



*The Commonwealth of Massachusetts*  
*Department of the State Treasurer*  
*Alcoholic Beverages Control Commission*  
*Boston, Massachusetts 02114*

*Steven Grossman*  
*Treasurer and Receiver General*

*Kim S. Gainsboro, Esq.*  
*Chairman*

**NOTICE OF SUSPENSION**

October 9, 2013

**BLUE DIAMOND VENTURES INC. DBA SIMPLE MAN SALOON**  
**119-21 HIGH STREET**  
**CLINTON, MA 01510**  
**LICENSE #: 023400020**  
**HEARD: 10/08/2013**

After a hearing on October 8, 2013, the Commission finds Blue Diamond Ventures Inc. dba Simple Man Saloon in violation of 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: c. 138 §34 Sale or Delivery of an Alcoholic Beverage to a person under twenty-one (21) years of age.

The Commission **suspends the licensee's license for a total of five (5) days to be served. The suspension shall commence on Wednesday, November 20, 2013, and terminate on Sunday, November 24, 2013.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, November 20, 2013 at 9:00 A.M. It will be returned to the licensee Monday, November 25, 2013.

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. All checks must be certified and accompanied by the enclosed form, which must be signed by 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**

Kim S. Gainsboro  
Chairman

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Rose Bailey, Investigator  
Brad Doyle, Investigator  
Administration  
File



*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**

**BLUE DIAMOND VENTURES INC. DBA SIMPLE MAN SALOON**  
**119-21 HIGH STREET**  
**CLINTON, MA 01510**  
**LICENSE #: 023400020**  
**HEARD: 10/08/2013**

Blue Diamond Ventures Inc. dba Simple Man Saloon (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, October 8, 2013, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: c. 138 §34 Sale or Delivery of an Alcoholic Beverage to a person under twenty-one (21) years of age.

Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Bailey's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Bailey's Compliance Check Field Report dated April 11, 2013.

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

FACTS

1. On April 11, 2013 at approximately 6:54 p.m., Investigators Bailey and Doyle conducted an investigation of the business operation of Blue Diamond Ventures Inc. dba Simple Man Saloon.
2. An underage operative working with investigators purchased an alcoholic beverage, a Bud Light Bottle, for three dollars (\$3.00). The underage operative was not asked for identification.

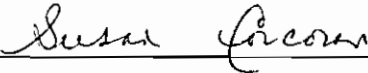
CONCLUSION

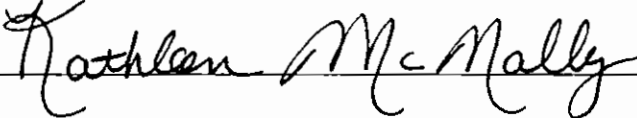
Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: c. 138 §34 Sale or Delivery of an Alcoholic Beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for four (4)**

days of which two (2) days will be served and two (2) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.

By decision dated December 23, 2011, the Commission had previously ordered a three (3) day license suspension, but had held the suspension in abeyance for a period of two (2) years provided no further violations occurred. Based on the violation found above, the licensee violated the conditions of that three (3) day suspension being held in abeyance. The Commission hereby orders that suspension to be served on and after the two (2) day suspension. The licensee will serve a total five (5) days.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Susan Corcoran, Commissioner 

Kathleen McNally, Commissioner 

Dated: October 9, 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  
Rose Bailey, Investigator  
Brad Doyle, Investigator  
Administration  
File