



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

Jean M. Lorizio, Esq.
Chairman

**MEMORANDUM AND ORDER ON LICENSEE'S
REQUEST FOR RECONSIDERATION**

**MOE BROTHERS LLC D/B/A LATINOS FALCON BAR & BILLIARDS
158 BROADWAY
CHELSEA, MA 02150
LICENSE#: 00087-RS-0202**

Moe Brothers LLC d/b/a Latinos Falcon Bar & Billiards (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the "ABCC" or "Commission") held a hearing on Tuesday, October 20, 2020 regarding alleged violations of:

- 1) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Massachusetts Executive COVID-19 Order No. 37 (June 6, 2020) - Violation of sector specific workplace safety standards for restaurants to address COVID-19;
- 2) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Massachusetts Executive COVID-19 Order No. 40 (June 19, 2020) - Violation of sector specific workplace safety standards for restaurants to address COVID-19;
- 3) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Violation of Massachusetts Executive COVID-19 Order No. 46 (August 7, 2020).

By decision dated November 19, 2020 the Commission found the Licensee in violation of the charges and indefinitely suspended the License effective forthwith until further written order from this Commission.

The Commission stated that it would consider issuing a further order upon written request of the Licensee showing good cause to reconsider this indefinite suspension. Good cause for the Commission would include, but not be limited to, the Licensee's receiving approval from the Massachusetts Department of Labor Standards ("DLS") as to a reopening plan.

On November 25, 2020, the Licensee submitted a written request to reconsider the indefinite suspension. On November 30, 2020, the Commission received the letter of approval from Massachusetts Department of Labor Standards ("DLS").

CONCLUSION

Based on the evidence presented, the Commission reconsiders and reverses its prior order of **INDEFINITE SUSPENSION** of the license of Moe Brothers LLC d/b/a Latinos Falcon Bar & Billiards effective forthwith.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Deborah A. Baglio, Commissioner Deborah A. Baglio

Jean M. Lorizio, Chairman Jean M. Lorizio

Crystal Matthews, Commissioner Crystal Matthews

Dated: December 3, 2020

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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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
David Bolcome, Investigator
Joseph Di Cicco, Investigator
Robert Gardner, Investigator
Michael Flanagan, Dept. of Labor Standards
Audie Cote, Esq.
Administration, File