



State of Louisiana

Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

ANNE LACOUR NEEB
EXECUTIVE DIRECTOR

DECISION OF THE
LOUISIANA GAMING CONTROL BOARD

IN RE: FIORI AND ASSOCIATES
No. P086502178

Fiori and Associates appeals the Hearing Officer's decision which suspended its non-gaming supplier permit until its annual affidavit is filed and payment of the annual fee and a civil penalty of \$500 are made.

ORDER

This matter having been considered by the Louisiana Gaming Control Board in open meeting of August 16, 2005:

IT IS ORDERED THAT the Hearing Officer's decision is AFFIRMED.

THUS DONE AND SIGNED on this the 16 day of August, 2005.

LOUISIANA GAMING CONTROL BOARD

BY:

[Signature of H. Charles Gaudin]
H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED COPY HAS BEEN MAILED OR SERVED ON ALL PARTIES THIS 18th DAY OF August, 2005
APPEAL DOCKET CLERK
[Signature]

**STATE OF LOUISIANA  
GAMING CONTROL BOARD**

**ADMINISTRATIVE HEARING  
JUNE 21, 2005**

**HEARING OFFICER  
WILLIAM H. BROWN**

**IN RE: FIORI AND ASSOCIATES  
#P086502178**

**TRUE COPY**  
  
Representative  
Louisiana Gaming Control Board

**FIORI AND ASSOCIATES  
NO: P086502178**

**APPEARANCES:**

For the State of Louisiana

For Fiori and Associates

Christopher Hebert  
Assistant Attorney General  
1885 North 3<sup>rd</sup> Street, Ste. 500  
Baton Rouge, LA 70802

No Appearance

**STATEMENT OF THE CASE:**

On February 16, 2005 the Louisiana Gaming Control Board caused a Notice of Recommendation of Suspension to be issued to Fiori and Associates ("Permittee") on recommendation of the Louisiana State Police, Gaming Suitability Unit. The request for suspension of its non-gaming supplier permit was based on the Permittee failing to file its annual affidavit and the annual permit fee as required by La. R.S. 27:29(I) and La. R.S. 29.3(F).

**STATE'S EXHIBITS:**

1. Letter from State Police to Fiori and Associates dated August 9, 2004
2. Certified Mail Return Receipt
3. Notice of Recommendation of Suspension
- 3-a Notice of Recommendation of Suspension
4. Certified Mail Return Receipt
5. Notice of Hearing
6. Certified Mail Return Receipt

**PERMITTEE'S EXHIBITS:**

None

**FINDINGS OF FACT:**

On August 9, 2004 Nancy Tanner, Intelligence Analyst for the Louisiana State Police, sent Fiori and Associates a notice that its annual affidavit and annual fee were being returned inasmuch as the affidavit was incomplete, page three of five was blank. Ms. Tanner notified Fiori and Associates that another affidavit had to be filed no later than ten (10) days from the receipt of this letter; failure to do so shall result in Permit Suspension by the Unit. Fiori and Associates received this letter on September 1, 2004. The Unit received the return receipt on September 3, 2004.

Subsequently on February 16, 2005 the Louisiana Gaming Board issued a Notice of Recommendation of Suspension to Fiori and Associates for failing to file its annual affidavit and pay its annual permit fee. Three attempts were made to deliver this notice to no avail. On April 11, 2005 the Louisiana Gaming Control Board issued another Notice of Recommendation of Suspension so that a State Trooper could personally deliver the notice. Since Fiori and Associates was domiciled in Santa Barbara, California, the Unit decided to forego attempting personal service. A suspension hearing was set for June 21, 2005, at 9:00 a.m. at 224 Florida Street, Baton Rouge, Louisiana. This notice was sent by certified mail and received by Fiori and Associates on or about May 18, 2005. No one on behalf of Fiori and Associates appeared at the June 21, 2005 hearing.

Nancy Tanner, an intelligence analyst for the Louisiana State Police, testified that Fiori and Associates is still delinquent in filing its annual affidavit and payment of its annual fee.

**APPLICABLE LAW:**

La. R.S. 27:29(I) provides in pertinent part:

Permit required; terms; disposition of fees

(I) The failure to remain current in the payment of any fee assessed pursuant to the provisions of R.S. 27:29.1, 29.2, 29.3 or 29.4 shall result in the suspension of the permit.

La. R.S. 27:29.3(F) provides in pertinent part:

Non-gaming supplier permit

(F) The annual fee for a permit issued under the provisions of this Section is two hundred fifty dollars. The fee is required to be submitted at the time of application and on the anniversary date of the issuance of the permit thereafter.

**REASONS FOR JUDGMENT:**

The evidence reveals that the Permittee has not submitted its annual affidavit and paid its annual fee of \$250.00 as required by La. R.S. 27:29.3(F). The law provides that if a permittee does not file its annual affidavit and pay its annual fee, its permit shall be suspended. Fiori and Associates has not paid its annual fee nor filed its annual affidavit, therefore, its non-gaming supplier permit will be suspended until the filing of its annual affidavit, payment of its annual fee and payment of a civil penalty of \$500.00.

**ORDER**

Having found that Fiori and Associates has not filed its annual affidavit and paid its annual fee of \$250.00,

IT IS ORDERED that the non-gaming supplier permit of Fiori and Associates be suspended until such time as it filed its annual affidavit, payment of its annual fee and payment of a civil penalty of \$500.00.

Baton Rouge, Louisiana this 21<sup>st</sup> day of June 2005.



William H. Brown  
Hearing Officer

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 21<sup>st</sup> DAY  
OF June 2005  
Gill Donmye  
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Armond Fiori  
Christopher Hebert  
Sgt. Daniel Falcon

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 6/21/05  
Gill Donmye  
BY: CLERK