

KATHLEEN BABINEAUX BLANCO GOVERNOR H. CHARLES GAUDIN CHAIRMAN

IN RE: THE CORNER CAFÉ, INC. D/B/A CORNER CAFÉ NO. 2600209236

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of March 21, 2006. The Hearing Officer's order dated February 22, 2006, 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 The Corner Café, Inc. d/b/a Corner Café, No. 2600209236, 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 3/st day of March, 2006.

LOUISIANA GAMING CONTROL BOARD

BY:

H. CHARLES GAUDIN, CHAIRMAN

I HEREBY CERTIFY THAT A CERTIFIED COPY HAS BEEN MAILED OF SERVED ON ALL PARTIES THIS

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

RECEIVED

STATE OF LOUISIANA LOUISIANA GAMING CONTROL BOARD ADMINISTRATIVE HEARING OFFICE

FEB 2 1 2006

LGCB Administrative Hearing Office

IN RE: THE CORNER CAFÉ, INC. d/b/a CORNER CAFÉ NO. 2600209236

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COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and The Corner Café, Inc. d/b/a Corner Cafe, VGL 260209236, do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to The Corner Café, Inc. d/b/a Corner Cafe, which notice alleges 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 February 22, 2006, before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the parties hereto are desirous of fully and finally compromising and settling all disputes and issues raised 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. The Corner Café, Inc. d/b/a Corner Café, a licensed video gaming establishment, previously entered into a video poker device agreement with Master Video Poker.

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- 2. Master Video Poker sent video gaming documents ("the Documents") to The Corner Café, Inc. d/b/a Corner Cafe for execution, including but not limited to the Annual Licensee form, dated May 14, 2001, which was signed by Barbara Manning.
 - 3. Barbara Manning is President of The Corner Café, Inc. d/b/a Corner Café.
- 4. Barbara Manning admits that she did not sign the Documents in the presence of a notary and the Documents were not notarized in the Affiant's presence. Thus, the Documents were improperly notarized in violation of LAC 42:XI.2405(A)(15).
- 5. On December 7, 2005, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to The Corner Café, Inc. d/b/a Corner Cafe, VGL 260209236 alleging certain violations of Louisiana Gaming Control Law.
- 6. Barbara Manning represents that all of the statements, responses, disclosures and representations provided in documents submitted to the Division bearing her signature, are true and correct to the best of her knowledge, information and belief, and represent a complete and accurate account of the requested information.

TERMS AND CONDITIONS

- 1. Any and all information discovered throughout the course of this or any other investigation may be used in any future determination of the suitability of Barbara Manning.
- 2. The Corner Café, Inc. d/b/a Corner Cafe agrees to pay a civil penalty of One Thousand Dollars (\$1,000.00).
- 3. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and The Corner Café, Inc. d/b/a Corner Cafe pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.
- 4. 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.

- 5. If approved, The Corner Café, Inc. d/b/a Corner Cafe must make payment of the civil penalty to the Division within ten (10) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the license without the necessity of any further administrative action until such time as the penalty is paid in full.
- 6. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

I have read this entire Compromise Settlement Agreement, understand it, and agree to all stipulations and terms and conditions hereof.

Barbara Manning, President of The Corner Café, Inc. d/b/a Corner Cafe, VGL 260209236

Sworn to and subscribed before me, the undersigned notary, in the Parish of <u>JEFFERSON</u> this 13th day of <u>FEBRUARY</u> A.D. 2006.

Notary Signature

PERRY W. MANNING LA BAR# 19693

Notary Commission expires <u>AT OEATH</u>

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

IN RE: THE CORNER CAFÉ, INC. d/b/a CORNER CAFÉ

NO. 2600209236

ORDER

BE IT REMEMBERED that on this the _______ day of February, 2006, 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 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.

SIGNED AND ENTERED this ZL day of February, 2006, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
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COPY HAS BEEN MAILED OR SERVED ON

KET OF ERK ADMINISTRATIVE HEARING DEFICE

ET CLERK, ADMINISTRATIVE HEARING OFFICE

Perry manning Byt. Robord Rodning WILLIAM H. BROWN HEARING OFFICER

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A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD

BATON ROUGE, LA

BY: CLERK

STATE OF LOUISIANA LOUISIANA GAMING CONTROL BOARD ADMINISTRATIVE HEARING OFFICE

IN RE: THE CORNER CAFÉ, INC.

NO. 2600209236

JOINT MOTION FOR APPROVAL OF COMPROMISE AND SETTLEMENT AGREEMENT

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

COME NOW State of Louisiana, Department of Public Safety and Corrections, Office of State Police ("Division") and The Corner Café, Inc. d/b/a Corner Cafe, VGL 260209236, who file this, their 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 The Corner Café, Inc. d/b/a Corner Cafe 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.

WHEREFORE, PREMISES CONSIDERED, The Division and The Corner Café, Inc. d/b/a Corner Cafe respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

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Perry W. Manning

By:

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Facsimile: (504) 218-4714

Counsel for The Corner Café, Inc. d/b/a Corner Café By:

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Baton Rouge, Louisiana 70802

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CHARLES C. FOTI, JR. ATTORNEY GENERAL

Counsel for the Office of State Police