

Commonwealth of Massachusetts Alcoholic Beverages Control Commission 95 Fourth Street, Suite 3 Chelsea, Massachusetts 02150

Jean M. Lorizio, Esq. Chairman

MEMORANDUM AND ORDER ON LICENSEE'S REQUEST FOR RECONSIDERATION

ASARAM INC. D/B/A SHOP KWIK SUPERETTE 534 LYNNFIELD STREET LYNN, MA 01905 LICENSE#: 89453-PK-0638

Asaram Inc. d/b/a Shop Kwik Superette (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission (the "ABCC" or "Commission") held a hearing on Wednesday, March 10, 2021, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Violation of Mass. Exec. COVID-19 Order No. 53 (Nov. 2, 2020) – Sale, service, or delivery of alcoholic beverages after 9:30 pm.

By decision dated March 18, 2021, the Commission found the Licensee in violation of the charges and indefinitely suspended the License effective forthwith until further written order from this Commission.

The Commission stated that it would consider issuing a further order upon written request of the Licensee showing good cause to reconsider this indefinite suspension. Good cause for the Commission would include, but not be limited to, the Licensee's receiving approval from the Massachusetts Department of Labor Standards ("DLS") as to a reopening plan.

On March 23, 2021, the Licensee submitted a written request to reconsider the indefinite suspension. On March 24, 2021, the Commission received the notice of approval from Massachusetts Department of Labor Standards ("DLS").

<u>CONCLUSION</u>

Based on the evidence presented, the Commission reconsiders and reverses its prior order of INDEFINITE SUSPENSION of the license of Asaram Inc. d/b/a Shop Kwik Superette (effective forthwith.

Telephone: (617) 727-3040 * Fax: (617) 727-1510 * www.mass.gov/abcc

ALCOHOLIC BEVERAGES CONTROL COMMISSION

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Crystal Matthews, Commissioner	Cycle Mattho	
Deborah A. Baglio, Commissioner	Deman a Baglo	
Jean M. Lorizio, Chairman	Jean M. Lorigio	
Dated: March 26, 2021		

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
Kyle E. Gill, Esq., Associate General Counsel
Joseph Di Cicco, Investigator
Brian Gould, Investigator
Michael Flanagan, Dept. of Labor Standards
H. Glenn Alberich, Esq.
Administration, File