



# State of Louisiana

Gaming Control Board

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

HILLARY J. CRAIN  
CHAIRMAN

## IN RE: D.I. FOODS, INC. D/B/A D.I. FOODS NO. VP6007207160A

### ORDER


This matter was considered by the Louisiana Gaming Control Board at its meeting of February 18, 2003. The Hearing Officer's order dated February 4, 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 D.I. Foods, Inc. d/b/a D.I. Foods, No. VP6007207160A, 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**.

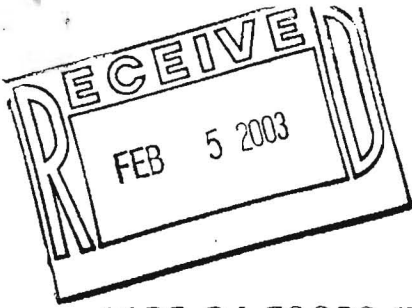
THUS DONE AND SIGNED on this the 20<sup>th</sup> day of February, 2003.

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 21<sup>st</sup> DAY  
OF February 2003  
APPEAL DECKET CLERK  




STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: D.I. FOODS, INC. d/b/a D.I. FOODS

CASE NO. 6007207160A

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. D.I. Foods, Inc. d/b/a D.I. Foods, License No. 6007207160 (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. On or about July 1, 2002, the Division received the licensee's annual form and fees; however, the state and local tax clearance certificates were not included. The licensee's state and local tax clearance certificates were not received by the Division prior to July 1, 2002.
4. Pursuant to this information, the Division issued Violation/Inspection Report #13877 to the licensee on or about September 23, 2002, citing violation of LAC 42:XI.2405(B)(7). The Division subsequently received the state and local tax clearance certificates on October 4, 2002.
5. Attendant to the Violation/Inspection Report, the Louisiana Gaming Control Board issued a Notice of Violation and Hearing (Violation/Inspection Report 13877) to the licensee on or about November 27, 2002.
6. This matter has been scheduled for hearing on February 19, 2003 at 9:30 a.m. before the Honorable J. E. Anzalone, Jr.,

  
 TRUE COPY  
 Representative  
 Louisiana Gaming Control Board

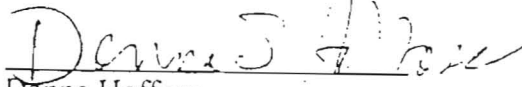
NOW THEREFORE, in consideration of the foregoing stipulations, the Division and the licensee hereby propose the following settlement, that:

1. The licensee acknowledges that it was in violation of LAC 42:XI.2405(B)(7), in that it did not submit the state and local tax clearance certificates to the Division by July 1, 2002;
2. In lieu of further administrative action, 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. 13877 and this Notice of Violation and Hearing;
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 D.I. Foods, Inc. d/b/a D.I. Foods 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 the licensee 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.

**D.I. FOODS, INC. d/b/a D.I. FOODS**  
**VG#6007207160**

BY:



Donna Hoffoss

Owner


11927 Highway 80

Minden, Louisiana 71055

Telephone: (318) 371-0609

**RICHARD P. IEYOUB**  
**ATTORNEY GENERAL**

BY:



Karen Day White

Assistant Attorney General

La. Bar Roll No. 25933

339 Florida Street, Ste. 500

Baton Rouge, Louisiana 70801

Telephone: (225) 342-2465

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STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: D.I. FOODS, INC. d/b/a D.I. FOODS

CASE NO. 6007207160.A

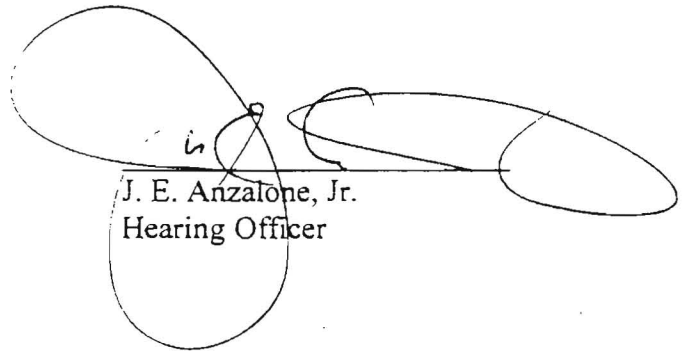
ORDER

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 state and local tax clearance certificates to the Division by July 1, 2002;
2. 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 D.I. Foods, Inc. d/b/a D.I. Foods being suspended and its gaming devices being disabled.

THUS DONE AND SIGNED this 4 day of Feb, 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 2/4/03 DAY  
OF February  
Christina Jones  
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

  
J. E. Anzalone, Jr.  
Hearing Officer

cc: Donna Hoffoss  
Karen White, Esq.  
Sabrina Ballard

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 2/4/03

  
BY: CLERK

STATE OF LOUISIANA  
PARISH OF Webster

**AFFIDAVIT**

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

**DONNA HOFFFOSS,**

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

that affiant is an owner of D.I. Foods, Inc. d/b/a D.I. Foods ("licensee"), located at 11927 Highway 80, Minden, Louisiana 71055;

that licensee received a Notice of Violation and Hearing (Violation/Inspection Report No. 13877) 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 her own volition, without duress or coercion.

THUS DONE AND PASSED in Minden, Louisiana, on this 22 day of January, 2003.

Donna S. Hoffoss  
Donna Hoffoss, Affiant

Cathy J. Jarrigan  
Notary Public  
My commission expires February