



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

IN RE: BENECOM COMPUTER COMPANY, INC.
D/B/A BENECOM TECHNOLOGIES- No. P083602583
DAVID R. BENEDIC- No. 07008
DEBORAH H. BENEDIC- No. 07009

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of February 19, 2008. The Hearing Officer's order dated January 28, 2008, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Denial of Original Application," No. P083602583, "Notice of Recommendation of Finding of Unsuitability," No. 07008, and "Notice of Recommendation of Finding of Unsuitability," No. 07009, by and between Benecom Computer Company, Inc. d/b/a Benecom Technologies, David R. Benedic, and Deborah H. Benedic, and the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, which is attached hereto and incorporated herein, is **APPROVED**.


THUS DONE AND SIGNED on this the 19th day of February, 2008.

LOUISIANA GAMING CONTROL BOARD

BY:


H. CHARLES GAUDIN, CHAIRMAN

HJC/gac

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A COPY HAS BEEN MAILED BY REGISTERED MAIL TO ALL PARTIES THIS 20th OF February, 2008
APPEAL DOCKET CLERK


STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: BENECOM COMPUTER COMPANY, INC.
D/B/A BENECOM TECHNOLOGIES

PERMIT NO. P083602583

IN RE: DAVID R. BENEDIC

CASE NO. 07008

IN RE: DEBORAH H. BENEDIC

CASE NO. 07009

**JOINT MOTION FOR APPROVAL OF
COMPROMISE AND SETTLEMENT AGREEMENT**

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

NOW COME the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and BeneCom Computer Company, Inc. d/b/a BeneCom Technologies, David R. Benedic and Deborah H. Benedic (hereinafter, "Defendants"), who file this their Joint Motion for Approval of Compromise and Settlement Agreement, and in support thereof would respectively show unto the Hearing Officer as follows:

1.

The Division and Defendants are desirous of compromising and settling all disputes between them relative to the referenced administrative proceeding. In connection therewith, the parties have entered into a compromise and settlement agreement which by its terms will become effective upon approval by the Administrative Hearing Office and the Louisiana Gaming Control Board.

2.

A true and correct copy of the proposed Compromise and Settlement Agreement is attached hereto as Exhibit "A" and incorporated by reference for all purposes.



3.

The parties agree that the Notice of Recommendation of Finding of Unsuitability against David R. Benedic, Case Number 07008, should be dismissed with prejudice.

4.

The parties agree that the Notice of Recommendation of Finding of Unsuitability against Deborah H. Benedic, Case Number 07009, should be dismissed with prejudice.

WHEREFORE, PREMISES CONSIDERED, the Division and Defendants respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement; and dismiss all claims against David R. Benedic, Case Number 07008, and Deborah H. Benedic, Case Number 07009, with prejudice.

Respectfully submitted,

DYSART & TABARY, LLC

By: 

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*Counsel for BeneCom Computer
Company, d/b/a BeneCom Technologies,
et al.*

**CHARLES C. FOTI, JR.,
ATTORNEY GENERAL**

By: 

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Assistant Attorney General
1885 North Third Street, 5th Floor
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Counsel for the Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: BENECOM COMPUTER COMPANY, INC.
D/B/A BENECOM TECHNOLOGIES **PERMIT NO. P083602583**

IN RE: DAVID R. BENEDIC **CASE NO. 07008**

IN RE: DEBORAH H. BENEDIC **CASE NO. 07009**

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and BeneCom Computer Company, Inc. d/b/a BeneCom Technologies, David R. Benedic and Deborah H. Benedic (hereinafter, "Defendants"), do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Revocation to BeneCom Computer Company, Inc. d/b/a BeneCom Technologies, and Notices of Recommendation of Finding of Unsuitability to David R. Benedic and Deborah H. Benedic, which notices allege certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by the said notices are set for hearing on January 28, 2008, before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the parties hereto are desirous of fully and finally compromising and settling all disputes and issues raised in connection with the said notices;

NOW, THEREFORE, in consideration of the foregoing, the parties hereto do hereby agree and stipulate as follows:

STIPULATIONS

1. BeneCom Computer Company, Inc. d/b/a BeneCom Technologies is a non-gaming supplier applicant within the Gaming Industry of Louisiana.

2. On or about May 30, 2007, the Division issued a Notice of Recommendation of Revocation to BeneCom Computer Company, Inc. d/b/a BeneCom Technologies and Notices of Recommendation of Finding of Suitability to David R. Benedic and Deborah H. Benedic, which notices allege certain violations of Louisiana Gaming Control Law.

3. BeneCom Computer Company, Inc. d/b/a BeneCom Technologies represented to various Louisiana licensees that it was a Woman-Owned Business Enterprise, when in truth and fact, it did not qualify as such.

4. On February 26, 2004, BeneCom Computer Company, Inc. d/b/a BeneCom Technologies entered into a certain Asset Purchase Agreement with Benetech, L.L.C. Benetech L.L.C. was denied its non-gaming supplier permit in 2007, based on the unsuitability of its owner, William Aaron Bennett. Therefore, BeneCom Computer Company, Inc. d/b/a BeneCom Technologies was associating with a denied vendor and/or unsuitable people.

TERMS AND CONDITIONS

1. Any and all information discovered throughout the course of this or any other investigation may be used in any future consideration of the suitability of David R. Benedic and Deborah H. Benedic, although, consideration of these allegations shall not be deemed as an automatic disqualifier.

2. In lieu of further administrative action, Defendants agree to pay a civil penalty of Thirty-Five Thousand and No/100 (\$35,000.00) Dollars, regarding the stipulated facts.

3. The Division agrees that prior to the Settlement Agreement, it had agreed to dismiss its Recommendation of Finding of Unsuitability for David R. Benedic and Deborah H. Benedic with prejudice.

4. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Defendants pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

5. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana Gaming Control Board for its determination as to whether to approve same or to remand the matter to the Hearing Officer for a full hearing on the merits.

6. If approved, Defendants must make payment of the civil penalty to the Division within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate denial of the Application for Non-Gaming Supplier Permit without the necessity of any further administrative action until such time as the penalty is paid in full.

7. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

I have read this entire Compromise Settlement Agreement, understand it, and agree to all stipulations and terms and conditions hereof.

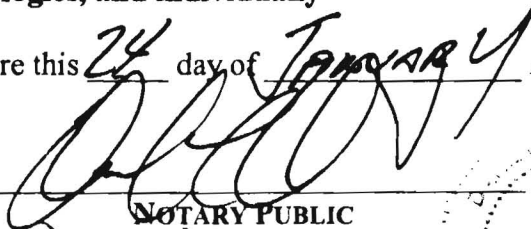


David R. Benedic, on behalf of BeneCom Computer Company, Inc. d/b/a BeneCom Technologies, and individually



Deborah H. Benedic, on behalf of BeneCom Computer Company, Inc. d/b/a BeneCom Technologies, and individually

Sworn to and subscribed before this 24 day of JANUARY A.D. 2008.



NOTARY PUBLIC
Daniel L. Dysart / 5156
Printed Name Bar Roll #
for Life
Notary Commission Expires





Gail C. Holland, AAG, on behalf of State of Louisiana, Department of Public Safety & Corrections, Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: **BENECOM COMPUTER COMPANY, INC.
D/B/A BENECOM TECHNOLOGIES**

PERMIT NO. P083602583

IN RE: **DAVID R. BENEDIC**

CASE NO. 07008

IN RE: **DEBORAH H. BENEDIC**

CASE NO. 07009

ORDER

BE IT REMEMBERED that on the 28th day of January, 2008, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement. The Hearing Officer having considered the pleadings on file, the proposed Settlement Agreement, and the said Motion, and it appearing to the Hearing Officer that the said Compromise and Settlement Agreement should be approved; it is, therefore,

ORDER, ADJUDGED, AND DECREED that the Compromise and Settlement Agreement attached to the parties' Joint Motion for Approval of Compromise and Settlement Agreement be, and the same is hereby, **APPROVED**; that the Defendants must pay Thirty-Five Thousand and No/100 (\$35,000.00) Dollars to the Division within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate denial of the Application for Non-Gaming Supplier Permit without the necessity of any further administrative action until such time as the penalty is paid in full; that the Notice of Recommendation of Finding of Unsuitability against David R. Benedic, Case Number 07008, be

dismissed with prejudice; and that the Notice of Recommendation of Finding of Unsuitability against Deborah H. Benedic, Case Number 07009, be dismissed with prejudice.

SIGNED AND ENTERED this 20th day of January, 2008, in Baton Rouge, Louisiana.



HEARING OFFICER

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
THIS 20th DAY
July Domingue
CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Daniel Depant
Gail Holland
Lt. James McCreane

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 1/20/08
July Domingue
BY: CLERK