



State of Louisiana  
Gaming Control Board

KATHLEEN BABINEAUX BLANCO  
GOVERNOR

H. CHARLES GAUDIN  
CHAIRMAN

**IN RE: CYPRESS COVE MARINA, INC.  
D/B/A CYPRESS COVE MARINA, INC.  
NO. 3800206782**

**ORDER**

This matter was considered by the Louisiana Gaming Control Board at its meeting of April 17, 2007. The Hearing Officer's order dated April 4, 2007, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," No. 3800206782, by and between Cypress Cove Marina, Inc. d/b/a Cypress Cove Marina, Inc., 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 17 day of April, 2007.

**LOUISIANA GAMING CONTROL BOARD**

**BY:**

*H. Charles Gaudin*  
**H. CHARLES GAUDIN, CHAIRMAN**

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 18<sup>th</sup> DAY  
OF April 2007  
APPEAL DOCKET CLERK  
*[Signature]*

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

**RECEIVED**

APR 04 2007

LGCB  
ADMINISTRATIVE HEARING OFFICE

IN RE: CYPRESS COVE MARINA, INC.  
D/B/A CYPRESS COVE MARINA, INC.

LICENSE NO. 3800206782

**JOINT MOTION FOR APPROVAL OF  
COMPROMISE AND SETTLEMENT AGREEMENT**



**TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:**


NOW COMES the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter the "Division") and Cypress Cove Marina, Inc. d/b/a Cypress Cove Marina, Inc., License No. 3800206782 (hereinafter "Licensee"), 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 Licensee 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.

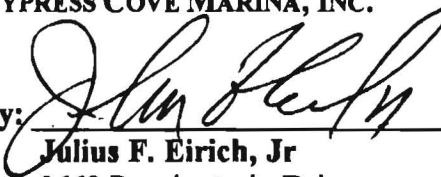
A true and correct copy of the proposed Compromise and Settlement Agreement is attached hereto as Exhibit "A" and incorporated by reference for all purposes.

  
Gaming Control

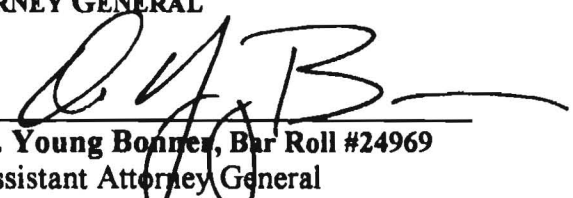
**WHEREFORE, PREMISES CONSIDERED**, the Division and Licensee respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully submitted,

**CYPRESS COVE MARINA, INC. D/B/A  
CYPRESS COVE MARINA, INC.**

By:   
\_\_\_\_\_  
**Julius F. Eirich, Jr**  
3663 Ponchartrain Drive  
Slidell, Louisiana 70458  
Telephone: (985) 534-9289  
*Secretary/Treasurer of Cypress Cove  
Marina, Inc*

**CHARLES C. FOTI, JR.,  
ATTORNEY GENERAL**

By:   
\_\_\_\_\_  
**O. Young Bonner, Bar Roll #24969**  
Assistant Attorney General  
365 Canal Street, Suite 2730  
New Orleans, Louisiana 70130  
Telephone: (504) 599-1149  
Facsimile: (504) 599-1163  
*Counsel for the Office of State Police*

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: CYPRESS COVE MARINA, INC.  
D/B/A CYPRESS COVE MARINA

LICENSE NO. 3800206782

ORDER

BE IT REMEMBERED that on the 4<sup>th</sup> day of April, 2007, 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,

**ORDER, 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**.

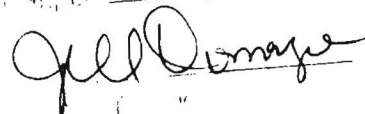
SIGNED AND ENTERED this 4<sup>th</sup> day of April, 2007, in Baton Rouge, Louisiana.

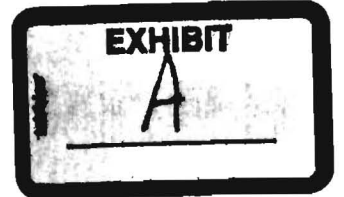
LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 4<sup>th</sup> DAY  
OF April, 2007.  
\_\_\_\_\_  
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Julius Erlich  
Yang Bunnell  
Lt. Roland Falcin

  
\_\_\_\_\_  
WILLIAM H. BROWN  
HEARING OFFICER

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 4/9/07





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

**IN RE: CYPRESS COVE MARINA, INC.**  
**D/B/A CYPRESS COVE MARINA**

**LICENSE NO. 3800206782**

**COMPROMISE AND SETTLEMENT AGREEMENT**

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter the "Division") and Cypress Cove Marina, Inc. d/b/a Cypress Cove Marina, License No. 3800206782 (hereinafter "Licensee") do hereby represent and agree as follows:

**WHEREAS**, on December 11, 2006, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action, 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 on April 4, 2007, before the Louisiana Gaming Control Board Administrative Hearing Office; and

**WHEREAS**, the Division and Licensee 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 or about March 16, 2006, the Division mailed Cypress Cove Marina, Inc. d/b/a Cypress Cove Marina an Annual Licensee Form via U.S. Postal Service. As indicated in this mailing, and by statute and rule, the licensee is required to submit the Annual Licensee Form, appropriate fee and state and local tax clearances no later than July 1, 2006.

2. The Licensee submitted the Annual Form, fee and state tax clearance on June 30, 2006, but submitted the local tax clearance on January 22, 2007, in violation of **L.A.C. 42:XL.2405(B)(4)(b)**.

## TERMS AND CONDITIONS

1. Within fifteen (15) days of the approval of this settlement by the Louisiana Gaming Control Board, the Licensee shall pay Two Hundred Fifty and No/100 Dollars (\$250.00) for the violation of **L.A.C. 42:XL.2405(B)(4)(b)**.

2. The Division hereby agrees to accept the Licensee'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 assessment of the Licensee's suitability.

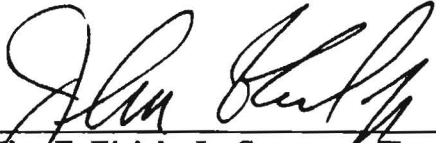
4. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

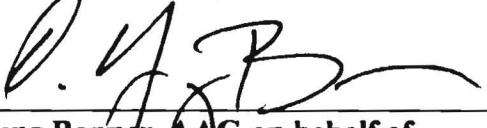
5. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and the Licensee pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

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.

7. If approved by the Louisiana Gaming Control Board, Licensee must pay Two Hundred Fifty and No/100 Dollars (\$250.00) within fifteen (15) calendar days of such approval. Any failure to meet this requirement will result in immediate suspension of the gaming license without the necessity of any 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.

  
\_\_\_\_\_  
**Julius F. Eirich, Jr, Secretary/Treasurer**  
**Cypress Cove Marina, Inc.**

  
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**O. Young Bonner, AAG on behalf of**  
**State of Louisiana, Department of Public**  
**Safety & Corrections, Office of State Police**