

*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

August 23, 2011

**F & S Sports, Inc. dba Rafters**  
**15 East Pleasant Street**  
**Amherst, MA 01002**  
**License #:002400058**  
**Heard: 07/12/2011**

After a hearing on July 12, 2011, the Commission finds F & S Sports, Inc. dba Rafters in violation of Massachusetts General Laws c. 138, §34c (1 count).

The Commission **suspends the licensee's license for a total of four (4) days to be served**. The suspension shall commence on **Wednesday, October 19, 2011 and terminate on Saturday October 22, 2011**. The license will be delivered to the Local Licensing Board or its designee on Wednesday, October 19, 2011 at 9:00 A.M. It will be returned to the licensee Sunday, October 23, 2011.

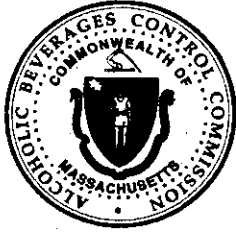
You are advised that pursuant to the provisions of M.G.L. c.138 §23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form. All checks must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



*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**

**F & S Sports, Inc. dba Rafters**  
**15 East Pleasant Street**  
**Amherst, MA 01002**  
**License #: 002400058**  
**Heard: 07/12/2011**

F & S Sports, Inc. dba Rafters (the "Licensee") holds an all alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, July 12, 2011, regarding an alleged violation of M.G.L. c.138, §34c (1 counts). Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Dennis Keefe's report.

The following documents are in evidence:

1. The Licensee Stipulation of Facts;
2. Investigators Report dated December 22, 2010;
3. Registry Printout of Minor and Copy of MA Identification Used by the Minor; and
4. Police Report.

A. Rafter Tips Certification Booklet.

There is one (1) tape of this hearing.

**FACTS**

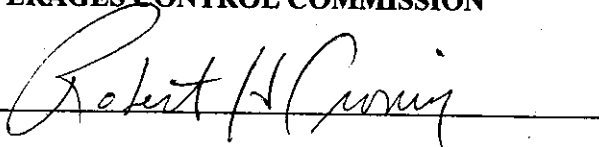
1. On Friday, December 3, 2010, Commission Investigators Keefe, Kujawski, Teehan, Capurso and Bailey, along with the Amherst Police Department, observed the business operation of F&S Restaurant Inc. dba Rafters.
2. The investigators entered the license premises and observed a young male; date of birth March 12, 1991 aged twenty (20), possession of an alcoholic beverage.
3. The investigators approached the young individual and asked him for identification.
4. The individual refused to show Investigator Keefe his identification and continued drinking his beer.
5. Investigator Keefe went to get the assistance of the police and they attempted, a second time, to ask for the young male's identification.
6. The young individual took off running and knocked down patrons and drinks.
7. The police were able to get control of the individual.
8. He was then escorted outside.
9. The patron began to create a disturbance along with assaulting an officer.
10. He was placed under arrest for disorderly conduct.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated M. G. L. c. 138, §34c (1 count). Therefore, the Commission **suspends the licensee's license for a period of four (4) days.**

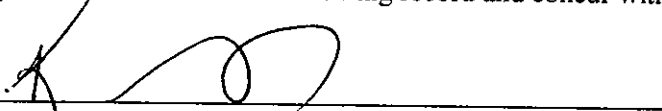
**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Robert H. Cronin, Commissioner



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

Kim S. Gainsboro, Chairman



Dated: August 23, 2011

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  
      Administration  
      File