

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

MAXAMILLIANS INC. DBA MAXAMILLIANS BILLARDS, FOOD, SPIRITS
315 MIDDLESEX ROAD
TYNGSBOROUGH, MA 01879
LICENSE#: 129800047
HEARD: 09/04/2012

Maxamillians Inc. dba Maxamillians Billards, Food, Spirits (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, September 4, 2012, regarding an alleged violation of 204 CMR 2.05(2), to wit: c.138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Doyle's Compliance Check Field Report.

The following documents are in evidence:

1. Investigator Doyle's Compliance Check Field Report dated May 4, 2012; and
2. Licensee's Stipulation of Facts.

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

FACTS

1. On Friday, May 4, 2012, at approximately 6:52 p.m., Investigators Bailey and Doyle conducted an investigation of the business operation of Maxamillians Inc. dba Maxamillians Billards, Food, Spirits.
2. An underage operative working with investigators purchased an alcoholic beverage, a bottle of Bud Light beer for three dollars (\$3.00). The underage operative was not asked for identification.

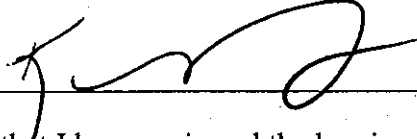
CONCLUSION

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2), to wit: M.G.L. c. 138, §34. As the licensee has been in business for over ten (10) years and has had no previous violations, the Commission issues a **WARNING**.

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ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro, Chairman



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

Kathleen McNally, Commissioner



Dated: September 4, 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
Rose Bailey, Investigator
Brad Doyle, Investigator
Lawrence M. Beane, Esq. via Facsimile
✓ Administration
File