



The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

Steven Grossman
Treasurer and Receiver General

DECISION

Kim J. Gainsboro, Esq.
Chairman

Broad Street Restaurant Group, LLC dba The Place
One India St.
Boston, Ma 02110
License#: 011601776
Heard: March 1, 2011

Broad Street Restaurant Group, LLC dba The Place (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, March 1, 2011, regarding an alleged violation of M.G.L. c.138, §69 (1 Count). Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Michael Teehan's report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
 2. Investigator Michael Teehan's Report dated November 23, 2010.
- A. Outline of Measures to be Taken by the Licensee; and
 - B. Certification of Participants in Server Training Seminar on December 18, 2010.

FACTS

1. On Friday November 19, 2010, Commission Investigators observed the business operation of the Broad St. Restaurant Group, LLC dba The Place.
2. The investigators attention was drawn to a male who appeared to be intoxicated and in possession of a Bud Light bottle.
3. The individual was sitting at the bar with his head bobbing up and down with his eyes closed.
4. His movements were slow and uncoordinated as he handled his drink.
5. At 1:30 a.m., a female bartender shut off the intoxicated patron.
6. At 1:35 a.m., the intoxicated patron was served a Bud Light bottle by a male bartender and was observed drinking it.
7. The intoxicated patron was placed in a cab for safe transport to his residence.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated M.G.L. c.138, §69 (1 Count). 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.**