



State of Louisiana
Gaming Control Board

JOHN BEL EDWARDS
GOVERNOR

RONNIE JONES
CHAIRMAN

**IN RE: ONE WAY GAMING, LLC D/B/A
ONE WAY GAMING
NO. 2600616991**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of January 17, 2019. The Hearing Officer's order dated January 8, 2019, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action", by and between One Way Gaming, LLC d/b/a One Way Gaming, No. 2600616991, 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 17th day of *January*, 2019.

LOUISIANA GAMING CONTROL BOARD

BY:



RONNIE JONES, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD

I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON

ALL PARTIES THIS 18th DAY
OF January, 2019.



APPEAL DOCKET CLERK

LGCB-4957-19-B

RECEIVED

By GERALYN A. COLEMAN at 3:08 pm, Jan 08, 2019

RECEIVED

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LA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

ONE WAY GAMING, LLC
D/B/A ONE WAY GAMING

CASE NO.: 2600616991

JOINT MOTION FOR APPROVAL OF COMPROMISE AND
SETTLEMENT AGREEMENT

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

NOW COME the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and One Way Gaming, LLC d/b/a One Way Gaming (hereinafter, the "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 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.


Representative
Louisiana Gaming Control Board

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

Respectfully Submitted,

JEFF LANDRY,
ATTORNEY GENERAL

By: 

James S. Vilas, Bar Roll #30976
6525 Perkins Road
Baton Rouge, Louisiana 70808
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Facsimile: (225) 771-8101
Counsel for One Way Gaming, LLC
d/b/a One Way Gaming

By: 

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Assistant Attorney General
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Telephone: (225) 326-6500
Facsimile: (225) 326-6599
Counsel for the Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

ONE WAY GAMING, LLC
D/B/A ONE WAY GAMING

CASE NO.: 2600616991

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and One Way Gaming, LLC d/b/a One Way Gaming (hereinafter, the "Licensee"), do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has sent a Notice of Recommendation of Administrative Action to the Licensee, which Notice contains allegations of certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by said Notice are set for hearing before the Louisiana Gaming Control Board Administrative Hearing Office.

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 said Notice;

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

STIPULATIONS

1. The Licensee is a Type 6 licensee located at 2704 Fourth Street, Harvey, Louisiana, 70058.

2. The Division's records indicate that Richard Gutierrez held 51% and Leonardo Perez held 49% of the membership interest in the Licensee.

3. On April 4, 2018, Leonardo Perez sold 34% of his membership interest in the Licensee to Ryan Gutierrez.

4. As a result of the transfer, the current members of the Licensee are Richard Gutierrez with 51%; Ryan Gutierrez with 34%; and Leonardo Perez with 15% of the membership interest in the Licensee.

5. The Licensee did not notify the Division of the change in membership until May 24, 2018, more than ten calendar days after the transfer of membership interest, in violation of LAC 42:XI.2417(B)(4).

6. The Licensee's newest member, Ryan Gutierrez, failed to submit to suitability, in violation of La. R.S. 27:427(D).

TERMS AND CONDITION

1. In lieu of administrative action, the Licensee will pay a penalty of **SEVEN HUNDRED FIFTY and 00/100 (\$750.00) DOLLARS** for its violation of La. R.S. 27:427(D) and LAC 42:XI.2417(B)(4).

2. The Division hereby agrees that payment of a total penalty of **SEVEN HUNDRED FIFTY and 00/100 (\$750.00) DOLLARS** shall be in full and final settlement of all matters set forth in the Notice of Recommendation of Administrative Action.

3. The Division reserves the right to take into consideration this admitted violation in connection with any future investigation, violation or assessment of penalty and in connection with any future assessments of the Licensee's suitability.

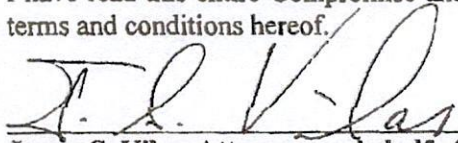
4. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

5. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Licensee, pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

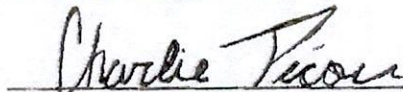
6. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana 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.

7. If approved, the Licensee agrees to make full payment of the civil penalty within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board. The Licensee agrees that failure to meet this requirement shall 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 and Settlement Agreement and agree to all stipulations and terms and conditions hereof.



James S. Vilas, Attorney, on behalf of
One Way Gaming, LLC
d/b/a One Way Gaming



Charlie Picou, 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

ONE WAY GAMING, LLC
D/B/A ONE WAY GAMING

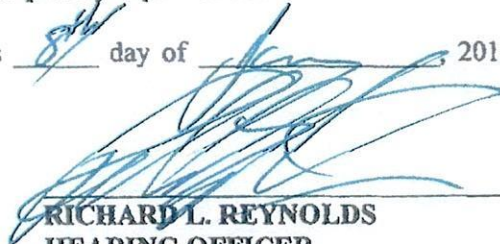
CASE NO.: 2600616991

ORDER

BE IT REMEMBERED that on the 8th day of January, 2019, came for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared by and through their respective attorneys of record or representing themselves, and the Hearing Officer having considered the pleadings on file, the proposed Compromise and 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 One Way Gaming, LLC d/b/a One Way Gaming must pay SEVEN HUNDRED FIFTY and 00/100 (\$750.00) 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 license without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 8th day of January, 2019, in Baton Rouge, Louisiana.


RICHARD L. REYNOLDS
HEARING OFFICER

LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE

I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 8th DAY
OF January, 2019.

Ebony Baliste
DOCKET CLERK, ADMIN. HEARING OFFICE

CC: One Way Gaming, LLC D/B/A One Way Gaming
Charlie Picou
Sgt. Eddie Daigle

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 1/8/19

Ebony Baliste
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE