

**LOUISIANA BOARD OF MASSAGE THERAPY**

**IN THE MATTER OF**

**ALEX LEGAUX**

**LICENSE NO. 9468**

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**CONSENT AGREEMENT AND ORDER**

**WHEREAS**, ALEX LEGAUX is a licensed massage therapist in the State of Louisiana and holds license number 9468 with the Louisiana Board of Massage Therapy (“LBMT”), and is subject to the jurisdiction and rules and regulations of the LBMT;

**WHEREAS**, on June 6, 2022, the LBMT received a complaint from S.L. (“Complainant”) via the online complaint system that alleged sexual misconduct against Mr. Legaux, which was alleged to have occurred during a massage at Spa Isbell (License No. E2259) in New Orleans, Louisiana on June 4, 2022.

**WHEREAS**, Complainant filed a police report with the New Orleans Police Department Sixth District on June 5, 2022. Following an investigation, Mr. Legaux was arrested on August 21, 2022, and charged with one count of Sexual Battery (La. R.S. 14:43.1);

**WHEREAS**, on October 5, 2022, pursuant to La. R.S. 49:977.3(C), the LBMT, through its Complaint Investigation Officer, James E. Steele, issued an Order of Summary Suspension, which had the effect of summarily suspending LBMT license number 9468, issued to Mr. Legaux, pending an administrative hearing scheduled for October 31, 2022;

**WHEREAS**, counsel for Mr. Legaux contacted Mr. Raines and requested additional time to prepare for the hearing on the Order of Summary Suspension;

**WHEREAS**, Mr. Legaux, through counsel, expressed his desire to continue and reschedule the hearing of the summary suspension to a later date to be agreed upon by the parties, specifically

waiving the right to raise the timing of the hearing of the summary suspension as a violation of his due process rights at any future hearing, trial, or appeal of this matter;

**WHEREAS**, a Consent Agreement and Order was executed by the parties proposing to continue the hearing on the Order of Summary Suspension in effect until a date to be agreed upon by the parties;

**WHEREAS**, during a meeting of the LBMT on October 31, 2022, Mr. Raines presented the Consent Agreement and Order, which was approved by the Board on that date;

**WHEREAS**, the parties subsequently agreed to reschedule the hearing on the Order of Summary Suspension to June 12, 2023, at 9:30 a.m. By Notice of Hearing dated March 7, 2023, Mr. Legaux, through his counsel, was advised of the rescheduled hearing date and his rights relative to the hearing;

**WHEREAS**, at the LBMT meeting on June 12, 2023, testimony was presented by the LBMT (through Mr. Raines) and by Mr. Legaux, through his counsel. At the hearing, Mr. Legaux generally denied the allegations set forth in the complaint filed by Complainant but did not contest the allegations of improper draping and massaging the Complainant while she was topless;

**WHEREAS**, the June 12, 2023 hearing was recessed pending resolution of Mr. Legaux's criminal case;

**WHEREAS**, following the June 12, 2023 hearing, the LBMT ordered that the Order of Summary Suspension dated October 25, 2022 remained in place until further order of the Board and that the parties submit Proposed Findings of Fact, Conclusions of Law, and a Proposed Order by July 30, 2023, for consideration by the LBMT at its next scheduled meeting on September 25, 2023;

**WHEREAS**, counsel for Mr. Legaux informed the LBMT that Mr. Legaux's criminal trial was set for August 28, 2023, and requested that the proposed deadline to submit Proposed Findings of Fact, Conclusions of Law, and a Proposed Order be continued until after the criminal trial;

**WHEREAS**, Mr. Legaux's criminal trial was continued to November 10, 2023;

**WHEREAS**, at the conclusion of the Bench Trial on November 10, 2023, Mr. Legaux was found not guilty of Sexual Battery (La. R.S. 14:43.1);

**WHEREAS**, Mr. Legaux has indicated his desire to resolve this matter through a Consent Agreement and Order provided for in LAC 46:XLIV §5901 and La. R.S. 49:975(D) of the Louisiana Administrative Procedure Act;

**WHEREAS**, Mr. Legaux has admitted to the following:

1. Mr. Legaux is and was at all times pertinent to the facts and matters alleged herein a licensed massage therapist in the State of Louisiana, holding license number 9468 issued by the LBMT.
2. Mr. Legaux admits that he improperly draped the Complainant and massaged her while she was topless in violation of the laws governing the practice of massage therapy.
3. Mr. Legaux acknowledges that his conduct violated the following laws and regulations of the LBMT: LAC 46:XLIV §2501(B) and La. R.S. 37:3563(A)(3), (6).

**WHEREAS**, Mr. Legaux recognizes his right to continue the pending administrative adjudication of the charges outlined in the Order of Summary Suspension, at which time Mr. Legaux would be entitled to be represented by legal counsel, to call witnesses, and to present witnesses on his behalf in defense or in mitigation of the charges made, and to a decision thereon

by the Board based upon written findings of fact and conclusions of law in accordance with the Louisiana Administrative Procedure Act. Mr. Legaux nonetheless waives his right to continue the pending formal adjudication and, pursuant to La. R.S. 49:975(D), consents to the entry of the Consent Agreement and Order set forth hereinafter. Mr. Legaux also acknowledges that he waives any rights to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La R.S. 49:951, et. seq., or which he otherwise may be afforded by any law, to contest his agreement to, or the force and effect of this Consent Agreement and Order, in any Court or other forum.

**IT IS HEREBY ORDERED** that in consideration of the foregoing and pursuant to the authority vested in the Board by La R.S. 49:975(D), the Board orders and Mr. Legaux accepts the following administrative action, which is a final decision pursuant to La. R.S. 49:977:

1. LBMT license number 9468 issued to Mr. Legaux is hereby **SUSPENDED** for a period of one (1) year. However, Mr. Legaux shall be given credit for the time his license was summarily suspended, which shall result in the reinstatement of his license upon approval of this Consent Agreement and Order by the Board.
2. Mr. Legaux shall reimburse legal and investigative costs associated with this case in the amount of **TWO THOUSAND FIVE HUNDRED AND 00/100 (\$2,500.00)** within two (2) years from the date all parties sign this Consent Agreement and Order. The payments shall be made on a monthly or quarterly basis with the first payment being due within ninety (90) days from the date all parties sign this Consent Agreement and Order. Payment shall be made by certified check or money order.

3. Mr. Legaux shall pay a fine for the above referred violations in the amount of ONE THOUSAND DOLLARS (\$1,000.00) within two (2) years from the date that all parties sign this Consent Agreement and Order. The payment(s) shall be made on a monthly or quarterly basis, with the first payment due within ninety (90) days from the date that all parties sign this Consent Agreement and Order. Payment shall be made by certified check or money order.
4. Mr. Legaux specifically acknowledges that failure to comply with the terms of this Consent Agreement and Order may result in a denial, revocation, or suspension of any license, certificate, or registration issued by, or applied for, in accordance with LAC 46:XLIV §1701.
5. Mr. Legaux further acknowledges that failure to reimburse the fees set forth above at paragraphs 2 and 3 will require the Board to take further action in collection of this debt. Respondent has twelve (12) months 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. 47:1675(E).
6. By agreeing to the terms of this Consent Agreement and Order, Mr. Legaux waives all rights to appeal this adjudication.

**Effect of Non-Acceptance of Agreement.** Mr. Legaux acknowledges that this Consent Agreement and Order is subject to the approval of the Board. He further acknowledges and agrees that if the Board rejects this Consent Agreement and Order, it will be void, and further proceedings may continue regarding the hearing on the Order of Summary Suspension and/or

an Administrative Complaint may be filed relative to the allegations contained herein. If this Consent Agreement and Order is rejected by the Board, it will not constitute a waiver of Mr. Legaux's right to continue the pending hearing on the matters alleged in an Administrative Complaint and the admissions contained herein will have no effect. Mr. Legaux further agrees that if the Board rejects this Consent Agreement and Order, the members of the Board may decide the matter after a hearing, and their consideration of this Consent Agreement and Order shall not alone be grounds for recusal of any member of the Board, including any claims that the Board is biased against him, that it cannot fairly decide the case, or that it has received ex parte communication.

**Address of Board.** All payments ordered and any reports required by this Consent Agreement and Order shall be addressed to Louisiana Board of Massage Therapy, 9619 Interline Ave., Suite B, Baton Rouge, Louisiana 70809.

**IT IS HEREBY FURTHER ORDERED** that this Consent Agreement and Order shall take effect immediately upon its adoption by the Board and is a public record of the Board. The terms of this Consent Agreement and Order shall be published and reported in, including but not limited to, the LBMT website.

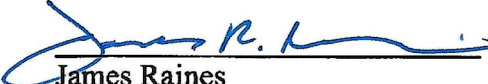
**THE ADMISSIONS AND FINDINGS CONTAINED HEREIN** are intended solely for the purpose of resolving the case at hand or in connection with other matters before the LBMT involving Mr. Legaux.

**THIS CONSENT AGREEMENT AND ORDER** shall take effect immediately upon adoption by the Board and is a matter of public record.

I, **JAMES R. RAINES**, serving as Prosecutor, do hereby acknowledge negotiation and preparation of this Consent Agreement and Order in order to resolve, with prejudice, all

matters for which Alex Legaux could be charged under this investigation, and further certify that this Consent Agreement and Order is consistent with the evidence, adequately addresses the complaint, and represents a true and correct statement of that which could be proven at a hearing of this matter.

DATED: 3/7/24

  
James Raines  
Prosecutor

I, **ALEX LEGAUX**, make these acknowledgements and waivers in support of a final disposition of the pending investigation by Consent Agreement and Order ("Order") pursuant to La. R.S. 49:975(D), rather than proceeding to formal hearing, and accordingly consent to the entirety of the Order set forth hereinbefore and further waive any right to which I may be entitled under the Louisiana Administrative Procedure Act or any other law to contest, in any court, my agreement to this Order. By my subscription hereto, I also hereby authorize the Prosecutor to present this Order to the LBMT for its consideration and to disclose to and discuss with the LBMT the nature and results of the investigation of this matter. I herein waive any objection to such disclosure based on due process of law under either the State or Federal Constitution or under State statutory law, including La. R.S. 49:977.2. I expressly acknowledge that the disclosure of such information to the LBMT shall be without prejudice to the Prosecutor's authority to file a formal Administrative Complaint, or the LBMT's capacity to adjudicate such Administrative Complaint, should the LBMT decline to approve this Consent Agreement and Order. I further acknowledge my awareness that should the LBMT approve this Consent Agreement and Order that the Consent Agreement and Order will become a matter of public record.

DATED: 3/6/24

Alex Legaux  
ALEX LEGAUX

SUBSCRIBED AND SWORN TO before me this 6 day of March,

2024, at Harvey, Louisiana.

Vicky L Pollard  
Notary Public  
Print Name: Vicky L Pollard  
My Commission Expires: Death





**ORDER**

By a majority vote of the Board members voting in favor of the Consent Agreement and Order at the Board meeting on March 11, 2024, the Board hereby adopts said Agreement, and makes it an Order of this Board.

FOR THE BOARD:

Kathryn Lea Love, Chair  
Kathryn Lea Love, Chair