taxicab Act, approved July 11, 1919 (41 Stat. 104; D.C. Official Code § 50-371 (2009 Repl.)); and Section 6052 of the District of Columbia Taxicab Commission Fund Amendment Act of 2012 (Commission Fund Amendment Act), effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-320(a)(2012 Supp.)), hereby gives notice of its intent to amend Chapter 4 (Hearing Procedures Applicable to Notices of Infractions) of the District of Columbia Municipal Regulations (DCMR).

Proposed rules amending Chapter 6 (Taxicab Parts and Equipment) of DCMR Title 31 were originally approved for publication on January 31, 2013, and published in the *D.C. Register* on February 8, 2013, at 60 DCR 1566. The Commission held a public hearing on the proposed rules on February 15, 2013, to receive oral comments on the proposed rules. The Commission received valuable comments from the public at the hearing and throughout the comment period, which expired on March 9, 2013. This proposed rulemaking is drawn from the original proposed rulemaking for Chapter 6, which has been divided into proposed rulemakings that would amend Chapter 6 (Taxicab Parts and Equipment) and Chapter 8 (Operation of Taxicabs), and create a new Chapter 4 (Taxicab Payment Service Providers).

Directions for submitting comments may be found at the end of this notice. A public hearing on this proposed rulemaking will be held following publication. The Commission also hereby gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the publication of this notice of second proposed rulemaking in the *D.C. Register*.

Chapter 4 [RESERVED] is amended to read as follows:

CHAPTER 4 TAXICAB PAYMENT SERVICE PROVIDERS**400 APPLICATION AND SCOPE**

400.1 The purpose of this Chapter is to establish substantive rules for the administration and operation of payment service providers (PSPs) who provide the modern taximeter systems (MTSs) required by § 603 of this title, including rules to ensure the safety of passengers and operators, for consumer protection, and to collect a taxicab passenger surcharge.

- 400.2 The provisions of this chapter shall be interpreted to comply with the language and intent of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97, D.C. Official Code §§ 50-301 *et seq.*).
- 400.3 In the event of a conflict between a provision of this chapter and a provision of another chapter of this title, the more restrictive provision shall control.
- 400.4 Each PSP shall comply with an administrative order or request for information issued by the Office that relates to the Office's administration of any provision of this chapter.

401 GENERAL REQUIREMENTS

- 401.1 Each PSP interested in providing an MTS under § 603 shall apply for and obtain approval of its proposed MTS under this chapter before marketing its MTS units to interested taxicab companies and independent owners.
- 401.2 All costs associated with an MTS, including development costs (including those which may arise in the review process under § 404 and those associated with adding the passenger console and safety feature required by § 603.8 (n)), compliance with any provision of this title or other applicable law, compliance with an administrative order of the Office, service and support, upgrade, installation, operation, repair, and maintenance, shall be the responsibility of the PSP, but may be allocated by a written agreement among the PSP and the taxicab companies and independent owners to whom the PSP markets its MTS units.
- 401.3 Nothing in this chapter shall be construed to solicit or create a contractual relationship between the District of Columbia and any person.

402 RELATED SERVICES

- 402.1 A PSP may be operated by a person that offers other services regulated by this title, such as a taxicab company or a dispatch service, provided such other services are in compliance with all applicable provisions of this title and other applicable laws, and may share a place of business with such service(s) if the place of business is in compliance with this title and other applicable laws, including the requirement for a certificate of occupancy provided by the Department of Consumer and Regulatory Affairs.
- 402.2 Each PSP may associate with one or more dispatch services to allow such services to provide dispatches to taxicab operators, or to allow digital dispatch services to process digital payments, provided that such dispatch services are in compliance with all applicable provisions of this title, and other applicable laws. Each taxicab company, independent owner, and operator, may associate with one or more dispatch services as provided in § 603.4, subject to any written agreement

between the PSP and such taxicab company, independent owner, or operator, which shall require that all fares, rates, charges, and payments comply with the applicable provisions of this title, including this chapter, and §§ 603 and 801.

403 PROPOSED MODERN TAXIMETER SYSTEMS – APPLICATIONS

403.1 No person shall operate as a PSP in the District, provide payment card processing services for taxicabs to any person in the District, market its MTS units for use in the District, or allow another person to use its MTS units in the District, unless such person is a PSP with current approval of its MTS under this chapter. The approval of the MTS shall constitute the PSP's operating authority under this title.

403.2 A PSP shall file with the Office an application for review of a proposed MTS that includes the following information and documentation:

- (a) The PSP's name, business address, and business telephone number, and the name(s) of its owner and operator;
- (b) The name, business address, and business telephone number for other services offered by the person that operates the PSP which are subject to regulation under this title, such as a taxicab company or a dispatch service, if any;
- (c) Information and documentation demonstrating that the proposed MTS would meet the MTS equipment requirements of § 603.8, including the requirement of §603.8(n) that a passenger console be incorporated not later than December 1, 2013, and the requirement of § 603(n)(3) that a safety feature be incorporated not later than June 1, 2014;
- (d) Information and documentation demonstrating that the proposed MTS would meet the MTS service and support requirements of § 603.9;
- (e) Information and documentation about the forms of cashless payment that the PSP would offer to passengers (including payment cards and other forms of non-cash payment such as near-field communications);
- (f) Information and documentation showing that the PSP is in compliance with federal and District licensing, permitting, registration, anti-discrimination, and taxation requirements applicable to a business operating in the District;
- (g) The address and telephone number for the PSP's bona fide administrative office or for its registered agent authorized to accept service of process, and information and documentation showing that the PSP's bona fide administrative office, if any, is in compliance with all laws, rules, and regulations concerning the operation of a place of business in the District;

- (h) The customer service telephone number that the PSP will provide for passengers;
- (i) The technical support telephone number that the PSP will provide for taxicab owners and operators;
- (j) The URL for the PSP's website, if any;
- (k) The trade name for the proposed MTS and any related service it wishes to offer within the District, such as a dispatch service, if any;
- (l) A certification that the PSP is in compliance with the Clean Hands Before Receiving a License or Permit Act of 1996 ("Clean Hands Act"), effective May 11, 1996 (D.C. Law 11-118, D.C. Official Code § 47-2862);
- (m) An initial inventory of the vehicles and operators associated with the PSP, as required by § 408.12;
- (n) Information and documentation showing the PSP will collect from the passenger and pay to the Office the taxicab passenger surcharge for each taxicab trip, in the manner required by § 408.13;
- (o) A sample agreement used by the PSP to associate with taxicab companies, independent owners, and operators;
- (p) If the PSP, or the taxicab companies, independent owners, or operators with which it associates, would associate with one or more dispatch services, the PSP shall provide information and documentation:
 - (1) Showing such dispatch service is operating in compliance with all applicable provisions of this title and other applicable laws;
 - (2) Explaining the forms of dispatch and digital payment that would be available to passengers;
 - (3) Showing that the applicable provisions of this title, including this chapter, § 603, and § 801, would be met when a passenger makes a digital payment; and
- (q) Such other information and documentation related to establishing compliance with this chapter or § 603 as the Office may require at the time of application or during the review process.

403.3

Each application shall be made under penalty of perjury, accompanied by an application fee of one-thousand dollars (\$1,000) and by a security bond of fifty-

thousand dollars (\$50,000) which shall be payable to the D.C. Treasurer and effective while the MTS remains approved and for one (1) year thereafter.

- 403.4 A request for approval may be denied if an application contains or was submitted with materially false information provided orally or in writing for the purpose of inducing approval.

404 REVIEW PROCESS

- 404.1 The PSP shall bear the burden of establishing to the satisfaction of the Office that its proposed MTS meets all the requirements of this chapter and §§ 603.8 and 603.9.

- 404.2 An applicant may be scheduled for one or more demonstrations of its proposed MTS equipment, where the Office's technical staff shall examine and test the equipment and ask questions of the PSP's technical staff, who shall attend.

- 404.3 A request for approval may be denied if the applicant does not cooperate with the Office during the review process, or if applicant provides materially false information orally or in writing during the review process for the purpose of inducing approval.

- 404.4 The Office may use any information or documentation it acquired from the applicant during an MTS pre-approval process, if such process was used by the PSP. Pre-approval of a proposed MTS shall not entitle a PSP to approval under this chapter.

405 DECISION TO GRANT OR DENY

- 405.1 The Office shall complete the review process and issue its decision to grant or deny approval of a proposed MTS within fourteen (14) days after the application is filed, provided however, that such period may be extended by the Office for no more than ten (10) days with notice to the PSP whenever the Office has five (5) proposed MTSs under review.

- 405.2 If the Office denies approval on any ground, it shall state the reasons for its decision in writing.

- 405.3 A decision to deny approval may be appealed to the Chief of the Office within fifteen (15) business days, and, otherwise, shall constitute a final decision of the Office. The Chief shall issue a decision within thirty (30) days. A timely appeal of a denial shall extend an existing MTS approval pending the Chief's decision. A decision of the Chief to affirm or reverse a denial shall constitute a final decision of the Office. A decision of the Chief to remand to the Office for further review of the MTS shall extend an existing MTS approval pending the final decision of the Office.

405.4 An approval shall continue in effect for twelve (12) months, during which time no substantial change shall be made to an approved MTS without written approval from the Office. A PSP shall promptly inform the Office of a proposed substantial change that would require written approval.

405.5 Each approved MTS shall be listed on the Commission's website.

406 RENEWAL APPLICATIONS

406.1 Each approved MTS shall be submitted for renewal of its approval at least sixty (60) days prior to the expiration of the approval, unless the Office provides otherwise in writing. The procedures applicable to new applications shall apply to renewal applications, except as otherwise required by the Office.

406.2 An approval shall continue in force and effect beyond its expiration period during such time as an application for re-approval is pending in proper form.

406.3 Renewal of MTS approval shall require that the MTS be in compliance with all applicable provisions of this title, and other applicable laws in effect at the time renewal is sought.

407 SUSPENSION OR REVOCATION OF APPROVAL

407.1 The approval of an MTS may be suspended or revoked by the Office with reasonable notice and an opportunity to be heard if the Office learns that the MTS or the associated owners or operators using are not in substantial compliance with this title, or if that the MTS is being used in a manner that poses a significant threat to passenger or operator safety, or consumer protection.

408 OPERATING REQUIREMENTS

408.1 Each PSP shall operate in compliance all applicable provisions of this title and other applicable laws.

408.2 Each PSP shall comply with all applicable federal and District licensing, permitting, registration, anti-discrimination, and taxation requirements for a business operating in the District.

408.3 Each PSP shall either maintain a bona fide administrative office, consisting of a physical office in the District, in the same manner required of a taxicab company under Chapter 5 of this title and in compliance with all laws, rules, and regulations concerning the operation of a place of business in the District, or shall maintain a registered agent authorized to accept service of process, provided, however, that a PSP operated by a person that provides another service regulated by this title requiring such person to maintain a bona fide administrative office in

the District shall operate such bona fide administrative office as a bona fide administrative office for the PSP as well.

- 408.4 Each PSP shall maintain a customer service telephone number for passengers with a “202” prefix or a toll-free area code that shall be available during normal working hours 365 days per year.
- 408.5 Each PSP shall maintain a technical support telephone number for vehicle owners and operators with a “202” prefix or a toll-free area code that shall be available 24 hours per day, 365 days per year.
- 408.6 Each PSP shall operate only in compliance with §§ 508-513 of this title, to the same extent as if the PSP were a taxicab company.
- 408.7 Each PSP shall:
- (a) Store its business records in a safe and secure manner, and in compliance with industry best practices and applicable federal and District law;
 - (b) Make its business records available for inspection and copying during regular business hours at the Office or at its bona fide administrative office, if maintained, within five (5) business days of its receipt of a written demand from the Office; and
 - (c) Retain its business records for at least five (5) years.
- 408.8 Each PSP and its owners, operators, officers, employees, agents, and representatives shall, at all times, cooperate with the instructions of public vehicle enforcement inspectors, other law enforcement officers, other authorized officials of the Office, and General Counsel to the Office, including a request in connection with a possible violation of this title or other applicable law by any person seeking an operator’s identification (Face Card) number or a vehicle’s PVIN, previously reported in anonymous format under § 603.
- 408.9 Each PSP shall notify the Office if it learns of a security breach as to which a report must be made pursuant to the D.C. Consumer Personal Information Security Breach Notification Act of 2006, effective March 8, 2007 (D.C. Law 16-237;D.C. Official Code §§ 28-3851, *et seq.*) or other applicable law.
- 408.10 Each PSP shall allow passengers to make their choice of cash payments or cashless payments, which may include forms of methods of payment other than payment by payment card, such as near-field communications, if approved by the Office as part of its MTS.

- 408.11 Each PSP shall remain in compliance with all MTS service and support requirements in Chapter 6 and all requirements of this chapter throughout the period that its MTS has a current and valid approval from the Office.
- 408.12 Each PSP shall pay each taxicab company or independent owner with which it is associated the portion of such PSP's revenue to which such taxicab company or independent owner is entitled within twenty-four (24) hours or one (1) business day of when such revenue is received by the PSP.
- 408.13 Inventory of vehicles and operators.
- (a) Each PSP shall maintain an accurate inventory of its associated vehicles and operators containing the following information—
- (1) For each vehicle: the name of and contact information for its owner(s), including work and cellular telephone numbers; the vehicle's PVIN, make, model, and year of manufacture; certification by the PSP that the vehicle is in compliance with the insurance requirements of Chapter 9 of this title; an indication of whether the vehicle is wheelchair accessible; an indication with whether the vehicle is in active use; and, if the vehicle is associated with a taxicab company, association, or fleet, the name of and contact information for such company, association, or fleet; and
- (2) For each operator: the name of and contact information for such operator, including work and cellular telephone numbers; his or her DCTC operator license (Face Card) number; an indication of whether such operator is actively using the MTS; and, if he or she is associated with a taxicab company, association, or fleet, the name of and contact information for such company, association, or fleet.
- (b) The Office may remove a vehicle or operator from a PSP's inventory at any time with reasonable notice and an opportunity to be heard if a vehicle or operator on the inventory is not legally authorized to operate, or in the event an MTS unit is not legally authorized for use (such as where a vehicle inspection reveals the MTS unit has been tampered with).
- 408.14 Taxicab passenger surcharge payments.
- (a) Each PSP shall ensure that the taxicab passenger surcharge is collected from the passenger as an authorized additional charge under § 801.7 (b)(2), and paid to the Office for each trip, regardless of whether the fare is paid by a digital payment, and shall—

- (1) Remit a payment to the D.C. Treasurer at the end of each seven (7) day period reflecting the sum of all taxicab passenger surcharges owed to the Office for taxicab trips made during such period, based on the trip data provided during such period, and sending contemporaneously via email a report to the Office certifying its payment and providing a basis for the amount thereof; and
- (2) Cooperate with the Office in the event of a discrepancy between a payment and the trip data from the MTS, provided however, that if the PSP and Office are unable to agree on a resolution of a dispute within thirty (30) days, the Office may, in its discretion, make a claim against the security bond to satisfy the amount of the discrepancy.

- (b) The bond given to the Office at the time of application for approval under § 403.2 shall be returned to the PSP within thirty (30) days following an event that causes an MTS to no longer be approved, provided, however, that the bond shall not be returned while there remains a discrepancy in the amount owed for taxicab passenger surcharges, which shall be resolved as provided in this Subsection.

408.15 Each PSP associated with a digital dispatch service to allow passengers to make digital payments shall ensure that when a passenger makes a digital payment—

- (a) The fare, rates, charges, and payments comply with the all applicable provisions of this title, including this chapter and §§ 603 and 801, including the requirement that the PSP pay the taxicab passenger surcharge in § 408.14; and
- (b) A paper or electronic receipt is provided as required by § 803.

409 PROHIBITIONS

409.1 No PSP shall participate in a transaction involving taxicab service in the District where the fare, rates, charges, or payment does not comply with the applicable provisions of this title, including this chapter, and §§ 603 and 801.

409.2 No PSP shall allow its associated operators to limit service or refuse to provide service based on a person’s choice of payment method.

409.3 No PSP shall allow its associated operators to access a passenger’s payment card information after the payment has been processed.

409.4 No PSP shall allow its MTS to be used by an operator or vehicle not on its inventory at the time the trip is booked by dispatch or by street hail.

- 409.5 No PSP shall allow its MTS to be used by any person for a taxicab trip unless the PSP pays the taxicab passenger surcharge to the Office.
- 409.6 No person shall operate as a PSP, provide payment card processing services for taxicabs, or sell, lease, lend, or otherwise provide an MTS unit to any person in the District, unless such person is a PSP with current approval of its MTS under this chapter.
- 409.7 No PSP may alter or attempt to alter its legal obligations under this title or to impose an obligation on any person that is contrary to public policy or that threatens passenger or operator safety, or consumer protection.
- 409.8 A PSP shall not associate with a taxicab operator who provides service using a vehicle associated with a taxicab company that:
- (a) As of the effective date of this rulemaking, is providing credit card processing services to its associated operators;
 - (b) Has filed an application for approval as a PSP under this Chapter; or
 - (c) Has been approved as a PSP under this Chapter.
- 409.9 A PSP shall not associate with, or allow its associated taxicab companies, independent owners, or taxicab operators to associate with, a dispatch service that is not operating in compliance with the applicable provisions of this Title and other applicable laws.

410 ENFORCEMENT

- 410.1 The enforcement of this Chapter shall be governed by the procedures in Chapter 7 of this title. If, at the time of violation, the procedures in Chapter 7 do not extend in their terms to PSPs, such procedures shall be applied to a PSP as if such PSP were a taxicab owner or operator.

411 PENALTIES

- 411.1 A PSP that violates this chapter or an applicable provision of another chapter of this title is subject to:
- (a) A civil fine of two hundred fifty dollars (\$250) for the first violation of a provision, which shall double for the second violation of the same provision, and triple for each subsequent violation of the same provision thereafter;
 - (b) Confiscation of an MTS unit or unapproved equipment (including any fixed or mobile hardware component such as a smartphone, mobile data

terminal, tablet, or attached payment card reader) used in connection with the violation:

- (c) Suspension, revocation, or non-renewal of the Office's approval of its MTS;
- (d) Any combination of the sanctions listed in (a)-(c) of this Subsection.

499 DEFINITIONS

499.1 When used in this chapter, the following words and phrases shall have the meanings ascribed:

“Approved MTS” means an MTS that has been approved for use by the Office under this chapter.

“Associated” connotes a voluntary relationship of employment, contract, ownership, or other legal affiliation. For purposes of this chapter, an association not in writing shall be ineffective for compliance purposes.

“Association” means a group of taxicab owners organized for the purpose of engaging in the business of taxicab transportation for common benefits regarding operation, color scheme, or insignia.

“Authorized MTS installation business” means a business authorized by the Office under this title to install one or more approved MTSs.

“Cashless payment” means a payment made with a passenger's payment card, or other means of non-cash payment that the PSP is approved to offer under Chapter 4, and processed by the PSP. A cashless payment is not a digital payment.

“Commission” or **“DCTC”** means the District of Columbia Taxicab Commission.

“Digital dispatch” means dispatch initiated by computer, mobile phone application, text, email, or Web-based reservation.

“Digital payment” means a payment made with a payment card or by a direct debit transaction, processed by a digital dispatch service in a manner that complies with § 801. A digital payment is not a cashless payment.

“Dispatch” means the booking of a public vehicle-for-hire through an advance reservation from the person seeking service.

“District” means the District of Columbia.

“District of Columbia Taxicab Commission (DCTC) License” means the taxicab vehicle license issued pursuant to D.C. Official Code § 47-2829(d).

“Face Card” or **“DCTC Identification Card”** or **“Identification Card”** means the taxicab or public vehicle-for-hire operator license issued pursuant to D.C. Official Code § 47-2829(e).

“Fleet” means a group of twenty (20) or more taxicabs having a uniform color scheme and having unified control by ownership or by association.

“Gratuity” is a voluntary payment by the passenger after service is rendered, which, if made, shall be included as an authorized additional charge under § 801.7 (b)(7), in the amount determined only by the passenger.

“Group Riding” means a group of two (2) or more passengers composed prior to the booking by dispatch or street hail and whose trip has a common point of origin, and different or common destinations.

“Independent taxicab” means a taxicab operated by an individual owner.

“Independently operated taxicab” means a taxicab operated by an individual owner that is not part of a fleet, company, or association, and that does not operate under the uniform color scheme of any fleet, company, or association.

“Individual Riding” means the transportation of a single passenger for an entire trip.

“License” shall have the meaning ascribed to it in the D.C. Administrative Procedure Act, D.C. Official Code § 2-502.

“License Act” means D.C. Official Code § 47-2829.

“Limousine” shall have the meaning ascribed to it by § 1299.1.

“Loitering” means waiting around or in front of a hotel, theater, public building, or place of public gathering or in the vicinity of a taxicab or limousine stand that is occupied to full capacity; stopping in such locations, except to take on or discharge a passenger; or unnecessarily slow driving in front of a hotel, theater, public building, or place of public gathering or in the vicinity of a taxicab or limousine stand that is occupied to full capacity.

“Modern taximeter system” or **“MTS”** is a technology solution that combines taximeter equipment and PSP service and support in the manner required by this chapter and § 603.

“MTS unit” means the MTS equipment installed in a particular vehicle.

“Notice” means notice of transfer under § 507.

“Office” means Office of Taxicabs.

“Operator” means a person who operates a public vehicle-for-hire.

“Owner” means a person, corporation, partnership, or association that holds the legal title to a public vehicle-for-hire, the registration of which is required in the District of Columbia. If the title of a public vehicle-for-hire is subject to a lien, a mortgagor may also be considered an owner.

“Payment card” means any major credit or debit card including Visa, MasterCard, American Express, and Discover.

“Payment service provider” or **“PSP”** is a business that offers an MTS, which, if approved by the Office, may operate such MTS pursuant to this chapter and § 603.

“Person” shall have the meaning ascribed to it in the D.C. Administrative Procedure Act, D.C. Official Code § 2-502.

“Personal service” means assistance or service requested by a passenger that requires the taxicab operator to leave the vicinity of the taxicab.

“Public vehicle-for-hire” means any private passenger motor vehicle operated in the District as a taxicab, limousine, or sedan, or any other private passenger motor vehicle that is used for the transportation of passengers for hire but is not operated on a schedule or between fixed termini and is operated exclusively in the District, or a vehicle licensed pursuant to D.C. Official Code § 47-2829, including taxicabs, limousines, and sedans.

“Public Vehicle-for-hire Identification Number” or **“PVIN”** is a unique number assigned by the Office of Taxicabs to each public vehicle-for-hire.

“Sedan” shall have the meaning ascribed to it in § 1299.1.

“Shared Riding” means a group of two (2) or more passengers, arranged by a starter at Union Station, Verizon Center, or Nationals Park, or other locations designated by an administrative order of the Office, that has common or different destinations.

“Street” means a roadway designated on the Permanent System of Highways of the District as a public thoroughfare.

“Surcharge Account” is an account established and maintained by the PSP with the Office for the purpose of processing the Passenger Surcharge.

“Taxicab” means a public vehicle-for-hire that operates pursuant to Chapter 6 and other applicable provisions of this title, having a seating capacity for eight (8) or fewer passengers, exclusive of the driver, and operated or offered as a vehicle for passenger transportation for hire.

“**Taxicab Commission Information System**” or “**TCIS**” means the information system operated by the Office.

“**Taxicab company**” means a taxicab company that operates pursuant Chapter 5 and other applicable provisions of this title.

“**Taxicab passenger surcharge**” means a passenger surcharge required to be collected from the passenger and paid by the PSP for each trip in a taxicab in an amount established in § 801.

“**Taximeter fare**” means the fare established by § 801.7 and not generated using information entered manually by any person into any device except for an authorized additional charge under § 801.7 (b).

“**Telephone dispatch**” means dispatch initiated by a telephone call.

“**Washington Metropolitan Area**” means the area encompassed by the District; Montgomery County, Prince Georges County, and Frederick County in Maryland; Arlington County, Fairfax County, Loudon County, and Prince William County and the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park in Virginia.

Copies of this proposed rulemaking can be obtained at www.dcregs.dc.gov or by contacting Jacques P. Lerner, General Counsel, District of Columbia Taxicab Office, 2041 Martin Luther King, Jr., Avenue, S.E., Suite 204, Washington, D.C. 20020. All persons desiring to file comments on this proposed rulemaking should submit written comments via e-mail to dctc@dc.gov or by mail to the D.C. Taxicab Office, 2041 Martin Luther King, Jr., Ave., S.E., Suite 204, Washington, D.C. 20020, Attn: Jacques P. Lerner, General Counsel, no later than thirty (30) days after the publication of this notice in the *D.C Register*.

DISTRICT OF COLUMBIA TAXICAB COMMISSION
SECOND NOTICE OF PROPOSED RULEMAKING

The District of Columbia Taxicab Commission (Commission), pursuant to the authority set forth in Sections 8(b)(1) (C), (D), (E), (F), (G), (I), (J), 14, and 20 of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-307(b)(1) (C), (D), (E), (F), (G), (I), (J) and 50-319 (2009 Repl.), and D.C. Official Code § 50-313 (2009 Repl.; 2012 Supp.)); D.C. Official Code § 47-2829 (b), (d), (e), (e-1), and (i) (2012 Supp.); Section 12 of the 1919 District of Columbia Taxicab Act, approved July 11, 1919 (41 Stat. 104; D.C. Official Code § 50-371 (2009 Repl.)); and Section 6052 of the District of Columbia Taxicab Commission Fund Amendment Act of 2012 (Commission Fund Amendment Act), effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-320(a)(2012 Supp.)), hereby gives notice of its intent to publish a second proposed rulemaking to amend Chapter 6 (Taxicab Parts and Equipment) of Title 31 (Taxicabs and Public Vehicles for Hire) of the District of Columbia Municipal Regulations (DCMR).

Proposed rules amending Chapter 6 (Taxicab Parts and Equipment) of DCMR Title 31 were originally approved for publication on January 31, 2013, and published in the *D.C. Register* on February 8, 2013, at 60 DCR 1566. The Office held a public hearing on the proposed rules on February 15, 2013, to receive oral comments on the proposed rules. The Office received valuable comments from the public at the hearing and throughout the comment period, which expired on March 9, 2013. This proposed rulemaking is drawn from the original proposed rulemaking for Chapter 6, which has been divided into proposed rulemakings that would amend Chapter 6 (Taxicab Parts and Equipment) and Chapter 8 (Operation of Taxicabs), and create a new Chapter 4 (Taxicab Payment Service Providers).

Directions for submitting comments may be found at the end of this notice. A public hearing on this second proposed rulemaking will be held following publication. The Commission also hereby gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the publication of this notice of second proposed rulemaking in the *D.C. Register*.

The Office intends to amend Chapter 6, TAXICAB PARTS AND EQUIPMENT, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR.

Section 600, APPLICATION AND SCOPE, is amended as follows:

Subsection 600.5 is amended to read as follows:

600.5 Each taxicab company, independent owner, and taxicab operator shall comply with an administrative order or request for information issued by the Office that relates to the Office’s administration of any provision of this chapter.

Section 602, TAXIMETERS, is amended as follows:

The lead-in text of Subsection 602.1 is amended to read as follows:

602.1 All licensed taxicabs shall be equipped with a functioning taximeter that meets the following requirements and the requirements for a modern taximeter system (MTS) pursuant to § 603:

Section 603, SPECIALLY-EQUIPPED TAXICAB VEHICLES, is re-designated as Section 604.

A new Section 603, MODERN TAXIMETER SYSTEMS, is added to read as follows:

603 MODERN TAXIMETER SYSTEMS

603.1 A modern taximeter system (MTS) is a complete technology solution for taxicab metering and payment that pairs the equipment of § 603.9 with the service and support of § 603.10. Taxicab companies and independent owners shall obtain MTS units from the payment service providers (PSPs) whose MTSs have been approved by the Office under Chapter 4 of this title.

603.2 MTS implementation. Beginning on September 1, 2013 (“implementation date”):

- (a) Each taxicab shall operate only with an MTS unit that allows a passenger to make a cash payment or cashless payment, which shall be the decision of the passenger;
- (b) Each MTS unit shall be obtained from a PSP that has current approval for the MTS and is operating in compliance with this section and Chapter 4;
- (c) Each MTS unit, including the passenger console and safety feature required by § 603.8 (n), shall be installed by an authorized MTS installation business which certifies that it meets the applicable provisions of this title;
- (d) Each taxicab company, independent owner, or taxicab operator, may receive dispatches and provide digital payment to passengers as provided by § 603.4; and
- (e) The taxicab passenger surcharge shall be collected from the passenger and paid by the PSP to the Office for each taxicab trip, regardless of how the fare is paid.

603.3 A list of approved MTSs and authorized MTS installation businesses shall be posted on the Commission’s website by the effective date of this rulemaking.

- 603.4 Dispatch services. Each taxicab company, independent owner, or operator may associate with one or more dispatch services to receive telephone or digital dispatches, provided such dispatch service is in compliance with all applicable provisions of this title, and all other applicable laws, and such association is consistent with any written agreement between the taxicab company, independent owner, or operator, and the PSP with which it associates. Each digital payment shall be processed as required by § 408.15.
- 603.5 Installation, certification, training, and inspection.
- (a) Each taxicab company and individual owner shall have an approved MTS unit (and each component required by § 603.8 as of the installation date set forth therein) installed in each of its vehicles, and certified in a meter calibration report as meeting all the applicable requirements of this title including integrating with or replacing the vehicle's taximeter, by the implementation date.
 - (b) Each installation and certification required by § 603.5(a) shall be conducted by an authorized MTS installation business, including the installation and certification of the passenger console and safety feature required by § 603.8(n).
 - (c) Each taxicab company, individual owner, and operator shall obtain any necessary training on the use of the MTS unit by the implementation date.
 - (d) Each vehicle's MTS unit shall be tested as part of the periodic vehicle inspection required by this title.
- 603.6 All costs associated with obtaining an MTS unit, including installation and certification (including those associated with adding the passenger console and safety feature required by § 603.8(n)), operation, compliance with a provision of this title or other applicable law, compliance with an administrative order of the Office, repair, lease, service and support, maintenance, and upgrade, shall be the responsibility of the taxicab company or independent owner, but may be allocated by written agreement among the taxicab company or independent owner and the PSP that provides it.
- 603.7 Nothing in this Section shall be construed to solicit or create a contractual relationship between the District of Columbia and any person.
- 603.8 MTS equipment requirements.
- Each MTS shall consist of a reasonable combination of fixed or mobile hardware components, such as a Bluetooth-enabled smartphone, mobile data terminal, or tablet, with an attached or integrated payment card reader, and printer, and shall:

- (a) Operate only in a manner that allows the PSP to meet the service and support requirements of § 603.9 and the operating requirements of Chapter 4;
- (b) Allow a passenger to select the payment method, including a cash payment or a cashless payment (among the forms of cashless payment the PSP is approved to provide under Chapter 4);
- (c) Display text messages from the Office and permit selected responses when the vehicle is stationary;
- (d) Not allow a person to be charged any amount through the MTS unit other than a taximeter fare;
- (e) Use a wireless 3G or better cellular data connection;
- (f) Use a high-sensitivity global positioning satellite receiver that provides failover geo-coding from mobile wireless networks;
- (g) Record all trips made by the vehicle;
- (h) Not store, or allow the operator to have access to, the passenger's payment card information after payment authorization has been issued;
- (i) Have only one (1) physical access-point if wired to the taximeter, and allow no more than the number of Bluetooth connections necessary to meet MTS requirements, if connected wirelessly to the taximeter;
- (j) Prevent the MTS unit from being used when any of its components are not operating as required by a provision of this title;
- (k) Provide the passenger with a receipt that complies with § 803;
- (l) Not use, incorporate, or connect to hardware available for personal use by the owner or operator of the vehicle unless the PSP demonstrates to the satisfaction of the Office that such use, incorporation, or connection does not pose a risk to passenger safety or privacy, or information security;
- (m) Use, incorporate, or connect only to technology that meets Open Web Application Security Project ("OWASP") security guidelines, that complies with the current standards of the PCI Security Standards Council ("Council") for payment card data security, if such standards exist, and, if not, then with the current guidelines of the Council for payment card data security, and, that, for direct debit transactions, complies with the rules and guidelines of the National Automated Clearing House Association; and
- (n) Not later than December 1, 2013, the MTS shall include a passenger console that shall:

- (1) Have a display of not less than seven (7) inches and not more than twelve (12) inches in size, and is securely connected to the front seat or to a mount at shoulder height, midway between the sides of the vehicle;
- (2) Comply with Section 508, and with the electronic and information technology (“EIT”) requirements of Section 504, of the Rehabilitation Act of 1973, and allows a visually impaired or mobility disabled passenger to independently complete the fare payment process without giving a payment card to the operator, through such mechanisms as braille print, audio prompting, input controls with tactile feedback for each function, numeric keys, and contrasting backgrounds;
- (3) Not later than June 1, 2014, include a safety feature that shall:
 - (A) Be triggered by a physical button or prominent screen icon;
 - (B) Be available at all times when a passenger is inside the vehicle;
 - (C) Send a real-time notification to the Office of Unified Communications that a taxicab passenger is reporting a threat to his or her safety;
 - (C) Be operated discreetly and without interference by the operator; and
 - (D) Incorporate features to prevent accidental or intentional misuse.
- (4) Display the following information in the following manner:
 - (A) When the MTS is engaged (at flag drop), the passenger console shall display for a period of not less than twenty (20) seconds or such other period as directed by the Office, a full-size image of the operator’s DCTC identification card (Face ID), accompanied by a message as directed by the Office;
 - (B) After the period required by § 603.8 (n)(4)(A), the image of the identification card shall be minimized to an icon in the upper left-hand corner of the screen with the label “TOUCH HERE FOR DRIVER’S I.D.”, which the passenger shall be able to maximize at any time prior to exiting the vehicle;

- (C) After the period required by § 603.8 (n)(4)(A), the following audio-visual content shall be displayed in such sequence as the PSP may determine, provided, however, that the passenger shall be able to turn off the sound at any time prior to exiting the vehicle:
 - (i) A public service announcement as provided and directed by the Office;
 - (ii) The navigational path of the vehicle;
 - (iii) Advertising, if agreed to by the vehicle owner and the PSP, from which not less than thirty (30) percent of the net revenue shall be paid to the vehicle owner; and
- (D) At the conclusion of the trip, an itemization of the rates and charges under § 801.7 shall be displayed and the passenger may be asked for a gratuity, after which the fare shall be displayed, and the passenger shall be given an opportunity to choose a cash or cashless payment, and to process such payment as required by this subsection.

603.9 MTS service and support requirements.

Each MTS shall function with the service and support of the PSP, which shall at all times operate in compliance with Chapter 4, and shall maintain a data connection to each MTS unit that shall:

- (a) Validate the status of the operator's DCTC license (Face Card) in real-time by connecting to the TCIS to ensure the license is not revoked or suspended, and that the operator is in compliance with the insurance requirements of Chapter 9;
- (b) Validate the status of the taximeter component of the MTS unit (such as hired, vacant, or time-off) in real-time to ensure that it cannot be used until the prior trip and the payment process connected with it have ended;
- (c) Transmit to the TCIS every twenty-four (24) hours via a single data feed consistent in structure across all PSPs, as established by the Office, the following data:
 - (1) The date;

- (2) The operator identification (Face Card) number and PVIN, reported in a unique and anonymous manner allowing the PSP to maintain a retrievable record of the operator and vehicle;
 - (3) The name of the taxicab company, association, or fleet if applicable;
 - (4) The time at beginning of tour of duty;
 - (5) The time and mileage of each trip;
 - (6) The time of pickup and drop-off of each trip;
 - (7) The geospatially-recorded place of pickup, drop-off of each trip, and current location;
 - (8) The number of passengers;
 - (9) The unique trip number assigned by the PSP;
 - (10) The taximeter fare and an itemization of the rates and charges pursuant to § 801;
 - (11) The form of payment (cash payment, cashless payment, voucher, or digital payment);
 - (12) The time at the end of each tour of duty; and
- (d) Provide the Office with the information necessary to insure that the PSP pays and the Office receives the taxicab passenger surcharge for each taxicab trip, regardless of how the fare is paid.

603.10 Prohibitions under this section.

- (a) No operator shall provide taxicab service without an approved MTS unit installed and certified by an authorized taximeter installation business.
- (b) No operator shall operate a vehicle if the MTS unit is not functioning properly.
- (c) No operator shall provide service unless both the operator and the vehicle are on the PSP's inventory when the trip is booked by dispatch or street hail.
- (d) No operator shall limit service or refuse to provide service based on the passenger's choice of payment method.

- (e) No operator shall access or attempt to access a passenger's payment card information after the payment has been processed.
- (f) No operator shall participate in a transaction involving taxicab service in the District where the fare, rates, charges, or payment does not comply with the applicable provisions of this title, including this chapter, and §§ 603 and 801.
- (g) No operator shall associate with a PSP if such operator is, at that time, associated with a taxicab company that provides payment card processing for its associated operators, and has applied for or received approval to act as a PSP under Chapter 4.
- (h) No taxicab shall be equipped with more than one (1) MTS unit.
- (i) No taxicab company or independent owner shall knowingly permit its vehicle to be operated in violation of this section or Chapter 4.
- (j) No owner or operator shall alter or tamper with a component of an MTS unit or make any change in the vehicle that prevents the MTS unit from operating in compliance with this title.
- (k) No operator shall operate a taxicab in which the MTS has been tampered with, broken, or altered. The operation of a taxicab with a tampered, broken, or altered MTS shall give rise to a rebuttable presumption that the operator knew of the tampering, breaking, or alteration.

A new Section 610, NOTICE OF PASSENGER RIGHTS, is added.

610 NOTICE OF PASSENGER RIGHTS

- 610.1 There shall be displayed in a suitable frame on the back of the front seat of each taxicab, in a position as to be clearly visible to passengers, notice of the procedure to be followed by persons wishing to file a complaint pursuant to Chapter 7 of this title.
- 610.2 Each taxicab operating in the District of Columbia shall prominently display the passenger rights form that shows the address and telephone number of the District of Columbia Taxicab Commission.

Section 612, PENALTY, is amended to read as follows.

612 PENALTIES

- 612.1 Each violation of this Chapter by a taxicab company, independent owner, or taxicab operator shall subject the violator to:
- (a) The civil fines and penalties set forth in § 825 or in an applicable provision of this chapter, provided, however, that where a specific civil fine or penalty is not listed in § 825 or in this chapter, the fine shall be one hundred dollars (\$100), that where a fare is charged to any person based on information entered by the operator into any device other than as required for an authorized additional charge under § 801.7 (b), the fine shall be two hundred fifty dollars (\$250), and that, in all instances where a civil fine may be imposed, it shall double for the second violation of the same provision, and triple for each violation of the same provision thereafter;
 - (b) Impoundment of a vehicle operating in violation of this chapter;
 - (c) Confiscation of an MTS unit or unapproved equipment used for taxi metering in violation of this chapter;
 - (d) Suspension, revocation, or non-renewal of such person's license or operating authority; or
 - (e) Any combination of the sanctions listed in (a)-(d) of this subsection.
- 612.2 A PSP that violates a provision of this chapter shall be subject to the penalties in Chapter 4.

Section 699, DEFINITIONS, is amended to read as follows.

- 699.1 The words and phrases used in this chapter shall have the meanings ascribed to them in § 499.1 of this title.

Copies of this proposed rulemaking can be obtained at www.dcregs.dc.gov or by contacting Jacques P. Lerner, General Counsel, District of Columbia Taxicab Office, 2041 Martin Luther King, Jr., Avenue, S.E., Suite 204, Washington, D.C. 20020. All persons desiring to file comments on this proposed rulemaking should submit written comments via e-mail to dctc@dc.gov or by mail to the D.C. Taxicab Office, 2041 Martin Luther King, Jr., Ave., S.E., Suite 204, Washington, D.C. 20020, Attn: Jacques P. Lerner, General Counsel, no later than thirty (30) days after the publication of this notice in the *D.C Register*.

DISTRICT OF COLUMBIA TAXICAB COMMISSION**NOTICE OF PROPOSED RULEMAKING**

The District of Columbia Taxicab Commission (Commission), pursuant to the authority set forth in Sections 8(b)(1) (C), (D), (E), (F), (G), (I), (J), 14, and 20 of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-307(b)(1) (C), (D), (E), (F), (G), (I), (J) and 50-319 (2009 Repl.), and D.C. Official Code § 50-313 (2009 Repl.; 2012 Supp.)); D.C. Official Code § 47-2829 (b), (d), (e), (e-1), and (i) (2012 Supp.); Section 12 of the 1919 District of Columbia Taxicab Act, approved July 11, 1919 (41 Stat. 104; D.C. Official Code § 50-371 (2009 Repl.)); and Section 6052 of the District of Columbia Taxicab Commission Fund Amendment Act of 2012 (Commission Fund Amendment Act), effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 50-320(a) (2012 Supp.)), hereby gives notice of its intent to amend Chapter 8 (Operation of Taxicabs) of the District of Columbia Municipal Regulations (DCMR).

Proposed rules amending Chapter 6 (Taxicab Parts and Equipment) of DCMR Title 31 were originally approved for publication on January 31, 2013, and published in the *D.C. Register* on February 8, 2013, at 60 DCR 1566. The Commission held a public hearing on the proposed rules on February 15, 2013, to receive oral comments on the proposed rules. The Commission received valuable comments from the public at the hearing and throughout the comment period, which expired on March 9, 2013. This proposed rulemaking is drawn from the original proposed rulemaking for Chapter 6, which has been divided into proposed rulemaking that would amend Chapter 6 (Taxicab Parts and Equipment) and Chapter 8 (Operation of Taxicabs), and create a new Chapter 4 (Taxicab Payment Service Providers). The proposed rulemaking for Chapter 8 includes related adjustments in the passenger rates and charges for taxicab service.

Directions for submitting comments may be found at the end of this notice. A public hearing on this proposed rulemaking will be held following publication. The Commission also hereby gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the publication of this notice of second proposed rulemaking in the *D.C. Register*.

Section 800, APPLICATION AND SCOPE, is amended by adding a new subsection 800.4 to read as follows:

800.4 Each taxicab company, independent owner, taxicab operator, payment service provider, and dispatch service shall comply with an administrative order or request for information issued by the Office that relates to the Office’s administration of any provision of this chapter.

Section 801, PASSENGER RATES AND CHARGES, is amended to read as follows.

801 PASSENGER RATES AND CHARGES

- 801.1 No person shall charge another person a rate, charge, or fare for taxicab service in the District in excess of the amounts established by this section.
- 801.2 No person shall charge another person any amount for a taxicab trip before service is rendered.
- 801.3 Each taxicab company, independent owner, and taxicab operator shall charge the taximeter fare, except for hourly contracts pursuant to § 801.4, and shall accept only cash, cashless payments, and vouchers.
- 801.4 Hourly contract. A taxicab company, independent owner, or taxicab operator may provide taxicab service on a time-only basis. The rate for an hourly contract shall be thirty-five dollars (\$35) for the first one (1) hour or fraction thereof, and eight dollars and seventy-five cents (\$8.75) for each additional fifteen (15) minutes or fraction thereof.
- 801.5 A dispatch fee charged by a telephone dispatch service operating in compliance with all applicable provisions of this title and other applicable laws and shall be included in the taximeter fare, pursuant to § 801.7 (b)(1).
- 801.6 A booking fee charged by a digital dispatch service operating in compliance with all applicable provisions of this title and other applicable laws shall not be included in the taximeter fare, and shall be paid only by digital payment that complies with § 408.15 and any other applicable provision of this title or applicable law.
- 801.7 Taximeter fare. Each taximeter fare shall consist only of the charges based on time and distance rates and the authorized additional charges, if any, established by this subsection, and shall not include any other amount.
- (a) Time and distance rates. The time and distance rates that shall be automatically generated by each taximeter for each taxicab trip are established as follows:
- (1) Three dollars and twenty-five cents (\$3.25) upon entry (drop rate) and first one-eighth (1/8) of a mile;
 - (2) Twenty-seven cents (\$0.27) for each one-eighth (1/8) of a mile after the first one-eighth (1/8) of a mile;
 - (3) The wait rate is twenty-five dollars (\$25.00) per hour. Wait time begins five (5) minutes after time of arrival at the place the taxicab was dispatched. No wait time shall be charged for premature response to a dispatch. Wait time shall be charged for time consumed while the taxicab is stopped or slowed to a speed of less than ten (10) miles per hour for longer than sixty (60) seconds and

for time consumed for delays or stopovers en route at the direction of the passenger. Wait time shall be calculated in sixty (60) second increments. Wait time does not include time lost due to taxicab or operator inefficiency.

(b) Authorized additional charges. The only charges that may be included in the taximeter fare by manually adding an amount to the charges pursuant to § 801.7 (a) are as follows:

- (1) A fee for telephone dispatch, if any, which shall be two dollars (\$2.00);
- (2) A taxicab passenger surcharge, which shall be twenty-five cents (\$.25) (per trip, not per passenger);
- (3) A charge for delivery service (messenger service and parcel pick-up and delivery), which shall be at the same rate as for a single passenger unless the vehicle is hired by the hour pursuant to § 801.4;
- (4) An airport surcharge or toll paid by the taxicab operator, if any, which shall be charged for the same amount that was paid;
- (5) An additional passenger fee, if there is more than one passenger, which shall be one dollar (\$1.00) regardless of the number of additional passengers (the total fee shall not exceed one dollar (\$1.00));
- (6) A snow emergency fare when authorized under § 804; and
- (7) A gratuity, if any.

801.8 Group or shared riding. In cases where more than one (1) passenger enters a taxicab at the same time on a pre-arranged basis (group riding or shared riding) bound for common or different destinations, in addition to any applicable charges set out in this section, the fare shall be charged as follows: As each passenger arrives to his or her destination, the fare then due shall be paid by the passenger(s) leaving the taxicab. There shall be a new flag drop and the passenger(s) remaining in the group shall pay in the same manner until the last passenger(s) arrives at his or her destination and the final taxicab fare is then paid. There shall be a new flag drop for each leg (or separate destination) of the trip.

801.9 Passengers accompanied by animals.

- (a) Service animals.

A service animal (such as a guide dog, signal dog, or other animal trained to assist or perform tasks for an individual with a disability) accompanying a passenger shall be carried without charge.

- (b) Animals other than service animals.
- (1) When securely enclosed in a carrier designed for that purpose, small dogs or other small animals may accompany a passenger without charge. Other animals not so enclosed may be carried at the discretion of the operator.
 - (2) An operator may refuse to transport any passenger traveling with a small dog or other small animal if the operator presents to the passenger an exemption certificate from the Office that certifies that such operator suffers from a diagnosed medical condition, such as allergies, which prevents such operator from traveling with such small dogs or other animals;
 - (3) No operator shall have a personal pet or animal of any kind in a public vehicle-for-hire (taxicab or limousine) while holding the vehicle out for hire or transporting passengers; and
 - (4) An operator may request an exemption certificate from the Office that certifies that such operator suffers from a documented diagnosed medical condition, such as allergies, which prevents such operator him or her from traveling with such small dogs or other small animals securely enclosed in a carrier designed for that purpose. Without such exemption certificate, an operator may not refuse to transport any passenger traveling with a small dog or other small animal that is securely enclosed in such carrier. Each exemption certificate shall be on a form prescribed by the Office and notarized by an appropriately licensed medical professional (for example, a general practitioner or allergist). Each exemption certificate shall be renewed at each renewal of the DCTC operator's license.

801.10 A device for the aid of a disabled person, such as a folding wheelchair, when accompanying a passenger with a disability, shall be carried without charge. There shall be no additional charge for loading or unloading such device.

Section 803, CUSTOMER RECEIPTS FOR SERVICE, is amended to read as follows:

803 RECEIPTS FOR TAXICAB SERVICE

803.1 At the end of each taxicab ride, the taxicab operator shall provide the passenger with a receipt containing the following information:

- (a) The date and time of the trip;
- (b) The distance of the trip;
- (c) The trip number assigned by the PSP;
- (d) The vehicle's PVIN;
- (e) The number of passengers;
- (f) The taximeter fare established by § 801.7, itemized to show the time and distance charges and the authorized additional charges, if any;
- (g) The name and customer service telephone number of the PSP that provides the service and support for vehicle's MTS;
- (h) The form of payment, including whether the payment was made by cash payment, cashless payment, voucher, or digital payment;
- (i) When the form of payment is digital payment and the digital payment includes the taximeter fare, the following statement: "Your digital payment to [name of digital dispatch service and customer service telephone number or email address] may include a booking fee in addition to the taximeter fare shown on this receipt";
- (j) When the form of payment is digital payment and the digital payment does not include the taximeter fare, the following statement: "Your payment to the driver for the taximeter fare shown on this receipt does not include any additional booking fee that may be charged by [name of digital dispatch service and customer service telephone number or email address]"; and
- (k) The following statement: "Taxicab service in Washington, DC is regulated by the DC Taxicab Commission, 2041 Martin Luther King Jr., Ave., SE, Suite 204, Washington, DC 20020, www.dctaxi.dc.gov, dctc3@dc.gov, 1-855-484-4966, TTY 711."

803.2 When payment is made by a cash or cashless payment, a printed receipt shall be provided using the vehicle's MTS printer component. If the printer component malfunctions while printing a receipt, the operator shall provide the passenger with a handwritten receipt and the vehicle shall then be out of service until the printer component is operational.

803.3 When payment is made by digital payment, the operator shall provide the passenger with the passenger's choice of a printed receipt or an electronic receipt

sent to the passenger via email address or SMS text message not later than when the passenger exits the vehicle.

- 803.4 In the case of messenger or parcel delivery service, the operator shall provide the customer with a written invoice describing the article(s) transported.

Section 808, GROUP RIDING AND SHARED RIDING, is amended as follows.

- 808.1 Group riding for pre-formed groups, as defined in § 899, is permitted at all times. No driver shall refuse to transport a pre-formed group at any time. Fares for group riding shall be calculated in accordance with § 801.8.

Section 899, DEFINITIONS, is amended to read as follows:

- 899.1 The words and phrases used in this chapter shall have the meanings ascribed to them in § 499.1 of this title.

Copies of this proposed rulemaking can be obtained at www.dcregs.dc.gov or by contacting Jacques P. Lerner, General Counsel, District of Columbia Taxicab Office, 2041 Martin Luther King, Jr., Avenue, S.E., Suite 204, Washington, D.C. 20020. All persons desiring to file comments on this proposed rulemaking should submit written comments via e-mail to dctc@dc.gov or by mail to the D.C. Taxicab Office, 2041 Martin Luther King, Jr., Ave., S.E., Suite 204, Washington, D.C. 20020, Attn: Jacques P. Lerner, General Counsel, no later than thirty (30) days after the publication of this notice in the *D.C Register*.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

NOTICE OF EMERGENCY RULEMAKING

The Alcoholic Beverage Control Board (Board), pursuant to the authority set forth in D.C. Official Code § 25-211(b)(2012 Supp.), hereby gives notice of the adoption of emergency rules that create a new Section 720 of Chapter 7 (General Operating Requirements) of Title 23 (Alcoholic Beverages) of the District of Columbia Municipal Regulations (DCMR) and set forth the type of information that is required to be included in any public safety plan submitted to the Agency by an on-premise licensee.

The Fiscal Year 2013 Budget Support Act of 2012 (Act) (D.C. Law 19-168), effective October 1, 2012, amends Section 25-723(c) of Title 25 of the D.C. Official Code to allow eligible on-premise retailer's licensees to apply to the Alcoholic Beverage Regulation Administration (ABRA) to sell and serve alcoholic beverages until 4:00 a.m. and operate 24 hours a day on District or federal holidays and certain holiday weekends. The Act requires eligible on-premise licensees to provide written notification of its intent to extend its hours of operation, and submit a public safety plan to ABRA once each calendar year no fewer than 30 days before the first holiday on which a licensee seeks to extend its hours of operation. However, the Act does not indicate what information must be included or covered by a licensee in its public safety plan submission to ABRA. This rulemaking clarifies what information an on-premise licensee must include in its public safety plan.

The Board conducted a public hearing on February 28, 2013. The Board heard testimony from Andrew Kline on behalf of the Restaurant Association of Metropolitan Washington (RAMW). Mr. Kline applauded the Board for developing an easy form by which to provide the information required in a Safety Plan, but argued that the Plans themselves were unnecessary. Mr. Kline further stated that this requirement adds nothing to improve public safety or enhance security measures; instead it creates a burden for those on-premises licensees who elect to stay open and operate one additional hour. Lastly, Mr. Kline invited the Board to join RAMW in its efforts to convince the Council of the District of Columbia to eliminate this requirement.

The Board appreciates RAMW's testimony, but it is not inclined to ask the Council to eliminate the requirement of Safety Plans. To this end, the Board made no modifications to its initial emergency and proposed rules, and the rules remain unchanged as they were adopted by the Board on November 7, 2012.

These rules were adopted as final by the Board on March 20, 2013, by a vote of five (5) to zero (0). Pursuant to D.C. Official Code § 25-211(b)(2)(2011 Supp.), the final rules are also being transmitted to the Council of the District of Columbia (Council) for a ninety (90) day period of review. The final rules shall not become effective absent approval by the Council.

These emergency rules were initially adopted by the Board on November 7, 2012, by a five (5) to zero (0) vote. The rules became effective on that date. These emergency rules were re-

adopted by the Board on March 20, 2013, by a vote of five (5) to zero (0) to keep the existing moratorium in effect while the Council considers identical rules. This emergency action is necessary for the purpose of maintaining public safety at those on-premise establishments that register with the Agency to sell and serve alcoholic beverages until 4:00 a.m. and operate 24 hours a day on District or federal holidays and certain holiday weekends.

The emergency rules will expire one hundred twenty (120) days from the date of adoption, (June 20, 2013), or upon the implementation of the final rules, effective five (5) day after publication in the *D.C. Register*, whichever occurs first.

Section 720, PUBLIC SAFETY PLAN REQUIREMENTS, of Chapter 7, GENERAL OPERATING REQUIREMENTS, of Title 23, ALCOHOLIC BEVERAGES, of the DCMR is added to read as follows:

- 720.1 An on-premise licensee shall be required to submit a public safety plan to ABRA in order to sell and serve alcoholic beverages and operate during the extended hours set forth in D.C. Code § 25-723(c)(1).
- 720.2 A public safety plan shall be submitted by the on-premise licensee, on a form prescribed by the Board, which at a minimum shall include the following information:
- (a) The names and contact information for those individuals designated by the licensee to respond to any public safety issues that arise;
 - (b) Whether the establishment will have any security cameras in operation;
 - (c) The number and location of cameras used by the establishment and the length of time that video recordings will be kept;
 - (d) Whether the establishment will have any security working during the extended hours of operation;
 - (e) The number of security personnel to be present for the extended hours and the type of security training that security personnel have received;
 - (f) Whether the establishment will maintain an incident log; and
 - (g) What are the establishment's procedures for ensuring that intoxicated persons and minors are not served alcoholic beverages.
- 720.3 An on-premise licensee may utilize an existing security plan on file with ABRA to fulfill the public safety plan requirement set forth in § 720.1.

GOVERNMENT OF THE DISTRICT OF COLUMBIA**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2013-060
March 27, 2013

SUBJECT: Appointments – District of Columbia Developmental Disabilities Fatality Review Committee


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) and (11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) and (11) (2012 Supp.), and in accordance with Mayor's Order 2009-225, dated December 22, 2009, it is hereby **ORDERED** that:

1. **RAFAEL SAADAH** is appointed, to the District of Columbia Developmental Disabilities Fatality Review Committee ("Committee"), as the designee representative for the District of Columbia Fire and Emergency Medical Services Department. He shall serve only while employed in his official position and shall serve at the pleasure of the Mayor.
2. **SUSAN B. KENNEDY** is appointed, to the Committee, as the designee representative for the Office of the Inspector General, Medicaid Fraud Control Unit, and shall serve only while employed in her official position and shall serve at the pleasure of the Mayor.
3. **EFFECTIVE DATE:** This Order shall become effective immediately.



VINCENT C. GRAY
MAYOR

ATTEST: 

CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2013-061
March 28, 2013

SUBJECT: Designation of Special Event Areas for Emancipation Day Celebration

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as the Mayor of the District of Columbia by section 422(11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(11) (2012 Supp.), and pursuant to 19 DCMR § 1301.8, it is hereby **ORDERED** that:


1. On Tuesday, April 16, 2013, between the hours of 9:00 a.m. and 2:00 p.m., the following areas are hereby designated as a special event area to be used as a parade route and fairground:
 - a. The area on Pennsylvania Avenue, NW, between 3rd and 14th Streets, NW;
 - b. The area on Constitution Avenue, NW, between 7th Street and Pennsylvania Avenue, NW;
 - c. The area on 7th Street, NW, between Pennsylvania Avenue and Constitution Avenue, NW;
 - d. The East and West curb lanes of 7th Street, NW, between Constitution Avenue and Independence Avenue, NW; and
 - e. The area of 6th Street, NW, between Pennsylvania Avenue and Constitution Avenue, NW.

2. On Tuesday, April 16, 2013, between the hours of 4:00 a.m. and 12 o' clock midnight, the following areas are hereby designated as a special event area to be used as a fairground and shall be closed to public vehicle traffic:
 - a. The area on Pennsylvania Avenue (South), NW, between 12th and 14th Streets, including 13½ Street, NW;
 - b. The North and South curb lanes of E Street, NW, between 12th and 13th Streets, NW;

- c. The East and West curb lanes of 13th Street, NW, between E and F Streets, NW;
 - d. 13th Street, NW, between E Street and Pennsylvania Avenue, NW;
 - e. The East and West curb lanes of 3rd Street, NW, between Pennsylvania Avenue and Independence Avenue, NW;
 - f. E Street, NW, between 13th and 14th Streets, NW;
 - g. The North and South curb lanes of E Street, NW, between 11th and 12th Streets, NW;
 - h. The East curb lane of 14th Street, NW, between E Street and Constitution Avenue, NW; and
 - i. The South curb lane of Pennsylvania Avenue, NW, between 14th and 15th Streets, NW.
3. The Office of the Secretary of the Council of the District of Columbia and the Chair of the Committee on Business, Consumer, and Regulatory Affairs are authorized to operate said parade route and fairground, and to conduct necessary and appropriate activities in aid of the parade route and the fairground for the 151st Anniversary of District of Columbia Emancipation Day.
 4. This Order is an authorization for the closure of the designated streets only, and the operating entities shall secure and maintain all other licenses and permits applicable to the activities associated with the operation of the event on the designated street. All building, health, life, safety, and use of public space requirements shall remain applicable to the Special Event Area designated by this Order.
 5. **EFFECTIVE DATE:** This Order shall become effective immediately.



VINCENT C. GRAY
MAYOR

ATTEST: 

CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2013-062
April 1, 2013

SUBJECT: Delegation of Rulemaking Authority – Youth Bullying Prevention Act of 2012


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(6) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(6) (2012 Supp.), and by section 10 of the Youth Bullying Prevention Act of 2012 (“Act”), effective September 14, 2012, D.C. Law 19-167, 59 DCR 7820, it is hereby **ORDERED** that:

1. The Director of the Office of Human Rights is delegated the authority to promulgate rules pursuant to section 10 of the Act.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



 VINCENT C. GRAY
 MAYOR

ATTEST: 

 CYNTHIA BROCK-SMITH
 SECRETARY OF THE DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
CHANGE OF HOURS AGENDA

WEDNESDAY, APRIL 10, 2013 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales (Sunday Only). Approved Hours of Operation: Monday through Saturday 8:00 am -10:00 pm. Approved Hours of Alcoholic Beverage Sales/Service: Monday through Saturday 9:00 am -10:00 pm. Proposed Hours of Operation: Sunday through Saturday 8:00 am -10:00 pm. Proposed Hours of Alcoholic Beverage Sales/Service: Sunday through Saturday 9:00 am -10:00 pm. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. No Settlement Agreement. ANC 8D. SMD 8D01. *Jang & Lee, Inc. T/A Chesapeake Big Market*, 601 Chesapeake Street, SE, Retailer's Class A, License No.: 091126.
2. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. Approved Hours of Operation: Sunday 8:00 am -11:00 pm; Monday through Friday 7:00 am -11:00 pm; Saturday: 8:00 am -11:00 pm. Approved Hours of Alcoholic Beverage Sales/Service: Sunday through Saturday 9:00 am -11:00 pm. Proposed Hours of Operation and Hours of Alcoholic Beverage Sales/Service: Sunday through Saturday 7:00 am -11:00 pm. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. No Settlement Agreement. ANC 3C. SMD 3C01. *Manhattan Market, Inc. T/A Manhattan Market*, 2647 Connecticut Avenue, NW, Retailer's Class B, License No.: 017772.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, APRIL 10, 2013
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On April 10, 2013 at 4:00 pm, the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed “to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations.”

1. Case#13-251-00033 Town, 2009 8TH ST NW Retailer C Nightclub, License#: ABRA-076801

2. Case#13-251-00035 Green Island Cafe/Heaven & Hell (The), 2327 18TH ST NW Retailer C Tavern, License#: ABRA-074503

3. Case#13-251-00029 Rumors Restaurant, 1900 M ST NW Retailer C Nightclub, License#: ABRA-071717

4. Case#12-251-00368 Mason Inn, 2408 WISCONSIN AVE NW Retailer C Tavern, License#: ABRA-079644

5. Case#13-CMP-00121 Mad Hatter, 1321 CONNECTICUT AVE NW Retailer C Tavern, License#: ABRA-082646

6. Case#13-CMP-00164 Desperados Pizza, 1342 U ST NW Retailer C Tavern, License#: ABRA-084731

7. Case#13-CMP-00139 Joes Noodle House, 2700 NEW YORK AVE NE Retailer C Restaurant, License#: ABRA-086961

8. Case#13-CMP-00163 Avery's Bar and Lounge, 1370 H ST NE Retailer C Tavern,
License#: ABRA-090527

9. Case#13-CMP-00166 Touchdown, 1334 U ST NW B Retailer C Tavern,
License#: ABRA-086233

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
AGENDA

WEDNESDAY, APRIL 10, 2013 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of letter, dated March 27, 2013, from Chris Romano requesting that the Board termination BLT Burger DC, LLC's license. *BLT Burger 405.1*, 1317 Connecticut Avenue NW Retailer CR02, Lic.#: 84096.

2. Review of letter, dated March 22, 2013, from Scott Auslander requesting permission to store records and invoices off premises at another location in the District. *Ventnor Sports Café*, 2411 18th Street NW Retailer CR01, Lic.#: 72529.

3. Review of letter, dated March 22, 2013, from Scott Auslander requesting permission to store records and invoices off premises at another location in the District. *Libertine*, 2435 18th Street NW Retailer CR01, Lic.#: 86298.

4. Review of District's Response to Respondent's Motion to Discharge and Dismiss Show Cause, dated March 28, 2013, from Louise Phillips. *Lotus*, 1420 K Street NW Retailer CN03, Lic.#: 75162.

5. Review of Third Consent Motion for an Extension of Time to Respond to Respondent's Motion to Discharge and Dismiss Show Cause, dated March 29, 2013, from Louise Phillips. *Lotus*, 1420 K Street NW Retailer CN03, Lic.#: 75162.

6. Review of District of Columbia's Opposition to Respondent's Motion for Reconsideration, dated March 27, 2013, from Fernando Rivero. *Yegna*, 1920 9th Street NW Retailer CT01, Lic.#: 74241.

7. Review of letter, dated March 27, 2013, from Commissioner Jackie Blumenthal of ANC 3B requesting that the Board review the plans proposed by JP's and deem them a substantial change in operation subject to placarding. Commissioner Blumenthal also requests that the Board notify ANC 3B when the license is taken out of safekeeping. *JP's*, 2412 Wisconsin Avenue NW Retailer CN02, Lic.#: 8511.

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8. Review of Settlement Agreement, dated March 26, 2013, between James Hoban's and ANC 2B. *James Hoban's*, 1 Dupont Circle NW Retailer CR03, Lic.#: 77039.*

9. Review of Settlement Agreement, dated February 20, 2013, between Sammys Liquor and ANC 5C. *Sammys Liquor*, 2725 Bladensburg Road NE Retailer A, Lic.#: 78174.*

10. Review of Settlement Agreement, dated March 14, 2013, between RedRocks and ANC 6A. *RedRocks*, 1348 H Street NE Retailer CR03, Lic.#: 90997.*

11. Review of Settlement Agreement, dated March 11, 2013, between Le Liquors and ANC 1C. *Le Liquors*, 1776 Columbia Road NW Retailer A, Lic.#: 90659. *Continued from March 27, 2013.**

12. Review of Settlement Agreement Amendment, dated March 11, 2013, between Ziegfield's/Secrets and ANC 6D. *Ziegfield's/Secrets*, 1824 Half Street SW Retailer CN04, Lic.#: 78663. *Continued from March 27, 2013.**

*** In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

**OFFICE OF THE CHIEF FINANCIAL OFFICER
Office of Revenue Analysis**

**AMENDED NOTICE of INCREASES
in the 2013 STANDARD DEDUCTION,
PERSONAL EXEMPTION, HOMESTEAD DEDUCTION
and TRASH COLLECTION CREDIT AMOUNTS**

I. The Standard Deduction Amounts

Per the D.C. Code § 47-1801, et seq., the annual Standard Deduction amount (pertaining to the Individual Income Tax) for calendar year 2013 is adjusted in the following manner

| | |
|---|--------|
| The Washington Area Average CPI value for Calendar Year 2011: | 145.22 |
| The Washington Area Average CPI value for Calendar Year 2012: | 148.91 |
| The percent change in the index during the above time period: | 2.54% |

Therefore, effective January 1, 2013:

- **the Standard Deduction for all filers (except for married filing separate filers) amount will be¹** **\$4,100.00²**
- **the Standard Deduction for married filing separate filers amount will be¹** **\$2,050.00²**

II. The Personal Exemption Amount

Per the D.C. Code § 47-1806, et seq., the annual Personal Exemption amount (pertaining to the Individual Income Tax) for calendar year 2013 is adjusted in the following manner

| | |
|---|--------|
| The Washington Area Average CPI value for Calendar Year 2011: | 145.22 |
| The Washington Area Average CPI value for Calendar Year 2012: | 148.91 |
| The percent change in the index during the above time period: | 2.54% |

Therefore, effective January 1, 2013:

- **the Personal Exemption amount will be¹** **\$1,675.00³**

¹ Dollar increments are rounded down to the nearest \$50.00

² The January 4, 2013 version of this Notice Published at 60 DCR 000070, incorrectly stated the Standard Deduction for all filers as \$4,050.00 and Standard Deduction for married filing separate filers as \$2,000.00. This Amended Notice sets forth the correct amounts for the Standard Deduction for all filers and Standard Deduction for married filing separate filers, effective January 1, 2013.

³ The December 21, 2012 version of this Notice Published at 59 DCR 15004, incorrectly stated the Personal Exemption amount as \$1,700.00. This Amended Notice sets forth the correct Personal Exemption amount, effective January 1, 2013.

III. The Homestead Deduction Amount

Per the D.C. Code § 47-850, et seq., the annual Homestead Deduction amount (pertaining to the Real Property Tax) for tax year 2013 is adjusted in the following manner

| | |
|---|--------|
| The Washington Area Average CPI value for Tax Year 2011: | 146.04 |
| The Washington Area Average CPI value for Tax Year 2012: | 149.59 |
| The percent change in the index during the above time period: | 2.43% |

Therefore, effective Tax Year 2013 (beginning October 1, 2012):
 • **the Homestead Deduction amount will be¹ \$69,100.00**

IV. The Condominium and Cooperative Trash Collection Credit Amount

Per the D.C. Code § 47-872, et seq., the annual Trash Collection Credit amount (pertaining to the Real Property Tax) for tax year 2013 is adjusted in the following manner

| | |
|---|--------|
| The Washington Area Average CPI value for Calendar Year 2011: | 146.82 |
| The Washington Area Average CPI value for Calendar Year 2012: | 150.10 |
| The percent change in the index during the above time period: | 2.23% |

Therefore, effective Tax Year 2013 (beginning October 1, 2012):
 • **the Trash Collection Trash Credit amount will be⁴ \$103.00**

| A Summary of CPI-Adjusted Deduction and Exemption Amounts for 2013 | | | |
|---|--------------|------------------------|--------------|
| | 2012 Amounts | CPI Adjustment Factor* | 2013 Amounts |
| Standard Deduction | \$4,000.00 | 1.0254 | \$4,100.00 |
| Married Filing Separate | \$2,000.00 | 1.0254 | \$2,050.00 |
| Personal Exemption | \$1,675.00 | 1.0254 | \$1,675.00 |
| Homestead Deduction | \$67,500.00 | 1.0243 | \$69,100.00 |
| Trash Collection Credit | \$101.00 | 1.0223 | \$103.00 |

* Source: U.S. Bureau of Labor Statistics, data accessed December 14, 2012

⁴ Dollar increments for this credit are rounded to the nearest whole dollar.

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BOARD FOR THE CONDEMNATION OF INSANITARY BUILDINGS

NOTICE OF SCHEDULED MEETING

The Board for the Condemnation of Insanitary Buildings will be holding a scheduled meeting on Wednesday, April 10, 2013 at 10:40 am. The meeting will be held at 1100 4th Street, SW, room E4302, Washington, D.C. 20024.

Draft board meeting agendas are available on the website of the Department of Consumer and Regulatory Affairs at dcra.dc.gov, by clicking on the “Board for the Condemnation of Insanitary Buildings” tab on the main page.

For inquiries and meeting agenda, please call the Board for the Condemnation of Insanitary Buildings at 202-442-4332 or send an email to vacantproperty@dc.gov.

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**BUSINESS REGULATORY REFORM TASK FORCE****NOTICE OF MEETING**

The Business Regulatory Reform Task Force will be holding a meeting on Friday, April 19, 2013 at 8:30 a.m.

The meeting is open to the public and will be held at 1100 Fourth Street, SW, Fourth Floor Conference Room (E-4302), Washington, D.C. 20024.

The location is on the Metro Green Line, at the Waterfront/SEU stop. Limited paid parking is available on site.

Additional meetings are scheduled for the following dates:

- Tuesday, May 7, 2013
- Wednesday, June 5, 2013
- Tuesday, July 9, 2013
- Wednesday, August 21, 2013
- Wednesday, September 4, 2013
- Wednesday, September 18, 2013
- Tuesday, October 8, 2013
- Tuesday, October 22, 2013
- Tuesday, November 12, 2013
- Wednesday, December 4, 2013
- Wednesday, December 18, 2013
- Tuesday, January 7, 2014

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**CONSTRUCTION CODES COORDINATING BOARD****NOTICE OF REGULAR AND SPECIAL MEETINGS**

The Construction Codes Coordinating Board will be holding a special meeting on Tuesday, April 9, 2013 at 10:00 am.

The Construction Codes Coordinating Board will be holding its regular meeting on Thursday, April 18, 2013 at 9:30 am.

The meetings will be held at 1100 Fourth Street, SW, Fourth Floor Conference Room, Washington, D.C. 20024. The location is on the Metro Green Line, at the Waterfront/SEU stop. Limited paid parking is available on site.

Draft board meeting agendas and Technical Advisory Group meeting schedules and agendas are available on the website of the Department of Consumer and Regulatory Affairs at dcra.dc.gov, under the Permits/Zoning tab on the main page.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF ADVISORY MEETING

Healthy Youth and Schools Commission

The Division of Wellness and Nutrition Services hereby gives notice that the Healthy Youth and Schools Commission will hold its Advisory meeting on

Tuesday, May 14, 2013 at 5:00 pm-7:00pm.

The meeting will be held at the Office of the State Superintendent of Education located at:
810 First Street, N.E, 4th Floor Room 4002
Washington, DC 20002.

Agenda items will include the DC Healthy Schools Act recommendations for evaluation, physical activity, communication and scheduling dates and times for future meetings.

For further information, please contact Dr. Dawanna James-Holly, on (202) 741-5307.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

**NOTICE OF FUNDING & PARTNERSHIP AVAILABILITY
TO CONSTRUCT MUNICIPAL WASTEWATER FACILITIES AND IMPLEMENT
NONPOINT SOURCE POLLUTION CONTROL AND ESTUARY PROTECTION
PROJECTS**

The District Department of the Environment (DDOE) announces a request for applications to identify collaborative partners for DDOE's grant application submission to the Environmental Protection Agency (EPA), Clean Water State Revolving Fund.

Collaborative partners will support DDOE's efforts to fulfill EPA's funding opportunity goals and objectives. DDOE will act as the lead agency in the application for grant funding to support the construction of municipal wastewater facilities and implementation of nonpoint source pollution control and estuary protection projects.

Applications are requested for the following eligible project activities:

- (1) planning, design, and construction of publicly owned treatment works on a priority list developed pursuant to Clean Water Act (CWA) Section 216;
- (2) implementation of nonpoint source capital improvements consistent with a US EPA approved DC Nonpoint Source Management Plan and watershed implementation plans, which are developed pursuant to Section 319 of CWA; and
- (3) green infrastructure, water efficiency improvements, energy efficiency improvements, or other environmentally innovative activities as described by the Green Project Reserve (GPR) project eligibility guidance pursuant to P.L. 111-88.

Only projects that meet the eligibility threshold of having a high likelihood of achieving a water quality standard or reducing or eliminating an existing water quality problem will be evaluated, scored, and proceed to inclusion on a draft Project Priority List.

Beginning Friday April 5, 2013 the full text of the request for partnership applications will be available. A person may obtain a copy of this application by any of the following:

Download, by visiting DDOE's website, www.ddoe.dc.gov. Look for the title/section, "Resources", click on it, choose "Grants and Funding" to find the application description and a link to the application in PDF format;

Email a request to david.wooden2@dc.gov;

In person by coming to the 5th floor reception desk at the following street address to request a hard copy:

District Department of the Environment
1200 First Street, N.E., Fifth Floor
Washington, D.C. 20002

Write DDOE at:

(the above address)
Attn: David Wooden

DDOE will hold a pre-application question and answer meeting on Wednesday, April 24, 2013 at the address above. The meeting will start at 3:00 pm.

Deadline: The deadline for application submission is June 5, 2013 at 4:30 p.m. Five hard copies of the application must be submitted to the address above, and a complete electronic copy of the application must be emailed to david.wooden2@dc.gov. For additional information, you may call 202-741-5267.

Eligibility: Applicants must be registered to do business in the District of Columbia. A nonprofit organization, educational institution, District government agency or other local organization may apply to partner with DDOE.

Potential Funding: The total anticipated amount of funds that EPA will make available for DDOE and its partners is approximately seven million (\$7,000,000) dollars. The final amount will be determined when EPA provides information on the availability of fiscal year 2014 program funds.

Funding Match: Projects that are ultimately deemed eligible and selected for construction are funded at a 55% Federal grant share. The applicant must provide 45% of the selected project's cost from a non-Federal source.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

NOTICE OF FUNDING AVAILABILITY

GRANTS FOR
DC SCHOOL ENERGY EFFICIENCY AND EVALUATION PROGRAM

The District of Columbia District Department of the Environment (“DDOE”) is seeking a nonprofit organization or educational institution to determine the success of the energy efficiency and storm preparation educational program. This project will be funded by DDOE using federal American Recovery and Reinvestment Act (“ARRA”) funds provided by the US Department of Energy’s (“USDOE”) State Energy Program (“SEP”). The subgrantee will also develop the ARRA/SEP final report. The maximum grant period will run from the date of full execution of a Grant Agreement through September 16, 2013, unless terminated earlier as set forth herein. However, DDOE anticipates awarding this subgrant as soon as possible. In addition to the USDOE and District reporting requirements, the subgrantee shall comply with all ARRA requirements as this is a federal subgrant and there will be additional reporting requirements.

Beginning Friday, April 05, 2013, the full text of the Request for Applications (“RFA”) will be available online at DDOE’s website. It will also be available for pick-up. A person may obtain a copy of this RFA by any of the following methods:

Download by visiting DDOE’s website, www.ddoe.dc.gov. Look for the title/section, “Resources,” click on it, and choose “Grants and Funding” to find the RFA description and a link to the RFA in PDF format at the bottom of the page;

Email a request to 2013DCSEEP-RFA.grants@dc.gov with “Request copy of RFA 2013-OCO-08 DC School Energy Efficiency and Evaluation Program” in the subject line;

In person by scheduling an appointment with Charles Satterfield at (202) 671-1744 to pick up a copy of the DC School Energy Efficiency and Evaluation Program RFA from DDOE's 5th floor reception desk located at 1200 First Street, NE, Washington, DC 20002; or

Write DDOE at “Grants,” 1200 First Street, NE, 5th Floor, Washington, DC 20002, “Attn: Request copy of RFA 2013-OCO-08 Solar DC School Energy Efficiency and Evaluation Program” on the outside of the letter.

The deadline for application submissions is Monday, April 22, 2013, at 4:30 p.m. Five hard copies must be submitted to the above address and a complete electronic copy must be e-mailed to 2013DCSEEP-RFA.grants@dc.gov.

Eligibility: A nonprofit organization or educational institution may apply for this grant.

Period of Awards: A grant award will be made for a period ending September 16, 2013, depending on the project and assuming continuing funding availability.

Available Funding: The amount available for this RFA is approximately \$20,000. The amount is subject to continuing availability of funding and approval by the appropriate agencies.

For additional information regarding this RFA, please contact DDOE as instructed in the RFA document, or after reviewing the document, at 2013DCSEEP-RFA.grants@dc.gov.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2013

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Official Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue an air quality permit (#6648) to Gallaudet University to construct and operate one (1) 10.04 MMBtu per hour dual fuel (natural gas and No. 2 fuel oil) fired boiler (burner model number LNICM9A-GO-30) at the Gallaudet University Central Utilities Building, located at 800 Florida Avenue NE, Washington, DC, 20002. The contact person for the facility is Sanford Morgan, Chief Engineer, Gallaudet University, at (202) 651-5180. The facility's mailing address is 800 Florida Avenue NE, Washington, DC 20002.

Emissions:

Maximum emissions from the unit operating 24 hours per day for 365 days per year burning natural gas are expected to be as follows:

| Pollutant | Maximum Annual Emissions (tons/yr) |
|------------------------------------|---|
| Particulate Matter (PM) (Total) | 0.211 |
| Sulfur Dioxide (SO ₂) | 0.033 |
| Nitrogen Oxides (NO _x) | 1.276 |
| Volatile Organic Compounds (VOC) | 1.100 |
| Carbon Monoxide (CO) | 1.627 |

Alternatively, although use of No. 2 fuel oil is severely limited to periods of gas supply emergencies, periods of gas curtailment, and periodic testing, as a worst case estimate, assuming that the No. 2 fuel oil were the only fuel used, maximum annual emissions (24 hours per day, 365 days per year) would be as follows:

| Pollutant | Maximum Annual Emissions (tons/yr) |
|------------------------------------|---|
| Particulate Matter (PM) (Total) | 0.629 |
| Sulfur Dioxide (SO ₂) | 0.069 |
| Nitrogen Oxides (NO _x) | 5.278 |
| Volatile Organic Compounds (VOC) | 1.671 |
| Carbon Monoxide (CO) | 1.627 |

The proposed overall emission limits for the equipment are as follows:

- a. The 10.04 million BTU per hour dual fuel-fired boiler (identified as Boiler #3) shall not emit pollutants in excess of those specified in the following table [20 DCMR 201]:

| Pollutant | Short-Term Limit (Natural Gas) (lb/hr) | Short-Term Limit (No. 2 Fuel oil) (lb/hr) |
|---------------------------------------|---|--|
| Carbon Monoxide (CO) | 0.372 | 0.372 |
| Oxides of Nitrogen (NO _x) | 0.291 | 1.205 |
| Total Particulate Matter (PM Total)* | 0.048 | 0.144 |
| Volatile Organic Compounds (VOC) | 0.251 | 0.382 |
| Sulfur Dioxide (SO ₂) | 0.008 | 0.016 |

*PM Total includes both filterable and condensable fractions.

- b. Visible emissions shall not be emitted into the outdoor atmosphere from the boiler, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1]
- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]
- d. Particulate matter emissions from the boiler shall not exceed 0.101 pound per million BTU. [20 DCMR 600.1]
- e. Emissions shall not exceed those achieved with the performance of annual combustion adjustments on the boiler. To show compliance with this condition, the Permittee shall, each calendar year, perform adjustments of the combustion processes of the boiler with the following characteristics [20 DCMR 805.8(a) and (b)]:
- i. Inspection, adjustment, cleaning or replacement of fuel burning equipment, including the burners and moving parts necessary for proper operation as specified by the manufacturer;
 - ii. Inspection of the flame pattern or characteristics and adjustments necessary to minimize total emissions of NO_x and, to the extent practicable, minimize emissions of CO;
 - iii. Inspection of the air-to-fuel ratio control system and adjustments necessary to ensure proper calibration and operation as specified by the manufacturer; and
 - iv. Adjustments shall be made such that the maximum emission rate for any contaminant does not exceed the maximum allowable emission rate as set forth in this section.

The permit application and supporting documentation, along with the draft permit are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the proposed permit and any request for a public hearing should be addressed to:

Stephen S. Ours
Chief, Permitting Branch
Air Quality Division
District Department of the Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments or hearing requests postmarked after May 6, 2013 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2013

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Official Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue an air quality permit (#6647) to Gallaudet University to construct and operate one (1) 33.48 MMBtu per hour dual fuel (natural gas and No. 2 fuel oil) fired boiler (burner model number LNICM11A-GO-30) at Gallaudet University, Central Utilities Building, located at 800 Florida Avenue NE, in Washington, 20002. The contact person for the facility is Sanford Morgan, Chief Engineer, Gallaudet University, at (202) 651-5180. The facility's mailing address is 800 Florida Avenue NE, Washington, DC 20002.

Emissions:

Maximum emissions from the unit operating 24 hours per day for 365 days per year burning natural gas are expected to be as follows:

| Pollutant | Maximum Annual Emissions (tons/yr) |
|------------------------------------|---|
| Particulate Matter (PM) (Total) | 0.705 |
| Sulfur Dioxide (SO ₂) | 0.073 |
| Nitrogen Oxides (NO _x) | 4.258 |
| Volatile Organic Compounds (VOC) | 3.670 |
| Carbon Monoxide (CO) | 5.432 |

Alternatively, although use of No. 2 fuel oil is severely limited to periods of gas supply emergencies, periods of gas curtailment, and periodic testing, as a worst case estimate, assuming that the No. 2 fuel oil were the only fuel used, maximum annual emissions (24 hours per day, 365 days per year) would be as follows:

| Pollutant | Maximum Annual Emissions (tons/yr) |
|------------------------------------|---|
| Particulate Matter (PM) (Total) | 2.099 |
| Sulfur Dioxide (SO ₂) | 0.231 |
| Nitrogen Oxides (NO _x) | 17.618 |
| Volatile Organic Compounds (VOC) | 5.579 |
| Carbon Monoxide (CO) | 5.432 |

The proposed overall emission limits for the equipment are as follows:

- a. The 33.48 million BTU per hour dual fuel-fired boiler (identified as Boiler #2) shall not emit pollutants in excess of those specified in the following table [20 DCMR 201]:

| Pollutant | Short-Term Limit (Natural Gas) (lb/hr) | Short-Term Limit (No. 2 Fuel Oil) (lb/hr) |
|---------------------------------------|---|--|
| Carbon Monoxide (CO) | 1.24 | 1.24 |
| Oxides of Nitrogen (NO _x) | 0.97 | 4.02 |
| Total Particulate Matter (PM Total)* | 0.16 | 0.48 |
| Volatile Organic Compounds (VOC) | 0.84 | 1.27 |
| Sulfur Dioxide (SO ₂) | 0.02 | 0.05 |

*PM Total includes both filterable and condensable fractions.

- b. Visible emissions shall not be emitted into the outdoor atmosphere from the boiler, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1]
- c. In addition to complying with Condition (b), the Permittee shall not discharge from the unit any emissions that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity. [40 CFR 60.43c(c)]
- d. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]
- e. Particulate matter emissions from the boiler shall not exceed 0.076 pound per million BTU. [20 DCMR 600.1]
- f. Emissions shall not exceed those achieved with the performance of annual combustion adjustments on the boiler. To show compliance with this condition, the Permittee shall, each calendar year, perform adjustments of the combustion processes of the boiler with the following characteristics [20 DCMR 805.8(a) and (b)]:
- i. Inspection, adjustment, cleaning or replacement of fuel burning equipment, including the burners and moving parts necessary for proper operation as specified by the manufacturer;
 - ii. Inspection of the flame pattern or characteristics and adjustments necessary to minimize total emissions of NO_x and, to the extent practicable, minimize emissions of CO;

- iii. Inspection of the air-to-fuel ratio control system and adjustments necessary to ensure proper calibration and operation as specified by the manufacturer; and
- iv. Adjustments shall be made such that the maximum emission rate for any contaminant does not exceed the maximum allowable emission rate as set forth in this section.

The permit application and supporting documentation, along with the draft permit are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the proposed permit and any request for a public hearing should be addressed to:

Stephen S. Ours
Chief, Permitting Branch
Air Quality Division
District Department of the Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments or hearing requests postmarked after May 6, 2013 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2013

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Official Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue a permit (#6649) to Gallaudet University to construct and operate one (1) natural gas fired 130 kW emergency generator set located at the Living and Learning Residence Hall, 800 Florida Avenue NE, Washington, DC. The contact person for the facility is Sanford Morgan, Chief Engineer, Gallaudet University, at (202) 651-5180.

The proposed emission limits are as follows:

- a. Emissions from this unit shall not exceed those in the following table [40 CFR 60.4233(d) and Subpart JJJJ, Table 1]:

| Emission Standards | |
|---------------------------------------|----------------|
| Pollutant | g/hp-hr |
| Oxides of Nitrogen (NO _x) | 2.0 |
| Carbon Monoxide (CO) | 4.0 |
| Volatile Organic Compounds (VOC) | 1.0 |

- b. Visible emissions shall not be emitted into the outdoor atmosphere from the generator, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1]
- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

The estimated emissions from the unit, operating five hundred (500) hour per year are expected to be as follows:

| Pollutant | Emission Rate (lb/hr) | Maximum Annual Emissions (tons/yr) |
|--------------------------------------|------------------------------|---|
| Total Particulate Matter (PM -Total) | 0.56 | 0.14 |
| Sulfur Oxides (SO _x) | 0.53 | 0.132 |
| Nitrogen Oxides (NO _x) | 0.0000104 | 0.0052 |
| Volatile Organic Compounds (VOC) | 0.0000123 | 0.00614 |
| Carbon Monoxide (CO) | 0.000189 | 0.0945 |

The application to operate the generator and the draft permit are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the proposed permits and any request for a public hearing should be addressed to:

Stephen S. Ours
Chief, Permitting Branch
Air Quality Division
District Department of the Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments or hearing requests postmarked after May 6, 2013 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY

Office of Government Ethics

BEGA – Advisory Opinion – 018-13

March 14, 2013

VIA EMAIL TO:

xx. xxxxxxxx xxxxxxxx
xxxxx
D.C. xxxx xxx xxx
xxxxxxx.xxxxxxx@dc.gov

xx. xxxxx xxxxxxxxxxxx
xxxxxxxxx xxxxx xx xxxx xxx xxx
D.C. xxxx xxx xxx
xxxxx.xxxxxxxxxxx@dc.gov

Dear xxxxx xxxxxxxx and xxxxxxxxxxx xxxxx xxxxxxxxxxx:

This responds to the March 4, 2013 email, submitted by the xxxx xxx xxx General Counsel, requesting guidance concerning whether both of you permissibly may accept an invitation to the xxxxxx University xxxxxxxx xx xxxxxxxxxxxx xxxxx xx xxxxxxxx xxxxxxx Dinner and Awards Luncheon. You both have been invited by the xxxxxx University xxxxxxxx xx xxxxxxxx to attend the black-tie dinner and awards luncheon and have requested advice on whether you are permitted to accept this invitation while serving in your current capacities as employees of D.C. xxxx xxx xxx.

The acceptance of gifts by employees of the District government is governed by Chapter 18, Title 6B of the D.C. Municipal Regulations.¹ To answer your question, we must first look to the definition of “gift.”² The DPM defines gift as, “any gratuity, favor, loan, entertainment, or other like thing of value.” While we acknowledge that the invitation to the xxxxxx Dinner and Awards Luncheon may not have value, the food and refreshments you will receive at the xxxxxx Dinner and Awards Luncheon do have value. Therefore, although the invitation itself may not be considered a gift, we find that the food and refreshments that will be provided are a gift as defined by the DPM.

We then look to the definition of “prohibited source.”³ The DPM defines a prohibited source as, “any person or entity that:

¹ Hereinafter, Title 6b of the D.C. Municipal Regulations will be referred to as the District Personnel Manual or DPM.

² DPM § 1803.2(b)

³ DPM § 1803.2(b)(1-3)

- (1) Has or is seeking to obtain contractual or other business or financial relations with the District government;
- (2) Conducts operations or activities that are subject to regulation by the District government; or
- (3) Has an interest that may be favorably affected by the performance or non-performance of the employee's official responsibilities.

Under the DPM, District government employees shall not solicit or accept, either directly or through the intercession of others, any gift from a prohibited source.⁴ xxxxxx University has a financial relationship with the District and is, to an extent, regulated by the District. Therefore, under the DPM, xxxxxx University is a prohibited source. As District government employees, neither of you may accept gifts from xxxxxx University. That said, despite the fact that xxxxxx University is a prohibited source, this event could fall under an exception to the gift prohibitions found in the DPM. This exception provides that the acceptance of food and refreshments of nominal value on infrequent occasions is permissible:

In connection with an annual holiday party or event sponsored by an entity other than the District government, provided that the employee shall notify his or her supervisor in time sufficient for the supervisor to make a meaningful judgment to approve or disapprove the employee's attendance. When making the determination the supervisor may consider such factors as the agency's interests and any appearance of a conflict of interest. The supervisor shall disapprove the employee's attendance if there is an actual conflict of interest.⁵

The xxxxxx Dinner and Awards Luncheon are events sponsored by the xxxxxx University xxxxxxxx xx xxxxxxxx, an entity other than the District government. We have found no evidence to suggest that a conflict of interest exists between xxxxxx University and D.C. xxxx xxx xxx, because there is no direct contractual relationship between the two entities. In addition, it would likely be in the interest of D.C. xxxx xxx xxx to have the agency represented at this event by the xxxxx and xxxxxxxxxx xxxxx. Therefore, pending the approval of your supervisor, under this exception to the prohibition on the receipt of gifts from prohibited sources, your acceptance of food and refreshments of nominal value at the xxxxxx Dinner and Awards Luncheon would be permissible.

The federal government's Office of Government Ethics (OGE) also has provided guidance on the issue of accepting a gift of event attendance. In a 2007 advisory memorandum,⁶ OGE discussed an exception to its gift prohibitions that concerned "widely attended gatherings." A gathering is widely attended if it is expected that a large number of persons will attend and that persons with a diversity of views will be present.⁷ To qualify for this exception, the employee's attendance must be in the interest of the agency because it will further agency programs and operations.⁸ A higher standard must be met if the gift donor has interests that may be substantially affected by the performance of the employee's official duties.⁹ The exception permits a waiver of all or part of any attendance fee, as well as food, refreshments, entertainment, instruction and materials furnished to all attendees as an integral part of the event.¹⁰ The exception does not cover entertainment collateral to the event, or meals taken other than in a group setting with all other attendees, nor does the exception cover travel and lodging.¹¹

⁴ DPM § 1803.2(a)

⁵ DPM § 1803.3(b)(2)

⁶ Office of Government Ethics Advisory Memorandum DO-07-047: Widely Attended Gatherings

⁷ 5 C.F.R. § 2635.204(g)(2)

⁸ 5 C.F.R. § 2635.204(g)(3)

⁹ Id.

¹⁰ 5 C.F.R. § 2635.204(g)(4)

¹¹ Id.

The OGE advisory memorandum specifically addresses “University Events” like the xxxxxx University xxxxxxxx xx xxxxxxxxxxxx xxxx xx xxxxxxxx xxxxxx Dinner and Awards Luncheon. OGE advises that such events generally qualify as widely attended gatherings, as long as they are not narrow events that are limited exclusively to the internal university community. If standards for the widely attended gatherings exception are met, then the employee permissibly may receive the gift. In this instance, we find that the xxxxxx Dinner and Awards Luncheon qualifies as a widely-attended gathering because it will have a large attendance that is not limited to the internal University community and a diversity of views will be present. Therefore, analyzed under OGE’s gift prohibitions and exceptions, your acceptance of food and refreshments at the xxxxxx Dinner and Awards Luncheon is permissible as a widely-attended gathering.

When making determinations concerning the acceptance of a gift that involves attendance at an event, BEGA takes into account whether a conflict of interest or the appearance of a conflict of interest exists. Additionally, we look to whether the event is geared at fundraising and whether the employee is providing an endorsement, which may lead to a determination that the employee is using their title or office for financial gain. In this instance, we find that neither of these scenarios exists and that, pending your supervisor’s approval, your acceptance of an invite to the xxxxxx Dinner and Awards Luncheon is permissible.

Please be advised that this advice is provided to you pursuant to section 219 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 (“Ethics Act”), effective April 27, 2012, D.C. Law 19-124, D.C. Official Code § 1-1161.01 *et seq.*, which empowers me to provide such guidance. If you disagree with my conclusions, you may appeal this Advisory Opinion to the three-member Board of Ethics and Government Accountability for their consideration, D.C. Official Code § 1-1162.19(c). If you wish to do so, please let me know within 10 business days from the date of this letter so I may provide you with instructions.

Finally, you are advised that the Ethics Act requires this opinion to be published in the District of Columbia Register within 30 days of its issuance, but that identifying information will not be disclosed unless and until you consent to such disclosure in writing, should you wish to do so.

Please let me know if you have any questions or wish to discuss this matter further. You may contact either General Counsel Stacie Pittell at 202-481-3411, or me at the same number.

Sincerely,

DARRIN P. SOBIN
 Director of Government Ethics
 Board of Ethics and Government Accountability

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY**

Office of Government Ethics

BEGA – Advisory Opinion – 019-13

March 27, 2013

VIA EMAIL TO:

xx. xxxx xxxxxxxx-xxxxx, Chair
xxxxxxxxxxxxxxxx xxxxxx xxxxxx
D.C. xxxxxxxxxxxxxxxx xx xxxxxx
xxxx.xxxxxxx-xxxxx@dc.gov

This responds to your March 5, 2013, email in which you seek a formal Advisory Opinion regarding whether D.C. xxxxxxxxxxxx xx xxxxxx (“xxx”) employees may be asked to participate in and be compensated for an xxx xxxxxxxxxxxx education research study (the “study”), funded by the xxxxxxxxxxxx xxxxxxxxxxxx xx xxxxxxxx, entitled, xxxxxxxx: xxxxxxxx xxx xxxxxxxxxx for xx xxxxxxxxx. While working on this Advisory Opinion, a member of my staff obtained additional information from both you and xxxxxxxx xxxxxxxx, the Research Scientist at xxx xxxxxxxxxxxx, xxx. who seeks to conduct the study.

According to the information provided to this office, the study will be a test module for a training-based education study about xxx-xxxxxxx xxxxxxxxxxxxxx found in the workplace. The study focuses on xxx supervisors and employees with children under the age of 18. The study is completely confidential and voluntary, but would involve payment of a monetary incentive to those participating in the study. In addition, you state that you have received an informal opinion from the xxx “Ethics Counsel” advising that compensating District government employees for participating in this study would be inappropriate.

In supplemental materials provided to this office, xx. xxxxxxxx states that xx already has received the federal grant to fund this study, but the grant was funded based on a research plan that included compensation for participants. xx. xxxxxxxx states that it is standard practice for participants to be paid, citing adverse impact to the study itself when compensation is not provided. As xx explains, when studies do not provide compensation, the participants “are very often under-powered” and “the questionnaires have no inherent value to the participant.” Therefore, xx. xxxxxxxx represents that compensation to participants, and these participants in particular, is an essential component to the success of this or any such study. With respect to this study,

participants are to be paid \$xxx, total, for approximately x to x hours over a xxxx-month interval.

All employees of the District of Columbia government have responsibilities, codified in Chapter 18, Title 6B of the D.C. Municipal Regulations,¹ to which they must adhere as District employees. As this study will use certain xxx employees as test subjects, we will analyze the issues that arise under federal statutes as well as District laws and rules.

Here, the study participants are to be xxx supervisors and employees with children under age 18. Therefore, it is clear that those being asked to participate or offered the opportunity to participate, are being targeted because they fall within a specific criteria and being District government employees is a crucial element of that criteria.

As an initial matter, it must be determined whether it is permissible to ask the group of xxx supervisors and employees (the “xxx group”) identified above to participate at all. If the xxx group who chose to participate were not to be compensated for their participation, we first would have to determine whether this activity falls within the scope of their job duties. Accordingly, xxx would have to determine whether participation in this study would benefit xxx in some way. Although there are indications from the information received that xxx may view participation in this study as a training of some sort, xx. xxxxxxxx states that the questionnaires to be used in this study have no inherent value to the participant, which seems to indicate that participating in this study will have no training value to xxx. If xxx determines that this activity falls within the scope of the job duties of the xxx group, even as a training opportunity, then clearly the participants cannot receive compensation for their participation in the study.

DPM § 1803.7 states:

“An employee shall not receive any salary or anything of monetary value from a private source as compensation for his or her services to the government.”

This also is a federal crime, known as the salary supplementation rule. (18 USC § 209).

Accordingly, the xxx group cannot be paid by an outside entity, regardless of the source of that funding, for engaging in an activity such as participating in this study, if xxx considers it part of each person’s job duties. District employees are entitled to receive their District compensation for performing their jobs. They are prohibited from receiving any additional compensation from another source for performing their jobs and all of their job-related functions.

If, however, xxx determines that participating in this study does not fall within the scope of the job duties of the xxx group, then the analysis shifts to whether the activity, as outside employment or an outside activity, is permissible.

DPM § 1804.1(e) prohibits employees from “engaging in any outside employment, private business activity, or interest which permits an employee, or others, to capitalize on his or her official title or position.” Here, the xxx group is being offered the

¹ Hereinafter, Title 6b of the D.C. Municipal Regulations will be referred to as the District Personnel Manual or DPM.

opportunity to participate in this study, for compensation, because they are both District employees and part of a select group within xxx. Therefore, those from the xxx group who choose to participate in the study will be realizing a financial gain, simply because they are District employees within the select xxx group. Clearly, then, each such employee would be capitalizing on his or her official title or position by participating in this study for compensation. Accordingly, such participation in the study for compensation is impermissible under DPM § 1804.1(e).

DPM § 1803.1(a)(1) is also relevant. It provides that “[a]n employee shall avoid action, whether or not specifically prohibited by this chapter, which might result in or create the appearance of . . . using public office for private gain.”

Again, the xxx employees who comprise the xxx group are being offered the opportunity to participate in this study solely because they are District employees who fulfill xxx xxxxxxxxxx specific requirements that they are: (1) xxx supervisors; or (2) xxx employees with children under 18. Therefore, participating in this study, for compensation, by any members of the xxx group certainly would create the appearance that each such group member is using his or her public office for private gain. Accordingly, such participation in the study for compensation is impermissible under DPM § 1803.1(a)(1).²

Finally, we look to federal law in this area. The U.S. Office of Government Ethics (“OGE”) has addressed the issue of government employees participating in research studies in two separate ethics opinions. Both OGE opinions reference 18 U.S.C. § 209 as the basis for authority. In the first opinion, OGE stated, “When a Government employee receives a payment from an outside source for supplying information that the employee is required to provide in the course of his or her official duties, the employee is using his or her position and the information he or she has acquired in that position for private gain.”³ The employees there provided publicly-available procurement information of the type that the outside source was seeking, so the OGE stated that compensation from the outside source would be an ethics violation.⁴ The OGE also said that even if the employees were not financially compensated, their participation still might involve some form of private gain because the gain would be realized by the outside source.⁵ This is similar to the situation described above regarding xxx xxxxxxxxxx.

In a later opinion, OGE found that government employees who were asked to participate in a study involving personal decisions regarding insurance were permitted to participate in the study, for compensation, because such participation was completely unrelated to their official duties and responsibilities.⁶ Therefore, OGE distinguished the facts that comprised this advisory opinion from the earlier one, cited above, because the government employees would not receive compensation from an outside source for performing their jobs or use their official titles or positions for personal financial gain.

² In contrast, District employees have been permitted, in the past, to take advantage of discount opportunities, such as the offer of discounted sports tickets, if the incentives are made available to all District employees, without any limitations to agency, title, job function, etc.

³ See, Office of Government Ethics Advisory Memorandum 86 x 8: Honorarium and Outside Compensation for Government Work.

⁴ Id.

⁵ Id.

⁶ See, Office of Government Ethics Advisory Memorandum 05 x 8: Employees’ Participation in Paid Surveys.

The purpose of the study was to identify areas of improvement to the insurance offered to federal employees under two companies' insurance plans.⁷ The OGE opinion stated that "[u]nless their Government job involves the administration of the insurance contract, the employees are not providing services to the Government when they make decisions regarding insurance for themselves or family members."⁸ Here, of course, the proposed study would focus on how District employees are treated (or perceived to be treated) in the course of carrying out their official government duties. Unlike the permissible insurance survey, the link between an employee's duties and the study is undeniable.

Accordingly, the xxx group is not permitted to participate in the xxxxxxxx: xxxxxxxxx xxx xxxxxxxxx for xx xxxxxxxxx research study. If xxx views training as a function of its employees' positions, then participating for compensation is prohibited by DPM § 1803.7 and federal law. If xxx does not view participating in the study as training, then such participation, for compensation, is analyzed under the various applicable regulations, as an outside activity. As described above, such participation is prohibited because it violates the DPM provisions on the use of public office for private gain.

Please be advised that this advice is provided to you pursuant to section 219 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 ("Ethics Act"), effective April 27, 2012, D.C. Law 19-124, D.C. Official Code § 1-1161.01 *et seq.*, which empowers me to provide such guidance. If you disagree with my conclusions, you may appeal this Advisory Opinion to the three-member Board of Ethics and Government Accountability for their consideration pursuant to D.C. Official Code § 1-1162.19(c). If you wish to do so, please let me know within 10 business days from the date of this letter so I may provide you with instructions.

Finally, you are advised that the Ethics Act requires this opinion to be published in the District of Columbia Register within 30 days of its issuance, but that identifying information will not be disclosed unless and until you consent to such disclosure in writing, should you wish to do so.

Please let me know if you have any questions or wish to discuss this matter further. I may be reached at 202-481-3411, or by email at darrin.sobin@dc.gov.

Sincerely,

DARRIN P. SOBIN
Director of Government Ethics
Board of Ethics and Government Accountability

⁷ Id.

⁸ Id.

DEPARTMENT OF GENERAL SERVICES

NOTICE OF PUBLIC MEETINGS REGARDING
SURPLUS RESOLUTIONS PURSUANT TO D.C. OFFICIAL CODE 10-801

The District will conduct a public hearing to receive public comments on the proposed surplus of the following District property. The date, time and location shall be as follows:

Property: Square: 1363 Lot: 0980 (“Hardy School Building”)
Date: Tuesday April 30, 2013
Time: 6:30 p.m.
Location: Hardy School Building
4470 Foxhall Road, NW (4470 Q Street, NW)
Washington, DC 20007
Contact: Althea O. Holford, Real Estate Specialist
Department of General Services
202.478.2428 or althea.holford@dc.gov

**DISTRICT OF COLUMBIA HOUSING FINANCE AGENCY
BOARD OF DIRECTORS MEETING**

April 9, 2013
815 Florida Avenue, NW
Washington, DC 20001

5:30 pm

AGENDA

- I. Call to order and verification of quorum.
- II. Vote to close meeting to discuss the approval of a Final Loan Resolution for the SOME Scattered Site Phase II project and loan transaction.

Pursuant to the District of Columbia Administrative Procedure Act, the Chairperson of the Board of Directors will call a vote to close the meeting in order to discuss, establish, or instruct the public body's staff or negotiating agents concerning the position to be taken in negotiating the price and other material terms of the SOME Scattered Site Phase II project and loan transaction. An open meeting would adversely affect the bargaining position or negotiation strategy of the public body. (D.C. Code §2-405(b)(2)).
- III. Re-open meeting.
- IV. Consideration of DCHFA Final Loan Resolution No. 2013-05 for the approval of the SOME Scattered Site Phase II project and loan transaction.
- V. Discussion: Agency's draft travel policy.
- VI. Discussion: Auction Plan for Parkway Overlook.
- VII. Executive Director's Report.
- VIII. Other Business.
- IX. Adjournment.

OFFICE OF THE DEPUTY MAYOR FOR
PLANNING AND ECONOMIC DEVELOPMENT

NOTICE OF PUBLIC MEETING REGARDING
PROPERTY SURPLUS PURSUANT TO D.C. OFFICIAL CODE §10-801

The District will conduct a public meeting to receive public comments on the proposed surplus of District property. The date, time and location shall be as follows:

Property: Square: 3028 Lot: 0818 at 3825-29 Georgia Avenue, N.W.
Date: Monday, April 22, 2013
Time: 6:30 p.m.
Location: Petworth Neighborhood Library
4200 Kansas Avenue, N.W.
Washington, DC 20011
Contact: Corey Lee: Corey.Lee@dc.gov or 202-727-6365

OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA**APPOINTMENTS OF NOTARIES PUBLIC**

Notice is hereby given that the following named persons have been recommended for appointment as Notaries Public in and for the District of Columbia, effective on or after May 1, 2013.

Comments on these potential appointments should be submitted, in writing, to the Office of Notary Commissions and Authentications, 441 4th Street, NW, Suite 810 South, Washington, D.C. 20001 within seven (7) days of the publication of this notice in the *D.C. Register* on April 5, 2013. Additional copies of this list are available at the above address or the website of the Office of the Secretary at www.os.dc.gov.

D.C. Office of the Secretary
Recommended for appointment as a DC Notaries Public

Effective: May 1, 2013

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| | | | |
|------------|-------------|--|-------|
| Alexander | Rose Knox | Rosery Entertainment 1214 Franklin Street, NE | 20017 |
| Balaban | Dorothy S. | Department of Homeland Security, Office of Inspector General 1120 Vermont Avenue, NW | 20528 |
| Brooks | Loretha Ann | Curtis, Mallet-Prevost, Colt & Mosle, LLP 1717 Pennsylvania Avenue, NW | 20006 |
| Budeit | Randall | Global Documentation Services 1712 I Street, NW, Suite 602 | 20006 |
| Bulter | Dawn | GEI Consultants, Inc. 1620 Eye Street, NW, Suite 800 | 20006 |
| Campbell | Renea | PNC Bank 4835 Massachusetts Avenue, NW | 20016 |
| Casey | Marsha | Bank of America 1090 Vermont Avenue, NW | 20005 |
| Caswell | Mary Beth | Womble Carlyle Sandridge & Rice PLLC 1200 19th Street, NW, Suite 500 | 20036 |
| Chisley | Darlana | The Donohoe Companies, Inc. 2101 Wisconsin Avenue, NW | 20007 |
| Cooper | Wanda Jean | Technology Sciences Group, Inc. 1150- 18th Street, NW, Suite 1000 | 20036 |
| Crebo | Kathleen S. | People for the Ethical Treatment of Animals 1536 16th Street, NW | 20036 |
| Da Silva | Ricardo | Department of Veterans Affairs 810 Vermont Avenue, NW | 20420 |
| de la Rosa | Cristina | Law Office of Cristina Forbes 1629 K Street, NW, Suite 323 | 20036 |
| Dyer | Scott R. | J.P. Morgan Private 800 Connecticut Avenue, NW, 9th Floor | 20006 |

D.C. Office of the Secretary
Recommended for appointment as a DC Notaries Public

Effective: May 1, 2013

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| | | | |
|-----------|-----------------|---|-------|
| Edwards | Roxanne Bianca | National Associates, Inc 1130 Connecticut Avenue, NW, Suite 530 | 20036 |
| Flaherty | Barbara J. | Irish National Caucus 608 3rd Street, SW | 20024 |
| Fobe | Nicholas M. | Verstegen & Fobe 2011 Pennsylvania Avenue, NW, Suite 500 | 20006 |
| Friedmann | Nicholas | Wells Fargo Bank NA 5201 MacArthur Boulevard, NW | 20016 |
| Gerarden | Paul | U.S. House of Representative, Office of the CAO B-227 Longworth HOB | 20515 |
| Gibson | Heather | Jackson & Campbell, P.C. 1120 20th Street, NW, South Tower | 20036 |
| Gohlke | Laura | Federal Bureau of Investigation 935 Pennsylvania Avenue, NW | 20535 |
| Gray | Denise J. | Seyfarth Shaw LLP 975 F Street, NW | 20004 |
| Haddad | Salma | NRL Federal Credit Union 4555 Overlook Avenue, SW, Building 222 Code 9050 | 20375 |
| Hardy | Rita E. | Self (Dual) 2623 11th Street, NW | 20001 |
| Hill | Deidre Veronica | Friedlander Mislser PLLC 5335 Wisconsin Avenue, NW, Suite 600 | 20014 |
| Horace | Anita A. | Bank of America 3401 Connecticut Avenue, NW | 20008 |
| Horstkamp | Michael | Monarch Title 210 7th Street, SE, Suite 100 | 20003 |

D.C. Office of the Secretary
Recommended for appointment as a DC Notaries Public

Effective: May 1, 2013

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|--------------|------------------------|--|-------|
| Hubbard, Jr. | Thomas S. | Veritext, LLC 1050 Connecticut Avenue, NW, 10th Floor | 20036 |
| Hutchison | Melissa M. | Avenue Settlement Corporation 2401 Pennsylvania Avenue, NW, Suite H | 20037 |
| Jones | Rona M. | Lindner & Associates, PC 5028 Wisconsin Avenue, NW, Suite 404 | 20016 |
| Kester | Michele A. | AARP 601 E Street, NW, A8-501 | 20049 |
| Lashley | Stephanie Elizabeth | Wells Fargo Bank 2119 Bladensburg Road, NE | 20018 |
| Lauziere | Marina M. | Dickstein Shapiro LLP 1825 Eye Street, NW | 20006 |
| Luthi | Jeffery N. | United States Judicial Panel on Multidistrict Litigation One Columbus Circle, NE, Suite G-255 North Lobby | 20002 |
| Lyons | Debra Sapio | Alderson Court Reporting 1155 Connecticut Avenue, NW, Suite 200 | 20036 |
| Malick | Mary Catherine | Cooley LLP 1299 Pennsylvania Avenue, NW, Suite 700 | 20004 |
| Mathis | Michelle | DC Department of Insurance, Securities and Banking 810 First Street, NE, Suite 701 | 20002 |
| McFadden | Reginia S. | International Union of Bricklayers & Allied Craftworkers | |
| Michelson | Kelsie | Cooley LLP 1299 Pennsylvania Avenue, NW, Suite 700 | 20004 |

D.C. Office of the Secretary
Recommended for appointment as a DC Notaries Public

Effective: May 1, 2013

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| | | | |
|---------------|---------------|--|-------|
| Mizell | Veronica Gail | Specialty Hospital of Washington, LLC 700 Constitution Avenue, NE | 20002 |
| Murnane | Barbara A. | Jones Group International/Akin Gump Strauss Hauer & Feld, LLP 1333 New Hampshire Avenue, NW | 20036 |
| Murphy | Michael | W.C. & A.N. Miller Realtors, A Long & Foster Company 5518 Connecticut Avenue, NW | 20015 |
| Ngankam | Patrick | Bank of America 1801 K Street, NW | 20006 |
| Nicholson | Carolyn B. | NIH Federal Credit Union 1310 Southern Avenue, SE, Ground Floor, Room 22 | 20032 |
| Nuckols | DeLois J. | Office of the Chief Administration Officer, US House of Representatives HT-3 Capitol Building | 20515 |
| O'Leary-Ramos | Judith | Law Office of Edward Gonzalez, PC 2405 I Street, NW | 20037 |
| Parker | Fred | Regional Contracting Services. LLC 719 Kennedy Street, NW | 20011 |
| Pope | Phillip | Bithgroup Technologies 899 North Capitol Street, NE | 20002 |
| Rosario | Elizabeth | Consumer Financial Protection Bureau - Office of Enforcement 1700 G Street, NW | 20552 |
| Rosenstiel | Ellen M. | Kutak Rock LLP 14th & Constitution Avenue, Room B841 A | 20230 |
| Salazar | Caroline Jane | Alderson Court Reporting 1155 Connecticut Avenue, NW | 20036 |
| Scott | Lindsay | PN Hoffman 690 Water Street, SW | 20024 |

D.C. Office of the Secretary
 Recommended for appointment as a DC Notaries Public

Effective: May 1, 2013

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|----------------|--------------|---|-------|
| Seager | Renee M. | American Red Cross 2025 E Street, NW | 20006 |
| Seals | Roxann | Capital Area Food Bank 4900 Puerto Rica Avenue, NE | 20017 |
| Senft | Kathy | Carr Maloney P.C. 2000 L Street, NW, Suite 450 | 20036 |
| Siddiq | Sadia | Suntrust Bank NA Two Massachusetts Avenue, NW | 20001 |
| Sims-Pokropski | Sarah | The Aspen Institute One Dupont Circle, NW, Suite 700 | 20036 |
| Smith | NeShea | American College of Obstetricians and Gynecologists 409 12th Street, SW | 20024 |
| Staron | Ann M. | Willkie Farr & Gallagher, LLP 1875 K Street, NW | 20006 |
| Tafari | Katharine V. | Miller & Chevalier Chartered 655 Fifteenth Street, NW, Suite 900 | 20005 |
| Tatomer | Andrew | Bank-Fund Staff Federal Credit Union 1725 I Street, NW, Suite 150 | 20006 |
| Turner | Denise | Bank of America 1090 Vermont Avenue, NW | 20005 |
| Watson | Jessica | Department of Commerce Federal Credit Union 14th St & Constitution Avenue, NW | 20230 |
| Wyatt | Robert | BKA Logistics, LLC 1629 K Street, NW, Suite 500 | 20006 |

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DC TAXICAB COMMISSION**

NOTICE OF GENERAL COMMISSION MEETING

The District of Columbia Taxicab Commission will be holding its regularly scheduled General Commission Meeting on Wednesday, April 10, 2013 at 10:00 am. The meeting will be held at the Reeves Center, 2000 14th Street, NW, in the Second Floor Community Center.

The final agenda will be posted no later than seven (7) days before the General Commission Meeting on the DCTC website at www.dctaxi.dc.gov.

Members of the public must register to speak. The time limit for registered speakers is five (5) minutes. A speaker should also submit two (2) copies of any prepared statement to the Assistant Secretary to the Commission. Registration to speak closes at 3:30 pm the day prior to the meeting. Contact the Assistant Secretary to the Commission, Ms. Mixon, on 202-645-6012. Registration consists of your name; your phone number or email contact; and your subject matter.

DRAFT AGENDA

- I. Call to Order
- II. Commission Communication
- III. Commission Action Items
- IV. Government Communications and Presentations
- V. General Counsel's Report
- VI. Staff Reports
- VII. Public Comment Period
- VIII. Adjournment

UNIVERSITY OF THE DISTRICT OF COLUMBIA
ACADEMIC AFFAIRS COMMITTEE OF THE BOARD OF TRUSTEES

NOTICE OF PUBLIC MEETING

The Academic Affairs Committee of the Board of Trustees of the University of the District of Columbia will be meeting on Tuesday, April 9, 2013 at 4:00 p.m. The meeting will be held in the Board Room, Third Floor, Building 39 at the Van Ness Campus, 4200 Connecticut Avenue, N.W., Washington, D.C. 20008. Below is the planned agenda for the meeting. The final agenda will be posted to the University of the District of Columbia's website at www.udc.edu.

For additional information, please contact: Beverly Franklin, Executive Secretary, at (202) 274-6258 or bfranklin@udc.edu.

Planned Agenda

- I. Call to Order and Roll Call**
- II. Approval of Minutes**
- III. Executive Appointments**
- IV. Elimination of Undergraduate Education Programs**
- V. Approval of Commencement Honorary Degree Recipients**
- VI. Update on General Academic Matters**
- VII. Adjournment**

Expected Meeting Closure

In accordance with Section 405(b) (10) of the Open Meetings Act of 2010, the Board of Trustees hereby gives notice that it may conduct an executive session, for the purpose of discussing the appointment, employment, assignment, promotion, performance evaluation, compensation, discipline, demotion, removal, or resignation of government appointees, employees, or officials.

UNIVERSITY OF THE DISTRICT OF COLUMBIA
AUDIT, ADMINISTRATION AND GOVERNANCE COMMITTEE OF THE
BOARD OF TRUSTEES

NOTICE OF PUBLIC MEETING

The Audit, Administration and Governance Committee of the Board of Trustees of the University of the District of Columbia will be meeting on Thursday April 11, 2013 at 5:30 p.m. The meeting will be held in the Board Room, Third Floor, Building 39 at the Van Ness Campus, 4200 Connecticut Avenue, N.W., Washington, D.C. 20008. Below is the planned agenda for the meeting. The final agenda will be posted to the University of the District of Columbia's website at www.udc.edu.

For additional information, please contact: Beverly Franklin, Executive Secretary, at (202) 274-6258 or bfranklin@udc.edu.

Planned Agenda

- I. Call to Order and Roll Call**
- II. Administration's Plan for Budget Management**
- III. Internal Auditor Report**
- IV. University Technology Report**
- V. Legal Staff Six Month Report**
- VI. Human Resources Report**
- VII. Executive Session**
- VIII. Closing**

Adjournment

Expected Meeting Closure

In accordance with Section 405(b) (10) of the Open Meetings Act of 2010, the Board of Trustees hereby gives notice that it may conduct an executive session, for the purpose of discussing the appointment, employment, assignment, promotion, performance evaluation, compensation, discipline, demotion, removal, or resignation of government appointees, employees, or officials.

UNIVERSITY OF THE DISTRICT OF COLUMBIA
BUDGET AND FINANCE COMMITTEE OF THE BOARD OF TRUSTEES

NOTICE OF PUBLIC MEETING

The Budget and Finance Committee of the Board of Trustees of the University of the District of Columbia will be meeting on Tuesday, April 9, 2013 at 5:30 p.m. The meeting will be held in the Board Room, Third Floor, Building 39 at the Van Ness Campus, 4200 Connecticut Avenue, N.W., Washington, D.C. 20008. Below is the planned agenda for the meeting. The final agenda will be posted to the University of the District of Columbia's website at www.udc.edu.

For additional information, please contact: Beverly Franklin, Executive Secretary, at (202) 274-6258 or bfranklin@udc.edu.

Planned Agenda

- I. Call to Order and Roll Call**
- II. Approval of Minutes**
- III. FY2014 Budget Approval**
- IV. Closing**

Adjournment

UNIVERSITY OF THE DISTRICT OF COLUMBIA
COMMUNITY COLLEGE COMMITTEE OF THE BOARD OF TRUSTEES

NOTICE OF PUBLIC MEETING

The Community College Committee of the Board of Trustees of the University of the District of Columbia will be meeting on Tuesday, April 9, 2013 at 3:00 p.m. The meeting will be held in the Board Room, Third Floor, Building 39 at the Van Ness Campus, 4200 Connecticut Avenue, NW, Washington, DC 20008. Below is the planned agenda for the meeting. The final agenda will be posted to the University of the District of Columbia's website at www.udc.edu.

For additional information, please contact: Beverly Franklin, Executive Secretary, at (202) 274-6258 or bfranklin@udc.edu.

Planned Agenda

- I. Call to Order and Roll Call**
- II. Approval of Minutes**
- III. Announcement of Student Recipient of the All-USA PTK Bronze Medal – Mr. Abdul Nurridin**
- IV. Update on Strategic Community College Initiatives**
- V. Accreditation Mandated Faculty Hires (Nursing, Mortuary Science, Respiratory Therapy and Aviation Management)**
- VI. Committee Report on Plan for Improving Campus Security**
- VII. Update on Facilities**
- VIII. Adjournment**

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 18520 of Robert and Susan Okun, pursuant to 11 DCMR § 3104.1, for a special exception to allow an addition to a one-family detached dwelling under section 223, not meeting the side yard requirements (section 405) in the R-1-B District at premises 5507 Board Branch Road, N.W. (Square 2014, Lot 9).

DECISION DATE: March 26, 2013 (Expedited Calendar)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

Pursuant to 11 DCMR § 3181 this application was tentatively placed on the Board's expedited calendar for decision without hearing as a result of the applicant's waiver of their right to a hearing.

The Board provided proper and timely notice of the decision meeting for this application together with the information required by 11 DCMR § 3118.5 by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission (ANC) 3G and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 3G, which is automatically a party to this application. ANC 3G submitted a letter in support of the application. The Office of Planning (OP) submitted a report in support of the application. The Department of Transportation submitted a report with no objection to the application.

No objections to expedited calendar consideration were made by any person or entity entitled to do by §§ 3118.6 and 3118.7, and no requests for party status were received. The matter was therefore called on the Board's expedited calendar for the date referenced above and the Board voted to grant the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under section 223. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the ANC and OP reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 223, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes

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that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application (pursuant to Exhibit 9 – Plans) be **GRANTED**.

VOTE: **3-0-2** (Lloyd J. Jordan, Nicole C. Sorg, Jeffrey L. Hinkle to APPROVE.
S. Kathryn Allen and the Zoning Commission member not present,
not voting.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

The majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: March 27, 2013

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL

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AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 04-14B**

Z.C. Case No. 04-14B

Florida Rock Properties, Inc.

(Modifications to Second-Stage Approval for First Phase of Development and Approval of Reversion to a First-Stage PUD and Modifications to Second, Third, and Fourth Phases of Development @ Square 708, Lot 14)

January 14, 2013

Pursuant to notice, the Zoning Commission for the District of Columbia (“Commission”) held a public hearing on September 20, 2012, to consider an application from Florida Rock Properties, Inc. (“Florida Rock”), the owner of the property located in Square 708, Lot 14, (“Property”), and MRP Realty (“MRP”), a partner in the development of the Property (collectively, the “Applicant”) to modify the second-stage approval for the First Phase of development and revert to and modify a first-stage approval for the Second, Third, and Fourth Phases of development of a planned unit development (“PUD”). The Commission considered the application pursuant to Chapters 1, 24, and 30 of the District of Columbia Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations (“DCMR”). The public hearing was conducted in accordance with the provisions of 11 DCMR § 3022. For the reasons stated below, the Commission hereby approves the application.

FINDINGS OF FACT

The Application, Parties, and Hearing

1. The PUD site consists of Record Lot 14 in Square 708¹ (“Property”). Three Assessment and Taxation Lots have also been established on the Property, Lots 810, 811, and 812. The entire PUD site consists of approximately 253,500 square feet of land. The Property was formerly the site of a concrete plant. (Exhibit [“Ex.”] 4, p. 9; Ex. 5.)
2. The Applicant initially filed its application on December 1, 2011. The application requested review and approval of a modification to an approved consolidated PUD for the First Phase of development and review and approval of a reversion and modification of a first-stage PUD for the Second, Third, and Fourth Phases of development. (Ex. 1-5.)
3. The Office of Planning (“OP”) submitted a report in support of setting the application down for a public hearing on January 20, 2012. (Ex. 16)
4. The application was placed on the Commission’s calendar for hearing action on January 30, 2012. The Commission requested additional information, including the rationale for filing the application as a modification rather than a new application, a comparison of the new proposal and the approved PUD, information regarding the proposed level of detail,

¹ The PUD anticipates a land swap with the District Department of Transportation in order to effectuate the construction of the South Capitol Street oval and the new Frederick Douglass Bridge. This swap will modify Lot 14 but will not alter the size of the Property. The land swap must occur before the construction of Phases III and IV, as the existing Frederick Douglass bridge traverses the site where those buildings will be constructed.

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and confirmation that the LEED commitments were not being reduced. The Commission deferred action on the application to its public meeting on February 13, 2012.

5. The Applicant submitted a supplemental statement responding to the Commission's questions on February 6, 2012. (Ex. 17-17C.)
6. The Commission set the application down for a public hearing at its public meeting on February 13, 2012.
7. The Applicant submitted its pre-hearing statement April 30, 2012, and a public hearing was scheduled for September 20, 2012.
8. The Applicant submitted a request to extend the approved PUD on May 11, 2012. The request was held in abeyance until a vote was taken to approve Z.C. Case No. 04-14B.
9. The Applicant supplemented the record with additional information on August 31, 2012. (Ex. 24.)
10. Both the District Department of Transportation ("DDOT") and OP submitted their reports in support of the application on September 10, 2012. (Ex. 25, 26)
11. A public hearing was held on September 20, 2012. Testimony was presented by the Applicant's project team, including the architect, landscape architect, and transportation consultant. The Applicant also addressed questions regarding the proposed land swap that is a prerequisite for the construction of Phases Three and Four of the development.
12. There were no requests for party status.
13. At the close of the hearing, the Commission asked for additional information regarding the exchange of land required for the last two phases of development, conversations the Applicant has had with the Army Corps of Engineers, a market study supporting the proposed residential unit sizes, and additional architectural detail and clarification. The Applicant submitted this information on October 10 and 15, 2012. (Ex. 35, 36.)
14. The Commission took proposed action to approve the application at its public meeting on October 29, 2012.
15. The proposed action of the Commission was referred to the National Capital Planning Commission ("NCPC") pursuant to the District of Columbia Home Rule Act. By letter dated December 12, 2012, the NCPC Executive Director stated that the NCPC at a meeting held December 6, 2012 commented that proposed PUD modification would not affect the federal interests in the National Capital, and would not be inconsistent with the

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Comprehensive Plan for the National Capital. NCPC recommended that the future Phase Three and Phase Four building designs befit the future planned South Capitol Street as a significant gateway connection into the city and vibrant urban boulevard as identified by the Monumental Core Framework Plan, and the overall development design should preserve site #38 as a future potential commemoration site. (Ex. 44.)

16. The Commission took final action to approve the application in Z.C. Case No. 04-14B on January 14, 2012.

The Subject Property and Surrounding Area

17. The PUD Site consists of Record Lot 14 in Square 708. Three Assessment and Taxation Lots have also been established on the Property, Lots 810, 811, and 812. The entire PUD site consists of approximately 253,500 square feet of land. (Ex. 4, p. 9)
18. The PUD site is located at 25 Potomac Avenue, S.E. It is bounded by Potomac Avenue on the north, the Anacostia River on the south, and it is between South Capitol Street and First Street on the west and east, respectively. It is located at the southernmost point of the Capital Gateway Overlay, between Nationals Park and the Anacostia River (“River.”) It is well positioned to serve as a gateway to the ballpark district and as a groundbreaking waterfront project with its 900 linear feet along the shoreline of the River. (*Id.* at p. 10.)
19. To the east of the Property, Forest City is developing a 42-acre site with a mixed-use project. Included in that site is the Yards Park. The Forest City project also expects to include a Harris Teeter, which is indicative of the resurgence the southeast waterfront community is experiencing. Also to the east of the Property, is Diamond Teague Park, which was recently completed with the help of a \$800,000 contribution made by Florida Rock. The District just completed the bridge connecting the Yards Park and Diamond Teague Park, consistent with the Anacostia Riverwalk Trail Plans. (*Id.* at p. 11.)

Existing and Proposed Zoning

20. The Property, like those surrounding it, was initially zoned for industrial uses. A PUD-related Map Amendment to the C-3-C Zone District was approved for the Property in connection with Z.C. Case No. 04-14. (*Id.* at p. 10.)
21. Subsequently, the Commission approved a rezoning of the underlying designation to the W-2 Zone District of the Capital Gateway Overlay (“CG”) pursuant to Z.C. Order No. 971. (*Id.*)
22. For the most part, the properties east of South Capitol Street were rezoned in connection with the CG Overlay from industrial uses to those use categories that encourage mixed-

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use developments, such as the CR Zone District. Consequently, several mixed-use projects have been approved for east of South Capitol Street along with the approval and construction of Nationals Park. The area west of South Capitol Street tends to be more industrial closer to the River; however, it transitions into residential uses farther north along South Capitol Street. The existing residential community is a mix of single-family and multi-family structures. The property to the north of the site is located in the CG/CR Zone District and the immediately adjacent properties to the west and east are located in the CG/W-2 Zone District. The underlying zoning of the Property is CG/W-2. (*Id.*)

23. The C-3 Zone District is designed to accommodate major business and employment centers supplementary to the Central Business District and they provide substantial amounts of employment, housing, and mixed uses. The C-3-C Zone District permits medium-high density development, including office, retail, housing, and mixed-use development in a compact area. A PUD in the C-3-C Zone District is permitted a maximum height of 130 feet and a maximum density of 8.0 floor area ratio (“FAR”), with no distinction between commercial and residential uses. (*Id.* at 12)
24. By contrast, the Waterfront Districts, the underlying zoning of the Property, were established to encourage a diversity of compatible land uses at various densities, including combinations of residential, offices, retail, recreational, arts and cultural, and other miscellaneous uses. The W-2 Zone District is intended to be relatively self-contained by supplying a variety of housing, service, employment, and recreational opportunities in one location. (*Id.*)

Previous Zoning Approvals

25. Pursuant to Z.C. Order No. 850, a first-stage PUD was first approved in 1998 for the Property for an office and retail project consisting of 1.5 million square feet of gross floor area in two buildings (6.0 FAR), with a maximum height of 130 feet. A second-stage PUD was approved in connection with Z.C. Order No. 910 the following year in 1999. The second-stage PUD was consistent with the first-stage approval. It provided amenity spaces along the waterfront, as well as proposed neighborhood serving retail and exhibition space. The PUD included a significant amount of “amenity property” that would be dedicated to maritime programs, residential use (when market appropriate) and park land. Nevertheless, the PUD continued to focus on solely commercial uses. (*Id.* at 13-14.)
26. Prior to the expiration of the PUD approved by Z.C. Order No. 910, the Applicant filed an application to extend the second-stage PUD. The Commission denied the request (Z.C. Order No. 910-A) but ultimately granted a conditional extension of the project as a first-stage PUD. Since the approval of the second-stage PUD in 1999, planning efforts were underway to establish the Capital Gateway Overlay and to construct a stadium for

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the Nationals baseball team. In light of the changed conditions of the surrounding area, the Commission wanted the opportunity to review the proposed development for the Property. OP had suggested a series of conditions for the approval of the extension of the first-stage PUD, which were adopted by the Commission in Z.C. Order No. 910-B. (*Id.*)

27. In 2004, the Applicant filed an application for second-stage PUD approval for the Property. Plans for the ballpark were released prior to the hearing, forcing the Applicant to reconsider some aspects of the project. The PUD was ultimately approved in 2008 pursuant to Z.C. Order No. 04-14. The approval contemplated four phases of development as follows:
- a. **Phase One:** Phase One included an office building with ground-floor retail, at the east end of the site with a maximum height of 92 feet. The office building was sited to emphasize the view corridors and access points through the project. It also included “Anacostia Place”, which provided for the free flow of pedestrians from First Street, S.E. through and to the Esplanade and Diamond Teague Park. The space was to include a monumental art feature to celebrate the heritage of the River. Finally, the First Phase provided for the construction of the adjacent portion of the Esplanade along the River;
 - b. **Phase Two:** Phase Two included the residential building with ground-floor retail. The residential building was approved with a maximum height of 130 feet. This phase also included the construction of “Potomac Quay”, a glass enclosed retail galleria extending from Potomac Avenue to the waterfront. It also served to link the east office building and the residential building. Finally, Phase Two included the construction of the adjacent portion of the Esplanade;
 - c. **Phase Three:** Phase Three included an office building at the western end of the site, the Cascade Plaza, and the remainder of the Esplanade. The office building was approved with a maximum height of 112 feet and was to include ground-floor retail. The Cascade Plaza was an open civic space at the western end of the Property; and
 - d. **Phase Four:** The final phase of development included a hotel building of 130 feet that would include hotel-related retail uses on the ground floor and residential uses on the top two floors. A glass enclosed “Capitol Quay” linked the office building to the hotel.

(*Id.* at 14-15)

28. In all, the project approved in connection with Z.C. Case No. 04-14 included a total of 1,115,400 square feet of gross floor area (4.4 FAR), with 569,623 square feet dedicated

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to residential and hotel uses and 545,777 square feet dedicated to commercial office and retail uses.² (*Id.*)

29. The Applicant could not, however, secure the financing necessary to move forward with the first phase of development given the dire economic climate in October 2009. It filed a request with the Commission to extend the entire PUD; the extension was granted and the PUD approval granted by Z.C. Case No. 04-14 was extended until June 27, 2012, pursuant to Z.C. Order No. 04-14A. (*Id.*)
30. Despite not moving forward with the development immediately, the Applicant made a payment of \$800,000 to the District for the construction, installation, and/or on-going maintenance of the Diamond Teague Park, to demonstrate its commitment to the development and the neighboring community. Diamond Teague Park has since been completed and will complement the landscaping proposed in Phase One of the PUD. (*Id.* at 16.)
31. By Z.C. Order No. 04-14C, the Commission extended the validity of the PUD approval granted by Z.C. Order No. 04-14 and extended by Z.C. Order No. 04-14A, until June 27, 2013, by which time an application must be made for a building permit. Z.C. Order No. 04-14C contemplates the phasing granted in this Order.

Description of the PUD Project

32. The Applicant is proposing to modify the PUD approved in Z.C. Case No. 04-14 in two key respects: it will convert one of the approved office buildings to a residential building and it will convert the approvals for Phases Two, Three, and Four from a second-stage approval to a first-stage PUD approval. The approved project will also include modifications to the site plan, circulation, and building design. (*Id.*)
33. The final PUD will have a total of two residential buildings, one hotel and one office building. Residential uses will comprise approximately 50% of the PUD density, whereas residential use only comprised about 29% of the original PUD. The proposed residential uses will also be the first to be constructed as they make up Phases One and Two of the PUD. (*Id.*)
34. The development will consist of four distinct buildings that will be constructed in four separate phases: two residential buildings, one office building and one hotel building.

² The hotel use was often referred to as “residential” use in Z.C. Case No. 04-14. In an effort to remain consistent with the interpretation of hotel use in the C-3-C Zone District, hotel use is categorized as commercial use in this application. Whereas the original PUD included only one residential building and one hotel, the project proposed in this application includes two residential buildings and one hotel.

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Each phase will include ground-floor retail. The development also includes a marina that will be developed in connection with Phases Two, Three, and Four. The phases are more specifically described below:

- a. **Phase One:** The Phase One building is located on the eastern end of the site and immediately adjacent to the Earth Conservation Corps pump house. Whereas the initial PUD proposed a commercial building for the First Phase of development, the First Phase is now a residential building. The current market is prime for residential development and residential development will provide the critical mass of people necessary in order to support future office and retail uses. This phase will also include a significant amount of ground-floor retail space:
 - i. The Phase I residential building will be approximately 94.85 feet tall (nine stories), with ground-floor retail, and consist of approximately 300-350 residential units, 286 below-grade parking spaces, and approximately 300,000 square feet of gross floor area. Approximately 22,484 or eight percent of the residential gross floor area, will be dedicated to affordable housing for households with an annual income no greater than 80% of the Annual Median Income. Approximately 18,650 square feet of gross floor area will be dedicated to retail use while 281,050 square feet will be dedicated to residential use;
 - ii. The building's U-shape massing is oriented toward the water. The façade facing the River incorporates more glass in order to provide an open feel to those on the ground, as well as residents in the units. Those units will also have large balconies, which will afford expansive views of the River and the Esplanade below. Units on the northern side will have views of the ballpark and will capitalize on the excitement of the stadium to animate some of the unit interiors. On the east, north, and west facades, the facade consists primarily of masonry and fenestration planes with metal panel and balcony accents. Varying materials will be introduced along the façade to provide depth, definition, and texture. To anchor the building into the nascent urban fabric, the northeast and northwest corners are emphasized through the use of richer materials and more glass. In addition, ground-floor retail along Potomac Avenue will help add to the energy of the ballpark and activate the streetscape;
 - iii. There will be a private courtyard in the center of the building that will provide green space and an outdoor amenity space for building residents. There will be a terrace on top of the retail space that will overlook the Esplanade and open onto the Anacostia Waterfront; the retail activities of

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the terrace, though one story up, will help to activate the street level below by expanding the realm of activity on a separate plane;

- iv. The building will be surrounded by significant green/open spaces, including an Esplanade and Anacostia Plaza. Approximately 20,000 square feet of land to its east is being reserved as green space and will support the development. Exclusive of the green space to the east, Phase One maintains a lot occupancy of approximately 46%;
- v. The proposed Esplanade will wind along the Anacostia Waterfront as well as along the retail storefronts. It incorporates seating along the pathway to encourage individuals to sit, relax, and take in the views of all of the activity along the water. The Esplanade will consist of hardscape and plant materials that speak to the site's history, both natural and industrial, while looking to the site's future as a vibrant urban community set in a beautiful natural environment. A boardwalk forms the riverside edge of the Esplanade along its length, relating this new construction to the design vernacular of the adjacent built projects at Diamond Teague Park and The Yards. The railings that are needed at the water's edge will have a unique design but will fall into the same family of materials and forms as those of the adjacent parks and footbridge, providing a sense of continuity across the Anacostia Waterfront. Concrete blocks and gabion walls are among the options for site walls and seating and will lend the Esplanade a note of rugged industrial design;
- vi. Along the Esplanade will be various "green" spaces that will have dual roles – they will serve as a part of the stormwater management system and filter the water draining from the site, and will provide lush green spaces to accent the beautiful landscaping of the Esplanade. The large green space just to the west of the plaza between the Esplanade and the River will be a large bio-filter garden, treating stormwater runoff from the site's impervious surfaces and building roof. The bio-filter garden will be filled with native perennials, shrubs, and trees typical of a Mid-Atlantic riparian environment. Just to the west of the biofilter garden, the "River Garden" will be a space where the community can reach the river's edge and inhabit an area with seating, stairs, and lush planting evocative of the river environment. The portion of the Esplanade extending for the length of the Phase One building will be constructed prior to the issuance of the certificate of occupancy for the Phase One building;
- vii. To the east, the Esplanade will connect with the pier leading to the Earth Conservation Corps. East of the pier, is a stretch of the Anacostia

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Waterfront where the District has just completed a portion of the Anacostia Riverfront Trail that will link the project to The Yards. Once complete, there will be a continuous pedestrian pathway along the River. This will provide access to the waterfront, but also create a fluidity among the developments that will allow pedestrians to move between developments with ease. To the west, the Esplanade will provide for future extension toward South Capitol Street. The Esplanade will be constructed in phases corresponding to the construction of each of the four buildings;

- viii. At the very eastern end of the site, just north of the Esplanade, is the Anacostia Plaza. The Plaza has several different functions: a purely pedestrian walkway providing access and views between the ballpark and the River; a passive recreation space for residents and visitors; an area that preserves the First Street viewshed and provides an elevated vantage point of the River. It will also provide an area for outdoor dining, whether in connection with informal picnics or with sidewalk cafes associated with one of the restaurants located in the retail space. The plaza design conveys a contemporary urban attitude and is consistent with the Phase One building architecture and the site's surroundings. A strong, linear paving design emphasizes the connection between the ballpark, Potomac Avenue, and the River. The large opened paved area provides clear views from the Ball Park Grand Stair to the River and will allow for café or restaurant seating. On the east side of the plaza a grove of shade trees with seating and stone dust paving will provide relief from summer sun. A wide gap in the trees, aligned with First Street, provides an open view down First Street to the River. An area for an outdoor bar has been reserved to allow a potential restaurant tenant to move forward with plans to provide outdoor restaurant seating and service; and
- ix. Finally, to the west of the residential building is the "Florida Rock Alley" which will be an attractive pedestrian boulevard that separates the residential building in Phase One from the residential building to be constructed in Phase Two. Florida Rock Alley also provides pedestrian access from Potomac Avenue to the River. Again, it provides views of the waterfront as well as the stadium. Vehicles will be permitted on the Alley, but only in areas specifically marked for the vehicles; there will be no conflict between the vehicular and pedestrian traffic. A dynamic paving design that associates this space with the site's other paved public spaces will help distinguish this area as an urban space that privileges pedestrians over vehicles. Strategically placed tree planters and seating will further the goal of establishing a pedestrian-friendly connection between Potomac

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Avenue and the Anacostia Waterfront. The Alley will provide access to parking and loading for the first two phases of the development; and

- b. **Phases Two, Three, and Four:** The remaining phases of development are approved with first-stage PUD approval. The site plan for these phases has been thoughtfully designed so that the buildings integrate with their surroundings but also relate to each other. The site plan also includes an efficient plan for loading and parking by providing access to all four buildings from only two curb cuts from Potomac Avenue. The vehicular circulation will utilize two main drives that will branch off and provide separate access to each building. By minimizing the number of curb cuts and providing an efficient loading and parking plan, the site plan emphasizes the pedestrian and maintains important points of access for the general public to the waterfront, the retail, and the ballpark. The height and density for the remaining phases is appropriate given the context of the Property between the ballpark and the River. The height will give the project a sense of place and establish it prominently along South Capitol Street while the density will attract a critical mass of people to a site that has not traditionally attracted visitors, much less residents or employees. These phases also include a marina.
- i. The second phase will consist of a residential building with 261,515 square feet of gross floor area, including 5,630 square feet of retail gross floor area. Approximately 20,471 square feet, or eight percent of residential gross floor area, will be reserved as affordable housing for households with an annual income no greater than 80% of the Area Median Income. The building will be a height of 130 feet, include approximately 262 below-grade parking spaces and have a lot occupancy of 45.5%;
- ii. The third phase of the project will be a commercial office building with approximately 313,705 square feet of office area and 11,470 square feet of retail uses. The building will be approximately 130 feet tall and have a lot occupancy of 46% and include approximately 242 below-grade parking spaces;
- iii. Finally, the fourth phase of the project will be a hotel consisting of approximately 274,370 square feet of gross floor area, including approximately 12,610 square feet of ground floor retail. The building will be approximately 130 feet tall, have a lot occupancy of 43%, and include approximately 233 below-grade parking spaces;
- iv. The Frederick Douglass Bridge currently bisects the Property where the third and fourth phases will be constructed. DDOT and NCPC are

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currently planning improvements to South Capitol Street, which include a traffic oval on the northern side of the River and a new Frederick Douglass Bridge west of its current location. The construction of both the traffic oval and new bridge must be completed prior to the third and fourth phases of the development going forward. Funding for the engineering of the improvements and land acquisition for the oval, as well as the bridge replacement, has been allocated and is currently pending final approval. Construction funding for the improvements has not yet been allocated. Florida Rock is heavily engaged in collaborating with DDOT in developing both the vertical and horizontal design of the improvements; and

- v. The Applicant will provide interim uses on Phases Two, Three, and Four so that the site will not lay dormant pending construction. Some of the uses that it is considering include a park, farmers' market, volleyball courts, an interim beach, and interim turf or other simple, temporary retail uses to help establish the site as a retail destination. A modest amount of surface parking will also be provided, as depicted in the plans submitted into the record.

(*Id.* at 19-25; Ex. 28, 36, 38.)

Applicant's Testimony

35. At the public hearing, the Applicant provided testimony from Frederick Rothmeijer, a representative of MRP; David deVilliers, Jr., a representative of Florida Rock, Donald Hoover, an expert in landscape architecture with Oculus; Marius Radulescu, an expert in architecture with SK&I Architects; and Robert Schiesel, an expert in transportation engineering with Gorove/Slade.
36. Mr. Rothmeijer testified to the Applicant's vision for the Property, including its plan to make the Property a destination dining site. The complete project will include 48,360 square feet of interior retail space, much of which will be occupied by food service retailers, including sit-down restaurants. Each phase of development will include outdoor retail space to encourage outdoor seating for café and restaurant tenants. Mr. Rothmeijer also testified to the community outreach efforts of the Applicant.
37. Mr. DeVilliers testified to the history of the PUD and the benefits and amenities package being proffered.
38. Mr. Hoover and Mr. Radulescu each testified to the plans for the proposed project, including the site plan and the modifications made to the originally approved PUD.

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39. Mr. Schiesel testified to the lack of impacts the project will have on the surrounding properties.

Density Proposed and Flexibility Requested

40. The total gross floor area included in the proposed PUD project is approximately 1,160,760 square feet of gross floor area. Phase One will include approximately 299,700 square feet of gross floor area; Phase Two will include 261,515 square feet of gross floor area; Phase Three will include 325,175 square feet of gross floor area; and Phase Four will include 274,370 square feet of gross floor area. Building heights range from approximately 94.85 feet to 130 feet among the four phases. (Ex. 28, 36, 38.)
41. The Applicant sought flexibility from the loading and penthouse requirements for the First Phase of development. The Commission has the authority to grant this flexibility pursuant to § 2405.6 and 2405.7 of the Zoning Regulations. (Ex. 19, p. 18.)
42. The Applicant also sought flexibility for the final treatment of the fixtures in the plaza area to the east of the Phase One residential building, pending placement of a tenant in the restaurant retail area. (Ex. 24, 28.)
43. No other zoning relief was requested or granted.

Public Benefits and Amenities

44. The Applicant, in its written submissions and testimony before the Commission, noted that the following benefits and amenities will be created as a result of the project, in satisfaction of the enumerated PUD standards in 11 DCMR § 2403:
- a. Design, Architecture, Landscaping, or Creation of Open Spaces: Subsection 2403.9(a) lists urban design and architecture as categories of public benefits and project amenities for a PUD. The project exhibits all of the characteristics of exemplary urban design and architecture. The PUD maximizes the views from every perspective: it focuses attention on the waterfront with a 75-foot setback from the River, guides pedestrians through passive controls to the ballpark, and frames views of the Capitol with the siting of its buildings along South Capitol Street. The PUD design acknowledges and accepts the importance of site location. The building design must relate to a number of competing landmarks – the historic Capitol building, the prominence of the new ballpark, and the River. The PUD design successfully creates a sense of place for the development, while incorporating the neighboring resources. For instance, the 75-foot setback from the River provides ample area for passive recreation for visitors and residents, as

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well as sufficient space for landscaping and a network for pedestrian pathways; the building's height and profile along South Capitol Street frame views of the Capitol the minute vehicles cross over the River; and the landscaping of one of the public plazas, guides pedestrians from the ballpark to the PUD Site and encourages them to view and enjoy the Anacostia Waterfront; (Ex. 4, pp. 44-45.)

- b. Site Planning, and Efficient and Economical Land Uses: Subsection 2403.9(b) lists site planning, and efficient and economical land utilization as categories of public benefits and project amenities for a PUD. The project takes advantage of its location next to the River, its entry to South Capitol Street, its adjacency to the ballpark, and its proximity to the Metro. Every aspect of the design considers and responds to this context – including the grand stairway leading to the ballpark, the winding Esplanade taking in the views of the water and introducing pedestrians to the retail, and the residential courtyard providing views that are not available elsewhere in the District.

The site circulation also responds to this context. The site plan minimizes the number of curb cuts in order to promote the pedestrian nature of the project. It also incorporates pedestrian alleys and easy, obvious connections to the ballpark to make the project accessible by foot. Vehicular traffic is removed from the pedestrian routes, for the most part, by minimizing the driveable area of the project. The Applicant has also incorporated way-finding measures to simplify the bicycling experience along the Esplanade; (*Id.* at 42.)

- c. Effective and Safe Vehicular and Pedestrian Access: Subsection 2403.9(c) lists effective and safe vehicular and pedestrian access as categories of public benefits and project amenities for a PUD. The project design pays close attention to vehicular and pedestrian needs and concerns. All of the parking and loading for the entire PUD can be accessed from one of two curb cuts along Potomac Avenue. This minimizes the potential for vehicular and pedestrian conflicts and makes for an efficient site plan. (*Id.* at 42-43.)

The site focuses on the pedestrian and its goal is to make an attractive destination for the pedestrian – it provides an Esplanade along the waterfront, ground floor retail, walkable alleyways, and respites in plazas connecting the ballpark to the riverfront. The Applicant is striving to make this a site that the residents of its buildings want to passively enjoy or that will attract those meandering to the waterfront before or after a baseball game or dinner on the waterfront. The site's proximity to the Metrorail also makes it a destination in its own right that will attract additional pedestrian traffic without any accompanying increase in vehicular traffic;

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d. Uses of Special Value: According to § 2403.9(i), “uses of special value to the neighborhood or the District of Columbia as a whole” are deemed to be public benefits and project amenities. The Applicant has agreed to provide the following project amenities as a result of this project:

- i. Special Value for the Neighborhood – The development will convert an underutilized, industrial site into a mixed-use residential project. It will make it a contributing part of the District and the Capital Gateway community. It will also provide a key connection between the River and the Nationals Ballpark and complete the fabric of the overall plan for the Capital Gateway. It will also bridge a gap between the east and the west, which is largely divided by South Capitol Street. In all, this project will unite this part of Ward 6 in a way that the concrete plant divided it. It will further connect the resources of Ward 6 to the greater DC area and to guests and visitors;
- ii. Superior Landscaping and Public Spaces – The PUD incorporates a number of public spaces throughout the Property. The primary focus of the public space is the Esplanade along the waterfront. The Esplanade winds along the waterfront providing pedestrians with access to magnificent views of the River, including all boating activities, nearby marinas, and local fishermen. Along the path are sitting areas that take advantage of the views and provide a respite for families and friends. The Esplanade will also include bike paths that will help connect the bike trail along the River.

A variety of “green” techniques will be incorporated into the landscaping along the Esplanade, including vegetative bioswales and rain gardens. These environmentally friendly devices will not be readily evident to the passersby, but the green and natural spaces that they create will be. All water from the site will drain through the rain gardens for filtration and will be recaptured for use in the development. The Esplanade design will also incorporate some of the concrete blocks that were created at the former concrete plant and will use them as seating to take advantage of the sites at the Property.

The project design also incorporates a bicycle path that will help connect the Anacostia RiverWalk path along the River; and

- iii. Contribution to Diamond Teague Park

The Applicant has made a contribution in the amount of \$800,000 to the construction of the Diamond Teague Park (“Park”). The Park has already

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been constructed at the southeast edge of the Property and will complement the open spaces included in this application; and

- e. Comprehensive Plan – According to § 2403.9(j), public benefits and project amenities include “other ways in which the proposed planned unit development substantially advances the major themes and other policies and objectives of any of the elements of the Comprehensive Plan.” The proposed PUD is consistent with and furthers many elements and goals of the Comprehensive Plan.
45. The Applicant also contended that the housing and affordable housing provided in Phases One and Two constituted public benefits of the project. Subsection 2403.9(f) provides that “housing and affordable housing” are a category through which an applicant can demonstrate the public benefits of a PUD project. The Commission credits the residential housing provided by the project as a public benefit. The Commission does not, at this time, credit the Applicant for the affordable housing provided by the Project. The Commission has recognized that affordable housing mandated by Chapter 26 of Title 11, Inclusionary Zoning (“IZ”) to be a public benefit only to the extent it exceeds the amount that would be generated under the project’s existing matter of right zoning.³ In this instance, the Phase One building that constitutes the consolidated portion of this PUD provides no more IZ housing than what would be generated from a matter of right CG/W-2 development. While the Phase Two building may in fact be generating greater IZ square footage than required for a matter of right building, it is premature to consider it a public benefit, particularly given the extent to which this PUD has changed over time. Therefore, the Commission will defer consideration of whether the Parcel Two building’s affordable housing component is a public benefit until a second-stage application is actually filed for its construction.

Comprehensive Plan

46. The proposed PUD is consistent with and fosters numerous goals and policies enumerated in the District Elements of the Comprehensive Plan for the National Capital: (“Comprehensive Plan”), adopted through the Comprehensive Plan Amendment Act of 2006, effective March 8, 2007 (D.C. Law 16-300). The purposes of the Comprehensive Plan are to: a) define the requirements and aspirations of District residents, and accordingly influence social, economic and physical development; b) guide executive and legislative decisions and matters affecting the District and its citizens; c) promote economic growth in jobs for District residents; d) guide private and public development in order to achieve District and community goals; e) maintain and enhance the natural

³ See Parcel Seven Associates, LLC, Z.C. Order 10-03, Z.C. Case No. 10-03, at p. 20.

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and architectural assets of the District; and f) assist in conservation, stabilization, and improvement of each neighborhood and community in the District.

47. The project advances these purposes by furthering the social and economic development of the District through the construction of new residential units on underutilized land, providing new retail destinations in the ballpark district, and providing office and hotel opportunities where none existed previously. The development will also provide a number of beautifully landscaped spaces that will be privately owned but open to the general public.
48. The Comprehensive Plan cites the importance of transit-oriented developments and the importance of mixed-use development on large sites. The project is consistent with the following:

Policy LU-1.1.5: Urban Mixed Use Neighborhoods: Encourage new central city mixed use neighborhoods combining high-density residential, office, retail, cultural, and open space uses in the following areas:

- Mount Vernon Triangle
- North of Massachusetts Avenue (NoMA)
- Downtown East
- South Capitol Street corridor/Stadium area
- Near Southeast/Navy Yard

The location of these areas is shown in the Central Washington and Lower Anacostia Waterfront/Near Southwest Area Elements. Land use regulations and design standards for these areas should ensure that they are developed as attractive pedestrian-oriented neighborhoods, with high-quality architecture and public spaces. Housing, including affordable housing, is particularly encouraged and should be a vital component of the future land use mix.

Policy LU-1.2.8: Large Sites and the Waterfront: Use the redevelopment of large sites to achieve related urban design, open space, environmental, and economic development objectives along the Anacostia Waterfront. Large waterfront sites should be used for water-focused recreation, housing, commercial, and cultural development, with activities that are accessible to both sides of the river. Large sites should further be used to enhance the physical and environmental quality of the river.

Policy LU-1.3.2: Development Around Metrorail Stations: Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth, particularly stations in areas with

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weak market demand, or with large amounts of vacant or poorly utilized land in the vicinity of the station entrance. Ensure that development above and around such stations emphasizes land uses and building forms which minimize the necessity of automobile use and maximize transit ridership while reflecting the design capacity of each station and respecting the character and needs of the surrounding areas.

Policy LU-2.4.5: Encouraging Nodal Development: Discourage auto-oriented commercial “strip” development and instead encourage pedestrian-oriented “nodes” of commercial development at key locations along major corridors. Zoning and design standards should ensure that the height, mass, and scale of development within nodes respects the integrity and character of surrounding residential areas and does not unreasonably impact them.

Policy LU-2.4.10: Use of Public Space within Commercial Centers: Carefully manage the use of sidewalks and other public spaces within commercial districts to avoid pedestrian obstructions and to provide an attractive and accessible environment for shoppers. Where feasible, the development of outdoor sidewalk cafes, flower stands, and similar uses which “animate” the street should be encouraged. Conversely, the enclosure of outdoor sidewalk space with permanent structures should generally be discouraged.

Policy LU-2.4.10: Use of Public Space within Commercial Centers: Carefully manage the use of sidewalks and other public spaces within commercial districts to avoid pedestrian obstructions and to provide an attractive and accessible environment for shoppers. Where feasible, the development of outdoor sidewalk cafes, flower stands, and similar uses which “animate” the street should be encouraged. Conversely, the enclosure of outdoor sidewalk space with permanent structures should generally be discouraged.

The project will revitalize an underutilized parcel of land along the Anacostia Waterfront and make it accessible to the general public through a mixed-use project incorporating hotel, residential, and office uses. The project also maximizes its location near a Metrorail Station to bolster the rationale for providing increased density on the site and it is designed to serve and promote the pedestrian. The site circulation and project design promote and enable pedestrians’ ability to appreciate the natural beauty of the Property. (Ex. 4, p. 46; Ex. 19, pp. 6-7.)

49. The proposed development is consistent with several transportation policies:

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Policy T-1.1.4: Transit-Oriented Development: Support transit-oriented development by investing in pedestrian-oriented transportation improvements at or around transit stations, major bus corridors, and transfer points.

Policy T-1.2.3: Discouraging Auto-Oriented Uses: Discourage certain uses, like “drive-through” businesses or stores with large surface parking lots, along key boulevards and pedestrian streets, and minimize the number of curb cuts in new developments. Curb cuts and multiple vehicle access points break-up the sidewalk, reduce pedestrian safety, and detract from pedestrian-oriented retail and residential areas.

Policy T-2.3.1: Better Integration of Bicycle and Pedestrian Planning: Integrate bicycle and pedestrian planning and safety considerations more fully into the planning and design of District roads, transit facilities, public buildings, and parks.

Policy T-2.3.2: Bicycle Network: Provide and maintain a safe, direct, and comprehensive bicycle network connecting neighborhoods, employment locations, public facilities, transit stations, parks and other key destinations. Eliminate system gaps to provide continuous bicycle facilities.

Policy T-2.4.1: Pedestrian Network: Develop, maintain, and improve pedestrian facilities. Improve the city’s sidewalk system to form a network that links residents across the city.

Policy T-2.4.2: Pedestrian Safety: Improve safety and security at key pedestrian nodes throughout the city. Use a variety of techniques to improve pedestrian safety, including textured or clearly marked and raised pedestrian crossings, pedestrian-actuated signal push buttons, and pedestrian count-down signals.

The Comprehensive Plan strengthens the link between land use and transportation as new development occurs and that is precisely what this project does. The project is strategically located near the Navy Yard Metrorail Station, as well as along a major transportation and bus corridor. The project’s proximity to public transportation makes it a prime location for additional density and residential uses. The project design also encourages bicycling and walking, as it incorporates an elaborate network of pedestrian pathways throughout the grounds. It also includes a bicycle pathway that will connect the Property with adjacent parcels through the Anacostia RiverWalk trail. Altogether, the project encourages modes of transportation by providing the infrastructure for walking, biking, and using public transportation. The reduced curb cuts along the property also minimize the presence of vehicles in the project design and remove the potential for conflicts between cars and people. (Ex. 4, pp. 48-49; Ex. 19, p. 11.)

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50. The PUD promotes several goals of the Environmental Protection Element:

Policy E-1.1.3: Landscaping: Encourage the use of landscaping to beautify the city, enhance streets and public spaces, reduce stormwater runoff, and create a stronger sense of character and identity.

Policy E-1.2.1: River Conservation: Improve environmental conditions along the Anacostia River and other water bodies, including shorelines, wetlands, islands, tributaries, and the rivers themselves. Particular attention should be given to eliminating toxic sediments, improving river edges to restore vegetation and reduce erosion, enhancing wetlands and wildlife habitat, creating new wetlands, and reducing litter.

Policy E-3.1.1: Maximizing Permeable Surfaces: Encourage the use of permeable materials for parking lots, driveways, walkways, and other paved surfaces as a way to absorb stormwater and reduce urban runoff.

Policy E-4.2.3: Control of Urban Runoff: Continue to implement water pollution control and “best management practice” measures aimed at slowing urban runoff and reducing pollution, including the flow of sediment and nutrients into streams, rivers, and wetlands.

Policy E-4.2.3: Control of Urban Runoff: Continue to implement water pollution control and “best management practice” measures aimed at slowing urban runoff and reducing pollution, including the flow of sediment and nutrients into streams, rivers, and wetlands.

The PUD’s location next to the River makes it attractive as a destination for residential living as well as outdoor recreation; however, it also imposes a burden on the Applicant to ensure that the project does not have any negative effects on the adjacent resources and it creates an obligation to improve the current quality of the River. The project incorporates elaborate landscaping that not only provides aesthetic benefits, but it provides environmental benefits as well, namely, in the form of stormwater management. The project includes a stormwater management program that captures all excess water and reuses it on-site. The project also utilizes permeable pavers, where practical, to reduce the amount of run-off and increase the amount of water absorbed by the soil. Finally, a major feature of the development will be the biofiltration zones that run along the shore of the River that will treat stormwater run-off. (Ex. 4, pp. 49-50; Ex. 19, pp. 9-10.)

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51. The Project furthers several of the goals of the urban design element:

Policy UD-1.2.1: Respecting Natural Features in Development: Respect and perpetuate the natural features of Washington's landscape. In low-density, wooded or hilly areas, new construction should preserve natural features rather than altering them to accommodate development. Density in such areas should be limited and setbacks should be provided as needed to protect natural features such as streams and wetlands. Where appropriate, clustering of development should be considered as a way to protect natural resources.

Policy UD-1.2.4: View Protection: Recognize and protect major views in the city, particularly characteristic views of city landmarks, and views from important vantage points. Recognize the importance of views to the quality of life in the city and the identity of Washington and its neighborhoods.

Policy UD-1.3.1: DC as a Waterfront City: Strengthen Washington's civic identity as a waterfront city by promoting investment along the Anacostia River, creating new water-related parks, improving public access to and along the shoreline, and improving the physical and visual connections between the waterfront and adjacent neighborhoods.

Policy UD-1.3.2: Waterfront Public Space and Access: Develop public gathering spaces along the waterfronts, including promenades, viewpoints, boating and swimming facilities, and parks. Such space should be designed to promote continuous public access along the rivers, and to take full advantage of site topography and waterfront views. Design treatments should vary from "hardscape" plazas in urban settings to softer, more passive open spaces that are more natural in character.

Policy UD-1.3.3: Excellence in Waterfront Design: Require a high standard of design for all waterfront projects, with an emphasis on shoreline access, integration of historic features and structures, an orientation toward the water, and the creation of new water-oriented public amenities.

Policy UD-1.3.4: Design Character of Waterfront Sites: Ensure that the design of each waterfront site responds to its unique natural qualities. A range of building forms should be created, responding to the range of physical conditions present. New buildings should be carefully designed to consider their appearance from multiple vantage points, both in the site vicinity and at various points on the horizon.

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Policy UD-1.3.6: “Activating” Waterfront Spaces: Encourage design approaches, densities, and mixes of land uses that enliven waterfront sites. Architectural and public space design should be conducive to pedestrian activity, provide a sense of safety, create visual interest, and draw people to the water.

Policy UD-1.3.7: Neighborhood Connectivity: Improve the physical connections between neighborhoods and nearby waterfronts. Where feasible, extend the existing city grid into large waterfront sites to better connect nearby developed areas to the shoreline

Policy UD-1.4.1: Avenues/Boulevards and Urban Form: Use Washington’s major avenues/boulevards as a way to reinforce the form and identity of the city, connect its neighborhoods, and improve its aesthetic and visual character. Focus improvement efforts on avenues/ boulevards in emerging neighborhoods, particularly those that provide important gateways or view corridors within the city.

Policy UD-1.4.2: City Gateways: Create more distinctive and memorable gateways at points of entry to the city, and points of entry to individual neighborhoods and neighborhood centers. Gateways should provide a sense of transition and arrival, and should be designed to make a strong and positive visual impact.

Policy UD-1.4.3: Avenue/Boulevard Vistas and View Corridors: Protect views and view corridors along avenues/boulevards, particularly along streets that terminate at important civic monuments or that frame distant landmarks. Vistas along such streets should be accentuated by creating more well-defined street walls, improving landscaping, and requiring the highest architectural quality as development takes place.

Policy UD-1.4.5: Priority Avenues/Boulevards: Focus the city’s avenue/boulevard design improvements on historically important or symbolic streets that suffer from poor aesthetic conditions. Examples include North and South Capitol Streets, Pennsylvania Avenue SE, and Georgia Avenue and the avenues designated by the “Great Streets” program.

Policy UD-3.1.8: Neighborhood Public Space: Provide urban squares, public plazas, and similar areas that stimulate vibrant pedestrian street life and provide a focus for community activities. Encourage the “activation” of such spaces through the design of adjacent structures; for example, through the location of shop entrances, window displays, awnings, and outdoor dining areas.

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The PUD maximizes the views from every perspective: it focuses attention on the waterfront with a 75-foot setback from the River, guides pedestrians through passive controls to the ballpark, and frames views of the Capitol with the siting of its buildings along South Capitol Street. The PUD design acknowledges and accepts the importance of site location. The building design must relate to a number of competing landmarks – the historic grandeur of the Capitol building, the prominence of the new ballpark, and the natural beauty of the River. The PUD design successfully creates a sense of place for the development, while incorporating the neighboring resources. For instance, the 75-foot setback from the River provides ample area for passive recreation for visitors and residents, as well as sufficient space for landscaping and a network for pedestrian pathways; the building's height and profile along South Capitol Street frame views of the Capitol the minute vehicles cross over the River; and the landscaping of one of the public plazas, gently guides pedestrians from the ballpark to the PUD Site and encourages them to view and enjoy the Anacostia Waterfront. (Ex. 4, pp. 50-52; Ex. 19, pp. 8-9.)

52. The PUD is providing residential housing and is consistent with the Housing Element.

Policy H-1.1.1: Private Sector Support: Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives.

Policy H-1.1.4: Mixed Use Development: Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers, along Main Street mixed use corridors, and around appropriate Metrorail stations.

Policy H-1.1.5: Housing Quality: Require the design of affordable housing to meet the same high-quality architectural standards required of market-rate housing. Regardless of its affordability level, new or renovated housing should be indistinguishable from market rate housing in its exterior appearance and should address the need for open space and recreational amenities, and respect the design integrity of adjacent properties and the surrounding neighborhood.

The PUD is providing 536,935 square feet of residential housing and approximately 606 residential units. This will include approximately 42,955 square feet of housing dedicated to households with an annual income no greater than 80% of the average median income. This is an increase of residential use beyond what the initially approved PUD allowed, as this modification contemplates an additional residential building in place of one of the approved office buildings. The residential buildings will be of a high quality design and will incorporate high quality materials. The provision of residential

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units at this site is significant given its history and the desire and District objective of introducing new residents to the ballpark community. (Ex. 4, p. 53; Ex. 19, p. 9)

53. Area Element

The Comprehensive Plan also contains ten area elements. The PUD Site is located in the “Lower Anacostia Waterfront and Near Southwest” Area Element. The PUD is consistent with the following goals of the Area Element:

Policy AW-1.1.2: New Waterfront Neighborhoods: Create new mixed use neighborhoods on vacant or underutilized waterfront lands, particularly on large contiguous publicly-owned waterfront sites. Within the Lower Anacostia Waterfront/Near Southwest Planning Area, new neighborhoods should be developed at the Southwest Waterfront, Buzzard Point, Poplar Point, Southeast Federal Center and Carrollsburg areas. These neighborhoods should be linked to new neighborhoods upriver at Reservation 13, Poplar Point, and Kenilworth-Parkside. A substantial amount of new housing and commercial space should be developed in these areas, reaching households of all incomes, types, sizes, and needs.

Policy AW-1.1.4: Waterfront Development Amenities: Leverage new development in the Waterfront Planning area to create amenities and benefits that serve existing and new residents. These amenities should include parks, job training and educational opportunities, new community services, and transportation and infrastructure improvements.

Policy AW-1.1.6: Pedestrian Orientation of Waterfront Uses: Provide a high level of pedestrian amenities along the shoreline, including informational and interpretive signs, benches and street furniture, and public art.

Policy AW-2.1.1: Mixed Use Development: Support the redevelopment of the Southwest Waterfront with medium to high-density housing, commercial and cultural uses, and improved open space and parking. The development should be designed to make the most of the waterfront location, preserving views and enhancing access to and along the shoreline.

Policy AW-2.2.1: South Capitol Street Urban Boulevard: Transform South Capitol Street into a great urban boulevard and “walking” street, befitting its role as a gateway to the U.S. Capitol and a major Anacostia River crossing. Development along the street should include a mix of federal, District, and private uses.

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Policy AW-2.2.2: Ballpark Entertainment District: Leverage the construction of the Washington Nationals Ballpark to catalyze development of the South Capitol Street corridor with retail, high density residential, entertainment, and commercial uses.

Policy AW-2.3.3: Near Southeast Housing Opportunities: Significantly increase residential land uses in the Near Southeast, particularly in the Southeast Federal Center, Capper Carrollsburg, Canal Blocks, and South Capitol Gateway areas. Consistent with the existing zoning for these areas, mixed use development that includes housing as well as commercial uses should be strongly encouraged. The mix of housing should accommodate residents of all incomes and household types.

The PUD is converting an underutilized, industrial site, into a mixed-use development with 536,935 square feet of residential development. The project will introduce new residents to the District and existing residents to a new part of town. Altogether, the project will highlight many of the City's resources that have not been accessible to the public until recently. The project will leverage the beauty of the natural environment and the entertainment provided by the ballpark in attracting individuals to the PUD site and the Lower Anacostia River area. The retail uses and outdoor plazas and Esplanade will complement the existing uses in the vicinity of the site and connect the PUD to those uses. In all, the PUD harnesses and promotes the attributes of the waterfront community. (Ex. 4, pp. 53-54; Ex. 19, p. 11.)

Government Agency Reports and District Government

54. By report dated September 10, 2012, OP recommended approval of the PUD modification application, including a maximum height of 130 feet, a total gross floor area of approximately 1,165,000 square feet and a lot occupancy of 44.4% for the entire Property. (Ex. 25.)
55. OP also supported the conversion of the First Phase of development from an office building to a residential building with approximately 324 residential units, 286 parking spaces, 281,000 square feet of gross floor area, and 18,650 square feet of retail and 8,130 square feet of outdoor seating space. (*Id.*)
56. OP supported the requests for relief from the penthouse requirements and the requests for flexibility from the loading requirements. (*Id.*)
57. Finally, OP noted its support for the conversion of Phases Two, Three, and Four to a first-stage PUD. (*Id.*)

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58. By report dated September 10, 2012, DDOT noted its support of the application. It noted, however, that Phases Three and Four should not move forward until DDOT effectuates the land transfer needed for the construction of the Frederick Douglass Bridge; that the Applicant should be prohibited from leasing excess parking spaces without proper analysis; that the Applicant should work with DDOT to satisfactorily modify the Riverfront trail; that a performance monitoring plan should be required; and that the Applicant's Transportation Demand Management program should be modified to achieve the assumed mode split. (Ex. 26.)
59. The Applicant responded to each of DDOT's comments at the public hearing, noting that: (1) Phases Three and Four would only have a first-stage PUD approval and no construction would be permitted until a second-stage PUD was approved; accordingly, it was appropriate to include the phases in the application; (2) the Applicant agreed not to lease excess parking spaces without providing DDOT with the proper analysis; (3) the Applicant met with DDOT and incorporated its comments into the plans presented to the Commission; (4) the Applicant agreed with DDOT's suggestion of providing a performance monitoring plan but it did not agree that it needed to be performed for at least three years. The Applicant stated that if it were within 10% of its target numbers after its first analysis, no further monitoring should be required; and (5) the Applicant believes its proposed Transportation Demand Management plan is appropriate and that its scope should not be expanded to include additional measures unless it proves to be ineffective. (September 20, 2012 Transcript, pp. 42-46, 61.)

ANC 6D Report

60. Advisory Neighborhood Commission ("ANC") 6D voted in support of the application at its regularly scheduled meeting on September 10, 2012. The ANC submitted a letter into the record on September 20, 2012, stating that the Applicant presented at multiple ANC meetings and worked with the ANC and the SMD's Citizens' Development Advisory Committee to develop a final plan that responded the comments provided by the ANC. (Ex. 30)
61. The ANC noted that that the "Phase 1 building and public space improvements will be a major boon to the larger neighborhood." (*Id.*)

Parties and Persons in Support

62. There were no parties or persons in support of the application.

Parties and Persons in Opposition

63. There were no parties or persons in opposition of the application.

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Satisfaction of the PUD Modification Approval Standards

64. In evaluating a PUD modification application, the Commission must “judge, balance, and reconcile the relative value of project amenities and public benefits offered, the degree of development incentives requested and any potential adverse effects.” (11 DCMR § 2403.8.) The record demonstrates that a substantial monetary payment has been made in reliance of this PUD. The plans also contemplate a considerable dedication of property to public use in connection to the PUD, including the construction of an elaborate Esplanade along the waterfront as well as a bicycle trail that is consistent with DDOT’s long term vision for the community. In exchange for the proposed benefits and amenities, the Applicant is proposing a modest development with an appropriate height and density for this site. The Commission finds that the development incentives to be granted for the project and the related rezoning are appropriate. The Commission also finds that the requested areas of flexibility from the requirements are consistent with the purpose and evaluation standards of Chapter 24 of the Zoning Regulations and are fully justified by the superior benefits and amenities offered by this project. The Commission notes that the amount of development proposed in this PUD project is generally consistent with the amount of density that would be permitted on the Property as a matter of right.
65. The Commission finds that the project is acceptable in all proffered categories of public benefits and project amenities and is superior in public benefits and project amenities relating to affordable housing, urban design, landscaping and open space, site planning, transportation measures, environmental benefits, and uses of special value to the neighborhood and District as a whole.
66. The Commission finds that the proposed modifications are consistent with the approval of the PUD in Z.C. Case No. 04-14. The Commission also finds that proceeding with a first-stage approval for Phases Three and Four is appropriate despite the fact a land exchange is necessary to effectuate the proposal. Both phases will have to return to the Commission for second-stage approval and the land swap will have to have been finalized prior to submission of a second-stage application for those phases.
67. The Commission finds that the Applicant has satisfactorily responded to each of DDOT’s comments and has provided a legitimate rationale for its proffered monitoring program and transportation demand management program. The Applicant will continue to work with DDOT to address their comments with respect to the delineation of preferred bicycle space and pedestrian space along the proposed Esplanade.
68. The Commission has accorded ANC 6D the “great weight” to which it is entitled. In so doing, the Commission fully credited the unique vantage point that ANC 6D holds with respect to the impact of the proposed PUD on the ANC’s constituents. The Commission

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recognizes that the Applicant met with the community on numerous occasions to address residents' concerns with the application.

CONCLUSIONS OF LAW

1. Pursuant to the Zoning Regulations, the PUD process is designed to encourage high quality development that provides public benefits. (11 DCMR § 2400.1.) The overall goal of the PUD process is to permit flexibility of development and other incentives, provided that the PUD project “offers a commendable number or quality of public benefits, and that it protects and advances the public health, safety, welfare, and convenience” (11 DCMR § 2400.2.)
2. Under the PUD process, the Commission has the authority to consider this application as a consolidated PUD. (11 DCMR § 2402.5.) The Commission may impose development conditions, guidelines, and standards that may exceed or be less than the matter-of-right standards identified for height, density, lot occupancy, parking and loading, yards, and courts. The Commission may also approve uses that are permitted as special exceptions and would otherwise require approval by the Board of Zoning Adjustment. (11 DCMR § 2405.)
3. The development of the project will implement the purposes of Chapter 24 of the Zoning Regulations to encourage well-planned developments that will offer a variety of building types with more attractive and efficient overall planning and design and that would not be available under matter-of-right development.
4. The application meets the minimum area requirements of § 2401.1 of the Zoning Regulations.
5. The application meets the contiguity requirements of § 2401.3.
6. The proposed height and density of the building in the project will not cause a significant adverse effect on any nearby properties and does, in fact, comport with District goals for development. Any impact of the project on the surrounding area and adjacent properties is deemed to be not unacceptable. As demonstrated in the Traffic Study submitted by the Applicant and supported by DDOT, the project will not be the cause of any adverse traffic impacts.
7. The application can be approved with conditions to ensure that any potential adverse effects on the surrounding area from the project will be properly mitigated.
8. The benefits and amenities provided by the project are significant, thus granting the development incentives proposed in this application is appropriate.

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9. The proposed modifications are consistent with the original PUD approval.
10. The application also seeks limited flexibility from the Zoning Regulations regarding courtyard, and roof structure relief.
11. Approval of the PUD modifications is not inconsistent with the Comprehensive Plan. The Commission finds that rezoning the site is consistent with the Comprehensive Plan.
12. The PUD is fully consistent with and fosters the goals and policies stated in the elements of the Comprehensive Plan. The project is consistent with the major themes and city-wide elements of the Comprehensive Plan, including the Land Use, Housing, and Transportation Elements. The PUD is also consistent with the more specific goals and policies of the Area Element.
13. The Commission is required under § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d)) to give “great weight” to the issues and concerns of the affected ANCs. As is reflected in the Findings of Fact, ANC 6D voted to support the application subject to adoption of the specified benefits and amenities program.
14. The Commission is also required under § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163, D.C. Official Code §6-623.04) to give great weight to the recommendations of OP. The Commission gives great weight to OP’s recommendation to approve the PUD and concurs with its conclusions.
15. The Commission notes that DDOT has not persuaded the Commission that first-stage PUD approval should be withheld until the land exchange has taken place to effectuate both phases. The Applicant does not currently own all of the property necessary to move forward with development of Phases Three and Four. Nevertheless, both phases will have to return to the Commission for second-stage approval, at which time the Applicant must own the property necessary to effectuate development of those phases. The Commission notes that the Applicant has been working with the District for over five years to effectuate the land exchange and it is confident that the Applicant will continue to work with the District to do so.
16. The Commission was also not persuaded by DDOT’s requests to condition approval on a modified transportation demand management plan and a modified monitoring plan. The Applicant’s proposal holds it accountable for its transportation practices. In the event its mitigation techniques are effective, it should not continue to be held to a monitoring standard. If the mitigation techniques are not effective, the Applicant will have to expand its transportation demand management and extend its monitoring until they are effective.

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Since the burden will be on the Applicant to meet its projected targets, the Commission believes that the Applicant shall have flexibility to meet its target numbers as it deems appropriate. The Commission notes that if the Applicant leases out its parking spaces to an unaffiliated party, it will have to provide the requisite analysis to DDOT supporting its action. The Commission also notes that the Applicant will continue to work with DDOT to address their comments regarding incorporation of way-finding elements along the bicycle trail and the delineation of preferred bicycle space and pedestrian space along the proposed Esplanade. The Commission otherwise notes DDOT's support of the application.

17. The Commission also finds that the Applicant's Traffic Impact Study was conducted and prepared in an appropriate manner. The Commission agrees with the conclusions of the Applicant's Traffic Engineering expert that this project will not be the cause of adverse traffic impacts. The Commission finds that the design of this project is consistent with good urban planning principles and will not have a detrimental effect on neighboring properties.
18. The PUD project will promote orderly development of the Property in conformance with the District of Columbia zone plan as embodied in the Zoning Regulations and Map of the District of Columbia.
19. The applications for a PUD and related Zoning Map amendment are subject to compliance with D.C. Law 2-38, the Human Rights Act of 1977.

DECISION

In consideration of the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission for the District of Columbia **ORDERS APPROVAL** of this application for modification of an approved planned unit development for the Property (Square 708, Lot 14).

For the purposes of these conditions, the term "Applicant" means the person or entity then holding title to the Property. If there is more than one owner, the obligations under this Order shall be joint and several. If a person or entity no longer holds title to the Property, that party shall have no further obligations under this Order; however, that party remains liable for any violation of these conditions that occurred while an Owner.

The approval of this PUD is subject to the following conditions:

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A. Project Development

1. The PUD project shall be developed in accordance with the plans and materials submitted by the Applicant marked as Exhibit 38 of the record (“Plans”), as modified by the guidelines, conditions, and standards of this Order.
2. The Applicant shall have flexibility with the PUD in the following areas:
 - a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, mechanical rooms, elevators, and toilet rooms, provided that the variations do not change the exterior configuration of the structures;
 - b. To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction;
 - c. To make minor refinements to exterior details and dimensions, including balcony enclosures, belt courses, sills, bases, cornices, railings and trim, or any other changes to comply with Construction Codes or that are otherwise necessary to obtain a final building permit;
 - d. To modify the final design of any outdoor fixtures and sculptural elements pursuant to the needs of the tenant, so long as they maintain the same general character as shown in the Plans;
 - e. To vary the location of storefront entrances to the retail spaces as determined by leasing considerations and needs of individual tenants;
 - f. To modify the landscaping and bicycle and pedestrian paths along the Esplanade in order to address comments by DDOT with respect to way-finding elements along the bicycle trail and the delineation of preferred bicycle space and preferred pedestrian space along the proposed Esplanade;
 - g. To make refinements to the garage configuration, including layout, number of parking spaces and/or other elements, as long as the project does not reduce the amount of proffered parking spaces;
 - h. To incorporate such items of final engineering design into the final design of the streetscape, such as, but not limited to, code and/or utility required sidewalk gratings, and access manholes and other similar cover plates for utility meters;

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- i. Establish temporary uses and structures on the site of Phases Two, Three and Four, including a maximum of 30 surface parking spaces accessory to the on-site retail and park uses; and
- j. To finalize the final design of the marina in connection with either Phase Two, Three, or Four.

B. Public Benefits

1. The PUD shall be LEED-certifiable for each Phase of the development.
2. The Applicant shall abide by the terms of the executed Memorandum of Understanding with the D.C. Department of Small and Local Business Development attached as Tab 5 to the Summary of Amenities and Benefits (Ex. 94 in Z.C. Case No. 04-14) to achieve the target goal of 35% participation by Certified Business Enterprises in the contracted development costs in connection with the design, development, construction, maintenance and security for the project to be created as a result of the PUD project, as specified in Z.C. Case No. 04-14.
3. The Applicant shall abide by the terms of the executed First Source Employment Agreement with the Department of Employment Services, attached as Tab 4 to the Summary of Amenities and Benefits (Ex. 94 in Z.C. Case No. 04-14), to achieve the goal of utilizing District of Columbia residents for at least 51% of the new jobs created by the PUD project. The Applicant shall also abide by the Employment and Skills Training Plan made part of that agreement, also attached as Tab 4 to the Summary of Amenities and Benefits (Ex. 94 in Z.C. Case No. 04-14).
4. The Applicant shall demonstrate proof of having fulfilled the obligation to contribute \$800,000 to the District of Columbia for Diamond Teague Park prior to the issuance of a building permit.

C. Miscellaneous

1. The Applicant shall implement a transportation management plan with the following components in connection with Phase One:
 - a. During construction, the Applicant will maintain or coordinate relocation of any existing bus stops at the Applicant's expense;

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- b. The site design complies with zoning requirements to provide bicycle parking/storage facilities;
- c. The development will unbundle all parking costs from the cost of lease or purchase. Parking costs will be set at no less than the charges of the lowest fee garage located within one-fourth mile;
- d. The Applicant will post all Transportation Demand Management (“TDM”) commitments on-line, publicize availability, and allow the public to see what commitments have been promised;
- e. The Applicant will identify a TDM leader and provide DDOT and Zoning Enforcement with annual TDM leader contact updates;
- f. The Applicant will provide website links to CommuterConnections.com and goDCgo.com on developer and property management websites;
- g. The Applicant will provide an on-site business center to residents with access to copier, fax, and internet services;
- h. The Applicant will provide a one-time membership fee subsidy in a car sharing program for each residential unit; and
- i. The Applicant will provide a monitoring report to DDOT no later than one year after Phase 1 reaches 90% occupancy. The monitoring report will document vehicular traffic generated by the site during the AM and PM commuter peak hours. The documentation provided in the monitoring report will include:
 - A summary of the data collected and methodologies used. Detailed counts will be attached as an Appendix;
 - A comparison table of the traffic counts and the forecasted volumes from the Transportation Impact Study (“TIS”);
 - A table showing the results of the parking demand counts; and
 - A list of TDM measures in place and a list of changes to the TDM plan, if necessary.

Traffic counts for the monitoring report will be conducted on a Tuesday, Wednesday, or Thursday when DC Public Schools and Congress are in session, during the AM and PM commuter peak periods (6:30 a.m. to 9:30 a.m. and 4:00 p.m. to 7:00 p.m.). The counts will be compared to the peak hour projections contained in the TIS. In the event that the measured vehicular traffic exceeds the

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projections in the TIS by 10%, the Applicant will include an updated list of TDM measures designed to bring vehicular trips back to their forecasted levels.

In addition to the vehicular counts, the parking demand for Phase One will be documented. During the same time period of the traffic counts, the number of cars parked on Phase One will be counted per hour, from 6:00 a.m. to 10:00 p.m.

2. Two years after a certificate of occupancy is issued for Phase One, the Applicant will conduct a performance monitoring study of TDM measures. At minimum, this study will include a peak hour trip generation analysis and parking demand analysis of the Phase One parking garage. The report will include a comparison with the peak hour trip generation measured and the projections contained in the report submitted as Exhibit 19.
3. No building permit shall be issued for Phase One until the Applicant has recorded a Notice of Modification in the land records of the District of Columbia. Such covenant shall bind the Applicant and all successors in title to construct and use the Subject Property in accordance with this Order, or amendment thereof by the Commission.
4. The second-stage PUD approved by the Commission shall be valid for a period of two years from the effective date of this Order. Within such time an application must be filed for a building permit for the Phase One residential building as specified in 11 DCMR § 2409.1. Construction of the Phase One residential building approved herein must begin within three years of the effective date of this Order.
5. The first-stage PUD approved by the Commission shall be valid for a period of 10 years, provided that within two years of the issuance of a building permit for Phase One, an application for a second-stage approval must be filed for Phase Two. An application for second-stage approval for Phase Three shall be filed within two years after the later of the completion of the reconstruction of the Frederick Douglass Bridge, the completion of the construction of the South Capitol Street Oval, or issuance of a certificate of occupancy for Phase Two. Within two years of the issuance of a certificate of occupancy for Phase Three, an application for second-stage approval must be filed for Phase Four.
6. For illustrative purposes, the first-stage plans for Phases Three and Four show some construction on land adjacent to but not entirely within the confines of Lot 14. These illustrative plans contemplate the land swap that has been discussed with DDOT since 2006 but has not been effectuated. This Order affects only Lot 14 and any construction by the Applicant on the adjacent property must be specifically included in the second-stage PUD application along with proof that the land swap occurred.
7. The Applicant is required to comply fully with the provisions of the Human Rights Act of 1977, D.C. Law 2-38, as amended, and this order is conditioned upon full compliance

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with those provisions. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code § 2-1401.01 et seq., ("Act") the District of Columbia does not discriminate on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination, which is also prohibited by the Act. In addition, harassment based on any of the above protected categories is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

On November 14, 2012, upon the motion of Chairman Hood, as seconded by Commissioner Turnbull, the Zoning Commission **APPROVED** the application at its public meeting by a vote of **4-0-1** (Anthony J. Hood, Marcie I. Cohen, Peter G. May, and Michael G. Turnbull to approve; Robert E. Miller, not having participated, not voting).

On January 14, 2013, upon the motion of Commissioner Turnbull, as seconded by Vice Chairman Cohen, the Zoning Commission **ADOPTED** this Order at its public meeting by a vote of **4-0-1** (Anthony J. Hood, Marcie I. Cohen, Peter G. May, and Michael G. Turnbull to adopt; Robert E. Miller, not having participated, not voting.)

In accordance with the provisions of 11 DCMR § 2038, this Order shall become final and effective upon publication in the *D.C. Register*; that is, on April 5, 2013.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 04-14C
Z.C. Case No. 04-14C
Florida Rock Properties, Inc.
(One-Year PUD Time Extension @ Square 708, Lot 14)
January 14, 2013

Pursuant to notice, a public meeting of the Zoning Commission for the District of Columbia (the "Commission") was held on January 14, 2013. At that meeting, the Commission approved the request of Florida Rock Properties, Inc. ("Applicant") for a one-year time extension of the Florida Rock planned unit development ("PUD") approved in Z.C. Case No. 04-14 and extended previously by Z.C. Order No. 04-14A. The time extension request was made pursuant to Chapters 1 and 24 of the District of Columbia Zoning Regulations.

FINDINGS OF FACT

1. By Z.C. Commission Order No. 04-14, the Commission approved a second-stage PUD and related zoning map amendment for Square 708, Lot 14 ("Property") to the C-3-C Zone District. The approved PUD authorized the construction of a mixed-use project of office, retail, and hotel uses. The approved project contemplated four phases of development that included a total of 1,115,400 square feet of gross floor area and a maximum height of 130 feet.
2. Z.C. Order No. 04-14 became effective upon publication in the *D.C. Register* on June 27, 2008. The order approved four phases of development and a requirement that the Applicant file for a building permit for Phase One no later than June 27, 2010.
3. The property owner filed a request on September 25, 2009, to extend the validity of the PUD approval for a period of two years.
4. The Commission granted this request. The validity of the second-stage PUD was extended until June 27, 2012, within which time an application had to be filed for a building permit for Phase One of the mixed-use project.
5. On December 1, 2011, the Applicant filed an application to modify the approved PUD. The application was designated as Z.C. Case No. 04-14B. The Applicant proposed to modify the second-stage approval to consist only of Phase One, which would consist of a residential building rather than the office building originally approved. The remaining three phases would revert to a modified first-stage PUD approval. The Applicant also proposed modifications to the site plan, circulation, and building design.
6. On May 2, 2012, prior to the expiration of Z.C. Order No. 04-14, the Applicant filed a request to extend the validity of that order for a one-year period, through June 27, 2013. In accordance with past Commission interpretations, the filing of the extension kept the existing order in place solely for the purpose of allowing the Commission to consider the modification application in Z.C. Case No. 04-14B

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7. The request asserted, and the Commission finds, that the Applicant has made good faith efforts to effectuate the approved PUD, including ongoing communication with the District Department of Transportation regarding their plans for South Capitol Street, filing the application for Z.C. Case No. 04-14B, and spending over \$1.5 million in moving the project forward.
8. The Applicant served ANC 6D, the only party to the original case. The ANC was given 30 days to respond to the extension request. The ANC submitted a resolution in support of the project approved in Z.C. Case No. 04-14B; it did not submit a letter specifically in support of the extension of the PUD.
9. On May 14, 2012, the Applicant filed a request to defer action on the extension request until action was taken on the modification application. (Exhibit 5.)
10. The Commission deferred action on the extension request until January 14, 2013, when it simultaneously took final action approving the modification application and the time extension request.

CONCLUSIONS OF LAW

Subsection 2407.10 of the Zoning Regulations provides that first-stage PUDs are valid for one year, and authorizes the Commission to extend that period. The Zoning Regulations do not provide the process or standard for the Commission to follow when deciding whether to grant a first-stage extension. However, the Commission in the past has applied the process and standard stated in the Zoning Regulations for extending a second-stage or consolidated PUD order ("Final PUD Order"). (See Z.C. Order No. 02-51B, *Center for Strategic and International Studies, Inc.*, 56 DCR 2648 (2009).)

Those provisions authorize the Commission to extend the validity of a Final PUD Order for good cause shown upon a request made before the expiration of the approval, provided: (a) the request is served on all parties to the application by the applicant, and all parties are allowed 30 days to respond; (b) there is no substantial change in any material fact upon which the Commission based its original approval of the PUD that would undermine the Commission's justification for approving the original PUD; and (c) the applicant demonstrates with substantial evidence that there is good cause for such extension as provided in § 2408.11. (11 DCMR § 2408.10.) Section 2408.11 provides the following criteria for good cause shown: (a) an inability to obtain sufficient project financing for the PUD, following an applicant's diligent good faith efforts to obtain such financing, because of changes in economic and market conditions beyond the applicant's reasonable control; (b) an inability to secure all required governmental agency approvals for a PUD by the expiration date of the PUD order because of delays in the governmental agency approval process that are beyond the applicant's reasonable control; or (c) the existence of pending litigation or such other condition or factor beyond the applicant's

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reasonable control which renders the applicant unable to comply with the time limits of the PUD order.

The Commission concludes that the Applicant complied with the notice requirements of 11 DCMR § 2408.10 (a). The Applicant served ANC 6D, the only party to the original case. The ANC was given 30 days to respond to the extension request. The ANC submitted a resolution in support of the project approved in Z.C. Case No. 04-14B; it did not submit a letter specifically in support of the extension of the PUD.

Subsection 2408.10(b) requires that the Commission find that there is no substantial change in any of the material facts upon which the Commission based its original approval of the PUD that would undermine the Commission's justification for approving the original PUD. The Commission concludes that extending the time period of approval is appropriate, as there are no substantial changes in the material facts that the Commission relied on in approving the original PUD application.

The Commission finds that there is good cause shown to extend the period of time of the validity of the approved PUD including the state of the commercial office market and the overall slowdown of the economy. The Commission also finds that the Applicant has made good faith efforts to effectuate the approved PUD, including ongoing communication with the District Department of Transportation regarding their plans for South Capitol Street, filing the application for Z.C. Case No. 04-14B, and spending over \$1.5 million in moving the project forward.

For these reasons, the Commission finds that the Applicant has satisfied the requirements of 11 DCMR § 2408.10 and 2408.11.

DECISION

In consideration of the above Findings of Fact and Conclusions of Law contained in this order, the Zoning Commission for the District of Columbia **ORDERS APPROVAL** of Z.C. Case No. 04-14C for a one year time extension of Z.C. Order No. 04-14, as extended previously by Z.C. Order No. 04-14A. The validity of the original PUD as approved in Z.C. Order No. 04-14 is extended until June 27, 2013, within which time an application must be filed for a building permit based upon the plans approved in that order and construction based upon those plans must begin no later than June 27, 2014. As to the modified PUD approved by Z.C. Order No, 04-14B, the vesting of the second-stage approval for Phase One and the reverted first-stage approval for Phases Two, Three, and Four shall be governed by Conditions No. 4 and 5 of that order. Nothing herein shall be deemed to require the Applicant to apply for a building permit for the modified PUD prior to June 27, 2013.

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For the reasons stated above, the Commission concludes that the Applicant has met its burden; it is hereby **ORDERED** that the application be **GRANTED**.

On January 14, 2013, upon the motion of Commissioner Turnbull, as seconded by Commissioner Miller, the Zoning Commission **ADOPTED** this Order at its public meeting by a vote of **4-0-1** (Anthony J. Hood, Marcie I. Cohen, Peter G. May, and Michael G. Turnbull to adopt; Robert E. Miller, not having participated, not voting).

In accordance with the provisions of 11 DCMR § 3028, this Order shall become final and effective upon publication in the *D.C. Register*; that is on April 5, 2013.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING
AND
Z.C. ORDER NO. 04-33F
Z.C. Case No. 04-33F
Text Amendment – 11 DCMR)
(Text Amendments: PUDs and Inclusionary Zoning – Termination of Affordability
Controls upon Foreclosure)
March 28, 2013**

The full text of this Zoning Commission Order is published in the “Final Rulemaking” section of this edition of the *D.C. Register*.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 06-39A**

Z.C. Case No. 06-39A

Catholic University of America

**(Further Processing of an Approved Campus Plan – Extension of Use
of Temporary Housing Units)**

December 13, 2012

Application No. 06-39A of the President and Trustees of The Catholic University of America (the "Applicant"), pursuant to 11 DCMR §§ 3104 and 3035, and in accordance with § 210 for further processing of an approved Campus Plan to permit the continued use of temporary housing units known as Curley Court for an additional two years through December 31, 2014.

HEARING DATE: December 13, 2012

DECISION DATE: December 13, 2012 (Bench Decision)

SUMMARY ORDER

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Zoning Commission for the District of Columbia ("Commission") provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register*, by mail to Advisory Neighborhood Commissions ("ANC") 5A and 5C, and to owners of property within 200 feet of the site. The campus of Catholic University is located within the boundaries of ANCs 5A and 5C; Curley Court is located within the boundaries of ANC 5C.

As directed by 11 DCMR § 3035.4, the Commission required the Applicant to satisfy the burden of proving the elements of § 210 of the Zoning Regulations, which are necessary to allow, as a special exception, a university use in a Residence zone.

The D.C. Office of Planning, in a report dated December 13, 2012, which was submitted into the record, concluded that the application was in conformance with the provisions of § 210 and recommended approval of the application as submitted. ANC 5C submitted a resolution in support of the application dated November 13, 2012.

Based upon the record before it, the Commission concludes that the Applicant has met the burden of proof pursuant to 11 DCMR § 210 and that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Commission further concludes that granting the requested relief will not tend to adversely affect the use of neighboring property in accordance with the Zoning Regulations and Map. The Commission notes, and gives great weight to, the recommendation of the Office of Planning that the application satisfies the requirements of § 210. The Commission notes, and gives great weight to, the vote of ANC 5C in support of the application to maintain the temporary housing units for an additional two years; ANC 5C did not state any issues or concerns in connection with the application.

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Z.C. CASE NO. 06-39A
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It is, therefore, **ORDERED** that the further processing application be **GRANTED** subject to the following conditions:

1. The Curley Court temporary housing units approved in BZA Case No. 16482 and extended by Z.C. Case Nos. 04-10 and 06-39 shall be permitted on the Main Campus of the University through December 31, 2014.

Pursuant to 11 DCMR § 3100.5, the Commission has determined to waive the requirement of 11 DCMR § 3125.3 that Findings of Fact and Conclusions of Law accompany the order of the Commission. The waiver will not prejudice the rights of any party and is appropriate in this case.

VOTE: 4-0-1 (Robert E. Miller, Marcie I. Cohen, Anthony J. Hood, and Michael G. Turnbull to adopt; Peter G. May not present, not voting).

BY ORDER OF THE D.C. ZONING COMMISSION

A majority of the Commission members approved the issuance of this Order.

FINAL DATE OF ORDER: April 2, 2013

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA**NOTICE OF SPECIAL PUBLIC MEETING**

The Zoning Commission of the District of Columbia, in accordance with § 3005 of the District of Columbia Municipal Regulations, Title 11, Zoning, hereby gives notice that it has scheduled a Special Meeting for **Thursday, April 18, 2013, at 6:15 P.M.**, to consider various items.

For additional information, please contact Sharon Schellin, Secretary to the Zoning Commission at (202) 727-6311.

Notice: This decision may be formally revised before it is published in the District of Columbia Register. Parties should promptly notify this office of any errors so that they may be corrected before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

**Government of the District of Columbia
Public Employee Relations Board**

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| _____) | |
| In the Matter of:) | |
|) | |
| American Federation of) | |
| Government Employees, Local 1000,) | |
|) | PERB Case No. 13-U-15 |
| Complainant,) | |
|) | Opinion No. 1368 |
| v.) | |
|) | |
| District of Columbia) | |
| Department of Employment Services,) | |
|) | |
| Respondent.) | |
| _____) | |

DECISION AND ORDER

I. Statement of the Case

Complainant American Federation of Government Employees, Local 1000 (“Union” or “Complainant”) filed the above-captioned Unfair Labor Practice Complaint (“Complaint”), against Respondent District of Columbia Department Employment Services (“Agency” or “Respondent”) for alleged violations of sections 1-617.04(a)(1) and (5) of the Comprehensive Merit Protection Act (“CMPA”). Respondent filed an Answer (“Answer”), denying the alleged violations and raising the following affirmative defenses: (1) the Arbitrator retained jurisdiction to address any disputes that may arise in implementing the underlying Award; and (2) the Complaint is not ripe. (Award at 4).

II. Discussion

The parties do not dispute the essential facts of this case. On December 27, 2011, the Agency sent a letter to employee Sheila Myers, notifying her of her termination, effective December 28, 2011. (Complaint at ¶ 4; Answer at ¶ 4). Complainant filed a grievance over the termination, and advanced the matter to arbitration. *Id.* Arbitration hearings were held on June 4 and 20, 2012. *Id.*

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On November 13, 2012, Arbitrator Elliot H. Shaller issued an award sustaining the grievance. (Complaint at ¶ 5; Answer at ¶ 5). The Arbitrator ordered the Agency to reinstate Ms. Myers to the position she held at the date of her discharge, without back pay or benefits. (Complaint at ¶ 6; Answer at ¶ 6). As of the date the Complaint was filed, the Agency had not reinstated Ms. Myers, nor has it appealed the arbitration award. (Complaint at ¶¶ 7-8; Answer at ¶¶ 7-8).

The Union asserts that by failing to adhere to the terms of the Arbitrator's Award, the Agency has interfered with, restrained, and coerced employees in the exercise of their rights under D.C. Code § 1-617.06(a)(1), and refused to bargain in good faith, in violation of D.C. Code §§ 1-617.04(a)(1) and (5). (Complaint at ¶¶ 7, 9).

In its first affirmative defense, the Agency states that PERB lacks jurisdiction to resolve a dispute arising from the implementation of the Award because the Arbitrator retained jurisdiction "to address any such application and/or any disputes that may arise in implementing this Award." (Answer at 4, Answer Exhibit 4 at p. 34). In its second affirmative defense, the Agency contends that due to the Arbitrator's reserved jurisdiction to resolve disputes arising from the implementation of the Award, the Union's Complaint is not ripe. (Answer at 4).

The parties do no dispute that the Agency has not implemented the Arbitrator's Award. (Complaint at ¶¶ 7-8; Answer at ¶¶ 7-8). In the Award, the Arbitrator retained jurisdiction to address "any disputes that may arise in implementing this Award." (Complaint Exhibit B at p. 34). The Board respects the jurisdiction reserved by arbitrators to resolve disputes pertaining to arbitration awards. *See, e.g., University of the District of Columbia v. American Federation of State, County, and Municipal Employees, Council 20, Local 2087*, 59 D.C. Reg. 15167, Slip Op. No. 1333, PERB Case No. 12-A-01 (2012) (arbitrator retained jurisdiction for the purpose of resolving disputes over the implementation of remedies; dispute over market rate for calculating attorneys' fees not properly before the Board); *Fraternal Order of Police/Dep't of Corrections Labor Committee v. District of Columbia Dep't of Corrections*, 59 D.C. Reg. 6175, Slip Op. No. 1022 at fn. 4, PERB Case No. 10-E-03 (2010). Arbitrators enjoy wide latitude in drafting their awards, which may only be limited by the Board if the arbitrator was without or exceeded his or her jurisdiction, if the award is on its face contrary to law and public policy, or if the award was procured by fraud, collusion, or other similar and unlawful means. D.C. Code § 1-605.02(6).

The Board has authority to enforce its own orders, but not the orders of third parties, such as arbitrators. *Fraternal Order of Police/Metropolitan Police Dep't Labor Committee v. Metropolitan Police Dep't*, 39 D.C. Reg. 9617, Slip Op. No. 295, PERB Case No. 91-U-18 (1992). Notwithstanding, when a party refuses or fails to implement an arbitration award where no dispute exists over its terms, such conduct constitutes a failure to bargain in good faith, and thus is an unfair labor practice under the CMPA. *Teamsters Local Union No. 639 v. District of Columbia Public Schools*, 59 D.C. Reg. 6162, Slip Op. No. 1021 at p. 5, PERB Case No. 08-U-42 (2010).

A party has no genuine dispute over the terms of an award if they fail to either implement the award or bring the matter before the arbitrator who has retained jurisdiction. *Fraternal*

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Order of Police/Dep't of Corrections Labor Committee, Slip Op. No. 1022 at fn. 4. Hence, this case is not yet ripe for resolution by the Board. The arbitrator retained jurisdiction to address disputes that arise in implementing the Award in this case. (Complaint Exhibit B at p. 34). As a dispute has arisen regarding the implementation of the Award, the proper forum for such a dispute is with the Arbitrator. (Answer at 3-4). In short, the proper forum for the adjudication of this dispute is before Arbitrator Shaller. Therefore, the Complaint is dismissed.

ORDER

IT IS HEREBY ORDERED THAT:

1. The American Federation of Government Employees, Local 1000's Unfair Labor Practice Complaint is dismissed.
2. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

Washington, D.C.

March 14, 2013

CERTIFICATE OF SERVICE


This is to certify that the attached Decision and Order in PERB Case No. 13-U-15 was transmitted via File & ServeXpress to the following parties on this the 14th day of March, 2013.

Ms. Brenda Zwack, Esq.
O'Donnell, Schwartz & Anderson, PC
1300 L St., NW
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Washington, D.C. 20005

FILE & SERVEXPRESS

Mr. Michael D. Levy, Esq.
DC OLRCB
441 4th St, NW
Suite 820 North
Washington, D.C. 20001

FILE & SERVEXPRESS


Erin E. Wilcox, Esq.
Attorney-Advisor

Notice: This decision may be formally revised before it is published in the District of Columbia Register. Parties should promptly notify this office of any errors so that they may be corrected before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

**Government of the District of Columbia
Public Employee Relations Board**

| | | | |
|---------------------------------|--|---|--------------------------|
| _____ | |) | |
| In the Matter of: | |) | |
| | |) | |
| Fraternal Order of Police/ | |) | |
| Metropolitan Police Department, | |) | |
| Labor Committee | |) | |
| | |) | PERB Case Nos. 08-U-40 & |
| Complainant, | |) | 08-U-63 |
| | |) | |
| v. | |) | Opinion No. 1369 |
| | |) | |
| District of Columbia | |) | |
| Metropolitan Police Department, | |) | |
| | |) | |
| Respondent. | |) | |
| _____ | |) | |

DECISION AND ORDER

I. Statement of the Case

On May 28, 2008, the Fraternal Order of Police/Metropolitan Police Department Labor Committee (“Complainant,” “Union,” or “FOP”) filed an Unfair Labor Practice Complaint (“Complaint 08-U-40”) against the District of Columbia Metropolitan Police Department, *et al* (“Respondent,” “MPD,” or “Agency”). On August 7, 2008, the Union filed a second Unfair Labor Practice Complaint (“Complaint 08-U-63”).¹ In the Complaints, FOP alleges that MPD violated D.C. Code § 1-617.04(a)(1) of the Comprehensive Merit Personnel Act (“CMPA”). Respondent filed Answers to the Complaints and Complainant filed an Answer in Response to Respondent’s Answers.²

The cases were consolidated and the matter was assigned to Hearing Examiner Sean Rodgers. (Report at 1). A hearing was held on May 20, 2009, and August 14, 2009. *Id.* On

¹ Complaints 08-U-40 and 08-U-63 are referred to collectively as the “Complaints.”

² On March 12, 2013, FOP filed a motion to dismiss individually named respondents. The Executive Director has granted the motion and removed these respondents from the caption of this case.

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PERB Case Nos. 08-U-40 and 08-U-63
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March 22, 2010, the Hearing Examiner issued a Report and Recommendation (“Report”), recommending that the Board find that MPD violated the CMPA in Complaint 08-U-40 and recommended remedies, and that Complaint 08-U-63 be dismissed with prejudice. (Report at 28). The Parties filed Exceptions to the Hearing Examiner’s Report, as well as Oppositions to the other’s Exceptions.

II. Hearing Examiner’s Report and Recommendations

To determine whether MPD violated D.C. Code § 1-617.04(a)(1) by interfering, restraining, intimidating, or retaliating against an employee for engaging in a protected activity, the Hearing Examiner applied the test articulated by the National Labor Relations Board (“NLRB”) in *Wright Line v. Lamoureux*, 251 N.L.R.B. 1083, 1089 (1980), *enforced* 622 F.2d 899 (1st Cir. 1981), *cert. denied* 455 U.S. 989 (1982), which was adopted by the Board in *Charles Bagenstose and Dr. Joseph Borowski v. District of Columbia Public Schools*, 35 D.C. Reg. 415, Slip Op. No. 270, PERB Case No. 88-U-33 and 88-U-34 (1991).

Further, the Hearing Examiner relied upon the burden-shifting, anti-union animus causation test that the Board has adopted in which “the moving or complaining party has the initial burden of establishing a *prima facie* case by showing that the union or other protected activity was a ‘motivating factor’ in the employer’s disputed action.” *American Federation of State, County and Municipal Employees, Local 2401, et al v. District of Columbia Department of Human Services*, 48 D.C. Reg. 3207, Slip Op. No. 644, PERB Case No. 98-U-05 (2001) (AFSCME). After a *prima facie* case for anti-union animus is established, the “burden then shifts to the employer to demonstrate that the same disputed action would have taken place notwithstanding the protected activity.” *Id.* The employer’s employment decision must be analyzed according to the totality of the circumstances, including the history of anti-union animus, the timing of the employment action, and disparate treatment. *Doctors Council of the District of Columbia v. D.C. Commission on Mental Health Services*, 47 D.C. Reg. 7568, Slip Op. No. 636, PERB Case No. 99-U-06 (2000).

A. 08-U-40 Complaint

In Complaint 08-U-40, the Hearing Examiner found that FOP alleged that “on April 19, 2008, the Respondents committed unfair labor practices (ULP) by interfering, restricting, intimidating and retaliating against Complainant’s Chief Shop Steward Timothy Finnegan while he was performing representational activities in violation of DC Code § 1-6717.04(a)(1).” (Report at 2).

The Hearing Examiner found the following relevant facts. On April 19, 2008, FOP Shop Steward Timothy Finnegan went to the Fifth District (5D) office to discuss with the Commander possible schedule changes, affecting bargaining unit members. (Report at 18). In the 5D sergeant’s office, “Finnegan approached Stroud and asked whether officers’ work schedules were going to be disrupted.” *Id.* The Hearing Examiner found that “[t]he record establishes that at all times during his conversation with Stroud, Finnegan was acting in his capacity as the FOP Chief Shop Steward.” (Report at 18-19). In addition, “both Stroud and Anderson testified that they knew Finnegan was the FOP’s 5D representative.” (Report at 19). Based on credibility

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determinations of the witnesses at the hearing, the Hearing Examiner found that the statements made by Stroud were “intended to demean Finnegan in his representational capacity” and intended to “undermine the FOP’s representational status as well.” (Report at 20). Further, the Hearing Examiner found that “Stroud’s efforts to impose MPD’s rank structure on Finnegan, while Finnegan was acting in his capacity as FOP’s representative, constituted anti-union animus and further proof of Stroud’s continuing efforts to interfere with, restrain and coerce Finnegan in his FOP representational role.” (Report at 21). The Hearing Examiner found that “by dismissing Finnegan from the sergeants’ office both Stroud and Anderson purposely demeaned Finnegan in his FOP representational capacity to force him into the MPD police rank structure where he would be subject to their orders.” *Id.*

Based on these reasons, the Hearing Examiner concluded that “FOP made a *prima facie* showing that Finnegan’s protected conduct was the motivating factor in Stroud and Anderson’s retaliation against Finnegan...” *Id.* The burden then shifted to MPD to rebut that Lts. Stroud and Anderson would have acted the same in the absence of Finnegan’s protected activity. (Report 21-22). The Hearing Examiner found MPD’s argument that Lt. Stroud had a legitimate business related reason for ordering Finnegan to work was pretextual. (Report at 22). Based on the record, the Hearing Examiner found that FOP proved its burden in Complaint 08-U-40. *Id.*

B. Complaint 08-U-63

In Complaint 08-U-63, the Hearing Examiner found that FOP alleged that “the Respondents committed unfair labor practices by interfering, restricting, intimidating and retaliating against Complaint’s Chief Shop Steward Timothy Finnegan when Assistant Chief Peter Newsham, Internal Affairs Bureau, failed and refused to initiate an IAB investigation into the April 19, 2008 incident in violation of DC Code §1-617.04(a)(1).” (Report at 2).

According to the Hearing Examiner, “[t]he record establishes that on April 25, 2008, Delroy Burton, FOP Vice-Chairman, requested in writing that Peter Newsham, MPD’s Assistant Chief, Internal Affairs Bureau (IAB), investigate the incident at 5D between...Finnegan and Stroud.” (Report at 22). Further, “[t]he record establishes that on April 30, 2008, Newsham responded in writing” that IAB would not conduct an investigation into the incident, because the interaction did not reveal a specific violation and was not sufficient to initiate a misconduct investigation. *Id.* The Hearing Examiner found that even if the allegations in Complaint 08-U-63 were taken in the light most favorable to the Complainant, FOP failed to state grounds for relief under the CMPA. (Report at 23). In addition, the Hearing Examiner found that “FOP has not presented material evidence to support a finding of a violation of the CMPA” and “FOP has not proven a *prima facie* case.” *Id.* The Hearing Examiner concluded that FOP had not met its burden of proof in Complaint 08-U-63 and that it was without merit. *Id.*

C. Recommendations

In regards to Complaint 08-U-40, the Hearing Examiner recommended that MPD should be ordered to:

1. Cease and desist from interfering, restraining, or coercing the FOP in

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the exercise of its rights guaranteed by § 1-617, *et seq.* by refusing to discuss working conditions with FOP representatives and refusing to treat FOP representatives as equals when they are acting in a representational capacity;

2. Post for 30 days a notice, where notices to employees are ordinarily posted in the work place, stating that the MPD has violated the provisions of DC Code § 1-617.04(a)(1) when Lieutenants Gregory Stroud and Judith Anderson refused to discuss working conditions with FOP representative Timothy Finnegan and refused to treat him as an equals (*sic*) when he was acting in a representational capacity;
3. Pay FOP's costs in the litigation of PERB Case Nos. 08-U-40 and 08-U-63;
4. Any other relief that the PERB deems appropriate.

(Report at 28). In addition, the Hearing Examiner recommended that Complaint 08-U-63 be dismissed with prejudice. *Id.*

III. Discussion

The Board will affirm a hearing examiner's findings if they are reasonable and supported by the record. See *American Federation of Government Employees, Local 872 v. D.C. Water and Sewer Authority*, Slip Op. No. 702, PERB Case No. 00-U-12 (March 14, 2003).

A. Respondent's Exceptions

Respondent filed Exceptions to the Hearing Examiner's Report ("Respondent's Exceptions") challenging: (1) the Board's jurisdiction to hear the Complaints; and (2) the recommended award. (Respondent's Exceptions at 3). The Complainant filed an Opposition to the Respondent's Exceptions ("Complainant's Opposition").

1. Jurisdiction

Before the Hearing Examiner, MPD argued that the Board did not have jurisdiction over the Complaints, because FOP cannot pursue the same complaint before the Board and through the grievance and arbitration process. (Report at 18). The Hearing Examiner found that FOP's allegations in Complaints 08-U-40 and 08-U-63 only asserted violations of the CMPA and not the collective bargaining agreement. *Id.* Further, the Hearing Examiner found that MPD's jurisdiction argument lacked merit. *Id.*

In order for the Board to have jurisdiction over an unfair labor practice complaint, the complaint must contain allegations, which proven, would establish a violation of the CMPA. See *Fraternal Order of Police/Metropolitan Police Department Labor Committee v. D.C. Metropolitan Police Department*, Slip Op. No. 1131, PERB Case No. 09-U-59 (2011), *Virginia Dade v. National Association of Government Employees, Service Employees International Union, Local R3-06*, 46 DCR 6876, Slip Op. No. 491 at p. 4, PERB Case No. 96-U-22 (1996); and *Gregory Miller v. American Federation of Government Employees, Local 631, AFL-CTO*

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and DC. Department of Public Works, 48 DCR 6560, Slip Op. No. 371, PERB Case Nos. 93-S-02 and 93-U-25 (1994).

MPD, however, argues that the bases of the Complaints are contractual in nature and were pursued initially through the Parties' grievance process. (Respondent's Exceptions at 3-5). The Board "distinguishes between those obligations that are statutorily imposed under the CMPA and those that are contractually agreed upon between the parties." *American Federation of Government Employees, Local 2741 v. District of Columbia Department of Recreation and Parks*, 50 D.C. Reg. 5049, Slip Op. No. 697, PERB Case No. 00-U-22 (2002) (citing *American Federation of State, County and Municipal Employees, Local 2921, v. District of Columbia Public Schools*, 42 D.C. Reg. 5685, Slip Op. No. 339, PERB Case No. 92-U-08 (1995)). Further, it is well established that the Board's "authority only extends to resolving statutorily based obligations under the CMPA." *Id.* In addition, the Board has held that it lacks jurisdiction over violations that are strictly contractual in nature. *See AFSCME*, Slip Op. No. 339. Therefore, the Board has consistently held that if allegations made in an unfair labor practice complaint concern statutory violations, then the Board has jurisdiction to decide the complaint. *See Fraternal Order of Police/Metropolitan Police Department Labor Committee v. D.C. Metropolitan Police Department*, Slip Op. No. 1119, PERB Case No. 08-U-38 (2011).

In the instant case, neither Complaint asserts any contractual violation. In Complaint 08-U-40, FOP alleged that MPD committed an unfair labor practice by interfering with Chief Steward Finnegan's "right to perform Union functions free from intimidation." (Complaint 08-U-40 at 6). Further, FOP alleged that MPD declined FOP's request to conduct an investigation into Lieutenant Stroud's actions, and that MPD's inaction was to interfere, restrain, or coerce Officer Finnegan's exercise of his representational rights under the CMPA, in violation of D.C. Code § 1-617(a). (Complaint 08-U-63 at 5-6). The Complaints each set forth allegations that MPD interfered with, coerced or restrained employees in the exercise of their rights under the CMPA, which if proven true, would constitute a violation of D. C. Code § 1-617.04(a). Consequently, the Complaints contain sufficient allegations of violations of the CMPA to establish the Board's jurisdiction. Therefore, the Board has jurisdiction over the Complaints, and Respondent's Exceptions to the Hearing Examiner's determination of the Board's jurisdiction are denied.

2. Remedies

In its Exceptions, Respondent argues that the Hearing Examiner's recommended remedies are unsupported by the record, and "specifically objects to the Hearing Examiner's recommendation that Respondent pay the FOP's costs in the litigation of PERB Case Nos. 08-U-40 and 08-U-63." (Respondent's Exceptions at 6). Respondent argues that the factual predicate for awarding costs does not exist in this matter. (Respondent's Exceptions at 7).

The D.C. Code § 1-617.13(d) states: "The Board shall have the authority to require the payment of reasonable costs incurred by a party to a dispute from the other party or parties as the Board may determine." (2001 ed.). Further, the Board has stated,

First, any such award of costs necessarily assumes that the party to whom

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the payment is to be made was successful in at least a significant part of the case, and that the costs in question are attributable to that part. Second, it is clear on the face of the statute that it is only those costs that are "reasonable" that may be ordered reimbursed...Last...such an award must be shown to be in the interest of justice.

Just what characteristics of a case will warrant the finding that an award of costs will be in the interest of justice cannot be exhaustively catalogued... What we can say here is that among the situation in which such an award is appropriate are those in which the losing party's claim or position was wholly without merit, those in which the successfully challenged action was undertaken in bad faith, and those in which a reasonably foreseeable result of the successfully challenged conduct is the undermining of the union among the employees for whom it is the exclusive representative.

AFSCME, D.C. Council 20, Local 2776 v. D.C. Department of Finance and Revenue, 73 D.C. Reg. 5658, Slip Op. No. 245, PERB Case No. 89-U-02 (2000).

In its Opposition, FOP argues that these three elements were satisfied. (Complainant's Opposition at 8). In the present case, FOP argues that the Hearing Examiner found that MPD intentionally interfered with FOP's Chief Shop Steward's right to engage in protected union activity in 08-U-40. *Id.* Second, FOP argues that only reasonable costs were awarded with the exclusion of attorney's fees based on the Board's precedent. *Id.* Third, FOP argues that the facts of the case demonstrate that an award of costs is in the interest of justice. *Id.*

In Complaint 08-U-40, the Hearing Examiner found that MPD's officials' actions were "an effort to demean Finnegan in his FOP representational capacity" and that Stroud's statement constituted anti-union animus. (Report at 20). Further, the Hearing Examiner found that MPD's asserted legitimate business related reason was pretextual. (Report at 22). An award of costs for Complaint 08-U-40 is consistent with the Board's criteria for an award of reasonable costs. Therefore, the Board adopts the Hearing Examiner's recommendation for an award to FOP for reasonable costs for Complaint 08-U-40.

In contrast, the Hearing Examiner did not find in favor of FOP in Complaint 08-U-63. (Report at 27). As stated above, the first requirement in the Board's standard for an award of reasonable costs is that "the party to whom the payment is to be made was successful in at least a significant part of the case, and that the costs in question are attributable to that part." *AFSCME, D.C. Council 20, Local 2776, Slip Op. No. 245.* As the Hearing Examiner found Complaint 08-U-63 was "without merit" and did not articulate any basis for awarding reasonable costs to FOP for Complaint 08-U-63, the Hearing Examiner's recommendation of an award to FOP for reasonable costs for Complaint 08-U-63 is not consistent with Board precedent. Therefore, the Board grants MPD's Exceptions to the Hearing Examiner's recommendation of an award to FOP for reasonable costs for Complaint 08-U-63.

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B. Complainant's Exceptions

On May 11, 2009, FOP filed a Motion for Default and Admission of Material Facts ("Default Motion"). (Report at 25). FOP asserted in the Default Motion that "MPD had not answered FOP's Complaint in [PERB] Case 08-U-63 for the individually named Respondents," and based on Board Rule 520.7, the individually named Respondents admitted the material facts and waived a hearing. *Id.*

The Hearing Examiner determined that "a plain reading of the statute [D.C. Code § 1-617.04] does not establish the individual liability for unfair labor practices," however, "[t]he statutory language does establish the responsibility of the District of Columbia for violations of the CMPA section by its agents and representatives." (Report at 26). The Hearing Examiner denied FOP's Default Motion for lack of merit. *Id.*

FOP filed an Exception to the Hearing Examiner's conclusion. The Board finds the Hearing Examiner's interpretation of the CMPA is consistent with Board precedent. *See Fraternal Order of Police/Metropolitan Police Dep't Labor Comm. v. D.C. Metropolitan Police Dep't*, 59 D.C. Reg. 6579, Slip Op. No. 1118 at p. 4-5, PERB Case No. 08-U-19 (2011) ("Suits against District officials in their official capacities should be treated as suits against the District."). FOP's Exception is a mere disagreement with the Hearing Examiner's findings.³ Therefore, the Board adopts the Hearing Examiner's recommendation for the Default Motion.

In its Exceptions, regarding Complaint 08-U-63, FOP argues that MPD admitted that it did not initiate a misconduct investigation of Lieutenant Stroud's actions and that MPD's failure to perform an investigation constituted a violation of the CMPA. (Complainant's Exceptions at 9). FOP provides no basis for rejecting the Hearing Examiner's findings and conclusions that FOP did not meet its burden for stating grounds for relief under the CMPA in Complaint 08-U-63. Consequently, FOP's Exceptions are a mere disagreement with the Hearing Examiner's findings. The Board has held that a mere disagreement with the Hearing Examiner's findings is not grounds for reversal of the findings where they are fully supported by the record. *See American Federation of Government Employees, Local 874 v. D.C. Department of Public Works*, 38 D.C. Reg. 6693, Slip Op. No. 266, PERB Case Nos. 89-U-15, 89-U-18 and 90-U-04 (1991). Therefore, the Board denies FOP's Exceptions, and adopts the Hearing Examiner's recommendation that Complaint 08-U-63 be dismissed with prejudice.

IV. Conclusion

Regarding the Hearing Examiner's conclusion that MPD's actions in Complaint 08-U-40 constituted a violation of the CMPA and that FOP failed to meet its burden in Complaint 08-U-63, the Board finds that the Hearing Examiner's conclusions are reasonable, supported by the record, and consistent with the Board's precedent. The Board affirms the Hearing Examiner's remedy recommendations for Complaint 08-U-40. The Board, however, rejects the Hearing

³ PERB notes that on March 12, 2013, and subsequent to filing its Exceptions in this case, FOP filed a motion with PERB to dismiss the individually named respondents in this matter. PERB has now granted this motion and thus, FOP's arguments against the Hearing Examiner's findings in this regard have essentially been rendered moot.

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Examiner's award to FOP for reasonable costs related to Complaint 08-U-63 as contrary to Board precedent, as discussed.

The Board denies MPD's Exceptions regarding the Board's jurisdiction over the Complaints and the Hearing Examiner's Recommendation that MPD pay FOP reasonable costs for Complaint 08-U-40. The Board grants MPD's Exceptions to the Hearing Examiner's recommendation that MPD pay reasonable costs to FOP for Complaint 08-U-63. The Board denies FOP's Exceptions.

ORDER

IT IS HEREBY ORDERED THAT:

1. PERB Case No. 08-U-63 is dismissed with prejudice.
2. MPD shall cease and desist from interfering, restraining, or coercing the FOP in the exercise of its rights guaranteed by D.C. Code § 1-617(1)(a) by refusing to discuss working conditions with FOP representatives and refusing to treat FOP representatives as equals when they are acting in a representational capacity.
3. MPD shall conspicuously post, within ten (10) days from the issuance of this Decision and Order, the attached Notice where notices to employees are normally posted. The Notice shall remain posted for thirty (30) consecutive days.
4. MPD shall notify the Public Employees Relations Board in writing within fourteen (14) days from the issuance of this Decision and Order that the Notice has been posted accordingly.
5. MPD will pay FOP's reasonable costs in the litigation of PERB Case No. 08-U-40.
6. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

Washington, D.C.

March 14, 2013

CERTIFICATE OF SERVICE

This is to certify that the attached Decision and Order and Notice was transmitted to the following parties on this the 15th day of March, 2013.

Mark Viehmeyer
Nicole L. Lynch
Metropolitan Police Department
300 Indiana Avenue, N.W., Room 4126
Washington, D.C. 20001

U.S. Mail

Anthony M. Conti
Daniel J. McCartin
Conti Fenn & Lawrence, LLC
36 South Charles Street, Suite 2501
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U.S. Mail



Erica J. Balkum, Esq.
Attorney-Advisor
Public Employee Relations Board
1100 4th Street, SW
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Telephone: (202) 727-1822
Facsimile: (202) 727-9116

NOTICE

TO ALL EMPLOYEES OF THE DISTRICT OF COLUMBIA METROPOLITAN POLICE DEPARTMENT ("MPD"), THIS OFFICIAL NOTICE IS POSTED BY ORDER OF THE DISTRICT OF COLUMBIA PUBLIC EMPLOYEE RELATIONS BOARD PURSUANT TO ITS DECISION AND ORDER IN SLIP OPINION NO. 1369, PERB CASE NO. 08-U-40 (March 14, 2013).

WE HEREBY NOTIFY our employees that the District of Columbia Public Employee Relations Board has found that we violated the law and has ordered MPD to post this notice.

WE WILL cease and desist from violating D.C. Code § 1-617.04(a)(1) by the actions and conduct set forth in Slip Opinion No. 1369.

WE WILL cease and desist from interfering, restraining, or coercing employees in the exercise of rights guaranteed by the Labor-Management subchapter of the Comprehensive Merit Personnel Act ("CMPA").

WE WILL NOT, in any like or related manner, interfere, restrain or coerce employees in their exercise of rights guaranteed by the Labor-Management subchapter of the CMPA.

D.C Metropolitan Police Department

Date: _____ By: _____

This Notice must remain posted for thirty (30) consecutive days from the date of posting and must not be altered, defaced or covered by any other material.

If employees have any questions concerning this Notice or compliance with any of its provisions, they may communicate directly with the Public Employee Relations Board, whose address is: 1100 4th Street, SW, Suite E630; Washington, D.C. 20024. Phone: (202) 727-1822.

BY NOTICE OF THE PUBLIC EMPLOYEE RELATIONS BOARD

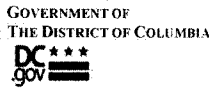
Washington, D.C.

March 14, 2013

005310



Public Employee Relations Board



1100 4th Street S.W.
Suite E630
Washington, D.C. 20024
Business: (202) 727-1822
Fax: (202) 727-9116
Email: perb@dc.gov

NOTICE

TO ALL EMPLOYEES OF THE DISTRICT OF COLUMBIA METROPOLITAN POLICE DEPARTMENT ("MPD"), THIS OFFICIAL NOTICE IS POSTED BY ORDER OF THE DISTRICT OF COLUMBIA PUBLIC EMPLOYEE RELATIONS BOARD PURSUANT TO ITS DECISION AND ORDER IN SLIP OPINION NO. 1369, PERB CASE NO. 08-U-40 (March 14, 2013).

WE HEREBY NOTIFY our employees that the District of Columbia Public Employee Relations Board has found that we violated the law and has ordered MPD to post this notice.

WE WILL cease and desist from violating D.C. Code § 1-617.04(a)(1) by the actions and conduct set forth in Slip Opinion No. 1369.

WE WILL cease and desist from interfering, restraining, or coercing employees in the exercise of rights guaranteed by the Labor-Management subchapter of the Comprehensive Merit Personnel Act ("CMPA").

WE WILL NOT, in any like or related manner, interfere, restrain or coerce employees in their exercise of rights guaranteed by the Labor-Management subchapter of the CMPA.

D.C Metropolitan Police Department

Date: _____ By: _____

This Notice must remain posted for thirty (30) consecutive days from the date of posting and must not be altered, defaced or covered by any other material.

If employees have any questions concerning this Notice or compliance with any of its provisions, they may communicate directly with the Public Employee Relations Board, whose address is: 1100 4th Street, SW, Suite E630; Washington, D.C. 20024. Phone: (202) 727-1822.

BY NOTICE OF THE PUBLIC EMPLOYEE RELATIONS BOARD

Washington, D.C.

March 14, 2013

Notice: This decision may be formally revised before it is published in the District of Columbia Register. Parties should promptly notify this office of any errors so that they may be corrected before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

**Government of the District of Columbia
Public Employee Relations Board**

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| In the Matter of: | |) |
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| Fraternal Order of Police/ Metropolitan Police Department, Labor Committee | |) |
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| Complainant, | |) |
| | |) |
| v. | |) |
| | |) |
| District of Columbia Metropolitan Police Department, | |) |
| | |) |
| Respondent. | |) |
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PERB Case No. 11-U-38

Opinion No. 1370

DECISION AND ORDER

I. Statement of the Case

On June 8, 2011, the Fraternal Order of Police/Metropolitan Police Department Labor Committee (“FOP” or “Complainant”) filed an Unfair Labor Practice Complaint (“Complaint”), alleging that the Metropolitan Police Department (“MPD”),¹ Chief Cathy Lanier, Inspector Dierdre Porter, and Sergeant Yvonne Tidline violated D.C. Code § 1-617.04(a) of the Comprehensive Merit Personnel Act (“CMPA”).² MPD, on behalf of MPD, Chief Lanier, and

¹ On March 12, 2013, FOP filed a Motion to withdraw Chief Cathy Lanier and Inspector Dierdre Porter as individually named respondents. FOP did not request to withdraw Sergeant Yvonne Tidline as an individual respondent.

² As FOP has filed under § 1-617.04(a) for liability of the District for prohibited conduct, the Executive Director has removed Sergeant Tidline as an individual respondent from the caption, consistent with the Board’s precedent requiring individual respondents named in their official capacities to be removed from the complaint for the reason that suits against District officials in their official capacities should be treated as suits against the District. See *Fraternal Order of Police/Metropolitan Police Dep’t Labor Comm. v. D.C. Metropolitan Police Dep’t*, 59 D.C. Reg. 6579, Slip Op. No. 1118 at p. 4-5, PERB Case No. 08-U-19 (2011). The D.C. Superior Court upheld the Board’s dismissal of such respondents in *Fraternal Order of Police/Metropolitan Police Dep’t Labor Comm. v. D.C. Public Employee Relations Board*, Civ. Case No. 2011 CA 007396 P(MPA) (D.C. Super. Ct. Jan 9, 2013).

Decision and Order
PERB Case No. 11-U-38
Page 2 of 5

Inspector Dierdre Porter (hereinafter referred to as MPD), filed an Answer (“MPD Answer”), denying the allegations in Complaint 11-U-38 and raising the affirmative defense that the Board does not have jurisdiction. Sergeant Tidline filed a separate Answer (“Tidline Answer”), denying the allegations in Complaint 11-U-38.

In addition, FOP filed a Motion for Consolidation of PERB Case Nos. 11-U-38 and 11-U-43 (“Motion”), because FOP asserted “both ULPs concern the same factual allegations against Sergeant Tidline.” (Motion at 3). On August 1, 2011, Metropolitan Police Department filed an Opposition to Complainant’s Motion to Consolidate (“Opposition to Motion”), arguing that the two cases did not involve the same parties.

FOP’s Complaint and Motion to Consolidate are before the Board for disposition.

II. Background

The parties agree that on or about March 15, 2011, through MPD’s email system, Sergeant Tidline sent an email to FOP members with the subject: “Vote NO on Raising of Union Dues.” (Complaint at 3, MPD Answer at 2, Tidline Answer at 2). FOP alleges that the email “encouraged FOP member[s] to vote ‘no’ on an upcoming dues increase vote and instructed FOP members to forward the email to other FOP members.” (Complaint at 3). FOP alleges the email was forwarded by FOP members, and that MPD official Inspector Porter was included in one of the forwarded emails. *Id.*

In addition, FOP alleges that FOP Chairman Kristopher Baumann forwarded the emails to Acting Director of the MPD Labor and Employee Relations Unit, Mark Viehmeyer, and made several inquiries into the circumstances surrounding the email. (Complaint at 3-4). FOP alleges that Mr. Veihmeyer responded by indicating that he had no knowledge of the emails, that MPD had not authorized the emails, and that the incidents would be investigated. (Complaint at 4). FOP alleges that Chairman Baumann then requested permission to send an email to FOP members on MPD’s email system, regarding the Special Membership Meeting and dues assessment vote. *Id.* FOP alleges that Mr. Veihmeyer denied Chairman Baumann’s request to send an email to FOP members on MPD’s email system. *Id.*

III. Discussion

FOP has alleged two unfair labor practices: (1) MPD interfered, restrained, coerced, or retaliated against employees for exercising their rights guaranteed by the CMPA when Sergeant Tidline sent the March 15, 2011, email, violating D.C Code § 1-617.04(a)(1); and (2) by permitting Sergeant Tidline’s email and denying Chairman Baumann use of MPD’s email system to clarify information contained in Sergeant Tidline’s email, MPD interfered with the rights of FOP members and the administration of the FOP, violating D.C. Code § 1-617.04(a)(1) and (2). (Complaint at 4-6).

For the Board to have jurisdiction over a complaint, a complainant must plead or assert allegations that, if proven, would establish the alleged statutory violations made in the complaint. *See Virginia Dade v. National Association of Government Employees, Service Employees*

Decision and Order
PERB Case No. 11-U-38
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International Union, Local R3-06, 46 D.C. Reg. 6876, Slip Op. No. 491 at p. 4, PERB Case No. 96-U-22 (1996); and *Gregory Miller v. American Federation of Government Employees, Local 631, AFL-CIO and DC. Department of Public Works*, 48 D.C. Reg. 6560, Slip Op. No. 371, PERB Case Nos. 93-S-02 and 93-U-25 (1994). In addition, the Board views contested facts in the light most favorable to the Complainant in determining whether the Complaint gives rise to an unfair labor practice. See *JoAnne G. Hicks v. DC Office of the Deputy Mayor of Finance, Office of the Controller, and American Federation of State, County, and Municipal Employees, District Council 24*, 40 D.C. Reg. 1751, Slip Op. No. 303, PERB Case No. 91-U-17 (1992). “Without the existence of such evidence, Respondent’s actions cannot be found to constitute the asserted unfair labor practice. Therefore, a Complaint that fails to allege the existence of such evidence does not present allegations sufficient to support the cause of action.” *Goodine v. FOP/DOC Labor Committee*, 42 D.C. Reg. 5163; Slip Op. No. 476 at p. 3, PERB Case No. 96-U-16 (1996).

A. Sergeant Tidline’s March 15, 2011, email

FOP alleges that MPD committed an unfair labor practice in violation of D.C Code § 1-617.04(a)(1), when Sergeant Tidline sent the March 15, 2011, email. D.C Code § 1-617.04(a) only concerns prohibited conduct by the “District, its agent, or representative.” (2001 ed.). In order to find that MPD engaged in prohibited conduct, Sergeant Tidline must have acted as an agent of MPD when she sent the email. In order to have been an agent of MPD at the time she sent her email, her actions must have been made in her official capacity to find MPD liable for her actions, because suits against the District arise from actions of an employee only in their official capacity. See *Fraternal Order of Police/Metropolitan Police Dep’t Labor Comm. v. D.C. Metropolitan Police Dep’t*, 59 D.C. Reg. 6579, Slip Op. No. 1118 at p. 4-5, PERB Case No. 08-U-19 (2011); see also *Fraternal Order of Police/Metropolitan Police Dep’t Labor Comm. v. D.C. Public Employee Relations Board*, Civ. Case No. 2011 CA 007396 P(MPA) (D.C. Super. Ct. Jan 9, 2013) (upholding the Board’s dismissal of individually-named respondents in an unfair labor practice complaint against the District).

In her Answer, Sergeant Tidline asserts that, as a union member voicing her opinion to other union members about a union matter, she was engaged in a protected activity when she sent the email. (Tidline Answer at 2-3). In addition, she argues that she did not “order” or “instruct” FOP members to take any particular action. (Tidline Answer at 2). Further, the parties have not disputed that Sergeant Tidline was a union member at the time she sent the March 15, 2011, email.

On the face of the pleadings, which includes a copy of Sergeant Tidline’s email, and the limited record before the Board, it is clear that Sergeant Tidline was acting in the capacity of a union member and not in her official capacity as an agent of MPD, when she sent the email. As Sergeant Tidline’s actions cannot be imputed to MPD, MPD cannot have violated the CMPA. Therefore, FOP has not asserted allegations, which proven, would establish a violation of the CMPA. Thus, FOP’s unfair labor practice complaint, regarding Sergeant Tidline’s email, is dismissed.

Decision and Order
PERB Case No. 11-U-38
Page 4 of 5

B. Denial of MPD's email system

FOP argues that MPD committed an unfair labor practice, when it denied FOP use of MPD's email system to send a clarifying email after Sergeant Tidline's email was sent. (Complaint at 7). MPD argues that the Board lacks jurisdiction over the matter, since the parties' collective bargaining agreement is determinative of the issue. (MPD Answer at 5). The issue of whether the Respondents' actions rise to the level of violations of the CMPA is a matter best determined after the establishment of a factual record, through an unfair labor practice hearing.

IV. **Motion to Consolidate**

FOP asserts in its Motion that Complaint 11-U-38 and Complaint 11-U-43 "concern the same factual allegations against Sergeant Tidline." (Motion at 3). In its Motion, FOP requests that the Board consolidate Complaint 11-U-38 and Complaint 11-U-43 and enter an Order, consolidating the Complaints. *Id.* MPD opposes FOP's Motion, because the Complaints involve different parties and different issues. (Opposition to Motion at 3).

The Board's determination whether or not to consolidate matters properly before it is essentially a matter of policy. *AFGE v. DPW*, Slip Op. No. 306, PERB Case Nos. 94-U-02 and 94-U-08 (citing *Service Employees International Union, Local 722, AFL-CIO v. Dep't of Human Services*, Slip Op. No. 344, PERB Case Nos. 93-R-01 and 93-U-09 (1993) (consolidating two cases involving the same parties and related issues in different proceedings based on considerations of efficiency and economy of the Board's processes)). Moreover, consolidation is not governed by statute or rule. *Id.* In addition, the Board has stated:

The Board's rules encourage consolidation of cases where the two parties are the same, the facts are the same or related, the issue is the same and the representatives are the same. The Board will consolidate cases for efficiency and economy.

Doctors Council of the District of Columbia and Constance R. Diangelo v. D.C Government Office of the Chief Medical Examiner, Slip. Op. No. 993, PERB Case Nos. 05-U-47 and 07-U-22 (2009) (upholding a hearing examiner's decision to consolidate unfair labor practice complaints).

As the unfair labor practice complaint, regarding Sergeant Tidline's email, is dismissed, the allegations in Complaint 11-U-38 and 11-U-43 no longer allege the same issues. Furthermore, the parties in the Complaints are different. Consolidation of the two cases would not further the Board's considerations of efficiency and economy of the Board's processes. Therefore, the Motion to Consolidate is denied.

V. **Conclusion**

Based on the reasons stated above, FOP's unfair labor practice complaint against MPD, pertaining to the email sent by Sergeant Tidline, is dismissed with prejudice. As to the issue regarding MPD's denial of FOP's use of MPD's email system, MPD and FOP are ordered to attend mandatory mediation, pursuant to Board Rule 558.4, prior to hearing. The Complainant's

Decision and Order
PERB Case No. 11-U-38
Page 5 of 5

Motion to Consolidate is denied.

ORDER

IT IS HEREBY ORDERED THAT:

1. FOP's Complaint, regarding Sergeant Tidline's email, is dismissed with prejudice.
2. FOP's Motion to Consolidate is denied.
3. The unfair labor practice claim by FOP, regarding MPD's denial of the use of MPD's email system, will be referred to a hearing examiner for an unfair labor practice hearing. That dispute will be first submitted to the Board's mediation program to allow the parties the opportunity to reach a settlement by negotiating with one another with the assistance of a Board appointed mediator.
4. The parties will be contacted to schedule the mandatory mediation within seven (7) days of the issuance of this Decision and Order.
5. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

Washington, D.C.

March 14, 2013

CERTIFICATE OF SERVICE

This is to certify that the attached Decision and Order and Notice was transmitted to the following parties on this the 15th day of March, 2013.

Mark Viehmeyer
Nicole L. Lynch
Metropolitan Police Department
300 Indiana Avenue, N.W., Room 4126
Washington, D.C. 20001

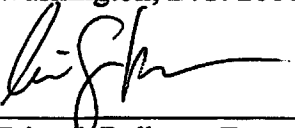
U.S. Mail

Anthony M. Conti
Daniel J. McCartin
Conti Fenn & Lawrence, LLC
36 South Charles Street, Suite 2501
Baltimore, M.D. 21201

U.S. Mail

Sergeant Yvonne Tidline
First District
101 M Street, S.W.
Washington, D.C. 20001

U.S. Mail


Erica J. Balkum, Esq.
Attorney-Advisor
Public Employee Relations Board
1100 4th Street, S.W.
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Washington, DC 20024
Telephone: (202) 727-1822
Facsimile: (202) 727-9116

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**Government of the District of Columbia
Public Employee Relations Board**

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| In the Matter of: | |) | |
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| Fraternal Order of Police/ | |) | |
| Metropolitan Police Department, | |) | |
| Labor Committee | |) | |
| | |) | PERB Case No. 11-U-43 |
| Complainant, | |) | |
| | |) | Opinion No. 1371 |
| | v. |) | |
| | |) | Administrative Dismissal |
| Yvonne Tidline, | |) | |
| Respondent. | |) | |
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EXECUTIVE DIRECTOR’S ADMINISTRATIVE DISMISSAL

I. Statement of the Case

On July 20, 2011, the Fraternal Order of Police/Metropolitan Police Department Labor Committee (“FOP” or “Complainant”) filed an Unfair Labor Practice Complaint (“Complaint”) against Sergeant Yvonne Tidline (“Respondent”) for violating D.C. Code § 1-617.04(b)(1) of the Comprehensive Merit Personnel Act (“CMPA”).

II. Discussion

FOP alleges that, on March 15, 2011, Sergeant Tidline sent an email to FOP members with the subject: “Vote NO on Raising of Union Dues.” (Complaint at 3). FOP alleges that the email “encouraged FOP member[s] to vote ‘no’ on an upcoming dues increase vote and instructed FOP members to forward the email to other FOP members.” *Id.* FOP alleges the email was forwarded by other FOP members. *Id.*

In the Complaint, FOP alleges that Respondent violated the CMPA by “interfering, restraining, coercing, or retaliating against the exercise of rights guaranteed to the FOP members by the CMPA.” (Complaint at 4). FOP argues:

- (a) the FOP was engaged in protected union activities by holding a Special

Administrative Dismissal

PERB Case No. 11-U-43

Page 2 of 3

- Membership Meeting regarding a vote on the dues assessment;
- (b) Respondent knew of the FOP's activities and of the Special Membership Meeting;
- (c) there was express anti-union email animus by the Respondent demonstrated by the Respondent sending an anti-union email on the Department's email system encouraging FOP members to vote 'no' on an upcoming dues increase vote and instructing FOP members to forward the email to other FOP members; and
- (d) the Respondent attempted to interfere, restrain, coerce, and retaliate against the FOP in the exercise of the rights guaranteed by the CMPA by sending unauthorized and misleading anti-union emails on the Department's email system.

(Complaint at 4).

III. Analysis

In order to find whether the Board has jurisdiction, a Complainant does not need to prove its case on the pleadings, it must only plead or assert allegations that, if proven, would establish the alleged statutory violations. *See Virginia Dade v. National Association of Government Employees, Service Employees International Union, Local R3-06*, 46 D.C. Reg. 6876, Slip Op. No. 491 at 4, PERB Case No. 96-U-22 (1996); and *Gregory Miller v. American Federation of Government Employees, Local 63, AFL-CIO and D.C. Department of Public Works*, 48 D.C. Reg. 6560, Slip Op. No. 371, PERB Case Nos. 93-S-02 and 93-U-25 (1994). In addition, the Board views contested facts in the light most favorable to the Complainant in determining whether the Complaint gives rise to an unfair labor practice. *See JoAnne G. Hicks v. District of Columbia Office of the Deputy Mayor of Finance, Office of the Controller and American Federation of State, County and Municipal Employees, District Council 24*, 40 D.C. Reg. 1751, Slip Op. No. 303, PERB Case No. 91-U-17 (1992). "Without the existence of such evidence, Respondent's actions cannot be found to constitute the asserted unfair labor practice. Therefore, a Complaint that fails to allege the existence of such evidence, does not present allegations sufficient to support the cause of action." *Goodline v. FOP/DOC Labor Committee*, 43 D.C. Reg. 5163, Slip Op. No. 476 at p. 3, PERB Case No. 96-U-16 (1996).

In PERB Case No. 11-U-38, FOP brought an unfair labor practice complaint against MPD for the same incident involving Respondent under D.C. Code § 1-617.04(a). The Board determined that Respondent's email was sent in her capacity as a union member and not as an agent of MPD, as is required to find liability under D.C. Code § 1-617.04(a). *Fraternal Order of Police/Metropolitan Police Department Labor Committee v. D.C. Metropolitan Police Department*, Slip Op. No. 1370, PERB Case No. 11-U-38 (2013). Conversely, FOP now asserts that Respondent's actions violated D.C. Code § 1-617.04(b), prohibiting conduct by "[e]mployees, labor organizations, their agents, or representatives." (2001 ed.).

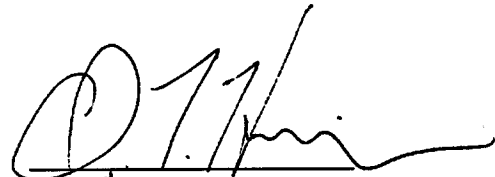
The Board determined in PERB Case No. 11-U-38 that Sergeant Tidline acted within her capacity as a union member, voicing her opinion on union issues to other union members.

Administrative Dismissal
PERB Case No. 11-U-43
Page 3 of 3

Fraternal Order of Police/Metropolitan Police Department Labor Committee v. D.C. Metropolitan Police Department, Slip Op. No. 1370. In the present case, FOP alleges that Sergeant Tidline interfered, restrained, coerced, or retaliated against the exercise of rights guaranteed to FOP members by sending the email. (Complaint at 4). On the face of Complainant's pleading and the plain language of the email, there is nothing to suggest interference, restraint, coercion, or retaliation of any member's rights. Furthermore, FOP has alleged no other actions by or evidence against Respondent that would rise to the level of a violation of the CMPA.

In viewing the facts in the light most favorable to the Complainant, FOP's Complaint fails to contain allegations, which proven, would constitute a violation of the CMPA. Therefore, in accordance with PERB Rules 520.8 and 500.4, this matter is administratively dismissed.

March 18, 2013
Date


Ondray T. Harris
Executive Director

CERTIFICATE OF SERVICE

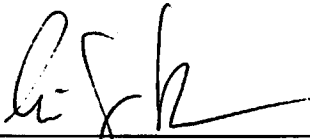
This is to certify that the attached Administrative Dismissal was transmitted to the following parties on this the 18th day of March, 2013.

Anthony M. Conti
Daniel J. McCartin
Conti Fenn & Lawrence, LLC
36 South Charles Street, Suite 2501
Baltimore, M.D. 21201

U.S. Mail

Sergeant Yvonne Tidline
First District
101 M Street, S.W.
Washington, D.C. 20024

U.S. Mail



Erica J. Balkum
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Public Employee Relations Board
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Suite E630
Washington, DC 20024
Telephone: (202) 727-1822
Facsimile: (202) 727-9116

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**Government of the District of Columbia
Public Employee Relations Board**

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| In the Matter of: | |) | |
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| Fraternal Order of Police/ | |) | |
| Metropolitan Police Department, | |) | |
| Labor Committee | |) | |
| | |) | PERB Case No. 11-U-52(a) |
| Complainant, | |) | |
| | |) | Opinion No. 1372 |
| | v. |) | |
| | |) | |
| District of Columbia | |) | |
| Metropolitan Police Department, | |) | |
| | |) | |
| Respondent. | |) | |
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DECISION AND ORDER

I. Statement of the Case

On September 14, 2011, the Fraternal Order of Police/Metropolitan Police Department Labor Committee (“FOP” or “Complainant”) filed an Unfair Labor Practice Complaint (“Complaint”), alleging that Metropolitan Police Department (“MPD” or “Respondent”)¹ violated D.C. Code § 1-617.04(a). The Complaint’s allegations concern the manner in which MPD conducted an investigation, arising from an email sent by a sergeant to union members, regarding a vote to increase dues for FOP members. Respondent filed an Answer, denying the allegations in the Complaint.

On November 21, 2011, the Board issued a Decision and Order in the above-captioned matter (“Decision”). *Fraternal Order of Police/Metropolitan Police Department Labor Committee v. District of Columbia Metropolitan Police Department*, Slip Op. No. 1227, PERB Case No. 11-U-52 (2011). Based on the pleadings, the Board found that MPD had committed an unfair labor practice, regarding the March 15, 2011, email. (Decision at 5). The Board ordered:

As to the issue of the e-mail sent, relief shall be granted to FOP ... in the form of PERB’s determination that MPD engaged in unfair labor practices

¹ On March 12, 2013, FOP filed a motion to dismiss individually named respondents. The Executive Director has granted the motion and removed these respondents from the caption of this case.

Decision and Order
PERB Case No. 11-U-52(a)
Page 2 of 3

in violation of D.C. Code § 1-617.04(a); Respondents are ordered to cease and desist from their interference and retaliatory actions against the FOP; Respondents are to conspicuously post no less than (2) notices of their violations and PERB's Order in each MPD building; Respondent is to impose discipline against the MPD members found to have engaged in unfair labor practices consistent with its disciplinary requirements.

(Decision at 6). In addition, the Board found that there was a factual dispute regarding the subsequent investigation, and ordered that those matters be referred to a hearing examiner. *Id.*

On December 6, 2011, MPD filed a Motion for Reconsideration of the Board's decision that MPD committed an unfair labor practice. On December 19, 2011, FOP filed an Opposition to Respondent's Motion for Reconsideration.

II. Analysis

Board Rule 559.2 states: "The Board's Decision and Order shall not become final if any party files a motion for reconsideration within ten (10) days after issuance of the decision, or if the Board reopens the case on its own motion within ten (10) days after issuance of the decision, unless the order specifies otherwise." MPD filed a timely Motion for Reconsideration; in the course of reviewing the Decision on MPD's Motion, however, the Board has determined that it lacked jurisdiction to determine whether an unfair labor practice had occurred when the sergeant sent the email.

On March 15, 2011, the sergeant sent the email in question. Notwithstanding, FOP did not file the present unfair labor practice complaint until September 14, 2011.² Board Rule 520.4 states: "Unfair labor practice complaints shall be filed not later than 120 days after the date on which the alleged violations occurred." Pursuant to Board Rule 520.4, the Board only has authority to review unfair labor practice allegations that took place during the 120 days preceding the filing of an unfair labor practice complaint. Further, the Board has held that Rule 520.4 is jurisdictional and mandatory. *See Hoggard v. D.C. Public Schools and AFSCME Council 20, Local 1959*, 43 D.C. Reg. 1297, Slip Op. No. 352, PERB Case No. 93-U-10 (1993), *aff'd sub nom., Hoggard v. Public Employee Relations Board*, MPA-93-33 (D.C. Super. Ct. 1994), *aff'd*, 655 A.2d. 320 (D.C. 1995); *see also Public Employee Relations Board v. D.C. Metropolitan Police Department*, 593 A.2d 641 (D.C. 1991). In short, the Board does not have discretion to make exceptions for extending the deadline for initiating an action. *Hoggard, Slip Op. No. 352*. Thus, the Board did not have jurisdiction to decide the issue of whether the March 15, 2011, email constituted an unfair labor practice.

Even though MPD's Motion did not argue that the Board lacked jurisdiction, the Board

² Prior to the filing of the present case, in PERB Case No. 11-U-38, FOP filed a timely unfair labor practice complaint against MPD under D.C. Code § 1-617.04(a) regarding the sergeant's March 15, 2011, email. *Fraternal Order of Police/Metropolitan Police Department Labor Committee v. D.C. Metropolitan Police Department*, Slip Op. No. 1370, PERB Case No. 11-U-38 (2013). Moreover, FOP filed an additional unfair labor practice complaint against the sergeant under D.C. Code § 1-617.04(b). *Fraternal Order of Police/Metropolitan Police Department Labor Committee v. D.C. Metropolitan Police Department*, Slip Op. No. 1371, PERB Case No. 11-U-43 (2013).

Decision and Order
PERB Case No. 11-U-52(a)
Page 3 of 3

has the authority to raise jurisdiction before a Decision and Order becomes final. As the District of Columbia Court of Appeals has stated, parties "cannot waive subject matter jurisdiction by their conduct or confer it ... and the absence of jurisdiction can be raised at any time." *District of Columbia v. American Federation of Government Employees, Local 1403*, 19 A.3d 764, 766 (D.C. 2011) (citing *Chase v. Pub. Defender Serv.*, 956 A.2d 67, 75 (D.C.2008) and *Customers Parking, Inc. v. District of Columbia*, 562 A.2d 651, 654 (D.C.1989)). Furthermore, "[l]ack of jurisdiction may be raised at any time. Whenever it affirmatively appears that the jurisdiction fails, the objection may be raised by the parties or the court itself." *In re Estate of Dapolito*, 331 A.2d 327, 328 (D.C.1975) (quoting *Laughlin v. Cummings*, 105 F.2d 71, 72 (D.C. Cir. 1939)). Therefore, for lack of jurisdiction, the Board vacates, in part, Opinion No. 1227, regarding its finding that the March 15, 2011, email constituted an unfair labor practice by MPD.

As the Board did not have jurisdiction to decide whether the sergeant's email constituted an unfair labor practice complaint, it will not address the merits of MPD's Motion for Reconsideration, as it has been rendered moot by the Board's lack of jurisdiction.

III. Conclusion

The Board's Decision in Opinion No. 1227, finding that the March 15, 2011, email constituted an unfair labor practice by MPD, is vacated by the Board. The Board's Order for remedies related to the vacated Decision will be vacated. The remaining matters in Opinion No. 1227 are best determined by an establishment of a factual record through an unfair labor practice hearing. Prior to the hearing, the Parties will attend mandatory mediation, pursuant to Board Rule 558.4.

ORDER

IT IS HEREBY ORDERED THAT:

1. The Decision in Opinion No. 1227 that MPD committed an unfair labor practice is vacated for lack of jurisdiction.
2. The Order in Opinion No. 1227 for remedies to FOP related to the Decision that MPD committed an unfair labor practice are vacated.
3. The unfair labor practice claim by FOP, regarding MPD's investigation into the March 15, 2011, email will be referred to a hearing examiner for an unfair labor practice hearing. That dispute will be first submitted to the Board's mediation program to allow the parties the opportunity to reach a settlement by negotiating with one another with the assistance of a Board appointed mediator.
4. The parties will be contacted to schedule the mandatory mediation within seven (7) days of the issuance of this Decision and Order.
5. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD
Washington, D.C.

March 18, 2013

CERTIFICATE OF SERVICE

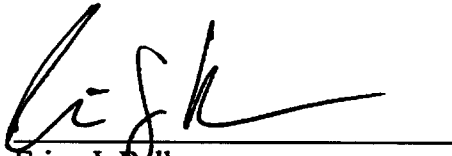
This is to certify that the attached Decision and Order was transmitted to the following parties on this the 18th day of March, 2013.

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Notice: This decision may be formally revised before it is published in the District of Columbia Register. Parties should promptly notify this office of any errors so that they may be corrected before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

**Government of the District of Columbia
Public Employee Relations Board**

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| _____ |) | |
| In the Matter of: |) | |
| |) | |
| Fraternal Order of Police/Metropolitan |) | |
| Police Department Labor Committee, |) | |
| |) | PERB Case No. 11-A-05 |
| Petitioner, |) | |
| |) | Opinion No. 1373 |
| v. |) | |
| |) | |
| District of Columbia |) | |
| Metropolitan Police Department, |) | |
| |) | |
| Respondent. |) | |
| _____ |) | |

DECISION AND ORDER

I. Statement of the Case

Petitioner Fraternal Order of Police/Metropolitan Police Department Labor Committee (“Petitioner” or “FOP”) filed the above captioned arbitration review request (“Request”), asking the Public Employee Relations Board (“Board”) to modify or overturn an arbitration award (“Award”) denying the grievance of Master Patrol Officer Donald Williams (“Grievant”). Specifically, FOP asserts that the Award is on its face contrary to law and public policy, and that the arbitrator was without authority or exceeded his jurisdiction. (Request at 3). Respondent Metropolitan Police Department (“Respondent” or “MPD”) filed an opposition to the Request (“Opposition”).

The Request and Opposition are now before the Board for disposition.

II. Discussion

A. Award

In the Award, the Arbitrator found that the Grievant’s wife, Michelle Williams, applied for a temporary protection order (“TPO”) against the Grievant, and was scheduled to appear in court on August 27, 2007, to obtain a final protective order. (Award at 6). In the early morning

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hours of August 27, 2007, Mrs. Williams was assaulted outside of her home in Prince George's County, Maryland. *Id.* Mrs. Williams then drove away in her car, but was found slumped over the wheel of her car several miles away in Washington, D.C. *Id.* When first responder MPD Officer Hiller asked Ms. Williams who had assaulted her, she responded "my husband." *Id.* When asked by a co-worker who had come to the scene of the accident whether her husband had injured her, Mrs. Williams nodded affirmatively. *Id.* Later, Mrs. Williams recanted and stated that her husband did not attack her. *Id.*

Later that morning, the Grievant, who was separated from Mrs. Williams and not living in her home, attended the TPO hearing. (Award at 2, 6). Mrs. Williams' injuries required hospitalization, and she was unable to attend the hearing. (Award at 2). The case was dismissed. *Id.* While still in the courtroom, the Grievant was arrested and charged with second degree assault on his wife. *Id.* The assault case was later dismissed when Mrs. Williams invoked her marital privilege and refused to testify against her husband. *Id.* Eight months later, the Grievant successfully petitioned to have the records of the TPO and assault arrest expunged. (Award at 6).

On December 13, 2007, MPD served the Grievant with a Notice of Adverse Action. (Award at 9). The Notice of Adverse Action contained two charges. (Opposition Attachment 1 at p. 1) The first charge was conduct unbecoming an officer, and cited to MPD General Order Series 201, Number 26, Part I-B-22, which stated that "[m]embers shall conduct their private and professional lives in such a manner as to avoid bringing discredit upon himself or herself and the Department." *Id.* Charge No. 1, Specification No. 1 stated:

In that on August 20, 2007, your wife, Mrs. Michelle Williams, obtained a "Temporary Protective Order" against you, alleging that you physically, verbally and mentally abused her. A "Final Protective Order" was scheduled for August 27, 2007. *Id.*

Charge No. 1, Specification No. 2 stated:

In that on August 27, 2007, you assaulted your wife by punching and kicking her in the face and body, causing swelling to the face and body. She was transported to the Howard University Hospital where she was treated for lacerations to the face and injuries to her pelvic area. *Id.*

The second charge against the Grievant was for:

Violation of General Order Series 120, Number 21, Part A-7, which provides in part: "Is deemed to have been involved in the commission of any act which would constitute a crime, whether or not a court record reflects a conviction. Members who are accused of criminal or quasi-criminal offenses shall promptly report, or have reported their involvement to their commanding officers."

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This misconduct is defined as cause in Section 1603 of the D.C. Personnel Manual. (Opposition Attachment 1 at p. 2).

Charge No. 2, Specification No. 1 stated:

In that on August 27, 2007, the Prince George's County Sherriff's Department arrested you on an outstanding warrant for "Second Degree Assault" on your wife, Mrs. Michelle Williams. *Id.*

On October 8, 2008, the charges against the Grievant were considered by an MPD Adverse Action Panel ("Panel"). (Award at 9). The Panel found the Grievant guilty of all charges and specifications, and recommended that the grievant be terminated. *Id.* On November 28, 2008, a Final Notice of Adverse Action was issued, informing the Grievant that he would be terminated effective January 2, 2009. (Opposition Attachment 3 at p. 2). The Grievant's appeal was rejected by the Chief of Police. (Opposition Attachment 4). The parties advanced the matter to arbitration.

The Arbitrator was presented with the following questions:

1. Whether the Adverse Action Hearing Panel erred in failing to dismiss Charge No. 2 against MPD Williams?
2. Whether the Adverse Action Hearing Panel erred in hearing expert testimony?
3. Whether the Panel improperly allowed into evidence testimony and records concerning previous allegations of similar conduct by MPO Williams?
4. Whether the evidence presented by [MPD] was sufficient to support the alleged charges?
5. Whether termination is an appropriate penalty?

(Award at 2).

The Arbitrator found that the Panel did not err in failing to dismiss Charge No. 2 due to the expungement of the TPO record and assault arrest. (Award at 10-11). The Arbitrator cited to the Panel's reliance on General Order Series 120, Number 21, Part A-7, and noted that the court records in Prince George's County were not expunged until eight months after the Panel's investigation was concluded. (Award at 11).

The Arbitrator concluded that the Panel erred in hearing expert testimony from an MPD expert witness. (Award at 12). The Arbitrator found that the MPD Trial Board handbook requires 72 hours prior notice before calling an expert witness, and that expert witnesses must "have first been qualified as such unless both parties stipulate to the witness as an expert." *Id.* MPD did not follow these guidelines before calling an expert witness before the Panel, and therefore, the Arbitrator stated that he would "not admit any testimony from the MPD expert witness." *Id.*

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The Arbitrator determined that the Panel properly admitted testimony and records of previous allegations of similar domestic abuse by the Grievant. (Award at 11). The Arbitrator held that as a quasi-legal, fact finding body, the Panel has great latitude in determining what evidence to admit. *Id.* Notwithstanding that no prior allegations of abuse were sustained, the Arbitrator concluded that the Panel did not err in hearing testimony from witnesses who had heard Mrs. Williams say that her husband abused her, and evidence of past calls to the police for domestic violence at the Williams home. *Id.*

The Arbitrator found that MPD presented evidence sufficient to support the charges against the Grievant. (Award at 11). In support of this conclusion, the Arbitrator noted that the first two witnesses to speak with Mrs. Williams at the scene of the accident testified that Mrs. Williams gave “unpremeditated responses implicating MPO Williams” in the attack, and the Arbitrator credited this testimony in determining that Mrs. Williams told the truth to these first responders. *Id.* Additionally, the Arbitrator stated that the testimony established a pattern of Mrs. Williams reporting domestic abuse and then recanting her allegations. *Id.* The Arbitrator cited to testimony from a co-worker of Mrs. Williams that the Grievant had told Mrs. Williams, “If I lose my job, I will kill you.” (Award at 12).

Finally, the Arbitrator concluded that termination was the appropriate penalty. (Award at 12). The Arbitrator was persuaded by the Panel’s consideration of the *Douglas* factors, particularly factor 10, which pertains to the potential for the employee’s rehabilitation. *Id.* The Panel found that “[b]ased upon the seriousness of this incident and the testimony of previous incidents, as well as the propensity for this cycle to repeat itself in the future, I find that there is little chance for MPO Williams to be rehabilitated.” *Id.*

B. Position of FOP before the Board

In its Request, FOP contends that the Award is contrary to law and public policy on two fronts: first, that the Award “ignores the legal effect of an expungement,” and second, that the Award violates the Grievant’s due process rights. (Request at 6, 8).

FOP states that during the arbitration, FOP informed the Arbitrator that an “Order for Expungement of Police and Court Records” concerning the Grievant’s arrest was entered by the District Court for Prince George’s County. (Request at 6). The Order specified that the Grievant was “entitled to an expungement of the police records pertaining to his/her arrest, detention, or confinement on or about 08/27/2007...and the court records in this action.” (Request at 6-7; Request Attachment 7). The Clerk of Court and several other custodians of court and police records were instructed to “expunge all court and police records pertaining to the action or proceeding in their custody...and remove all records from public inspection.” (Request at 7; Request Attachment 7). At the Arbitration, counsel for the Grievant requested that the Arbitrator exclude all records relating to the assault charge. (Request at 8).

FOP alleges that by ruling that the record of the Grievant’s arrest could be introduced into evidence in support of Charge No. 2 before the Panel, the Arbitrator “ignores the well-defined public policy that is in place to protect individuals from further scrutiny over an arrest

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that is deemed improper, and the individual has received a court order directing that the arrest record be expunged.” (Request at 7). Further, FOP states that “[g]iven that the order of expungement precluded the continued dissemination of any and all arrest records pertaining to MPO Williams concerning this issue, it is irrelevant that the expungement occurred ‘8 months after the investigation into this case had concluded.’” *Id.*

In support of its contention that the Award violates well-defined public policy, FOP alleges that the Award violates Maryland law. (Request at 7). Citing to *U.S. v. Bagheri*, FOP states that under Maryland law, the “formal procedure for expunging police records, court records, and other records maintained by [the] state and its subdivisions must be followed.” 999 F.2d 80, 85 (4th Cir. 1993); (Request at 7). Further, FOP asserts that once an expungement is completed, “the legal effect is that the subject arrest did not occur.” (Request at 7). FOP stated that any administrative charge requiring the review or analysis of documentation that was expunged, like the Panel’s consideration of the Grievant’s arrest when determining the outcome of Charge No. 2, must be dismissed. (Request at 8). According to FOP, the Panel was obligated by Maryland law to remove all records of the assault arrest from public inspection, and the Arbitrator erred in upholding the Panel’s decision not to dismiss Charge No. 2 based upon the expungement. *Id.*

Next, FOP alleges that the Award violates law and public policy by infringing on the Grievant’s due process rights. (Award at 8). Specifically, FOP argues that the Panel deprived the Grievant of a fair and impartial hearing by allowing witness testimony regarding previous allegations of misconduct by the Grievant¹. (Request at 9). FOP states that caselaw prohibits the Panel from considering allegations of past misconduct until after a finding of guilt is reached. *Id.*; citing *Douglas v. Veterans Administration*, 5 M.S.P.R. 280 (1981) (the determination of an appropriate penalty is appropriate “once the alleged conduct and its requisite general relationship to the efficiency of the service have been established.”). FOP alleges that in permitting *Douglas* information during the hearing, the Panel “purposefully poison[ed] the well” and that the Arbitrator acted contrary to “longstanding public policy” by failing to overturn the Panel on this issue. (Request at 11).

Finally, FOP asserts that the Arbitrator exceeded his authority by failing to issue a remedy for his finding that the Panel improperly allowed the testimony of an expert witness. (Request at 11). FOP states that Article 4 of the parties’ CBA requires MPD’s disciplinary actions to be in conformance with the laws, rules, and regulations of the District of Columbia, which “most certainly incorporates the Trial Board Handbook procedure, which was created by MPD.” *Id.* FOP notes the precedent in *United Paperworkers Int’l Union v. Misco, Inc.*, which holds that arbitrators have a wide degree of latitude and flexibility in fashioning remedies for violations of a collective bargaining agreement (“CBA”), as long as that discretion is not expressly limited by the CBA. 484 U.S. 29, 41 (1987); (Request at 12). FOP states that “[i]mplicitly underlying the principle that arbitrators are afforded discretion in fashioning

¹ In particular, FOP objects to the testimony of MPD Agent McGuire, who testified that “I was the only one in my Internal Affairs Division that did not know that MPO Williams and Michelle Williams have a history,” and that he’d “heard in the office that Michelle Williams has been shot in the past and there were allegations that MPO Williams had shot her.” (Request at 9-10, Attachment 3 at pp. 15-16).

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remedies for violations of a labor agreement is the understanding that an employee who is harmed by a violation of the agreement *is entitled to a remedy.*" *Id.* (emphasis in original). FOP views the Arbitrator's failure to issue a remedy for his expert witness finding as the arbitrator imposing "his own brand of industrial justice," and therefore unenforceable. *Id.*; citing *Steelworkers v. Enterprise Wheel & Car Corp.*, 363 U.S. 593, 597 (1960). FOP asserts that the Arbitrator should have rescinded the Panel's findings due to the "inextricable taint that such testimony casts on the proceedings." (Request at 13).

C. Position of MPD before the Board

In its Opposition, MPD asserts that the Award does not run contrary to law and public policy. (Opposition at 5). First, MPD relies on the plain language of Charge No. 2 against the Grievant, which states that the Grievant "is deemed to have been involved in the commission of any act which would constitute a crime, whether or not a court record reflects a conviction." *Id.* MPD contends that the plain language of Charge No. 2, Specification No. 1 – "that on August 27, 2007, the Prince George's County Sheriff's Department arrested you on an outstanding warrant for 'Second Degree Assault' on your wife, Mrs. Michelle Williams" – supports its position that a court record is not required to prove Charge No. 2. *Id.*

Further, MPD alleges that the Order of Expungement did not order the MPD Panel to take any action, and that the Order of Expungement was not in effect when the Notice of Proposed Adverse Action was served. (Opposition at 5). MPD disputes FOP's contention that the expungement order means the Grievant's conduct never occurred, and does not negate the fact that the Grievant was arrested. (Opposition at 6). MPD cites to eyewitness testimony that the Grievant was arrested, and "highly credible" testimony that the Grievant assaulted his wife, as "sufficient to support the charge that the Grievant is deemed to have been involved in the commission of an act which would constitute a crime." *Id.*

Next, MPD contends that the Arbitrator's refusal to dismiss the Final Notice of Adverse Action due to alleged improper testimony did not violate the Grievant's due process rights. (Opposition at 6). MPD asserts that the testimony that the Grievant objects to, which consists of responses elicited on cross examination, "did not address the facts which support the underlying specifications in the case," and that "[i]t would have been impossible for the panel to reach a finding of guilt based upon the objected to testimony." *Id.* Further, MPD states that FOP has provided no authority to support its allegation that a witness' response to cross examination, if deemed improper, results in a due process violation. *Id.*

MPD advances a public policy argument against FOP's request that the Board overturn the Grievant's termination. (Opposition at 10-11). Specifically, MPD asserts that the suitability of a person employed as a police officer is an important public policy, and that the Grievant's request for reinstatement would return an unsuitable individual to his position as a police officer. MPD supports the Panel's conclusion that:

[t]he matters in question reflect poor judgment and a propensity for MPD Williams to operate outside the laws, policies, and

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procedures regarding domestic violence. The fact [is] that this behavior reflects a repeated pattern of behavior that will adversely affect his relationship with his supervisors and his ability to perform his duties as a field training officer and Master Patrol Officer. (Opposition at 11).

Finally, MPD rejects FOP's contention that the Arbitrator exceeded his authority in issuing the Award. (Opposition at 8). MPD disagrees with FOP's allegation that Article 4 of the parties' CBA incorporates the MPD Trial Board Handbook. (Opposition at 9). MPD believes that based upon this logic, all applicable law would be part of the CBA. *Id.* Additionally, MPD points out that the Arbitrator did provide a remedy for the expert witness violation when he held that "[t]herefore, I will not admit any testimony from the MPD expert witness." *Id.* MPD states that the "fact that the Grievant dislikes the remedy is not a basis to seek relief." *Id.*

Further, MPD states that FOP provided no explanation or analysis to support its allegation that the expert witness testimony tainted the Panel's hearing. (Opposition at 9). To the contrary, MPD alleges that even without the expert witness testimony, the evidence supports the Panel's finding that the Grievant was guilty of all charges and specifications. *Id.* In particular, MPD points to undisputed, non-expert witness testimony that Mrs. Williams was found slumped over the steering wheel of her vehicle on the morning of the TPO hearing, she had been severely beaten and required hospitalization, and that in response to questions by first responders, Mrs. Williams identified that her husband had beaten her. (Opposition at 9-10). Further:

Mrs. Williams also testified before the Panel and recanted her first statement. However, the Panel had an opportunity to observe her demeanor and assess the explanation she provided. Without the assistance of the expert witness, the Panel discerned that Mrs. Williams' explanation that she was beaten at home but did not follow up to check on her disabled child inside the home before leaving for the gym made her explanation incredible. In addition, the Panel heard eyewitness testimony regarding the Grievant's arrest on August 27, 2007. (Opposition at 10)

MPD concludes that the Panel and Arbitrator made their decisions without the expert witness' testimony, that the expert testimony was "used more to bolster" MPD's case, and that the expert testimony was "not intrinsic to proving the facts of this case." (Opposition at 10).

D. Analysis

The CMPA authorizes the Board to modify or set aside an arbitration award in three limited circumstances: (1) if the arbitrator was without, or exceeded his or her jurisdiction; (2) if the award **on its face** is contrary to law and public policy; or (3) if the award was procured by fraud, collusion or other similar and unlawful means. D.C. Code § 1-605.02(6) (2001 ed.).

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The Board's scope of review, particularly concerning the public policy exception, is extremely narrow. A petitioner must demonstrate that the arbitration award "compels" the violation of an explicit, well defined, public policy grounded in law and or legal precedent. *See Misco*, 484 U.S. 29. Absent a clear violation of law evident on the face of the arbitrator's award, the Board lacks authority to substitute its judgment for the arbitrator's. *Fraternal Order of Police/Department of Corrections Labor Committee v. PERB*, 973 A.2d 174, 177 (D.C. 2009). Disagreement with the arbitrator's findings is not a sufficient basis for concluding that an award is contrary to law or public policy. *Metropolitan Police Dep't v. Fraternal Order of Police/Metropolitan Police Dep't Labor Comm.*, 31 DC Reg. 4159, Slip Op. No. 85, PERB Case No. 84-A0-05 (1984).

FOP's first allegation is that the Award violates Maryland law and public policy regarding expungement. (Request at 6). In the Award, the Arbitrator approves the Panel's reliance on General Order Series 120, Number 21, Part A-7, which reads in part, "or is deemed to have been involved in the commission of any conduct which would constitute a crime, whether or not a court record reflects a conviction." (Award at 11). MPD contends that the Grievant's arrest itself is enough to support the guilty finding on Charge No. 2. (Opposition at 5). The Board finds that the Award does not compel the violation of Maryland law. Although the expungement order required the clerk of the District Court of Maryland for Prince George's County, the Central Repository, and five other Maryland state entities to expunge the court and police records pertaining to the Grievant's arrest, the Maryland court's authority does not extend across state lines to the MPD Panel. (*See* Request Attachment 7). The Full Faith and Credit clause, and the modern statute encompassing it, requires that "Acts, records and judicial proceedings or copies thereof, so authenticated, shall have the same full faith and credit in every **court** within the United States and its Territories and Possessions as they have by law or usage in the courts of such State, Territory, or Possession from which they are taken." 28 U.S.C. § 1738 (2006) (emphasis added); *accord Nader v. Serody*, 43 A.3d 327, 332 (D.C. 2012). MPD is not a court, and MPD's investigators were not obligated to dispose of any records or documentation in their investigation of the Grievant's arrest, nor was the Panel obligated to act as if "the subject arrest did not occur." (Request at 7). The plain language of General Order Series 120, Number 21, Part A-7, as quoted by Charge No. 2², is clear that a court record is not required to sustain a violation of the General Order. Therefore, in upholding the Panel's guilty determination on Charge No. 2, the Arbitrator did not compel the violation of an explicit, well defined public policy ground in law or legal precedent.

FOP's next allegation is that the Arbitrator violated the Grievant's due process rights by failing to reverse the Panel for hearing witness testimony regarding previous allegations of abuse by the Grievant. (Request at 9). FOP asserts that this testimony, during a hearing where the Grievant was professing his innocence, was highly prejudicial and "improperly tipped the scales of justice" in favor of MPD. *Id.* Additionally, FOP states that prior discipline or allegations of discipline is a *Douglas* factor, and may only be considered to determine an appropriate remedy

² The relevant portion of Charge No. 2 reads:

Violation of General Order Series 120, Number 21, Part A-7, which provides in part: "Is deemed to have been involved in the commission of any act which would constitute a crime, whether or not a court record reflects a conviction."

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after a decision on guilt is reached. (Request at 10). FOP cites to *Lightfoot v. District of Columbia*, 448 F.3d 392, 401 (D.C. Cir. 2006 (per curiam) (Silberman, J., concurring), for a statement that “the issue in ‘the Supreme Court’s due process jurisprudence... is always...whether or not the claimant has had a fair opportunity – sometimes rather informal – to present his case.’” (Request at 9) (emphasis in Request). The Arbitrator was not persuaded by FOP’s argument, and determined that the Panel properly allowed the testimony of previous abuse allegations. (Award at 11). FOP merely disagrees with the Arbitrator’s decision. The Board will not modify or overturn the Arbitrator’s conclusion based only upon FOP’s disagreement. *See Metropolitan Police Dep’t*, Slip Op. No. 85.

Finally, FOP alleges that the Arbitrator exceeded his authority by failing to issue a remedy for his finding that the Panel violated the MPD Trial Board Handbook by improperly allowing testimony from an expert witness. (Request at 11, 13). FOP asserts that there is an implicit understanding that an employee who is harmed by a violation of a CBA is entitled to a remedy. (Request at 12). Further, FOP argues that if it is true that an arbitrator exceeds his authority by fashioning a remedy when he has not found a violation of a CBA, he must also exceed his authority when the converse is true – by failing to fashion a remedy when he has found a violation of the CBA. *Id.*

As FOP recognizes in its Request, arbitrators have wide latitude to construct equitable remedies, as long as those remedies are not expressly limited by the parties’ CBA. *See District of Columbia Metropolitan Police Dep’t v. Fraternal Order of Police/Metropolitan Police Dep’t Labor Committee*, 39 D.C. Reg. 6232, Slip Op. No. 282, PERB Case No. 92-A-04 (1992); (Request at 12). The Board will not make the leap FOP asks us to make by determining that arbitrators exceed their authority by not issuing a specific remedy when finding a violation of the parties’ CBA. FOP has cited no case law to support its argument that an arbitrator is required to issue a remedy for every violation. (Request at 12-13). Additionally, FOP has not cited any provision of the parties’ CBA that limits the Arbitrator’s equitable power, or requires that the Arbitrator adopt FOP’s requested remedy. The Arbitrator did not impose his own brand of industrial justice; rather, he determined that MPD’s violation did not mandate an exercise of his equitable power to formulate a remedy. *See Fraternal Order of Police/Metropolitan Police Dep’t Labor Committee v. Metropolitan Police Dep’t*, 59 D.C. Reg. 11329, Slip Op. No. 1295 at p. 6, PERB Case No. 09-A-11 (2012). Therefore, the Arbitrator acted within his authority. *Id.*

Assuming *arguendo* that the Arbitrator was required to formulate a remedy, the Arbitrator complied with this requirement when he appropriately determined that he would not admit any testimony from MPD’s expert witness. (Award at 12).

In light of the above, we find that the Arbitrator’s ruling cannot be said to be clearly erroneous, contrary to law or public policy, or in excess of his authority under the parties’ CBA. Therefore, no statutory basis exists for setting aside the Award.

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ORDER

IT IS HEREBY ORDERED THAT:

1. The Fraternal Order of Police/Metropolitan Police Department Labor Committee's Arbitration Review Request is denied.
2. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD
Washington, D.C.

March 18, 2013

CERTIFICATE OF SERVICE


This is to certify that the attached Decision and Order in PERB Case No. 11-A-05 was transmitted via U.S. Mail and e-mail to the following parties on this the 18th day of February, 2013.

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Notice: This decision may be formally revised before it is published in the District of Columbia Register. Parties should promptly notify this office of any errors so that they may be corrected before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

**Government of the District of Columbia
Public Employee Relations Board**

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| In the Matter of:) | |
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| Fraternal Order of Police/Metropolitan) | |
| Police Department Labor Committee,) | |
|)) | |
| Complainant,) | PERB Case No. 06-U-41 |
|)) | |
| v.) | Opinion No. 1374 |
|)) | |
| District of Columbia) | Motion to Accept Untimely |
| Metropolitan Police Department,) | Response |
|)) | |
| Respondent.) | Decision and Order |
| _____) | |

DECISION AND ORDER

I. Statement of the Case

Complainant Fraternal Order of Police/Metropolitan Police Department Labor Committee, (“Complainant” or “FOP” or “Union”) filed an Unfair Labor Practice Complaint (“Complaint”) against the District of Columbia Metropolitan Police Department (“Respondent” or “MPD” or “Agency”), alleging MPD committed an unfair labor practice when it denied several FOP requests for information. (Complaint at 3).

MPD’s Response was filed in an untimely manner as per PERB Rule 520.6. (Response, at 1-2 and 8). In the Response, MPD argued that: 1) FOP’s Complaint “is improperly before the PERB, as it involves a contractual dispute that the parties have agreed to resolve under the provisions of the Collective Bargaining Agreement [(“CBA”)]; 2) MPD did not commit an unfair labor practice “by not providing the requested information because release of the requested information would breach the protected privacy rights of members involved in the selection process and impugn the confidentiality of the selection process and procedure”; 3) MPD did not commit an unfair labor practice because not being selected for a competitive appointment cannot be grieved if all of the candidates were qualified; and 4) FOP’s Complaint and request for relief

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“should be dismissed as Complainant has not shown that Agency has committed an unfair labor practice.” (Response, at 1-2).

At the same time it filed its Response, MPD filed a motion entitled: “Agency’s Request to File Response to Unfair Labor Practice Complaint and Request for Relief” (“Motion to Accept Untimely Response”), in which it contended that the PERB should accept its untimely response on the grounds that MPD and FOP agreed to an extension of time “so that the parties could work out a settlement in this matter”, those efforts ultimately failed, and FOP consented to the late filing of MPD’s response. (Motion to Accept Untimely Response).

II. Background

On November 1, 2005, MPD posted notice of ten (10) vacancies for the position of Bomb Technician/Canine Handler (“Vacancy Announcement 06-09”). (Complaint at 2, and Attachment 1). On May 4, 2006, MPD announced the names of the officers that had been selected to fill, effective May 14, 2006, the positions advertised in the Vacancy Announcement. (Complaint at 2, and Attachment 2). FOP averred in its Complaint that Officers Todd Perkins (“Officer Perkins”) and Christopher Bell (“Officer Bell”) were two (2) officers who competed for the position, but were not selected. *Id.*

In addition, FOP alleged that on May 24, 2006, Officer Perkins sent an email to FOP shop steward, Officer Hiram Rosario (“Representative Rosario”), wherein he stated that on May 23, 2006, he (Officer Perkins) became aware that three (3) other officers were transferred to the position of Bomb Technician/Canine Handler in addition to the ten (10) officers identified in the May 4, 2006, announcement. (Complaint at 2, and Attachment 3). Officer Perkins further contended that one (1) of those three (3) officers did not participate in the position’s selection process. *Id.* at 2-3, and Attachment 3. Officer Perkins concluded that while MPD advertised ten (10) open vacancies for the position, and later announced that ten (10) officers had been selected to fill the vacancies, MPD actually selected thirteen (13) officers to fill the position. *Id.*

FOP alleged in the Complaint that between May 11, 2006, and June 5, 2006, Representative Rosario sent three (3) separate information requests to MPD seeking documents and other information related to the selection process of Vacancy Announcement 06-09. *Id.* at 3, and Attachments 4, 5, and 6.

On or about May 11, 2006, Representative Rosario sent FOP’s first information request to Commander Robert J. Contee (“Commander Contee”) in MPD’s Office of Security Services, Special Operations Division. *Id.* and Attachment 4. The subject line of the request was, “Selection process for the position of Bomb Technician/Canine Handler Sworn – Vacancy Announcement MPD 06-09”. *Id.*, Attachment 4. In the request, Representative Rosario stated that Officer Perkins applied for the position, but was not selected. *Id.* Mr. Rosario then stated

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that, pursuant to Article 10 of the parties' CBA, FOP was requesting "all documentation and directives regarding the manner in which the selection process [for Vacancy Announcement 06-09] was conducted." *Id.* In addition, Representative Rosario requested "all documentation regarding the evaluation and decision-making process with regards to [Officer Perkins], including the scores of each officer and Officer Perkins' scores at each stage of the testing process." *Id.* Officer Rosario noted that the request was being made "for the purpose [(sic)] of administering the [parties'] Agreement and preparing a grievance." *Id.* In support of the request, Representative Rosario cited section 802.1 of the District of Columbia Municipal Regulations ("DCMR") (now found in the District Personnel Manual ("DPM")), which he stated requires "that all initial Career Service appointments, as well as 'all subsequent assignments and promotions of employees in the Career Service ... shall be by open competition'" and that all such "initial appointments, and subsequent assignments and promotions, shall be made on the basis of merit by selection from the highest qualified available eligibles [sic] based on specific job requirements". *Id.* (emphases removed), and D.C. Code § 1-608.01(a)(1)-(11). Further, Representative Rosario cited what is now DPM § 805.1, which he stated requires that all "subsequent assignments of Career Service Personnel must be the result of open competition, i.e. competitive placements." Finally, Representative Rosario cited what is now DPM § 806 *et. seq.*, which mandates that the "selection procedures for competitive placements [...] be practical, fair, and test the relative fitness and ability of candidates." *Id.*, Attachment 4.

On or about May 25, 2006, Representative Rosario sent a second information request to Commander Contee. *Id.*, Attachment 5. The subject line of this request was exactly the same as the first request. *Id.* In this request, Representative Rosario again noted that Officer Perkins applied for the position, but was not selected. *Id.* Representative Rosario reiterated his prior request that MPD provide FOP with "all documentation and directives regarding the manner in which the selection process [for Vacancy Announcement 06-09] was conducted." *Id.* However, new in this second request was Representative Rosario's broader request that MPD provide FOP with "all documentation regarding the evaluation and decision-making process with regards to the selected officers." *Id.* FOP's first request only asked for "the scores of each officer ... at each stage of the testing process" and "all documentation regarding the evaluation and decision-making process with regards to [Officer Perkins]", not all documentation with regard to all of the "selected officers." *Id.*, Attachments 4 and 5. Also new in this second information request was Representative Rosario's requests for "all documentation revealing [how many Bomb Technician/Canine Handlers] were assigned to the Explosive Ordinance Disposal Unit six [(6)] months ago"; "all documentation revealing how many [Bomb Technician/Canine Handlers] are currently assigned to the Explosive Ordinance Disposal Unit"; and "all documentation showing how many of the current [(sic)] assigned [Bomb Technician/Canine Handlers] have the proper and required training." *Id.*, Attachment 5.

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On or about May 31, 2006, Commander Contee sent a written response to Representative Rosario on behalf of MPD. *Id.*, Attachment 7. Commander Contee wrote that while he understood “[Officer Perkins’] disappointment for not having been selected for this position, it is not reasonable to release the information [FOP] requested.” *Id.* Commander Contee stated that “[r]eleasing this information would violate the right to privacy of [FOP’s] fellow union members and would be a violation of personnel law.” *Id.* Further, Commander Contee noted that Article 10 of the CBA only requires the parties to make requested information available “that is relevant to negotiations or necessary for [the] proper administration of the terms of the [CBA]” and that FOP had “not demonstrated how the information [it was seeking was] relevant to the purpose of contract administration or negotiations.” *Id.* Furthermore, Commander Contee stated that FOP’s requests did not assert or claim how the selection process for Vacancy Announcement 06-09 “was not practical or fair, or otherwise flawed” in violation of “DCMR § 805.1”.¹ *Id.* Commander Contee further contended that FOP’s “*carte blanche*” requests were prohibited by DPM, Chapter 31 (now 31A), § 3112.8, which states, “[t]he names of applicants for positions or eligibles [(sic)] on registers, certificates, employment lists, or other lists of eligibles [(sic)], or their ratings or relative standing shall not be information available to the public.” *Id.* Commander Contee argued that this section “protects the privacy rights of the members who participated in the selection process and the confidentiality of records associated with that process.” *Id.* Next, Commander Contee noted that each step of the selection process for Vacancy Announcement 06-09 was “conducted under the scrutiny of the newly elected Labor Committee Secretary, Officer Marcello Muzzatti.” *Id.* Lastly, Commander Contee invited Officer Perkins to “participate in a critique of his individual placing” and gave him the office telephone number of the Lieutenant he should contact to do so. *Id.*

On or about June 5, 2006, Representative Rosario sent a third information request, this time in the form of a Step 2 Grievance directed to then Chief of Police, Charles Ramsey (“Chief Ramsey”). *Id.*, Attachment 6. This correspondence had two (2) subject lines. *Id.* The first is identical to the subject lines of FOP’s May 11 and May 25 information requests. *Id.* However, the second reads: “Step Two [(2)] Grievance, pursuant to Article 10 on Behalf of Officer Todd Perkins of the Seventh District.” *Id.* In this correspondence, Representative Rosario addressed Commander Contee’s May 31 response and stated that FOP was not requesting *carte blanche*

¹ The PERB assumes, based on the specific terms Commander Contee used, that he erroneously cited § 805.1 and actually intended to cite what is now DPM § 806.3(a)-(d), which states:

Selection procedures for competitive placement shall do the following:

- (a) Be practical in character and fairly test the relative ability and fitness of candidates for jobs to be filled;
- (b) Result in selection from among the best qualified candidates;
- (c) Be developed and used without discrimination, as required by §§ 803.2 and 804.4; and
- (d) Comply with other requirements of applicable equal employment opportunity and affirmative action laws and regulations.

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access, but rather just those “documents pertaining to the selection process involving [Officer Perkins].” *Id.* Representative Rosario further stated that the requested documents were “necessary to enable us to prepare our grievance.” *Id.* In addition, Representative Rosario responded to Commander Contee’s citation of what is now DPM Chap. 31A, § 3112.8, and argued that the section did not apply because “[FOP is] not the public”. *Id.* Representative Rosario then reiterated FOP’s previous requests. *Id.* Unique to this June 5 correspondence, is Representative Rosario’s statement that FOP had “received information that there were several extra positions filled that were never properly announced.” *Id.* (emphasis removed).

On or about June 13, 2006, Chief Ramsey replied to FOP’s June 5 information request / Step 2 Grievance. *Id.*, Attachment 8. In this correspondence, Chief Ramsey wrote, “[i]n your letter, you [(FOP)] allege that management violated Article 10 [of the CBA] and [section 3112.8 of what is now Chap. 31A of the DPM] by denying the FOP the rating lists, test scores and internal selection procedures management used in filling the vacancies [of Vacancy Announcement 06-09].” *Id.* Further, Chief Ramsey noted, “[y]ou also requested the names of the [Bomb Technician/Canine Handlers] who had received the proper training as well as the names of all agency members assigned to the Explosive Ordinance Disposal Unit [in that position].” *Id.* Chief Ramsey then contended that FOP’s May 11 and May 25 information requests “did not constitute a grievance.” *Id.* Further, he stated that “[t]here was no oral grievance or Step 1 Grievance as required by Article 19 [of the CBA]”, and that, “[c]onsequently, there can be no Step 2 [Grievance].” *Id.* Chief Ramsey then wrote: “After careful review of your letter, I have decided to *deny* your purported Step 2 Grievance, inasmuch as it is a request rather than a grievance.” *Id.* He then contended that management “has not violated Article 10 of the CBA, Chapter 31A § 3112.8 of the DPM[,] or any other provision of the DPM.” *Id.*

On June 23, 2006, FOP filed its Complaint, alleging that its “several requests for information pursuant to Article 10 of the [parties’ CBA]” were sent “in an effort to confirm whether there were discrepancies in the selection process which might support a grievance” and furthermore to determine “whether the selection process that lead [(sic)] to the non-selection of [union members Officers Bell and Perkins] was properly conducted in accordance with all applicable authority and the [CBA].” *Id.* at 3. FOP contended that MPD’s denials of these requests “[constituted] an unfair labor practice.” *Id.* As a result, FOP asked the Board for an “[o]rder declaring the Respondent’s actions to be an Unfair Labor Practice and requiring the Respondent to post notification acknowledging this violation of law and to provide the information as requested pursuant to Article 10 of the [CBA].” *Id.* at 4.

On or about June 28, 2006, then PERB Executive Director, Julio Castillo (“Director Castillo”), sent a letter to Chief Ramsey, stating that the PERB had “received for filing, [in this] proceeding, a document titled ‘Unfair Labor Practice Complaint’” and that “[i]n accordance with

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Board Rule 520.6, [MPD's] answer to the complaint is due in this office no later than close of business (4:45 p.m.) on July 10, 2006." (PERB Letter to MPD) (emphases removed).

On August 15, 2006, MPD filed its untimely Response to FOP's Complaint. (Response at 1 and 8). MPD concurrently filed its Motion to Accept Untimely Response, in which it asked the PERB to accept its untimely response on the bases that MPD and FOP agreed to an extension of time "so that the parties could work out a settlement in this matter", that those efforts ultimately failed, and that FOP consented to the late filing of MPD's Response. (Motion to Accept Untimely Response).

In its Response, MPD denied that FOP's information requests were "proper" and denied that it had an obligation to provide the requested information because the "information sought was of a confidential and protected nature." Response at 2. Further, MPD contended that Officer Perkins "was given the opportunity to discuss his own involvement in the selection process." *Id.* (emphasis removed). MPD denied that the legal authority FOP cited in its Complaint² applies to or governs the facts of this matter. *Id.* at 2-3. Additionally, MPD asserted that the Complaint should be dismissed "as it fails to set forth facts that[,] if proven, constitute an unfair labor practice." *Id.* at 3.

In addition to these denials, MPD raised several defenses. *Id.* at 3-6. First, MPD contended that the Complaint should be dismissed because the parties "have contractually provided for the resolution of such matters via the Grievance Procedure process under Article 19 of the CBA." *Id.* at 3. MPD cited *Fraternal Order of Police/Metropolitan Police Department Labor Committee v. District of Columbia Office of Police Complaints*, PERB Case No. 06-U-27 (2006), in which MPD claimed the PERB held it lacks jurisdiction over matters that are strictly contractual in nature. *Id.* MPD concluded that "inasmuch as the [Unfair Labor Practice] Complaint arises from a contractual dispute, PERB lacks jurisdiction over the alleged violations." *Id.*

In response to FOP's labeling its third information request as a Step 2 Grievance, MPD noted that "[p]ursuant to Article 19, B, 2 [of the CBA, which sets forth the procedure for grievances], Complainant had ten (10) business days to file a grievance" after MPD posted the names of the officers who had been selected to fill the positions advertised in Vacancy Announcement 06-09 on May 4, 2006. *Id.* MPD argued that FOP failed to file a grievance by the May 18, 2006, deadline after that posting and that it then attempted to "circumvent the grievance procedure" by "couch[ing]" its third June 5, 2006, Article 10 information request "as a 'Step 2 Grievance.'" *Id.* at 3-4. MPD argued that FOP's filing of a "Step 2 Grievance" presumed that it "had first filed a Step 1 Grievance." *Id.* Nonetheless, MPD averred "there was

² *Fraternal Order of Police/Metropolitan Police Department Labor Committee v. District of Columbia Metropolitan Police Department*, 59 D.C. Reg. 3386, Slip Op. No. 835, PERB Case No. 06-U-10 (2006).

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neither an Oral Step nor a Step 1 Grievance filed by Complainant.” *Id.* Furthermore, MPD noted that Commander Contee’s May 31 reply to FOP’s first two (2) requests made it clear that MPD was denying the requests on privacy grounds and reminded FOP “that the very process it was challenging was conducted with [the] full participation of the FOP Labor Secretary.” *Id.* at 4. MPD noted that its reply further “invited Officer Perkins to meet [with the department Lieutenant] and discuss his individual placement in the selection process.” *Id.* FOP contended that “[h]ad Officer Perkins met with the [Lieutenant] and discussed his ‘own’ performance, he would have been apprised of his ranking and [the] reasons why he was so ranked.” *Id.* MPD asserted that FOP did none of these things, and “failed to follow the proper procedures for filing a grievance.” *Id.* at 4-5. Because of these reasons, MPD argued that “Complainant should not now be allowed to back door its way into challenging the process” via an unfair labor practice complaint. *Id.* at 4.

MPD’s second defense was that its denial of FOP’s requests for access to what it called privileged and confidential materials “[did] not constitute an unfair labor practice.” *Id.* at 5. MPD reiterated its contention that “the information sought contains privileged and confidential information to which the Complainant is not entitled” and that producing the requested materials would “violate the rights of all members participating in the selection process, as well as the integrity of the process itself.” *Id.* (citing F.O.I.A. § 2-534(a)(5)³; D.C. Code § 1-631.05(a)(2)(E)⁴; and DPM §§ 3112.5⁵ and 3112.8, *et seq.*⁶). Further, MPD argued that violating the “privacy rights protected by these laws and regulations would establish ‘substantial countervailing concerns which outweigh [MPD’s] duty to disclose the requested information. *Id.* at 5-6 (citing *University of the District of Columbia Faculty Association, NEA v. University of*

³ F.O.I.A. § 2-534(a)(5):

(a) The following matters may be exempt from disclosure under the provisions of this subchapter:

(5) Test questions and answers to be used in future license, employment, or academic examinations, but not previously administered examinations or answers to questions thereon;

⁴ D.C. Code § 1-631.05(a)(2)(E):

(2) The following information which may be in an official personnel record shall not be disclosed to any employee:

(E) Test and examination materials which may continue to be used for selection and promotion purposes: Provided, however, that the description of test and general results thereof shall be disclosed.

⁵ DPM, Chapter 31A, § 3112.5:

3112.5 Each employee entrusted with test material shall protect the confidentiality of that material and ensure that it is released only as required to conduct an examination authorized by the Office of Personnel or an Independent Personnel Authority.

⁶ DPM, Chapter 31A, § 3112.8:

3112.8 The names of applicants for positions or eligibles on registers, certificates, employment lists, or other lists of eligibles, or their ratings or relative standing shall not be information available to the public.

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the District of Columbia, 38 D.C. Reg. 2463, Slip Op. No. 272 at p. 9, PERB Case No. 90-U-10 (1991); and *Fraternal Order of Police/Metropolitan Police Department Labor Committee v. District of Columbia Metropolitan Police Department*, 59 D.C. Reg. 3386, Slip Op. No. 835 at p. 10, PERB Case 06-U-10 (2006)). MPD noted that FOP cited the latter case in the Complaint to support its contention that MPD committed an unfair labor practice when it denied FOP's requests. *Id.* MPD argued that the facts of that case were different than in the instant matter in that MPD, in the previous case, did not raise a confidentiality defense as it has done here. *Id.* In this matter, MPD argued that "the confidential nature of the information sought, i.e. testing materials, scores, ranking, etc., goes to the very core of the denial of the request" and that "[c]ompelling [MPD] to release this protected information would [violate] D.C. laws and regulations." *Id.*

MPD's third defense was that the Complaint should be dismissed because the potential grievance for which FOP stated it needed the information is "non-cognizable" under DPM § 1631.1(u), which MPD quoted as:

Persons covered under § 1630 may grieve any matter except the following:

(u) Non-selection for any competitive or non-competitive appointment or promotion from a group of candidates who were properly qualified, ranked, or certified.

MPD argued that, "[i]n the absence of factual information that persons selected [for Vacancy Announcement 06-09] were not properly qualified, ranked, or certified, [then Officer Perkins' non-selection for the position was not grievable and] Complainant was not entitled to the information." *Id.* Further, MPD argued that it "cannot be found to have committed an unfair labor practice by not responding to information requests that are related to non-grievable issues." *Id.* at 6-7. Based on these arguments, MPD asked the Board to dismiss the Complaint. *Id.* at 7.

III. Discussion

A. Motion to Accept Untimely Response

The PERB grants MPD's motion to allow its untimely Response. PERB Rules 501.2 and 501.3 state:

501.2: A request for an extension of time shall be in writing and made at least three (3) days prior to the expiration of the filing period. Exceptions to this requirement may be granted for good cause shown as determined by the Executive Director.

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501.3: The request for an extension of time shall indicate the purpose and reason for the requested extension of time and the positions of all interested parties regarding the extension. With the exception of the time limit for the filing of the initial pleading that begins a proceeding of the Board, the parties may waive all time limited established by the Board by written agreement in order to expedite a pending matter.

The PERB finds that the parties' efforts to resolve "the issues in the Complaint" on their own outside of litigation satisfies the "good cause" requirement in PERB Rule 501.2. (Motion to Accept Untimely Answer). Furthermore, the PERB finds that MPD's assertion that the parties "now agree that the case should move forward" and that "[t]he Complainant Union consents to [the] filing of [MPD's late Response]" satisfies the requirements of PERB Rule 501.3 as well. *Id.* Therefore, MPD's Motion to Accept Untimely Response is granted.

B. Jurisdiction

In its Response, MPD raised the defenses that FOP's Complaint "is improperly before the PERB, as it involves a contractual dispute that the parties have bargained to resolve under the [Grievance Procedure] provisions of the [CBA]", and that FOP failed to set forth facts that, if proven, constitute an unfair labor practice. (Response at 1-5). In support of these contentions, MPD cited *Fraternal Order of Police/Metropolitan Police Department Labor Committee v. District of Columbia Office of Police Complaints*, PERB Case No. 06-U-27 (2006), in which the then PERB Executive Director administratively dismissed FOP's complaint on the basis that the PERB lacked jurisdiction to interpret the parties' contract to determine if there was a violation of the Comprehensive Merit Personnel Act ("CMPA"). *Id.* at 3; See also *Fraternal Order of Police/Metropolitan Police Department Labor Committee v. District of Columbia Office of Police Complaints*, ___ D.C. Reg. ___, Slip Op. No. 994 at p. 7-8, PERB Case Nos. 06-U-24, 06-U-25, 06-U-26, and 06-U-28 (2009); and *Hina L. Rodriguez v. District of Columbia Metropolitan Police Department*, ___ D.C. Reg. ___, Slip Op. No. 906, at p. 2-3, PERB Case No. 06-U-38 (2008). Furthermore, MPD argued that: 1) FOP's failure to file a grievance within ten (10) days after MPD's May 4 announcement named the officers who had been selected to fill Vacancy Announcement 06-09; 2) its (MPD's) May 31 and June 13 correspondences in response to FOP's information requests; and 3) FOP's mislabeling of its June 5 information request as a Step 2 Grievance, all provided a "factual predicate" for its contention that the PERB lacks jurisdiction over this matter. (Response at 3-5). The Board disagrees.

Generally, a complainant must assert in the pleadings allegations that, if proven, would demonstrate a statutory violation of the CMPA. *Fraternal Order of Police/Metropolitan Police Department Labor Committee v. D.C. Metropolitan Police Department and Cathy Lanier*, 59

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D.C. Reg. 5427, Slip Op. No. 984 at p. 6, PERB Case No. 08-U-09 (2009) (citing *Virginia Dade v. National Association of Government Employees, Service Employees International Union, Local R3-06*, 46 D.C. Reg. 6876, Slip Op. No. 491 at p. 4, PERB Case No. 96-U-22 (1996); and *District of Columbia Department of Public Works*, 48 D.C. Reg. 6560, Slip Op. No. 371, PERB Case Nos. 93-S-02 and 93-U-25 (1994)).

Furthermore, the Board “distinguishes between those obligations that are statutorily imposed under the CMPA and those that are contractually agreed upon between the parties.” *American Federation of Government Employees, Local 2741 v. District of Columbia Department of Recreation and Parks*, 50 D.C. Reg. 5049, Slip Op. No. 697, PERB Case No. 00-U-22 (2002) (citing *American Federation of State, County and Municipal Employees, D.C. Council 20, Local 2921, AFL-CIO v. District of Columbia Public Schools*, 42 D.C. Reg. 5685, Slip Op. No. 339, PERB Case No. 92-U-08 (1992)). In addition, the Board’s “authority only extends to resolving statutorily based obligations under the CMPA.” *Id.* Therefore, the Board examines the particular record of a matter to determine if the facts concern a violation of the CMPA, notwithstanding the characterization of the dispute in the complaint or the parties’ disagreement over the application of the collective bargaining agreement.⁷ Moreover, if the allegations made in an unfair labor practice complaint *do*, in fact, concern statutory violations, then “[t]he Board is empowered to decide whether [MPD] committed an unfair labor practice concerning the Union’s document request, even though the document request was made . . . [pursuant to a contract’s resolution provisions].” *Id.* at 6.

In the instant matter, FOP provided sufficient allegations in its Complaint to establish that MPD’s denial of FOP’s information request, if proven, would constitute an unfair labor practice under the CMPA. *American Federation of Government Employees, Local 2725 v. District of Columbia Department of Health*, ___ D.C. Reg. ___, Slip Op. No. 1003 at p. 4, PERB Case 09-U-65 (2009); and *FOP v. MPD, et al., supra*, Slip Op. No. 984 at p. 6, PERB Case No. 08-U-09. The authority MPD cited⁸ in its Response is not applicable to the present matter because that case was administratively dismissed on the basis that the Board lacked jurisdiction to interpret the parties’ contract to determine if the alleged statutory violation occurred. See *American Federation of State, County and Municipal Employees, D.C. Council 20, Local 2921, AFL-CIO v. D.C. Public Schools, supra*, Slip Op. No. 339 at p. 9, PERB Case No. 92-U-08 (1992); see also

⁷ The Board looks to whether the record supports a finding that the alleged violation is: (1) restricted to facts involving a dispute over whether a party complied with a contractual obligation; (2) resolution of the dispute requires an interpretation of those contractual obligations; and (3) no dispute can be resolved under the CMPA. See *American Federation of Government Employees, Local Union No. 3721 v. District of Columbia Fire Department*, 39 D.C. Reg. 8599, Slip Op. No. 287 at n. 5, PERB Case No. 90-U-11 (1991).

⁸ *FOP v. OPC, supra*, PERB Case No. 06-U-27.

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FOP v. D.C. OPC, supra, Slip Op. No. 994 at p. 7-8, PERB Case Nos. 06-U-24, 06-U-25, 06-U-26, and 06-U-28; and *Hina L. Rodriguez v. MPD, supra*, Slip Op. No. 906, at p. 2-3, PERB Case No. 06-U-38. No such exercise is necessary here because the Board's jurisdiction over disputes about information requests is well established. *AFGE v. D.C. DOH, supra*, Slip Op. No. 1003, PERB Case 09-U-65. Furthermore, the arguments MPD offered as a "factual predicate" to its contention that the Board lacks jurisdiction over this matter seem to speak more to MPD's viewpoint of how the facts of this case proceeded than to the question of whether or not the Board has jurisdiction. (Response at 3-5). Therefore, the Board finds that its jurisdiction over this matter is proper.

C. Decision on the Pleadings

PERB Rule 520.8 states: "[t]he Board or its designated representative shall investigate each complaint." Rule 520.10 states that "[i]f the investigation reveals that there is no issue of fact to warrant a hearing, the Board may render a decision upon the pleadings or may request briefs and/or oral argument." However, Rule 520.9 states that in the event "the investigation reveals that the pleadings present an issue of fact warranting a hearing, the Board shall issue a Notice of Hearing and serve it upon the parties."

Here, MPD generally denied FOP's legal conclusions, but did not dispute the Complaint's alleged underlying facts, which are that: 1) FOP sent MPD three (3) Article 10 information requests; and 2) MPD denied those requests. (Complaint at 1-3 and Response and 1-6). Therefore, because these facts are undisputed by the parties, leaving only legal questions to be resolved, the PERB can properly decide this matter based upon the pleadings pursuant to Rule 520.10. See also *American Federation of Government Employees, AFL-CIO Local 2978 v. District of Columbia Department of Health*, ___ D.C. Reg. ___, Slip Op. No. 1356 at p. 7-8, PERB Case No. 09-U-23 (2013).

D. Decision

Generally, an agency is obligated to provide documents in response to a request made by the exclusive representative. *Fraternal Order of Police/Metropolitan Police Department Labor Committee v. District of Columbia Metropolitan Police Department*, 59 D.C. Reg. 11371, Slip Op. No. 1302 at p. 23, PERB Case Nos. 07-U-49, 08-U-13, and 08-U-16 (2012) (citing *University of the District of Columbia v. University of the District of Columbia Faculty Association*, 38 D.C. Reg. 2463, Slip Op. No. 272, PERB Case No. 90-U-10 (1991)); and *American Federation of Government Employees, Local 631 v. District of Columbia Water and Sewer Authority*, 59 D.C. Reg. 3948, Slip Op. No. 924 at p. 5-6, PERB Case No. 08-U-04 (2007).

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(citing *Teamsters, Local 639 and 730 v. District of Columbia Public Schools*, 37 D.C. Reg. 5993, Slip Op. No. 226, PERB Case No. 88-U-10 (1989) and *Psychologists Union, Local 3758 of the District of Columbia Department of Health, 1199 National Union of Hospital and Health Care Employees, American Federation of State County and Municipal Employees, AFL-CIO v. District of Columbia Department of Mental Health*, 54 D.C. Reg. 2644, Slip Op. No. 809, PERB Case No. 05-U-41 (2005). Moreover, the United States Supreme Court has held that an employer's duty to disclose information "unquestionably extends beyond the period of contract negotiations and applies to labor-management relations during the term of an agreement." *National Labor Review Board v. Acme Industrial Co.*, 385 U.S. 432, 36 (1967).

Furthermore, the National Labor Relations Board ("NLRB") has articulated that even when a Union's request for information is ambiguous or when it requests information that is not required by the bargaining agreement, such does not excuse an agency's blanket refusal to respond to the request. *Azabu USA (Kona) Co., Ltd. et al*, 298 N.L.R.B. 702 (1990) (citing *A-Plus Roofing*, 295 N.L.R.B. 967, JD fn. 7 (July 11, 1989); *Barnard Engineering Co.*, 282 N.L.R.B. 617, 621 (1987); and *Colgate-Palmolive Co.*, 261 N.L.R.B. 90, 92 fn. 12 (1982). Indeed, "an employer may not simply refuse to comply with an ambiguous and/or overbroad information request, but must request clarification and/or comply with the request to the extent it encompasses necessary and relevant information." *Id.*

Moreover, when an agency has failed and refused, without a viable defense, to produce information that the union has requested, the agency resultantly fails to meet its statutory duty to bargain in good faith and has therefore violated D.C. Code § 1-617.04(a)(5). *AFGE v. D.C. DOH, supra*, Slip Op. No. 1003 at p. 4, PERB Case 09-U-65 (2009) (citing *Psychologists Union, Local 3758 of the D.C. Dep't of Health, 1199 National Union of Hospital and Health Care Employees, American Federation of State County and Municipal Employees, AFL-CIO v. District of Columbia Department of Mental Health, supra*, Slip Op. No. 809, PERB Case No. 05-U-41). In addition, "a violation of the employer's statutory duty to bargain [under D.C. Code §1-617.04(a)(5)] also constitutes derivatively a violation of the counterpart duty not to interfere with the employees' statutory rights to organize a labor union free from interference, restraint or coercion; to form, join or assist any labor organization or to refrain from such activity; and to bargain collectively through representatives of their own choosing" found in D.C. Code §1-617.04(a)(1). *Id.* (quoting *American Federation of State, County and Municipal Employees, Local 2776 v. District of Columbia Department of Finance and Revenue*, 37 DCR 5658, Slip Op. No. 245 at p. 2, PERB Case No. 89-U-02 (1990)).

In the instant matter, it is undisputed that FOP's three (3) letters to MPD constituted official information requests. (Complaint, Attachments 4-6). Each one expressly stated that

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FOP was seeking documentation and information pursuant to Article 10 of the parties' CBA, and each stated that the information was being sought for the purposes of administering the parties' CBA and for the preparation of a grievance. *Id.* As such, MPD had a duty to engage in the bargaining process to comply with FOP's requests as best as possible. *AFGE, Local 631 v. D.C. Water and Sewer Authority, supra*, Slip Op. No. 924 at p. 5-6, PERB Case No. 08-U-04.

MPD's duty to bargain included a duty to request clarification and/or comply with FOP's requests to the extent that each encompassed "necessary and relevant information" even if it (MPD) believed that the requests were ambiguous or overbroad, and even if it believed that the requested information could not be legally provided. *Azabu USA (Kona) Co., Ltd. et al, supra*, 298 N.L.R.B. 702. FOP's May 11 request asked for "all documentation regarding the evaluation and decision-making process with regards to [Officer Perkins], including the scores of each officer and [Officer Perkins'] scores at each stage of the testing process." *Id.*, Attachment 4. FOP's May 25 request broadened the scope of that petition to include "all documentation regarding the evaluation and decision-making process with regard to [all of] the selected officers." *Id.*, Attachment 5. FOP's June 5 request stated that FOP was not asking for "*carte blanche*" access to all of the records pertaining to Vacancy Announcement 06-09, but was only "requesting documents pertaining to the selection process involving [Officer Perkins]." *Id.*, Attachment 6. Then, several paragraphs later in that same June 5 request, FOP stated that it was seeking "all documentation regarding the evaluation and decision-making process with regard to [all of] the selected officers." *Id.* Furthermore, FOP's May 25 and June 5 requests asked for documentation showing how many officers were assigned to the Explosive Ordinance Disposal Unit at the time Vacancy Announcement 06-09 was posted and how many were assigned to the unit after the vacancies were filled. *Id.*, Attachments 5-6. MPD denied FOP's May 11 and May 25 requests stating the information could not be disclosed due to confidentiality and privacy concerns, and because the requests were overly broad. (Complaint, Attachments 6-7; and Response at 2-6). MPD denied FOP's June 5 information request because FOP submitted it in the form of a Step 2 Grievance, despite there never having been a Step 1 Grievance. (Complaint, Attachment 6; and Response at 4-5). Regarding the June 5 request, there can be no question that, despite its subject line, it was still an information request on the bases that it expressly requested information pursuant to Article 10 of the parties' CBA, it reiterated FOP's previous requests, and—perhaps most importantly—MPD itself admitted in its reply that "it is a request rather than a grievance." *Id.*, Attachments 6 and 8. Despite any inconsistencies FOP's requests may have presented, MPD had a duty to seek clarification from FOP as to what was being sought and to still comply with the requests to the extent they "encompassed necessary and relevant information." *Azabu USA (Kona) Co., Ltd. et al, supra*, 298 N.L.R.B. 702.

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The question then turns to whether FOP's requests "encompassed necessary and relevant information." *Id.* The specific information FOP requested can perhaps be best categorized as follows: 1) information specific to Officer Perkins' evaluation and performance in relation to Vacancy Announcement 06-09 (i.e. Officer Perkins' qualifications, test scores, etc.); 2) information related to the evaluation and performance of the other officers that were selected to fill the positions announced in Vacancy Announcement 06-09; 3) information detailing how the selection process of Vacancy Announcement 06-09 was conducted; and 4) information showing whether thirteen (13) officers were actually selected to fill the vacancies instead of just the ten (10) that were officially announced. *Id.*, Attachments 4-6.

In regard to FOP's request for information specific to Officer Perkins' evaluation and performance in relation to Vacancy Announcement 06-09, MPD argued that it fulfilled its duty to bargain when, in its May 31 reply to FOP's May 11 and May 25 information requests, Commander Contee invited Officer Perkins to "participate in a critique of his individual placing" with a specific Explosive Ordinance Disposal Unit Lieutenant. *Id.*, Attachment 7. MPD stated in its Response that that "[h]ad Officer Perkins met with the [Lieutenant] and discussed his 'own' performance, he would have been apprised of his ranking and [the] reasons why he was so ranked." (Response at 4). Agencies are obligated to provide documents in response to a request made by the exclusive representative. *FOP v. MPD, supra*, Slip Op. No. 1302 at p. 23, PERB Case Nos. 07-U-49, 08-U-13, and 08-U-16. Here, Officer Perkins did not make the request, FOP did. (Complaint, Attachments 4-6). MPD's duty, therefore, was to disclose the information to FOP, not to Officer Perkins. *FOP v. MPD, supra*, Slip Op. No. 1302 at p. 23, PERB Case Nos. 07-U-49, 08-U-13, and 08-U-16.

In regard to FOP's request for information related to the evaluation and performance of the other officers that were selected to fill the positions announced in Vacancy Announcement 06-09, MPD raised two (2) defenses. First, it contended that the information FOP sought was privileged and confidential. (Response at 2-6). Secondly, it averred that FOP's Complaint should be dismissed because DPM § 1631.1(u) bars FOP from filing the very grievance it claimed it was preparing. *Id.* at 6-7.

In support of its confidentiality defense, MPD argued that "the information [FOP] sought contain[ed] privileged and confidential information to which the Complainant [was] not entitled" and that producing the requested materials would "violate the rights of all members participating in the selection process, as well as the integrity of the process itself." (Response at 5-6) (citing F.O.I.A. § 2-534(a)(5); D.C. Code § 1-631.05(a)(2)(E); and DPM §§ 3112.5 and 3112.8, *et seq.*). Further, MPD argued that violating the "privacy rights protected by these laws and regulations would establish 'substantial countervailing concerns which outweigh [MPD's] duty to disclose

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the requested information. *Id.* (citing *University of the District of Columbia Faculty Association, NEA v. University of the District of Columbia*, 38 D.C. Reg. 2463, Slip Op. No. 272 at p. 9, PERB Case No. 90-U-10 (1991); and *Fraternal Order of Police/Metropolitan Police Department Labor Committee v. District of Columbia Metropolitan Police Department*, 59 D.C. Reg. 3386, Slip Op. No. 835 at p. 10, PERB Case 06-U-10 (2006)). Additionally, MPD contended that FOP failed to assert in its requests “a claim of how the selection process for the [positions advertised in Vacancy Announcement 06-09] was not practical or fair, or otherwise flawed” in violation of DPM § 806.3(a)-(d). (Complaint, Attachment 7).

When confidentiality is invoked as the reason for not producing requested information, the test is to determine “whether the information sought is relevant and necessary to the union’s legitimate collective bargaining functions and whether this need is outweighed by confidentiality concerns.” *FOP v. MPD, supra*, Slip Op. No. 1302 at p. 22, PERB Case Nos. 07-U-49, 08-U-13, and 08-U-16 (citing *NLRB v. Acme Industrial Co., supra*, 385 U.S. 432). An agency’s confidentiality concerns are “clearly outweigh[ed]” when, in accordance with D.C. Code § 1-617.11(a), “the information sought [by the exclusive representative] goes to the heart of the alleged violation.” *Id.* (quoting *University of the District of Columbia Faculty Association/NEA v. University of the District of Columbia*, 36 D.C. Reg. 3333, Slip Op. no. 215 at p. 3, PERB Case No 86-U-16 (1989)).

In this matter, FOP stated in all three (3) of its information requests that it was seeking the information “for the purpose of administering the Agreement and preparing a grievance.” (Complaint, Attachments 4-6). MPD’s contention that it did not need to produce the information FOP requested because FOP failed to assert “a claim of how the selection process for the [positions advertised in Vacancy Announcement 06-09] was not practical or fair, or otherwise flawed” is disingenuous. (Complaint, Attachment 7) (citing DPM § 806.3(a)-(d)). FOP’s requests cited numerous DPM sections, detailed above, which FOP stated it believed were not adhered to in the evaluation and selection process of Vacancy Announcement 06-09. *Id.*

Furthermore, the legal authority MPD cited in its Response to justify its confidentiality defense is inapplicable and/or unpersuasive. (Response at 5-6). In the first case MPD relied on, *University of the D.C Faculty Association, NEA v. University of the District of Columbia, supra*, Slip Op. No. 272 at p. 9, PERB Case No. 90-U-10, MPD cited page nine (9) of the Hearing Examiners Report, but did not cite the actual Decision and Order in the case, which only has six (6) pages. Despite that, the Hearing Examiner noted that while there may be “countervailing considerations” that outweigh an agency’s duty to disclose information, the University “failed to show [that any such considerations existed] to outweigh its duty to disclose the requested information.” *Id.* Similarly, the second case MPD relied upon, *FOP v. MPD, supra*, Slip Op.

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No. 835 at p. 10, PERB Case 06-U-10, merely states that a confidentiality defense is possible, but gives no guidance as to how or when such a defense can be claimed. In addition, MPD cited F.O.I.A. § 2-534(a)(5), D.C. Code § 1-631.05(a)(2)(E), and DPM § 3112.5, which only bar the disclosure of test questions, answers, and materials that will be used on future examinations. Here, it seems FOP only asked for information showing how the officers performed on the examinations (i.e., their scores, etc.), not for copies of the examinations themselves. Lastly, MPD cited DPM § 3112.8, which bars disclosure of “[t]he names of applicants for positions or eligibles [(sic)] on registers, certificates, employment lists, or other lists of eligibles [(sic)], or their ratings or relative standing shall not be information available to the public.” However, under D.C. Code § 1-617.11(a), FOP, as the exclusive representative, is not “the public.” *FOP v. MPD, supra*, Slip Op. No. 1302 at p. 22, PERB Case Nos. 07-U-49, 08-U-13, and 08-U-16.

Therefore, the Board finds that the information FOP sought in relation to the evaluation and performance of the other officers that were selected to fill the positions announced in Vacancy Announcement 06-09 was relevant and necessary to FOP’s legitimate collective bargaining functions of administering the CBA and preparing a grievance. *FOP v. MPD, supra*, Slip Op. No. 1302 at p. 22, PERB Case Nos. 07-U-49, 08-U-13, and 08-U-16. Additionally, the Board finds that the information FOP sought went “to the heart” of its stated purposes and that, in accordance with D.C. Code § 1-617.11(a), FOP’s need for the information outweighed MPD’s confidentiality concerns.⁹ *Id.*

In regard to MPD’s defense that FOP’s Complaint should be dismissed because DPM § 1631.1(u) bars FOP from filing the very grievance it claimed it was preparing, the Board is unpersuaded. (Response at 6-7). MPD averred that it “cannot be found to have committed an unfair labor practice by not responding to information requests that are related to non-grievable issues.” *Id.* However, DPM § 1631.1(u) only states that non-selection for a position cannot be grieved when the position was filled from a group of candidates who were all “properly qualified, ranked, or certified.” It seems reasonable that the only way FOP could have known if all of the candidates who applied for Vacancy Announcement 06-09 were “properly qualified, ranked, or certified,” and likewise whether the overall process that MPD followed in administering the Vacancy Announcement was “not practical or fair, or otherwise flawed,” would be to review the records it requested detailing the performances and evaluations of the

⁹ This is not to say that MPD’s concerns for privacy and confidentiality are invalid or inappropriate. FOP, as the exclusive representative, is entitled access to certain information when requested for certain reasons. Such does not mean that the requested information must be made available to everyone in the Union. An agency, as part of its duty to bargain in good faith, can certainly bargain and/or negotiate the terms under which it will release confidential information to the exclusive representative (such as restricting who can see/review the information, redacting names, etc.). Such negotiations, however, should not be used as a mechanism to delay or postpone the release of the requested information.

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officers that were selected for the positions. (DPM §§ 1631.1(u) and 806.3(a)-(d)). Again, even when a Union's request seeks information that is not required by the bargaining agreement, such does not excuse an agency's blanket refusal to respond to the request. *Azabu USA (Kona) Co., Ltd. et al, supra*, 298 N.L.R.B. 702. As such, the Board finds that even if MPD believed FOP could not have filed grievances on behalf of Officers Perkins and Bell, such did not excuse them from failing to provide the information FOP requested in preparation of those grievances. *Id.*

In regard to FOP's request for information detailing how the selection process of Vacancy Announcement 06-09 was conducted, MPD insinuated that FOP's "*carte blanche*" request for access to all of its records related to Vacancy Announcement 06-09 was overly broad. (Complaint, Attachment 7). As previously stated, employers "may not simply refuse to comply with an ambiguous and/or overbroad information request, but must request clarification and/or comply with the request to the extent it encompasses necessary and relevant information." *Azabu USA (Kona) Co., Ltd. et al, supra*, 298 N.L.R.B. 702. MPD, under the facts of this case, failed to seek said clarifications and/or comply with FOP's requests. *Id.* Furthermore, MPD's insinuation that it did not need to produce the information FOP requested because "each step of the selection process [for Vacancy Announcement 06-09] was conducted under the scrutiny of [a union representative]" is likewise unavailing on grounds that such did not make the information that FOP requested any less "necessary and relevant" to its stated purposes of administering the agreement and preparing a grievance. *Id.* Nor did such, in itself, guarantee that the selection process of Vacancy Announcement 06-09 was conducted in a correct and proper manner.

In regard to FOP's requests for information showing whether thirteen (13) officers were actually selected to fill the vacancies instead of just the ten (10) that were officially announced, MPD never addressed, responded to, or complied with this request. (Complaint, Attachments 4-8). In so doing, MPD violated its duty to disclose requested information to the exclusive representative. *FOP v. MPD, supra*, Slip Op. No. 1302 at p. 23, PERB Case Nos. 07-U-49, 08-U-13, and 08-U-16; and *AFGE, Local 631 v. D.C. Water and Sewer Authority, supra*, Slip Op. No. 924 at p. 5-6, PERB Case No. 08-U-04.

Wherefore, because MPD failed, without a viable defense, to produce the information that FOP requested, it failed to meet its statutory duty to bargain in good faith under D.C. Code § 1-617.04(a)(5). *AFGE, Local 2725 v. D.C. DOH, supra*, Slip Op. No. 1003 at p. 4, PERB Case 09-U-65. By so doing, MPD further derivatively violated its counterpart duty to not interfere with its employees' statutory rights "to organize a labor union free from interference, restraint or coercion; to form, join or assist any labor organization or to refrain from such activity; and to bargain collectively through representatives of their own choosing" found in D.C. Code §1-

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617.04(a)(1). *Id.* Therefore, the Board finds that MPD's conduct in this matter constituted an unfair labor practice.

IV. Remedy

In accordance with the Board's finding that MPD's conduct constituted an unfair labor practice under D.C. Code § 1-617.04(a)(1) and (5), the Board now turns to the question of what constitutes an appropriate remedy. FOP asked the Board to order MPD to: 1) post notification acknowledging its violation of law; and 2) provide the information as requested pursuant to Article 10 of the CBA. (Complaint at 4).

The Board finds it reasonable to order MPD to post a notice acknowledging its violation of the CMPA, as detailed herein. When a violation of the CMPA has been found, the Board's order is intended to have a "therapeutic as well as a remedial effect" and is further to provide for the "protection of rights and obligations." *AFGE, Local 2725 v. D.C. DOH, supra*, Slip Op. No. 1003 at p. 5, PERB Case 09-U-65 (quoting *National Association of Government Employees, Local R3-06 v. District of Columbia Water and Sewer Authority* 47 D.C. Reg. 7551, Slip Op. No. 635 at pgs. 15-16, PERB Case No. 99-U-04 (2000)). It is this end, the protection of employees' rights, that "underlies [the Board's] remedy requiring the posting of a notice to all employees" that details the violations that were committed and the remedies afforded as a result of those violations. *Id.* (quoting *Charles Bagenstose v. District of Columbia Public Schools*, 41 D.C. Reg. 1493, Slip Op. No. 283 at p. 3, PERB Case No. 88-U-33 (1991)). Posting a notice will enable bargaining unit employees to know that their rights under the CMPA are fully protected. *Id.* It will likewise discourage the Agency from committing any future violations. *Id.*

Furthermore, the Board finds it reasonable to order MPD to immediately deliver to FOP the information it requested, including: 1) information specific to Officer Perkins' evaluation and performance in relation to Vacancy Announcement 06-09 (i.e. Officer Perkins' qualifications, test scores, etc.); 2) information specific to Officer Bell's evaluation and performance in relation to Vacancy Announcement 06-09 (i.e. Officer Bell's qualifications, test scores, etc.); 3) information related to the evaluation and performance of the other officers that were selected to fill the positions announced in Vacancy Announcement 06-09; 4) information detailing how the selection process of Vacancy Announcement 06-09 was conducted; 5) all documentation revealing how many Bomb Technician/Canine Handlers were assigned to the Explosive Ordinance Disposal Unit on November 1, 2005; 6) all documentation revealing how many Bomb Technician/Canine Handlers were assigned to the Explosive Ordinance Disposal Unit on June 23, 2006; and 7) all documentation revealing how many of the officers who were assigned to the Explosive Ordinance Disposal Unit on June 23, 2006, had the proper and required training.

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(Complaint, Attachments 4-6); and *AFGE, Local 2725 v. D.C. DOH, supra*, Slip Op. No. 1003 at p. 5, PERB Case 09-U-65.

ORDER

IT IS HEREBY ORDERED THAT:

1. The District of Columbia Metropolitan Police Department (“Respondent” or “MPD” or “Agency”) shall conspicuously post, within ten (10) days of the service of this Decision and Order, the attached Notice where notices to bargaining-unit employees are customarily posted. Said Notice shall remain posted for thirty (30) consecutive days.
2. MPD shall deliver to the Fraternal Order of Police/Metropolitan Police Department Labor Committee, (“Complainant” or “FOP” or “Union”), within fourteen (14) days of the date of this Order, the information FOP requested, including: 1) information specific to Officer Todd Perkins’ (“Officer Perkins”) evaluation and performance in relation to Vacancy Announcement 06-09 (i.e. Officer Perkins’ qualifications, test scores, etc.); 2) information specific to Officer Christopher Bell’s (“Officer Bell”) evaluation and performance in relation to Vacancy Announcement 06-09 (i.e. Officer Bell’s qualifications, test scores, etc.); 3) information related to the evaluation and performance of the other officers that were selected to fill the positions announced in Vacancy Announcement 06-09; 4) information detailing how the selection process of Vacancy Announcement 06-09 was conducted; 5) all documentation revealing how many Bomb Technician/Canine Handlers were assigned to the Explosive Ordinance Disposal Unit on November 1, 2005; 6) all documentation revealing how many Bomb Technician/Canine Handlers were assigned to the Explosive Ordinance Disposal Unit on June 23, 2006; and 7) all documentation revealing how many of the officers who were assigned to the Explosive Ordinance Disposal Unit on June 23, 2006, had the proper and required training.
3. Within fourteen (14) days of the service of this Decision and Order, MPD shall notify the Board, in writing, that the Notice has been posted as ordered.
4. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

March 14, 2013

CERTIFICATE OF SERVICE

This is to certify that the attached Decision and Order in PERB Case No. 06-U-41, Slip Op. No. 1374, was transmitted via U.S. Mail and e-mail to the following parties on this the 19th day of March, 2013.

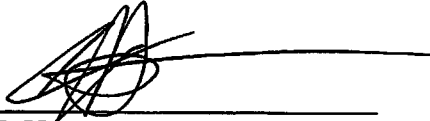
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NOTICE

TO ALL EMPLOYEES OF THE DISTRICT OF COLUMBIA METROPOLITAN POLICE DEPARTMENT ("MPD"), THIS OFFICIAL NOTICE IS POSTED BY ORDER OF THE DISTRICT OF COLUMBIA PUBLIC EMPLOYEE RELATIONS BOARD PURSUANT TO ITS DECISION AND ORDER IN SLIP OPINION NO. 1374, PERB CASE NO. 06-U-41 (March 14, 2013).

WE HEREBY NOTIFY our employees that the District of Columbia Public Employee Relations Board has found that we violated the law and has ordered MPD to post this notice.

THE MPD violated D.C. Code § 1-617.04(a)(1) and (5) by failing, without a viable defense, to produce requested information that was necessary and relevant to the Fraternal Order of Police/Metropolitan Police Department Labor Committee's ("FOP") ability to timely investigate a grievance or competently consult and negotiate with MPD on behalf of bargaining unit employees.

District of Columbia Metropolitan Police Department

Date: _____ By: _____

This Notice must remain posted for thirty (30) consecutive days from the date of posting and must not be altered, defaced or covered by any other material.

If employees have any questions concerning this Notice or compliance with any of its provisions, they may communicate directly with the Public Employee Relations Board, located at: 1100 4th Street, SW, Suite E630; Washington, D.C. 20024, Telephone: (202) 727-1822.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

Washington, D.C.

March 14, 2013

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All customer service specialists employed by the Office of the City Administrator, Mayor's City Wide Call Center, excluding management officials, supervisors, confidential employees, employees engaged in personnel work in other than a purely clerical capacity and employees engaged in administering the provisions of Title XVII of the District of Columbia Comprehensive Merit Personnel Act of 1978, D.C. Law 2-139.

(Joint Petition at para. 1).

The Joint Petition averred that the appropriate compensation unit placement for the Employees was Compensation Unit 1.² A notice concerning the Joint Petition was posted. The notice solicited comments concerning the appropriate compensation unit placement for the Employees. No comments were received.

The Board has authorized and established compensation units pursuant to D.C. Code section 1-617.16(b), which provides: "In determining an appropriate bargaining unit for negotiations concerning compensation, the Board shall authorize broad units of occupational groups so as to minimize the number of different pay systems or schemes. The Board may authorize bargaining by multiple employers or employee groups as may be appropriate." This provision establishes a two-part test to determine an appropriate compensation unit: (1) the employees of the proposed unit comprise broad occupational groups; and (2) the proposed unit minimizes the number of different pay systems or schemes. *AFSCME, D.C. Council 20, Local 2401 v. D.C. Pub. Schs.*, 59 D.C. Reg. 4954, Slip Op. No. 962 at p. 3, PERB Case No. 08-CU-01 (2009).

The first prong of the test is met. Compensation Unit 1 is comprised of a broad group of employees who come under the Mayor's personnel authority, possess certain general skills, and who currently have their compensation set in accordance with the District Service Schedule. In addition, the second prong of the test is fulfilled as the Employees share a pay system with other employees who are currently in Compensation Unit 1, and placing the Employees in that unit does not increase the number of different pay systems or schemes.

For the foregoing reasons, the Board grants the Joint Petition for Compensation Unit Determination and places the above-referenced Employees in Compensation Unit 1.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD
Washington, D.C.

March 21, 2013

² Compensation Unit 1 consists of all District Service career service professional, technical, administrative and clerical employees.

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CERTIFICATE OF SERVICE

This is to certify that the attached Decision in PERB Case No. 04-CU-02 was served via U.S. Mail to the following parties on this the 21st day of March 2013:

Johnnie Walker
National Representative
AFGE District 14
444 North Capitol St. NW, suite 841
Washington, DC 20001

VIA U.S. MAIL

James T. Langford
Attorney Advisor
Office of Labor Relations and Collective Bargaining
441 4th St. NW, suite 820 North
Washington, D.C. 20001

VIA U.S. MAIL



Yvonne P. Waller
Administrative Officer

District of Columbia REGISTER – April 5, 2013 – Vol. 60 - No. 15 004924 – 005360