



State of Louisiana

KATHLEEN BABINEAUX BLANCO
GOVERNOR

Gaming Control Board

H. CHARLES GAUDIN
CHAIRMAN

NOTICE OF DECISION

ANNE LACOUR NEEB
EXECUTIVE DIRECTOR

IN RE: ALBERT J. DAIGLE D/B/A PARADISE LOUNGE NO. 2900113052

TO: Brett Sulzer, Esq.
Post Office Box 4852
Baton Rouge, LA 70821

Certified Mail: 7002 2030 0004 2521 1526
Return Receipt Requested

Karen D. White, AAG
1885 N. 3rd Street, Ste. 500
Baton Rouge, LA 70802

Certified Mail: 7002 2030 0004 2521 1519
Return Receipt Requested


Lt. Jules Pinero
7919 Independence Boulevard
Baton Rouge, LA 70806

Certified Mail: 7002 2030 0004 2521 1502
Return Receipt Requested

NOTICE IS HEREBY given that on July 20, 2004, the Louisiana Gaming Control Board rendered a decision in the above entitled matter. (SEE COPY OF THE ENCLOSED DECISION)

An appeal from a decision of the Board shall be filed within ten (10) days of notice of the decision in the Nineteenth Judicial District Court and shall be reviewed solely on the record as provided by La. R.S. 27:26.

Louisiana Gaming Control Board, Baton Rouge, Louisiana this 22nd day of July, 2004.


Natalie Broussard Thurman

NOTIFIED:

Brett Sulzer, Esq.
Karen D. White, AAG
Lt. Jules Pinero, Office of State Police – Video Gaming Division



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
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CHAIRMAN

ANNE LACOUR NEEB
EXECUTIVE DIRECTOR

**IN RE: ALBERT J. DAIGLE D/B/A
PARADISE LOUNGE
NO. 2900113052**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of July 20, 2004. The Hearing Officer's order dated June 8, 2004, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Administrative Action", between Albert J. Daigle d/b/a Paradise Lounge, No. 2900113052, 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 20 day of July, 2004.

LOUISIANA GAMING CONTROL BOARD

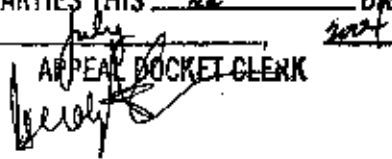
BY:

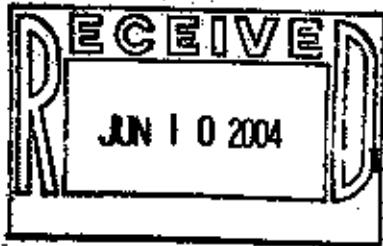


H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 22nd DAY
OF July 2004

APPEAL DOCKET CLERK





STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

JUN 07 2004

LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: ALBERT J. DAIGLE d/b/a PARADISE LOUNGE

CASE NO. 2900113052

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. Albert J. Daigle d/b/a Paradise Lounge, license number 2900113052 (hereinafter "licensee"),

who respectfully represent the following:

WHEREAS:

1. The Division received notice from the Lafourche Parish Sales and Use Tax Department that the licensee was delinquent in the filing/payment of its parish sales taxes for the second calendar quarter of 2003, namely April, May and June of 2003;
2. Upon investigation, the Division discovered that the licensee had also been delinquent in the filing/payment of its sales taxes to the Lafourche Parish for November of 2002 through February of 2003;
3. Based on the Division's findings, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to the licensee on January 7, 2004;
4. Though the licensee received the Notice on February 12, 2004, no timely request for a hearing was made, and the Louisiana Gaming Control Board accordingly issued a Notice of Revocation to the licensee on March 2, 2004;
5. A timely hearing request was made to the Louisiana Gaming Control Board regarding the Notice of Revocation, and this matter has been remanded to the hearing office for a hearing on the merits; the hearing is scheduled for June 15, 2004 at 9:00 a.m. before the Honorable William H. Brown,

TRUE COPY

Representative
Louisiana Gaming Control Board

NOW THEREFORE, in consideration of the foregoing stipulations, the Division and the licensee hereby propose the following settlement, that:

1. The licensee acknowledges that it was in violation of La. R.S. 27:310(B)(1)(c) and (e), in that it did not remain current in the filing/payment of taxes with the Lafourche Parish Sales and Use Tax Department for a portion of the existence of the its license;
2. The licensee has since become current in the filing/payment of its taxes with Lafourche Parish, and currently owes no sales taxes ;
3. In lieu of further administrative action against the licensee's Type 1 video gaming license, the licensee shall pay a \$500.00 civil penalty;
4. The Division hereby agrees to accept the licensee's payment of the above stated penalty in full and final settlement of this Notice of Recommendation of Administrative Action;
5. The Division reserves the right to take into consideration these violations in connection with any future violation;
6. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
7. This settlement constitutes the entire agreement between the Unit and Albert J. Daigle d/b/a Paradise Lounge pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
8. This settlement is subject to approval by the Hearing Officer of the Louisiana Gaming Control Board; it is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not executory and will be submitted to the Board for its determination as to whether the matter should be heard by the Hearing Officer; if approved, however, payment of the above penalties must be submitted to the Board within fifteen (15) days of approval of this settlement by the Board; the failure to submit the civil penalty within fifteen (15) days of approval by the Board shall result in the video gaming license of the licensee being suspended until the civil penalty is paid in full;
9. The Unit and the licensee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted,

ALBERT J. DAIGLE
d/b/a PARADISE LOUNGE

BY:



Brett Sulzer
La. Bar Roll No. 23326
Brett A. Sulzer, LLC
P. O. Box 4852
Baton Rouge, LA 70821
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CHARLES C. FOTI, JR.
ATTORNEY GENERAL

BY:



Karen Day White
Assistant Attorney General
La. Bar Roll No. 25933
1885 N. Third Street
Baton Rouge, LA 70802
Telephone: (225) 326-6523
Facsimile: (225) 326-6599

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

IN RE: ALBERT J. DAIGLE d/b/a PARADISE LOUNGE

CASE NO. 2900113052

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:

1. the licensee acknowledges that it was in violation of La. R.S. 27:310(B)(1)(c) and (e);
2. the licensee, having become current in the filing/payment of its sales taxes to Lafourche Parish, shall pay a \$500.00 civil penalty;
3. 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
4. the failure to submit the above penalty within fifteen (15) days of approval of this settlement by the Board shall result in the video gaming license of the licensee being suspended until the civil penalty is paid in full.

THUS DONE AND SIGNED this 5th day of June, 2004 in
Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 8th DAY
OF June 2004
Bonnie H. Hayes
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Brett Sulzer
Karen White
Sabrina Ballard


William H. Brown
Hearing Officer

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA June 8, 2004
Bonnie H. Hayes
BY: CLERK