

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

March 1, 2012

K.R.B. CORP. INC. DBA LOG CABIN
135 WESTMINSTER ST.
FITCHBURG, MA 01420
LICENSE#: 039400057
HEARD 2/28/2012

After a hearing on February 28, 2012, the Commission finds K.R.B. Corp. Inc. dba Log Cabin in violation of M.G.L. c.138 §23 (3 counts).

The Commission **suspends the licensee's license for a total of one (1) day to be served.** The suspension shall commence on **Wednesday, April 18, 2012 and terminate on Wednesday, April 18, 2012.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, April 18, 2012 at 9:00 A.M. It will be returned to the licensee Thursday, April 19, 2012.

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.

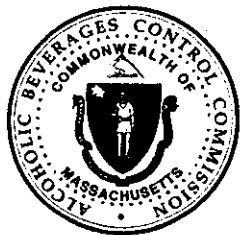
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro
Chairman

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Timothy Hooton, Investigator
✓ David P. Muller, Esq. via facsimile
Administration
File

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The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
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DECISION

K.R.B. CORP. INC. DBA LOG CABIN
135 WESTMINSTER ST.
FITCHBURG, MA 01420
LICENSE#: 039400057
HEARD 2/28/2012

K.R.B. Corp. Inc. dba Log Cabin (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, February 28, 2012, regarding an alleged violation of M.G.L. c.138 §23 (3 counts). Prior to the commencement of the hearing, the licensee stipulated to the violations alleged in Investigator Timothy Hooton's Investigative Report.

The following documents and physical items are in evidence as exhibits:

1. Licensee's Stipulation of Facts;
2. Investigator Hooton's Investigative Report dated September 28, 2011;
3. Two (2) bottles of alcoholic beverages; and
4. One (1) Receipt from The Country Mile, Rt. 31, Greenville, NH dated September 21, 2011 in the amount of two hundred fifty-six dollars and ninety-seven cents (\$256.97).

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

FACTS

1. On Wednesday, September 21, 2011, at approximately 3:45 p. m., Investigators Jamie Binienda and Timothy Hooton investigated the business operation of K.R.B. Corp. Inc. dba Log Cabin to determine the manner in which their business was being conducted.
2. Investigators had received a complaint stating that the licensee was buying alcohol from a package store in New Hampshire.
3. Investigators conducted an inspection of the bar area and found two (2) bottles with retail package store stickers on them.
4. The two (2) bottles taken into evidence were:
 - a) Bacardi Rum, 1.75 liters; and
 - b) Riunite Wine.
5. Investigators spoke to the owner, Mr. Brian Keenan, and asked him if he had purchased any alcohol from a package store.


6. Mr. Keenan produced a receipt from The Country Mile Store in Greenville, New Hampshire, with alcohol sales totaling two hundred fifty-six dollars and ninety-seven cents (\$256.97).
7. Mr. Keenan admitted the alcohol purchased was for the licensed premises.
8. Investigators informed Mr. Keenan of the violation, and that a report would be submitted to the Chief Investigator for further action.

CONCLUSION

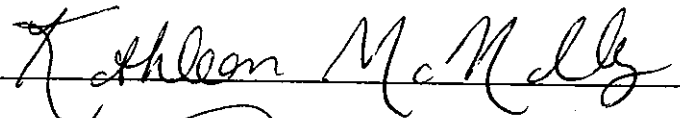
Based on the evidence, the Commission finds the licensee violated of M.G.L. c.138 §23 (3 counts). The Commission **suspends the licensee's license for three (3) days, of which one (1) day will be served, and two (2) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Susan Corcoran, Commissioner



Kathleen McNally, Commissioner



Kim S. Gainsboro, Chairman



Dated: March 1, 2012

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
Timothy Hooton, Investigator
David P. Muller, Esq. via facsimile
Administration
File

