



# State of Louisiana

M. J. "MIKE" FOSTER, JR.  
GOVERNOR

Gaming Control Board

HILLARY J. CRAIN  
CHAIRMAN

## IN RE: TAMPICO RESTAURANT, INC. D/B/A TAMPICO RESTAURANT NO. VP5101204562

### ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of December 16, 2003. The Hearing Officer's order dated December 4, 2003, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Administrative Action," by and between Tampico Restaurant, Inc. d/b/a Tampico Restaurant, No. VP5101204562, and the Louisiana Department of Public Safety and Corrections, Office of State Police, Video Gaming Division, which is attached hereto and incorporated herein, is **APPROVED**.

THUS DONE AND SIGNED on this the 17<sup>th</sup> day of December, 2003.

LOUISIANA GAMING CONTROL BOARD

BY:

HILLARY J. CRAIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 18<sup>th</sup> DAY  
OF December, 2003

APPEAL DOCKET CLERK

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

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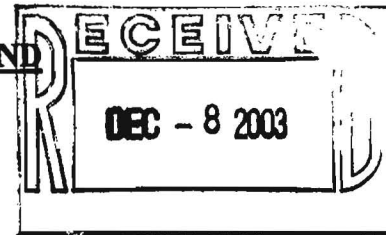
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LGCB  
ADMINISTRATIVE HEARING OFFICE

IN RE: TAMPICO RESTAURANT, INC.  
d/b/a TAMPICO RESTAURANT

CASE NO. 5101204562  
INSPECTION REPORT # 14084

JOINT MOTION FOR ENTRY OF STIPULATIONS AND  
APPROVAL OF PROPOSED SETTLEMENT



**ON THE JOINT MOTION OF:**

1. the Louisiana Department of Public Safety and Corrections, Office of State Police, Video Gaming Division (hereinafter "Division"), and
2. Tampico Restaurant, Inc. d/b/a Tampico Restaurant, License No. 5101204562 (hereinafter "licensee"), who respectfully represent the following:

**WHEREAS:**

1. On or about March 1, 2003, the Division mailed the annual form, which must be submitted annually by all licensees, to the licensee;
2. The licensee was mandated by La. R.S. 27:311(K)(4), LAC 42:XI.2405(B)(4) and (7) to submit the above annual form to the Division, along with all appropriate fees and current tax clearance certificates, on or before July 1, 2003;
3. The Division received the licensee's annual fee form, fees; and the state and local tax clearance certificates, however the annual fee form was not notarized. The Division returned the forms to Tampico Restaurant for proper notarization. Tampico Restaurant returned the forms, postmarked July 11, 2003, which were received by the Division on July 15, 2003.
4. Pursuant to this information, the Division issued Violation/Inspection Report #14084 to the licensee on or about July 28, 2003, citing violation of La. R.S. 27:311(K)(4) and LAC 42:XI.2405(B)(4). Attendant to this Violation/Inspection Report, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to the licensee on or about October 9, 2003.
5. This matter has been scheduled for hearing on December 4, 2003 at 9:30 a.m. before the Honorable Joseph E. Anzalone.

*Joseph E. Anzalone*  
**TRUE COPY**  
Representative  
Louisiana Gaming Control Board

**NOW THEREFORE**, in consideration of the foregoing stipulations, the Division and the licensee hereby propose the following settlement, that:

1. The licensee acknowledges that it was in violation of La. R.S. 27:311(K)(4), LAC 42:XI.2405(B)(4) and (7), in that it did not submit the annual licensing form, properly notarized, to the Division by July 1, 2003;
2. The licensee has submitted the annual fee form, properly notarized, a copy of which is attached hereto;
3. In lieu of suspension of its video gaming license, the licensee shall pay a \$250.00 civil penalty;
4. The Division hereby agrees to accept the licensee's payment of the above stated penalty in full and final settlement of Violation/Inspection Report No. 14084 and this Notice of Recommendation of Administrative Action;
5. The Division reserves the right to take into consideration these violations in connection with any future violation;
6. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
7. This settlement constitutes the entire agreement between the Division and Tampico Restaurant, Inc. d/b/a Tampico Restaurant pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
8. This settlement is subject to approval by the Hearing Officer of the Louisiana Gaming Control Board; it is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not executory and will be submitted to the Board for its determination as to whether the matter should be heard by the Hearing Officer; if approved, however, payment of the above penalties must be submitted to the Division within fifteen (15) days of approval of this settlement by the Board; the failure to submit the civil penalty within fifteen (15) days of approval by the Board shall result in the video gaming license of the licensee being suspended and its gaming devices being disabled; and

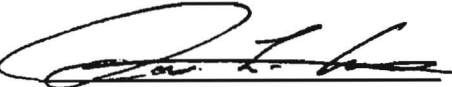
9. The Division and the licensee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted,

**TAMPICO RESTAURANT, INC.  
d/b/a TAMPICO RESTAURANT  
VG# 5101204562**

**RICHARD P. IEYOUB  
ATTORNEY GENERAL**

BY:



Joe L. Arias  
President  
Tampico Restaurant, Inc.  
d/b/a Tampico Restaurant  
1025 Victor II Boulevard, Suite G  
Morgan City, LA 70380

BY:



Olga M. Bogran  
Assistant Attorney General  
La. Bar Roll No. 24302  
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New Orleans, Louisiana 70301  
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Facsimile: (504) 599-1163

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: TAMPICO RESTAURANT, INC.  
d/b/a TAMPICO RESTAURANT

CASE NO. 5101204562

ORDER

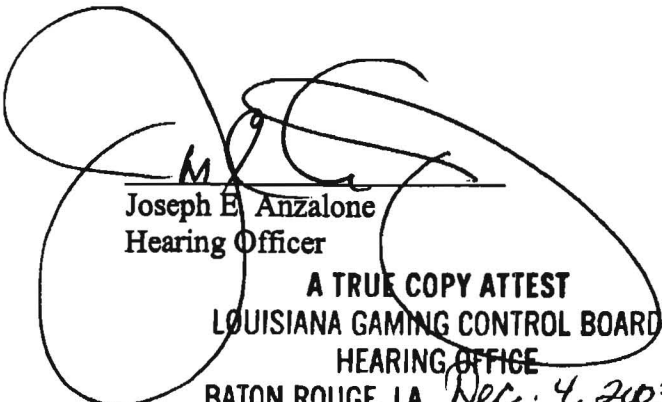
Considering the foregoing Joint Motion For Entry of Stipulations and Approval of Proposed Settlement, IT IS HEREBY ORDERED that such proposed settlement be approved, to wit:

1. the licensee acknowledges that it was in violation of La. R.S. 27:311(K)(4), LAC 42:XI.2405(B)(4) and (7), in that it did not submit a notarized annual licensing form to the Division by July 1, 2003;
2. having submitted the form, properly notarized, the licensee shall pay a civil penalty in the amount of \$250.00;
3. payment of the above penalty shall be submitted to the state within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board; and
4. the failure to submit the above penalty within fifteen (15) days of approval of this settlement by the Board shall result in the video gaming license of Tampico Restaurant, Inc. d/b/a Tampico Restaurant being suspended and its gaming devices being disabled.

THUS DONE AND SIGNED this 4 day of Dec, 2003 in  
Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 5th DAY  
OF December 2003  
Sandra Haynes  
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Joe Armas  
Olga Bogran  
Sabrina Bullock

  
Joseph E. Anzalone  
Hearing Officer

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA Dec. 4, 2003

Sandra Haynes  
BY: CLERK

STATE OF LOUISIANA  
PARISH OF St. Mary

**AFFIDAVIT**

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified within and for the State and Parish aforesaid, PERSONALLY CAME AND APPEARED:

**JOE L. ARIAS,**

who, after first being duly sworn, declared and acknowledged to me, Notary, under oath:

that affiant is the president of Tampico Restaurant, Inc. d/b/a Tampico Restaurant, ("licensee"), whose address is 1025 Victor II Boulevard, Suite G, Morgan City, Louisiana 70380;

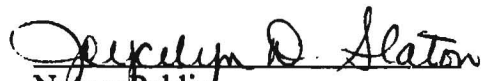
that the licensee received a Notice of Recommendation of Administrative Action (Violation/Inspection Report No. 14084) from the Louisiana Gaming Control Board, citing violation of LAC 42:XI.2405(B)(4);

that in the interest of settling this matter, affiant has willfully entered into a Joint Motion for Entry of Stipulations and Approval of Proposed Settlement with the Division on behalf of the licensee, via the Attorney General's Office; and

that affiant signed the above-cited motion of his own volition, without duress or coercion.

THUS DONE AND PASSED in Morgan City, Louisiana, on this 14th day of November, 2003.

  
Joe L. Arias, Affiant

  
Notary Public  
My commission expires at death.