

*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**

**MICHAEL'S PASTA-IN-THE-PAN, INC. DBA MICHAEL'S PASTA-IN-THE-PAN II**  
**2133 BOSTON RD.**  
**WILBRAHAM, MA 01095**  
**LICENSE#: 147200051**  
**VIOLATION DATE: 02/26/2014**  
**HEARD: 06/24/2014**

Michael's Pasta-In-The-Pan, Inc. dba Michael's Pasta-In-The-Pan II (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, June 24, 2014, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: c. 138, §34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Keefe's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Keefe's Investigative Report dated February 26, 2014.

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

FACTS

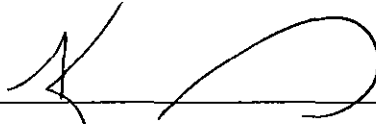
1. On Wednesday, February 26, 2014 at approximately 6:48 p.m., Investigators Kujawski and Keefe conducted an investigation of the business operation of Michael's Pasta-In-The-Pan, Inc. dba Michael's Pasta-In-The-Pan II.
2. An underage operative, working with investigators, purchased a bottle of Budweiser Light beer for three dollars and twenty-five cents (\$3.25). The underage operative was not asked for identification.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for two (2) days of which two (2) days will be held in abeyance for a period of one (1) year provided no further violations of Chapter 138 or Commission Regulations occur.**

**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: June 25, 2014

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  
Investigator  
Investigator  
Administration  
File