

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

_____)	
In the Matter of:)	
)	
Gypsy Sally's Acoustic Tavern, LLC)	
t/a Gypsy Sally's)	
)	
Holder of a)	
Retailer's Class CR License)	License No. ABRA-090582
)	Order No. 2014-036
at premises)	
3401 K Street, N.W.)	
Washington, D.C. 20007)	
_____)	

Gypsy Sally's Acoustic Tavern, LLC, t/a Gypsy Sally's (Licensee)

Ronald Lewis, Chairperson, Advisory Neighborhood Commission (ANC) 2E

Paula H. Moore, President, The Citizens Association of Georgetown (CAG)

William R. Moroney

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Mike Silverstein, Member
Herman Jones, Member
Hector Rodriguez
James Short

ORDER ON AMENDMENT TO SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Gypsy Sally's Acoustic Tavern, LLC, t/a Gypsy Sally's (Licensee), ANC 2E, CAG, and William R. Moroney entered into a Settlement Agreement (Agreement), dated December 3, 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 December 19, 2013, in accordance with D.C. Official Code § 25-446 (2001).

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The Amendment has been reduced to writing and has been properly executed and filed with the Board. The Licensee; Chairperson Ronald Lewis, on behalf of ANC 2E; Paula H. Moore, on behalf of CAG; and William R. Moroney are signatories to the Amendment.

Accordingly, it is this 22nd day of January, 2014, **ORDERED** that:

1. The above-referenced Amendment to Settlement Agreement, dated December 19, 2013, 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 previous 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 2E, CAG, and William R. Moroney.

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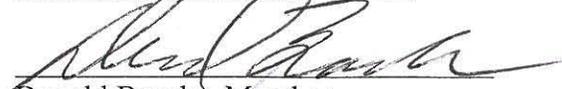
District of Columbia
Alcoholic Beverage Control Board



Ruthanne Miller, Chairperson



Nick Alberti, Member

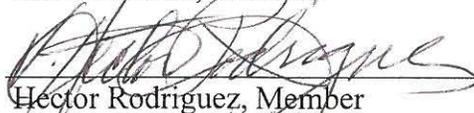


Donald Brooks, Member



Mike Silverstein, Member

Herman Jones, 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).

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AMENDMENT TO VOLUNTARY AGREEMENT

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19 THIS AMENDMENT TO VOLUNTARY AGREEMENT is made entered into this of December, 2013 (the "Amendment") by and between Gypsy Sally's Acoustic Tavern LLC (hereinafter the "Applicant") and Advisory Neighborhood Commission 2E, the Citizens Association of Georgetown (the "Protestants") and William R. Moroney, the latter a resident of the 3303 Water Street Condominium.

WITNESSETH

WHEREAS, Applicant is the holder of Restaurant License CR (Retailer's Class CR) alcoholic beverage control license # ABRA-090582 for premises located at 3401 K Street, NW;

WHEREAS, the parties entered into a Voluntary Agreement dated December 3, 2012 (the "Voluntary Agreement"), in connection with Applicant's original application for licensure, which Voluntary Agreement was approved by Alcoholic Beverage Control Board Order dated January 23, 2013;

WHEREAS, on November 13, 2013, Applicant filed an Application for License Class Change from a Restaurant License Class CR (Retailer's Class CR) to a License Class CT Tavern License;

WHEREAS, the parties desire to amend the Voluntary Agreement as set forth in this Amendment.

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

- 1. **Recitals Incorporated.** The recitals above are incorporated herein by reference.
- 2. **Nature of Business:** The first two (2) sentences of Section 1 of the Voluntary Agreement are hereby deleted and amended to read as follows:

"Applicant will operate at all time as a bona-fide Class CT Tavern (as such term is defined in the ABC statutes and regulations). "Last call" for alcoholic beverages shall be announced on-half (1/2) hour before closing."
- 3. **No Further Amendments.** Except as expressly provided in this Amendment, the Voluntary Agreement remains in full force and effect.

IN WITNESS WHEREOF, the parties have executed or caused this Amendment to be executed, under seal, as of the date set forth hereinabove.

APPLICANT:

GYPSY SALLY'S ACOUSTIC TAVERN LLC

By: Karen Ensor
Karen Ensor, Managing Member

ADVISORY NEIGHBORHOOD COMMISSION 2E

By: Ronald Lewis
Ronald Lewis, Chair

THE CITIZENS ASSOCIATION OF GEORGETOWN

By: Paula H. Moore
Name: PAULA H. MOORE
Title: PRESIDENT

[SIGNATURES CONTINUED ON NEXT PAGE]

(Handwritten mark)



William R. Moroney,
3303 Water Street, NW
Washington, DC 20007

CM