

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment

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DEPARTMENT OF CONSUMER AND
REGULATORY AFFAIRS

Appellee

v.

KURI BROTHERS, INC.

Appellant

ORIGINAL

Appeal No. 17444A

**APPELLANT'S MOTION FOR AN EXTENSION OF TIME WITHIN WHICH TO FILE
TWO MEMORANDA**

Appellant, Kuri Brothers, Inc. ("Appellant"), by and through Stanley H. Goldschmidt and Roetzel & Andress, LPA, its undersigned counsel, hereby files this Motion for an Extension of Time Within Which To File Two Memoranda and, in support thereof, states as follows:

1. At a hearing of the District of Columbia Board of Zoning Adjustment held on November 28, 2006, the Board invited the Parties to submit two memoranda on or before January 30, 2007 as follows: (i) Proposed Findings of Fact and Conclusions of Law; and (ii) a Memorandum Regarding the Non-Applicability of a Prior Court of Appeals Decision.

2. Pursuant to the instant Motion, Appellant respectfully requests an extension of time, up until and including February 20, 2007, within which to file the aforementioned Memoranda. As grounds therefor, Appellant notes that: (i) the undersigned's associate, Daniel Midvidy (who is principally tasked with drafting the Memoranda) only recently became affiliated with Roetzel & Andress, LPA, and despite working feverishly, requires additional time to complete the Memoranda; and (ii) the undersigned is pre-occupied with numerous time-sensitive matters.

3. Matthew J. Green, Jr., Esq., Assistant General Counsel to the Department of Consumer and Regulatory Affairs, has graciously consented to this Motion.

4. Appellant thanks the Board in advance for its consideration in this matter.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 17444A

EXHIBIT NO. 35

Board of Zoning Adjustment
District of Columbia
CASE NO. 17444
EXHIBIT NO. 35

Respectfully submitted,

Roetzel & Andress, LPA

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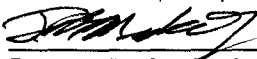
CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of January, 2007, a copy of the foregoing document was sent via telecopy and US Mail, postage prepaid, to the following:

Matthew Green, Esquire
Office of the General Counsel
Department of Consumer and Regulatory Affairs
941 North Capitol Street N.E., Suite 9400
Washington, D.C. 20002

and a copy of the foregoing document was sent via US Mail, postage prepaid, to the following:

Catherine W. Wiss, Chairperson
Advisory Neighborhood Commission 3F
4401A Connecticut Avenue NW
Box 244
Washington, DC 20008-2322


Daniel B. Midvidy

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