



The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

Steven Grossman
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

NOTICE OF SUSPENSION

June 26, 2012

T & L LIQUORS, INC. DBA T & L LIQUORS WINE CELLAR
588 MAIN ST
LYNNFIELD, MA 01940
LICENSE#: 064000018
HEARD: 06/26/2012

After a hearing on June 26, 2012 the Commission finds T & L Liquors, Inc. dba T & L Liquors Wine Cellar in violation of 204 CMR 2.05(2), to wit: c.138, §34.

The Commission **suspends the licensee's license for a total of two (2) days to be served. The suspension shall commence on Wednesday, August 8, 2012 and terminate on Thursday, August 9, 2012.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, August 8, 2012 at 9:00 A.M. It will be returned to the licensee Friday, August 10, 2012.

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. All checks must be certified and accompanied by the enclosed form, which must be signed by 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

Kim S. Gainsboro
Chairman

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Paul Capurso, Investigator
Chris Temple, Investigator
Victor Tagliaferro, Esq. via Facsimile
Administration
File

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DECISION

T & L LIQUORS, INC. DBA T & L LIQUORS WINE CELLAR
588 MAIN ST
LYNNFIELD, MA 01940
LICENSE#: 064000018
HEARD: 06/26/2012

T & L Liquors, Inc. dba T & L Liquors Wine Cellar (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, June 26, 2012, regarding an alleged violation of 204 CMR 2.05(2), to wit: c.138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Capurso's Compliance Check Field Report.

The following items are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Capurso's Compliance Check Field Report dated April 11, 2012.

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

FACTS

1. On Wednesday, April 11, 2012 at approximately 06:50 p.m., Investigators Temple and Capurso conducted an investigation of the business operation of T & L Liquors, Inc. dba T & L Liquors Wine Cellar.
2. An underage operative working with investigators purchased an alcoholic beverage, a can of Budweiser beer for two dollars (\$2.00). The underage operative was not asked for identification.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2), to wit: M.G.L. c. 138, §34. Therefore, the Commission **suspends the license for four (4) days of which two (2) days will be served and two (2) 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

Kim S. Gainsboro, Chairman



I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Kathleen McNally, Commissioner



Dated: June 26, 2012

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.

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Paul Capurso, Investigator
Chris Temple, Investigator
Victor Tagliaferro, Esq.
Administration
File