



State of Louisiana

KATHLEEN BABINEAUX BLANCO
GOVERNOR

Gaming Control Board

H. CHARLES GAUDIN
CHAIRMAN

ANNE LACOUR NEEB
EXECUTIVE DIRECTOR

IN RE: ORCHARD, INC. D/B/A APPLE INN MOTEL- NO. 2900300650
ORCHARD, INC. D/B/A HANCOCK GAMING - NO. 2900610423

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of August 17, 2004. The Hearing Officer's order dated July 27, 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", between Orchard, Inc. d/b/a Apple Inn Motel- No. 2900300650 and Orchard, Inc. d/b/a Hancock Gaming- No. 2900610423, and the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, which is attached hereto and incorporated herein, is **APPROVED**.

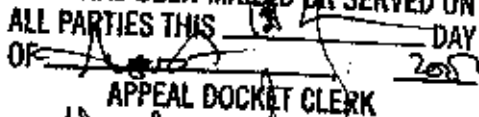
THUS DONE AND SIGNED on this the 17 day of August, 2004.

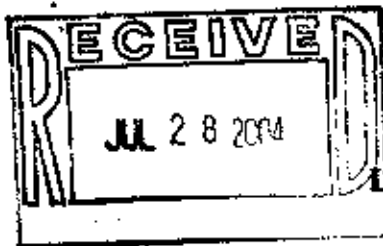
LOUISIANA GAMING CONTROL BOARD

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 18 DAY
OF August 2004
APPEAL DOCKET CLERK




RECEIVED

JUL 27 2004

**STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE**

LGCB
ADMINISTRATIVE HEARING OFFICE

**IN RE: ORCHARD, INC. d/b/a APPLE INN MOTEL
ORCHARD, INC. d/b/a HANCOCK GAMING**

**CASE NO. 2900300650
CASE NO. 2900610423**

**JOINT MOTION FOR ENTRY OF STIPULATIONS AND
APPROVAL OF PROPOSED SETTLEMENT**

ON THE JOINT MOTION OF:

1. the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "Division"), and
2. Orchard, Inc. d/b/a Apple Inn Motel, license number 2900300650, and Orchard, Inc. d/b/a Hancock Gaming, license number 2900610423 (hereinafter "licensees"),

who respectfully represent the following:

WHEREAS:

1. On or about February 9, 2004, the Division received notice from the Lafourche Parish Sales and Use Tax Department that the licensees were delinquent in the filing/payment of parish sales taxes for December 2003 and January of 2004;
2. Upon investigation, the Division discovered that the licensees had also been delinquent in the filing/payment of sales taxes to Lafourche Parish in August of 2003;
3. Based on the Division's findings, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to the licensees on May 27, 2004;
4. The hearing of these matters is scheduled for July 28, 2004 at 9:00 a.m. before the Honorable William H. Brown,

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

1. The licensees acknowledge that they were in violation of La. R.S. 27:310(B)(1)(c) and (e), in that they did not remain current in the filing/payment of taxes with the

TRUE COPY
[Signature]
Representative

Louisiana Gaming Control Board

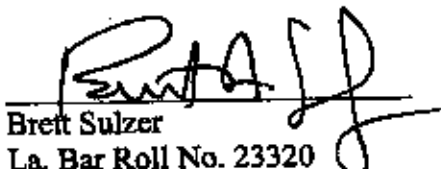
Lafourche Parish Sales and Use Tax Department for a portion of the existence of the their licenses;

2. The licensees have since become current in the filing/payment of taxes with Lafourche Parish, and currently owe no sales taxes ;
3. In lieu of further administrative action against the licensees' video gaming licenses, the licensees shall each pay a **FIVE HUNDRED DOLLAR (\$500.00)** civil penalty, for a total settlement amount of one thousand dollars (\$1000.00);
4. The Division hereby agrees to accept the licensees' payment of the above stated penalties in full and final settlement of this Notice of Recommendation of Administrative Action;
5. The Division reserves the right to take into consideration these violations in connection with any future violation;
6. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
7. This settlement constitutes the entire agreement between the Division and Orchard, Inc. d/b/a Apple Inn Motel and Orchard, Inc. d/b/a Hancock Gaming pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
8. 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 Board 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 licenses of the licensees being suspended until the civil penalty is paid in full;
9. The Division and the licensees waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted,


**ORCHARD, INC. d/b/a APPLE INN MOTEL &
ORCHARD, INC. d/b/a HANCOCK GAMING**

BY:


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**STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE**

**IN RE: ORCHARD, INC. d/b/a APPLE INN MOTEL
ORCHARD, INC. d/b/a HANCOCK GAMING**

**CASE NO. 2900300650
CASE NO. 2900610423**

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 licensees acknowledge that they were in violation of La. R.S. 27:310(B)(1)(c) and (e);
2. the licensees, having become current in the filing/payment of sales taxes to Lafourche Parish, shall each pay a \$500.00 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 licenses of the licensees being suspended until the civil penalty is paid in full.

THUS DONE AND SIGNED this 27 day of July, 2004 in
Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 27 DAY
OF July 2004
Marcin Kas
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE


William H. Brown
Hearing Officer

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 7/27/04
Marcin Kas
BY: CLERK

CC: Brett Sulzer
Karen Day White
Sgt. Leland Talon