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October 18, 2000

By Hand

Ms. Sheila Cross Reid
Chairperson
District of Columbia Board of
Zoning Adjustment
Room 210
441-4th Street, N.W.
Washington, D.C. 20001

DISTRICT OF COLUMBIA
OFFICE OF ZONING
00 OCT 18 P2:58

Re: Application of The Phillips Collection, *et al.*
BZA Case No. 16618

Dear Ms. Reid:

As you know, the Board has scheduled the hearing on The Phillips Collection's application in the above-referenced matter for Tuesday, October 24, 2000. Since the case was scheduled, the Cosmos Club and certain individual neighbors have filed notice of their intention to request party status; some have indicated an intention to oppose the application. Moreover, those neighbors have asked the Board to postpone the hearing.

The Phillips Collection has only recently been made aware of the issues of concern to these neighbors. The Phillips nevertheless desires to work with them to try to resolve their concerns. We are advised that the Board has an opening on its hearing calendar on Tuesday, December 5. A continuance of the hearing until that date would afford the Phillips an opportunity to continue working with its neighbors to reach agreement on as many issues as possible without causing the museum undue financial prejudice. Accordingly, the Applicants herewith request a continuance of the hearing in this case from Tuesday, October 24, 2000 to Tuesday, December 5, 2000.

BZA
Case No. 16618
Exhibit No. 40

Board of Zoning Adjustment
District of Columbia
CASE NO.16618
EXHIBIT NO.40

Stephen N. Gell, Esq., counsel for Richard Suisman, *et al.*, has authorized me to represent to the Board that the proposed new hearing date is acceptable to him.

Sincerely,

HAMILTON AND HAMILTON, LLP

Michael A. Cain

MAC:rhs

cc: Stephen N. Gell, Esq.
Christopher H. Collins, Esq.
Stephen Cochran, D.C. Office of Planning
Kyle Pitsor, Chairperson, ANC 2B

Jay Gates
Mr & Mrs. Giannattasio