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February 26, 2004



By Hand Delivery

Ms. Carol J. Mitten, Chairperson
Zoning Commission for the District of Columbia
441 Fourth Street, N.W.
Suite 210
Washington, DC 20001

Re: ZC Case No. 03-16, (PUD Modification Request - Watergate Hotel)

Dear Ms. Mitten and Fellow Commission Members:

As stated in previous correspondence, this firm represents Watergate West, Inc. in opposition to the proposed PUD modification in this case.

Response In Support of Request for Continuance of Hearing on March 1, 2004 by Watergate East

Watergate West supports the request by Watergate East for a continuance of the hearing scheduled on March 1, 2004, for the following reasons:

1. Watergate East has engaged new counsel to participate at this hearing and we are sympathetic to Ms. Ferster's request for more time to prepare her case and expert testimony.

2. If Watergate East changes its position in opposition to one of support of the proposed modification, due to a court decision, then Watergate West will need more time to hire additional experts. Currently, "East" and "West" are sharing the efforts of various experts. Further, the "cloud" over Watergate East's position has prevented Watergate West from coordinating its opposition, especially as to expert testimony.

ZONING COMMISSION
District of Columbia
Case No. 03-16
Exhibit No. 70

ZONING COMMISSION
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EXHIBIT NO.70

3. It is submitted that the Commission should disregard the objection of the Committee of Concerned Owners in Watergate East to the request for a continuance. The "dissidents" in East have created the delay by filing suit in Delaware over East's opposition in this case. They now ask the Commission to simply disregard it since the Commission knows that the residents of East are roughly split on the issue. Obviously, the importance to the East dissidents of filing the suit in Delaware contradicts their own reasoning to proceed on March 1 with the hearing.

Notice of Additional Witness/Testimony

Watergate West also intends to call as a witness in opposition Emily Eig, architectural historian and principal of Traceries. Ms. Eig will testify as to the historical significance of preserving the hotel as part of the first high density mixed use PUD in the District and possibly one of the first in the country.

Sincerely,

Richard L. Aguglia

Richard L. Aguglia

cc: By Fax and By Regular Mail

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