



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

**IN RE: MIKHAIL ENTERPRISES, INC. D/B/A
BUD'S BROILER #9
NO. 3601208593**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of May 20, 2008. The Hearing Officer's order dated May 7, 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. 3601208593, by and between Mikhail Enterprises, Inc. d/b/a Bud's Broiler #9, 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 20th day of May, 2008.


LOUISIANA GAMING CONTROL BOARD

BY:


H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD

I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 21st DAY
OF May, 2008

APPEAL DOCKET CLERK


HJC/gac



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MAY 07 2008

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

IN RE: MIKHAIL ENTERPRISES, INC.
D/B/A BUD'S BROILER #9

LICENSE NO. 3601208593

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

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

NOW COMES the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Mikhail Enterprises, Inc. d/b/a Bud's Broiler #9 (hereinafter, "Licensee"), 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 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 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.

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

Respectfully submitted,

**MIKHAIL ENTERPRISES, INC., D/B/A
BUD'S BROILER # 9**

By: _____
Richard Richthofen Bar Roll # 29663
303 S Broad St Fl 3
New Orleans, Louisiana 70119
Telephone: (504) 899-7949
Facsimile: (504) 899-2518
*Counsel for Mikhail Enterprises Inc.,
d/b/a Bud's Broiler #9*

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

By: Mesa T. Brown
Mesa T. Brown, Bar Roll #30567
Assistant Attorney General
1885 North Third Street, 5th Floor
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Counsel for the Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: MIKHAIL ENTERPRISES, INC.
D/B/A BUD'S BROILER #9

LICENSE NO. 3601208593

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Mikhail Enterprises, Inc., d/b/a Bud's Broiler # 9, License No. 3601208593 (hereinafter, "Licensee"), do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action for the Type 2 Video Gaming License of Mikhail Enterprises Inc., d/b/a Bud's Broiler # 9, alleging certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by the said Notice of Recommendation for Administrative Action, are set for hearing May 7, 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:

STIPULATIONS

1. Khaled Qader, who has 100% ownership interest in the Licensee, was arrested on September 14, 2007, by New Orleans Police Department for Operating a Vehicle While Intoxicated, Reckless Operation, and Driving Roadway Lane Traffic.
2. The charges listed above were Nolle Prosequi on January 18, 2008.
3. The Licensee failed to timely notify the Division of the above arrest in violation of LAC 42:XI.2417(B)(4).

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 and Fifty Dollars (\$250.00) for the violation of LAC 42:XI.2417(B)(4). The Division hereby agrees to accept the payment of Two Hundred and Fifty Dollars (\$250.00) in full and final settlement of the Notice of Recommendation of Administrative Action.
2. 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.
3. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.
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 by the Louisiana Gaming Control Board, the Licensee must pay Two Hundred and 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.



**Richard Richthofen, on behalf of Mikhail Enterprises, Inc.,
d/b/a Bud's Broiler # 9**



**Mesa T. Brown, AAG on behalf of
State of Louisiana, Department of Public
Safety & Corrections, Office of State Police**

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: MIKHAIL ENTERPRISES, INC.
D/B/A BUD'S BROILER #9

LICENSE NO. 3601208593

ORDER

BE IT REMEMBERED that on the 7th day of May, 2008, came on for consideration the Joint 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**.

SIGNED AND ENTERED this 7th day of May, 2008, in Baton Rouge, Louisiana.



HEARING OFFICER
WILLIAM H. BROWN

LOUISIANA GAMING CONTROL BOARD

OFFICE OF THE HEARING OFFICER

1920 PINE STREET, BATON ROUGE, LOUISIANA 70802

RECEIVED ON

May 7th 2008

Jill Omey

SECRETARY, ADMINISTRATIVE HEARING OFFICE

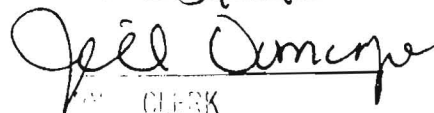
cc: Richard Riddhosen
Mepa Brown
Sgt. Dino Carlomagno

THIS COPY ATTEST

LOUISIANA GAMING CONTROL BOARD

OFFICE OF THE CLERK

5/7/08



CLERK