

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

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In the Matter of:	)	
	)	
Yegna Restaurant and Lounge, Inc.	)	Case No.: 18-PRO-00016
t/a Asefu's Palace	)	License No.: 105977
	)	Order No.: 2018-371
Application for a Substantial Change to a	)	
Retailer's Class CT License	)	
	)	
at premises	)	
1920 9th Street, N.W.	)	
Washington, D.C. 20001	)	

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

**ALSO PRESENT:** Yegna Restaurant and Lounge, Inc., t/a Asefu's Palace, Applicant  
  
Richard Bianco, Counsel, on behalf of the Respondent  
  
Anita Norman, Chair, Advisory Neighborhood Commission (ANC) 1B,  
Protestant  
  
Martha Jenkins, General Counsel  
Alcoholic Beverage Regulation Administration

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**ORDER DENYING MOTION FOR RECONSIDERATION**

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In Board Order No. 2018-342, the Alcoholic Beverage Control Board dismissed the protest of Advisory Neighborhood Commission (ANC) 1B for failing to appear at the required Protest Status Hearing. *In re Yegna Restaurant and Lounge, Inc., t/a Asefu's Palace*, Case No. 18-PRO-00016, Board Order No. 105977, 1 (D.C.A.B.C.B. May 16, 2018). ANC 1B in petitioning for reinstatement indicates that the ANC's representatives missed the hearing due to a failure to properly record the hearing on their calendars and were confused about the date of the hearing. *Mot. for Recon.*, at 1. As noted by the Applicant, under 23 DCMR § 1606.1, none of

the reasons presented by the ANC's representatives qualify as good cause. *Opposition*, at 3 citing *In re 2121 K Street, LLC, t/a Homeslyce*, Case No. 17-PRO-00087, Board Order No. 2018-095, 2 (D.C.A.B.C.B. Mar. 7, 2018) (saying "oversight and confusion" as grounds for missing a hearing does not constitute good cause); *In re Whole Foods Market Group, Inc., t/a Whole Foods Market*, Case No. 16-PRO-00131, Board Order No. 2017-099 (D.C.A.B.C.B. Feb. 22, 2017) ("It is the parties' responsibility to keep track of hearing dates . . ."). Therefore, the Board affirms its prior Order and denies the motion for reconsideration

### ORDER

Therefore, the Board, on this 6th day of June 2018, hereby **DENIES** the motion for reconsideration. The ABRA shall deliver copies of this Order to the parties.

District of Columbia  
Alcoholic Beverage Control Board



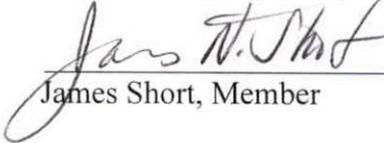
Donovan Anderson, Chairperson



Nick Alberti, Member



Mike Silverstein, Member

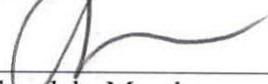


James Short, Member

Donald Isaac, Sr., Member



Bobby Cato, Member



Rema Wahabzadah, Member

Pursuant to 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, 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, 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 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).