

## OFFICE OF THE BOARD OF SELECTMEN

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DANIEL J. DUNN  
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JOSEPH A. CURRO, JR.



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TOWN OF ARLINGTON  
MASSACHUSETTS 02476-4908

November 16, 2015

**By Hand Delivery**

**Bob D. O'Guin Jr., Manager**  
**Blog, LLC d/b/a Common Ground**  
**319 Broadway**  
**Arlington, MA 02474**

Licensee: Blog, LLC d/b/a Common Ground

Licensed Premises: 319 Broadway

License No.: 003000064

License Type: Restaurant Liquor License (Sale of All Alcoholic Beverages to be Consumed on the Premises)

Expiration Date: December 31, 2015

Dear Mr. O'Guin Jr.:

In accordance with G.L. c. 138 §§ 23, 64, and 69, the Board of Selectmen, as the liquor licensing authority for the Town of Arlington, hereby notifies you of its intention to hold a hearing to consider a report of the Arlington Police Department of the alleged sale or delivery of alcohol to an intoxicated person on or about January 1, 2015, at the above-referenced premises. If, following the hearing, the Board concludes that the alleged violations occurred, it may impose sanctions, including but not limited to modification, suspension, revocation, or cancellation of the above-referenced license. The hearing has been scheduled for **November 23, 2015, at 7:15 pm in the Selectmen's Chambers.**

The alleged violations occurred on or about December 31, 2014 through January 1, 2015, when Common Ground patron Mr. James McLaughlin was allegedly served alcohol on the premises throughout the day and evening of the 31st and early morning of the 1<sup>st</sup> respectively. Mr. McLaughlin also allegedly operated a vehicle upon leaving the premises after closing time (approximately 1:00 a.m.), whereupon he was immediately in a fatal car accident on nearby Pleasant Street. Subsequent investigation by the Arlington Police Department revealed that Mr. McLaughlin's blood alcohol content was twice the legal limit in the Commonwealth, that he was accompanied in his vehicle at the time of the accident by friends and family who were Common Ground employees, and that he had been served alcohol at Common Ground at multiple, separate junctures throughout the day and evening, including alcohol served during his last visit prior to closing. Additionally, statements provided by the accompanying passengers at the scene of the accident as to Mr. McLaughlin's alcohol consumption at Common Ground were later proven false by other Common Ground employee witnesses.

The facts as alleged would establish a violation of G.L. c. 138, § 69, which prohibits sale or delivery of alcoholic beverages to intoxicated persons, as well as 204 C.M.R. 2.05(2), which prohibits any illegality on licensed premises.

If you so choose, you may be represented by legal counsel at the November 23, 2015, hearing. You may also submit testimony and exhibits for the Board's consideration. If you have any administrative questions, you may contact Board staff at the number listed above.

Very truly yours,

Marie A. Krepelka  
Board Administrator

cc: Frederick Ryan, Chief of Police Services  
Douglas Heim, Town Counsel