



State of Louisiana

Gaming Control Board

M. J. "MIKE" FOSTER, JR.
GOVERNOR

HILLARY J. CRAIN
CHAIRMAN

IN RE: DOUBLE H, L.L.C. D/B/A BOX CAR CAFÉ NO. VP2403211529

ORDER


This matter was considered by the Louisiana Gaming Control Board at its meeting of February 18, 2003. The Hearing Officer's order dated February 10, 2003, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Suspension," by and between Double H, L.L.C. d/b/a Box Car Café, No. VP2403211529, and the Louisiana Department of Public Safety and Corrections, Office of State Police, Video Gaming Division, which is attached hereto and incorporated herein, is **APPROVED**.

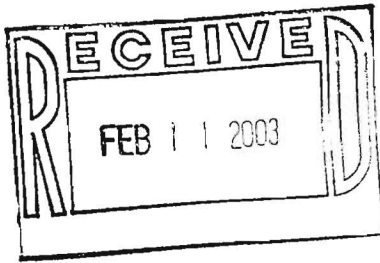
THUS DONE AND SIGNED on this the 20th day of February, 2003.

LOUISIANA GAMING CONTROL BOARD

BY:


HILLARY J. CRAIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 24th DAY
OF February, 2003
APPEAL DOCKET CLERK




STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE



FEB 07 2003
ADMINISTRATIVE
DOCKET CLERK

IN RE: DOUBLE H L.L.C.
d/b/a BOX CAR CAFE

CASE NO. 2403211529

JOINT MOTION FOR ENTRY OF STIPULATIONS AND
APPROVAL OF PROPOSED SETTLEMENT

ON THE JOINT MOTION OF:

1. The Louisiana Department of Public Safety and Corrections, Office of State Police, Video Gaming Division (hereinafter "Division"), and
2. Double H, L.L.C. d/b/a Box Car Cafe, License No. 2403211529 (hereinafter "licensee"), who respectfully represent the following:

WHEREAS:

1. On or about March 8, 2002, the Division mailed the annual form, which must be submitted annually by all licensees, to the licensee;
2. The licensee was mandated by LAC 42:XI.2405(B)(7) to submit the above annual form to the Division, along with all appropriate fees and current tax clearance certificates, on or before July 1, 2002;
3. On or about May 17, 2002, the Division received the licensee's annual license form and fee. However, the local and state tax clearance certificates were not included.
4. Pursuant to this information, on or about September 23, 2002, the Division Mailed a Notice of Violation and Hearing (Violation/Inspection Report #13905) to the licensee, alleging violations of LAC 42:XI.2405(B)(7). On September 27, 2002, the Division received notification of the licensee's receipt of this notice.

TRUE COPY

Representative
Louisiana Gaming Control Board

5. On or about January 28, 2003, the Division received a copy of the licensee's tax clearance certificates.
6. This matter has been scheduled for hearing on February 24, 2003 at 9:30 a.m. before the Honorable J. E. Anzalone, Jr.

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

1. The licensee acknowledges that it was in violation of LAC 42:XI.2405(B)(7), in that it did not submit the appropriate tax clearance certificates to the Division by July 1, 2002;
2. In lieu of suspension of the licensee's video gaming license, the licensee shall pay a \$250.00 civil penalty;
3. The Division hereby agrees to accept the licensee's payment of the above stated penalty in full and final settlement of Violation/Inspection Report No. 13905;
4. The Division reserves the right to take into consideration these violations in connection with any future violation;
5. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
6. This settlement constitutes the entire agreement between the Division and Box Car Cafe, pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
7. 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 video gaming license of the licensee being suspended and its gaming devices being disabled; and
8. The Division and the licensee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted.

Wayne Hobson
Double H, L.L.C.
d/b/a Box Car Cafe
VG# 2403211529

RICHARD P. IEYOUB
ATTORNEY GENERAL

BY: Wayman Hobson
Wayman Hobson
Double H, L.L.C.
d/b/a Box Car Cafe
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Licensee

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STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: DOUBLE H, L.L.C.
d/b/a BOX CAR CAFE

CASE NO. 2403211529

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 licensee acknowledges that it was in violation of LAC 42:XI.2405 (B)(7), in that it did not submit the appropriate tax clearance certificates to the Division by July 1, 2002;
2. Box Car Cafe, shall pay a civil penalty in the amount of \$250.00;
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 video gaming license of Box Car Cafe being suspended and its gaming devices being disabled.

THUS DONE AND SIGNED this 10 day of Feb,

2003 in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 10th DAY
OF February 2003
[Signature]
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Wayman + Hobson
Kim Graham, Esq.
Sabrina Ballard

[Signature]
J. E. Anzalone, Jr.
Hearing Officer

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 2/10/03

[Signature]
BY: CLERK

STATE OF LOUISIANA
PARISH OF Iberville

AFFIDAVIT

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

WAYNE HOBSON

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

that affiant is an owner of Box Car Cafe, ("licensee"), whose establishment is located at 57955 Main Street, Plaquemine, Louisiana 70764

that Box Car Cafe received a Notice of Recommendation of Suspension (Violation/Inspection Report No. 13905) from the Louisiana Gaming Control Board, citing violation of LAC 42:XI.2405(B)(7);

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 licensee, 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 Plaquemine, Louisiana, on this 6th day of February, 2003.

Wayne Hobson
Affiant

Gayle M. Babin
Notary Public
My commission expires at death