

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

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

January 22, 2025

SHREE LAXMI CORP. D/B/A SCOTT'S FINE WINES & SPIRITS
646 WASHINGTON STREET, UNITS 6-8
EASTON, MA 02375
LICENSE#: 00037-PK-0368
VIOLATION DATE: 9/13/2024
HEARD: 11/05/2024

After a hearing on November 5, 2024, the Commission finds Shree Laxmi Corp. d/b/a Scott's Fine Wines & Spirits violated M.G.L. Ch. 138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (4 Counts).

The Commission **suspends the license for a period of 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 are found by this Commission.**

The suspension shall commence on Monday, March 10, 2025, and terminate on Tuesday, March 11, 2025. The license will be delivered to the Local Licensing Board or its designee on Monday, March 10, 2025, at 9:00 A.M. It will be returned to the licensee on March 12, 2025.

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

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Dokiman sa a enpòtan epi li ta dwe tradwi touswit
‘Đây là tài liệu quan trọng và cần được dịch ngay’
ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

2024-000181-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Katherine McCormick, Associate General Counsel
Brian Gould, Investigator
Jamie Binienda, Investigator
Jon Aieta, 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

SHREE LAXMI CORP. D/B/A SCOTT'S FINE WINES & SPIRITS
646 WASHINGTON STREET, UNITS 6-8
EASTON, MA 02375
LICENSE#: 00037-PK-0368
VIOLATION DATE: 9/13/2024
HEARD: 11/05/2024

Shree Laxmi Corp. d/b/a Scott's Fine Wines & Spirits ("Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, November 5, 2024, regarding an alleged violation of M.G.L. Ch. 138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (4 Counts). Prior to the commencement of the hearing the Licensee stipulated to the facts alleged in Investigator Gould's report.

The following documents are in evidence:

1. Violation Report of Investigator B. Gould;
2. ABCC Form 43, Transfer of License Approval, 1/29/2013;
3. Photographs of Fraudulent Identifications;
4. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Friday, September 13, 2024, at approximately 7:30 p.m., Investigators Gould and Binienda ("Investigators") began conducting surveillance outside of Shree Laxmi Corp. d/b/a Scott's Fine Wines & Spirits ("Licensee").
2. At approximately 7:45 p.m., Investigators observed a youthful appearing female individual enter the licensed premises and minutes later exit in possession of alcoholic beverages. Investigators identified themselves and requested proof of legal age to purchase and/or possess alcoholic beverages.
3. Underage #1, actual date of birth 12/24/2005 (age 18), was in possession of one 6-pack of Mikes Hard Lemonade; one 12-pack of SunCruiser Hard Iced Tea, and one 12-pack of Surfside Hard Seltzers. She presented to Investigators a fraudulent New Jersey driver's

license bearing the name of another person and with a different birth date which she stated she used to purchase the alcoholic beverages.

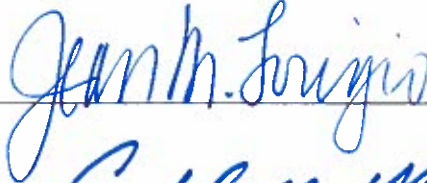
4. At approximately 8:00 p.m., Investigators observed a youthful appearing male individual enter the licensed premises, and minutes later exit in possession of alcoholic beverages. Investigators identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
5. Underage #2, actual date of birth 6/22/2006 (age 18), was in possession of one 18-pack of Coors Light beer; one 12-pack of Noca Hard Lemonade, and one liter of Smirnoff vodka. He presented to Investigators a fraudulent Connecticut driver's license bearing his name but a different birth date which he stated he used to purchase the alcoholic beverages.
6. At approximately 8:03 p.m., Investigators observed a youthful appearing male individual enter the licensed premises, and minutes later exit in possession of alcoholic beverages. Investigators identified themselves and asked to see proof of lawful age to purchase and/or possess alcoholic beverages.
7. Underage #3, actual date of birth 11/20/2005 (age 18), presented to Investigators a fraudulent Massachusetts driver's license bearing his name but a different birth date which he stated he used to purchase the alcoholic beverages. Underage #3 was in possession of one 18-pack of Michelob Ultra beer; one 6-pack of Coors Light beer, and four sleeves of Dr. McGillicuddy nips.
8. At approximately 8:37 p.m., Investigators observed a youthful appearing male individual enter the licensed premises, and shortly thereafter exit in possession of alcoholic beverages. Investigators identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
9. Underage #4, actual date of birth 5/31/2005 (age 19), presented to Investigators a fraudulent Massachusetts driver's license bearing his name but a different birth date which he stated he used to purchase the alcoholic beverages. Underage #3 was in possession of one 12-pack of Twisted Tea.
10. At approximately 8:40 p.m., Investigators entered the licensed premises and spoke to the Licensee, Nigam Dixit. Investigators informed Mr. Dixit of the above violations and that a report would be submitted to the Chief Investigator for further review.
11. Mr. and Mrs. Dixit appeared at the Commission hearing. The Commission was informed the Licensee has used this incident as a teaching opportunity for themselves and staff. A new identification scanner has been ordered and Mr. Dixit was recertified via TIPS training.
12. The Licensee has held a license under M.G.L. c. 138, § 15 since 2013 with no prior violations.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (4 Counts). Therefore, the Commission **suspends the license for a period of 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 are found by this Commission.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah Baglio, Commissioner



Dated: January 21, 2025

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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Dokiman sa a enpòtan epi li ta dwe tradwi touswit

'Đây là tài liệu quan trọng và cần được dịch ngay'

ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

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