

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF PUBLIC HEARINGS  
CALENDAR**

**WEDNESDAY, SEPTEMBER 14, 2011  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S,  
WASHINGTON, D.C. 20009**

**Nick Alberti, Interim Chairperson**

**Members:**

**Donald Brooks, Herman Jones, Calvin Nophlin, and Mike Silverstein**

**Show Cause Hearing (Status)**

**9:30 AM**

**Case #11-CMP-00127**

La Trattoria, LLC t/a Siroc

915 15th Street NW

License #80975

Retailer CR

**Failed to File Quarterly Statements**

**Disposition: The ABC Board accepted and Offer In Compromise: \$750 within 10 days. 4-0 vote.**

**Show Cause Hearing (Status)**

**9:30 AM**

**Case #10-CMP-00239, #10-CMP-00812 & #10-CMP-00134**

HR-57 Center for the Advancement and Prevention t/a HR-57

1610 14th Street NW

License #60382

Retailer CR

**Failed to File Timely Quarterly Statements**

**Disposition: The Respondent failed to appear and the ABC Board set the matter for a Show Cause Hearing on October 12, 2011 at 3:30 p.m.**

**Show Cause Hearing (Status)**

**9:30 AM**

**Case #11-CMP-00070**

Charlie Palmer Steak, DC, LLC t/a Charlie Palmer  
101 Constitution Avenue NW  
License #60654  
Retailer CR  
**Failed to File Quarterly Statements**

**Disposition: The Government moved to dismiss the charge. The ABC Board granted the Motion 4-0.**

**Show Cause Hearing (Status)**

**9:30 AM**

**Case #10-CMP-00073**

Big Buck's, LLC t/a Buck's Fishing & Camping  
5031 Connecticut Avenue NW  
License #60769  
Retailer CR  
**Failed to File Quarterly Statements**  
**(Continued from July 20, 2011)**

**Disposition: The ABC Board rejected the following Offer In Comprise: \$1,500 to be paid immediately with a 4-0 vote. The ABC Board set the matter for a Show Cause Hearing on October 12, 2011 at 10 a.m.**

**Show Cause Hearing (Status)**

**9:30 AM**

**Case #10-CMP-00593**

Armand's Chicago Pizzeria, Inc. t/a Armand's Chicago Pizzeria  
4231 Wisconsin Avenue NW  
License #00826  
Retailer CR  
**Failed to File Quarterly Statements**

**Disposition: The ABC Board set the matter for a Show Cause Hearing on October 12, 2011 at 11 a.m.**

**Show Cause Hearing (Status)**

**9:30 AM**

**Case #11-CMP-00069**

Sweet Mango Café Corporation t/a Sweet Mango Café  
3701 New Hampshire Avenue NW  
License #72512  
Retailer CR  
**Failed to File Quarterly Statements**

**Disposition: The Government moved to dismiss the charges. The ABC Board granted the Motion 4-0.**

**Show Cause Hearing (Status)**

**9:30 AM**

**Case #11-251-00167**

CRV Corporation t/a The Bottom Line  
1716 I Street NW  
License #00755  
Retailer CT

**Allowed the Establishment to be Used for an Unlawful or Disorderly Purpose  
Operating After Hours**

**Disposition: The ABC Board set the matter for a Show Cause Hearing on October 12, 2011 at 1:30 p.m.**

**Show Cause Hearing (Status)**

**9:30 AM**

**Case #10-CMP-00758, #10-CMP-00758(a) & #11-CMP-00002**

J.S. & W.C. Incorporated t/a Subway Liquors II  
500 K Street NW  
License #60423  
Retailer A

**Provided Go-Cups to Customers  
No ABC Manager on Duty**

**Disposition: The ABC Board accepted an Offer In Compromise: \$5,000 within 90 days and 2 days suspension, 2 stayed. 5-0 vote.**

**Show Cause Hearing**

**10:00 AM**

**Case #11-CMP-00094 (Citation #2842)**

Ben Incorporated t/a Odeon Café

1714 Connecticut Avenue NW

License #581

Retailer CR

**Failed to File Quarterly Statements**

**(Continued from August 17, 2011)**

**Disposition: The ABC Board accepted an Offer In Compromise: \$750 immediately. 5-0 vote.**

**Show Cause Hearing**

**11:00 AM**

**Case #11-AUD-00001**

C. Field Group, LLC t/a District Lounge and Grille

2473 18th Street NW

License #81908

Retailer CR

**Failed to Meet Food Requirements**

**Failed to Maintain Records for Three Years**

**Disposition: The ABC Board held a closed meeting under § 405(b)(13) of the Open Meetings Act and will issue an Order within 90 days.**

**BOARD RECESS**

**ADMINISTRATIVE AGENDA**

**1:00 PM**

**Protest Hearing**

**1:30 PM**

**Case #10-PRO-00132**

Bakhtar Group, LLC t/a Malmaison

3401 K Street NW

License #85367

Retailer CR

**New Application**

***(Cancelled: The parties will submit a Voluntary Agreement for Board Approval)***

**Disposition: The parties will submit a Voluntary Agreement for ABC Board approval.**

**Fact Finding Hearing**

**1:30 PM**

**Case #11-251-00198**

1218 Wisconsin Incorporated, t/a Third Edition/The Taqueria

1218 Wisconsin Avenue NW

License #64

Retailer CT

**MPD Officer Assaulted Outside of the Establishment**

**Disposition: The ABC Board rescheduled this matter for October 5, 2011 at 1:30 p.m.**

**Fact Finding Hearing**

**2:00 PM**

Funxion, LLC t/a Funxion

1309 F Street NW

License #82038

Retailer CT

**One-Day Substantial Change Application**

**Electronic Music Festival with Fashion Show**

**Date of Event: September 18, 2011**

**Disposition: Application approved 5-0.**

**Fact Finding Hearing**

**2:30 PM**

Argonaut LLC \*

1433 H Street NE

License #

Retailer

**One Day Substantial Change (H Street Festival)**

**Date of Event: September 17, 2011**

**Disposition: Application approved 5-0.**

**Fact Finding Hearing**

**3:00 PM**

**Case # 11-251-00210**

Chapter II Corp. t/a Fruit Bat/Church & State  
1236 H Street NE  
License #83822  
Retailer CT

**Patron Stabbed Inside of the Establishment on 6/25/11**

**Disposition:** The ABC Board rescheduled this matter for October 12, 2011 at 4 p.m.

**Fact Finding Hearing**

**3:30 PM**

**Case # 11-251-00201**

1716 I, LLC t/a Eye Bar/Garden of Eden  
1716 I Street MW  
License #83133  
Retailer CT

**Simple Assault Inside of the Establishment on 6/5/11  
Violation of Security Plan**

**Disposition:** The ABC Board rescheduled this matter for September 28, 2011 at 4 p.m.

**Protest Hearing**

**4:00 PM**

**Case #11-PRO-00012**

Café Dullul, Inc. t/a Rendezvous Lounge  
2226 18<sup>th</sup> Street NW  
License #ABRA-014272  
Retailer CT

**Modification of Voluntary Agreement**

***(Cancelled: The parties will submit a Voluntary Agreement for Board approval)***

**Disposition:** The parties submitted a Voluntary Agreement for ABC Board approval.

**Protest Hearing**

**4:00 PM**

**Case #11-PRO-00025**

Capitol City Brewing Company, LLC t/a Penthouse Bar  
1612 U Street NW  
License #86789  
Retailer CT  
**New Application**

**Disposition:** The parties submitted a Voluntary Agreement for ABC Board approval.

**\* Under Section 406(3) of the Open Meetings Act, it was not practical to publish notice of these hearing in the District of Columbia Register. However, the notice requirements of section 406 (1)-(2) were satisfied.**

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING  
AGENDA**

**WEDNESDAY, SEPTEMBER 14, 2011 AT 1:00 PM  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of letter, dated August 3, 2011, from “Concerned U Street Neighbors” regarding MOVA’s intention to open as a tavern within 400 feet of a school. **MOVA**, 2204 14th Street NW Retailer CT, Lic.#: 87030.  
***Decision: For Your Information – license approved, pending issuance.***
2. Review of letter, dated August 11, 2011, from MPD, Fifth District Citizens’ Advisory Council, opposing Engine Company 12 Restaurant’s application for a liquor license, because the applicant allegedly failed to enter into a voluntary agreement with community organizations and affected neighborhoods. **Engine Company 12**, 1626 North Capitol Street NW Retailer CR, Lic.#: 87123.  
***Decision: For Your Information***
3. Review of letter, dated August 11, 2011, from ANC 5C opposing Engine Company 12’s application for a liquor license, because the applicant has allegedly failed to demonstrate a commitment to working with the neighborhood to address concerns related to the operation of the restaurant. The applicant has also allegedly refused to communicate with residents and participate in development of a voluntary agreement. **Engine Company 12**, 1626 North Capitol Street NW Retailer CR, Lic.#: 87123.  
***Decision: ANC 5C will be given great weight.***
4. Review of letter, dated August 10, 2011, from ANC 3E, supporting Public Tenley’s application for a summer garden and its request for a stipulated license permitting such summer garden use. **Public Tenley**, 4611 41st Street NW Retailer CR, Lic.#: 85626.  
***Decision: ANC 3E will be given great weight.***
5. Review of letter, dated August 19, 2011, from ANC 1B, supporting MBB’s application for a new CT License. **MBB**, 913 U Street NW Retailer CT, Lic.#: 87409.  
***Decision: ANC 1B will be given great weight.***
6. Review of letter, dated August 19, 2011, from ANC 1B, supporting Lost Society’s application for renewal of its CT License. **Lost Society**, 2001 14th Street NW Retailer CT, Lic.#: 83420.  
***Decision: ANC 1B will be given great weight.***



7. Review of letter, dated August 19, 2011, from ANC 1B, supporting Dukem's application for a substantial change to its CR License. ***Dukem Ethiopian Restaurant***, 3931 14th Street NW Retailer CR, Lic.#: 75536.  
***Decision: ANC 1B will be given great weight.***
8. Review of letter, dated August 22, 2011, from ANC 1B, recommending that El Rey's application be reinstated. ***El Rey***, 919 U Street NW Retailer CR, Lic.#: 86604.  
***Decision: ANC 1B will be given great weight.***
9. Review of letter, dated August 16, 2011, from Candace M. Fitch, on behalf of El Ray, requesting reinstatement of its application. ***El Rey***, 919 U Street NW Retailer CR, Lic.#: 86604.  
***Decision: Approved 5-0.***
10. Review of letter, dated August 2, 2011, from Francis L. Young, requesting reconsideration of the Board Order, dated July 27, 2011, dismissing 121 protestants for failure to appear at the The Old Naval Hospital Foundation. ***The Old Naval Hospital***, 912 Pennsylvania Ave SE Retailer CX, Lic.#: 86926.  
***Decision: Denied 4-0. (Recusal by Alberti)***
11. Review of letter, dated August 11, 2011, from CIRCA at Foggy Bottom, requesting permission to keep its alcohol-related invoices off-site at 2200 Pennsylvania Avenue NW, 4th Floor East Tower, Suite 4001, Washington, DC. ***Circa at Foggy Bottom***, 2221 I Street NW Retailer CR, Lic.#: 86726.  
***Decision: Approved 5-0.***
12. Review of letter, dated August 11, 2011, from CIRCA at Dupont, requesting permission to keep its alcohol-related invoices off-site at 2200 Pennsylvania Avenue NW, 4th Floor East Tower, Suite 4001, Washington, DC. In 2009, the Board approved the Licensee's request to store invoices off-site at a different location. ***Circa at Dupont***, 1601 Connecticut Ave NW Retailer CR, Lic.#: 76074.  
***Decision: Approved 5-0.***
13. Review of letter, dated August 12, 2011, from Andrew Kline, on behalf of Whole Foods Market at Foggy Bottom, requesting that the hours of sale on the license be adjusted so that Whole Foods may sell until 10:30 pm to accommodate customers in line at closing. ANC 2A supports this request. ***Whole Foods Market***, 2201 I Street NW Retailer B, Lic.#: 86916.\*  
***Decision: Approved 5-0.***
14. Review of letter, dated May 9, 2011, from Eric Sayles, on behalf of the property owner at 1300 Fifth Street NE, alleging that a license was fraudulently issued.\*  
***Decision: Fact Finding 5-0.***

15. Review of letter, dated August 2, 2011, from Gina Trippi and John Kerr, requesting approval of their proposed business model for an Internet-based business, as well as clarification of the requirements or restrictions needed to legally operate this business model in the District.\*  
**Decision: Refer to Legal, Board will issue an Advisory Opinion.**
16. Review of Muse Nightclub and Lounge's Petition to Stay Board Order 2011-352 regarding the protest of its application for renewal. **The Muse Nightclub & Lounge**, 717 6th Street NW Retailer CN, Lic.#: 79224.\*  
**Decision: Denied 5-0.**
17. Review of Shadow Room's proposed corrections to the Transcript of the June 22, 2011 Protest Hearing. **Shadow Room**, 2131 K Street NW Retailer, Lic.#: 75871.\*  
**Decision: Refer to Legal.**
18. Review of Protestants' proposed corrections to the Transcript of the June 22, 2011 Protest Hearing. **Shadow Room**, 2131 K Street NW Retailer, Lic.#: 75871.\*  
**Decision: Refer to Legal.**
19. Review of Protestants' Motion for Stay of ABC Board Proceedings for The Old Naval Hospital Foundation Pending Investigation of Potential Violation of Federal Email Privacy Laws. **The Old Naval Hospital**, 912 Pennsylvania Ave SE Retailer CX, Lic.#: 86926.\*  
**Decision: Denied 4-0. (Recusal by Alberti)**
20. Review of The Old Naval Hospital's Foundation's Opposition to Resident Protestants' Motion for Stay of ABC Board Proceedings Pending Investigation of Potential Violation of Federal E-mail Privacy Laws. **The Old Naval Hospital**, 912 Pennsylvania Ave SE Retailer CX, Lic.#: 86926.\*  
**Decision: Protestants' Motion Approved.**
21. Review of Uncle Lee's Motion for Reconsideration of the Board Order Denying Protestants' Motion for Reconsideration. **Uncle Lee's**, 1100 Eastern Ave NE Retailer A, Lic.#: 85918\*  
**Decision: Approved 5-0.**
22. Review of Protestant's Response to Uncle Lee's Motion for Reconsideration of the Board Order Denying Protestants' Motion for Reconsideration. **Uncle Lee's**, 1100 Eastern Ave NE Retailer A, Lic.#: 85918.\*  
**Decision: Applicant's Motion Approved.**
23. Review of Ghana Café's Request for Reconsideration of Board Order No. 2011-367 Denying Ghana Café's Request for a Substantial Change. **Ghana Café**, 1336 14th Street NW Retailer CR, Lic.#: 82751.\*  
**Decision: Postponed until 9/21/11 to consider ANC 2F's response.**

24. Review of letter, dated August 29, 2011, from Andrew Kline, on behalf of Hank's Oyster Bar, requesting that the license be corrected to reflect the hours that were applied for before they were limited by the voluntary agreement, which has now been terminated by Board Order.  
***Hank's Oyster Bar***, 1624 Q Street NW Retailer DR, Lic.#: 71913.\*  
***Decision: Approved 5-0.***
25. Review of letter, dated August 25, 2011, from Attorney Rick Massumi, on behalf of Don Juan's Restaurant, regarding termination of its voluntary agreement with Hear Mt. Pleasant.  
***Don Juan Restaurant & Carryout***, 1660 Lamont Street NW Retailer CR, Lic.#: 15934.\*  
***Decision: Approved 5-0***
26. Review of Voluntary Agreement, dated May 11, 2010, between Sizzling Express and ANC 6B. ***Sizzling Express***, 1150 Connecticut Ave NW Retailer CR, Lic.#: 84239.\*  
***Decision: Approved with modification of Section 7.***
27. Review of Voluntary Agreement, dated May 26, 2010, between We, The Pizza and ANC 6B. ***We, The Pizza***, 0 Pennsylvania Ave SE Retailer CR, Lic.#: 82062.\*  
***Decision: Approved with modification of Section 7.***
28. Review of Voluntary Agreement, dated December 2, 2010, between Martin's Restaurant & Lounge and ANC 1B. ***Martin's Restaurant & Lounge***, 1919 9th Street NW Retailer CT, Lic.#: 84578.\*  
***Decision: Postponed until changes submitted by ANC 1B.***
29. Review of Voluntary Agreement, dated November 23, 2010, between Zee's Restaurant and Bar and ANC 1B. ***Zee's Restaurant & Bar***, 600 Florida Ave NW Retailer CR, Lic.#: 86015.\*  
***Decision: Postponed until changes submitted by ANC 1B.***
30. Review of Voluntary Agreement, dated May 20, 2011, between The Independent and ANC 1B. ***The Independent***, 715 Florida Ave NW Retailer CT, Lic.#: 83929.\*  
***Decision: Postponed until changes submitted by ANC 1B.***
31. Review of Voluntary Agreement, dated April 30, 2009, between Shashemene and ANC 1B. ***Shashemene Ethiopian Restaurant***, 1909 9th Street NW Retailer CR, Lic.#: 78697.\*  
***Decision: Postponed until changes submitted by ANC 1B.***
32. Review of Voluntary Agreement, dated September 2, 2009, between 1409 Playbill Café, ANC 2F, the Rockingham Condominium Association, and the Rhode Island Avenue West Neighborhood Association. ***1409 Playbill Café***, 1409 14th Street NW Retailer CR, Lic.#: 23427.\*  
***Decision: Approved with modification to Sections 1, 7, and 10.***

33. Review of Voluntary Agreement, dated July 8, 2010, between The Atlas Room and ANC 6A. ***The Atlas Room***, 1015 H Street NE Retailer CT, Lic.#: 84689.\*  
***Decision: Approved with modification of Section 5.***
34. Review of Voluntary Agreement, dated August 20, 2011, between Satellite Pizza and ANC 1B. ***Satellite Pizzia***, 2047 9th Street nW Retailer CT, Lic.#: 87296.\*  
***Decision: Approved with modification of Sections I and J.***
35. Review and approval of Policy's Protest Order regarding the request for two sidewalk cafes. ***Policy***, 1904 14th Street NW Retailer CR, Lic.#: 76804.  
***Decision: Approved 4-1 (Jones)***
36. Review and approval of Board Order Denying Protestants' Motion for Reconsideration regarding Club AKA 555's CN License. ***Club AKA 555***, 2046 West Virginia Ave NE Retailer CN, Lic.#: 84241.  
***Decision: Postponed until 9/21/2011.***
37. Review and approval of S&J Liquors's Fact Finding Hearing Order regarding the request for a single sales exemption. ***S & J Liquors***, 1500 Massachusetts Ave SE Retailer A, Lic.#: 9122.  
***Decision: Approved 4-1 (Jones)***
38. Review and approval of The Reef's Protest Order regarding termination of its voluntary agreement. ***The Reef***, 2422 18th Street NW Retailer CT, Lic.#: 60475.  
***Decision: Postponed until 9/21/2011.***
39. Review and approval of Jimmy Valentine's Show Cause Order. ***Jimmy Valentine's Lonely Hearts Club***, 1103 Bladensburg Road NE Retailer CT, Lic.#: 76330.  
***Decision: Approved 5-0.***
40. Review and approval of JP's Order Denying Applicant's Motion to Prevent a Safekeeping Hearing Under D.C. Code 25-791. ***JP's Nightclub***, 2514 Wisconsin Ave NW Retailer CN, Lic.#: 8511.  
***Decision: Approved 5-0.***
41. Review and approval of K Street's Show Cause Order. ***K Street Lounge***, 1301 K Street NW Retailer CN, Lic.#: 72225.  
***Decision: Postponed until 9/21/2011.***
42. Review and approval of Queen of Sheba's Show Cause Order. ***Queen of Sheba***, 1503 9th Street NW Retailer CR, Lic.#: 73644.  
***Decision: Approved 5-0.***

43. Review and approval of Gandel's Liquors's Show Cause Order. ***Gandel's Liquors***, 211 Pennsylvania Ave SE Retailer A, Lic.#: 71312.  
***Decision: Approved 3-2. (Jones, Silverstein.)***
44. Review and approval of Café 8's Show Cause Order. ***Café 8***, 424 8th Street SE Retailer CR, Lic.#: 77797.  
***Decision: Approved 4-1. (Jones)***
45. Review and approval of Marvelous Market's Show Cause Order. ***Marvelous Market***, 3217 P Street NW Retailer B, Lic.#: 79966.  
***Decision: Approved 5-0.***
46. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. ***Current Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Saturday 9am-9pm, Sunday 11am-8pm. ***Proposed Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Wednesday 9am-10pm, Thursday through Saturday 9am-11pm, Sunday 11am-9pm. No pending violations. No outstanding citations/fines. No conflict with voluntary agreement. ANC 4C. ***Town & Country Market***, 823 Upshur Street NW Retailer B, Lic.#: 60453.  
***Decision: Approved 5-0.***
47. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. ***Current Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Saturday 9am-10pm, Sunday closed. ***Proposed Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Saturday 9am-12am, Sunday closed. No pending violations. No outstanding citations/fines. No conflict with Voluntary Agreement. ANC 7E. ***Seymour Liquors***, 5581 Central Ave SE Retailer A, Lic.#: 70948.  
***Decision: Approved 5-0.***
48. Review of Sidewalk Café Application with 20 seats. ***Sidewalk Café Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Saturday 11:30am-11:30pm, Sunday closed. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 2F. ***Finemondo Restaurant***, 1319 F Street NW Retailer CR, Lic.#: 60527.\*  
***Decision: Approved 5-0.***
49. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. ***Current Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Sunday 10am-10pm. ***Proposed Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Sunday 10am-12am. No pending violations. No outstanding citations/fines. No Voluntary Agreement. ANC 1B. ***U Street Wine and Beer***, 1351 U Street NW Retailer B, Lic.#: 87729.  
***Decision: Approved 5-0.***

50. Review of letter by Stephen O'Brien on behalf of Licensee requesting approval of payment of alcoholic beverage purchases made by Oceanaire Seafood Room from DC wholesalers by checks drawn from the accounts of Landry's Restaurants, Inc. (a beneficial upstream owner of Licensee). ANC 2F. **Oceanaire Seafood Room**, 1201 F Street NW Retailer CR, Lic.#: 60184.

**Decision: Approved 5-0.**

51. Review of Manager's License Renewal Application for **Kelly Jane Kreidel**, License #82802.  
\*\*

**Decision: Approved 5-0.**

52. Review of Manager's Application for **Anoop P. Raol**.\*\*

**Decision: Approved 5-0.**

53. Review of request for seating expansion from 20 seats to 95 seats and the addition of 2<sup>nd</sup> floor. Pending Show Cause Hearing. No outstanding citations/fines. No conflict with voluntary agreement. ANC 6A. **Rose's Dream**, 1370 H Street NE Retailer CT, Lic.#: 74099.\*

**Decision: Placard 5-0.**

54. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. **Current Hours of Operation and Hours of Alcoholic Beverage Sales:** Monday through Saturday 10am-9pm, Sunday closed. **Proposed Hours of Operation:** Monday through Saturday 9am-12am, Sunday closed. **Proposed Hours of Alcoholic Beverage Sales:** Monday through Saturday 10am-12am, Sunday closed. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 6A. **New York Liquors**, 1447 Maryland Ave NE Retailer A, Lic.#: 76234.

**Decision: Approved 5-0.**

55. Review of letter from Licensee requesting approval to store alcoholic beverage invoices at 1301 Rhode Island Avenue, NW, #3, the home of Managing Member John Guggenmos. ANC 2F. **Number Nine**, 1435 P Street NW Retailer CT, Lic.#: 86354.

**Decision: Approved 5-0.**

56. Review of Entertainment Endorsement Application for live entertainment. **Hours of Operation:** Sunday through Thursday 6am-2am, Friday and Saturday 6am-3am. **Hours of Alcoholic Beverage Sales and Consumption:** Monday through Thursday 8am-2am, Friday and Saturday 8am-3am, Sunday 10am-2am. **Hours of Entertainment:** Sunday to Thursday 6pm-2am, Friday and Saturday 6pm-3am. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 1B. **The Codmother**, 1334 U Street NW Retailer A, Lic.#: 86231.\*

**Decision: Approved 5-0.**

57. Review of request by Licensee to extend safekeeping period until September 2012 due to construction delays. Licensee's current approved safekeeping period will end September 30, 2011. ANC 3C. ***Shemali's***, 3306 Wisconsin Ave NW Retailer B, Lic.#: 70233.  
***Decision: Approved 5-0.***
58. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. ***Current Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Saturday 9am-10pm, Sunday closed. ***Proposed Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Saturday 9am-12am, Sunday closed. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 4D. ***Fair Liquors, Inc.***, 5008 1st Street NW Retailer A, Lic.#: 76782.  
***Decision: Approved 5-0.***
59. Review of Application for Safekeeping due to Licensee being on vacation. ***Murphy's Law Restaurant***, 4629 Wisconsin Ave NW Retailer CR, Lic.#: 83505.  
***Decision: Approved 5-0.***
60. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. ***Current Hours of Operation:*** Monday through Sunday 8am-11pm. ***Current Hours of Alcoholic Beverage Sales:*** Monday through Sunday 9am-10pm. ***Proposed Hours of Operation:*** Monday through Sunday 7am-12am. ***Proposed Hours of Alcoholic Beverage Sales:*** Monday through Sunday 9am-12am. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 6D. ***Capitol Gift Shop***, 333 E Street SW Retailer B, Lic.#: 74924.  
***Decision: Approved 5-0.***
61. Review of Change of Hours Application to change Hours of Alcoholic Beverage Sales. ***Current Hours of Operation:*** Monday through Sunday 24hrs/day. ***Current Hours of Alcoholic Beverage Sales:*** Monday through Sunday 9am-10pm. ***Proposed Hours of Alcoholic Beverage Sales:*** Monday through Sunday 9am-12am. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 4C. ***Davis Market***, 3819 Georgia Ave NW Retailer B, Lic.#: 60094.  
***Decision: Approved 5-0.***
62. Review of Change of Hours Application to change Hours of Alcoholic Beverage Sales. ***Current Hours of Operation:*** Monday through Friday 7am-11:30pm, Saturday and Sunday 8am-11:30pm. ***Current Hours of Alcoholic Beverage Sales:*** Monday through Sunday 9am-9:45pm. ***Proposed Hours of Alcoholic Beverage Sales:*** Monday through Sunday 9am-11:30pm. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 2E. ***Wisemillers Grocery & Deli***, 1236 36th Street NW Retailer B, Lic.#: 5950.  
***Decision: Approved 5-0.***

63. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. ***Current Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Saturday 10am-10pm, Sunday closed. ***Proposed Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Saturday 10am-12am, Sunday closed. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 1B. ***Serv-U-Liquors***, 1935 9th Street NW Retailer A, Lic.#: 60026.  
***Decision: Approved 5-0.***
64. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. ***Current Hours of Operation:*** Monday through Sunday 7am-11pm. ***Current Hours of Alcoholic Beverage Sales:*** Monday through Sunday 9am-10pm. ***Proposed Hours of Operation:*** Monday through Friday 7am-12am, Saturday and Sunday 8am-12am. ***Proposed Hours of Alcoholic Beverage Sales:*** Monday through Sunday 9am-12am. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 3C. ***Manhattan Market***, 2647 Connecticut Ave NW Retailer B, Lic.#: 17772.  
***Decision: Approved 5-0.***
65. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. ***Current Hours of Operation:*** Monday through Sunday 8am-8pm. ***Current Hours of Alcoholic Beverage Sales:*** Monday through Sunday 9am-8pm. ***Proposed Hours of Operation:*** Monday through Sunday 8am-12am. ***Proposed Hours of Alcoholic Beverage Sales:*** Monday through Sunday 9am-12am. No pending violations. No outstanding citations/fines. No voluntary agreement. ***Gee's Market***, 3583 Warder Street NW Retailer B, Lic.#: 83125.  
***Decision: Approved 5-0.***
66. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. ***Current Hours of Operation:*** Monday through Sunday 9am-9pm. ***Current Hours of Alcoholic Beverage Sales:*** Monday through Sunday 9am-9pm. ***Proposed Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Sunday 9am-12am. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 5B. ***Darby's Market***, 1136 Florida Ave NE Retailer B, Lic.#: 86103.  
***Decision: Approved 5-0.***
67. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. ***Current Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Thursday 9am-9pm, Friday and Saturday 9am-10pm, Sunday closed. ***Proposed Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Saturday 9am-12am, Sunday closed. No pending violations. No outstanding citations/fines. No conflict with voluntary agreement. ANC 6A. ***Jumbo Liquors***, 1122 H Street NE Retailer A, Lic.#: 420.  
***Decision: Approved 5-0.***



68. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. ***Current Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Sunday 9am-9pm. ***Proposed Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Sunday 9am-12am. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 7D. ***Thomas & Sons***, 3425 Benning Road NE Retailer B, Lic.#: 75185.  
***Decision: Approved 5-0.***

69. Review of Sidewalk Café Application with 14 seats. ***Sidewalk Cafe Hours of Operation:*** Monday through Thursday 6am-2am, Friday through Sunday 24hrs/day. ***Sidewalk Cafe Hours of Alcoholic Beverage Sales:*** Sunday through Thursday 11am-2am, Friday and Saturday 11am-3am. No pending violations. No outstanding citations/fines. No conflict with voluntary agreement. ANC 2F. ***El Tamarindo***, 1785 Florida Ave NW Retailer CR, Lic.#: 71179.\*  
***Decision: Approved 5-0.***

70. Review of Voluntary Agreement, dated September 1, 2011, between MMB, LLC and ANC 1B. ***MBB***, 913 U Street NW Retailer CT, Lic.#: 87409.  
***Decision: Approved with modification of Section 8.***

71. Review of correspondence, dated September 8, 2011, requesting that the deadline for the ANC to submit its recommendation to the Board for Al Forno Pizzeria and Trattoria be extended to October 11, 2011. This is a joint request from the Applicant and ANC 3D, pursuant to 23 DCMR 1705.5. ***Al Forno Pizzeria and Trattoria***, 3201 New Mexico Ave NW Retailer CR, Lic.#: 87728.\*

**\* In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

**\*\*In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations. The Board's vote will be held in an open session, and the public is permitted to attend.**

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING  
INVESTIGATIVE AGENDA**

**WEDNESDAY, SEPTEMBER 14, 2011  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

**On SEPTEMBER 14, 2011, at 4:00 pm, the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed “to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations.”**

1. Case#11-251-00237 Shadow Room, 2131 K ST NW Retailer C Nightclub, License#: ABRA-075871

***Decision: NFA***

2. Case#11-251-00232 LUX, 649 NEW YORK AVE NW Retailer C Nightclub, License#: ABRA-071743

***Decision: NFA***

3. Case#11-CC-00066 L Street Market, 1100 4TH ST NE Retailer B Retail - Grocery, License#: ABRA-079164

***Decision: Staff Settlement***

4. Case#11-CC-00068 Viggys Liquor, 409 15TH ST NE Retailer A Retail - Liquor Store, License#: ABRA-077897

***Decision: Staff Settlement***

5. Case#11-CC-00067 M & T Grocer's Beer and Wine, 201 15TH ST NE Retailer B Retail - Grocery, License#: ABRA-077390

***Decision: Sale to Minor Warning Letter***

6. Case#11-251-00231 Saloun, 3239 M ST NW Retailer C Tavern, License#: ABRA-022973

***Decision: NFA***

7. Case#11-251-00225 Lucky Bar, 1221 CONNECTICUT AVE NW Retailer C Tavern, License#: ABRA-020234

***Decision: NFA***

8. Case#11-CMP-00325 Acqua Al 2, 212 7TH ST SE Retailer C Restaurant, License#: ABRA-080056

***Decision: Show Cause***

9. Case#11-251-00173 Public Bar, 1214 A 18TH ST NW Retailer C Tavern, License#: ABRA-081238 (Previously published in the 6/15/11 DC Register)

***Decision: NFA***

10. Case#11-CC-00062 Kushi Izakaya, 465 K ST NW Retailer C Restaurant, License#: ABRA-082439

***Decision: Sale to Minor Warning Letter***

11. Case#11-CMP-00339 Marvelous Market, 4530 WISCONSIN AVE NW Retailer D Restaurant, License#: ABRA-082438

***Decision: Show Cause***

12. Case#11-CC-00065 TruOrleans, 400 H ST NE Retailer C Restaurant, License#: ABRA-086210

***Decision: Sale to Minor Warning Letter***

13. Case#11-251-00204(a) Lotus, 1420 K ST NW Retailer C Nightclub, License#: ABRA-075162

***Decision: Refer to Legal***

14. Case#11-CMP-00324 Bistro 18, 2420 - 2422 18TH ST NW Retailer C Restaurant, License#: ABRA-086876

***Decision: Show Cause***

14. Case#11-PRO-00324 Penthouse Bar 1612 U ST NW Retailer C Tavern, License#: ABRA-086789

***Decision: FYI – Protest Report***

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING  
INVESTIGATIVE AGENDA**

**WEDNESDAY, SEPTEMBER 14, 2011  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

**On SEPTEMBER 14, 2011, the Alcoholic Beverage Control Board will hold a closed meeting regarding the matter identified below. Under Section 406(3) of the Open Meetings Act, it was not practical to publish notice of this matter in the District of Columbia Register. However, the notice requirements of section 406(1)-(2) were satisfied.**

1. Case#11-251-00252(a), G Spot Tavern, 5413 Georgia AVE NW Retailer C Tavern, License#: ABRA-08520

***Decision: Summary Suspension Lifted.***