

Re: S & B Bender, Inc.  
D/B/A: Denny's Warehouse Liquors  
Premise: 110 Pulaski Blvd.  
City/Town: Bellingham, MA 02019

### **DECISION**

S & B Bender, Inc. dba Denny's Warehouse Liquors ("the licensee") holds an all alcohol license issued pursuant to Massachusetts General Laws chapter 138, §15. The Alcoholic Beverages Control Commission ("the Commission") held a hearing on July 27, 2010 regarding an alleged violation of Massachusetts General Laws c. 138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Dennis Keefe's investigative Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigative Report of Investigator Dennis Keefe.

There is one (1) tape of this hearing.

### Facts

1. On, May 27, 2010 at approximately 7:30 p.m., Commission Investigators investigated the business operation of S & B Bender, Inc. dba Denny's Warehouse Liquors.
2. While outside of the licensed premises, Investigators observed a youthful looking female subject enter the store and exit with a bottle of Bacardi Rum and a six (6) pack of Corrs Light. Investigators asked her age and the following information was recorded.

**Sarah Steel**  
**9 Marion Street**  
**Franklin, MA**  
**DOB 03-23-1991 (age 19)**

Steel stated to the Investigators that the female clerk did not ask her for identification. Investigators entered the licensed premise and spoke with the clerk, later identified as Jeanne Roy, who stated she did not ask Steel for her identification. The Investigators informed the clerk of the violation. Investigators then spoke with the

owner, Brian E Bender, over the phone and also informed him of the violation, and that a report would be filed with the Chief Investigator for further action.

3. Administrative review of the licensee's file indicates that the licensee has been in business since 1984 without a violation

### Conclusion

Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws c. 138, §34. As the licensee has had no previous violations the Commission **issues a warning.**

### ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro, Chairman \_\_\_\_\_

Susan Corcoran, Commissioner \_\_\_\_\_

Dated in Boston, Massachusetts this 28<sup>th</sup> day of July 2010.

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 days of receipt of this decision.

cc: Bellingham Licensing Board  
Frederick G. Mahony, Chief Investigator  
File