

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

In the Matter of:)	
)	
3124 Corporation)	
t/a The Good Guys Restaurant)	
)	
Holder of a)	License No.: ABRA-000899
Retailer's Class CN License)	Order No.: 2016-596
)	
at premises)	
2311 Wisconsin Avenue, N.W.)	
Washington, D.C. 20007)	

3124 Corporation, t/a The Good Guys Restaurant (Licensee)

Jackie Blumenthal, Chairperson, Advisory Neighborhood Commission (ANC) 3B

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
James Short, Member
Mafara Hobson, Member
Jake Perry, Member

ORDER ON SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that 3124 Corporation, t/a The Good Guys Restaurant (Licensee), and ANC 3B have entered into a Settlement Agreement (Agreement), dated October 17, 2016, that governs the operation of the Licensee's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Chairperson Jackie Blumenthal, on behalf of ANC 3B, are signatories to the Agreement.

Accordingly, it is this 26th day of October, 2016, **ORDERED** that:

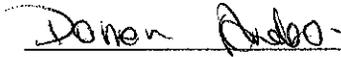
1. The above-referenced Settlement Agreement submitted by the parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order, except for the following modification:

Page number three, last paragraph – The second sentence shall be modified to read as follows: "Violation of this Agreement by Good Guys shall provide just cause for ANC 3B to file a complaint with the Board in accordance with D.C. Official Code § 25-447."

The parties have agreed to this modification.

2. This Settlement Agreement replaces and supersedes previous Agreements between the parties; and
3. Copies of this Order shall be sent to the Licensee and ANC 3B.

District of Columbia
Alcoholic Beverage Control Board

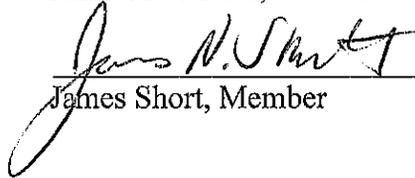


Donovan Anderson, Chairperson



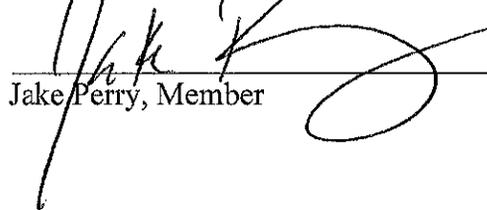
Nick Alberti, Member

Mike Silverstein, Member



James Short, Member

Mafara Hobson, Member



Jake Perry, 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 is an agreement between 3124 Corporation trading as The Good Guys Restaurant (hereinafter "Good Guys" or "Applicant") holder of a Class CN alcoholic beverage license for its premises at 2311 Wisconsin Avenue, N.W., and Advisory Neighborhood Commission 3B (hereafter "ANC 3B"). This agreement supersedes and replaces the prior Voluntary Agreement dated December 22, 2007, subsequently amended by Amendment to Voluntary Agreement dated November 18, 2010, and by Amendment to Voluntary Agreement dated February 24, 2014.

Good Guys and ANC 3B wish to amicably agree to the following terms listed hereafter which might otherwise cause ANC 3B to file a Protest against Good Guys' pending application to the Alcoholic Beverage Control Board for renewal of its Class CN license (Application No. 899). It is therefore agreed between Good Guys and ANC 3B:

1. In consideration for Good Guys' acceptance of this Settlement Agreement, ANC 3B will not oppose the Alcoholic Beverage Control Board granting the renewal of Good Guys liquor license.
2. Good Guys will operate the licensed premises in the following manner:
 - a. From 7 p.m. to closing each day the establishment shall employ a security person who will be permanently stationed at the front door of the premises. The primary responsibility of the security personnel shall be to assist in the maintenance of peace and good order in the premises and adherence to all the requirements of the statutes, regulations, and license conditions.
 - b. Good Guys will not display any words, advertisement, notice, picture, or drawing of any kind which indicate the type of entertainment offered within.

3. Good Guys will maintain and keep clean the establishment's front public easement (i.e. the sidewalk) and any trees, including the tree box, for which, Good Guys will become responsible for watering, periodic fertilization and general well being of any tree(s).
4. Good Guys will at all times keep its front door closed, except for the normal ingress and egress of its patrons, and make all efforts to contain within its establishment any and all noise so that no noise exceeding lawful decibel levels is detectable outside the establishment;
5. Good Guys will provide and maintain smoker's repository containers for its smoking-patrons, outside of its establishment during hours when the establishment is open, and encourage its smoking patrons to the rear of its premises. Additionally, Good Guys will collect, sweep and maintain the sidewalk's easement on a daily basis so as to keep the sidewalk free of debris and/or cigarette butts. Additionally, Good Guys will keep clean, sweep and maintain the establishment's rear section, in a similar manner to its fore.
6. Good Guys shall not configure stages in its establishment, nor otherwise operate its business to enable nude dancers to perform for one or two patrons in spaces that are not freely visible to other patrons unless: (1) another ABC licensed establishment located within 3 miles of Good Guys' premises does so in accordance with the law, or (2) there is a legislative or regulatory change which significantly relaxes or eliminates the requirement that nude dancers not perform within 3 feet of patrons. In either case, should Good Guys choose to change its business operation, it will do so according to ABRA regulations. Nothing herein shall be construed to prohibit dancers at Good Guys from performing for tips from a single customer, provided the performance is freely visible to other patrons. Further, if it appears that (1) or (2) above is about to happen (for example,

If a licensed establishment within 3 miles files an application seeking permission for the referenced activity, or if a legislative or regulatory change is formally proposed, Good Guys may seek approval for any changes or activity prohibited by this Section, provided it does not implement such changes or activity until the conditions set forth in (1) or (2) above actually occur.

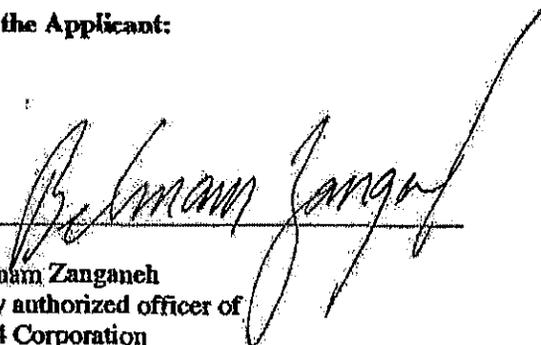
7. Good Guys shall locate a security camera on or near the front of the premises to record the activity outside of the premises near the front entrance. Good Guys will add a security camera in the rear to record the activity outside of the premises near the rear entrance. The images recorded by said security cameras will be made available to the District of Columbia Alcoholic Beverage Regulation Administration and/or the District of Columbia Metropolitan Police Department investigators as requested, and will be kept for at least thirty (30) days.

The provisions of this Agreement shall become a part of the conditions of Good Guys' liquor license and shall remain in force upon renewal or transfer of said license. Violations of this Agreement by Good Guys shall provide just cause for the Alcoholic Beverage Control Board to issue an order requiring Good Guys to show cause why its license should not be suspended or revoked.

[SIGNATURE PAGE TO FOLLOW]

Hereby agreed to:

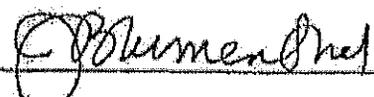
For the Applicant:



Behnam Zanganeh
Duly authorized officer of
3124 Corporation
t/a The Good Guys Restaurant

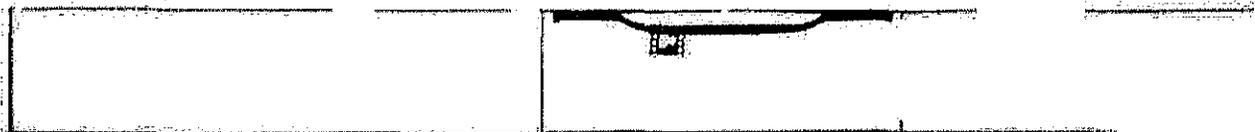
Date 10-17-16

For the Commission:



Jackie Blumenthal, Chairman
Advisory Neighborhood Commission 3B

Date 10-13-16



GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 3B
GLOVER PARK AND CATHEDRAL HEIGHTS

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**Resolution to Consolidate, Amend, and Extend the Settlement Agreements
Between ANC3B and Good Guys**

Whereas, since at least 1999 ANC3B has protested the renewal of Good Guys' liquor license several times and settled the protests with a series of binding agreements;

Whereas, several of the provisions in such agreements are no longer relevant or have expired over time, and others have become redundant;

Whereas, Good Guys has petitioned the Alcoholic Beverages Regulation Administration ("ABRA") to unilaterally cancel all standing settlement agreements with ANC3B;

Whereas, Good Guys has applied to renew its liquor license for another three years and ANC3B has the opportunity to protest the renewal of its license;

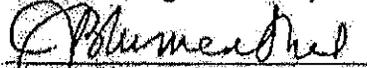
Therefore, ANC3B and Good Guys have agreed to a new settlement agreement that consolidates and amends provisions of past agreements and will become part of the conditions of Good Guys' liquor license once it is approved by the Alcoholic Beverage Control Board ("the Board");

Good Guys further agrees to withdraw its petition to cancel its agreements with ANC3B and ANC3B further agrees, on condition that the petition is withdrawn and the new agreement is approved, not to protest the renewal of Good Guys' liquor license;

BE IT RESOLVED, that ANC3B asks the Board to approve the attached settlement agreement between ANC3B and Good Guys, and replace all other past agreements with the attached agreement;

BE IT FURTHER RESOLVED that the Chairman or her designee is authorized to represent the Commission on this matter.

This Resolution was APPROVED by a vote of 5-0 at a duly noticed public meeting of ANC3B on Thursday, October 13, 2016, at which a quorum was present. (A quorum is 3 of the 5 sitting members.)


Jackie Blumenthal, Chairman


Ann Mladinov, Secretary

P.O. BOX 32312

WASHINGTON, D.C. 20007

WWW.ANC3B.ORG

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3B01
N. GLOVER PARK
ANN MLADINOV

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E. GLOVER PARK
JACKIE BLUMENTHAL

3B03
W. GLOVER PARK
MELISSA J. LANE

3B04
CATHEDRAL HEIGHTS
MARY C. YOUNG

3B05
S. GLOVER PARK
BRIAN TURMAIL