

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

In the Matter of:

The Asylum Company, LLC
t/a MCCXIII/Spank

Application for a Retailer's Class CR
License – substantial change
at premises
1223 Connecticut Avenue, NW
Washington, D.C.

Application no.: 36042-04/066P
Order no.: 2005-13

The Asylum Company, LLC, Applicant

Jeremiah Cohen, Vice-President, Tabard Inn; Anne DiBell, President, National League of American Women, Inc.; Oneida Khalsa, Director of Operations, Refugees International; Lawrence Ochs, Black Rock Group, LLC; R. Shapiro, Shapiro, Lifschitz and Schram; David M. Hill; Gloria Harrington, St. Mathews Cathedral; Larry Sigler, Science Service; Michael J. Pamgia; L. Owen Taggart; Irene Wang; Gabrielle Smith; Tom Sweatt, Chief of Security, NAB; Robert S. Pace; Alex Kauffman, Vice-President for Administration, Middle East Institute; and, Darren A. Bowie, Chairperson, on behalf of the Advisory Neighborhood Commission 2B, Protestants

BEFORE: Charles A. Burger, Chairperson
Vera M. Abbott, Member
Judy Moy, Member
Audrey E. Thompson, Member
Peter B. Feather, Member
Albert G. Lauber, Member
Eartha Isaac, Member


**ORDER ON AMENDMENT TO VOLUNTARY AGREEMENT AND
WITHDRAWN PROTEST**

The substantial change application for a summer garden for 54 seats on the rear of the third floor of the establishment, having been protested, came before the Board on June 9, 2004, in accordance with D.C. Official Code § 25-601 (2001). Jeremiah Cohen, Vice-President, Tabard Inn; Anne DiBell, President, National League of American Women, Inc.; Oneida Khalsa, Director of Operations, Refugees International; Lawrence Ochs, Black Rock Group, LLC; R. Shapiro, Shapiro, Lifschitz and Schram; David M.

The Asylum Company, LLC
t/a MCCXIII/Spunk
Case no. 36042-04/066P
Page three

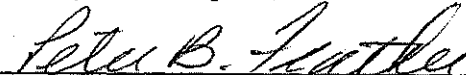
District of Columbia
Alcoholic Beverage Control Board


Charles A. Burger, Chairperson


Vera M. Abbott, Member


Judy Mox, Member

NON VOTING
Audrey E. Thompson, Member


Peter B. Feather, Member


Albert G. Laufer, Member

NON VOTING
Eartha Isaac, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), 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, 941 North Capitol Street, N.E., Suite 7200, Washington, D.C. 20002.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Dupont Circle Advisory Neighborhood Commission 2B



June 7, 2004

Mr. Charles Burger
Chairperson, Alcoholic Beverage Control Board
941 North Capitol Street, NE, 7th Floor
Washington, DC 20002

Re: ABC Application No. 36042 by The Asylum Company, LLC, T/A MCCXXIII

Dear Mr. Burger:

The Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) and the applicant in the above-referenced matter have negotiated two amendments to the applicant's existing Voluntary Agreement to resolve the Commission's concerns about this application. Accordingly, the Commission withdraws its protest, provided that the two amendments to the applicant's Voluntary Agreement are incorporated into the Board's order in this matter, which order is thereby conditioned upon compliance with the Voluntary Agreement as amended.

Commissioner Mike Silverstein is the Commission's representative on this matter. Commissioner Silverstein may be reached at (202) 833-4440 or at Mike.Silverstein@DupontCircleANC.net for additional information or assistance.

ON BEHALF OF THE COMMISSION.

Sincerely,

A handwritten signature in cursive script that reads "Darren A. Bowie".

Darren A. Bowie
Chairperson

Encl. (Voluntary Agreement Amendments)

cc: Emanuel N. Mpras
The Asylum Company, LLC

"10. In consideration of the above, ANC 2B, pursuant to the provisions of 25 D.C.M.R. 1513.3, hereby agrees not to oppose said request, and requests that the Board incorporate the text of this Agreement in its order approving the substantial change."

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

APPLICANT:

ADVISORY NEIGHBORHOOD
COMMISSION 2B

THE ASYLUM COMPANY, LLC

By Emanuel M. M. M. M.

By Dave A. Bowil 6/6/04
Chair, ANC 2B

ST. MATTHEWS CATHEDRAL

By Mrs. M. Ronald Jensen

MA 5/25/04

In consideration of the above, ANC 2B hereby agrees not to oppose said request, and requests that the Board incorporate the text of this Agreement in its order approving the substantial change.

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

APPLICANT:

THE ASYLUM COMPANY, LLC

By Emanuel Moses

ADVISORY NEIGHBORHOOD
COMMISSION 2B

By James A. Lewis 6/6/04,
Chair, ANC 2B