

*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**

**F & S Restaurant Corp. dba The English Pub**  
**15 E. Pleasant Street**  
**Amherst, MA 01002**  
**License #: 002400013**  
**Heard: 3/8/2011**

F & S Restaurant Corp. dba The English Pub (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, March 8, 2011, regarding an alleged violation of M.G.L. c.138, §34C (1 count). Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Jan Kujawski's report.

The following documents are in evidence:

1. The Licensee's Stipulation of Facts;
2. Investigator Jan Kujawski's Report dated December 22, 2010;
3. Registry Printout; and
4. Copy of Massachusetts Drivers License Used by the Minor.

There is one (1) tape of this hearing.

FACTS

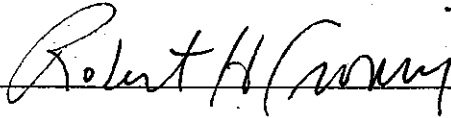
1. On Friday December 3, 2010 at approximately 12:05a.m, Investigators Bailey and Kujawski observed the business operation of F & S Restaurant Corp. dba The English Pub.
2. The investigators attention was drawn to a young female patron drinking a Wobbler consisting of gin, rum, vodka, and cranberry juice.
3. Investigators identified themselves to the female and asked to see her identification.
4. The female patron presented a Massachusetts Drivers license that had a D.O.B. of 8/12/87.
5. The photo on the identification did not resemble the female patron who presented it.
6. The investigators recorded the female patrons real information, D.O.B. 12/13/90.
7. The bartenders on duty stated they did not ask the female patron for identification.

CONCLUSION

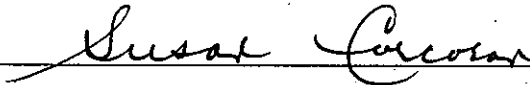
Based on the evidence, the Commission finds the licensee violated M.G.L. c. 138, §34C (1 count) and therefore, **suspends the license for a period of four (4) days.**

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Robert H. Cronin, Commissioner



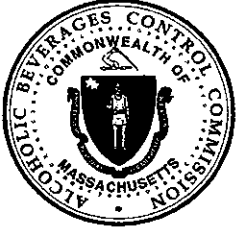
Susan Corcoran, Commissioner



Dated: May 13, 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  
Jan Kujawski, Investigator  
File



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NOTICE OF SUSPENSION

May 13, 2011

**F & S Restaurant Corp. dba The English Pub**  
**15 E. Pleasant Street**  
**Amherst, MA 01002**  
**License #: 002400013**  
**Heard: 3/8/2011**

After a hearing on March 8, 2011 the Commission finds F & S Restaurant Corp. dba The English Pub in violation of Massachusetts General Laws c. 138, §34C (1 count).

The Commission **suspends the licensee's license for a total of four (4) days to be served.** The suspension shall commence on **Wednesday, June 8, 2011 and terminate on Saturday, June 11, 2011.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, June 8, 2011 at 9:00 A.M. It will be returned to the licensee Sunday, June 12, 2011.

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 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

File