

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

TOKYO RESTAURANT, INC. DBA TOKYO RESTUARANT
143 FAIRHAVEN ROAD
MATTAPOISETT, MA 02739
LICENSE#: 067400020
HEARD: 08/16/2011

Tokyo Restaurant, Inc. dba Tokyo Restaurant (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, August 16, 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 Jamie Binienda'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 Jamie Binienda.

There is one (1) tape of this hearing.

FACTS

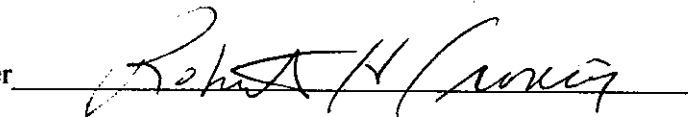
1. On, May 20, 2011 at approximately 3:50 p.m., Commission Investigators investigated the business operation Tokyo Restaurant, Inc. dba Tokyo Restaurant.
2. The underage operative did not pay for the alcoholic beverage but took possession of a Bud Light.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws c. 138, §34. 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.**

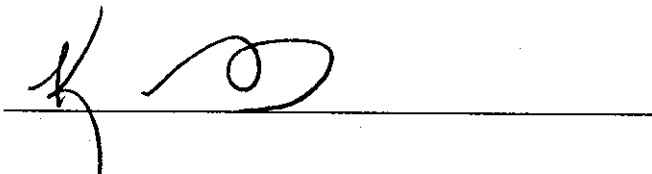
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Robert Cronin, Commissioner



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

Kim S. Gainsboro, Chairman



Dated: September 6, 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
Jamie Binienda, Investigator
Michael Teehan, Investigator
Administration
File