



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

**IN RE: KITTY G, INC. D/B/A LIUZZA'S BY THE TRACK
NO. 3601209578**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of August 15, 2006. The Hearing Officer's order dated August 2, 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 Kitty G, Inc. d/b/a Liuzza's By The Track, No. 3601209578, 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 15 day of August, 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 15 DAY
OF August 2006


APPEAL DOCKET CLERK

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

AUG 02 2006

LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: KITTY G, INC.
d/b/a LIUZZA'S BY THE TRACK

NO. 3601209578

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 Kitty G, Inc. d/b/a Liuzza's By The Track, VGL 3601209578 ("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.



STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: KITTY G, INC
d/b/a LIUZZA'S BY THE TRACK

NO. 3601209578

ORDER

BE IT REMEMBERED that on this 7 day of August, 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 7 day of August, 2006, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON

August 7, 2006 DAY
J. L. Brown
HEARING OFFICER

(cc) James Lemaire
Yung Binnick
Sgt Richard Rodriguez



WILLIAM H. BROWN
HEARING OFFICER

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

J. L. Brown
BY: CLERK

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

**IN RE: KITTY G, INC.
d/b/a LIUZZA'S BY THE TRACK**

NO. 3601209578

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and Kitty G, Inc. d/b/a Liuzza's By The Track (hereinafter "Kitty G, Inc."), VGL 3601209578, do hereby represent and agree as follows:

WHEREAS, on May 24, 2006, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to Kitty G, Inc. d/b/a Liuzza's By The Track 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 August 2, 2006, before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the Division and Kitty G, Inc. 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

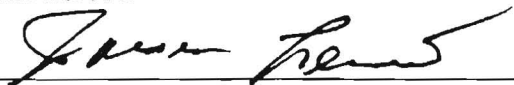
1. James Lemarie is the President and 100% shareholder of Kitty G. Inc. d/b/a Liuzza's By The Track.
2. Kitty G. Inc. d/b/a Liuzza's By The Track, a licensed video gaming establishment, previously entered into a video poker device agreement with Master Video Poker.
3. Master Video Poker (MVP) sent video gaming documents ("the Documents") to Kitty G. Inc. d/b/a Liuzza's By The Track for execution, including but not limited to the *Request to Release Information* dated May 10, 2000; the *Registry Information/VERIFICATION* dated June 10, 2002; the *Annual Licensee Form* dated June 11, 2002, and the *Request to Release Information* dated May 13, 2003, all signed by James Lemarie.
4. James Lemarie admits that he relied upon the representations of his device owner, MVP, that there would be a notary present during the time the Documents were completed and signed while on the MVP premises. James Lemarie admits the identity of the notary was not personally known to him nor did he personally verify there was a notary present to witness his signature on the Documents. 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:XI.2405(A)(15).
5. James Lemarie 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 represents 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, Kitty G, Inc. 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 May 24, 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 James Lemarie, and Kitty G, Inc.
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 Kitty G, Inc. 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.

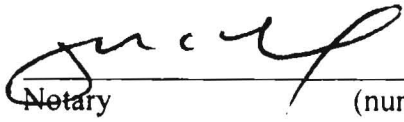
7. If approved, however, payment of the above penalty must be submitted to the Division within (15) fifteen days of approval of this settlement by the Board. The failure to submit the civil penalty within fifteen (15) days of approval by the Board shall result in the immediate suspension of the license 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.

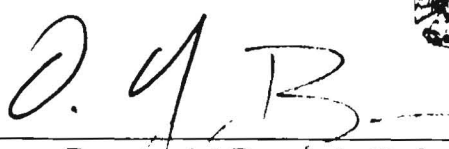


James Lemarie, President and 100% shareholder of Kitty G, Inc. d/b/a Liuzza's By The Track

Sworn to and subscribed before this 31st day of July, 2006.



Notary (number and stamp)



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

Notary OFFICIAL SEAL (printed name)
JAMES F. EZELL
NOTARY PUBLIC - LOUISIANA
NOTARY #53735
PARISH OF JEFFERSON
My Commission Is For Life

