



*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
Telephone: 617-727-3040
Facsimile: 617-727-1510*

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

March 29, 2018

**ACQUA LOUNGE INC.
151-153 ESSEX ST.
LAWRENCE, MA 01840
LICENSE#: 0594-00239
VIOLATION DATE: 10/21/2017
HEARD: 3/27/2018**

After a hearing on March 27, 2018, the Commission finds Acqua Lounge Inc. violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34C- Possession of an alcoholic beverage by a person under twenty-one (21) years of age (2 counts).

The Commission suspends the license for a period of six (6) days of which three (3) days will be served, and 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.

The suspension shall commence on Wednesday, May 16, 2018 and terminate on Friday, May 18, 2018. The license will be delivered to the Local Licensing Board or its designee on Wednesday, May 16, 2018 at 9:00 A.M. It will be returned to the Licensee on May 19, 2018.

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.

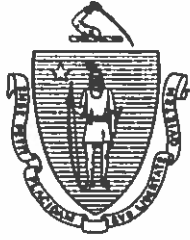
ALCOHOLIC BEVERAGES CONTROL COMMISSION

A handwritten signature in cursive script, appearing to read "Jean M. Lorizio".

Jean M. Lorizio
Chairman

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这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Christopher Temple, Investigator
Joseph Di Cicco, Investigator
Dennis Keefe, Investigator
Robert F. Kelley, Esq. via facsimile 978-975-1658
Administration, File



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Chairman

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DECISION

**ACQUA LOUNGE INC.
151-153 ESSEX ST.
LAWRENCE, MA 01840
LICENSE#: 0594-00239
VIOLATION DATE: 10/21/2017
HEARD: 3/27/2018**

Acqua Lounge 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, March 27, 2018, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34C- Possession of an alcoholic beverage by a person under twenty-one (21) years of age (2 counts). Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Temple's Report.

The following documents are in evidence:

1. Investigator Temple's Investigative Report;
2. Licensee's Stipulation of Facts; and
3. Photocopy of Fraudulent Drivers' Licenses.

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

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

FINDINGS OF FACT

1. On Saturday, October 21, 2017, at approximately 12:40 a.m., Investigators Keefe, Di Cicco, and Temple ("Investigators"), along with Sergeant Jay Cerullo and other members of the Lawrence Police Department, with members of the Massachusetts State Police, conducted an investigation of the business operation of Acqua Lounge Inc. to determine the manner in which its business was being conducted.
2. While on the licensed premises Investigators observed two youthful appearing females, at the back left side of the bar, in possession of alcoholic beverages. Investigators identified themselves and asked to see proof of legal age.

3. Underage #1, actual date of birth 6/27/1997 (age 20) was in possession of a glass of champagne, Moet Chandon Ice Imperial. She presented Investigators with a false Rhode Island driver's license.
4. Underage #2, actual date of birth 4/22/1997 (age 20) was in possession of a glass of champagne, Moet Chandon Ice Imperial. She presented Investigators with a false Rhode Island driver's license.
5. Investigators identified the underage individuals to Alexis Cepeda, who stated that he was the sole owner and manager. Investigators informed Mr. Cepeda of the violations and that a report would be filed with the Chief Investigator for further action.

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: M.G.L. c. 138, § 34C- Possession of an alcoholic beverage by a person under twenty-one (21) years of age (2 counts). The Commission **suspends the license for a period of six (6) days of which three (3) days will be served, and 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.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner



Elizabeth A. Lashway, Commissioner



Dated: March 29, 2018

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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