



State of Louisiana

Gaming Control Board

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

HILLARY J. CRAIN
CHAIRMAN

**IN RE: GAUBERT FOOD MARTS, INC.
D/B/A B & B RESTAURANTS
NO. VP2900210749**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of May 15, 2001. The Hearing Officer's order dated May 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 Gaubert Food Marts, Inc. d/b/a B & B Restaurants, No. VP2900210749, 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 16th day of May, 2001.

LOUISIANA GAMING CONTROL BOARD

BY:

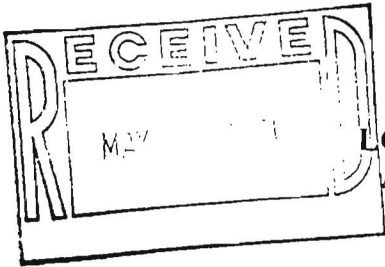


HILLARY J. CRAIN, CHAIRMAN

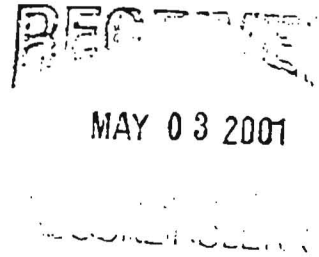
LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 17th DAY
OF May, 2001

APPEAL DOCKET CLERK





STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE



IN RE: GAUBERT FOOD MARTS, INC.
d/b/a B & B RESTAURANTS

CASE NO. 2900210749

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. Gaubert Food Marts, Inc. d/b/a B & B Restaurants, License No. 2900210749 (hereinafter "licensee"),

who respectfully represent the following:

WHEREAS:

1. on or about February 5, 2001, the Division conducted an on-site inspection of the licensee's establishment, and discovered the following violation:
 - a) the required compulsive gamblers toll-free telephone number was not posted in the gaming area or in any other location within the establishment;
2. pursuant to this information, and because there was no promulgated fine for this violation at the time, the Division issued a Notice of Violation and Hearing (Inspection Report #011128) to the licensee on or about March 26, 2001, alleging violation of La. R.S. 27:320;
3. this matter has been scheduled for hearing on May 8, 2001 at 9:30 a.m. before the Honorable J. E. Anzalone, Jr.;
4. since the violation, the Louisiana Gaming Control Board has expressly set forth in LAC 42:XI.2407(A)(17) that the penalty for a first-offense failure to post the required toll-free number shall be \$250.00; and

TRUE COPY

Representative
Louisiana Gaming Control Board

5. the respective parties have exchanged information, and all parties desire to settle this matter.

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 the correct toll-free compulsive gamblers telephone number was not posted in the gaming area, nor in the establishment;
2. the licensee shall pay a \$250.00 civil penalty, which is consistent with the recently promulgated LAC 42:XI.2407(A)(17);
3. 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. 011128;
4. the Division reserves the right to take into consideration this violation 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 Gaubert Food Marts, Inc. d/b/a B & B Restaurants 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;
8. the failure of the licensee to submit the above penalty within fifteen (15) days of approval of this settlement by the Board shall result in the suspension of its license; and

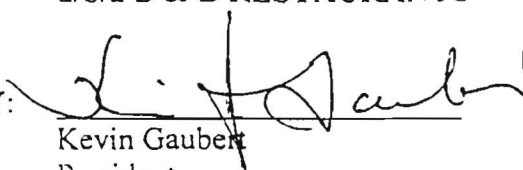
9. the Division and the licensee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted,

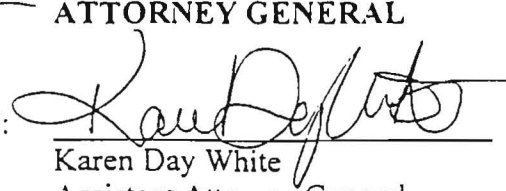
GAUBERT FOOD MARTS, INC.
d/b/a B & B RESTAURANTS

RICHARD P. IEYOUB
ATTORNEY GENERAL

BY:


Kevin Gaubert
President
Gaubert Oil Company, Inc.
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STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: GAUBERT FOOD MARTS, INC.
d/b/a B & B RESTAURANTS

CASE NO. 2900210749

ORDER

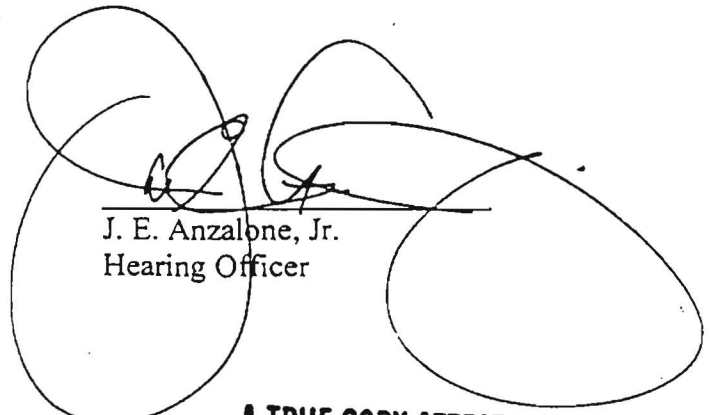
Considering the foregoing Joint Motion For Entry of Stipulations and Approval of Proposed Settlement, IT IS HEREBY ORDERED that such proposed settlement be approved, to wit:

1. Gaubert Food Marts, Inc. d/b/a B & B Restaurants acknowledges its violation of La. R.S. 27:320, and shall be assessed a \$250.00 civil penalty;
2. 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; and
3. failure by Gaubert Food Marts, Inc. d/b/a B & B Restaurants to submit the above penalty within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board shall result in its license being suspended and its video gaming machines being disabled;

THUS DONE AND SIGNED this 8 day of May, 2001 in Baton Rouge,
Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 8th DAY
OF May 2001
Almeta Thayer
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Robert Marionneaux, Jr., Esq.
Karen White, Esq.
Sgt. Jules Finero


J. E. Anzalone, Jr.
Hearing Officer

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 5-8-01
Almeta Thayer
BY: CLERK

STATE OF LOUISIANA

PARISH OF LAFOURCHE

AFFIDAVIT

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

KEVIN GAUBERT,

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

that affiant is the President of Gaubert Oil Company, Inc., which is the 100% owner of Gaubert Food Marts, Inc. d/b/a B & B Restaurants (herein "licensee");


that the licensee establishment is located at 352-A Highway 3162, Galliano, Louisiana 70354;


that affiant, on behalf of the licensee, received a Notice of Violation and Hearing dated March 26, 2001 from the Louisiana Gaming Control Board, citing violation of La. R.S. 27:320;

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 own volition, without duress or coercion.

THUS DONE AND PASSED in Thibodaux, Louisiana, on this 16TH day of APRIL, 2001.


Kevin Gaubert, Affiant


Susan A. Borne
Notary Public
My commission expires at my death.