



Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
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Jean M. Lorizio, Esq.
Chairman

MEMORANDUM AND ORDER ON LICENSEE'S
REQUEST FOR RECONSIDERATION

MENDON WINE & SPIRITS, INC. D/B/A DIVINE WINE AND SPIRITS
1100 UNION STREET, SUITE G-104
WESTBOROUGH, MA 01581
LICENSE#: 1438-00046

Mendon Wine & Spirits, Inc. d/b/a Divine Wine and Spirits (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, April 18, 2018, regarding an alleged violation of M.G.L. c. 10 § 33, 961 CMR 2:20 (1) – All tickets provided to the Licensed Sales Agent by the Lottery, and all proceeds from the sale of such tickets, shall at all times remain the exclusive property of the Lottery. All such proceeds shall be deposited by the Sales Agent into the trust account established pursuant to 961 CMR 2.16 (1), at such times and on such terms as the Director may from time to time require.

By decision dated April 24, 2018, the Commission found the Licensee in violation of the charges and indefinitely suspended the License effective forthwith until further written order from this Commission.

The Commission stated that it would consider issuing a further order upon written request of the Licensee showing good cause to reconsider this indefinite suspension. Good cause for the Commission would include, but not be limited to, the Licensee making payment to the Massachusetts State Lottery for the amount owed.

By way of letter dated April 26, 2018 enclosing a copy of the Licensee's check payment, Massachusetts State Lottery submitted to the ABCC evidence that the Licensee satisfied its obligation.

On April 27, 2018, counsel for the Licensee requested a hearing to reconsider the indefinite suspension.

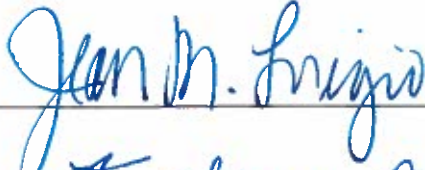
The Commission took administrative notice of the Commission records regarding this Licensee.

CONCLUSION

Based on the evidence presented, the Commission reconsiders and reverses its prior order of **INDEFINITE SUSPENSION** of the license of Mendon Wine & Spirits, Inc. d/b/a Divine Wine and Spirits **effective forthwith**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Kathleen McNally, Commissioner



Elizabeth A. Lashway, Commissioner



Dated: October 25, 2018

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.

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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Jack Carey, Investigator
Maryanne Hutchinson, Esq., Lottery
John DeSimas, Lottery
Allison O'Keefe, Lottery
Romeo Adams, Esq.
Administration, File