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BY HAND DELIVERY

November 13, 2000

Ms. Sheila Cross Reid, Chair
District of Columbia Board of Zoning Adjustment
441 4th Street, NW
2nd Floor
Washington, DC 20001

Re: BZA Application No. 16553
George Washington University Campus Plan

Dear Ms. Reid and Members of the Board:

George Washington University, the Applicant in the above-referenced case, strongly objects to including in the record the materials filed by Ms. Barbara Spillinger on November 6, 2000, and as grounds therefor states as follows:

1. The transcript of the September 26th public hearing makes clear that *the record was closed* except for the receipt of limited additional information and that all parties were given adequate time and opportunity to respond to that information.

2. On October 13, Ms. Spillinger filed a letter with the Board requesting that it include in the record additional testimony and information by Mr. Sol Shalit. A copy of this request was not served on the Applicant.

3. After checking the record and discovering the additional filing by Ms. Spillinger, the Applicant filed its objection and requested that the material be excluded from the record on the basis that the record was closed. In the event the Board chose to accept the filing, the Applicant also filed its response to Mr. Shalit's testimony.

4. Ms. Spillinger has now filed additional testimony and information by Mr. Sol Shalit which, if accepted, means that the record will never be closed. Since this latest filing is but a second attempt to place into the already closed record material that was not requested by the Board, it should be rejected.

5. Section 3121.6 of the Zoning Regulations does not give Ms. Spillinger, or any other party to the case, the right to continue to file information when the record has been closed except for the receipt of specifically requested information.

BZA
Case No. 16553
Exhibit No. 49

ZONING COMMISSION
CASE No. 99-10
EXHIBIT No. 59

ZONING COMMISSION
District of Columbia
CASE NO.99-10
EXHIBIT NO.59

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For the foregoing reasons, the Applicant requests that the November 6 filing by Ms. Spillinger be rejected. This is a case that has had numerous public hearings with full and ample opportunity for all parties to place all testimony and evidence into the record before it was closed.

Respectfully submitted,

Maureen E. Dwyer

Allison Prince

cc: To All Parties (see attached Certificate of Service)

Document #: 1038659 v.1

Certificate of Service

I hereby certify that on Nov. 13 2000, a copy of the foregoing Letter was hand delivered or mailed to the following:

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