

State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

ANNE LACOUR NEEB
EXECUTIVE DIRECTOR

IN RE: MAGGIO'S, INC. D/B/A
MAGGIO'S DAQUIRI STATION
NO. VP4100112071

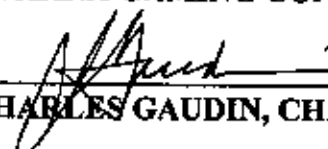
ORDER


This matter was considered by the Louisiana Gaming Control Board at its meeting of May 17, 2004. The Hearing Officer's order dated April 13, 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 Maggio's, Inc. d/b/a Maggio's Daiquiri Station, No. VP4100112071, 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**.

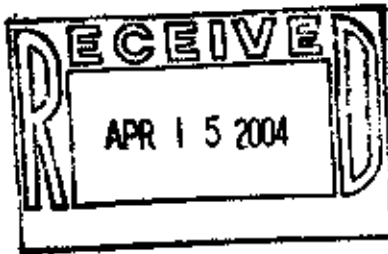
THUS DONE AND SIGNED on this the 17 day of May, 2004.

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 ON
ALL PARTIES THIS 18 DAY
OF May 2004

APPEAL DOCKET CLERK



STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: MAGGIO'S INC.
d/b/a MAGGIO'S DAIQUIRI STATION

NO. 4100112071
INSPECTION NO. 011348

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. Maggio's Inc. d/b/a Maggio's Daiquiri Station, VGL. No. 4100112071 (hereinafter "licensee"),

who respectfully represent the following:

WHEREAS:

1. On or about October 31, 2003, a Division agent observed signs advertising video poker at the licensee's establishment which failed to include the required toll-free telephone number for problem gambling.
2. The licensee is mandated by La. R.S. 27:27.3 to place the toll-free telephone number of the National Council on Problem Gambling (or other similar, Board-approved toll-free telephone number) in any advertisement of its gaming activities or gaming establishment;
3. Pursuant to its agent's observations, the Division issued Violation/Inspection Report #011348 to the licensee on or about October 31, 2003, citing violation of La. R.S. 27:27.3. Attendant to Violation/Inspection Report #011348, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to the licensee on or about February 11, 2004.
4. This matter has been scheduled for hearing on April 13, 2004 at 9:30 a.m. before the Honorable Joseph E. Anzalone, Jr.

[Signature]
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 La. R.S. 27:27.3, in that it did not place the required problem gambling toll-free telephone number on the advertisement signs observed October 31, 2003;
2. In lieu of further administrative action against the licensee's video gaming license, 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. 011348 and this Notice of Recommendation of Administrative Action;
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 Maggio's Inc., d/b/a Maggio's Daiquiri Station 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 until such time as the penalty is paid in full; 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,


MAGGIO'S INC.
d/b/a MAGGIO'S DAIQUIRI STATION
No. 4100112071

CHARLES C. FOTI, JR.
ATTORNEY GENERAL

BY:


Henry V. Maggio, Jr.
Maggio's Inc.
d/b/a Maggio's Daiquiri Station
Rt. 4 Box 213 Hwy. 1
Coushatta, LA 71019
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BY:


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STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: MAGGIO'S INC.
d/b/a MAGGIO'S DAIQUIRI STATION

NO. 4100112071
INSPECTION NO. 011348

ORDER

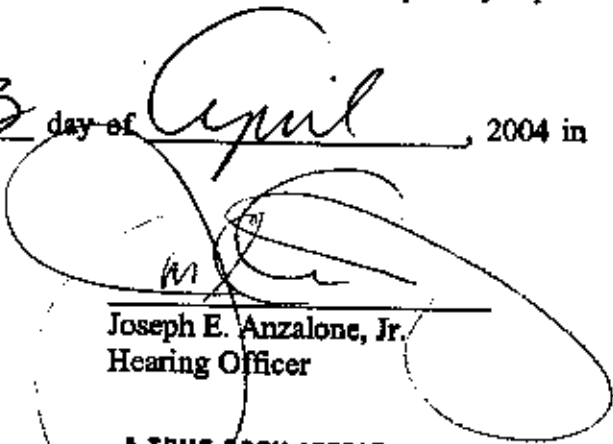
Considering the foregoing Joint Motion For Entry of Stipulations and Approval of Proposed Settlement, IT IS HEREBY ORDERED that such proposed settlement be approved, to wit:

1. the licensee acknowledges that it was in violation of La. R.S. 27:27.3, in that it did not include the required problem gambling toll-free telephone number on signs advertising its gaming establishment;
2. the licensee 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 video gaming license of the licensee being suspended and its gaming devices being disabled until such time as the penalty is paid in full.

THUS DONE AND SIGNED this 13 day of April, 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 13 DAY
OF April, 2004
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

Henry Maggio
Alga Bogdan
Sabrina Ballantyne


Joseph E. Anzalone, Jr.
Hearing Officer

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 4-13-04

Loraine Hayes
BY: CLERK

STATE OF LOUISIANA
PARISH OF Natchitoches

AFFIDAVIT

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

HENRY V. MAGGIO, JR.,

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

that affiant is president of Maggio's Inc. d/b/a Maggio's Daiquiri Station and thereby authorized to act on its behalf (license no. 4100112071);

that the licensee received a Notice of Recommendation of Administrative Action (Violation/Inspection Report No. 011348) from the Louisiana Gaming Control Board, citing violation of La. R.S. 27:27.3;

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 licensee, 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 Natchitoches, Louisiana, on this 9th day of March, 2004.

Henry V. Maggio, Jr.
Henry V. Maggio, Jr., Affiant

Brita A. Maggio
Notary Public
My commission expires at death

