



District of Columbia Government  
Advisory Neighborhood Commission 6A  
Box 75115  
Washington, DC 20013



May 23, 2008

Board of Zoning Adjustment  
441 4<sup>th</sup> St, NW, Suite 210  
Washington, DC 20001

Attention: Richard Nero

RE: BZA Appeal No. 17769 - Request for Postponement of Hearing

Dear Board Members,

I am writing to request a postponement of the June 3, 2008 hearing for Board of Zoning Adjustment (BZA) Appeal No. 17769. I request the hearing be postponed for at least thirty days to allow Judge Steven M. Wellner of the Office of Administrative Hearings (OHA) to issue a decision on the matter of the Department of Consumer and Regulatory Affairs' (DCRA) revocation of the permit 17769 (OAH Case No. CR-C-07-100087).

In November of 2007, the AppleTree Institute for Education Innovation filed an appeal of the DCRA's revocation of permit No. 17769 to the OAH. This matter remains under consideration by Judge Wellner. Final arguments in a series of motion made by the various parties were only just submitted to Judge Wellner on May 21, 2008. Since Judge Wellner is unlikely to issue a decision before June 3, 2008 and since we are hopeful that he will uphold the revocation of the permits, we request that you postpone the June 3, 2008 BZA hearing on Advisory Neighborhood Commission (ANC) 6A's appeal of permit No. 17769 for at least 30 days.

Regards,

Nicholas Alberti

For and on behalf of Advisory Neighborhood Commission 6A

|     |                       |                                |
|-----|-----------------------|--------------------------------|
| cc: | Matthew Le Grant      | (Zoning Administrator, DCRA)   |
|     | Russ Williams         | (AppleTree Managing Director)  |
|     | Jason J. Mendro, Esq. | (Gibson, Dunn & Crutcher, LLP) |
|     | Mark A Perry, Esq.    | (Gibson, Dunn & Crutcher, LLP) |
|     | David Holmes          | (ANC 6A)                       |

BOARD OF ZONING ADJUSTMENT  
District of Columbia

CASE NO. 17769  
EXHIBIT NO. 13

Board of Zoning Adjustment  
District of Columbia  
CASE NO. 17769  
EXHIBIT NO. 13

RECEIVED  
D.C. OFFICE OF ZONING  
MAY 28 PM 12:38

District of Columbia Government  
Advisory Neighborhood Commission 6A  
Box 75115  
Washington, DC 20013

May 23, 2008

Board of Zoning Adjustment  
441 4<sup>th</sup> St, NW, Suite 210  
Washington, DC 20001

Attention: Richard Nero

RE: BZA Appeal No. 17769 - Request for Postponement of Hearing

Dear Board Members,

I am writing to request a postponement of the June 3, 2008 hearing for Board of Zoning Adjustment (BZA) Appeal No. 17769. I request the hearing be postponed for at least thirty days to allow Judge Steven M. Wellner of the Office of Administrative Hearings (OHA) to issue a decision on the matter of the Department of Consumer and Regulatory Affairs' (DCRA) revocation of the permit 17769 (OAH Case No. CR-C-07-100087).

In November of 2007, the AppleTree Institute for Education Innovation filed an appeal of the DCRA's revocation of permit No. 17769 to the OAH. This matter remains under consideration by Judge Wellner. Final arguments in a series of motion made by the various parties were only just submitted to Judge Wellner on May 21, 2008. Since Judge Wellner is unlikely to issue a decision before June 3, 2008 and since we are hopeful that he will uphold the revocation of the permits, we request that you postpone the June 3, 2008 BZA hearing on Advisory Neighborhood Commission (ANC) 6A's appeal of permit No. 17769 for at least 30 days.

Regards,



Nicholas Alberti

For and on behalf of Advisory Neighborhood Commission 6A

|                       |                                |
|-----------------------|--------------------------------|
| cc: Matthew Le Grant  | (Zoning Administrator, DCRA)   |
| Russ Williams         | (AppleTree Managing Director)  |
| Jason J. Mendro, Esq. | (Gibson, Dunn & Crutcher, LLP) |
| Mark A Perry, Esq.    | (Gibson, Dunn & Crutcher, LLP) |
| David Holmes          | (ANC 6A)                       |

BOARD OF ZONING ADJUSTMENT  
District of Columbia

CASE NO. 17769

EXHIBIT NO. 13

RECEIVED  
D.C. OFFICE OF ZONING  
MAY 27 PM 2:01