



State of Louisiana
Gaming Control Board

JOHN BEL EDWARDS
GOVERNOR

RONNIE JONES
CHAIRMAN

**IN RE: FIVE STAR FOOD AND GAS, LLC D/B/A
FIVE STAR FOOD AND GAS CAFÉ
NO. 5402217103**

ORDER

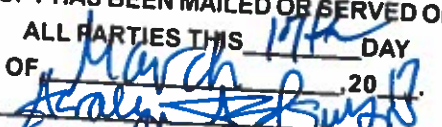
This matter was considered by the Louisiana Gaming Control Board at its meeting of March 16, 2017. The Hearing Officer's order dated March 7, 2017, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Revocation, Order of Immediate Emergency Suspension, and Notice of Hearing", by and between Five Star Food and Gas, LLC d/b/a Five Star Food and Gas Cafe , No. 5402217103, 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 *16th* day of *March, 2017*.

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 17th DAY
OF March, 2017.

APPEAL DOCKET CLERK

LGCB-4193-17-B

RECEIVED

By Geralyn A. Coleman at 9:30 am, Mar 08, 2017

RECEIVED

MAR 07 2017

LGCB
ADMINISTRATIVE HEARING OFFICE

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RE: FIVE STAR FOOD AND GAS, LLC
D/B/A FIVE STAR FOOD AND GAS CAFÉ

CASE NO.: 5402217103

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 Five Star Food and Gas, LLC d/b/a Five Star Food and Gas Cafe (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.

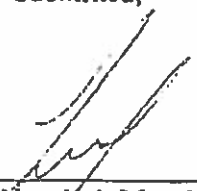
TRUE COPY

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,

By: _____


Gurdev Kamboj, Member
Five Star Food and Gas, LLC d/b/a Five
Star Food and Gas Café
4853 HWY 605
St. Joseph, Louisiana 71366

JEFF LANDRY
ATTORNEY GENERAL

By: _____

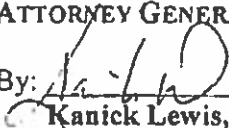

Kanick Lewis, Jr.
Assistant Attorney General
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (225) 326-6500
Facsimile: (225) 326-6599
Counsel for the Office of State Police

EXHIBIT "A"

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

**RE: FIVE STAR FOOD AND GAS, LLC
D/B/A FIVE STAR FOOD AND GAS CAFÉ**

CASE NO.: 5402217103

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Five Star Food and Gas, LLC d/b/a Five Star Food and Gas Cafe (hereinafter, "Licensee"), do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has sent a Notice of Recommendation of Revocation, Order of Immediate Emergency Suspension, and Notice of Hearing, 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 4853 HWY 605, St. Joseph, Louisiana 71366.
2. On November 17, 2016, Licensee contacted the Office of Alcohol and Tobacco Control (hereinafter, "ATC") to voluntarily surrender their ATC permit.
3. On November 17, 2016, ATC cancelled the permit issued to Licensee.
4. On or about December 16, 2016, the Division contacted Licensee and informed him that he was required have a valid ATC permit in order to hold a gaming permit. At that time, Licensee was advised of the necessary steps to reinstate the ATC permit.
5. Licensee failed to secure the necessary ATC permit and continued to operate video poker machines and on January 19, 2017, the Division disabled the video poker machines at the licensed establishment.
6. On February 7, 2017, Licensee obtained the required valid ATC permit.
7. Licensee operated video poker machines for approximately 64 days without a valid ATC permit, in violation of La. R. S. 27:402(14).
8. The Division initially recommended immediate suspension followed by revocation and on February 9, 2017, the Division requested that the suspension be lifted and the recommendation for revocation be converted to an administrative action.
9. On March 2, 2017, Hearing Officer Reynolds signed the Order lifting the suspension and converting the recommendation for revocation to an administrative action.

TERMS AND CONDITIONS

1. In lieu of administrative action, Licensee will pay a penalty of **TWO THOUSAND DOLLARS and NO/100 (\$2,000.00) DOLLARS** for its violation of La. R. S. 27:402(14).

2. The Division hereby agrees that payment of a total penalty of **TWO THOUSAND and NO/100 (\$2,000.00) DOLLARS** shall be in full and final settlement of all matters set forth in the Notice of Recommendation of Revocation.

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.

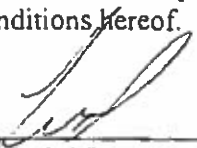
5. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Licensee, pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

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.



Gurdev Kamboj, Member
Five Star Food and Gas, LLC d/b/a Five Star Food and Gas Cafe



Kanick Lewis, Jr., 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: FIVE STAR FOOD AND GAS, LLC
D/B/A FIVE STAR FOOD AND GAS CAFÉ

CASE NO.: 5402217103

ORDER

BE IT REMEMBERED that on the 7th day of March, 2017, 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 Five Star Food and Gas, LLC d/b/a Five Star Food and Gas Cafe must pay **TWO THOUSAND AND NO/100 (\$2,000.00) 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 7th day of March, 2017, in Baton

Rouge, Louisiana.
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE

I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 8th DAY
OF March, 2017.

Johnson
DOCKET CLERK, ADMIN. HEARING OFFICE
cc: Gurdev Kamboj
Karick Lewis Jr.
Sgt. Lionell Sibley


RICHARD L. REYNOLDS
HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 3-8-17

Johnson
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE