



*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
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Jean M. Lorizio, Esq.
Chairman

DECISION

**WOODALL INC. D/B/A J & B LOUNGE
151 SOUTH UNION ST.
LAWRENCE, MA 01840
LICENSE#: 0594-00079
VIOLATION DATE: 10/21/2017
HEARD: 3/27/2018**

Woodall Inc. d/b/a J & B Lounge (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, § 12 Sale of an alcoholic beverage off of the Licensed Premises. Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Keefe's Report.

The following documents are in evidence:

1. Investigator Keefe's Investigative Report; and
2. Licensee's Stipulation of Facts.
 - A. Four Photographs of the Exterior of the Licensed Premises; and
 - B. Diagram of the Exterior of the Licensed Premises.

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

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

FINDINGS OF FACT

1. On Monday, October 23, 2017, at approximately 10:50 p.m., Investigators Di Cicco, Temple, and Keefe ("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 Woodall Inc. d/b/a J & B Lounge to determine the manner in which its business was being conducted.
2. Investigators observed three patrons in possession of alcoholic beverages, who were outside of the licensed premises. Investigators observed these patrons on the side of the establishment. One male patron and one female patron were seated at a picnic table, and another female patron was standing outside of the doorway.

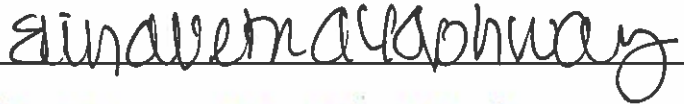
3. Investigators spoke to the bartender on duty, Lisa Moore. Moore stated that the owner allows patrons outside and the establishment allowed customers to consume alcoholic beverages outside.
4. Investigators informed Ms. Moore of the violation and that a report would be filed with the Chief Investigator 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, § 12 Sale of an alcoholic beverage off of the Licensed Premises. As the Licensee has been in business for more than 10 years with no prior violations, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Elizabeth A. Lashway, Commissioner



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