



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

Steven Grossman
Treasurer and Receiver General

Kim J. Gainsboro, Esq.
Chairman

DECISION

KKATIES INC. DBA KKATIES
38 MAIN ST.
PLYMOUTH, MA 02360
LICENSE#: 098400016
HEARD: 08/14/2012

Kkaties Inc. dba Kkaties (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, August 14, 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 Binienda's Compliance Check Field Report.

The following documents are in evidence:

1. Investigator Binienda's Compliance Check Field Report dated May 14, 2012; and
2. Licensee's Stipulation of Facts.
 - A. Licensee's Policies and Procedures Manual;
 - B. Bartender's Recollections of May 14, 2012;
 - C. Licensee's Notice of Mandatory Staff Meeting; and
 - D. Licensee's Apology.

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

FACTS

1. On Monday, May 14, 2012 at approximately 6:40 p.m., Investigators Kenny and Binienda conducted an investigation of the business operation of Kkaties Inc. dba Kkaties.
2. An underage operative working with investigators was in possession of an alcoholic beverage, a Bud Light beer. The underage operative was not asked for identification.

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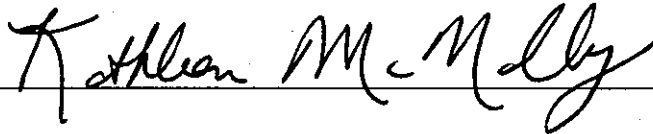
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CONCLUSION

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 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.

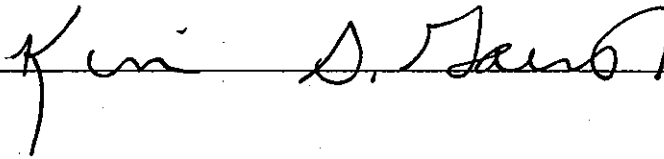
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner



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

Kim S. Gainsboro, Chairman



Dated: August 14, 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
Jamie Binienda, Investigator
Mark Kenny, Investigator
Administration
File