

Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150-2358

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

October 31, 2022

CUMBERLAND FARMS OF MASSACHUSETTS INC.
D/B/A CUMBERLAND FARMS STORE NO. 6755
297 PULASKI BLVD.
BELLINGHAM, MA 02019
LICENSE # 00060-PK-0086
HEARD: 12/7/2021

After a hearing on December 7, 2021, the Commission finds Cumberland Farms of Massachusetts Inc. d/b/a Cumberland Farms Store No. 6755 violated:

- 1) M.G.L. Ch. 138, § 23 Transfer of the privilege of a license without proper approval;
- 2) M.G.L. Ch. 138, § 15A Failure to disclose all persons who have a direct or indirect beneficial or financial interest in said license.

The Commission suspends the license for a period of 21-days to be served.

The suspension shall commence on Monday, January 9, 2023, and terminate on Sunday, January 29, 2023. The license will be delivered to the Local Licensing Board or its designee on Monday, January 9, 2023, at 9:00 A.M. It will be returned to the licensee on Monday, January 30, 2023.

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 which must be signed by the Licensee and a Massachusetts Licensed Accountant.

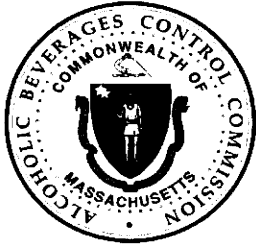
You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio
Chairman

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Questo documento è importante e dovrebbe essere tradotto immediatamente.
Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.
这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
David Bolcome, Investigator
Christopher Temple, Investigator
Frederick Riley, Esq.
Administration, File



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150-2358*

Jean M. Lorizio, Esq.
Chairman

DECISION

**CUMBERLAND FARMS OF MASSACHUSETTS INC.
D/B/A CUMBERLAND FARMS STORE NO. 6755
297 PULASKI BLVD.
BELLINGHAM, MA 02019
LICENSE # 00060-PK-0086**

**CUMBERLAND FARMS OF MASSACHUSETTS INC.
D/B/A CUMBERLAND FARMS #2318
1001 PLEASANT STREET
BRIDGEWATER, MA 02324
LICENSE # 00065-PK-0136**

**CUMBERLAND FARMS OF MASSACHUSETTS INC.
D/B/A CUMBERLAND FARMS #6681
66 TURNPIKE ROAD
IPSWICH, MA 01938
LICENSE # 00073-PK-0566**

**CUMBERLAND FARMS OF MASSACHUSETTS INC.
D/B/A CUMBERLAND FARMS #0131
139 SOUTH STREET
PLAINVILLE, MA 02762
LICENSE # 00025-PK-0978**

**CUMBERLAND FARMS OF MASSACHUSETTS INC.
D/B/A CUMBERLAND FARMS #2296
154 SAMOSET STREET
PLYMOUTH, MA 02360
LICENSE # 00239-PK-0984**

**CUMBERLAND FARMS OF MASSACHUSETTS INC.
D/B/A CUMBERLAND FARMS STORE NO. 2314
389 ANAWAN STREET
REHOBOTH, MA 02769
LICENSE # 00025-PK-1020**

**CUMBERLAND FARMS OF MASSACHUSETTS INC.
D/B/A CUMBERLAND FARMS NO. 2234
596 STATE ROAD
WESTPORT, MA 02790
LICENSE # 00060-PK-1452**

**VIOLATION DATES: VARIOUS
HEARD: 12/7/2021**

Cumberland Farms of Massachusetts Inc. d/b/a Cumberland Farms (the "Licensee" or "Cumberland Farms") holds alcohol licenses issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, December 7, 2021, regarding alleged violations of:

- 1) M.G.L. Ch. 138, § 23 Transfer of the privilege of a license without proper approval;
- 2) M.G.L. Ch. 138, § 15A Failure to disclose all persons who have a direct or indirect beneficial or financial interest in said license.

Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Bolcome's Report.

The following documents are in evidence:

1. Investigator Bolcome's Report;
2. Email Communications and Attachments from Robert Mellion, Esq.;
3. Article entitled, "EG Group Completes Cumberland Farms Acquisition";
4. Secretary of the Commonwealth Records;
5. Partial ABCC Files for Each License;
6. Licensee Stipulation of Facts.

A. Memorandum

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

FINDINGS OF FACT

1. On January 21, 2020, and February 3, 2020, the ABCC Investigations and Enforcement Division received complaints from Attorney Robert Mellion, the Executive Director of the Massachusetts Package Store Association, alleging Cumberland Farms of Massachusetts Inc. d/b/a Cumberland Farms had failed to report a change in ownership.
2. The complaint alleged Cumberland Farms had been acquired by a British company, EG Group.
3. The Investigator conducted a review of ABCC records for each of Cumberland Farms' seven (7) licenses as well as a review of the Secretary of the Commonwealth's Corporation Division's records pertaining to Cumberland Farms.

4. Cumberland Farms of Massachusetts Inc. d/b/a Cumberland Farms Store No. 6755 holds a M.G.L. c. 138, § 15 retail wines and malt beverages package store license exercised at 297 Pulaski Blvd., Bellingham, Massachusetts. Its most recent beneficial interest application, approved by the Commission on May 13, 2016, indicates the following:
 - Ari Haseotes, President & Director;
 - William Barnes, Treasurer, Secretary, & Director;
 - John Daly, Assistant Treasurer;
 - Howard Rosenstein, Assistant Treasurer;
 - Brian Glennon, Director;
 - Steve Cordeiro, Manager of Record;
 - Cumberland Farms, Inc., 100% Stockholder.
5. Cumberland Farms of Massachusetts Inc. d/b/a Cumberland Farms # 2318 holds a M.G.L. c. 138, § 15 retail wines and malt beverages package store license exercised at 1001 Pleasant Street, Bridgewater, Massachusetts. Its most recent beneficial interest application, approved by the Commission on May 18, 2017, indicates the following:
 - Ari Haseotes, President & Director;
 - Howard Rosenstein, Treasurer, Secretary, & Director;
 - John Daly, Assistant Treasurer;
 - Brian Glennon, Director;
 - Cumberland Farms, Inc., 100% Stockholder.
6. Cumberland Farms of Massachusetts Inc. d/b/a Cumberland Farms # 6681 holds a M.G.L. c. 138, § 15 retail wines and malt beverages package store license exercised at 66 Turnpike Road, Ipswich, Massachusetts. Its most recent beneficial interest application, approved by the Commission on June 26, 2012, indicates the following:
 - Ari Haseotes, President & Director;
 - William Barnes, Officer & Director;
 - Diane Boissonneault, Director;
 - Carmen DeCarlo, Manager of Record;
 - Cumberland Farms, Inc., 100% Stockholder.
7. Cumberland Farms of Massachusetts Inc. d/b/a Cumberland Farms # 0131 holds a M.G.L. c. 138, § 15 retail wines and malt beverages package store license exercised at 139 South Street, Plainville, Massachusetts. Its most recent beneficial interest application, approved by the Commission on April 22, 2009, indicates the following:
 - Ari Haseotes, President & Director;
 - William Barnes, Treasurer, Secretary, & Director;
 - Diane Boissonneault, Director;
 - Alicia Manganiello, Manager of Record;
 - Cumberland Farms, Inc., 100% Stockholder.

8. Cumberland Farms of Massachusetts Inc. d/b/a Cumberland Farms No. 2296 holds a M.G.L. c. 138, § 15 retail wines and malt beverages package store license exercised at 154 Samoset Street, Plymouth, Massachusetts. Its most recent beneficial interest application, approved by the Commission on June 26, 2014, indicates the following:
 - Ari Haseotes, President & Director;
 - William Barnes, Treasurer, Secretary, & Director;
 - Diane Boissonneault, Director;
 - Jo Severson, Manager of Record;
 - Cumberland Farms, Inc., 100% Stockholder.
9. Cumberland Farms of Massachusetts Inc. d/b/a Cumberland Farms' Store No. 2314 holds a M.G.L. c. 138, § 15 retail wines and malt beverages package store license exercised at 232 Winthrop Street, Rehoboth, Massachusetts. Its most recent beneficial interest application, approved by the Commission on June 29, 2009, indicates the following:
 - Ari Haseotes, President & Director;
 - William Barnes, Treasurer, Secretary, & Director;
 - Diane Boissonneault, Director;
 - Cristal Silva, Manager of Record;
 - Cumberland Farms Inc., 100% Stockholder.
10. Cumberland Farms of Massachusetts Inc. d/b/a Cumberland Farms No. 2234 holds a M.G.L. c. 138, § 15 retail wines and malt beverages package store license exercised at 596 State Road, Westport, Massachusetts. Its most recent beneficial interest application, approved by the Commission on June 28, 2016, indicates the following:
 - Ari Haseotes, President & Director;
 - William Barnes, Treasurer, Secretary & Director;
 - John Daly, Assistant Treasurer;
 - Howard Rosenstein, Assistant Treasurer;
 - Brian Glennon, Director;
 - Cynthia Proulx, Manager of Record.
 - Cumberland Farms Inc., 100% Stockholder.
11. The Secretary of the Commonwealth's Corporations Division's records indicate that on January 6, 2020, Cumberland Farms Inc., the parent company of Cumberland Farms of Massachusetts Inc., filed an Amended Foreign Corporations Certificate with a change of officers and directors to reflect the following:
 - George Fournier, President;
 - Caroline Taitelbaum, Treasurer;
 - John T. Daly, Assistant Treasurer;
 - Nicholas Unkovic, Secretary;
 - Mohsin Issa, Director.

12. The Secretary of the Commonwealth's Corporations Division's records indicate that on January 8, 2020, Cumberland Farms of Massachusetts Inc., filed a Statement of Supplemental Information for a change of officers and directors reflecting the following:

- George Fournier, President & Director;
- Caroline Taitelbaum, Treasurer & Director;
- John T. Daly, Assistant Treasurer;
- Nicholas Unkovic, Secretary & Director.

13. As of the date of the Commission hearing, December 7, 2021, change of beneficial interest applications for the seven (7) licenses had been filed with and approved by the respective Local Boards. Said applications are currently pending with the Commission.

CONCLUSION

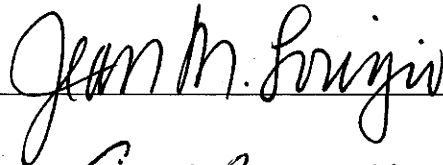
Based on the evidence, the Commission finds the Licensees, Cumberland Farms of Massachusetts Inc. located at Bellingham, Bridgewater, Ipswich, Plainville, Plymouth, Rehoboth, and Westport, violated:

- 1) M.G.L. Ch. 138, § 23 Transfer of the privilege of a license without proper approval;
- 2) M.G.L. Ch. 138, § 15A Failure to disclose all persons who have a direct or indirect beneficial or financial interest in said license.

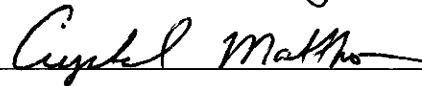
Therefore, the Commission **suspends each license noted above of Cumberland Farms of Massachusetts Inc. d/b/a Cumberland Farms for 21 days.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



Dated: October 31, 2022

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.

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Christopher Temple, Investigator
Frederick Riley, Esq.
Thomas R. Kiley, Esq.
Administration, File