



State of Louisiana

Gaming Control Board

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

HILLARY J. CRAIN
CHAIRMAN

IN RE: LABRADOR FOOD SERVICES, LLC
D/B/A DUCK-N-DELI
NO. VP5000212162

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of July 17, 2001. The Hearing Officer's order dated June 21, 2001, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of "The Notice of Violation," by and between Labrador Food Services, LLC d/b/a Duck-N-Deli, No. VP5000212162, and the Louisiana 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 17th day of July, 2001.

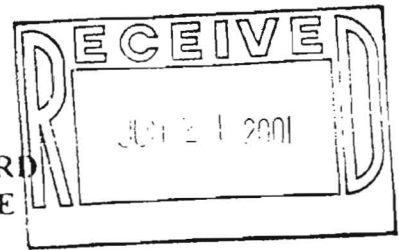
LOUISIANA GAMING CONTROL BOARD

BY:

HILLARY J. CRAIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES ON THIS 19th DAY
OF July, 2001
APPEAL DOCKET CLERK
Deborah A. Coleman

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE



IN RE: DUCK-N DELI

CASE NO.: 5000212162

JOINT MOTION FOR ENTRY OF STIPULATIONS AND  
APPROVAL OF PROPOSED SETTLEMENT

ON THE JOINT MOTION OF:

1. the Louisiana Department of Public Safety and Corrections, Office of State Police, Video Gaming Division (hereinafter "Division"), and
2. Labrador Food Service, L.L.C. d/b/a Duck-N Deli, License No. 5000212162 (hereinafter "licensee"),

who respectfully represent the following:

WHEREAS:

1. On or about March 15, 2001, the Division conducted a routine on-site inspection of the licensee's premises.
2. Pursuant to that inspection, the Division issued a Violation/Inspection Report (#00012297) to the licensee alleging the following video gaming violations:
  - a) Neither an owner nor a designated representative of the licensee was physically present and available within the establishment, thus the video gaming devices were not being monitored. These circumstances constitute a violation of LAC 42:XI.2407(A)(8) and LAC 42:XI.2407(A)(1), respectively.
  - b) The signs at the entrance to the gaming area did not contain the proper wording nor the required 3-inch height, in violation of LAC 42:XI.2407(A)(15).
  - c) The door between the gaming area and the rest of the establishment was propped open, therefore the gaming devices were visible, in violation of LAC 42:XI.2415(D)(2).

TRUE COPY  
  
Representative  
Louisiana Gaming Control Board

- d) The employee of the establishment stated that she was also employed at the convenience store next door, in violation of LAC 42:XI.D(3)(d).
  - e) The employee of the establishment was not supervised by a designated representative, in violation of LAC 42:XI.2407(A)(4).
3. Based on the foregoing, the Division issued to the licensee a Notice of Violation dated March 26, 2001.
  4. The licensee timely requested a hearing in this matter, which is scheduled for May 29, 2001 before Hearing Officer J. E. Anzalone, Jr.,

**NOW THEREFORE**, in consideration of the foregoing stipulations, the Division and the licensee, having had the occasion to review all of the facts and circumstances attendant to the violations, agree and stipulate as follows:


1. The licensee acknowledges that it was in violation of LAC 42:XI.2407(A)(8) in that neither an owner nor a designated representative was present within the establishment at the time of the inspection.
2. The licensee acknowledges that it was in violation of LAC 42:XI.2407(A)(15) in that the signs posted at the gaming area entrance did not contain the proper wording, nor were the letters on the signs 3 inches in height.
3. The licensee acknowledges that it was in violation of LAC 42:XI.2415(D)(2) in that the access door to the gaming area was propped open, leaving the gaming devices visible to minors.
4. The Division agrees that the violations of LAC 42:XI.2407(A)(1), 2407(A)(4) and 2415(D)(3)(d) cited against the licensee shall be dismissed.
5. The licensee shall pay a civil penalty in the total amount of \$500.00, comprised of the following:
  - a) \$200.00 for the violation of LAC 42:XI.2407(A)(8);
  - b) \$100.00 for the violation of LAC 42:XI.2407(A)(15); and
  - c) \$200.00 for the violation of LAC 42:XI.2415(D)(2).
6. The Division hereby agrees to accept the licensee's payment of the above stated penalty in full and final settlement of Violation/Inspection Report #00012297.

7. The Division reserves the right to take into consideration these violations in connection with any future violation.
8. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana.
9. This settlement constitutes the entire agreement between the Division and Labrador Food Service, L.L.C. d/b/a Duck-N Deli pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties.
10. 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.
11. The failure of the licensee to submit the above penalty within fifteen (15) days of approval of this settlement by the Board shall result in its license being suspended and its machines being disabled.
12. The Division and the licensee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted,


**LABRADOR FOOD SERVICE, L.L.C.**  
**d/b/a DUCK-N DELI**  
**VG# 5000212162**

BY:

  
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**RICHARD P. IEYOUB**  
**ATTORNEY GENERAL**

BY:

  
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STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: DUCK-N DELI

CASE NO.: 5000212162

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 licensee acknowledges its violation of LAC 42:XI.2407(A)(8).
2. The licensee acknowledges its violation of LAC 42:XI.2407(A)(15).
3. The licensee acknowledges its violation of LAC 42:XI.2415(D)(2).
4. The Division agrees that the violations of LAC 42:XI.2407(A)(1), 2407(A)(4) and 2415(D)(3)(d) cited against the licensee shall be dismissed.
5. The licensee shall pay a civil penalty in the total amount of \$500.00, comprised of the following:
  - a) \$200.00 for the violation of LAC 42:XI.2407(A)(8);
  - b) \$100.00 for the violation of LAC 42:XI.2407(A)(15); and
  - c) \$200.00 for the violation of LAC 42:XI.2415(D)(2).
6. Payment of the above penalty shall be submitted to the Division within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board.
7. Failure by Labrador Food Service, L.L.C. d/b/a Duck-N Deli to submit the above penalty within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board shall result in its license being suspended and its machines being disabled.

THUS DONE AND SIGNED this 21 day of June,

2001 in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 21st DAY  
OF June 2001  
Alcatraz  
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Morris J. Belaire, III  
Karen White, Esq  
Sgt. Jules Pinerio

J. E. Anzalone, Jr.  
Hearing Officer

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 6/21/01

Alcatraz  
BY: CLERK