

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF BUSINESS REGULATION  
233 RICHMOND STREET  
PROVIDENCE, RHODE ISLAND 02903**

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IN THE MATTER OF

OAKLAWN LIQUORS D/B/A  
BOBBY GASBARRO'S

RESPONDENT.  
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DBR No. 08-~~31~~ (08-41)

**CONSENT AGREEMENT**

It is hereby agreed between the Commercial Licensing & Racing & Athletics Division (Division) of the Department of Business Regulation ("Department") and Oaklawn Liquors d/b/a Bobby Gasbarro's ("Respondent") as follows:

1. Respondent holds a Class A license for the retail sale of alcoholic beverages pursuant to R.I. Gen. Laws § 3-7-3.

2. R.I. Gen. Laws § 3-5-21 provides that every license is subject to revocation or suspension and a licensee is subject to fine by the Department, on its own motion, for breach by the holder of the license of the conditions on which it was issued or for violation by the holder of the license of any statute, rule or regulation applicable.

3. R.I. Gen. Laws § 3-7-3 provides:

The holder of a Class A license, if other than a person entitled to retail, compound, and dispense medicines and poisons, shall not on the licensed premises engage in any other business, keep for sale or sell any goods, wares, merchandise or any other article or thing except the beverages authorized under this license and nonalcoholic beverages.

4. On August 6, 2008, an inspector from the Division conducted an examination of Oaklawn Liquors and found the following:.

OCT 16 2008

A), License held for sale a) Ice Cream products and b) Wind Breaker jackets, In violation of R.I. Gen. Laws § 3-7-3.

5. Based on the above violations the Department has sufficient cause to impose an administrative penalty pursuant to R.I. Gen. Laws § 3-5-21.

6. In an effort to resolve the above-referenced violation and allow Respondent to maintain its license in good-standing, Respondent agrees to the following:

- A. Respondent understands that the Department is charged with protecting the public by ensuring that its Licensees are competent and trustworthy and are reasonably familiar with the statutes and law relating to real estate.
- B. Respondent shall comply with all terms and requirements for licensure under R.I. Gen. Laws §§ 3-5-1, *et seq.* and 3-7-1, *et seq.*, and *Commercial Licensing Regulation 8 – Liquor Control Administration*.
- C. Respondent agrees that a failure to comply with all terms and requirements for licensure as described in paragraph 6(B) shall result in the revocation of Respondent's license.
- D. Respondent shall pay a fine in the amount of \$1,000.00, payable to the Rhode Island General Treasurer.
- E. Respondent voluntarily waives its right to the hearing process, voluntarily waives its right to appeal to Superior Court, admits that the allegations in Paragraphs 3 *supra*, are true, and agrees to take all necessary action as delineated in this Consent Agreement in order to maintain its license in good-standing.

7. If Respondent fails to comply with the terms of this Consent Agreement, the Department reserves its right to initiate the administration hearing process to suspend or revoke Respondent's license pursuant to R.I. Gen. Laws §§ 3-5-21, 42-35-9, and 3-5-11.

THE DEPARTMENT AND RESPONDENT HEREBY CONSENT AND AGREE TO THE FOREGOING AS TO FORM AND SUBSTANCE:

Department of Business Regulation  
By its Associate Director:

Maria D'Alessandro  
Maria D'Alessandro, Esq.  
Department of Business Regulation

Date: 10/16/08

Respondent  
By:

Kathy Champagne  
Oaklawn Liquors, Inc  
Kathy Champagne Oaklawn  
Liquors, Inc.

Date: 10/11/08