

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

October 23, 2012

A.D.E ENTERPRISES, INC. DBA CAPTAIN JIMMY'S
916 SUFFIELD ST
AGAWAM, MA 01030
LICENSE#: 001200015
HEARD: 10/02/2012

After a hearing on October 2, 2012, the Commission finds A.D.E Enterprises, Inc. dba Captain Jimmy's in violation of 204 CMR 2.05 (2), to wit: c. 138, §34C- Possession of an alcoholic beverage by a person under 21 years of age (2 Counts).

The Commission suspends the licensee's license for a total of five (5) days to be served. The suspension shall commence on Wednesday, November 21, 2012 and terminate on Sunday, November 25, 2012. The license will be delivered to the Local Licensing Board or its designee on Wednesday, November 21, 2012 at 9:00 A.M. It will be returned to the licensee Monday, November 26, 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.

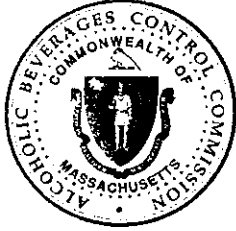
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro
Chairman

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Dennis Keefe, Investigator
William J. O'Grady, Esq., via Facsimile
Administration
File

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

Steven Grossman
Treasurer and Receiver General

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Chairman

DECISION

A.D.E ENTERPRISES, INC. DBA CAPTAIN JIMMY'S
916 SUFFIELD ST
AGAWAM, MA 01030
LICENSE#: 001200015
HEARD: 10/02/2012

A.D.E Enterprises, Inc. dba Captain Jimmy's (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, October 2, 2012, regarding an alleged violation of 204 CMR 2.05 (2), to wit: c. 138, §34C-Possession of an alcoholic beverage by a person under 21 years of age (2 Counts). Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Keefe's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Keefe's Investigative Report dated May 10, 2012; and
3. Photocopies of Two (2) Connecticut Driver's Licenses.

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

FACTS

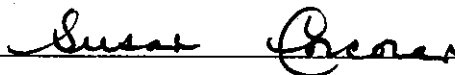
1. On Thursday, May 10, 2012, at approximately 10:00 p. m., Investigators Kujawski, Temple, and Keefe conducted an investigation of A.D.E Enterprises, Inc. dba Captain Jimmy's to determine the manner in which their business was being conducted.
2. Investigators entered the licensed premises and observed two (2) youthful looking females in possession of strawberry daiquiris.
3. Investigators approached the females, identified themselves, and asked for proof of age.
4. The first underage female from West Springfield, MA, had a date of birth February 2, 1992, age twenty (20) years; the second underage female from Westfield, MA, had a date of birth August 6, 1992, age nineteen (19) years.
5. Both underage females produced fake Connecticut Driver's Licenses, which stated that they were over twenty-one (21) years of age.
6. Investigators identified themselves to the managers on duty, Mr. Louis Chrisovechotis and Ms. Krystyna Kazakos, informed them of the violation, and that a report would be submitted to the Chief Investigator for review.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2), to wit: c. 138, §34C- Possession of an alcoholic beverage by a person under 21 years of age (2 Counts). Therefore, the Commission **suspends the license for seven (7) days of which five (5) days will be served and two (2) 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



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

Kathleen McNally



DATE: October 3, 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
Dennis Keefe, Investigator
William J. O'Grady, Esq., via Facsimile
Administration
File