

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

In the Matter of:

Restaurant Seki, LLC
t/a Izakaya Seki

Application for Renewal of a
Retailer's Class CR License

at premises
1117 V Street, N.W.
Washington, D.C. 20009

Case No. 13-PRO-00047
License No. ABRA-088274
Order No. 2013-388

Restaurant Seki, LLC, t/a Izakaya Seki (Applicant)

Samer Bitar, President, Abutting Property Owner

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

**ORDER ON SETTLEMENT AGREEMENT AND
WITHDRAWAL OF PROTEST OF SAMER BITAR**

The Application filed by Restaurant Seki, LLC, t/a Izakaya Seki, for renewal of its Retailer's Class CR License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on May 28, 2013, and a Protest Status Hearing on July 10, 2013, in accordance with D.C. Official Code § 25-601 (2001).

The official records of the Board reflect that the Applicant and Samer Bitar, abutting property owner, have entered into a Settlement Agreement (Agreement), dated July 25, 2013, that governs the operation of the Applicant's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Samer Bitar are signatories to the Agreement.

Restaurant Seki, LLC
t/a Izakaya Seki
Case No. 13-PRO-00047
License No. ABRA-088274
Page 2

This Agreement constitutes a withdrawal of the Protest filed by Samer Bitar.

Accordingly, it is this 11th day of September, 2013, **ORDERED** that:

1. The Application filed by Restaurant Seki, LLC, t/a Izakaya Seki, for renewal of its Retailer's Class CR License, located at 1117 V Street, N.W., Washington, D.C., is **GRANTED**;
2. The Protest of Samer Bitar in this matter is hereby **WITHDRAWN**;
3. The above-referenced Settlement Agreement submitted by the parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order; and
4. Copies of this Order shall be sent to the Applicant and Samer Bitar.


Restaurant Seki, LLC
t/a Izakaya Seki
Case No. 13-PRO-00047
License No. ABRA-088274
Page 3

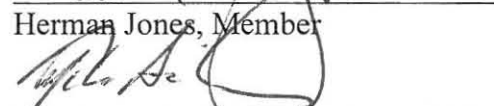
District of Columbia
Alcoholic Beverage Control Board


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 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.

Settlement Agreement

In the matter of Restaurant Seki, LLC t/a Izakaya Seki, Retailer's Class CR, 1117 V Street NW, License #ABRA-088274, License Renewal Application, Case #13-PRO-00047.

This agreement is made and entered into on this 25th day of JULY, 2013 by and between the Applicant (Restaurant Seki, LLC t/a Izakaya Seki) and Samer Bitar (protestant/abutting property owner).

The Applicant and the Protestant agree as follows:

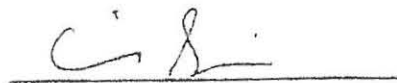
Noise Suppression: The Applicant agrees to take the necessary steps to address the noise issue by installing drywall and insulation in the exposed area of the parti-wall and pads on the furniture, as recommended by the Protestant.

The Applicant has received an estimate from a contractor to install the insulation and drywall in the exposed area of the parti-wall and will install and maintain anti-friction pads on the legs of furniture causing vibration noise when dragged. The Applicant will have the work completed within fifteen (15) calendar days from the date of this agreement.

The Protestant agrees that once the above referenced work has been completed, to consider the issue of noise suppression with respect to insulation within the establishment to be resolved.

Trash: The Applicant agrees to keep trash contained in bins with the lids closed and will add an extra trash bin if necessary. Applicant further agrees to post a sign reminding employees that lids must be closed at all times.

APPLICANT:



Cizuka Seki, Co-Owner

PROTESTANT:



Samer Bitar