



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

IN RE: HMR, INC. D/B/A O’HENRY’S FOOD & SPIRIT #6- NO. 2600207383
HMR, INC. D/B/A O’HENRY’S FOOD & SPIRIT #2- NO. 3601203057B
HMR, INC. D/B/A O’HENRY’S FOOD & SPIRIT #3- NO. 3601204108A
HMR, INC. D/B/A O’HENRY’S FOOD & SPIRIT #5- NO. 2600204118
HMR, INC. D/B/A O’HENRY’S FOOD & SPIRIT #8- NO. 2600211472
HENRY M. ROSENBLAT- NO. 07012
SUSAN P. ROSENBLAT- NO. 07013

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of June 17, 2008. The Hearing Officer’s order dated May 19, 2008, based on the “Joint Motion for Approval of Compromise and Settlement Agreement” in the matter of the “Notice of Recommendation of Revocation,” Nos. 2600207383; 3601203057B; 23601204108A; 2600204118; and 2600211472, “Notice of Recommendation of Finding of Unsuitability,” No. 07012, and “Notice of Recommendation of Finding of Unsuitability,” No. 07013, by and between HMR, Inc. d/b/a O’Henry’s Food & Spirits #6, HMR, Inc. d/b/a O’Henry’s Food & Spirits #2, #3, #5, and #8, Henry M. Rosenblat, and Susan P. Rosenblat, 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 June, 2008.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS _____ DAY
OF _____ 2008

APPEAL DOCKET CLERK
HJC/gac *[Signature]*

LOUISIANA GAMING CONTROL BOARD
BY: *[Signature]*
H. CHARLES GAUDIN, CHAIRMAN

RECEIVED

MAY 19 2008

LGCB
ADMINISTRATIVE HEARING OFFICE

STATE OF LOUISIANA

LOUISIANA GAMING CONTROL BOARD

ADMINISTRATIVE HEARING OFFICE

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

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

NOW COME the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and HMR, Inc. d/b/a O'Henry's Food & Spirit #6 (hereinafter, "O'Henry's #6"), HMR, Inc. d/b/a O'Henry's Food & Spirit #2 (hereinafter, "O'Henry's #2"), HMR, Inc. d/b/a O'Henry's Food & Spirit #3 (hereinafter, "O'Henry's #3"), HMR, Inc. d/b/a O'Henry's Food & Spirit #5 (hereinafter, "O'Henry's #5"), HMR, Inc. d/b/a O'Henry's Food & Spirit #8 (hereinafter, "O'Henry's #8") (hereinafter, O'Henry's #6, O'Henry's #2, O'Henry's #3, O'Henry's #5, and O'Henry's #8 are collectively referred to as "O'Henry's"), Henry M. Rosenblat, and Susan P. Rosenblat, 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:

TRUE COPY
Suzanne J. Brown
Representative
Louisiana Gaming Control Board

1.

The Division and O'Henry's 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 O'Henry's respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

THE YOUNG LAW GROUP, APLC

By: _____

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*Counsel for HMR, Inc. d/b/a O'Henry's
Food & Spirit #6, et al.*

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

By: _____

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Assistant Attorney General
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Facsimile: (225) 326-6599
Counsel for the Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

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COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and HMR, Inc. d/b/a O'Henry's Food & Spirit #6 (hereinafter, "O'Henry's #6"), HMR, Inc. d/b/a O'Henry's Food & Spirit #2 (hereinafter, "O'Henry's #2), HMR, Inc. d/b/a O'Henry's Food & Spirit #3 (hereinafter, "O'Henry's #3), HMR, Inc. d/b/a O'Henry's Food & Spirit #5 (hereinafter, "O'Henry's #5), HMR, Inc. d/b/a O'Henry's Food & Spirit #8 (hereinafter, "O'Henry's #8) (hereinafter, O'Henry's #6, O'Henry's #2, O'Henry's #3, O'Henry's #5, and O'Henry's #8 are collectively referred to as "O'Henry's"), Henry M. Rosenblat, and Susan P. Rosenblat do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued Notices of Recommendation of Denial of Renewal Applications to O'Henry's #6, O'Henry's #2, O'Henry's #3, O'Henry's #5, and O'Henry's #8 alleging certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by the said Notices of Recommendation of Denial of Renewal Applications are set for hearing before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the Division and O'Henry's are desirous of fully and finally compromising and settling all issues and disputes arising out of and in connection with the said Notices of Recommendation of Denial of Renewal Applications;

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

STIPULATIONS

1. On or about May 18, 2006, the Division received a 2006/2007 video gaming license renewal application from O'Henry's #6, as well as a stock transfer application from O'Henry's #2, #3, #5, #6, and #8. The application listed Henry Rosenblat as a 95% percent owner and Rhonda L. Conley as 5% percent owner. Submitted with the application was a Shareholder's Agreement dated March 11, 2006, indicating that Henry Rosenblat sold 5 shares of stock to Rhonda Conley for the sum of \$10,000.00 dollars, with certain restrictions. A check of the Division database tracking system revealed that Henry Rosenblat owned 50% percent of the company's stock and his wife, Susan Rosenblat, owned the remaining 50% percent.

2. An investigation revealed that Henry M. Rosenblat and Susan P. Rosenblat incorporated the business and filed with the Louisiana Secretary of State's Office on January 14, 1977. The initial shareholders and board of directors meeting held January 14, 1977, records that Henry M. Rosenblat, a 50% shareholder, was elected as a Director and President and that Susan P. Rosenblat, a 50% shareholder, was elected as Director and Secretary/Treasurer.

3. On or about October 2, 1992, the initial video gaming application for O'Henry's #2, as well as subsequent renewals, indicated that Henry M. Rosenblat and Susan P. Rosenblat each owned 50% percent of the company.