



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

*Deborah B. Goldberg*  
*Treasurer and Receiver General*

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

MEMORANDUM AND ORDER ON LICENSEE'S  
REQUEST FOR RECONSIDERATION

**YOUNG AMERICA CLUB INC.**  
**4 OCEAN VIEW AVE.**  
**PLYMOUTH, MA 02360**  
**LICENSE#: 098400023**  
**VIOLATION DATE: 09/22/2015**  
**HEARD: 02/02/2016**

Young America Club Inc. (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 Wednesday, December 16, 2015, regarding alleged violations of:

- 1) M.G.L. c. 138, § 15A – Change of Officers and Directors in the non-profit corporation without authorization.
- 2) M.G.L. c. 138, § 1 – Failure to file annually with the local licensing authority and the commission a list of the names and residences of its officers, together with the amount of salary or compensation received by each employee engaged in the handling or selling of alcoholic beverages.

By decision dated December 22, 2015, the Commission found the Licensee in violation of the charges and indefinitely suspended the Licensee effective forthwith until further written order from this Commission.

The Commission stated that it would consider issuing a further order upon written request of the Licensee showing good cause to reconsider this indefinite suspension and a hearing before the Commission that the Licensee attends. The December 22, 2015 decision specifically provided as follows:

Good cause for the Commission to consider issuing a further written order revising the order of indefinite suspensions will include, but not be limited to, the Licensee filing with both the Commission and the local licensing authorities the appropriate application for approval of the current officers and directors of the Licensee.

In addition the Licensee must file the appropriate annual reports pursuant to M.G.L. c. 138, §1 for the last ten (10) years from calendar year 2005 through calendar year 2015.

By letter dated January 7, 2016, the Licensee requested a hearing to reconsider the indefinite suspension. The Licensee submitted the annual reports for calendar years 2005 through 2015. The Licensee attended a hearing before the Commission on February 2, 2016, and argued that good cause exists to reconsider the indefinite suspension.

Before the hearing, the Licensee submitted an application to change its officers and directors, including information evidencing that all officers and directors of the corporation are current and registered with the Secretary of State's Office. That application was approved by the local licensing authorities and subsequently approved by the Commission on January 26, 2016.

There is one (1) audio recording of this hearing and two (2) witnesses testified. The Commission took administrative notice of the Commission records regarding this Licensee.

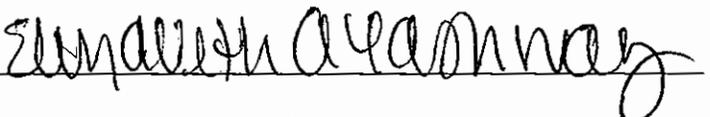
#### CONCLUSION

The documents the Licensee provided convinced the Commission that the Licensee has fully complied with the prior order.

Based on the evidence presented at the hearing, the Commission reconsiders and reverses its prior order of **INDEFINITE SUSPENSION** of the license Young America Club Inc. **effective forthwith.**

The indefinite suspension is reconsidered and reversed to a suspension of time served from December 22, 2015 to February 3, 2016.

#### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Elizabeth A. Lashway, Chairman 

Kathleen McNally, Commissioner 

Dated: February 3, 2016

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.

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Questo documento è importante e dovrebbe essere tradotto immediatamente.  
Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.  
这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board via email  
Frederick G. Mahony, Chief Investigator  
Nick Velez, Investigator  
Scott Floeck, via email  
Administration  
File