

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

In the Matter of:)

Kristina Noell)
t/a Hogate's)

) License No. 081162
) Order No. 2010-397

Applicant for Renewal of a)
Retailer's Class CR License)

at premises)
800 Water Street, S.W.)
Washington, D.C. 20024)

Kristina Noell, t/a Hogate's, Applicant

Ron McBee, Chairperson, Advisory Neighborhood Commission (ANC) 6D

BEFORE: Charles Brodsky, Chairperson
Mital M. Gandhi, Member
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Calvin Nophlin, Member
Mike Silverstein, Member

**ORDER ON SUPPLEMENT TO VOLUNTARY AGREEMENT AND
WITHDRAWAL OF PROTEST**

The official records of the Alcoholic Beverage Control Board (Board) reflect that Kristina Noell, t/a Hogate's (Applicant), Applicant for renewal of a Retailer's Class CR License located at 800 Water Street, S.W., Washington, D.C., and ANC 6D have entered into a Supplement to Voluntary Agreement, dated June 30, 2010 (Agreement), setting forth the terms and conditions that govern the operation of the Applicant's establishment. The Applicant and Chairperson Ron McBee, on behalf of ANC 6D, are signatories to this Agreement. This Agreement constitutes a withdrawal of the Protest of this Application.

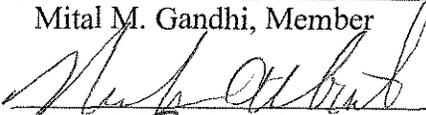
Accordingly, it is this 21st day of July 2010, **ORDERED** that:

1. The Application filed by Kristina Noell, t/a Hogate's, (Applicant), for renewal of a Retailer's Class CR license located at 800 Water Street, S.W., Washington, D.C., is **GRANTED**;
2. The Protest in this matter is hereby **DISMISSED**;
3. The above-referenced Supplement to Voluntary Agreement submitted by the Applicant and Protestant to govern the operations of the Applicant's establishment are **APPROVED** and **INCORPORATED** as part of this Order; and
4. Copies of this Order shall be sent to the Applicant and ANC 6D.

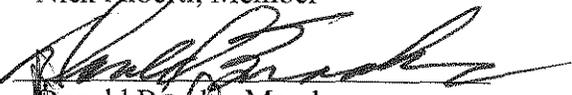
District of Columbia
Alcoholic Beverage Control Board

Charles Brodsky, Chairperson

Mital M. Gandhi, Member



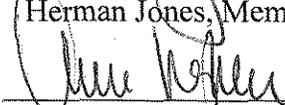
Nick Alberti, Member



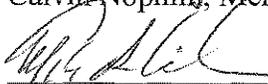
Donald Brooks, Member



Herman Jones, Member



Calvin Nophlin, Member



Mike Silverstein, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), 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, 1250 U Street, N.W., Third Floor, Washington, D.C. 20009.

This document is a supplement to the VOLUNTARY AGREEMENT made this 12th day of January 2009, by and between Castle Noell Group, Inc. dba Hogate's (the Applicant) and Advisory Neighborhood Commission 6D (the ANC or Protestant).

Hogate's Sound Control And Implementation Plan

Hogate's policy for controlling the external sound from any activities requiring amplified sound/music, as follows:

- 1) Meeting with promoters, event planners and their DJs prior to the event to explain Hogate's sound policy. Staff at Hogate's will also be periodically trained/instructed on the sound policy.
- 2) Hogate's representatives (security personnel or other employees), during the set up sound check, operation of the event, and/or tear down will monitor sound when making periodic (approximately 30 minute) checks of the building's outside perimeter. If the sound is not appropriate, this will be reported immediately to the manager/owner and DJ. Hogate's will lower the sound. The lowered sound will be checked externally, again, to assure it is within compliance. This effort will be repeated, if needed.
- 3) Sound levels are marked on mixers to assist DJs in knowing what levels not to surpass.
- 4) Hogate's uses monitors inside the DJ booth to assure the DJs are hearing the intensity of the music.

KRISTINA NOELL, PRESIDENT(Sign and date)

Castle Noell Group, Inc.
dba Hogates by Kristina

Kristina Noell
June 30, 2010

RON MCBEE, CHAIRPERSON(Sign and date)

The ANC: Advisory Neighborhood Commission 6D

Ron McBee
June 30, 2010

DISTRICT OF COLUMBIA
REGISTRY OF MOTOR VEHICLES
2010 JUN 30 AM 11:00
SMITHSONIAN INSTITUTION