



# State of Louisiana

KATHLEEN BABINEAUX BLANCO  
GOVERNOR

Gaming Control Board

H. CHARLES GAUDIN  
CHAIRMAN

ANNE LACOUR NEEB  
EXECUTIVE DIRECTOR

## IN RE: 4 DIAMONDS BAR & LOUNGE, INC. D/B/A CHOCOLATE CITY NO. VP3601113927

### ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of November 16, 2004. The Hearing Officer's order dated November 9, 2004, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Denial of Original Application", between 4 Diamonds Bar & Lounge, Inc. d/b/a Chocolate City, No. VP3601113927, 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 16 day of November, 2004.

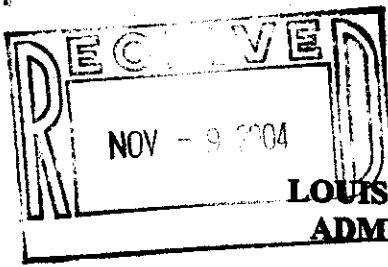
LOUISIANA GAMING CONTROL BOARD

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 17<sup>th</sup> DAY  
OF November 2004  
APPEAL DOCKET CLERK





STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

RECEIVED

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IN RE: **4 DIAMONDS BAR & LOUNGE, INC.**  
**d/b/a CHOCOLATE CITY**

LGCB  
ADMINISTRATIVE HEARING OFFICE

**CASE NO. 3601113927**

**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"), represented by the undersigned Assistant Attorney General, and
2. 4 Diamonds Bar & Lounge, Inc. d/b/a Chocolate City (herein "applicant"),

who respectfully enter the following stipulations into the record:

**WHEREAS:**

1. Pursuant to an investigation of the Original Type 1 Video Gaming License Application of the applicant, the Division discovered that the 100% owner, Tyrone Love, his spouse, Donnyette Love, and the applicant itself were all delinquent in the filing/payment of taxes to the Internal Revenue Service;
2. LAC 42:XI.2405(B)(1)(b) mandates that the applicant and Mr. and Mrs. Love be current in the filing/payment of taxes with all taxing authorities.
3. The applicant and Mr. and Mrs. Love are now all current in the filing and/or payment of taxes with all federal, state and local agencies;
4. Based on the then delinquent status of the applicant and Mr. and Mrs. Love, the Louisiana Gaming Control Board issued a Notice of Recommendation of Denial of Original Application to the applicant on August 16, 2004, citing violation of LAC 42:XI.2405(B)(1)(b); and
5. This matter is scheduled for hearing on November 9, 2004 at 9:00 a.m. before the Honorable William H. Brown,

TRUE COPY

Representative

Louisiana Gaming Control Board

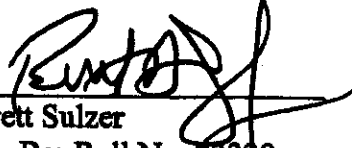
**NOW THEREFORE**, in consideration of the foregoing Stipulations and the particular facts and circumstances of this matter, the Division and the applicant hereby propose the following settlement:

1. The applicant acknowledges that it violated LAC 42:XI.2405(B)(1)(b) in that the applicant, Mr. Love and Mrs. Love did not remain current in the filing and/or payment of taxes to all taxing agencies;
2. The applicant, Mr. Love and Mrs. Love now all being current with all federal, state and local tax agencies, the Division hereby withdraws its previous recommendation of denial and hereby recommends the granting of a Type 1 license to the applicant, subject to the payment of the civil penalty cited in paragraph 3;
3. The applicant shall pay a civil penalty in the aggregate and complete sum of **TWO HUNDRED-FIFTY DOLLARS (\$250.00)**;
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 4 Diamonds Bar & Lounge, Inc. d/b/a Chocolate city 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, the applicant must pay the above civil penalty to the state within fifteen (15) days of approval – it is only when the civil penalty is paid in full that the Division will recommend that the applicant be approved for a Type 1 video gaming license; and
8. The Division and the applicant waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted,


**4 DIAMONDS BAR & LOUNGE, INC.**  
**d/b/a CHOCOLATE CITY**

BY:

  
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**CHARLES C. FOTI, JR.**  
**ATTORNEY GENERAL**

BY:

  
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STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: 4 DIAMONDS BAR & LOUNGE, INC.  
d/b/a CHOCOLATE CITY

CASE NO. 3601113927

ORDER

Considering the foregoing Motion, **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED**, that the foregoing Joint Motion for Entry of Stipulations of facts be accepted, approved and entered into the record of this proceeding;

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED**, that the foregoing proposed settlement be approved, to-wit:

1. in lieu of denial of the applicant's Original Type 1 Video Gaming License Application, the Division shall recommend that the applicant be approved for a Type 1 video gaming license conditioned upon the applicant paying a civil penalty in the amount of \$250.00 to the state within fifteen (15) days from the date of approval of this settlement by the Louisiana Gaming Control Board; and
2. the Division shall not recommend that the applicant's application be approved until the applicant has paid the above civil penalty in full.

THUS DONE AND SIGNED, this 9<sup>th</sup> day of Nov, 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 9<sup>th</sup> DAY  
OF November 18, 2004  
Bill Omenge  
CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Brett Sulzer  
Karen White  
Sabrina Ballard

  
William H. Brown  
Hearing Officer

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 11/9/04  
Bill Omenge  
BY: CLERK