



# State of Louisiana

Gaming Control Board

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

HILLARY J. CRAIN  
CHAIRMAN

## IN RE: ROGEL, LTD D/B/A DON JUAN'S NO. VP3601113414

### ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of December 16, 2003. The Hearing Officer's order dated November 20, 2003, 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," by and between Rogel, Ltd. d/b/a Don Juan's, No. VP3601113414, 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 16<sup>th</sup> day of December, 2003.

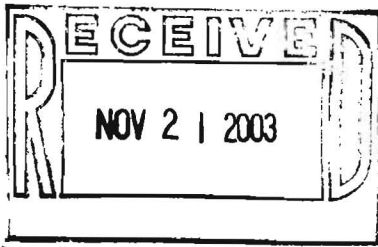
LOUISIANA GAMING CONTROL BOARD

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 17<sup>th</sup> DAY  
OF December 2003

APPEAL DOCKET CLERK  

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: ROGEL LTD.  
d/b/a DON JUAN'S

NO. 360113414  
INSPECTION NO. 014371

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. Rogel LTD d/b/a Don Juan's, License No. 360113414 (hereinafter "licensee"),

who respectfully represent the following:

WHEREAS:

1. On or about June 12, 2003, an agent of the Division conducted an on-site inspection of licensee's gaming establishment and observed during the course of the inspection that the required problem gambling toll-free telephone number was not posted at the point of entry to the area where devices were located;
2. The licensee is mandated by La. R.S. 27:320 to place the toll-free telephone number of the National Council on Problem Gambling (or other similar, Board-approved toll-free telephone number) at the point of entry to the areas where devices are located;
3. Pursuant to its agent's observations, the Division issued Violation/Inspection Report #014371 to the licensee on or about June 12, 2003, citing violation of La. R.S. 27:320. Attendant to this Violation/Inspection Report, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to the licensee on or about September 3, 2003.
4. This matter has been scheduled for hearing on November 20, 2003 at 9:30 a.m. before the Honorable Joseph E. Anzalone, Jr.

**TRUE COPY**  
  
Representative  
Louisiana Gaming Control Board

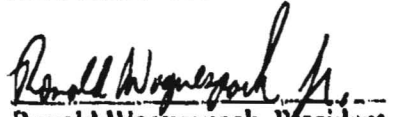
**NOW THEREFORE**, in consideration of the foregoing stipulations, the Division and the licensee hereby propose the following settlement, that:

1. The licensee acknowledges that it was in violation of La. R.S. 27:320, in that it did not place the required problem gambling toll-free telephone number of the National Council on Problem Gambling (or other similar, Board-approved toll-free telephone number) at the point of entry to the areas where devices are located in its gaming establishment;
2. In consideration of the previous and aforementioned settlement of Violation/Inspection Report #014371 and in lieu of further administrative action against 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. 014371 and this Notice of Recommendation of Administrative Action;
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 Rogel, LTD, d/b/a Don Juan's 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,

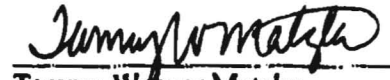
**ROGEL, LTD**  
**d/b/a DON JUAN'S**  
**No. 3601113414**

BY:

  
Ronald Waguespack, President  
Rogel, LTD  
d/b/a Rogel, LTD  
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New Orleans, Louisiana 70130  
Telephone: (504) 410-1330

**RICHARD P. IEYOUB**  
**ATTORNEY GENERAL**

BY:

  
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STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: ROGEL LTD.  
d/b/a DON JUAN'S

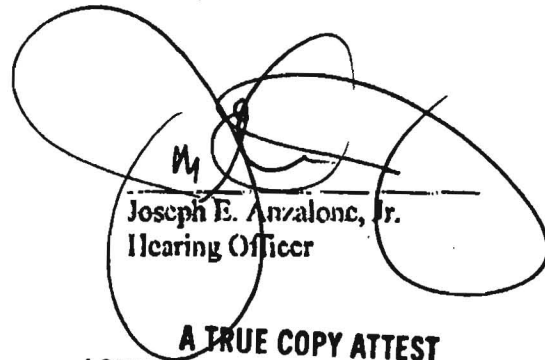
NO. 360113414  
INSPECTION NO. 014371

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 La. R.S. 27:320, in that it did not place the required problem gambling toll-free telephone number of the National Council on Problem Gambling (or other similar, Board-approved toll-free telephone number) at the point of entry to the areas where devices are located in its gaming establishment;
2. the licensee shall pay a \$250.00 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 video gaming license of the licensee being suspended and its gaming devices being disabled.

THIS DONE AND SIGNED this 20 day of Nov, 2003 in  
Baton Rouge, Louisiana.

  
Joseph E. Anzalone, Jr.  
Hearing Officer

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 11.20.03

4  
  
BY: CLERK

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

cc: Ronald waquespack  
Tammy Mathe  
Sabrina Ballard

STATE OF LOUISIANA  
PARISH OF ORLEANS

**AFFIDAVIT**

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

**RONALD WAGUESPACK, JR.**

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

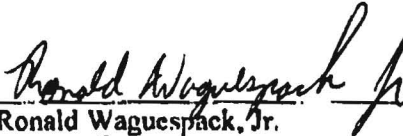
that affiant is an owner and President of Rogel LTD, d/b/a Don Juan's (license no. 3601113414);


that the licensee received a Notice of Recommendation of Administrative Action (Violation/Inspection Report No. 014371) from the Louisiana Gaming Control Board, citing violation of La. R.S. 27:320;

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 NEW ORLEANS, Louisiana, on this 14<sup>TH</sup> day of December, 2003.

  
Ronald Waguespack, Jr.

  
Notary Public  
My commission expires 01/14/04