

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

In the Matter of:)
)
Omar, LLC)
t/a Costello Restaurant and Lounge)
)
Application for Substantial Change)
(Change of Hours and Entertainment Endorsement))
to a Retailer's Class CT License)
)
at premises)
5201 Georgia Avenue, NW)
Washington, D.C. 20011)
)

Case No.: 18-PRO-00066
License No.: ABRA-100259
Order No.: 2018-535

Omar, LLC, t/a Costello Restaurant and Lounge, Applicant

Jamie Barden, on behalf of A Group of Five or More Individuals, Protestant

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
James Short, Member
Donald Isaac, Sr., Member
Bobby Cato, Member
Rema Wahabzadah, Member

ORDER ON DISMISSAL OF APPLICATION

The Application filed by Omar, LLC, t/a Costello Restaurant and Lounge (Applicant), for a Substantial Change to change its hours of operation and sales and add Live Entertainment to its Retailer's Class CT License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on September 17, 2018.

On September 17, 2018, the Board dismissed the Application, because the Applicant failed to appear at the Roll Call Hearing. The Applicant may file a Request for Reinstatement with the Board within ten (10) days from the date of this Order.

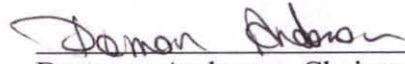
Notwithstanding the dismissal of the Application, four (4) members of the Protestant Group appeared at the Roll Call Hearing where the Board's agent granted the

Group conditional standing. The Board's Agent advised the Group that if the Application were to be reinstated, the Group must produce one (1) more individual at the Protest Status Hearing in order to be granted full standing as A Group of Five or More Individuals.

ORDER

The Board does hereby, this 19th day of September, 2018, **DISMISS** the Application. Copies of this Order shall be sent to the Applicant and Jamie Barden, on behalf of the Group of Five or More Individuals.

District of Columbia
Alcoholic Beverage Control Board



Donovan Anderson, Chairperson



Nick Alberti, Member

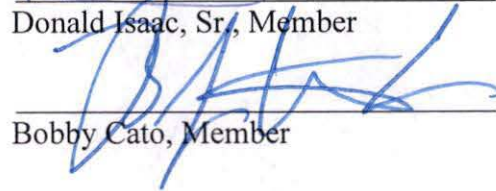


Mike Silverstein, Member

James Short, Member



Donald Isaac, Sr., Member



Bobby Cato, Member

Rema Wahabzadah, 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 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code §2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 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).