

**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:)
)
Cec, Inc.)
t/a Bistro Lepic)
)
Applicant for Substantial Change)
(Change of Hours))
to a Retailer's Class CR License)
)
at premises)
1736 Wisconsin Avenue, N.W.)
Washington, D.C. 20007)
)

Case No. 16-PRO-00028
License No. ABRA-021918
Order No. 2016-374

Cec, Inc., t/a Bistro Lepic (Applicant)

Peter T. Enslein, Abutting Property Owner

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
Ruthanne Miller, Member
James Short, Member

**ORDER ON SETTLEMENT AGREEMENT AND
WITHDRAWAL OF PROTEST**

The official records of the Alcoholic Beverage Control Board (Board) reflect that Cec, Inc., t/a Bistro Lepic, Applicant for a Substantial Change to change its hours of operation and sales, to its Retailer's Class CR License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on May 16, 2016, in accordance with D.C. Official Code § 25-601 (2001).

The official records of the Board reflect that the Applicant and Peter T. Enslein, Abutting Property Owner, entered into a Settlement Agreement (Agreement), dated June 1, 2016, that governs the operation of the Applicant's establishment.

This Agreement constitutes a withdrawal of the Protest filed by Mr. Enslein.

Accordingly, it is this 8th day of June, 2016, **ORDERED** that:

1. The Application filed by Cec, Inc., t/a Bistro Lopic, for a Substantial Change to change its hours of operation and sales, to its Retailer's Class CR License located at 1736 Wisconsin Avenue, N.W., Washington D.C., is **GRANTED**;
2. The Protest of the Abutting Property Owner in this matter is hereby **DISMISSED**;
3. The above-referenced Settlement Agreement submitted by the parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order; and
4. Copies of this Order shall be sent to the Applicant and Peter T. Enslein.

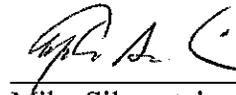
District of Columbia
Alcoholic Beverage Control Board



Donoyan Anderson, Chairperson



Nick Alberti, Member



Mike Silverstein, Member

Ruthanne Miller, Member



James Short, Member

Pursuant to D.C. Official Code § 25-433(d)(1), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code §2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879-1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR §1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).

Settlement Agreement

THIS AGREEMENT is made and entered into as of this 1 day of June 2016 by and between CEC, Inc. t/a Bistro Lopic ("Applicant"), License #ABRA-021918, Retailer Class CR, 1736 Wisconsin Avenue NW, and Peter T. Enslein ("Protestant").

WHEREAS, the Applicant having filed an application with the District of Columbia Alcoholic Beverage Control Board ("Board") for a Substantial Change in the nature of the operation of the establishment (change of hours and live entertainment);

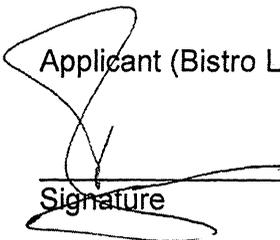
WHEREAS, the Protestant is an abutting property owner residing at 1738 Wisconsin Avenue NW;

WHEREAS, in recognition of the Board's policy of encouraging parties to a protested proceeding to settle their differences by negotiating agreements, the parties hereto being desirous of entering into an agreement whereby, subject to approval of the ABC Board, Applicant will agree to adopt certain measures to address the Protestant's concerns and Protestants will agree to the Substantial Change (change of hours and live entertainment) and withdraw the protest;

NOW, THEREFORE, the parties agree as follows:

-) The hours on entertainment on Mondays will be from 6:30 PM to 9:30 PM;
-) The Protestant will call the applicant if he is disturbed by noise;
-) The Applicant, upon notice that the Protestant is being disturbed by noise, will take corrective measures to reduce notice, including visiting the Protestant's home, upon invitation, to listen for the noise and make necessary adjustments to alleviate the noise.

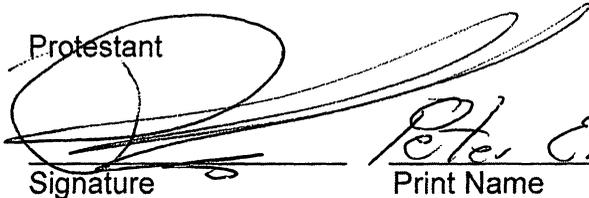
Applicant (Bistro Lopic)


Signature

C Brennan
Print Name

6/1/16
Date

Protestant


Signature

Peter Enslein
Print Name

6/1/16
Date