



*State of Louisiana*  
*Gaming Control Board*

*BOBBY JINDAL*  
GOVERNOR

*DALE A. HALL*  
CHAIRMAN

**DECISION OF THE**  
**LOUISIANA GAMING CONTROL BOARD**  
*Rehearing*

**IN RE: PILOT CORPORATION TENNESSEE D/B/A**  
**PILOT TRAVEL CENTER#199**  
**NO. 0804512585**

The matter before the Louisiana Gaming Control Board is a request by the State of Louisiana, Office of State Police, Gaming Enforcement Division (“Division”), for a rehearing of the Board’s decision rendered at the September meeting in which the Board upheld the Hearing Officer’s decision. The Hearing Officer found that the words “range” and “oven” have the same meaning; no proof was presented that the restaurant did not offer table service; and the lease contained the statutorily required language regarding video gaming.

It is the Division’s opinion that the decisions of the Board and Hearing Officer were clearly contrary to the law and evidence. Louisiana Revised Statute 49:959 provides in pertinent part:

- A. A decision or order in a case of adjudication shall be subject to rehearing, reopening, or reconsideration by the agency, within ten days from the date of its entry. The grounds for such action shall be either that:
- (1) The decision or order is clearly contrary to the law and the evidence;
  - (2) The party has discovered since the hearing evidence important to the issues which he could not have with due diligence obtained before or during the hearing;
  - (3) There is a showing that issues not previously considered ought to be examined in order properly to dispose of the matter; or
  - (4) There is other good ground for further consideration of the issues and the evidence in the public interest.

The Division has presented grounds for a rehearing and upon further consideration the Board reverses the findings of the Hearing Officer and finds that the licensee violated statutory requirements of La. R.S. 27:306. The Board further finds that no civil penalty is warranted in this instance.

## ORDER

This matter having been considered by the Louisiana Gaming Control Board in open meeting of October 18, 2012:

**IT IS ORDERED THAT** the request for rehearing is **GRANTED**; the Hearing Officer's decision is **REVERSED**; and the Division's request for the imposition of a penalty is denied.

**THUS DONE AND SIGNED** on this the *18<sup>th</sup>* day of *October, 2012*.

LOUISIANA GAMING CONTROL BOARD

BY:

  
\_\_\_\_\_  
DALE A. HALL, CHAIRMAN