



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

DANE K. MORGAN
CHAIRMAN

**IN RE: USA SPEEDMAX CASINO, LLC D/B/A
USA SPEEDMAX CASINO
NO. 4907513919**

ORDER

This matter was considered by the Louisiana Gaming Control Board ("Board") at its meeting of October 20, 2011. USA Speedmax Casino, LLC d/b/a USA Speedmax Casino ("USA Speedmax"), No. 4907513919, and the State of Louisiana, Department of Public Safety and Corrections, Office of State Police ("Division"), affirmed that the settlement pertains to the alleged violations of La. R.S. 27:306(A)(4)(c)(ii),(iv), and (vi) which occurred prior to the Notice of Recommendation of Administrative Action.

The Hearing Officer's order dated July 18, 2011, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action" is approved.

The Board finds that USA Speedmax surrendered its license on January 3, 2011, pursuant to L.A.C. 42:XI.2405(B)(9)(a) and the Division placed the license on hold on June 8, 2011. USA Speedmax will be given until November 16, 2011 in order to be operational and in compliance with licensing requirements and standards. This date represents the remaining number of the 180 days from the surrender of the license, not including the time the license was placed on hold by the

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Division. If the licensee is operational and in compliance by November 16, 2011, the license will be returned to the licensee. If the licensee is not operational and in compliance with all licensing requirements, the surrender will be final and the license expired. The licensee and the Division agreed with this analysis and the requirements for retention of the license.


THUS DONE AND SIGNED on this the 20th day of October, 2011.

LOUISIANA GAMING CONTROL BOARD

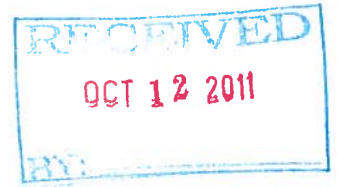
BY:



DANE K. MORGAN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 21st DAY
OF October, 2011
APPEAL DOCKET CLERK


STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD



RE: USA SPEEDMAX CASINO, LLC
D/B/A USA SPEEDMAX CASINO

LICENSE # 4907513919

STIPULATIONS

NOW COME the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and USA Speedmax Casino, LLC d/b/a USA Speedmax Casino (hereinafter "USA Speedmax") who hereby enter into a joint stipulation of the following facts:

1. USA Speedmax stopped selling fuel on or about October 18, 2010; however, following an inspection by LSP, they resumed fuel sales on or about December 1, 2010, and ceased again on or about December 31, 2010;
2. The truckstop facility ceased doing business of any kind on December 31, 2010;
3. Video gaming devices were disabled and removed from the truckstop premises by the device operator on January 3, 2011;
4. Pursuant to and in accordance with LAC 41:XI.2405(B)(9)(a), On January 3, 2011, USA Speedmax submitted a Multiple Use Reporting Form for application withdrawal/license surrender and the printed license to the Division;
5. Pursuant to LA R.S. 27:301(D), the Division put the withdrawal/surrender request on hold pending the outcome of the administrative hearing.
6. On June 8th, USA Speedmax submitted a letter to the Division requesting rescission of the surrender of the above referenced license and that the license be placed on hold, as provided for in LAC 42:XI:2405(B)(9)(c). The Division has placed the license on hold.

TRUE COPY

Representative
Louisiana Gaming Control Board

Dated this 12th day of OCTOBER, 2011.

I have read these stipulations and agree to all stipulations and terms and conditions hereof.



Allison U. Rovira, on behalf of USA Speedmax Casino, LLC
d/b/a USA Speedmax Casino



Christopher Hebert, AAG, on behalf of
State of Louisiana, Department of Public Safety &
Corrections, Office of State Police

RECEIVED

By Geralyn Coleman at 9:27 am, Jul 20, 2011

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

JUL 19 2011

LGCB
ADMINISTRATIVE HEARING OFFICE

RE: USA SPEEDMAX CASINO, LLC
D/B/A USA SPEEDMAX CASINO

LICENSE # 4907513919

**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 USA Speedmax Casino, LLC d/b/a USA Speedmax Casino (hereinafter "USA Speedmax"), 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 USA Speedmax 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 USA Speedmax respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

ALLISON U. ROVIRA, ATTORNEY AT LAW

By: 

Allison U. Rovira, Roll #27634
730 North Street
Baton Rouge, Louisiana 70802
Telephone: (225) 381-0019
Facsimile: (225) 381-0178
*Counsel for USA Speedmax Casino, LLC
d/b/a USA Speedmax Casino*

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

By: 

Christopher B. Hebert, Bar Roll #29044
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

RE: USA SPEEDMAX CASINO, LLC
D/B/A USA SPEEDMAX CASINO

LICENSE # 4907513919

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and USA Speedmax Casino, LLC d/b/a USA Speedmax Casino (hereinafter "USA Speedmax") do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to USA Speedmax 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 18, 2011; and

WHEREAS, the Division and USA Speedmax 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. On December 2, 2010, the Division conducted a compliance inspection of USA Speedmax, which holds video gaming license number 4907513919.

2. During its inspection, the Division found that USA Speedmax's truckstop facility no longer offered either gasoline or diesel fuel for sale to its patrons and that the last fuel sales had taken place on October 18, 2010. No fuel deliveries were received by USA Speedmax between October 18, 2010, and December 2, 2010. In addition, the facility's fuel pumps were both bagged and chain locked.

3. Further, during its inspection of USA Speedmax's on-site restaurant, the Division discovered that while the restaurant was open a sufficient number of hours, its kitchen did not actually possess any of the nine ingredients required to prepare the items offered on the restaurant's hand written menu.

4. The Division's investigation also found that USA Speedmax's facility only had two of the four amenities required for a licensed truckstop. Specifically, the truckstop had separate showers for men and women and permanent fuel storage. It also possessed a truckers' lounge and laundry facilities; however, both the lounge's television and the laundry room's drier were inoperable.

5. During the Division's inspection, manager of the truckstop, Vincent Charles Bundrick, arrived and stated that he would remedy the problems with the truckstop. On December 13, 2010, the Division conducted a re-inspection which revealed that USA Speedmax had resumed fuel sales, stocked the restaurant with sufficient ingredients to prepare the items listed on its menu, and repaired or otherwise made available at least four of the required amenities thus satisfying the minimum requirements for a truckstop facility.

6. On Tuesday, January 11, 2011, a compliance conference was held at the Office of the Attorney General. At the compliance conference, USA Speedmax told the Division that the truckstop facility ceased doing business of any kind on December 31, 2010, and that the video gaming devices had been disabled and removed from the truckstop premises by the device operator on January 3, 2011. Pursuant to and in accordance with LAC 41:XI.2405(B)(9)(a), and

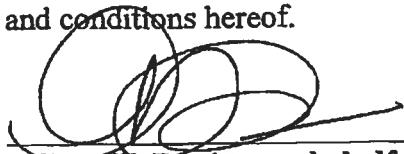
LA R.S. 27:301(D), the Division placed the license on hold pending the outcome of the administrative hearing.

TERMS AND CONDITIONS

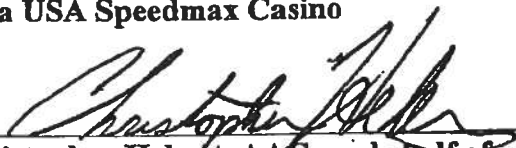
1. In lieu of Administrative Action of its Gaming License, USA Speedmax will pay a civil penalty of FIFTY THOUSAND AND NO/100 (\$50,000.00) DOLLARS.
2. The Division hereby agrees to accept USA Speedmax's payment of the above stated penalty in full and final settlement of the Notice of Recommendation of Administrative Action.
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 USA Speedmax'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 USA Speedmax, 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 USA Speedmax'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.



**Allison U. Rovira, on behalf of USA Speedmax Casino, LLC
d/b/a USA Speedmax Casino**



**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

RE: USA SPEEDMAX CASINO, LLC
D/B/A USA SPEEDMAX CASINO

LICENSE # 4907513919

ORDER

BE IT REMEMBERED that on the _____ day of _____, 2011, 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,

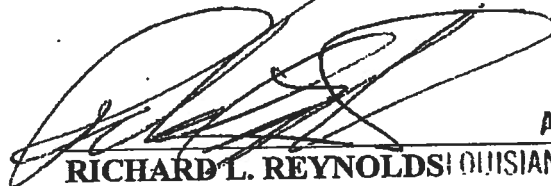
ORDERED, ADJUDGED, AND DECREED that the Compromise and Settlement Agreement attached to the parties' Joint Motion for Approval of Compromise and Settlement Agreement be, and the same is hereby, APPROVED; that USA Speedmax Casino, LLC d/b/a USA Speedmax Casino must pay Fifty Thousand and No/100 (\$50,000.00) 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 such time as the penalty is paid in full.

SIGNED AND ENTERED this 18th day of Feb, 2011, in Baton

Rouge, Louisiana.

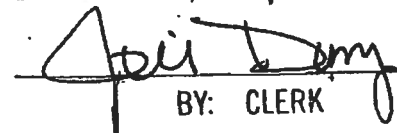
LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 19th DAY
OF Feb 2011
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

*cc: Nelson U. Rouse
Christopher Helbert
Sgt. Lonell Schley*



RICHARD L. REYNOLDS
HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 1.19.11



BY: CLERK