

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

RAW RESTAURANT GROUP LLC DBA MIJA
1 FANEUIL HALL PLACE
BOSTON, MA 02126
LICENSE#: 011600072
HEARD 4/10/2012

Raw Restaurant Group LLC dba Mija (the "Licensee") holds an all alcoholic beverages license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, April 10, 2012, regarding alleged violations of M. G. L. c.138, §34 (1 count). Prior to the commencement of the hearing the licensee stipulated to the violation alleged in Investigator Paul Capurso's Investigative Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
 2. Investigator Capurso's Investigative Report dated January 26, 2012; and
 3. Photocopy of Fake Connecticut Driver's License.
- A. Photocopy of assorted driver's licenses.

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

FACTS

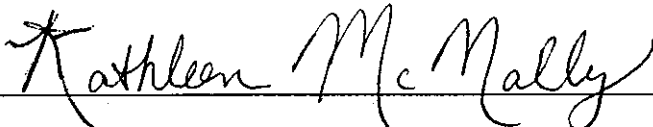
1. On Thursday, January 26, 2012, at approximately 9:30 p. m., Investigators Dennis Keefe and Paul Capurso investigated the business operation of Raw Restaurant Group LLC dba Mija to determine the manner in which their business was being conducted, and to address a complaint regarding open bar.
2. Investigators observed four (4) youthful looking patrons in possession of alcoholic beverages.
3. Investigators approached the table with four (4) youthful looking patrons, identified themselves and asked for proof of age.
4. Investigators observed a youthful looking female patron seated at another table, who tried to finish the remaining beer in a bottle before she got up and walked away.
5. Investigator Capurso approached her and asked for identification.
6. The female patron provided a Connecticut driver's license to Investigator Capurso.
7. Based on his training and experience, Investigator Capurso determined the Connecticut driver's license was a fake.

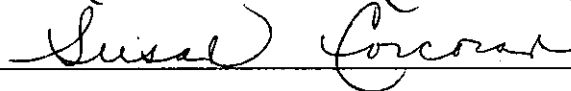
8. Investigator Capurso informed the female patron that he knew the Connecticut license to be a fake, and asked for her real identification.
9. The female patron provided a Connecticut Driver's License in the name of Alyssa Deary, of 26 Senexet Village Rd., Woodstock, CT, date of birth January 3, 1992, age twenty (20) years old.
10. Investigators informed the manager/owner, Mr. Charlie Lerner, of the underage female patron and fake identification.
11. Investigators informed Mr. Lerner of the violations, and that a report would be submitted to the Chief Investigator for review.
12. Investigators issued a warning to Mr. Lerner regarding prohibited practices falling under the Happy Hour guidelines.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated of M. G. L. c.138, §34 (1 count). 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

Kathleen McNally, Commissioner 

Susan Corcoran, Commissioner 

Dated: April 10, 2012

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
Paul Capurso, Investigator
Kevin Kilduff, Esq.
Administration
File