



State of Louisiana

Gaming Control Board

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

HILLARY J. CRAIN
CHAIRMAN

**IN RE: CODY'S ENTERPRISES, INC.
D/B/A CALCASIEU EXXON
NO. VP1001512817
VIOLATION/INSPECTION REPORT 012734**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of May 19, 2003. The Hearing Officer's order dated May 6, 2003, 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 Cody Enterprises, Inc. d/b/a Calcasieu Exxon, No. 1001512817, Violation/Inspection Report 012734 and the Louisiana Department of Public Safety and Corrections, Office of the State Police, Video Gaming Division, which is attached hereto and incorporated herein, is **APPROVED**.

THUS DONE AND SIGNED on this the 20th day of May, 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 21st DAY
OF May, 2003

APPEAL DOCKET CLERK


RECEIVED
MAY

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

MAY 05 2003

IN RE: CODY'S ENTERPRISES, INC.
d/b/a CALCASIEU EXXON

LGCB
ADMINISTRATIVE HEARING OFFICE
CASE NO. 1001512817

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. CODY'S ENTERPRISES INC. D/B/A CALCASIEU EXXON, License No. 1001512817 (hereinafter "licensee"),

who respectfully represent the following:

WHEREAS:

1. On or about December 9, 2002, an agent of the Division noted that the billboard signs located in the 1200 block of Martin Luther King Memorial Highway in Calcasieu Parish at the intersection of La. Highway 14 and Legion St. in Lake Charles which advertised the licensee's gaming establishment, did not include the problem gambling toll-free telephone number;
2. The licensee is mandated by La. R.S. 27:27.3 to place the toll-free telephone number of the National Council on Problem Gambling (or other similar, Board-approved toll-free telephone number) in any advertisement of its gaming activities or gaming establishment;
3. Pursuant to its agent's observations, the Division issued Violation/Inspection Report #012734 to the licensee on or about November 18, 2002, citing violation of La. R.S. 27:27.3. Attendant to this Violation/Inspection Report, the Louisiana Gaming Control Board issued a Notice of Violation and Hearing to the licensee on or about February 4, 2003.
4. This matter has been scheduled for hearing on May 6, 2003 at 9:00 a.m. before the Honorable William H. Brown,

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. 27:27.3, in that it did not place the required problem gambling toll-free telephone number on the aforementioned billboards that advertise its gaming establishment;
2. The licensee has since placed the required toll-free number on these billboards. A copy of the photograph has been attached;
3. In lieu of suspension of the licensee's video gaming license, the licensee shall pay a \$250.00 civil penalty;
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. 012734 and this Notice of Violation and Hearing;
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 Cody's Enterprises, Inc. d/b/a Calcasieu Exxon 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; 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
9. 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,

CODY'S ENTERPRISES, INC.
d/b/a CALCASIEU EXXON
VGL#1001512817

BY:

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STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: CODY'S ENTERPRISES, INC.
d/b/a CALCASIEU EXXON

CASE NO. 1001512817

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. 27:27.3, in that it did not place the required problem gambling toll-free telephone number on the billboards that advertise its gaming establishment;
2. having placed the required toll-free number on the billboards, 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 6 day of May, 2003 in
Baton Rouge, Louisiana.



William H. Brown
Hearing Officer

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 6th DAY
OF May 2003
Albert Ballard
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc. Albert Broussard
Shana Broussard, Esq.
Sabrina Ballard

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 5/6/03

Albert Ballard
BY: CLERK

