



# State of Louisiana

Gaming Control Board

M. J. "MIKE" FOSTER, JR.  
GOVERNOR

HILLARY J. CRAIN  
CHAIRMAN

## IN RE: A&W ENGINE SERVICE, INC. D/B/A BOONE'S CHEVRON NO. VP5100511467

### ORDER

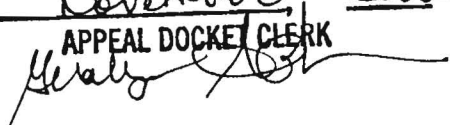
This matter was considered by the Louisiana Gaming Control Board at its meeting of November 19, 2002. The Hearing Officer's order dated October 22, 2002, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of "The Notice of Recommendation of Suspension," by and between A&W Engine Service, Inc. d/b/a Boone's Chevron, No. VP5100511467, 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 20<sup>th</sup> day of November, 2002.

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 21<sup>st</sup> DAY  
OF November, 2002  
APPEAL DOCKET CLERK  


STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

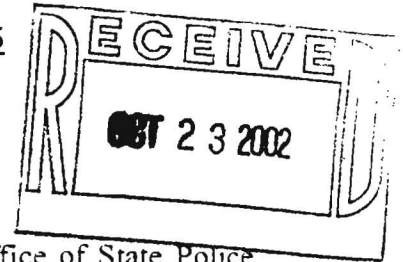
OCT 15 2002

IN RE: A & W ENGINE SERVICE, INC. d/b/a  
BOONE'S CHEVRON

CASE NO. 5100511467

ADMINISTRATIVE  
DOCKET CLERK

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"), through the undersigned Assistant Attorney General, and
2. A & W Engine Service, Inc. d/b/a Boone's Chevron, license number 5100511467 (sometimes herein "Boone's"),

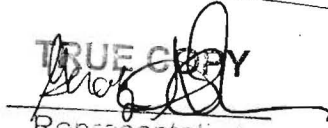
who respectfully enter the following stipulations into the record:

**WHEREAS:**

1. On or about August 22, 2002, the Louisiana Gaming Control Board issued a Notice of Recommendation of Suspension to A & W Engine Service, Inc. d/b/a Boone's Chevron based on the provisions found in La. R.S. 27:308(B) and La. R.S. 27:306(A)(4)(c)(ii)(cc);
2. The above-referenced notice alleges that on June 20, 2002, the Division conducted an on-site inspection of Boone's licensed truck stop facility and found that the restaurant was not open for business, a violation of La. R.S. 27:306(A)(4)(c)(ii)(cc);
3. On or about August 26, 2002, Boone's requested an administrative hearing of this action before the Louisiana Gaming Control Board's hearing office; and
4. This matter has been placed on Hearing Officer William H. Brown's docket for hearing on October 29, 2002 at 9:00 a.m.,

**NOW THEREFORE**, in consideration of the foregoing Stipulations, the Division and Boone's hereby propose the following settlement:

1. A & W Engine Service, Inc. d/b/a Boone's Chevron admits and acknowledges that it failed to comply with the provisions of La. R.S. 27:306(A)(4)(c)(ii)(cc) in that its restaurant was not open for business during the Division's on-site inspection;

TRUE COPY  
  
Representative  
Louisiana Gaming Control Board

2. In lieu of suspension of its Type 5 video gaming license, A & W Engine Service, Inc. d/b/a Boone's Chevron will pay to the Division, as a civil penalty for non-compliance, the aggregate and complete sum of **ONE THOUSAND-TWO-HUNDRED-NINETEEN DOLLARS AND FIFTEEN CENTS (\$1,219.15)**, which represents five (5) days average of Boone's video gaming revenues from the truck stop in question, less franchise fees, received during the month of June 2002;
3. Subject to the approval of the Hearing Office of the Louisiana Gaming Control Board, the Division hereby agrees to accept Boone's payment of the above stated penalty in full and final settlement of this administrative action;
4. It is expressly understood that this proposed settlement, if approved by the Hearing Officer, is not executory and will be submitted to the Louisiana Gaming Control Board for its determination as to whether the matter should be heard by the Hearing Officer. The parties hereby consent to this procedure;
5. The Division and Boone's waive their rights to appeal this Stipulation if the Order is signed by the Hearing Officer and is accepted by the Louisiana Gaming Control Board;
6. The Division reserves the right to take this matter into consideration in connection with any subsequent violations;
7. This settlement is to be interpreted under the laws of the State of Louisiana; and
8. This settlement constitutes the entire agreement between the Division and A & W Engine Service, Inc. d/b/a Boone's Chevron pertaining to the subject matter contained herein and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties.

Respectfully submitted,

A & W ENGINE SERVICE, INC. d/b/a  
BOONE'S CHEVRON

BY:



Alvin Simoneaux  
President  
1032 Highway 317  
Franklin, LA 70538  
Telephone: (337) 836-5580

RICHARD P. IEYOUB  
ATTORNEY GENERAL

BY:



Karen Day White  
Assistant Attorney General  
339 Florida Street, Suite 500  
Baton Rouge, LA 70801  
Telephone: (225) 342-2465  
Facsimile: (225) 342-4244

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: A & W ENGINE SERVICE, INC. d/b/a  
BOONE'S CHEVRON

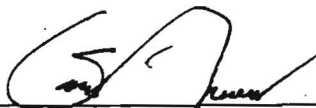
CASE NO. 5100511467

ORDER

Considering the foregoing Motion. **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED**, that the foregoing Joint Motion for Entry of Stipulations of facts be accepted, approved and entered into the record of this proceeding;

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED**, that the foregoing proposed settlement be approved and that, in lieu of revocation or suspension of its Type 5 video gaming license, A & W Engine Service, Inc. d/b/a Boone's Chevron pay a civil penalty in the amount of **ONE THOUSAND-TWO-HUNDRED-NINETEEN DOLLARS AND FIFTEEN CENTS (\$1,219.15)**, which is payable within fifteen (15) days from the date of receipt of written notice of approval from the Louisiana Gaming Control Board.

THUS DONE AND SIGNED, this 22<sup>nd</sup> day of October, 2002,  
in Baton Rouge, Louisiana.



Honorable William H. Brown  
Hearing Officer  
Louisiana Gaming Control Board

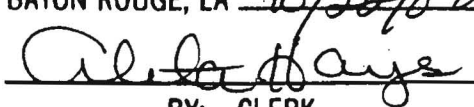
NOTICE SERVED TO:

*Counsel for Division:*

Karen Day White  
Assistant Attorney General  
Gaming Division  
339 Florida Street, Suite 500

*Boone's Chevron*

Alvin Simoneaux  
President  
1032 Highway 317  
Franklin, LA 70538

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 10/22/02  
  
BY: CLERK

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 22<sup>nd</sup> DAY  
OF October, 2002  
Deborah  
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE  
cc: Alvin Simoneaux  
Karen White, Esq.  
Sabrina Ballard