



State of Louisiana

KATHLEEN BABINEAUX BLANCO
GOVERNOR

Gaming Control Board

H. CHARLES GAUDIN
CHAIRMAN

ANNE LACOUR NEEB
EXECUTIVE DIRECTOR

NOTICE OF DECISION

IN RE: NEXTIRA ONE, L.L.C.
NO. P082601355

TO: Anne Sparks, Esq.
2800 Post Oak Blvd.,
Suite 200, MD 24-13
Houston, TX 77056

CERTIFIED MAIL: 7003 3110 0000 4642 9035
RETURN RECEIPT REQUESTED

Olga Bogran, AAG
ONE CANAL PLACE
365 Canal Street; Suite 2730
New Orleans, LA 70130

CERTIFIED MAIL: 7003 3110 0000 4642 9042
RETURN RECEIPT REQUESTED

Sgt. Troy Leonard, LSP
7919 Independence Boulevard
Baton Rouge, LA 70806

CERTIFIED MAIL: 7003 3110 0000 4642 9059
RETURN RECEIPT REQUESTED

NOTICE IS HEREBY given that on June 20, 2005, the decision of the Louisiana Gaming Control Board was signed in the above entitled matter. (SEE COPY OF THE ENCLOSED DECISION)

An appeal from a decision of the Board shall be filed within ten (10) days of notice of the decision in the Nineteenth Judicial District Court and shall be reviewed solely on the record as provided by La. R.S. 27:26.

Louisiana Gaming Control Board, Baton Rouge, Louisiana this 21st day of June, 2005.



Geraldyn A. Coleman
Appeal Docket Clerk

NOTIFIED:

Anne Sparks, Esq.
Olga Bogran, AAG
Sgt. Troy Leonard, LSP-Casino Gaming Division

6/21/05

9100 Bluebonnet Centre, Suite 500, Baton Rouge, LA 70809
Phone: (225) 295-8450 Fax: (225) 295-8479



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KATHLEEN BABINEAUX BLANCO
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Gaming Control Board

H. CHARLES GAUDIN
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EXECUTIVE DIRECTOR

IN RE: NEXTIRA ONE, L.L.C. NO. P082601355

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of June 20, 2005. The Hearing Officer's order dated May 25, 2005, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Suspension," Permit No. P082601355 by and between Nextira One, L.L.C. 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 20 day of June, 2005.

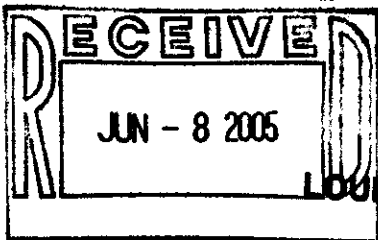
LOUISIANA GAMING CONTROL BOARD

BY:


H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 21st DAY
OF June, 2005

APPEAL DOCKET CLERK

STATE OF LOUISIANA

LOUISIANA GAMING CONTROL BOARD

ADMINISTRATIVE HEARING OFFICE

RECEIVED

JUN 02 2005

LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: NEXTIRA ONE, L.L.C.

P082601355

**JOINT MOTION FOR ENTRY OF STIPULATIONS AND
APPROVAL OF PROPOSED SETTLEMENT**

ON THE JOINT MOTION OF:

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "Division"), and Nextira One, L.L.C., Permit No. 082601355 (hereinafter "permittee"), who respectfully represent the following:

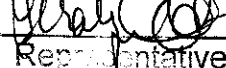
WHEREAS:

1. The permittee was required to submit an annual fee and Annual Affidavit by October 16, 2004, which represents its permit anniversary date. As of January 7, 2005, the permittee has not submitted the required fee and affidavit.
2. The permittee is mandated by La.R.S. 27:29 and La.R.S. 27:29.3 to pay an annual fee by its anniversary date.
3. Permittee was issued a *Notice of Recommendation of Suspension* by the Louisiana Gaming Control Board.
4. This matter has been scheduled for hearing on May 25, 2005 at 9:00 a.m. before the Honorable William H. Brown.

NOW THEREFORE, in consideration of the foregoing stipulations, the Division and the permittee hereby propose the following settlement, that:

1. The permittee acknowledges that La.R.S. 27:29 and La.R.S. 27:29.3 mandates a permittee to pay an annual fee by its anniversary date;
2. The permittee did not provide the annual fee and Annual Affidavit to the Division until April 8, 2005;

TRUE COPY


Representative

Louisiana Gaming Control Board


3. In lieu of suspension of the permittee's non-gaming supplier permit, the permittee shall pay a \$500.00 civil penalty;
4. The Division hereby agrees to accept the permittee's payment of the above stated penalty in full and final settlement of this Notice of Recommendation of Suspension;
5. The Division reserves the right to take into consideration these violations in connection with any future violation;
6. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
7. This settlement constitutes the entire agreement between the Division and Nextira One, L.L.C. pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
8. This settlement is subject to approval by the Hearing Officer of the Louisiana Gaming Control Board; it is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not executory and will be submitted to the Board for its determination as to whether the matter should be heard by the Hearing Officer; if approved, however, payment of the above penalties must be submitted to the Division within fifteen (15) days of approval of this settlement by the Board; the failure to submit the civil penalty with fifteen (15) days of approval by the Board shall result in the permittee being suspended until such time as the penalty is paid in full; and,
9. The Division and the permittee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted,

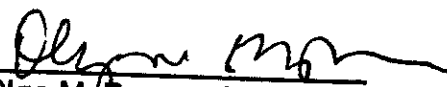
Nextira One, L.L.C.

CHARLES C. FOTI, JR.
ATTORNEY GENERAL

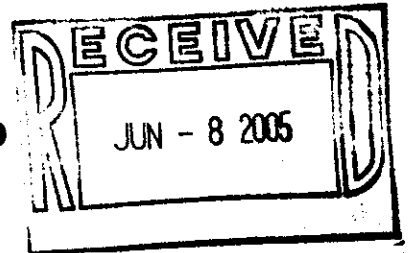
BY:


Anne Sparks, General Counsel
Nextira One, L.L.C.
2800 Post Oak Blvd., Suite 200, MD 24-13
Houston, TX 77056
Telephone: (713) 307-4766
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BY:


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Facsimile: (504) 599-1163

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE



IN RE: NEXTIRA ONE, L.L.C.

P082601355

ORDER

Considering the foregoing Joint Motion for Entry of Stipulations and Approval of Proposed Settlement, IT IS HEREBY ORDERED that such proposed settlement be approved, to wit:

1. The permittee acknowledges that La.R.S. 27:29 and La.R.S. 27:29.3 mandate a permittee to pay an annual fee by its anniversary date and the permittee did not provide the annual fee and Annual Affidavit to the Division until April 8, 2005;
2. The permittee shall pay a \$500.00 civil penalty;
3. Payment of the above penalty shall be submitted to the state within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board; and
4. The failure to submit the above penalty within fifteen (15) days of approval of this settlement by the Board shall result in the Non-Gaming Supplier Permit of the permittee being suspended until such time as penalty is paid in full.

THUS DONE AND SIGNED this 25 day of May, 2005

in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 25 DAY
OF May 2005
[Signature]
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Anne Sparks
Olga Bogran
Sgt. Lebond Falcon

[Signature]
WILLIAM H. BROWN
Hearing Officer

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 6/7/05
[Signature]
BY: CLERK