



*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 REVOLUTION
74 MERRIMACK ST.
LOWELL, MA 01852
LICENSE#: 03126-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 Revolution 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 (22 counts).

The Commission suspends the license for seventy-four (74) days of which twenty-two (22) days will be served and fifty-two (52) 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, August 1, 2018 and terminate on Wednesday, August 22, 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 23, 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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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Dennis Keefe, Investigator
Jan Kujawski, Investigator
Michael Teehan, 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 REVOLUTION
74 MERRIMACK ST.
LOWELL, MA 01852
LICENSE#: 03126-RS-0630
VIOLATION DATE: 2/02/2018
HEARD: 6/05/2018**

LD Holdings LLC d/b/a Revolution (the "Licensee" or "Revolution") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the "Commission" or "ABCC") 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 (22 counts). Prior to the start of the hearing, the Licensee stipulated to the violation in Investigator Keefe's report.

The following documents are in evidence:

1. Investigator Keefe's Investigative Report;
 2. Licensee's Stipulation of Facts;
 3. Photocopies of Fraudulent Driver's Licenses;
 4. RMV Printout for Underage C.T.;
 5. Fraudulent Connecticut Driver's License; and
 6. ABCC Notice of Appeal Hearing for Licensee.
- A. Receipt for ID Scanner; and
 - B. Description / Advertisement for Licensee's Scanner.

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 11:20 p.m., Investigators Kujawski, Lordan, Teehan, and Keefe ("Investigators") along with Lieutenant Matt Penrose and members of the Lowell Police Department ("Officers"), conducted an investigation of the business

operation of LD Holdings LLC d/b/a Revolution to determine the manner in which its business was being conducted.

2. Investigators entered the licensed premises and observed a large group youthful-appearing individuals who were in possession of an alcoholic beverages. Investigators and Officers identified themselves and asked to see proof of legal age.
3. Underage #1, actual date of birth 2/12/1997 (age 20), was in possession of a Budweiser beer. He presented to Investigators a fraudulent Connecticut driver's license. Investigators observed that the facial features on license did not match those of the person before them.
4. Underage #2, actual date of birth 1/7/1998 (age 20), was in possession of a vodka mixed drink. He did not present any identification to Investigators.
5. Underage #3, actual date of birth 7/17/1999 (age 18), was in possession of one Bud Light and two Budweiser beers. She presented to Investigators a Massachusetts driver's license in another's name. Investigators observed that the facial features on license did not match those of the person before them.
6. Underage #4, actual date of birth 6/21/1997 (age 20), was in possession of one mixed drink, vodka and cranberry, and one Budweiser beer. She presented to Investigators a Massachusetts driver's license in another's name. Investigators observed that the facial features on license did not match those of the person before them.
7. Underage #5, actual date of birth 4/19/1998 (age 19), was in possession of a mixed drink, a rum and Coke®. He presented to Investigators a fraudulent New Hampshire driver's license.
8. Underage #6, actual date of birth 5/13/1999 (age 18), was in possession of a mixed drink, vodka and cranberry. She presented to Investigators a fraudulent Pennsylvania driver's license.
9. Underage #7, actual date of birth 1/01/1998 (age 20), was in possession of a Bud Light beer. He presented to Investigators a Massachusetts driver's license in another's name. Investigators observed that the facial features on license did not match those of the person before them.
10. Underage #8, actual date of birth 1/28/1998 (age 20), was in possession of a mixed drink, vodka mix. He presented to Investigators a fraudulent Maine driver's license.
11. Underage #9, actual date of birth 9/14/1998 (age 19), was in possession of a mixed drink, vodka and cranberry. She presented to Investigators a fraudulent New Hampshire driver's license.
12. Underage #10, actual date of birth 9/27/1997 (age 20), was in possession of a Corona beer. He presented to Investigators a fraudulent Maine driver's license.
13. Underage #11, actual date of birth 4/28/1998 (age 19), was in possession of a mixed drink, vodka mix. He presented to Investigators a fraudulent Rhode Island driver's license.
14. Underage #12, actual date of birth 8/12/1997 (age 20), was in possession of a Corona beer. He presented to Investigators a fraudulent Maine driver's license.
15. Underage #13, actual date of birth 7/2/1997 (age 20), was in possession of a mixed drink, vodka and cranberry. She presented to Investigators a fraudulent Maine driver's license.

16. Underage #14, actual date of birth 12/12/1997 (age 20), was in possession of a mixed drink, vodka and cranberry. She presented to Investigators a fraudulent Maine driver's license.
17. Underage #15, actual date of birth 8/28/1997 (age 20), was in possession of a Corona beer. He presented to Investigators a Massachusetts driver's license in another's name. Investigators observed that the facial features on license did not match those of the person before them.
18. Underage #16, actual date of birth 8/10/1998 (age 19), was in possession of a mixed drink, vodka and cranberry. She presented to Investigators a fraudulent Maine driver's license.
19. Underage #17, actual date of birth 3/03/1998 (age 19), was in possession of a mixed drink, vodka and cranberry. She presented to Investigators a fraudulent Maine driver's license.
20. Underage #18, actual date of birth 2/02/1998 (age 20), was in possession of a Bud Light beer. She presented to Investigators a fraudulent Pennsylvania driver's license
21. Underage #19, actual date of birth 12/27/1997 (age 20), was in possession of a Bud Light beer. He presented to Investigators a fraudulent Maine driver's license.
22. Underage #20, actual date of birth 2/13/1998 (age 19), was in possession of a mixed drink, vodka and cranberry. She presented to Investigators a fraudulent Maine driver's license.
23. Underage #21, actual date of birth 6/18/1999 (age 18), was in possession of a Corona beer. He presented to Investigators a fraudulent Maine driver's license.
24. Underage #22, actual date of birth 6/22/1999 (age 18), was in possession of a Corona beer. He presented to Investigators a fraudulent Maine driver's license.
25. Investigators informed David Heeley, the manager of record, 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 (22 counts). The Commission **suspends the license for a period of for seventy-four (74) days of which twenty-two (22) days will be served and fifty-two (52) 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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