



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

DANE K. MORGAN
CHAIRMAN

IN RE: KOSSEN EQUIPMENT, INCORPORATED
NO. P086502624

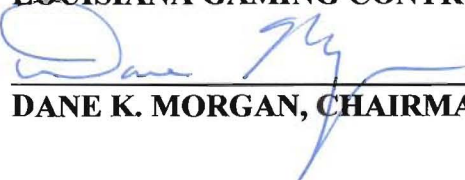
ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of June 16, 2011. The Hearing Officer's order dated June 6, 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. P086502624, by and between Kossen Equipment, Incorporated, 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 16th day of June, 2011.


LOUISIANA GAMING CONTROL BOARD

BY:



DANE K. MORGAN, CHAIRMAN

DKM/gac

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 17th DAY
OF June, 2011
APPEAL DOCKET CLERK


LGCB-0742-11

RECEIVED

By Geralyn Coleman at 10:45 am, Jun 07, 2011

STATE OF LOUISIANA

LOUISIANA GAMING CONTROL BOARD

ADMINISTRATIVE HEARING OFFICE

RECEIVED

MAY 31 2011

LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: KOSSEN EQUIPMENT, INCORPORATED

CASE NO.: P086502624

**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 Kossen Equipment, Incorporated (hereinafter, "Kossen"), 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 Kossen 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 Kossen respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

TRUE COPY

Representative
Louisiana Gaming Control Board

Respectfully Submitted,

By: 

Pieter "Tom" T. Kossen
Post Office Box 7
Clinton, Mississippi 39060
Telephone: (601) 922-4444
***On Behalf of Kossen Equipment,
Incorporated***

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

By: 

Dawn M. Himel, Bar Roll #31007
Assistant Attorney General
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (225) 326-6500
Facsimile: (225) 326-6599
Counsel for the Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: KOSSEN EQUIPMENT, INCORPORATED

CASE NO.: P086502624

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Kossen Equipment, Incorporated (hereinafter, "Kossen") do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to Kossen alleging certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by the said Notice of Recommendation of Administrative Action are set for hearing before the Louisiana Gaming Control Board Administrative Hearing Office on July 11, 2011; and

WHEREAS, the Division and Kossen 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. Kossen is a non-gaming supplier located at 6005 North McRaven Road, Jackson, Mississippi 39209.

2. Kossen appointed David K. Carpenter as the Vice-President of New Systems Sales on June 1, 2009. Kossen did not notify the Division of this appointment until September 21, 2010, in violation of **LAC 42:VII.2901(B)(4)**, **LAC 42:IX.2901(B)(4)**, and **LAC 42:XIII.2901(B)(4)**.

3. Kossen appointed Arthur Northover as Vice-President of Aftermarket Sales on or about June 1, 2009. Kossen did not notify the Division of this appointment until September 21, 2010. Arthur Northover resigned from Kossen, and the Division was not notified of this resignation until October 18, 2010. Both notifications were untimely and in violation of **LAC 42:VII.2901(B)(4)**, **LAC 42:IX.2901(B)(4)**, and **LAC 42:XIII.2901(B)(4)**.

4. Kossen promoted Thomas Hershell Morgan, Jr. from Vice-President of New Systems Sales to Vice-President and General Manager on June 1, 2009. Kossen did not notify the Division of this promotion until September 21, 2010, in violation of **LAC 42:VII.2901(B)(4)**, **LAC 42:IX.2901(B)(4)**, and **LAC 42:XIII.2901(B)(4)**.

5. Kossen's 2009 annual affidavit, dated August 10, 2009, did not disclose to the Division the changes in the company's management as of that date, in violation of **LAC 42:VII.2901(B)(4)**, **LAC 42:IX.2901(B)(4)**, and **LAC 42:XIII.2901(B)(4)**.

TERMS AND CONDITIONS

1. In lieu of Administrative Action of its Gaming License, Kossen will pay a civil penalty of ONE THOUSAND FIVE HUNDRED AND NO/100 (\$1,500.00) DOLLARS for its violations of **LAC 42:VII.2901(B)(4)**, **LAC 42:IX.2901(B)(4)**, and **LAC 42:XIII.2901(B)(4)**.

2. The Division hereby agrees to accept Kossen's payment of the above stated penalty in full and final settlement of the Notice of Recommendation of Administrative Action for the licensee's violations of **LAC 42:VII.2901(B)(4)**, **LAC 42:IX.2901(B)(4)**, and **LAC 42:XIII.2901(B)(4)**.

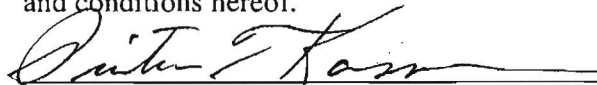
3. The Division reserves the right to take into consideration these admitted violations in connection with any future investigation, violation or assessment of penalty and in connection with any future assessments of Kossen's suitability.

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

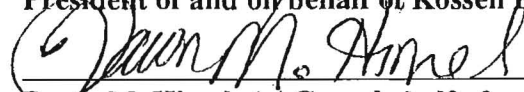
5. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Kossen, pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations, and understandings of the parties.

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. Failure to pay the penalty within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board, and to comply with each term and condition listed herein, shall result in the immediate suspension of Kossen'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.



Pieter "Tom" T. Kossen,
President of and on behalf of Kossen Equipment, Incorporated



Dawn M. Himel, 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: KOSSEN EQUIPMENT, INCORPORATED

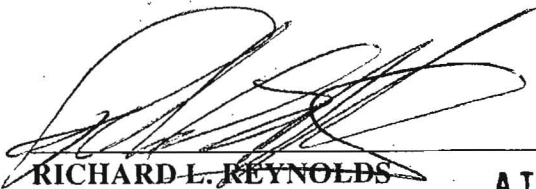
CASE NO.: P086502624

ORDER

BE IT REMEMBERED that on the 6th day of June, 2011, came 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 representing themselves, 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 Kossen Equipment, Incorporated must pay ONE THOUSAND FIVE HUNDRED AND NO/100 (\$1,500.00) 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 such time as the penalty is paid in full.

SIGNED AND ENTERED this 6th day of June, 2011, in Baton Rouge, Louisiana.



RICHARD L. REYNOLDS
HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 6/6/2011

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 6th DAY
OF June, 2011
Ann Dugas
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

Ann Dugas
BY: CLERK