

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

<b>In the Matter of:</b>	)	
	)	
Amduffy, LLC	)	
t/a Duffy's Irish Restaurant	)	
	)	
Application for Substantial Change	)	
(Sidewalk Café)	)	Case No. 13-PRO-00004
to Retailer's Class CT License	)	License No. ABRA-072539
	)	Order No. 2013-067
at premises	)	
2106 Vermont Avenue, N.W.	)	
Washington, D.C. 20005	)	

Amduffy, LLC, t/a Duffy's Irish Restaurant (Applicant)

C. Scott Patterson, Abutting Property Owner (Protestant)

Lorraine J. White, Abutting Property Owner

**BEFORE:** Ruthanne Miller, Chairperson  
Nick Alberti, Member  
Donald Brooks, Member  
Herman Jones, Member  
Mike Silverstein, Member

**ORDER DENYING LORRAINE J. WHITE'S REQUEST FOR REINSTATEMENT**

The Application filed by Amduffy, LLC, t/a Duffy's Irish Restaurant, for a new Sidewalk Café for its Retailer's Class CT License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on February 4, 2013, in accordance with D.C. Official Code § 25-601 (2001).

On February 4, 2013, the Board dismissed the Protest of Lorraine J. White and Charles W. White, abutting property owners, because Mr. and Mrs. White did not file a signed protest letter pursuant to Title 23 of the District of Columbia Municipal Regulations (23 DCMR) § 1605.3. *See* Order No. 2013-039, dated February 5, 2013.

On February 15, 2013, Mr. Mayes, on behalf of Mrs. White, requested that Mrs. White's Protest be reinstated, indicating that on January 22, 2013, he electronically filed Mrs. White's protest letter and a letter of representation to an Alcoholic Beverage Regulation Administration (ABRA) staff. ABRA staff informed Mr. Mayes that the

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protest letter was not signed by Mrs. White, but that the Board would determine whether Mrs. White's protest letter met the requirements of the DCMR. At the Roll Call Hearing on February 4, 2013, Mr. and Mrs. White stated that they would have corrected the omission of their signature on the protest letter if notified by ABRA staff of the defect.

On February 27, 2013, Andrew J. Kline, on behalf of the Applicant, filed an Opposition to Request for Reinstatement, arguing that Mrs. White's protest was properly dismissed because it did not comply with 23 DCMR §1605.3, that Mr. Mayes, who is trained as an attorney, was advised by ABRA staff that Mrs. White did not sign her protest letter, and that Mr. Mayes failed to comply with the rules by properly and timely filing the protest.

Based upon the above, the Board finds that Mrs. White did not file a signed protest letter as required by 23 DCMR § 1605.3 and therefore the Board does not find good cause to reinstate Mrs. White. Further, Mr. Mayes's explanation does not constitute good cause under 23 DCMR § 1602.3. Therefore, Mrs. White's request for reinstatement is denied for failure to file a signed protest letter.

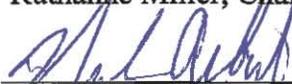
### **ORDER**

The Board does hereby, this 20th day of March, 2013, **DENY** the reinstatement of Lorraine J. White and Charles W. White. Copies of this Order shall be sent to the Applicant, Christopher Scott Patterson, Lorraine J. White, and Stanley J. Mayes.

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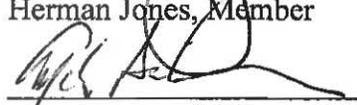
District of Columbia  
Alcoholic Beverage Control Board

  
Ruthanne Miller, Chairperson

  
Nick Alberti, Member

  
Donald Brooks, Member

  
Herman Jones, Member

  
Mike Silverstein, Member

Pursuant to D.C. Official Code § 25-433, 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 14<sup>th</sup> Street, N.W., Suite 400S, Washington, DC 20009.