



State of Louisiana  
Gaming Control Board

KATHLEEN BABINEAUX BLANCO  
GOVERNOR

H. CHARLES GAUDIN  
CHAIRMAN

**IN RE: HICKORY GAMING, LLC  
D/B/A HICKORY CAFÉ & GRILL  
NO. 2604213947**

**ORDER**


This matter was considered by the Louisiana Gaming Control Board at its meeting of June 20, 2006. The Hearing Officer's order dated June 12, 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 Hickory Gaming, LLC d/b/a Hickory Café & Grill, No. 2604213947, 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 20 day of June, 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 21<sup>st</sup> DAY  
OF June, 2006  
APPEAL DOCKET CLERK  


**RECEIVED**

**JUN 1 2 2006**

**LGCB  
ADMINISTRATIVE HEARING OFFICE**

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

**IN RE: HICKORY GAMING, LLC  
d/b/a HICKORY CAFÉ & GRILL**

No. 2604215947

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



**TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:**

COME NOW State of Louisiana, Department of Public Safety and Corrections, Office of State Police ("the Division") and Hickory Gaming, LLC d/b/a Hickory Café & Grill (hereinafter "HICKORY CAFE"), 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 HICKORY CAFE 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.

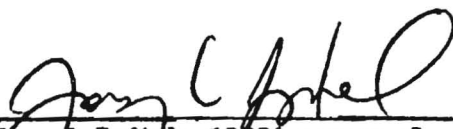
A true and correct copy of the proposed Compromise and Settlement Agreement is attached hereto as Exhibit "A" and incorporated by reference for all purposes.

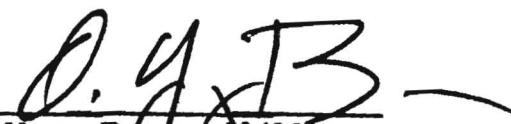
**TRUE COPY**  
*[Signature]*  
Representative  
Louisiana Gaming Control Board

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

**Respectfully Submitted,**

**CHARLES C. FOTI, JR.  
ATTORNEY GENERAL**

By:   
**Joseph Spitalo, 100% owner of  
Hickory Gaming, LLC d/b/a  
Hickory Café & Grill  
1313 Hickory Avenue  
Harahan, Louisiana 70123  
Telephone: 504 737-0033  
Facsimile: 504 737-0510**

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

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: HICKORY GAMING, LLC  
d/b/a HICKORY CAFÉ & GRILL

No. 2604213947

ORDER

BE IT REMEMBERED that on this 12 day of June, 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 12 day of June, 2006, in Baton Rouge, Louisiana

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED COPY HAS BEEN MAILED OR SERVED ON ALL PARTIES THIS 12th DAY OF June 2006  
Jill Domingue  
CLERK, ADMINISTRATIVE HEARING OFFICE

cc. Joseph Spatale  
Yung Bonner  
Sgt. Roland Rodriguez

Joseph E. Anzalone, Jr.  
JOSEPH E. ANZALONE, JR.  
HEARING OFFICER

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 6/12/06

Jill Domingue  
BY: CLERK

**STIPULATIONS**


1. On or about March 1, 2005, the Office of State Police ("State Police") Video Gaming Division mailed HICKORY CAFE an annual licensee form (DPSSP 6643) via United States Postal Service. As indicated in this mailing, and by rule, the licensee is required to submit the appropriate licensing fee and tax clearances no later than July 1, 2005.
2. The licensing fee and tax clearances were submitted to the Division on January 25, 2006.
3. HICKORY CAFE does admit it violated La. R.S. 27:311(K)(4), and LAC 42:XI.2405(B)(4)(a) and LAC 42:XI.2405(B)(4)(b).

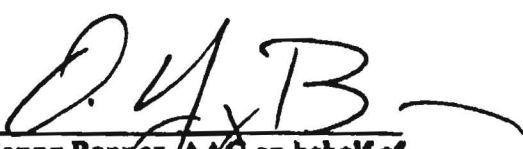
**TERMS AND CONDITIONS**

1. HICKORY CAFE will pay a civil penalty of FIVE HUNDRED DOLLARS (\$500.00).
2. The Division hereby agrees to accept HICKORY CAFÉ's payment of the above stated penalty in full and final settlement of the Notice of Recommendation of Administrative Action issued on March 6, 2006.
3. The Division reserves the right to take into consideration these admitted violations in connection with any future investigation, violation or assessment of penalty.
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 HICKORY CAFE, 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. Failure to pay the penalty within fifteen (15) days of approval of this settlement shall result in the immediate suspension of HICKORY CAFE's video gaming license.

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

  
\_\_\_\_\_  
**Joseph Spitalo, Managing Member and owner of a 100% membership interest in Hickory Gaming, LLC d/b/a Hickory Cafe & Grill**

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