



State of Louisiana

M. J. "MIKE" FOSTER, JR.
GOVERNOR

Gaming Control Board

HILLARY J. CRAIN
CHAIRMAN

IN RE: WHITEY'S POOL HALL, INC. D/B/A ADRIAN P. HAMANN, JR. NO. VP2600606682A

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of January 21, 2003. The Hearing Officer's order dated January 7, 2003, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Suspension," by and between Whitey's Pool Hall, Inc. d/b/a Adrian P. Hamann, Jr., No.VP2600606682A, and the Louisiana Department of Public Safety and Corrections, Office of State Police, Video Gaming Division, which is attached hereto and incorporated herein, is **APPROVED**.

THUS DONE AND SIGNED on this the 23rd day of January, 2003.

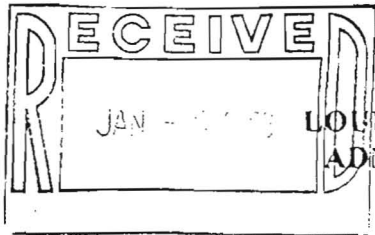
LOUISIANA GAMING CONTROL BOARD

BY:

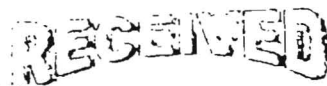
HILLARY J. CRAIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 24th DAY
OF January, 2003

APPEAL DOCKET CLERK



STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE



JAN 07 2003
ADMINISTRATIVE
DOCKET CLERK

IN RE: WHITEY'S POOL HALL, INC.
d/b/a ADRIAN P. HAMANN, JR.

CASE NO. 2600606682A

JOINT MOTION FOR ENTRY OF STIPULATIONS AND
APPROVAL OF PROPOSED SETTLEMENT

ON THE JOINT MOTION OF:

1. the Louisiana Department of Public Safety and Corrections, Office of State Police, Video Gaming Division (hereinafter "Division"), and
2. Whitey's Pool Hall, Inc. d/b/a Adrian P. Hamann, Jr., License No. 2600606682 (hereinafter "licensee"),

who respectfully represent the following:

WHEREAS:

1. On or about March 8, 2002, the Division mailed the annual form, which must be submitted annually by all licensees, to the licensee;
2. The licensee was mandated by La. R.S. 27:311(K)(4), LAC 42:XI.2405(B)(4) and (7) to submit the above annual form to the Division, along with all appropriate fees and current tax clearance certificates, on or before July 1, 2002;
3. On or about May 20, 2002, the Division received the licensee's annual form, fees and local tax clearance; however, the state tax clearance certificate was not included. The licensee's state tax clearance certificate was not received by the Division prior to July 1, 2002.
4. Pursuant to this information, the Division issued Violation/Inspection Report #13942 to the licensee on or about September 24, 2002, citing violation of LAC 42:XI.2405(B)(7). Attendant to this Violation/Inspection Report, the Louisiana Gaming Control Board issued a Notice of Recommendation of Suspension to the licensee on or about November 20, 2002.
5. This matter has been scheduled for hearing on January 14, 2003 at 9:00 a.m. before the Honorable William H. Brown,


Representative
Louisiana Gaming Control

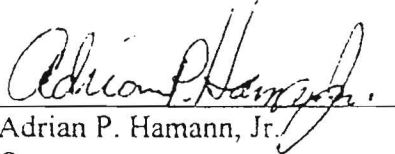
NOW THEREFORE, in consideration of the foregoing stipulations, the Division and the licensee hereby propose the following settlement, that:

1. The licensee acknowledges that it was in violation of LAC 42:X1.2405(B)(7), in that it did not submit the state tax clearance certificate to the Division by July 1, 2002;
2. The licensee has submitted the delinquent state tax clearance, a copy attached hereto;
3. In lieu of suspension of the licensee's video gaming license, the licensee shall pay a \$250.00 civil penalty;
4. The Division hereby agrees to accept the licensee's payment of the above stated penalty in full and final settlement of Violation/Inspection Report No. 13942 and this Notice of Recommendation of Suspension;
5. The Division reserves the right to take into consideration these violations in connection with any future violation;
6. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
7. This settlement constitutes the entire agreement between the Division and Whitey's Pool Hall, Inc. d/b/a Adrian P. Hamann, Jr. pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
8. This settlement is subject to approval by the Hearing Officer of the Louisiana Gaming Control Board; it is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not executory and will be submitted to the Board for its determination as to whether the matter should be heard by the Hearing Officer; if approved, however, payment of the above penalties must be submitted to the Division within fifteen (15) days of approval of this settlement by the Board; the failure to submit the civil penalty within fifteen (15) days of approval by the Board shall result in the video gaming license of the licensee being suspended and its gaming devices being disabled; and
9. The Division and the licensee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted.

WHITEY'S POOL HALL
d/b/a ADRIAN P. HAMANN, JR.
VG# 2600606682

BY:



Adrian P. Hamann, Jr.
Owner
3764 Derbigny Street
Metairie, Louisiana 70001
Telephone: (504) 833-9122

RICHARD P. IEYOUB
ATTORNEY GENERAL

BY:



Karen Day White
Assistant Attorney General
La. Bar Roll No. 25933
339 Florida Street, Ste. 500
Baton Rouge, Louisiana 70801
Telephone: (225) 342-2465
Facsimile: (225) 342-4244

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: WHITEY'S POOL HALL, INC.
d/b/a ADRIAN P. HAMANN, JR.

CASE NO. 2600606682A


ORDER

Considering the foregoing Joint Motion For Entry of Stipulations and Approval of Proposed Settlement, IT IS HEREBY ORDERED that such proposed settlement be approved. to wit:

1. the licensee acknowledges that it was in violation of LAC 42:XI.2405(B)(7). in that it did not submit the state tax clearance certificate to the Division by July 1, 2002;
2. having submitted the delinquent state tax clearance to the Division. the licensee shall pay a civil penalty in the amount of \$250.00;
3. payment of the above penalty shall be submitted to the state within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board; and
4. the failure to submit the above penalty within fifteen (15) days of approval of this settlement by the Board shall result in the video gaming license of Whitey's Pool Hall, Inc. d/b/a Adrian P. Hamann, Jr. being suspended and its gaming devices being disabled.

THUS DONE AND SIGNED this 7 day of January, 2003 in
Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 7th DAY
OF January 2003
Alta Hays
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE


William H. Brown
Hearing Officer

cc: Adrian Hamann, Jr.
Karen White, Esq.
Sabrina Ballard

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA. 1/7/03
Alta Hays
BY: CLERK

STATE OF LOUISIANA
PARISH OF

Metairie

AFFIDAVIT

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified within and for the State and Parish aforesaid. PERSONALLY CAME AND APPEARED:

ADRIAN P. HAMANN, JR.,

who, after first being duly sworn, declared and acknowledged to me, Notary, under oath:

that affiant is an owner of Whitey's Pool Hall d/b/a Adrian P. Hamann, Jr. ("licensee"), whose establishment is located at 3764 Derbigny Street, Metairie, Louisiana 70001;

that Whitey's Pool Hall d/b/a Adrian P. Hamann, Jr. received a Notice of Recommendation of Suspension (Violation/Inspection Report No. 13942) from the Louisiana Gaming Control Board, citing violation of LAC 42:XI.2405(B)(7);

that in the interest of settling this matter, affiant has willfully entered into a Joint Motion for Entry of Stipulations and Approval of Proposed Settlement with the Division on behalf of the licensee, via the Attorney General's Office; and

that affiant signed the above-cited motion of his own volition, without duress or coercion.

THUS DONE AND PASSED in Metairie, Louisiana, on this 26 day of Dec 2002

Adrian P. Hamann, Jr.
Adrian P. Hamann, Jr., Affiant

[Signature]
Notary Public
My commission expires Dec 2005