



*State of Louisiana*  
*Gaming Control Board*

*KATHLEEN BABINEAUX BLANCO*  
GOVERNOR

*H. CHARLES GAUDIN*  
CHAIRMAN

**IN RE: CATFISH QUEEN PARTNERSHIP IN  
COMMENDAM D/B/A BELLE OF BATON ROUGE  
NO. CGD040180**

**ORDER**

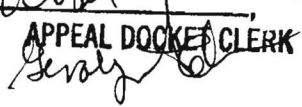
This matter was considered by the Louisiana Gaming Control Board at its meeting of October 17, 2006. The Hearing Officer's order dated September 20, 2006, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," Violation No. CGD040180, by and between Catfish Queen Partnership In Commendam d/b/a Belle of Baton Rouge, License No. R011700009, 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 17 day of October, 2006.

**LOUISIANA GAMING CONTROL BOARD**

BY:

  
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**H. CHARLES GAUDIN, CHAIRMAN**

**LOUISIANA GAMING CONTROL BOARD**  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 18<sup>th</sup> DAY  
OF October, 2006  
**APPEAL DOCKET CLERK**  


**RECEIVED**

SEP 19 2006

LGCB  
ADMINISTRATIVE HEARING OFFICE

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

**RE: CATFISH QUEEN PARTNERSHIP IN COMMENDAM  
D/B/A BELLE OF BATON ROUGE**

**NO. CGD040180**

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

SEP 21

**TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:**

**COME NOW** State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter the "Division") and Catfish Queen Partnership in Commendam d/b/a Belle of Baton Rouge (hereinafter "Belle of Baton Rouge"), who file this 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 Belle of Baton Rouge 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.

*[Handwritten signature and stamp]*

**WHEREFORE, PREMISES CONSIDERED**, the Division and Belle of Baton Rouge respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully submitted,

**JONES, WALKER, WAECHTER, POITEVENT,  
CARRÉRE & DENÉGRE, L.L.P.**

By: 

**J. Kelly Duncan, Bar Roll #05170**  
201 St. Charles Avenue, 48th Floor  
New Orleans, Louisiana 70170-5100  
Telephone: (504) 582-8218  
Facsimile: (504) 589-8218  
*Counsel for Belle of Baton Rouge*

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

By: 

**Tom Warner, Bar Roll # 13248**  
Assistant Attorney General  
1885 North Third Street, 5<sup>th</sup> Floor  
Baton Rouge, Louisiana 70802  
Telephone: (225) 326-6500  
Facsimile: (225) 326-6599  
*Counsel for the Office of State Police*

Exhibit "A"

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

RE: CATFISH QUEEN PARTNERSHIP IN COMMENDAM  
D/B/A BELLE OF BATON ROUGE

NO. CGD040180

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter the "Division") and Catfish Queen Partnership in Commendam d/b/a Belle of Baton Rouge (hereinafter "Belle of Baton Rouge") do hereby represent and agree as follows:

**WHEREAS**, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to Belle of Baton Rouge alleging certain violations of Louisiana Gaming Control Law; and

**WHEREAS**, the issues raised by the said Notice of Recommendation of Administrative Action are set for hearing on September 20, 2006, before the Louisiana Gaming Control Board Administrative Hearing Office; and

**WHEREAS**, the Division and Belle of Baton Rouge are desirous of fully and finally compromising and settling all issues and disputes arising out of and in connection with the said Notice of Recommendation of Administrative Action;

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

STIPULATIONS

1. On or about July 13, 2001, the person who is the subject of the Notice (the "Patron") was placed on the State's Voluntary Exclusion List. Patron stated that he was a

compulsive gambler and wished to be excluded from all riverboat casinos in the State of Louisiana.

2. In connection with the investigation of another matter involving Patron, the Division learned that Patron had visited Belle of Baton Rouge several times during the months of September through December 2002 and once in April 2003. Based on its investigation, the Division determined that Patron was at the Belle of Baton Rouge on the following dates: September 16, 21, 23 and 30, 2002; October 8, 11, 13, 15, 17, 21, 28 and 31, 2002, November 1, 5, 12, 14, 15, and 18, 2002; December 6, 12 and 22, 2002 and April 8, 2003.

3. On March 8, 2006, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action (the "Notice") to Belle of Baton Rouge alleging certain violations of Louisiana Gaming Control Law.

4. Belle of Baton Rouge represents that it has implemented procedures to protect against similar situations in the future, all as outlined in the attached Exhibit "B".

#### **TERMS AND CONDITIONS**

1. In lieu of administrative action against Belle of Baton Rouge, Belle of Baton Rouge agrees to pay to the State of Louisiana the aggregate and complete sum of TWELVE THOUSAND FIVE HUNDRED AND NO/100 (\$12,500.00) DOLLARS.

2. Subject to the approval of the Hearing Officer of the Louisiana Gaming Control Board, the Division hereby agrees to accept Belle of Baton Rouge's payment of the above stated amount in full and final settlement of this Notice of Recommendation of Administrative Action.

3. It is expressly understood that if this proposed settlement, if approved by the Hearing Officer, is not executory and will be submitted to the Louisiana Gaming Control Board for its determination as to whether the matter should be heard by the Hearing Officer. The parties

hereby consent to this procedure. In the event this settlement is not so approved, it shall be null and void and nothing herein shall be an admission or waiver of any position by or of any party.

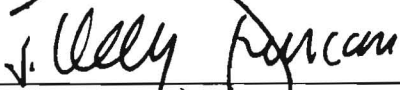
4. The Division reserves the right to take into consideration these stipulated facts in connection with any future investigation, violation, assessment of penalty or the ongoing suitability of Belle of Baton Rouge.

5. The Division and Belle of Baton Rouge waive their rights to appeal this Stipulation if the Order is signed by the Hearing Officer and is accepted by the Louisiana Gaming Control Board.

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


7. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Belle of Baton Rouge pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

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



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**J. Kelly Duncan, Duly Authorized Representative  
of Catfish Queen Partnership in Commendam d/b/a  
Belle of Baton Rouge**



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**Tom Warner, Assistant Attorney General on behalf of  
State of Louisiana  
Department of Public Safety & Corrections,  
Office of State Police**

**Exhibit “B”**

**See Attached**



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**I. Exclusions Procedures****Statutory citation:** La. R.S. 27:27.1 (A)(1)**Rule citation:** LAC 42:III.301E(1)(a) also LAC 42:III.303**Summary of rule:** **301. Self Exclusions:** Prevent employees from willfully permitting a self-excluded person from engaging in gaming activities**303. Board Excluded Persons:** Persons required to be excluded; Prevent employees from willfully permitting a person who has been excluded pursuant to the Louisiana Gaming Control Law from engaging in gaming activities.**A. State Exclusions and Board Exclusions (collectively referred to as State Exclusions)**

1. Belle of Baton Rouge Casino (hereafter referred to as the Casino) will receive periodic updated exclusion lists from the Louisiana State Police Casino Gaming Division (Division). These updates contain the excluded person's identifying information and a photo of the excluded person.
2. The Casino will maintain a database for all exclusions, both State Exclusion and Casino Self Exclusion (as defined below). The Compliance Department will ensure the changes to the State Exclusion lists are reflected in the Casino exclusion database. The Security, Surveillance, and Marketing Departments are notified of additions or deletions from the Casino exclusion database. Surveillance will then enter the information and picture into the facial recognition program for future reference. Marketing will adjust the mail code consistent with the State excluded person's change in status.
3. Casino exclusion database access will be maintained in a secure manner at each point of entry to the gaming area and referenced when needed.
4. Casino exclusion database access will be maintained at the cage and other cash/credit locations within the gaming area that interact directly with patrons.
5. Prior to issuance of credit, check cashing or cash advance, cage personnel will consult the Casino exclusion database to ensure none of these services are extended to excluded persons.
6. Copies of State Exclusions received from the Division are sent to the Compliance Department and kept on file for a minimum of five (5) years.

**B. The Casino shall provide the following procedures designed to prevent employees from willfully permitting a person identified on a State Exclusion list from engaging in gaming activities at the licensed establishment or facility.**

1. Upon recognizing an excluded person from one of the provided lists, the employee shall contact the Security Shift Manager on duty, who will respond to the patron's location.
2. Surveillance should be contacted as well. The Surveillance Department shall, if possible, videotape the excluded person until such time as they are escorted from the casino gaming establishment.
3. Security will then escort the patron from the gaming floor to the Security Shift Manager's office to obtain the necessary information to complete an incident report. Copies of all reports and corresponding evidence will be forwarded to the Compliance Department.
4. The Security Shift Manager shall contact the Louisiana Casino Gaming Division Enforcement Agent on duty; or if not available, then contact the Baton Rouge Police Department. If neither are able to respond then the necessary information



shall be collected and the reports forwarded to the Compliance Department and the excluded person immediately ejected from the Casino property. Compliance will ensure the Division receives the information necessary to follow up on the complaint.

5. While in the Shift Manager's office a photograph will be taken of the patron to be attached to the incident report.
6. The Casino shall attempt to identify the means by which the excluded person gained access to the designated gaming area.
7. The Casino shall attempt to determine if the excluded person obtained any gaming winnings or losses which shall be forfeited per La. R.S. 27:27.1(E). All funds confiscated or remitted from excluded patrons shall be submitted to the Division for deposit into the Compulsive and Problem Gaming Fund.

**C. Casino Self Exclusions (non-State Exclusions)**

1. A patron can make the request to be excluded from the Casino to any Casino employee. That employee will contact the Security Shift Manager on duty, who will respond to the patron's location.
2. Security will then escort the patron to the Security Shift Manager's office to obtain the necessary information to complete an incident report.
3. While in the Shift Manager's office a photograph will be taken of the patron to be attached to the incident report.
4. The patron will then be advised by the Security Shift Manager that they are permanently excluded for a minimum of 5 years and if they return to the property they may be arrested for criminal trespass.
5. The patron will be given a packet of written materials on Compulsive / Problem Gaming approved by the Division and the phone number to the Louisiana State Police Casino Gaming Division in order that they may be placed on the State Exclusion list, if they so desire.
6. The incident report along with the photo will be forwarded to the Compliance Department for filing and entering into the Casino exclusion database. The Casino exclusion database shall be available at all entrances to gaming areas and at all Cage and Casino Credit locations. Security, Surveillance, and Marketing will be notified of additions or deletions to the Casino exclusion database. Surveillance will then enter the information and picture into the facial recognition program for future reference. Marketing will adjust the mail code consistent with the Casino excluded person's change in status.
7. If the excluded person returns to the property they are subject to be arrested for criminal trespass. If this occurs the Security department should contact the Louisiana Casino Gaming Division Enforcement Agent on duty or if not available, then contact the Baton Rouge Police Department.

**II. Credit, Check Cashing, Club Benefits and Complimentary Services**

**Statutory citation:** La. R.S. 27:27.1 (A)(11)

**Rule citation:** LAC 42:III.301E(1)(k)

**Summary of rule:** Prevent a self-excluded person (State or Casino) from having access to credit, check cashing, club benefits and complimentary services.

**Advertising**

**Statutory citation:** La. R.S. 27:27.1 (A)(7)

**Rule citation:** LAC 42:III.301E(1)(a)

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**Summary of rule:** Prevent an excluded person from receiving any advertisements, promotions or other targeted mailing after 90 days of receiving notification that the person has placed themselves on the list.

- A. The Compliance Department shall ensure that the Marketing Department is provided with additions and deletions to the Casino exclusion database, which includes both State and Casino exclusions.
- B. Upon receipt of an addition or deletion, the Marketing Department shall update its marketing database and remove from the database or otherwise identify such excluded persons so as to prevent them from receiving such marketing.
- C. The Marketing Department shall review its database every 30 days to ensure it is consistent with the Casino exclusion database.
- D. The Casino shall share a list of excluded patrons drawn from the marketing database with any parent entity that performs marketing activities on behalf of the Casino.
- E. Cage personnel shall require positive identification from those patrons seeking to cash a check and shall consult the Casino exclusion database prior to cashing any check for a patron.
- F. Shift Managers, pit supervisors, Table Games Managers shall consult the Casino exclusion database prior to approving any check presented by a patron at locations other than the cashier's cage.
- G. The Casino shall require positive identification and consult the Casino exclusion database prior to processing any application for credit.

### III. Program Implementing and Monitoring

**Statutory citation:** La. R.S. 27:27.1

**Rule citation:** LAC 42:III.301E(2) and 304D(4)

**Summary of rule:** Provide for the designation of a personnel responsible for implementing and monitoring the Exclusion Program.

- A. The on-duty Security Shift Manager / Supervisor shall be designated as the person responsible for the day to day implementation of the Exclusion Program.
- B. The Casino's Compliance Department shall receive State Exclusion updates from the Division and ensure the Casino exclusion database is updated within five (5) days of receipt from the Division.

### IV. Program for Patron Self-Limit

**Statutory citation:** La. R.S. 27:27.1 (C)

**Rule citation:** LAC 42:III.301E(3)(a)

**Summary of rule:** Comprehensive program allowing a patron to self-limit issuance of credit, check cashing and direct mail marketing.

- A. The Division shall supply the Casino with forms allowing a patron to identify those amenities which they wish to self-limit.
- B. The Compliance Department shall ensure the Marketing Department is provided with the current list of self-limited persons.
- C. Upon receipt of the list, the Marketing Department shall update its marketing database and remove from the database or otherwise identify such self-limited persons so as to prevent them from receiving such marketing, credit, and/or check cashing.



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- D. The Marketing Department shall review its database every 30 days to ensure it is consistent with the list distributed.
  - E. The Casino shall share, with any parent entity that performs marketing activities on behalf of the Casino, a list of current self-limited persons drawn from its Marketing database.
  - F. Cage personnel shall require positive identification from those patrons seeking to cash a check and shall consult the Marketing database prior to cashing any check for a patron.
  - G. Shift Managers, pit supervisors, Table Games Managers shall consult the Marketing database prior to approving any check presented by a patron at locations other than the cashier's cage.
  - H. The Casino shall require positive identification and consult the Marketing database prior to processing any application for credit.

**V. Distribution of Self-Exclusion Information**

**Statutory citation:** La. R.S. 27:27.1 (D)

**Rule citation:** LAC 42:III.301E(3)(b)

**Summary of rule:** Procedures for distributing to patrons information to explain the self-exclusion process using form provided by the Division.

- A. The Compliance Department shall coordinate with the Human Resources and Security Departments to ensure that at least one person per shift is knowledgeable about the State and Casino excluded persons procedures including, but not limited to, how a person may request to be placed on the list, conduct prohibited while on the list and the procedure for removal from the list.
- B. At least one person per shift shall be familiar with the forms produced by the Division to allow a patron to be placed on the list and shall be designated to assist a patron seek self-exclusion with identifying the necessary forms and providing them to the patron.

**VI. Confidentiality of Lists / Reports**

**Statutory citation:** La. R.S. 27:27.1.D.4

**Rule citation:** LAC 42:III.304.E(1.d)

**Summary of Rule:** To prevent disclosure of the name and information on exclusion lists to unauthorized personnel.

- A. The Casino shall disclose the name and information on excluded lists only to employees and agents of the Casino whose duties and functions require access to such information.
- B. The Casino may disclose the name of and information about excluded persons to other casino licensees in Louisiana for the purpose of alerting other casinos that an excluded person has tried to gamble or obtain gaming related privileges or benefits in a casino gaming establishment.

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

**RE: CATFISH QUEEN PARTNERSHIP IN COMMENDAM  
D/B/A BELLE OF BATON ROUGE**

**NO. CGD040180**


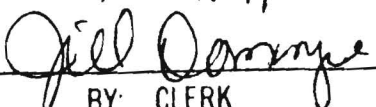
**ORDER**

**BE IT REMEMBERED** that on the 20th day of September, 2006, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared by and through their respective attorneys of record, 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 20th day of September, 2006, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 21st DAY  
OF September, 2006  
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE  
*Jill Dumont*  
cc: J. Kelly Duncan  
Tom Warner  
Sgt. Deland Takom

  
HONORABLE WILLIAM H. BROWN  
HEARING OFFICER  
LOUISIANA GAMING CONTROL BOARD  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 9/27/06  
  
BY: CLERK