



State of Louisiana

Gaming Control Board

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

HILLARY J. CRAIN
CHAIRMAN

DECISION OF THE LOUISIANA GAMING CONTROL BOARD

IN RE: T & B ADVENTURES, INC. D/B/A MONTANA'S SMOKEHOUSE NO. VP1001212539

The matter before the Louisiana Gaming Control Board ("Board") is a request for rehearing of the revocation of the video gaming license of Montana's Smokehouse.

As a result of a series of error, in two separate actions, administrative action was initiated against the above referenced entity.¹ In neither case did Montana's request an administrative hearing. This resulted in the issuance of two separate "Notices of Revocation" of its license.² On November 20, 2003, a rehearing was requested on behalf of Montana's which alleged that Montana's had surrendered its license to the Division on July 2, 2003, prior to the initiation of administrative action. After verification of this contention by the Division, it is clear that Montana's did not have a license to be revoked once, much less twice. Any revocation was an absolute nullity. Accordingly, the administrative action and the resulting notices of revocation should be recalled.

¹ A "Recommendation of Revocation" was issued on September 23, 2003 and received on September 29, 2003 and a "Recommendation of Administrative Action" was issued on September 30, 2003 and received on October 15, 2003.

² The notices of revocation were issued on October 22, 2003 and November 3, 2003 and received on October 27th and November 12th respectively.

ORDER

This matter having been considered by the Louisiana Gaming Control Board in open meeting of December 16, 2003:

IT IS ORDERED THAT the request for rehearing is **DISMISSED**, the "Notice of Recommendation of Revocation" and "Notice of Recommendation of Administrative Action" and notices of revocation, having been issued in error are **RECALLED**.

THUS DONE AND SIGNED on this the 17 day of December, 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 18 DAY
OF December 2003
APPEAL DOCKET CLERK
