

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

In the Matter of:)

9th Street Lounge, LLC)
t/a Mirror Lounge)

Application for Renewal)
and Substantial Change (Summer Garden))
for a Retailer's Class CT License)

at premises)
1920 9th Street, NW)
Washington, D.C. 20001)

Case Nos.: 19-PRO-00113
20-PRO-00003
License No.: ABRA-111950
Order No.: 2021-041

9th Street Lounge, LLC, t/a Mirror Lounge, Petitioner

Sidon Yohannes, Counsel, on behalf of the Petitioner

Luis F. Espinoza, on behalf of A Group of Five Individuals, Protestant

Evan Schlom, Dan Orlaskey, and Luis F. Espinoza, on behalf of A Group of Eleven
Individuals, Protestant

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member
Rafi Crockett, Member
Jeni Hansen, Member
Edward S. Grandis, Member

**ORDER GRANTING MOTION TO CONSOLIDATE PROTESTS
AND CONTINUE PROTEST HEARINGS**

The Application filed by 9th Street Lounge, LLC, t/a Mirror Lounge (Petitioner), for renewal of its Retailer's Class CT License, was protested (19-PRO-00113) by a Group of Five Individuals. The Renewal Application came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on November 18, 2019, and a Protest Status Hearing on January 8, 2020. Both Parties were present at the Roll Call and Protest Status Hearings

on the License Renewal Application. The Protest Hearing is currently scheduled for January 14, 2021.

Additionally, there is also pending before the Board a Substantial Change Application to add a Summer Garden to its Retailer's Class CT License. The Substantial Change Application has also been protested (20-PRO-00003) by a Group of Eleven Individuals. The Substantial Change Application came before the Board for a Roll Call Hearing on January 21, 2020. Both Parties were present at the Roll Call Hearing. At the Roll Call Hearing, the Protestant Group of Eleven Individuals only produced two of its members and as a result, the Board's Agent granted the Group conditional standing. The Board's Agent advised the Group of Eleven Individuals that it would need to produce three additional members at the Protest Status Hearing in order for the Board to confer full standing. On June 3, 2020, the Protest Status Hearing was continued to a date to be determined pursuant to Mayor's Order 2020-066, Preparation for DC Reopening.

On January 13, 2021, the Petitioner filed a Motion to Consolidate Protests against the Renewal Application and the Substantial Change Application. The Petitioner seeks consolidation because the witnesses and the issues are the same in both protest cases. Additionally, the Protestants consented to the Motion to Consolidate.

Therefore, upon consideration of the Petitioner's Motion to Consolidate, the Board finds that as a matter of administrative economy and fairness to the parties, consolidation of the two protest proceedings is warranted.

ORDER

Therefore, the Board, on this 13th day of January 2021, hereby **ORDERS** Case Nos. 19-PRO-00113 and 20-PRO-00003 be consolidated into one Protest Hearing.

It is **FURTHER ORDERED** that the Protest Hearing for these matters shall be held on January 28, 2021 at 1:30 p.m.

It is **FURTHER ORDERED** that all future filings in this action shall bear the case numbers for both protests.

Copies of this Order shall be sent to the Petitioner, the Group of Five Individuals, and the Group of Eleven Individuals.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamllessDocs.com
Donovan Anderson
Key: a4378b66a559e407300b41d0c28

Donovan Anderson, Chairperson

eSigned via SeamllessDocs.com
James Short
Key: 347ae37920d4f4a811322b42948ec

James Short, Member

eSigned via SeamllessDocs.com
Bobby Cato
Key: 25683c6a8b4146d7f4b75bd7917d202

Bobby Cato, Member

Rema Wahabzadah, Member

Rafi Crockett, Member

eSigned via SeamllessDocs.com
Jeni Hansen, Member
Key: 82172803f509447491d5d702e4181f

Jeni Hansen, Member

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Edward Grandis, Member
Key: 5027bda7f9f0040ec14adeb52541ce5

Edward S. Grandis, Member

Pursuant to D.C. Official Code § 25-433(d)(1), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section II of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code §2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879- 1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR §1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).