



State of Louisiana

Gaming Control Board

M. J. "MIKE" FOSTER, JR.
GOVERNOR

HILLARY J. CRAIN
CHAIRMAN

IN RE: CHASTAIN, INC. D/B/A CHASTAIN'S FOOD & SPIRITS NO. VP1001211934

ORDER


This matter was considered by the Louisiana Gaming Control Board at its meeting of November 18, 2003. The Hearing Officer's order dated November 10, 2003, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Administrative Action," by and between Chastain, Inc. d/b/a Chastain's Food & Spirits, No. VP1001211934, and the Louisiana Department of Public Safety and Corrections, Office of State Police, Video Gaming Division, which is attached hereto and incorporated herein, is **APPROVED**.

THUS DONE AND SIGNED on this the 18th day of November, 2003.

LOUISIANA GAMING CONTROL BOARD

BY:


HILLARY J. CRAIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 20th DAY
OF November, 2003
APPEAL DOCKET CLERK




STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

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ADMINISTRATIVE HEARING OFFICE

IN RE: CHASTAIN, INC. d/b/a CHASTAIN'S FOOD & SPIRITS CASE NO. 1001211934

JOINT MOTION FOR ENTRY OF STIPULATIONS AND
APPROVAL OF PROPOSED SETTLEMENT

ON THE JOINT MOTION OF:


1. the Louisiana Department of Public Safety and Corrections, Office of State Police, Video Gaming Division (hereinafter "Division"), and
2. Chastain, Inc. d/b/a Chastain's Food & Spirits, License No. 1001211934 (hereinafter "licensee"),

who respectfully represent the following:

WHEREAS:

1. On or about June 19, 2003, an agent of the Division noted that the advertisement in the *User Friendly Telephone Book*, which advertised the licensee's gaming establishment, did not include the problem gambling toll-free telephone number;
2. The licensee is mandated by La. R.S. 27:27.3 to place the toll-free telephone number of the National Council on Problem Gambling (or other similar, Board-approved toll-free telephone number) in any advertisement of its gaming activities or gaming establishment;
3. Pursuant to its agent's observations, the Division issued Violation/Inspection Report No. 012721 to the licensee on or about June 19, 2003, citing violation of La. R.S. 27:27.3. Attendant to this Violation/Inspection Report, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to the licensee on or about September 30, 2003; and
4. This matter is currently scheduled for hearing on December 1, 2003 at 9:30 a.m. before the Honorable J. E. Anzalone, Jr.,

TRUE COPY


Representative
Louisiana Gaming Control Board

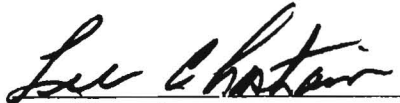
NOW THEREFORE, in consideration of the foregoing stipulations, the Division and the licensee hereby propose the following settlement, that:

1. The licensee acknowledges that it was in violation of La. R.S. 27:27.3, in that it did not place the required problem gambling toll-free telephone number in the June 19, 2003 *User Friendly Telephone Book* advertisement that advertised its gaming establishment;
2. In lieu of further administrative action against the licensee's video gaming license, the licensee shall pay a \$250.00 civil penalty;
3. The Division hereby agrees to accept the licensee's payment of the above stated penalty in full and final settlement of Violation/Inspection Report No. 012721 and this Notice of Recommendation of Administrative Action;
4. The Division reserves the right to take into consideration these violations in connection with any future violation;
5. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
6. This settlement constitutes the entire agreement between the Division and Chastain, Inc. d/b/a Chastain's Food & Spirits pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
7. This settlement is subject to approval by the Hearing Officer of the Louisiana Gaming Control Board; it is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not executory and will be submitted to the Board for its determination as to whether the matter should be heard by the Hearing Officer; if approved, however, payment of the above penalties must be submitted to the Division within fifteen (15) 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 video gaming license of the licensee being suspended and its gaming devices being disabled; and
8. The Division and the licensee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted,

**CHASTAIN, INC. d/b/a
CHASTAIN'S FOOD & SPIRITS**

BY:



Lee Chastain
Owner of licensee
3922 Ryan Street
Lake Charles, Louisiana 70605
Telephone: (337) 474-4700

**RICHARD P. IEYOUB
ATTORNEY GENERAL**

BY:



Karen Day White
Assistant Attorney General
La. Bar Roll No. 25933
339 Florida Street, Ste. 500
Baton Rouge, Louisiana 70801
Telephone: (225) 342-2465
Facsimile: (225) 342-4244

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

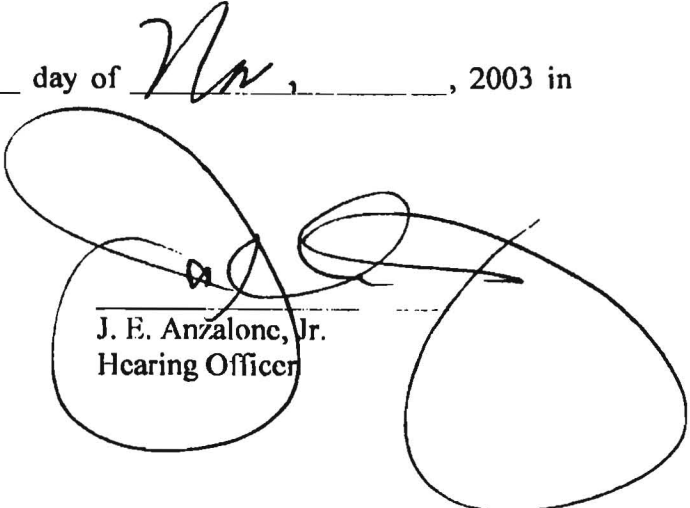
IN RE: CHASTAIN, INC. d/b/a CHASTAIN'S FOOD & SPIRITS CASE NO. 1001211934

ORDER

Considering the foregoing Joint Motion For Entry of Stipulations and Approval of Proposed Settlement, IT IS HEREBY ORDERED that such proposed settlement be approved, to wit:

1. the licensee acknowledges that it was in violation of La. R.S. 27:27.3, in that it did not place the required problem gambling toll-free telephone number in the advertisement that advertised its gaming establishment;
2. the licensee shall pay a \$250.00 civil penalty;
3. payment of the above penalty shall be submitted to the state within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board; and
4. the failure to submit the above penalty within fifteen (15) days of approval of this settlement by the Board shall result in the video gaming license of the licensee being suspended and its gaming devices being disabled.

THUS DONE AND SIGNED this 10 day of Nov, 2003 in
Baton Rouge, Louisiana.



J. E. Anzalone, Jr.
Hearing Officer

**LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 15th DAY
OF November 2003
Jill Domingue
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE**

cc. Lee Chastain
Karen White
Sabrina Ballard

**A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 11/10/03
Jill Domingue
BY: CLERK**

STATE OF LOUISIANA
PARISH OF _____

AFFIDAVIT

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified within and for the State and Parish aforesaid, PERSONALLY CAME AND APPEARED:

LEE CHASTAIN,

who, after first being duly sworn, declared and acknowledged to me, Notary, under oath:

that affiant is an owner of Chastain, Inc. d/b/a Chastain's Food & Spirits (license no. 1001211934);

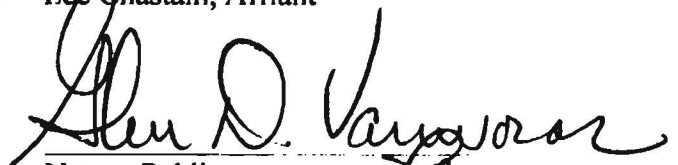
that the licensee received a Notice of Violation and Hearing (Violation/Inspection Report No. 012721) from the Louisiana Gaming Control Board, citing violation of La. R.S. 27:27.3;

that in the interest of settling this matter, affiant has willfully entered into a Joint Motion for Entry of Stipulations and Approval of Proposed Settlement with the Division, via the Attorney General's Office; and

that affiant signed the above-cited motions of his own volition, without duress or coercion.

THUS DONE AND PASSED in Lake Charles, Louisiana, on this 3 day of October, 2003.


Lee Chastain, Affiant


Notary Public
My commission expires Life