



State of Louisiana

Gaming Control Board

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

HILLARY J. CRAIN
CHAIRMAN

IN RE: OLIVE D. HEBERT D/B/A BAYOU GOLD NO. VP1000500281A

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of October 21, 2003. The Hearing Officer's order dated September 30, 2003, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Administrative Action," by and between Olive D. Hebert d/b/a Bayou Gold, No. VP1000500281A, and the Louisiana 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 23rd day of October, 2003.

LOUISIANA GAMING CONTROL BOARD

BY:


HILLARY J. CRAIN, CHAIRMAN

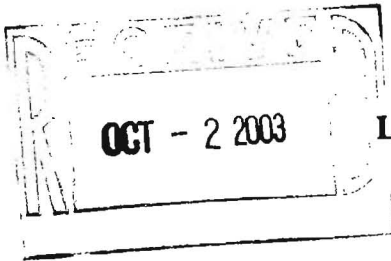
LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 24th DAY
OF October, 2003

APPEAL DOCKET CLERK


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SEP 30 2003

LGCB
ADMINISTRATIVE HEARING OFFICE



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

IN RE: OLIVE D. HEBERT d/b/a BAYOU GOLD

CASE NO. 1000500281A

**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. Olive D. Hebert d/b/a Bayou Gold, License No. 1000500281 (hereinafter "licensee"),

who respectfully represent the following:

WHEREAS:

1. On or about April 18, 2003, an agent of the Division noted that the sign located near the licensee's establishment, which advertised Bayou Gold, 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 #013672 to the licensee on or about April 18, 2003, citing violation of La. R.S. 27:27.3. Attendant to this Violation/Inspection Report, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to the licensee on or about July 30, 2003;
4. The licensee was previously cited for the violation of La. R.S. 27:27.3 on or about March 4, 2003, and paid a \$250.00 civil penalty as part of a settlement agreement approved by the Gaming Control Board; and
5. This matter has been scheduled for hearing on September 30, 2003 at 9:00 a.m. before the Honorable William H. Brown,

TRUE COPY
[Signature]
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 sign that advertises its gaming establishment;
2. The licensee has since placed the required toll-free number on the sign. A copy of the photograph confirming the same is attached hereto;
3. In lieu of further administrative action against the licensee's video gaming license, and in light of the fact that this is the second violation of La. R.S. 27:27.3, the licensee shall pay a \$500.00 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. 013672 and this Notice of Recommendation of Administrative Action;
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 Olive D. Hebert d/b/a Bayou Gold 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,

**OLIVE D. HEBERT d/b/a
BAYOU GOLD**


BY:



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STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: OLIVE D. HEBERT d/b/a BAYOU GOLD

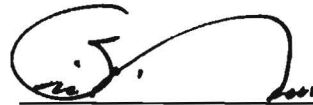
CASE NO. 1000500281A

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 sign that advertises its gaming establishment;
2. having placed the required toll-free number on the billboards, the licensee shall pay a \$500.00 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 30th day of Sept., 2003 in
Baton Rouge, Louisiana.

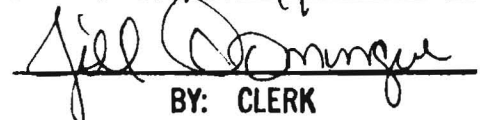


William H. Brown
Hearing Officer

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 30th DAY
OF September 2003
Jill Domingue
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Brett Sulzer
Karen White
Sabrina Ballard

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 9/30/03



BY: CLERK

