



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

RONNIE JONES
CHAIRMAN

**IN RE: ORTEGO OIL & SUPPLY CO., INC. D/B/A
BEAU CHENE TRUCKSTOP
NO. 4907507873**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of December 10, 2015. The Hearing Officer’s order dated November 24, 2015, based on the “Joint Motion for Approval of Compromise and Settlement Agreement” in the matter of the “Notice of Recommendation of Administrative Action”, by and between Ortego Oil & Supply Co., Inc. d/b/a Beau Chene Truckstop, No. 4907507873, 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 *10th* day of *December, 2015.*

LOUISIANA GAMING CONTROL BOARD

BY:

RONNIE JONES, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD

**I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON**

**ALL PARTIES THIS 11th DAY
OF December, 2015**

APPEAL DOCKET CLERK

LGCB-3647-15-B

RECEIVED

By GERALYN at 2:45 pm, Nov 24, 2015

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED
NOV 10 2015
LGCB
ADMINISTRATIVE HEARING OFFICE

RE: ORTEGO OIL & SUPPLY CO., INC.
D/B/A BEAU CHENE TRUCKSTOP

CASE NO.: 4907507873

**JOINT MOTION FOR APPROVAL OF COMPROMISE AND
SETTLEMENT AGREEMENT**

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

NOW COME the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Ortego Oil & Supply Co., Inc. d/b/a Beau Chene Truckstop (hereinafter, "Licensee"), who file this Joint Motion for Approval of Compromise and Settlement Agreement, and in support thereof would respectively show unto the Hearing Officer as follows:

1.

The Division and Licensee are desirous of compromising and settling all disputes between them relative to the referenced administrative proceeding. In connection therewith, the parties have entered into a Compromise and Settlement Agreement, which by its terms will become effective upon approval by the Administrative Hearing Office and the Louisiana Gaming Control Board.


2.

A true and correct copy of the proposed Compromise and Settlement Agreement is attached hereto as Exhibit "A" and incorporated by reference for all purposes.


TRUE COPY
Geralyn
Representative
Louisiana Gaming Control Board

WHEREFORE, PREMISES CONSIDERED, the Division and Licensee respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

By: 
Glenn Michael Ortego
Post Office Box 1527
Opelousas, Louisiana 70571
Telephone: (337) 945-0830
President of Ortego Oil & Supply Co., Inc.
d/b/a Beau Chene Truckstop

JAMES D. "BUDDY" CALDWELL,
ATTORNEY GENERAL

By: 
Christopher B. Hebert, Bar Roll #29044
Assistant Attorney General
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (225) 326-6500
Facsimile: (225) 326-6599
Counsel for the Office of State Police

**STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE**

**RE: ORTEGO OIL & SUPPLY CO., INC.
D/B/A BEAU CHENE TRUCKSTOP**

CASE NO.: 4907507873

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Ortego Oil & Supply Co., Inc. d/b/a Beau Chene Truckstop (hereinafter, "Licensee"), do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has sent a Notice of Recommendation of Administrative Action to Licensee, which Notice contains allegations of certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by said Notice are set for hearing before the Louisiana Gaming Control Board Administrative Hearing Office on Tuesday, December 1, 2015.

WHEREAS, the Division and Licensee are desirous of fully and finally compromising and settling all issues and disputes arising out of and in connection with said Notice;

NOW, THEREFORE, in consideration of the foregoing, the parties hereto do hereby agree and stipulate as follows:

STIPULATIONS

1. On February 2, 2015, the Division mailed a Video Gaming Advisory Notice to Licensee. The notice informed Licensee that since it was not required to submit a five year renewal application, it was required to submit an Annual Licensee Form and annual fee, local sales tax clearance certificate, state sales tax clearance certificate, copy of state alcohol license,

and Record Update Form no later than July 1, 2015. The notice also advised Licensee that its failure to submit the Annual Licensee Form with the annual fee and required documents by August 31, 2015, would result in suspension, revocation and/or imposition of a civil penalty.

2. On September 15, 2015, the Division informed Licensee that it had not submitted the required documentation and annual fee. The Division emailed Licensee the Annual Licensee Form, the supporting documents, and the Video Gaming Advisory Notice.

3. On September 16, 2015, Licensee submitted an Annual Licensee Form, a local sales tax clearance certificate, a state sales tax clearance certificate, a copy of state alcohol license, a Record Update Form, and paid its required annual fee. Licensee failed to submit the documents and pay the fee in a timely manner.

TERMS AND CONDITIONS

1. In lieu of administrative action, Licensee will pay a penalty of **ONE THOUSAND FIVE HUNDRED and No/100 (\$1,500.00) DOLLARS** for its violation of La. R.S. 27:435(A)(6), La. R.S. 27:435(H)(4), La. R.S. 27:435(K)(4)(a), La. R.S. 27:435(K)(4)(d), LAC 42:XI.2405(B)(4)(a), and LAC 42:XI.2405(B)(4)(b).

2. The Division hereby agrees that payment of a total penalty of **ONE THOUSAND FIVE HUNDRED and No/100 (\$1,500.00) DOLLARS** shall be in full and final settlement of all matters set forth in the Notice of Recommendation of Administrative Action.

3. The Division reserves the right to take into consideration this admitted violation in connection with any future investigation, violation or assessment of penalty and in connection with any future assessments of Licensee's suitability.

4. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

5. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Licensee, pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.


6. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana Gaming Control Board for its determination as to whether to approve same or to remand the matter to the Hearing Officer for a full hearing on the merits.

7. If approved, Licensee agrees to make full payment of the civil penalty within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board. Licensee agrees that failure to meet this requirement shall result in immediate suspension of the gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

I have read this entire Compromise and Settlement Agreement and agree to all stipulations and terms and conditions hereof.



**Glenn Michael Ortego, President of Ortego Oil & Supply Co., Inc.
d/b/a Beau Chene Truckstop**



**Christopher B. Hebert, AAG, on behalf of
State of Louisiana, Department of Public Safety &
Corrections, Office of State Police**

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RE: ORTEGO OIL & SUPPLY CO., INC.
D/B/A BEAU CHENE TRUCKSTOP

CASE NO.: 4907507873

ORDER

BE IT REMEMBERED that on the 24th day of November 2015, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared by and through their respective attorneys of record, and the Hearing Officer having considered the pleadings on file, the proposed Compromise and Settlement Agreement, and the said Motion, and it appearing to the Hearing Officer that the said Compromise and Settlement Agreement should be approved; it is, therefore,

ORDERED, ADJUDGED, AND DECREED that the Compromise and Settlement Agreement attached to the parties' Joint Motion for Approval of Compromise and Settlement Agreement be, and the same is hereby, APPROVED; that Licensee must pay a total penalty of ONE THOUSAND FIVE HUNDRED and No/100 (\$1,500.00) DOLLARS to the Division within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 24th day of November, 2015, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE

I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON

ALL PARTIES THIS 24th DAY
OF November, 2015

Allen Matthews
DOCKET CLERK, ADMIN. HEARING OFFICE

cc: Bryan Michael Ortego
Christopher Hebert
Sgt. Lionell Sibley

[Signature]
HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE

BATON ROUGE, LA 11/24/15
Allen Matthews
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE