



State of Louisiana

Gaming Control Board

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

HILLARY J. CRAIN
CHAIRMAN

IN RE: R.P.K.T., LLC D/B/A CAFÉ VERDICT
NO. VP3601309778

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of July 17, 2001. The Hearing Officer's order dated July 10, 2001, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of "The Notice of Recommendation of Revocation," by and between R.P.K.T., LLC d/b/a Café Verdict, No. VP3601309778, and the Department of Public Safety and Corrections, Office of State Police, Video Gaming Division, which is attached hereto and incorporated herein, is **REJECTED**. The matter is **REMANDED** to the Hearing Officer for adjudication.

THUS DONE AND SIGNED on this the 18th day of July, 2001.

LOUISIANA GAMING CONTROL BOARD

BY: [Signature]
HILLARY J. CRAIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 19th DAY
OF July, 2001
APPEAL DOCKET CLERK
[Signature]

IN THE MATTER OF
R.P.K.T., LLC
D/B/A CAFÉ VERDICT

LICENSE NO. 3601209778
VIOLATION NO. 10040

HEARING OFFICE

LOUISIANA GAMING
CONTROL BOARD



JOINT MOTION FOR ENTRY OF STIPULATIONS
AND APPROVAL OF PROPOSED SETTLEMENT

On Joint Motion of:

- (i) the State Louisiana, Office of State Police, Video Gaming Division (“the Division”), and
- (ii) R.P.K.T., LLC d/b/a Café Verdict (“Café Verdict”) enter the following Stipulations into the record:

WHEREAS, on or about March 27, 2001, a Notice of Recommendation of Revocation (“the Notice”) was issued by the Division to Café Verdict recommending that its Type 2 video gaming license be revoked based on the provisions of La. R.S. 27:308(B) and La. R.S. 27:301(B)(8);

WHEREAS, the Notice alleged that on January 30, 2001, the Division conducted an on-site inspection of the Cafe Verdict, which revealed that it did not have a current state Alcohol Beverage Control permit;

WHEREAS, Café Verdict is a licensed video poker establishment pursuant to La. R.S. 27:301(B)(8) which requires that it maintain a current state Alcohol Beverage Control permit;

WHEREAS, as a result of the on-site inspection, the Division issued Café Verdict Violation/Inspection Report No.10040 on January 30, 2001, in which it was cited

TRUE COPY
[Signature]
Representative

for failure to have a current Alcohol Beverage Control permit as required by La. R.S.

27:301(B)(8):

WHEREAS, on May 21, 2001, the Division received correspondence from the State of Louisiana, Department of Revenue, Office of Alcohol and Tobacco Control stating that Café Verdict had been issued an Alcohol Beverage Control permit on May 3, 2001;

NOW, THEREFORE, in consideration of the foregoing Stipulations, the Division and Café Verdict hereby propose the following Settlement:

1. Café Verdict admits that it failed to maintain a current Alcohol Beverage Control permit in order to be considered a licensed establishment pursuant to La. R.S. 27:301(B)(8);

2. In lieu of revocation or suspension of Café Verdict's type 2 video gaming license, Café Verdict will pay to the Division as a civil penalty for failure to have a current Alcohol Beverage Control permit an aggregate and complete sum of TWO THOUSAND AND SEVENTY-FIVE DOLLARS AND 15/100 (\$2,075.15) which represents Café Verdict's video gaming revenue, less franchise fees, received during the period of non-compliance from January 30, 2001, through May 3, 2001.

3. Subject to approval of the of the Hearing Officer of the Louisiana Gaming Control Board, the Division hereby agrees to accept Café Verdict's payment of the above stated penalty in full and final settlement of this incident, Violation No. 10040.

4. It is expressly understood that this proposed settlement, if approved by the Hearing Officer, is not executory and will be submitted to the Louisiana Gaming Control

Board for its determination as to whether the matter should be heard by the Hearing Officer. The parties hereby consent to this procedure.

5. The Division and Café Verdict waive their rights to appeal this Stipulation if the Order is signed by the Hearing Officer and is accepted by the Louisiana Gaming Control Board.

6. The Division reserves the right to take this matter into consideration in connection with any subsequent violations.


7. This Stipulation and Settlement is to be interpreted under the laws of the State of Louisiana.

8. This Stipulation and Settlement constitutes the entire Agreement between the Division and Café Verdict pertaining to the subject matter contained herein and supercede all prior and contemporaneous agreements, representations, and understandings of the parties.

RESPECTFULLY SUBMITTED,

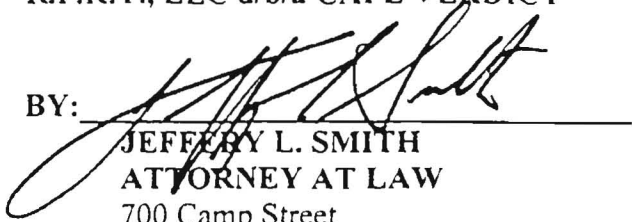
**STATE OF LOUISIANA, OFFICE OF
STATE POLICE, VIDEO GAMING DIVISION**

**RICHARD P. IEYOUB
ATTORNEY GENERAL**

BY: 
KENDRA L. DUAY, #25652
ASSISTANT ATTORNEY GENERAL
GAMING DIVISION
339 Florida Street, Suite 500
Baton Rouge, LA 70801
Phone: (225) 342-2465
Fax: (225) 342-4244

R.P.K.T., LLC d/b/a CAFÉ VERDICT

BY:

A handwritten signature in black ink, appearing to read "Jeffrey L. Smith", is written over a horizontal line.

JEFFERY L. SMITH
ATTORNEY AT LAW

700 Camp Street
New Orleans, LA 70130
Phone: (504) 528-9500
Fax: (504) 528-9500, ext. 243

IN THE MATTER OF
R.P.K.T., LLC
D/B/A CAFÉ VERDICT

LICENSE NO. 3601209778
VIOLATION NO. 10040

HEARING OFFICE


LOUISIANA GAMING
CONTROL BOARD

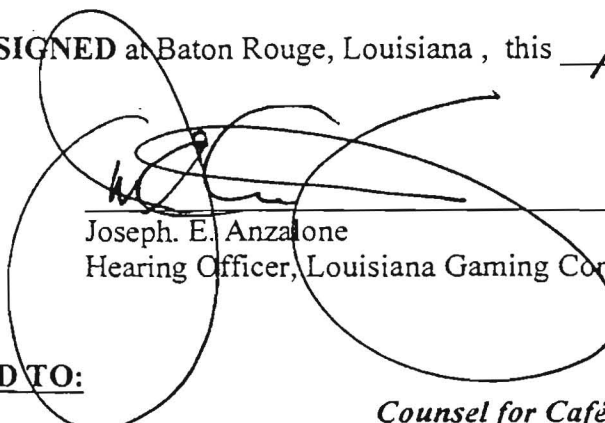
ORDER

Considering the foregoing Joint Motion and Stipulation,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that the foregoing Joint Motion and Stipulation of facts be accepted, approved and entered into the record of this proceeding;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that R.P.K.T., LLC d/b/a Café Verdict ("Café Verdict") pay to the Division, as a civil penalty, the amount of TWO THOUSAND AND SEVENTY-FIVE DOLLARS AND 15/100 (\$2,075.15) payable within thirty (30) days from the date of receipt of written notice of approval from the Louisiana Gaming Control Board.

 DATED AND SIGNED at Baton Rouge, Louisiana, this 10 day of _____, 2001.


Joseph. E. Anzalone
Hearing Officer, Louisiana Gaming Control Board

NOTICE TO SERVED TO:


Counsel for Division:

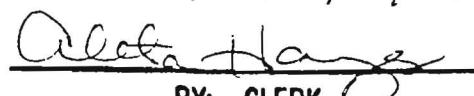
Kendra L. Duay
Assistant Attorney General
Gaming Division
339 Florida Street, Ste. 507
Baton Rouge, LA 70801

Counsel for Café Verdict:

Jeffery L. Smith
Attorney at Law
700 Camp Street
New Orleans, LA 70130

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 7/10/01

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED COPY HAS BEEN MAILED OR SERVED ON ALL PARTIES THIS 10th DAY 2001

DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE


BY: CLERK

cc: Jeffrey L. Smith, Esq.
Kendra Duay, Esq.
Jules P. P. P. P. P.