

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

In the Matter of:)	
)	
Sunflower, Inc.)	
t/a Flavors of India/Marshall's Bar)	
)	
Petition to)	License No.: ABRA-091022
Amend Settlement Agreement)	Order No.: 2020-011
for a Retailer's Class CT License)	
)	
at premises)	
2524 L Street, NW)	
Washington, D.C. 20037)	

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

ORDER AMENDING PETITIONER'S SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that a previous holder of a license for the premises entered into a Settlement Agreement with Advisory Neighborhood Commission (ANC) 2A dated January 6, 1996.

Sunflower, Inc., t/a Flavors of India/Marshall's Bar (Petitioner), as the current holder of a Retailer's Class CT license, now seeks to amend its Settlement Agreement pursuant to D.C. Official Code § 25-446(d)(2). Specifically, the Petitioner has requested that Section 6 which prohibits the use of entertainment devices, be removed from the Settlement Agreement. On December 19, 2019, ANC 2A voted 7-0 to advise the Board of its support for the Petitioner's request to remove Section 6.

The Notice of Petition was properly placarded on the Petitioner's premises and published in the D.C. Register. At the end of the protest period, the Board did not receive any objections to the petition. Therefore, the Petition is uncontested.

The Board is only required to produce findings of fact and conclusions of law on contested issues of fact. See Craig v. District of Columbia Alcoholic Beverage Control Bd., 721 A.2d 584, 590 (D.C. 1998) ("The Board's regulations require findings only on

contested issues of fact.”); 23 DCMR § 1718.2. Accordingly, based on the Board’s review of the Petition, Petitioner has satisfied all remaining requirements imposed by Title 25 and Title 23 to merit the amendment of its Settlement Agreement by the Board.

ORDER

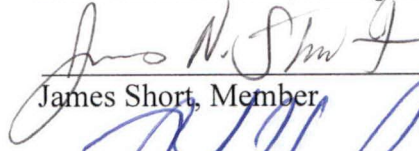
1. Therefore, it is hereby **ORDERED** on this 8th day of January, 2020, that the Petition to Amend its Settlement Agreement dated January 6, 1996 filed by Sunflower, Inc., t/a Flavors of India/Marshall's Bar, at premises 2524 L Street, NW, is hereby **GRANTED**;
2. **IT IS FURTHER INCORPORATED** as part of this Order, the following modification:

Section 6 (Entertainment Devices) – This Section shall be removed.
3. All terms and conditions of the original Settlement Agreement, not amended by the Amendment, shall remain in full force and effect; and
4. Copies of this Order shall be sent to the Petitioner and ANC 2A.

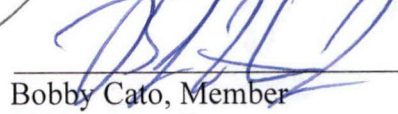
District of Columbia
Alcoholic Beverage Control Board



Donovan Anderson, Chairperson



James Short, Member



Bobby Cato, Member



Rema Wahabzadah, Member



Rafi Crockett, 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).