



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150-2358*

Jean M. Lorizio, Esq.
Chairman

DECISION

**LJD PARTNERS LLC D/B/A SOUL OF INDIA RESTAURANT
103 BOSTON POST ROAD
SUDBURY, MA 01776
LICENSE#: 00038-RS-1250
VIOLATION DATE: 5/09/2023
HEARD: 10/31/2023**

LJD Partners LLC d/b/a Soul of India Restaurant (“Licensee”) holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (“ABCC” or “Commission”) held a remote hearing via Microsoft Teams on Tuesday, October 31, 2023, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. Prior to the commencement of the hearing the Licensee stipulated to the facts alleged in Investigators David and Keefe’s Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators David and Keefe’s Minimum Purchase Age Compliance Check Field Report, 5/9/2023;
2. ABCC Form 43, Transfer of License Approval, 3/10/2013;
3. Licensee Stipulation of Facts.

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

FINDINGS OF FACT

1. On Tuesday, May 9, 2023, at approximately 6:56 p.m., Investigators David and Keefe (“Investigators”) conducted a compliance check at LJD Partners LLC d/b/a Soul of India Restaurant.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, a bottle of Corona beer, for six dollars and forty-two cents (\$6.42). The underage operative was not asked for identification.
3. Dariusz Zywina, Licensee, attended the Commission hearing and testified all employees had already been TIPS certified and after this incident were re-certified, any new employees will undergo TIPS training, and the Licensee will conduct more frequent staff

meetings to go over policies and procedures, including the requirement that employees request identification from any patron who appear to be 35 years of age or younger.

4. The Licensee has held a license under M.G.L. c. 138, § 12 since 2013 with no prior violations.

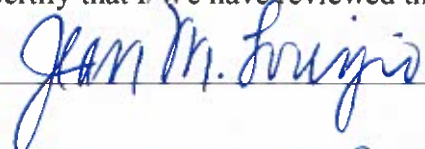
CONCLUSION

Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. Therefore, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner 

I/We, the undersigned, hereby certify that I/We have reviewed the hearing record.

Jean M. Lorizio, Chairman 

Deborah A. Baglio, Commissioner 

Dated: December 11, 2023

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.

This document is important and should be translated immediately.
Este documento es importante y debe ser traducido inmediatamente.
Este documento é importante e deve ser traduzido imediatamente.
Ce document est important et devrait être traduit immédiatement.
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。
यह दस्तावेज़ महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए
Dokiman sa a enpòtan epi li ta dwe tradwi touswit
'Đây là tài liệu quan trọng và cần được dịch ngay'
ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

2023-000155-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Dennis Keefe, Investigator
John David, Investigator
Administration, File