



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

**IN RE: ROUND MIDNIGHT BAR, L.L.C.
D/B/A THREE LEGGED DOG
NO. 3601112508**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of March 17, 2009. The Hearing Officer's order dated March 4, 2009, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Revocation," No. 3601112508, by and between Round Midnight Bar, L.L.C. d/b/a Three Legged Dog, 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, 2009.

LOUISIANA GAMING CONTROL BOARD

BY:


CLAUDE MERCER, VICE-CHAIRMAN

CM/gac

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 24th DAY
OF March 2009
APPEAL DOCKET CLERK


RECEIVED

MAR 04 2009

LCCB
ADMINISTRATIVE HEARING OFFICE

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

**IN RE: ROUND MIDNIGHT BAR, L.L.C
d/b/a THREE LEGGED DOG**

LIC. NO. 3601112508

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

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

COME NOW the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and Round Midnight Bar, L.L.C. d/b/a Three Legged Dog, 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 the 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 Officer 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.

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

Respectfully Submitted,

**JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL**

By: 
Timothy Blake, Manager
on behalf of Round Midnight, L.L.C.
d/b/a Three Legged Dog
Telephone: (504) 412-8335


By: 
Olga M. Bogran, #24302
400 Royal Street
Office of the Attorney General
New Orleans, Louisiana 70130
Telephone: (504) 568-8778
Facsimile: (504) 599-1163
Counsel for the Division

EXHIBIT "A"

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

**IN RE: ROUND MIDNIGHT BAR, L.L.C
d/b/a THREE LEGGED DOG**

LIC. NO. 3601112508

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter the "Division") and Round Midnight Bar, L.L.C. d/b/a Three Legged Dog, VGL No. 3601112508 (hereinafter the "Licensee") do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Revocation to the Licensee, which notice alleges certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by the said Notice of Recommendation of Revocation are set for hearing 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 Revocation;

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

STIPULATIONS

1. The Internal Revenue Service notified the Division that Round Midnight Bar, L.L.C. d/b/a Three Legged Dog, was ineligible for the required tax clearance.

2. On July 17, 2008, the Division issued a letter, via certified mail, instructing the Licensee to resolve the delinquency within thirty (30) days. The letter was received on July 23, 2008.

3. On December 17, 2008, the Louisiana Gaming Control Board issued a Notice of Recommendation of Revocation alleging certain violations of Louisiana Gaming Control Law.

4. The Licensee acknowledges that it was in violation of LAC 42:XI.2405B(1)(b) in that it did not remain eligible for the required tax clearance for a portion of the existence of the license.

5. The Licensee is now eligible for and has received tax clearance from the IRS.

TERMS AND CONDITIONS

1. Round Midnight Bar, L.L.C. d/b/a Three Legged Dog agrees to pay a civil penalty of Five Hundred Dollars (\$500.00).

2. The Division hereby agrees to accept the payment of Five Hundred Dollars (\$500.00) in full and final settlement of the Notice of Recommendation of Revocation.

3. The Division reserves the right to take into consideration these admitted stipulations and violations in connection with any future investigation, violation or

assessment of penalty, and in connection with any future determination of the suitability of Round Midnight Bar, L.L.C. d/b/a Three Legged Dog.

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

5. 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.

6. If approved, the Licensee must make full payment of the civil penalty and delinquency fee 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.

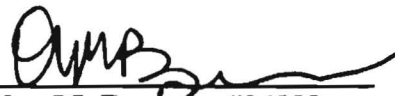
7. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

I have read this entire Compromise Settlement Agreement, understand it, and agree to all Stipulations, Terms and Conditions hereof.

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



Timothy Blake, Manager
on behalf of Round Midnight, L.L.C.
d/b/a Three Legged Dog
Telephone: (504) 412-8335



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Counsel for the Division

STATE OF LOUISIANA
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ADMINISTRATIVE HEARING OFFICE

IN RE: ROUND MIDNIGHT BAR, L.L.C
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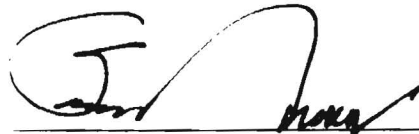
LIC. NO. 3601112508

ORDER

BE IT REMEMBERED that on the 4th day of March, 2009, 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 Licensee must pay Five Hundred and No/100 (\$500.00) Dollars 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 gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 4th day of March, 2009, in
Baton Rouge, Louisiana.

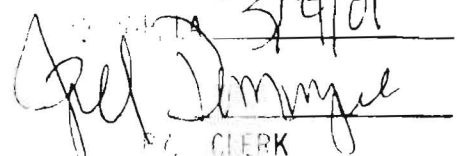


HEARING OFFICER

A TRUE COPY ATTEST

LOUISIANA GAMING CONTROL BOARD

HEARING OFFICE



CLERK

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT I HAVE
RECEIVED AND SERVED ON
4th DAY
March 19 2009
[Signature]
CLERK, ADMINISTRATIVE HEARING OFFICE
cc: Timothy Blake
Olga Bogdan
Sgt. Lionel Sibbey