

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

O & M PARTNERS, LLC DBA CENTRE BAR
1664-1666 DORCHESTER AVENUE
BOSTON, MA 02122
LICENSE#: 011600310
VIOLATION DATE: 11/21/2012
HEARD: 1/15/2013

O & M Partners, LLC dba Centre Bar (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, January 8, 2013, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: c. 138 §34c-Possession of an alcoholic beverage by a person under twenty-one (21) years of age (4 Counts). Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Temple's Report

The following documents are in evidence:

1. Investigator Temple's Investigative Report dated November 21, 2012; and
2. Licensee's Stipulation of Facts.

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

FACTS

1. On Wednesday, November 21, 2012, at approximately 9:45 p. m., Investigators Teehan and Temple investigated the business operation of O & M Partners, LLC dba Centre Bar to determine the manner in which their business was being conducted.
2. Investigators observed a group of youthful looking female individuals seated at a table to the left of the entrance of the licensed premises.
3. Investigators observed these individuals were in possession of alcoholic beverages.
4. Investigators approached the female individuals and asked for proof of age.
5. Jessica Shaughnessey, date of birth [REDACTED] age nineteen (19) years, was observed being in possession of a Magners hard cider. Ms. Shaughnessey stated that she was not asked for identification upon entering the licensed premises.
6. Kate Lee, date of birth [REDACTED] age twenty (20) years, was observed being in possession of a Bud Light beer. Ms. Lee stated that she was not asked for identification upon entering the licensed premises.

1767 0427

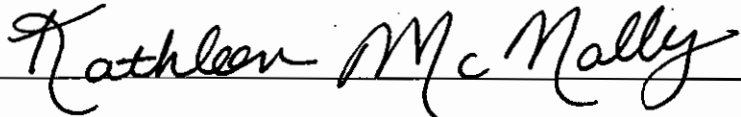
7. Deirdre Cahill, date of birth [REDACTED] age nineteen (19) years, was observed being in possession of a Magners hard cider. Ms. Cahill stated that she was not asked for identification upon entering the licensed premises.
8. Katherine Manning, date of birth [REDACTED] age nineteen (19) years, was observed being in possession of a Bud Light beer. Ms. Manning stated that she was not asked for identification upon entering the licensed premises.
9. Investigators asked to speak with the manager on duty.
10. A male individual, later identified as Anthony McKernan, indicated that he was the manager.
11. Investigators identified the underage females to Mr. McKernan.
12. Investigators informed Mr. McKernan of the violations and that a report would be submitted to the Chief Investigator for review.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated of 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: c. 138 §34c-Possession of an alcoholic beverage by a person under twenty-one (21) years of age (4 Counts). Therefore, the Commission **suspends the license for 10 (10) days of which ten (10) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

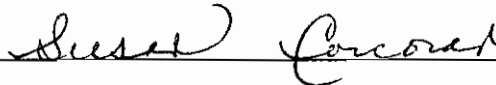
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner



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

Susan Corcoran, Commissioner



DATE: January 16, 2013

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
 Christopher Temple, Investigator
 Administration
 File