

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

_____ )	
<b>In the Matter of:</b> )	
)	
Superclub Ibiza, LLC )	
t/a Ibiza )	
)	
Application for Renewal of a )	Case No. 13-PRO-000150
Retailer's Class CN License )	License No. ABRA-074456
)	Order No. 2013-602
)	
at premises )	
1222 1 <sup>st</sup> Street, N.E. )	
Washington, D.C. 20002 )	
_____ )	

Superclub Ibiza, LLC, t/a Ibiza (Applicant)

Tony Goodman and Drew Courtney, Commissioners, Advisory Neighborhood Commission (ANC) 6C (Protestant)

Sanju Misra, Esq., and Doug Firstenberg, on behalf of a Group of Five or More Individuals (Approximately Ten Individuals) (Protestant)

Mary Jane Wankel

Michael S. Lubell

A Group of Five or More Individuals (Approximately Five Individuals)

Frederick W. Rothmeijer, Founding Principal of MRP Realty, on behalf of Washington Gateway, LLC and Washington Gateway Apartments Venture, LLC

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

**ORDER ON DISMISSAL OF PROTESTS**

The Application filed by Superclub Ibiza, LLC, t/a Ibiza, for renewal of its Retailer's Class CN License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on December 9, 2013, in accordance with D.C. Official Code § 25-601 (2001).

**Superclub Ibiza, LLC**  
**t/a Ibiza**  
**Case No. 13-PRO-00150**  
**License No. ABRA-074456**  
**Page 2**

On December 9, 2013, the Board dismissed the Protest of Washington Gateway, LLC and Washington Gateway Apartments Venture, LLC, because Washington Gateway, LLC and Washington Gateway Apartments Venture, LLC failed to appear at the Roll Call Hearing. In addition, Washington Gateway, LLC and Washington Gateway Apartments Venture, LLC do not have standing as abutting property owners.

Also, the Board dismissed the Protest of the Group of Five or More Individuals, because Lawrence Brown, Katrina Berishaj, Duane Wooldridge, Luis Moreno, and Florence Henrick, individuals with the Group of Five or More Individuals, failed to appear personally at the Roll Call Hearing and they did not designate a representative to appear on their behalf.

Finally, the Board dismissed the Protest of Mary Jane Wankel and Michael S. Lubell, because Ms. Wankel and Mr. Lubell do not have standing as protestants. Ms. Wankel and Mr. Lubell are not part of A Group of Five or More Individuals. Therefore, Ms. Wankel and Mr. Lubell did not meet the standing requirements under D.C. Official Code § 25-601.

The Board's agent granted Sanju Misra and Doug Firstenberg's Group conditional standing at the Roll Call Hearing because fewer than five individuals appeared at the Roll Call Hearing. The Board's agent advised the individuals of Sanju Misra and Doug Firstenberg's Group that at least one more individual must appear at the Protest Status Hearing to be granted standing as A Group of Five or More Individuals.

Washington Gateway, LLC and Washington Gateway Apartments Venture, LLC, the Group of Five or More Individuals, Ms. Wankel, and Mr. Lubell may file a Request for Reinstatement within ten (10) days from the date of this Order.

## **ORDER**

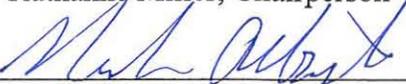
The Board does hereby, this 11th day of December, 2013, **DISMISS** the Protests of Washington Gateway, LLC and Washington Gateway Apartments Venture, LLC, the Group of Five or More Individuals, Mary Jane Wankel, and Michael S. Lubell.

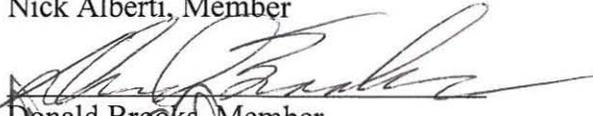
Copies of this Order shall be sent to the Applicant; ANC 6C; Mary Jane Wankel; Michael S. Lubell; Lawrence Brown, Katrina Berishaj, Duane Wooldridge, Luis Moreno, Florence Henrick, Individuals of the Group of Five or More Individuals; Frederick W. Rothmeijer, on behalf of Washington Gateway, LLC and Washington Gateway Apartments Venture, LLC; and Sanju Misra, Esq., and Doug Firstenberg, on behalf of the Group of Ten Individuals.

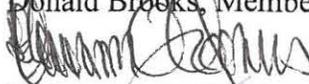
Superclub Ibiza, LLC  
t/a Ibiza  
Case No. 13-PRO-00150  
License No. ABRA-074456  
Page 3

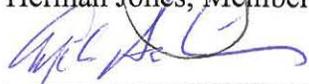
District of Columbia  
Alcoholic Beverage Control Board

  
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 by this Order may file a Motion for Reconsideration 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, 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 D.C. Official Code § 25-433, 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).