



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

Deborah B. Goldberg
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

NOTICE OF SUSPENSION

April 29, 2015

MAJESTIC DRAGON RESTAURANT INC.
81 NEWBURYPORT TPK
IPSWICH, MA 01938
LICENSE#: 056600020
VIOLATION DATE: 03/23/2015
HEARD: 04/28/2015

After a hearing on April 28, 2015, the Commission finds Majestic Dragon Restaurant Inc. violated 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age.

The Commission suspends the licensee's license for a total of five (5) days to be served. The suspension shall commence on Wednesday, June 17, 2015 and terminate on Sunday June 21, 2015. The license will be delivered to the Local Licensing Board or its designee on Wednesday, June 17, 2015 at 9:00 A.M. It will be returned to the licensee Monday, June 22, 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. All checks must be certified and accompanied by the enclosed form, which must be signed by a Massachusetts Licensed Accountant.

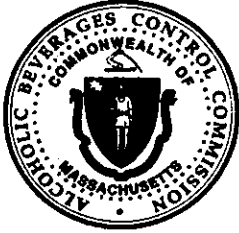
You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro
Chairman

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Timothy Hooton, Investigator
Caroline Guarino-Wilichoski, Investigator
Administration
File

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Department of the State Treasurer
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DECISION

MAJESTIC DRAGON RESTAURANT INC.
81 NEWBURYPORT TPK
IPSWICH, MA 01938
LICENSE#: 056600020
VIOLATION DATE: 03/23/2015
HEARD: 04/28/2015

Majestic Dragon Restaurant Inc. (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, April 28, 2015, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Hooton's Report.

The following documents are in evidence:

1. Investigator Hooton's Compliance Check Field Report dated March 23, 2015;
 2. Licensee's Stipulation of Facts;
 3. Photograph of Underage Operative; and
 4. Notice of Violation.
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- A. Letter dated April 22, 2015 from M. Rasenstein; and
 - B. Statement of License Manager, A. Woo.

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

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

FACTS

1. On Monday, March 23, 2015, at approximately 6:29 p.m., Investigators Guarino-Wilichoski and Hooton conducted an investigation of the business operation of Majestic Dragon Restaurant Inc.
2. While on the licensed premises an underage operative working with investigators purchased from the Licensee an alcoholic beverage, a bottle of Budweiser Light beer, for three dollars and fifty cents (\$3.50). The underage operative was not asked for identification.

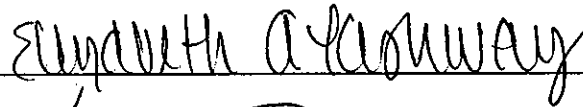
CONCLUSION

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, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for three (3) days of which three (3) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

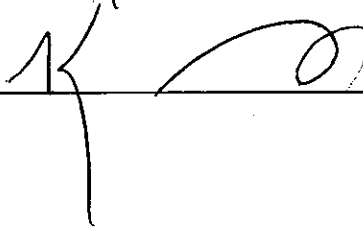
By decision dated May 15, 2014, the Commission had previously ordered a fifteen (15) day license suspension, with ten (10) days to be served and five (5) days to be held in abeyance for a period of two (2) years provided no further violations occurred. Based on the violation found above, the licensee violated the conditions of that five (5) day suspension being held in abeyance. The Commission hereby orders that suspension to be served. The licensee will serve a total five (5) days.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Elizabeth Lashway, Commissioner



Kim S. Gainsboro, Chairman



Dated: April 29, 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.

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Timothy Hooton, Investigator
Caroline Guarino-Wilichoski, Investigator
Administration
File