

RECEIVED/FILED

JUL 30 2020

NEVADA GAMING COMMISSION
CARSON CITY, NEVADA

1 NGC 19-05
2
3
4

5 STATE OF NEVADA
6 BEFORE THE NEVADA GAMING COMMISSION

7 NEVADA GAMING CONTROL BOARD,

8 Complainant,

9 vs.

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

12 Respondents.

STIPULATION FOR SETTLEMENT
AND ORDER

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

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

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

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

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

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

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

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

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

28 ...

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

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

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

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

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

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

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

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

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

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

8 17. RESPONDENTS, by executing this Stipulation for Settlement, affirmatively
9 waive all notice required by law for this matter including, but not limited to, notice
10 concerning consideration of the character or misconduct of a person (Nevada Revised
11 Statute (NRS) 241.033), notices concerning consideration of administrative action against
12 a person (NRS 241.034), and notices concerning hearings before the Commission (NRS
13 463.312). Regardless of this waiver of the applicable legal notice requirements, the BOARD
14 or Commission will attempt to provide reasonable notice of the time and place of any
15 hearing relating to this disciplinary action, NGC Case No. 19-05.

16 ...
17 ...
18 ...
19 ...
20 ...
21 ...
22 ...
23 ...
24 ...
25 ...
26 ...
27 ...

28

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

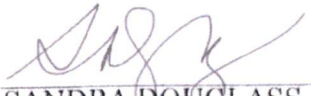
3 Dated this 28 day of MAY 2020.

Dated this 29th day of May 2020.


4 FABES, LLC, dba STATESIDE
5 LOUNGE: and LUCA FABIAN
6 BARTOLINI

NEVADA GAMING CONTROL BOARD

7 By: 
8 LUCA FABIAN BARTOLINI
9 Sole Member and Manager

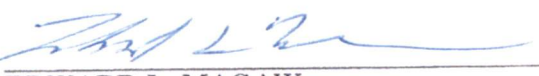

10 SANDRA DOUGLASS MORGAN, Chair

Terry Johnson
11 TERRY JOHNSON, Member


12 PHILIP KATSAROS, Member

13 Submitted by:

14 AARON D. FORD
15 Attorney General

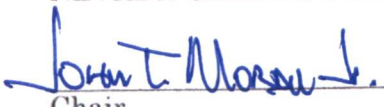
16 By: 
17 EDWARD L. MAGAW
18 Senior Deputy Attorney General
19 Gaming Division
20 Attorneys for the Nevada Gaming Control Board
21 Telephone: (702) 486-3420

ORDER

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

23 Dated this 30th day of July 2020.

NEVADA GAMING COMMISSION


24 Chair