

**Re: Bali Hai, Inc.**  
**Premise: Moulton Drive and Oak Street**  
**City/Town: Lynnfield**  
**License #: 064000005**  
**Heard: January 18, 2011**

January 25, 2011

### **DECISION**

Bali Hai, Inc. (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, January 18, 2011, regarding an alleged violation of M.G.L. c.138, §34C. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Caroline Guarino-Wilichoski's report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Caroline Guarino-Wilichoski's report; and
3. Report Results for Jamie L. Orsini-Moccia.

There is one (1) tape of this hearing.

### **FACTS**

1. On Wednesday, November 24, 2010, Investigator Capurso, Hooton, and Guarino-Wilichoski were conducting an Enhanced Liquor Enforcement Operation in the Town of Lynnfield.
2. Investigators entered the licensed premise at approximately 9:15 P.M. to investigate how the licensee conducts its business operation.
3. The Investigators attention was drawn to a table with youthful looking patrons in possession of alcoholic beverages.
4. The patrons provided identification proving that they were all over twenty-one (21) except for one female patron, Ms. Orsini-Moccia.
5. Ms. Orsini-Moccia claimed she could not find her identification.
6. Ms. Orsini-Moccia was in possession of her driver's license and Investigators learned she was not twenty-one (21) years old.

7. Ms. Orsini-Moccia was drinking from a glass that contained sprite and Stoli Raspberry.
8. Ms. Orsini-Moccia stated that the bartender, Mr. Yee, served the alcoholic beverage to her and did not ask for identification at the time of service.
9. Mr. Yee admitted he did not check for identification because she had a wristband on and that the doorman had checked her identification.
10. Administrative review of the file indicates one (1) previous violation in seventeen (17) years of ownership.

### CONCLUSION

Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws c. 138, §34C. 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\_\_\_\_\_

Susan Corcoran, Commissioner\_\_\_\_\_

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 days of receipt of this decision.

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Caroline Guarino-Wilichoski, Investigator  
File