



State of Louisiana
Gaming Control Board

JOHN BEL EDWARDS
GOVERNOR

RONNIE JONES
CHAIRMAN

IN RE: MONICO, INC. D/B/A TASTEE #21
NO. 3601208537

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of February 20, 2020. The Hearing Officer's order dated January 15, 2020, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action", by and between Monico, Inc. d/b/a Tastee #21, No. 3601208537, and the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, which is attached hereto and incorporated herein, is **APPROVED**.

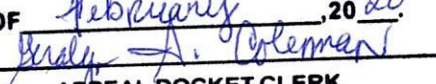
THUS DONE AND SIGNED on this the *20th* day of *February, 2020*.

LOUISIANA GAMING CONTROL BOARD

BY:



RONNIE JONES, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS *20th* DAY
OF *February*, 20 *20*


APPEAL DOCKET CLERK

LGCB-5439-20-B

RECEIVED

By GERALYN A. COLEMAN at 11:24 am, Jan 15, 2020

RECEIVED

JAN 14 2020

LA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

MONICO, INC.
D/B/A TASTEE #21

CASE NO.: 3601208537

JOINT MOTION FOR APPROVAL OF COMPROMISE AND
SETTLEMENT AGREEMENT

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:


NOW COME the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Monico, Inc. d/b/a Tastee #21 (hereinafter, "Licensee"), who file this Joint Motion for Approval of Compromise and Settlement Agreement, and in support thereof would respectively show unto the Hearing Officer as follows:

1.

The Division and Licensee are desirous of compromising and settling all disputes between them relative to the referenced administrative proceeding. In connection therewith, the parties have entered into a Compromise and Settlement Agreement, which by its terms will become effective upon approval by the Administrative Hearing Office and the Louisiana Gaming Control Board.

2.

A true and correct copy of the proposed Compromise and Settlement Agreement is attached hereto as Exhibit "A" and incorporated by reference for all purposes.

TRUE COPY

Representative
Louisiana Gaming Control Board

WHEREFORE, PREMISES CONSIDERED, the Division and Licensee respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

JEFF LANDRY,
ATTORNEY GENERAL

By: 

Ngoc A. Tran, on behalf of
Monico, Inc. d/b/a Tastee #21

By: 

Alonna C. Murray, Bar Roll # 37962
Assistant Attorney General
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (225) 326-6500
Facsimile: (225) 326-6599
Counsel for the Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RE: MONICO, INC.
D/B/A TASTEE #21

CASE NO.: 3601208537

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Monico, Inc. d/b a Taste #21 (hereinafter, "Licensee"), do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has sent a Notice of Recommendation of Administrative Action to Licensee, which Notice contains allegations of certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by said Notice are set for hearing before the Louisiana Gaming Control Board Administrative Hearing Office.

WHEREAS, the Division and Licensee are desirous of fully and finally compromising and settling all issues and disputes arising out of and in connection with said Notice;

NOW, THEREFORE, in consideration of the foregoing, the parties hereto do hereby agree and stipulate as follows:

STIPULATIONS

1. Licensee is a Type 2 licensed establishment located at 2549 Esplanade Avenue, New Orleans, Louisiana 70119.

2. Licensee's Louisiana Alcohol and Tobacco Control permit expired on May 31, 2019.
3. On August 20, 2019, the Licensee's ATC permit was renewed and made effective as of June 1, 2019.
4. Between June 1, 2019 and August 19, 2019, Licensee operated video draw poker machines and earned a profit from said devices in the amount of \$11,831.23.
5. Licensee failed to maintain a valid ATC permit while operating as a licensed Type 2 video draw poker establishment, in violation of LAC 42:X1.2417(A)(1), LAC 42:X1.2417(B)(2)(d), and La. R.S. 27:402(14).
6. Licensee failed to timely notify the Division that its ATC permit expired on May 31, 2019, in violation of LAC 42:X1.2417(B)(4).

TERMS AND CONDITIONS

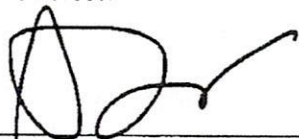
1. In lieu of administrative action, Licensee will pay a penalty of **THREE THOUSAND and 00/100 (\$3,000.00) DOLLARS** for its violation of La. R.S. 27:402(14), LAC 42:X1.2417(A)(1), and LAC 42:X1.2417(B)(4).
2. The Division hereby agrees that payment of a total penalty of **THREE THOUSAND and 00/100 (\$3,000.00) DOLLARS** shall be in full and final settlement of all matters set forth in the Notice of Recommendation of Administrative Action.
3. The Division reserves the right to take into consideration this admitted violation in connection with any future investigation, violation or assessment of penalty and in connection with any future assessments of Licensee's suitability.
4. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

5. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Licensee, pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

6. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana Gaming Control Board for its determination as to whether to approve same or to remand the matter to the Hearing Officer for a full hearing on the merits.

7. If approved, Licensee agrees to make full payment of the civil penalty within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board. Licensee agrees that failure to meet this requirement shall result in immediate suspension of the gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

I have read this entire Compromise and Settlement Agreement and agree to all stipulations and terms and conditions hereof.



Ngoc A. Tran, on behalf of
Monico, Inc. d/b/a Tastee #21



Alonna C. Murray, AAG, on behalf of
State of Louisiana, Department of Public Safety &
Corrections, Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RE: MONICO, in
D/B/A TASTEE #21

CASE NO.: 3601208537

ORDER

BE IT REMEMBERED that on the 15th day of January, 2020, came for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared by and through their respective attorneys of record or representing themselves, and the Hearing Officer having considered the pleadings on file, the proposed Compromise and Settlement Agreement, and the said Motion, and it appearing to the Hearing Officer that the said Compromise and Settlement Agreement should be approved; it is, therefore,

ORDERED, ADJUDGED, AND DECREED that the Compromise and Settlement Agreement attached to the parties' Joint Motion for Approval of Compromise and Settlement Agreement be, and the same is hereby, **APPROVED**; that Monico, Inc. d/b/a Tastee #21 must pay **THREE THOUSAND and 00/100 (\$3,000.00) DOLLARS** to the Division within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 15th day of January, 2020, in Baton Rouge, Louisiana.

Suzan S. Ponder

SUZAN S. PONDER
HEARING OFFICER

LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON

ALL PARTIES THIS 15 DAY
OF January, 2020
Ebony Baptiste
DOCKET CLERK, ADMIN. HEARING OFFICE

C. MONICO, Inc D/B/A TASTEE #21
Alonna Murray
Sat. Eddie Daidke

A TRUE COPY ATTEST

LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE

BATON ROUGE, LA 1/15/20

Ebony Baptiste

DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE