



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

*Deborah B. Goldberg*  
*Treasurer and Receiver General*

*Kim J. Gainsboro, Esq.*  
*Chairman*

NOTICE OF SUSPENSION

October 15, 2015

**CRGE FOXBOROUGH, LLC DBA TOBY KEITH'S I LOVE THIS BAR & GRILL**  
**275 PATRIOT PLACE**  
**FOXBOROUGH, MA 02035**  
**LICENSE#: 042600058**  
**VIOLATION DATE: 07/25/2015**  
**HEARD: 10/13/2015**

After a hearing on October 13, 2015, the Commission finds CRGE Foxborough, LLC dba Toby Keith's I Love This Bar & Grill violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: c. 138, §34C- Possession of an alcoholic beverage by a person under 21 years of age (1 count).

The Commission suspends the Licensee's license for a total of three (3) days to be served with the balance of (2) two days suspended for 2 years. The suspension shall commence on Wednesday, December 2, 2015, and terminate on Friday, December 4, 2015. The license will be delivered to the Local Licensing Board or its designee on Wednesday, December 2, 2015 at 9:00 A.M. It will be returned to the licensee Saturday, December 5, 2015.

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 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

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Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.  
这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Joseph Di Cicco, Investigator  
Dennis Keefe, Investigator  
Christopher Temple, Investigator  
Administration  
File



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**DECISION**

**CRGE FOXBOROUGH, LLC DBA TOBY KEITH'S I LOVE THIS BAR & GRILL**  
**275 PATRIOT PLACE**  
**FOXBOROUGH, MA 02035**  
**LICENSE#: 042600058**  
**VIOLATION DATE: 07/25/2015**  
**HEARD: 10/13/2015**

CRGE Foxborough, LLC dba Toby Keith's I Love This Bar & Grill (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 13, 2015, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: c. 138, §34C- Possession of an alcoholic beverage by a person under 21 years of age (1 count). Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Di Cicco's Report.

The following documents are in evidence:

1. Investigator Di Cicco's Investigative Report dated July 25, 2015;
  2. Licensee's Stipulation of Facts;
  3. Fake Massachusetts Driver's License; and
  4. Fake Connecticut Driver's License.
- 
- A. Licensee's Security Handbook;
  - B. Employee Handbook;
  - C. Photograph of ID bracelets; and
  - D. Photocopies of TIPS Certificates.

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

The Commission took Administrative Notice of the Licensee's record.

### FACTS

1. On Saturday, July 25, 2015, at approximately 7:20 p.m., Investigators Keefe, Temple, and Di Cicco ("Investigators") investigated the business operation of CRGE Foxborough, LLC dba Toby Keith's I Love This Bar & Grill to determine the manner in which the business was being conducted.
2. Investigators observed two youthful looking individuals in possession of alcoholic beverages.
3. Minor #1, actual date of birth 01/27/1997 (age 18) was in possession of a vodka tonic.
4. Minor #2, actual date of birth 08/26/1996 (age 18) was in possession of a 32 ounce Budweiser Light beer.
5. Minor #1 provided Investigators with a false Connecticut driver's license but said she used her real identification to enter the licensed premises, and she did not purchase an alcoholic beverage.
6. Minor #2 provided Investigators with a Massachusetts driver's license in the name of another person. She stated that she had purchased both alcoholic beverages and handed the vodka tonic to minor #1.
7. Investigators identified the minors to the bar manager, Matthew Pezold.
8. Investigators informed Mr. Pezold of the violation and that a report would be submitted to the Chief Investigator for review.

### 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, §34C- Possession of an alcoholic beverage by a person under 21 years of age (1 count).

Therefore, the Commission suspends the license for five (5) days of which three (3) 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.

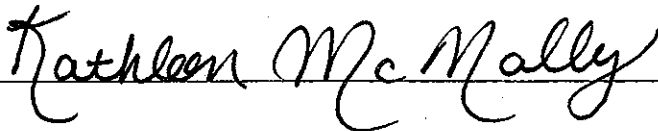
### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Elizabeth A. Lashway, Commissioner



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

Kathleen McNally, Commissioner



Dated: October 15, 2015

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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