



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

DANE K. MORGAN
CHAIRMAN

IN RE: BAYOU BEER GARDEN, LLC
D/B/A BAYOU BEER GARDEN
NO. 3601116006

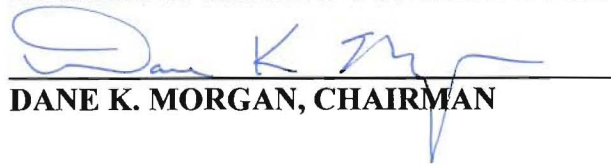
ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of May 19, 2011. The Hearing Officer's order dated April 25, 2011, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," No. 3601116006, by and between Bayou Beer Garden, LLC d/b/a Bayou Beer Garden, 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 19th day of May, 2011.

LOUISIANA GAMING CONTROL BOARD

BY:


DANE K. MORGAN, CHAIRMAN

DKM/gac

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 20th DAY
OF May, 2011
APPEAL DOCKET CLERK


LGCB-0640-11

RECEIVED

By GERALYN COLEMAN at 3:10 pm, Apr 27, 2011

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED
APR 27 2011
LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: BAYOU BEER GARDEN, LLC
D/B/A BAYOU BEER GARDEN

LICENSE NO. 3601116006

JOINT MOTION FOR APPROVAL OF
COMPROMISE AND SETTLEMENT AGREEMENT

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

NOW COMES the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter the "Division") and Bayou Beer Garden, LLC d/b/a Bayou Beer Garden, License No. 3601116006 (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.

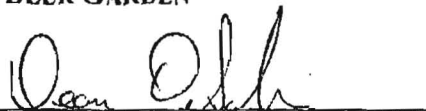
TRUE COPY
Geralyn A. Coleman
Administrative
Louisiana Gaming Control Board

WHEREFORE, PREMISES CONSIDERED, the Division and Licensee respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully submitted,

BAYOU BEER GARDEN, LLC D/B/A
BAYOU BEER GARDEN

By:



DEAN DISALVO
965 Navarre Avenue
New Orleans, Louisiana 70124

JAMES D. "BUDDY" CALDWELL,
ATTORNEY GENERAL

By:



KATIE D. CHABERT, Bar Roll #30465
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

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: BAYOU BEER GARDEN, LLC
D/B/A BAYOU BEER GARDEN

LICENSE NO. 3601116006

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter the "Division") and Bayou Beer Garden, LLC d/b/a Bayou Beer Garden, License No. 3601116006 (hereinafter "Licensee") do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action, alleging certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by the said Notice of Recommendation of Administrative Action, are set for hearing on May 23, 2011, before the Louisiana Gaming Control Board Administrative Hearing Office; and

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 the said Notice of Recommendation of Administrative Action;

NOW, THEREFORE, in consideration of the foregoing, the parties hereto do hereby agree and stipulate as follows:

STIPULATIONS

1. The Division provided notification to the Licensee that attendance was mandatory at a compulsive gambling training session. The Licensee received notification of the dates of scheduled training sessions.

2. Failure to attend the required class gave rise to the Notice of Recommendation of Administrative Action, issued by the Louisiana Gaming Control Board on March 21, 2011.

3. The Licensee acknowledges that it is in violation of gaming law in that it has failed to attend the required compulsive gambling training session.

TERMS AND CONDITIONS

1. Within fifteen (15) days of the approval of this settlement by the Louisiana Gaming Control Board, the Licensee shall pay a civil penalty of Five Hundred and No/100 (\$500.00) Dollars for the violation of **LAC 42:III.118(D) and (G), LAC 42:XI.2405(A)(11), LAC 42:XI.2405(A)(13), LAC 42:XI.2405(B)(7), and LAC 42:XI.2421(A)(1).**

2. The Division hereby agrees to accept a civil penalty of Five Hundred and No/100 (\$500.00) Dollars for the violation of **LAC 42:III.118(D) and (G), LAC 42:XI.2405(A)(11), LAC 42:XI.2405(A)(13), LAC 42:XI.2405(B)(7), and LAC 42:XI.2421(A)(1).**

3. The Licensee understands that continued failure to attend a required compulsive gambling training session shall result in the Division's recommendation of administrative action.

4. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

5. The Licensee understands that it is and shall be the Licensee's responsibility to contact the Division for the dates and times of future compulsive gambling training sessions and that the Division shall not be required to provide the Licensee with notice of future compulsive gambling training sessions. The Licensee also understands that the Division may reschedule any

compulsive gambling training sessions at anytime and it shall be the Licensee's responsibility to contact the Division in regard to possible rescheduling.

6. The Division reserves the right to take into consideration these admitted stipulations and violations in connection with any future investigation, violation or assessment of penalty, and in connection with any future determination of the suitability of the Licensee.

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

8. 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.

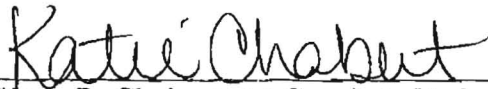
9. If approved by the Louisiana Gaming Control Board, Licensee must make full payment of the civil penalty of Five Hundred and No/100 (\$500.00) Dollars within fifteen (15) calendar days of such approval. Any failure to meet this requirement will result in immediate suspension of the gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

10. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

I have read this entire Compromise Settlement Agreement and agree to all stipulations and terms and conditions hereof.



**Dean Disalvo, on behalf of
Bayou Beer Garden, LLC d/b/a
Bayou Beer Garden**



**Katie D. Chabert, AAG 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

IN RE: BAYOU BEER GARDEN, LLC
D/B/A BAYOU BEER GARDEN


LICENSE NO. 3601116006

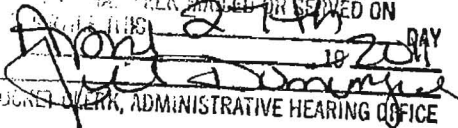
ORDER

BE IT REMEMBERED that on the 25th day of April, 2011, came on 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, and the Hearing Officer having considered the pleadings on file, the proposed 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,

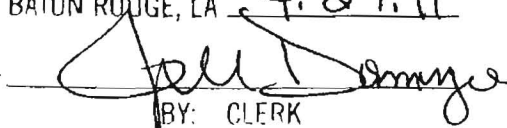
ORDER, ADJUDGED, AND DECREED that the Compromise and Settlement Agreement attached to the parties' Joint Motion for Approval of Compromise and Settlement Agreement be, and the same is hereby, **APPROVED**.

SIGNED AND ENTERED this 25th day of April, 2011, in Baton Rouge, Louisiana.


HEARING OFFICER

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
TRUE COPY HAS BEEN MADE OR SERVED ON
THIS 25th DAY OF April, 2011.

CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Dean Disalvo
Katie D. Chabert
Sgt. Lionel Sobley

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 4.27.11

BY: CLERK