



State of Louisiana

Gaming Control Board

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

HILLARY J. CRAIN
CHAIRMAN

IN RE: BOB'S BEER GARDEN, INC. D/B/A THE BEER GARDEN SOUTH NO. VP5000111441 VIOLATION/INSPECTION REPORT 013068

ORDER


This matter was considered by the Louisiana Gaming Control Board at its meeting of April 23, 2003. The Hearing Officer's order dated March 19, 2003, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Violation and Hearing," by and between Bob's Beer Garden, Inc. d/b/a The Beer Garden South, No. VP5000111441, Violation/Inspection Report 013068, 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.

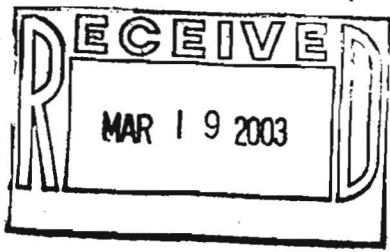
THUS DONE AND SIGNED on this the 23rd day of April, 2003.

LOUISIANA GAMING CONTROL BOARD

BY:


HILLARY J. CRAIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 24th DAY
OF April 2003
APPEAL DOCKET CLERK




RECEIVED

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

MAR 19 2003

LGCS
ADMINISTRATIVE HEARING OFFICE

IN RE: BOB'S BEER GARDEN, INC.
d/b/a THE BEER GARDEN SOUTH

CASE NO. 5000111441

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. Bob's Beer Garden, Inc. d/b/a The Beer Garden South, License No. 5000111441 (hereinafter "licensee").

who respectfully represent the following:

WHEREAS:

1. On or about December 11, 2002, an agent of the Division noted that the hanging sign and lighted arrow sign located in front of the licensee's establishment on Highway 182 in St. Martin Parish, which advertised the licensee's gaming establishment, did not include the problem gambling toll-free telephone number;
2. The licensee is mandated by La. R.S. 27:27.3 to place the toll-free telephone number of the National Council on Problem Gambling (or other similar, Board-approved toll-free telephone number) in any advertisement of its gaming activities or gaming establishment;
3. Pursuant to its agent's observations, the Division issued Violation/Inspection Report #013068 to the licensee on or about December 11, 2002, citing violation of La. R.S. 27:27.3. Attendant to this Violation/Inspection Report, the Louisiana Gaming Control Board issued a Notice of Violation and Hearing to the licensee on or about February 4, 2003.
4. This matter has been scheduled for hearing on March 19, 2003 at 9:30 a.m. before the Honorable J. 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:

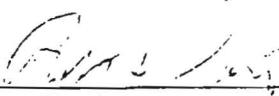
1. The licensee acknowledges that it was in violation of La. R.S. 27:27.3, in that it did not place the required problem gambling toll-free telephone number on the aforementioned signs that advertise its gaming establishment;
2. The licensee has since placed the required toll-free number on the advertisement, which is acceptable to the Division only in the configuration shown in the attached photographic copy;
3. In lieu of suspension of the licensee's video gaming license, the licensee shall pay a \$250.00 civil penalty;
4. The Division hereby agrees to accept the licensee's payment of the above stated penalty in full and final settlement of Violation/Inspection Report No. 013068 and this Notice of Violation and Hearing;
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 Division and Bob's Beer Garden, Inc. d/b/a The Beer Garden South 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 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 the licensee being suspended and its gaming devices being disabled; and
9. 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.

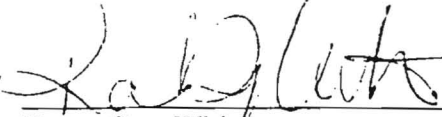
**BOB'S BEER GARDEN, INC. d/b/a
THE BEER GARDEN SOUTH
VG# 5000111441**

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ATTORNEY GENERAL**

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STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: BOB'S BEER GARDEN, INC.
d/b/a THE BEER GARDEN SOUTH

CASE NO. 5000111441

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. 27:27.3, in that it did not place the required problem gambling toll-free telephone number on the signs that advertise its gaming establishment;
2. having placed the required toll-free number on the signs, the licensee shall pay a \$250.00 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 and its gaming devices being disabled.

THUS DONE AND SIGNED this 19 day of March, 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 19th DAY
OF March 2003
[Signature]
BOOKER CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Robert Davis
Karen White, Esq.
Sabrina Ballard

[Signature]
J. E. Anzalone, Jr.
Hearing Officer

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 3/19/03
[Signature]
BY: CLERK

STATE OF LOUISIANA
PARISH OF ST MARTIN

AFFIDAVIT

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

ROBERT DAVIS.

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

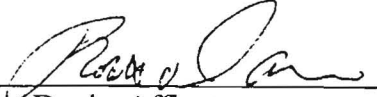
that affiant is an owner of Bob's Beer Garden, Inc. ("licensee") d/b/a The Beer Garden (#5000108343), The Beer Garden South (#5000111441) and The Beer Garden North (#5000111442), these three establishments being located in St. Martin Parish:

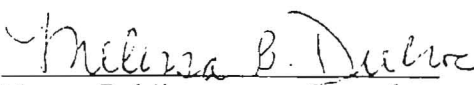
that the licensee received Notices of Violation and Hearing for each of the three aforementioned establishments (Violation/Inspection Report Nos. 13067, 13068 and 13069, respectively) from the Louisiana Gaming Control Board, citing violation of La. R.S. 27:27.3;

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, for each of the three Notices of Violation and Hearing; and

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

THUS DONE AND PASSED in Brownsville, Louisiana, on this 6th day of March, 2003.


Robert Davis, Affiant


Notary Public
My commission expires life.

