



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

DANE K. MORGAN
CHAIRMAN

**IN RE: LOTT OIL COMPANY, INC. D/B/A LOTTS O'LUCK #2 –
NO. 1602515760
LOTT OIL COMPANY, INC. D/B/A LOTTS O'LUCK #3 –
NO. 4101515762**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of April 21, 2011. The Hearing Officer's order dated April 11, 2011, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," No.'s 1602515760, and 4101515762, by and between Lott Oil Company, Inc. d/b/a Lotts O'Luck #2, and Lott Oil Company, Inc. d/b/a Lotts O'Luck #3, 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 April, 2011.

LOUISIANA GAMING CONTROL BOARD

BY:



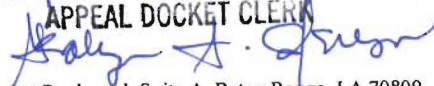
DANE K. MORGAN, CHAIRMAN

DKM/gac

LGCB-0609-11

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED
ALL PARTIES THIS 25th DAY
OF April, 2011.

APPEAL DOCKET CLERK


4307 Bluebonnet Boulevard, Suite A, Baton Rouge, LA 70809
Phone: (225) 295-8450 Fax: (225) 295-8479

RECEIVED

By Geralyn Coleman at 4:28 pm, Apr 11, 2011

RECEIVED

MAR 29 2011

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

LCCB
ADMINISTRATIVE HEARING OFFICE

IN RE: LOTT OIL COMPANY, INC.
D/B/A LOTT'S O' LUCK #2

CASE NO. 1602515760

IN RE: LOTT OIL COMPANY, INC.
D/B/A LOTT'S O' LUCK #3

CASE NO. 4101515762

**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 Lott Oil Company, Inc. d/b/a Lott's O' Luck #2 and Lott Oil Company, Inc. d/b/a Lott's O' Luck #3 (hereinafter "Licensees"), 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 Licensees are desirous of compromising and settling all disputes between them relative to this 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.

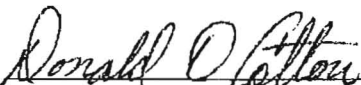
2.

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
Geralyn Coleman
Representative
Louisiana Gaming Control Board


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

Respectfully Submitted,

By: 

Donald O. Cotton, # 24352
P.O. Box 2055
Natchitoches, LA 71457
Telephone: (504) 582-1111
Counsel for Lott Oil Company, Inc.

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL
STATE OF LOUISIANA

By: 

Michael L. Tyler, #29463
Assistant Attorney General
1885 N. Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Phone: (225) 326-6500
Facsimile: (225) 326-6599
Counsel for Office of State Police

EXHIBIT "A"

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

**IN RE: LOTT OIL COMPANY, INC.
D/B/A LOTT'S O' LUCK #2**

CASE NO. 1602515760

**IN RE: LOTT OIL COMPANY, INC.
D/B/A LOTT'S O' LUCK #3**

CASE NO. 4101515762

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter sometimes referred to as the "Division") and Lott Oil Company, Inc. d/b/a Lott's O' Luck #2 and Lott Oil Company, Inc. d/b/a Lott's O' Luck #3 (hereinafter sometimes collectively referred to as "Licensees"), do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued Notices of Recommendation of Administrative Action ("Notice") to Licensees alleging certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by the said Notices are set for hearing on April 6, 2011, before the Louisiana Gaming Control Board Administrative Hearing Office; and

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

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

STIPULATIONS

1. Lott Oil Company, Inc. d/b/a Lott's O' Luck #2 and Lott Oil Company, Inc. d/b/a Lott's O' Luck #3 admit to the following violations:

- a) Failing to timely notify the Division of a February 3, 2009, donation of stock, in violation of LAC 42:XI.2417(B)(4);
- b) Failing to timely notify the Division of the death of Luther Lott, Sr. on November 27, 2009, in violation of LAC 42:XI.2417(B)(4);
- c) Failing to timely notify the Division of the appointment of new officers on April 13, 2010, in violation of LAC 42:XI.2417(B)(4); and
- d) Failing to timely notify the Division of an August 27, 2010, stock transfer, in violation of LAC 42:XI.2417(B)(4);

TERMS AND CONDITIONS

1. In lieu of administration action, the Licensees will pay a civil penalty of THREE THOUSAND FIVE HUNDRED DOLLARS and No/100 (\$3,500.00) for violating LAC 42:XI.2417(B)(4).

2. The Division hereby agrees to accept the Licensees' payment of the above stated penalty in lieu of administrative action in full and final settlement of the Notices of Administrative Action issued on February 9, 2011.

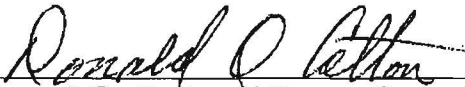
3. The Division reserves the right to take into consideration these admitted violations in connection with any future investigation, violation or assessment of penalty.

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 Licensees 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. Failure to pay the penalty within fifteen (15) days of approval of this settlement shall result in the immediate suspension of Lott Oil Company, Inc. d/b/a Lott's O' Luck #2 and Lott Oil Company, Inc. d/b/a Lott's O' Luck #3's licenses without the necessity of further administrative action, 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.



Donald O. Cotton, Attorney for and on behalf of Lott Oil Company, Inc. d/b/a Lott's O' Luck #2 and Lott Oil Company, Inc. d/b/a Lott's O' Luck #3



Michael L. Tyler, 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

IN RE: LOTT OIL COMPANY, INC.
D/B/A LOTT'S O' LUCK #2

CASE NO. 1602515760

IN RE: LOTT OIL COMPANY, INC.
D/B/A LOTT'S O' LUCK #3

CASE NO. 4101515762

ORDER

BE IT REMEMBERED that on this the _____ day of March, 2011, 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 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 the Licensees must pay THREE THOUSAND FIVE HUNDRED DOLLARS and No/100 (\$3,500.00) 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 licenses of Lott Oil Company, Inc. d/b/a Lott's O' Luck #2 and Lott Oil Company, Inc. d/b/a Lott's O' Luck #3 without the necessity of any further administrative action, until such time as the penalty is paid in full.

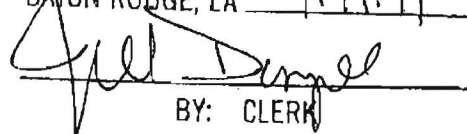
SIGNED AND ENTERED this 11th day of April, 2011, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 11th DAY
OF April 2011
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE
cc: Donald O. Cotton
Michael Tyler
Sgt. Lonell Sobler



HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 4.11.11



BY: CLERK