

***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**

**CONGA LOUNGE AND RESTAURANT CORP.
D/B/A CONGA LOUNGE & RESTAURANT
168-170 BROAD STREET
LYNN, MA 01902
LICENSE#: 04098-RS-0638**

Conga Lounge and Restaurant Corp. d/b/a Conga Lounge & Restaurant (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the "ABCC" or "Commission") held a hearing on Wednesday, September 23, 2020 regarding alleged violations of:

- 1) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Massachusetts Executive COVID-19 Order No. 37 (June 6, 2020) - Violation of sector specific workplace safety standards for restaurants to address COVID-19;
- 2) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Massachusetts Executive COVID-19 Order No. 40 (June 19, 2020) - Violation of sector specific workplace safety standards for restaurants to address COVID-19;
- 3) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Violation of Massachusetts Executive COVID-19 Order No. 46 (August 7, 2020).

By decision dated October 21, 2020 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 December 3, 2020, the Licensee submitted a written request to reconsider the indefinite suspension. On December 7, 2020, the Commission received the letter of approval from Massachusetts Department of Labor Standards ("DLS").

CONCLUSION

Based on the evidence presented, the Commission reconsiders and reverses its prior order of **INDEFINITE SUSPENSION** of the license of Conga Lounge and Restaurant Corp. d/b/a Conga Lounge & Restaurant effective forthwith.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

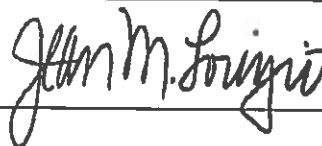
Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



Jean M. Lorzio, Chairman



Dated: December 7, 2020

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
Robert Gardner, Investigator
Michael Flanagan, Dept. of Labor Standards
David L'Esperance, Esq
Administration, File