



State of Louisiana

Gaming Control Board

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

HILLARY J. CRAIN
CHAIRMAN

IN RE: EWINGS OF NEW ROADS, INC. D/B/A LA EXPRESS BBQ NO. VP6100210703 VIOLATION/INSPECTION REPORT 013852

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of May 19, 2003. The Hearing Officer's order dated May 5, 2003, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Revocation or Suspension," by and between Ewings of New Roads, Inc. d/b/a LA Express BBQ, No. 6100210703, Violation/Inspection Report 013852 and the Louisiana Department of Public Safety and Corrections, Office of the State Police, Video Gaming Division, which is attached hereto and incorporated herein, is **APPROVED**.

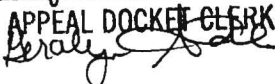
THUS DONE AND SIGNED on this the 20th day of May, 2003.

LOUISIANA GAMING CONTROL BOARD

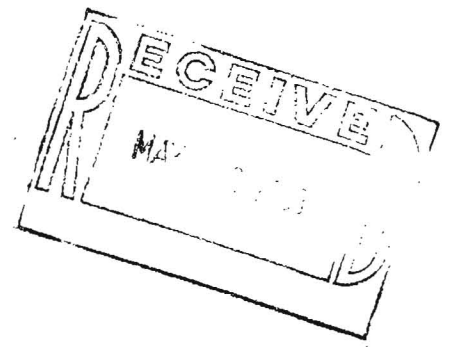
BY:


HILLARY J. CRAIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 21st DAY
OF May, 2003

APPEAL DOCKET CLERK


STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE



IN RE: EWING'S OF NEW ROADS, INC.
d/b/a LA EXPRESS BBQ

CASE NO. 6100210703

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. Ewing's of New Roads, Inc. d/b/a LA Express BBQ, License No. 6100210703 (hereinafter "licensee"),

who respectfully represent the following:

WHEREAS:

1. On or about January 10, 2003, the Division conducted an on-site compliance inspection of the licensee's establishment. The inspection revealed that the establishment did not have a range, and as such, it did not have a fully operational kitchen as is required by La. R.S. 27:301(B)(12)(e);
2. On or about February 14, 2003, the Division conducted a follow-up inspection of the establishment. The inspection revealed that an electric "hot plate" with two burners had been placed in the establishment's kitchen. The Division then informed the licensee that this appliance was insufficient to comply with the provisions of La. R.S. 27:301(B)(12)(e);
3. Subsequent to the Division's second inspection, the licensee installed a full range in its kitchen;
4. In the meantime, pursuant to its agent's observations, the Division caused to be issued a Notice of Revocation or Suspension (Violation/Inspection Report No. 13852) to the licensee on or about March 12, 2003, citing violation of La. R.S. 27:301(B)(12)(e);

TRUE COPY

Representative
Louisiana Gaming Control Board

5. On or about April 25, 2003, the Division conducted a third on-site inspection and observed that a fully operational range and oven had been installed in the establishment's kitchen;
6. This matter has been scheduled for hearing on May 5, 2003 at 9:30 a.m. before the Honorable J. E. Anzalone, Jr.,

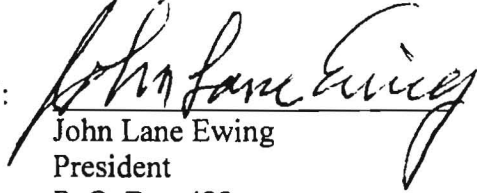
NOW THEREFORE, in consideration of the foregoing stipulations, the Division and the licensee hereby propose the following settlement, that:

1. The licensee acknowledges that it was in violation of La. R.S. 27:301(B)(12)(e), in that it did not have a range oven until on or about February 14, 2003;
2. Pursuant to the Division's findings at its most recent on-site inspection of the licensee's establishment, and in lieu of revocation or suspension of the licensee's video gaming license, the licensee shall pay a \$500.00 civil penalty;
3. The Division hereby agrees to accept the licensee's payment of the above stated penalty in full and final settlement of this Notice of Recommendation of Revocation or Suspension (Violation/Inspection Report 13852);
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 Ewing's of New Roads, Inc. d/b/a LA Express BBQ 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; 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,

EWING'S OF NEW ROADS, INC.
d/b/a LA EXPRESS BBQ
VG# 6100210703

BY:



John Lane Ewing
President
P. O. Box 429
New Roads, Louisiana 70760
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ATTORNEY GENERAL

BY:



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STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: EWING'S OF NEW ROADS, INC.
d/b/a LA EXPRESS BBQ

CASE NO. 6100210703

ORDER

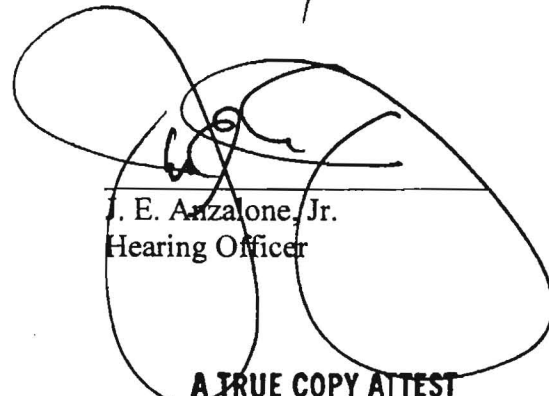
Considering the foregoing Joint Motion For Entry of Stipulations and Approval of Proposed Settlement, IT IS HEREBY ORDERED that such proposed settlement be approved, to wit:

1. the licensee acknowledges that it was in violation of La. R.S. 27:301(B)(12)(e), in that it did not have a range oven until on or about February 14, 2003;
2. having installed a range at its establishment, and in lieu of revocation or suspension of the licensee's video gaming license, the licensee shall pay a \$500.00 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.

THUS DONE AND SIGNED this 5 day of May, 2003 in
Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 5th DAY
OF May 2003
Alta Adams
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: John Ewing
Karen White, ESG.
Sabrina Ballard


J. E. Anzalone, Jr.
Hearing Officer

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 5/5/03

Alta Adams
BY: CLERK

STATE OF LOUISIANA
PARISH OF POINTE COUPEE

AFFIDAVIT

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

JOHN LANE EWING,

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

that affiant is the President of Ewing's of New Roads, Inc. d/b/a I.A Express BBQ ("licensee");

that the licensee received a Notice of Recommendation of Revocation or Suspension (Violation/Inspection Report No. 13852) from the Louisiana Gaming Control Board, citing violation of La. R.S. 27:301(B)(12)(e);

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, via the Attorney General's Office; and

that affiant signed the above-cited motions of his own volition, without duress or coercion.

THUS DONE AND PASSED in New Roads, Louisiana, on this 1 day of May, 2003.

John Lane Ewing
John Lane Ewing, Affiant

Shaile Vanasse
Notary Public
My commission expires at death