

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

In the Matter of:

5k baller, LLC
t/a Play off Pizza

Applicant for a New
Retailer’s Class CT License

at premises
924 5th Street, NW
Washington, D.C. 20001

Case No.: 20-PRO-00020
License No.: ABRA-116268
Order No.: 2020-262

5k baller, LLC, t/a Play off Pizza, Applicant

Todd Rubin, on behalf of A Group of Five or More Individuals, Petitioner

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

**ORDER SUA SPONTE DISMISSING THE PROTEST FILED
BY A GROUP OF FIVE OR MORE INDIVIDUALS**

In Board Order No. 2020-257, issued on August 12, 2020, the Alcoholic Beverage Control Board (Board) approved the Settlement Agreement filed by Advisory Neighborhood Commission 6E and the 5k baller, LLC, t/a Play off Pizza.

Therefore, the Board dismissed the Protest filed by the Group of Five or More Individuals pursuant to D.C. Official Code § 25-609(b), which states that “...In the event that an affected ANC submits a settlement agreement to the Board on a protested license application, the Board, upon its approval of the settlement agreement, shall dismiss any protest of a group of no fewer than 5 residents or property owners meeting the requirements of § 25-601(2)...”

On this 19th day of August, 2020, the Board hereby *sua sponte* **DISMISS** the Protest filed by the Group of Five or More Individuals. Therefore, there is no need to schedule a protest hearing in this matter.

The Board notes that the Settlement Agreement between the Applicant and ANC 6EE shall remain in effect.

A copy of this Order shall be provided to the Parties.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: ac431866b944f50e4b733093410c08f

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 347aa773020e4ac8d1e932852946ac

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 256d330adfb14637f4b76417617a203f

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rema Wahabzadah, Member
Key: bf2ca46b566b74009b19b35b738f1d2f

Rema Wahabzadah, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: b550e91045e1f9e401d155e5c1201cc

Rafi Crockett, Member

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Jeni Hansen, Member
Key: 621729318509447401b36ff2441805

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward S. Grandis, Member
Key: 5027bda700f0040ec14adeb52041ce5

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 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 StTeet, 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).