



State of Louisiana

Gaming Control Board

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

HILLARY J. CRAIN
CHAIRMAN

**IN RE: HICKORY SMOKE BBQ, INC.
D/B/A HICKORY SMOKE BBQ
NO. VP0904210583**


ORDER

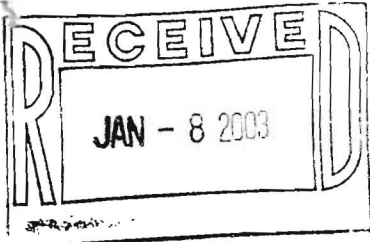
This matter was considered by the Louisiana Gaming Control Board at its meeting of January 21, 2003. The Hearing Officer's order dated January 7, 2003, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Revocation," by and between Hickory Smoke BBQ, Inc. d/b/a Hickory Smoke BBQ, No. VP0904210583, 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 22nd day of January, 2003.

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 THIS 27th DAY
OF January, 2003

APPEAL DOCKET CLERK



STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

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ADMINISTRATIVE
DOCKET CLERK

IN RE: HICKORY SMOKE BBQ, INC.
d/b/a HICKORY SMOKE BBQ

CASE NO. 0904210583

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. Hickory Smoke BBQ, License No. 0904210583 (hereinafter "licensee"),
who respectfully represent the following:

WHEREAS:

1. On or about September 3, 2001, the Division initiated an investigation into a stock purchase involving the licensee;
2. As a result of this investigation, it was determined that there were outstanding federal income taxes owed by Claude Clark, a vice president of Hickory Smoke BBQ;
3. Pursuant to this information, the Division issued a Notice of Violation and Penalty to the licensee on or about October 8, 2002, citing violation of LRS 27:308(B) and LAC 42:XI.2405(B)(7).
4. This matter has been scheduled for hearing on December 12, 2002, at 9:30 a.m. before the Honorable Joseph E. Anzalone, Jr.,

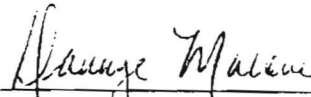
NOW THEREFORE, in consideration of the foregoing stipulations, the Division and the licensee hereby propose the following settlement, that:

1. The licensee acknowledges that it was in violation of LRS 27:308(B) and LAC 42:XI.2405(B)(7), due to its officer's failure to file and/or pay federal income taxes;

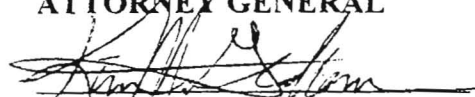

Representative
Louisiana Gaming Control

2. Claude Clark has become current in the payment of federal income taxes, as evidenced by the attached letter from the Internal Revenue Service;
3. In lieu of suspension of the licensee's video gaming license, the licensee shall pay a \$500.00 civil penalty;
4. The Division reserves the right to take into consideration these violations in connection with any future violation;
5. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
6. This settlement constitutes the entire agreement between the Division and Hickory Smoke BBQ, Inc. d/b/a Hickory Smoke BBQ, pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
7. 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 ten (10) days of approval of this settlement by the Board; the failure to submit the civil penalty within ten (10) days of approval by the Board shall result in the video gaming license of the licensee being suspended and its gaming devices being disabled; and
8. 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,

BY: 

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Counsel for Licensee

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Counsel for Division

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: HICKORY SMOKE BBQ, INC.
d/b/a HICKORY SMOKE BBQ

CASE NO. 0904210583

ORDER

CONSIDERING the foregoing Joint Motion and Stipulations,

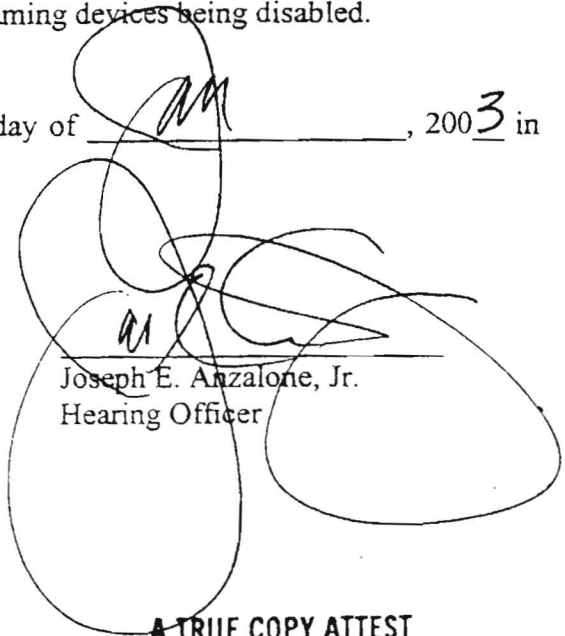
IT IS HEREBY ORDERED that such proposed settlement be approved, to wit:

1. the licensee acknowledges that it was in violation of LRS 27:308(B) and LAC 42:XI.2405(B)(7), by failing to pay outstanding federal taxes;
2. having submitted the delinquent federal taxes to the Internal Revenue Service, the licensee shall pay a civil penalty in the amount of \$500.00;
3. payment of the above penalty shall be submitted to the state within ten (10) days of approval of this settlement by the Louisiana Gaming Control Board; and
4. the failure to submit the above penalty within ten (10) days of approval of this settlement by the Board shall result in the video gaming license of Hickory Smoke BBQ being suspended and its gaming devices being disabled.

THUS DONE AND SIGNED this 7 day of March, 2003 in
Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 7th DAY
OF March 2003
Aletha Bays
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Danny Malone
Kim Graham, Esq.
Sabrina Ballard


Joseph E. Anzalone, Jr.
Hearing Officer

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 4/7/03
Aletha Bays
BY: CLERK