



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

IN RE: THE LITTLE BROWN BAG, INC. D/B/A
THE LITTLE BROWN BAG, INC.
NO. 4500610332

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of October 21, 2008. The Hearing Officer's order dated September 17, 2008, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action, No. 4500610332, by and between The Little Brown Bag, Inc. d/b/a The Little Brown Bag, Inc., 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 21st day of October, 2008.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 23rd DAY
OF October, 2008
APPEAL DOCKET CLERK
[Signature]

LOUISIANA GAMING CONTROL BOARD
BY: *[Signature]*
H. CHARLES GAUDIN, CHAIRMAN

HJC/gac

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

SEP 17 2008

LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: THE LITTLE BROWN BAG, INC.
D/B/A THE LITTLE BROWN BAG, INC.

#4500610332

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

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

COMES NOW the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (the "Division") and The Little Brown Bag, Inc. D/B/A The Little Brown Bag, Inc. (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 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.

TRUE COPY
[Signature]
Rep. [Name]
Louisiana
[Date] of [Month]

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

Respectfully submitted,

**THE LITTLE BROWN BAG, INC.
D/B/A THE LITTLE BROWN BAG, INC.**

By: 

**Scott Simon, Owner
P.O. Box 839
Boutte, Louisiana 70039
Telephone: (985) 785-4452**

Authorized Representative for Licensee

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

By: 

**Jonathon B. Wagner, #. 9693
Assistant Attorney General
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (225) 326-6500
Facsimile: (225) 326-6519
*Counsel for the Office of State Police***

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

**IN RE: THE LITTLE BROWN BAG, INC.
D/B/A THE LITTLE BROWN BAG, INC.**

#4500610332

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and The Little Brown Bag, Inc. D/B/A The Little Brown Bag, Inc. (hereinafter "Licensee") do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to Licensee alleging certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by the said Notice of Recommendation of Administrative Action are set for hearing on September, 17, 2008, 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 Administrative Action;

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

STIPULATIONS

1. Licensee admits that Scott E. Sirmon was arrested on March 7, 2008, by the St. Charles Parish Sheriff's Office for violating La R.S. 14:35.3, Domestic Abuse/Battery. This charge was subsequently refused by the prosecuting authority.

2. Licensee admits to violating LAC 42:XI.2417(B)(4) when it failed to notify the Division of Mr. Sirmon's arrest within ten (10) calendar days.

TERMS AND CONDITIONS

1. Licensee will pay a civil penalty of FIVE HUNDRED AND NO/100 (\$500.00) DOLLARS.

2. The Division hereby agrees to accept Licensee's payment of the above stated penalty in full and final settlement of the Notice of Recommendation of Administrative Action issued on July 15, 2008.

3. The Division reserves the right to take into consideration these admitted violations in connection with any future investigation, violation or assessment of penalty.


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. Failure to pay the penalty within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board, and to comply with each term and condition listed herein, shall result in

the immediate suspension of The Little Brown Bag, Inc's. license without the necessity of 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.



Scott E. Sirmon



Jonathon B. Wagner, KAG 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: THE LITTLE BROWN BAG, INC.
D/B/A THE LITTLE BROWN BAG, INC.

#44500610332

ORDER

BE IT REMEMBERED that on the 17 day of July, 2008, 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, 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.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED AND SERVED ON
ALL PARTIES TO THIS HEARING ON
JULY 18, 2008
BY
Jill D'Amico
CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Scott Sumon
Jonathan Wagner
Sgt. Dino Antonino

SIGNED AND ENTERED this 17 day of
July, 2008, in Baton Rouge, Louisiana.



WILLIAM H. BROWN
HEARING OFFICER

LC. A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
BATON ROUGE HEARING OFFICE
BATON ROUGE, LA 9/18/08
Jill D'Amico
BY: CLERK