

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

In the Matter of:

Georgetown Dining, Inc.
t/a Brasserie Liberte

Holder of a
Retailer's Class CR License

at premises
3251 Prospect Street, NW, Unit 320
Washington, D.C. 20007

) License No.: ABRA-109998

) Order No.: 2021-497

Georgetown Dining, Inc., t/a Brasserie Liberte (Licensee)

Richard G. Murphy, Jr., Commissioner, Advisory Neighborhood Commission (ANC) 2E

Tara Sakraida Parker, President, Citizens Association of Georgetown (CAG)

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rafi Crockett, Member
Jeni Hansen, Member
Edward S. Grandis, Member

ORDER ON FIRST AMENDMENT TO SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Georgetown Dining, Inc., t/a Brasserie Liberte (Licensee), ANC 2E, and CAG entered into a Settlement Agreement (Agreement), dated August 30, 2018, that governs the operations of the Licensee's establishment. This matter comes now before the Board to consider the Parties' First Amendment to Settlement Agreement (First Amendment), dated September 9, 2021, in accordance with D.C. Official Code § 25-446 (2001).

The First Amendment has been reduced to writing and has been properly executed and filed with the Board. The Licensee; Commissioner Richard G. Murphy, Jr., on behalf of ANC 2E; and Tara Sakraida Parker, on behalf of CAG; are signatories to the First Amendment.

Accordingly, it is this 15th day of September 2021, **ORDERED** that:

1. The above-referenced First 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 First Amendment, shall remain in full force and effect; and
3. Copies of this Order shall be sent to the Licensee, ANC 2E, and CAG.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: 3c4f0000000000000000000000000000

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547ac373f920d6ac8d1b332d92749e7

James Short, Member

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Bobby Cato
Key: 256d3fca0fba148d774b75bd7917d00d

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: b500a01f40e1fba4010150e5c12781c7

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 821729317509447487b56f9c2a4189f

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 5027bda7f9f0040e14adeb52541ce5

Edward S. Grandis, 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 II 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 #1 to the SETTLEMENT AGREEMENT ("Agreement") is made on this 9TH day of September 2021 by and between Georgetown Dining, Inc. t/a Brasserie Liberté ("Licensee"), at 3251 Prospect Street, NW, Washington, DC 20007, ABRA License #109998, Advisory Neighborhood Commission 2E ("the ANC"), and the Citizens Association of Georgetown ("CAG") (collectively, the "Parties"). This amendment updates the Agreement dated August 30, 2018, and modified and approved by ABC Board Order 2018-533 dated September 19, 2018.

R E C I T A L S

WHEREAS, the Parties entered into a Settlement Agreement dated August 30, 2018, for a Retailer's Class C Restaurant ABC License at 3251 Prospect Street, NW, ABRA License #109998;

WHEREAS, the Agreement dated August 30, 2018 provided for the following Occupancy:

"Applicant shall operate a bona fide restaurant on its premises, with a seating capacity of 216 inside, a Summer Garden seating 60 and a Sidewalk Café seating 20, with no less than 10 feet between any element of the Sidewalk Café and the curb line running along the north side of Prospect Street."

WHEREAS, Licensee would like to expand its interior premises and increase its maximum interior seat count;

WHEREAS, the Parties request that the Alcoholic Beverage Control Board approve this Amendment to Settlement Agreement conditioned upon the Licensee's compliance with the terms of this written Amendment and the previously executed Settlement Agreement and Board Order and ABC License; and

NOW, THEREFORE, in consideration of the recitals set forth above, it is mutually agreed by and between the undersigned Parties to amend the previously executed Agreement as follows:

1. **Recitals Incorporated.** The recitals set forth above are incorporated herein by reference.
2. **Paragraph 2, "Occupancy,"** section is stricken entirely and replaced by the following:

"Applicant shall operate a bona fide restaurant on its premises, with a seating capacity of 280 inside, a Summer Garden seating 60 and a Sidewalk Café seating 20, with no less than 10 feet between any element of the Sidewalk Café and the curb line running along the north side of Prospect Street."

3. **Agreement Otherwise Unamended.** Except as otherwise provided herein, the terms and conditions of the previously executed Settlement Agreement, Board Order, and License are expressly reaffirmed and remain in full force and effect.

[signatures on following page]

IN WITNESS WHEREOF, Parties have affixed hereunto their hands and seals on the year and date first above-written.

Georgetown Dining, Inc.

By: _____

Hakan Ilhan, President

The Citizens Association of Georgetown

By: _____

Tara Sakraida

Tara Sakraida Parker, President

Advisory Neighborhood Commission 2E

By: _____

Richard G. Murphy, Jr.

Richard G. Murphy, Jr., ANC 2E03