



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

DANE K. MORGAN
CHAIRMAN

**IN RE: HALPERN'S STEAK AND SEAFOOD COMPANY
NO. P086502628**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of September 16, 2010. The Hearing Officer's order dated August 25, 2010, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," No. P086502628, by and between Halperns' Steak and Seafood Company, 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 16th day of September, 2010.

LOUISIANA GAMING CONTROL BOARD

BY:



DANE K. MORGAN, CHAIRMAN

DKM/gac

LGCB-0122-10

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 17th DAY
OF September, 2010

APPEAL DOCKET CLERK



RECEIVED

AUG 25 2010

LGCB
ADMINISTRATIVE HEARING OFFICE

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

IN RE: HALPERNS' STEAK AND SEAFOOD COMPANY PERMIT NO: P086502629

RECEIVED
AUG 25 2010

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

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

NOW COME State of Louisiana, Department of Public Safety and Corrections, Office of State Police (the "Division") and Halperns' Steak and Seafood Company, 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 Halperns' Steak and Seafood Company 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.

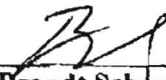
TRUE COPY
Herald A. Ofusa
Representative
Louisiana Gaming Control Board

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

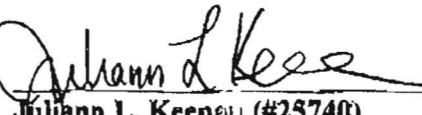
Respectfully Submitted,

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

By:


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STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: HALPERNS' STEAK AND PERMIT NO: P086502628
SEAFOOD COMPANY

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Halperns' Steak and Seafood Company do hereby represent and agree as follows:

WHEREAS, the Division has issued a Notice of Recommendation of Administrative Action to Halperns' Steak and Seafood Company alleging certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by the said Notice of Recommendation of Administrative Action were set for hearing on August 11, 2010, before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the Division and Halperns' Steak and Seafood Company 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. On December 3, 2009, the Louisiana State Police Gaming Enforcement Division (the "Division") received an Annual Permit Update Form from Halperns' Steak and Seafood Company. Based on information on the Annual Permit Update Form, the Division requested additional information from the permittee regarding officers, directors, and shareholders.
2. An investigation was conducted which discovered multiple elections of officers and directors as well as issuances of stock took place between 2006 and 2009.
3. Elections of directors took place on February 28, 2006, March 17, 2006, March 19, 2007, March 31, 2007, and March 17, 2009.
4. An election of officers took place on February 28, 2006.
5. Halperns' Steak and Seafood Company failed to timely notify the Division of these six occasions where officers and/or directors were elected.
6. Issuance and transfers of stock took place on February 28, 2006, March 17, 2006, May 1, 2006, March 31, 2007, May 1, 2007, and September 11, 2007.
7. Halperns' Steak and Seafood Company failed to timely notify the Division of these six instances where stock was issued or transferred.
8. Halperns' Steak and Seafood Company also failed to disclose the 1980 arrest of one of its directors, Jody Hicks, for First Degree Arson.


TERMS AND CONDITIONS

1. Halperns' Steak and Seafood Company will pay a civil penalty of THIRTY THOUSAND and No/100 (\$30,000.00) DOLLARS.
2. The Division hereby agrees to accept Halperns' Steak and Seafood Company's payment of the above stated THIRTY THOUSAND and No/100 (\$30,000.00) DOLLAR penalty in full and final settlement.
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 Permittee'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 Halperns' Steak and Seafood Company, 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. Failure to pay the penalty within fifteen (15) days of approval of this settlement, and to comply with each term and condition listed herein, shall result in the immediate suspension of the Halperns' Steak and Seafood Company permit without the necessity of further administrative action, until such time as the penalty is paid in full and Halperns' Steak and Seafood Company is in compliance with all terms and conditions.

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



Juliann L. Keenan on behalf of
Halperns' Steak and Seafood Company



D. Brandt Schmolke 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: HALPERNS' STEAK AND SEAFOOD COMPANY PERMIT NO: P086502623

ORDER

BE IT REMEMBERED that on this the 25th day of August, 2010, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared, 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 Permittee must pay Thirty Thousand and No/100 (\$30,000.00) Dollars 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 permit without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 25th day of August, 2010, in Baton

LOUISIANA GAMING CONTROL BOARD
Baton Rouge, Louisiana
OFFICIAL SEAL MUST BE OBSERVED ON ALL PROCEEDINGS
25th DAY
August 2010
SECRET CLERK, ADMINISTRATIVE HEARING OFFICE
Julianne L. Keenan
Brandt Schmalzer
Sgt. Monell Schrey

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 8.25.10
William H. Brown
HON. WILLIAM H. BROWN
HEARING OFFICER
Jill Doyne
BY: CLERK