

*Ho for...*

BEFORE  
THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL BOARD

|                                    |   |                        |
|------------------------------------|---|------------------------|
| In the Matter of:                  | ) |                        |
|                                    | ) |                        |
| Ephraim, Inc.                      | ) |                        |
| t/a Roxanne/Peyote                 | ) |                        |
|                                    | ) |                        |
| Application for a Retailer's Class | ) |                        |
| CR License – renewal application   | ) | Application No.: 22516 |
| at premises                        | ) | Order No.: 2005-50     |
| 2321 18th Street, N.W.             | ) |                        |
| Washington, D.C.                   | ) |                        |
|                                    | ) |                        |

Iraj Askarinam, Owner; Soleimon Askarinam; Commissioner Bryan Weaver, Advisory Neighborhood Commission 1C; and Denis I.E. James, Executive Vice President, Kalorama Citizens Association, Signatories

BEFORE: Charles A. Burger, Chairperson  
Vera M. Abbott, Member  
Judy A. Moy, Member  
Audrey E. Thompson, Member  
Peter B. Feather, Member  
Albert G. Lauber, Member  
Eartha Isaac, Member

ORDER ON VOLUNTARY AGREEMENT

This matter came before the Board for approval on May 5, 2004. The signatories to the Voluntary Agreement, dated April 3, 2004, submitted an agreement to the Board in accordance with D.C. Official Code § 25-446 (2001).

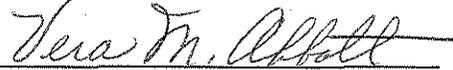
Having determined that the agreement complies with all applicable laws and regulations and the Applicant qualifies for licensure, the Board does hereby this 14th day of September, 2005, APPROVE the license application conditioned on the Applicant's compliance with the terms of the Voluntary Agreement and INCORPORATE the text of same into the ORDER.

Ephraim, Inc.  
t/a Roxanne/Peyote  
Application No.: 22516  
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District of Columbia  
Alcoholic Beverage Control Board

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Charles A. Burger, Chairperson



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Vera M. Abbott, Member

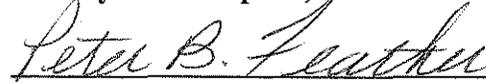


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Judy A. Moy, Member

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Audrey E. Thompson, Member



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Peter B. Feather, Member

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Albert G. Lauber, Member

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Eartha Isaac, Member

VOLUNTARY AGREEMENT  
CONCERNING ABC LICENSE AND ITS  
PLACEMENT INTO SAFEKEEPING



Agreement, made and entered into this 3rd day of April, 2004, by and between Ephraim, Inc., trading as Roxanne/Peyote, C/R-02 License Application number 22516, ABC License number 60338.

Whereas, Roxanne/Peyote is a restaurant currently located at 2321 18<sup>th</sup> Street, N.W., Washington, D.C. 20009.

Whereas, the Officers/Owners of Ephraim, Inc. are one and the same as the Officers/Owners (hereinafter, "the Owners") of Adams Morgan Spaghetti Garden Inc. which trades as "Spaghetti Garden" and is located at 2317 18<sup>th</sup> Street, N.W., Washington, D.C. 20009.

Whereas, the Owners have applied with the District of Columbia Alcoholic Beverage Control Board (hereinafter the Board) for permission to expand Spaghetti Garden to totally include the premises now known as Roxanne/Peyote. Terms and conditions of that request are set forth in a separate Cooperative Agreement, executed this same day, known as the Adams Morgan Spaghetti Garden, Inc. Cooperative Agreement.

Whereas, at the time of execution of this Agreement, there exists a moratorium on the issuance of certain ABC licenses, known as the Adams Morgan Moratorium Zone, and that "Zone" includes the location of, and applies to, the "Roxanne" license.

Whereas, the Owners wish to remove the Roxanne ABC license from service and place it into "safekeeping" at the ABC Board under Title 25, Section 791 and 23DCMR 704.3.

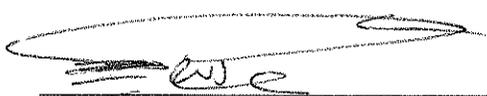
Whereas, both addresses involved in this request, and in particular the Roxanne license, lie within the jurisdiction of Advisory Neighborhood Commission 1C (hereinafter, ANC 1C).

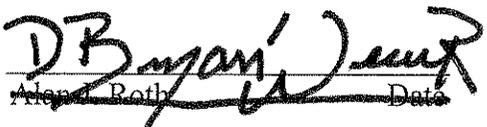
Whereas, the Kalorama Citizens Association's (hereinafter, the KCA) boundaries lie within the "affected area" of both licensed establishments involved in this request, and in particular, "Roxanne".

Whereas, the Owners, ANC 1C and the KCA, because of their individual interests as described above, hereby agree without objection, that they shall each be the Parties to this agreement. Now, therefore, in consideration of the mutual covenants and undertakings memorialized herein, the Parties agree as follows:

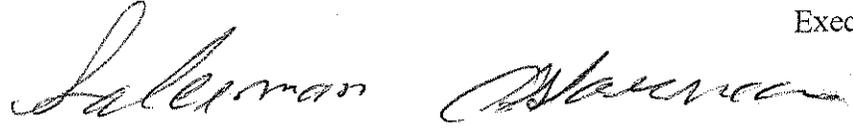
1.) The "Roxanne" license shall be surrendered to the Board for safekeeping in accordance with the following provisions of D.C. Code ( 25-791) and regulation (23DCMR 704.3). The "Owners" agree that the "Roxanne" license shall not be transferred for use at any other location than at 2319 18<sup>th</sup> Street, N.W., (the "Roxanne" premises) to restore, at some future date, the combined premises back into 2 separate premises, each with its separate ABC license, as existed prior to this request.

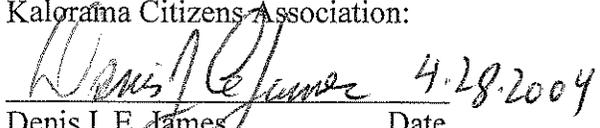
The "Owners": 4 29 04

  
Iraj Askarinam Date

Advisory Neighborhood  
Commission 1C:  
  
Bryan WEAVER

Soleimon Askarinam Date

  
4-29-04

Kalorama Citizens Association:  
  
Denis I. E. James Date  
Executive Vice President