

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

September 20, 2011

RENDEZVOUS LOUNGE INCORPORATED
473 RIVERSIDE STREET
DRACUT, MA 01826
LICENSE#: 029200027
HEARD: 08/23/2011

After a hearing on August 23, 2011, the Commission finds Rendezvous Lounge Incorporated in violation of M.G.L. c. 94, §186.

The Commission **suspends the licensee's license for a total of eight (8) days to be served**. The suspension shall commence on **Wednesday, November 9, 2011 and terminate on Wednesday, November 16, 2011**. The license will be delivered to the Local Licensing Board or its designee on Wednesday, November 9, 2011 at 9:00 A.M. It will be returned to the licensee Thursday, November 17, 2011.

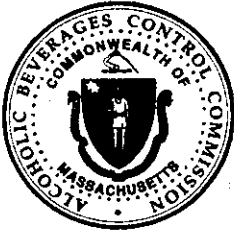
You are advised that pursuant to the provisions of M.G.L. c.138 §23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form. All checks must 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
Rosemary Egan-Bailey, Investigator
Administration
File



The Commonwealth of Massachusetts
Department of the State Treasurer
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DECISION

Kim J. Gainsboro, Esq.
Chairman

RENDEZVOUS LOUNGE INCORPORATED
473 RIVERSIDE STREET
DRACUT, MA 01826
LICENSE#: 029200027
HEARD: 08/23/2011

Rendezvous Lounge Incorporated (the "Licensee") holds an all alcohol license issued pursuant to Massachusetts General Laws Chapter 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, August 23, 2011, regarding an alleged violation of M.G.L. c. 94, §186. Prior to the commencement of the hearing, the licensee stipulated to the violation detailed in Investigator Rosemary Egan-Bailey's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Rosemary Egan-Bailey's Report; and
3. Box of Containing Four (4) Bottles of Alcoholic Beverages.

There is one (1) tape of this hearing.

FACTS

1. On, May 17, 2011 at approximately 11:45 a.m., Commission Investigators investigated the business operation Rendezvous Lounge Incorporated.
2. The Investigators informed the bartender they would be conducting an inspection of the licensed premises.
3. While waiting for Mr. Carbone, who is listed as the corporate President, Treasurer and Licensed Manager, investigators conducted an inspection of the licensed premises.
4. An inspection of the bar area revealed multiple bottles of alcoholic beverages containing a foreign matter, specifically fruit flies. The following four (4) bottles were taken as evidence (Ex 2)
 - 12 Ouso-750 ml.
 - Crème de Cacao-750 ml.
 - Crème de Strawberry Fraise-750 ml.
 - Coffee Flavored Brandy- 1L.
5. An administrative review of the file reveals that the licensee has committed prior violations of either M.G.L. c. 138 or Commission regulations.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated M.G.L. c. 94, §186. The Commission **suspends the license for eight (8) days due to prior violations.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro, Chairman



I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Susan Corcoran, Commissioner



Dated: September 20, 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
Rosemary Egan-Bailey, Investigator
Administration
File