

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

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In the Matter of:)
)
Family's LLC)
t/a Climax Bar and Restaurant)
)
Holder of a)
Retailer's Class CT License)
)
at premises)
1414 9th Street, NW)
Washington, D.C. 20001)
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License No.: ABRA-115645
Order No.: 2021-901

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

John Guggenmos, 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

ORDER ON AMENDMENT TO SETTLEMENT AGREEMENT

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, 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 October 14, 2021, 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; Chairperson John Guggenmos, on behalf of ANC 2F, are signatories to the Amendment.

Accordingly, it is this 30th day of December 2021, **ORDERED** that:

1. The above-referenced 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 not amended by the 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 SeamlessDocs.com
Donovan Anderson
Key: 2a432b332661f2c6a2700021a1cc8

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547bc1737020e2cc831b3324d2f40ee

James Short, Member

Bobby Cato, Member

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 02c7280125654474921b56f0c2a41099

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 5027bda7ff0d040ec14adeb52541cc5

Edward S. Grandis, Member

Pursuant to 23 DCMR § 1719.1, 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, Reeves Center, 2000 14th Street, N.W., 400S, Washington, D.C. 20009. Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, District of Columbia 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, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 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).

Finally, in the case of a summary suspension, “A person aggrieved by a final summary action may file an appeal in accordance with the procedures set forth in subchapter I of Chapter 5 of Title 2.” D.C. Code § 25-826(d).

AMENDMENT TO SETTLEMENT AGREEMENT

This Amendment to the Settlement Agreement (“Amendment”) is made this 14th day of October, 2021 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;

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 3 Hours of Operation of the February 11, 2020 Settlement Agreement is amended. Section 3 Hours of Operation of that certain Settlement Agreement dated February 11, 2020 is amended hereby to read:

Hours of Operation: It is understood that upon expiration of operation, no patron may remain on the interior or exterior of the premises.

Operating hours shall be no later than:

Sunday – Thursday	10:00 am to 2:00 am
Friday – Saturday	10:00 am to 3:00 am

The applicant agrees that no amplified music or other amplified sounds or the voices of patrons located on the premises will be heard 10 feet from the establishment between 10:00 p.m. and 9:00 a.m.

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

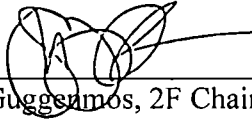
WITNESS:

APPLICANT:

THE COMMUNITY:

FAMILY'S, LLC

Advisory Neighborhood Commission 2F

By:  _____
John Guggisimos, 2F Chairperson

By: scferaz _____
scferaz