



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

HILLARY J. CRAIN
CHAIRMAN

**IN RE: SUSIE DAVIS & BRENDA MITCHELL
D/B/A THE SPOT- BAR, LOUNGE & RESTAURANT
NO. VP2600113462**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of February 17, 2004. The Hearing Officer's order dated February 2, 2004, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Administrative Action," by and between Susie Davis & Brenda Mitchell d/b/a The Spot, VP2600113462, 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 17 day of February, 2004.

LOUISIANA GAMING CONTROL BOARD

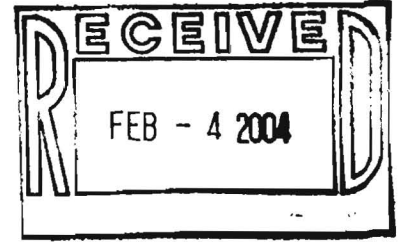
BY:



HILLARY J. CRAIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 18 DAY
OF February, 2004
APPEAL DOCKET CLERK


STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE



IN RE: SUSIE DAVIS AND BRENDA MITCHELL
d/b/a THE SPOT BAR LOUNGE & RESTAURANT

VGL NO. 2600113462
VIOLATION # 14459

JOINT MOTION FOR ENTRY OF STIPULATIONS AND
APPROVAL OF PROPOSED SETTLEMENT

ON THE JOINT MOTION OF:

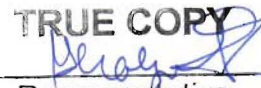
1. the Louisiana Department of Public Safety and Corrections, Office of State Police, Video Gaming Division (hereinafter "Division"), and
2. SUSIE DAVIS AND BRENDA MITCHELL d/b/a Spot Bar Lounge & Restaurant, VGL # 2600113462, (hereinafter "licensee"),

who respectfully represent the following:

WHEREAS:

1. On or about March 1, 2003, 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, 2003;
3. On or about June 30, 2003, the Division received the licensee's annual form and fees; however, the state and local tax clearance certificates were not included. On July 9, the Division sent a notice to the licensee stating that they needed to submit the local and state tax clearance certificates to the Division. In response the licensee remitted a state and a local tax clearance certificate; however these items were post marked July 31, 2003 and received by the Division on August 4, 2003, and were not current.
4. Pursuant to this information, the Division issued Violation/Inspection Report #14459 to the licensee on or about August 25, 2003, citing violation of LAC 42:XI.2405(B)(7). Attendant to this Violation/Inspection Report, the Louisiana

TRUE COPY


Representative

Louisiana Gaming Control Board

Gaming Control Board issued a Notice of Recommendation of Suspension to the licensee on or about December 23, 2003.

5. This matter has been scheduled for hearing on December 23, 2003 at 9:30 a.m. before the Honorable J. E. Anzalone, Jr.,

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. The licensee has submitted its state and local tax clearances, a copy of each attached hereto;
3. In lieu of suspension of the licensee's video gaming license, the licensee shall pay a \$250.00 civil penalty;
4. 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.14459 and this Notice of Recommendation of Suspension;
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 Susie Davis and Brenda Mitchell d/b/a/The Spot Bar Lounge & Restaurant 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 video gaming license of the licensee being suspended and its gaming devices being disabled; and

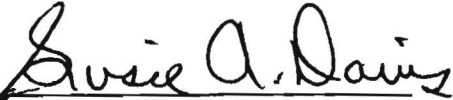
9. The Division and the licensee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board

Respectfully submitted,

SUSIE DAVIS AND BRENDA MITCHELL
d/b/a THE SPOT BAR LOUGE &
RESTAURANT
VG# 2600113462

RICHARD P. IEYOUB
ATTORNEY GENERAL

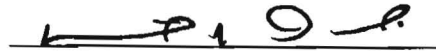
BY:



SUSIE A. DAVIS
116 Elaine Drive
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BY:



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Baton Rouge, Louisiana 70802
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STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: SUSIE DAVIS AND BRENDA MITCHELL
d/b/a THE SPOT BAR LOUNGE & RESTAURANT

VGL NO. 2600113462
VIOLAITON # 14459

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. having submitted the delinquent state and local tax clearances to the Division, 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 the licensee being suspended and its gaming devices being disabled.

THUS DONE AND SIGNED this 2 day of Feb, 2004 in
Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN FILED OR SERVED ON
ALL PARTIES TO THIS HEARING ON
OF February 2, 2004 DAY
Dr. and Holmes
DOCKET CLERK, ADMINISTRATION HEARING OFFICE

cc: Susie Davis
Michael Daniels
Sabrina Ballard

A TRUE COPY ATTEST
I, E. Anzalone, Jr.
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA February 2, 2004
Hearing Officer

Abraire Haynes
BY: CLERK

STATE OF LOUISIANA
PARISH OF Orleans

AFFIDAVIT

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

SUSIE DAVIS

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


that affiant is an owner of SUSIE DAVIS and BRENDA MITCHELL d/b/a THE SPOT BAR LOUNGE & RESTURANT ("licensee"), whose establishment is located at 116 Elaine Drive, Avondale, Louisiana 70094;

that the licensee received a Notice of Recommendation of Suspension (Violation/Inspection Report No. 14459) 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; and

that affiant signed the above-cited motion of his own volition, without duress or coercion.

THUS DONE AND PASSED in New Orleans, Louisiana, on this 15th day of December, 2003.


SUSIE DAVIS, Affiant


Notary Public
My commission expires at death