

*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**

**Stephen Marsh dba Tre Amici**  
**529 King Street**  
**Littleton, MA 01460**  
**License #: 062400016**  
**Heard: September 27, 2011**

Stephen Marsh dba Tre Amici (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, September 27, 2011, regarding an alleged violation of M.G.L. c.138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Brad Doyle's Compliance Check Field Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Compliance Check Field Report dated July 25, 2011.

There is one (1) tape of this hearing.

**FACTS**

1. On, July 25, 2011 at approximately 8:03 p.m., Commission Investigators investigated the business operation Stephen Marsh dba Tre Amici.
2. An underage operative, working with the investigators, purchased a bottle of Bud for four dollars and twenty cents (\$4.20). The underage operative was not asked for identification.
3. Administrative review of the licensee's files indicates this was the first violation by the new licensee.

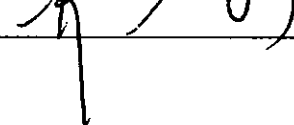
**CONCLUSION**

Based on the evidence, the Commission finds the licensee violated M.G.L. c. 138, §34. 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.**

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Robert Cronin, Commissioner 

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

Kim S. Gainsboro, Chairman 

Dated: October 4, 2011

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  
Brad Doyle, Investigator  
Administration  
File