



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

ROJO INC. DBA THE COZY OAKS
21 LYMAN STREET
SOUTH HADLEY, MA 01075
LICENSE#: 117600022
HEARD: 11/1/2011

Rojo, Inc. dba The Cozy Oaks (the "Licensee") holds an all alcohol license issued pursuant to Massachusetts General Laws chapter 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, November 1, 2011, regarding an alleged violation of M.G.L. c. 138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Brad Doyle's Compliance Check Field Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Compliance Check Field Report of Investigator Brad Doyle.

There is one (1) tape of this hearing.

FACTS

1. On, July 15, 2011 at approximately 6:09 p.m., Commission Investigators investigated the business operation Rojo, Inc. dba The Cozy Oaks.
2. An underage operative, working with the investigators, purchased a Bud Light bottle for three dollars and zero cents (\$3.00). The underage operative was not asked for identification.
3. Administrative review of the file indicates the license has no prior violations.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated M.G.L. c. 138, §34. Therefore, the Commission **suspends the license for three (3) days of which three (3) 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

Susan Corcoran, Commissioner *Susan Corcoran*

Kathleen McNally, Commissioner *Kathleen McNally*

Dated: November 9, 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
Brad Doyle, Investigator
Rose Egan-Bailey, Investigator
Administration
File