# STATE OF RHODE ISLAND DEPARTMENT OF BUSINESS REGULATION PASTORE COMPLEX 1511 PONTIAC AVENUE CRANSTON, RHODE ISLAND

Shoreham, Inc. d/b/a Ballard's Inn Appellant,	
<b>v.</b>	
Town of New Shore License Commission Appellee.	<i>,</i>

**DBR No.: 22LQ011** 

## FINAL ORDER OF DISMISSAL

This matter arose from an appeal and motion for stay filed on August 23, 2022 by Shoreham, Inc. d/b/a Ballard's Inn ("Appellant") with the Department of Business Regulation ("Department") pursuant to R.I. Gen. Laws § 3-7-21 regarding the decision by the Town of New Shoreham, Board of License Commissioners taken on August 22, 2022 to suspend its Class BV liquor license ("License") for 14 days. A stay hearing on the Appellant's motion to stay was heard on August 23, 2022 before the undersigned who was delegated to hear this matter by the Director of the Department. By order dated August 24, 2022, a conditional stay was granted. A further conditional stay order was entered on September 1, 2022. On December 15, 2022, the parties filed a dismissal stipulation requesting that this appeal be dismissed with prejudice. Therefore, based on the foregoing, the Appellant's appeal is dismissed with prejudice.

Dated: December 16 2022

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Catherine R. Warren Hearing Officer

### <u>ORDER</u>

I have read the Hearing Officer's Recommendation in this matter, and I hereby take the following action with regard to the Recommendation:

Х	ADOPT
	REJECT
	MODIFY

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Dated: 12/20/2022

Elizabeth Kelleher Dwyer, Esquire Interim Director

#### **NOTICE OF APPELLATE RIGHTS**

THIS ORDER CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO R.I. GEN. LAWS § 42-35-12. PURSUANT TO R.I. GEN. LAWS § 42-35-15, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN AND FOR THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE MAILING DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MUST BE COMPLETED BY FILING A PETITION FOR REVIEW IN SUPERIOR COURT. THE FILING OF THE COMPLAINT DOES NOT ITSELF STAY ENFORCEMENT OF THIS ORDER. THE AGENCY MAY GRANT, OR THE REVIEWING COURT MAY ORDER, A STAY UPON THE APPROPRIATE TERMS.

#### **CERTIFICATION**

I hereby certify on this <u>20th</u> day of December, 2022 that a copy of the within Order was sent by electronic delivery and first class mail, postage prepaid, to the following: Brian LaPlante, Esquire, Michael J. Jacobs, Esquire, and Justin T. Bonnick, Esquire, LaPlante Sowa Goldstein, 78 Kenwood Street, Cranston, R.I. 02907, James M. Callaghan, Esquire, Callaghan & Callaghan, 3 Brown Street, Wickford, R.I. 02852, and Robert E. Craven, Esquire and Nicholas A. Solitro, Esquire, Robert E. Craven & Associates, 7405 Post Road, North Kingstown, RI 02852 and by electronic delivery to Pamela Toro, Esquire, Department of Business Regulation, Pastore Complex, 1511 Pontiac Avenue, Building 69-1, Cranston, RI 02920.