



# State of Louisiana

KATHLEEN BABINEAUX BLANCO  
GOVERNOR

Gaming Control Board

H. CHARLES GAUDIN  
CHAIRMAN

ANNE LACOUR NEEB  
EXECUTIVE DIRECTOR

## IN RE: VICTOR J. SMALL NO. P040024769

### ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of March 15, 2005. The Hearing Officer's order dated February 16, 2005, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Suspension and Penalty," Permit No. P040024769, by and between Victor J. Small, 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 15 day of March, 2005.

LOUISIANA GAMING CONTROL BOARD

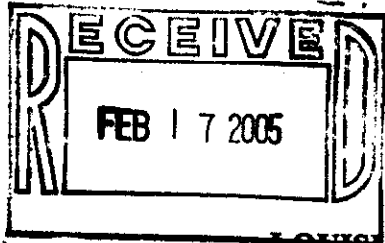
BY:

  
H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 16 DAY  
OF March 2005

APPEAL DOCKET CLERK





STATE OF LOUISIANA

LOUISIANA GAMING CONTROL BOARD

ADMINISTRATIVE HEARING OFFICE

RECEIVED

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LGCB  
ADMINISTRATIVE HEARING OFFICE

IN RE: VICTOR J. SMALL

NO. P040024769

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

**ON THE JOINT MOTION OF:**

1. the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, (hereinafter "Division"), and
2. VICTOR J. SMALL, Permit No. P040024769 (hereinafter "permittee"),

who respectfully represent the following:

**WHEREAS:**

1. On May 14, 2004 and May 24, 2004, the Division received notification from the Internal Revenue Service and Louisiana Department of Revenue, respectively, that permittee was not current in the filing of all applicable tax returns or in the payment of all taxes owed. Permittee was notified on May 25, 2004 and on May 27, 2004 by certified mail that permittee had thirty (30) days to provide the Division with documentation that a tax clearance had been issued. The permittee did not provide documentation of a tax clearance to the Division until on or about December 15, 2004 and January 31, 2005.
2. The permittee is mandated by La. R.S. 27:28B(3) to remain current with all tax filings and payments owed to the state of Louisiana, any political subdivision of Louisiana, or the Internal Revenue Service.
3. The permittee was issued a *Notice of Recommendation of Suspension and Penalty* by the Louisiana Gaming Control Board on or about October 25, 2004.
4. This matter has been scheduled for hearing on February 16, 2005, at 9:00 a.m. before the Honorable William H. Brown.

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

TRUE COPY  
  
Representative  
Louisiana Gaming Control Board

1. The permittee acknowledges that La. R.S. 27:28B(3) mandates permit holders to remain current with all tax filings and payments owed to the state of Louisiana, any political subdivision of Louisiana, or the Internal Revenue Service;
2. The permittee further acknowledges that he was notified on May 25, 2004 and on May 27, 2004 by certified mail that he had thirty (30) days to provide the Division with documentation that a tax clearance had been issued. He did not provide documentation of a tax clearance to the Division until on or about December 15, 2004 and January 31, 2005.
3. In consideration of the previous and aforementioned delay in submission of the Louisiana state tax clearance and in lieu of further administrative action against the permittee's gaming permit, he shall pay a \$250.00 civil penalty;
4. The Division hereby agrees to accept the permittee's payment of the above stated penalty in full and final settlement of this Notice of Recommendation of Suspension and Penalty;
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 VICTOR J. SMALL 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 permittee being suspended until such time as the penalty is paid in full;
9. The Division and the permittee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted,

**Victor J. Small  
No. P040024769**

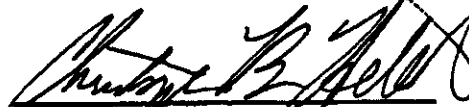
BY:



**VICTOR J. SMALL  
6601 Kennedy Drive  
Shreveport, Louisiana 71109**

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

BY:



**Christopher B. Hebert  
Assistant Attorney General  
Bar Roll No. 28272  
1885 North Third Street, 5<sup>th</sup> 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: VICTOR J. SMALL**

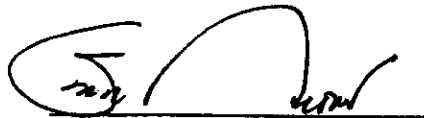
**NO. P040024769**

**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 permittee acknowledges that he was notified on or about May 25, 2004 and May 27, 2004 by certified mail that he had thirty (30) days to provide the Division with documentation that a tax clearance had been issued and that he did not provide documentation of a tax clearance to the Division until December 15, 2004 and January 31, 2005.
2. the permittee 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 Non-Key Gaming Employee Permit of the permittee being suspended until such time as penalty is paid in full.

THUS DONE AND SIGNED this 16 day of FEB, 2005 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 16th DAY  
OF FEBRUARY 2005  
Chris Domingue  
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Victor Small  
Christopher Hebert  
Tommy Panepinto

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 2/16/05



BY: CLERK

STATE OF LOUISIANA  
PARISH OF \_\_\_\_\_

**AFFIDAVIT**

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

**VICTOR J. SMALL,**

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

that affiant is the holder of Non-Key Gaming Employee Permit No. P040024769;

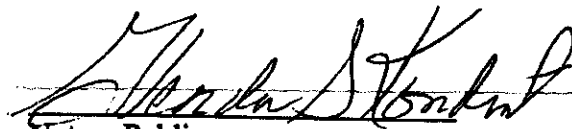
that the permittee received a Notice of Recommendation of Administrative Action from the Louisiana Gaming Control Board, citing violation of La. R.S. 27:28B(3);

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 on behalf of the permittee, 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 Bossier City, Louisiana, on this  
4 day of February, 2005.

  
VICTOR J. SMALL, Affiant

  
Notary Public  
My commission expires life.  
# 051130