



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

**IN RE: Y & H, INC. D/B/A MOONLIGHT CAFÉ
NO. 3601210098**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of August 15, 2006. The Hearing Officer's order dated August 2, 2006, 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 Y & H, Inc. d/b/a Moonlight Cafe, No. 3601210098, 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 August, 2006.

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 15 DAY
OF August, 2006.
APPEAL DOCKET CLERK


RECEIVED

08/02/06 09:13

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

STATE OF LOUISIANA
GAMING CONTROL BOARD
NEW ORLEANS, LA

IN RE: Y&H, INC.
d/b/a MOONLIGHT CAFE

NO. 3601210098

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LGCB
ADMINISTRATIVE HEARING OFFICE

JOINT MOTION FOR APPROVAL OF COMPROMISE AND
SETTLEMENT AGREEMENT

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

COME NOW State of Louisiana, Department of Public Safety and Corrections, Office of State Police ("the Division") and Y&H, Inc. d/b/a Moonlight Cafe, VGL 3601210098 ("the 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 the 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.

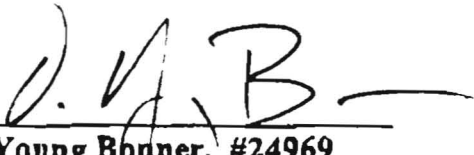
A true and correct copy of the proposed Compromise and Settlement Agreement is attached hereto as Exhibit "A" and incorporated by reference for all purposes.

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

Respectfully Submitted,

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

By: 
Yasin Hatipoglu
8001 Burthe Street
New Orleans, Louisiana 70118
Telephone: (504) 723-7313
Facsimile: (504) 865-0842
*President and 50% shareholder of
Y&H, In. d/b/a Moonlight Cafe*

By: 
O. Young Bonner, #24969
Assistant Attorney General
One Canal Place
365 Canal Street, Suite 2730
New Orleans, Louisiana
Telephone: (504) 599-1149
Facsimile: (504) 599-1163
Counsel for the Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: Y&H, INC
d/b/a MOONLIGHT CAFE

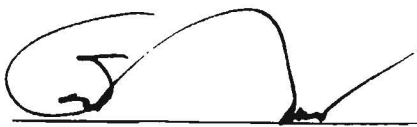
NO. 3601210098

ORDER

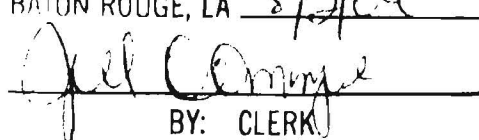
BE IT REMEMBERED that on this 2 day of August, 2006, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared by and through their respective attorneys of record, and the Hearing Officer having considered the pleadings on file, the proposed 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**.

SIGNED AND ENTERED this 2 day of August, 2006, in Baton Rouge, Louisiana.



WILLIAM H. BROWN
HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 8/2/06

BY: CLERK

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES.
OF 8/2/06 DAY
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE
(X) Y. Kevin Heston
Yung Bonner
Sgt Robert Robinson

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: Y&H, INC.
d/b/a MOONLIGHT CAFE

NO. 3601210098

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and Y&H, Inc. d/b/a Moonlight Cafe (hereinafter "Y&H, Inc."), VGL 3601210098, do hereby represent and agree as follows:

WHEREAS, on March 7, 2006, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to Y&H Inc. d/b/a Moonlight Cafe alleging certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by said Notice of Recommendation of Administrative Action are set for hearing on August 2, 2006, before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the Division and Y&H, Inc. are desirous of fully and finally compromising and settling all issues and disputes arising out of and in connection with the said Notice of Recommendation of Administrative Action;

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



STIPULATIONS

1. Y&H, Inc. is owned by Yalcin Hatipoglu, President and 50% shareholder, and Hassan Khaleghi, Vice-President and 50% shareholder.
2. Y&H, Inc. d/b/a Moonlight Cafe, a licensed video gaming establishment, previously entered into a video poker device agreement with Master Video Poker.
3. Master Video Poker (MVP) sent video gaming documents ("the Documents") to Y&H, Inc. d/b/a Moonlight Cafe for execution, including but not limited to the *Personal History Questionnaire* dated January 5, 1998, signed by Hassan Khaleghi; the *Annual Licensee Form* dated March 13, 2002, signed by Hassan Khaleghi; the *Registry Information/VERIFICATION Form* dated June 12, 2002, signed by Yalcin Hatipoglu, and the *Request to Release Information* dated May 14, 2003, signed by Yalcin Hatipoglu.
4. Yalcin Hatipoglu and Hassan Khaleghi admit that they relied upon the representations of their device owner, MVP, that there would be a notary present during the time the Documents were completed and signed while on the MVP premises. Yalcin Hatipoglu and Hassan Khaleghi admit the identity of the notary was not personally known to them nor did they personally verify there was a notary present to witness their signatures on the Documents. However, investigation by the Division revealed that the purported Notary was not a notary. Thus, the Documents were improperly notarized in violation of LAC 42:XI.2405(A)(15).
5. Yalcin Hatipoglu and Hassan Khaleghi represents that all of the statements, responses, disclosures and representations provided in the documents submitted to the Division bearing his signature are true and correct to the best of his knowledge, information and belief, and represents a complete and accurate account of the requested information.

TERMS AND CONDITIONS


1. Within fifteen (15) days of the approval of this settlement by the Louisiana Gaming Control Board, Y&H, Inc. shall pay a civil penalty of One Thousand Dollars (\$1000.00).
2. The Division hereby agrees to accept the payment of the above stated penalty in full and final settlement of all violations alleged in the March 7, 2006, Notice of Recommendation of Administrative Action.
3. Any and all information discovered throughout the course of this or any other investigation may be used in any future determination of the suitability of Yalcin Hatipoglu, Hassan Khaleghi and Y&H, Inc.
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 Y&H, Inc. 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, however, payment of the above penalty must be submitted to the Division within (15) fifteen 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 immediate suspension of the license 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.

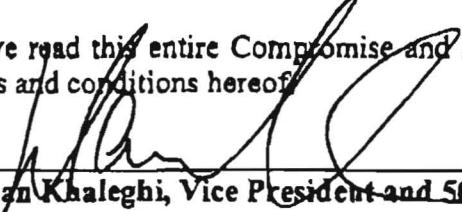

Yalcin Hattopoglu, President and 50% shareholder of Y&H, Inc. d/b/a Moonlight Cafe

Sworn to and subscribed before this 31st day of July, 2006.


Notary (number and stamp)

Camille J. Strachan
Notary Notary for (printed name)
La. Bar Roll No.: **07473**


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


Hassan Khaleghi, Vice President and 50% shareholder of Y&H, Inc. d/b/a Moonlight Cafe

Sworn to and subscribed before this 31st day of July, 2006.


Notary (number and stamp)

Camille J. Strachan
Notary Notary for (printed name)
La. Bar Roll No.: **07473**


O. Young Bonner, AAG on behalf of
State of Louisiana
Department of Public Safety & Corrections,
Office of State Police

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Bayou State Field Services
8001 Burthe Street
New Orleans, LA 70118
Phone: (504) 865 - 0311
Fax: (504) 865 - 0842

8 Pages
w/ this page

ATTN: YOUNG BONNER
RE: YOTT INC dba Moonlight Cafe
COMMENTS: I will mail the originals to you on Tuesday to One CANAL PLACE 365 Canal St. Suite 2730 N.O. La 70130 Thanks Yalcen Hestiposh

RECEIVED

JUL 3 2006 ayB

DEPT. OF REVENUE
GAMING DIVISION
NEW ORLEANS, LA