



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

**IN RE: HARRIS IRVIN D/B/A
IRVIN'S RESTAURANT & BAR
NO. 3601105510**

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 Harris Irvin d/b/a Irvin's Restaurant & Bar, No. 3601105510, 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 21st DAY
OF June, 2006

APPEAL DOCKET CLERK


RECEIVED

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

JUN 12 2006

RECEIVED
JUN 14 2006
NO. 3601105510
LGCB
ADMINISTRATIVE HEARING OFFICE

**IN RE: HARRIS IRVIN
d/b/a IRVIN'S RESTAURANT & BAR**

**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 Harris Irvin d/b/a Irvin's Restaurant & Bar, VGL 3601105510 ("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.

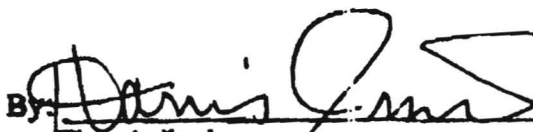
A true and correct copy of the proposed Compromise and Settlement Agreement is attached hereto as Exhibit "A" and incorporated by reference for all purposes.

TRUE COPY
[Signature]
Representative
Louisiana Gaming Control Board

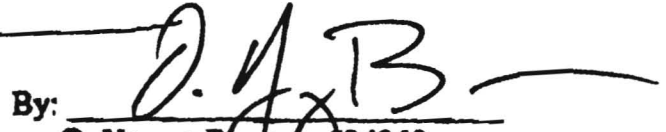
WHEREFORE, PREMISES CONSIDERED, the Division and the Licensee respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

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

By: 

**Harris Irvin
4715 Bonny Oak Drive, Apt 301
Chattanooga, Tenn. 37416
504 450-5136
Sole Proprietor of
Irvin's Restaurant & Bar**

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) 599-1163
Counsel for the Office of State Police**

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

**IN RE: HARRIS IRVIN
d/b/a IRVIN'S RESTAURANT & BAR**

NO. 3601105510

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**.

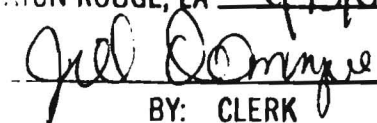
SIGNED AND ENTERED this 12 day of June, 2006, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 13th DAY
of June 2006
CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Harris Irvin
Yancy Binner
Sgt. Richard Rodriguez



**JOSEPH E. ANZALONE, JR.
HEARING OFFICER**

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 6/13/06


BY: CLERK

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

**IN RE: HARRIS IRVIN
d/b/a IRVIN'S RESTAURANT & BAR**

NO. 3601105510

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and Harris Irvin d/b/a Irvin's Restaurant & Bar, VGL 3601105510 (hereinafter "the Licensee"), do hereby represent and agree as follows:

WHEREAS, on August 24, 2005, 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 July 17th, 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. Harris Irvin is the sole proprietor of Irvin's Restaurant & Bar.
2. The Licensee previously entered into a video poker device agreement with Master Video Poker.
3. Improperly notarized video gaming documents ("the Documents") signed by Harris Irvin were submitted to the Division, including but not limited to the *95/96 Renewal Application* dated April 26, 1995, the *Applicant's Request to Release Information* dated April 29, 1996; the *Annual Licensee Form* dated May 21, 2001; the *Annual Licensee Form* dated May 9, 2002, and the *Annual Licensee Form* dated May 5, 2003.
4. Harris Irvin forwarded the Documents with his signature to the office of MVP for notarization. However, investigation by the Division revealed that the purported notary was not a notary. Thus, the Documents were improperly notarized in violation of LAC 42:XL2405(A)(15).
5. Harris Irvin represents that all of the statements, responses, disclosures and representations provided in the Documents submitted to the Division bearing his signature are true and correct to the best of his 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 August 24, 2005, 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 Harris Irvin.

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.

Harris Irvin

Harris Irvin, sole proprietor of Irvin's Restaurant & Bar

Sworn to and subscribed before me this 7th day of June, 2006.

Carolyn F. Fletcher
Notary (number and stamp)

MY COMMISSION EXPIRES:
February 6, 2010

Carolyn F. Fletcher
Notary (printed name)



O. Young Bonner

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