



State of Louisiana

Gaming Control Board

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

HILLARY J. CRAIN
CHAIRMAN

IN RE: DIANE'S OLD TYME CAFÉ'
NO. VP2600211450

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of March 19, 2001. The Hearing Officer's order dated March 8, 2001, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of "The Notice of Violation and Hearing," by and between Diane's Old Tyme Café, License No. VP2600211450, 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 March, 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 THIS 21st DAY
OF March, 2001

APPEAL DOCKET CLERK


STATE OF LOUISIANA

LOUISIANA GAMING CONTROL BOARD

ADMINISTRATIVE HEARING OFFICE

REC-111
MAR 05 2001
ADMINISTRATIVE
DOCKET

IN RE: DIANE'S OLD TYME CAFE

NO.: 2600211450

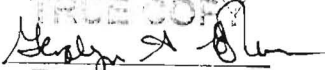
**JOINT MOTION FOR ENTRY OF STIPULATIONS AND
APPROVAL OF PROPOSED SETTLEMENT**

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. Diane's Old Tyme Cafe, License No. 2600211450 (hereinafter "licensee"), who respectfully represent the following:

WHEREAS:

1. On or about August 7, 2000, the Division mailed an advisory notice notifying the licensee of a mandatory compulsive gambling training program to be held in New Orleans on August 30, 2000;
2. The licensee received this advisory notice on August 16, 2000, as evidenced by the signed and dated return receipt;
3. Neither an owner or a Division-approved designated representative of the licensee attended the mandatory training program held on August 30, 2000;
4. On or about October 24, 2000, the Division mailed a second advisory notice notifying the licensee of a mandatory compulsive gambling training program to be held in Baton Rouge on November 15, 2000;
5. The licensee received this advisory notice on October 30, 2000, as evidenced by the signed and dated return receipt;
6. Neither an owner or a Division-approved designated representative of the licensee attended the mandatory training program held on November 15, 2000;

TRUE COPY

Representative

7. Pursuant to this information, the Division issued a citation to the licensee (Violation/Inspection Report #012908) on or about December 6, 2000, alleging violations of LAC 42:III.118(D) and LAC 42:XI.2405(B)(9);
8. Subsequently, the Louisiana Gaming Control Board issued a Notice of Violation and Hearing to the licensee on or about January 1, 2001;

The Division and licensee have had the occasion to review all of the facts and circumstances attendant to the violations and agree and stipulate as follows:

1. The licensee acknowledges that it was in violation of LAC 42:III.118(D) and LAC 42:XI.2405(B)(9), in that it did not attend the mandatory compulsive gambling training programs held on August 30, 2000 and November 15, 2000, either through an owner or a Division-approved designated representative;
2. In lieu of revocation or suspension of the licensee's video gaming license, the licensee shall pay a \$500.00 civil penalty;
3. The licensee shall attend the next scheduled mandatory compulsive gambling training program – the licensee shall be notified of the date, time and location of such program in writing by the Division;
4. The Division hereby agrees to accept the licensee's payment of the above stated penalty in full and final settlement of Violation/Inspection Report No. 012908;
5. The Division reserves the right to take into consideration these violations in connection with any future violation;
6. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
7. This settlement constitutes the entire agreement between the Division and Diane's Old Tyme Cafe pertaining to the subject matter contained, herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
8. 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,

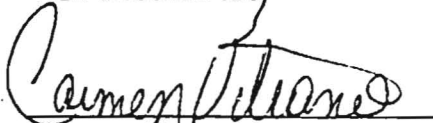
payment of the above penalties must be submitted to the Division within fifteen (15) days of approval of this settlement by the Board;

9. The failure of the licensee to submit the above penalties within fifteen (15) days of approval of this settlement by the Board shall result in the suspension of the its license; and
10. 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,

DIANE'S OLD TYME CAFE
VG# 2600211450

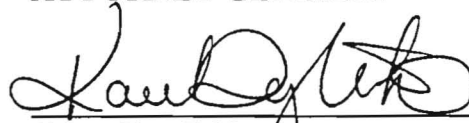
BY:



Carmen Vitrano
Owner
317 ½ A Third Street
Kenner, Louisiana 70062
Telephone: (504) 734-8448
Facsimile: (504) 734-8916

RICHARD P. IEYOUB
ATTORNEY GENERAL

BY:



Karen Day White
Assistant Attorney General
La. Bar Roll No. 25933
339 Florida Street, Ste. 500
Baton Rouge, Louisiana 70801
Telephone: (225) 342-2465
Facsimile: (225) 342-4244

STATE OF LOUISIANA

MAR 05 2001

LOUISIANA GAMING CONTROL BOARD

ADMINISTRATIVE HEARING OFFICE

IN RE: DIANE'S OLD TYME CAFE

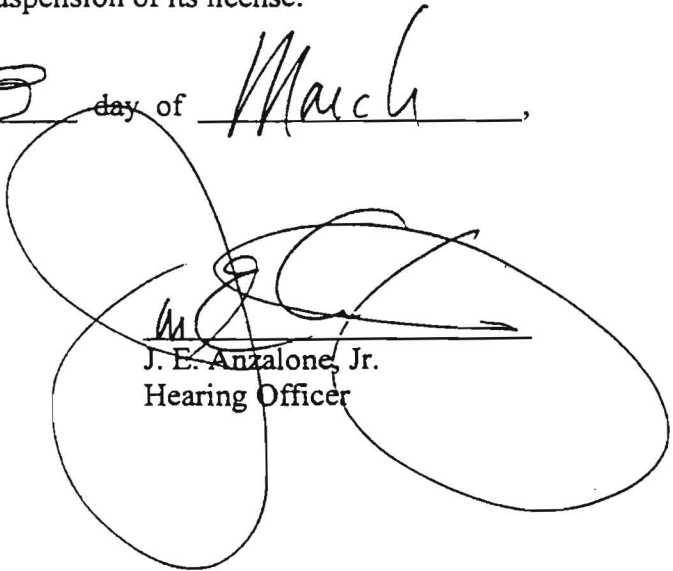
NO.: 2600211450

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. Diane's Old Tyme Cafe acknowledges its violation of LAC 42:III.118(D) and LAC 42:XI.2405(B)(9), and shall be assessed a \$500.00 civil penalty ;
2. Diane's Old Tyme Cafe shall attend the next scheduled mandatory compulsive gambling training program, and shall be notified of such in writing by the Division;
3. 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;
4. failure by Diane's Old Tyme Cafe to submit the above penalty within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board shall result in the suspension of its license.

THUS DONE AND SIGNED this 5 day of March,
2001 in Baton Rouge, Louisiana.


J. E. Anzalone, Jr.
Hearing Officer

STATE OF LOUISIANA
PARISH OF Jefferson

MAR 05 2001

AFFIDAVIT

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified within and for the State and Parish aforesaid, PERSONALLY CAME AND APPEARED:

CARMEN VITRANO,

who, after first being duly sworn, declared and acknowledged to me, Notary, under oath:

that affiant is the owner of Diane's Old Tyme Cafe, which is located at 317 1/2 A Third Street, Kenner, Louisiana 70062;

that Diane's Old Tyme Café received a Notice of Violation and Hearing dated January 1, 2001 from the Louisiana Gaming Control Board, citing violations of LAC 42:III.118(D) and LAC 42:XI.2405(B)(9);

that in the interest of settling this matter, affiant has willfully entered into a Joint Motion for Entry of Stipulations and Approval of Proposed Settlement with the Division, via the Attorney General's Office; and

that affiant signed the above-cited motion of his/her own volition, without duress or coercion.

THUS DONE AND PASSED in NEEDLE, Louisiana, on this 28th day of FEB, 2001.

Carmen Vitrano
Carmen Vitrano, Affiant

[Signature]
Notary Public
My commission expires AT DEPR

J.D. LEBLANC - NOTARY PUBLIC
JEFFERSON-ORLEANS PARISH
MY COMMISSION IS FOR LIFE