



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

RONNIE JONES
CHAIRMAN

IN RE: WAGUESPACK & WAGUESPACK, LTD D/B/A
FUNTIME AMUSEMENT
NO. 3601612009

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of September 17, 2015. The Hearing Officer’s order dated August 31, 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 Waguespack & Waguespack, Ltd. d/b/a Funtime Amusement, No. 3601612009, 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 17th day of *September, 2015.*

LOUISIANA GAMING CONTROL BOARD

BY:

RONNIE JONES, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD

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

ALL PARTIES THIS 19th DAY
OF September, 2015

APPEAL DOCKET CLERK

LGCB-3526-15-B

RECEIVED

By GERALYN at 2:15 pm, Aug 31, 2015

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

AUG 31 2015

LGCB
ADMINISTRATIVE HEARING OFFICE

RE: WAGUESPACK & WAGUESPACK, LTD.
d/b/a FUNTIME AMUSEMENT

CASE NO.: 3601612009

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 Waguespack & Waguespack, Ltd. d/b/a Funtime Amusement (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

Representative
Louisiana Gaming Control Board

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

Respectfully Submitted,

ALLISON U. ROVIRA, ATTORNEY AT LAW

By: 

Allison U. Rovira, Roll #27634
730 North Street
Baton Rouge, Louisiana 70802
Telephone: (225) 381-0019
Facsimile: (225) 381-0178
*Counsel for Waguespack & Waguespack
d/b/a Funtime Amusement*

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

By: 

Olga M. Bogran, Bar Roll #24302
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: WAGUESPACK & WAGUESPACK, LTD.
d/b/a FUNTIME AMUSEMENT

CASE NO.: 3601612009

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Waguespack & Waguespack, Ltd. d/b/a Funtime Amusement (hereinafter, "Licensee"), do hereby represent and agree as follows:

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

WHEREAS, the issues raised by said Notice are set for hearing before the Louisiana Gaming Control Board Administrative Hearing Office on August 31, 2015.

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 said Notice;

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

STIPULATIONS

1. On April 30, 2014, the Division received a Renewal Application from the Licensee which included a Personal History Questionnaire from Maria R. Waguespack. The

Personal History Questionnaire advised that Ronald J. Waguespack (hereinafter "Mr. Waguespack"), 100% owner, President and Director of the Licensee married Maria Cosio, also known as Maria Callahan, now known as Mrs. Maria Waguespack.

2. The Licensee was married on April 4, 2014, but the Division was not advised until April 30, 2014. The Licensee failed to advise the Division of the change in marriage status within ten (10) days as required by gaming law.

3. On September 19, 2014, the Division mailed the Licensee a letter requesting a copy of the Marriage Certificate. The letter was mailed to 400 Labarre Drive, Metairie, LA 70001, the mailing address provided to the Division by the Licensee. On September 25, 2014, the letter was returned to the Division, marked "Moved- Left No Address- Unable to Forward- Return to Sender".

4. On February 25, 2015, the Division received a faxed request for a change of address from the Licensee.

5. The Division contacted Mr. Waguespack regarding the change of address. He advised that the Licensee physically relocated on or about October 1, 2014. The Licensee failed to advise the Division of the change in physical address within ten (10) days as required by gaming law.

TERMS AND CONDITIONS

1. In lieu of administrative action, the Licensee will pay a penalty of **FIVE HUNDRED and No/100 (\$500.00) DOLLARS** for its violations of LAC 42:XI.2405(A)(13) and LAC 42:XI.2417(B)(4).

2. The Division hereby agrees that payment of a total penalty of **FIVE HUNDRED and No/100 (\$500.00) DOLLARS** shall be in full and final settlement of all matters set forth in the Notice of Recommendation of Administrative Action.

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 Licensee's suitability.

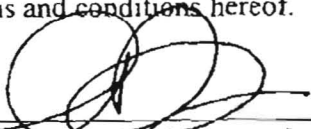
4. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

5. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and the Licensee, pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

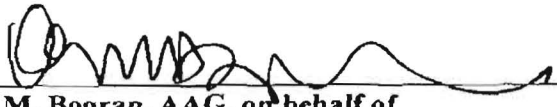
6. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana 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.

7. If approved, Licensee agrees to make full payment of the civil penalty within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board. Licensee 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.



Allison U. Rovira, on behalf of Waguespack & Waguespack, Ltd. d/b/a Funtime Amusement



Olga M. Bogran, 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: WAGUESPACK & WAGUESPACK, LTD.
d/b/a FUNTIME AMUSEMENT

CASE NO.: 3601612009

ORDER

BE IT REMEMBERED that on the 31st day of August, 2015, came on 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 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 the Licensee must pay a total penalty FIVE HUNDRED and No/100 (\$500.00) 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 31st day of August, 2015, in Baton

LOUISIANA GAMING CONTROL BOARD
Baton Rouge, Louisiana
HEARING OFFICE

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

ALL PARTIES THIS 31st DAY
OF August, 2015

DOCKET CLERK, ADMIN. HEARING OFFICE



HEARING OFFICER
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE

BATON ROUGE, LA 8-31-15

DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Funtime Amusement
Olga Bogdan
Lat. Lionell Sibley

Allison U. Rovia

