



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

ANNE LACOUR NEEB
EXECUTIVE DIRECTOR

**IN RE: STERLING SILVER SERVICES, INC.
D/B/A AVENUE B GRILL
NO. VP2600114068**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of July 19, 2005. The Hearing Officer's order dated June 21, 2005, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Denial of Original Application," Permit No. VP2600114068, by and between Sterling Silver Services, Inc. d/b/a Avenue B Grill, 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 July, 2005.

LOUISIANA GAMING CONTROL BOARD

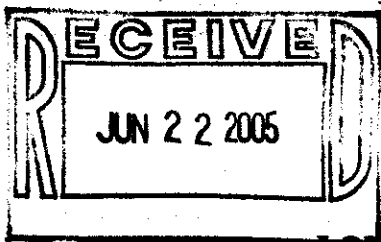
BY:

H. Charles Gaudin / s/
H. CHARLES GAUDIN, CHAIRMAN

**LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 21 DAY
OF July 2005**

APPEAR DOCKET CLERK

9100 Bluebonnet Centre, Suite 500, Baton Rouge, LA 70809
Phone: (225) 295-8450 Fax: (225) 295-8479



STATE OF LOUISIANA

RECEIVED

LOUISIANA GAMING CONTROL BOARD

JUN 20 2005

ADMINISTRATIVE HEARING OFFICE

LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: STERLING SILVER SERVICES, INC.
d/b/a AVENUE B GRILL

NO. 2600114068

**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. Sterling Silver Services, Inc., d/b/a Avenue B. Grill, who respectfully represent the following:

WHEREAS:

1. On May 3, 2004, the Office of the State Police received an application from Sterling Silver Services, Inc., d/b/a Avenue B. Grill for a type 1 video poker license;
2. On June 2, 2004, the State Police interviewed Ms. Tran, of Sterling Silver Services, Inc., d/b/a Avenue B Grill at the establishment;
3. On November 24, 2004, Ms. Tran was arrested in Jefferson Parish for Aggravated Battery with a Dangerous Weapon;
4. The November 24, 2004 arrest, happened after the interview with the State Police regarding Sterling Silver Services, Inc., d/b/a Avenue B Grill's type 1 video gaming license; Ms. Tran did not notify the Office of State Police of the November 24, 2004 arrest within (10) days of the effective date of the change pursuant to LAC 42:XI.2407(A)(13);
5. Based on the failure to disclose this arrest the Division issued a Notice of Recommendation of Denial of Original Application which was sent by the Louisiana Gaming Control Board on April 13, 2005;
6. This matter is scheduled for a pre-hearing conference on June 30, 2005 at 9:30 a.m. before the Honorable Joseph E. Anzalone, Jr.; and

TRUE COPY

[Signature]

Louisiana Gaming Control Board

7. The division, is in possession of a document dated March 31, 2005 from the 24th Judicial District, District Attorneys Office, Paul D. Connick, Jr., which states that the Aggravated Battery charge 14:34 regarding Ms. Alice Tran were refused by his office on December 15, 2004.

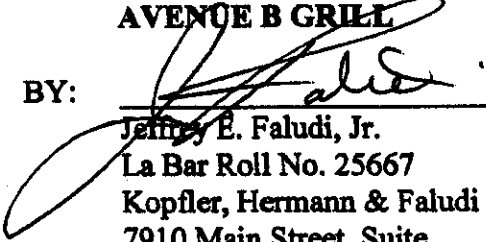
NOW THEREFORE, in consideration of the foregoing stipulations, the Division and Sterling Silver Services, Inc., d/b/a Avenue B Grill hereby propose the following settlement, that:

1. Ms. Tran acknowledges that she violated LAC 42:XI.2407(A)(13) in that she failed to disclose the above-referenced arrest to the Division within (10) ten days;
2. The Division has been made aware that the arrest of November 24, 2004 was refused by the charging agency of the 24th Judicial District Court on December 15, 2004;
3. In lieu of further administrative action against the licensee's type 1 video gaming license, the licensee shall pay a \$400.00 civil penalty;
4. The Division hereby agrees to accept the licensee's payment of the above stated penalty in full and final settlement of this notice of recommendation of administrative action;
5. After approval of the settlement by the Louisiana Gaming Control Board, the Division will recommend approval of the application;
6. The Division reserves the right to take in to consideration this violation in connection with any future violation;
7. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
8. This settlement constitutes the entire agreement between the Division and Sterling Silver Services, Inc., d/b/a Avenue B Grill pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understanding of the parties;
9. 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 board with (15) days of approval of this settlement by the board; failure to submit the civil penalty within (15) days of approval by the board shall result in the video gaming license of the licensee being suspended until the civil penalty is paid in full; and

10. 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.

**JEFFREY E. FALUDI, JR.
COUNSEL FOR STERLING
SILVER SERVICES, INC. d/b/a
AVENUE B GRILL**

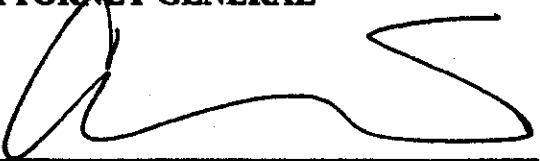
BY:



Jeffrey E. Faludi, Jr.
La Bar Roll No. 25667
Kopfler, Hermann & Faludi
7910 Main Street, Suite
Houma, LA 70360
Telephone: (985) 851-3311
Facsimile: (985) 851-4521

**CHARLES C. FOTI, JR
ATTORNEY GENERAL**

BY:



Adrian L. Wilson, Assistant Attorney General
La Bar Roll No. 28272
1885 North Third Street, 5th Floor
Baton Rouge, LA 70801
Telephone: (225) 326-6500
Facsimile: (225) 326-6599

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: STERLING SILVER SERVICES, INC.
d/b/a AVENUE B GRILL

NO. 2600114068

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. Ms. Tran acknowledges that she violated LAC 42:XL2407(A)(13) in that she failed to disclose the above-referenced arrest to the Division within (10) ten days;
2. In lieu of further administrative action against the licensee's type 1 video gaming license, the licensee shall pay a \$400.00 civil penalty;
3. The Division hereby agrees to accept the licensee's payment of the above stated penalty in full and final settlement of this notice of recommendation of administrative action; and
4. After approval of the settlement by the Louisiana Gaming Control Board, the Division will recommend approval of the application.

THUS DONE AND SIGNED this 21 day of JUN, 2005 in Baton

Rouge, Louisiana.

[Handwritten Signature]
HONORABLE JOSEPH E. ANZALONE, JR.
Hearing Officer, Louisiana Gaming Control Board

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 6/21/05
[Handwritten Signature]
BY: CLERK

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 21 DAY
OF JUN 2005
[Handwritten Signature]
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE
cc: Jeffrey Faludi
Adrian Wilson
Atty. Jules Renee