



State of Louisiana

KATHLEEN BABINEAUX BLANCO
GOVERNOR

Gaming Control Board

H. CHARLES GAUDIN
CHAIRMAN

ANNE LACOUR NEEB
EXECUTIVE DIRECTOR

IN RE: SHANE ASHWORTH NO. P040042928

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of October 19, 2004. The Hearing Officer's order dated September 28, 2004, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Suspension and Penalty," Permit No. P040042928, by and between Shane Ashworth, 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 19 day of October, 2004.

LOUISIANA GAMING CONTROL BOARD

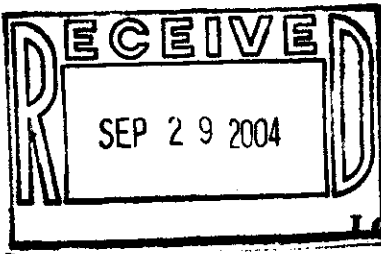
BY:



H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED
ALL PARTIES THIS 20 2004
OF 2004

APPEAL DOCKET CLERK

RECEIVED

STATE OF LOUISIANA

SEP 28 2004

LOUISIANA GAMING CONTROL BOARD

LGCB
ADMINISTRATIVE HEARING OFFICE

ADMINISTRATIVE HEARING OFFICE

IN RE: SHANE ASHWORTH

NO. P040042928

**JOINT MOTION FOR ENTRY OF STIPULATIONS AND
APPROVAL OF PROPOSED SETTLEMENT**

ON THE JOINT MOTION OF:

1. the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, (hereinafter "Division"), and
2. Shane Ashworth, Permit No. P040042928 (hereinafter "permittee"),


who respectfully represent the following:

WHEREAS:

1. On December 10, 2003, the Division received notification from the Louisiana Department of Revenue that permittee was not current in the filing of all applicable state tax returns or in the payment of all taxes owed. Permittee was notified on April 16, 2004 by personal service mail that permittee had thirty (30) days to provide the Division with documentation that a tax clearance had been issued. Permittee did not provide documentation of a tax clearance to the Division until on or about August 19, 2004.
2. The permittee is mandated by La. R.S. 27:28B(3) to remain current with all tax filings and payments owed to the state of Louisiana, any political subdivision of Louisiana, or the Internal Revenue Service.
3. Permittee was issued a *Notice of Recommendation of Suspension* by the Louisiana Gaming Control Board on or about July 26, 2004.
4. This matter has been scheduled for hearing on September 28, 2004 at 9:00 a.m. before the Honorable William H. Brown.

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

TRUE COPY



Representative
Louisiana Gaming Control Board

1. The permittee acknowledges that La. R.S. 27:28B(3) mandates permit holders to remain current with all tax filings and payments owed to the state of Louisiana, any political subdivision of Louisiana, or the Internal Revenue Service;
2. The permittee further acknowledges that permittee was notified on April 16, 2004 by personal service that permittee had thirty (30) days to provide the Division with documentation that a tax clearance had been issued. Permittee did not provide documentation of a tax clearance to the Division until on or about August 19, 2004.
3. In consideration of the previous and aforementioned delay in submission of the mandatory tax Louisiana state tax clearance and in lieu of further administrative action against the permittee's gaming permit, the permittee shall pay a \$250.00 civil penalty;
4. The Division hereby agrees to accept the permittee's payment of the above stated penalty in full and final settlement of this Notice of Recommendation of Administrative Action;
5. The Division reserves the right to take into consideration these violations in connection with any future violation;
6. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
7. This settlement constitutes the entire agreement between the Division and Shane Ashworth pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
8. 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 permittee being suspended until such time as the penalty is paid in full;
9. The Division and the permittee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted,

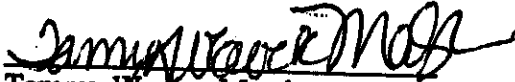
SHANE ASHWORTH
No. P040042928

BY:


Shane Ashworth
102 General Lee Drive
Vivian, Louisiana 70570

CHARLES C. FOTI, JR.
ATTORNEY GENERAL

BY:


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Assistant Attorney General
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Facsimile: (225) 326-6599

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: SHANE ASHWORTH

NO. P040042928

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 permittee acknowledges that he was notified on or about April 16, 2004 by certified mail that permittee had thirty (30) days to provide the Division with documentation that a tax clearance had been issued and that he did not provide documentation of a tax clearance to the Division until August 19, 2004.
2. the permittee shall pay a \$250.00 civil penalty;
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 Non Key Gaming Employee Permit of the permittee being suspended until such time as penalty is paid in full.

THUS DONE AND SIGNED this 28th day of SEPT, 2004 in
Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 28th DAY
OF September, 2004
Jill Domy
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Shane Ashworth
Tammy Matzke
Sgt. Rock Schaefer



William H. Brown
Hearing Officer

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 9/29/04
Jill Domy
BY: CLERK

STATE OF LOUISIANA
PARISH OF Caddo

AFFIDAVIT

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

SHANE ASHWORTH,

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

that affiant is the holder of Non-Key Gaming Employee Permit No. P040042928;


that the permittee received a Notice of Recommendation of Administrative Action from the Louisiana Gaming Control Board, citing violation of La. R.S. 27:28B(3);

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 permittee, 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 Shreveport, Louisiana, on this 21ST day of September, 2004.


Shane Ashworth, Affiant


Notary Public
My commission expires Life.

