

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

In the Matter of:

Vap H Street, LLC
t/a Vapiano

Holder of a
Retailer's Class CR License

at premises
623 H Street, NW
Washington, D.C. 20001

Case No.: 18-CMP-00227
License No.: ABRA-076727
Order No.: 2019-222

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

ORDER ON PRAECIPE OF DISMISSAL

On April 24, 2019, the District of Columbia (Government) filed a Praecipe of Dismissal seeking dismissal of the charge listed in the Notice to Show Cause Hearing filed against Vap H Street, LLC, t/a Vapiano (Respondent), in Case No. 18-CMP-00227. *See* ABRA Show Cause File No. 18-CMP-00227.

The Government seeks to dismiss the charge because the Government is unable to meet its burden in this case due to the unavailability of a key witness.

For these reasons, on this 24th day of April, 2019, the Board hereby **ACKNOWLEDGES** receipt of the Government's Praecipe of Dismissal and **DISMISSES** Case No. 18-CMP-00227 against the Respondent. A copy of this Order shall be sent to the Respondent and the Government.

District of Columbia
Alcoholic Beverage Control Board

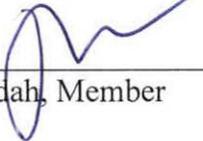

Donovan Anderson, Chairperson


Nick Alberti, Member


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).