



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

Steven Grossman
Treasurer and Receiver General

Kim J. Gainsboro, Esq.
Chairman

DECISION

DKJ CORP. DBA THE HEADQUARTERS BAR & GRILL
485 SPRINGFIELD ST
AGAWAM, MA 01001
LICENSE#: 001200006
HEARD 08/28/2012

DKJ Corp. dba The Headquarters Bar & Grill (the "Licensee") holds an all alcoholic beverages license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, August 28, 2012, regarding alleged violation of M.G.L. c. 138 §23- Sale of Alcoholic Beverages other than those purchased from a licensee under §18 or §19 or from a holder of a special license under §22A (10 Counts). Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Kujawski's Investigative Report.

The following documents and physical items are in evidence:

1. Investigator Kujawski's Investigative Report dated May 10, 2012;
2. Stipulation of Facts; and
3. Ten (10) bottles of alcohol.

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

FACTS

1. On Thursday, May 10, 2012, at approximately 10:30 p. m., Investigators Keefe and Kujawski investigated the business operation of DKJ Corp. dba The Headquarters Bar & Grill to determine the manner in which its business was conducted.
2. Investigators spoke to the bartender on duty who then contacted the owner, Mr. Joe Herring.
3. While inspecting the bar area, investigators observed ten (10) bottles of alcohol with package store labels that were whole, partially torn, or had glued affixed to them.
4. The ten (10) bottles of alcoholic beverages were taken into evidence:
 - a. One (1) bottle of Captain Morgan Spiced Rum;
 - b. One (1) bottle of Dewar's White Label Blended Scotch Whisky;
 - c. One (1) bottle of Frangelico Liqueur;
 - d. One (1) bottle of Gilbert's Blended Whiskey;
 - e. One (1) bottle of Jack Daniels Tennessee Whiskey;

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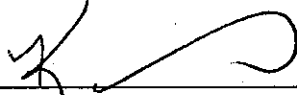
- f. One (1) bottle of Jameson Irish Whiskey;
 - g. Two (2) bottles of Jim Beam Kentucky Bourbon Whiskey;
 - h. One (1) bottle of Navan Vaille Cognac; and
 - i. One (1) bottle of Yukon Jack Liquor.
5. Mr. Herring admitted he had purchased the alcohol from a package store.
6. Investigators informed the manager of record, Mr. Joe Herring of the violation and that a report would be submitted to the Chief Investigator for further action.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated of M.G.L. c. 138 §23- Sale of Alcoholic Beverages other than those purchased from a licensee under §18 or §19 or from a holder of a special license under §22A (10 Counts). As the licensee has been in business for ten (10) years and has had no previous violations, the Commission issues a **WARNING**.

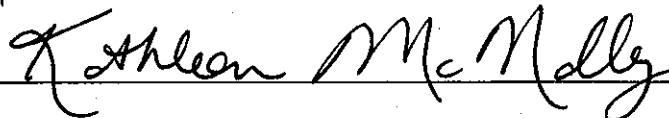
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro, Chairman



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

Kathleen McNally, Commissioner



Dated: September 4, 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
Jan Kujawski, Investigator
Administration
File