BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Appeal of Bannum Inc.	)	
	)	
	)	BZA Appeal No. 17356
Re: 2210 Adams, Place, N.E.	)	
	)	

REGINA JAMES MOTION TO INTERVENE

Comes Now Regina James, Commissioner 5B-03, and respectfully moves this panel to allow her to intervene in this immediate appeal. This immediate case is directly connected and related to Ms. James's previous appeal of DCRA's granting of a permit to Bannum and therefore its securing of a certificate of occupancy.

In that case, this panel's final ruling determined that there was a direct relationship between the illegal permit granted to Bannum and the corresponding issuance of a Certificate of Occupancy. Bannum now files a new appeal in order to resuscitate their claim and their opportunity to continue violating District of Columbia law.

Ms. James, as appellant in the previous case, will be directly affected by the outcome of the Board's ruling in this case. In fact, she contends that the ruling in the previous case Appeal Number 16998 addressed and resolved the issues which Bannum now raises in this appeal. Therein, this panel determined that Bannum's facility's permit was illegal and that DCRA erred in granting Bannum permit number B448325. Ms. James contends that this panel in enforcing that order is obligated to rule against Bannum in this case or otherwise face an inexplicable and embarrassing conflict in its reasoning and ruling processes. This is particularly the case given the District of Columbia government's impending defense of the BZA's September 9, 2003

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 17356
EXHIBIT NO. 24

Board of Zoning Adjustment
District of Columbia
CASE NO. 17356
EXHIBIT NO. 24

decision before the District of Columbia Court of Appeals on October 20, 2005.

Accordingly, Ms. James urges this panel to grant her the right to intervene in the immediate case based upon her status as a party in the former case and the direct relationship between the issues in both cases.

Respectfully submitted,

Donald M. Temple
1229 15th Street, N.W.
Washington, D.C. 20005
(202) 628-1101

Counsel for Regina James Plaintiffs

Certificate of Service

Ms. James hereby certifies that she mailed and faxed a copy of this motion on Friday, September 30, 2005 to:

Shawn Whittaker, Esq.
Holmes and Gordon
17 West Jefferson Street,
Suite 202
Rockville, Maryland
20850

Bennett Rushkoff, Esq.
Civil Division
Office of the Corporation Counsel
1350 Pennsylvania Avenue, NW
Fourth Floor East
Washington, DC 20004

Donald M. Temple, Esq.