



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

IN RE: CINDY L. LAGARDE D/B/A CROSSING BAR -NO. 2900112183
CINDY L. LAGARDE – NO. 08009
DOOLEY J. LAGARDE- NO. 08010

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of November 18, 2008. The Hearing Officer's order dated November 10, 2008, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Revocation," No. 2900112183A, "Recommendation of Finding of Unsuitability," No. 08009, and a "Notice of Recommendation of Finding of Unsuitability," by and between Cindy L. Lagarde d/b/a Crossing Bar, Cindy L. Lagarde, and Dooley Lagarde, 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 18th day of November, 2008.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 19th DAY
OF November, 2008

APPEAL DOCKET CLERK
Brady A. Gaudin

HJC/gac

LOUISIANA GAMING CONTROL BOARD

BY:

H. Charles Gaudin

H. CHARLES GAUDIN, CHAIRMAN

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

Respectfully submitted,

By: Cindy Lagarde
Cindy L. Lagarde
104 Bayou Vista Drive
Thibodeaux, Louisiana 70301
Telephone: (985) 637-5397
*Individually, and as Sole Proprietor of
Cindy L. Lagarde d/b/a Crossing Bar*

By: Dooley J. Lagarde
Dooley J. Lagarde
104 Bayou Vista Drive
Thibodeaux, Louisiana 70301
Telephone: (985) 637-5397
Individually

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

By: Michael L. Tyler
Michael L. Tyler, Bar Roll #29463
Assistant Attorney General
Gaming Division
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (225) 326-6500
Facsimile: (225) 326-6599
Counsel for the Division

WHEREAS, the Division and Licensees are desirous of fully and finally compromising and settling all issues and disputes arising out of and in connection with the Notices;

NOW, THEREFORE, and in consideration of the foregoing, the parties do hereby agree:

STIPULATIONS

1. Cindy L. Lagarde is the sole proprietor of Cindy L. Lagarde d/b/a Crossing Bar.
2. Dooley J. Lagarde is the husband of Cindy L. Lagarde.
3. From the time period covered by October of 2004 through August of 2007, Cindy L. Lagarde d/b/a Crossing Bar was cited by the Division for not filing and/or paying its sales and use taxes.
4. On September 19, 2007, Cindy L. Lagarde d/b/a Crossing Bar entered into a Compromise and Settlement Agreement with the Division whereby it agreed to pay a three thousand dollar (\$3,000.00) penalty in lieu of the revocation of its video gaming license.
5. On October 9, 2007, the Division received a delinquent notice from the Lafourche Parish Sales and Use Tax Department (the "Parish") indicating that Cindy L. Lagarde d/b/a Crossing Bar was delinquent in the filing and paying of its taxes.
6. The delinquent notice also stated that the Parish's attempts to the sales and use taxes have been unsuccessful.
7. As of October 7, 2008, Cindy L. Lagarde d/b/a Crossing Bar is still delinquent in the filing or payment of its sales and use taxes.
8. Cindy L. Lagarde d/b/a Crossing Bar has continually failed to be current in the payment and/or filing of its sales and use taxes in violation of LAC 42:XI.2405(B)(1)(b).

TERMS AND CONDITIONS

1. Cindy L. Lagarde d/b/a Crossing Bar shall surrender its Type I Video Gaming License to the Division.

2. The Division agrees to accept Cindy L. Lagarde d/b/a Crossing Bar's surrender of its Type I Video Gaming License.

3. Cindy L. Lagarde will not be eligible to apply for any approval authorized by the Louisiana Gaming Control Law, either individually or as a shareholder, member, managing member, partner, revenue, profit or income interest holder, or as a person who, in the opinion of the Division may exercise significant influence over the operations of a Louisiana gaming licensee or permittee, for a period of sixty (60) months from the date of the approval of this agreement by the Louisiana Gaming Control Board.

4. Dooley J. Lagarde will not be eligible to apply for any approval authorized by the Louisiana Gaming Control Law, either individually or as a shareholder, member, managing member, partner, revenue, profit or income interest holder, or as a person who, in the opinion of the Division may exercise significant influence over the operations of a Louisiana gaming licensee or permittee, for a period of sixty (60) months from the date of the approval of this agreement by the Louisiana Gaming Control Board.

5. Cindy L. Lagarde and Dooley J. Lagarde, by affixing their signatures on this Compromise and Settlement Agreement, acknowledge these prohibitions on behalf of themselves.

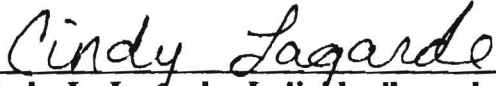
6. The Division reserves the right to take into consideration the violations alleged in the Notices in connection with any future violation(s), assessment of penalty or determination of the suitability of Cindy L. Lagarde d/b/a Crossing Bar, Cindy L. Lagarde, and/or Dooley J. Lagarde.

7. The form and substance of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.


8. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Cindy L. Lagarde d/b/a Crossing Bar, Cindy L. Lagarde, and Dooley J. Lagarde, pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

9. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer of the Louisiana Gaming Control Board. It is expressly understood that if this proposed Compromise and Settlement Agreement is approved by the Hearing Officer, this agreement is not executory and will be submitted to the Board no sooner than its regularly scheduled monthly meeting for its determination as to whether the matter should be heard by the Hearing Officer. If approved by the Board, Cindy L. Lagarde d/b/a Crossing Bar shall surrender its license within fifteen (15) days of such approval, and the prohibitions against Cindy L. Lagarde and Dooley J. Lagarde shall go into effect.

10. The Division and Licensees waive their rights to appeal this Compromise and Settlement Agreement if the Order approving this Compromise and Settlement Agreement is signed by the Hearing Officer and accepted by the Board.


Cindy L. Lagarde, Individually and as Sole
Proprietor of Cindy L. Lagarde d/b/a
Crossing Bar


Dooley J. Lagarde, Individually


Michael L. Tyler, Assistant Attorney
General, Gaming Division, 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: CINDY L. LAGARDE
D/B/A CROSSING BAR

CASE NO.: 2900112183A

IN RE: CINDY L. LAGARDE

CASE NO.: 08009

IN RE: DOOLEY J. LAGARDE

CASE NO.: 08010

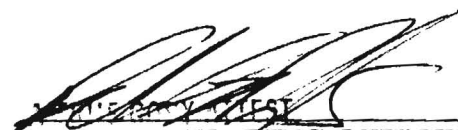
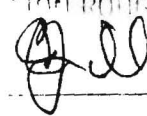
ORDER

BE IT REMEMBERED that on the _____ day of _____, 2008, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement. The Hearing Officer having considered the pleadings on file, the proposed Compromise and 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**, and shall be submitted to the Louisiana Gaming Control Board no sooner than its next regularly scheduled monthly meeting.

SIGNED AND ENTERED this 10th day of November, 2008, in Baton

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
THIS _____ DAY OF _____, 2008.
FILED _____
2: Cindy Lagarde
Dooley Lagarde
Michael Tyler
Sgt. Dino Costantino


HEARING OFFICER
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 11/10/08

BY CLERK