



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

**IN RE: SUNNYSIDE CAFÉ, INC. D/B/A
SUNNYSIDE SEAFOOD & STEAK HOUSE
NO. 2601206847**

ORDER

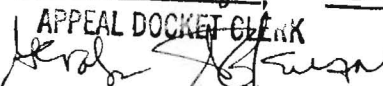
This matter was considered by the Louisiana Gaming Control Board at its meeting of February 19, 2008. The Hearing Officer's order dated January 16, 2008, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," No. 2601206847, by and between Sunnyside Café, Inc. d/b/a Sunnyside Seafood & Steak House, 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, 2008.

LOUISIANA GAMING CONTROL BOARD

BY: 
H. CHARLES GAUDIN, CHAIRMAN

HJC/gac

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 19th DAY
OF February, 2008
APPEAL DOCKET CLERK


STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

JAN 16 2008

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ADMINISTRATIVE HEARING OFFICE

IN RE: SUNNYSIDE CAFÉ D/B/A
SUNNYSIDE CAFÉ

LICENSE NO. 2601206847

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

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:


NOW COMES the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Sunnyside Café d/b/a Sunnyside Café, License No. 2601206847 (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.




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

Respectfully submitted,

SUNNYSIDE CAFÉ D/B/A SUNNYSIDE CAFÉ

By: 
BASEM A. MUHSEN
1801 Stumpf Boulevard, #1
Gretna, Louisiana 70056
Telephone: (504) 309-1224
Representative of Sunnyside Café d/b/a Sunnyside Café

CHARLES C. FOTI, JR.,
ATTORNEY GENERAL

By: 
GAIL C. HOLLAND, BAR ROLL #23783
Assistant Attorney General
Gaming Division
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Baton Rouge, Louisiana 70802
Telephone: (225) 326-6500
Facsimile: (225) 326-6599
Counsel for the Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: SUNNYSIDE CAFÉ D/B/A
SUNNYSIDE CAFÉ

LICENSE NO. 2601206847

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Sunnyside Café d/b/a Sunnyside Café, License No. 2601206847 (hereinafter, "Licensee") do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action, alleging certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by the said Notice of Recommendation of Administrative Action are set for hearing on January 16, 2008, before the Louisiana Gaming Control Board Administrative Hearing Office; and

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 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. Licensee acknowledges that **La. R.S 27:310(D) and L.A.C. 42:XI.2417(C)(1)(i)** requires Licensee to respond to the Division within a timely fashion.

2. Licensee further acknowledges that on or about June 22, 2007, the Division received a Multiple Use Reporting Form from Licensee requesting to change the name to Sunny Seafood & Steak House and to donate fifty (50%) percent interest in the business to Reem Muhsen.

3. On or about July 17, 2007, the Division sent a certified letter to Licensee requesting that certain documentation and information be submitted to the Division within ten (10) days of receipt of the letter. On July 25, 2007, the letter was received, signed for and accepted by Basem A. Muhsen.

4. On November 6, 2007, the Division received the documentation and information that was requested.

TERMS AND CONDITIONS

1. Within fifteen (15) days of the approval of this settlement by the Louisiana Gaming Control Board, Licensee shall pay Two Hundred Fifty and No/100 (\$250.00) Dollars for the violation of **La. R.S 27:310(D) and L.A.C. 42:XI.2417(C)(1)(i)**.

2. The Division hereby agrees to accept a Two Hundred Fifty and No/100 (\$250.00) Dollar penalty for the Licensee's violation of **La. R.S 27:310(D) and L.A.C. 42:XI.2417(C)(1)(i)**. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.


3. 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.

4. 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.

5. If approved by the Louisiana Gaming Control Board, Licensee must pay Two Hundred Fifty and No/100 (\$250.00) Dollars within fifteen (15) calendar days of such approval. Any failure to meet this requirement will result in immediate suspension of the gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

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



**Basem A. Muhsen, on behalf of Sunnyside
Café d/b/a Sunnyside Café**



**Gail C. Holland, 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

IN RE: SUNNYSIDE CAFÉ D/B/A
SUNNYSIDE CAFÉ

LICENSE NO. 2601206847

ORDER

BE IT REMEMBERED that on the 16th day of January, 2008, 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,

ORDER, 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 16th day of January, 2008, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
CLERK, ADMINISTRATIVE HEARING OFFICE
16th DAY
18 2008
Gail Ballard

cc: Bassem A. Mhisen
Gail Ballard
Lt. James McCuane



HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 1/16/08

Gail Ballard
BY: CLERK