

April 2, 2014

BY ELECTRONIC FILING

Lloyd J. Jordan, Esq.
Chairperson
Board of Zoning Adjustment
441 4th Street, N.W., Suite 210
Washington, D.C. 20001

Re: BZA Appeal No. 18737 of Chadbourne & Parke, LLP

Dear Chairperson Jordan and Members of the Board:

This letter is in response to the Intervenor's presumptuous letter suggesting that Chadbourne & Park LLP's (Chadbourne") Appeal No. 18737 is frivolous and not entitled to a hearing with their legal counsel present. Their appeal is not a frivolous. It raises valid questions about the subject project's compliance with the Zoning Regulations which warrant substantial examination at a fair hearing which can be attended by legal counsel responsible for preparing Chadbourne's case.

The compliance issues raised in the appeal are complex given the complicated history of the original Marriott development and at least two, previous additions. The Intervenor's extensive prehearing submission filed seven (7) days prior to the scheduled April 1st hearing date bears witness to this fact. It contains a great deal of heretofore unavailable information about the project's zoning parameters including correspondence between legal counsel for the project and the zoning administrator and new theories as to how the project complies with zoning. The claim that the new hotel will rely on valet parking to meet the parking requirements is one such new issue which is nowhere indicated on the approved permit plans. As a result, the hearing is essential to permit cross examination and obtain clarity on the issues presented as well as to provide an informed response.

Contrary to Intervenor's dismissive claim that it is unnecessary for Chadbourne to have its legal counsel participate at the hearing, my clients have expended considerable time and expense working with me to prepare for the hearing and their legitimate interests in their appeal cannot be adequately served if I cannot participate.

Unfortunately, I scheduled a 10-day trip to visit my daughter who is studying abroad to commence after the originally scheduled hearing date so I will not be able to attend the preliminary hearing regarding rescheduling the hearing on the merits. My flights and hotel stays are nonrefundable and the trip is intended to coincide with my daughter's spring break. It cannot be rescheduled. My first day back at work will be April 14th and I would greatly appreciate the opportunity, if at all possible, to have a few days to clear my desk and shake off the jet lag before a rescheduled hearing date. Beyond that request, I will accommodate any other date which works for the rest of the parties involved.

Thank you in advance for your consideration.

SAUL EWING, LLP



Cynthia A. Giordano, Esq.
Counsel for Appellant
Chadbourne & Parke, LLP

cc: Mr. Patrick Kennedy, Chair, ANC 2A
Melinda M. Bolling, Esq., General Counsel, DCRA
John Postulka, Esq., DCRA
John Epting, Esq.
David Avitabile, Esq.
John Patrick Brown, Jr., Esq.