



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

IN RE: TALEN'S MARINE & FUEL, INC.
NO. P082701055

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of March 21, 2006. The Hearing Officer's order dated March 15, 2006, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Revocation," by and between Talen's Marine & Fuel, Inc., No. P082701055, and the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, which is attached hereto and incorporated herein, is **APPROVED**.

THUS DONE AND SIGNED on this the 21st day of March, 2006.

LOUISIANA GAMING CONTROL BOARD

BY: H. Charles Gaudin
H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 22nd DAY
OF March 2006

APPEAL DOCKET CLERK
[Signature]



RECEIVED

MAR 15 2006

LGCB
ADMINISTRATIVE HEARING OFFICE

**STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE**

IN RE: TALEN'S MARINE & FUEL, INC.

P082701055

**JOINT MOTION FOR APPROVAL OF COMPROMISE AND
SETTLEMENT AGREEMENT**

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

COME NOW State of Louisiana, Department of Public Safety and Corrections, Office of State Police ("Division") and Talen's Marine & Fuel, Inc., P082701055, who file this, their Joint Motion for Approval of Compromise and Settlement Agreement, and in support thereof would respectively show unto the Hearing Officer as follows:

1.

The Division and Talen's Marine & Fuel, Inc. are desirous of compromising and settling all disputes between them relative to the referenced administrative proceeding. In connection therewith, the parties have entered into a compromise and settlement agreement which by its terms will become effective upon approval by the Administrative Hearing Office and the Louisiana Gaming Control Board.

2.

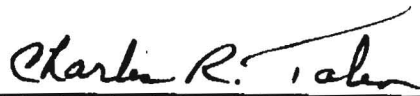
A true and correct copy of the proposed Compromise and Settlement Agreement is attached hereto as Exhibit "A" and incorporated by reference for all purposes.


TRUE COPY
[Signature]
Representative
Telephone: [unclear] [unclear]

WHEREFORE, PREMISES CONSIDERED, The Division and Talen's Marine & Fuel, Inc., respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

**CHARLES C. FOTI, JR.
ATTORNEY GENERAL**

By: 
Charles R. Talen, Sr.
P.O. Box 1040
Lake Arthur, LA 70549
On behalf of Talen's Marine & Fuel, Inc.

By: 
Olga M. Bogran, #24302
Assistant Attorney General
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (504) 599-1153
Facsimile: (504) 599-1163
Counsel for the Office of State Police

RECEIVED

MAR 14 2006

LGCB
ADMINISTRATIVE HEARING OFFICE

**STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE**

IN RE: TALEN'S MARINE & FUEL, INC.

P082701055

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and Talen's Marine & Fuel, Inc., P082701055, do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Revocation to Talen's Marine & Fuel, Inc., which notice alleges certain violations of Louisiana Gaming Control Law; and

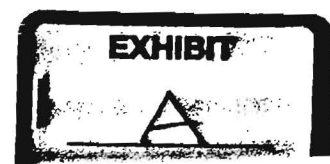
WHEREAS, the issues raised by the said Notice of Recommendation of Revocation are set for hearing on March 15, 2006, before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the parties hereto are desirous of fully and finally compromising and settling all disputes and issues raised in connection with the said Notice of Recommendation of Revocation;

NOW, THEREFORE, in consideration of the foregoing, the parties hereto do hereby agree and stipulate as follows:

STIPULATIONS

1. Talen's Marine & Fuel, Inc. holds Non-Gaming Permit # P082701055.



2. On January 7, 2005, Charles R. Talen, Sr., President of Talen's Marine & Fuel, Inc., was arrested and charged with Domestic Abuse Battery and Resisting Arrest. The arrest was not disclosed to the Division.

3. Talen's Marine & Fuel, Inc. submitted a Permittee Annual Update Form on June 15, 2005 and failed to disclose the arrest of Charles R. Talen, Sr.

4. J. Bryan Caillier, Chief Financial Officer and contact person for Talen's Marine & Fuel, Inc., admits that the arrest of Charles R. Talen, Sr. was not disclosed to the Division.

5. The Permittee acknowledges that it was in violation of La. R.S. 27:28(B)(4), LAC 42:VII.2127(A)(B), LAC 42:IX.2127(A)(B) and LAC 42:XIII.2127(A)(B) in that the Permittee failed to timely disclose the arrest of Charles R. Talen, Sr.

6. On May 4, 2005, the Internal Revenue Service notified the Division that Roland Guidry, Operations and Dock Manager of Talen's Marine & Fuel, Inc., was ineligible for a tax clearance.

7. On May 16, 2005, the Division issued a letter to the Permittee, via certified mail, instructing Talen's Marine & Fuel, Inc. to resolve the tax clearance delinquency within thirty (30) days. The letter was received and signed for on May 18, 2005. The thirty (30) day period elapsed and no tax clearance was submitted to the Division.

8. On May 23, 2005, the Louisiana Department of Revenue and Taxation notified the Division that Roland Guidry and J. Bryan Caillier were ineligible for tax clearances.

9. On May 25, 2005, the Division issued a letter to the Permittee, via certified mail, instructing Talen's Marine & Fuel, Inc. to resolve the tax clearance delinquency within thirty (30) days. The letter was received and signed for on May 27, 2005. The thirty (30) day period elapsed and no tax clearance was submitted to the Division.

10. The Permittee acknowledges that it was in violation of La. R.S. 27:28(B)(3), LAC 42:VII.2411(B), LAC 42:IX.2129(A)(B) and LAC 42:XIII.2114(B) in that individuals required

to remain current in the payment and filing of their taxes failed to remain eligible for tax clearances.

11. On December 14, 2005, the Louisiana Gaming Control Board issued a Notice Of Recommendation of Revocation to Talen's Marine & Fuel, Inc., P082701055, alleging certain violations of Louisiana Gaming Control Law.

12. In March 2006, the Internal Revenue Service and the Louisiana Department of Revenue and Taxation notified the Division that both J. Bryan Caillier and Roland Guidry were eligible for tax clearances.

TERMS AND CONDITIONS

1. Any and all information discovered throughout the course of this or any other investigation may be used in any future determination of the suitability of J. Bryan Caillier, Charles R. Talen, Sr. and Roland Guidry.

2. Any and all information discovered throughout the course of this or any other investigation may be used in any future consideration of a license for Talen's Marine & Fuel, Inc.

3. Talen's Marine & Fuel, Inc. agrees to pay a civil penalty of \$6000.00.

4. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Talen's Marine & Fuel, Inc., pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

5. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana Gaming Control Board for its determination as to whether to approve same or to remand the matter to the Hearing Officer for a full hearing on the merits.

6. If approved, Talen's Marine & Fuel, Inc. must make payment of the civil penalty to the Division within ten (10) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the license without the necessity of any further administrative action until such time as the penalty is paid in full.

7. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

I have read this entire Compromise Settlement Agreement, understand it, and agree to all stipulations and terms and conditions hereof.

Charles R. Talen

Charles R. Talen, Sr., President of Talen's Marine & Fuel, Inc., P082701055

Sworn to and subscribed before me, the undersigned notary, in the Parish of Jefferson this 13 day of March A.D. 2006. Davis

Paula Ann Champagne
Notary Signature

Paula Ann Champagne
Notary Name and Number #67317

Notary Commission expires at death

Olga M. Bogran
Olga M. Bogran, AAG on behalf of
State of Louisiana
Department of Public Safety & Corrections
Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: TALEN'S MARINE & FUEL, INC.

P082701055

ORDER

BE IT REMEMBERED that on this the 15 day of March, 2006, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the Hearing Officer having considered the pleadings on file, the proposed Settlement Agreement, and the said Motion, and it appearing to the Hearing Officer that the said Compromise and Settlement Agreement should be approved; it is, therefore,

ORDERED, ADJUDGED, AND DECREED that the Compromise and Settlement Agreement attached to the parties' Joint Motion for Approval of Compromise and Settlement Agreement be, and the same is hereby, APPROVED.

SIGNED AND ENTERED this 15 day of March, 2006, in Baton Rouge, Louisiana.



WILLIAM H. BROWN
HEARING OFFICER

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 15 DAY
OF March, 15 2006
OF William H. Brown
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Charles R. Talen, Sr.
Olga Bayron
Sgt. Gerard Talen

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 3/15/06

Julie Rompage
BY: CLERK