



Jean M. Lorizio, Esq.  
Chairman

Commonwealth of Massachusetts  
Department of the State Treasurer  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
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NOTICE OF SUSPENSION

June 14, 2018

**THE BOSTON LECO CORP. D/B/A MATRIX/UNDERBAR  
71-79 WARRENTON ST.  
BOSTON, MA 02116  
LICENSE#: 0116-00792  
VIOLATION DATE: 10/14/2017  
HEARD: 6/05/2018**

After a hearing on June 5, 2018, the Commission finds The Boston Leco Corp. d/b/a Matrix/Underbar violated 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Ch. 138 § 34C - Possession of an alcoholic beverage by a person under twenty-one (21) years of age (3 counts).

The Commission suspends the license for eleven (11) days of which five (5) days will be served and six (6) days will be held in abeyance for a period of will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.

The suspension shall commence on Wednesday, July 25, 2018 and terminate on Sunday, July 29, 2018. The license will be delivered to the Local Licensing Board or its designee on Wednesday, July 25, 2017 at 9:00 A.M. It will be returned to the Licensee on Monday, July 30, 2018.

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**

A handwritten signature in cursive script, reading "Jean M. Lorizio".

Jean M. Lorizio  
Chairman

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这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Michael Teehan, Investigator  
Jamie Binienda, Investigator  
J. Di Cicco, M. Kenny, J. Kujawski, C. Temple, L. Watson, Investigators  
Stephen J. Delamere, Esq. via facsimile 781-344-0024  
Administration, File



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## DECISION

**THE BOSTON LECO CORP. D/B/A MATRIX/UNDERBAR  
71-79 WARRENTON ST.  
BOSTON, MA 02116  
LICENSE#: 0116-00792  
VIOLATION DATE: 10/14/2017  
HEARD: 6/05/2018**

The Boston Leco Corp. d/b/a Matrix/Underbar (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, June 5, 2018, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34C- Possession of an alcoholic beverage by a person under twenty-one (21) years of age (3 counts). Prior to the start of the hearing, the Licensee stipulated to the violation in Investigator Teehan's report.

The following documents are in evidence:

1. Investigator Teehan's Investigative Report;
2. Licensee's Stipulation of Facts; and
3. Photocopies of Fraudulent Driver's License.

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

The Commission took Administrative Notice of the Licensee's record.

## FINDINGS OF FACT

1. On Saturday, October 14, 2017, at approximately 11:35 p.m., Investigators Binienda, Di Cicco, Lordan, Kenny, Kujawski, Temple, and Teehan, with Chief Investigator Mahony ("Investigators") conducted an investigation of the business operation of The Boston Leco Corp. d/b/a Matrix/Underbar to determine the manner in which its business was being conducted.

2. Investigators observed two female individuals and one male individual in possession of alcoholic beverages. Investigators identified themselves and asked to see proof of legal age.
3. Underage #1, actual date of birth 7/30/1997 (age 20) was in possession of a mixed drink. She presented to Investigators a fraudulent Florida driver's license.
4. Underage #2, actual date of birth 6/5/1997 (age 20) was in possession of a mixed drink. She told Investigators that she was not asked for any identification when she entered the licensed premises.
5. Underage #3, actual date of birth 1/8/1999 (age 18) was in possession of a mixed drink, vodka and tonic. He told Investigators that he was not asked for any identification when he entered the licensed premises.
6. Investigators informed George Paretsis, the manager on duty, of the violations and that a report would be filed with the Chief Investigator for further review.

### 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: M.G.L. c. 138, § 34C- Possession of an alcoholic beverage by a person under twenty-one (21) years of age (3 counts). The Commission **suspends the license for a period of for eleven (11) days of which five (5) days will be served and six (6) 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

Elizabeth A. Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: June 14, 2018

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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