



State of Louisiana

Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

IN RE: CARLYSS BBQ SEAFOOD NO. P081002403

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of October 18, 2005. The Hearing Officer's order dated September 20, 2005, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Suspension and Penalty," Permit No. P081002403, by and between Carlyss BBQ Seafood, 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 18 day of October, 2005.

LOUISIANA GAMING CONTROL BOARD

BY:


H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 17th DAY
OF October 2005

APPEAL DOCKET CLERK


STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

SEP 20 2005

LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: CARLYSS BBQ SEAFOOD

P081002403

JOINT MOTION FOR ENTRY OF STIPULATIONS AND
APPROVAL OF PROPOSED SETTLEMENT

RECEIVED
SEP 22 2005

ON THE JOINT MOTION OF:

1. the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, (hereinafter "Division"), and
2. CARLYSS BBQ SEAFOOD, Permit No. P081002403 (hereinafter "permittee"),

who respectfully represent the following:

WHEREAS:

1. The permittee was required to submit an annual fee and Annual Affidavit by April 11, 2005, which represents its permit anniversary date. As of June 3, 2005, the permittee had not submitted the required fee and affidavit.
2. The permittee is mandated by La. R.S. 27:29 and 29:29.3 to pay an annual fee by its anniversary date.
3. Permittee was issued a *Notice of Recommendation of Suspension and Penalty* by the Louisiana Gaming Control Board.
4. This matter has been scheduled for hearing on September 20, 2005 at 9:00 a.m. before the Honorable William H. Brown.

NOW THEREFORE, in consideration of the foregoing stipulations, the Division and the permittee hereby propose the following settlement, that:

1. The permittee acknowledges that La. R.S. 27:29 and 29:29.3 mandate a permittee to pay an annual fee by its anniversary date;

SEP 19 2005

OFFICE OF
ATTORNEY GENERAL
BAGUE, LA

TRUE COPY

Representative
Louisiana Gaming Control Board

2. The permittee did not provide the annual fee and Annual Affidavit to the Division by April 11, 2005;
3. In lieu of suspension of the permittee's non-gaming supplier permit, the permittee shall pay a \$562.50 civil penalty;
4. The Division hereby agrees to accept the permittee's payment of the above stated penalty in full and final settlement of this Notice of Recommendation of Suspension and Penalty;
5. The Division reserves the right to take into consideration these violations in connection with any future violation;
6. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
7. This settlement constitutes the entire agreement between the Division and CARLYSS BBQ SEAFOOD pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
8. This settlement is subject to approval by the Hearing Officer of the Louisiana Gaming Control Board; it is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not executory and will be submitted to the Board for its determination as to whether the matter should be heard by the Hearing Officer; if approved, however, payment of the above penalties must be submitted to the Division within fifteen (15) days of approval of this settlement by the Board; the failure to submit the civil penalty within fifteen (15) days of approval by the Board shall result in the permittee being suspended until such time as the penalty is paid in full; and
9. The Division and the permittee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted,

CARLYSS BBQ SEAFOOD

BY:

Danny A. Davis

Danny A. Davis
5047 Highway 27 S.
Sulpher, Louisiana 70665

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

BY:

Christopher B. Hebert

Christopher B. Hebert
Assistant Attorney General
La. Bar Roll No. 29044
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (225) 326-6500
Facsimile: (225) 326-6599

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: CARLYSS BBQ SEAFOOD

P081002403

ORDER

Considering the foregoing Joint Motion For Entry of Stipulations and Approval of Proposed Settlement, IT IS HEREBY ORDERED that such proposed settlement be approved, to wit:

1. The permittee acknowledges that La. R.S. 27:29 and 29:29.3 mandate a permittee to pay an annual fee by its anniversary date and The permittee did not provide the annual fee and Annual Affidavit to the Division by April 11, 2005;
2. the permittee shall pay a \$562.50 civil penalty;
3. payment of the above penalty shall be submitted to the state within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board; and
4. the failure to submit the above penalty within fifteen (15) days of approval of this settlement by the Board shall result in the Non-Gaming Supplier Permit of the permittee being suspended until such time as penalty is paid in full.

THUS DONE AND SIGNED this 20 day of Sept, 2005 in
Baton Rouge, Louisiana.



William H. Brown
Hearing Officer

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL INTERESTED PARTIES 20 DAY
OF September 2005
Bill Domingue
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Danny Davis
Christopher Hebert
Sgt Ireland Falcon

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 9/20/05

Bill Domingue
BY: CLERK