



The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

Steven Grossman
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

NOTICE OF SUSPENSION

July 17, 2012

KARJAK INC. DBA ALUMNI CLUB
51-57 TAYLOR STREET
SPRINGFIELD, MA 01103
LICENSE#: 122600320
HEARD: 07/10/2012

After a hearing on July 10, 2012, the Commission finds Karjak Inc. dba Alumni Club in violation of 204 CMR 2.05 (2) - Permitting an illegality on the licensed premises, to wit: M.G.L. Ch.138 §34C- Possession of an alcoholic beverage by a person under twenty-one (21) years of age (7 Counts).

The Commission **suspends the licensee's license for a total of ten (10) days to be served.** The suspension shall commence on **Wednesday, August 29, 2012 and terminate on Friday, September 7, 2012.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, August 29, 2012 at 9:00 A.M. It will be returned to the licensee Saturday, September 8, 2012.

You are advised that pursuant to the provisions of M.G.L. c.138 §23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form. All checks must be certified and accompanied by the enclosed form, which must be signed by a Massachusetts Licensed Accountant.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro
Chairman

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Chris Temple, Investigator
Frank A. Caruso, Esq. via facsimile
Administration
File



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DECISION

KARJAK INC. DBA ALUMNI CLUB
51-57 TAYLOR STREET
SPRINGFIELD, MA 01103
LICENSE#: 122600320
HEARD: 07/10/2012

Karjak Inc. dba Alumni Club (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, July 10, 2012, regarding an alleged violation of 204 CMR 2.05 (2) - Permitting an illegality on the licensed premises, to wit: M.G.L. Ch.138 §34C- Possession of an alcoholic beverage by a person under twenty-one (21) years of age (7 Counts). Prior to the commencement of the hearing, the licensee stipulated to the violations alleged in Investigator Temple's Investigative Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Temple's Investigative Report dated May 10, 2012;
3. Connecticut Driver's License K. Gallagher;
4. Connecticut Driver's License K. Clements;
5. Ohio Driver's License B. Robinson;
6. RMV Printout for C. Smith;
7. RMV Printout for A. Goodrow;
8. RMV Printout for Underage Female;
9. RMV Printout for D. Marti;
10. RMV Printout for A. MacRae; and
11. RMV Printout for S. Bittner.

There is one (1) audio recording of this hearing.

FACTS

1. On Thursday, May 10, 2012 at approximately 11:30 p.m., Investigators Kujawski, Keefe, and Temple conducted an investigation of the business operation of Karjak Inc. dba Alumni Club to determine the manner in which its business is conducted and to investigate a complaint filed with this agency.
2. Upon entering the licensed premises, investigators observed two (2) youthful looking females in possession of alcoholic beverages, and standing next to the windows to the left of the entrance.
3. Investigators identified themselves and asked to see some identification.
4. The females stated that their identification was in their car.

5. Investigators asked how the females gained entry without identification.
6. The females stated they entered with a friend who knew the bouncer.
7. Investigators asked what they were drinking.
8. The females stated they were drinking vodka and a fruit mix.
9. Investigators spoke to the manager on duty, Mr. Richard Janak, and informed him of the violation.
10. Mr. Janak stated that such a violation was not possible.
11. Investigators brought over the two (2) females, who were identified as: Underage female, date of birth June 8, 1994, age seventeen (17) years; and Ms. Damaris Marti, date of birth February 29, 1992, age twenty (20) years.
12. Investigators then observed two (2) more youthful looking females to the right of the bar, each in possession of bottles of Bud Light beer.
13. When these two (2) females were asked for identification, they provided identification that did not resemble either of them.
14. After further conversation the females admitted their true identities as: Ms. Sarah Bittner, date of birth November 20, 1991, age twenty (20) years; and Ms. Carly Smith, date of birth May 29, 1991, age twenty (20) years.
15. Ms. Bittner and Ms. Smith used Massachusetts Driver's licenses for: Ms. Alycia Goodrow, date of birth August 22, 1989, age twenty-two (22) years; and Ms. Amanda MacRae, date of birth January 21, 1991, age twenty-one (21) years.
16. Investigators also identified these two (2) females to Mr. Janak.
17. Investigators then observed three (3) additional youthful looking females around the corner of the main bar, each in possession of bottles of Bud Light beer.
18. Two (2) females provided Connecticut Driver's Licenses, and one (1) provided an Ohio Driver's License.
19. Based upon their experience and training, after examining the physical condition of the Driver's Licenses, investigators determined that all three (3) licenses were falsified.
20. The three (3) females admitted the identifications were fraudulent, and provided their true information to investigators: Ms. Kayla Clements, date of birth September 16, 1992, age nineteen (19) years; Ms. Keri Gallagher, date of birth September 16, 1992, age nineteen (19) years; and Ms. Bailey Robinson, date of birth September 18, 1991, age twenty (20) years.
21. Investigators identified these three (3) females to Mr. Janak.
22. Investigators informed Mr. Janak of the violations and that a report would be submitted to the Chief Investigator for review.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated of 204 CMR 2.05 (2) - Permitting an illegality on the licensed premises, to wit: M.G.L. Ch.138 §34C- Possession of an alcoholic beverage by a person under twenty-one (21) years of age (7 Counts). Therefore, the Commission **suspends the license for thirty (30) days of which ten (10) days will be served and twenty (20) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Susan Corcoran, Commissioner *Susan Corcoran*

I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Kathleen McNally, Commissioner *Kathleen McNally*

Dated: July 17, 2012

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Chris Temple, Investigator
Frank A. Caruso, Esq. via facsimile
✓Administration
File