



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

RONNIE JONES
CHAIRMAN

**IN RE: DAIQUIRI EXPRESS, LLC D/B/A LIL JEAUX'S
NO. 1001114050A**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of August 21, 2014. The Hearing Officer's order dated August 11, 2014, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Violation/Inspection Citation", by and between Daiquiri Express, LLC d/b/a Lil Jeux's, No. 1001114050A, 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 August, 2014.

LOUISIANA GAMING CONTROL BOARD

BY: _____

RONNIE JONES, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 22nd DAY
OF August, 2014

APPEAL DOCKET CLERK

LGCB-2929-14-B

RECEIVED

By Natalie Thurman at 11:04 am, Aug 11, 2014

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

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LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: DAIQUIRI EXPRESS, LLC D/B/A
LIL JEAUX'S

CASE NO. 1001114050A

JOINT MOTION FOR APPROVAL OF
COMPROMISE AND SETTLEMENT AGREEMENT

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

NOW COMES the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Daiquiri Express, LLC d/b/a Lil Jeaux's (hereinafter, "Licensee"), 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 Licensee are desirous of compromising and settling all disputes between them relative to this 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.


TRUE COPY
Natalie Thurman
Representative
Louisiana Gaming Control Board

WHEREFORE, PREMISES CONSIDERED, the Division and Licensee respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully submitted,

By: 
Thomas J. Gayle, Bar Roll # 20824
Gayle Law Firm
P.O. Box 3190
Lake Charles, Louisiana 70602
Telephone: (337) 494-1220
Counsel for Daiquiri Express, LLC d/b/a
Lil Jeux's

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL.

By: 
Karen L. Godwin, Bar Roll# 01062
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

**IN RE: DAIQUIRI EXPRESS, LLC D/B/A
LIL JEAUX'S**

CASE NO. 1001114050A

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Daiquiri Express, LLC d/b/a Lil Jeux's (hereinafter, "Licensee"), do hereby represent and agree as follows:

WHEREAS, the Division has issued a Violation/Inspection Report to the Licensee, which Violation/Inspection Report contains allegations of a certain violation of Louisiana Gaming Control Law; and

WHEREAS, the issue raised by the said Violation/Inspection Report, was set for hearing August 4, 2014, before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the Division and Licensee are desirous of fully and finally compromising and settling all issues and disputes arising out of and in connection with the said Violation/Inspection Report;

NOW, THEREFORE, in consideration of the foregoing, the parties hereto do hereby agree and stipulate as follows:

STIPULATIONS

1. On March 20, 2014, the Division conducted an underage compliance inspection of the licensed establishment.

2. During the course of the Division's investigation of the Licensee, one of the Licensee's employees allowed an underage patron to play a video gaming device and cashed out the underage patron's payout ticket.

3. The Licensee stipulates that it allowed an underage patron to play a video gaming device and subsequently cashed out the underage patron's payout ticket.

TERMS AND CONDITIONS

1. Within fifteen (15) days of the approval of this settlement by the Louisiana Gaming Control Board, the Licensee shall pay ONE THOUSAND AND NO/100 (\$1,000.00) DOLLARS for the violation of **La. R.S. 27:443**.

2. The Division hereby agrees that payment of a civil penalty of ONE THOUSAND AND NO/100 (\$1,000.00) DOLLARS shall be in full and final settlement of all matters set forth in the Violation/Inspection Report for the Licensee's violation of **La. R.S. 27:443**.

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

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

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

6. 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.

7. If approved by the Louisiana Gaming Control Board, the Licensee must pay ONE THOUSAND AND NO/100 (\$1,000.00) DOLLARS within fifteen (15) calendar days of such approval. Any failure to meet this requirement will result in immediate suspension of the gaming license without the necessity of any 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.



Thomas J. Gayle
Gayle Law Firm on behalf of
Daiquiri Express, LLC d/b/a Lil Jeux's



Karen L. Godwin, 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

IN RE: DAIQUIRI EXPRESS, I.L.C D/B/A
LIL JEAUX'S

CASE NO. 1001114050A

ORDER

BE IT REMEMBERED that on the _____ day of _____, 2014, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, 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 ONE THOUSAND AND NO/100 (\$1,000.00) DOLLARS to the Division within fifteen (15) days of the approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the license of Daiquiri Express, LLC d/b/a Lil Jeux's without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 11th day of August, 2014, in Baton Rouge,

Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPIES OF THIS ORDER MAILED OR SERVED ON
ALL PARTIES THIS 11th DAY OF August, 2014.
OF [Signature]
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Thomas J. Gayle
Thomas Cochran
Sgt. Lornee Subby



RICHARD REYNOLDS
HEARING OFFICER
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE LA 8-11-14



BY: CLERK