

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

Gaming Control Board

HILLARY J. CRAIN CHAIRMAN

IN RE: CURRY CORPORATION D/B/A TEXAS PELICAN COMPLEX NO. VP1000503153A

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of February 18, 2003. The Hearing Officer's order dated January 28, 2003, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Violation and Hearing," by and between Curray Corporation d/b/a Texas Pelican Complex, No.VP1000503153A, 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 day of February, 2003.

LOUISIANA GAMING CONTROL BOARD

BY:

ILLARY J. CRAIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD I HEREBY CERTIFY THAT A CERTIFIED COPY HAS BEEN MAILED OR SERVED ON 200-



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STATE OF LOUISIANA LOUISIANA GAMING CONTROL BOARD ADMINISTRATIVE HEARING OFFICE



IN RE: CURRAY CORPORATION
d/b/a TEXAS PELICAN COMPLEX

ALMINISTRATIVE CASE NO. 1000503155A CLEF

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. CURRAY CORPORATION d/b/a TEXAS PELICAN COMPLEX- license no. 1000503153A (hereinafter "licensee"),

who respectfully represent the following:

WHEREAS:

- 1. On or about March 8, 2002, the Division mailed the annual form, which must be submitted annually by all licensees, to the licensee;
- 2. The licensee was mandated by La. R.S. 27:311(K)(4), LAC 42:XI.2405(B)(4) and (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, 2002;
- 3. The licensee failed to submit the required state tax or local tax clearance certificate by July 1st;
- 4. Pursuant to this information, the Division issued a Notice of Violation and Hearing (Violation/Inspection Report #13882) to the licensee on or about September 20, 2002, alleging violations of LAC 42:XI.2405(B)(7):.
- 5. Subsequently, the licensee submitted the appropriate state and local tax on October 15, 2002;
- 6. This matter has been scheduled for hearing before the Honorable William H. Brown,

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 state tax clearance to the Division by July 1, 2002:
- 2. In lieu of revocation or suspension of the licensee's video gaming license, the licensee shall pay a \$250.00 civil penalty;
- 3. 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. 13920;
- 4. The Division reserves the right to take into consideration these violations in connection with any future violation;
- 5. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
- 6. This settlement constitutes the entire agreement between the Division and CurRay Corporation pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties:
- 7. 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 CurRay Corporation being suspended and its gaming devices being disabled; and
- 8. 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.

CURRAY CORPORATION VGL# 1000503153A

SCOTTYROZAS

Owner

BY:

CURRAY CORPORATION d/b/a Texas Pelican Complex 1125 Enterprise Blvd. Lake Charles, LA 70601 RICHARD P. IEYOUB ATTORNEY GENERAL

BY:

Shana M. Broussard
Assistant Attorney General
La. Bar Roll No. 24036
339 Florida Street, Ste. 500
Baton Rouge, Louisiana 70801
Telephone: (225) 342-2465

STATE OF LOUISIANA LOUISIANA GAMING CONTROL BOARD ADMINISTRATIVE HEARING OFFICE

IN RE: CURRAY CORPORATION d/b/a TEXAS PELICAN COMPLEX CASE NO. 1000503153A

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. CURRAY CORPORATION acknowledges that it was in violation of LAC 42:XI.2405(B)(7), in that it did not submit state or local tax clearances to the Division by July 1, 2002;
- 2. CURRAY CORPORATION shall pay a civil penalty in the amount of \$250.00:
- 3. payment of the above penalty shall be submitted to the Division 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 CURRAY CORPORATION being suspended and its gaming devices being disabled.

THUS DONE AND SIGNED this _______ day of

2003 in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD

I HEREBY CERTIFY THAT A CERTIFIED COPY HAS BEEN MAILED OR SERVED ON

LOCKET CLURK, ADMINISTRATIVE HEARING DEFICE

William H. Brown

Hearing OfficaUE COPY ATTEST

LOUISIANA GAMING CONTROL BOARD

HEARING OFFICE

BATON ROUGE, LA

STATE OF LOUISIANA PARISH OF (A) Casiel

AFFIDAVIT

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

SCOTTY ROZAS.

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

that affiant is the owner of CURRAY CORPORATION d/b/a TEXAS PELICAN COMPLEX, which is located at 1125 ENTERPRISE BLVD. LAKE CHARLES, LOUISIANA:

that CURRAY CORPORATION, received a Notice of Violation and Hearing (Violation/Inspection Report No. 13920) from the Louisiana Gaming Control Board, citing violations 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, 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 Lake Charles, Louisiana, on this 215+ day of ________, 2003.

My commission expires upon doubt