



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

**OUTBACK STEAKHOUSE OF FLORIDA, LLC DBA OUTBACK STEAKHOUSE
CROSSROADS SHOPPING CTR
BELLINGHAM, MA 02019
LICENSE#: 008600039
HEARD: 06/05/2012**

Outback Steakhouse of Florida, LLC dba Outback Steakhouse (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, June 5, 2012, regarding an alleged violation of 204 CMR 2.05 (2), to wit: M.G.L. c. 138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Keefe's Compliance Check Field Report.

The following exhibits are in evidence:

1. Investigator Keefe's Compliance Check Field Report dated March 26, 2012; and
2. Licensee's Stipulation of Facts;
 - A. Licensee's ServSafe Training Packet for Employees; and
 - B. Employee's Signed Agreement, dated 4/12/2012 to Check Identification for Alcohol Beverage Orders.

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

FACTS

1. On Monday, April 02, 2012 at approximately 06:36 p.m., Investigators Jan Kujawski and Dennis Keefe conducted an investigation of the business operation of Outback Steakhouse of Florida, LLC dba Outback Steakhouse.
2. An underage operative working with investigators purchased an alcoholic beverage, a bottle of Bud Light beer, for three dollars and ninety-eight cents (\$3.98). The underage operative was not asked for identification.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2), to wit: M.G.L. c. 138, §34. Therefore, the Commission **suspends the license for four (4) days of which four (4) 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

Kathleen McNally, Commissioner

Kathleen Mc Nally

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

Susan Corcoran, Commissioner

Susan Corcoran

Dated: June 21, 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
Jan Kujawski, Investigator
✓ Administration
File