



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

RONNIE JONES
CHAIRMAN

**IN RE: PNK (LAKE CHARLES), L.L.C. D/B/A
L'AUBERGE LAKE CHARLES
LICENSE NO.: R011001707 SAR 12-1-42-168-3429**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of November 20, 2014. The Hearing Officer's order dated November 10, 2014, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Violation and Penalty", by and between PNK (Lake Charles), L.L.C. d/b/a L'Auberge Lake Charles, License No. R011001707, SAR 12-1-42-168-3429, 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 November, 2014.

LOUISIANA GAMING CONTROL BOARD

BY:



RONNIE JONES, CHAIRMAN

RECEIVED

By GERALYN at 12:13 pm, Nov 12, 2014

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

NOV 07 2014

LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: PNK (LAKE CHARLES), L.L.C.
d/b/a L'AUBERGE LAKE CHARLES

LICENSE NO. R011001707
SAR: 12-1-42-168-3429

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

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:


COME NOW the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "Division") and PNK (Lake Charles) L.L.C. d/b/a L'Auberge Lake Charles (hereinafter "Licensee") who file this, their 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 the 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 Officer and the Louisiana Gaming Control Board.

2.

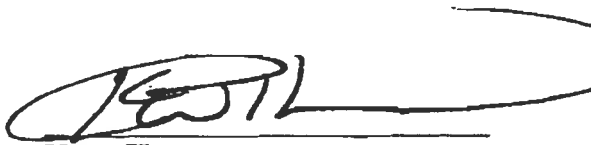
A true and correct copy of the proposed Compromise and Settlement Agreement


Representative
Louisiana Gaming Control Board

is attached hereto as Exhibit "A" and incorporated by reference for all purposes.

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

Respectfully Submitted,



Keith Henson
Senior Vice-President and General Manager
777 Avenue L' Auberge
Lake Charles, LA 70601
Telephone : (337)393-7600
PNK (Lake Charles), L.L.C.

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL


By: 
Olga M. Bogran, Bar Roll #24302
Assistant Attorney General
Gaming Division
Telephone: (225) 326-6500
Facsimile: (225) 326-6599
Counsel for the Division

EXHIBIT "A"

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

**IN RE: PNK (LAKE CHARLES), L.L.C.
d/b/a L'AUBERGE LAKE CHARLES**

**LICENSE NO. R011001707
SAR: 12-1-42-168-3429**

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter the "Division") and PNK (Lake Charles) L.L.C. d/b/a L'Auberge Lake Charles (hereinafter "Licensee") do hereby represent and agree as follows:

WHEREAS, the Division has sent a *Notice of Violation and Penalty* to the Licensee, which notice alleges certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by the said *Notice of Violation and Penalty* are set for hearing before the Louisiana Gaming Control Board Administrative Hearing Office on November 10, 2014; and

WHEREAS, the parties hereto are desirous of fully and finally compromising and settling all disputes and issues arising out of and in connection with the said Notice;

NOW, THEREFORE, in consideration of the foregoing, the parties hereto do hereby agree and stipulate as follows:

STIPULATIONS

1. In July 2012, L'Auberge admitted an underage person to its gaming floor.
2. The underage person was first admitted to the gaming floor after showing identification ("ID") to the checkpoint security officer. The underage person remained on the gaming floor approximately four (4) hours, during which he played blackjack and exchanged chips at the main cage but was not asked to show his ID.
3. After exiting the gaming floor of his own volition, the underage person was re-admitted to the gaming floor, after showing his ID at the security checkpoint. The underage person exited the gaming floor shortly after re-entry.
4. The underage person returned about two (2) hours later and gained entry to the gaming floor without being asked to show ID at the security checkpoint.
5. Shortly after his third return to the gaming floor, the underage person was approached by security and escorted to the security office.
6. The Calcasieu Parish Sheriff's Office ("CPSO") was summoned. CPSO interviewed the underage person, issued a summons and released the underage person.
7. State Police was notified approximately three (3) hours after the underage person had been released.
8. As a result of this incident, along with a rise in underage persons seeking access to the gaming floor, the Licensee's management has addressed the discipline and training of security personnel, installed an electronic ID verification system and initiated an employee training program- RU21.

TERMS AND CONDITIONS

1. In lieu of further administrative or any other regulatory action against its Gaming License, Licensee agrees to a civil penalty of TEN THOUSAND DOLLARS and NO/100 (\$10,000.00) DOLLARS for its violation of LAC 42 :III.2714(A)(3) and (7), LAC 42:III.2915(A) and LAC 42:III 2931(B).

2. The Division hereby agrees that submission of the civil penalty of TEN THOUSAND DOLLARS and NO/100 (\$10,000.00) DOLLARS shall be in full and final settlement of all matters set forth in the *Notice of Violation and Penalty*.

3. The Division reserves the right to take into consideration these admitted stipulations and violations in connection with any future investigation, violation, assessment of penalty, or in connection with any future assessment of 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 the Hearing Officer approves this proposed settlement, 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, Licensee agrees to make full payment of the civil penalty within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board. Licensee agrees that failure to meet this requirement shall result in the immediate suspension of the gaming license without the necessity of any further administrative action until such time as the civil penalty is paid in full.

I have read this entire Compromise Settlement Agreement, understand it, and agree to all stipulations and terms and conditions hereof.



Keith Henson
Senior Vice President and General Manager
777 Avenue L'Auberge
Lake Charles, LA 70601
Telephone : (337)393-7600
PNK (Lake Charles), L.L.C.

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

By: 

Olga M. Bogran, Bar Roll #24302
Assistant Attorney General
Gaming Division
Telephone: (225) 326-6500
Facsimile: (225) 326-6599
Counsel for the Division

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE:PNK (LAKE CHARLES), L.L.C.
d/b/a L'AUBERGE LAKE CHARLES


LICENSE NO. R011001707
SAR: 12-1-42-168-3429

ORDER

BE IT REMEMBERED that on the 10th day of November, 2014, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared in person or by and through their respective attorneys of record or on behalf of themselves, and the Hearing Officer having considered the pleadings on file, the proposed Compromise and Settlement Agreement, the statements of the parties on this date supplementing and clarifying the submitted Compromise and 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 the Licensee must pay TEN THOUSAND DOLLARS and *NO/100* (\$10,000.00) 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.

SIGNED AND ENTERED this 10th day of November, 2014, in Baton Rouge, Louisiana.


A TRUE COPY ATTEST HEARING OFFICER
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 11-12-14
Alex Matthews
BY: CLEB.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 10th DAY OF NOVEMBER, 2014
OF Alex Matthews
DOLPHEN LEONARD ADMINISTRATIVE HEARING OFFICE
CC: Keith Brown,
Olga Bogdan,
Sgt. Lowell Dibley