



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

TRIPLE SUSHI, INC. DBA NANA JAPANESE STEAKHOUSE
199 BOSTON ROAD
BILLERICA, MA 01821
LICENSE#: 010600065
VIOLATION DATE: 04/10/2014
HEARD: 07/08/2014

Triple Sushi, Inc. dba Nana Japanese 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, July 8, 2014, regarding an alleged violation of 204 CMR 2.05 (2) - Permitting an illegality on the licensed premises, to wit: c. 138 §34 - Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Bailey's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Bailey's Compliance Check Field Report dated April 10, 2014;
3. Billerica Police Department Incident Report# 13-2414 dated November 16, 2013;
4. Billerica Police Department Incident Report# 14-1003 dated May 9, 2014; and
5. Billerica Police Department Incident Report# 14-1316 dated June 17, 2014.

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

The Commission took administrative notice of the Licensee's records and Billerica Police Department incident reports.

FACTS

1. On Thursday, April 10, 2014, at approximately 5:40 p. m., Investigators Doyle and Bailey conducted an investigation of the business operation of Triple Sushi, Inc. dba Nana Japanese Steakhouse to determine the manner in which its business was being conducted.
2. An underage operative, working with investigators, purchased an alcoholic beverage, a bottle of Budweiser Light beer for four dollars (\$4.00). The underage operative was not asked for identification.

CONCLUSION

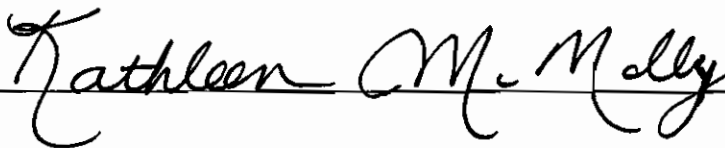
Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2) - Permitting an illegality on the licensed premises, to wit: c. 138 §34 - Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for three (3) days of which three (3) 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

Susan Corcoran, Commissioner



Kathleen McNally, Commissioner



Dated: July 29, 2014

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
Brad Doyle, Investigator
Rose Bailey, Investigator
Administration
File