



*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

June 19, 2018

**LD HOLDINGS LLC D/B/A BAR 74 LOUNGE & GRILL
76 MERRIMACK ST.
LOWELL, MA 01852
LICENSE#: 03090-RS-0630
VIOLATION DATE: 2/02/2018
HEARD: 6/05/2018**

After a hearing on June 5, 2018, the Commission finds LD Holdings LLC d/b/a Bar 74 Lounge & Grill violated 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Ch. 138 § 34C - Possession of an alcoholic beverage by a person under twenty-one (21) years of age (1 count).

The Commission **suspends the license for four (4) days of which one (1) day will be served and three (3) days will be held in abeyance for a period of 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, August 1, 2018 and terminate on Wednesday, August 1, 2018. The license will be delivered to the Local Licensing Board or its designee on Wednesday, August 1, 2017 at 9:00 A.M. It will be returned to the Licensee on August 2, 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.

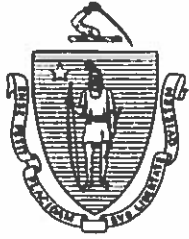
ALCOHOLIC BEVERAGES CONTROL COMMISSION

A handwritten signature in cursive script, reading "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
Joseph Di Cicco, Investigator
Jan Kujawski, Investigator
Dennis Keefe, Investigator
Lisa (Lordan) Watson, Investigator
Travis Jacobs, Esq. via facsimile 888-613-1919
Administration, File



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DECISION

**LD HOLDINGS LLC D/B/A BAR 74 LOUNGE & GRILL
76 MERRIMACK ST.
LOWELL, MA 01852
LICENSE#: 03090-RS-0630
VIOLATION DATE: 2/02/2018
HEARD: 6/05/2018**

LD Holdings LLC d/b/a Bar 74 Lounge & Grill (the "Licensee" or "Bar 74") 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, June 5, 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 (1 count). Prior to the start of the hearing, the Licensee stipulated to the violation in Investigator Teehan's report.

The following documents are in evidence:

1. Investigator Teehan's Investigative Report;
2. Licensee's Stipulation of Facts;
3. Photocopies of Fraudulent Driver's License; and
4. RMV Printout for Underage.

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

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

FINDINGS OF FACT

1. On Friday, February 2, 2018, at approximately 11:15 p.m., Investigators Keefe, Kujawski, Lordan, and Teehan ("Investigators") along with Lieutenant Matt Penrose and members of the Lowell Police Department, conducted an investigation of the business operation of LD Holdings LLC d/b/a Bar 74 Lounge & Grill to determine the manner in which its business was being conducted.

2. Investigators observed a youthful appearing individual in possession of an alcoholic beverage. Investigators identified themselves and asked to see proof of legal age.
3. Underage #1, actual date of birth 9/19/1998 (age 19) was in possession of a mixed drink, vodka and cranberry juice. She presented to Investigators a fraudulent Florida driver's license which she used to gain entry to the licensed premises.
4. Investigators informed David Heeley, the manager of record, 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, § 34C- Possession of an alcoholic beverage by a person under twenty-one (21) years of age (1 count). The Commission **suspends the license for a period of for four (4) days of which one (1) day 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

Elizabeth A. Lashway, Commissioner 

Kathleen McNally, Commissioner 

Dated: June 19, 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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