

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

_____)		
Kiss LLC)	Case No.:	19-PRO-00139
t/a Kiss Tavern)	License No.:	104710
)	Board Order No.:	2020-143
Application to Renew a)		
Retailer's Class CT License)		
)		
at premises)		
637 T Street, N.W.)		
Washington, D.C. 20001)		
_____)		

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

ALSO PRESENT: Kiss LLC, t/a Kiss Tavern, Applicant

Sidon Yohannes, Counsel, on behalf of the Applicant

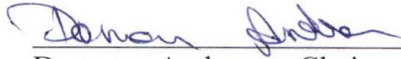
Anita Norma, Commissioner Advisory Neighborhood Commission (ANC)
1B, Protestant

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER DENYING PROTESTANT'S MOTION TO DISMISS

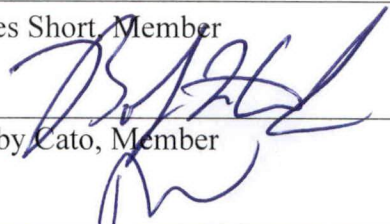
On this 4th day of March 2020, the Alcoholic Beverage Control Board **DENIES** Advisory Neighborhood Commission (ANC) 1B's motion to dismiss Kiss LLC, t/a Kiss Tavern, (Applicant) for failing to appear at the scheduled mediation. The Board does not find that the Applicant unreasonably refused to appear at mediation under District of Columbia Official Code § 25-445 where the Applicant's representative was merely late, was in communication with ABRA staff on the day of the mediation, counsel attempted to appear at the mediation, and there is no showing that the Applicant has engaged in a pattern of failing to appear at scheduled hearings. Therefore, the motion is denied. A copy of this Order shall be provided 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



Jeni Hansen, Member

Under 23 DCMR § 1719.1, 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, under section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code § 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration under 23 DCMR § 1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).