

*Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*  
*95 Fourth Street, Suite 3*  
*Chelsea, Massachusetts 02150-2358*

**Jean M. Lorizio, Esq.**  
*Chairman*

NOTICE OF SUSPENSION

September 6, 2024

**ADARE INC. D/B/A NED DEVINES**  
**2201 FANEUIL HALL MARKET PLACE**  
**BOSTON, MA 02109**  
**LICENSE#: 00508-RS-0116**  
**VIOLATION DATE: 11/22/2023**  
**HEARD: 3/19/2024**

After a hearing on March 19, 2024, the Commission finds Adare Inc. d/b/a Ned Devines 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 a period of one (1) day to be served and one (1) day to be held in abeyance for a period of two (2) years provided that no further violations of Chapter 138 or Commission Regulations are found by this Commission.**

**The 1-day suspension shall be served on Monday, October 21, 2024.** The license will be delivered to the Local Licensing Board or its designee on Monday, October 21, 2024, at 9:00 A.M. It will be returned to the licensee on October 22, 2024.

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**

Jean M. Lorizio  
Chairman

This document is important and should be translated immediately.  
Este documento es importante y debe ser traducido inmediatamente.  
Este documento é importante e deve ser traduzido imediatamente.  
Ce document est important et devrait être traduit immédiatement.  
Questo documento è importante e dovrebbe essere tradotto  
immediatamente.

Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.

这份文件是重要的，应立即进行翻译。

यह दस्तावेज़ महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए

Dokiman sa a enpòtan epi li ta dwe tradwi touswit

‘Đây là tài liệu quan trọng và cần được dịch ngay’

ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

2024-000011-ad-enf

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Nicole Smith, Investigator  
Michael Teehan, Investigator  
Stephen V. Miller, Esq.  
Administration, File



*Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
95 Fourth Street, Suite 3  
Chelsea, Massachusetts 02150-2358*

**Jean M. Lorizio, Esq.**  
*Chairman*

**DECISION**

**ADARE INC. D/B/A NED DEVINES  
2201 FANEUIL HALL MARKET PLACE  
BOSTON, MA 02109  
LICENSE#: 00508-RS-0116  
VIOLATION DATE: 11/22/2023  
HEARD: 3/19/2024**

Adare Inc. d/b/a Ned Devines ("Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, March 19, 2024, regarding an alleged violation of 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). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Temple's Report.

The following documents are in evidence:

1. Investigator Temple's Report;
2. Photograph of Fraudulent Driver's Licenses;
3. ABCC Form 43, Transfer of License Approval, 9/11/2002;
4. ABCC Decision, 11/6/2012;
5. Licensee's Stipulation of Facts.

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

**FINDINGS OF FACT**

1. On Wednesday, November 22, 2023, at approximately 11:10 p.m., Investigators Teehan, Temple, and Smith ("Investigators") inspected Adare Inc. d/b/a Ned Devines ("Licensee") to determine the way its business was being conducted.
2. At the bar on the first floor, Investigators observed a youthful appearing female individual in possession of what appeared to be alcoholic beverages.
3. Investigators identified themselves and requested proof of legal age to possess alcoholic beverages.

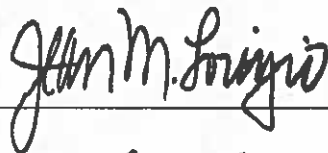
4. Underage #1, actual date of birth 9/09/2004 (age 19), was in possession of a tequila and soda mixed drink. She presented to Investigators a fraudulent New York driver's license bearing her name but a different birth date.
5. Investigators went upstairs to the middle bar on the second floor where they observed youthful appearing male individuals in possession of malt alcoholic beverages.
6. Underage #2, actual date of birth 6/29/2003 (age 20) was in possession of a Michelob Ultra beer. He presented to Investigators a Massachusetts driver's license bearing the name of another and a birth date of 1/4/2001. Investigators observed that the facial features of the person pictured on the identification did not resemble the person in front of them, and the height listed on the license was 6 feet but Underage #2 appeared to be approximately 5 feet 9 inches.
7. Underage #3, actual date of birth 5/15/2001 (age 20) was in possession of a Michelob Ultra beer. He presented to Investigators a Massachusetts driver's license bearing the name of another and a birth date of 11/8/1999. Investigators observed the facial features of the person pictured on the license did not resemble those of the person before them.
8. Investigators spoke with the door staff and the manager on duty and informed them of the violations.
9. Todd Bennett, Director of Operations, appeared on behalf of the Licensee. The Commission was informed the Licensee conducted a full retraining of staff after this incident. In addition, each day pre and post meals, the Licensee emphasizes to employees the importances of ensuring underage patrons are not served alcoholic beverages and goes over properly checking identification. The Licensee has stressed the importance of closely examining identification.
10. The Licensee has held a license under M.G.L. c. 138, § 12 since 2002 with one violation in 2012.

#### 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: Ch.138 § 34C – Possession of an alcoholic beverage by a person under twenty-one (21) years of age (3 Counts). As a result, the Commission **suspends the license for a period of two (2) days of which one (1) day will be served and one (1) day will be held in abeyance for a period of two (2) years provided that no further violations of Chapter 138 or Commission Regulations are found by this Commission.**

#### ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



Dated: September 6, 2024

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.

This document is important and should be translated immediately.  
Este documento es importante y debe ser traducido inmediatamente.  
Este documento é importante e deve ser traduzido imediatamente.  
Ce document est important et devrait être traduit immédiatement.  
Questo documento è importante e dovrebbe essere tradotto  
immediatamente.

Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.

这份文件是重要的，应立即进行翻译。

यह दस्तावेज़ महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए

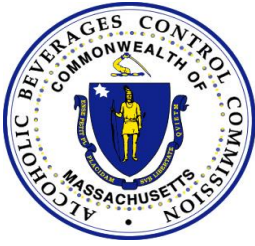
Dokiman sa a enpòtan epi li ta dwe tradwi touswit

‘Đây là tài liệu quan trọng và cần được dịch ngay’

ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

2024-000011-ad-enf

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Nicole Smith, Investigator  
Michael Teehan, Investigator  
Stephen V. Miller, Esq.  
Administration, File



*Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*  
*95 Fourth Street, Suite 3*  
*Chelsea, Massachusetts 02150-2358*

**Jean M. Lorizio, Esq.**  
*Chairman*

NOTICE OF SUSPENSION

September 6, 2024

**ADARE INC. D/B/A NED DEVINES**  
**2201 FANEUIL HALL MARKET PLACE**  
**BOSTON, MA 02109**  
**LICENSE#: 00508-RS-0116**  
**VIOLATION DATE: 11/22/2023**  
**HEARD: 3/19/2024**

After a hearing on March 19, 2024, the Commission finds Adare Inc. d/b/a Ned Devines 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 a period of one (1) day to be served and one (1) day to be held in abeyance for a period of two (2) years provided that no further violations of Chapter 138 or Commission Regulations are found by this Commission.**

**The 1-day suspension shall be served on Monday, October 21, 2024.** The license will be delivered to the Local Licensing Board or its designee on Monday, October 21, 2024, at 9:00 A.M. It will be returned to the licensee on October 22, 2024.

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**

Jean M. Lorizio  
Chairman

This document is important and should be translated immediately.  
Este documento es importante y debe ser traducido inmediatamente.  
Este documento é importante e deve ser traduzido imediatamente.  
Ce document est important et devrait être traduit immédiatement.  
Questo documento è importante e dovrebbe essere tradotto  
immediatamente.

Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.

这份文件是重要的，应立即进行翻译。

यह दस्तावेज़ महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए

Dokiman sa a enpòtan epi li ta dwe tradwi touswit

‘Đây là tài liệu quan trọng và cần được dịch ngay’

ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

2024-000011-ad-enf

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Nicole Smith, Investigator  
Michael Teehan, Investigator  
Stephen V. Miller, Esq.  
Administration, File