



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

BAR 2010, Inc. dba 2010
274 Shrewsbury Street
Worcester, MA 01608
License #: 150800545
Heard: 06/28/2011

BAR 2010, Inc. dba 2010 (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, June 28, 2011, regarding an alleged violation of 204 CMR 2.01(8) (1 count) and 204 CMR 2.03 (4) (1 count). Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Timothy Hooton's report.

The following documents are in evidence:

1. Investigator Timothy Hooton's Report;
- A. Copy of Check Dated January 21, 2011 for Ten Thousand Dollars (\$10,000) from Glickman Real Estate, Inc.

There is one (1) tape of this hearing.

FACTS

1. On August 23, 2010 a purchase and sale agreement was signed to transfer the all alcoholic license between Jeff's Place, Inc. and Bar 2010, Inc.
2. On December 1, 2010, Investigator Kujawski returned the application without action due to lack of paperwork.
3. On December 29, 2010, the Massachusetts Department of Revenue seized the liquor license.
4. On March 8, 2011, a new application for Bar 2010, Inc. was received by the Commission from the Worcester License Commission.
5. An affidavit dated March 14, 2011, from Genhow Ha, stated that no stockholder, or other parties of interest has any financial relationship to the previous licensee which in this case would be Jeff's Place, Inc. was included in the application.
6. At the hearing, Exhibit A was presented which indicates any financial interest by the previous licensee had terminated on or about January 21, 2011.

CONCLUSION

Based on the evidence, the Commission finds **no violation**. The affidavit was signed after January 21, 2011 which was when the funds had been returned.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Robert H. Cronin, Commissioner

Robert H. Cronin

Susan Corcoran, Commissioner

Susan Corcoran

Dated: August 22, 2011

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
Timothy Hooton, Investigator
Daniel Cotton, Esq. via Facsimile
Administration
File