



State of Louisiana

Gaming Control Board

M. J. "MIKE" FOSTER, JR. GOVERNOR

HILLARY J. CRAIN CHAIRMAN

IN RE: BLANE GUILLORY D/B/A GUILLORY GAMING License No. 4905604803

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of February 20, 2001. The Hearing Officer's order dated January 9, 2001, based on the "Joint Entry For Stipulations and Approval of Proposed Settlement" in the matter of "The Notice of Recommendation of Revocation or Suspension," by and between Blane Guillory d/b/a Guillory Gaming, License No. 4905604803, and the Department of Public Safety and Corrections, Office of State Police, Video Gaming Division, which is attached hereto and incorporated herein, is APPROVED.

THUS DONE AND SIGNED on this the 20th day of February, 2001.

LOUISIANA GAMING CONTROL BOARD

BY:

[Signature] HILLARY J. CRAIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD I HEREBY CERTIFY THAT A CERTIFIED COPY HAS BEEN MAILED OR SERVED ON ALL PARTIES THIS 21st DAY OF February 2001

APPEAL DOCKET CLERK [Signature]

RECEIVED

JAN 08 2001

IN THE MATTER OF

BLANE GUILORY
D/B/A GUILORY GAMING

ADMINISTRATIVE
DOCKET CLERK

LICENSE NO. 4905604803
CASE NO. VGD001300

HEARING OFFICE

LOUISIANA GAMING
CONTROL BOARD

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JOINT ENTRY FOR STIPULATIONS
AND APPROVAL OF PROPOSED SETTLEMENT

On Joint Motion of:

(i) The State of Louisiana, Office of State Police, Video Gaming Division ("the Division"), and

(ii) Blane Guillory d/b/a Guillory Gaming ("Guillory") enter the following Stipulations into the record:

WHEREAS, on or about August 16, 2000, a Notice of Recommendation of Revocation or Suspension ("the Notice") was issued by the Division to Blane Guillory, the sole shareholder of the licensee, Guillory Gaming ("Guillory") recommending that its Type 6 video gaming license be revoked or suspended based on the provisions of La. R.S. 27:308(B), LAC 42:XI.2405(D)(7) and LAC 42:XI.2411(H)(2);

WHEREAS, the Notice alleged that on August 10, 1999, Guillory entered into a device placement contract with Tommy's Enterprises, Inc., d/b/a Ace High Club #4 to provide video gaming devices and share in video gaming proceeds. Tommy's Enterprises, Inc. subleased the property including Ace High Club #4 to Paul Quin Ducharme on November 1, 1999. On January 1, 2000, Tommy's Enterprise, Inc., sold Ducharme Ace High Club #4, and on April 5, 2000, Ducharme sold Ace High Club #4 to Blane Guillory and Pat Willis.

TRUE COPY
Geraldine A. Alman
Representative
Louisiana Gaming Control Board

WHEREAS, the Notice alleged that Guillory had knowledge of or actively participated in all of the above transactions, and failed to report them to the Division in violation of LAC 42:XI.2405(D)(7).

WHEREAS, the Notice further alleged that on April 13, 2000, Guillory and Tommy's Enterprise Inc. amended the original device placement contract for Ace High Club #4 dated August 10, 1999. The new contract provided that Guillory would operate Ace High Club #4 at its sole expense in exchange for 100% of the video gaming proceeds.

WHEREAS, the Notice alleged that Guillory failed to submit to the Division a copy of the amended device placement contract within ten (10) days of signing the contract in violation of LAC 42:XI.2411(H)(2).

NOW, THEREFORE, in consideration of the foregoing Stipulations, the Division and Guillory hereby propose the following settlement:

1. Guillory admits that it was aware of the sale of the licensed establishment, Ace High Club #4, from Tommy's Enterprises, Inc. to Paul Quin Ducharme and negligently failed to immediately notify the Division in writing of the change of ownership in violation of LAC 42:XI.2405(D)(7).

2. Guillory admits that it negligently failed to immediately notify the Division in writing of its purchase of the licensed establishment, Ace High Club #4, in violation of LAC 42:XI.2405(D)(7).

3. Guillory admits that it negligently failed to submit to the Division a copy of the amended device placement contract dated April 13, 2000, within ten (10) days of signing the contract in violation of LAC 42:XI.2411(H)(2).

4. In lieu of revocation or suspension of Guillory's Type 6 video gaming license, Guillory will pay to the Division as a civil penalty for non-compliance an aggregate and complete sum of EIGHTY-ONE THOUSAND, SIX HUNDRED AND FORTY-THREE DOLLARS AND 80/100 (\$81,643.80) which represents twenty (20) days average of Guillory's video gaming revenues from its eleven (11) licensed locations, less franchise fees, received during the period of non-compliance from November 1, 1999, through May 10, 2000.

5. Subject to the approval of the Hearing Office of the Louisiana Gaming Control Board, the Division hereby agrees to accept Guillory's payment of the above stated penalty in full and final settlement of this Incident VGD#001300.

6. It is expressly understood that this proposed settlement, if approved by the Hearing Officer, is not executory and will be submitted to the Louisiana Gaming Control Board for its determination as to whether the matter should be heard by the Hearing Officer. The parties hereby consent to this procedure.

7. Once this proposed settlement is approved by the Hearing Officer and the Louisiana Gaming Control Board, any pending gaming applications submitted by Guillory which have been recommended for denial based solely on this pending administrative matter will be reconsidered for approval and continue through the licensing process.

8. The Division and Guillory waive their rights to appeal this Stipulation if the Order is signed by the Hearing Officer and is accepted by the Louisiana Gaming Control Board.

9. The Division reserves the right to take this matter into consideration in connection with any subsequent violations.

10. This Stipulation and propose Settlement is to be interpreted under the laws of the State of Louisiana.

11. This Stipulation and proposed Settlement constitutes the entire agreement between the Division and Guillory pertaining to the subject matter contained herein and supercede all prior and contemporaneous agreements, representations, and understandings of the parties.

RESPECTFULLY SUBMITTED:

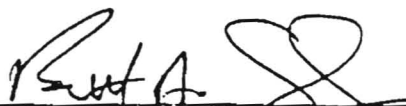
**STATE OF LOUISIANA, OFFICE OF
STATE POLICE, VIDEO GAMING DIVISION**

**RICHARD P. IEYOUB
ATTORNEY GENERAL**

BY: 

**KENDRA L. DUAY, #25652
ASSISTANT ATTORNEY GENERAL
GAMING DIVISION
339 Florida Street, Suite 500
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Phone: (225) 342-2465
Fax: (225) 342-4244**

**BLANE GUILLORY
D/B/A GUILLORY GAMING**

BY:  _____

BRETT A. SULZER
BLACKBURN & SULZER
5637 Jones Creek Road
Baton Rouge, LA 70817
Phone: (225) 756-9696
Fax: (225) 756-9750

IN THE MATTER OF
BLANE GUILORY
D/B/A GUILLORY GAMING

LICENSE NO. 4905604803
CASE NO. VGD001300
HEARING OFFICE
LOUISIANA GAMING
CONTROL BOARD

ORDER

Considering the foregoing Joint Motion and Stipulation,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that the foregoing Joint Motion for Entry of Stipulation of facts be accepted, approved and entered into the record of this proceeding;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that Blane Guillory d/b/a Guillory Gaming ("Guillory") pay to the State of Louisiana, Office of State Police, Video Gaming Division ("the Division"), as a civil penalty, the amount of EIGHTY-ONE THOUSAND, SIX HUNDRED AND FORTY-THREE DOLLARS AND 80/100 (\$81,643.80) payable within thirty (30) days from the date of receipt of written notice of approval from the Louisiana Gaming Control Board.

DATE AND SIGNED at Baton Rouge, Louisiana, this 9th day of January, 2001.



Honorable William H. Brown
Hearing Officer, Louisiana Gaming Control Board

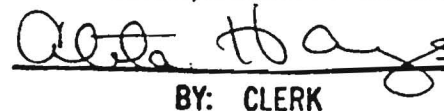
NOTICE SERVED TO:

Counsel for Division:
Kendra L. Duay
Assistant Attorney General
Gaming Division
339 Florida Street
Suite 500
Baton Rouge, LA 70801

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 9th day of January, 2001.
Counsel for Guillory Gaming
A. Sulzer, Esq.
Blacburn & Sulzer
Jones Creek Road
Baton Rouge, LA 70817
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Brett Sulzer, Esq.
Kendra Duay, Esq.
Sgt. Jules Pinerod

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 1-9-01


BY: CLERK