



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

**IN RE: LOUISIANA-I GAMING, L.P. D/B/A BOOMTOWN HARVEY
ENF070519**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of May 20, 2008. The Hearing Officer's order dated April 14, 2008, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," Violation No. ENF070519, by and between Louisiana-I Gaming, L.P. d/b/a Boomtown Harvey, License No. R012600196, 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 20th day of May, 2008.

LOUISIANA GAMING CONTROL BOARD

BY: _____

H. CHARLES GAUDIN, CHAIRMAN

HCG/gac

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 21st DAY
OF May, 2008

APPEAL DOCKET CLERK

RECEIVED

APR 10 2008

LGCB
ADMINISTRATIVE HEARING OFFICE

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

APR 16 2008

**IN RE: LOUISIANA – I GAMING, L.P. D/B/A
BOOMTOWN HARVEY**

NO. ENF070519

**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 Louisiana – I Gaming, L.P. d/b/a Boomtown Harvey (hereinafter "Boomtown"), who file this Joint Motion for Approval of Compromise and Settlement Agreement regarding the Significant Action Report 07-1-22-221-5268 issued by the Division on or about August 9, 2007, and Notice of Recommendation of Administrative Action issued by the Louisiana Gaming Control Board on or about December 14, 2007, based on the provisions found in La. R. S. 27:2(A), LAC 42:III.301(E)(1)(k), LAC 42:III.301(G), LAC 42:III.304(E)(1)(b), LAC 42:III.304(E)(1)(c) LAC 42:XIII.2715(A)(3), LAC 42:XIII.2715(A)(7), and in support thereof would respectively show unto the Hearing Officer as follows:

1.

The Division and Boomtown 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

[Handwritten signature]
COPY
Administrative
Hearing Control Board

effective upon approval by the Administrative Hearing Office and the Louisiana Gaming Control Board.

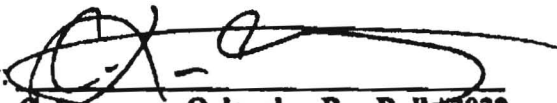
2.

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 Boomtown respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

STONE PIGMAN WALTHER WITTMANN LLC

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JAMES D. "BUDDY" CALDWELL,
ATTORNEY GENERAL

By: 
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Assistant Attorney General
1885 North Third Street, 5th Floor
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Counsel for the Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

**IN RE: LOUISIANA – I GAMING, L.P. D/B/A
BOOMTOWN HARVEY**

NO. ENF070519

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Louisiana – I Gaming, L.P. d/b/a Boomtown Harvey (hereinafter, "Boomtown") do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to Boomtown 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; and

WHEREAS, the Division and Boomtown 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. In August 2007, Boomtown notified the Louisiana Office of State Police that a self-excluded person, hereinafter referred to as "Patron", had been cashing checks and gaming at the casino. Investigation by the Office of State Police disclosed the following information.

2. Patron was properly placed on the self-exclusion list in May 2007. Boomtown was properly notified that Patron was on the self-excluded list. On or about June 7, 2007, Boomtown entered Patron as a self-excluded person into its Advanced Casino System Corporation ("ACSC") computer system. During the investigation, Boomtown's ACSC system was accessed to determine if it properly identified Patron as a self-excluded person. The ACSC printout showed that Patron had been entered into the ACSC system on June 7, 2007, as a self-excluded person.

3. Between June 13 and August 5, 2007, inclusive, Patron cashed thirty-two (32) credit card cash advance checks totaling \$15,500.00 at Boomtown, as more fully set forth below:

June 13, 2007	\$ 400.00
June 13, 2007	800.00
June 13, 2007	1,000.00
June 18, 2007	1,000.00
June 18, 2007	500.00
June 18, 2007	1,000.00
June 24, 2007	300.00
June 24, 2007	300.00
June 24, 2007	600.00
June 24, 2007	600.00
July 4, 2007	500.00
July 4, 2007	100.00
July 5, 2007	400.00
July 12, 2007	400.00
July 12, 2007	600.00
July 13, 2007	300.00

July 15, 2007	600.00
July 15, 2007	400.00
July 17, 2007	300.00
July 17, 2007	600.00
July 17, 2007	600.00
July 17, 2007	300.00
July 19, 2007	400.00
July 19, 2007	400.00
July 19, 2007	400.00
July 22, 2007	400.00
July 24, 2007	400.00
July 24, 2007	400.00
July 25, 2007	600.00
August 3, 2007	400.00
August 5, 2007	400.00
August 5, 2007	100.00

4. Boomtown employees represented to the investigating officer that a new computer system had been created around the end of July 2007, and that all cage personnel had been trained on or about August 9, 2007, to use the new system.

TERMS AND CONDITIONS

1. In lieu of further administrative or any other regulatory action against Boomtown, Boomtown agrees to pay to the Division, the aggregate and complete sum of Thirty-Five Thousand and No/100 (\$35,000.00) Dollars, and will additionally make a donation in the amount of Fifteen Thousand Five Hundred and No/100 (\$15,500.00) Dollars to the Compulsive and Problem Gaming Fund.

2. The Division hereby agrees to accept Boomtown's payment of the above stated penalty in full and final settlement of the Notice of Recommendation of Administrative Action, along with its additional donation to the Compulsive and Problem Gaming Fund.

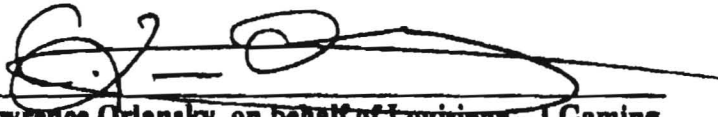
3. The Division reserves the right to take into consideration these admitted violations in connection with any future investigation, violation or assessment of penalty and in connection with any future assessments of Boomtown's suitability.

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

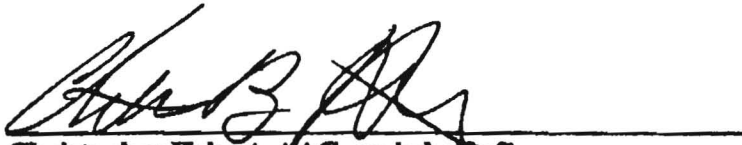
5. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Boomtown, pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

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 of Thirty-Five Thousand and No/100 (\$35,000.00) Dollars, and the additional donation in the amount of Fifteen Thousand and No/100 (\$15,500.00) Dollars to the Compulsive and Problem Gaming Fund 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 Boomtown'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.



**C. Lawrence Orleansky, on behalf of Louisiana - I Gaming
d/b/a Boomtown Harvey**



**Christopher Hebert, 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: LOUISIANA - I GAMING, L.P. D/B/A
BOOMTOWN HARVEY

NO. ENF070519

ORDER

BE IT REMEMBERED that on the 14 day of April, 2008, 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; that Boomtown must pay the penalty of Thirty-Five Thousand and No/100 (\$35,000.00) Dollars to the Division, and the additional donation in the amount of Fifteen Thousand and No/100 (\$15,500.00) Dollars to the Compulsive and Problem Gaming Fund within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of Boomtown's license without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 14th day of April, 2008, in Baton Rouge, Louisiana.

HEARING OFFICER

A TRUE COPY ATTEST

LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA

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Jill Dominger
BY: CLERK

LOUISIANA GAMING CONTROL BOARD

SECRETARY

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APR 15th 2008

ADMINISTRATIVE HEARING OFFICE

cc: C. Lawrence Ortonsky

Christopher Abbott

St. James McGowan