

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

<b>In the Matter of:</b>	)	
	)	
Family's LLC	)	
t/a Climax Bar and Restaurant	)	
	)	
Holder of a	)	License No.: ABRA-115645
Retailer's Class CT License	)	Order No.: 2022-160
	)	
at premises	)	
1414 9th Street, NW	)	
Washington, D.C. 20001	)	

Family's LLC , t/a Climax Bar and Restaurant (Licensee)

Sherene Joesph, Chairperson, Advisory Neighborhood Commission (ANC) 2F

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

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**ORDER ON SECOND AMENDMENT TO SETTLEMENT AGREEMENT**

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The official records of the Alcoholic Beverage Control Board (Board) reflect that Family's LLC, t/a Climax Bar and Restaurant (Licensee), and ANC 2F entered into a Settlement Agreement (Agreement), dated February 11, 2020, and an Amendment to Settlement Agreement (Amendment), dated October 14, 2021, that governs the operations of the Licensee's establishment. This matter comes now before the Board to consider the Parties' Second Amendment to Settlement Agreement (Second Amendment), dated March 2, 2022, in accordance with D.C. Official Code § 25-446 (2001).

The Second Amendment has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Chairperson Sherene Joesph, on behalf of ANC 2F, are signatories to the Amendment.

Accordingly, it is this 20th day of April 2022, **ORDERED** that:

1. The above-referenced Second Amendment to Settlement Agreement submitted by the parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order;
2. All terms and conditions of the original Settlement Agreement and Amendment not amended by the Second Amendment, shall remain in full force and effect; and
3. Copies of this Order shall be sent to the Parties.

District of Columbia  
Alcoholic Beverage Control Board

eSigned via SeamlasDocx.com  
*Donovan Anderson*  
Key: a543b5d9002f9e4b730090a18cc98

Donovan Anderson, Chairperson

eSigned via SeamlasDocx.com  
*James Short*  
Key: 347aa773020de5a1f8183338d26d88

James Short, Member

eSigned via SeamlasDocx.com  
*Bobby Cato*  
Key: 2b6d3fca8fb149d76d75bd79171x20

Bobby Cato, Member

eSigned via SeamlasDocx.com  
*Rafi Aliya Crockett, Member*  
Key: b560e61845e1f9e40161b5e5c12f81cc

Rafi Crockett, Member

eSigned via SeamlasDocx.com  
*Jeni Hansen, Member*  
Key: 821722310500447491b56f0c2a418f5

Jeni Hansen, Member

eSigned via SeamlasDocx.com  
*Edward Grandis, Member*  
Key: 5027bda7f9f0040ec14adeb52541ce5

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 14<sup>th</sup> 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).

## SECOND AMENDMENT TO SETTLEMENT AGREEMENT

This Second Amendment to the Settlement Agreement (“Amendment”) is made this 2nd day of March, 2022 by and between Family’s, LLC t/a Climax Bar and Restaurant (“Applicant”) and Advisory Neighborhood Commission 2F (“ANC 2F”).

### WITNESSTH

WHEREAS, Applicant, holder of a Retailer’s Class CT License No. ABRA-115645, has applied to the Alcoholic Beverage Regulation Administration (“ABRA”) for approval of later operating and sales of alcoholic beverages hours for its licensed premises at 1414 9th Street, NW;

WHEREAS, the community is supportive of Applicant’s operation of the establishment and is supportive of its request for later hours and DJ entertainment;

WHEREAS, Applicant has agreed to enter into this Amendment agreement with the Community and to request further that the ABRA approve Applicant’s request be conditioned upon Applicant’s compliance with the terms of those certain written Settlement Agreement dated February 11, 2020, as approved by the ABC Board;

NOW THEREFORE, in consideration of the recitals set forth above and the mutual covenants set forth below, the parties agree as follows:

1. Recitals Incorporated. The recitals set forth above are incorporated herein by reference.
2. Incorporation of Settlement Agreement dated February 11, 2020. The parties agree to incorporate the terms of the Settlement Agreement dated February 11, 2020, copies of which are attached hereto. Applicant agrees to adhere to the terms of the amendment to the said agreement in the operation of its business during the later hours agreed to below by this Amendment.
3. Section 4 Entertainment Endorsement of the February 11, 2020 Settlement Agreement is amended. Section 4 Entertainment Endorsement of that certain Settlement Agreement dated February 11, 2020 is amended hereby to read:

Entertainment Endorsement: The Applicant may have a DJ and/or recorded music played through amplified speakers. No live music is permitted. Hours will not exceed the following.

Sunday – Thursday    6:00 pm to 2:00 am

Friday – Saturday 6:00 pm to 3:00 am

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date and year first written above.

WITNESS:

APPLICANT:

THE COMMUNITY:

FAMILY'S, LLC

Advisory Neighborhood Commission 2F

*Sherene Joseph*

By: \_\_\_\_\_  
Sherene Joesph 2F Chairperson

By: *Sejerash* \_\_\_\_\_