

Louisiana Gaming Control Board Meeting
March 16, 2023

LOUISIANA GAMING CONTROL BOARD MEETING

THURSDAY, MARCH 16, 2023

LOUISIANA STATE CAPITOL
HOUSE COMMITTEE ROOM 1
900 NORTH 3RD STREET
BATON ROUGE, LOUISIANA

TIME: 10:00 A.M.

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APPEARANCES

RONNIE S. JOHNS, CHAIRMAN
(At-Large)
June 30, 2025

JULIE BERRY, VICE-CHAIRMAN
(CPA)
Third Congressional District
June 30, 2024

HARRY AVANT
(At-Large)
Fourth Congressional District
June 30, 2024

CLAUDE D. JACKSON
(At-Large)
Fourth Congressional District
June 30, 2027

O. LAMAR POOLE, JR.
(Economic/Community Planner)
Sixth Congressional District
June 30, 2025

JULIE A. LEWIS
(Investigative and Law Enforcement)
Fifth Congressional District
June 30, 2024

FRANCESCA HAMILTON-ACKER
(Attorney)
Third Congressional District
June 30, 2026

RONALD J. SHOLES
(Public/Business Administration)
Second Congressional District
June 30, 2026

ASHLEY A. TRAYLOR
(At-Large)
First Congressional District
June 30, 2022

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APPEARANCES (CONTINUED)

HEATHER HOOD
Principal Assistant

MAJOR CHUCK McNEAL
Louisiana State Police

REPORTED BY:

KARLA H. MAYERS, CCR
U.S. Legal Support

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1 I. CALL TO ORDER

2 CHAIRMAN JOHNS:

3 Ladies and gentlemen, good morning,
4 and welcome to the Louisiana Gaming Control Board
5 meeting. It's Thursday, March 16, 2023. And,
6 Ms. Hood, would you call the roll, please?

7 MS. HOOD:

8 Chairman Johns?

9 CHAIRMAN JOHNS:

10 Here.

11 MS. HOOD:

12 Mr. Avant?

13 MR. AVANT:

14 Here.

15 MS. HOOD:

16 Ms. Berry?

17 MS. BERRY:

18 Here.

19 MS. HOOD:

20 Mr. Jackson?

21 MR. JACKSON:

22 Here.

23 MS. HOOD:

24 Ms. Lewis?

25 MS. LEWIS:

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1 Here.

2 MS. HOOD:

3 Mr. Poole?

4 MR. POOLE:

5 Here.

6 MS. HOOD:

7 Ms. Hamilton-Acker?

8 MS. HAMILTON-ACKER:

9 Here.

10 MS. HOOD:

11 Judge Sholes?

12 MR. SHOLES:

13 Here.

14 MS. HOOD:

15 Ms. Traylor?

16 MS. TRAYLOR:

17 Here.

18 MS. HOOD:

19 Colonel Davis?

20 MAJOR McNEAL:

21 Major McNeal for Colonel Davis.

22 MS. HOOD:

23 Secretary Richard?

24 (NO RESPONSE)

25 CHAIRMAN JOHNS:

1 Okay. We have a good quorum today.
2 So thank you very much, Members, for being here.

3 MR. AVANT:

4 Pleasure to be here.

5 CHAIRMAN JOHNS:

6 Mr. Avant, welcome -- welcome back to
7 the board meeting, and our prayers have been with
8 you, and you look like you're in good health, and
9 press forward, sir.

10 MR. AVANT:

11 Thank you. It's been a journey --

12 CHAIRMAN JOHNS:

13 I know it's been a journey, but --

14 MR. AVANT:

15 -- just about to the end.

16 CHAIRMAN JOHNS:

17 -- we're glad to have you; so . . .

18 MR. AVANT:

19 Thank you.

20 CHAIRMAN JOHNS:

21 Absolutely.

22 II. PUBLIC COMMENTS

23 CHAIRMAN JOHNS:

24 Okay, Members. This is the time of
25 our meeting for any kind of public comments. Our

1 board will stipulate that public comments cannot
2 be made during the course of the meeting; so if
3 there's anyone in the audience that would like to
4 make a public comment, please come forward.

5 (NO RESPONSE)

6 CHAIRMAN JOHNS:

7 Okay. I see none.

8 III. APPROVAL OF MINUTES

9 CHAIRMAN JOHNS:

10 Members, before you you have the
11 minutes from the February 16, 2023, board meeting.
12 I would ask for a motion to waive the reading and
13 approve the minutes.

14 MR. SHOLES:

15 (Indicating)

16 MS. HAMILTON-ACKER:

17 (Indicating)

18 CHAIRMAN JOHNS:

19 Judge Sholes has made that motion,
20 and Ms. Hamilton-Acker has seconded that motion.
21 Is there any opposition?

22 (NO RESPONSE)

23 CHAIRMAN JOHNS:

24 Hearing none, that motion carries.

25 IV. REVENUE REPORTS

1 CHAIRMAN JOHNS:

2 Okay. Item No. IV. We'll move into
3 revenue reports. Ms. Jackson, good morning.

4 MS. JACKSON:

5 Good morning. Chairman Johns, Board
6 Members, my name is Donna Jackson with Louisiana
7 State Police, Gaming Audit Section.

8 In February the 14 operating
9 riverboats generated adjusted gross receipts of
10 \$144,291,930. The State collected fees totaling
11 \$31,022,765 during February. Fiscal year to date
12 adjusted gross receipts are \$1 billion 148.8
13 million, a decrease of 2 percent from last fiscal
14 year. As of February 28, 2023, the State
15 collected almost \$247 million in fees for fiscal
16 year 2023.

17 Page 2 shows the riverboat revenue
18 broken down by regional market. This month's
19 revenues represent a decrease from January of
20 approximately \$3.5 million, or 2.4 percent, and a
21 decrease of approximately \$7.4 million, or
22 5 percent, compared to the same month last year.
23 Excuse me.

24 Next is a summary of the
25 February 2023 gaming activity for Harrah's

1 New Orleans, found on page 3. Harrah's generated
2 \$21,630,342 in gross gaming revenue. These
3 revenues represent an increase from last month of
4 \$3.7 million, or 20.8 percent, and an increase of
5 \$1.4 million, or 7.2 percent, from last February.
6 During February the State received approximately
7 \$5 million in minimum daily payments.

8 Fiscal year to date adjusted gross
9 receipts are \$173 million, an increase of
10 27 percent from last fiscal year. As of
11 February 28, 2023, the State collected \$43 million
12 in fees for fiscal year 2023.

13 Next I will present the revenues for
14 slots at the racetracks. During February the four
15 racetrack facilities combined generated adjusted
16 gross receipts of \$27,313,475, an increase of
17 \$2.3 million, or 9 percent, from January 2022 and
18 an increase of 8.4 percent when compared to the
19 same month last year. During February the State
20 collected \$4.1 million in fees.

21 Fiscal year to date adjusted gross
22 receipts are \$207.8 million, a decrease of
23 \$3.4 million, or 1.6 percent, from last fiscal
24 year. As of February 28, 2023, the State has
25 collected \$31.5 million in fees for fiscal year

1 2023.

2 I will -- I will now move to the
3 video gaming information. There are 12,016 video
4 gaming devices activated at 1,403 locations. Net
5 device revenue for February 2023 was \$66,277,227,
6 an increase of \$4.2 million, or 6.7 percent, when
7 compared to January and a decrease of
8 \$4.8 million, or 6.7 percent, when compared to
9 last February. Total franchise fees for
10 February 2023 totaled \$20.1 million.

11 Fiscal year to date net device
12 revenue is \$513 million, a decrease of
13 \$25.6 million, or 5.1 percent, when compared to
14 last fiscal year. As of February 28, 2023, the
15 State has collected \$155.4 million in franchise
16 fees for fiscal year 2023.

17 Next I'll present the February
18 revenue for sportsbook. During February the 18
19 retail sportsbooks accepted almost \$22 million in
20 sports wagers, resulting in net proceeds of
21 \$1.5 million and \$190,000 in state taxes. The
22 eight mobile sportsbook operators accepted
23 \$175.7 million in sports wagers, resulting in net
24 proceeds of approximately \$17.7 million and
25 \$2.4 million in taxes paid to the State.

1 Finally, for daily fantasy sports,
2 gross revenues for February were \$724,000, with
3 net revenue of approximately \$76,000 and taxes of
4 \$6,000.

5 CHAIRMAN JOHNS:

6 Okay.

7 MS. JACKSON:

8 Questions?

9 CHAIRMAN JOHNS:

10 Okay. Thank you, Ms. Jackson. I
11 think Ms. Berry has a question, please.

12 MS. BERRY:

13 Thank you, Ms. Jackson, for your
14 information. I hope you don't get upset with me
15 by asking you this, because I know this is a lot
16 of tremendous work you have to do to this, but is
17 there a way that we could get a final subtotal
18 sheet -- or total sheet at the end of each month
19 showing the adjusted gross receipts and the tax
20 paid to the state, combining all the different,
21 like, video, racetrack, the boats, and everything
22 so we could get one figure show of tax paid to the
23 State just so we -- you know, I know we can add
24 them all up on a --

25 MS. JACKSON:

1 Sure.

2 MS. BERRY:

3 -- calculator and put them together.

4 MS. JACKSON:

5 Sure.

6 MS. BERRY:

7 But I figure you have them on a
8 spreadsheet but a lot quicker for you to do.

9 MS. JACKSON:

10 Absolutely. I'll get that for you.

11 MS. BERRY:

12 I appreciate it very much.

13 MS. JACKSON:

14 No problem.

15 MS. BERRY:

16 Just -- I've been wanting to ask that
17 and I thought this morning I'll -- if you don't
18 mind. Thank you very much.

19 MS. JACKSON:

20 Thank you.

21 CHAIRMAN JOHNS:

22 Great. Great point, Ms. Berry.

23 Thank you very much for bringing that -- that up
24 this morning.

25 It appears, Ms. Jackson, that our

1 Super Bowl numbers were significantly down from
2 last year. Maybe that's because Joe Burrow
3 wasn't -- wasn't in the Super Bowl or maybe the
4 newness of sports betting back in 2022. I
5 don't -- I don't know the reason, but it appears
6 that the number of wagers placed for the
7 Super Bowl were down from -- from the previous
8 year, even though the -- even though the numbers
9 were good. Any other questions, Members, on -- on
10 revenue?

11 MR. SHOLES:

12 (Indicating)

13 CHAIRMAN JOHNS:

14 Judge?

15 MR. SHOLES:

16 I'm just curious. The video gaming
17 numbers were decreased. Is it any possibility
18 that that might be related to the amount of money
19 that we're getting out of sports betting?

20 MS. JACKSON:

21 I don't know specifically, but I
22 would say that some of the money from video and
23 probably even the casinos have transitioned a
24 little bit to the -- to the other form of gaming.

25 MR. SHOLES:

1 Thank you.

2 MS. JACKSON:

3 Yes, sir.

4 CHAIRMAN JOHNS:

5 Good point, Judge. Thank you very
6 much. Any further questions? Any further
7 questions?

8 (NO RESPONSE)

9 CHAIRMAN JOHNS:

10 Okay. Hearing none. Ms. Jackson,
11 thank you so much for your work.

12 MS. JACKSON:

13 Thank you.

14 CHAIRMAN JOHNS:

15 Appreciate it very much.

16 V. CASINO GAMING ISSUES

17 CHAIRMAN JOHNS:

18 Okay. Members, we're going to move
19 on to Item No. V. We're moving into casino gaming
20 issues. First on the agenda will be the
21 consideration of plans and specifications for
22 Catfish Queen, LLC, doing business as
23 Baton Rouge -- doing business as the Belle of
24 Baton Rouge, Louisiana. Mr. Barbin, good morning.

25 MR. BARBIN:

1 Good morning, Chairman Johns, Board
2 Members. I'm Jeff Barbin, --

3 CHAIRMAN JOHNS:

4 Mr. Downey, good morning.

5 MR. DOWNEY:

6 Good morning, Chairman.

7 MR. BARBIN:

8 -- representing Catfish Queen, here
9 with Terry Downey, who is the President of
10 Queen Entertainment & Casino. You may recall that
11 the Belle of Baton Rouge has plans to move
12 landside -- move the casino operations landside.

13 We submitted plans and specs to the
14 Division last month; and, normally, we would be
15 here today to have you approve those plans and
16 specs. We're asking for a one-month extension of
17 that approval. We believe that the scope of the
18 construction is expected to change, and we're not
19 quite ready to bring that change to you, but we
20 will be ready next month; so we're just asking for
21 a one-month extension to either bring you a new
22 scope or to approve the plans that you already
23 have.

24 CHAIRMAN JOHNS:

25 Mr. Downey, would you like to add

1 anything to that or --

2 MR. DOWNEY:

3 No. He -- that was very to the
4 point, and I think in the change of scope, you
5 will all be pretty excited about where -- where
6 we're taking it.

7 CHAIRMAN JOHNS:

8 All right. So, Members, I've had
9 some conversations with Mr. Downey this week, and
10 I think that you will be very excited next month
11 to see their change of plans. And I think the
12 one-month extension is absolutely necessary for
13 them to be able to do this, but it will be, I
14 think, a tremendous project for -- for Baton Rouge
15 and for our state; so . . .

16 MS. BERRY:

17 I'll make a motion.

18 CHAIRMAN JOHNS:

19 Okay. So anything further? Anything
20 else?

21 MR. BARBIN:

22 No. Thank you.

23 CHAIRMAN JOHNS:

24 Any questions for the gentlemen at
25 the table? Any questions?

1 (NO RESPONSE)

2 CHAIRMAN JOHNS:

3 Okay. Ms. Berry has made a motion
4 that we adopt the resolution that you have before
5 you.

6 MR. POOLE:

7 Second.

8 CHAIRMAN JOHNS:

9 And Mr. Poole has seconded that
10 motion. And, Ms. Hood, would you call the roll,
11 please?

12 MS. HOOD:

13 Read the resolution?

14 CHAIRMAN JOHNS:

15 Excuse me.

16 MS. HOOD:

17 On the 16th day of March 2023, the
18 Louisiana Gaming Control Board did, in a duly
19 noticed public meeting, consider the request by
20 Catfish Queen, LLC, doing business as the Belle of
21 Baton Rouge, for an extension of time for Board
22 consideration of Catfish Queen's architectural
23 blueprint -- blueprints and plans of design and
24 construction of the approved project in regards to
25 the Board's resolution for approval of relocation

1 of gaming operations and for a modification of
2 license conditions. Upon motion duly made and
3 seconded, the Board adopted this resolution:

4 Whereas, on September 15, 2022, the
5 Board adopted a resolution as amended on
6 November 17, 2022, and February 16, 2023, which
7 contain the following provisions:

8 No later than February 17, 2023, to
9 submit architectural blueprints and a detailed
10 plan of design and construction of the approved
11 project to the Board for review and acceptance.
12 The architectural plans and specifications shall
13 comply with all applicable laws and regulations,
14 including but not limited to environmental, fire,
15 and safety codes. Failure to meet this deadline
16 or to timely receive an extension from the Board
17 may result in forfeiture of all privileges to the
18 license.

19 Whereas, on February 13, 2023,
20 Catfish Queen submitted its architectural
21 blueprints and a detailed plan of design and
22 construction of the approved project for Board
23 review and acceptance at the March 16, 2023, Board
24 meeting.

25 Whereas, on March 9, 2023, Catfish

1 Queen submitted a request for approval to extend
2 the hearing for Board consideration of the
3 architectural blueprints and a detailed plan of
4 design and construction until the April 17, 2023,
5 meeting.

6 Now, therefore, be it resolved that
7 Catfish Queen's submission of its architectural
8 blueprints and the detailed plan of design and
9 construction shall be set for consideration at the
10 April 17, 2023, Board meeting.

11 Thus done and signed in Baton Rouge,
12 Louisiana, this 16th day of March, 2023.

13 CHAIRMAN JOHNS:

14 Okay. Thank you, Ms. Hood. We have
15 a motion and a second to adopt this resolution.
16 And now, Ms. Hood, you can call the roll; so . . .

17 MS. HOOD:

18 Mr. Avant?

19 MR. AVANT:

20 Yes.

21 MS. HOOD:

22 Ms. Berry?

23 MS. BERRY:

24 Yes.

25 MS. HOOD:

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1 Mr. Jackson?

2 MR. JACKSON:

3 Yes.

4 MS. HOOD:

5 Ms. Lewis?

6 MS. LEWIS:

7 Yes.

8 MS. HOOD:

9 Mr. Poole?

10 MR. POOLE:

11 Yes.

12 MS. HOOD:

13 Ms. Hamilton-Acker?

14 MS. HAMILTON-ACKER:

15 Yes.

16 MS. HOOD:

17 Judge Sholes?

18 MR. SHOLES:

19 Yes.

20 MS. HOOD:

21 Ms. Traylor?

22 MS. TRAYLOR:

23 Yes.

24 MS. HOOD:

25 Chairman Johns?

1 CHAIRMAN JOHNS:

2 Yes. Okay. That motion carries.
3 And, gentlemen, we will see you in April with some
4 very good news, and --

5 MR. DOWNEY:

6 Yes.

7 CHAIRMAN JOHNS:

8 And don't forget we'll be meeting
9 over at the Lasalle Building next -- next two
10 months.

11 MR. BARBIN:

12 Thank you very much.

13 CHAIRMAN JOHNS:

14 But thank you for coming down today,
15 Mr. Downey, and we look forward to seeing you next
16 month again.

17 MR. DOWNEY:

18 Thank you.

19 CHAIRMAN JOHNS:

20 Okay. Thank you very much,
21 gentlemen.

22 VI. SPORTS WAGERING ISSUES

23 CHAIRMAN JOHNS:

24 Okay. We'll move into Item No. VI on
25 the agenda, sports wagering issues. First on the

1 agenda will be the consideration of the sports
2 wagering license application by Premier
3 Entertainment Shreveport, LLC, doing business as
4 Bally's Shreveport Casino & Hotel. Good morning,
5 ladies.

6 MS. HAUPT:

7 Good morning.

8 MS. JAMES:

9 Good morning.

10 MS. HERNANDEZ:

11 Good morning.

12 MS. JAMES:

13 Good morning, Chairman and Board
14 Members. I'm Assistant Attorney General
15 Lekiesha James, here with Louisiana State Police,
16 Ms. Tammy Haupt of the Gaming Audit Division, and
17 Ms. Angela Hernandez of the Gaming Enforcement
18 Division. Representatives of the applicant are
19 also here today and will provide a brief
20 presentation. We're here today in the matter of
21 the consideration of the sports wagering license
22 application of Premier Entertainment Shreveport,
23 LLC, doing business as Bally's Shreveport Casino &
24 Hotel.

25 Pursuant to the Louisiana Sports

1 Wagering Act, the Board is charged with issuing or
2 denying applications for sports wagering
3 licensees. The applicant is eligible to apply for
4 a sports wagering license due to its licensure as
5 a riverboat gaming licensee. This Board issued a
6 Temporary Certificate of Authority to the
7 applicant to conduct business as a sports wagering
8 licensee with an effective date of June 20, 2022.
9 The TCOA expires on March 20, 2023.

10 Louisiana State Police's Gaming
11 Division has reviewed and investigated the
12 application and will now report its findings to
13 the Board.

14 MS. HAUPT:

15 Good morning, Chairman Johns and
16 Board Members. My name is Tammy Haupt with
17 Louisiana State Police's Gaming Audit Section.
18 The Audit Section has reviewed the financial
19 information submitted by the sports wagering
20 license applicant, Premier Entertainment
21 Shreveport, LLC, doing business as Bally's
22 Shreveport Casino & Hotel, and its ultimate parent
23 company, Bally's Corporation.

24 On December 3, 2021, Bally's
25 Interactive and Bally's Shreveport entered into a

1 Technology and Services Agreement whereby Bally's
2 Interactive will provide Bally's Shreveport with a
3 turnkey retail brick-and-mortar sportsbook
4 operation on the casino's premises, as well as the
5 opportunity to offer its mobile sports wagering
6 platform in Louisiana. Bally's Shreveport held
7 the grand opening of its Bally Bet-branded retail
8 sportsbook on July 20, 2022.

9 Currently, the Amended and Reinstated
10 Sports Betting Operating Agreement effective
11 July 20 is the only agreement that Bally's has in
12 place with -- between the parties. According to
13 Bally's representatives, they are working to
14 finalize a new intergroup agreement to launch a
15 mobile Bally Bet sportsbook in Louisiana; however,
16 the anticipated launch date is unknown at this
17 time.

18 It is our assessment, based on the
19 information reviewed, Bally's Shreveport possesses
20 the financial ability to develop, construct,
21 operate, and maintain its sports wagering
22 operations. No financial issues came to the Audit
23 Section's attention that were of such nature as to
24 preclude the Board from approving the issuance of
25 a sports wagering license to Bally's Shreveport.

1 Licensing will now present their
2 findings.

3 MS. HERNANDEZ:

4 Good morning, Chairman Johns and
5 Members of the Board. I'm Investigative
6 Specialist Angela Hernandez with the Louisiana
7 State Police, Gaming Enforcement Division.

8 On December 10, 2021, the Louisiana
9 State Police Gaming Enforcement Division received
10 a sport wagering license application submitted on
11 behalf of Premier Entertainment Shreveport, LLC,
12 doing business as Bally's Shreveport Casino &
13 Hotel. In accordance with the rules and
14 regulations of the Gaming Enforcement Division, a
15 background investigation was conducted on
16 Premier Entertainment Shreveport, LLC, doing
17 business as Bally's Shreveport Casino & Hotel, its
18 shareholders, subsidiaries, officers, directors,
19 and persons with five percent or more interest or
20 economic interest in the license.

21 The background investigation included
22 inquiries to federal, state, and local law
23 enforcement agencies, civil jurisdictions, gaming
24 regulatory agencies, and the Louisiana Department
25 of Revenue. Inquiries were also made through a

1 Computerized Criminal History Database. During
2 the suitability investigation, no information was
3 found to preclude the Board from approving
4 Premier Entertainment Shreveport, LLC, doing
5 business as Bally's Shreveport Casino & Hotel's
6 sport wagering license.

7 CHAIRMAN JOHNS:

8 Okay. Thank you, ladies. So before
9 we bring Bally's up, do any board members have any
10 questions for the ladies at the table?

11 (NO RESPONSE)

12 CHAIRMAN JOHNS:

13 Okay. Hearing none, we would like to
14 ask the representatives from Bally's to come
15 forward. I think we have a presentation this
16 morning. Good morning, Mr. Avery.

17 MR. AVERY:

18 Good morning, sir.

19 CHAIRMAN JOHNS:

20 Good morning. So why don't each of
21 you introduce yourselves to the Board if -- and
22 then we'll get started, if -- Elizabeth, if you
23 would start.

24 MS. SUEVER:

25 Good morning, Chairman and Board

1 Members. My name is Elizabeth Suever. I'm the
2 Vice-President of Government Relations for Bally's
3 Corporation. It's a pleasure to be here today.

4 CHAIRMAN JOHNS:

5 And from the great state of
6 Rhode Island, I understand.

7 MS. SUEVER:

8 That is correct. Yes.

9 CHAIRMAN JOHNS:

10 All right.

11 MS. SUEVER:

12 I came down here to visit with all of
13 you today.

14 CHAIRMAN JOHNS:

15 Well, thank you for the cool weather
16 you brought us; so . . . And this is Paul Avery.

17 MR. AVERY:

18 Good morning again, Chairman and
19 Members of the Board. Paul Avery, General
20 Manager/Vice-President of Bally's Shreveport.

21 CHAIRMAN JOHNS:

22 Okay.

23 MR. BUNYARD:

24 Good morning, Chairman and Board. My
25 name is Chip Bunyard. I'm the Executive Director

1 of Finance for Bally's in Shreveport.

2 CHAIRMAN JOHNS:

3 Okay. Proceed, Mr. -- Mr. Avery.

4 MR. AVERY:

5 Okay. So, Chairman, thank you for
6 the opportunity to come here and present. We
7 wanted to provide some color as to what we have
8 available for our sports wagering operation.

9 As mentioned, just to give a
10 background for those who have not been to our
11 property, we are a hotel resort with a spa. We
12 have 400 rooms and 3 -- 3 restaurants, 3 bars and
13 lounges, one we'll talk about here in a minute
14 with our sports lounge, banquet space, spa, gift
15 shop. We are a three-level casino. Our first
16 floor is table games predominant; second floor is
17 all slots; and third floor has some slot machines
18 and some poker.

19 As mentioned in the previous report,
20 in March of 2022, our players club, which is
21 located on the first floor, and we'll show it to
22 you in a second, merged with our cage operations,
23 and they were right next to each other; so the
24 opportunity to put a sportsbook at the players
25 club presented itself. There were some

1 advantageous reasons on -- for me to put it there,
2 and it's close to our table games. We find a
3 pretty good crossover from players who prefer to
4 play table games and wager on sports. It is
5 practically feet from our cage; so from a security
6 standpoint of transferring money at the end of a
7 shift, I'm much more comfortable having it right
8 next to the cage. Also, during hours that the
9 operation of the sportsbook is closed, guests can
10 go to the cage and redeem their winning ticket.
11 So it's in the same area. Also, it sits very
12 close to our -- what was a video poker bar that we
13 converted to a sports bar that sits in the center
14 of the casino.

15 We began construction in April. The
16 local field office under Lieutenant Smith came and
17 investigated and gave approval of the operation in
18 July, and we opened that afternoon.

19 So what you have here is our floor
20 layout for the first floor. In the red
21 triangle -- the red rectangle box is the -- what
22 was the players club and now the retail
23 sportsbook. Directly next to it is the cage. And
24 you'll see a little further to its right in the
25 center back of the casino is the players bar.

1 Just off the casino floor, if you'll see where the
2 Bally's logo is on the bottom right-hand corner,
3 that is our celebrity lounge. So it is butted up
4 against the casino floor. There's a reason to
5 bring that up, and we'll show you that here in a
6 second as well.

7 So that's what the players club
8 looked like previously. Standard players club.
9 Really nothing to add to that. Just wanted to
10 show you a before and after.

11 So here is the panoramic view so that
12 you can get a feel. When you're looking at the
13 casino layout and you're at the front of the
14 casino, you can see in the back left corner is our
15 sportsbook. Over to the right-hand side is the
16 players sports bar, and to the far left is the
17 cage in proximity to table games so players can go
18 game.

19 Now, we all know that, I think,
20 85 percent of wagers are done on the mobile phone.
21 Only 15 percent of people are going over the
22 counter; so our goal is to try to have them do
23 something else after they make their wager. I'd
24 prefer they would stay on the casino floor, but we
25 have other things for them to do as well, which

1 we'll show you.

2 So that's the sportsbook itself
3 over-the-counter. It's three terminals, odds
4 boards, a couple of televisions showing whatever
5 the events are. There are future bets papers and
6 a little counter area to the left with pens and
7 pencils so that they can fill out whatever sheets
8 they want to fill out to bring up to the
9 over-the-counter guest.

10 Now, once they make their wager, we
11 have added some audiovisual components to what was
12 a video poker bar and have added an additional
13 beverage system in that bar to accommodate guests.
14 We do find a lot of players now who are making
15 wagers just make the 25-foot walk over there and
16 sit down there and watch whatever the game is they
17 have on.

18 We do have players who do not want to
19 stay on the casino floor. They would rather have
20 a place to drink and eat and be comfortable and
21 watch, a sports lounge; so we have taken our
22 celebrity sports lounge -- or our celebrity
23 lounge, which it still serves as a nightclub to
24 some extent, but as many of you know, our city
25 underwent a smoking ban in 2021, and it greatly

1 impacted our nightclub business.

2 And so we had all this space, and we
3 wanted to repurpose it; so we put in a
4 state-of-the-art laser projection system that
5 makes that big screen look like an LED television.
6 We have several TVs around. We have a VIP section
7 available. We have a bar, and we have food
8 available in -- in that venue. So we've kind of
9 converted that area to be the place to be on
10 Friday nights, Saturday, Sundays, Thursday nights,
11 whenever sporting events are going on, to come
12 watch the game and enjoy their -- enjoy their time
13 if they want to sit there and eat.

14 To recap on retail sportsbook, three
15 working terminals, four odds displays located on
16 the first floor, -- we went through that --
17 additional TVs outside the area, and we are open 7
18 days a week but not 24 hours a day. And that is
19 it, sir. Thank you.

20 CHAIRMAN JOHNS:

21 Okay. So -- Mr. Avery, so while your
22 actual, quote, sportsbook is a small area --

23 MR. AVERY:

24 Uh-huh.

25 CHAIRMAN JOHNS:

1 And I'm familiar with it. Members, I
2 have personally visited the property. It is one
3 of the -- the nicer Legacy riverboats in the
4 state. Y'all have done a great job of maintaining
5 and keeping that up, and I greatly appreciate it.
6 But while your sportsbook is relatively small,
7 your -- your celebrity lounge, as I -- as I
8 remember, that was a beautiful venue, --

9 MR. AVERY:

10 It is.

11 CHAIRMAN JOHNS:

12 -- by the way.

13 MR. AVERY:

14 Yes, sir. Thank you.

15 CHAIRMAN JOHNS:

16 How close is it to the sportsbook?

17 MR. AVERY:

18 As I mentioned, and I'm going to back
19 up real quick, if I may, and show it to you on the
20 screen, it sits right at the -- it butts up
21 against the casino, in the bottom right-hand
22 corner at the bottom.

23 CHAIRMAN JOHNS:

24 Right.

25 MR. AVERY:

1 So it is right as soon as you walk
2 out the casino floor, you take a left. You're at
3 the celebrity lounge.

4 CHAIRMAN JOHNS:

5 Okay. And that's basically where you
6 feel like people who are going to watch the
7 games -- who come in to bet, watch the games,
8 order the food, --

9 MR. AVERY:

10 Yes.

11 CHAIRMAN JOHNS:

12 -- do the things that people normally
13 do in a traditional sportsbook, y'all have
14 reconfigured that -- that operation to -- to
15 accommodate that?

16 MR. AVERY:

17 We have. And there's been
18 programming changes that have actually resulted in
19 a lot of our players from Dallas, for example, as
20 you know, is two and a half hours from us -- if
21 the Cowboys are away, our bigger players will
22 request to have the VIP section reserved. They'll
23 come in, and we'll have a player party for them,
24 and they'll watch the game. We don't put on any
25 nightclub music or anything until the last college

1 football game ends Saturday night, not Hawaii,
2 which, of course, plays at midnight, for you
3 gambling chasers. But for everyone else, you
4 know, the big game that's on ESPN at night, we'll
5 wait for that one to end, and then we'll -- we'll
6 convert it to a nightclub pretty easily but . . .

7 CHAIRMAN JOHNS:

8 So what's been interesting to me
9 and -- during the fall, during college football
10 season, I -- I went to a couple of the bigger,
11 more expensive sportsbooks in the state, both the
12 Golden Nugget and L'Auberge in Lake Charles, --

13 MR. AVERY:

14 Yes.

15 CHAIRMAN JOHNS:

16 -- and walk in there on a Saturday
17 afternoon, it's just jam-packed.

18 MR. AVERY:

19 Yes.

20 CHAIRMAN JOHNS:

21 Just can't find a seat to -- to order
22 a hamburger. But what was amazing to me is that
23 hardly anybody is going up to that window and
24 betting.

25 MR. AVERY:

1 They're not.

2 CHAIRMAN JOHNS:

3 They're doing it right there on the
4 premises with -- with the mobile.

5 MR. AVERY:

6 Yes.

7 CHAIRMAN JOHNS:

8 And I guess -- and the numbers
9 substantiate that.

10 MR. AVERY:

11 Yes, sir. And until we have our
12 mobile launch, we know they're in there using
13 someone else's app.

14 CHAIRMAN JOHNS:

15 Right.

16 MR. AVERY:

17 But that's fine, you know. We -- as
18 long as they're in our place, there's a chance
19 that they might come over and -- and use our table
20 games.

21 CHAIRMAN JOHNS:

22 Right.

23 MR. AVERY:

24 And as -- Chairman, as we've
25 explained previously, we are -- the sports bar and

1 grill is a concept that we are interested in
2 doing, but it is a -- it is one piece of a master
3 plan. And, you know, Bally's took over the
4 property, and we have what we feel is like a blank
5 slate on the landside to determine where we want
6 everything to go. We're just not there yet. The
7 discussions are going on, but I can't wait for all
8 that to happen; so we put this together, which has
9 suited use great.

10 CHAIRMAN JOHNS:

11 All right.

12 MR. AVERY:

13 It's treated us well.

14 CHAIRMAN JOHNS:

15 And so, Members, I've had
16 conversations with Bally's about the possibility
17 of land -- land-based, landside, and as I've
18 learned, there is a master plan that is being
19 developed at this point. I mean, there's nothing
20 to present today, but at least you've got it on
21 your mind, and I appreciate that.

22 MR. AVERY:

23 Yes, sir.

24 CHAIRMAN JOHNS:

25 And I think y'all both realize that's

1 the future of gaming in Louisiana. You've got
2 some -- some competition coming into the market.

3 MR. AVERY:

4 Yes, sir.

5 CHAIRMAN JOHNS:

6 And -- and you're going to have to
7 compete; so . . .

8 MR. AVERY:

9 One -- one difficulty, Chairman,
10 is -- you've been to our property -- for a
11 riverboat, our facility doesn't feel really like a
12 riverboat, I mean, because it --

13 CHAIRMAN JOHNS:

14 Right.

15 MR. AVERY:

16 -- butts up -- there's no ramp to go
17 up. You just walk right in. But, --

18 CHAIRMAN JOHNS:

19 Right.

20 MR. AVERY:

21 -- yeah, the future is landside,
22 single-level gaming, and that's where everyone
23 will end up at some point.

24 CHAIRMAN JOHNS:

25 Right. So okay. Any -- any

1 questions? Any questions? Judge?

2 MR. SHOLES:

3 I don't really think anybody is
4 surprised about me asking this question. It's not
5 related to what you just presented. But are any
6 of your team makers -- team members making less
7 than \$15 an hour?

8 MR. AVERY:

9 Yes. Our team members -- we have
10 team members who are making less than \$15 an hour.

11 MR. SHOLES:

12 And that's not going to last that way
13 for long, is it?

14 MR. AVERY:

15 What we have seen, I think, as a
16 whole industry -- not just the gaming industry.
17 You've seen the supply and demand require an
18 increase in compensation; so, yeah, it -- it
19 progresses along as the market dictates it to
20 progress along.

21 MR. SHOLES:

22 Thank you.

23 MR. AVERY:

24 It's a great question, sir.

25 CHAIRMAN JOHNS:

1 Okay. Any further questions? Any
2 questions?

3 (NO RESPONSE)

4 CHAIRMAN JOHNS:

5 Okay. Any further observations from
6 the team?

7 MR. AVERY:

8 No, sir.

9 CHAIRMAN JOHNS:

10 Okay. So, Members, you have before
11 you a resolution to approve the sports wagering
12 application for Bally's. Do I have a motion to --

13 MR. JACKSON:

14 Motion to approve.

15 CHAIRMAN JOHNS:

16 Mr. Jackson has made a motion that we
17 adopt this resolution. Do I have a second?

18 MS. HAMILTON-ACKER:

19 (Indicating)

20 CHAIRMAN JOHNS:

21 Ms. Hamilton-Acker has seconded that
22 motion. And so, Ms. Hood, would you read the
23 resolution, please?

24 MS. HOOD:

25 On the 16th day of March 2023, the

1 Louisiana Gaming Control Board did, in a duly
2 noticed public meeting, consider the Sports
3 Wagering License Application of
4 Premier Entertainment Shreveport, LLC, doing
5 business as Bally's Shreveport Casino & Hotel, and
6 upon motion duly made and seconded, the Board
7 adopted the following resolution:

8 Be it resolved that Premier
9 Entertainment Shreveport doing business as Bally's
10 Shreveport Casino & Hotel be approved for a Sports
11 Wagering License for a term of five years,
12 commencing June 20, 2022.

13 Thus done and signed in Baton Rouge,
14 Louisiana, this 16th day of March, 2023.

15 CHAIRMAN JOHNS:

16 Okay. Thank you, Ms. Hood. And so
17 we have a motion by Mr. Jackson, seconded by
18 Ms. Hamilton-Acker, to adopt this resolution.
19 And, Ms. Hood, would you call the roll, please?

20 MS. HOOD:

21 Mr. Avant?

22 MR. AVANT:

23 Yes.

24 MS. HOOD:

25 Ms. Berry?

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1 MS. BERRY:

2 Yes.

3 MS. HOOD:

4 Mr. Jackson?

5 MR. JACKSON:

6 Yes.

7 MS. HOOD:

8 Ms. Lewis?

9 MS. LEWIS:

10 Yes.

11 MS. HOOD:

12 Mr. Poole?

13 MR. POOLE:

14 Yes.

15 MS. HOOD:

16 Ms. Hamilton-Acker?

17 MS. HAMILTON-ACKER:

18 Yes.

19 MS. HOOD:

20 Mr. Sholes?

21 MR. SHOLES:

22 Yes.

23 MS. HOOD:

24 Ms. Traylor?

25 MS. TRAYLOR:

1 Yes.

2 MS. HOOD:

3 Chairman Johns?

4 CHAIRMAN JOHNS:

5 Yes. So by unanimous vote that
6 motion carries. Congratulations to you.

7 MR. AVERY:

8 Yes, sir.

9 MS. SUEVER:

10 Thank you.

11 CHAIRMAN JOHNS:

12 And will y'all be back up at the
13 table for the next item agenda or not?

14 MR. AVERY:

15 We can, yes, sir.

16 CHAIRMAN JOHNS:

17 If we need; so . . .

18 MR. AVERY:

19 Yes, sir. I do want to -- if I
20 could, I just want to say that, as you know -- and
21 that everyone was notified -- that my last day is
22 tomorrow. James Bunyard, to my left, is going to
23 take over as General Manager of the property, who
24 served as interim GM when Eldorado sold to
25 Caesars. I didn't want to bring it up, obviously,

1 before the vote, but it's been a pleasure working
2 here.

3 And I do want to brag about one
4 individual, or one group, and that's your field
5 office, Lieutenant Smith's team. I've worked in
6 many jurisdictions, 29 years, and he is -- he
7 leads a great team up there, and they've been very
8 fair and wonderful to work with.

9 CHAIRMAN JOHNS:

10 Well, thank you. You stole my
11 thunder, Mr. Avery, because I was going to -- I
12 was going to announce that --

13 MR. AVERY:

14 Oh, I'm sorry.

15 CHAIRMAN JOHNS:

16 -- you would be moving on to -- to
17 the real life of your family. And so thank you
18 for your hard work over the time you've been
19 there, and congratulations on your career --

20 MR. AVERY:

21 Yes, sir.

22 CHAIRMAN JOHNS:

23 -- and everything you've done for the
24 Shreveport-Bossier area and for the state of
25 Louisiana. Best of luck to you.

1 MR. AVERY:

2 Thank you. It's been a pleasure.

3 CHAIRMAN JOHNS:

4 And thank you for your kind words
5 about the Gaming Division.

6 MR. AVERY:

7 Yes, sir.

8 CHAIRMAN JOHNS:

9 They are outstanding. They do
10 outstanding work; so . . . Okay. And, Elizabeth,
11 thank you for being here.

12 MS. SUEVER:

13 Thank you so much for having me.

14 CHAIRMAN JOHNS:

15 Chip, the very best of luck to you in
16 your new position.

17 MR. BUNYARD:

18 Thanks.

19 CHAIRMAN JOHNS:

20 Okay. Next on the agenda, ladies and
21 gentlemen, will be the consideration of the Sports
22 Wagering License Application by -- excuse me --
23 consideration of the Sports Wagering Platform
24 Provider Permit Application by Bally's
25 Interactive, LLC, doing business as Bally Bet.

1 MS. JAMES:

2 Good morning, Chairman and Board
3 Members. I'm Assistant Attorney General
4 Lekiesha James, here with Louisiana State Police,
5 Ms. Tammy Haupt of the Gaming -- of the Gaming
6 Audit Division, and Ms. Angela Hernandez of the
7 Gaming Enforcement Division. We're here in the
8 matter of the consideration of the Sports Wagering
9 Platform Provider Application of Bally's
10 Interactive, LLC, doing business as Bally Bet.

11 Pursuant to the Louisiana Sports
12 Wagering Act, the Board is charged with issuing or
13 denying applications for Sports Wagering Platform
14 Provider Permits. This Board issued a Temporary
15 Certificate of Authority to the applicant to
16 conduct business as a sports wagering platform
17 provider, with an effective date of June 20, 2022.
18 The TCOA expires on March 20, 2023.

19 Louisiana State Police's Gaming
20 Division has reviewed and investigated the
21 application and will now report its findings to
22 the Board.

23 MS. HAUPT:

24 Good morning, Chairman Johns and
25 Board Members. My name is Tammy Haupt with

1 Louisiana State Police's Gaming Audit Section.
2 The Audit Section has reviewed the financial
3 information submitted in conjunction with the
4 Sports Wagering Platform Provider Permit
5 applicant, Bally's Interactive, LLC, doing
6 business as Bally Bet, as well as its direct and
7 indirect parent companies.

8 Bally's Interactive is an indirect
9 wholly-owned subsidiary of Bally's Corporation, is
10 a sports book iCasino, free-to-play and daily
11 fantasy sports platform provider and operator in
12 North America. The majority of its revenues are
13 derived from a combination of its real money
14 mobile and/or retail sports betting and online
15 casino operations.

16 The Bally Bet sports betting platform
17 is live in six U.S. states with plans to expand
18 its mobile sports betting into other states, as it
19 has market access agreements in place in 18
20 states. Bally's recently launched its first
21 combined sportsbook and casino app, Bally Bets
22 Sportsbook & Casino, in Ontario, Canada.

23 On July 20, 2022, Bally's Shreveport
24 launched its Bally Bet-branded retail sportsbook.
25 The agreement between the parties was previously

1 discussed in the Bally's Shreveport presentation
2 and is also applicable to Bally's Interactive.

3 Although Bally's Interactive has
4 incurred operating losses since its inception in
5 May of 2021, the company expects to be profitable
6 in 2024. For -- for the year ending December 31,
7 2022, Bally's Interactive reported \$87.7 million
8 in revenue, a net loss of 428 million, and an
9 adjusted EBITDA deficit of 65.7 million. Bally's
10 projects that its North American segment will have
11 an adjusted EBITDA loss between 40 and 50 million
12 for the year ending December 31, 2023. Operating
13 losses are not -- are not uncommon with emerging
14 sports wagering platform providers, as significant
15 investments are required for entry into new
16 market jurisdiction -- regulated jurisdictions, as
17 well as increased costs related to online and
18 retail penetration.

19 In a press release dated January 18,
20 2023, Bally's announced a restructuring plan of
21 its Interactive business, which includes a
22 reduction in its current Interactive force --
23 workforce by up to 15 percent in order to reduce
24 operating costs and continue its commitment to
25 achieving profitable operations.

1 According to Bally's representative,
2 Bally's plans to use its cash on hand, available
3 borrowings on its revolving credit facility, and
4 cash flows generated from its mature businesses to
5 fund Bally Interactive's working capital needs
6 until it achieves adequate cash flow to support
7 operations.

8 Since Bally's Interactive does not
9 have an investment in a brick-and-mortar facility
10 in Louisiana, we feel there is minimal risk to the
11 state if they do not achieve the profitability
12 that they are projecting. Additionally, there is
13 minimal risk to Louisiana patrons, as state gaming
14 laws require them to segregate player deposits
15 from its operational funds and maintain a separate
16 cash reserve to ensure players can withdraw funds
17 at any time.

18 It is our assessment, based on the
19 information reviewed by the Audit Section, Bally's
20 Interactive possesses the financial ability to
21 support its sports wagering operations. No
22 financial -- no financial issues, other -- other
23 than the negative operating profits previously
24 mentioned, came to the Audit Section's attention
25 that were of such nature to preclude the Board

1 from approving the issuance of a Sports Wagering
2 Platform Provider Permit to Bally's Interactive.

3 Licensing will now present their
4 findings.

5 MS. HERNANDEZ:

6 Good morning, Chairman Johns and
7 Members of the Board. I'm Investigative
8 Specialist Angela Hernandez with the Louisiana
9 State Police, Gaming Enforcement Division.

10 On December 28, 2021, the Louisiana
11 State Police Gaming Enforcement Division received
12 an application for a Sports Wagering Platform
13 Provider Permit submitted on behalf of Bally's
14 Interactive, LLC, doing business as Bally Bet. In
15 accordance with the rules and regulations of the
16 Gaming Enforcement Division, a background
17 investigation was conducted on Bally's
18 Interactive, LLC, doing business as Bally Bet, its
19 shareholders, subsidiaries, officers, directors,
20 and persons with five percent or more ownership or
21 economic interest in the permit.

22 The background investigation includes
23 inquiries to federal, state, and local law
24 enforcement agencies, civil jurisdictions, gaming
25 regulatory agencies, and Louisiana Department of

1 Revenue. Inquiries were also made through a
2 Computerized Criminal History Database.

3 During the suitability investigation,
4 no information was found that would preclude the
5 Board from approving Bally's Interactive, LLC,
6 doing business as Bally Bet's Sports Wagering
7 Platform Provider Permit.

8 CHAIRMAN JOHNS:

9 Okay. Any questions, Members? Any
10 questions for the ladies at the table?

11 (NO RESPONSE)

12 CHAIRMAN JOHNS:

13 So the net operating losses have been
14 kind of commonplace in every platform that we've
15 heard so far since we've rolled out; so it's
16 pretty much standard in the industry.

17 MS. HAUPT:

18 Uh-huh.

19 CHAIRMAN JOHNS:

20 Okay. Okay. Any other questions?

21 (NO RESPONSE)

22 CHAIRMAN JOHNS:

23 If not, I would entertain a motion to
24 adopt the resolution that you have before you.

25 MR. AVANT:

1 (Indicating)

2 CHAIRMAN JOHNS:

3 Mr. Avant has made the motion to
4 adopt this resolution.

5 MS. BERRY:

6 (Indicating)

7 CHAIRMAN JOHNS:

8 And Ms. Berry seconded that motion.

9 And, Ms. Hood, would you read the resolution,
10 please?

11 MS. HOOD:

12 On the 16th day of March, 2023, the
13 Louisiana Gaming Control Board did, in a duly
14 noticed public meeting, consider the Sports
15 Wagering Platform Provider Permit Application and
16 the comprehensive compulsive and problem gambling
17 program of Bally's Interactive, LLC, doing
18 business as Bally Bet, and upon motion duly made
19 and seconded, the Board adopted this resolution:

20 Be it resolved that Bally's
21 Interactive, LLC, doing business as Bally Bet, be
22 approved for a Sports Wagering Platform Provider
23 Permit for a term of five years commencing
24 June 20, 2022.

25 Be it resolved that the comprehensive

1 compulsive and problem gambling program submitted
2 by Bally's Interactive, doing business as Bally
3 Bet, is hereby approved.

4 Thus done and signed in Baton Rouge
5 this 16th day of March, 2023.

6 CHAIRMAN JOHNS:

7 Okay. Thank you, Ms. Hood. So,
8 Members, there's been a motion by Mr. Avant,
9 seconded by Ms. Berry, that we adopt this
10 resolution. Ms. Hood, would you call the roll?

11 MS. HOOD:

12 Mr. Avant?

13 MR. AVANT:

14 Yes.

15 MS. HOOD:

16 Ms. Berry?

17 MS. BERRY:

18 Yes.

19 MS. HOOD:

20 Mr. Jackson?

21 MR. JACKSON:

22 Yes.

23 MS. HOOD:

24 Ms. Lewis?

25 MS. LEWIS:

1 Yes.

2 MS. HOOD:

3 Mr. Poole?

4 MR. POOLE:

5 Yes.

6 MS. HOOD:

7 Ms. Hamilton-Acker?

8 MS. HAMILTON-ACKER:

9 Yes.

10 MS. HOOD:

11 Judge Sholes?

12 MR. SHOLES:

13 Yes.

14 MS. HOOD:

15 Ms. Traylor?

16 MS. TRAYLOR:

17 Yes.

18 MS. HOOD:

19 Chairman Johns?

20 CHAIRMAN JOHNS:

21 Yes. So by unanimous vote that
22 resolution is hereby adopted. Thank you, ladies,
23 for your work.

24 MS. HAUPT:

25 You're welcome.

1 CHAIRMAN JOHNS:

2 And to Bally's, congratulations to
3 you on both of these items, and the very best of
4 luck to you, and I look forward to seeing that
5 master plan down the road; so thank you very much.

6 VII. PROPOSED APPEAL AND SETTLEMENTS

7 CHAIRMAN JOHNS:

8 Okay. Members, we're going to move
9 into proposed appeal and settlements. The first
10 on the agenda to day will be the appeal that we
11 heard -- Ms. Bradbury, I don't need you to take it
12 quite yet; so . . .

13 MS. BRADBURY:

14 Okay. Sorry.

15 CHAIRMAN JOHNS:

16 Okay. That's okay. Thank you for
17 being here today; so . . .

18 We -- we had an appeal last month,
19 and I'm going to kind of go over the process that
20 we went through and tell you where we are today.

21 There was an appeal made on behalf of

22 Brandi N. Bradbury, and there was a motion made

23 and seconded and adopted by the Board to uphold

24 the decision of the Hearing Officer.

25 After some further conversation later

1 in the meeting, a motion was made by
2 Ms. Hamilton-Acker for reconsideration of the
3 appeal of Brandi Bradbury. Judge Sholes seconded
4 that motion. And then there was discussion from
5 the Attorney General's Office, who -- from
6 Mr. Hebert and Ms. Himel, who spoke on the motion
7 of reconsideration.

8 So when that motion was made,
9 Ms. Lewis objected to that motion. There was a
10 second motion later made, after further
11 discussion, by Ms. Berry to table that motion of
12 reconsideration until this meeting here today.
13 That motion was seconded by Ms. Traylor, and the
14 vote on the motion to -- to table was -- was
15 accepted with no objection.

16 So as we stand right here today, that
17 motion of reconsideration lays on the table. So
18 in order to take it off of the table for further
19 discussion on the original motion, there would
20 have to be a motion made to -- to remove the item
21 from -- from the table. There must be a second to
22 it. The motion is not debatable. No discussion
23 on the motion -- on the first motion, and there
24 must be a majority vote to take it from the table;
25 so that's where we are.

1 I guess at this point in time, I
2 would have to open up to the Board for anyone that
3 would make a motion to take the original motion
4 from the table.

5 MS. TRAYLOR:

6 So moved. I make a motion to remove
7 it from the table.

8 CHAIRMAN JOHNS:

9 Ms. Traylor has moved that we take
10 the motion to reconsider off the table. Is there
11 a second? Okay. Is there a second? Mr. Poole?

12 MR. POOLE:

13 I just have a question.

14 CHAIRMAN JOHNS:

15 Okay.

16 MR. POOLE:

17 Does it -- if we don't do this, it
18 stays on the table indefinitely?

19 CHAIRMAN JOHNS:

20 Indefinitely, yes, sir. It's
21 Robert's Rules of Order; so -- and there can be no
22 debate.

23 MR. POOLE:

24 I'll second the motion.

25 CHAIRMAN JOHNS:

1 Okay. So Mr. Poole has seconded that
2 motion. The motion is not debatable, and I would
3 ask that Ms. Hood call the roll to remove it from
4 the table.

5 MS. HOOD:

6 Mr. Avant?

7 MR. AVANT:

8 Yes.

9 MS. HOOD:

10 Ms. Berry?

11 MS. BERRY:

12 Yes.

13 MS. HOOD:

14 Mr. Jackson?

15 MR. JACKSON:

16 Yes.

17 MS. HOOD:

18 Ms. Lewis?

19 MS. LEWIS:

20 Yes.

21 MS. HOOD:

22 Mr. Poole?

23 MR. POOLE:

24 Yes.

25 MS. HOOD:

1 Ms. Hamilton-Acker?

2 MS. HAMILTON-ACKER:

3 Yes.

4 MS. HOOD:

5 Mr. Sholes?

6 MR. SHOLES:

7 Yes.

8 MS. HOOD:

9 Ms. Traylor?

10 MS. TRAYLOR:

11 Yes.

12 MS. HOOD:

13 Chairman Johns?

14 CHAIRMAN JOHNS:

15 Yes. Okay. So that motion carries,
16 and we are now back on the original motion to
17 reconsider the vote that was made at the -- at the
18 February meeting. Ms. Hamilton-Acker made the
19 motion to reconsider. Judge Sholes seconded that
20 motion, and then we have an objection from
21 Ms. Lewis. The motion is debatable. So I would
22 like to, I guess, first ask Ms. Hamilton-Acker to
23 maybe open up your -- your thoughts on -- on
24 your -- on your motion, if you would.

25 MS. HAMILTON-ACKER:

1 Thank you, Chairman Johns. So the
2 motion was made for purposes of reconsideration,
3 because I did cast a vote in favor of upholding
4 the administrative judge's decision. The reason
5 for requesting a reconsideration was because, at
6 the time of voting, my understanding, in terms of
7 the time delays associated with the person's
8 ability to be able to make reapplication, was not
9 clear.

10 So once there was some more
11 information provided by Mr. Hebert after the vote
12 with regards to when reapplication could be made
13 and considering that during the information being
14 provided to us, there was a notation of there
15 being new evidence that was available is the
16 purposes for my motion for reconsideration.

17 So what I am seeking to do is not to
18 make a determination with regards to guilt or
19 innocence on the substance of the matter. I am
20 not looking to make a determination of who was
21 right or who was wrong or anything with regards to
22 a substantive decision on the merits of the case
23 that's before us. My purpose is merely for
24 opening up an opportunity for that new evidence
25 that was referenced to be able to be heard by the

1 administrative law judge.

2 I think another factor in this
3 situation of what we heard was that there was
4 advice from counsel that basically indicated that,
5 you know, no information -- that you should not
6 provide any information. That was a little
7 unsettling to me.

8 And so, again, if there is new
9 evidence that could be considered for the
10 administrative law judge to make a determination
11 as far as whether or not unsuitability should be
12 for one year versus five years, that is the
13 purpose of this motion. It's not for making any
14 position on the substance of the matter. It's
15 only for opening up access.

16 CHAIRMAN JOHNS:

17 (Conferring with Ms. Hood) Sorry,
18 Ms. Acker. I was talking to my legal counsel
19 here; so . . .

20 MS. HAMILTON-ACKER:

21 That's okay.

22 CHAIRMAN JOHNS:

23 Make sure I get things right; so
24 thank you very much. So at this point we still
25 cannot hear from Ms. Bradbury or from the Attorney

1 General's Office, because we are under the motion
2 to reconsider. There -- there is an objection to
3 that motion that's still on the table. And,
4 Ms. Lewis, I presume you still object to that
5 motion?

6 MS. LEWIS:

7 No. Based upon -- based upon our
8 discussions over the procedural -- whether it be
9 the one-year or five-year, I have reconsidered,
10 and I am amenable to reconsidering this case.

11 CHAIRMAN JOHNS:

12 Okay. So you're going to withdraw
13 your objection?

14 MS. LEWIS:

15 I withdraw my objection.

16 CHAIRMAN JOHNS:

17 Okay. All right. So is there any
18 further discussion on -- on the motion?

19 (NO RESPONSE)

20 CHAIRMAN JOHNS:

21 So, Ms. Berry, you have --

22 MS. BERRY:

23 Well, I guess I'm confused here
24 again. I'm not an attorney, but we're talking
25 about remanding it back to the judicial advocate

1 or --

2 CHAIRMAN JOHNS:

3 We're talking about remanding it back
4 to the Hearing Officer.

5 MS. BERRY:

6 Hearing Officer. To be able to let
7 the plaintiff, or the defendant, put up her new --

8 MR. POOLE:

9 New evidence.

10 MS. BERRY:

11 -- new evidence information?

12 MR. POOLE:

13 Right.

14 MS. BERRY:

15 That's what we're looking at right
16 now. I just want it clear. Is that correct?

17 CHAIRMAN JOHNS:

18 That is --

19 MS. HOOD:

20 Upon reconsidering the original vote
21 first.

22 MS. BERRY:

23 Oh, that first. Okay. Okay.
24 Reconsidering.

25 CHAIRMAN JOHNS:

1 Right.

2 MS. BERRY:

3 Okay.

4 CHAIRMAN JOHNS:

5 So my only concern as Chairman is the
6 fact that, at any point in time in the future,
7 anybody to come and make an appeal to us, their
8 argument could be that, "I have new evidence."
9 And once that -- once that has been done, I think
10 that this Board would have a very difficult time
11 of -- of not approving that. That's just my -- my
12 concern. I've talked to legal counsel in the AG's
13 office. I've talked to State Police about it.
14 I've talked to law enforcement. That's just my
15 concern, and -- but I greatly respect what -- what
16 the Board wants to -- to do on this.

17 So if this motion does pass, we will
18 open it up for discussion once again. We will
19 hear from the Attorney General's Office. We will
20 hear from Ms. Bradbury, and then there will have
21 to be a motion made at that point whether to
22 remand it back or not remand it back. So,
23 basically, what we're doing is reopening the
24 discussion on -- on this -- on this issue;
25 so . . .

1 So is there any objection to
2 Ms. Hamilton-Acker's motion at this point to
3 reconsider our vote?

4 MS. TRAYLOR:

5 To be clear, this is just to
6 reconsider our vote right now?

7 CHAIRMAN JOHNS:

8 Right. Is there any objection?

9 (NO RESPONSE)

10 CHAIRMAN JOHNS:

11 Okay. There is no objection to
12 Ms. Hamilton-Acker's motion; so we will now go
13 back and discuss the -- the appeal of Brandi M. --
14 Brandi N. Bradbury. Ms. Bradbury, if you would
15 like to come to the table . . .

16 MR. SHOLES:

17 Mr. Chairman, --

18 CHAIRMAN JOHNS:

19 Yes.

20 MR. SHOLES:

21 -- just curious. Procedurally, is
22 this a matter that we don't go into the executive
23 session on?

24 CHAIRMAN JOHNS:

25 No, sir.

1 MR. SHOLES:

2 Thank you.

3 CHAIRMAN JOHNS:

4 No, sir. It was made -- we did not
5 go into executive last -- you know, last month
6 on -- on the issue, and there would be no need
7 to -- none of the facts -- none of the facts have
8 changed, actually.

9 So I would like to ask the Attorney
10 General's Office to proceed, if you would, with --
11 with your comments on your case.

12 MS. JAMES:

13 Good morning, Chairman and Board
14 Members. I am Assistant Attorney General
15 Lekiesha James in the matter of Brandi Bradbury.
16 Present with me is Ms. Bradbury.

17 Before we begin, it is my
18 understanding that the motion to reconsider has
19 been passed, and we are basically opening up this
20 case to hear. I would ask that the arguments and
21 information presented at the February 16 board
22 meeting be considered and made a part of the
23 record for today's hearing. And if that is
24 amenable to the Board, I would be available to
25 give any additional statements and answer any

1 questions that the Board may have.

2 CHAIRMAN JOHNS:

3 Okay. Would you -- would you like to
4 discuss the -- the charges once again, please, --

5 MS. JAMES:

6 Sure. So --

7 CHAIRMAN JOHNS:

8 -- that -- that brought all this
9 to -- to us to begin with?

10 MS. JAMES:

11 So Ms. Bradbury's permit -- gaming
12 employee permit was revoked -- was suspended and
13 then was -- it was revoked based on her pending
14 criminal charges, which are currently still
15 pending, and they are Louisiana Revised Statute
16 40:966(A)(1), Possession of Controlled Dangerous
17 Substance 1 with Intent to Distribute; Louisiana
18 Revised Statute 14:69.1(A), Illegal Possession of
19 a Stolen Firearm, which is a theft-related crime;
20 and Louisiana Revised Statute 14:95(E), Illegal
21 Possess -- Illegal Use, Possession, or Control of
22 a Weapon in the Presence of Controlled Dangerous
23 Substance. All three of these crimes are
24 punishable by more than one year of imprisonment,
25 which is a statutory disqualifier from holding a

1 gaming employee permit.

2 In addition, I would also like to
3 reiterate that the facts that led to
4 Ms. Bradbury's arrest remain that Ms. Bradbury
5 either allowed illegal activity to take place in
6 her home, or she was oblivious to the illegal
7 activity that took place in her home, and as a
8 non-key gaming employee permit holder, they are
9 held to a higher standard. And she was employed
10 in the casino with her non-key gaming employee
11 permit, which places the task on her and the
12 responsibility to observe, report, and prohibit
13 illegal activity in her presence. Her
14 acquiescence to the illegal activity in her home
15 is what reflects negatively on her character when
16 determining her suitability to participate in the
17 gaming industry.

18 And just to address the concern of
19 new evidence, Ms. Bradbury's -- there's no --
20 nothing has changed in the criminal status of
21 Ms. Brad -- Ms. Bradbury's charges. Ms. Bradbury
22 had the opportunity to present a defense on
23 herself -- on her behalf, and I understand
24 Ms. Hamilton-Acker's concern that she was
25 prohibited by legal counsel for -- from presenting

1 any evidence. The evidence that she would
2 present, if this case were remanded, technically
3 would not be new evidence, because it is evidence
4 that existed at the time of her initial hearing.
5 It's just evidence that she did not present.

6 CHAIRMAN JOHNS:

7 Okay. So any -- any questions for
8 the Attorney General?

9 (NO RESPONSE)

10 CHAIRMAN JOHNS:

11 So -- oh, Ms. Hamilton -- excuse me.
12 I'm sorry.

13 MS. HAMILTON-ACKER:

14 That's okay. So, Ms. James -- so, am
15 I to understand correctly that if there would be a
16 remand back to the Hearing Officer that the only
17 information that could be presented would be
18 anything new that did not exist prior to the date
19 of the Hearing Officer hearing?

20 MS. JAMES:

21 So -- no. So if this case were
22 remanded, Ms. Bradbury -- it's basically a second
23 chance. She could present anything, anything new,
24 anything old. My argument is that the legal
25 precedent for remanding a case is based on the

1 existence of new evidence, and since there is no
2 new evidence, just old evidence she did not
3 present, then that is why I'm arguing that a
4 remand would not be proper in this case. Does
5 that make sense?

6 MS. HAMILTON-ACKER:

7 It -- it makes sense, and thank you
8 so very much. That -- that is very helpful. So
9 my next question is, is there any bearing on the
10 concern -- or the fact that there was advice from
11 counsel for Ms. Bradbury to not present any
12 evidence? Is there any concern, from the Attorney
13 General's standpoint of view, with regards to her
14 position with being advised by her counsel not to
15 present any evidence?

16 MS. JAMES:

17 Yes. I'm not going to blanket say,
18 no, we don't consider it at all, because, yes, it
19 is a concern; however, we look at the totality of
20 the events. We look at the reason -- the facts
21 that led to the arrest, the associations that led
22 to the arrest, and we look at other suitability
23 factors, such as is she associated with someone --
24 is -- did it appear that she acquiesced to this
25 info -- this illegal activity in her home. We

1 also look at, would there be any other information
2 that she could provide to prove her suitability.

3 So that's a broader -- it's a broader
4 term than just proving that the -- proving her
5 illegal activity. Suitability -- she could prove
6 her suitability by other means besides talking
7 about that crime in general. So because she
8 didn't even attempt to do that, that is why --
9 yes, it is unfortunate that she was advised by
10 legal counsel not to talk about her criminal
11 charges, but she had the opportunity to talk about
12 things other than her criminal charges to prove
13 her suitability.

14 MS. HAMILTON-ACKER:

15 And one last question.

16 MS. JAMES:

17 Uh-huh.

18 MS. HAMILTON-ACKER:

19 I understand the suitability
20 standard, and I am not questioning that at all in
21 terms of that, you know, not being correct at this
22 point in time. My concern is more stemmed towards
23 the time of the suitability ruling. So is there a
24 standard to determine suitability -- unsuitability
25 one year versus five years? Is there a structured

1 sort of assessment or a standard that is used
2 when, basically, making that ruling or that
3 assessment?

4 MS. JAMES:

5 Yes. There are general guidelines
6 under Revised Statute 27.28(E) and under the
7 Louisiana Administrative Code, but, basically, as
8 we all -- as we know, in the legal field, it -- it
9 depends. It does depend.

10 MS. HAMILTON-ACKER:

11 Uh-huh.

12 MS. JAMES:

13 So, yes, there is a timeline of five
14 years you're barred from reapplying; however, if,
15 for some reason, that crime -- not that crime.
16 Sorry -- those charges are dismissed, you can
17 reapply, but in reapplying the Division is still
18 required to look at not just if that crime was
19 dismissed but what were the facts that led to
20 that -- what associations led to that, because, as
21 this Board knows, the Division has denied
22 applications for gaming licenses for criminal
23 charges that were ultimately dropped, ultimately
24 dismissed, or nolle prossed just because of the
25 nature of the crime, the nature of the activities

1 that led to those criminal charges. So short way
2 of saying, yes, five years, one year, it depends.
3 It is based on a case-by-case basis that the Board
4 would have to decide.

5 MS. HAMILTON-ACKER:

6 Okay. Thank you, Ms. James.

7 CHAIRMAN JOHNS:

8 Further questions?

9 (NO RESPONSE)

10 CHAIRMAN JOHNS:

11 Okay. So the -- the issue of
12 suitability goes way beyond just the criminal
13 charges?

14 MS. JAMES:

15 Yes.

16 CHAIRMAN JOHNS:

17 Okay. So -- and it is a fact that we
18 have denied licenses many times, as you explained,
19 were dropped -- charges were dropped, whatever --
20 for whatever reason; so . . .

21 MS. JAMES:

22 (Nodding head)

23 CHAIRMAN JOHNS:

24 Okay. Members, I have confirmed that
25 the charges are still pending -- I've confirmed

1 that on my own -- and that they are moving forward
2 with prosecution; so that -- that is something, I
3 think, that needs to be considered in terms of
4 suitability.

5 Okay. Any further discussion for the
6 Attorney General's Office? Anything else from the
7 Attorney General's Office? Ms. Lewis?

8 MS. LEWIS:

9 If, in fact, it is remanded back to
10 the hearing judge, will the revocation still stand
11 until it has been appealed --

12 MS. JAMES:

13 So --

14 MS. LEWIS:

15 -- or revisited?

16 MS. JAMES:

17 So as of right now, Ms. Bradbury's
18 non-key gaming employee permit is still active
19 because the appeal delays have not lapsed. So
20 while we're still hearing this, her -- her
21 revocation -- her permit is still active. If this
22 were to be remanded back to the Hearing Office,
23 the permit would be still active; however, there
24 could be an argument made that the permit be
25 suspended until it is heard by the Hearing Office,

1 if it's remanded.

2 MS. LEWIS:

3 Thank you.

4 CHAIRMAN JOHNS:

5 Okay. Any further discussion?

6 Judge?

7 MR. SHOLES:

8 Just curious. Is she currently

9 employed?

10 MS. JAMES:

11 Yes, sir - well, sorry. That is new

12 information, but I've already answered it.

13 MR. SHOLES:

14 Okay. I know that your office

15 probably, like some places, have what they call

16 the -- the bleeding heart cases. And did y'all

17 talk about this one and say, "This is one of those

18 bleeding heart cases where somebody is going to

19 want to try to do something to help this lady"?

20 MS. JAMES:

21 Unfortunately, I'm not at liberty to

22 answer that.

23 MR. SHOLES:

24 Okay. I'm thinking absolutely, that

25 answer. Thank you.

1 CHAIRMAN JOHNS:

2 Thank you, Judge. Okay. So,
3 Ms. Bradbury, good morning.

4 MS. BRADBURY:

5 Good morning.

6 CHAIRMAN JOHNS:

7 Thank you for being here. I was
8 going to ask the same question the Judge just
9 asked. Are you currently employed?

10 MS. BRADBURY:

11 Yes, sir.

12 CHAIRMAN JOHNS:

13 And by whom?

14 MS. BRADBURY:

15 L'Auberge Lake Charles.

16 CHAIRMAN JOHNS:

17 L'Auberge Lake Charles. Okay. And
18 they are aware of what these charges are?

19 MS. BRADBURY:

20 Correct.

21 CHAIRMAN JOHNS:

22 Okay. All right. Is there any
23 further comments you would like to make today?
24 And I'm going to caution you once again, no new
25 evidence can be presented today. Okay?

1 MS. BRADBURY:

2 Okay. I just wanted to touch on the
3 suitability. She's correct. At the hearing I did
4 not say anything, and as we said at the last
5 hearing, I was advised to just kind of be quiet
6 because, you know, they weren't quite aware of
7 what was actually happening at that time; however,
8 like, for the suitability subject, I -- I have no
9 prior record whatsoever, which I'm sure you guys
10 have probably been able to see that, and has --
11 I've never had any -- anything other than a
12 speeding ticket, and I haven't that -- I haven't
13 had that since 2014; so it's been very many years
14 ago.

15 For the most part, I have stayed very
16 much clean as a whistle, and this is my -- this is
17 what -- the purpose of my request to remand,
18 because, being that I now have access to the
19 evidence, I feel like I would be able to clear my
20 name and prove this -- prove the suitability to
21 uphold the license that I currently have.

22 CHAIRMAN JOHNS:

23 Okay. Any questions from the Board?
24 Ms. Traylor?

25 MS. TRAYLOR:

1 I just have a question. If it gets
2 remanded and a decision is, you know, to
3 revoke the -- keep the licensed revoked, when
4 would the time start for her to be able to
5 reapply? Like, does it start from the charges?
6 Does it start from when the license is revoked?
7 One year -- whether it be one year or five years,
8 is there a time that it starts?

9 MS. JAMES:

10 So short answer, from the date of the
11 decision of the Hearing Officer. Long answer, the
12 right to reapply wouldn't even arise until those
13 criminal charges are disposed of, and we -- we
14 don't know when they will be disposed of.

15 MS. TRAYLOR:

16 Thank you.

17 CHAIRMAN JOHNS:

18 Okay. Thank you, Ms. Traylor. Thank
19 you, Ms. Traylor. Judge Sholes, I see you've got
20 your button punched. You've --

21 MR. SHOLES:

22 Oh, I'm sorry.

23 CHAIRMAN JOHNS:

24 -- got a further question?

25 MR. SHOLES:

1 No, no, sir.

2 CHAIRMAN JOHNS:

3 Okay. All right. So, Members, where
4 we are, we are at the point where we will need a
5 motion to either uphold the Hearing Officer's
6 decision or to remand it back to the Hearing
7 Officer. So what's the pleasure of the Board?

8 MS. HAMILTON-ACKER:

9 Chairman Johns, I am still moved to
10 think that this is an exceptional case. And I
11 understand wholeheartedly the concern with regards
12 to opening up floodgates, cases that could
13 possibly use a new evidence argument, you know,
14 for purposes of challenging the Hearing Officer's
15 decision.

16 Again, I think this is more, at this
17 point, an issue of access, and it may not prove to
18 be successful, but at least it provides for there
19 to be access for evidence to be considered. And
20 so because of -- because of that, I feel I'm
21 compelled to move that we do remand it back to the
22 Hearing Officer for purposes of new evidence to be
23 considered.

24 CHAIRMAN JOHNS:

25 Okay. And is there a second to that

1 motion?

2 MR. SHOLES:

3 Second.

4 CHAIRMAN JOHNS:

5 Judge Sholes has seconded that
6 motion. Is there any further discussion from the
7 board members?

8 MS. BERRY:

9 Is the question discussion? Is the
10 question discussion?

11 CHAIRMAN JOHNS:

12 Yes. Yes.

13 MS. BERRY:

14 Okay. One more time.

15 CHAIRMAN JOHNS:

16 Absolutely.

17 MS. BERRY:

18 If we would vote to remand, any
19 evidence could be presented, new, old, whatever?

20 MS. JAMES:

21 Yes.

22 MS. BERRY:

23 And is -- the question of there being
24 new evidence, as Ms. Hamilton-Acker mentioned, is
25 there new evidence, or is it just the fact that

1 she was not allowed to present her case because of
2 her advice from counsel?

3 MS. JAMES:

4 My argument is that there is no new
5 evidence, just evidence that was not admitted
6 based on the advice of her counsel.

7 MS. BERRY:

8 I'm just throwing it out. It seems
9 to me this would be a claim against her counsel,
10 not against the judge, but that's just my point of
11 view. Okay. Thank you.

12 CHAIRMAN JOHNS:

13 Okay. Thank you, Ms. Berry. And
14 what would be Ms. Bradbury's recourse should this
15 not be remanded back to the -- to the Hearing
16 Officer and if we upheld it?

17 MS. JAMES:

18 If the Board today decided to affirm
19 the decision of the Hearing Officer, then her --
20 the Board would be affirming the revocation of her
21 permit. She has the opportunity to appeal. The
22 appeal -- it would -- the appeal would go to the
23 19th JDC. There's a ten-business-day delay. So
24 ten days from the decision of the -- this Board,
25 she would have to appeal again.

1 CHAIRMAN JOHNS:

2 Okay. And, Ms. Bradbury, you still
3 have an attorney?

4 MS. BRADBURY:

5 Yes, sir.

6 CHAIRMAN JOHNS:

7 Okay. So is there any further
8 discussion? Is there any objection to the motion?
9 Any objection to the motion?

10 (NO RESPONSE)

11 CHAIRMAN JOHNS:

12 Okay. The Chairman is going to
13 object.

14 MS. BERRY:

15 Aye aye.

16 CHAIRMAN JOHNS:

17 Pardon me?

18 MS. BERRY:

19 I thought -- are we calling a roll
20 call vote?

21 CHAIRMAN JOHNS:

22 Not -- we will.

23 MS. BERRY:

24 Okay. Okay.

25 CHAIRMAN JOHNS:

1 So -- and I reluctantly do so,
2 Ms. Hamilton-Acker. I just -- I'm just concerned
3 about us remanding cases back to the Hearing
4 Officer, and once we do this, I think every appeal
5 that we -- comes before us can make the same
6 argument. That's just a concern that I have;
7 so -- but I'm just one vote; so -- and I
8 respect the -- I want everyone to know I respect
9 the -- the vote of this Board; so don't -- don't
10 follow the leader of the Chairman. Vote your
11 conscious. Okay?

12 Any further discussions?

13 (NO RESPONSE)

14 CHAIRMAN JOHNS:

15 Okay. We have a motion by
16 Ms. Hamilton Acker, seconded by Judge Sholes, to
17 remand this back to the Hearing Officer. And,
18 Ms. Hood, would you call the role? So a vote yes
19 is to remand, and a vote no is to basically not
20 remand or to affirm the decision.

21 MS. HOOD:

22 Mr. Avant?

23 MR. AVANT:

24 No.

25 MS. HOOD:

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1 Ms. Berry?

2 MS. BERRY:

3 No.

4 MS. HOOD:

5 Mr. Jackson?

6 MR. JACKSON:

7 Yes.

8 MS. HOOD:

9 Ms. Lewis?

10 MS. LEWIS:

11 No.

12 MS. HOOD:

13 Mr. Poole?

14 MR. POOLE:

15 No.

16 MS. HOOD:

17 Ms. Hamilton-Acker?

18 MS. HAMILTON-ACKER:

19 Yes.

20 MS. HOOD:

21 Judge Sholes?

22 MR. SHOLES:

23 Yes.

24 MS. HOOD:

25 Ms. Traylor?

1 MS. TRAYLOR:

2 Yes.

3 MS. HOOD:

4 Chairman Johns?

5 CHAIRMAN JOHNS:

6 No.

7 MS. HOOD:

8 One, two -- five no's, four yes.

9 CHAIRMAN JOHNS:

10 So by five-four? So by a vote of
11 five nays and four yeas, that motion does not
12 pass. Can we -- so do we need a second motion to
13 affirm?

14 MS. HOOD:

15 I think we just did.

16 CHAIRMAN JOHNS:

17 Okay. So it would be affirmed. So,
18 Ms. Bradbury, thank you for being here. I hope
19 things go well with your criminal charges, and
20 very best of luck to you. It's just the process.
21 So thank you very much for being here.

22 MS. BRADBURY:

23 Thank y'all.

24 CHAIRMAN JOHNS:

25 And to the Attorney General's Office,

1 thank you for your work. To all the members,
2 thank you for your patience in this very much.
3 Thank you.

4 MS. JAMES:

5 Thank you all.

6 CHAIRMAN JOHNS:

7 Okay. We're going to move forward
8 to -- the next settlement will be Gumbo to Geaux,
9 LLC, doing business as Gumbo to Geaux.

10 MS. JOHNSON:

11 Good morning, Chairman Johns and
12 Board Members. I'm Assistant Attorney General
13 Venise Johnson, here in the matter of the
14 settlement for Gumbo to Geaux, LLC, doing business
15 as Gumbo to Geaux. This settlement addresses the
16 Type 2 licensee's failure to timely submit its
17 annual licensee forms, fees, and supporting
18 documents for the 2022 renewal period.

19 On March 14, 2022, the Louisiana
20 State Police, Gaming Enforcement Division,
21 e-mailed an advisory notice informing the licensee
22 that its annual licensee forms, fees, and required
23 documents were due no later than July 1, 2022.
24 The notice also informed the licensee that failure
25 to submit the completed form, fees, and required

1 documents by August 31, 2022, would result in an
2 administrative action.

3 On December 21, 2022, the Division
4 received the annual licensee form, required
5 documents, and payment of the annual fees. The
6 licensee failed to timely submit the forms,
7 documents, and pay its annual fees.

8 The licensee desired to reach a
9 settlement in this matter in lieu of proceeding
10 with an administrative action, and the Division
11 agreed. The licensee has agreed to pay a civil
12 penalty of \$750 under the terms of this
13 settlement. The amount is in line with other
14 cases where the licensee submitted its forms/fees
15 after August 31. The settlement has been signed
16 by the licensee and the Hearing Officer and is now
17 before the Board for final consideration. I would
18 be happy to answer any questions at this time that
19 you may have.

20 CHAIRMAN JOHNS:

21 Okay. Are there any questions from
22 the Board?

23 MR. JACKSON:

24 Motion to approve.

25 CHAIRMAN JOHNS:

1 Mr. Jackson has moved that we approve
2 the settlement of Gumbo to Geaux. Do I have a
3 second?

4 MS. LEWIS:

5 (Indicating)

6 CHAIRMAN JOHNS:

7 Ms. Lewis has seconded that. Is
8 there any discussion on the motion? Is there any
9 objection to that motion?

10 (NO RESPONSE)

11 CHAIRMAN JOHNS:

12 That motion carries. Okay. No. C,
13 Village One Stop doing business as Village Cafe'.
14 Ms. Sizemore, good morning.

15 MS. SIZEMORE:

16 Good morning. Good morning, Chairman
17 Johns and Board Members. I'm Assistant Attorney
18 General Shanna Sizemore, here in the matter of the
19 settlement of Village One Stop, LLC, doing
20 business as Village Cafe', which holds a Type 2
21 video draw poker gaming license.

22 The settlement addresses the late
23 submission of annual forms and fees that are
24 required to be submitted to the Division by July 1
25 of each year. The licensee did not submit the

1 annual forms and fees until November 21, 2022,
2 which gave rise to a violation of gaming law.

3 The civil penalty contained in the
4 settlement is \$750, which is an amount that is
5 well-established for violations of this type. The
6 settlement has been signed by the Hearing Officer,
7 is now -- and is now before the Board for final
8 approval. If you have any questions, I would be
9 happy to answer them.

10 CHAIRMAN JOHNS:

11 Okay. Any questions for
12 Ms. Sizemore?

13 (NO RESPONSE)

14 CHAIRMAN JOHNS:

15 Do I have a motion to approve this
16 settlement?

17 MR. POOLE:

18 (Indicating)

19 CHAIRMAN JOHNS:

20 Mr. Poole made that motion.

21 MR. AVANT:

22 (Indicating)

23 CHAIRMAN JOHNS:

24 Mr. Avant has seconded. Is there any
25 discussion? Is there any objection to that

1 motion?

2 (NO RESPONSE)

3 CHAIRMAN JOHNS:

4 That settlement is hereby approved.

5 Okay. Moving on, next one, to Village One Stop

6 doing business as Village Cafe'. Same -- same

7 operation. Right?

8 MS. SIZEMORE:

9 Again, I'm Assistant Attorney General

10 Shanna Sizemore, here in the matter of the

11 settlement of Village One Stop, LLC, doing

12 business as Village Cafe', which holds a Type 6

13 video draw poker gaming license.

14 The settlement addresses the late

15 submission of annual forms and fees that are

16 required to be submitted to the Division no later

17 than July 1 of each year for the device -- for the

18 Type 6 gaming license. The licensee did not

19 submit the annual forms and fees until

20 November 21, 2022, which gave rise to a violation

21 of gaming law.

22 The civil penalty contained in this

23 settlement is \$1,500 which is an amount that is

24 well-established for violations of this type. The

25 settlement has been approved by the Hearing

1 Officer and is now before the Board for final
2 approval

3 CHAIRMAN JOHNS:

4 Okay. Any questions for
5 Ms. Sizemore?

6 (NO RESPONSE)

7 CHAIRMAN JOHNS:

8 I would entertain a motion that we
9 approve this settlement.

10 MS. LEWIS:

11 (Indicating)

12 CHAIRMAN JOHNS:

13 Ms. Lewis has moved, and --

14 MS. TRAYLOR:

15 (Indicating)

16 CHAIRMAN JOHNS:

17 -- Ms. Traylor has seconded the
18 motion to accept this settlement. Is there any
19 discussion? Any opposition to the motion?

20 (NO RESPONSE)

21 CHAIRMAN JOHNS:

22 Hearing no opposition, that motion
23 carries. Okay. FULCO-Hall Enterprises LLC, doing
24 business as the Breakfast Club Cafe'.

25 MS. SIZEMORE:

1 And for my third settlement, I am
2 Attorney General Shanna Size -- Assistant Attorney
3 General Shanna Sizemore, here in the matter of
4 FULCO-Hall Enterprises, LLC, doing business as
5 Breakfast Club Cafe', which holds a Type 2 video
6 draw poker gaming license.

7 The settlement addresses the late
8 submission of annual forms and fees that are
9 required to be submitted to the Division no later
10 than July 1 of each year. In this case the
11 licensee did not submit the annual forms and fees
12 until September 23, 2022, which is a violation of
13 gaming law.

14 The civil penalty in -- contained in
15 this settlement is \$750, which is an amount that's
16 well-established for violations of this type. The
17 settlement has been signed by the Hearing Officer
18 and is now before the Board for final approval.

19 CHAIRMAN JOHNS:

20 Okay. Are there any questions for
21 Ms. Sizemore?

22 (NO RESPONSE)

23 MR. SHOLES:

24 (Indicating)

25 CHAIRMAN JOHNS:

1 Judge Sholes has moved that we
2 approve this settlement.

3 MS. BERRY:

4 Second.

5 CHAIRMAN JOHNS:

6 And Ms. Berry has moved -- has
7 seconded that motion. Is there any discussion?
8 Is there any -- is there any opposition to that
9 motion?

10 (NO RESPONSE)

11 CHAIRMAN JOHNS:

12 Hearing none that motion carries, and
13 this settlement is hereby approved. The last one
14 is NOLA 145 Enterprises, LLC, doing business as
15 the Cajun Daiquiri Cafe'. Good morning.

16 MS. JOHNSON:

17 Good morning, Chairman Johns and
18 Board Members. I am Assistant Attorney General
19 Venise Johnson, here in the matter of a settlement
20 for NOLA 145 Enterprises, LLC, doing business as
21 Cajun Daiquiri Cafe'. The settlement addresses a
22 Type 1 licensee's failure to timely submit its
23 annual licensee's form, fees, and supporting
24 documents for the 2022 renewal period.

25 On March 14, 2022, the Louisiana

1 State Police, Gaming Enforcement Division,
2 e-mailed an advisory notice informing the licensee
3 that its annual licensee forms, fees, and required
4 documents were due no later than July 1, 2022.
5 The notice also informed the licensees that
6 failure to submit the completed form, fee, and
7 documents by August 31, 2022, will result in an
8 administrative action.

9 On November 1, 2022, the Division
10 received the annual licensee forms, required
11 documents, and payment of the annual fees. The
12 licensee failed to timely submit the forms,
13 documents, and pay its annual fees. The licensee
14 desired to reach a settlement in this matter in
15 lieu of proceeding with an administrative action,
16 and the Division agreed.

17 The licensee has agreed to pay a
18 civil penalty of \$750 under the terms of this
19 settlement. The amount is in line with other
20 cases where the licensee submitted its annual
21 forms and fees after August 31. The settlement
22 has been signed by the licensee and the Hearing
23 Officer and is now before the Board for
24 consideration.

25 I would be happy to answer any

1 questions.

2 CHAIRMAN JOHNS:

3 Okay. Any questions?

4 (NO RESPONSE)

5 CHAIRMAN JOHNS:

6 I would entertain a motion that we
7 accept this settlement.

8 MR. JACKSON:

9 Motion to approve.

10 CHAIRMAN JOHNS:

11 Mr. Jackson has moved that we accept
12 the settlement.

13 MR. SHOLES:

14 (Indicating)

15 CHAIRMAN JOHNS:

16 Judge Sholes has seconded that
17 motion. Is there any discussion? Is there any
18 objection to the motion?

19 (NO RESPONSE)

20 CHAIRMAN JOHNS:

21 Hearing none that motion carries, and
22 this settlement is approved. Thank you very much.

23 A couple of housekeeping measures,
24 ladies and gentlemen. Don't forget that the next
25 two months, April and May, we meet at the

1 Lasalle Building. The Legislature convenes on
2 April 10, I think it is, and so we will not have
3 access to -- to any of the rooms here in the
4 Capitol. So we'll be doing that.

5 To all my good Irish friends out
6 there, happy St. Patrick's Day tomorrow. I wore
7 my green tie in your honor. I'm not -- I'm not
8 Irish; I'm Lebanese. But -- but, anyway, have a
9 great St. Patrick's Day.

10 Any further thing to come before the
11 Board?

12 (NO RESPONSE)

13 VIII. ADJOURNMENT

14 CHAIRMAN JOHNS:

15 Mr. Jackson moves that we --

16 MR. JACKSON:

17 So moved.

18 CHAIRMAN JOHNS:

19 -- adjourn and seconded by --

20 MR. POOLE:

21 (Indicating)

22 CHAIRMAN JOHNS:

23 -- Mr. Poole. So any objection to
24 that?

25 (NO RESPONSE)

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CHAIRMAN JOHNS:

That motions carries. We are hereby
adjourned.

(PROCEEDINGS CONCLUDED AT 11:27 A.M.)

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REPORTER'S CERTIFICATE

I, Karla H. Mayers, a Certified Court Reporter in and for the State of Louisiana, do hereby certify that the foregoing is a true and correct transcript of the proceedings held at this Louisiana Gaming Control Board meeting on the 16th day of March, 2023, as set forth in the forgoing 98 pages.

I further certify that said testimony was reported by me in the Stenotype reporting method, was prepared and transcribed by me or under my direction to the best of my ability and understanding.

I further certify that the transcript has been prepared in compliance with transcript format guidelines required by statute or by rules of the board and that I have been informed about the complete arrangement, financial or otherwise, with the person or entity making arrangements for deposition services.

I further certify that I have acted in compliance with the prohibition on contractual relationships, as defined by Louisiana Code of Civil Procedure Article 1434 and in rules and advisory opinions of the board.

I further certify that I am not an attorney or counsel for any of the parties, that I am neither related to nor employed by any attorney or counsel connected with this action, and that I have no financial interest in the outcome of this matter.

This certification is valid only for this transcript accompanied by my original electronic signature on this page.



Karla H. Mayers, CCR
Certificate No. 94023

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