

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

In the Matter of:)
)
Acott Ventures, LLC)
t/a Shadow Room)
)
Petition to)
Terminate Voluntary Agreement)
for a Retailer's Class CN License)
)
at premises)
2131 K Street, N.W.)
Washington, D.C. 20036)
_____)

Case No. 14-PRO-00033
License No. ABRA-075871
Order No. 2014-506

Acott Ventures, LLC, t/a Shadow Room (Petitioner)

Patrick Kennedy, Chairperson, Advisory Neighborhood Commission (ANC) 2A

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 AND
WITHDRAWAL OF PROTEST OF ANC 2A**

The official records of the Alcoholic Beverage Control Board (Board) reflect that Acott Ventures, LLC, t/a Shadow Room, (Petitioner), entered into a Settlement Agreement with ANC 2A on November 2, 2008 and it was approved by the Board on November 12, 2008. The Petitioner sought to terminate its Voluntary Agreement, under D.C. Official Code § 25-446(d). The Petition to Terminate was protested by ANC 2A.

The official records of the Board reflect that the Petitioner and ANC 2A have entered into an Amendment to Settlement Agreement (Amendment), dated December 1, 2014, that governs the operation of the Petitioner's establishment.

The Amendment has been reduced to writing and has been properly executed and filed with the Board. The Petitioner and Chairperson Patrick Kennedy, on behalf of ANC 2A, are signatories to the Amendment.

This Amendment constitutes a withdrawal of the Protest filed by ANC 2A of this Petition.

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

1. The Protest of the ANC 2A in this matter is hereby **WITHDRAWN**;
2. The above-referenced Amendment to Settlement Agreement submitted by the Petitioner and ANC 2A to govern the operations of the Petitioner's establishment is **APPROVED** and **INCORPORATED** as part of this Order; except for the following modification:

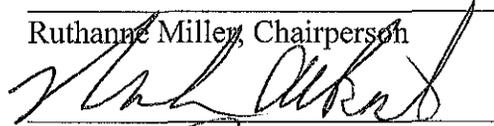
Section 1 – This Section shall be modified to read as follows: “The current Settlement Agreement (dated November 2, 2008) between Acott Ventures, LLC t/a Shadow Room and ANC 2A will be amended to permit Shadow Room to apply for and operate in accordance with any and all Extended Holiday Hour privileges. This amendment will only be valid until the Shadow Room liquor license is next renewed, but no less than three years from today's date, at which time the current, unmodified Settlement Agreement dated November 2, 2008 will go back into effect.”

The Petitioner and ANC 2A have agreed to this modification.

3. All terms and conditions of the Settlement Agreement, dated November 2, 2008, not amended by the Amendment, shall remain in full force and effect; and
4. Copies of this Order shall be sent to the Petitioner and ANC 2A.

District of Columbia
Alcoholic Beverage Control Board

Ruthanne Milley, Chairperson

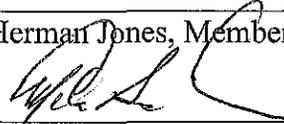


Nick Alberti, Member



Donald Brooks, Member

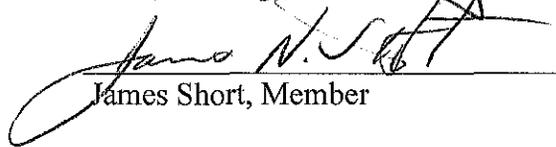
Herman Jones, Member



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).

**ACOTT VENTURES, LLC (SHADOW ROOM) & ANC 2A
PROTEST SETTLEMENT AGREEMENT**

Acott Ventures, LLC t/a Shadow Room and ANC 2A agree to the following terms and conditions in the settlement of ABRA Protest Hearing 14-PRO-00033:

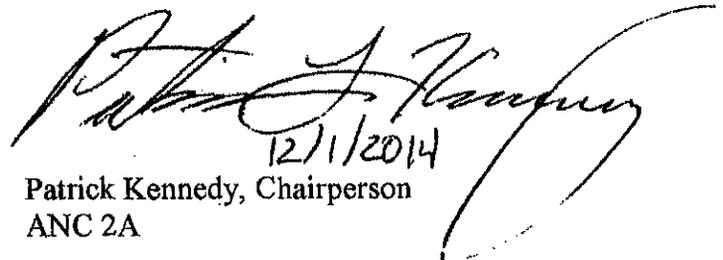
1. The current Settlement Agreement (dated November 2, 2008) between Acott Ventures, LLC t/a Shadow Room and ANC 2A will be amended to permit Shadow Room to apply for and operate on any and all Extended Holiday Hours; this amendment will only be valid until the Shadow Room liquor license is next renewed, but no less than three years from today's date, at which time the current, unmodified Settlement Agreement dated November 2, 2008 will go back into effect.
2. Acott Ventures, LLC t/a Shadow Room will hire an MPD Reimbursable Police Detail for Shadow Room on all days that they operate under the Extended Holiday Hours;
3. Upon ratification of this agreement and ABC Board acceptance, Shadow Room hereby withdraws its current application for termination of its Settlement Agreement.

Dated this 1st day of December 2014.

AGREED TO BY ACOTT VENTURES,
LLC t/a Shadow Room:

By Counsel
 12/01/2014
Acott Ventures, LLC t/a Shadow Room

AGREED TO BY ANC 2A:


12/1/2014
Patrick Kennedy, Chairperson
ANC 2A