

**DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**
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Appeal of Steuart Investment Company

Appeal No. 18041

PRAECIPE OF THE DISTRICT OF COLUMBIA

The Appellee, the District of Columbia Department of Consumer and Regulatory Affairs ("Appellee" or "DCRA"), by and through undersigned counsel, respectfully submits this praecipe requesting the Board exclude the Appellant's filings of April 29, 2010 from the record. At the hearing on April 6, 2010, the Board set a deadline of April 20 for all post hearing submissions from Appellant and a deadline of April 27 for post hearing submissions from DCRA. Having received nothing from Appellant, DCRA filed only the resume of Paul Goldstein on April 27. Only after DCRA made its submission, did Appellant make its filing. Further, Appellant did not request the Board's permission to make a late filing or ask consent of DCRA.

Additionally, the covenant submitted by the Appellant is not relevant to the issues of this appeal. It concerns two lots located in the Uptown Arts Overlay, which is governed by a different chapter of the regulations than the DD Overlay and is not subject to 11 DCMR § 1706.7(b).

Therefore, the filings should be excluded from consideration by the Board.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18041

EXHIBIT NO. 26

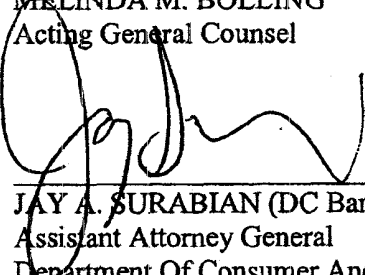
Board of Zoning Adjustment
District of Columbia
CASE NO. 18041
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Respectfully Submitted,

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Attorney General
for the District of Columbia

MELINDA M. BOLLING
Acting General Counsel

April 30, 2010



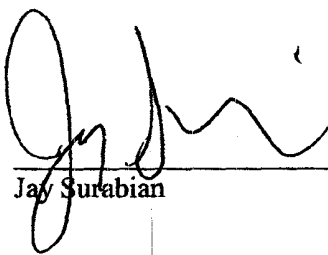
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing filing was served electronically this 30th day
of April 2010, to the following:

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