

*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
Telephone: 617-727-3040
Facsimile: 617-727-1510*

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

June 6, 2017

**JASMAT CORPORATION D/B/A MAHONEY'S
413 PARK AVENUE
WORCESTER, MA 01608
LICENSE#: 150800140
VIOLATION DATE: 10/06/2016
HEARD: 05/30/2017**

After a hearing on May 30, 2017, the Commission finds Jasmat Corporation d/b/a Mahoney's violated 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34C Possession of an alcoholic beverage by a person under twenty-one (21) years of age (3 Counts).

Therefore, the Commission suspends the license for a period of eleven (11) days of which five (5) 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.

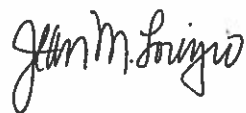
By decision dated March 29, 2016, the Commission had previously ordered a thirty-eight (38) day license suspension, with twenty-five (25) days to be served and thirteen (13) days to be held in abeyance for a period of two (2) years provided no further violations occurred. Based on the violations found above, the Licensee violated the conditions of that thirteen (13) day suspension being held in abeyance. The Commission hereby orders that suspension to be served on and after the five (5) day suspension. The Licensee will serve a total eighteen (18) days. No Offer in Compromise will be considered for five (5) days of the eighteen (18) day suspension for this penalty.

The suspension shall commence on Wednesday, July 26, 2016 and terminate on Saturday, August 12, 2016. The license will be delivered to the Local Licensing Board or its designee on Wednesday, July 26, 2016 at 9:00 A.M. It will be returned to the Licensee Sunday, August 13, 2016.

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 which must be signed by the Licensee and 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.

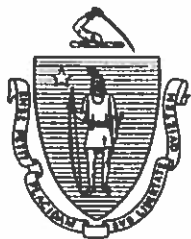
ALCOHOLIC BEVERAGES CONTROL COMMISSION



Jean M. Lorizio
Chairman

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。

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Nicholas Velez, Investigator
Jan Kujawski, Investigator
Joseph Di Cicco, Investigator
Richard Kalinowski, Esq.
Administration, File



Jean M. Lorizio, Esq.
Chairman

*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
Telephone: 617-727-3040
Facsimile: 617-727-1510*

DECISION

**JASMAT CORPORATION D/B/A MAHONEY'S
413 PARK AVENUE
WORCESTER, MA 01608
LICENSE#: 150800140
VIOLATION DATE: 10/06/2016
HEARD: 05/30/2017**

Jasmat Corporation d/b/a Mahoney's (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, May 30, 2017, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34C Possession of an alcoholic beverage by a person under twenty-one (21) years of age (3 Counts). Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Velez's report.

The following documents are in evidence:

1. Investigator Velez's Investigative Report;
2. Licensee's Stipulation of Facts;
3. RMV Printout for Underage #2;
4. RMV Printout for Underage #3;
5. RMV Printout for Underage #1;
6. Photocopy of False Connecticut Driver's License for Underage #1; and
7. Photocopy of False Maine Driver's License for Underage #2.

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

The Commission took Administrative Notice of the Licensee's record.

FINDINGS OF FACT

1. On Thursday, October 6, 2016, at approximately 11:30 p.m., Chief Investigator Mahony, Investigators Di Cicco, Kujawski, and Velez ("Investigators") investigated the business operation of Jasmat Corporation d/b/a Mahoney's to determine the manner in which their

business was being conducted. Prior to entering the licensed premises, Investigators contacted the Worcester Police Department for assistance.

2. Investigators entered the licensed premises and observed a group of youthful looking individuals, standing near the bar, in possession of alcoholic beverages. Investigators identified themselves and asked to see proof of age.
3. Underage #1, actual date of birth of 6/27/1996 (age 20), presented to Investigators a false Connecticut driver's license. She stated she had used the false driver's license to enter the premises. Underage #1 was in possession of a Jack Daniels and cola mixed drink.
4. Underage #2, actual date of birth of 2/09/1997 (age 19), presented to Investigators a false Maine driver's license. She stated that she had used the false driver's license to gain entry to the premises. Underage #2 was in possession of a Fireball Whiskey mixed drink.
5. Underage #3, actual date of birth of 2/09/1997 (age 19), was in possession of a Jack Daniels whiskey and cola mixed drink.
6. While checking identifications of these underage individuals, Investigators observed that a large crowd of youthful appearing individuals exited the licensed premises at a rapid pace, and the size of the crowd decreased significantly.
7. Investigators spoke to Matt Bartosiewicz, the night manager on duty, and identified the underage individuals to him. Investigators informed Mr. Bartosiewicz of the violation and stated that a report would be submitted to the Chief Investigator for further review.

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. c. 138, §34C Possession of an alcoholic beverage by a person under twenty-one (21) years of age (3 Counts). Therefore, the Commission **suspends the license for a period of eleven (11) days of which five (5) 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.**

By decision dated March 29, 2016, the Commission had previously ordered a thirty-eight (38) day license suspension, with twenty-five (25) days to be served and thirteen (13) days to be held in abeyance for a period of two (2) years provided no further violations occurred. Based on the violations found above, the Licensee violated the conditions of that thirteen (13) day suspension being held in abeyance. The Commission hereby orders that suspension to be served on and after the five (5) day suspension. The Licensee will serve a total eighteen (18) days. No Offer in Compromise will be considered for five (5) days of the eighteen (18) day suspension for this penalty.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Elizabeth A. Lashway, Commissioner Elizabeth A. Lashway

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

Jean M. Lorizio, Chairman Jean M. Lorizio

Dated: June 6, 2017

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。

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Nicholas Velez, Investigator
Jan Kujawski, Investigator
Joseph Di Cicco, Investigator
Richard Kalinowski, Esq.
Administration, File