



State of Louisiana  
Gaming Control Board

KATHLEEN BABINEAUX BLANCO  
GOVERNOR

H. CHARLES GAUDIN  
CHAIRMAN

**IN RE: SWAMP ISLAND NIGHT CLUB, LLC  
D/B/A THE MAXX  
NO. 2600112225**

**ORDER**

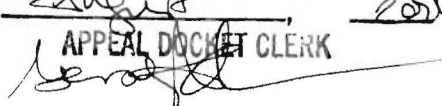
This matter was considered by the Louisiana Gaming Control Board at its meeting of August 15, 2006. The Hearing Officer's order dated July 26, 2006, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," by and between Swamp Island Night Club, LLC d/b/a The Maxx, No. 2600112225, 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 15 day of August, 2006.

**LOUISIANA GAMING CONTROL BOARD**

BY:

  
H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 17th DAY  
OF August, 2006  
APPEAL DOCKET CLERK  


STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

RECEIVED

JUL 26 2006

LGCB  
ADMINISTRATIVE HEARING OFFICE

IN RE: SWAMP ISLAND NIGHT CLUB, LLC  
d/b/a THE MAXX

JUL 26 2006

NO. 2600112225

JOINT MOTION FOR APPROVAL OF COMPROMISE AND  
SETTLEMENT AGREEMENT

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

COME NOW State of Louisiana, Department of Public Safety and Corrections, Office of State Police ("the Division") and Swamp Island Night Club, LLC d/b/a The Maxx, VGL 2600112225 ("the 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 the 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.




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

Respectfully Submitted,

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

By:   
**Troy Organo**  
3217 Melvil Dewey Drive  
Metairie, Louisiana 70002  
Telephone: (504) 261-5063  
Facsimile: 504 895-8323  
*Owner of a 50% membership  
interest in Swamp Island Night Club, LLC  
d/b/a The Maxx*

By:   
**O. Young Bonner, #24969**  
Assistant Attorney General  
One Canal Place  
365 Canal Street, Suite 2730  
New Orleans, Louisiana  
Telephone: (504) 599-1149  
Facsimile: (504) 599-1163  
*Counsel for the Office of State Police*

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: SWAMP ISLAND NIGHT CLUB, LLC  
d/b/a THE MAXX

NO. 2600112225

ORDER

BE IT REMEMBERED that on this 26 day of July, 2006, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared by and through their respective attorneys of record, and the Hearing Officer having considered the pleadings on file, the proposed Settlement Agreement, and the said Motion, and it appearing to the Hearing Officer that the said Compromise and Settlement Agreement should be approved; it is, therefore,

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

SIGNED AND ENTERED this 26 day of July, 2006, in Baton Rouge, Louisiana.



WILLIAM H. BROWN  
HEARING OFFICER

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES ON 26th July 2006  
Jill Comynge  
CLERK OF THE HEARING OFFICE

cc: Troy Urgeno  
Young Bonnet  
Sgt. Roland Rednager

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 7/26/06  
Jill Comynge  
BY: CLERK

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: SWAMP ISLAND NIGHT CLUB, LLC  
d/b/a THE MAXX

NO. 2600112225

**COMPROMISE AND SETTLEMENT AGREEMENT**

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and Swamp Island Night Club, LLC d/b/a The Maxx (hereinafter "The Maxx"), VGL 2600112225, do hereby represent and agree as follows:

**WHEREAS**, on May 24, 2006, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to Swamp Island Night Club, LLC d/b/a The Maxx alleging certain violations of Louisiana Gaming Control Law; and

**WHEREAS**, the issues raised by said Notice of Recommendation of Administrative Action are set for hearing on August 18, 2006, before the Louisiana Gaming Control Board Administrative Hearing Office; and

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

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



## STIPULATIONS

1. Swamp Island Night Club, LLC d/b/a The Maxx is owned by Troy Organo, 50% membership interest, and Kenneth Evola, 50% membership interest.
2. Swamp Island Night Club, LLC d/b/a The Maxx, a licensed video gaming establishment, previously entered into a video poker device agreement with Master Video Poker.
3. Master Video Poker forwarded video gaming documents ("the Documents") to The Maxx for execution, including but not limited to the *Annual Licensee Form* dated May 9, 2003, signed by Troy Organo.
4. Troy Organo did not sign the documents in the presence of a notary and the Documents were not notarized in the Affiant's presence. Further, investigation by the Division revealed that the purported Notary was not a notary. Thus, the Documents were improperly notarized in violation of LAC 42:XI.2405(A)(15).
5. Troy Organo and Kenneth Evola represent that all of the statements, responses, disclosures and representations provided in the documents submitted to the Division bearing his signature are true and correct to the best of his knowledge, information and belief, and represents a complete and accurate account of the requested information.

### TERMS AND CONDITIONS

1. Within fifteen (15) days of the approval of this settlement by the Louisiana Gaming Control Board, The Maxx shall pay a civil penalty of One Thousand Dollars (\$1000.00).
2. The Division hereby agrees to accept the payment of the above stated penalty in full and final settlement of all violations alleged in the May 24, 2006, Notice of Recommendation of Administrative Action.
3. Any and all information discovered throughout the course of this or any other investigation may be used in any future determination of the suitability of Troy Organo, Kenneth Evola and Swamp Island Night Club, LLC.
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 The Maxx pertaining to 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 same or to remand the matter to the Hearing Officer for a full hearing on the merits.
7. If approved, however, payment of the above penalty must be submitted to the Division within (15) fifteen days of approval of this settlement by the Board. The failure to



submit the civil penalty within fifteen (15) days of approval by the Board shall result in the immediate suspension of the license until such time as the penalty is paid in full.

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

Troy Organo  
Troy Organo, owner of a 50% membership interest in Swamp Island Night Club, LLC d/b/a The Maxx

Sworn to and subscribed before this 4 day of July, 2006.

HAROLD A. BUCHLER, JR.  
NOTARY PUBLIC  
JEFFERSON PARISH, LOUISIANA  
MY COMMISSION IS FOR LIFE  
NOTARY ID 12197

Harold A. Buchler, Jr.  
Notary (number and stamp)  
  
\_\_\_\_\_  
Notary (printed name)

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

Kenneth Evola  
Kenneth Evola, owner of a 50% membership interest in Swamp Island Night Club, LLC d/b/a The Maxx

Sworn to and subscribed before this 6 day of July, 2006.

HAROLD A. BUCHLER, JR.  
NOTARY PUBLIC  
JEFFERSON PARISH, LOUISIANA  
MY COMMISSION IS FOR LIFE  
NOTARY ID 12197

Harold A. Buchler, Jr.  
Notary (number and stamp)  
  
\_\_\_\_\_  
Notary (printed name)

O. Young Bonner  
O. Young Bonner, AAG on behalf of  
State of Louisiana  
Department of Public Safety & Corrections,  
Office of State Police