



State of Louisiana
Gaming Control Board

JOHN BEL EDWARDS
GOVERNOR

RONNIE JONES
CHAIRMAN

**IN RE: CATFISH QUEEN PARTNERSHIP IN COMMENDAM
D/B/A BELLE OF BATON ROUGE
CASE NO.: R011700009
SAR: 18-1-03-139-4184**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of February 21, 2019. The Hearing Officer's order dated February 12, 2019, 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 Catfish Queen Partnership in Commendam d/b/a Belle of Baton Rouge, Case No., R011700009, SAR: 18-1-03-139-4184, 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 *21st* day of *February, 2019*.

LOUISIANA GAMING CONTROL BOARD

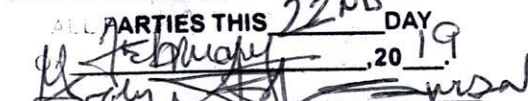
BY:



RONNIE JONES, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON

ALL PARTIES THIS 22nd DAY
February, 2019



APPEAL DOCKET CLERK

LGCB-5002-19-B

RECEIVED

FEB 04 2019

LA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RE: CATFISH QUEEN PARTNERSHIP IN COMMENDAM CASE NO.: R011700009
D/B/A BELLE OF BATON ROUGE SAR: 18-1-03-139-4184

JOINT MOTION FOR APPROVAL OF COMPROMISE AND
SETTLEMENT AGREEMENT

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

NOW COME the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Catfish Queen Partnership in Commendam d/b/a Belle of Baton Rouge (hereinafter, the "Licensee"), who file this Joint Motion for Approval of Compromise and Settlement Agreement regarding Significant Action Report 18-1-03-139-4184 issued by the Division on or about August 23, 2018 and the Notice of Recommendation of Administrative Action issued by the Louisiana Gaming Control Board on or about December 20, 2018, based on the provisions found in LAC 42:III.301(E)(1)(g), LAC 42:III.301(G), LAC 42:III.301(H)(2), LAC 42:III.304(E)(1)(b) and (c), and LAC 42:III.301(E)(6), 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.


Representative
Louisiana Gaming Control Board

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,

**JEFF LANDRY,
ATTORNEY GENERAL**

By: 

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By: 

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STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

**RE: CATFISH QUEEN PARTNERSHIP IN COMMENDAM D/B/A BELLE OF BATON ROUGE CASE NO.: R011700009
SAR: 18-1-03-139-4184**

COMPROMISE AND SETTLEMENT AGREEMENT

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

WHEREAS, the Louisiana Gaming Control Board has sent a Notice of Recommendation of Administrative Action, SAR 18-1-03 139-4184, to the Licensee, 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 18-1-03-139-4184, are set for hearing before the Louisiana Gaming Control Board Administrative Hearing Office on February 5, 2019; and

WHEREAS, the Division and the 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 18-1-03-139-4184;

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

STIPULATIONS

1. On July 14, 2018, the Licensee notified the Division that a self-excluded patron had been in the Licensee's gaming area.

2. The Division's subsequent investigation revealed that on October 9, 2014, the self-excluded patron was voluntarily added to the State Self-Exclusion List.

3. After the self-excluded patron's name was added to the State Self-Exclusion Database, the Licensee failed to include the self-excluded patron's name into its internal "ACSC System," which is the Licensee's internal self-exclusion database.

4. The Licensee failed to follow Section I(A)(2) of its Compulsive/Problem Gambling Program which states that the "Compliance Department will ensure the changes to the State Exclusion lists are reflected in the Casino exclusion database."

5. Between the dates of October 9, 2014 and May 9, 2017, it is unknown how much money the self-excluded patron lost or the amount of times the self-excluded patron was allowed to game, due to the lack of player tracking, prior to the self-excluded patron signing up for a Player's Club Membership Card.

6. On May 9, 2017, the Licensee allowed the self-excluded patron to sign up for a new Player's Club Membership Card.

7. Between the dates of May 9, 2017 and July 13, 2018, the self-excluded patron was allowed to game on numerous occasions, which resulted in the self-excluded patron losing a total of twelve thousand four hundred fifty-eight dollars (\$12,458.00) in that time frame.

8. Between the dates of August 4, 2017 and July 10, 2018, the Licensee mailed the self-excluded patron numerous special promotional offers and free play offers for redemption from the Licensee, with a total value of four thousand three hundred fifteen dollars (\$4,315.00).

9. On January 11, 2018, the self-excluded patron won, and was paid, a jackpot in the amount of one thousand five hundred eighty dollars and eighty-eight cents (\$1,580.88).

10. On October 1 2018, ownership of the Licensee transferred to Eldorado Resorts, Inc. (hereinafter, "ERI") as a result of a merger between Tropicana Entertainment, Inc. and a subsidiary of ERI. ERI did not own the Licensee at the time of the stipulated violations.

TERMS AND CONDITIONS

1. As a condition of the settlement, the Licensee has implemented the following changes to its Self-Exclusion Program:

The Licensee has determined that its customer management system (hereinafter, "CMS") is the best system for the majority of its employees to use to determine whether a person has been placed on the state's self-exclusion list ("State List"). The Licensee has named designated primary and designated secondary employees to enter and remove self-excluded patrons into the property's CMS whenever an updated State List is received. If the primary individual leaves the company for any time or is absent on leave, the secondary employee will be responsible to enter and remove self-exclusions. The Eldorado Resorts, Inc. Internal Audit team will conduct audits of the CMS against the State list on a monthly basis to ensure all individuals on the State List have a current, appropriately flagged account in the CMS database. The corporate Compliance, Internal Audit and Operational Management teams will be included on the results of any findings of improperly flagged CMS accounts from the Internal Audit team and will work with property management to ensure appropriate corrective action is taken immediately. All employees with a responsibility to prevent self-excluded patrons from entering the property were retrained on appropriate procedures in July 2018 and were retrained in January 2019. The Licensee is evaluating and revising its Compulsive and Problem Gaming to more clearly explain the foregoing procedures and training program and will submit the updated program for approval upon final revision.

2. In lieu of further administrative or any other regulatory action against its Gaming License, the Licensee agrees to a civil penalty of ONE HUNDRED THOUSAND AND NO/100

(\$100,000.00) DOLLARS for its violation of LAC 42:III.301(E)(1)(g), LAC 42:III.301(G), LAC 42:III.301(H)(2), LAC 42:III.304(E)(1)(b) and (c), and LAC 42:III.301(E)(6).

3. The Division hereby agrees that submission of the civil penalty of ONE HUNDRED THOUSAND AND NO/100 (\$100,000.00) DOLLARS shall be in full and final settlement of all matters set forth in the Notice of Recommendation of Administrative Action.

4. The Division reserves the right to take into consideration these admitted violations in connection with any future investigation, violation or assessment of penalty and in connection with any future assessments of the Licensee's suitability.

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

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

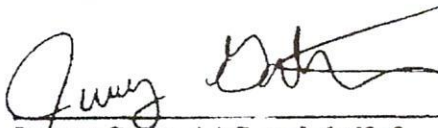
7. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if the Hearing Officer approves this proposed settlement, this agreement is not thereby executory, but will be submitted to the Louisiana Gaming 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.

8. If approved, the Licensee agrees to make full payment of the civil penalty within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board. Licensee agrees that failure to meet this requirement shall result in immediate suspension of the gaming license without the necessity of any further administrative action until such time as the civil penalty is paid in full.

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



**Jeffrey M. Barbin, on behalf of Catfish Queen Partnership
in Commendam d/b/a Belle of Baton Rouge**



**Jeremy Gathe, AAG, on behalf of
State of Louisiana, Department of Public Safety &
Corrections, Office of State Police**

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RE: CATFISH QUEEN PARTNERSHIP IN COMMENDAM CASE NO.: R011700009
D/B/A BELLE OF BATON ROUGE SAR: 18-1-03-139-4184

ORDER

BE IT REMEMBERED that on the 12th day of February, 2019, 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 or on behalf of themselves, and the Hearing Officer having considered the pleadings on file, the proposed Compromise and 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**; that Licensee must pay the civil penalty of **ONE HUNDRED THOUSAND AND NO/100 (\$100,000.00) DOLLARS** to the Division within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the gaming license without the necessity of any further administrative action until the civil penalty is paid in full.

SIGNED AND ENTERED this 12th day of February, 2019, in Baton

Rouge, Louisiana.

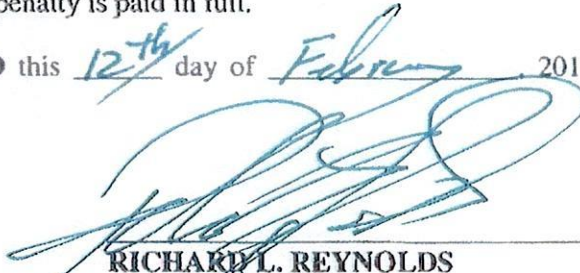
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE

I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON

ALL PARTIES THIS 12 DAY
OF February, 20 19.

Ebony Batisse

DOCKET CLERK, ADMIN. HEARING OFFICE


RICHARD L. REYNOLDS
HEARING OFFICER

C: Cattfish Queen Partnership • Jeremy Gathe
D/B/A Belle of Baton Rouge • Sgt Eddie Daigle