



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

DANE K. MORGAN
CHAIRMAN

**IN RE: EWINGS OF INNIS, INC.
D/B/A EWING'S GROCERY & HARDWARE
NO. 3900606167**

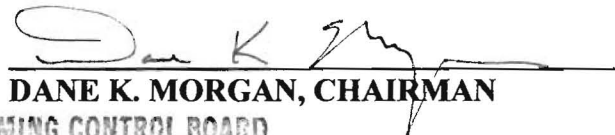
ORDER

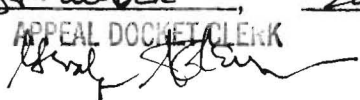
This matter was considered by the Louisiana Gaming Control Board at its meeting of September 15, 2009. The Hearing Officer's order dated September 2, 2009, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action" No. 3900606167, by and between Ewings of Innis, Inc. d/b/a Ewing's Grocery & Hardware, 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 15th day of September, 2009.

LOUISIANA GAMING CONTROL BOARD

BY:


DANE K. MORGAN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 16th DAY
OF September, 2009
APPEAL DOCKET CLERK


DKM/gac

RECEIVED

SEP 02 2009

LGCB
ADMINISTRATIVE HEARING OFFICE

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: EWING'S OF INNIS, INC. D/B/A
EWING'S GROCERY & HARDWARE

LICENSE NO. 3900606167

JOINT MOTION FOR APPROVAL OF
COMPROMISE AND SETTLEMENT AGREEMENT

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

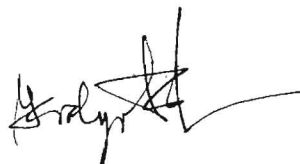
NOW COMES the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Ewing's of Innis, Inc. d/b/a Ewing's Grocery & Hardware (hereinafter, "Licensee"), who file this Joint Motion for Approval of Compromise and Settlement Agreement, and 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.



STIPULATIONS

1. The Licensee failed to timely notify the Division of changes made to its corporate roster in violation of LAC 42:XI.2417(B)(4).
2. The Licensee failed to timely notify the Division of matters pertaining to the suitability of its former officers in violation of LAC 42:XI.2417(B)(4).

TERMS AND CONDITIONS

1. Within fifteen (15) days of the approval of this settlement by the Louisiana Gaming Control Board, the Licensee shall pay a civil penalty of One Thousand Dollars (\$1,000.00) for the violations of LAC 42:XI.2417(B)(4).
2. The Division hereby agrees to accept the payment of One Thousand Dollars (\$1,000.00) in full and final settlement of the Notice of Recommendation of Administrative Action.
3. The Division reserves the right to take into consideration these admitted violations 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

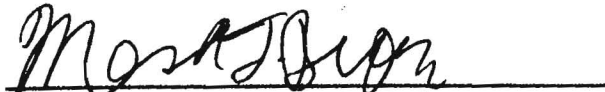
proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana Gaming Control Board for its determination as to whether to approve same or to remand the matter to the Hearing Officer for a full hearing on the merits.

7. If approved by the Louisiana Gaming Control Board, the Licensee must pay One Thousand Dollars (\$1,000.00) within fifteen (15) calendar days of such approval. Any failure to meet this requirement will 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 Settlement Agreement and agree to all stipulations and terms and conditions hereof.



Alton R. Ewing
Ewing's of Innis, Inc. d/b/a Ewing's Grocery & Hardware



Mesa T. Brown, AAG on behalf of
State of Louisiana, Department of Public
Safety & Corrections, Office of State Police

Exhibit "A"

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: EWING'S OF INNIS, INC. D/B/A
EWING'S GROCERY & HARDWARE

LICENSE NO. 3900606167

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Ewing's of Innis, Inc. d/b/a Ewing's Grocery & Hardware, License No. 3900606167 (hereinafter, "Licensee"), do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action for Type 6 Video Gaming License, alleging 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 September 2, 2009, before the Louisiana Gaming Control Board Administrative Hearing Office; and

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 the said Notice of Recommendation of Denial of Renewal Application;

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

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

Respectfully submitted,

**EWING'S OF INNIS D/B/A
EWING'S GROCERY & HARDWARE**

By: 

Alton R. Ewing
6360 Highway 1
Batchelor, Louisiana 70715
Telephone: (225) 492-2403
*President of Ewing's of Innis, Inc.
d/b/a Ewing's Grocery & Hardware*

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

By: 

Mesa T. Brown, Bar Roll #30567
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

**IN RE: EWING'S OF INNIS, INC. D/B/A
 EWING'S GROCERY & HARDWARE**

LICENSE NO. 3900606167

ORDER

BE IT REMEMBERED that on the 2nd day of Sept, 2009, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, 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**, that the Licensee must pay One Thousand Dollars and No/100 (\$1,000.00) to the Division within fifteen (15) days of the approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the license of Ewing's of Innis, Inc. d/b/a Ewing's Grocery & Hardware without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 2nd day of Sept, 2009, in Baton Rouge,

Louisiana.

LOUISIANA GAMING CONTROL BOARD
 HEARING OFFICE
 BATON ROUGE, LA

Richard Reynolds
 HEARING OFFICER
 ADMINISTRATIVE HEARING OFFICE

cc: Alton Ewing
 mesa Brown
 Sgt. Lonell Subray

Richard Reynolds
 HEARING OFFICER
 A TRUE COPY ATTEST

LOUISIANA GAMING CONTROL BOARD
 HEARING OFFICE
 BATON ROUGE, LA 9-2-09

Jill Domergue
 BY: CLERK