

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

In the Matter of:)

3124 Corporation)
t/a The Good Guys Restaurant)

Applicant for Renewal of a)
Retailer's Class CN License)

at premises)
2311 Wisconsin Avenue, NW)
Washington, D.C. 20007)

Case No.: 22-PRO-00106
License No.: ABRA-000899
Order No.: 2023-042

3124 Corporation, t/a The Good Guys Restaurant, Applicant

Richard Bianco, Counsel, on behalf of the Applicant

Jackie Blumenthal, Chairperson, Advisory Neighborhood Commission (ANC) 3B,
Protestant

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
AND WITHDRAWAL OF ANC 3B'S PROTEST**

The Application filed by 3124 Corporation, t/a The Good Guys Restaurant (Applicant), for renewal of its Retailer's Class CN License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on December 5, 2022.

The official records of the Alcoholic Beverage Control Board (Board) reflect that the Applicant entered into a Settlement Agreement (Agreement), dated June 19, 2018,

that governs the operations of the Applicant's establishment. This matter comes now before the Board to consider the Parties' Amendment to Settlement Agreement (Amendment), dated January 22, 2023, 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 Chairperson Jackie Blumenthal, on behalf of ANC 3B, are signatories to the Amendment.

This Amendment constitutes a withdrawal of the Protest filed by ANC 3B of this Application.

Accordingly, it is this 25th day of January 2023, **ORDERED** that:

1. The Application filed by 3124 Corporation, t/a The Good Guys Restaurant, for renewal of its Retailer's Class CN License, located at 2311 Wisconsin Avenue, NW, Washington, D.C., is **GRANTED**;
2. The Protest of ANC 3B in this matter is hereby **WITHDRAWN**;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 Agreement not amended by the Amendment, shall remain in full force and effect; and
5. Copies of this Order shall be sent to the Parties.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: ac42c166d0d5f0e4b7309f041d7c28

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547ce9729220c0a9a1a3920a241e7

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 295d3fca07b6149171075b17917d2c3

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: 1d6f0e911f49c11f0e491012b65c1291cc

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 82725917704474c1d892481857

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 50271daa7ff0f040ecl4adab52541ce5

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).

AMENDMENT TO SETTLEMENT AGREEMENT

This is an Amendment to the existing Settlement Agreement (the "Amendment") between 3124 Corporation trading as The Good Guys Restaurant ("Good Guys"), holder of Class CN License #0899 for its premises at 2311 Wisconsin Avenue NW, and Advisory Neighborhood Commission 3B ("ANC3B," together the "Parties"). This Amendment amends the current Settlement Agreement dated June 19, 2018 (approved by the Alcoholic Beverage Control Board on July 11, 2018). Any provision of the Settlement Agreement that is not modified by this Amendment shall remain in full force and effect.

The Parties intend this Amendment to address the issues protested by ANC3B by adding upgraded security and late-night noise measures to the existing Settlement Agreement.

In consideration for Good Guys' acceptance of this agreement, ANC3B will withdraw its protest against the renewal of Good Guys' liquor license. The Parties agree to amend the existing Settlement Agreement by adding the following provisions:

8. Good Guys shall upgrade its security plan to:

- (a) Establish a dress code in conformity with D.C. law, including but not limited to the D.C. Human Rights Act;
- (b) Post a clearly visible sign at both the front and rear entrances stating that no weapons will be permitted in the establishment and that there is a dress code which will be enforced.
- (c) Prohibit any person who has been barred from the establishment, for any reason, from entering, until the Barring Notice expires, or is otherwise terminated in accordance with D.C. Law.
- (d); Screen patrons and their bags (such as purses and backpacks) for weapons upon entry at both the front and rear doors and in the event that a primary visual and/or pat-down screening raises a

suspicion, perform a secondary screening with a magnetometer or other similar wand device designed to detect weapons.

(e) Managers shall be properly licensed as alcohol managers by the Alcoholic Beverage Regulation Administration ("ABRA"). Within 90 days of hire, both managers and bartenders must successfully complete and provide a certificate from an ABC Board-approved alcohol awareness training program as per ABRA requirements, and shall be familiar with security procedures, specifically, Good Guys' Security Plan as filed with the Board, as well as with the provisions of the 2023 amended Settlement Agreement.

9. Managers and employees shall be advised that Good Guys does not want to disturb the neighborhood with noise or other disruptions and that if they become aware of noise complaints from residents they should take prompt action to address the concern. In an effort to keep noise from emanating from the establishment, employees/managers of Good Guys will observe the sound outside of the establishment to ensure that it cannot be heard beyond the immediate vicinity of Good Guys' front door. Based on those observations, Good Guys will mark the volume control on the in-house sound system for the appropriate sound level. Good Guys will periodically re-check the exterior sound levels as needed.

10. Good Guys shall have employees visibly present outside the front door during closing time on Thursday through Saturday and days on which there are special events or extended holiday hours. The door employees shall monitor the exterior of the establishment to assist patrons with cabs/ride hailing services, instruct patrons to disburse from the area in front of the establishment, and to be quiet and mindful of neighbors when leaving.

11. Good Guys shall provide the ANC with the mobile phone number for both the on-site general manager and owner of the establishment to address any complaints or compliance issues, such as noise and disturbances.

The provisions of this Amendment shall become part of the conditions of Good Guys' liquor license and shall remain in force for the duration of the license unless amended or terminated. Violations of this Amended Settlement Agreement by Good Guys shall provide just cause for the Alcoholic Beverage Control Board to issue an order requiring Good Guys to show cause why it should not be sanctioned as permitted by DC Code Title 25 and DC Municipal Regulations Title 23.

Hereby agreed to:

For the Applicant:

Mahesh Patel
Mahesh Patel (Jan 22, 2023 11:38 EST)

Date Jan 22, 2023

Mahesh Patel
Duly authorized officer of 3124 Corporation
t/a The Good Guys Restaurant

For Advisory Neighborhood Commission 3B:

Jackie Blumenthal
Jackie Blumenthal (Jan 22, 2023 10:51 EST)

Date Jan 22, 2023

Jackie Blumenthal, Chairman
Advisory Neighborhood Commission 3B
Commissioner, ANC3B-02