



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

DANE K. MORGAN
CHAIRMAN

IN RE: EMMA J. BOYD D/B/A B & R CAFÉ
NO. 2900115640

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of January 19, 2010. The Hearing Officer's order dated October 28, 2009, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," No. 29001155640, by and between Emma J. Boyd d/b/a B & R Café, and the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, which is attached hereto and incorporated herein, is **APPROVED**.

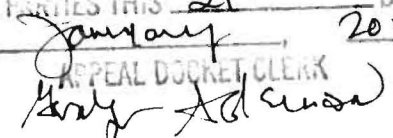
THUS DONE AND SIGNED on this the 19th day of January, 2010.

LOUISIANA GAMING CONTROL BOARD

BY:


DANE K. MORGAN, CHAIRMAN

DKM/gac

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 21st DAY
OF January, 2010
APPEAL DOCKET CLERK


RECEIVED

DEC 09 2009

**LGCB
ADMINISTRATIVE HEARING OFFICE**

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

**IN RE: EMMA J. BOYD
D/B/A B & R CAFÉ**

· LICENSE NO. 2900115640

DEC 14 2009

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

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

COME NOW the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and Emma J. Boyd d/b/a B & R Café who file this, their 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 Officer and the Louisiana Gaming Control Board.

2.

A true and correct copy of the proposed Compromise and Settlement Agreement

TRUE COPY

[Signature]
Representative

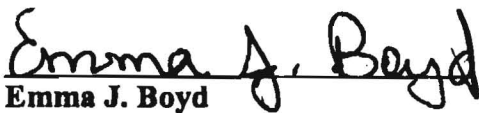
Louisiana Gaming Control Board

is attached hereto as Exhibit "A" and incorporated by reference for all purposes.

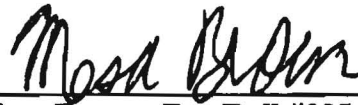
WHEREFORE, PREMISES CONSIDERED, The Division and the Licensee respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

**JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL**



**Emma J. Boyd
Owner
131 Triple Oak
Raceland, LA 70394
(985) 537-~~1777~~
4177**



**Mesa Brown, Bar Roll #30567
Assistant Attorney General
Gaming Division
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (225) 326-6500
Facsimile: (225) 326-6599
*Counsel for the Division***

EXHIBIT "A"

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

**IN RE: EMMA J. BOYD
D/B/A B & R CAFÉ**

LICENSE NO. 2900115640

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter the "Division") and Emma J. Boyd d/b/a B & R Café, (hereinafter the "Licensee") do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to the Licensee, which notice alleges 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 before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the parties hereto are desirous of fully and finally compromising and settling all disputes and issues raised 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. The Division provided notification to the Licensee that attendance was mandatory at a compulsive gambling training session. The Licensee received notification of the dates of scheduled training sessions.

2. Failure to attend the required class gave rise to a Notice of Recommendation of Administrative Action, issued by the Louisiana Gaming Control Board on September 14, 2009.

3. The Licensee acknowledges that it is in violation of gaming law in that it has failed to attend the required compulsive gambling training session.

TERMS AND CONDITIONS

1. The Licensee agrees to pay a civil penalty of Five Hundred Dollars (\$500.00).

2. The Division hereby agrees to accept the payment of Five Hundred Dollars (\$500.00) in full and final settlement of the Notice of Recommendation of Administrative Action.

3. The Licensee understands that continued failure to attend a required compulsive gambling training session shall result in the Division's recommendation of revocation.

4. The Licensee understands that it is and shall be the Licensee's responsibility to contact the Division for the dates and times of future compulsive gambling training sessions and that the Division shall not be required to provide the Licensee with notice of future compulsive gambling training sessions. The Licensee also understands that the

Division may reschedule any compulsive gambling training sessions at anytime and it shall be the Licensee's responsibility to contact the Division in regard to possible rescheduling.

5. The Division reserves the right to take into consideration these admitted stipulations and violations in connection with any future investigation, violation or assessment of penalty, and in connection with any future determination of the suitability of the Licensee.

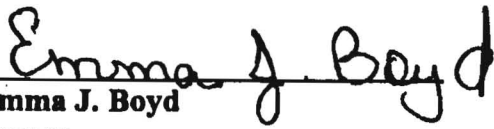
6. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and the Licensee pertaining to the Licensee's failure to attend the compulsive gambling training session on the dates specified in the Notice of Recommendation of Administrative Action and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

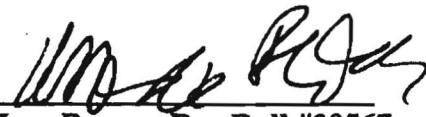
7. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana 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.

8. If approved, the Licensee must make full payment of the civil penalty to the Division within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the license without the necessity of any further administrative action until such time as the penalty is paid in full.

9. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

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


Emma J. Boyd
Owner
131 Triple Oak
Raceland, LA 70394
(985) 537-1777
4177


Mesa Brown, Bar Roll #30567
Assistant Attorney General
Gaming Division
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (225) 326-6500
Facsimile: (225) 326-6599
Counsel for the Division

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: EMMA J. BOYD
D/B/A B & R CAFÉ

LICENSE NO. 2900115640

ORDER

BE IT REMEMBERED that on the 14th day of December, 2009, 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**; that the Licensee must pay Five Hundred and No/100 (\$500.00) Dollars to the Division within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 14th day of December, 2009, in

LOUISIANA GAMING CONTROL BOARD

I HEREBY CERTIFY THAT A CERTIFIED

COPY HAS BEEN FILED IN THE OFFICE OF THE CLERK, ADMINISTRATIVE HEARING OFFICE, BATON ROUGE, LOUISIANA.

ALL PARTIES THIS 14th DAY OF December, 2009.
BY: [Signature]
CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Emma J. Boyd
Masa Brown
Sgt. Umell Subby

[Signature]
HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 12/14/09

[Signature]
BY: CLERK

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

DEC 08 2009

LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: EMMA J. BOYD
D/B/A B & R CAFÉ

LICENSE NO. 2900115640

DEC 08 2009

**MOTION AND ORDER TO DISMISS JOINT MOTION FOR APPROVAL OF
COMPROMISE AND SETTLEMENT AGREEMENT AND VACATE ORDER**

NOW COMES, the Louisiana Department of Public Safety and Corrections, Office of State Police, ("Division"), who through undersigned counsel, represents the following:

1.

Emma J. Boyd d/b/a B & R Café, ("Licensee") and the Division submitted a Joint Motion for Approval of Compromise and Settlement Agreement, ("Motion") on October 28, 2009, relative to the Licensee's failure to timely attend compulsive gaming training classes.

2.

Exhibit "A" to the Motion is a certain Compromise and Settlement Agreement, ("Settlement Agreement") which included a civil penalty of One Thousand Dollars (\$1000.00).

3.

Administrative hearings held subsequent to the submission of the aforementioned Motion and Settlement Agreement established a precedent of a civil penalty of Five Hundred Dollars (\$500.00) for similar violations.

4.

Considering the foregoing, the Division wishes to dismiss the Joint Motion for Approval of Compromise and Settlement Agreement submitted on October 28, 2009, and the Order signed October 28, 2009, be vacated.

WHEREFORE, the undersigned counsel respectfully requests that the aforementioned Motion be dismissed and the Order signed in this matter be vacated.

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

By:



Mesa T. Brown Bar No.30567
Assistant Attorney General
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (225) 326-6500
Facsimile: (225) 326-6599

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: EMMA J. BOYD
D/B/A B & R CAFÉ


LICENSE NO. 2900115640

ORDER

Considering the foregoing Motion to Dismiss Joint Motion for Approval of Compromise and Settlement Agreement and Vacate Order,


IT IS ORDERED, that the Joint Motion for Approval of Compromise and Settlement Agreement in the above entitled matter be dismissed and the pertaining Order be vacated.

Baton Rouge, Louisiana, this 9th day of Dec, 2009.


Hearing Officer

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
THIS 9th DAY
December 2009
ADMINISTRATIVE HEARING OFFICE

cc: Emma J. Boyd
Mesa Brown
Sgt. Umel Sibkey

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 12.9.09

BY CLERK

RECEIVED

OCT 28 2009

**LGCB
ADMINISTRATIVE HEARING OFFICE**

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

**IN RE: EMMA J. BOYD
D/B/A B & R CAFE**

LICENSE NO. 2900115640

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

Oct 28 2009

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

COME NOW the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and Emma J. Boyd d/b/a B & R Cafe who file this, their 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 Officer and the Louisiana Gaming Control Board.

2.

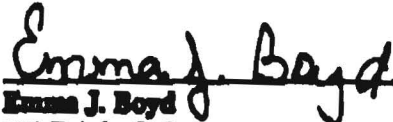
A true and correct copy of the proposed Compromise and Settlement Agreement

is attached hereto as Exhibit "A" and incorporated by reference for all purposes.

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

Respectfully Submitted,

**JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL**


Emma J. Boyd
131 Triple Oak
Bossier, LA 70394
(985) 537-1777



Moss Brown, Bar Roll #38367
Assistant Attorney General
Gaming Division
1805 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (225) 326-6800
Facsimile: (225) 326-6599
Counsel for the Division

EXHIBIT "A"

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

**IN RE: EMMA J. BOYD
D/B/A B & R CAFÉ**

LICENSE NO. 2900115640

COMPROMISE AND SETTLEMENT AGREEMENT

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WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to the Licensee, which notice alleges 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 before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the parties hereto are desirous of fully and finally compromising and settling all disputes and issues raised 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. The Division provided notification to the Licensee that attendance was mandatory at a compulsive gambling training session. The Licensee received notification of the dates of scheduled training sessions.

2. Failure to attend the required class gave rise to a Notice of Recommendation of Administrative Action, issued by the Louisiana Gaming Control Board on September 14, 2009.

3. The Licensee acknowledges that it is in violation of gaming law in that it has failed to attend the required compulsive gambling training session.

TERMS AND CONDITIONS

1. The Licensee agrees to pay a civil penalty of One Thousand Dollars (\$1,000.00).

2. The Division hereby agrees to accept the payment of One Thousand Dollars (\$1,000.00) in full and final settlement of the Notice of Recommendation of Administrative Action.

3. The Licensee understands that continued failure to attend a required compulsive gambling training session shall result in the Division's recommendation of revocation.

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Division may reschedule any compulsive gambling training sessions at anytime and it shall be the Licensee's responsibility to contact the Division in regard to possible rescheduling.

5. The Division reserves the right to take into consideration these admitted stipulations and violations in connection with any future investigation, violation or assessment of penalty, and in connection with any future determination of the suitability of the Licensee.

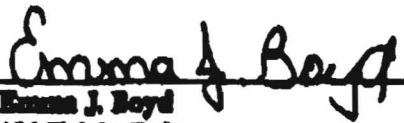
6. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and the Licensee pertaining to the Licensee's failure to attend the compulsive gambling training session on the dates specified in the Notice of Recommendation of Administrative Action and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.


7. 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.

8. If approved, the Licensee must make full payment of the civil penalty to the Division within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the license without the necessity of any further administrative action until such time as the penalty is paid in full.

9. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

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


Emma J. Boyd
131 Triple Oak
Bossier, LA 70694
(985) 537-1777


Mann Brown, Bar Roll #30567
Assistant Attorney General
Gaming Division
1805 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (225) 326-6800
Facsimile: (225) 326-6899
Counsel for the Division

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

**IN RE: EMMA J. BOYD
D/B/A B & R CAFÉ**

LICENSE NO. 2900115640

ORDER

BE IT REMEMBERED that on the 20 day of Oct, 2009, 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**; that the Licensee must pay One Thousand and No/100 (\$1,000.00) Dollars to the Division within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 20 day of Oct, 2009, in

LOUISIANA - Baton Rouge, Louisiana.

I HEREBY CERTIFY THAT A VERIFIED COPY HAS BEEN MAILED OR SERVED ON

ALL INTERESTS 28th DAY OF October 2009
BY Jill Domingue
DOUGLAS CLERK, ADMINISTRATIVE HEARING OFFICE

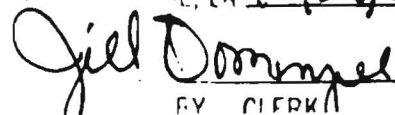
cc. Emma J. Boyd
Mesa Braun
Sgt. Unnell Saldy



HEARING OFFICER

A TRUE COPY ATTEST

LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 10/28/09



BY CLERK