

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

In the Matter of:)

Po Boy Jim 2, LLC)
t/a Po Boy Jim 2)

Application for Renewal of a)
Retailer's Class CR License)

at premises)
1934 9th Street, NW)
Washington, D.C. 20001)

Case No.: 19-PRO-00064
License No.: ABRA-105468
Order No.: 2019-495

Po Boy Jim 2, LLC, t/a Po Boy Jim 2 (Applicant)

Dan Orlaskey, on behalf of a Group of Five or More Individuals (Protestant)

Dan Orlaskey, on behalf of Evan Schlom and Paul Alvaro Marin, Residents

BEFORE: Donovan Anderson, Chairperson
Mike Silverstein, Member
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member

**ORDER ON DISMISSAL OF EVAN SCHLOM AND
PAUL ALVARO MARIN'S PROTESTS**

The Application filed by Po Boy Jim 2, LLC, t/a Po Boy Jim 2 (Applicant), to renew its Retailer's Class CR License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on June 17, 2019, in accordance with D.C. Official Code § 25-601 (2001).

On June 17, 2019, the Board dismissed the Protests of Evan Schlom and Paul Alvaro Marin. Mr. Schlom's property at [REDACTED] and Mr. Alvaro's property at [REDACTED] do not abut the Applicant's establishment, nor are they members of a group of five or more property owners or residents under D.C. Official Code § 25-601(1).

Mr. Schlom and Mr. Alvaro may file a Request for Reinstatement with the Board within ten (10) days from the date of this Order.


The Board's agent advised the Group of Five or More Individuals at the Roll Call Hearing that three (3) more individuals must appear at the Protest Status Hearing in order to be granted standing as A Group of Five Individuals. The Group of Five or More Individuals was originally granted conditional standing at the Roll Call Hearing.

ORDER

The Board does hereby this 19th day of June, 2019, **DISMISS** the Protests of Evan Schlom and Paul Alvaro Marin. Copies of this Order shall be sent to the Applicant and Dan Orlaskey, on behalf of the Group of Five or More Individuals, Evan Schlom, and Paul Alvaro Marin.

The Board advises the parties that the protest of the Group of Five or More Individual remains, and the Protest Status Hearing is set for August 14, 2019 at 9:30 a.m. and the Protest Hearing for September 25, 2019 at 4:30 p.m.

District of Columbia
Alcoholic Beverage Control Board

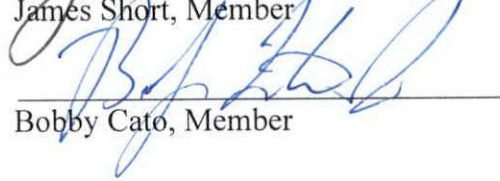


Donovan Anderson, Chairperson

Mike Silverstein, Member



James Short, 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).