



State of Louisiana

Gaming Control Board

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

HILLARY J. CRAIN
CHAIRMAN

**IN RE: JOSEPH GIAIMO
NO. P020018465**

ORDER


This matter was considered by the Louisiana Gaming Control Board at its meeting of May 15, 2001. The Hearing Officer's order dated April 10, 2001, based on the "Joint Entry for Stipulations and Approval of Proposed Settlement" in the matter of "Notice of Violation and Hearing," by and between Joseph Giaimo, No. P020018465, and the Louisiana Department of Public Safety and Corrections, Office of State Police, Riverboat Gaming Division, which is attached hereto and incorporated herein, is **APPROVED**.

THUS DONE AND SIGNED on this the 15th day of May, 2001.

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 16th DAY
OF May, 2001
APPEAL DOCKET CLERK


RECEIVED

IN THE MATTER OF

JOSEPH GIAIMO

APR 10 2001

ADMINISTRATIVE
DOCKET CLERK

CASE NO. RGS000296

HEARING OFFICE

LOUISIANA GAMING
CONTROL BOARD

JOINT ENTRY FOR STIPULATIONS
AND APPROVAL OF PROPOSED SETTLEMENT

RECEIVED
APR 11 2001

On Joint Motion of:

(i) The State of Louisiana, Office of State Police, Riverboat Gaming Division
("Division"), and

(ii) Joseph Giaimo ("Mr. Giaimo"), enter the following Stipulations into the
record:

WHEREAS, by Notice of Violation and Hearing ("Notice") dated December 1,
2000, the Division alleged that on or about July 28, 1999, Mr. Giaimo, along with six (6)
other individuals, formed a limited liability company called Onisac, LLC ("Onisac").
Mr. Giaimo initially invested approximately \$60,444 in Onisac, which gave him thirty-
two percent (32%) ownership of Onisac, and was also appointed president of Onisac.
The Articles of Incorporation for Onisac were filed with the California Secretary of State
on September 3, 1999.

WHEREAS, the Notice alleged that on or about August 30, 1999, Onisac entered
into a purchase agreement with Jok-erz Wild Casino, Inc. ("Jok-erz Wild") whereby
Onisac agreed to purchase the assets of Jok-erz Wild for \$150,000.00 and gave Leonard
Fleisher, a shareholder in Jok-erz Wild, three percent (3%) ownership in Onisac.
Additionally, on August 30, 1999, Onisac entered into a lease agreement with Leonard
Fleisher and others for purposes of leasing the building and premises where Jok-erz Wild

TRUE COPY

[Signature]
Representative

Louisiana Gaming Control Board

was located. The lease specifically provided that the “tenant is willing to lease the premises for the purposes of operating a bar, restaurant, and gaming operation.”

WHEREAS, on or about June 20, 1996, Mr. Giaimo submitted to the Division an original application for a key gaming employee permit. Question #17 on page seventeen (17) of the original application states “List you work history for the past ten years, including all businesses with which you have been involved, all periods of self-employment, and all periods of unemployment.” Additionally, Question #1 on page twenty-four (24) of the original application states: “If you have ever held an ownership, beneficial, pecuniary, financial, or other interest in any Gaming Operation, state for each Gaming Operation, (A) The dates, by month and year, during which you held an interest in the Gaming Operations; (B) The name, address and telephone number of the Gaming Operation; (C) The current name, address and telephone numbers of the Gaming Operation’s Registered Agents and Key Persons; (D) A description of the Gaming Operation and of your interest in the Gaming Operation.”

WHEREAS, the Notice alleged that on or about April 18, 2000, Mr. Giaimo submitted to the Division a renewal application for his key gaming employee permit. Included as part of the renewal application was the Gaming Permit Affidavit, wherein Mr. Giaimo attested to the fact of statement #3 on the affidavit which states: “The answers and other information contained in my original Gaming Permit Application have remained the same, or if any answers or other information has changed, I am providing an updated answer or updated information on a separate sheet of paper which is attached to and made part of this Renewal Application.”

WHEREAS, the Notice alleged that Mr. Giaimo failed to disclose his involvement with and interest in Onisac on his 2000 renewal application for his key gaming employee permit and also failed to amend his 1999 renewal application to include this information in violation of La. 27:70(A)(1), La. R.S. 27:76(A)(2), LAC 42:XIII.2141(A), and LAC 42:XIII.2127(B).

NOW, THEREFORE, in consideration for the foregoing Stipulations, the Division and Mr. Giaimo hereby propose the following settlement:

1. Mr. Giaimo admits that he unintentionally failed to disclose his involvement with and interest in Onisac on his 2000 key gaming employee permit renewal application in violation of LAC 42:XIII.2141(A) and LAC 42:XIII.2127(B).

2. Mr. Giaimo admits that he unintentionally failed to amend his 1999 key gaming employee permit renewal application to include information regarding his involvement with and interest in Onisac in violation of LAC 42:XIII.2127(B).

3. Mr. Giaimo will pay to the Division as a civil penalty for the aforementioned violations the aggregate and complete sum of FIVE HUNDRED DOLLARS AND 00/100 (\$500.00).

4. Subject to the approval of the Hearing Officer of the Louisiana Gaming Control Board, the Division hereby agrees to accept Mr. Giaimo's payment of the above stated penalty in full and final settlement of this Incident RGS000296.

5. It is expressly understood that this proposed settlement, if approved by the Hearing Officer, is not executory and will be submitted to the Louisiana Gaming Control

Board for its determination as to whether the matter should be heard by the Hearing Officer. The parties hereby consent to this procedure.

6. The Division and Mr. Giaimo waive their rights to appeal this Stipulation if the Order is signed by the Hearing Officer and is accepted by the Louisiana Gaming Control Board.

7. The Division reserves the right to take this matter into consideration in connection with any subsequent violations.


8. This Stipulation and Proposed Settlement is to be interpreted under the laws of the State of Louisiana.

9. This Stipulation and Propose Settlement constitutes the entire agreement between the Division and Mr. Giaimo pertaining to the subject matter contained herein and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties.

RESPECTFULLY SUBMITTED:

**STATE OF LOUISIANA, OFFICE OF
STATE POLICE, RIVERBOAT GAMING DIVISION**

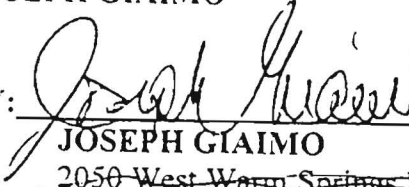
**RICHARD P. IEYOUB
ATTORNEY GENERAL**

BY: 
**KENDRA L. DUAY, #25652
ASSISTANT ATTORNEY GENERAL
GAMING DIVISION**

339 Florida Street, Suite 500
Baton Rouge, LA 70801
Phone: (225) 342-2465
Fax: (225) 342-4244

JOSEPH GIAIMO

BY:



~~JOSEPH GIAIMO~~

~~2050 West Warm Springs Road~~

~~Apartment #3512~~

~~Henderson, Nevada 89014~~

~~Phone: (702) 247-7813~~

2937 Carmelo Drive

HENDERSON, NEVADA 89052

(702) 407-1246

IN THE MATTER OF
JOSEPH GIAIMO

CASE NO. RGS000296
HEARING OFFICE
LOUISIANA GAMING
CONTROL BOARD

ORDER

Considering the foregoing Joint Motion and Stipulations:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that the foregoing Joint Motion for Entry of Stipulations of facts be accepted, approved and entered into the record this proceeding;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that Mr. Joseph Giaimo pay to the State of Louisiana, Office of State Police, Riverboat Gaming Division, as a civil penalty, the amount of FIVE HUNDRED DOLLARS AND 00/100 (\$500.00) payable within thirty (30) days from receipt of written notice of approval from the Louisiana Gaming Control Board.

DATED AND SIGNED at Baton Rouge, Louisiana, this 10 day of April, 2001.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 10th DAY
OF April, 2001
AT Baton Rouge
SOCKET CLERK, ADMINISTRATIVE HEARING OFFICE



Honorable Judge William H. Brown
Hearing Officer, Louisiana Gaming Control Board

cc: Joseph Giaimo
Kendra Duay, Esq.
Lt. George Dean

NOTICE SERVED TO:

Counsel for Division:
Kendra L. Duay
Assistant Attorney General
Gaming Division
339 Florida Street, Suite 500
Baton Rouge, LA 70801

Joseph Giaimo
2937 Carmelo Drive
Henderson, Nevada 89052

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 4-10-01


BY: CLERK

STATE OF NEVADA
COUNTY OF CLARK

AFFIDAVIT

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

JOSEPH GIAIMO

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

that affiant received a Notice of Violation and Hearing, RGS000296, dated December 1, 2000, from the Louisiana Gaming Control Board, citing violations LAC 42:XIII.2141(A) and LAC 42:XIII.2127(B);

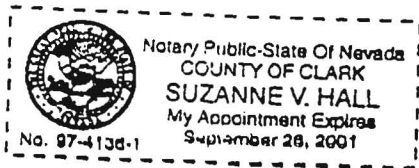
that in the interest of settling this matter, affiant has willfully entered into a Joint Motion for Entry of Stipulations and Proposed Settlement with the State of Louisiana, Office of State Police, Riverboat Gaming Division, through its counsel, the Louisiana Attorney General's Office;

that affiant signed the aforementioned Motion of his own volition, without duress or coercion;

that affiant understands the aforementioned Motion will be presented to the hearing officer of the Louisiana Gaming Control Board at an administrative hearing scheduled for April 10, 2001, and that affiant has the right to appear at said hearing; and

that affiant, after due consideration, has chosen not to appear at the administrative hearing in this matter.

THUS DONE AND PASSED in Las Vegas, Nevada, on this
2nd day of April, 2001.



Joseph Giaimo
Joseph Giaimo, Affiant

Suzanne V. Hall
Notary Public
My commission expires 9-26-01