

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

**In the Matter of:**

Partners at 723 8th St SE, LLC  
t/a The Ugly Mug Dining Saloon

Holder of a  
Retailer's Class CR License

at premises  
723 8<sup>th</sup> Street, SE  
Washington, D.C. 20003

License No. ABRA-071793  
Order No. 2017-366

Partners at 723 8th St SE, LLC, t/a The Ugly Mug Dining Saloon (Licensee)

Chander Jayaraman, Chairperson, Advisory Neighborhood Commission (ANC) 6B

**BEFORE:** Donovan Anderson, Chairperson  
Nick Alberti, Member  
Mike Silverstein, Member  
James Short, Member  
Jake Perry, Member  
Donald Isaac, Sr., Member

**ORDER ON AMENDMENT TO SETTLEMENT AGREEMENT**

The official records of the Alcoholic Beverage Control Board (Board) reflect that Partners at 723 8th St SE, LLC, t/a The Ugly Mug Dining Saloon (Licensee), and ANC 6B have entered into a Settlement Agreement (Agreement), dated March 12, 2015, that governs the operation of the Licensee's establishment.

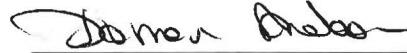
This matter comes now before the Board to consider the Parties' Amendment to Settlement Agreement (Amendment), dated June 19, 2017, in accordance with D.C. Official Code § 25-446 (2001).

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

Accordingly, it is this 21st day of June, 2017, **ORDERED** that:

1. The above-referenced Amendment to 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. All terms and conditions of the original Settlement 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 and ANC 6B.

District of Columbia  
Alcoholic Beverage Control Board



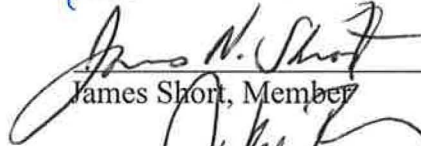
Donovan Anderson, Chairperson



Nick Alberti, Member



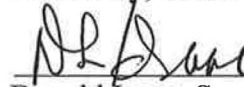
Mike Silverstein, Member



James Short, Member



Jake Perry, Member



Donald Isaac, Sr., Member

Pursuant to D.C. Official Code § 25-433(d)(1), 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 14<sup>th</sup> 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).

FIRST AMENDMENT TO SETTLEMENT AGREEMENT BY AND BETWEEN  
ADVISORY NEIGHBORHOOD COMMISSION 6B

and  
PARTNERS AT 723 8<sup>th</sup> STREET SE, LLC  
d/b/a Ugly Mug Dining Saloon

WHEREAS The parties, Advisory Neighborhood Commission ("ANC 6B") and Partners at 723 8<sup>th</sup> Street SE, LLC (d/b/a Ugly Mug Dining Saloon) ("Applicant"), entered into a Settlement Agreement dated March 12, 2015 with respect to operation of the Ugly Mug Dining Saloon at 723 8<sup>th</sup> Street, S.E., Washington, DC ("the Agreement"); and,

WHEREAS, Applicant has applied before the District of Columbia Alcoholic Beverage Regulatory Administration ("ABRA") to effect, and is seeking approval of, a substantial change to its Retailers' Class "CR" License (ABRA-071793) ("License") to add a Brew Pub Permit endorsement to its License; and,

WHEREAS Applicant and ANC6B are desirous of voluntarily and mutually amending the Agreement in the manner hereinafter provided to mutually memorialize the terms and conditions upon which ANC6B has agreed to support Applicant's application for a Brew Pub Permit endorsement.

NOW, THEREFORE, Applicant and ANC 6B agree as follows:

1. All defined terms in the Agreement shall have the same meaning in this First Amendment.
2. A new Section 12 of the Agreement is appended immediately after Section 11 as follows:

**12. Smoking.** Applicant will encourage all patrons, by posted signs or other printed notation, who wish to smoke do so only in designated areas outside the establishment (if smoking is permitted), and remind patrons not to smoke in front of abutting properties.

3. A new Section 13 of the Agreement is appended immediately after Section 12 as follows:

**13. Notice of Alleged Violations.** If and when ANC6B becomes aware of any apparent violations of this Agreement, ANC6B agrees to, whenever practicable and permitted by law or regulation and only to the extent that such alleged violation does not materially and immediately endanger the health and safety of the community, provide written notice of such alleged violation to Applicant not less than five (5) business days prior to reporting such alleged violation to ABRA. If such alleged violation is corrected within this period, then ANC6B shall not report such alleged violation to ABRA.

4. Except as explicitly modified herein, the Agreement remains in full force effect and unmodified. The Agreement may only be further modified by written agreement of all the parties or their successors, or otherwise in accordance with law.

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

Applicant:

Partners at 723 8<sup>th</sup> Street SE, LLC (d/b/a Ugly Mug Dining Saloon)  
ABRA# 071793  
723 8<sup>th</sup> Street, SE  
Washington, DC 20003  
Gaynor Jablonski  
Managing Member

Signature: \_\_\_\_\_




Date: \_\_\_\_\_

6/13/17

ANC:

Advisory Neighborhood Commission 6B  
921 Pennsylvania Avenue, SE  
Washington, DC 20003  
Chander Jayaraman, Chairperson

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

6-19-17