

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

In the Matter of:

T & H Deli, Inc.
t/a Palisades Deli & Market

Holder of a
Retailer's Class B License

at premises
4554 MacArthur Blvd., NW
Washington, D.C. 20007

License No.: ABRA-079038
Order No.: 2018-353

T & H Deli, Inc., t/a Palisades Deli & Market (Licensee)

Stephen J. Garden and Conrad J. DeWitte, Jr., Commissioners, Advisory Neighborhood
Commission (ANC) 3D

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
James Short, Member
Donald Isaac, Sr., Member
Bobby Cato, Member
Rema Wahabzadah, Member

ORDER ON AMENDMENT TO SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that T & H Deli, Inc., t/a Palisades Deli & Market (Licensee), and ANC 3D have entered into a Settlement Agreement (Agreement), dated November 4, 2011, that governs the operation of the Licensee's establishment. This matter comes now before the Board to consider the Parties' Amendment to Settlement Agreement (Addendum), dated May 2, 2018, 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 Stephen J. Garden and

Commissioner Conrad J. DeWitte, Jr., on behalf of ANC 3D, are signatories to the Amendment.

Accordingly, it is this 23rd day of May, 2018, **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 3D.

District of Columbia
Alcoholic Beverage Control Board

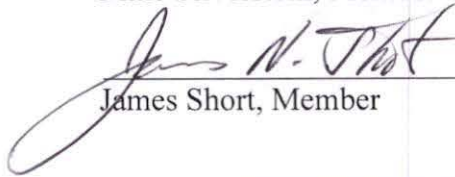


Donovan Anderson, Chairperson



Nick Alberti, Member

Mike Silverstein, Member



James Short, Member

Donald Isaac, Sr., Member

Bobby Cato, Member

Rema Wahabzadah, 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 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).



GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 3D
PO Box 40846, Palisades Station
Washington, DC 20016

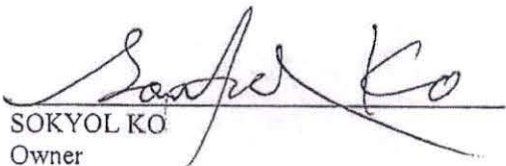
PALISADES · KENT · SPRING VALLEY · WESLEY HEIGHTS · NEW MEXICO/CATHEDRAL
THE AMERICAN UNIVERSITY · FOXHALL VILLAGE · BERKELEY

May 2, 2018

Advisory Neighborhood Commission 3D (ANC 3D) and T & H Deli, Inc., t/a Palisades Deli & Market (the parties) hereby amend paragraph 1 of the Settlement Agreement dated November 4, 2012 associated ABRA License Number ABRA-079038 and referenced in Alcoholic Beverage Control Board Order Number 2012-179 dated May 16, 2012 as follows:

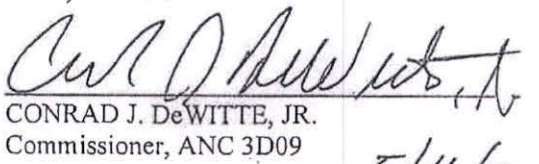
Agreed-Upon Amended Language:

1. Licensee agrees not to sell beer in containers greater than 27 ounces.


SOKYOL KO
Owner

5/11/18
Date


STEPHEN K. GARDNER
Chair, ANC 3D


CONRAD J. DeWITTE, JR.
Commissioner, ANC 3D09

5/16/2018

T & H Deli, Inc. t/a Palisades Deli & Market
4554 MacArthur Boulevard, NW
Washington, DC 20007

Palisades Station
P.O. Box 40846
Washington, D.C. 20016

**HOLDER OF A
RETAILER'S CLASS B LICENSE**

**ADVISORY NEIGHBORHOOD
COMMISSION 3D**

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

<hr/>	
In the Matter of:)
)
T & H Deli, Inc.)
t/a Palisades Deli & Market)
)
Holder of a)
Retailer's Class B License)
)
at premises)
4554 MacArthur Blvd., N.W.)
Washington, D.C. 20007)
<hr/>)

License No. ABRA-079038
Order No. 2012-179

T & H Deli, Inc., t/a Palisades Deli & Market (Licensee)

Ann Haas, Commissioner, Advisory Neighborhood Commission (ANC) 3D

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Calvin Nophlin, Member
Mike Silverstein, Member
Jeannette Mobley, Member

ORDER ON VOLUNTARY AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that T & H Deli, Inc., t/a Palisades Deli & Market (Licensee), and ANC 3D have entered into a Voluntary Agreement (Agreement), dated November 4, 2011, that governs the operation of the Licensee's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Commissioner Ann Haas, on behalf of ANC 3D, are signatories to the Agreement.

T & H Deli, Inc.
t/a Palisades Deli & Market
License No. ABRA-079038
Page 2

Accordingly, it is this 16th day of May, 2012, **ORDERED** that:

1. The above-referenced Voluntary Agreements submitted by the parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order, except for the following modification:

Section 8 shall be removed.

The parties have agreed to this modification.


2. Copies of this Order shall be sent to the Licensee and ANC 3D.


T & H Deli, Inc.
t/a Palisades Deli & Market
License No. ABRA-079038
Page 3

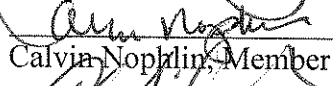
District of Columbia
Alcoholic Beverage Control Board



Ruthanne Miller, Chairperson

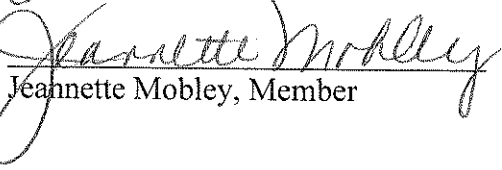
Nick Alberti, Member


Donald Brooks, Member


Herman Jones, Member


Calvin Nophlin, Member


Mike Silverstein, Member


Jeannette Mobley, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), 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.

Government of the District of Columbia
Advisory Neighborhood Commission 3D
Post Office Box 40846 Palisades Station
Washington, D. C. 20016

RECEIVED
DISTRICT OF COLUMBIA
CLERK OF THE BOARD
7012 JAN 12 P 5:00

RECORDED

VOLUNTARY AGREEMENT

November 2, 2011

Made this 4th day of November 2011 by and between Frank Ko, for T and H Deli, DBA Palisades Market, and Advisory Neighborhood Commission 3D:

Whereas T and H Deli, Incorporated, doing business as Palisades Market, has filed with the District of Columbia Alcoholic Beverage Regulation Administration, an application for Retailer's License Class b, authorizing the sale of wine and beer for off-premises consumption and

Whereas the parties desire to enter into a voluntary agreement, pursuant to DC Code §25-446 (2001)

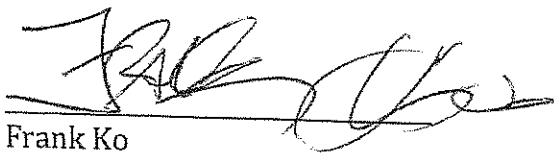
Now, therefore, the parties agree that:

1. Licensee agrees not to sell beer in containers greater than 24 ounces.
2. Licensee shall not sell malt beverages, fortified ales, fortified beers, or fortified wines.
3. Licensees may sell alcoholic beverages from 9 a.m. to 8 p.m.
4. Licensee shall not permit beverages to be opened or consumed on premises or in public areas in front of or behind the premises.
5. Licensee shall arrange for trash/garbage pick-ups and vendor deliveries between 8 a.m. and 6 p.m. Monday through Friday and 9 a.m. and 6 p.m. on Saturday.
6. Licensee shall keep the areas to the front and rear of its premises, particularly areas adjacent to trash dumpster and rear alley access clean and free of garbage, grease, and litter and take regular steps to control pests and rodents.
7. Licensee shall take reasonable steps to maintain a neat and attractive exterior to its premises, including display windows and signage.
8. Licensee shall notify the Advisory Neighborhood Commissioner for the single member district (ANC3D-09) and the current Chair of ANC3D of the intent to transfer this license.

The parties request that the text of this agreement be incorporated into the order of ABRA granting T and H Deli's application.

T and H Deli acknowledges that failure to adhere to the foregoing commitments will constitute grounds for the ANC to petition ABRA for issuance of an Order to Show Cause, pursuant to 23 DCMR 1513, to gain compliance with the terms of the agreement. Prior to so petitioning, the ANC shall notify T and H Deli of any perceived violations and afford T and H Deli a minimum of seven days in which to address or rectify the perceived violations. The foregoing remedy is without prejudice to any other remedies available to property owners and residents.

In witness whereof, the parties have affixed hereto their hands and seals on the year and day first above written.



Frank Ko
T and H Deli DBA
Palisades Market
4554 MacArthur Boulevard, N.W
Washington, D. C. 20007



Advisory Neighborhood Commission 3D
Ann Haas
Commissioner, ANC3D-09