



*State of Louisiana*  
*Gaming Control Board*

*BOBBY JINDAL*  
GOVERNOR

*DANE K. MORGAN*  
CHAIRMAN

**IN RE: HORSESHOE ENTERTAINMENT, LP  
D/B/A HORSESHOE CASINO  
LICENSE NO. R010800198  
SAR 11-01-24-122-2896**

**ORDER**

This matter was considered by the Louisiana Gaming Control Board at its meeting of February 16, 2012. The Hearing Officer's order dated January 23, 2012, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action" by and between Horseshoe Entertainment, LP d/b/a Horseshoe Casino, License No. R010800198, SAR 11-01-24-122-2896, 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 16<sup>th</sup> day of February, 2012.**

**LOUISIANA GAMING CONTROL BOARD**

BY:

  
\_\_\_\_\_  
**DANE K. MORGAN, CHAIRMAN**

LGCB-1256-12-B

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 16th DAY  
OF February, 2012  
APPEAL DOCKET CLERK  


**RECEIVED**

By Geralyn Coleman at 4:28 pm, Jan 23, 2012

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

**RECEIVED**

JAN 23 2012

LGCB  
ADMINISTRATIVE HEARING OFFICE

IN RE: HORSESHOE ENTERTAINMENT, LP  
D/B/A HORSESHOE CASINO

CASE NO. R010800198

JOINT MOTION FOR APPROVAL OF COMPROMISE AND  
SETTLEMENT AGREEMENT

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

COMES NOW the State of Louisiana, Department of Public Safety and Corrections, Office of State Police ("the Division") and Horseshoe Entertainment, LP d/b/a Horseshoe Casino (hereinafter "Licensee"), 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 Licensee are desirous of compromising and settling all disputes between them relative to the referenced administrative proceeding. In connection therewith, the parties have entered into a compromise and settlement agreement which by its terms will become effective upon approval by the Administrative Hearing Office and the Louisiana Gaming Control Board.

2.

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

TRUE COPY

  
Representative

Louisiana Gaming Control Board

**WHEREFORE, PREMISES CONSIDERED,** The Division and Licensee respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

**JAMES D. "BUDDY" CALDWELL  
ATTORNEY GENERAL**

By: 

**Jade Brown Russell, # 31580**  
Caesar's Entertainment Corporation  
365 Canal Street, Suite 900  
New Orleans, Louisiana 70130  
Telephone: (504) 533-6077  
Facsimile: (504) 533-6107  
*Counsel for Horseshoe Casino*

By: 

**Michael L. Tyler, #29463**  
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 Division*

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

**IN RE: HORSESHOE ENTERTAINMENT, LP  
D/B/A HORSESHOE CASINO**

**CASE NO. R010800198**

**COMPROMISE AND SETTLEMENT AGREEMENT**

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and Horseshoe Entertainment, LP d/b/a Horseshoe Casino (sometimes hereinafter referred to as "Licensee") do hereby represent and agree as follows:

**WHEREAS**, the Louisiana Gaming Control Board has sent a Notice of Recommendation of Administrative Action, SAR 11-01-24-122-2896, to Horseshoe Entertainment, LP d/b/a Horseshoe Casino, which Notice contains allegations of certain violations of Louisiana Gaming Control Law; and

**WHEREAS**, the issues raised by said Notice of Recommendation of Administrative Action, SAR 11-01-24-122-2896, are set for hearing on January 10, 2012, before the Louisiana Gaming Control Board Administrative Hearing Office; and

**WHEREAS**, the Division and Licensee are desirous of fully and finally compromising and settling all issues and disputes arising out of and in connection with said Notice of Recommendation of Administrative Action, SAR 11-01-24-122-2896;

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

## **STIPULATIONS**

1. On May 18, 2011, security officers of Horseshoe Casino admitted an underage patron to the gaming floor after he showed his Florida driver's license to Horseshoe Casino security officers. The underage patron was on the gaming floor for about one (1) hour, playing both table games and slot machines.
2. After exiting the gaming floor, the underage patron attempted to gain reentry, but was turned away by security officers. The underage patron did advise the security guards at this time that he had previously been admitted to Horseshoe Casino's gaming floor. After being turned away, the underage patron entered a Horseshoe Casino bar where he purchased beer and liquor without providing identification.
3. The security officers that turned the underage patron away notified their supervisor that the underage patron had informed them that he had previously been on Horseshoe Casino's gaming floor. The supervisor asked a second supervisor to notify the security manager of the underage patron's statement.
4. Once notified of the underage patron's statement, the security manager advised the security officers to not worry about the underage patron's statements, as the security manager did not think that the security staff needed to tie up surveillance unnecessarily for what he thought was a random claim by someone trying to get into the casino.
5. Security officers later notified their security supervisor that the underage patron was sitting in the Horseshoe Casino bar with a drink. The security supervisor approached the underage patron, asked for his identification, and asked if he had previously been on the Horseshoe Casino gaming floor. The underage patron responded affirmatively that he had in fact been on the Horseshoe Casino gaming floor.
6. The security supervisor notified the security manager of this information, and the security manager advised the security supervisor to evict the underage patron from the property.

7. The security manager then notified Horseshoe Casino's compliance officer and assistant general manager of the underage patron incident.

8. Horseshoe Casino did not contact the Division before the underage patron was evicted from the property, and Horseshoe Casino did not notify the Division of the underage patron incident after the underage patron was evicted from the property.

9. Horseshoe Casino's security logs did not contain any information about the underage patron's admission to the gaming floor, the underage patron playing table games and slot machines, the underage patron's purchase of alcoholic beverages, or the underage patron being evicted from the gaming floor.

10. The Division's review of the surveillance video took three (3) minutes to confirm the underage patron's statement that he had gained entry onto the Horseshoe Casino gaming floor.

11. Horseshoe Casino violated LAC 42:XIII.2915, LAC 42:XIII.2931, LAC 42:XIII.2325(C)(17), LAC 42:XIII.2901(A), and LAC 42:XIII.3309(B).

12. In response to these violations, Horseshoe Casino has increased its employee training with respect to identifying underage patrons, and it has disciplined all individuals involved in the incident..

13. Prior to this incident, on May 11, 2011, the Division issued a Category 1 Significant Action Report to Horseshoe Casino for violations of LAC 42:XIII.2915 and LAC 42:XIII.2931 by allowing an underage patron entry to the Horseshoe Casino gaming floor on April 16, 2011, and failing to timely notify the Division of the incident.

#### **TERMS AND CONDITIONS**

1. In lieu of Administrative Action, Horseshoe Entertainment, LP d/b/a Horseshoe Casino will pay a civil penalty of Sixty-Two Thousand Five Hundred Dollars and No/100 (\$62,500.00) for its violations of LAC 42:XIII.2915, LAC 42:XIII.2931, LAC 42:XIII.2325(C)(17), LAC 42:XIII.2901(A), and LAC 42:XIII.3309(B).

2. The Division hereby agrees to accept that payment of a civil penalty of Sixty-Two Thousand Five Hundred Dollars and No/100 (\$62,500.00) shall be in full and final settlement of all matters set forth in the Notice of Recommendation of Administrative Action, SAR 11-01-24-122-2896, for Horseshoe Entertainment, LP d/b/a Horseshoe Casino's violations of LAC 42:XIII.2915, LAC 42:XIII.2931, LAC 42:XIII.2325(C)(17), LAC 42:XIII.2901(A), and LAC 42:XIII.3309(B).

3. The Division reserves the right to take into consideration these violations in connection with any future investigations, violations or assessments of a penalty.

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

5. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Licensee, regarding the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

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

7. If approved, Horseshoe Entertainment, LP d/b/a Horseshoe Casino agrees to make full payment of the civil penalty to the Division within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board. Horseshoe Entertainment, LP d/b/a Horseshoe Casino agrees that failure to meet this requirement shall result in the immediate

suspension of Horseshoe Entertainment, LP d/b/a Horseshoe Casino's license without the necessity of further administrative action, until such time as the penalty is paid in full.

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

  
\_\_\_\_\_  
**Jade Brown Russell, Attorney, on behalf of Horseshoe Entertainment, LP d/b/a Horseshoe Casino**

  
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**Michael L. Tyler, AAG on behalf of  
State of Louisiana  
Department of Public Safety & Corrections,  
Office of State Police**




## CERTIFICATION OF CHAD BARNHILL

The undersigned, being the Assistant General Manager of Horseshoe Entertainment, LP d/b/a Horseshoe Casino (the "Licensee"), hereby certifies that:

1. Horseshoe Entertainment, LP d/b/a Horseshoe Casino is the holder of the license number R010800198 (the "License");
2. On or about October 28, 2011, the Licensee received the Notice of Administrative Action in connection with SAR 11-01-24-122-2896, dated October 24, 2011 (the "Notice"), citing specific violations of the Louisiana Gaming Control Law;
3. That the specific violations that formed the basis of the Notice have been cured and no longer exist;
4. That the Licensee remains in compliance with all other applicable provisions of the Louisiana Gaming Control Law;
5. That in the interest of settling this matter, the Licensee has willfully entered into a settlement with the Louisiana Office of State Police; and
6. The settlement was freely negotiated and executed with the licensee's knowledge and consent.
7. The above is true and correct to the best of my knowledge, information and belief.

Witness my signature, this the 19<sup>th</sup> day of January, 2012.

  
\_\_\_\_\_  
Chad Barnhill  
Assistant General Manager  
Horseshoe Entertainment, LP  
d/b/a Horseshoe Casino

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: HORSESHOE ENTERTAINMENT, LP  
D/B/A HORSESHOE CASINO

CASE NO. R010800198

ORDER

BE IT REMEMBERED that on this the 23<sup>rd</sup> day of January, 2012, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the Hearing Officer having considered the pleadings on file, the proposed Settlement Agreement, and said Motion, and it appearing to the Hearing Officer that the said Compromise and Settlement Agreement should be approved; it is, therefore,

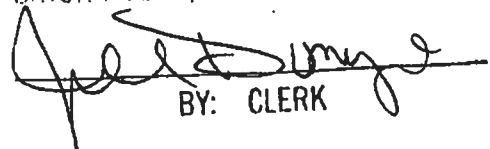
**ORDERED, ADJUDGED, AND DECREED** that the Compromise and Settlement Agreement attached to the parties' Joint Motion for Approval of Compromise and Settlement Agreement be, and the same is hereby, **APPROVED**; that Licensee must pay a civil penalty of Sixty-Two Thousand Five Hundred Dollars and No/100 (\$62,500.00) to the Division within fifteen (15) days of the approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the license of Horseshoe Entertainment, LP d/b/a Horseshoe Casino without the necessity of any further administrative action, until such time as the penalty is paid in full.

SIGNED AND ENTERED this 23<sup>rd</sup> day of January, 2012, in Baton Rouge, Louisiana.



HEARING OFFICER

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 01.23.12



BY: CLERK

LOUISIANA GAMING CONTROL BOARD  
ALL COPIES OF THIS ORDER MUST BE SERVED ON  
OF Domyan 23rd DAY  
April Domyan 10 2012  
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE  
cc: Jade Brown Russell  
Michael Tyler  
Sgt. Louie Subby