NGC 19-05

STATE OF NEVADA

BEFORE THE NEVADA GAMING COMMISSION

NEVADA GAMING CONTROL BOARD, Complainant, vs. FABES, LLC, dba STATESIDE LOUNGE; and LUCA FABIAN BARTOLINI; Respondents.	**STIPULATION FOR SETTLEMENT AND ORDER**

The State of Nevada, on relation of its NEVADA GAMING CONTROL BOARD (BOARD), filed and served a Complaint in NGC Case No. 19-05 against FABES, LLC, dba STATESIDE LOUNGE (STATESIDE), and LUCA FABIAN BARTOLINI (BARTOLINI), collectively RESPONDENTS herein, allege certain violations of the Nevada Gaming Control Act and Regulations of the Nevada Gaming Commission (Commission or NGC).

IT IS HEREBY STIPULATED AND AGREED to by the BOARD and RESPONDENTS that the Complaint, NGC Case no. 19-05, filed against RESPONDENTS in the above-entitled case, shall be settled on the following terms and conditions:

1. RESPONDENTS admit each and every allegation set forth in the Complaint, NGC Case No. 19-05.

2. RESPONDENTS fully understand and voluntarily waive the right to a public hearing on the charges and allegations set forth in the Complaint, the right to present and cross-examine witnesses, the right to a written decision on the merits of the Complaint, and the right to obtain judicial review of the Commission's decision.

3. RESPONDENT STATESIDE agrees to the revocation of its restricted gaming license issued to it by the Commission.

4. RESPONDENT BARTOLINI agrees to the revocation of his license as the sole member and manager of RESPONDENT STATESIDE, issued to him by the Commission.

5. RESPONDENTS fully understand, and acknowledge, that the revocation of their respective licenses will render each a revoked licensee under the Nevada Gaming Control Act and the regulations adopted thereunder, and that each shall be subject to the effects and consequences that stem therefrom.

6. In consideration for the execution of this Stipulation for Settlement, RESPONDENTS for themselves, their heirs, executors, administrators, successors, and assigns, hereby release and forever discharge the State of Nevada, the Commission, the BOARD, the Nevada Attorney General, and each of their members, agents, and employees, in their individual and representative capacities, from any and all manner of actions, causes of action, suits, debts, judgments, execution, claims, and demands whatsoever, known or unknown, in law and equity, that RESPONDENTS ever had, now have, may have, or claim to have against any and all of the persons or entities named in this paragraph arising out of, or by reason of, the investigation of the allegations of the Complaint filed in this disciplinary action, NGC Case No. 19-05, or any matter relating thereto.

7. In further consideration for the execution of this Stipulation for Settlement, RESPONDENTS hereby indemnify and hold harmless the State of Nevada, the Commission, the BOARD, the Nevada Attorney General, and each of their members, agents, and employees, in their individual and representative capacities, from any and all claims, suits, and actions brought against the persons named in this paragraph by reason of the investigation of the allegations in the Complaint filed in this disciplinary action, NGC Case No. 19-05, and all other matters relating thereto, and against any and all expenses, damages, charges, and costs, including court costs and attorney fees, which have been or may be sustained by the persons and entities named in this paragraph as a result of said claims, suits, and actions.

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8. RESPONDENTS enter into this Stipulation for Settlement freely and voluntarily, and acknowledge that this Stipulation for Settlement is not the product of force, threats, or any other form of coercion or duress, but is the product of discussions between RESPONDENTS and the attorney for the BOARD.

9. RESPONDENTS and the BOARD acknowledge that this Stipulation for Settlement is made to avoid litigation and economize resources.

10. RESPONDENTS and the BOARD recognize and agree that the Commission has the sole and absolute discretion to determine whether to accept this Stipulation for Settlement.

11. RESPONDENTS and the BOARD hereby waive any right they may have to challenge the impartiality of the Commission to hear the above-entitled case on the matters embraced in the Complaint, NGC Case No. 19-05, if the Commission determines not to accept this Stipulation for Settlement.

12. RESPONDENTS and the BOARD agree and understand that if the Commission does not accept this Stipulation for Settlement, it shall be withdrawn as null and void and REDPONDENTS' admissions, if any, that certain violations of the Nevada Gaming Control Act or the regulations adopted thereunder had occurred shall be withdrawn.

13. RESPONDENTS and the BOARD agree and understand that this Stipulation for Settlement and Order is intended to operate as full and final settlement of the Complaint filed against RESPONDENTS in the above-entitled disciplinary case, NGC Case No. 19-05.

14. RESPONDENTS and the BOARD agree and understand that any oral representations are superseded by this Stipulation for Settlement and Order and that only those terms memorialized in writing herein shall be effective.

15. RESPONDENTS agree and understand that, although this Stipulation for Settlement, if approved by the Commission, will settle the Complaint filed in the above-entitled disciplinary case, NGC Case No. 19-05, the allegations contained in the Complaint and the terms of this Stipulation for Settlement may be considered by the BOARD or

Commission with regards to any and all applications filed by either RESPONDENT with the BOARD in the future, or that are currently pending before the BOARD or Commission, and with regard to any future disciplinary action that may be brought against either RESPONDENT.

16. RESPONDENTS and the BOARD shall each bear their own costs incurred in this disciplinary action, NGC Case No. 19-05, including, but not limited to, attorney costs, if any.

17. RESPONDENTS, by executing this Stipulation for Settlement, affirmatively waive all notice required by law for this matter including, but not limited to, notice concerning consideration of the character or misconduct of a person (Nevada Revised Statute (NRS) 241.033), notices concerning consideration of administrative action against a person (NRS 241.034), and notices concerning hearings before the Commission (NRS 463.312). Regardless of this waiver of the applicable legal notice requirements, the BOARD or Commission will attempt to provide reasonable notice of the time and place of any hearing relating to this disciplinary action, NGC Case No. 19-05.

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18. This Stipulation for Settlement shall become effective immediately upon approval by the Commission.

Dated this 28 day of MAY 2020.

FABES, LLC, dba STATESIDE LOUNGE; and LUCA FABIAN BARTOLINI

By: _____
LUCA FABIAN BARTOLINI
Sole Member and Manager

Dated this 29th day of May 2020.

NEVADA GAMING CONTROL BOARD

_____
SANDRA DOUGLASS MORGAN, Chair

Terry Johnson
_____
TERRY JOHNSON, Member

_____
PHILIP KATSAROS, Member

Submitted by:

AARON D. FORD
Attorney General

By: _____
EDWARD L. MAGAW
Senior Deputy Attorney General
Gaming Division
Attorneys for the Nevada Gaming Control Board
Telephone: (702) 486-3420

ORDER

IT IS SO ORDERED in NGC Case No. 19-05.

Dated this ___ day of _____ 2020.

NEVADA GAMING COMMISSION

_____
Chair