

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

February 8, 2012

JENNICA'S INC. DBA THE CANDLEWORKS RESTAURANT
72 NORTH WATER STREET
NEW BEDFORD, MA 02740
LICENSE#: 077800104
HEARD: 01/30/2012

After hearing on January 30, 2012 the Commission finds violations of M.G.L. Ch.151A §14 Fair Share Contribution. The above-captioned licensee's license is **suspended indefinitely as of February 15, 2012** until further order from this Commission.

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.

Kim S. Gainsboro
Chairman

cc: File
Local Licensing Board
Frederick Mahoney, Chief Investigator
Brad Doyle, Investigator
Roger Murphy, DUA
Jared Morgado via facsimile





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DECISION

JENNICA'S INC. DBA THE CANDLEWORKS RESTAURANT
72 NORTH WATER STREET
NEW BEDFORD, MA 02740
LICENSE#: 077800104
HEARD: 01/30/2012

Jennica's Inc. dba The Candleworks Restaurant (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 Monday, January 30, 2012, regarding an alleged violation of M.G.L. c.151A, §14 Fair Share Contribution detailed in Caroline Wilichoski's report.

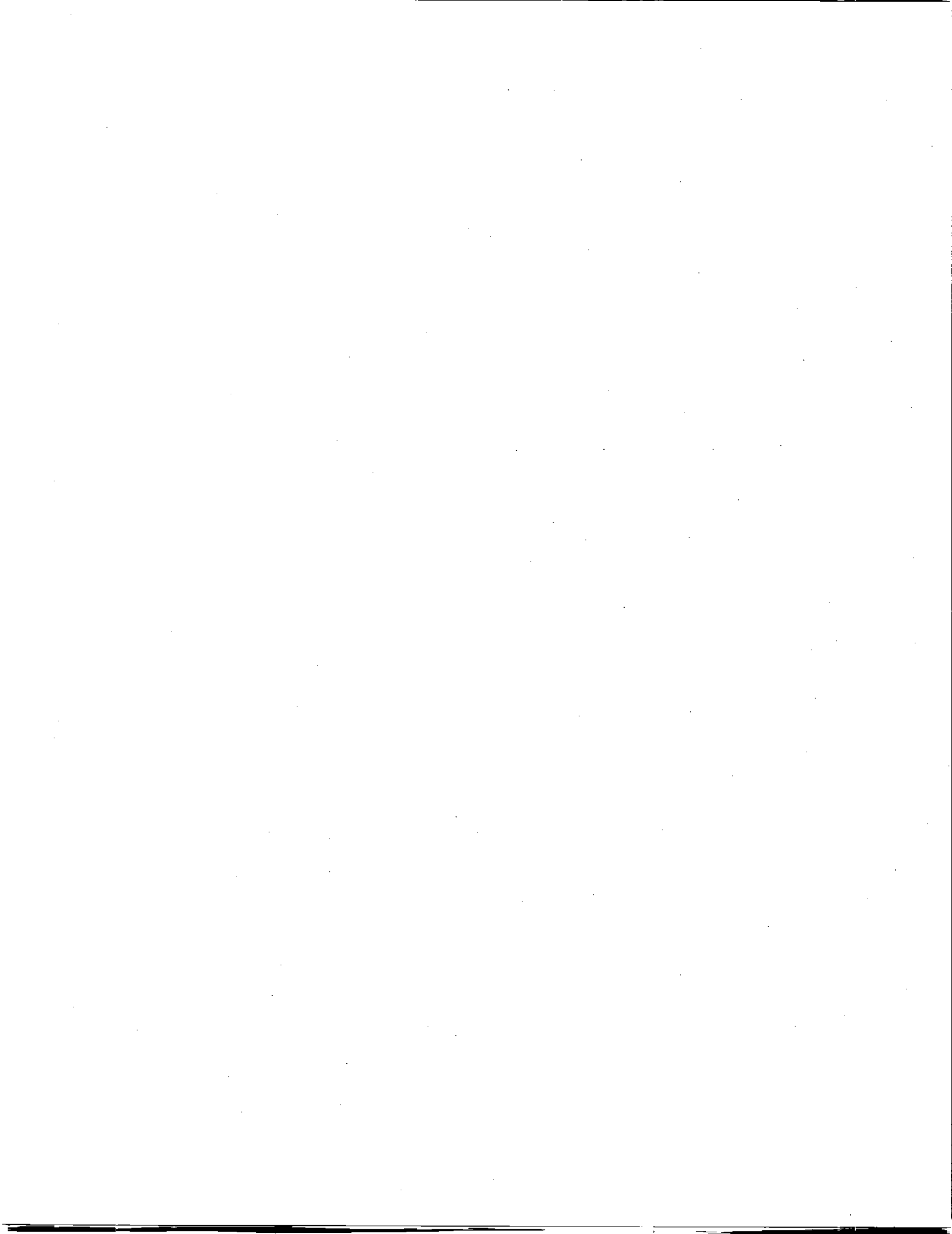
The following documents are in evidence:

1. Hearing Notice for January 20, 2012;
2. Licensee's Stipulation of Facts;
3. Investigator's Report dated November 10, 2010; and
4. Hearing Notice for July 14, 2011 dated January 24, 2011.

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

FACTS

1. The licensee stipulated to a violation of M.G.L. c. 151A, §14 Fair Share Contribution on January 20, 2011 and entered into a payment plan with the Department of Unemployment Assistance.
2. Thereafter, the Licensee was issued a hearing notice for January 17, 2012.
3. The Licensee requested a continuance through the Department of Unemployment Assistance for the scheduled hearing on January 17, 2012.
4. The Commission allowed the continuance and a new hearing date was scheduled for the following Monday January 30, 2012.
5. The licensee did not appear at the scheduled hearing or contact the Commission and request a continuance.



CONCLUSION

Based on the evidence, the Commission finds the licensee violated M.G.L. c. 151A, § 14 Fair Share Contribution. The Commission **INDEFINITELY SUSPENDS** the license of Jennica's Inc. dba The Candleworks Restaurant effective **February 15, 2012**, until further written order of the Commission.

The Commission will not issue any further order without a written request from the licensee showing good cause to reconsider this indefinite suspension and a hearing before the Commission that the licensee attends.

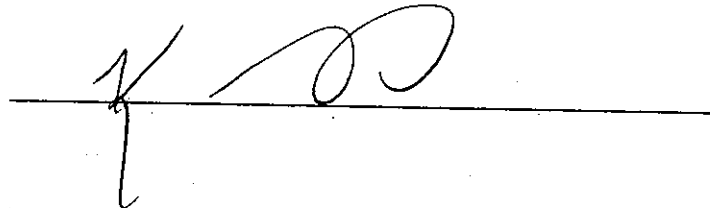
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Susan Corcoran, Commissioner



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

Kim S. Gainsboro, Chairman



Dated: February 8, 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: File
Local Licensing Board
Frederick Mahoney, Chief Investigator
Brad Doyle, Investigator
Roger Murphy, DUA
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