



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

IN RE: ZAPP'S POTATO CHIPS
NO. P084700401

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of February 21, 2006. The Hearing Officer's order dated January 10, 2006, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Suspension and Penalty," by and between Zapp's Potato Chips, No. P084700401, 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 21 day of February, 2006.

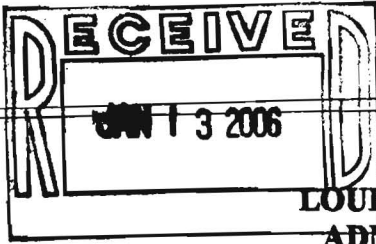
LOUISIANA GAMING CONTROL BOARD

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 22nd DAY
OF February 2006
APPEAL DOCKET CLERK




RECEIVED

DEC 30 2005

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

LGCB
ADMINISTRATIVE HEARING OFFICE

RE: ZAPP'S POTATO CHIPS

PERMIT NO. P084700401

**JOINT MOTION FOR ENTRY OF STIPULATIONS AND
APPROVAL OF PROPOSED SETTLEMENT**

ON THE JOINT MOTION OF:

1. The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "Division"), and
2. Zapp's Potato Chips, Permit No. P084700401 (hereinafter "Permittee"),

who respectfully represent the following:

WHEREAS the parties hereto stipulate as follows:

1. The Permittee was required to submit an annual fee and annual affidavit by September 2, 2005, which represents its permit anniversary date. As of October 12, 2005, the Permittee had not submitted the required fee and affidavit;
2. The Permittee did not timely submit the annual fee and affidavit to the Division;
3. Permittee was issued a *Notice of Recommendation of Suspension* by the Louisiana Gaming Control Board;
4. This matter has been scheduled for hearing on January 10, 2006 at 9:00 a.m. before the Honorable William H. Brown; and
5. The Permittee has since submitted the required form and annual fee:

TRUE COPY

Representative
Louisiana Gaming Control Board

~~**NOW THEREFORE,**~~ in consideration of the foregoing stipulations, and in lieu of suspension of the Permittee's Non-Gaming Supplier Permit, the Division and the Permittee hereby propose to settle this matter pursuant to the following terms and conditions:

1. The Permittee acknowledges that it violated La. R.S. 27:29.I and 29:29.3F by failing to timely submit the annual fee and affidavit to the Division.
2. The Permittee agrees to pay a penalty of \$62.50 pursuant to La. R.S. 27:29.5(c) and a \$500.00 civil penalty for the period of non-compliance.
3. The Division hereby agrees to accept the Permittee's payment of the above stated penalty in full and final settlement of this Notice of Recommendation of Suspension.
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 Permittee pertaining to the subject matter contained herein, and supersedes 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 and the Louisiana Gaming Control Board itself. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, it will be submitted to the Louisiana Gaming Control Board for its determination as to whether this settlement should be approved or 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 Louisiana Gaming Control Board and the

~~failure to timely submit such payment shall result in the Permittee being immediately suspended~~
without further administrative proceedings until such time as the penalty is paid in full.

8. The Division and the Permittee hereby expressly waive any rights they may have to appeal this settlement if the Agreement and accompanying Order are signed by the Hearing Officer and accepted by the Louisiana Gaming Control Board.

RESPECTFULLY SUBMITTED,

ZAPP'S POTATO CHIPS

By: 

Roderick Olson, General Manager
P. O. Box 1533
Gramercy, Louisiana 70052-1533
Telephone: (225) 869-9777
Facsimile: (225) 896-9779

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

By: 

Olga M. Bogran, Bar Roll #24302
Assistant Attorney General
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (225) 326-6500
Facsimile: (225) 326-6599
Counsel for the Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RE: ZAPP'S POTATO CHIPS

PERMIT NO. P084700401

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:

The Permittee acknowledges that La. R.S. 27:29 and 29:29.3 mandate a permittee to pay an annual fee by its anniversary date and the Permittee did not provide the annual fee and Annual Affidavit to the Division;

The Permittee shall pay a penalty of \$62.50 pursuant to La. R.S. 27:29.5(c) and a \$500.00 civil penalty;


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

The failure to submit the above penalty within fifteen (15) days of approval of this settlement by the Board shall result in the Non-Gaming Supplier Permit of the Permittee being suspended until such time as penalty is paid in full.

THUS DONE AND SIGNED this 10 day of January, 2008, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
THIS 10th DAY
19/2008
BY: Bill Doninger
CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Roderick Olson
Olga Boyron
Sgt. Lebrnd Falcon



William H. Brown
Hearing Officer

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 1/10/08
Bill Doninger
BY: CLERK

STATE OF LOUISIANA

Parish of St. James

AFFIDAVIT

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

RODERICK OLSON

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

that affiant is General Manager of Zapp's Potato Chips and thereby authorized to act on its behalf (permit no. P084700401);

that the permittee received a Notice of Recommendation of Suspension from the Louisiana Gaming Control Board, citing violation of La.R.S. 27:29 and La.R.S. 27:29.3;

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 on behalf of the licensee, via the Attorney General's Office; and

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

THUS DONE AND PASSED in Gramercy, LA, on this 12th day of December, 2005.


RODERICK OLSON, Affiant


NOTARY PUBLIC
My commission expires 11 Dec 07