

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

**In the Matter of:**

Wingos 3, LLC  
t/a Wingos

Holder of a  
Retailer's Class CR License

at premises  
2218 Wisconsin Avenue, NW  
Washington, D.C. 20007

License No.: ABRA-108985

Order No.: 2020-146

Wingos 3, LLC, t/a Wingos (Licensee)

Brian Turmail, Chairperson, Advisory Neighborhood Commission (ANC) 3B

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

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**ORDER ON SECOND AMENDMENT TO SETTLEMENT AGREEMENT**

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On May 30, 2008, ANC 3B and a previous holders of a Retailer's Class CR license for the premises located at 2218 Wisconsin Avenue, NW, entered into a Settlement Agreements (Agreements). Wingos 3, LLC, t/a Wingos (Licensee), as the subsequent and current holder of that license is required to comply with the terms of the Agreements, because they govern the operations of the Licensee's establishment.

On March 30, 2019, the Licensee and ANC 3B entered into an Amendment to Settlement Agreement (Amendment), that also governs the operations of the Licensee's establishment. This matter comes now before the Board to consider the Parties' Second

Amendment to Settlement Agreement (Second Amendment), dated February 13, 2020, in accordance with D.C. Official Code § 25-446 (2001).

The Second Amendment has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Chairperson Brian Turmail, on behalf of ANC 3B, are signatories to the Amendment.

Accordingly, it is this 4th day of March, 2020, **ORDERED** that:


1. The above-referenced Second Amendment to Settlement Agreement submitted by the Parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order;
2. All terms and conditions of the original Settlement Agreements and Amendment to Settlement Agreement not amended by the Second Amendment, shall remain in full force and effect; and
3. Copies of this Order shall be sent to the Licensee and ANC 3B.

District of Columbia  
Alcoholic Beverage Control Board




Donovan Anderson, Chairperson

James Short, Member


Bobby Cato, Member

Rema Wahabzadah, Member

Rafi Crockett, Member

Jeni Hansen, 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 14<sup>th</sup> 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).

## SECOND AMENDMENT TO SETTLEMENT AGREEMENT

THIS SECOND AMENDMENT to Settlement Agreement is made this 19<sup>th</sup> day of February, 2020 by and between WINGOS 3, LLC and ADVISORY NEIGHBORHOOD COMMISSION (ANC) 3B.

### RECITALS

WHEREAS, Five Glovers, LLC (Town Hall) and ANC 3B entered into an Amended Voluntary Agreement dated May 22, 2008, governing operation of the restaurant business located at 2218 Wisconsin Avenue, N.W. ("the Premises"); and,

WHEREAS, Mad Foxing Brewing Company (successor to Five Glovers, LLC at the Premises) and ANC 3B entered into a November 19, 2015 Amendment to Settlement Agreement; and,

WHEREAS, WINGOS 3, LLC, the present Alcoholic Beverage Control (ABC) licensee at the Premises, and ANC 3B desire to enter into a further modification of the Amended Settlement Agreement (as heretofore amended);

NOW, THEREFORE, the parties agree as follows:

1. Notwithstanding any other provision of the Amended Settlement Agreement (as heretofore amended), ANC 3B consents to Wingos 3, LLC's request to the ABC Board for an Entertainment Endorsement, provided, that activities conducted under the authority of said Entertainment Endorsement shall be limited to presentation of trivia contests and comedy shows. The Entertainment Endorsement shall not be utilized to present live music or a disc jockey.
2. Except as explicitly modified hereby, the May 22, 2008 Amended Voluntary Agreement, as heretofore amended by the November 19, 2015 Amendment to Settlement Agreement, remains in full force and effect and controlling as to operation of the business at the premises.

IN WITNESS WHEREOF, the parties have executed this Second Amendment as the day and year first above-written:

WINGOS 3, LLC

By: Mike Arthur  
Mike Arthur, Managing Member

ADVISORY NEIGHBORHOOD COMMISSION 3B

By: Brian Turmail  
Brian Turmail, Chair