



## State of Louisiana

KATHLEEN BABINEAUX BLANCO  
GOVERNOR

Gaming Control Board

H. CHARLES GAUDIN  
CHAIRMAN

ANNE LACOUR NEEB  
EXECUTIVE DIRECTOR

### IN RE: JERRY SIMMONS D/B/A ST. MARY'S GOLF & COUNTRY CLUB NO. VP5103206585

## ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of January 18, 2005. The Hearing Officer's order dated December 15, 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 Jerry Simmons d/b/a St. Mary's Golf & Country Club, No. VP5103206585, 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 20 day of January, 2005.

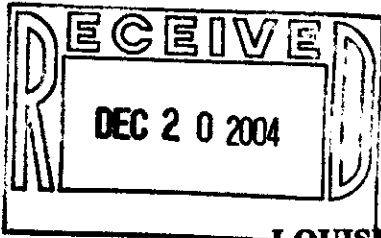
LOUISIANA GAMING CONTROL BOARD

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 21<sup>st</sup> DAY  
OF January 2005

APPEAL DOCKET CLERK  

STATE OF LOUISIANA

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LOUISIANA GAMING CONTROL BOARD

DEC 15 2004

ADMINISTRATIVE HEARING OFFICE

LGCB  
ADMINISTRATIVE HEARING OFFICE

IN RE: JERRY SIMMONS D/B/A  
ST. MARY'S GOLF & COUNTRY CLUB

NO. 5103206585

**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. Jerry Simmons d/b/a St. Mary Golf & Country Club, License No. 5103206585 (hereinafter "licensee"),

who respectfully represent the following:

**WHEREAS:**

1. A routine compliance audit was conducted of the records of the licensee to determine whether the licensee continued to meet the qualifications for a Type 2 (restaurant) video gaming license.
2. The audit revealed that the licensee did not meet the qualifications for its license.
3. The licensee was issued a *Notice of Recommendation of Administrative Action* by the Louisiana Gaming Control Board on August 5, 2004 and an *Amendment to Notice of Recommendation of Administrative Action and Notice of Recommendation of Revocation* by the Louisiana Gaming Control Board on October 25, 2004
4. This matter has been scheduled for hearing on December 15, 2004 at 9:00 a.m. before the Honorable William H. Brown.

TRUE COPY  
  
Rep. 12/15/04

Louisiana Gaming Control Board

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

1. The licensee acknowledges that it did not meet the qualifications for a Type 2 (restaurant) video gaming license from October 1, 2003 to March 31, 2004.
2. In lieu of suspension of the license, the licensee shall pay a \$13,301.00 civil penalty which is the monetary equivalent of a six months suspension;
3. The Division hereby agrees to accept the licensee's payment of the above stated penalty in full and final settlement of this Notice of Recommendation of Administrative Action and Amendment to Notice of Recommendation of Administrative Action and Notice of Recommendation of Revocation;
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 Jerry Simmons d/b/a St. Mary Golf & Country Club 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 license being suspended until such time as the penalty is paid in full;

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,

**JERRY SIMMONS D/B/A  
ST. MARY'S GOLF &  
COUNTRY CLUB**

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

BY: 

Richard B. Easterling (#20175)  
Bank One Centre, North Tower  
450 Laurel Street, 19th Floor  
Baton Rouge, LA 70801  
Telephone: (225) 336-5200  
Telephone: (225) 336-5200  
**Attorneys for ST. MARY'S GOLF &  
COUNTRY CLUB**

BY: 

Michael J. Daniels  
Assistant Attorney General  
La. Bar Roll No. 20775  
1885 North Third Street, 5<sup>th</sup> Floor  
Baton Rouge, Louisiana 70802  
Telephone: (225) 326-6500  
Facsimile: (225) 326-6599

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

**IN RE: JERRY SIMMONS D/B/A**  
**ST. MARY'S GOLF & COUNTRY CLUB**

**NO. 5103206585**

**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 did not meet the qualifications for a Type 2 (restaurant) video gaming license from October 1, 2003 to March 31, 2004;
2. the licensee shall pay a \$13,301.00 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 license of the licensee being suspended until such time as penalty is paid in full.

THUS DONE AND SIGNED this 15<sup>th</sup> day of December, 2004 in  
Baton Rouge, Louisiana.



William H. Brown  
Hearing Officer

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON

ALL BY THIS 15<sup>th</sup> DAY  
December 2004  
Jill Doninger

cc: Richard Eastalus  
Mike Daniels  
Sabrina Ballard

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 12/15/04

Jill Doninger  
BY: CLERK