



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

**IN RE: THE OYSTER BAR, INC. D/B/A THE OYSTER BAR
NO. 0904213504**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of November 13, 2007. The Hearing Officer's order dated October 17, 2007, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," No. 0904213504, by and between The Oyster Bar, Inc. d/b/a The Oyster Bar, 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 13th day of November, 2007.

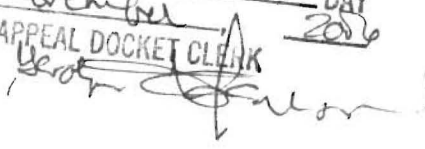
LOUISIANA GAMING CONTROL BOARD

BY:



H. CHARLES GAUDIN, CHAIRMAN

HJC/gac

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 14th DAY
OF November 2007
APPEAL DOCKET CLERK


STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

OCT 17 2007

LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: THE OYSTER BAR, INC. D/B/A THE OYSTER BAR

NO. 0904213504

JOINT MOTION FOR APPROVAL OF COMPROMISE AND
SETTLEMENT AGREEMENT

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

10/17/2007

NOW COMES the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division"), and The Oyster Bar, Inc. d/b/a The Oyster Bar License No. 0904213504 (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.

TRUE COPY
[Signature]
Representative
Louisiana Gaming Control Board

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

Respectfully submitted,

THE OYSTER BAR, INC. D/B/A THE OYSTER BAR

By:  _____

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Blackburn & Rovira
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Baton Rouge, Louisiana 70817
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*Counsel for The Oyster Bar, Inc.
d/b/a The Oyster Bar*

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

By:  _____

Christopher B. Hebert, Bar Roll #29044
Assistant Attorney General
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*Counsel for the Office of Louisiana State
Police*

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: THE OYSTER BAR, INC. D/B/A THE OYSTER BAR

NO. 0904213504

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and The Oyster Bar, Inc. d/b/a The Oyster Bar, No. 0904213504 (hereinafter, "Licensee"), do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Enforcement Division has issued a Notice of Recommendation of Administrative Action to Licensee, 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 on October 17, 2007, 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 Administrative Action;

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

STIPULATION

1. On or about June 30, 2006, the Office of State Police received information that on June 22, 2006, Mrs. Donna Hauth was arrested by the Shreveport Police

Department for Driving While Intoxicated, first offense. A Louisiana Gaming inquiry revealed that Donna Hauth was the spouse of Lance Hauth, a stock holder in two establishments: The Oyster Bar, Inc. d/b/a The Oyster Bar (VGL# 2605600125) and the Oyster Bar, Inc. d/b/a The Oyster Bar (VGL# 00904213504).

2. A State Police agent obtained the booking fingerprints and photograph of Mrs. Hauth as well as her driver's license. By comparing Mrs. Hauth's information with the police report it was apparent that Mrs. Hauth has been arrested. The State Police agent obtained the files on the two establishments, The Oyster Bar, and M & M Gaming,

3. Documents obtained from the court indicated that Mrs. Hauth had a pending court date of September 13, 2006.

4. On or about August 29, 2006, a State Police agent conducted an interview with Mrs. Hauth inquiring whether she was arrested on June 22, 2006, by the Shreveport Police Department and the circumstances of the arrest. Mrs. Hauth admitted to consuming approximately two alcoholic beverages prior to leaving The Oyster Bar. Mrs. Hauth was arrested and transported to the police station after completing the test. Mrs. Hauth was given a return a return court date of August 17, 2006. The State Police agent asked Mrs. Hauth if she or her husband, Lance Hauth had notified State Police of her arrest. Mrs. Hauth indicated that she was not aware of the requirement, despite being involved in the gaming industry for approximately nine years. Mrs. Hauth was not sure if Mr. Hauth had notified State Police of the arrest.

5. The State Police agent conducted a telephone interview of Mr. Hauth. The State Police agent asked if Mrs. Hauth informed Mr. Hauth of the June 22, 2006 arrest by

Shreveport Police Department. Mr. Hauth informed that Mrs. Hauth was arrested and that he was called to post bond and retrieve Mrs. Hauth from jail. Mr. Hauth elaborated the circumstances of Mrs. Hauth's arrest. The State Police agent asked Mr. Hauth if he or his wife had notified State Police of Mrs. Hauth's arrest. Mr. Hauth indicated that he had not. Mr. Hauth claimed he was not aware of the requirement, despite being involved in the gaming industry for approximately ten years. Mr. Hauth was not sure if Mrs. Hauth had notified State Police of the arrest.

6. On or about November 3, 2006, State Police received a letter from Mrs. Hauth, regarding her undisclosed arrest for Driving While Intoxicated, first offense, wherein Mrs. Hauth explained the outcome of the court appearance. A certified copy of the court minutes was included. Mrs. Hauth pled guilty to the amended charge of La. R.S. 14:99, Reckless Operation, and sentenced to six months probation under Article 894 ending on April 26, 2007.

TERMS AND CONDITIONS

1. Within fifteen (15) days of the approval of this settlement by the Louisiana Gaming Control Board, Licensee shall pay One Thousand and No/ 100 (\$1,000.00) Dollars in lieu of the revocation of its Type 2 Video Gaming License.

2. The Division hereby agrees to accept One Thousand and No/ 100 (\$1,000.00) Dollars for the Licensee's violation of La. R.S. 27:308(B)(3), La. R.S. 27:308.2, and LAC 42:XI.2417(B)(4)

3. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

4. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Licensee, pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

5. 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.

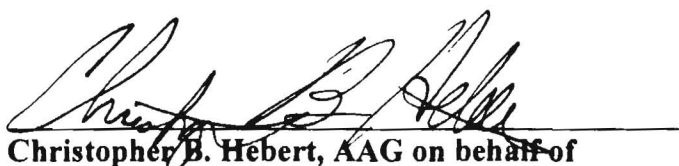
6. If approved by the Louisiana Gaming Control Board, Licensee must pay one Thousand and No/ 100 (\$1,000.00) Dollars within fifteen (15) calendar days of such approval. Any failure to meet this requirement will result in immediate suspension of the gaming license until such payment is made without the necessity of any further administrative action.

7. The Division reserves the right to take into consideration these committed violations in connection with any future investigation, violation or assessment of penalty, and in connection with any future assessments of the Licensee's suitability.

I have read this entire Compromise Settlement Agreement and agree to all stipulations and terms and conditions hereof.



**Allison U. Rovira, on behalf of The Oyster Bar, Inc.
d/b/a The Oyster Bar**



**Christopher B. Hebert, AAG on behalf of
State of Louisiana, Department of Public
Safety & Corrections, Office of State Police**

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: THE OYSTER BAR, INC. D/B/A THE OYSTER BAR

NO. 0904213504

ORDER

BE IT REMEMBERED that on the 17 day of Oct, 2007, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared by and through their respective attorneys of record, 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,

ORDER, 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.

SIGNED AND ENTERED this 17 day of Oct, 2007, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 17 DAY
19 2007
Jill Dommyer
HEARING OFFICER

cc: Allean Rivis
Christopher Hobart
Lt. Ireland Falcon



WILLIAM H. BROWN
HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 10/17/07
Jill Dommyer
CLERK