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January 13, 2011

VIA ELECTRONIC MAIL ONLY

Meridith Moldenhauer, Chair
Board of Zoning Adjustment
441 Fourth Street, N.W., Suite 210 South
Washington, D.C. 20001

Re: Appeal of Van Ness South Tenants' Association
BZA Case No. 18151
Request for Continuance

Dear Chairperson Moldenhauer and Members of the Board:

First, let me again apologize for not being able to attend the Board's meeting on January 4th to request a continuance of the above referenced case. The snow storms that occurred across the country around Christmas and the cancellation of airplane flights, created havoc with witnesses and forced the change in my schedule for travel to Vermont for discovery, witness preparation, and pre-hearing motions, etc. in a large case involving the Yankee Nuclear Power Plant.

I had requested a continuance until March or April as that was the timeframe the Board staff gave me when I called the offices and my schedule was free in those months. ANC Commissioner Perry has, however, informed me of your decision to reschedule the hearing until February 1st and the January 14th date you set in which the Tenant Association must file a pre-hearing submission. Not being a zoning attorney and having looked at some old appeal cases in the Board files, I did not realize that a pre-hearing submission was mandatory. In the past whenever the Tenants Association was involved in a zoning matter before the Board, our owners, be they JBG, Charles E. Smith, or Archstone, hired Jacques DePuy or Patrick Brown from Greenstein, DeLorme & Luchs to represent the Association.

Knowing the consideration and fairness the Board has shown to other applicants in granting continuances, I was surprised to hear of the rescheduled date and the date for the pre-hearing submission on January 14th when the Board members knew I would be in Vermont through the technical hearings scheduled from January 11 through January 14, not counting any work that might be necessary following the hearing to keep me in Vermont. Contrary to Mr. Brown's assertion at the hearing, I am the only attorney on the board of the tenants' association. As the Board knows I am in a sole practice without benefit of other attorneys or interns in an office. I have been trying to work on the VNSTA case from Vermont which is difficult since I am not in Washington and especially hard because of my work representing the Union and their members fearful for their jobs if the plant is not relicensed before the Vermont Public Service Board.

Therefore, I am requesting that the Board reschedule the appeal case and the date by which the Tenants' Association must file a pre-hearing submission. The Tenants' Association strongly

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18151

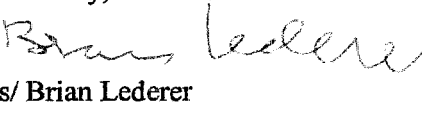
EXHIBIT NO. 27

Board of Zoning Adjustment
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believes that DCRA, Archstone, and UDC will not be prejudiced by a delay in the hearing as Archstone has continued to rent units to UDC; UDC has continued to house students in these dorm rooms; and DCRA continues to issue permits to subdivide apartments.

Even though the Tenants' Association would like to have "its day" before the Board and there are residents that wish to testify, unless the Board grants the delay, there will be no choice but to withdraw the case.

Sincerely,

A handwritten signature in cursive script, appearing to read "Brian Lederer".

/s/ Brian Lederer

CC: Jay A. Surabian, Esquire
John Patrick Brown, Jr.
Allison Prince