



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

HILLARY J. CRAIN
CHAIRMAN

**IN RE: P AND J DAIQUIRI CAFÉ, INC.
D/B/A GATEWAY
NO. VP3601212724**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of February 17, 2004. The Hearing Officer's order dated February 3, 2004, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Administrative Action," by and between P and J Daiquiri Café, Inc. d/b/a Gateway, No. VP3601212724, 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 February, 2004.

LOUISIANA GAMING CONTROL BOARD

BY:

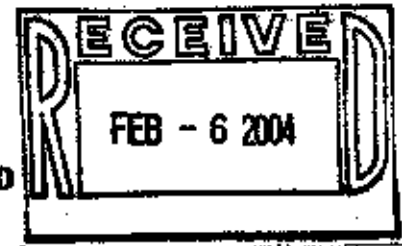


HILLARY J. CRAIN, CHAIRMAN

**LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 18th DAY
OF February 2004
APPEAL DOCKET CLERK**



STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE



IN RE: P & J DAIQUIRI CAFÉ, INC. d/b/a GATEWAY

CASE NO. 3601212724

**JOINT MOTION FOR ENTRY OF STIPULATIONS AND
APPROVAL OF PROPOSED SETTLEMENT**

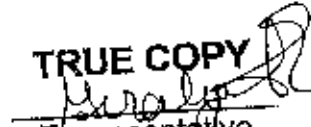
ON THE JOINT MOTION OF:

1. the Louisiana Department of Public Safety and Corrections, Office of State Police, Video Gaming Division (hereinafter "Division"), and
2. P & J Daiquiri Café, Inc. d/b/a Gateway, License No. 3601212724 (hereinafter "licensee"),

who respectfully represent the following:

WHEREAS:

1. On July 12, 2003, an agent of the Division conducted an on-site inspection of the licensee's establishment located at 401 Bourbon Street in New Orleans;
2. During the inspection, the agent noted that there was no sign posted at the point of entry to the area in the establishment where the video gaming devices are located, which would inform customers of the toll-free compulsive gambling hotline number;
3. The licensee is mandated by La. R.S. 27:320 to place a sign containing the toll-free gambling hotline telephone number at the entry points to the area in it establishment where the video gaming devices are located;
4. Pursuant to the Division agent's observations, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to the licensee on or about September 30, 2003; and
5. This matter is currently scheduled for hearing before the Honorable J. E. Anzalone, Jr.,

TRUE COPY

Representative
Louisiana Gaming Control Board

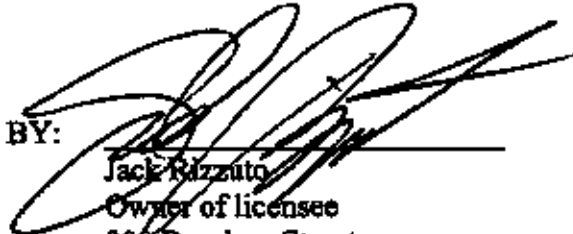
NOW THEREFORE, in consideration of the foregoing stipulations, the Division and the licensee hereby propose the following settlement, that:

1. The licensee acknowledges that it was in violation of La. R.S. 27:320, in that, at the July 12, 2003 inspection of its establishment, it did not have the required sign containing a toll-free gambling hotline telephone number at the entry point to the area in its establishment where the video gaming devices are located;
2. In lieu of further administrative action against the licensee's video gaming license, the licensee shall pay a \$250.00 civil penalty;
3. The Division hereby agrees to accept the licensee's payment of the above stated penalty in full and final settlement of this Notice of Recommendation of Administrative Action;
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 P & J Daiquiri Café, Inc. d/b/a Gateway 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 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 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,

**P & J DAIQUIRI CAFÉ, INC.
GATEWAY**

BY:



Jack Rizzuto
Owner of licensee
200 Bourbon Street
New Orleans, Louisiana 70130
Telephone: (504) 581-6665

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

BY:



Karen Day White
Assistant Attorney General
La. Bar Roll No. 25933
1885 N. 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: P & J DAIQUIRI CAFE, INC. d/b/a GATEWAY

CASE NO. 3601212724

ORDER

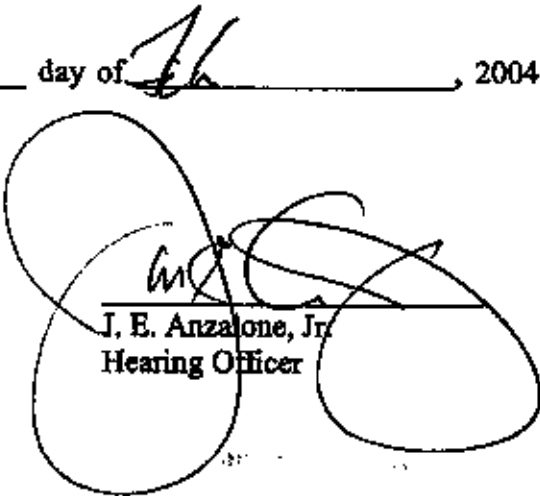
Considering the foregoing Joint Motion For Entry of Stipulations and Approval of Proposed Settlement, IT IS HEREBY ORDERED that such proposed settlement be approved, to wit:

1. the licensee acknowledges that it was in violation of La. R.S. 27:320, in that, at the Division's July 12, 2003 inspection, it did not have the required sign containing the problem gambling toll-free telephone number posted at the entry to the area in its establishment where the video gaming devices are located;
2. the licensee shall pay a \$250.00 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 video gaming license of the licensee being suspended and its gaming devices being disabled.

THUS DONE AND SIGNED this 3 day of Feb, 2004 in
Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 3rd DAY
OF February 2004
Koraleah Haynes
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Jack Rizzuto
Karen White
Sabrina Ballard


J. E. Anzalone, Jr.
Hearing Officer

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE

BATON ROUGE, LA 2-3-04

Koraleah Haynes
BY: CLERK

If You or Someone You
Know May Have a
Gambling Problem, Call
Toll-Free 1-877-770-STOP

If You or Someone You
Know May Have a
Gambling Problem, Call
Toll-Free: 1-877-770-STOP

1-877-770-STOP

ADMINISTRATIVE HEARING MINUTES

NAME: P & J Daiquiri Cafe, Inc. d/b/a Gateway

DATE: February 03, 2004

PO NUMBER: 3601212724

HEARING OFFICER: Joseph E. Anzalone, Jr.

COUNSEL: Not Present

COUNSEL FOR STATE: Tammy Matzke

MINUTES: Joint Motion for Entry of Stipulations and Approval of Proposed Settlement. Licensee failed to display sign at point of entry with toll free compulsive gambling hotline number. \$250 civil penalty imposed.

RECOMMENDATION: Settlement approved.

COURT REPORTER: Joseph Catalano



Loraine Haynes
Administrative Minute Clerk