

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

In the Matter of:

Midagra, LLC
t/a DCanter

Holder of a
Retailer's Class B License

at premises
545 8th Street, S.E.
Washington, D.C. 20003

License No. ABRA-090639
Order No. 2014-502

L Street Market, Inc., t/a 7th L Street Market (Licensee)

Brian Flahaven, Chairperson, Advisory Neighborhood Commission (ANC) 6B

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

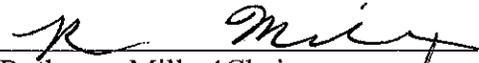
The official records of the Alcoholic Beverage Control Board (Board) reflect that Midagra, LLC, t/a DCanter, (Licensee), and ANC 6B have entered into a Settlement Agreement (Agreement), dated November 6, 2014, that governs the operation of the Licensee's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Chairperson Brian Flahaven, on behalf of ANC 6B, are signatories to the Agreement.

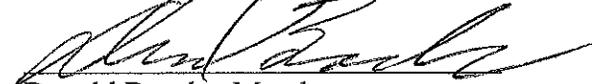
Accordingly, it is this 3rd day of December, 2014, **ORDERED** that:

1. The above-referenced Settlement Agreement submitted by the parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order;
2. This Settlement Agreement replaces and supersedes previous Settlement Agreements between the parties; and
3. Copies of this Order shall be sent to the Licensee and ANC 6B.

District of Columbia
Alcoholic Beverage Control Board

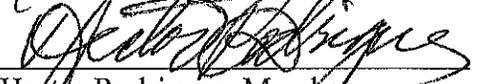

Ruthanne Miller, Chairperson

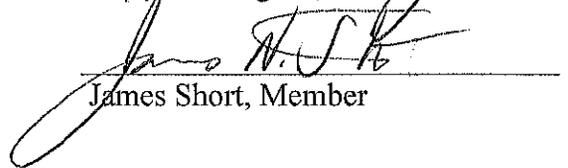

Nick Alberti, Member


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 made November 06, 2014 by and between Midagra, LLC, t/a DCanter and Advisory Neighborhood Commission 6B.

WITNESSETH

WHEREAS, Applicant's Retailers Class "B" license renewal, ABRA-090639, for premises at 545 8th Street SE, Washington, DC 20003 is now pending before the District of Columbia Alcoholic Beverage Control Board; and

WHEREAS, the premises is within the boundaries of the ANC; and

WHEREAS, DCanter, a boutique retailer, will focus on selling small production wines and craft beers. DCanter will provide expert wine and beer education for the community and cater to the discriminating palate of wine and craft beer connoisseurs, as well as to customer interested in learning more about wines.

WHEREAS, the parties desire to enter into an agreement governing certain understandings regarding the Retailers' Class "B" license with a tasting endorsement, at the subject premises;

NOW, THEREFORE, the Parties agree as follows:

1. *Recitals Incorporated.* The recitals set forth above are incorporated herein by reference.
2. *Nature of the Business.* The Applicant will manage and operate a Retailer's Class B license under the following provisions:
 - a. The Applicant will comply with all laws and regulations governing the operations of the establishment at 545 8th Street SE, however, it is not the intent of the ANC that the Applicant have multiple citations for any specific violations of the laws and regulations governing the operations of the establishment and violating this SA.
 - b. The Applicant will not divide a manufacturer's package of more than one container of beer, malt liquor, or ale, to sell an individual container of the package if the container is less than 70 ounces. The Applicant may break up manufacturer's packages for purposes of "tastings."
 - c. The Applicant will not sell or provide go cups or single servings of ice.
 - d. The Applicant's hours of operation and sales are 9:00 a.m. - 10:00 p.m. and Applicant will not sell alcohol before or after these hours.
 - e. The Applicant agrees to post this agreement alongside the ABC license.
3. *Sign age, Noise and Privacy.* Applicant will, to the best of his ability, prohibit and prevent loitering, rowdiness, criminal activity, panhandling and all illegal activity adjacent to the establishment.
4. *Public Space Cleanliness and Maintenance.* Applicant will maintain the public space adjacent to the establishment in a clean and litter-free condition.

MDW 5. All previous voluntary or settlement agreements are rendered null and void.

By signature below, the Parties agree to the terms of this agreement.

IN WITNESS WHEREOF, the Parties have affixed hereunto their signatures.

Applicant: Midagra, LLC
t/a DCarter
545 8th Street SE
Attn: Michael Warner

 (signature)

ANC: Advisory Neighborhood Commission
921 Pennsylvania Avenue SE
Ste 305
Washington, DC 20003
Brian Flahaven, Chair

