

LOUISIANA BOARD OF MASSAGE THERAPY

IN THE MATTER OF

MAGICAL MASSAGE AND SPA, LLC

LICENSE NO. E4349

CONSOLIDATED WITH

IN THE MATTER OF

ROSE MASSAGE, LLC

LICENSE NO. E4688

VOLUNTARY SURRENDER OF LICENSES

WHEREAS, DAVID BENOIT (“**Mr. Benoit**”) is the owner of two licensed massage establishments in the State of Louisiana as evidenced by LBMT License No. E4349 (Magical Massage and Spa, LLC) and LBMT License No. E4688 (Rose Massage, LLC), and is subject to the jurisdiction and rules and regulations of the Louisiana Massage Therapists and Massage Establishments Act (La. R.S. 37:3551, et seq.), and the rules promulgated by the Louisiana Board of Massage Therapy (“LBMT”) (LAC 46:XLIV §101, et seq.);

WHEREAS, as part of the LBMT’s review of licensed massage establishments, the LBMT regularly searches websites where businesses offering illicit services and/or illegal prostitution regularly advertise. The LBMT searches these websites to compare the names, addresses, and phone numbers of its licensed massage establishments.

WHEREAS, the phone number associated with Magical Massage and Spa, LLC (“Magical Massage”) - (225) 210-8763 - and address associated with Magical Massage - 602 S. Burnside Avenue, Gonzales, Louisiana, 70737 - were identified on “RubsGuide,” “CallGirlxGuide,” “SkipTheGames,” “PickEscorts,” “BodyRubPage,” “BackPageGals,” and “PinkBodyRubs.” The advertisements include photographs of scantily clad Asian women described as “newly arrived

young beautiful Asian girls,” “PROFFESIONAL and PLEASING masseuses to TREAT YOU to THE ASIAN DIFFERENCE,” “TREAT YOURSELF! With our GORGEOUS ladies and their caring touch, your trip to CLOUD NINE is one call away,” “Young and beautiful professional Asian masseurs will bring you a unique and excellent massage experience,” and “Excellent massage techniques and gentle service attitude are guaranteed to satisfy you.”

WHEREAS, after reviewing the advertisements, Memry Hodum, Complaint Investigation Officer for the LBMT, signed an Order of Summary Suspension, summarily suspending license no. E4349 issued to Magical Massage on June 20, 2023. A hearing regarding further action regarding the license of Magical Spa was scheduled for July 21, 2023.

WHEREAS, the phone number associated with Rose Massage, LLC (“Rose Massage”) - (225) 390-8238 - and address associated with Rose Massage - 52705 Louisiana 30 W, Suite D, Gonzales, Louisiana, 70737 - were identified on “CallgirlxGuide,” “BackPageGals,” “BodyRubPage,” “PickEscorts,” “SkipTheGames,” and “RubsGuide.” The advertisements include photographs of scantily clad Asian women described as “hot sensual pretty Asian with like no other,” “New Face, New Feeling and Different Experience,” “We Offer Lots Of Techniques You Have Never Had The PLEASURE Of!” and “The ultimate GRATIFICATION is just one call away!!!”

WHEREAS, after reviewing the advertisements, Memry Hodum, Complaint Investigation Officer for the LBMT, signed an Order of Summary Suspension, summarily suspending license no. E4688 issued to Rose Massage on June 20, 2023. A hearing regarding further action related to the license of Rose Massage was scheduled for July 21, 2023.

WHEREAS, the respondent, Mr. Benoit, has indicated his desire to voluntarily surrender his licenses with the LBMT, particularly License No. E4349 (Magical Massage) and License No. E4688 (Rose Massage), in lieu of further disciplinary proceedings;

WHEREAS, the respondent, Mr. Benoit, acknowledges that in accordance with the written policies of the LBMT, the following will result due to the voluntary surrender of his licenses:

1. Public notification of this Voluntary Surrender of Licenses by posting a copy of this Voluntary Surrender of Licenses on the LBMT website.
2. He shall be ineligible for reinstatement of his establishment licenses in the state of Louisiana and shall be ineligible to apply for a new establishment license for a period of five (5) years.

WHEREAS, Mr. Benoit agrees that he shall pay costs associated with the investigation of this matter in the amount of \$500.00 when he submits this Voluntary Surrender of Licenses to be approved by the LBMT, which amount shall be made by certified check or money order.

WHEREAS, Mr. Benoit acknowledges that he has had the opportunity to thoroughly review the contents of this Voluntary Surrender of Licenses, and that he is informed of and understands his rights, including his rights to due process in connection with this Voluntary Surrender of Licenses;

WHEREAS, Mr. Benoit further acknowledges that failure to reimburse the costs set forth above will require the Board to take further action in collection of this debt. Respondent has thirty (30) days to reimburse the expenses before the debt will be considered final and transferred to the Louisiana Office of Debt Recovery (ODR). After transfer, the debt is subject to an additional collection fee of up to twenty-five percent (25%) of the total debt liability, as provided for in LA R.S. 47:1676 (E).

WHEREAS, by the voluntary surrender of his licenses, Mr. Benoit, moreover, acknowledges, stipulates, and agrees that he hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act or which otherwise may be afforded to him by law, to contest his agreement to, or the force and effect of this document in any Court

related to the matters referred to herein, and further waives the right to appeal the acceptance and approval of this Agreement by the LBMT;

WHEREAS, Mr. Benoit acknowledges that he has had the opportunity to seek the advice and guidance of legal counsel with respect to this Voluntary Surrender of License;

WHEREAS, based on the above, David Benoit surrenders his licenses held with the LBMT, particularly License No. E4349 (Magical Massage and Spa, LLC) and License No. E4688 (Rose Massage, LLC).

David Benoit
DAVID BENOIT

7-14-2023
Date

I, DAVID BENOIT, have read the Voluntary Surrender of Licenses and Order, understand it, and agree to be bound by its terms and conditions.

DATED: 7-14-2023

David Benoit
DAVID BENOIT

SUBSCRIBED AND SWORN TO before me this 14 day of July, 2023, at Metairie, Louisiana

Kevin P. Cristofani
Notary Public

Print Name: Kevin Cristofani LSBA 426036
My Commission Expires: with death

ORDER

The Louisiana Board of Massage Therapists, having examined this Voluntary Surrender of Licenses, and upon a unanimous vote of the Board, accepts the Voluntary Surrender of Licenses in this matter on this 3RD day of August, 2023.

LOUISIANA BOARD OF MASSAGE THERAPY

Kathryn Lea Love, Chair
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Board Chair