

**State of Louisiana  
Gaming Control Board**

**KATHLEEN BABINEAUX BLANCO**  
GOVERNOR

**H. CHARLES GAUDIN**  
CHAIRMAN

**ANNE LACOUR NEEB**  
EXECUTIVE DIRECTOR

**IN RE: JAMES BETHARD  
NO. P040026756**

**ORDER**

This matter was considered by the Louisiana Gaming Control Board at its meeting of July 20, 2004. The Hearing Officer's order dated June 22, 2004, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Suspension," Permit No. P040026756, by and between James Bethard, 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 20 day of July, 2004.

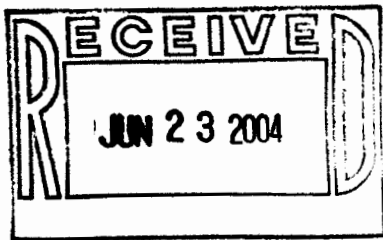
**LOUISIANA GAMING CONTROL BOARD**

**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 29<sup>th</sup> DAY  
OF July, 2004

**APPEAL DOCKET CLERK**  

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

RECEIVED

JUN 22 2004

LGCB  
ADMINISTRATIVE HEARING OFFICE

IN RE: JAMES BETHARD

NO. P040026756

JOINT MOTION FOR ENTRY OF STIPULATIONS AND  
APPROVAL OF PROPOSED SETTLEMENT

ON THE JOINT MOTION OF:

1. the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, (hereinafter "Division"), and
2. James Bethard, Permit No. P040026756 (hereinafter "permittee"),

who respectfully represent the following:

WHEREAS:

1. On December 17, 2003, the Division received notification from the Internal Revenue Service that permittee was not current in the filing of all applicable tax returns or in the payment of all taxes owed. Permittee was notified on December 30, 2003 by certified mail that permittee had thirty (30) days to provide the Section with documentation that a tax clearance had been issued. Permittee did not provide documentation of a tax clearance to the Division until on or about June 14, 2004.
2. The permittee is mandated by La. R.S. 27:28B(3) to remain current with all tax filings and payments owed to the state of Louisiana, any political subdivision of Louisiana, or the Internal Revenue Service.
3. Permittee was issued a *Notice of Recommendation of Suspension* by the Louisiana Gaming Control Board on or about April 19, 2004.
4. This matter has been scheduled for hearing on June 22, 2004 at 9:00 a.m. before the Honorable William H. Brown.

NOW THEREFORE, in consideration of the foregoing stipulations, the Division and the permittee hereby propose the following settlement, that:

TRUE COPY

Representative

Louisiana Gaming Control Board

1. The permittee acknowledges that La. R.S. 27:28B(3) mandates permit holders to remain current with all tax filings and payments owed to the state of Louisiana, any political subdivision of Louisiana, or the Internal Revenue Service;
2. The permittee further acknowledges that Permittee was notified on December 30, 2003 by certified mail that permittee had thirty (30) days to provide the Section with documentation that a tax clearance had been issued. Permittee did not provide documentation of a tax clearance to the Division until on or about June 14, 2004.
3. In consideration of the previous and aforementioned delay in submission of the mandatory Internal Revenue Service tax clearance and in lieu of further administrative action against the permittee's gaming permit, the permittee shall pay a \$250.00 civil penalty;
3. The Division hereby agrees to accept the permittee's payment of the above stated penalty in full and final settlement of this Notice of Recommendation of Administrative Action;
4. The Division reserves the right to take into consideration these violations in connection with any future violation;
5. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
6. This settlement constitutes the entire agreement between the Division and James Bethard pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
7. This settlement is subject to approval by the Hearing Officer of the Louisiana Gaming Control Board; it is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not executory and will be submitted to the Board for its determination as to whether the matter should be heard by the Hearing Officer; if approved, however, payment of the above penalties must be submitted to the Division within fifteen (15) 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 permittee being suspended until such time as the penalty is paid in full;
8. The Division and the permittee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted,

**JAMES BETHARD**  
No. P040026756

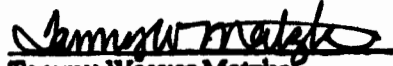
**CHARLES C. FOTI, JR.**  
**ATTORNEY GENERAL**

BY:



James Bethard  
639 East Telephone Road  
Lake Charles, Louisiana 70801

BY:



Tammy Weaver Matzke  
Assistant Attorney General  
La. Bar Roll No. 22887  
1885 North Third Street, 5<sup>th</sup> Floor  
Baton Rouge, Louisiana 70802  
Telephone: (225) 326-6500  
Facsimile: (225) 326-6599

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

**IN RE: JAMES BETHARD**


**NO. P040026756**

**ORDER**

Considering the foregoing Joint Motion For Entry of Stipulations and Approval of Proposed Settlement, IT IS HEREBY ORDERED that such proposed settlement be approved, to wit:

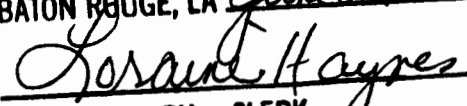
1. The permittee acknowledges that he was notified on or about December 30, 2003 by certified mail that permittee had thirty (30) days to provide the Section with documentation that a tax clearance had been issued and that he did not provide documentation of a tax clearance to the Division until June 14, 2004.
2. the permittee shall pay a \$250.00 civil penalty;
3. payment of the above penalty shall be submitted to the state within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board; and
4. the failure to submit the above penalty within fifteen (15) days of approval of this settlement by the Board shall result in the Non Key Gaming Employee Permit of the permittee being suspended until such time as penalty is paid in full.

THUS DONE AND SIGNED this 22 day of June, 2004 in  
Baton Rouge, Louisiana.

  
\_\_\_\_\_  
William H. Brown  
Hearing Officer

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 22nd DAY  
OF June 2004  
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: James Bethard  
Janny Matzke  
Sgt. Rick Scherayde

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA June 22, 2004  
  
BY: CLERK

**STATE OF LOUISIANA**  
**PARISH OF \_\_\_\_\_**

**AFFIDAVIT**

**BEFORE ME, the undersigned Notary Public, duly commissioned and qualified within and for the State and Parish aforesaid, PERSONALLY CAME AND APPEARED:**

**JAMES BETHARD,**

who, after first being duly sworn, declared and acknowledged to me, Notary, under oath:

that affiant is the holder of Non-Key Gaming Employee Permit No. P040026756;

that the permittee received a Notice of Recommendation of Administrative Action from the Louisiana Gaming Control Board, citing violation of La. R.S. 27:28B(3);

that in the interest of settling this matter, affiant has willfully entered into a Joint Motion for Entry of Stipulations and Approval of Proposed Settlement with the Division on behalf of the permittee, via the Attorney General's Office; and

that affiant signed the above-cited motion of his own volition, without duress or coercion.

THUS DONE AND PASSED in \_\_\_\_\_, Louisiana, on this  
\_\_\_\_\_ day of \_\_\_\_\_, 2004.

  
James Bethard, Affiant

\_\_\_\_\_  
Notary Public  
My commission expires \_\_\_\_\_.