



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

RONNIE JONES
CHAIRMAN

IN RE: SCORPIO RISING, INC. D/B/A
BOURBON PUB & PARADE DISCO
NO. 3601116248

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of February 19, 2015. The Hearing Officer's order dated February 2, 2015, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Violation", by and between Scorpio Rising, Inc. d/b/a Bourbon Pub & Parade Disco, Inspection Citation No. 21157, 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 February, 2015.

LOUISIANA GAMING CONTROL BOARD

BY:



RONNIE JONES, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD

I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON

ALL PARTIES THIS 20th DAY

OF February, 2015



APPEAL DOCKET CLERK

LGCB-3209-15-B

RECEIVED

By Geralyn at 2:32 pm, Feb 02, 2015

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

JAN 29 2015

LGCB
ADMINISTRATIVE HEARING OFFICE

RE: SCORPIO RISING, INC.
D/B/A BOURBON PUB & PARADE

CASE NO.: 3601116248

JOINT MOTION FOR APPROVAL OF COMPROMISE AND
SETTLEMENT AGREEMENT

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:


NOW COME the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Scorpio Rising, Inc. d/b/a Bourbon Pub & Parade (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.

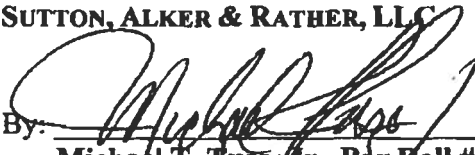
A true and correct copy of the proposed Compromise and Settlement Agreement is attached hereto as Exhibit "A" and incorporated by reference for all purposes.

TRUE COPY

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,

SUTTON, ALKER & RATHER, LLC

By: 
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Mandeville, Louisiana 70448
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Facsimile: (985) 727-7505
*Counsel for Scorpio Rising, Inc. d/b/a
Bourbon Pub & Parade*

**JAMES D. "BUDDY" CALDWELL,
ATTORNEY GENERAL**

By: 
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Assistant Attorney General
1885 North Third Street, 5th Floor
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Counsel for the Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RE: SCORPIO RISING, INC.
D/B/A BOURBON PUB & PARADE

CASE NO.: 3601116248

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Scorpio Rising, Inc. d/b/a Bourbon Pub & Parade (hereinafter, "Licensee"), do hereby represent and agree as follows:

WHEREAS, the Division has sent a Notice of Violation to Licensee, which Notice contains allegations of certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by said Notice are set for hearing before the Louisiana Gaming Control Board Administrative Hearing Office on February 2, 2015.

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 said Notice;

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

STIPULATIONS

1. On the evening of October 14, 2014, a patron won \$1,000.00 at the establishment. The patron stated that the bartender told him that he did not have enough money to pay him and by law, had 48 hours to pay a winning ticket. The patron stated that a female informed him of the same thing. The patron stated that he was told to come back the next morning to pick up his money.

2. On October 15, 2015, the patron received payment from the Licensee.
3. The Licensee failed to pay out voucher when presented. The failure of Licensee to pay out voucher when presented was in violation of LAC 42:XI:2407(A)(5).

TERMS AND CONDITIONS

1. In lieu of administrative action, the Licensee will pay a penalty of FIVE HUNDRED and No/100 (\$500.00) DOLLARS for its violation of LAC 42:XI:2407(A)(5).

2. The Division hereby agrees that payment of a penalty of FIVE HUNDRED and No/100 (\$500.00) DOLLARS shall be in full and final settlement of all matters set forth in the Notice of Violation.

3. The Division reserves the right to take into consideration this admitted violation in connection with any future investigation, violation or assessment of penalty and in connection with any future assessments of Licensee's suitability.

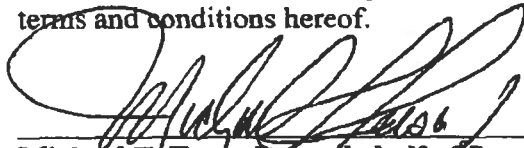
4. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

5. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and the Licensee, 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, Licensee agrees to make full payment of the civil penalty within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board. Licensee agrees that failure to meet this requirement shall result in immediate suspension of the gaming permit without the necessity of any further administrative action 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.



**Michael T. Tusa, Jr., on behalf of Scorpio Rising, Inc.
d/b/a Bourbon Pub & Parade**



**Christopher B. Hebert, 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

RE: SCORPIO RISING, INC.
D/B/A BOURBON PUB & PARADE

CASE NO.: 3601116248

ORDER

BE IT REMEMBERED that on the 2nd day of February 2015, 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 Compromise and 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**; that the Licensee must pay a penalty of **FIVE HUNDRED and No/100 (\$500.00) DOLLARS** to the Division within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the gaming permit without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 2nd day of February, 2015, in Baton

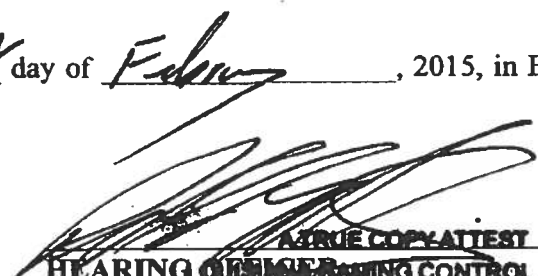
LOUISIANA GAMING CONTROL BOARD
Rouge, ~~HEARING OFFICE~~

I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 2ND DAY

of February, 2015
Allen Matthews

DOCKET CLERK, ADMIN. HEARING OFFICE

cc: Michael T. Tyson, Jr., on behalf of Scorpio Rising, Inc.
Christopher Hebert
Sgt. Linnell Sibley



TRUE COPY ATTEST

HEARING OFFICE, LOUISIANA GAMING CONTROL BOARD

HEARING OFFICE

BATON ROUGE, LA 2-2-15

DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE