

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

WASABI STEAKHOUSE, INC. DBA ZEN PALACE
2421 CRANBERRY HIGHWAY, SUITE 460
WAREHAM, MA 02571
LICENSE#: 132800102
HEARD: 06/12/2012

Wasabi Steakhouse, Inc. dba Zen Palace (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 Tuesday, June 12, 2012, regarding an alleged violation of 204 CMR 2.05 (2), to wit: M.G.L. c. 138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Binienda's Compliance Check Field Report.

The following exhibits are in evidence:

1. Investigator Binienda's Compliance Check Field Report dated March 14, 2012; and
2. The Licensee's Stipulation of Facts.

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

FACTS

1. On Wednesday, March 14, 2012, at approximately 4:20 p.m., Investigators Kenny and Binienda conducted an investigation of the business operation of Wasabi Steakhouse, Inc. dba Zen Palace.
2. An underage operative working with investigators was in possession of an alcoholic beverage, a Bud Light beer. The underage operative was not asked for identification.

CONCLUSION

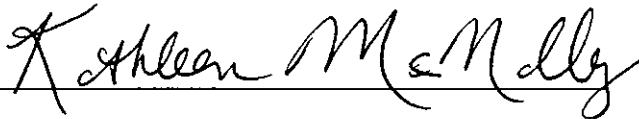
Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2), to wit: M.G.L. c. 138, §34. Therefore, the Commission **suspends the license for three (3) days of which three (3) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

27724330

1

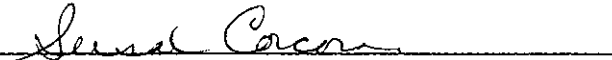
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner



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

Susan Corcoran, Commissioner



Dated: June 12, 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
Jamie Binienda, Investigator
Mark Kenny, Investigator
Administration
File