



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

**IN RE: SJF ENTERPRISES, LLC D/B/A
THE DAIQUIRIS EXPLOSION
NO. 4700112450**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of April 21, 2009. The Hearing Officer's order dated March 30, 2009, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," No. 4700112450, by and between SJF Enterprises, LLC d/b/a The Daiquiri Explosion, 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 21st day of April, 2009.

LOUISIANA GAMING CONTROL BOARD

BY:



H. CHARLES GAUDIN, CHAIRMAN

HJC/gac

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ADMINISTRATIVE HEARING OFFICE

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RE: SJF ENTERPRISES, LLC D/B/A THE DAIQUIRI EXPLOSION 4700112450

**JOINT MOTION FOR APPROVAL OF COMPROMISE AND
SETTLEMENT AGREEMENT**

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

NOW COME the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and SJF Enterprises, LLC d/b/a The Daiquiri Explosion (hereinafter, "SJF"), who file this 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 SJF 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 SJF respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

By: 
Tina Becnel
22204 Highway 20 West
Vacherie, LA 70090
Telephone: (985) 209-0068
*100% owner of SJF Enterprises
d/b/a The Daiquiri Explosion*

**JAMES D. "BUDDY" CALDWELL,
ATTORNEY GENERAL**

By: 
Nicolette C. Pichon, Bar Roll #31527
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: SJF ENTERPRISES, LLC D/B/A THE DAIQUIRI EXPLOSION 4700112450

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and SJF Enterprises, LLC d/b/a The Daiquiri Explosion (hereinafter, "SJF"), do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to SJF alleging 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 before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the Division and SJF are desirous of fully and finally compromising and settling all issues and disputes arising out of and 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. During an investigation of an unrelated matter, the Division discovered that Darryl Frickey, a 50% owner of SJF until October 7, 2008, was divorced from his wife, on February 9, 2007.

2. The licensee failed to notify the Division of the divorce within 10 days of its occurrence.

TERMS AND CONDITIONS

1. In lieu of administrative action, SJF will pay a civil penalty of Five Hundred and No/100 (\$500.00) Dollars.

2. The Division hereby agrees to accept SJF's payment of the above stated penalty in full and final settlement of the Notice of Recommendation of Administrative Action.

3. The Division hereby agrees to dismiss the Notice of Recommendation of Administrative Action against SJF.

4. The Division reserves the right to take into consideration these admitted violations in connection with any future investigation, violation or assessment of penalty and in connection with any future assessments of SJF's suitability.

5. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

6. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and SJF, pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

7. 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. Failure to pay the penalty within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board, and to comply with each term and condition listed herein, shall result in

the immediate suspension of SJF's license without the necessity of further administrative action, until such time as the penalty is paid in full.

I have read this entire Compromise and Settlement Agreement and agree to all stipulations and terms and conditions hereof.



**Tina Becnel, on behalf of SJF Enterprises, LLC d/b/a
The Daiquiri Explosion**



**Nicolette C. Pichon, 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

RE: SJF ENTERPRISES, LLC D/B/A THE DAIQUIRI EXPLOSION 4700112450

ORDER

BE IT REMEMBERED that on the 30th day of March, 2009, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared by and through their respective attorneys of record, 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**; that the Licensee must pay Five Hundred and No/100 (\$500.00) Dollars to the Division within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 30th day of March, 2009, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
PARTIES THIS 30th March 2009
BY: [Signature]
CLERK, ADMINISTRATIVE HEARING OFFICE

Tina Beemel
Nicolette Pichon
Sgt. Luoiell Sibley

[Signature]
HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 3/30/09
[Signature]
BY: CLERK