



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

**IN RE: LE PETIT CAFÉ EARTH SCH I D/B/A
LE PETIT CAFÉ EARTH SCHOOL
NO. 2605107929**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of May 16, 2006. The Hearing Officer's order dated April 20, 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 Le Petit Café Earth SCH I d/b/a Le Petit Café Earth School, No. 2605107929, 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 16 day of May, 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 17th DAY
OF May 2006

APPEAL DOCKET CLERK



RECEIVED

APR 20 2006

LGCB
ADMINISTRATIVE HEARING OFFICE

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

**IN RE: Le PETIT CAFÉ EARTH SCH I
d/b/a Le PETIT CAFÉ EARTH SCHOOL**

NO. 2605107929

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

**RECEIVED
APR 20 2006**

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

COME NOW State of Louisiana, Department of Public Safety and Corrections, Office of State Police ("the Division") and Le Petit Café Earth Sch I d/b/a Le Petit Café Earth School, VGL 2605107929 ("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.

TRUE COPY
[Signature]
Representative
Louisiana Gaming Control Board

02/18/2000 10:11:11


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: 

Phyllis Petit
2105 W. Esplanade Avenue
Kenner, Louisiana 70006
Telephone: (504)468-1085
Fax: (504) 467-2829
*Sole owner of Le Petit Café Earth School I
d/b/a Le Petit Café Earth School*

By: 

O. Young Bonner, #24969
Assistant Attorney General
One Canal Place
365 Canal Street, Suite 2730
New Orleans, Louisiana 70130
Telephone: (504) 599-1149
Facsimile: (504) 500-1163
Counsel for the Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: Le PETIT CAFÉ EARTH SCH I
d/b/a Le PETIT CAFÉ EARTH SCHOOL

NO. 2605107929

ORDER

BE IT REMEMBERED that on this the 20th day of April, 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.

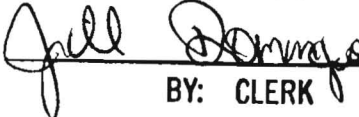
SIGNED AND ENTERED this 20th day of April, 2006, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
PARTIES THIS 20th DAY
April 2006
BY CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Phyllis Petit
Yang Bannet
Sgt. Roland Rodriguez


JOSEPH E. ANZALONE, JR.
HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA H. J. De


BY: CLERK

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

**IN RE: Le PETIT CAFÉ EARTH SCH I
d/b/a Le PETIT CAFÉ EARTH SCHOOL**

NO. 2605107929

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and Le Petit Café Earth School I d/b/a Le Petit Café Earth School, VGL 2605107929 (hereinafter "the Licensee"), do hereby represent and agree as follows:

WHEREAS, on February 7, 2006, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to the Licensee 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 April 20, 2006, before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the Division and the 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. Phyllis Petit is the sole owner of the Licensee.
2. The Licensee previously entered into a video poker device agreement with Master Video Poker.
3. The Licensee forwarded improperly notarized video gaming documents ("the Documents") to the Division, including but not limited to the Applicant's Request to Release Information, dated May 12, 1997, signed by Phyllis Petit; the Annual Licensee Form dated March 15, 2001, signed by Phyllis Petit and the Annual Licensee Form dated March 28, 2002, signed by Phyllis Petit.
4. Phyllis Petit did not sign the Documents in the presence of a notary and the Documents were not notarized in the Affiant's presence. Thus, the Documents were improperly notarized in violation of LAC 42:XI.2405(A)(15). Further, the Division's investigation revealed that the purported notary was not a notary.
5. Phyllis Petit 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 represent 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, the Licensee 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 February 7, 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 the Licensee and Phyllis Petit.

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, 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.

Phyllis Petit

Phyllis Petit, sole owner of Le Petit Café Earth School I
d/b/a Le Petit Café Earth School

Sworn to and subscribed before me this 18 day of April, 2006.

Barbara G. Botsay
Notary (number and stamp)

Notary  OFFICIAL SEAL
BARBARA G. BOTSAY
NOTARY PUBLIC - LOUISIANA
NOTARY #12022
PARIS (JEFFERSON)
My Commission is For Life

O. Young Bonner

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