



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

**IN RE: TASTEE DONUTS #59, INC. D/B/A TASTEE #59
NO. 4400205076**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of September 19, 2006. The Hearing Officer's order dated August 17, 2006, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," by and between Tastee Donuts #59, Inc. d/b/a Tastee #59, No. 4400205076, 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 September, 2006.

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 20th DAY
OF September, 2006
APPEAL DOCKET CLERK


RECEIVED

**STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE**

AUG 17 2006

LCCB
ADMINISTRATIVE HEARING OFFICE

**IN RE: TASTEE DONUTS #59, INC.
d/b/a TASTEE #59**

AUG 18 2006 NO. 4400205076

**JOINT MOTION FOR APPROVAL OF COMPROMISE AND
SETTLEMENT AGREEMENT**

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

COME NOW State of Louisiana, Department of Public Safety and Corrections, Office of State Police ("the Division") and Tastee Donuts #59, Inc. d/b/a Tastee #59, VGL 4400205076 ("the 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 the 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.




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

Respectfully Submitted,

CHARLES C. FOTI, JR.
ATTORNEY GENERAL

By: 
Michael C. Code, #24055
Uddo, Beatmann and Code
3445 N. Causeway, Suite 724
Metairie, Louisiana 70002
Telephone: (504) 832-7204
Facsimile: (504) 832-7208
Counsel for Tastee Donuts #59, Inc.
d/b/a Tastee #59

By: 
O. Young Bonner, #24969
Assistant Attorney General
One Canal Place
365 Canal Street, Suite 2730
New Orleans, Louisiana
Telephone: (504) 599-1149
Facsimile: (504) 599-1163
Counsel for the Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: TASTEE DONUTS #59, INC
d/b/a TASTEE #59

NO. 4400205076

ORDER

BE IT REMEMBERED that on this 17 day of August, 2006, 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,

ORDERED, 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 17 day of August, 2006, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 17 DAY
OF August 2006
BY: [Signature]
DEPUTY CLERK, ADMINISTRATIVE HEARING OFFICE
cc: Michael Code
Yancy Binnet
Sgt. Richard Rodriguez

[Signature]
JOSEPH E. ANZALONE, JR.
HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 8/17/06
[Signature]
BY: CLERK

P.03

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: TASTEE DONUTS #59, INC.
d/b/a TASTEE #59

NO. 4400205076

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and Tastee Donuts #59, Inc. d/b/a Tastee #59 (hereinafter "Tastee Donuts #59"), VGL 4400205076, do hereby represent and agree as follows:

WHEREAS, on June 16, 2006, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to Tastee Donuts #59, Inc. d/b/a Tastee #59 alleging certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by said Notice of Recommendation of Administrative Action are set for hearing on August 17, 2006, before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the Division and Tastee Donuts #59 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. Sandra Kruebbe is the President and 100% shareholder of Tastee Donuts #59, Inc. d/b/a Tastee #59.
2. Tastee Donuts #59, Inc. d.b/a Tastee # 59, a licensed video gaming establishment, previously entered into a video poker device agreement with Master Video Poker.
3. Master Video Poker (MVP) sent video gaming documents ("the Documents") to Tastee Donuts #59, Inc. d/b/a Tastee #59 for execution, including but not limited to the *original Application-Signature Page* dated October 1, 1993; the *Request to Release Information* dated October 1, 1993; the *1996-1997 Renewal Application* dated April 29, 1996; the *Release of All Claims* dated April 29, 1996; the *Request to Release Information* dated April 29, 1996; the *Request to Release Information* dated May 8, 1997; the *Request to Release Information* dated April 30, 1999, and the *Request to Release Information* dated June 24, 2002, all signed by Sandra Kruebbe
4. Sandra Kruebbe admits that she relied upon the representations of her device owner, MVP, that there would be a notary present during the time the Documents were completed and signed while on the MVP premises. Sandra Kruebbe admits the identity of the notary was not personally known to her nor did she personally verify there was a notary present to witness her signature on the Documents. However, investigation by the Division revealed that the purported Notary was not a notary. Thus, the Documents were improperly notarized in violation of LAC 42:XI.2405(A)(15)
5. Sandra Kruebbe represents that all of the statements, responses, disclosures and representations provided in the documents submitted to the Division bearing her signature are true and correct to the best of her knowledge, information and belief, and represents a complete and accurate account of the requested information.

TERMS AND CONDITIONS

1. Within fifteen (15) days of the approval of this settlement by the Louisiana Gaming Control Board, Tastee Donuts #59 shall pay a civil penalty of One Thousand Dollars (\$1000.00).
2. The Division hereby agrees to accept the payment of the above stated penalty in full and final settlement of all violations alleged in the June 16, 2006, Notice of Recommendation of Administrative Action.
3. Any and all information discovered throughout the course of this or any other investigation may be used in any future determination of the suitability of Sandra Kruebbe, and Tastee Donuts #59, Inc.
4. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.
5. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Tastee Donuts #59 pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.
6. 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.

7. If approved, however, payment of the above penalty must be submitted to the Division within (15) fifteen 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 immediate suspension of the license until such time as the penalty is paid in full.

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

Sandra Kruebbe Pres
Sandra Kruebbe, President and 100% shareholder of Tastee Donuts #59, Inc. d/b/a Tastee #59

Sworn to and subscribed before this 14 day of August, 2006.

[Signature]
Notary (number and stamp)

Michael C. Code (#24055)
Notary (printed name)

O. Y. B.
O. Young Bonner, AAG on behalf of
State of Louisiana
Department of Public Safety & Corrections,
Office of State Police