



# State of Louisiana

Gaming Control Board

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

HILLARY J. CRAIN  
CHAIRMAN

## IN RE: ORCHARD, INC. D/B/A APPLE INN MOTEL NO. VP2900300650

### ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of February 18, 2003. The Hearing Officer's order dated February 10, 2003, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Suspension," by and between Orchard, Inc. d/b/a Apple Inn Motel, No.VP2900300650, and the Louisiana Department of Public Safety and Corrections, Office of State Police, Video Gaming Division, which is attached hereto and incorporated herein, is **APPROVED**.

**THUS DONE AND SIGNED** on this the 20<sup>th</sup> day of February, 2003.


**LOUISIANA GAMING CONTROL BOARD**

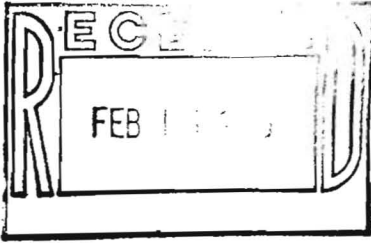
BY:

  
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**HILLARY J. CRAIN, CHAIRMAN**

**LOUISIANA GAMING CONTROL BOARD**

I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 24<sup>th</sup> DAY  
OF February, 2003

APPEAL DOCKET CLERK  




STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

RECEIVED

FEB 05 2003

ADMINISTRATIVE  
DOCKET CLERK

IN RE: ORCHARD INC.  
d/b/a APPLE INN MOTEL

CASE NO. 2900300650

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JOINT MOTION FOR ENTRY OF STIPULATIONS AND  
APPROVAL OF PROPOSED SETTLEMENT

**ON THE JOINT MOTION OF:**

1. the Louisiana Department of Public Safety and Corrections, Office of State Police, Video Gaming Division (hereinafter "Division"), and
2. ORCHARD, INC. d/b/a APPLE INN MOTEL- License No. 2900300650 (hereinafter "licensee"),

who respectfully represent the following:

**WHEREAS:**

1. On or about March 8, 2002, the Division mailed the annual form, which must be submitted annually by all licensees, to the licensee;
2. The licensee was mandated by La. R.S. 27:311(K)(4), LAC 42:XI.2405(B)(4) and (7) to submit the above annual form to the Division, along with all appropriate fees and current tax clearance certificates, on or before July 1, 2002;
3. The licensee failed to submit the required state tax clearance certificate by July 1<sup>st</sup>;
4. Pursuant to this information, the Division issued a Notice of Violation and Hearing (Violation/Inspection Report #13730) to the licensee on or about September 24, 2002, alleging violations of LAC 42:XI.2405(B)(7);
5. Subsequently, the licensee submitted the state tax clearance certificate to the below counsel for the Division whom has attached this document;
6. This matter has been scheduled for hearing before the Honorable Joseph E. Anzalone, Jr.,

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 LAC 42:XI.2405(B)(7), in that it did not submit the state or local tax clearance to the Division by July 1, 2002;
2. In lieu of revocation or suspension of the licensee's video gaming license, the licensee shall pay a \$250.00 civil penalty;
3. The Division hereby agrees to accept the licensee's payment of the above stated penalty in full and final settlement of Violation/Inspection Report No. 13730;
4. The Division reserves the right to take into consideration these violations in connection with any future violation;
5. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
6. This settlement constitutes the entire agreement between the Division and ORCHARD, INC. d/b/a APPLE INN MOTEL pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
7. 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 Division 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 ORCHARD, INC. d/b/a APPLE INN MOTEL being suspended and its gaming devices being disabled; and
8. The Division 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.

**ORCHARD, INC.**  
d/b/a **APPLE INN MOTEL**  
VGL# 2900300650

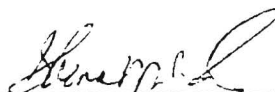
BY:



Charlene Hancock  
APPLE INN MOTEL  
Owner  
P.O. Box 1239  
LaRose, LA 70373  
Telephone: (985) 798-7620

**RICHARD P. IEYOUNG**  
**ATTORNEY GENERAL**

BY:



Shana M. Broussard  
Assistant Attorney General  
La. Bar Roll No. 24036  
339 Florida Street, Ste. 500  
Baton Rouge, Louisiana 70801  
Telephone: (225) 342-2465  
Facsimile: (225) 342-4244

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: ORCHARD, INC.  
d/b/a APPLE INN MOTEL

CASE NO. 2900300650

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. ORHCARD, INC., d/b/a APPLE INN MOTEL acknowledges that it was in violation of LAC 42:XI.2405(B)(7), in that it did not submit state tax clearances to the Division by July 1, 2002;
2. ORCHARD, INC., d/b/a APPLE INN MOTEL shall pay a civil penalty in the amount of \$250.00;
3. payment of the above penalty shall be submitted to the Division 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 by Orchard, Inc. d/b/a Apple Inn Motel of this settlement by the Board shall result in the video gaming license of being suspended and its gaming devices being disabled.

THUS DONE AND SIGNED this 10 day of Feb.

2003 in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 10th DAY  
OF February 2003  
Aleta Hays  
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Charlene Hancock  
Shana Broussard, Esq.  
Sabrina Ballard

Joseph E. Anzalone, Jr.  
Joseph E. Anzalone, Jr.  
Hearing Officer  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 2/10/03  
Aleta Hays  
BY: CLERK

STATE OF LOUISIANA  
PARISH OF Lafayette

**AFFIDAVIT**

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified within and for the State and Parish aforesaid, PERSONALLY CAME AND APPEARED:

**Charlene Hancock,**

who, after first being duly sworn, declared and acknowledged to me, Notary, under oath:

that affiant is the manager of Apple Inn Motel, which is located at 12436 West Main St., Larose, Louisiana;

that Apple Inn Motel, received a Notice of Violation and Hearing Violation/Inspection Report No. 13730 from the Louisiana Gaming Control Board, citing violations of LAC 42:XI.2405(B)(7);

that in the interest of settling this matter, affiant has willfully entered into a Joint Motion for Entry of Stipulations and Approval of Proposed Settlement with the Division, via the Attorney General's Office; and

that affiant signed the above-cited motion of his own volition, without duress or coercion.

THUS DONE AND PASSED in Cut Off, Louisiana, on this 30th day of January, 2003.

Charlene Hancock  
Charlene Hancock, Affiant

Julie S. Cherami  
Notary Public  
My commission expires at Death