

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

Steven Grossman
Treasurer and Receiver General

NOTICE OF SUSPENSION

Kim S. Gainsboro, Esq.
Chairman
April 17, 2012

BELMONT, INC. DBA L.A.W. GRILL
2 AMESBURY ST.
LAWRENCE, MA 01841
LICENSE#: 059400152
HEARD: 02/14/2012

After a hearing on February 14, 2012, the Commission finds Belmont, Inc. dba L.A.W. Grill in violation of:

- 1) 204 CMR 2.05, to wit: M.G.L. c. 138, §12;
- 2) 204 CMR 2.05, to wit: 527 CMR 10.13 (2) (d); and
- 3) 204 CMR 2.05, to wit: 527 CMR 10.13 (2) (e).

The Commission suspends the licensee's license for a total of thirteen (13) days to be served. The suspension shall commence on **Wednesday May 30, 2012** and terminate on **Monday June 11, 2012**. The license will be delivered to the Local Licensing Board or its designee on Wednesday May 30, 2012 at 9:00 A.M. It will be returned to the licensee Tuesday, June 12, 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.

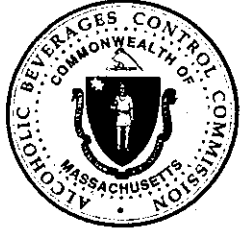
You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro
Chairman

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Dennis Keefe, Investigator
✓Administration
File

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

Steven Grossman
Treasurer and Receiver General

Kim J. Gainsboro, Esq.
Chairman

DECISION

BELMONT, INC. DBA L.A.W. GRILL
2 AMESBURY ST.
LAWRENCE, MA 01841
LICENSE#: 059400152
HEARD: 02/14/2012

Belmont, Inc. dba L.A.W. Grill (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 14, 2012, regarding an alleged violation of:

- 1) 204 CMR 2.05, to wit: M.G.L. c. 138, §12;
- 2) 204 CMR 2.05, to wit: 527 CMR 10.13 (2) (d); and
- 3) 204 CMR 2.05, to wit: 527 CMR 10.13 (2) (e).

Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Dennis Keefe's report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Dennis Keefe's Report.

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

FACTS

1. On Saturday, October 1, 2011 at approximately 1:00 a.m., Investigators Keefe, Bailey and Chief Investigator Mahony entered Belmont, Inc. dba L.A.W. Grill to determine the manner in which the business was conducted.
2. Investigators identified themselves to the manager on duty, Juan Jerez.
3. Investigators asked Mr. Jerez to see his liquor license.
4. The outside area, which was a patio, was not licensed.
5. However, investigators observed two (2) males in possession of Corona's on the patio.
6. Investigator Bailey spoke with Mr. Jerez regarding the crowd manager and safety checklist.
7. Mr. Jerez stated that there was no crowd manager and that he did not fill out the necessary paperwork.
8. Investigator Bailey informed Mr. Jerez of the crowd manager guidelines.
9. Investigators informed Mr. Jerez of the violations and that a report would be submitted to the Chief Investigator for review.
10. The investigators left the premises without incident.

11. Administrative review of the file indicates that the licensee had a prior violation on August 28, 2011.

CONCLUSION

Based on the evidence, the Commission finds the Belmont, Inc. dba L.A.W. Grill violated:

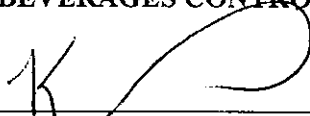
- 1) 204 CMR 2.05, to wit: M.G.L. c. 138, §12;
- 2) 204 CMR 2.05, to wit: 527 CMR 10.13 (2) (d); and
- 3) 204 CMR 2.05, to wit: 527 CMR 10.13 (2) (e).

Therefore, the Commission suspends the license for six (6) days for the first violation, six (6) days for the second violation and five (5) days for the third violation. The license is suspended for a total of seventeen (17) days of which ten (10) days will be served and seven (7) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.

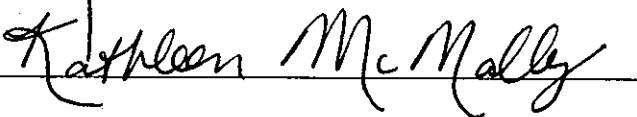
By decision dated November 8, 2011, the Commission ordered a six (6) day suspension of which three (3) days was to be served and three (3) days held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur. Based on the violation found above, the licensee violated the conditions of that three (3) days license suspension being held in abeyance. The Commission hereby orders that suspension to be served on and after the ten (10) day suspension. The licensee will serve a total of thirteen (13) days.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro, Chairman



Kathleen McNally, Commissioner



Dated: April 17, 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
Dennis Keefe, Investigator
Administration
File