



State of Louisiana
Gaming Control Board

JOHN BEL EDWARDS
GOVERNOR

RONNIE JONES
CHAIRMAN

**IN RE: FRIENDLY EXPRESS, INC. D/B/A
BAYOU DAIQUIRIS
NO. 0501116808**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of January 21, 2016. The Hearing Officer's order dated December 15, 2015, 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 Friendly Express, Inc. d/b/a Bayou Daiquiris, No. 0501116808, 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 *January, 2016.*

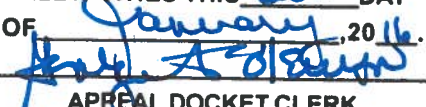
LOUISIANA GAMING CONTROL BOARD

LOUISIANA GAMING CONTROL BOARD

BY



RONNIE JONES, CHAIRMAN

I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS *22ND* DAY
OF *January*, 20 *16*.


APPEAL DOCKET CLERK

LGCB-3693-15-B

RECEIVED

By Geralyn at 12:05 pm, Dec 15, 2015

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LGCB
ADMINISTRATIVE HEARING OFFICE

STATE OF LOUISIANA

LOUISIANA GAMING CONTROL BOARD

ADMINISTRATIVE HEARING OFFICE

RE: **FRIENDLY EXPRESS, INC. D/B/A
BAYOU DAIQUIRIS**

LIC. NO.: 0501116808

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

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

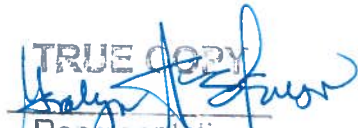
NOW COME the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Friendly Express, Inc. d/b/a Bayou Daiquiris (hereinafter, "Bayou"), who file this Joint Motion for Approval of Compromise and Settlement Agreement, and in support thereof would respectively show unto the Hearing Officer as follows:

1.

The Division and Bayou are desirous of 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

Representative
Louisiana Gaming Control Board

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

Respectfully Submitted,

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

By: Harbans Lal

Harbans Lal
526 Front Street
Cottonport, Louisiana 71327
Telephone: (318) 876-2853
*Owner of and on behalf of Friendly
Express, Inc. d/b/a Bayou Daiquiris*

By: 

Kanick Lewis, Jr., Bar Roll #32890
Assistant Attorney General
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
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**

**RE: FRIENDLY EXPRESS, INC. D/B/A
BAYOU DAIQUIRIS**

LIC. NO.: 0501116808

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Friendly Express, Inc. d/b/a Bayou Daiquiris (hereinafter, "Bayou") do hereby represent and agree as follows:

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

WHEREAS, the issues raised by the said Notice of Recommendation of Administrative Action has been set for hearing before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the Division and Bayou are desirous of fully and finally 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. Bayou is a Type I licensed establishment located at 526 Front Street, Cottonport, Louisiana 71327.
2. On February 2, 2015, the Division mailed a Video Gaming Advisory Notice to Bayou informing them of the requirement and deadline date of August 31, 2015, to submit the annual fee and supporting documents.
3. On November 12, 2015, Bayou submitted the required documents and annual fee to the Division.
4. Bayou failed to timely submit the required annual fee and supporting documents, a violation of **LAC 42:XI.2405(B)(4)(a) and (b)**.

TERMS AND CONDITIONS

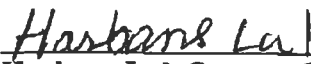
1. In lieu of Administrative Action of its Gaming License, Bayou will pay a civil penalty of SEVEN HUNDRED AND FIFTY AND NO/100 (\$750.00) DOLLARS for its violation of **LAC 42:XI.2405(B)(4)(a) and (b)**.
 2. The Division hereby agrees to accept Bayou's payment of the above stated penalty in full and final settlement of the Notice of Recommendation of Administrative Action for Bayou's violation of **LAC 42:XI.2405(B)(4)(a) and (b)**.
 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 Bayou's suitability.
 4. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.
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5. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Bayou, pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations, and understandings of the parties.

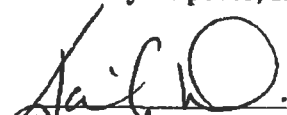
6. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if the Hearing Officer approves this proposed settlement, this agreement is not thereby executory, but will be submitted to the Louisiana Gaming 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, Bayou agrees to make full payment of the civil penalty to the Division within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board. Bayou 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.



**Harbans Lal, Owner of and on behalf of
Friendly Express, Inc. d/b/a Bayou Daiquiris**



**Kanick Lewis, Jr., 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

RE: FRIENDLY EXPRESS, INC. D/B/A
BAYOU DAIQUIRIS

LIC. NO.: 0501116808

ORDER

BE IT REMEMBERED that on the 15th day of December 2015, 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 Friendly Express, Inc. d/b/a Bayou Daiquiris must pay SEVEN HUNDRED AND FIFTY AND NO/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 15th day of December, 2015, in Baton

LOUISIANA GAMING CONTROL BOARD
Rouge, Louisiana
HEARING OFFICE

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

ALL PARTIES THIS 15th DAY

OF December, 2015

Melba Matthews
DOCKET CLERK, ADMIN. HEARING OFFICE

cc Harvane Lal
Karick Lewis, Jr.
Sgt. Lionell Dibley

A TRUE COPY ATTEST

LOUISIANA GAMING CONTROL BOARD

[Signature]
RICHARD L. REYNOLDS HEARING OFFICE

HEARING OFFICE BATON ROUGE, LA

Melba Matthews
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE