



State of Louisiana

Gaming Control Board

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

HILLARY J. CRAIN
CHAIRMAN

IN RE: CEFRV, INC. D/B/A RAINBOW DAIQUIRIS NO. VP5002112467 VIOLATION/INSPECTION REPORT 013071

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of May 19, 2003. The Hearing Officer's order dated April 21, 2003, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Violation and Hearing," by and between CEFRV, Inc. d/b/a Rainbow Daiquiris, No. VP5002112467, Violation/Inspection Report 013071 and the Louisiana Department of Public Safety and Corrections, Office of the State Police, Video Gaming Division, which is attached hereto and incorporated herein, is **APPROVED**.


THUS DONE AND SIGNED on this the 20 day of May, 2003.

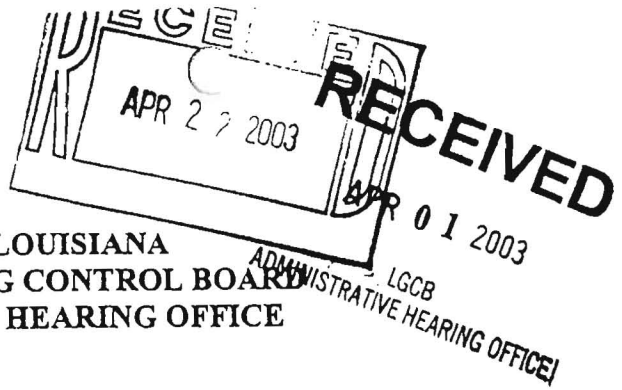
LOUISIANA GAMING CONTROL BOARD

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 21st DAY
OF May, 2003

APPEAL DOCKET CLERK




STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: CEFRV, INC.
d/b/a RAINBOW DAIQUIRI

CASE NO. 5002112467

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 the State Police, Video Gaming Division (hereinafter "Division") and
2. CEFRV, Inc. d/b/a Rainbow Daiquiri, License No. 5002112467 (hereinafter "licensee"),

who respectfully represent the following:

WHEREAS:

1. On or about December 11, 2002, an agent of the Division noted that a sign painted on the side of the establishment, located at 204 South Main Street, Breaux Bridge, Louisiana, which advertised the licensee's gaming establishment, did not include the problem gambling toll-free telephone number;
2. The licensee is mandated by La. R.S. 27:27.3 to place the toll-free telephone number of the National Council on Problem Gambling (or other similar, Board approved toll-free telephone number) in any advertisement of its gaming activities or gaming establishment;
3. Pursuant to its agent's observations, the Division issued Violation/Inspection Report #013071 to the licensee on or about December 11, 2002, citing violation of La. R.S. 27:27.3. Attendant to this Violation/Inspection Report, the Louisiana Gaming Control Board issued a Notice of Violation and hearing to the licensee on or about February 3, 2003.
4. This matter has been scheduled for hearing on April 21, 2003 at 9:30 a.m. before the Honorable Joseph E. Anzalone, Jr.

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:

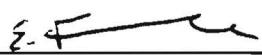
1. The licensee acknowledges that it was in violation of La. R.S. 27:27.3, in that it did not place the required problem gambling toll-free telephone number on the aforementioned sign that advertises its gaming establishment;
2. The licensee has since placed the required toll-free number on the sign. A copy of the photograph confirming the same is attached hereto;
3. In lieu of suspension of the licensee's 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. 013071; and this Notice of Violation and Hearing;
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 CEFRV, Inc. d/b/a Rainbow Daiquiri, 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,

CEFRV, INC.
d/b/a Rainbow Daiquiri
VG# 5002112467

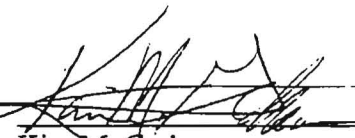
RICHARD P. IEYOUB
ATTORNEY GENERAL

BY:



Carl Eric Fenske
Owner of CEFRV, Inc.
d/b/a Rainbow Daiquiri
P. O. Box 12057
New Iberia, Louisiana 70562

BY:



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Attorney for Division

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: CEFRV, INC.
d/b/a RAINBOW DAIQUIRI

CASE NO. 5002112467


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.27:27.3, in that it did not place the required problem gambling toll-free telephone number on the sign that advertises its gaming establishment;
2. having placed the required toll-free-number on its sign, the licensee shall pay a \$250.00 civil penalty;
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 licensee being suspended and its gaming devices being disabled.

THUS DONE AND SIGNED this 21 day of April, 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 21 day
OF April 2003
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE
cc: Carl FewskE
Kim Graham, Esq.
Sabriwa Ballard


J. E. Anzalone, Jr.
Hearing Officer
A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 4/21/03

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BY: CLERK

STATE OF LOUISIANA
PARISH OF ST. Martin

AFFIDAVIT

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

CARL ERIC FENSKE

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

that affiant is an owner of CEFRV, Inc., d/b/a Rainbow Daiquiri, ("licensee"), whose establishment is located at 204 South Main Street, Breaux Bridge, Louisiana 70517;

that CEFRV, Inc., d/b/a Rainbow Daiquiri, received a Notice of Violation and Hearing (Violation/Inspection Report No. 013071) from the Louisiana Gaming Control Board, citing violation of La. R.S. 27:27.3;

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 Breaux Bridge, Louisiana, on this 31st day of MARCH, 2003.

E. F. Fenske
Affiant

[Signature]
Notary Public

My commission expires at death