

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

In the Matter of:)
)
The Argonaut, LLC)
t/a The Argonaut)
)
Holder of a)
Retailer's Class CR License)
)
Mailing Address:)
1225 19th Street, N.W. #320)
Washington, D.C. 20036)
)

License Number: 072672
Order Number: 2018-551

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
James Short, Member
Donald Isaac, Sr., Member
Bobby Cato, Member
Rema Wahabzadah, Member

ORDER DENYING MOTION FOR RECONSIDERATION

The Board affirms the cancellation of ABRA License No. 072672 held by The Argonaut, LLC, t/a The Argonaut (Petitioner).

This matter begins on March 26, 2018, when the Petitioner requested an extension of safekeeping through its counsel, in a letter addressed from 1225 19th Street, N.W., Suite 320. *Letter from Andrew J. Kline to the Alcoholic Beverage Control Board*, 1 (Mar. 26, 2018). On April 12, 2018, Petitioner was informed by ABRA that its safekeeping petition had been approved through September 18, 2018, but it owed \$250 to the agency or its license would face cancellation within 30 days. *Letter from Kelly Campbell, Staff Assistant, Alcoholic Beverage Regulation Administration to The Argonaut, LLC*, 1 (Apr. 12, 2018). No required fee was received; therefore, the matter was moved to the Board's cancellation agenda.

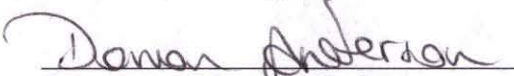
In Board Order No. 2018-375, issued on June 6, 2018, the Alcoholic Beverage Control Board cancelled Petitioner's license due to the Petitioner's failure to pay required fees within the appropriate time period. *In re The Argonaut, LLC, t/a The Argonaut*, ABRA License No. 072672, Board Order No. 2018-375, 1 (D.C.A.B.C.B. Jun. 6, 2018). ABRA's records show that the Board Order was subsequently mailed to 1225 19th Street, N.W., #320—the offices of Petitioner's counsel—on June 7, 2018, by mail.

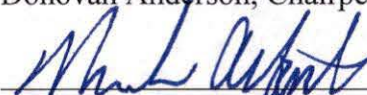
On September 25, 2018, the Petitioner requested reconsideration and reinstatement of its license claiming that it had not been given notice of the pending cancellation or served with the Board's Order. *Mot. for Recon.*, at 1-2. This is belied by the record, which shows that ABRA gave notice to the Petitioner of the required fee and the consequences of failing to pay. The record also shows that Petitioner's counsel had adequate and sufficient notice of the Board's Order to constitute notice on the Petitioner. *See* 23 DCMR § 1703.2 (West Supp. 2018). Consequently, in light of the provision of notice in June 2018, the present motion is untimely and not eligible for reconsideration. D.C. Code § 25-433(d)(1).

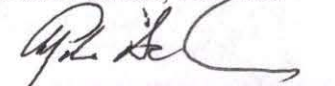
ORDER

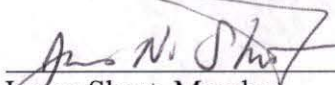
Therefore, on this 26th day of September 2018, the Board hereby **DENIES** the motion for reconsideration. A copy of this Order shall be provided to the Petitioner.

District of Columbia
Alcoholic Beverage Control Board

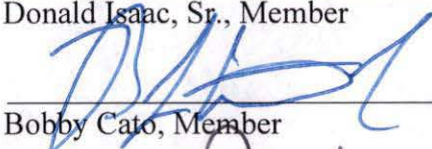

Donovan Anderson, Chairperson

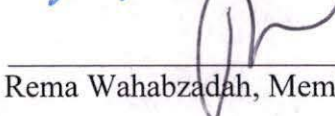

Nick Alberti, Member


Mike Silverstein, Member


James Short, Member

Donald Isaac, Sr., Member


Bobby Cato, Member


Rema Wahabzadah, Member

Pursuant to 23 DCMR § 1719.1 (2008), 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. 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 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).