

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

In the Matter of:)	
)	
3124 Corporation)	
t/a The Good Guys Restaurant)	
)	
Holder of a)	
Retailers' Class CN License)	License No.: ABRA-000899
)	Order No.: 2018-425
at premises)	
2311 Wisconsin Avenue, NW)	
Washington, D.C. 20007)	

3124 Corporation, t/a The Good Guys Restaurant (Licensee)

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

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
James Short, Member
Donald Isaac, Sr., Member
Bobby Cato, Member
Rema Wahabzadah, Member

ORDER ON SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that 3124 Corporation, t/a The Good Guys Restaurant (Licensee), and ANC 3B have entered into a Settlement Agreement (Agreement), dated June 19, 2018, that governs the operation of the Licensee's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Vice-Chairperson Jackie Blumenthal, on behalf of ANC 3B, are signatories to the Agreement.

Accordingly, it is this 11th day of July, 2018, **ORDERED** that:

2. The above-referenced Settlement Agreement submitted by the parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order, except for the following modification:

Last paragraph – First sentence shall be modified to read as follows: “The provisions of this Agreement shall become a part of the conditions of Good Guys’ liquor license and shall remain in force the duration of the license unless amended or terminated.”

The parties have agreed to this modification.

3. This Settlement Agreement replaces and supersedes previous Settlement Agreements between the parties; and
4. Copies of this Order shall be sent to the Licensee and ANC 3B.

District of Columbia
Alcoholic Beverage Control Board



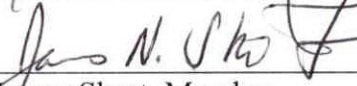
Donovan Anderson, Chairperson



Nick Alberti, Member



Mike Silverstein, Member




James Short, Member



Donald Isaac, Sr., Member

Bobby Cato, Member



Rema Wahabzadah, 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).

SETTLEMENT AGREEMENT

This is an agreement between 3124 Corporation trading as The Good Guys Restaurant (hereinafter "Good Guys" or "Applicant") holder of a Class CN alcoholic beverage license for its premises at 2311 Wisconsin Avenue, N.W., and Advisory Neighborhood Commission 3B (hereafter "ANC 3B"). This agreement amends the current Voluntary/Settlement Agreement dated October 13, 2016, specifically by changing the hours a security person is required in 2(a) below.

Good Guys and ANC 3B wish to amicably agree to the following terms listed hereafter which might otherwise cause ANC 3B to file a Protest against Good Guys' pending application to the Alcoholic Beverage Control Board for renewal of its Class CN license (Application No. 899). It is therefore agreed between Good Guys and ANC 3B:

1. In consideration for Good Guys' acceptance of this Settlement Agreement, ANC 3B will not oppose the Alcoholic Beverage Control Board granting the renewal of Good Guys liquor license.
2. Good Guys will operate the licensed premises in the following manner:
 - a. The establishment shall employ a security person to assist in the maintenance of peace and good order in the premises and adherence to all the requirements of the statutes, regulations, and license conditions during the following hours: Sunday 9 p.m. to closing; Monday through Thursday 10 p.m. to closing; Friday and Saturday 7 p.m. to closing.
 - b. Good Guys will not display any words, advertisement, notice, picture, or drawing of any kind which indicate the type of entertainment offered within.

3. Good Guys will maintain and keep clean the establishment's front public easement (i.e. the sidewalk) and any trees, including the tree box, for which, Good Guys will become responsible for watering, periodic fertilization and general well being of any tree(s).
4. Good Guys will at all times keep its front door closed, except for the normal ingress and egress of its patrons, and make all efforts to contain within its establishment any and all noise so that no noise exceeding lawful decibel levels is detectable outside the establishment;
5. Good Guys will provide and maintain smoker's repository containers for its smoking-patrons, outside of its establishment during hours when the establishment is open, and encourage its smoking patrons to the rear of its premises. Additionally, Good Guys will collect, sweep and maintain the sidewalk's easement on a daily basis so as to keep the sidewalk free of debris and/or cigarette butts. Additionally, Good Guys will keep clean, sweep and maintain the establishment's rear section, in a similar manner to its fore.
6. Good Guys shall not configure stages in its establishment, nor otherwise operate its business to enable nude dancers to perform for one or two patrons in spaces that are not freely visible to other patrons unless: (1) another ABC licensed establishment located within 3 miles of Good Guys' premises does so in accordance with the law, or (2) there is a legislative or regulatory change which significantly relaxes or eliminates the requirement that nude dancers not perform within 3 feet of patrons. In either case, should Good Guys choose to change its business operation, it will do so according to ABRA regulations. Nothing herein shall be construed to prohibit dancers at Good Guys from performing for tips from a single customer, provided the performance is freely visible to other patrons. Further, if it appears that (1) or (2) above is about to happen (for example,

if a licensed establishment within 3 miles files an application seeking permission for the referenced activity, or if a legislative or regulatory change is formally proposed), Good Guys may seek approval for any changes or activity prohibited by this Section, provided it does not implement such changes or activity until the conditions set forth in (1) or (2) above actually occur.

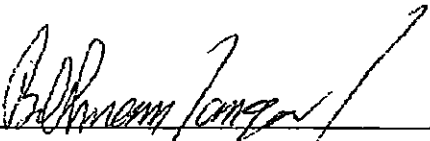
7. Good Guys shall locate a security camera on or near the front of the premises to record the activity outside of the premises near the front entrance. Good Guys will add a security camera in the rear to record the activity outside of the premises near the rear entrance. The images recorded by said security cameras will be made available to the District of Columbia Alcoholic Beverage Regulation Administration and/or the District of Columbia Metropolitan Police Department investigators as requested, and will be kept for at least thirty (30) days.

The provisions of this Agreement shall become a part of the conditions of Good Guys' liquor license and shall remain in force upon renewal or transfer of said license. Violations of this 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 its license should not be suspended or revoked.

[SIGNATURE PAGE TO FOLLOW]

Hereby agreed to:

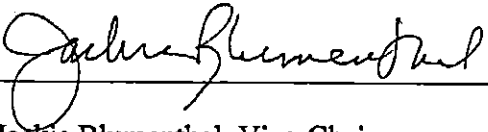
For the Applicant:



Date 6-19-18

Behnam Zanganeh
Duly authorized officer of
3124 Corporation
t/a The Good Guys Restaurant

For the Commission:



Date 6-19-18

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