



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

**IN RE: CLARENCE MATTHEWS D/B/A METRO CAFÉ
NO. 5100113155**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of February 19, 2008. The Hearing Officer's order dated January 31, 2008, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," No. 5100113155, by and between Clarence Matthews d/b/a Metro Café, 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 19th day of February, 2008.

LOUISIANA GAMING CONTROL BOARD

BY: *H. Charles Gaudin*
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 20th DAY
OF February, 2008
APPEAL DOCKET CLERK
[Signature]

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: CLARENCE MATHEWS D/B/A METRO CAFÉ LICENSE NO. 5100113155

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Clarence Mathews d/b/a Metro Café, License No. 5100113155 (hereinafter, "Licensee"), do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action, alleging certain violations of Louisiana Gaming Control Law; and

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

WHEREAS, the Division and Licensee 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 Administrative Action ;

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



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JAN 24 2008

LGCB
ADMINISTRATIVE HEARING OFFICE

STIPULATIONS

1. On August 16, 2007, the Division issued, via U.S. mail, a certified thirty (30) day compliance letter in reference to a tax delinquency to the Licensee. A letter was mailed to the Licensee's business and residential address of record. The Licensee had thirty (30) days to contact an agent for the Internal Revenue Service to settle the delinquency.
2. On October 11, 2007, the Division issued Notice of Availability of Compliance Conference to the Licensee.
3. On November 6, 2007, the Licensee and a representative from the Division attended the Compliance Conference. The Licensee had not received a tax clearance at this time.
4. On November 14, 2007, the Louisiana Gaming Control Board issued Notice of Recommendation of Administrative Action to the Licensee alleging certain violations of Louisiana Gaming Control Law.
5. On November 20, 2007, the IRS informed the Division that the Licensee had received a tax clearance.
6. The Licensee does admit it violated La. R.S. 27:308(B)(3), La R.S. 27:308.2, and LAC 42:XI.2405(B)(1)(b).

TERMS AND CONDITIONS

1. Within fifteen (15) days of the approval of this settlement by the Louisiana Gaming Control Board, the Licensee shall pay a civil penalty of Two Hundred Fifty Dollars (\$250.00) for the violation of LAC 42:XI.2405(B)(1)(b).
2. The Division hereby agrees to accept the payment of Two Hundred Fifty Dollars (\$250.00) in full and final settlement of the Notice of Recommendation of Administrative Action
3. The Division reserves the right to take into consideration these admitted violations in connection with any future investigation, violation or assessment of penalty, and in connection with any future assessments of the Licensee's suitability.
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 the Licensee 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, the Licensee must pay Two Hundred Fifty Dollars (\$250.00) within fifteen (15) calendar days of such approval. Any failure to meet this requirement will result in immediate suspension of the gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

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



**Clarence Mathews, a Duly Authorized
Representative of Clarence Mathews d/b/a Metro Bar & Grill**



**Katie L. Dampier, Bar Roll #30465
AAG, on behalf of the State of Louisiana,
Department of Public Safety & Corrections,
Office of State Police**

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: CLARENCE MATHEWS D/B/A METRO CAFÉ LICENSE NO. 5100113155

ORDER

BE IT REMEMBERED that on the 31st day of January, 2008, came on for consideration the Motion for Approval of Compromise and Settlement Agreement, 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 Two Hundred Fifty Dollars and No/100 (\$250.00) to the Division within fifteen (15) 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 31 day of Jan, 2008, in Baton Rouge,

Louisiana
LOUISIANA GAMING CONTROL BOARD
BY: Richard Reynolds
HEARING OFFICER
JANUARY 31ST 2008
cc: Clarence Mathews
Katie Dampier
Lt. James McGuane

Richard Reynolds
HEARING OFFICER
A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 1/31/08
Jill Dampier
BY: CLERK