



State of Louisiana

KATHLEEN BABINEAUX BLANCO
GOVERNOR

Gaming Control Board

H. CHARLES GAUDIN
CHAIRMAN

ANNE LACOUR NEEB
EXECUTIVE DIRECTOR

NOTICE OF DECISION

IN RE: DAIQUIRI BAY CAFÉ, INC. D/B/A
DAIQUIRI BAY CAFÉ
NO. VP1001213031

TO: Jeffrey E. Faludi, Esq.
5937 Jones Creek Road
Baton Rouge, LA 70817

CERTIFIED MAIL: 7003 3110 0000 4642 7383
RETURN RECEIPT REQUESTED

Michael Daniels, AAG
1885 North 3rd St.; Ste. 500
Baton Rouge, LA 70802

CERTIFIED MAIL: 7003 3110 0000 4642 7390
RETURN RECEIPT REQUESTED

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

CERTIFIED MAIL: 7003 3110 0000 4642 7406
RETURN RECEIPT REQUESTED

NOTICE IS HEREBY given that on February 16, 2005, the decision of the Louisiana Gaming Control Board was signed in the above entitled matter. (SEE COPY OF THE ENCLOSED DECISION)

An appeal from any 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 17th day of February, 2005.

Gerglyn A. Coleman
Appeal Docket Clerk

NOTIFIED:

Jeffrey E. Faludi, Esq.
Michael Daniels, AAG
Lt. Jules Pinero, LSP-Video Gaming Division

2/17/05



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Gaming Control Board

KATHLEEN BABINEAUX BLANCO
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EXECUTIVE DIRECTOR

DECISION OF THE LOUISIANA GAMING CONTROL BOARD

**IN RE: DAIQUIRI BAY CAFÉ, INC. D/B/A
DAIQUIRI BAY CAFÉ
No. VP2600207318A**

After a hearing on the matter, the Hearing Officer rendered a decision suspending the license for ninety days, the period of time the licensee was out of compliance. The licensee appealed and the Division, represented by the Attorney General's office, filed a memorandum in opposition to the appeal. The Division and the licensee submitted a settlement of the appeal to the Louisiana Gaming Control Board wherein the licensee would pay an amount equivalent to the gaming revenues for the time period during which it failed to meet all applicable requirements. The Division asked that the settlement proposal be remanded to the Hearing Officer.

The procedure for a settlement prior to a Hearing Officer decision is for the parties to receive approval of the Hearing Officer then present the settlement to the Board for approval. To maintain the integrity of the hearing process and in light of the fact that the Hearing Officer is in a better position to review the facts alleged in the settlement, this matter will be remanded to the Hearing Officer for approval or rejection of the settlement proposal. If the Hearing Officer approves the settlement, the procedure for Board approval would follow. If the Hearing Officer rejects the settlement after review,

the Hearing Officer is to give written reasons for the rejection and the appeal will proceed.

ORDER

This matter having been considered by the Louisiana Gaming Control Board in open meeting of February 15, 2005:

IT IS ORDERED THAT this matter be **REMANDED** to the Hearing Officer for action in accordance with this decision.

THUS DONE AND SIGNED on this the 16 day of February, 2005.

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 17th DAY
OF February, 2005

APPEAL DOCKET CLERK
