

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

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<b>In the Matter of:</b>	)
	)
Vigor Restaurant, LLC	)
t/a Epicurean and Company	)
	)
Holder of a	)
Retailer's Class CR License	)
	)
at premises	)
3800 Reservoir Road, N.W.	)
Washington, D.C. 20057	)
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License No. ABRA-077576  
Order No. 2015-060

Vigor Restaurant, LLC, t/a Epicurean and Company (Licensee)

Ron Lewis, Chairperson, Advisory Neighborhood Commission (ANC) 2E

**BEFORE:** Ruthanne Miller, Chairperson  
Nick Alberti, Member  
Donald Brooks, Member  
Herman Jones, Member  
Mike Silverstein, Member  
Hector Rodriguez, Member  
James Short, Member

**ORDER ON AMENDMENT TO SETTLEMENT AGREEMENT**

The official records of the Alcoholic Beverage Control Board (Board) reflect that Vigor Restaurant, LLC, t/a Epicurean and Company (Licensee), and ANC 2E entered into Settlement Agreement (Agreement), dated January 7, 2008, that governs the operation of the Licensee's establishment. This matter comes now before the Board to consider the Parties' Amendment to Settlement Agreement (Amendment), dated January 27, 2015, in accordance with D.C. Official Code § 25-446 (2001).

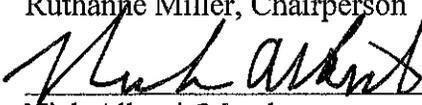
The Amendment has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Chairperson Ron Lewis, on behalf of ANC 2E, are signatories to the Amendment.

Accordingly, it is this 18th day of February, 2015, **ORDERED** that:

1. The above-referenced Amendment to Settlement Agreement, dated January 27 2015, submitted by the Parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order;
2. All terms and conditions of the original Agreement, not amended by the Amendment, shall remain in full force and effect; and
3. Copies of this Order shall be sent to the Licensee and ANC 2E.

District of Columbia  
Alcoholic Beverage Control Board

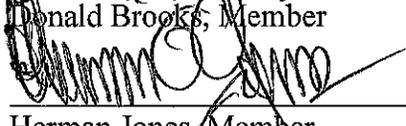
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Ruthanne Miller, Chairperson



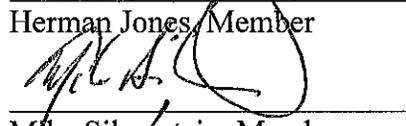
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Nick Alberti, Member



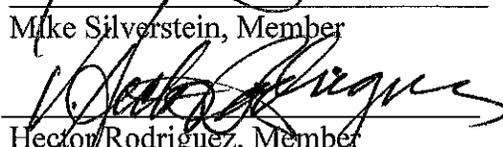
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Donald Brooks, Member



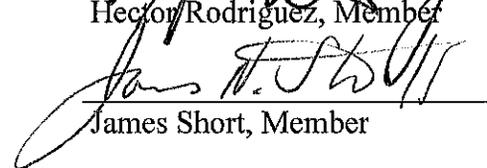
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Herman Jones, Member



\_\_\_\_\_  
Mike Silverstein, Member



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Hector Rodriguez, Member



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James Short, Member

Pursuant to D.C. Official Code § 25-433, 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 14<sup>th</sup> 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).

**AMENDMENT TO ABC SETTLEMENT AGREEMENT**

**THIS AMENDMENT TO ABC SETTLEMENT AGREEMENT** (the "Amendment") is made and entered into this 27<sup>th</sup> day of January, 2015, by and among Vigor Restaurant, LLC, t/a Epicurean and Company (the "Licensee") and Advisory Neighborhood Commission 2E ("ANC 2E").

**RECITALS**

WHEREAS, Licensee operates a restaurant (the "Restaurant") known as Epicurean and Company, located at 3800 Reservoir Road, NW (the "Premises"), which Premises includes interior space and space for outdoor seating;

WHEREAS, Licensee is the holder of a Retailer's Alcoholic Beverage License Class CR (the "License") for the sale of alcoholic beverages on the Premises;

WHEREAS, in connection with the original approval and issuance of the license, the parties entered into a Voluntary Agreement dated January 7, 2008 (the "Agreement"), which Agreement was approved by the Order on Voluntary Agreement and Withdrawn Protest entered by the Alcoholic Beverage Control Board (the "Board") on January 9, 2008;

WHEREAS, Licensee wishes to extend the hours that the Restaurant during which it may remain open and the permitted hours of alcohol service, and ANC 2E approves such an extension;

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained in this Amendment, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Recitals Incorporated. The recitals set forth above are incorporated herein by reference.

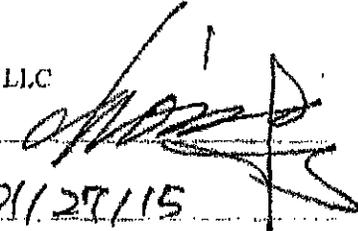
2. Hours of Operation. The provisions of Paragraph 3 of the Agreement are amended to provide that the Restaurant shall be permitted to remain open 24 hours each day, seven days each week, and alcoholic beverage service on Friday and Saturday shall be permitted until 3:00 a.m.

3. Entire Agreement. This Amendment and the Agreement, set forth the entire understanding of the parties with respect to Licensee's alcoholic beverage license.

4. Counterparts. This Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

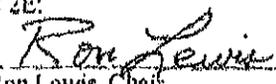
5. Full Force and Effect. Except as specifically provided herein, the Agreement remains in full force and effect.

LICENSEE:  
Vigor Restaurant, LLC

By:   
C.W. Chon

Date Signed: 01/27/15

ANC 2E:

By:   
Ron Lewis, Chair

Date Signed: 1/27/15