ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

RE: Application of Monument Residential LLC)
On behalf of BRE/Watergate LLC, for)
Modification of Approved Planned) ZC Case No. 03-16
Unit Development (Square 8, Lot 801))
_____)

OBJECTION TO MOTION OF WATERGATE EAST, INC. TO POSTPONE HEARING

Introduction

Under date of January 9, 2004, a substantial number of residents of and shareholders in Watergate East, Inc. ("WEI"), including and representing five of the eleven directors of WEI, made application under the name of "Committee of Concerned Owners in Watergate East," for admission as a party in the referenced case. At hearing on January 29, 2004, the matter was postponed until March 1, 2004, at which time it is scheduled to be heard.

On February 13, 2004, another group of residents and shareholders, including six of the eleven members of the Board of Directors of WEI, moved to further postpone the hearing, or in the alternative for an additional half hour at the March 1 hearing, claiming lack of information as a consequence of pending and unresolved litigation in Delaware, the state of incorporation of Watergate East, Inc.

The Committee of Concerned Owners in Watergate East opposes this Motion, on the ground that there is no need for further delay of the hearing, and that the motion is but another delaying tactic prompted by the loss by the moving parties of the vote of the members of WEI.

ZONING COMMISSION
District of Columbia
Case 03-16
Exhibit 101

ZONING COMMISSION
District of Columbia
CASE NO.03-16
EXHIBIT NO.61

Argument

1. The interpretation of WEI's certificate of incorporation and by-laws by the Delaware Court of Chancery is irrelevant to the issues before the Zoning Commission. The issue to be decided by the Commission is a land use issue, namely, whether a cooperative apartment building would be a proper use of land zoned SP-2 and located adjacent to three existing cooperative apartment buildings on the Watergate property. In reaching its decision, it is proper that the Commission should ascertain the sentiment of the neighboring community. At the hearing commenced January 29 and continued to March 1, Benny Kass, Esq., representing the WEI Board six-member majority, stated on the record that at a meeting of the membership of WEI held January 22, owners of 33,428 shares (54% of those voting) had voted to support Monument's application, while owners of 28,535 shares (46% of those voting) had voted to oppose Monument's application, with owners of 11,874 shares not voting. Mr. Kass also told the Commission that the WEI Board of Directors was split 6 to 5 on the question.

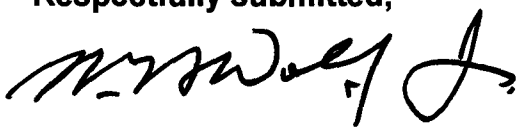
The Commission therefore knows that the residents of Watergate East, Inc., are roughly split on the issue; the members are somewhat in favor, six of the eleven members of the Board of Directors opposing and five supporting. This answers the only question relevant to the Commission's decision, which is, what is the prevailing sentiment at the adjoining apartment house known as Watergate East? The interpretation of WEI's charter and by-laws by the Delaware Court of Chancery cannot be of interest to the Commission and thus cannot be a valid

ground for delay of the hearing scheduled for March 1, 2004.

2. Further delay would be unfair to all parties. This matter has been pending since May 7, 2003, and was originally scheduled to be heard on November 24. Further postponement can be of value only to parties hoping that the matter will expire due to delay, but would be grossly unfair to all parties and bodies, public and private, interested in a full and fair hearing, whether they support or oppose the application.

3. We take no position on the alternative relief sought by movant, to wit, an extra half hour of argument time on March 1.

Respectfully submitted,



William B. Wolf, Jr.
On behalf of those residents of Watergate East, Inc., known as Committee of Concerned Owners in Watergate East

CERTIFICATE OF SERVICE

I hereby certify that on February 22, 2004, I mailed copies of the foregoing Opposition by first class mail, prepaid, to:

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