

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

In the Matter of:)

SST Management, LLC)
t/a BIN-1301)

Holder of a)
Retailer's Class CT License)

at premises)
1301 U Street, NW)
Washington, D.C. 20009)

License No.: ABRA-091682
Order No.: 2020-102

SST Management, LLC, t/a BIN-1301, Licensee

Elwyn Ferris, on behalf of Shaw-Dupont Citizens Alliance, Inc. (SDCA)

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member
Rafi Crockett, Member
Jeni Hansen, Member

ORDER ON AMENDMENT TO SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that SST Management, LLC, t/a BIN-1301 (Licensee), and SDCA entered into a Settlement Agreement (Agreement), dated July 19, 2013, that governs the operations of the Licensee's establishment. This matter comes now before the Board to consider the Parties' Amendment to Settlement Agreement (Amendment), dated February 11, 2020, in accordance with D.C. Official Code § 25-446 (2001).

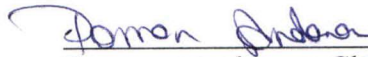
The Amendment has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Elwyn Ferris, on behalf of SDCA, are signatories to the Amendment.

By letter dated February 11, 2020, the Licensee withdrew its Petition to Terminate the Settlement Agreement filed October 22, 2019, pursuant to Section 5 of the Amendment.

Accordingly, it is this 12th day of February, 2020, **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 Agreements, 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 SDCA.

District of Columbia
Alcoholic Beverage Control Board



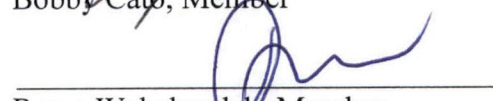
Donovan Anderson, Chairperson



James Short, Member



Bobby Cato, Member



Rema Wahabzadah, Member



Rafi Crockett, Member



Jeni Hansen, 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).

FIRST AMENDMENT TO SETTLEMENT AGREEMENT

THIS AMENDMENT TO SETTLEMENT AGREEMENT (Amendment) is entered into on February 11, 2020, between ~~Bin 1301 Wine Bar~~ (Licensee), and Shaw-Dupont Citizens Alliance, Inc. (SDCA). The Licensee is represented by Janon Costly and the SDCA is represented by Elwyn Ferris.

RECITALS

WHEREAS, the Licensee is the holder of a Retailer's Alcoholic Beverage License, Class CT (Tavern), ABRA-091682, located at 1301 U St N.W.

WHEREAS, the parties entered into a Settlement Agreement dated July 19th, 2013 (Agreement) which was approved by the Alcoholic Beverage Control Board (Board) on August 14th, 2013. See Board Order No. 2013- 376.

WHEREAS, the parties desire to enter into this Amendment to amend the hours restrictions contained in the existing Settlement Agreement for the Summer Garden and on the Entertainment Endorsement.

AGREEMENT

In consideration of the mutual covenants and agreements contained in this Amendment, which are hereby acknowledged, the parties agree to amend the Agreement as follows:

1. Hours - Summer Garden. The sales, service and consumption of alcoholic beverages will terminate on the Summer Garden no later than 2:00 AM, seven days a week.
2. Hours – Entertainment Endorsement. Entertainment offered in the interior space will terminate no later than 2:00 AM, Sunday through Thursday, and no later than 3:00 AM, Friday and Saturday.
3. Entire Agreement. This Amendment and the Settlement Agreement set forth the entire understanding of the parties with respect to Applicant's alcoholic beverage application and license.
4. All other terms and conditions not amended by the First Amendment to the Settlement Agreement shall remain in full force and effect.

5. Upon execution of this Amendment by the parties, the Licensee agrees to withdraw its Application to Amend or Terminate the Settlement Agreement filed with the Board on October 22, 2019.

IN WITNESS WHEREOF, the parties place their signatures to this agreement, this 11th day of February, 2020.

Bin 1301 Wine Bar

By: 

Janon Costigan @legacyretailgroup.com

SDCA

By: 

Elwyn Ferris