

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

In the Matter of:

Mindful Management LLC, 1201 K Street
F & B Tenant, LLC, and Michele's Eaton LLC
t/a Michele's/Bakers Daughter-Eaton/
Wild Days/Allegory

Holder of a
Retailer's Class CR License

at premises
1201 K Street, NW
Washington, D.C. 20005

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) License No.: ABRA-120608
) Order No.: 2022-843
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Mindful Management LLC, 1201 K Street F & B Tenant, LLC, and Michele's Eaton LLC, t/a Michele's/Bakers Daughter-Eaton/Wild Days/Allegory, Licensee

John Guggenmos, Commissioner, 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 FIRST AMENDMENT TO SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Mindful Management LLC, 1201 K Street F & B Tenant, LLC, and Michele's Eaton LLC, t/a Michele's/Bakers Daughter-Eaton/Wild Days/Allegory (Licensee), and ANC 2F entered into a Settlement Agreement (Agreement), dated February 9, 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 (Amendment), dated September 30, 2022, 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 and Commissioner John Guggenmos, on behalf of ANC 2F, are signatories to the Amendment.

Accordingly, it is this 2nd day of November 2022, **ORDERED** that:

1. The above-referenced First 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 First 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: a5430b56b9b45fc74b730b9d1d1cc08

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 947a373f92c0efc0b1100062d46c

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 25943fca0b14047f4b78b47917420f

Bobby Cato, Member

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 62172931f5504474b1150912a4161f

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward S. Grandis, Member
Key: 5027bda709f0040ec14adeb52941ce5

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 BETWEEN
1201 K STREET F&B TENANT LLC, MICHELE'S EATON LLC, MINDFUL MANAGEMENT LLC; AND
ADVISORY NEIGHBORHOOD COMMISSION 2F**

THIS AMENDMENT #1 to the SETTLEMENT AGREEMENT ("Agreement") is made on this 30th day of September 2022 by and between 1201 K Street F&B Tenant LLC, Michele's Eaton LLC, and Mindful Management LLC as co-licensees, ("Licensee" or "Applicant") and Advisory Neighborhood Commission 2F ("the ANC") (collectively, the "Parties"). This amendment updates the Settlement Agreement dated February 9, 2018 and modified and approved by ABC Board Order No. 2018-066 dated February 14, 2018.

R E C I T A L S

WHEREAS, the Parties entered into a Settlement Agreement dated February 14, 2018 for Licensee's Retailer's Class C Restaurant ABC License, ABRA-119524, which has Cover Charge, Dancing, Entertainment, Summer Garden, Sidewalk Cafe, and Alcohol Carry-Out & Delivery Endorsements (the "License") for operations food and beverage outlets within the hotel at 1201 K Street, NW ("Establishment");

WHEREAS, there exists a separate Retailer's Class C Hotel ABC License (ABRA-095442) held by another licensee, Pacific District Lessee Corporation, at the Establishment;


WHEREAS, Licensee now desires to contract its licensed premises at the Establishment to exclude certain areas thereof which are currently included under its License to allow those area to be incorporated into the Hotel ABC License's licensed premises and which will require modifications to the Agreement prior to ABC Board approval thereof;

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:

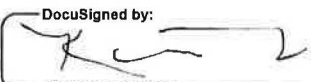
1. **Recitals Incorporated.** The recitals set forth above are incorporated herein by reference.
2. **Paragraph 2, "Nature of the Business,"** is stricken entirely and replaced with the following: "The Applicant will manage and operate certain food and beverage outlets within the hotel located at 1201 K Street, NW, Washington, DC 20005 including the cafe and restaurant (which includes a Sidewalk Cafe) on the ground floor. Any change from this model shall require prior approval by the ABC Board."
3. Paragraph 5, "Tenth Floor Summer Garden," is stricken entirely.
4. The Applicant's notice address listed in "Notice and Opportunity to Cure" shall be stricken and replaced with:
 "If to Applicant: 1201 K Street F&B Tenant LLC
 1201 K Street, NW, Washington, DC 20005
 Attn: Karen Thomas, Vice President
 Email: karen@eatonworkshop.com"

5. **Agreement Otherwise Unamended.** Except as otherwise provided herein, the terms and conditions of the previously executed Agreement, Board Order, and License are expressly reaffirmed and remain in full force and effect.
6. **No Protest & Agreement Replacement.** Upon execution of this First Amendment by the Parties and its acceptance by the ABC Board, and in reliance thereupon, the ANC shall refrain from filing a protest of the Licensee's forthcoming application to contract its premises to conform with the Amended Agreement.

ADVISORY NEIGHBORHOOD COMMISSION 2F

By:  _____ Date: 09/30/2022
John Guggenmos, Chairperson

1201 K STREET F&B TENANT LLC

DocuSigned by: 
By: _____ Date: 9/30/2022
45C231F6F1DB486
Karen Thomas, Vice President

MICHELE'S EATON LLC

DocuSigned by: 
By: _____ Date: 9/30/2022
8A61073AAAD8414
Matthew Baker, Manager

MINDFUL MANAGEMENT LLC

DocuSigned by: 
By: _____ Date: 10/14/2022
8047C2B27FF6407
Ari Wilder, President