

M J. "MIKE" FOSTER, JR.
GOVERNOR

Gaming Control Board

HILLARY J. CRAIN
CHAIRMAN

# IN RE: J.T. FINANCE CORPORATION D/B/A ACE-DUCE NO. VP5207607464

# **ORDER**

This matter was considered by the Louisiana Gaming Control Board at its meeting of February 18, 2003. The Hearing Officer's order dated January 28, 2003, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Violation and Hearing," by and between J.T. Finance Corporation d/b/a Ace-Duce, No.VP5207607464, 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**.

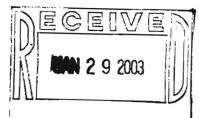
THUS DONE AND SIGNED on this the day of February, 2003.

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
OF LOUISIANA
APPEAL DOCKET CLERK



# STATE OF LOUISIANA LOUISIANA GAMING CONTROL BOARD ADMINISTRATIVE HEARING OFFICE



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IN RE: J.T. FINANCE CORPORATION d/b/a ACE-DUCE

CASE NO. 5207607464

# 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. J.T. FINANCE CORPORATION d/b/a ACE- License No.5207607464 (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. The licensee failed to submit the required state tax clearance certificate by July 1<sup>st</sup>;
- 4. Pursuant to this information, the Division issued a Notice of Violation and Hearing (Violation/Inspection Report #13947) to the licensee on or about September 24, 2002, alleging violations of LAC 42:XI.2405(B)(7);
- 5. Subsequently, the Division received the state tax clearance certificate on October 17, 2002;

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6. This matter has been scheduled for hearing before the Honorable William H. Brown.

**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:XI.2405(B)(7), in that it did not submit the state tax clearance to the Division by July 1, 2002;
- 2. In lieu of revocation or suspension of the licensee's video gaming license, the licensee shall pay a \$250.00 civil penalty;
- 3. 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. 13947:
- 4. The Division reserves the right to take into consideration these violations in connection with any future violation;
- 5. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
- 6. This settlement constitutes the entire agreement between the Division and J.T. Finance Corporation d/b/a Ace-Duce pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
- 7. 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 J.T. Finance Corporation d/b/a Ace-Duce being suspended and its gaming devices being disabled; and
- 8. 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.

J.T. FINANCE CORPORATION

d/b/a Ace-Duge

VGL \$20760/1464

BY:

John R. Thornton

Owner

Ace-Duce

Slidell, Louisiana 70458

Telephone: (985) 847-1025

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

IN RE: J.T. FINANCE CORPORATION
d/b/a ACE-DUCE

CASE NO. 5207607464

### 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. J.T. FINANCE CORPORATION d/b/a ACE-DUCE acknowledges that it was in violation of LAC 42:XI.2405(B)(7), in that it did not submit state tax clearances to the Division by July 1, 2002;
- 2. J.T. FINANCE CORPORATION d/b/a ACE-DUCE shall pay a civil penalty in the amount of \$250.00;
- 3. payment of the above penalty shall be submitted to the Division 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 J.T. FINANCE CORPORATION d/b/a ACE-DUCE being suspended and its gaming devices being disabled.

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THUS DONE AND SIGNED this _	28 day of January.
2003 in Baton Rouge Louisiana.  I HEREBY CERTIFY THAT A CERTIFIED  COPY HAS BEEN MAILED OR SERVED ON  ALL PARTIES THIS  CF  CF	William H. Brown Hearing Officer
CC: Ichn thomton Shara Broussard Esg Solding Ballard	A TRUE COPY ATTEST LOUISIANA GAMING CONTROL BOARD HEARING OFFICE BATON ROUGE, LA 1/28/113
4	BY: CLERK

#### **AFFIDAVIT**

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

#### JOHN R. THORNTON.

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

that affiant is the owner of J.T. FINANCE CORPORATION d/b/a ACE-DUCE, which is located at 168 Lake View Drive #B, Slidell, Louisiana;

that J.T. FINANCE CORPORATION d/b/a ACE-DUCE, received a Notice of Violation and Hearing (Violation/Inspection Report No. 13947) from the Louisiana Gaming Control Board, citing violations 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, via the Attorney General's Office; and

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

Slide11 THUS DONE AND PASSED in Louisiana, on the 10th day of January 2003. John R. Thornton, Affiant

Notary Public

My commission expires commissioned for life