

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

In the Matter of:)	
)	
M & S, Inc.)	Case No.: 19-PRO-00098
t/a GLO – Lalibela Ethiopian Restaurant)	License No: ABRA-104701
& Lounge)	Order No: 2019-874
)	
Application to Renew a)	
Retailer’s Class CR License)	
)	
at premises)	
1608 7th Street, N.W.)	
Washington, D.C. 20001)	

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member
Rafi Aliya Crockett, Member

ALSO PRESENT: M & S, Inc., t/a GLO – Lalibela Ethiopian Restaurant & Lounge,
Applicant

Farid Salih and Terry Bhoa, on behalf of DC International Hostel, LLC,
Abutting Property Owner

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER DENYING RECONSIDERATION


The Alcoholic Beverage Control Board (Board) dismissed the Protestant for failing to appear at the Protest Hearing on November 7, 2019. *In re M & S, Inc., t/a GLO – Lalibela Ethiopian Restaurant & Lounge*, Case No. 19-PRO-00098, Board Order No. 2019-870, 1-2 (D.C.A.B.C.B. Nov. 7, 2019). The Protestant, Farid Salih, asked for reconsideration and reinstatement. The Applicant notes that the recognized Protestant has standing as an abutting property owner, but is not actually a qualified abutting property owner under D.C. Official Code § 25-601, because the protest was filed by D.C. International Hostel, LLC, not the property owner. In this case, the Applicant indicates that Yimaj Kalifa is actually the property owner of record. In reply, the Protestant indicates that Mr. Salih was previously Mr. Kalifa’s legal

representative; nevertheless, this has no bearing on the present matter or excuse the Protestant's failure to properly identify the Protestant in its protest letter in accordance with D.C. Official Code § 25-602(a). Furthermore, the Board is not persuaded that the failure to properly identify the abutting property owner in an appropriate and timely manner was adequately explained, justified, or for good cause. As a result, it is too late to change or add new parties. D.C. Code § 25-101(41).

ORDER

For these reasons, on this 4th day of December 2019, the prior Order is **AFFIRMED** and the motion for reinstatement and reconsideration is **DENIED**. The ABRA shall deliver a copy of this Order to the Parties.

District of Columbia
Alcoholic Beverage Control Board



Donovan Anderson, Chairperson



James Short, Member



Bobby Cato, Member

Rema Wahabzadah, Member



Rafi Aliya Crockett, 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, Reeves Center, 2000 14th Street, NW, 400S, Washington, D.C. 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. 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. However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 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).