

## **VOLUNTARY AGREEMENT**

This Agreement, made and entered into this \_\_\_\_ day of November, 2008, by and between Clamenzah, LLC t/a Dupont 7, 2029 P Street, N.W., Washington, D.C. (hereinafter the "Applicant") and Advisory Neighborhood Commission 2B (hereinafter "ANC 2B").

### **RECITALS**

WHEREAS, the Applicant has filed for a Class CR license to be issued by the Alcoholic Beverage Control Board of the District of Columbia for premises known as 2029 P Street, N.W.; and

WHEREAS, ANC 2B desires to withhold a protest of the Application; and

WHEREAS, the parties desire to enter into this Voluntary Agreement in lieu of ANC 2B's protest of the application; and

NOW, therefore, in consideration of the Recitals set forth above, and the mutual covenants and agreements hereinafter set forth, the parties agree as follows:

1. Hours of Operation. The hours of operation and hours of alcoholic beverage service of the Applicant shall be 10:30 a.m. to 12:00 midnight, Sunday through Saturday (7 days).
2. Music. Applicant shall provide background music only. Applicant shall not provide live music, shall have no disc jockey, no dancing, and no cover charge.
3. Noise. Applicant acknowledges that, historically, noise concerns have been more acute in warmer months. Applicant agrees to provide greater vigilance to address this concern during the warmer months.
4. Intoxication. Applicant shall not serve alcohol to anyone who is intoxicated, in accordance with applicable law.
5. Trash Pick-up, Extermination, and Debris Clean Up. For trash and recycling collection, Applicant shall employ a licensed company(ies) that shall agree, in writing, that collection shall not occur before 7:00 a.m. on weekdays, before 10:00 a.m. on weekends, or after 5:00 p.m. on any day. Applicant agrees to regularly schedule exterminator service for its premises.

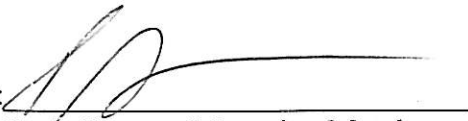
Applicant shall keep the exterior of the Premises free of trash and weeds, and shall remove any graffiti appearing on or around the establishment. After closing each night, Applicant shall remove litter in the vicinity of the Premises, defined as the sidewalk areas adjacent to the storefront to the curb.

6. Public Payphones. Applicant shall not install any public payphones outside the Premises.
7. License Approval. ANC 2B hereby joins in with the Applicant in requesting the Alcoholic Beverage Control Board of the District of Columbia approve the Application submitted by Applicant conditioned upon Applicant's compliance with the terms of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Voluntary Agreement as of the day and year first above written.

APPLICANT:

CLAMENZA, LLC

By:   
Ruth Gresser, Managing Member

ADVISORY NEIGHBORHOOD  
COMMISSION 2B

By:   
Chairperson