

RECEIVED

By Natalie B Thurman at 12:16 pm, Feb 08, 2012

RECEIVED

FEB 08 2012

LGCB
ADMINISTRATIVE HEARING OFFICE

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: LZLR, L.L.C.
d/b/a RED APPLE RESTAURANT

LICENSE No. 2600216209

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

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

COME NOW the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and LZLR, L.L.C. d/b/a Red Apple Restaurant (hereinafter, the "Licensee") who file this, their Joint Motion for Approval of Compromise and Settlement Agreement, and in support thereof would respectively show unto the Hearing Officer as follows:

1.

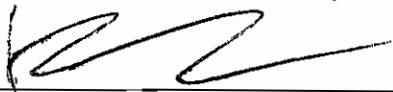
The Division and the Licensee are desirous of compromising and settling all disputes between them relative to the referenced administrative proceeding. In connection therewith, the parties have entered into a compromise and settlement agreement which by its terms will become effective upon approval by the Administrative Hearing Officer 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.

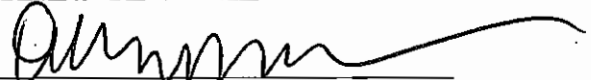
WHEREFORE, PREMISES CONSIDERED, the Division and the Licensee respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,



Ri Lin
2309 David Dr.
Metairie, LA 70003
Member of LZLR, L.L.C.
d/b/a Red Apple Restaurant

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

By: 

Olga M. Bogan, Bar Roll #24302
Assistant Attorney General
Gaming Division
400 Royal St. Suite 1230
New Orleans, LA 70130
Telephone: (504)599-1153
Facsimile: (504) 599-1163
Counsel for the Division

EXHIBIT "A"

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

**IN RE: LZLR, L.L.C.
d/b/a RED APPLE RESTAURANT**

LICENSE No. 2600216209

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and LZLR, L.L.C. d/b/a Red Apple Restaurant (hereinafter, the "Licensee") do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to the Licensee, which notice contains allegations of 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 before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the parties hereto are desirous of fully and finally compromising and settling all disputes and issues raised 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. The Licensee stipulates that it failed to timely submit the annual license form and annual License fee by July 1, 2011, as required by Louisiana gaming law.
2. The Division stipulates that it received the Licensee's required annual license form, annual fee and other required documents on September 26, 2011.¹

TERMS AND CONDITIONS

1. The Licensee agrees to pay, within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board, a civil penalty of seven hundred and fifty and 00/100 Dollars (\$750.00) for violation of La. R.S. 27:311(K)(4)(a) and (d) and LAC 42:XI.2417(C)(1)(i).
2. The Division hereby agrees that payment of a civil penalty of seven hundred and fifty and 00/100 Dollars (\$750.00) shall be in full and final settlement of all matters set forth in the Notice of Recommendation of Administrative Action.
3. The Division reserves the right to take into consideration these admitted stipulations and violations in connection with any future investigation, violation or assessment of penalty, and in connection with any future determination of the suitability of the Licensee.
4. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and the Licensee pertaining to the Licensee's failure to timely submit the annual form and fees as required by gaming law and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.


¹ Exhibit 1 (Copy of Annual License Form date stamped September 26, 2011).

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, the Licensee must make full payment of the civil penalty 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 License without the necessity of any further administrative action.

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

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

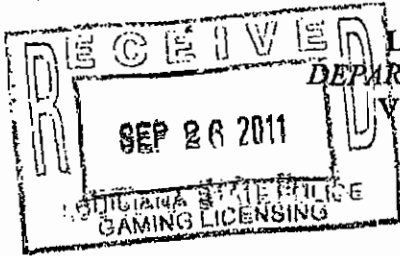


Ri Lin
2309 David Dr.
Metairie, LA 70003
Member of LZLR, L.L.C.
d/b/a Red Apple Restaurant

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

By: 

Olga M. Bogran, Bar Roll #24302
Assistant Attorney General
Gaming Division
400 Royal St. Suite 1230,
New Orleans, LA 70130
Telephone: (504)599-1153
Facsimile: (504) 599-1163
Counsel for the Division



LOUISIANA GAMING CONTROL BOARD
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

VIDEO GAMING DIVISION (Mail Slip #A-28)
P.O. Box 66614
Baton Rouge, LA 70896-6614

COPIES OF THIS DOCUMENT
ON FILE IN THIS OFFICE
Scott Constant
DEPUTY SHERIFF
PARISH OF JEFFERSON, LA.

ANNUAL LICENSEE FORM

(Must be typed)

Company Name (including d/b/a) and Mailing Address of Licensee LZLR, LLC dba Red Apple restaurant Ri lin 2309 David Drive Metairie, Louisiana 70003		Company Name (including d/b/a) and Physical Address of Licensee LZLR, LLC dba Red Apple restaurant Ri lin 2309 David Drive Metairie, Louisiana 70003	
10-Digit Video Gaming License No. 2600216209	Federal Tax ID No. 94-3486186	La. State Tax ID No. 5037197-001	Business Telephone No. 504-282-8111
Parish (Physical Location of Licensee) Jefferson	Is Physical Location Within City Limits? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		State Alcoholic Beverage Control (ABC) Permit No. 2600006682
Contact Person for Company Ri Lin		Title/Position Held Member	
Daytime Contact Telephone # 504-282-8111	Contact Cell phone # 646-573-8536	Contact E-mail address wolfe@scottwolfe.com	

(Place an "X" by one (1) box only. Submit a separate form for each type of license held.)

- | | | |
|--|---|--|
| <input type="checkbox"/> 1 Bar/Tavern \$200 | <input type="checkbox"/> 4 OTB/ Race Track \$ 200 | <input type="checkbox"/> 7 Service Entity \$ 2,000 |
| <input checked="" type="checkbox"/> 2 Restaurant \$200 | <input type="checkbox"/> 5 Truck Stop \$ 1,100 | <input type="checkbox"/> 8 Distributor \$ 10,000 |
| <input type="checkbox"/> 3 Hotel/Motel \$200 | <input type="checkbox"/> 6 Device Owner \$ 2,000 | <input type="checkbox"/> 9 Manufacturer \$ 20,000 |

AFFIDAVIT

I, Ri Lin, do hereby attest and set forth as truth to the best of my knowledge that the business structure and ownership are the same as previously filed with the Louisiana State Video Gaming Division. I understand and accept full knowledge and responsibility under penalty of applicable law for any and all intentional written and/or verbal conveyance, misguidance or misrepresentation of the facts or circumstances regarding any and all previously disclosed information and/or documents to the Division.

September 19 2011
Date

Ri Lin
Licensee's name (Print)

[Signature]
Licensee's or Authorized Representative's Signature

Sworn and subscribed before me this 19th Day of SEPTEMBER in the Year 2011.

SALVADORE A. MORTILLARO II
NOTARY PUBLIC ID#88181
ST. TAMMANY PARISH, LA
COMMISSIONED FOR LIFE

[Signature]
Notary Public

My Commission Expires:

FOR LIFE
Date

FOR OFFICE USE ONLY

Receipt No:

9324938

Entered by:

PA

Date:

9/27/11

DPSSP 6643

(Requirements and Instructions on Reverse Side)



STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: LZLR, L.L.C.
d/b/a RED APPLE RESTAURANT

LICENSE No. 2600216209

ORDER

BE IT REMEMBERED that on the 9th day of Feb, 2012, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared in person or by and through their respective attorneys of record, 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 seven hundred and fifty and 00/100 Dollars (\$750.00) 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.

SIGNED AND ENTERED this 9th day of Feb, 2012, in

Baton Rouge, Louisiana.
LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 9th DAY
OF February IS 2012
BY Will Dunge
HEARING OFFICE
cc: Ri lin
Olga Busan
Sgt. Monell Sully

[Signature]
HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 02.08.12

[Signature]
BY: CLERK