



State of Louisiana  
Gaming Control Board

KATHLEEN BABINEAUX BLANCO  
GOVERNOR

H. CHARLES GAUDIN  
CHAIRMAN

**IN RE: GIO'S RESTAURANT, INC. D/B/A  
GIO'S RESTAURANT, INC.  
NO. 2600206766**

**ORDER**

This matter was considered by the Louisiana Gaming Control Board at its meeting of March 21, 2006. The Hearing Officer's order dated March 2, 2006, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," by and between Gio's Restaurant, Inc, d/b/a Gio's Restaurant, Inc., No. 2600206766, 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 21<sup>st</sup> day of March, 2006.

LOUISIANA GAMING CONTROL BOARD

BY: H. Charles Gaudin / HCG  
H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 21<sup>st</sup> DAY  
OF March, 2006

APPEAL DOCKET CLERK

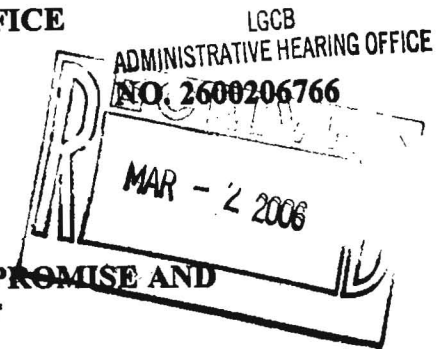
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**STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE**

**IN RE: GIO'S RESTAURANT, INC.  
d/b/a GIO'S RESTAURANT, INC.**



**JOINT MOTION FOR APPROVAL OF COMPROMISE AND  
SETTLEMENT AGREEMENT**

**TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:**

COME NOW State of Louisiana, Department of Public Safety and Corrections, Office of State Police ("Division") and Gio's Restaurant, Inc. d/b/a Gio's Restaurant, Inc., VGL 2600206766 ("Gio's Restaurant") who file this, their 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 Gio's Restaurant are desirous of compromising and settling all disputes between them relative to the referenced 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  
*[Handwritten Signature]*  
Administrative Hearing Office  
Louisiana Gaming Control Board

**WHEREFORE, PREMISES CONSIDERED,** The Division and Gio's Restaurant respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

**CHARLES C. FOTI, JR.  
ATTORNEY GENERAL**

By: Gail Posey  
**Gail Posey**  
4941 W. Napoleon Avenue  
Metairie, Louisiana 70001  
Telephone: (504) 885-3515  
*on behalf of Gio's Restaurant  
d/b/a Gio's Restaurant*

By: Olga M. Bogran  
**Olga M. Bogran, #24302**  
Assistant Attorney General  
1885 North Third Street, 5<sup>th</sup> Floor  
Baton Rouge, Louisiana 70802  
Telephone: (504) 599-1153  
Facsimile: (504) 599-1163  
*Counsel for the Office of State Police*

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

**IN RE: GIO'S RESTAURANT, INC.  
d/b/a GIO'S RESTAURANT, INC.**

**NO. 2600206766**

**COMPROMISE AND SETTLEMENT AGREEMENT**

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and Gio's Restaurant, Inc. d/b/a Gio's Restaurant, Inc., VGL 2600206766, (hereinafter "Gio's Restaurant") do hereby represent and agree as follows:

**WHEREAS**, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to Gio's Restaurant, which notice alleges certain violations of Louisiana Gaming Control Law; and

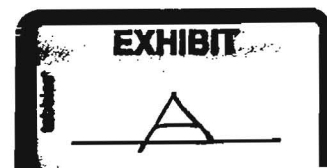
**WHEREAS**, the issues raised by the said Notice of Recommendation of Administrative Action are set for hearing on March 2, 2006, before the Louisiana Gaming Control Board Administrative Hearing Office; and

**WHEREAS**, the parties hereto are desirous of fully and finally compromising and settling all disputes and issues raised in connection with the said Notice of Recommendation of Administrative Action;

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

**STIPULATIONS**

1. Gio's Restaurant, a licensed gaming establishment, previously entered into a video poker device agreement with Master Video Poker.



2. Master Video Poker sent video gaming documents ("the Documents") to Gio's Restaurant for execution, including but not limited to the Annual Licensee Form, dated April 15, 2003, which was signed by Gail Posey.

3. Gail Posey is president of Gio's Restaurant.

4. Gail Posey admits that she did not sign the Documents in the presence of a notary and the Documents were not notarized in the Affiant's presence. Thus, the Documents were improperly notarized in violation of LAC 42:XI.2405(A)(15).

5. On December 14, 2005, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to Gio's Restaurant, Inc. d/b/a Gio's Restaurant, Inc., VGL 2600206766 alleging certain violations of Louisiana Gaming Control Law.

6. Gail Posey represents that all of the statements, responses, disclosures and representations provided in documents submitted to the Division bearing her signature, are true and correct to the best of her knowledge, information and belief, and represent a complete and accurate account of the requested information.

#### **TERMS AND CONDITIONS**

1. Any and all information discovered throughout the course of this or any other investigation may be used in any future determination of the suitability of Gail Posey.

2. Gio's Restaurant agrees to pay a civil penalty of One Thousand Dollars (\$1,000.00).

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

4. 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.

5. If approved, Gio's Restaurant must make payment of the civil penalty to the Division within ten (10) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the license without the necessity of any further administrative action until such time as the penalty is paid in full.

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

I have read this entire Compromise Settlement Agreement, understand it, and agree to all stipulations and terms and conditions hereof.

*Gail Posey*

Gail Posey, President of Gio's Restaurant, Inc. d/b/a Gio's Restaurant, Inc., VGL 2600206766

Sworn to and subscribed before me, the undersigned notary, in the Parish of JEFFERSON this 9 day of FEB A.D. 2006.

  
Notary Signature


J.D. DELIBERTO

NOTARY PUBLIC NO. 040587

JEFFERSON PARISH, LOUISIANA

MY COMMISSION IS FOR LIFE

Notary Commission expires \_\_\_\_\_



Olga M. Bogran, 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: GIO'S RESTAURANT, INC.  
d/b/a GIO'S RESTAURANT, INC.

NO. 2600206766

ORDER

BE IT REMEMBERED that on this the 2 day of March, 2006, 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.

SIGNED AND ENTERED this 2 day of March, 2006, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON

THIS 2nd DAY

OF March 19 2006  
SECRET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Deil Rosey  
Olga Borjesson  
Sgt. Robert Rodriguez

Joseph E. Anzalone, Jr.  
JOSEPH E. ANZALONE, JR.  
HEARING OFFICER

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 3/2/06

Bill D'Amico  
BY: CLERK