



State of Louisiana

Gaming Control Board

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

HILLARY J. CRAIN
CHAIRMAN

IN RE: VERNON & NELLIE WELLS D/B/A NEW BLUE HEAVEN NO. VP2405111628

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of March 18, 2003. The Hearing Officer's order dated February 19, 2003, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Suspension," by and between Vernon & Nellie Wells d/b/a New Blue Heaven, No. VP2405111628, and the Louisiana Department of Public Safety and Corrections, Office of State Police, Video Gaming Division, which is attached hereto and incorporated herein, is **APPROVED**.

THUS DONE AND SIGNED on this the 18 day of March, 2003.

LOUISIANA GAMING CONTROL BOARD

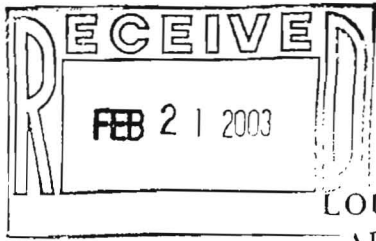
BY:


HILLARY J. CRAIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 20 DAY
OF March, 2003

APPEAL DOCKET CLERK





STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

FEB 20 2003

ADMINISTRATIVE
DOCKET CLERK

IN RE: VERNON AND NELLIE WELLS
d/b/a NEW BLUE HAVEN

CASE NO. 2405111628

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, Video Gaming Division (hereinafter "Division"), and
2. Vernon and Nellie Wells d/b/a New Blue Haven, License No. 2405111628 (hereinafter "licensee"), who respectfully represent the following:

WHEREAS:

1. On or about March 8, 2002, the Division mailed the annual form, which must be submitted annually by all licensees, to the licensee;
2. The licensee was mandated by LAC 42:XI.2405(B)(7) to submit the above annual form to the Division, along with all appropriate fees and current tax clearance certificates, on or before July 1, 2002;
3. On or about April 15, 2002, the Division received the licensee's annual license form and fee. However, the local and state tax clearance certificates were not included.
4. Pursuant to this information, on or about September 23, 2002, the Division Mailed a Notice of Violation and Hearing (Violation/Inspection Report #13900) to the licensee, alleging violations of LAC 42:XI.2405(B)(7). On October 1, 2002, the Division received notification of the licensee's receipt of this notice.

TRUE COPY


Representative

Louisiana Gaming Control Board

5. On or about February 13, 2003, the Division received a copy of the licensee's tax clearance certificates.
6. This matter has been scheduled for hearing on February 24, 2003 at 9:30 a.m. before the Honorable J. E. Anzalone, Jr.

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 LAC 42:XI.2405(B)(7), in that it did not submit the appropriate tax clearance certificates to the Division by July 1, 2002;
2. In lieu of suspension of 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. 13900;
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 New Blue Haven, 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; 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,

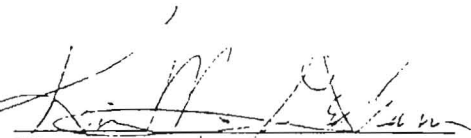
Vernon Wells
Vernon and Nellie Wells
d/b/a New Blue Haven
VG# 2405111628

RICHARD P. IEYOUB
ATTORNEY GENERAL

BY: _____

Vernon Wells
Vernon and Nellie Wells
d/b/a New Blue Haven
8270 Laredo Avenue
Baton Rouge, Louisiana 70811
Licensee

BY: _____


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Attorney for Division

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: VERNON AND NELLIE WELLS
d/b/a NEW BLUE HAVEN

CASE NO. 2405111628

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 LAC 42:XI.2405 (B)(7), in that it did not submit the appropriate tax clearance certificates to the Division by July 1, 2002;
2. New Blue Haven, shall pay a civil penalty in the amount of \$250.00;
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 New Blue Haven being suspended and its gaming devices being disabled.

THUS DONE AND SIGNED this 19TH day of FEB 2003,

2003 in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 20th DAY
OF February 2003
[Signature]
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Vernon Wells
Kim Graham, Esq.
Sabrina Ballard

[Signature]
J. E. Anzalone, Jr.
Hearing Officer

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 2/20/03

[Signature]
BY: CLERK

STATE OF LOUISIANA
PARISH OF IBERVILLE

AFFIDAVIT

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified within and for the State and Parish aforesaid, PERSONALLY CAME AND APPEARED:

VERNON WELLS

who, after first being duly sworn, declared and acknowledged to me, Notary, under oath:

that affiant is an owner of New Blue Haven, ("licensee"), whose establishment is located at 8270 Laredo Avenue, Baton Rouge, Louisiana 70811

that New Blue Haven received a Notice of Recommendation of Suspension (Violation/Inspection Report No. 13900) from the Louisiana Gaming Control Board, citing violation of LAC 42:XI.2405(B)(7);

that in the interest of settling this matter, affiant has willfully entered into a Joint Motion for Entry of Stipulations and Approval of Proposed Settlement with the Division on behalf of the licensee, via the Attorney General's Office; and

that affiant signed the above-cited motion of his own volition, without duress or coercion.

THUS DONE AND PASSED in WHITE CASTLE, Louisiana, on this 18TH day of FEB, 2003.

Vernon Wells

Affiant

Fhermon Rivere

Notary Public

My commission expires 11-08-08