

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

In the Matter of:

La Libertad Restaurant, Inc.
t/a La Libertad Restaurant

Application for Substantial Change
to Retailer's Class CT License

at premises
4622 14th Street, NW
Washington, D.C. 20011

Case No.: 20-PRO-00018
License No.: ABRA-070773
Order No.: 2020-998

La Libertad Restaurant, Inc., t/a La Libertad Restaurant, Applicant

Ulysses E. Campbell, Commissioner, Advisory Neighborhood Commission (ANC) 4C

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

**ORDER ON AMENDMENT TO SETTLEMENT AGREEMENT AND
WITHDRAWAL OF ANC 4C'S PROTEST**

The Application filed by La Libertad Restaurant, Inc., t/a La Libertad Restaurant (Applicant), for a Substantial Change to install Dragon's Ascent electronic games of skill machines was protested by ANC 4C and came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on September 14, 2020, in accordance with D.C. Official Code § 25-601 (2001).

The official records of the Alcoholic Beverage Control Board (Board) reflect that the Applicant and ANC 4C entered into a Settlement Agreement (Agreement), dated June

8, 2006, that governs the operation of the Applicant's establishment. This matter comes now before the Board to consider the Parties' Amendment to Settlement Agreement (Amendment), dated November 16, 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 Applicant and Commissioner Ulysses E. Campbell, on behalf of ANC 4C, are signatories to the Amendment.

This Amendment constitutes a withdrawal of the Protest filed by ANC 4C.

Accordingly, it is this 2nd day of December 2020, **ORDERED** that:

1. The Application filed by La Libertad Restaurant, Inc., t/a La Libertad Restaurant, for a Substantial Change is **GRANTED**;
2. The Protest of ANC 4C in this matter is hereby **WITHDRAWN**;
3. 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;
4. All terms and conditions of the original Settlement Agreement not amended by the Amendment, shall remain in full force and effect; and
5. Copies of this Order shall be sent to the Applicant and ANC 4C.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com
Donovan Anderson

Key: ec430b96b9945f0944b750093d1d0c08

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short

Key: 547aa373f620d66ac8d1b332d42249e2

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato

Key: 25643fca4f0e148d74b75bd7917d203

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rema Wahabzadah, Member

Key: b72ca46b596b74099b19b35b738f16c7

Rema Wahabzadah, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member

Key: b560e01945e1f9e4016155a5c12f81cc

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member

Key: 82172831f0509447491b580e2a41699

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member

Key: 5027bda7f09f0040ac14a4eb52541ce5

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 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 St. 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).

Made on this 16 day of November, 2020 by and between La Libertad Restaurant Inc., Maria R-E-De Cruz ("Licensee"), and Advisory Neighborhood Commission 4C. (Collectively, the "Parties").

The Cooperative Agreement made between the parties listed above, fully executed June 8, 2006, is amended with the following agreement, which will become an addendum to the existing Cooperative Agreement.

The parties agree as follows:

Games of Skill. Applicant will strictly comply with D.C. Official Code § 25-7086 relating to placement and operating requirements of games. Applicant will have no more than five (5) games on the licensed premises, install security cameras that are operational and record for 30 days, in the areas designated for game of skill machines, near the cash register or terminal where cash winnings of game of skill machines are processed, and where the licensee's money is stored, not permit a person under 18 years of age or a person that appears intoxicated or under the influence of a narcotic or other substance to play a game of skill machine and shall designate an employee to regularly monitor the designated area where game of skill machines are played to ensure that no intoxicated person or under the influence of a narcotic or other substance or anyone under 18 years of age is playing or attempting to play a game of skill machine. Applicant shall not permit the placement of a game of skill machine on an outdoor public or private space that has not been approved by the DC ABC Board nor permit the placement of a game of skill machine outside of the designated areas contained on the applicant's diagram provided as part of the license application or outside the areas approved by the DC ABC Board.

In witness whereof, the parties have affixed hereto their hands and seals.

Applicant: La Libertad Restaurant Inc.
Maria R-E-De-Cruz

Advisory Neighborhood Commission 4C:
Ulysses E. Campbell, 4C03

Maria R-E-De-Cruz *Ulysses E. Campbell*
A/cto [unclear]