



State of Louisiana
Gaming Control Board

JOHN BEL EDWARDS
GOVERNOR

RONNIE JONES
CHAIRMAN

**IN RE: LIUZZA'S RESTAURANT & BAR, INC.
D/B/A LIUZZA'S RESTAURANT & BAR
NO. 3601205280**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of October 24, 2019. The Hearing Officer's order dated September 25, 2019, 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 Liuzza's Restaurant & Bar, Inc. d/b/a Liuzza's Restaurant & Bar, No. 3601205280, 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 *24th* day of *October, 2019.*

LOUISIANA GAMING CONTROL BOARD

LOUISIANA GAMING CONTROL BOARD

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

ALL PARTIES THIS 24th DAY
OF October, 2019.

Angela A. Coleman
APPEAL DOCKET CLERK

BY:

Ronnie Jones
RONNIE JONES, CHAIRMAN

LGCB-5295-19-B

RECEIVED

SEP 25 2019

LA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RE: LIUZZA'S RESTAURANT & BAR, INC.
D/B/A LIUZZA'S RESTAURANT & BAR

CASE NO.: 3601205280A

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 Liuzza's Restaurant & Bar, Inc. d/b/a Liuzza's Restaurant & Bar (hereinafter, the "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.

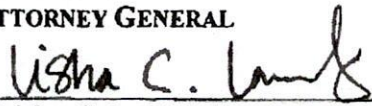
A true and correct copy of the proposed Compromise and Settlement Agreement is attached hereto as Exhibit "A" and incorporated by reference for all purposes.

TRUE COPY
Anthony A. Edwards
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,

By: 
Frank L. Bordelon, II
*President for and on behalf of Liuzza's
Restaurant & Bar, Inc. d/b/a Liuzza's
Restaurant & Bar*

JEFF LANDRY
ATTORNEY GENERAL
By: 
Lisha C. Landry, La. Bar Roll# 34317
Assistant Attorney General
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (225) 326-6506
Facsimile: (225) 326-6599
*Counsel for and on behalf of the Office
of State Police*

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RE: LIUZZA'S RESTAURANT & BAR, INC.
D/B/A LIUZZA'S RESTAURANT & BAR

CASE NO.: 3601205280A

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Liuzza's Restaurant & Bar, Inc. d/b/a Liuzza's Restaurant & Bar (hereinafter, the "Licensee"), do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has sent a Notice of Recommendation of Administrative Action to the 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.

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. The Licensee is a Type 2 licensed establishment located at 234 North Telemachus Street, New Orleans, Louisiana, 70119.

2. The Division's database listed Theresa M. Galbo (hereinafter, "Ms. Galbo") with a 2% ownership interest in the Licensee, and Michael Bordelon and Frank L. Bordelon each with a 49% ownership interest in the Licensee.

3. On May 10, 2019, the Division received a copy of a Certification of Death for Ms. Galbo verifying her death on March 9, 2017, and a copy of the Judgment of Possession for the Succession of Ms. Galbo filed on May 4, 2018.

4. During the Division's investigation, it was revealed that a meeting of the officers and stockholders of the Licensee was held on June 17, 2019, acknowledging that Ms. Galbo passed away leaving her 2% ownership interest in the Licensee to Michael Bordelon.

5. As a result, Michael Bordelon holds a 51% ownership interest and Frank L. Bordelon, II holds a 49% ownership interest in the Licensee.

6. The Licensee failed to timely notify the Division within ten calendar days of Ms. Galbo's death, which resulted a stock transfer in the Licensee, in violation of LAC 42:XI.2417(B)(4).

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 violation of 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 the Licensee's suitability.


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

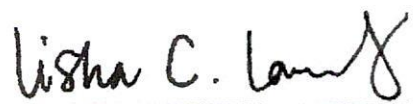
5. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and the Licensee, pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

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, the 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. The 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.


**Frank L. Bordelon, II, President for and
on behalf of Liuzza's Restaurant & Bar,
Inc. d/b/a Liuzza's Restaurant & Bar**


**Lisha C. Landry, AAG, Counsel for and
on behalf of the Office of State Police**

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RE: **LIUZZA'S RESTAURANT & BAR, INC.**
D/B/A LIUZZA'S RESTAURANT & BAR

CASE NO.: 3601205280A

ORDER

BE IT REMEMBERED that on the 25 day of September, 2019, 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 Liuzza's Restaurant & Bar, Inc. d/b/a Liuzza's Restaurant & Bar must pay **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 25th day of September, 2019, in Baton

Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE

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

ALL PARTIES THIS 25 DAY
OF September, 2019.

Ebony Frazier

DOCKET CLERK, ADMIN. HEARING OFFICE

Suzan S. Ponder

HONORABLE SUZAN S. PONDER
ADMINISTRATIVE HEARING OFFICER

CC: Liuzza's Restaurant & Bar, Inc. D/B/A Liuzza's Restaurant & Bar
Lisha Landry
Sgt. Eddie Daigle