



*State of Louisiana*  
Gaming Control Board

BOBBY JINDAL  
GOVERNOR

DANE K. MORGAN  
CHAIRMAN

**IN RE: MEDINA, INC. D/B/A CAFÉ ROMA EXPRESS  
NO. 2601209780**

The Hearing Officer's order dated August 31, 2009, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Revocation, Order of Immediate Emergency Suspension, and Notice of Hearing" No. 2601209780, by and between Medina, Inc. d/b/a Café Roma Express, and the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, was considered by the Louisiana Gaming Control Board at its meeting of September 15, 2009.

**ORDER**

**IT IS ORDERED THAT** the matter be **REMANDED**.

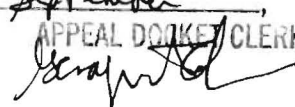
**THUS DONE AND SIGNED** on this the *15<sup>th</sup>* day of *September, 2009*

**LOUISIANA GAMING CONTROL BOARD**

**BY:**

  
**DANE K. MORGAN, CHAIRMAN**

DKM/gac

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 16<sup>th</sup> DAY  
OF September, 2009  
APPEAL DOCKET CLERK  


**RECEIVED**

**AUG 26 2009**

LGCB  
ADMINISTRATIVE HEARING OFFICE

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

**IN RE: MEDINA, INC.  
D/B/A CAFÉ ROMA EXPRESS**

**LICENSE NO. 2601209780**

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

**TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:**

**NOW COMES** the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Medina, Inc. d/b/a Café Roma Express (hereinafter, "Licensee"), 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 Licensee are desirous of compromising and settling all disputes between them relative to this 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.



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

Respectfully submitted,

**MEDINA, INC. D/B/A  
CAFÉ ROMA EXPRESS**

By: 

**Timothy Porteous, #27040  
Lucky Coin Machine, Co.  
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Metairie, LA 70001  
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*Counsel for Café Roma Express***

**JAMES D. "BUDDY" CALDWELL  
ATTORNEY GENERAL**

By: 

**Mesa T. Brown, #30567  
Assistant Attorney General  
1885 North Third Street, 5<sup>th</sup> Floor  
Baton Rouge, Louisiana 70802  
Telephone: (225) 326-6500  
Facsimile: (225) 326-6599  
*Counsel for the Office of State Police***

Exhibit "A"

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

**IN RE: MEDINA, INC.  
D/B/A CAFÉ ROMA EXPRESS**

**LICENSE NO. 2601209780**

**COMPROMISE AND SETTLEMENT AGREEMENT**

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Medina, Inc. d/b/a Café Roma Express (hereinafter, "Licensee"), do hereby represent and agree as follows:

**WHEREAS**, on June 30, 2009, the Louisiana Gaming Control Board issued a Notice of Recommendation of Revocation, Order of Immediate Emergency Suspension, and Notice of Hearing to the Licensee, alleging certain violations of Louisiana Gaming Control Law; and

**WHEREAS**, on July 15, 2009, the Hearing Officer lifted the suspension and converted the matter to an administrative action against the Licensee.

**WHEREAS**, the issues raised by the said Notice of Recommendation of Revocation, Order of Immediate Emergency Suspension, which were converted to an administrative action, are set for hearing on August 26, 2009, before the Louisiana Gaming Control Board Administrative Hearing Office; and

**WHEREAS**, the Division and Licensee 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 Revocation, Order of Immediate Emergency Suspension;

**NOW, THEREFORE**, in consideration of the foregoing, the parties hereto do hereby agree and stipulate as follows:

#### **STIPULATIONS**

1. The Licensee stipulates that on March 1, 2007, two ATC permits were issued to Medina, Inc. d/b/a Café Roma Express, with expiration dates of February 29, 2008.
2. The Licensee stipulates that between March 1, 2008, and March 1, 2009, the Licensee operated without valid ATC permits, in violation of La. R.S. 27:301(B)(8) and 12(a), La. R.S. 27:308(B)(3), La. R.S. 27:308.2(A), La. R.S. 27:310 (B)(1)(a),(b), and (c), La. R.S.27:310(C), and LAC 42:XL2417(B)(4).


#### **TERMS AND CONDITIONS**

1. Within fifteen (15) days of the approval of this settlement by the Louisiana Gaming Control Board, the Licensee shall pay One Thousand and Five Hundred Dollars (\$1,500.00) for the violations of La. R.S. 27:301(B)(8) and 12(a), La. R.S. 27:308(B)(3), La. R.S. 27:308.2(A), La. R.S. 27:310 (B)(1)(a),(b), and (c), La. R.S.27:310(C), and LAC 42:XL2417(B)(4).
2. The Division hereby agrees to accept a One Thousand and Five Hundred Dollar (\$1,500.00) penalty for the Licensee's violations of La. R.S. 27:301(B)(8) and 12(a), La. R.S. 27:308(B)(3), La. R.S. 27:308.2(A), La. R.S. 27:310 (B)(1)(a),(b), and (c), La. R.S.27:310(C), and LAC 42:XL2417(B)(4).
3. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.
4. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and the Licensee pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

5. 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 Licensee's suitability.
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.
7. If approved by the Louisiana Gaming Control Board, the Licensee must pay One Thousand and Five Hundred Dollars (\$1,500.00) within fifteen (15) calendar days of such approval. Any failure to meet this requirement will result in immediate suspension of the gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

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

  
\_\_\_\_\_  
Timothy Porteous, On behalf of,  
Medina, Inc. d/b/a Café Roma Express

  
\_\_\_\_\_  
Mesa T. Brown, 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: MEDINA, INC.  
D/B/A CAFÉ ROMA EXPRESS

LICENSE NO. 2601209780

ORDER

BE IT REMEMBERED that on the 31<sup>st</sup> day of August, 2009, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, 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 One Thousand and Five Hundred Dollars (\$1,500.00) to the Division within fifteen (15) days of the approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the license of Medina, Inc. d/b/a Café Roma Express without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 31<sup>st</sup> day of August, 2009, in Baton Rouge, Louisiana.



RICHARD L. REYNOLDS  
HEARING OFFICER  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA



LOUISIANA GAMING CONTROL BOARD  
CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON

August 31 2009  


SECRETARY, ADMINISTRATIVE HEARING OFFICE  
C.C. Timothy Porteous  
Mesa Brown  
Sgt. Lonell Subley