



*State of Louisiana*  
*Gaming Control Board*

KATHLEEN BABINEAUX BLANCO  
GOVERNOR

HILLARY J. CRAIN  
CHAIRMAN

**IN RE: LIUZZA'S RESTAURANT & BAR, INC. D/B/A  
LIUZZA'S RESTAURANT & BAR  
NO. VP3601205280**

**ORDER**


This matter was considered by the Louisiana Gaming Control Board at its meeting of January 20, 2004. The Hearing Officer's order dated December 18, 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 Liuzza's Restaurant & Bar, Inc. d/b/a Liuzza's Restaurant & Bar, No. VP3601205280, 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**.

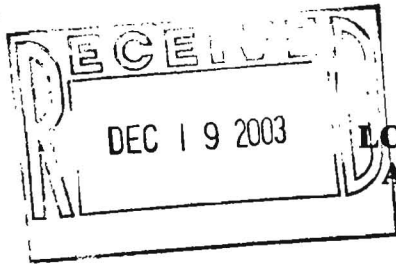
**THUS DONE AND SIGNED** on this the 20<sup>th</sup> day of January, 2004.

**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 20<sup>th</sup> DAY  
OF January, 2004  
APPEAL DOCKET CLERK  




**RECEIVED**

DEC 18 2003

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

LCCB  
ADMINISTRATIVE HEARING OFFICE

**IN RE: LIUZZA'S RESTAURANT & BAR, INC.  
d/b/a LIUZZA'S RESTAURANT & BAR**

**CASE NO. 3601205280  
INSPECTION REPORT # 14451**

**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. Liuzza's Restaurant & Bar, Inc. d/b/a Liuzza's Restaurant & Bar, License No. 3601205280 (hereinafter "licensee"), who respectfully represent the following:

**WHEREAS:**

1. On or about March 1, 2003, the Division mailed the annual form, which must be submitted annually by all licensees, to the licensee;
2. The licensee was mandated by LAC 42:XI.2405(B)(7) to submit the above annual form to the Division, along with all appropriate fees and current tax clearance certificates, on or before July 1, 2003;
3. On or about July 1, 2003, the Division received the licensee's annual form, fees; and the state tax clearance, however, the local tax clearance certificate was not included.
4. On or about July 9, 2003, the Division notified the licensee of the missing tax clearance.
5. On or about July 29, 2003, the Division issued Violation/Inspection Report #14451 to the licensee citing violation of LAC 42:XI.2405(B)(7). 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 October 9, 2003.
6. This matter has been scheduled for hearing on December 18, 2003 at 9:30 a.m. before the Honorable Joseph E. Anzalone, Jr.,

**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 LAC 42:XI.2405(B)(7), in that it did not submit the local tax clearance certificate to the Division by July 1, 2003;
2. The licensee has submitted the delinquent local tax clearance, a copy is attached hereto;
3. In lieu of suspension of its 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. 14451 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 Liuzza's Restaurant & Bar, Inc. d/b/a Liuzza's Restaurant & Bar 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,

**LIUZZA'S RESTAURANT & BAR, INC.  
d/b/a LIUZZA'S RESTAURANT & BAR**

**RICHARD P. IEYOUB  
ATTORNEY GENERAL**

BY: *Shanette B. Edler*  
Shanette B. Edler  
Secretary  
Liuzza's Restaurant & Bar, Inc.  
d/b/a Liuzza's Restaurant & Bar  
234 North Telemachus St.  
New Orleans, Louisiana 70119

BY: *Olga M. Bogran*  
Olga M. Bogran  
Assistant Attorney General  
La. Bar Roll No. 24302  
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STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: LIUZZA'S RESTAURANT & BAR, INC.  
d/b/a LIUZZA'S RESTAURANT & BAR

CASE NO. 3601205280  
INSPECTION REPORT # 14451

ORDER


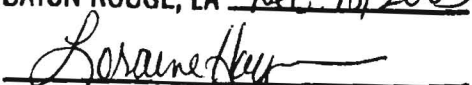
Considering the foregoing Joint Motion For Entry of Stipulations and Approval of Proposed Settlement, IT IS HEREBY ORDERED that such proposed settlement be approved, to wit:

1. the licensee acknowledges that it was in violation of LAC 42:XI.2405(B)(7), in that it did not submit the local tax clearance certificates to the Division by July 1, 2003;
2. having submitted the delinquent tax clearance, the licensee shall pay a civil penalty in the amount of \$250.00;
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 Liuzza's Restaurant & Bar, Inc. d/b/a Liuzza's Restaurant & Bar being suspended and its gaming devices being disabled.

THUS DONE AND SIGNED this 18 day of Dec., 2003 in  
Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 18 DAY  
OF December, 2003  
Soraine Haynes  
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Shanette Caler  
Olga Bogren  
Sabrina Bullard

  
Joseph E. Anzalone, Jr.  
Hearing Officer  
A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA Dec. 18, 2003  
  
BY: CLERK

STATE OF LOUISIANA  
PARISH OF ORLEANS

**AFFIDAVIT**

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

**SHANETTE B. EDLER,**

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

that affiant is the secretary of Liuzza's Restaurant & Bar, Inc. d/b/a Liuzza's Restaurant & Bar, ("licensee"), whose address is 1234 North Telemachus St., New Orleans, Louisiana 70119;

that the licensee received a Notice of Recommendation of Administrative Action (Violation/Inspection Report No. 14451) from the Louisiana Gaming Control Board, citing violation of LAC 42:XI.2405(B)(7);

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 licensee, 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 NEW ORLEANS, Louisiana, on this  
16<sup>th</sup> day of DECEMBER, 2003.

Shanette B. Edler  
Shanette B. Edler, Affiant

Serge A. [Signature]  
Notary Public  
My commission expires at death