

*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 17, 2012

**North Street Marketplace, LLC**  
**273-297 North Street**  
**Pittsfield, MA 01201**  
**License #: 097400170**  
**Heard: 05/31/2011**

After hearing on May 31, 2011 the Commission finds violations of M.G.L. Ch.23.

The Commission suspends the licensee's license for a total of eighty-eight (88) days to be served. The suspension shall commence on **Monday, April 2, 2012** and terminate on **Thursday, June 28, 2012**. The license will be delivered to the Local Licensing Board or its designee on Monday, April 2, 2012 at 9:00 A.M. It will be returned to the licensee Friday, June 29, 2012.

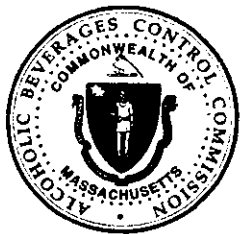
You are advised that pursuant to the provisions of M.G.L. c.138 §23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form. All checks must 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: Stephen V. Miller, Esq. via Facsimile  
Local Licensing Board  
Frederick Mahoney, Chief Investigator  
Administration  
File



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

*Steven Grossman*  
*Treasurer and Receiver General*

**Memorandum and Order on Licensee's  
Request for Reconsideration**

*Kim J. Gainsboro, Esq.*  
*Chairman*

**North Street Marketplace, LLC  
273-297 North Street  
Pittsfield, MA 01201  
License #: 097400170  
Heard: 05/31/2011**

North Street Marketplace, LLC (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, February 14, 2012, regarding an alleged violation of M.G.L. c. 138 §23. By decision dated January 31, 2012, the Commission **INDEFINITELY SUSPENDED** the license North Street Marketplace, LLC **effective forthwith**, until further written order of the Commission.

The Commission stated it would 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 which shall be attended in person by Joyce Bernstein. Before concluding good cause exists to issue a further order, the Commission required documented tax compliance by Bottom Line Management from both the Department of Revenue and the Division of Unemployment Assistance.

The licensee filed a written request to reconsider the indefinite suspension that contained the required documented tax compliance by Bottom Line Management from both the Department of Revenue and the Division of Unemployment Assistance. The licensee attended a hearing before the Commission and argued that good cause exists to reconsider the indefinite suspension.

CONCLUSION

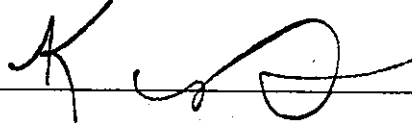
Based on the evidence, the Commission hereby reconsiders and reverses its prior order of **INDEFINITE SUSPENSION** of North Street Marketplace, LLC license **effective forthwith**. The previously ordered indefinite suspension is reversed.

Upon reconsideration of the penalty to be imposed for this violation, the Commission hereby suspends the license of North Street Marketplace, LLC for a period of three hundred and sixty-five (365) days of which ninety (90) days to be served and two hundred and seventy-five (275) days will be held in abeyance for period of two (2) years from the date of this Memorandum and Order provided no further violations of Chapter 138 or Commission Regulations occur.

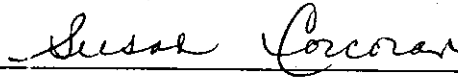
The licensee has already served two (2) days to be credited against the ninety (90) days to be served. Therefore, **eighty-eight (88) days remain to be served.**

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Kim S. Gainsboro, Chairman



Susan Corcoran, Commissioner



Dated: February 17, 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: Stephen V. Miller, Esq. via Facsimile  
Local Licensing Board  
Frederick Mahoney, Chief Investigator  
Administration  
File