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

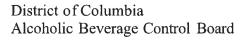
ORDER SUA SPONTE DISMISSING THE PROTEST FILED BY A GROUP OF FIVE OR MORE INDIVIDUALS

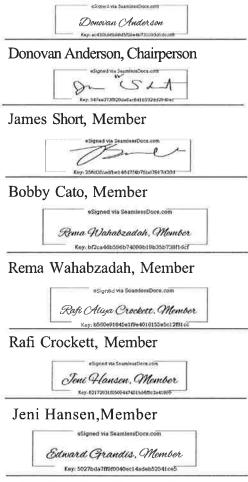
In Board Order No. 2020-257, issued on August 12, 2020, the Alcoholic Beverage Control Board (Board) approved the Settlement Agreement filed by Advisory Neighborhood Commission 6E and the 5k baller, LLC, t/a Play off Pizza.

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.





Edward S. Grandis, Member

Pursuant to D.C. Official Code§ 25-433(d)(l), 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 thilty (30) days of the date of service of this Order, with the District of Columbia Coult 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).