



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

DANE K. MORGAN
CHAIRMAN

**IN RE: GRIT'S BAR, LLC D/B/A GRIT'S BAR
NO. 3601110501**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of March 17, 2011. The Hearing Officer's order dated February 28, 2011, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," No. 3601110501, by and between Grit's Bar, LLC d/b/a Grit's Bar, 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 17th day of March, 2011.

LOUISIANA GAMING CONTROL BOARD

BY:


DANE K. MORGAN, CHAIRMAN

DKM/gac

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 18th DAY
OF March, 2011
APPEAL DOCKET CLERK


LGCB-0498-11

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

FEB 28 2011

LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: GRIT'S BAR, LLC
D/B/A GRIT'S BAR

CASE NO.: 3601110501

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



TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

NOW COME the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Grit's Bar, LLC d/b/a Grit's Bar (hereinafter "Grit's Bar"), 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 Grit's Bar 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
Andry A. Gerson
Representative
Louisiana Gaming Control Board


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

Respectfully Submitted,

OATS AND HUDSON

By: 
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Counsel for the Office of State Police



STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE



IN RE: GRIT'S BAR, LLC
D/B/A GRIT'S BAR

CASE NO.: 3601110501

COMPROMISE AND SETTLEMENT AGREEMENT

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

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to Grit's Bar 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 before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the Division and Grit's Bar 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. Grit's Bar operates a bar located at 530 Lyons Street, New Orleans, Louisiana.

2. Grit's Bar had two individuals listed as fifty (50%) percent members of the limited liability company: Robert A. Foret, Jr. (hereinafter "Mr. Foret") and Christopher Hernandez (hereinafter "Mr. Hernandez").

3. Mr. Foret and Mr. Hernandez entered into an Agreement to Sell Membership Interest on February 1, 2006, wherein Mr. Foret sold all of his ownership interest in Grit's Bar to Mr. Hernandez.

4. The Agreement to Sell resulted in Mr. Hernandez becoming the only member and holding one hundred (100%) percent of the licensee.

5. Grit's Bar did not notify the Division of the change in membership interest until April 20, 2010, when the Division received Grit's Bar's License Renewal Application, in violation of **LAC 42:XI.2417(B)(4)**.

TERMS AND CONDITIONS

1. In lieu of Administrative Action of its Gaming License, Grit's Bar will pay a civil penalty of TWO THOUSAND AND NO/100 (\$2,000.00) DOLLARS for its violation of **LAC 42:XI.2417(B)(4)**.

2. The Division hereby agrees to accept Grit's Bar's payment of the above stated penalty in full and final settlement of the Notice of Recommendation of Administrative Action for the licensee's violation of **LAC 42:XI.2417(B)(4)**.

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 Grit's Bar'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 Grit's Bar, pertaining to 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 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 by the Louisiana Gaming Control Board, and to comply with each term and condition listed herein, shall result in the immediate suspension of Grit's Bar'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 Settlement Agreement and agree to all stipulations and terms and conditions hereof.



**Allison U. Rovira, on behalf of Grit's Bar, LLC d/b/a
Grit's Bar**



**Dawn M. Himel, 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: GRIT'S BAR, LLC
D/B/A GRIT'S BAR

CASE NO.: 3601110501

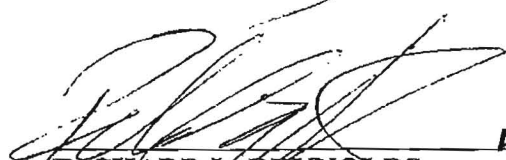
ORDER

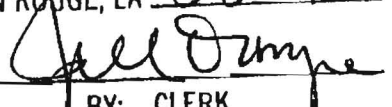
BE IT REMEMBERED that on the 28th day of February, 2011, came for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared by and through their respective attorneys of record, and the Hearing Officer having considered the pleadings on file, the 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**; that Grit's Bar, LLC d/b/a Grit's Bar must pay Two Thousand and No/100 (\$2,000.00) Dollars to the Division within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 28th day of February, 2011, in Baton

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS March 2nd DAY 2011
CC: Allison U. Bourque
Dawn Hinsel
Sgt. Leonal Sobley


RICHARD L. REYNOLDS
HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 3.2.11

BY: CLERK