



The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

Sloven Grossman
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

NOTICE OF SUSPENSION

December 17, 2012

CITY INSTYLE, INC. DBA CLUB INSTYLE
41 PLEASANT ST
WORCESTER, MA 01608
LICENSE#: 150800535
VIOLATION DATE: 05/18/2012
HEARD: 11/27/2012

After a hearing on December 11, 2012, the Commission finds City Instyle, Inc. dba Club Instyle in violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: c. 138, §34C- Possession of an alcoholic beverage by a person under 21 years of age (2 counts).

The Commission **suspends the licensee's license for a total of three (3) days to be served. The suspension shall commence on Wednesday, January 30, 2013, and terminate on Friday, February 1, 2013.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, January 30, 2013 at 9:00 A.M. It will be returned to the licensee Saturday, February 2, 2013.

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.

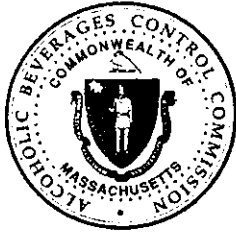
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro
Chairman

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Jan Kujawski, Investigator
Brian R. Forts, Esq., via Facsimile 508-829-7326
Administration
File

1767 0816

1



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

DECISION

CITY INSTYLE, INC. DBA CLUB INSTYLE
41 PLEASANT ST
WORCESTER, MA 01608
LICENSE#: 150800535
VIOLATION DATE: 05/18/2012
HEARD: 11/27/2012

City Instyle, Inc. dba Club Instyle (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, December 12, 2012, regarding an alleged violation of 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: c. 138, §34C- Possession of an alcoholic beverage by a person under 21 years of age (2 counts). Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Kujawski's Report.

The following documents are in evidence:

1. Investigator Kujawski's Investigative Report dated May 18, 2012;
2. Licensee's Stipulation of Facts; and
3. Worcester Police Department Custody Report.

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

FACTS

1. On Friday, May 18, 2012, at approximately 12:45 a. m., Investigators Keefe, Bailey, and Kujawski conducted an investigation of the business operation of City Instyle, Inc. dba Club Instyle to determine the manner in which their business was being conducted.
2. Investigators entered the premises and observed two (2) youthful looking individuals in possession of alcoholic beverages.
3. Investigators identified themselves to these individuals and asked to see their identification.
4. One underage female was identified as Marina Subirina, date of birth July 12, 1993, age eighteen (18) years.
5. The other underage female was identified as Felicia Monteiro, date of birth February 7, 1993, age nineteen (19) years.
6. Both Ms. Subirina and Ms. Monteiro were observed to be in possession of a Grey Goose vodka and Red Bull.
7. They both stated that they had no identification on their person, and that they had each washed off the under 21 X - stamp that had been placed on her hand.

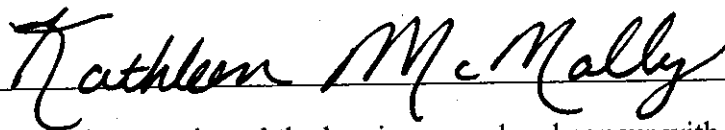
8. Investigators informed the manager on duty, Harry Jarjant, of the violations and that a report would be submitted to the Chief Investigator for further action.

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: c. 138, §34C- Possession of an alcoholic beverage by a person under 21 years of age (2 counts). Therefore, the Commission **suspends the license for nine (9) days of which three (3) days will be served and six (6) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

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



DATE: December 17, 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
Jan Kujawski, Investigator
Brian R. Forts, Esq., via Facsimile 508-829-7326
Administration
File