



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

IN RE: AJ INDUSTRIES, INC.
NO. P086502750

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of March 18, 2008. The Hearing Officer's order dated February 14, 2008, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Denial of Original Application," No. P086502750, by and between AJ Industries, Inc., 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 March, 2008.

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 18th DAY
OF March, 2008

APPEAL DOCKET CLERK

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE



IN RE: AJ INDUSTRIES, INC.

CASE NO. P086502750

**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 AJ Industries, Inc., Permit No. P086502750 (hereinafter, "Permittee"), 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 Permittee 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.

RECEIVED

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LGCB
ADMINISTRATIVE HEARING OFFICE

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

Respectfully submitted,

AJ INDUSTRIES, INC.

By: 

Anthony Bevilacqua
1120 Springfield Avenue
Mountainside, NJ 07092
Telephone: (908) 789-9990
Facsimile: (908) 789-9933
*Authorized Representative for AJ
Industries, Inc.*

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

By: 

Christopher B. Hebert, Bar Roll #29044
Assistant Attorney General
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (225) 326-6500
Facsimile: (225) 326-6599
Counsel for the Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: AJ INDUSTRIES, INC.

CASE NO. P086502750

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and AJ Industries, Inc., Permit No. P086502750 (hereinafter, "Permittee"), do hereby represent and agree as follows:

WHEREAS, the Louisiana General Gaming Division has issued a Notice of Recommendation of Denial of Original Application, alleging certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by the said Notice of Recommendation of Denial of Original Application are set for hearing on January 24, 2008, before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the Division and Permittee 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 Denial of Original Application;

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

STIPULATIONS

1. Permittee stipulates that on January 4, 2007, it filed an original application for a Non-Gaming Supplier Permit with the Division.

2. Permittee acknowledges that La. R.S. 27:28B(3) mandates permit holders to remain current with all tax filings and payments owed to the State of Louisiana, any political subdivision of Louisiana, or the Internal Revenue Service.

3. On January 29, 2007, the Division received notification from the Louisiana Department of Revenue ("LDOR") that Permittee was not current in the filing of applicable tax returns or in the payment of taxes owed.

4. On or about May 24, 2007, the Division contacted Anthony Bevilaque, a fifty percent owner, by telephone and notified him of the LDOR disapproval. The Division also informed Anthony Bevilaque to contact an agent of the LDOR.

5. On or about May 22, 2007, Permittee was notified by the Division by certified mail that it had thirty (30) days to obtain the required tax clearance from LDOR. On May 29, 2007, the letter was received and signed for by an individual with an illegible signature.

6. As of July 2, 2007, the Division had not received a tax clearance from LDOR for Permittee.

7. On or about November 19, 2007, the Division received documentation of a tax clearance for Permittee from LDOR.

TERMS AND CONDITIONS

1. Within fifteen (15) days of the approval of this settlement by the Louisiana Gaming Control Board, Permittee shall pay Two Hundred Fifty and No/100 (\$250.00) Dollars for the violation of **La. R.S. 27:28(B)(3), LAC 42:VII.2114, LAC 42:VII.2115, LAC 42:IX.2149 and LAC 42:XIII.2114.**

2. The Division hereby agrees to a Two Hundred Fifty and No/100 (\$250.00) Dollar fine for the Permittee's violation of **La. R.S. 27:28(B)(3), LAC 42:VII.2114, LAC 42:VII.2115, LAC 42:IX.2149 and LAC 42:XIII.2114.**

3. The Division hereby agrees to withdraw the Notice of Recommendation of Denial of Original Application.


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 Permittee pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

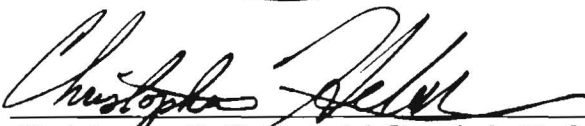
6. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana 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.

7. If approved by the Louisiana Gaming Control Board, Permittee must pay Two Hundred Fifty and No/100 (\$250.00) Dollars within fifteen (15) calendar days of such approval. Any failure to meet this requirement will result in immediate denial of the non-gaming supplier permit without the necessity of any further administrative action.

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



Anthony Bevilacqua, on behalf of AJ Industries, Inc.



Christopher B. Hebert, AAG on behalf of
State of Louisiana, Department of Public
Safety & Corrections, Office of State Police

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STATE OF LOUISIANA

LOUISIANA GAMING CONTROL BOARD

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ADMINISTRATIVE HEARING OFFICE

IN RE: AJ INDUSTRIES, INC.

CASE NO. P086502750

ORDER

BE IT REMEMBERED that on the 14th day of February, 2008, 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; that the Permittee must pay Two Hundred Fifty and No/100 (\$250.00) 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 denial of the non-gaming supplier permit without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 14th day of February, 2008, in Baton

LOUISIANA GAMING CONTROL BOARD
BY THAT A CERTIFIED
Rouge, Louisiana
ALL COPIES OF THIS ORDER TO BE FURNISHED TO THE
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE
cc: Anthony Benitague
Christopher Hobert
Lt. James Mc Guane

HEARING OFFICER
A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 2/14/08
BY: CLERK