

Re: **Mardi Gras Entertainment, Inc**  
Premise: **87 Taylor St.**  
City/Town: **Springfield, MA 01103**  
License #: **122600140**  
Heard: **September 7, 2010**

### NOTICE

After a hearing on September 7, 2010 the Commission finds Mardi Gras Entertainment, Inc. in violation of Massachusetts General Laws c. 138, §69.

The Commission **suspends the licensee's license for a total of ten (10) days of which seven (7) days will be served.** The suspension shall commence on **Wednesday, December 8, 2010 and terminate on Tuesday, December 14, 2010.** The license will be delivered to the Springfield Licensing Board or its designee on Wednesday, December 8, 2010 at 9:00 A.M. It will be returned to the licensee Wednesday, December 15, 2010.

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 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 30 days upon receipt of this notice.

### ALCOHOLIC BEVERAGES CONTROL COMMISSION



Kim S. Gainsboro  
Chairman

Dated at Boston, Massachusetts this 27<sup>th</sup> day of October 2010.

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Mark Kenny, Investigator  
File

Re: Mardi Gras Entertainment, Inc.  
Premises: 87 Taylor Street  
City/Town: Springfield, MA 01103  
License #: 126600140  
Heard: September 7, 2010

## **DECISION**

Mardi Gras Entertainment, Inc. (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 September 7, 2010 regarding an alleged violation of M.G.L. c.138, §69 (1 Count). Prior to the commencement of the hearing, the licensee stipulated to the facts detailed in Investigator Mark Kenny's report regarding the violations that occurred on July 9, 2010.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Report of Mark Kenny; and
3. State Police Report.

There is one (1) tape of this hearing.

### Facts

1. On July 9, 2010 at approximately 10:30 p.m., Commission Investigators Mark Kenny, Rose Bailey and Chief Investigator Frederick Mahony investigated the business operation of Mardi Gras Entertainment, Inc.
2. While on the premises, Investigators observed a male that appeared to be intoxicated.
3. The patron, age 21, was seated in the downstairs bar area and a female bartender served him two (2) Jack Daniels and Coke beverages at the same time. Investigators observed the patron drinking both drinks.
4. The patron then ordered two (2) more Jack Daniels and Coke beverages from the same bartender. At this time, Investigators identified themselves to the management staff.
5. Chief Investigator Mahony interviewed the patron and asked him what time he arrived at Mardi Gras. The patron responded that he came at 2:00 p.m. When asked what time he thought it was currently, he replied 3:00 p.m.

Conclusion

Based on the evidence, the Commission finds the licensee violated M.G.L. c.138, §69. The Commission **suspends the license for ten (10) days of which seven (7) days will be served and 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

Kim S. Gainsboro, Chairman \_\_\_\_\_

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

Robert Cronin, Commissioner\_\_\_\_\_

Dated in Boston, Massachusetts this 6<sup>th</sup> day of October 2010.

cc:     Local Licensing Board  
         Frederick G. Mahony, Chief Investigator  
         Mark Kenny, Investigator  
         Rose Egan-Bailey  
         File