

The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

Steven Grossman
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

NOTICE OF SUSPENSION

December 12, 2012

KARJAK INC. DBA ALUMNI CLUB
51-57 TAYLOR STREET
SPRINGFIELD, MA 01103
LICENSE#: 122600320
VIOLATION DATE: 09/15/2012
HEARD: 12/11/2012

After a hearing on December 11, 2012, the Commission finds Karjak Inc. dba Alumni Club in violation of 204 CMR 2.05 (2) - Permitting an illegality on the licensed Karjak premises, to wit: M.G.L. Ch.138 §34C- Possession of an alcoholic beverage by a person under twenty-one (21) years of age (3 Counts).

The Commission **suspends the licensee's license for a total of thirty-five (35) days to be served. The suspension shall commence on Wednesday, January 30, 2013, and terminate on Tuesday, March 5, 2013.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, January 30, 2013 at 9:00 A.M. It will be returned to the licensee Wednesday, March 6, 2013.

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 thirty (30) days upon receipt of this notice.

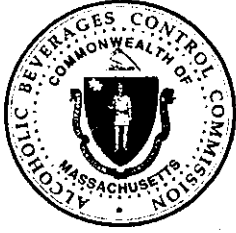
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro
Chairman

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Rose Bailey, Investigator
Frank A. Caruso, Esq. via Facsimile 413-782-8553
Administration
File

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The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

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DECISION

KARJAK INC. DBA ALUMNI CLUB
51-57 TAYLOR STREET
SPRINGFIELD, MA 01103
LICENSE#: 122600320
VIOLATION DATE: 09/15/2012
HEARD: 12/11/2012

Karjak Inc. dba Alumni Club (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, July 10, 2012, regarding an alleged violation of 204 CMR 2.05 (2) - Permitting an illegality on the licensed premises, to wit: M.G.L. Ch.138 §34C- Possession of an alcoholic beverage by a person under twenty-one (21) years of age (3 Counts), which occurred on September 15, 2012, according to Investigator Bailey's Report.

The following documents are in evidence:

1. Investigator Bailey's Investigative Report dated September 15, 2012.

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

FACTS

1. On Saturday, September 15, 2012, at approximately 12:10 a. m., Investigators Binienda, Doyle, Keefe, Kenny, Kujawski, Wilichoski, and Bailey, along with Springfield Police Sergeant Roy Carter and Detective Thomas Scanlon, conducted an investigation of the business operation of Karjak Inc. dba Alumni Club to determine the manner in which its business was being conducted. Investigators separated into three (3) teams to conduct the investigation.
2. Investigators Doyle, Keefe and Bailey entered the second floor of the licensed premises, and they observed a youthful looking female in possession of an alcoholic beverage standing to the left of the entrance doorway.
3. Upon entering the licensed premises, investigators observed two (2) youthful looking females in possession of alcoholic beverages.
4. Investigators identified themselves and asked to see her identification.
5. The female provided a Massachusetts Identification card that did not resemble her. The form of identification provided was not acceptable as proof of age until October 29, 2012. The card listed date of birth September 13, 1986, age twenty-six (26) years.
6. After further conversation, the female stated that this card was not her true identification and provided her real information: Zokika Morales, date of birth January 20, 1993, age eighteen (18) years.

7. Ms. Morales stated she was drinking an Amaretto Sour, and that an unknown male had purchased the alcoholic beverage for her.
8. Investigators informed the manager on duty, Louie Rascilla, of the violation and showed him the identification card used by Ms. Morales.
9. Mr. Rascilla agreed that the identification card used should not have been accepted, and that the photo on it did not resemble Ms. Morales.
10. Investigators Binienda and Wilichoski observed a youthful looking male in possession of an alcoholic beverage.
11. Investigators identified themselves and asked to see his identification.
12. The male provided investigators with an expired Massachusetts identification card which did not resemble him. The form of identification provided was not acceptable as proof of age until October 29, 2012. This identification card indicated a height of five (5) feet and eleven (11) inches, the male person in possession of the card was five (5) feet and seven (7) inches. The card also listed date of birth June 19, 1989, age twenty-three (23) years.
13. After further conversation, the male stated that this card was not his true identification and provided his real information: Felix Ramirez, date of birth October 5, 1992, age nineteen (19) years.
14. Mr. Ramirez was in possession of a Hennessy, and he stated that the bartender did not ask to see identification.
15. Investigators Kenny and Kujawski observed a youthful looking male in possession of an alcoholic beverage.
16. Investigators identified themselves and asked to see his identification.
17. The male stated he did not have any identification. He stated his identity: Samuel Roman, date of birth November 11, 1991, age twenty (20) years.
18. Mr. Roman was in possession of a vodka and cranberry. He stated that the alcoholic beverage was given to him by a friend.
19. Investigator Binienda informed the licensee, Mr. Janak, of the violations and that a report would be submitted to the Chief Investigator for review.

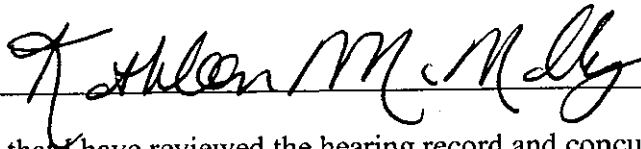
CONCLUSION

Based on the evidence, the Commission finds the licensee violated of 204 CMR 2.05 (2) - Permitting an illegality on the licensed premises, to wit: M.G.L. Ch.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 fifteen (15) days of which fifteen (15) days will be served.**

By decision dated July 17, 2012, the Commission had previously ordered a thirty (30) day license suspension with ten (10) days to be served and twenty (20) days to be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur. Based on the violation found above, the licensee violated the conditions of that twenty (20) day suspension being held in abeyance. The Commission hereby orders that suspension to be served on and after the fifteen (15) day suspension. The licensee will serve a total thirty-five (35) days.

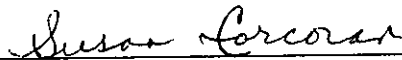
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner



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

Susan Corcoran, Commissioner



Dated: December 12, 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
Chris Temple, Investigator
Frank A. Caruso, Esq. via Facsimile 413-782-8553
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File