

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

In the Matter of:)

The New Brookland Café, LLC)
t/a B Café/Brookland Café)

Petition to)
Terminate Settlement Agreements)
for a Retailer’s Class CR License)

License No. ABRA-083121
Order No. 2013-099

at premises)
3740 12th Street, N.E.)
Washington, D.C. 20017)

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Mike Silverstein, Member

**ORDER DENYING PETITION TO TERMINATE
SETTLEMENT AGREEMENTS**

The official records of the Alcoholic Beverage Control Board (Board) reflect that The New Brookland Café, LLC, t/a B Café/Brookland Café (Petitioner), entered into a Settlement Agreement with Archdiocese for the Military Services, USA and A Group of Five or More Individuals on February 4, 2010 and it was approved by the Board on June 23, 2010. The Petitioner also entered into a separate Settlement Agreement with A Group of Five or More on April 3, 2012 and it was approved by the Board on April 25, 2012. The Petitioner now seeks to terminate its Settlement Agreements under D.C. Official Code § 25-446(d).

D.C. Official Code § 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.”

The Board finds that the Petitioner’s Settlement Agreements approved by the Board on June 23, 2010 and April 25, 2012, do not meet the four (4) year criteria required by D.C. Official Code § 25-446(d)(2)(B).

Therefore, the Board denies the Petition to Terminate the Settlement Agreements because the Settlement Agreements sought to be terminated are not four (4) years old or older.

ORDER

The Board does hereby, this 24th day of April, 2013, **DENY** the Petition to Terminate Settlement Agreements submitted by The New Brookland Café, LLC, t/a B Café/Brookland Café. Copies of this Order shall be sent to the Petitioner.

District of Columbia
Alcoholic Beverage Control Board



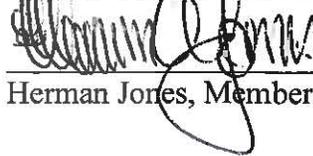
Ruthanne Miller, Chairperson



Nick Alberti, Member



Donald Brooks, Member



Herman Jones, Member

Mike Silverstein, 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.