



State of Louisiana

KATHLEEN BABINEAUX BLANCO
GOVERNOR

Gaming Control Board

H. CHARLES GAUDIN
CHAIRMAN

ANNE LACOUR NEEB
EXECUTIVE DIRECTOR

IN RE: JAMES WARD NO. P040006142

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of January 18, 2005. The Hearing Officer's order dated December 14, 2004, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Suspension and Penalty," Permit No. P040006142, by and between James Ward, 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 20 day of January, 2005.

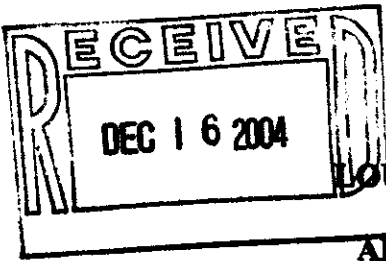
LOUISIANA GAMING CONTROL BOARD

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 21st DAY
OF January 2005


APPEAL DOCKET CLERK



STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

DEC 14 2004

LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: JAMES WARD

NO. P040006142

JOINT MOTION FOR ENTRY OF STIPULATIONS AND
APPROVAL OF PROPOSED SETTLEMENT

ON THE JOINT MOTION OF:


1. the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, (hereinafter "Division"), and
2. James Ward, Permit No. P040006142 (hereinafter "permittee"),

who respectfully represent the following:

WHEREAS:

1. On April 20, 2004, the Division received notification from the Louisiana Department of Revenue that permittee was not current in the filing of all applicable state tax returns or in the payment of all taxes owed. Permittee was notified by certified mail that permittee had thirty (30) days to provide the Division with documentation that a tax clearance had been issued; permittee received and signed for this letter on April 23, 2004. Permittee did not provide documentation of a tax clearance to the Division until on or about October 29, 2004.
2. The permittee is mandated by La. R.S. 27:28B(3) to remain current with all tax filings and payments owed to the state of Louisiana, any political subdivision of Louisiana, or the Internal Revenue Service.
3. Permittee was issued a *Notice of Recommendation of Suspension* by the Louisiana Gaming Control Board on or about August 30, 2004.
4. This matter has been scheduled for hearing on December 14, 2004 at 9:00 a.m. before the Honorable William H. Brown.

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

TRUE COPY

Representative

Louisiana Gaming Control Board

1. The permittee acknowledges that La. R.S. 27:28B(3) mandates permit holders to remain current with all tax filings and payments owed to the state of Louisiana, any political subdivision of Louisiana, or the Internal Revenue Service;
2. The permittee further acknowledges that permittee was notified on April 23, 2004 by certified mail that permittee had thirty (30) days to provide the Division with documentation that a tax clearance had been issued. Permittee did not provide documentation of a tax clearance to the Division until on or about October 29, 2004.
3. In consideration of the previous and aforementioned delay in submission of the mandatory Louisiana state tax clearance and in lieu of further administrative action against the permittee's gaming permit, the permittee shall pay a \$250.00 civil penalty;
4. The Division hereby agrees to accept the permittee's payment of the above stated penalty in full and final settlement of 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 James Ward 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 permittee being suspended until such time as the penalty is paid in full;
9. The Division and the permittee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted,

JAMES WARD
No. P040006142

BY: 

James Ward
3744 Morriswood Drive
Harvey, Louisiana 70058

CHARLES C. FOTI, JR.
ATTORNEY GENERAL

BY: 

GAIL C. HOLLAND
Assistant Attorney General
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STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: JAMES WARD

NO. P040006142

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 permittee acknowledges that he was notified on April 23, 2004 by certified mail that permittee had thirty (30) days to provide the Division with documentation that a tax clearance had been issued and that he did not provide documentation of a tax clearance to the Division until October 29, 2004.
2. the permittee 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 Non Key Gaming Employee Permit of the permittee being suspended until such time as penalty is paid in full.

THUS DONE AND SIGNED this 14th day of December, 2004 in

Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD

WE HEREBY CERTIFY THAT A CERTIFIED

COPY HAS BEEN MAILED OR SERVED ON

PARTIES THIS 14th DAY

December, 10 2004

Jill Commy

CLERK ADMINISTRATIVE HEARING OFFICE

cc: James Ward
Gail Holland
Sgt. Tray Kenard



William H. Brown
Hearing Officer

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 12/14/04

Jill Commy
BY: CLERK

STATE OF LOUISIANA
PARISH OF Orleans

AFFIDAVIT

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

JAMES WARD,

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

that affiant is the holder of Non-Key Gaming Employee Permit No. P040006142;

that the permittee received a Notice of Recommendation of Administrative Action from the Louisiana Gaming Control Board, citing violation of La. R.S. 27:28B(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 permittee, 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 Jefferson Louisiana, on this 8th day of December 2004.


James Ward, Affiant


Notary Public

My commission expires at date