



*State of Louisiana*  
*Gaming Control Board*

KATHLEEN BABINEAUX BLANCO  
GOVERNOR

H. CHARLES GAUDIN  
CHAIRMAN

**IN RE: DADACK, INC. D/B/A FRANKY & JOHNNY'S  
NO. 3601201669**

**ORDER**


This matter was considered by the Louisiana Gaming Control Board at its meeting of May 16, 2006. The Hearing Officer's order dated April 24, 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 Dadack, Inc. d/b/a Franky & Johnny's, No. 3601201669, 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 16 day of May, 2006.

**LOUISIANA GAMING CONTROL BOARD**

BY:

  
\_\_\_\_\_  
**H. CHARLES GAUDIN, CHAIRMAN'S**

**LOUISIANA GAMING CONTROL BOARD**  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 17 DAY  
OF May, 2006  
APPEAL DOCKET CLERK  


**RECEIVED**

APR 24 2006

LGCB  
ADMINISTRATIVE HEARING OFFICE

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

**IN RE: DADACK, INC.  
D/B/A FRANKY & JOHNNY'S**

**NO. 3601201669**

**COMPROMISE AND SETTLEMENT AGREEMENT**

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and Dadack, Inc. d/b/a Franky & Johnny's, VGL 3601201669, do hereby represent and agree as follows:

**WHEREAS**, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to Dadack, Inc. d/b/a Franky & Johnny's, 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 on April 24, 2006, 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. Dadack, Inc. d/b/a Franky & Johnny's, a licensed video gaming establishment, previously entered into a video poker device agreement with Master Video Poker.

  
 TRUE COPY  
 Representative  
 Louisiana Gaming Control Board

2. Master Video Poker sent video gaming documents ("the Documents") to Dadack, Inc. d/b/a Franky & Johnny's for execution, including but not limited to the Annual license form, dated April 4, 2002, which was signed by George Cortello.

3. George Cortello is the owner of Dadack, Inc. d/b/a Franky & Johnny's.

4. George Cortello admits that he did not sign the Documents in the presence of a notary and the Documents were not notarized in the Affiant's presence. Thus, the Documents were improperly notarized in violation of LAC 42:XI.2405(A)(15).

5. On February 23, 2006, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to Dadack, Inc. d/b/a Franky & Johnny's, VGL 3601201669, alleging certain violations of Louisiana Gaming Control Law.

6. George Cortello represents that all of the statements, responses, disclosures and representations provided in documents submitted to the Division bearing his signature, are true and correct to the best of his knowledge, information and belief, and represent a complete and accurate account of the requested information.

#### TERMS AND CONDITIONS

1. 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 George Cortello.

2. Dadack, Inc. d/b/a Franky & Johnny's agrees to pay a civil penalty of One Thousand Dollars (\$1,000.00).

3. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Dadack, Inc. d/b/a Franky & Johnny's, pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

4. 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.

5. If approved, Dadack, Inc. d/b/a Franky & Johnny's must make payment of the civil penalty to the Division within ten (10) 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.

6. 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.

George J. Cortello  
George Cortello, Owner of Dadack, Inc. d/b/a Franky & Johnny's VGL 3601201669

Sworn to and subscribed before me, the undersigned notary, in the Parish of Orleans this 30 day of March A.D. 2006.

Anna M. Kloogis  
Notary Signature

Anna M. Kloogis #64900  
Notary Name and Number

Notary Commission expires At South

Olga M. Bogran  
Olga M. Bogran, AAG on behalf of  
State of Louisiana  
Department of Public Safety & Corrections  
Office of State Police

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

**IN RE: DADACK, INC.  
D/B/A FRANKY & JOHNNY'S**

**NO. 3601201669**

**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 ("Division") and Dadack, Inc. d/b/a Franky & Johnny's, VGL 3601201669, 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 Dadack, Inc. d/b/a Franky & Johnny's 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.

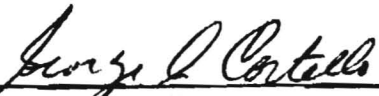
2.

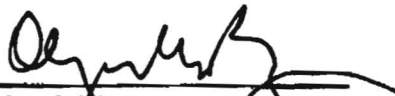
A true and correct copy of the proposed Compromise and Settlement Agreement is attached hereto as Exhibit "A" and incorporated by reference for all purposes.

**WHEREFORE, PREMISES CONSIDERED,** The Division and Dadack, Inc. d/b/a Franky & Johnny's respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

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

By:   
**George Cortello**  
321 Arabella Street  
New Orleans, LA 70115  
Telephone: (504) 891-0840  
*On behalf of Dadack, Inc.  
d/b/a Franky & Johnny's*

By:   
**Olga M. Bogran, #24302**  
Assistant Attorney General  
1885 North Third Street, 5<sup>th</sup> Floor  
Baton Rouge, Louisiana 70802  
Telephone: (504) 599-1153  
Facsimile: (504) 599-1163  
*Counsel for the Office of State Police*



STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: DADACK, INC.  
D/B/A FRANKY & JOHNNY'S

NO. 3601201669

ORDER

BE IT REMEMBERED that on this the 24 day of April, 2006, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, 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.

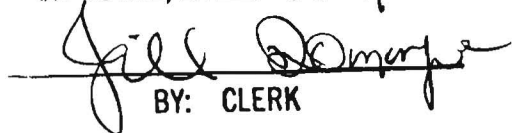
SIGNED AND ENTERED this 24 day of April, 2006, in Baton Rouge, Louisiana.

  
\_\_\_\_\_  
JOSEPH 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 24 DAY  
OF April 2006  
BY Jill Damer  
CLERK, ADMINISTRATIVE HEARING OFFICE

cc: George Costello  
Olyvia Boyman  
Sgt. Roland Rodriguez

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 4/24/06

  
\_\_\_\_\_  
BY: CLERK