



State of Louisiana

Gaming Control Board

M. J. "MIKE" FOSTER, JR.
GOVERNOR

HILLARY J. CRAIN
CHAIRMAN

DECISION OF THE LOUISIANA GAMING CONTROL BOARD

MOTION FOR REHEARING

IN RE: ISABELLA, INC. D/B/A HOWARD JOHNSON
No. VP2901309872

The matter before the Louisiana Gaming Control Board ("Board") is the motion for rehearing filed by Isabella, Inc. d/b/a Howard Johnson regarding the September 18, 2002, decision of the Board amending the Hearing Officer's decision which ordered Howard Johnson to pay a civil penalty of Two Hundred and no/100 (\$200.00) Dollars and limiting its Type 3 video gaming license wherein the licensee only has the authority to operate three video gaming devices in the restaurant of the establishment. The Board ordered the suspension for forty-five (45) days of the license in lieu of the penalty imposed by the Hearing Officer.

Louisiana Revised Statute 49:959(A) provides for a rehearing when:

- (1) The decision or order is clearly contrary to the law and the evidence;
- (2) The party has discovered since the hearing evidence important to the issues which he could not have with due diligence obtained before or during the hearing;
- (3) There is a showing that issues not previously considered ought to be examined in order properly to dispose of the matter; or
- (4) There is other good ground for further consideration of the issues and the evidence in the public interest.

Petitioner's motion does not assert any grounds that warrant a rehearing. Petitioner alleges that the Board was not informed of the Hearing Officer's entire decision. This presupposes that the Board did not read the Hearing Officer's decision before amending it. This is factually incorrect.¹

ORDER

This matter having been considered by the Louisiana Gaming Control Board at its meeting of October 15, 2002:

IT IS ORDERED THAT Isabella Inc. d/b/a Howard Johnson's motion for rehearing is **DENIED**.

THUS DONE AND SIGNED this the 15th day of October, 2002.

LOUISIANA GAMING CONTROL BOARD

BY:



HILLARY J. CRAIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 16th DAY
OF October, 2002

APPEAL DOCKET CLERK


¹ Petitioner is also factually incorrect when stating that the Board imposed a fine on the licensee in addition to the suspension.