

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

In the Matter of:

Khan's BBQ, Inc.
t/a Khan's

)
)
) License No.: 84082
) Order No.: 2016-130
)
)

Petition to Terminate or Amend a
Settlement Agreement

at premises
1125 H Street, N.E.
Washington, D.C. 20002

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

ORDER DENYING PETITION

The official records of the Alcoholic Beverage Control Board reflect that Khan's BBQ, Inc., (Petitioner), entered into a Settlement Agreement, which was approved on May 2, 2013. *Petition*, Question 9. The Petitioner recently filed a request to terminate the Settlement Agreement.

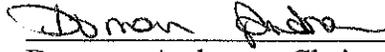
Section 25-446(d)(2) provides that "The Board may accept an application to amend or terminate a settlement agreement by fewer than all parties in the following circumstances: (A) During the license's renewal period; and (B) After 4 years from the date of the Board's decision initially approving the settlement agreement." D.C. Official Code § 25-446(d)(2).

The Board finds that the Petitioner's Settlement Agreement, which was approved by the Board on May 2, 2013 fails to meet the four (4) year criteria required by D.C. Official Code § 25-446(d)(2)(B), because the agreement cannot be unilaterally terminated or amended until 2017. Therefore, the Board denies the Petition because the Settlement Agreement sought to be terminated will not be old enough to merit termination until after the licensee's renewal period expires.

ORDER

Therefore, the Board, on this 6th day of April 2016, **DENIES** the Petition. Copies of this Order shall be sent to the Petitioner.

District of Columbia
Alcoholic Beverage Control Board



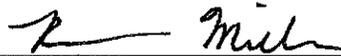
Donovan Anderson, Chairperson



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).