

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

GURU CORPORATION DBA LANDY'S MARKET, INC.
1417 BROADWAY
RAYNHAM, MA 02767
LICENSE#: 101200033
HEARD: 10/31/2012

Guru Corporation dba Landy's Market, Inc. (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 Wednesday, October 31, 2012, regarding an alleged violation of 204 CMR 2.05 (2), to wit: c. 138, §34- Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 Count). Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Teehan's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Teehan's Investigative Report dated June 28, 2012; and
3. Copy of Fake Rhode Island Driver's License.

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

FACTS

1. On Thursday, June 28, 2012, at approximately 8:05 p.m., Investigators Carey and Teehan conducted an investigation of the business operation of Guru Corporation dba Landy's Market, Inc. to determine the manner in which their business was being conducted.
2. While outside the licensed premises, investigators observed a male subject, later identified as Mr. Justin Montani, date of birth November 24, 1993, age eighteen (18) years, in possession of alcoholic beverages.
3. Investigators observed Mr. Montani in possession of a twelve (12) pack of Busch Light beer, a six (6) pack of Busch Light beer, and two (2) forty-ounce (40 oz.) [bottles] of Miller High Life beer.
4. Mr. Montani stated to investigators that he had used a fake Rhode Island Driver's License, which listed his name with date of birth November 24, 1990, age twenty-one (21) years, to purchase the alcoholic beverages.
5. Investigators informed the clerk on duty, identified as Mr. Kailash Patel, of the above violation and that a report would be submitted to the Chief Investigator for further action.

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CONCLUSION

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2), to wit: c. 138, §34- Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 Count). As the licensee has been in business for ten (10) years and has had no previous violations, the Commission issues a **WARNING**.

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 

DATE: November 2, 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
- Michael Teehan, Investigator
- Arthur Pearlman, Esq. 508-875-7845
- Administration
- File