



# State of Louisiana

Gaming Control Board

KATHLEEN BABINEAUX BLANCO  
GOVERNOR

H. CHARLES GAUDIN  
CHAIRMAN

ANNE LACOUR NEEB  
EXECUTIVE DIRECTOR

## NOTICE OF DECISION

**IN RE: PETER'S SEAFOOD, INC. D/B/A HANK'S SEAFOOD  
NO. VP3601207976**

### RULING ON APPLICATION FOR REHEARING

**TO:** Brett A. Sulzer, Esq.  
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RETURN RECEIPT REQUESTED**

Michael Daniels, AAG  
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Lt. Jules Pinero, LSP  
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Baton Rouge, LA 70806

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**NOTICE IS HEREBY** given that on January 4, 2005, the decision of the Louisiana Gaming Control Board was signed in the above entitled matter. (SEE COPY OF THE ENCLOSED DECISION)

An appeal from any decision of the Board shall be filed within ten (10) days of notice of the decision in the Nineteenth Judicial District Court and shall be reviewed solely on the record as provided by La. R.S. 27:26.

Louisiana Gaming Control Board, Baton Rouge, Louisiana this 4<sup>th</sup> day of January, 2005.

  
Gerilyn A. Coleman  
Appeal Docket Clerk

### NOTIFIED:

Brett A. Sulzer, Esq.  
Michael Daniels, AAG  
Lt. Jules Pinero, LSP-Video Gaming Division





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# DECISION OF THE LOUISIANA GAMING CONTROL BOARD

**IN RE: PETER'S SEAFOOD, INC. D/B/A HANK'S SEAFOOD  
LICENSE NO. 3601207976**

## **RULING ON APPLICATION FOR REHEARING**

The matter before the Louisiana Gaming Control Board ("Board") is a request for rehearing of the revocation of its video gaming license, No. 3601207976.

At its November 2004 meeting, the board affirmed the Hearing Officer's decision to revoke Hank's Seafood's license.

### LEGAL ANALYSIS

La R.S. 49:959 provides in pertinent part:

A. A decision or order in a case of adjudication shall be subject to rehearing, reopening, or reconsideration by the agency, within ten days from the date of its entry. The grounds for such action shall be either that:

- (1) The decision or order is clearly contrary to the law and the evidence;
- (2) The party has discovered since the hearing evidence important to the issues which he could not have with due diligence obtained before or during the hearing;
- (3) There is a showing that issues not previously considered ought to be examined in order properly to dispose of the matter; or
- (4) There is other good ground for further consideration of the issues and the evidence in the public interest.

“Adjudication” is defined as the agency process for the formulation of a decision or order. La. R.S. 49:951(1).

Hank’s Seafood has not presented grounds for reconsideration. Therefore, the request for a rehearing will be denied.

## ORDER

This matter having been considered by the Louisiana Gaming Control Board in open meeting of December 21, 2004:

**IT IS ORDERED THAT** the request for rehearing is **DENIED**.

**THUS DONE AND SIGNED** on this the 4 day of January, 2005.

LOUISIANA GAMING CONTROL BOARD

BY:

  
\_\_\_\_\_  
H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 5<sup>th</sup> DAY  
OF January 2005  
APPEAL DOCKET CLERK  
