

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

_____)	
In the Matter of:)	
)	
Abal, LLC)	
t/a CherCher Ethiopian Restaurant & Mart)	
)	
Holder of a)	License No. ABRA-090311
Retailer's Class CR License)	Order No. 2014-390
)	
at premises)	
1334 9th Street, N.W.)	
Washington, D.C. 20001)	
_____)	

Abal, LLC, t/a CherCher Ethiopian Restaurant & Mart (Licensee)

Walt Cain, Commissioner, Advisory Neighborhood Commission (ANC) 2F

Cristina Amoruso, 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 AMENDMENT TO SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Abal, LLC, t/a CherCher Ethiopian Restaurant & Mart, (Licensee), ANC 2F, and A Group of Five or More Individuals entered into Settlement Agreement (Agreement), dated November 19, 2012, 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 September 16, 2014, 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; Commissioner Walt Cain, on behalf of ANC 2F; and

Cristina Amoruso, on behalf of the Group of Five or More Individuals; are signatories to the Amendment.

Accordingly, it is this 8th day of October, 2014, **ORDERED** that:

1. The above-referenced Amendment to Settlement Agreement, dated September 16, 2014, 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, ANC 2F, and Cristina Amoruso, on behalf of the Group of Five or More Individuals.

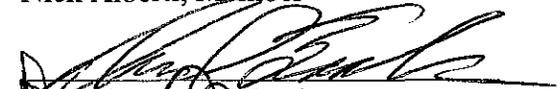
District of Columbia
Alcoholic Beverage Control Board



Ruthayne Miller, Chairperson



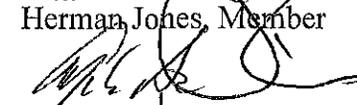
Nick Alberti, Member



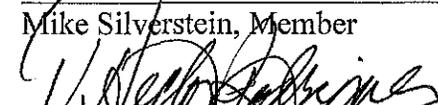
Donald Brooks, Member



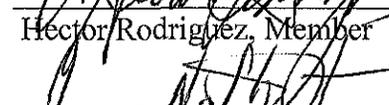
Herman Jones, Member



Mike Silverstein, Member



Hector Rodriguez, Member



James Short, Member

Pursuant to D.C. Official Code § 25-433, any Party adversely affected by this Order may file a Motion for Reconsideration within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 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, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration pursuant to D.C. Official Code § 25-433, 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).

AMENDMENT TO VOLUNTARY AGREEMENT

This Amendment to Voluntary Agreement (“Amendment”) is made this 16th day of September 2014, by and between Abal, LLC, t/a Chercher Ethiopian Restuarant & Mart (“Applicant”), Advisory Neighborhood Commission 2F (“ANC 2F”), and a Group of Five or More represented by Cristina Amoruso (“Amoruso Group”). (ANC 2F and Amoruso Group are sometimes jointly referred to as “Protestants.”)

WITNESSETH

WHEREAS, Applicant, holder of a Retailer’s Class CN License No. ABRA-090311, wishes to avail itself of extended hours for its licensed premises at 1334 9th St, NW, as related to the Voluntary Agreement dated November 19, 2012;

WHEREAS, Applicant has operated for nearly two years without any complaints to ANC 2F or investigated by ABRA regarding its hours of selling and serving alcohol;

WHEREAS, Two adjoining residential neighbors attended the August 20, 2014 ANC 2F ABRA Policy Committee (APC) meeting and spoke in support of the Applicant;

WHEREAS, ANC 2F at its regularly scheduled and duly noticed monthly meeting of September 10, 2014, with a quorum present and operating throughout, voted unanimously (8-0) to advise that the ABC Board approve the terms of this Amendment agreement;

WHEREAS, Cristina Amoruso, representative of the “Amoruso Group” (recital “b,” Voluntary Agreement of November 19, 2012) has represented their support of this amendment;

WHEREAS, the community is supportive of Applicant’s operation of the establishment and is supportive of its request for such extended hours;

WHEREAS, Applicant has agreed to enter into this Amendment agreement with the Community and to request further that the ABC Board approve Applicant’s request be conditioned upon Applicant’s compliance with the terms of its Voluntary Agreement dated November 19, 2012, as previously approved by the ABC Board;

NOW THEREFORE, in consideration of the recitals set forth above and the mutual covenants set forth below, the parties agree as follows:

1. Recitals Incorporated. The recitals set forth above are incorporated herein by reference.
2. Incorporation of Voluntary Agreement dated November 19, 2012. The parties agree to incorporate the terms of the Voluntary Agreement dated November 19, 2012,

and approved by the ABC Board. Applicant agrees to adhere to the terms of and amendments to that said agreement in the operation of its business during the later hours agreed to below by this Amendment.

3. Section 3 "Hours of Operation" of the November 19, 2012, Voluntary Agreement is amended. Section 3 "Hours of Operation" of that certain Voluntary Agreement dated November 19, 2012, is amended by striking the section in its entirety and substituting the following:

"3. Hours of Operation. Applicant's hours for food service and selling and serving alcohol shall not exceed the following:

Sunday - Thursday 9:30am - 1:00am
Friday & Saturday 9:30am - 2:00am

With the explicit understanding that all alcohol sales are to end one half hour before the above stated closing times."

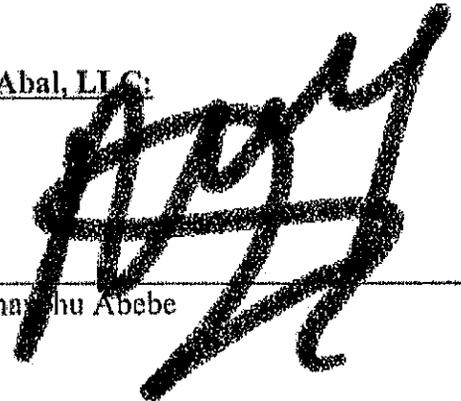
IN WITNESS WHEREOF, the parties have executed this Amendment as of the date and year first written above.

For ANC 2F:



Commissioner Walt Cain, *Vice Chairman*

For Abal, LLC:



Alemayehu Abebe

For the "Amoruso Group":



Cristina Amoruso