



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

**IN RE: FISHERMAN'S PARADISE HARBOR & MARINA, INC.
D/B/A PARADISE TRUCK STOP
NO. 3601504045**

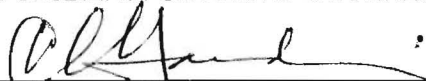
ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of September 18, 2007. The Hearing Officer's order dated August 22, 2007, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," No. 3601504045 by and between Fisherman's Paradise Harbor & Marina, Inc. d/b/a Paradise Truck Stop, 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 18th day of September, 2007.


LOUISIANA GAMING CONTROL BOARD

BY:



H. CHARLES GAUDIN, CHAIRMAN

HJC/gac

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 18 DAY
OF September, 2007
APPEAL DOCKET CLERK


RECEIVED

AUG 22 2007

LGCB
ADMINISTRATIVE HEARING OFFICE

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

**IN RE: FISHERMAN'S PARADISE HARBOR
& MARINA, INC. d/b/a PARADISE TRUCK STOP**

No. 3601504045

**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 ("the Division") and Fisherman's Paradise Harbor & Marina, Inc. d/b/a Paradise Truck Stop (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 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.

A handwritten signature in black ink, appearing to be "Fred Johnson", is written over a faint circular stamp.

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

Respectfully Submitted,

**FISHERMAN'S PARADISE HARBOR
& MARINA D/B/A PARADISE
TRUCK STOP**

By: 

Allison U. Rovira, #27634
Blackburn and Rovira, APLC
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**Counsel for Fisherman's Paradise
Harbor & Marina, Inc. d/b/a
Paradise Truck Stop**

**CHARLES C. FOTI, JR.
ATTORNEY GENERAL
STATE OF LOUISIANA**

By: 

Michael L. Tyler, #29463
Assistant Attorney General
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Phone: (225) 326-6500
Facsimile: (225) 326-6599
Counsel for Office of State Police

EXHIBIT "A"

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

**IN RE: FISHERMAN'S PARADISE HARBOR
& MARINA, INC. d/b/a PARADISE TRUCK STOP**

No. 3601504045

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and Fisherman's Paradise Harbor & Marina, Inc. d/b/a Paradise Truck Stop (hereinafter "Licensee") do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to Licensee alleging 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 August 22, 2007, 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 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. On or about December 22, 2006, an agent for the Division conducted an inspection of the Licensee's property prior to the operation of video gaming devices and discovered FEMA trailers and construction items in the parking area. The agent informed the Licensee that it did not have sufficient parking area for at least fifty (50) eighteen-wheel tractor-trailer motor vehicles as required under La. R.S. 27:306(A)(4)(c)(iii)(aa), and sufficient parking for safe ingress and egress in as required under La. R.S. 27:306(A)(4)(c)(iii)(bb). The FEMA trailers and construction items were subsequently removed.
2. On or about January 17, 2007, agents for the Division returned to the business for device enrollments and discovered that the FEMA trailers and construction items were placed back on the Licensee's property, causing the Licensee not to have sufficient parking area for at least fifty (50) eighteen-wheel tractor-trailer motor vehicles or for safe ingress and egress. The agent informed the Licensee of his findings and the FEMA trailers and construction items were removed by the Licensee.
3. On January 22, 2007, a letter of warning was issued to the Licensee informing the Licensee that future inspections would be conducted to ensure that the Licensee remained in compliance with the gaming laws.
4. On or about February 15, 2007, Division agents conducted an inspection and discovered that approximately twenty (20) FEMA trailers and a storage container had been placed back on the Licensee's property causing the Licensee not to have sufficient parking area for at least fifty (50) eighteen-wheel tractor-trailer motor vehicles or for safe ingress and egress.
5. On June 11, 2007, a Notice of Recommendation of Administrative Action was issued to the Licensee for violations of La. R.S. 27:306(A)(4)(c)(iii)(aa) and La. R.S. 27:306(A)(4)(c)(iii)(bb).
6. The Licensee admits to having violated La. R.S. 27:306(A)(4)(c)(iii)(aa) and La. R.S. 27:306(A)(4)(c)(iii)(bb), due to its repeatedly having FEMA trailers and other items placed

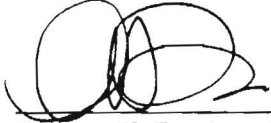
on its property in such a way that the Licensee did not have sufficient parking area for at least fifty (50) eighteen-wheel tractor-trailer motor vehicles or for safe ingress and egress.

TERMS AND CONDITIONS

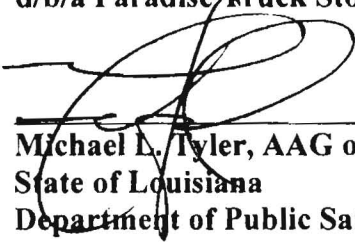
1. The Licensee will pay a civil penalty of FIVE THOUSAND DOLLARS (\$5,000.00) for violating La. R.S. 27:306(A)(4)(c)(iii)(aa) and La. R.S. 27:306(A)(4)(c)(iii)(bb).
2. The Division hereby agrees to accept the Licensee's payment of the above stated penalty in full and final settlement of the Notice of Recommendation of Administrative Action issued June 11, 2007.
3. The Division reserves the right to take into consideration these admitted violations in connection with any future investigation, violation or assessment of penalty, and in connection with any future assessments of the Licensee's suitability.
4. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.
5. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Licensee, regarding the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.
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 the same or to remand the matter to the Hearing Officer for a full hearing on the merits. Failure to pay the penalty within fifteen (15) days of approval of this settlement shall result in the immediate suspension of Fisherman's Paradise Harbor & Marina, Inc. d/b/a Paradise

Truck Stop's license without the necessity of 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.



**Allison U. Rovira, Attorney on behalf of Fisherman's Paradise Harbor & Marina, Inc.
d/b/a Paradise Truck Stop**



**Michael L. Tyler, 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: FISHERMAN'S PARADISE HARBOR
& MARINA, INC. d/b/a PARADISE TRUCK STOP

No. 3601504045

ORDER

BE IT REMEMBERED that on this the 22nd day of August, 2007, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared by and through their respective attorneys of record, 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 22nd day of August, 2007, in Baton Rouge, Louisiana.



Honorable William H. Brown
HEARING OFFICER

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 22nd DAY
OF August 10 2007
Camille Meador
CLERK, ADMINISTRATIVE HEARING OFFICE
cc: Allison Kovira
Michael Tyler
Lt. Leland Falcon