

State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

ANNE LACOUR NEEB
EXECUTIVE DIRECTOR

IN RE: KELLY'S TRUCK TERMINAL, INC.
D/B/A KELLY'S TRUCK TERMINAL
NO. VP0906500309

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of June 14, 2004. The Hearing Officer's order dated May 18, 2004, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Administrative Action," by and between Kelly's Truck Terminal, Inc. d/b/a Kelly's Truck Terminal, No. VP0906500309, and the 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 14 day of June, 2004.

LOUISIANA GAMING CONTROL BOARD

BY:


H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 15 DAY
OF June 2004

APPEAL DOCKET CLERK


RECEIVED

STATE OF LOUISIANA

MAY 18 2004

LOUISIANA GAMING CONTROL BOARD

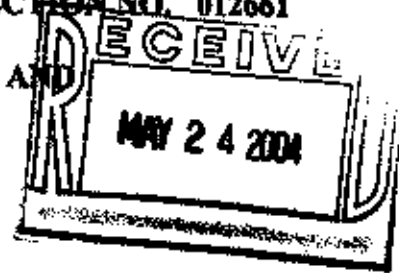
**LGCB
ADMINISTRATIVE HEARING OFFICE**

ADMINISTRATIVE HEARING OFFICE

**IN RE: KELLY'S TRUCK TERMINAL, INC.
d/b/a KELLY'S TRUCK TERMINAL**

**NO. 0906500309
INSPECTION NO. 012661**

**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 (hereinafter "Division"), and
2. Kelly's Truck Terminal, Inc. d/b/a Kelly's Truck Terminal, VGL. No. 0906500309 (hereinafter "licensee"),

who respectfully represent the following:

WHEREAS:

1. On or about November 6, 2003, a Division agent observed a billboard advertising video poker at the licensee's establishment which failed to include the required toll-free telephone number for problem gambling.
2. The licensee is mandated by La. R.S. 27:27.3 to place the toll-free telephone number of the National Council on Problem Gambling (or other similar, Board-approved toll-free telephone number) in any advertisement of its gaming activities or gaming establishment;
3. Pursuant to its agent's observations, the Division issued Violation/Inspection Report #012661 to the licensee on or about November 6, 2003, citing violation of La. R.S. 27:27.3. Attendant to Violation/Inspection Report #012661, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to the licensee on or about February 11, 2004.
4. This matter has been scheduled for hearing on May 4, 2004 at 9:00 a.m. before the Honorable William H. Brown.

TRUE COPY

[Signature]
Representative

Louisiana Gaming Control Board

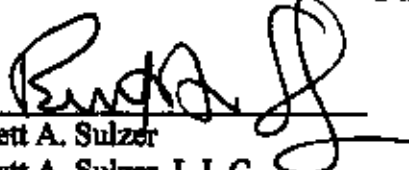
NOW THEREFORE, in consideration of the foregoing stipulations, the Division and the licensee hereby propose the following settlement, that:

1. The licensee acknowledges that it was in violation of La. R.S. 27:27.3, in that it did not place the required problem gambling toll-free telephone number on the advertisement signs observed November 6, 2003;
2. In lieu of further administrative action against 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. 012661 and this Notice of Recommendation of Administrative Action;
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 Kelly's Truck Terminal, Inc. d/b/a Kelly's Truck Terminal 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 until such time as the penalty is paid in full; 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,


**KELLY'S TRUCK TERMINAL, INC.
d/b/a KELLY'S TRUCK TERMINAL**

BY:


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d/b/a/ Kelly's Truck Terminal

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STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: KELLY'S TRUCK TERMINAL, INC.
d/b/a KELLY'S TRUCK TERMINAL

NO. 0906500309
INSPECTION NO. 012661

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 La. R.S. 27:27.3, in that it did not include the required problem gambling toll-free telephone number on signs advertising its gaming establishment;
2. the licensee shall pay a \$250.00 civil penalty;
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 the licensee being suspended and its gaming devices being disabled until such time as the penalty is paid in full.

THUS DONE AND SIGNED this 10 day of May, 2004 in
Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR DELIVERED ON
ALL PARTIES THIS 10 DAY
OF May, 2004
BY Boraine Hayes
SCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Brett Sulzer
Alga Bogdan
Sabrina Ballard


William H. Brown
Hearing Officer

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 5-18-04

Boraine Hayes
BY: CLERK