



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, 2011

ONE HUNDRED AND SEVENTY-THREE MILK STREET, INC. DBA COOGAN'S BLUFF
171-173 MILK STREET
BOSTON, MA 02114
LICENSE#: 011600551
HEARD: 12/6/2011

After a hearing on December 6, 2011, the Commission finds One Hundred and Seventy-Three Milk Street, Inc. dba Coogan's Bluff in violation of M.G.L. c.138, §34.

The Commission **suspends the licensee's license for a total of eight (8) days to be served.** The suspension shall commence on **Wednesday, January 18, 2012 and terminate on Wednesday, January 25, 2012.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, January 18, 2012 at 9:00 A.M. It will be returned to the licensee Thursday, January 26, 2012.

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
Dennis Keefe, Investigator
Louis A. Cassis, Esq. via facsimile
✓ Administration
File

11. Investigators notified the manager on duty of the violation.
12. The manager on duty assisted the investigators in identifying the bartender.
13. Investigators informed the manager a violation report would be submitted to the Chief Investigator for review.
14. Administrative review indicates the licensee had a prior penalty in May 2011.
15. The licensee has had the license for thirty (30) years.

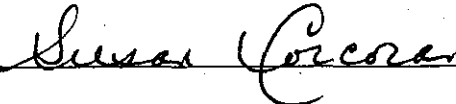
CONCLUSION

Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws c. 138, §34. The Commission **suspends the license for five (5) days.**

By decision dated May 27, 2011, the Commission had previously ordered a three (3) day license suspension but had held the suspension in abeyance for a period of two (2) years provided no further violations occurred. Based on the violation found above, the licensee violated the conditions of that three (3) day license suspension being held in abeyance. The Commission hereby orders that suspension to be served on and after the five (5) day suspension. The licensee will serve a total of eight (8) days.


ALCOHOLIC BEVERAGES CONTROL COMMISSION

Susan Corcoran, Commissioner



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

Kim S. Gainsboro, Chairman



Dated: December 12, 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
Dennis Keefe, Investigator
Louis A. Cassis, Esq. via facsimile
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