



*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**

**Tim E. Hamilton dba The Depot**  
**450 West Housatonic Street**  
**Dalton, MA 01226**  
**License #: 026200023**  
**Heard: August 2, 2011**

Tim E. Hamilton dba The Depot (the "Licensee") holds an all alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, August 2, 2011, regarding an alleged violation of 204 CMR 4.03 (2) detailed in Investigator Jan Kujawski's report.

The following document is in evidence:

1. Investigator Jan Kujawski's Report dated May 13, 2011.

There is one (1) tape of this hearing.

**FACTS**

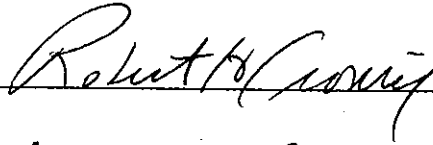
1. Investigator Kujawski's violation report states on Friday, May 13, 2011, he spoke to the manager of Tim E. Hamilton dba The Depot about an advertisement on its Facebook Page on the internet.
2. The advertisement stated, "The first 50 people with paid cover charge drink Budweiser and Bud Light for free."
3. Investigator Hooton printed out a copy of the advertisement on the morning of May 3, 2011.
4. The licensee did not appear at the hearing.

**CONCLUSION**

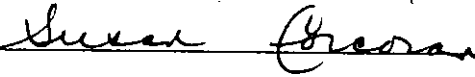
Based on the evidence, the Commission find the licensee violated 204 CMR 4.03(2). Therefore, The Commission **suspends the licensee's license for a period of three (3) days.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Robert H. Cronin, Commissioner



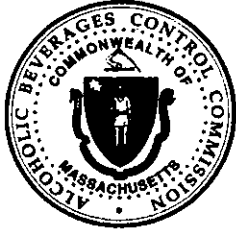
Susan Corcoran, Commissioner



Dated: September 28, 2011

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  
Jan Kujawski, Investigator  
Administration  
File



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NOTICE OF SUSPENSION

September 28, 2011

**Tim E. Hamilton dba The Depot**  
**450 West Housatonic Street**  
**Dalton, MA 01226**  
**License #: 026200023**  
**Heard: August 2, 2011**

After a hearing on July 26, 2011, the Commission finds Tim E. Hamilton dba The Depot in violation of 204 CMR 4.03 (2).

The Commission **suspends the licensee's license for a total of two (2) days to be served**. The suspension shall commence on **Wednesday, November 16, 2011** and terminate on **Friday, November 18, 2011**. The license will be delivered to the Local Licensing Board or its designee on Wednesday, November 16, 2011 at 9:00 A.M. It will be returned to the licensee on Saturday, November 19, 2011.

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  
Jan Kujawski, Investigator  
Administration  
File