

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

_____)
In the Matter of:)
)
IVZ, LLC)
t/a J & K Market)
)
Application for Renewal of a)
Retailer's Class B License)
)
at premises)
234 15th Street, N.E.)
Washington, D.C. 20002)
_____)

Case No. 14-PRO-00081
License No. ABRA-090684
Order No. 2015-044

IVZ, LLC, t/a J & K Market (Applicant)

Reuben Baris, on behalf of A Group of Five or More Individuals

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

**ORDER ON SETTLEMENT AGREEMENT AND WITHDRAWAL
OF PROTEST OF A GROUP OF FIVE OR MORE INDIVIDUALS**

The Application filed by IVZ, LLC, t/a J & K Market, for renewal of its Retailer's Class B License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on November 10, 2014, and a Protest Status Hearing on December 10, 2014, in accordance with D.C. Official Code § 25-601 (2001).

The Applicant and the Group of Five or More Individuals have entered into a Settlement Agreement (Agreement), dated December 2, 2014, setting forth the terms and conditions that govern the operation of the Applicant's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Reuben Baris, on behalf of the Group of Five or More Individuals, are signatories to the Agreement.

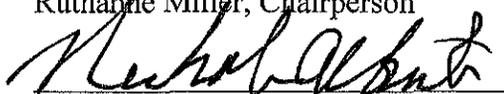
This Agreement constitutes a withdrawal of the Protest filed by the Group of Five or More Individuals of this Application.

Accordingly, it is this 4th day of February, 2015, **ORDERED** that:

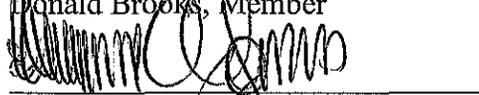
1. The Application filed by IVZ, LLC, t/a J & K Market, for renewal of its Retailer's Class B License, located at 234 15th Street, N.E., Washington, D.C., is **GRANTED**;
2. The Protest of the Group of Five or More Individuals in this matter is hereby **WITHDRAWN**;
3. The above-referenced Settlement 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 Reuben Baris, on behalf of the Group of Five or More Individuals.

District of Columbia
Alcoholic Beverage Control Board

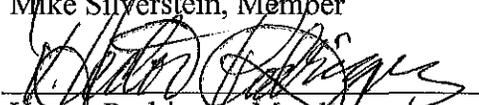

Ruthanne Miller, Chairperson

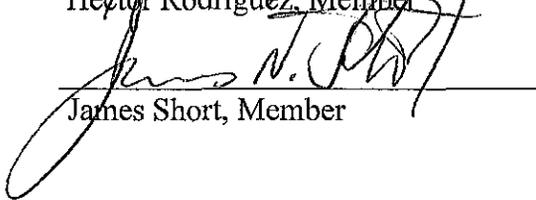

Nick Alberti, Member


Donald Brooks, Member


Herman Jones, Member


Mike Silverstein, Member


Hector Rodriguez, Member


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 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 on this 2nd day of December 2014, by and between IVZ, LLC t/a J & K Market (Licensee), 234 15th Street NE, ABRA- 090684 (Case #14-PRO-00081), and Reuben Baris, Aaron Morrison, Kathleen Morrison, Sharyn Danch, Denali Boon, and Andrea Lee (Protestants), collectively the "parties".

Whereas, Licensee's license renewal application is now pending before the District of Columbia Alcoholic Beverage Control Board (ABC); and

Whereas, the parties are desirous of entering into a Settlement Agreement pursuant to D.C. Official Code §25-446 for the operation and maintenance of the establishment in such a manner as to promote the peace, order and quiet of the neighborhood.

The parties, therefore, agree as follows:

- a) The Licensee shall take reasonable measures to ensure that the immediate environs of the establishment, including adjacent alleys, sidewalks, or other public property immediately adjacent to the establishment, or other property used by the Licensee to conduct its business, are kept free of litter. Licensee further agrees to check these areas for trash at least three (3) times per day;
- b) Licensee agrees to maintain footage from its inside and outside surveillance cameras for a period of at least 30 days and to work with the protestants to maintain peace, order, and quiet and to discourage criminal activity in or around the licensed premises;
- c) Licensee agrees to report loitering to the DC Metropolitan Police Department (MPD) and to maintain a log of calls to MPD;
- d) Licensee agrees to discourage loitering around the establishment by posting a sign indicating "No Loitering. These premises are under surveillance";
- e) Licensee agrees to sell 12 oz. cans of alcoholic beverages in six-packs only;
- f) Licensee agrees to ensure compliance with this agreement by requiring its employees to be familiar with its provisions;
- g) Licensee agrees to install spotlights on the front of the building to discourage reckless behavior, consumption of alcohol on the premises of the licensee, and promote the safety, peace, order and quiet of the neighborhood; and
- h) Protestants agree to the issuance of the renewal of the liquor license and the withdrawal of their protests upon execution of this agreement, provided that this agreement is incorporated into the Board's order renewing the license, which order is thereby conditioned upon compliance with this agreement.

Licensee:

Cheng Lishang Pres. JVZ LLC (Printed Name)

Cheng Lishang (Signature)

1/15/2015 (Date)

Protestant's Designated Representative:

REUBEN BARIS (Printed Name)

Reub Baris (Signature)

01/20/2015 (Date)