

*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 14, 2012

**MARDI GRAS ENTERTAINMENT, INC. DBA MARDI GRAS**  
**87 TAYLOR ST**  
**SPRINGFIELD, MA 01103**  
**LICENSE#: 122600140**  
**HEARD: 02/07/2012**

After a hearing on February 7, 2012, the Commission finds Mardi Gras Entertainment, Inc. dba Mardi Gras in violation of M.G.L. c. 138 §69 (1 count).

The Commission suspends the licensee's license for a total of thirteen (13) days. The suspension shall commence on Wednesday, March 28, 2012 and terminate on Monday, April 9, 2012. The license will be delivered to the Local Licensing Board or its designee on Wednesday, March 28, 2012 at 9:00 A.M. It will be returned to the licensee Tuesday, April 10, 2012. No offer in compromise will be considered for two (2) of the thirteen (13) days suspension for this penalty.

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:  Local Licensing Board  
 Frederick G. Mahony, Chief Investigator  
 Michael Teehan, 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*

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

**DECISION**

**MARDI GRAS ENTERTAINMENT, INC. DBA MARDI GRAS**  
**87 TAYLOR ST**  
**SPRINGFIELD, MA 01103**  
**LICENSE#: 122600140**  
**HEARD: 02/07/2012**

Mardi Gras Entertainment, Inc. dba Mardi Gras (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 7, 2012, 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 violation alleged in Investigator Michael Teehan's Investigative Field Report.

The following documents are in evidence:

1. Investigator Teehan's Report dated October 20, 2011; and
2. Licensee's Stipulation of Facts.

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

**FACTS**

1. On Friday, September 30, 2011, at approximately 9:40 p.m., Investigators Kenny and Teehan investigated the business operation of Mardi Gras Entertainment, Inc. dba Mardi Gras to determine the manner in which their business was conducted.
2. Investigators observed a female individual, later identified as Renee, who appeared to be intoxicated.
3. Investigators observed Renee to be unsteady on her feet.
4. Investigators observed Renee's movements to be slow and uncoordinated as she handled her drink.
5. Investigators observed Renee attempting to sit down on the bar stool and nearly falling off of it.
6. On different occasions, investigators observed Renee place her face between the legs and around the vaginal area of a female dancer.
7. At approximately 10:25 p. m., investigators observed the female bartender on duty serve Renee a drink, and observed Renee drinking it.
8. Investigators identified themselves to the manager on duty, Sherry, and directed her attention to Renee.

9. Investigators informed the manager that Renee should not have been served another drink.
10. The manager shook her head and stated "we try to do a good job here."
11. A female staff member called a cab for the safe transport of Renee and a male subject, later identified as Renee's husband, to their residence.
12. Renee informed the staff member that she and her husband were staying at a nearby hotel, and exited the licensed premises.
13. Investigators informed the manager on duty of the violation and that a report would be filed with the Chief Investigator for further action.
14. In a decision dated October 6, 2010, the licensee violated c. 138 §34 and received a ten (10) suspension with seven (7) days to serve and three (3) day suspension to be held in abeyance for two (2) years. The licensee paid a fine in lieu for the seven (7) days.

### CONCLUSION

Based on the evidence, the Commission finds the licensee violated M.G.L. c. 138 §69 (1 count). Therefore, the Commission **suspends the license for a period of fifteen (15) days with ten (10) days to be served and five (5) days to be held in abeyance for a period of three (3) years, provided no further violations of Chapter 138 or Commission Regulations occur. No offer in compromise will be considered for two (2) of the ten (10) days suspension for this penalty.**

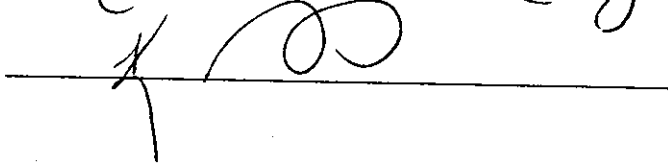
**By decision dated October 6, 2010, the Commission had previously ordered a ten (10) day license suspension, with seven (7) days to be served and three (3) days to be held in abeyance for a period of two (2) years provided no further violations occurred. Based on the violation found above, the licensee violated the conditions of that three (3) day suspension being held in abeyance. The Commission hereby orders that suspension to be served on and after the ten (10) day suspension. The licensee will serve a total thirteen (13) days to be served.**

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Kathleen McNally, Commissioner



Kim S. Gainsboro, Chairman



Dated: February 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  
Michael Teehan, Investigator  
Administration  
File