

LGCB Board of Directors' Meeting - 2-21-2013, (Pages 1:1 to 85:24)

1: 1 LOUISIANA GAMING LOUISIANA CONTROL BOARD

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4 BOARD OF DIRECTORS' MEETING

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8

9 February 21, 2013

10

11 Louisiana State Capitol

12 House Committee Room 1

13 Baton Rouge, Louisiana

14

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16

17 TIME: 10:00 A.M.

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2

1 APPEARANCES

2

DALE A. HALL

3 Chairman (At Large)

Sixth Congressional District

4 June 30, 2012

5

6 VELMA ROGERS

Vice Chair (At Large)

7 Third Congressional District

June 30, 2012

8

9 FRANKLIN AYRES BRADFORD

(Economic Planner)

10 Fifth Congressional District

June 30, 2013

11

12 ROBERT G. JONES

(MBA/CPA)

13 Seventh Congressional District

June 30, 2013

14

15 MARK STIPE

(Attorney)

16 Seventh Congressional District

June 30, 2014

17

18 JAMES SINGLETON

(Public/Business Administration)

19 Second Congressional District

June 30, 2014

20

21 DENISE NOONAN

(At Large)

22 First Congressional District

June 30, 2015

23

24 MAJOR CLAUDE MERCER

(Law Enforcement)

25 Fifth Congressional District

3

1 APPEARANCES CONTINUED

2 CLAUDE D. JACKSON

(At Large)

3 Fourth Congressional District

June 30, 2015

4

5 MAJOR MARK NOEL

Ex-Officio Board Member

6 Louisiana State Police

7 MICHAEL LEGENDRE

Ex-Officio Board Member

8 Department of Revenue

9

10 TRUDY M. SMITH

Confidential Assistant

11

12 LANA L. TRAMONTE

Principal Assistant

13

14 REPORTED BY:

SHELLEY G. PAROLA, CSR, RPR

15 Baton Rouge Court Reporters

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12

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13

d/b/a Lucky Dollar Casino - No.

14

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17	& Casino - No. 60000515065	
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6

1 I. CALL TO ORDER

2 CHAIRMAN HALL: Good morning. I'd  
3 like to welcome you to the Gaming  
4 Control Board Meeting. If we could, I'd  
5 like to call it to order and get the  
6 meeting underway. Miss Tramonte, if you  
7 would, please, call the roll.

8 THE CLERK: Chairman Hall?

9 CHAIRMAN HALL: Here.

10 THE CLERK: Miss Rogers?

11 MS. ROGERS: Here.

12 THE CLERK: Mr. Bradford?

13 MR. BRADFORD: Here.

14 THE CLERK: Mr. Jones?

15 MR. JONES: Here.

16 THE CLERK: Mr. Stipe?

17 MR. STIPE: Here.

18 THE CLERK: Mr. Singleton?

19 MR. SINGLETON: Here.

20 THE CLERK: Miss Noonan?

21 MS. NOONAN: Here.

22 THE CLERK: Major Mercer?

23 MAJOR MERCER: Here.

24 THE CLERK: Mr. Jackson?

25 MR. JACKSON: Here.

7

1 THE CLERK: Colonel Edmonson?

2 MAJOR NOEL: Major Noel for Colonel  
3 Edmonson.

4 THE CLERK: Secretary Barfield?

5 MR. LEJEUNE: Michael Legendre here  
6 for Secretary Barfield.

7 CHAIRMAN HALL: All right. We have  
8 a full board this morning so we  
9 certainly have a quorum.

## 10 II. PUBLIC COMMENTS

11 CHAIRMAN HALL: What I'd like to do,  
12 if we could, please, first is ask if  
13 there are any public comments on issues  
14 that are before the Board today on the  
15 agenda? And as I don't see any, we'll  
16 continue to move on.

## 17 III. APPROVAL OF THE MINUTES

18 CHAIRMAN HALL: If I could have a  
19 motion to waive the reading of the  
20 minutes and approve the minutes, please.

21 MR. SINGLETON: So moved.

22 CHAIRMAN HALL: Mr. Singleton,  
23 seconded by --

24 MR. STIPE: Second.

25 CHAIRMAN HALL: -- Mr. Stipe.

8

1 Anybody opposed? No one opposed, so the  
2 motion carries.

3 IV. CONSIDERATION OF CONTRACT WITH COURT REPORTER

4 CHAIRMAN HALL: The next item of  
5 consideration is the contract with our  
6 court reporter, who can't hear a word  
7 we're saying so it's okay. I ask the  
8 Board, if you will, we're up for renewal  
9 for next year's annual contract for  
10 court reporter services of which the  
11 contract should be in your packet.

12 MR. SINGLETON: You recommend  
13 approval?

14 CHAIRMAN HALL: I recommend approval  
15 wholeheartedly.

16 MR. SINGLETON: I make the motion to  
17 approve.

18 CHAIRMAN HALL: Very good. Do I  
19 have a second?

20 MR. BRADFORD: Second.

21 CHAIRMAN HALL: From Mr. Bradford.

22 MR. BRADFORD: As long as Shelley is  
23 the one who is getting --

24 CHAIRMAN HALL: That's who it's  
25 with, actually. Do we have any

9

1 opposition to the motion?

2 MS. NOONAN: Just as long as she  
3 keeps bringing Dove Chocolate.

4 CHAIRMAN HALL: That's how you bribe  
5 the Board, Dove Chocolate. All right.

6 Hearing no opposition, the motion  
7 carries, and the contract is approved.

8 And I did not say the word "bribe." You  
9 heard that, right? I want to know if  
10 you were paying attention.

11 MR. STRIDER: I was paying  
12 attention.

13 V. REVENUE REPORTS

14 CHAIRMAN HALL: All right. Next up  
15 on the agenda, Revenue Reports. Good  
16 morning. How are you today?

17 MS. JACKSON: Fine. How are you?

18 CHAIRMAN HALL: Good. Thank you.

19 MS. JACKSON: Good morning, Board  
20 Members. My name is Donna Jackson with  
21 Louisiana State Police Gaming Audit  
22 Section.

23 The riverboat revenue report for  
24 January 2013 is shown on page one of  
25 your handout. During January, the 13

10

1 operating riverboats generated Adjusted  
2 Gross Receipts of \$126,856,303, a  
3 decrease of almost \$17 million or

4 12 percent from December, but a slight  
5 increase of \$500,000 or .4 percent from  
6 January 2012. Adjusted Gross Receipts  
7 for fiscal year 2012-2013 to date are  
8 \$943 million, an increase of 1 percent  
9 or \$6 million from fiscal year  
10 2011-2012.

11 During January, the State collected  
12 fees of \$27 million. As of  
13 January 31st, 2013, the State has  
14 collected almost \$203 million in fees  
15 for fiscal year 2012-2013.

16 Next is summary of the January 2013  
17 gaming activity for Harrah's New Orleans  
18 found on page three. During January  
19 Harrah's generated \$27,009,209 in gross  
20 gaming revenue, a decrease from December  
21 of almost \$8 million or 22 percent, but  
22 a slight increase of .2 percent from  
23 last January. Fiscal year-to-date  
24 gaming revenues for 2012-2013 are  
25 \$191 million, up about \$1 million from

11

1 last fiscal year.

2 During January, the State received  
3 \$5,095,890 in minimum daily payments.  
4 As of January 31, 2013, the State has  
5 collected \$35 million in fees for fiscal  
6 year 2012-2013.

7 Slots at the Racetracks revenues are  
8 shown on page four. During December --  
9 sorry, during January the four racetrack  
10 facilities combined general Adjusted  
11 Gross Receipts of \$31,328,909, down  
12 almost \$2 million or 5.6 percent from  
13 December, and down \$1 million or  
14 3 percent from last January.

15 Adjusted Gross Receipts for fiscal  
16 year 2012-2013 to date are \$227 million,  
17 an increase of 1 percent or \$2 million  
18 from fiscal year 2011-2012.

19 During January, the State collected  
20 fees totaling \$4.8 million. As of  
21 January 31st, 2013, the State has  
22 collected over \$34 million in fees for  
23 fiscal year 2012-2013.

24 Overall in January, Riverboats,  
25 Landbased and Slots at the Racetracks

12

1 combined generated \$185 million in  
2 Adjusted Gross Receipts, which is  
3 .2 percent less than the previous  
4 January.

5 Are there any questions before I  
6 present the Harrah's employee count and  
7 payroll information?

8 CHAIRMAN HALL: Yeah. If you would,  
9 please, go back. Overall, fiscal

10 year-to-date for both riverboat and  
11 slots at the tracks, where are we at as  
12 an increase?

13 MS. JACKSON: Actually, the number  
14 that I stated was just for January, but  
15 I do have fiscal year-to-date. Just for  
16 January -- compare January, it's  
17 .2 percent less than the previous  
18 January, but if you look at the chart  
19 that has the pie graph on it --

20 CHAIRMAN HALL: Okay.

21 MS. JACKSON: -- that shows -- I'm  
22 sorry. That's just January as well, but  
23 I can get that information for you.

24 CHAIRMAN HALL: All right. I  
25 appreciate it.

13

1 MS. JACKSON: I'm sorry.

2 CHAIRMAN HALL: That's okay. You  
3 can continue with the employee.

4 MS. JACKSON: Okay. Harrah's New  
5 Orleans is required to maintain at least  
6 2,400 employees and a bi-weekly payroll  
7 of \$1,750,835. This report covers the  
8 two pay periods in January 2013. For  
9 the first pay period, the Audit Section  
10 verified 2,448 employees with a payroll  
11 of \$2,020,000. For the second pay  
12 period, the Audit Section verified 2,449

13 employees with a payroll of \$1,987,000.  
14 Therefore, Harrah's met the employment  
15 criteria during January.

16 CHAIRMAN HALL: Very good. Thank  
17 you. Any other questions? Thank you.

18 Good morning.

19 MR. BOSSIER: Good morning, Chairman  
20 Hall and Board Members. My name is Jim  
21 Bossier with the Louisiana State Police  
22 Gaming Audit Section. I'm reporting  
23 video gaming information for January  
24 2013 as shown on page one of your  
25 handout.

14

1 During January 2013, 34 new video  
2 gaming licenses issued: 21 bars and 13  
3 restaurants. Nine new applications were  
4 received by the Gaming Enforcement  
5 Division during January and are  
6 currently pending in the field: Five  
7 bars, three restaurants and one device  
8 owners'.

9 The Gaming Enforcement Division  
10 assessed \$9,800 and collected \$11,950 in  
11 penalties in January, and there are  
12 currently \$7,700 in outstanding fines.  
13 Please refer to page two of your  
14 handout.

15 There are presently 14,485 video

16 gaming devices activated at 2,092  
17 locations.

18 Net device revenue for January 2013  
19 was \$48,461,768, a \$4.5 million decrease  
20 or 8.5 percent when compared to net  
21 device revenue for December 2012, and a  
22 \$660,000 increase or 1.4 percent when  
23 compared to January 2012. Net device  
24 revenue for fiscal year 2013 is  
25 \$344,333,731, a \$4.7 million increase or

15

1 1.4 percent when compared to net device  
2 revenue for fiscal year 2012. Page  
3 three of your handout shows a comparison  
4 of net device revenue.

5 Total franchise fees collected for  
6 January 2013 were \$14,441,321, a  
7 \$1.4 million decrease when compared to  
8 December 2012, and \$200,000 increase  
9 when compared to January 2012.

10 Total franchise fees collected for  
11 fiscal year 2013 are \$102,789,209, a  
12 \$1.5 million or 1.5 percent increase  
13 when compared to last year's franchise  
14 fees.

15 Page four of your handout shows a  
16 comparison of franchise fees. Does  
17 anybody have any questions?

18 CHAIRMAN HALL: Any questions? I

19 don't believe so. Thank you very much,  
20 sir.

21 VI. COMPLIANCE REPORTS

22 CHAIRMAN HALL: Next item up would  
23 be the compliance reports.

24 MS. BROWN: Good morning --

25 CHAIRMAN HALL: Good morning.

16

1 MS. BROWN: -- Chairman Hall, Board  
2 Members. I'm Mesa Brown, Assistant  
3 Attorney General, and today I'll present  
4 the staff reports on riverboat casino  
5 and racetrack casino licensees'  
6 compliance with employment and  
7 procurement conditions for the fourth  
8 quarter of 2012. The fourth quarter  
9 reports are taken from figures reported  
10 by 13 of the 15 operating riverboats to  
11 the Louisiana Gaming Control Board.

12 In the fourth quarter of 2012,  
13 approximately 12,744 people were  
14 employed by the riverboat industry. Of  
15 that number, 12,322 were Louisiana  
16 residents, 7,915 were minorities and  
17 7,174 were women.

18 Five licensees achieved total  
19 compliance fourth quarter of 2012. They  
20 are Diamond Jacks, Sam's Town, Treasure  
21 Chest, Isle of Capri St. Charles and

22 Boomtown Bossier.

23 Next I'll address employment. All  
24 licensees either met or exceeded their  
25 voluntary conditions in the categories

17

1 of total employment and the  
2 subcategories under the main category of  
3 employment.

4 Next I'll move to procurement. The  
5 licensees are grouped according to three  
6 subcategories which appear in the  
7 report. They're Louisiana minority and  
8 female procurement. Louisiana  
9 procurement three licensees did not  
10 achieve compliance with their voluntary  
11 conditions, and they are Horseshoe, who  
12 achieved 71.2 out of 75; Boomtown West  
13 Bank achieved 79.6 out of 80; L'Auberge  
14 du Lac received 78 out of 80 percent.

15 Minority procurement, six licensees  
16 did not achieve compliance with their  
17 voluntary conditions, and they are as  
18 follows: L'Auberge Baton Rouge, 6.2 out  
19 of 10 percent; Horseshoe, 14.7 out of  
20 35; Belle of Baton Rouge, 4 out of 15;  
21 Hollywood, 9.1 out of 10; Amelia Belle,  
22 8 out of 30; and Eldorado, 19.5 out of  
23 25.

24 Female procurement, two licensees

25 did not achieve compliance with their

18

1 voluntary conditions, and they are

2 Horseshoe, who achieved 31.3 out of 35

3 and Belle of Baton Rouge who achieved

4 12.2 out of 15.

5 Are there any questions before I do

6 riverboat numbers?

7 MR. JONES: This may be a typo, but

8 on the first sheet you give the number

9 of employees in quarterly compensation.

10 And the number for Boomtown sure looks

11 like it's out of whack. Are you looking

12 at that sheet? It shows 14.8 million in

13 compensation, which is half again more

14 than Horseshoe, which Horseshoe has

15 twice the employees. Is that a

16 misprint?

17 MS. BROWN: Okay. Let me get to the

18 employment. The top says, "Riverboat

19 Record Input"?

20 MR. JONES: Yeah. You see under

21 Boomtown it has got compensation? It

22 looks out of whack from the rest of it.

23 MS. BROWN: Well, these are the

24 numbers -- oh, Boomtown Bossier?

25 MR. JONES: Yeah.

19

1 MS. BROWN: It does look a little

2 large; but what I'll do is check the raw  
3 data, Mr. Jones, and I'll report my  
4 findings. I'll call the compliance  
5 director at Boomtown.

6 MR. JONES: I bet it's supposed to  
7 be four instead of fourteen.

8 MS. BROWN: Yeah. These are numbers  
9 that they supply, and they were just cut  
10 directly from what the riverboat  
11 submitted to our office. But I can  
12 definitely look into that and report the  
13 findings at the next board meeting. Are  
14 there any other questions? [No  
15 response.]

16 Okay. Well, then I'll move to  
17 racetrack. In the fourth quarter of  
18 2012, approximately 2,120 people were  
19 employed by the racetrack casino  
20 industry. Of that number, 1,875 were  
21 Louisiana residents; 1,157 were  
22 minorities, and 1,254 were women. All  
23 racetrack casino licensees achieved  
24 total compliance with the exception of  
25 one licensee, and that's Delta Downs.

20

1 Delta Downs did not achieve its  
2 Louisiana employment condition. It  
3 achieved 69.4 out of the 80 percent  
4 condition.

5 Are there any questions regarding  
6 the racetrack numbers?

7 MR. STIPE: As to all these  
8 facilities, you're not aware of any  
9 complaints or investigations by federal  
10 regulatory, EEOC or anything like that?

11 MS. BROWN: I'm not aware of any.  
12 Any other questions?

13 CHAIRMAN HALL: Seeing none, thank  
14 you, ma'am.

15 MS. BROWN: Thank you.

16 CHAIRMAN HALL: Appreciate you.

17 VII. VIDEO GAMING ISSUES

18 A. Consideration of the following truckstops:

19 1. Parkway Truckstop Services, LLC, d/b/a  
20 Lucky Dollar Casino - No. 4601516589 (new  
21 application)

22 CHAIRMAN HALL: Up next will be  
23 video gaming issues of which we have  
24 several, actually. The first one we  
25 have up today is a new application for

21

1 Parkway Truckstop Services doing  
2 business as Lucky Dollar Casino, and so  
3 this will be the for the issuance of a  
4 new license. Good morning everyone.

5 MR. PITRE: Chairman Hall, Board  
6 Meeting, I'm Earl Pitre, Jr., Assistant  
7 Attorney General, here in the matter of

8 Parkway Truckstop Services, LLC, doing  
9 business as Lucky Dollar Casino.

10 The applicant is a limited liability  
11 company organized April 21st of 2011.

12 It will be located on Highway 10 in  
13 Greensburg, Louisiana, in St. Helena  
14 Parish.

15 On December 28th, 2011, the  
16 applicant purchased the licensed  
17 establishment from the previous Type 5  
18 licensee, Bridges Oil Company, LLC. On  
19 the same date, the applicant purchased  
20 land and improvements comprising the  
21 truckstop facility, in part from Bridges  
22 Oil Company, which was 3.125 acres, and  
23 in part from Little Deuces, which was  
24 2.496 acres.

25 Members of the applicant are as

22

1 follows: Jed Tantillo at 50 percent,  
2 and Salvador Tantillo, III, at  
3 50 percent.

4 Trooper Vincent Lenguyen conducted  
5 the suitability investigation of the  
6 relevant persons associated with the  
7 applicant and also conducted an on-site  
8 inspection of the facility. He will  
9 present the Office of State Police's  
10 findings.

11 TROOPER LENGUYEN: Good morning,  
12 Chairman Hall and Board Members. My  
13 name is Trooper Vincent Lenguyen with  
14 Louisiana State Police Gaming  
15 Enforcement Division. I conducted an  
16 updated suitability investigation on Jed  
17 Tantillo and Salvador Tantillo, III, and  
18 found no information that would preclude  
19 them from participating in the video  
20 gaming industry.

21 An on-site inspection was conducted,  
22 and it was determined that the  
23 establishment meet all criteria set  
24 forth in the video gaming law as a  
25 qualified truckstop facility. Tax

23

1 clearance certificate and inquiry  
2 revealed that the applicant and the --  
3 the applicant and the relevant persons  
4 are current in the filing and payment of  
5 all required taxes and returns. All  
6 applicable state and local permits were  
7 posted.

8 The establishment consists of 5.621  
9 contiguous acres. The truckstop has a  
10 separate gaming area strictly for adult  
11 patrons only.

12 MR. PITRE: The Office of the  
13 Attorney General has reviewed the file

14 compiled as a result of the  
15 investigation conducted by the State  
16 Police. Our review indicates that no  
17 information has been found which would  
18 preclude the issuance of a Type 5  
19 license to Parkway Truckstop Services,  
20 LLC, doing business as Lucky Dollar  
21 Casino.

22 CHAIRMAN HALL: Yes, ma'am.

23 MS. ROGERS: The prior arrests have  
24 all been nullified?

25 TROOPER LENGUYEN: Yes. All the  
24

1 prior arrests has been nullified and  
2 reviewed and investigated by our  
3 Division and presented to the Board in  
4 the past already.

5 CHAIRMAN HALL: Miss Noonan.

6 MS. NOONAN: I have a question in  
7 regards to that, also. I know they were  
8 both arrested for public drunkenness,  
9 and like they said, they have been  
10 expunged. Did they reveal these on the  
11 applications -- the original  
12 applications, or did you find this in  
13 the course of your investigation?

14 TROOPER LENGUYEN: They revealed it  
15 on the application, and also we found it  
16 on the initial investigation, too.

17 MS. NOONAN: Thank you.  
18 CHAIRMAN HALL: Any other questions?  
19 MR. BRADFORD: Move for approval.  
20 CHAIRMAN HALL: Okay. Mr. Bradford  
21 moves for approval. Do I have a second?  
22 MS. NOONAN: I'll second.  
23 CHAIRMAN HALL: Okay, from Miss  
24 Noonan. Is there any opposition?  
25 Hearing none, the motion is carried, and

25

1 we approve the recommendation for the  
2 issuance of a license.

3 2. Quick Draw Truck Plaza & Casino, LLC, d/b/a  
4 Quick Draw Truck Plaza & Casino - No.  
5 6000515065 (transfer of interest)

6 CHAIRMAN HALL: Okay. The next item  
7 up will be Quick Draw Truck Plaza &  
8 Casino, LLC.

9 MR. PITRE: Chairman Hall, Board  
10 Members, again Earl Pitre, Jr.,  
11 Assistant Attorney General, here in the  
12 matter of Quick Draw Truck Plaza &  
13 Casino, LLC, doing business as Quick  
14 Draw Truck Plaza & Casino.

15 This is a Louisiana limited  
16 liability company organized October 26th  
17 of 2006, and it's located in Minden in  
18 Webster Parish.

19 On May 22nd, 2012, Richard Brown,

20 Lou-Ann Terry, Janet Hill and Angela  
21 Linburg transferred 100 percent of their  
22 membership interest in the licensee to  
23 Minden Truck Center, LLC, in  
24 consideration of the cancellation of  
25 certain indebtedness of theirs to Harold

26

1 Rosbottom, Jr. The transfer was made  
2 effective January 1st, 2012.

3 The membership of Minden Truck  
4 Center, LLC, both before and after the  
5 transfer was and is held as follows:  
6 Gerald Schiff as trustee of the  
7 Bankruptcy Estate of Harold Rosbottom,  
8 Jr., at 50 percent; Janet Hill with  
9 20 percent; Richard Brown at 10 percent;  
10 Lou-Ann Terry with 10 percent, and  
11 Angela Linburg with 10 percent. Richard  
12 Brown will also be the managing member  
13 of the licensee.

14 Trooper Vincent Lenguyen conducted  
15 the investigation of the transfer of  
16 ownership of the licensee and is here to  
17 report the findings to the Board.

18 TROOPER LENGUYEN: My name is  
19 Trooper Vincent Lenguyen with Louisiana  
20 State Police Gaming Enforcement  
21 Division. I conducted an investigation  
22 of the transfer of ownership of the

23 licensee, the trustee and members of  
24 Minden Truck Center, LLC, and their  
25 spouses previously met suitability in

27

1 connection with this and other active  
2 licenses.

3 I conducted an updated suitability  
4 investigation on all of the relevant  
5 individuals connected with this license  
6 with the exception of Harold Rosbottom,  
7 Jr. No information was found that would  
8 preclude the continuing participation of  
9 the members and their spouses or the  
10 participation of the trustee.

11 Harold Rosbottom was convicted  
12 December 28th, 2012, of conspiracy to  
13 commit Bankruptcy Fraud, Illegal  
14 Transfer of Assets, Concealment of  
15 Assets, Giving a False Oath and Account  
16 and Conspiracy to Commit Money  
17 Laundering in connection with his  
18 bankruptcy. He was sentenced on  
19 December 21st, 2012, to a total term of  
20 imprisonment of ten years.

21 The Division is recommending  
22 approval of this transfer and continuing  
23 licensing of Quick Draw despite  
24 Mr. Rosbottom, Jr.'s, conviction because  
25 Mr. Rosbottom, Jr., does not and will

1 not have not any control or authority  
2 over the licensee. In addition, he will  
3 receive no revenue from the operation of  
4 the licensee, including video draw  
5 poker.

6 MR. PITRE: The Office of the  
7 Attorney General reviewed the file  
8 compiled as a result of the  
9 investigation conducted by the Office of  
10 State Police. We agree with the  
11 Division's recommendation of approval of  
12 the transfer of ownership and the  
13 continued licensing of Quick Draw Truck  
14 Plaza, LLC, doing business as Quick Draw  
15 Truck Plaza & Casino.

16 CHAIRMAN HALL: Do we have any  
17 questions? Mr. Stipe.

18 MR. STIPE: The bankruptcy with this  
19 Rosbottom interest is being administered  
20 by the bankruptcy trust?

21 TROOPER LENGUYEN: Yes, sir.

22 MR. STIPE: Any revenues or  
23 distribution is going into the estate;  
24 is that correct?

25 TROOPER LENGUYEN: Yes, sir. It's

1 going to the estate.

2 MR. STIPE: And the bankruptcy that

3 is ongoing is what was originally filed  
4 in 2009?

5 TROOPER LENGUYEN: Yes, sir.

6 MR. STIPE: So I guess it's a  
7 Chapter 11 bankruptcy?

8 TROOPER LENGUYEN: Yes, sir.

9 MR. STIPE: When is that plan  
10 scheduled to wrap up?

11 TROOPER LENGUYEN: Since  
12 Mr. Rosbottom has a lot of business  
13 entities, they are trying to, you know,  
14 reorganize right now all the business,  
15 consolidate all the business, and then  
16 from that point, they're going to look  
17 at the point where they're going to, you  
18 know, pay all the secured and unsecured  
19 creditors and from that.

20 MR. STIPE: I mean, is a reorganize  
21 plan or wind-up plan been adopted at  
22 this point?

23 MS. MOORE: Charmaine Moore with the  
24 Attorney's General Office. The trustee  
25 has filed a preliminary plan of

30

1 reorganization. He expects that they'll  
2 probably be some amendments or changes  
3 to that, but the plan is that as soon as  
4 that is -- a final plan is confirmed  
5 that the trustee intends to buy out

6 Mr. Rosbottom's residual interest.

7 MR. STIPE: So the plan will -- the  
8 plan will provide for the trustee  
9 acquiring whatever residual interest  
10 there is?

11 MS. MOORE: Yes. And eventually  
12 that will be transferred to -- all the  
13 gaming entities will be transferred into  
14 a holding company, and it is intended  
15 that the sole owner or member of those  
16 entities will be Mr. Rosbottom's spouse,  
17 Leslie.

18 MR. STIPE: And I guess the Attorney  
19 General's Office is the one who's  
20 following the pleadings on the  
21 bankruptcy proceeding?

22 MS. MOORE: That's correct.

23 MR. STIPE: And do we have any idea  
24 of the preliminary plan, the length of  
25 the plan that they're -- the

31

1 administration of the plan?

2 MS. MOORE: I know it's going to be  
3 a few years. The trustee is here today,  
4 as well as one of the attorneys, and  
5 they could be more specific. But it  
6 will probably be several years.

7 MR. STIPE: If they're here, I'd  
8 like to --

9 MS. MOORE: Yes, they're here.

10 MR. SCHIFF: Gerald Schiff, I'm the  
11 trustee.

12 MR. COFFMAN: I'm Peter Coffman, the  
13 counsel for the trustee.

14 MR. STIPE: Good morning. How are  
15 you?

16 MR. SCHIFF: Just fine.

17 MR. STIPE: What's the status of the  
18 bankruptcy proceeding?

19 MR. SCHIFF: We filed a plan about a  
20 month ago, and we had a couple of  
21 amendments to make to the plan. But we  
22 are -- we do have to have a disclosure  
23 statement filed with the plan, and that  
24 should be filed within the next week.  
25 The confirmation process at a minimum

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1 will be about 60 days because you have  
2 to have 25 days notice to have a hearing  
3 on the adequacy of the disclosure  
4 statement, and then you have to have  
5 another 25 days or so for hearing on  
6 confirmation. But that's unusual if you  
7 do it in 60 days, because there will be  
8 objections; there will be  
9 clarifications, and so it's hard to  
10 estimate, Mr. Stipe. I would think if  
11 we could get confirmation within six

12 months, it would be good, would be my  
13 best guess.

14 MR. STIPE: And I understand, and  
15 how long -- I understand those time  
16 delays, and I understand there may be  
17 amendments to the plan; but how long  
18 would this plan be as currently  
19 envisioned?

20 MR. COFFMAN: You mean the payout?

21 MR. STIPE: The administration of  
22 it, yeah.

23 MR. COFFMAN: 3/20/17 is when the  
24 notes -- that's when they mature for all  
25 the affiliated debt, and Gerald -- or

33

1 Mr. Schiff will be in control of the  
2 entities through that time period and  
3 through -- it's a hundred percent plan.  
4 Through the full payment of the plan, he  
5 will be in control of all entities. The  
6 holding company and the equity interest  
7 will be held by Mrs. Rosbottom, but it's  
8 going to be all in a voting trust  
9 controlled by Mr. Schiff. So he'll be  
10 in complete control of everything until  
11 full payment on the plan.

12 MR. STIPE: And at the conclusion of  
13 that plan, conclusion of the  
14 administration, the residual interest

15 will --

16 MR. COFFMAN: No. The way it works  
17 is you have confirmation. You're going  
18 to have an initial effective date, and  
19 there will be some payments. Then  
20 there's going to be the divorce  
21 condition in the plan. The divorce  
22 condition is when Mr. and  
23 Mrs. Rosbottom's divorced is finalized  
24 in Texas.

25 In Texas it's a community property

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1 state, and you can't get divorced until  
2 you terminate your community. And it's  
3 not a termination of community effective  
4 back to the initial filing like it is in  
5 Louisiana. It's when it's eventually  
6 done by the court.

7 And as soon as that divorce  
8 condition is met, we're going to issue a  
9 note. As soon as that note is issued,  
10 Mr. Rosbottom's residual interest will  
11 be extinguished at that point in time.  
12 And then thereafter the -- all the  
13 gaming equity interest will be  
14 transferred to the holding company, and  
15 then we'll come before you guys to seek  
16 approval for that transfer. And then  
17 there will be -- at that point in time

18 will be the final effective date, and  
19 then we'll go forward.

20 MR. STIPE: All right. Thank you.

21 CHAIRMAN HALL: Miss Noonan, did you  
22 still have a question?

23 MS. NOONAN: Yeah, I have a  
24 question. Mr. Stipe answered some of  
25 those. Thank you very much. Does

35

1 Mr. Schiff, Mr. Lenguyen, have to submit  
2 to -- or did he submit to suitability  
3 since he is the trustee?

4 TROOPER LENGUYEN: Yes. He's  
5 already submitted suitability through  
6 this license and also another entity.

7 MS. NOONAN: And will your office or  
8 the A.G.'s Office continually monitor  
9 this as it's going on?

10 TROOPER LENGUYEN: Yes. We have a  
11 good relationship, you know, with Judge  
12 Schiff and his attorney. They always  
13 give us updates regarding the bankruptcy  
14 and all the plans they want to do, all  
15 the changes and anything like that.

16 MS. NOONAN: Thank you.

17 CHAIRMAN HALL: And really, Judge  
18 Schiff and Miss Rosbottom have both met  
19 suitability.

20 MS. NOONAN: I knew that she had.

21 Thank you.

22 MS. ROGERS: Would any action by  
23 this Board be premature with all the  
24 unknown entities hanging?

25 CHAIRMAN HALL: I think they need  
36

1 our action in order to do what they need  
2 to do, yes, ma'am.

3 MS. ROGERS: Have to.

4 CHAIRMAN HALL: I need a motion.

5 MR. BRADFORD: Move for approval.

6 MR. STIPE: Second.

7 CHAIRMAN HALL: Mr. Bradford moves  
8 for approval, Mr. Stipe seconds. Is  
9 there any objection to the motion?

10 Hearing none, the motion carries. The  
11 transfer of interest is approved. Thank  
12 you very much.

13 MR. SCHIFF: Thank you.

14 3. Cash Magic Amite, LLC, d/b/a Cash Magic Amite -  
15 No. 4600514957 (transfer of interest)

16 CHAIRMAN MORGAN: Next up we have  
17 another transfer of interest, Casino  
18 Magic in Amite -- Casino Magic Amite,  
19 excuse me. Good morning.

20 MS. COLLY: Good morning, Chairman  
21 Hall, Members of the Board. I am  
22 Nicolette Colly, Assistant Attorney  
23 General, representing the Division in

24 the matter of the transfer of the  
25 membership interest of the licensee,

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1 Cash Magic Amite, LLC, d/b/a Cash Magic  
2 Amite.

3 Cash Magic Amite is a Type 5 video  
4 draw poker licensed establishment. On  
5 June 29th, 2012, Jacobs Entertainment,  
6 Inc., purchased 100 percent of the  
7 membership interest of Cash Magic Amite  
8 from Gameco Holdings, Inc. Jacobs  
9 Entertainment and Gameco Holdings are  
10 both wholly-owned by Jacobs Investments.

11 Jacobs Investments is owned  
12 52.8 percent by the Jacobs Family  
13 Economic Trust, 12 percent by the Jacobs  
14 Family Control Trust and 35.2 percent by  
15 Jeffrey P. Jacobs individually.

16 The following individuals were added  
17 as personnel to the transfer of the  
18 licensee: Stanley Politano, Stephen R.  
19 Roark, Brett Kramer and Michael T.  
20 Shubic. All four individuals have  
21 previously met suitability, and no  
22 information was found that would  
23 preclude their continuing participation  
24 in the video gaming industry.

25 Senior Trooper Eddie Daigle

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1 completed the investigation and  
2 conducted a suitability of the relevant  
3 persons associated with the transfer.  
4 He is present this morning to report his  
5 findings to the Board.

6 TROOPER DAIGLE: Good morning,  
7 Chairman Hall and Members of the Board.  
8 I'm Trooper Eddie Daigle with Louisiana  
9 State Police. I conducted the  
10 investigation of the transfer of the  
11 license in Gameco Holdings to Jacobs  
12 Entertainment and found no information  
13 to preclude continued licensing. I also  
14 conducted a suitability investigation  
15 and the following individuals associated  
16 with the application and found no  
17 information to preclude the finding of  
18 suitability: Stanley Politano, Stephen  
19 R. Roark, Brett Kramer and Michael T.  
20 Shubic.

21 I'll be happy to answer any  
22 questions that you might have at this  
23 time.

24 CHAIRMAN HALL: Do we have any  
25 questions? I don't see any.

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1 MS. COLLY: The Office of the  
2 Attorney General has reviewed the file  
3 compiled as a result of the

4 investigation conducted by the Video  
5 Gaming Division. Our review indicates  
6 that no information was found that would  
7 preclude the continued licensing of Cash  
8 Magic Amite. Further, no information  
9 has been found to preclude Stanley  
10 Politano, Stephen R. Roark, Brett Kramer  
11 and Michael T. Shubic from participating  
12 as personnel of Cash Magic Amite.

13 CHAIRMAN HALL: Do we have any  
14 questions? Do I have a motion to  
15 approve the transfer of interest?

16 MS. NOONAN: I'll move.

17 CHAIRMAN HALL: Miss Noonan.

18 MR. JONES: Second.

19 CHAIRMAN HALL: And seconded by  
20 Mr. Jones. Is there any opposition?  
21 Hearing none, the Board approves the  
22 transfer of interest as presented.

23 Thank you.

24 MS. ROGERS: I have a question, but  
25 it's just a general question. Is there

40

1 anything in the gaming bylaws where  
2 there's a limit as to the number that a  
3 group can have? That's just curiosity.

4 CHAIRMAN HALL: No, ma'am.

5 MS. ROGERS: No.

6 CHAIRMAN HALL: None that I'm aware

7 of.

8 MS. ROGERS: I was just curious.

9 MS. COLLY: No, there are none.

10 4. Big D Truckstop, LLC, d/b/a Wagin Cajun Casino  
11 of Duson - No. 0109514164 (transfer of interest)

12 CHAIRMAN HALL: We have another one,  
13 Big D Truckstop, LLC, again a transfer  
14 of interest. Good morning, how are you?

15 MS. HIMEL: Fine. May it please the  
16 Board, Assistant Attorney General, Dawn  
17 Himel, appearing in this matter. This  
18 is the transfer of a hundred percent of  
19 the stock of Bayou Gaming, Incorporated.  
20 This is on the license, though, of Big D  
21 Truckstop, LLC, doing business as Wagin  
22 Cajun Casino of Duson, VGL #0109514164.

23 This is before you today because the  
24 ownership -- the ownership of Bayou  
25 Gaming, Incorporated, has changed, and

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1 they are a one-third member of the  
2 licensee at issue today.

3 Big D Truckstop, LLC, holds a Type 5  
4 video gaming license and operates a  
5 truckstop facility located at 400  
6 Austria Road, Duson, Louisiana, in the  
7 Parish of Acadia.

8 Bayou Gaming, like I said, holds a  
9 thirty-three and one-third percent

10 membership interest in the licensee.

11 On December 4th, 2008, Yvonne Scott  
12 Bean entered into a contract with John  
13 Peterson for him to purchase a hundred  
14 percent of Bayou Gaming, Inc.'s, stock.  
15 Fifty percent of the stock was  
16 transferred on that date, and they  
17 entered into a payment plan whereby the  
18 other 50 percent would be transferred to  
19 him upon completion of the payment.  
20 Unless it was paid early, he would have  
21 paid out and then transferred the other  
22 50 percent in January 2014. However,  
23 Miss Bean passed away on June 1st, 2011;  
24 therefore, Mr. Peterson and the executor  
25 of Miss Bean's estate entered into an

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1 agreement for him to purchase the  
2 remaining 50 percent, which he did.

3 On November 3rd, 2011, the hundred  
4 percent stock was issued in one  
5 certificate to Mr. Peterson for Bayou  
6 Gaming, Inc. John Peterson is the  
7 President of Bayou Gaming, Inc; and  
8 Benajah Peterson is his son, and he is  
9 the Secretary and Treasurer of Bayou  
10 Gaming, Incorporated.

11 Both of them previously met  
12 suitability on this license and other

13 licenses. John Peterson was previously  
14 the Vice-President of Bayou Gaming,  
15 Inc., and submitted on this license  
16 through the significant influence as  
17 being one of the officers of a member.  
18 Benajah Peterson had been on this  
19 license previously as being the manager  
20 of the licensee.

21 Trooper Louis Boquet conducted a  
22 suitability investigation of the  
23 transfer and the relevant persons, and  
24 he is present today to report his  
25 findings to the Board.

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1 TROOPER BOQUET: Good morning,  
2 Chairman Hall and Members of the Board.  
3 My name is Trooper Louis Boquet. I'm  
4 assigned to the Louisiana State Police  
5 Gaming Enforcement Division. I  
6 investigated the transfer of Bayou  
7 Gaming, Inc.'s, stock from Yvonne Bean  
8 and executor of her estate to John  
9 Peterson, and conducted a suitability  
10 investigation of John Peterson and  
11 Benajah Peterson. I found no  
12 information that would preclude the  
13 continued licensing of Big D Truckstop,  
14 LLC, or that would preclude Bayou  
15 Gaming, Inc., John Peterson or Benajah

16 Peterson from participating or  
17 continuing to participate in Louisiana's  
18 gaming industry.

19 MS. HIMEL: The Office of the  
20 Attorney General has reviewed the  
21 investigation and the file compiled as a  
22 result of the investigation. Our review  
23 indicates no information that would  
24 preclude the transfer of the stock of  
25 Bayou Gaming, Inc., to John Peterson or

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1 the continued licensing of Big D  
2 Truckstop, LLC.

3 CHAIRMAN HALL: So we're talking  
4 about 100 percent of one-third.

5 MS. HIMEL: Correct.

6 CHAIRMAN HALL: Okay.

7 MS. HIMEL: It's 100 percent of a  
8 one-third member.

9 CHAIRMAN HALL: Do you have any  
10 questions?

11 MS. ROGERS: Is this a deja vu case  
12 for us?

13 CHAIRMAN HALL: It may not be for  
14 me, but it might be. I understand it's  
15 been going on for a while, so it may be  
16 for others.

17 MS. HIMEL: This is all I've dealt  
18 with. The transfer didn't come before

19 you before. This is a matter of the  
20 transfer of the hundred percent of Bayou  
21 Gaming's. But Bayou Gaming, Inc.'s,  
22 actual transfer and its license had to  
23 be approved, but this is the first time  
24 bringing this to the Board.

25 CHAIRMAN HALL: So the other

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1 two-thirds is remained as it was.  
2 There's been no change in it. It's just  
3 the one-third that's changing.

4 MS. ROGERS: There's three people  
5 that have a third of a third.

6 CHAIRMAN HALL: Well --

7 MS. HIMEL: It's a corporation.  
8 It's three persons, a corporation --

9 MS. ROGERS: And they each have a  
10 third of third, all three of them.

11 MS. HIMEL: The membership of the  
12 licensee hasn't changed at all --

13 MS. ROGERS: Yeah.

14 MS. HIMEL: -- as far as it's Bayou  
15 Gaming, Inc. It's just the ownership of  
16 that member has changed, but the  
17 licensee has not changed.

18 MS. ROGERS: Yeah. I'm sure we've  
19 been through this before.

20 CHAIRMAN HALL: Okay. Do I have a  
21 motion, then, for the approval of

22 transfer of stock if there's no other  
23 questions?

24 MR. SINGLETON: I move.

25 CHAIRMAN HALL: Mr. Singleton moves.

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1 MAJOR MERCER: Second.

2 CHAIRMAN HALL: Major Mercer  
3 seconds. Is there are any opposition?  
4 Hearing none, the motion for the  
5 approval of transfer of stock interest  
6 has been approved.

7 MS. HIMEL: Thank you.

8 CHAIRMAN HALL: Thank you. Thank  
9 you, Trooper Boquet.

## 10 VIII. CASINO GAMING ISSUES

11 A. Consideration of the Casino Support  
12 Services Contract with the City of New  
13 Orleans

14 CHAIRMAN HALL: Casino Gaming  
15 Issues. Okay. First up is going to be  
16 support services contract with the City  
17 of the New Orleans.

18 MS. BOGRAN: Good morning, Chairman  
19 Hall and Board Members. I'm Olga  
20 Bogran, Assistant Attorney General in  
21 the Gaming Division. I'm here to  
22 present the Casino Support Services  
23 Contract, and as you know, this process  
24 is mandated by statute.

25 Louisiana Revised Statute 27:247

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1 requires that the Casino Support  
2 Services Contract be negotiated every  
3 year prior to March 31st between the  
4 Gaming Control Board and the City of New  
5 Orleans.

6 The language of the statute  
7 originally referred only to quarterly  
8 payments. In 2012 the legislature  
9 modified the statute to remove any  
10 reference to quarterly payments and does  
11 not specify any particular payment  
12 schedule.

13 So accordingly, this year's  
14 contract, there are two changes in  
15 Section 4.2 that pertains to payment  
16 schedules. The first change is in the  
17 first sentence of that section. The  
18 sentence previously included mandatory  
19 language that read, "the total  
20 consideration shall be paid in quarterly  
21 payments."

22 The current version now includes two  
23 enumerated options for payment: One, in  
24 four quarterly payments, and two, at the  
25 option of the city with the consent of

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1 the Gaming Control Board and subject to

2 other terms and conditions of this  
3 Casino Support Services Contract, the  
4 city may collect substitute dates for  
5 payment of the total consideration.

6 And while the consent of the Board  
7 is contemplated, it's important to note  
8 that it's per the statute. The approval  
9 of and appropriation for the payments  
10 lies with the Joint Legislative  
11 Committee on the Budget. The committee  
12 alone has the authority to amend,  
13 approve, disapprove or choose not to act  
14 on the contract at all.

15 Apart from the language, which I  
16 just highlighted, the contract remains  
17 unchanged. The total amount asked for  
18 in the contract is \$3.6 million, which  
19 is the same amount as has been requested  
20 since 2003. The city has submitted an  
21 audited expenditures report relative to  
22 the services provided to the casino, and  
23 this report will also be submitted to  
24 the legislative committee.

25 Joining us today is Rodney Braxton,

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1 representative of the city, and he's  
2 here to answer any questions you may  
3 have.

4 CHAIRMAN HALL: Mr. Braxton, how are

5 you today?

6 MR. BRAXTON: I'm fine,

7 Mr. Chairman.

8 CHAIRMAN HALL: Do we have any  
9 specific questions?

10 MR. SINGLETON: I do.

11 CHAIRMAN HALL: Yes, sir.

12 MR. SINGLETON: How much money did  
13 the city get in 2012?

14 MR. BRAXTON: \$3.6 million.

15 MR. SINGLETON: They did get the  
16 3.6?

17 MR. BRAXTON: Yes, sir, they did.

18 MR. SINGLETON: That was cash; they  
19 wrote out a check?

20 MR. BRAXTON: It was an actual  
21 check, and as far as I know, it's  
22 cleared.

23 MR. SINGLETON: You answered my next  
24 question. Okay.

25 CHAIRMAN HALL: Are there any other

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1 questions? If not, because I need  
2 specific language, I'd like to make the  
3 motion if there's no other questions.  
4 There being done, I'd like to make a  
5 motion -- the Chair motions to authorize  
6 the Chairman to execute the contract on  
7 behalf of the Board upon approval of the

8 contract and the funding by the Joint  
9 Legislative Committee on the Budget.

10 MR. SINGLETON: I'll second.

11 CHAIRMAN HALL: Seconded by  
12 Mr. Singleton. Is there any further  
13 discussion? Any objection to the  
14 motion? There being none, the motion  
15 carries.

16 MS. BOGRAN: Thank you.

17 MR. BRAXTON: Thank you.

18 B. Consideration of petition to amend license  
19 conditions by Belle of Orleans, LLC, d/b/a  
20 Amelia Belle Casino - No. R013600020.

21 CHAIRMAN HALL: Next up is for  
22 consideration is the Petition to Amend  
23 the License Conditions of the Belle of  
24 Orleans, LLC, doing business as Amelia  
25 Belle Casino. I believe we have

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1 Mr. West.

2 MR. WEST: Good morning,  
3 Mr. Chairman and Board Members. This is  
4 a petition brought on behalf of Amelia  
5 Belle Casino, the Belle of Orleans, LLC.  
6 For those -- and it asks for two  
7 conditions to be removed from its  
8 license. One is a condition that  
9 requires a compliance committee to be in  
10 place at the Amelia Belle, and the

11 second is a condition that would  
12 prohibit the sharing of a key employee  
13 between any two properties owned by  
14 Peninsula Gaming.

15 For those of you that were here when  
16 Peninsula bought the Amelia Belle  
17 Casino, you'll recall that there were  
18 some issues that I think everybody  
19 shared about some compliance issues both  
20 with Evangeline Downs and Amelia Belle  
21 Casino, and to try to cure those issues  
22 or take care of those issues, one of the  
23 suggestions, which was accepted by State  
24 Police and by this Board, was to have a  
25 compliance committee on-site that would

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1 actually oversee compliance both at  
2 Evangeline Downs and at Amelia Belle.

3 That committee was put in place, and  
4 I guess it probably has been in place  
5 for over two, maybe three years. I  
6 think that State Police and the Attorney  
7 General's Office will tell you that that  
8 committee has done a fabulous job of  
9 overcoming those issues, and the issues  
10 that were there at that time that  
11 created these two conditions are no  
12 longer present. The compliance and  
13 working with State Police and State

14 Police audit has been pretty much  
15 exemplary down there.

16 So fast-forward a bit, and Boyd  
17 Gaming acquired Peninsula Gaming. Boyd  
18 Gaming has its own compliance plan that  
19 is required, actually, by the State of  
20 Nevada, and it is on file with the State  
21 of Nevada. I think you have a copy of  
22 it. So what we're trying to do now is  
23 just fold the compliance at Amelia Belle  
24 into the Boyd compliance plan.

25 With me is David Miller, who is the

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1 compliance manager of Boyd Gaming for  
2 the Louisiana properties. So that's the  
3 backdrop to it. This is just another  
4 step in the transition of bringing the  
5 Peninsula Gaming properties under the  
6 Boyd management.

7 CHAIRMAN HALL: Do we have any  
8 questions?

9 MR. STIPE: The plan that is -- that  
10 was adopted in Nevada, I guess -- I  
11 think that's enclosed in other materials  
12 calls for an annual report to be made to  
13 the Nevada regulatory authorities?

14 MR. WEST: Yes, sir.

15 MR. STIPE: I'm guessing it is your  
16 intention to forward this Board a copy

17 of whatever is sent on an annual basis  
18 to the Nevada regulatory authority?

19 MR. WEST: I don't know if we do  
20 that now, but certainly we could do  
21 that.

22 MR. STIPE: Okay.

23 MR. WEST: It's a public record.

24 CHAIRMAN HALL: Right. They don't  
25 now and have not been. The compliance

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1 committee that was ordered, directed by  
2 this Board as part of the resolution of  
3 the previous problems, did; and I had  
4 met with them at some point in the past  
5 in my short tenure, but I don't think  
6 the other properties are either.

7 MR. STIPE: No.

8 CHAIRMAN HALL: But if you'd like,  
9 that's something we can certainly --

10 MR. STIPE: I mean, I guess the  
11 logic of the request is we have a  
12 compliance plan that we have in place  
13 that deals with Nevada, for example, and  
14 so I guess my question is: If the  
15 Nevada compliance plan calls for an  
16 annual report to be made to the Nevada  
17 board, then is it a problem for this  
18 board to get a copy of that report?

19 MR. WEST: I don't see any problem

20 with that at all. Like I said, it's a  
21 public record, and we'd be happy to  
22 supply it.

23 MR. STIPE: And there is an  
24 individual who is headquartered, officed  
25 out of Louisiana who is in charge of

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1 compliance for these facilities?

2 MR. MILLER: There's a compliance  
3 representative at each property.

4 MR. WEST: And then there's one  
5 compliance officer in Las Vegas who  
6 oversees all of it.

7 MR. STIPE: Got it. Okay.

8 CHAIRMAN HALL: Are there any other  
9 questions? If not I'll have  
10 Miss Tramonte read the resolution,  
11 please. If you'll read the resolution,  
12 then I'll have a motion to adopt the  
13 resolution.

14 THE CLERK: Okay. On the 21st day  
15 of February 2013, the Louisiana Gaming  
16 Control Board did, in a duly noticed  
17 public meeting, consider the petition to  
18 amend license conditions of the Belle of  
19 Orleans, LLC, d/b/a Amelia Belle Casino,  
20 and upon motion duly made and second,  
21 the Board adopted the following  
22 resolution.

23 Be it resolved that Belle of  
24 Orleans, LLC, d/b/a Amelia Belle  
25 Casinos' request to amend license

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1 condition to be approved, and that  
2 Conditions 26 and 28 of the Statement of  
3 Conditions to riverboat gaming license  
4 be and are hereby removed. Thus done  
5 and signed in Baton Rouge, Louisiana,  
6 this 21st day of February, 2013.

7 CHAIRMAN HALL: Do I have a motion  
8 to adopt that resolution?

9 MR. JONES: [Motions.]

10 CHAIRMAN HALL: Mr. Jones.

11 MS. NOONAN: Second.

12 CHAIRMAN HALL: Seconded by  
13 Miss Noonan. Is there any objection to  
14 the motion? Hearing none, the motion  
15 carries, and the changes to your  
16 conditions are approved.

17 MR. WEST: Thank you.

18 CHAIRMAN HALL: Thank you.

19 C. Consideration of request to consider riverboat  
20 staffing issues by Hollywood Casino Baton Rouge  
21 - No. R011700193

22 CHAIRMAN HALL: Next up is  
23 consideration to request riverboat  
24 staffing amendment to Hollywood Casino  
25 of Baton Rouge. Good morning, everyone.

1 MR. TYLER: Chairman Hall, Board  
2 Members, I'm Assistant Attorney General,  
3 Mike Tyler. This morning I'm joined by  
4 John Francic of the American Bureau of  
5 Shipping Consultants, also known as  
6 ABSC, as well as Trooper Benny Taylor  
7 for State Police. We come before you in  
8 the matter of the consideration of the  
9 riverboat staffing issues as requested  
10 by Hollywood Casino Baton Rouge.

11 On or about November 2nd, 2012,  
12 Hollywood Casino Baton Rouge submitted a  
13 formal request to ABSC to reconfigure  
14 its marine staffing arrangements. For  
15 more on this request and the findings of  
16 ABSC, I now turn this matter over to  
17 John Francic of ABSC.

18 MR. FRANCIC: John Francic with ABSC  
19 to present Hollywood Casino Baton  
20 Rouge's alternative manning for the  
21 dockside gaming riverboat Casino Rouge.

22 The process started in November 2012  
23 when Hollywood Casino Baton Rouge  
24 submitted their request for alternative  
25 manning. Walt Hanson from our staff

1 began to evaluate the request and was at  
2 Hollywood Casino to present finished

3 product.  
4 Walt Hanson made a site visit to the  
5 casino to make sure the written  
6 procedures was practical for the casino.  
7 He closely evaluated the job  
8 descriptions, the training plan,  
9 hazardous events and safeguards that are  
10 in place. This is summarized in  
11 attachments A, B, C and D. Some of the  
12 safeguards were to make sure that there  
13 were not just one, but two barges up  
14 river from the casino to deflect any  
15 barges up river, restrict patrons'  
16 accessibility to the outside decks.

17 But as always, this is a working  
18 document. Our annual and semi-annual  
19 examinations will continuously evaluate  
20 the procedures, check the training and  
21 conduct drills. We'll collectively make  
22 improvements where be necessary.

23 It is recommended that ABSC -- by  
24 ABSC that these alternative manning be  
25 approved.

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1 MR. TYLER: Before we turn it over  
2 to the Board, Trooper Benny Taylor would  
3 like to say a couple of things.

4 SENIOR TROOPER TAYLOR: Good  
5 morning, Chairman Hall and Members of

6 the Board. I'm Senior Trooper Benny  
7 Taylor with Louisiana State Police  
8 Gaming Enforcement Division, Baton  
9 Rouge. I was assigned to review the  
10 staffing request by Hollywood Casino  
11 Baton Rouge, a permanently moored  
12 riverboat.

13 COURT REPORTER: Can you pull the  
14 mike a little closer, sir.

15 SENIOR TROOPER TAYLOR: I was  
16 concerned with the request that the  
17 additional deflectional barge that was  
18 put in place as recommended by ABSC, and  
19 the new staffing would weaken any of the  
20 vessels' security requirements; and if  
21 Hollywood Casino arranged the memorandum  
22 of understanding or letter of intent  
23 between them and a tugboat operator  
24 providing maritime services.

25 Hollywood addressed these issues by

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1 adding the additional deflection barge,  
2 demonstrating to the Division that the  
3 security requirements would not be  
4 affected by the new staffing, and  
5 established the letter of intent with  
6 Baton Rouge Harbor Services,  
7 Incorporated, for potential tow  
8 services.

9           The Division agrees with ABSC's  
10          opinion that the riverboat staff  
11          provides an adequate organization to  
12          maintain the reliability for safety  
13          equipment associated with a permanently  
14          moored riverboat and the performance of  
15          routine and emergency duties to  
16          safeguard the public and employees  
17          aboard it. We also agree with the  
18          recommendation to approve the designated  
19          riverboat staff for Hollywood Casino  
20          Baton Rouge.

21          CHAIRMAN HALL: Thank you. I have a  
22          couple of questions, if you would, just  
23          for the record. Number one, are we  
24          following, as we've done in the past  
25          with a few of these, generally the same

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1          titles and types of bills [phonetic] of  
2          station?

3          MR. FRANCIC: Yeah. We're following  
4          the same procedures. I think on this we  
5          kind of -- because we used  
6          superintendent of the last few  
7          riverboats, the -- this one's more  
8          practical, as Captain Watts will  
9          gradually use the license. We asked in  
10          the job description that it was more  
11          practical as a riverboat captain to

12 maintain this in the job descriptions  
13 for this.

14 CHAIRMAN HALL: Do we know the last  
15 time that riverboat actually cruised?  
16 Do we have any idea?

17 SENIOR TROOPER TAYLOR: No, sir.

18 CHAIRMAN HALL: Do you know,  
19 Mr. Duty?

20 MR. DUTY: 2001.

21 CHAIRMAN HALL: 2001 was the last  
22 time?

23 MR. DUTY: Cruising became illegal  
24 with patrons aboard April 1st, 2001.

25 CHAIRMAN HALL: Shelley, were you

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1 able to get that since we didn't have  
2 the microphone on him?

3 COURT REPORTER: Yes.

4 CHAIRMAN HALL: And the other  
5 question is: Do you have any idea if  
6 they were to attempt to cruise or move  
7 that vessel, how long it would take with  
8 current manning crew even to --

9 MR. FRANCIC: If they were to move  
10 the vessel at any time, of course there  
11 would be no patrons onboard if they  
12 attempted to move it, and they would  
13 have to get a licensed crew onboard --  
14 active license. If the captain does not

15 currently hold an active license, they  
16 would have to get an active license to  
17 move the vessel.

18 CHAIRMAN HALL: All right. I'm  
19 talking about under current staffing  
20 before this is approved if they were  
21 today to attempt to move that vessel,  
22 some kind of an estimate of time span it  
23 would take to be able to do that.

24 MR. FRANCIC: Right now if they were  
25 to move it, the current crew onboard --

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1 they maintain the crew that has a  
2 license onboard.

3 CHAIRMAN HALL: Right.

4 MR. FRANCIC: So, you know, until  
5 the license expired or are no longer  
6 active, they'd still be able to move the  
7 vessel as is right now. So, you know,  
8 without knowing, you know, if any of  
9 those licenses would expire from that  
10 period of time, today they could move  
11 that vessel if they needed to.

12 CHAIRMAN HALL: Right. And I guess  
13 what I'm asking you is: Would it take  
14 eight hours to get underway, ten hours  
15 to get underway?

16 MR. FRANCIC: That's hard to say.  
17 It depends how quick they move to get

18 the engines engaged and everything else  
19 is working, so normally it would be  
20 about four hours before they can get,  
21 you know, engines warmed up and, you  
22 know, start moving, because it's a cold  
23 start. The engines are not active right  
24 now.

25 CHAIRMAN HALL: All right. So four

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1 hours would be a minimum on that.

2 MR. FRANCIC: I would say.

3 CHAIRMAN HALL: All right. Very  
4 good. I just wanted that for the  
5 record. That's the reason for that  
6 question. Any other questions?

7 Mr. Stipe.

8 MR. STIPE: Your recommendation  
9 assumes the pilothouse will remain  
10 continually manned, correct?

11 MR. FRANCIC: Correct. Yes.

12 MR. STIPE: Your recommendation  
13 assumes that there will be two barges  
14 placed upstream as a reflection barrier.

15 MR. FRANCIC: Correct. Yes. That  
16 was because of an Army Corps'  
17 recommendation that they have those two  
18 up there.

19 MR. STIPE: They're currently there.

20 MR. FRANCIC: Yes.

21 MR. STIPE: You're satisfied that  
22 they're properly positioned and will  
23 serve the position of assisting patron  
24 safety?

25 MR. FRANCIC: The barges are just  
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1 basically to deflect any type of, you  
2 know, fleeting area, other barges coming  
3 down there to prevent them from actually  
4 hitting the riverboat.

5 MR. STIPE: And you're satisfied  
6 they'll serve that purpose and provide  
7 that safety?

8 MR. FRANCIC: Yes.

9 MR. STIPE: And in terms of the  
10 method of lining up the tugboat operator  
11 that kind of -- I'm seeing  
12 correspondence. Is that the normal  
13 method of kind of lining up tugboat  
14 operators if there should need be an  
15 emergent -- if this should need to be  
16 used? If their services should need to  
17 be used, is this the normal method of  
18 putting that contingency in place?

19 MR. FRANCIC: Well, when we asked  
20 them if they had any type of alternative  
21 means to, you know, assist if the vessel  
22 would break away for whatever reason  
23 that may be, they made that agreement

24 with them, so it's -- you know, it's  
25 always been the locator right below the

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1 riverboat, and so it was just a normal  
2 agreement in case they needed anything,  
3 that they would come to their  
4 assistance.

5 MR. STIPE: And you're comfortable  
6 that's what they've got documented and  
7 what they've submitted is sufficient to  
8 address the continuance?

9 MR. FRANCIC: Yes. They drafted a  
10 memorandum stating that in case of any  
11 type of emergency that would need their  
12 assistance, they would be available.

13 MR. STIPE: And your recommendation  
14 is that we approve this variance?

15 MR. FRANCIC: Yes.

16 CHAIRMAN HALL: Miss Rogers.

17 MS. ROGERS: I'm not even sure you  
18 could answer this question, but are  
19 those changes relative to economics,  
20 profit?

21 MR. FRANCIC: The changes? No.

22 MS. ROGERS: Because you're reducing  
23 the crew.

24 MR. FRANCIC: We really haven't  
25 really reduced much of the crew other

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1 than the license issue, because we made  
2 sure that their experience -- they have  
3 a captain in charge that has at least  
4 five years of experience to be in that  
5 position. So because of the situation  
6 where the licensed captain cannot accrue  
7 sea time or whatever and he cannot renew  
8 his license, he has that previous  
9 experience so he can stay onboard there  
10 without having to renew his license if  
11 he choose not to do that. So we're  
12 looking at the experience factor more  
13 than the license because that's the main  
14 issue of why we're going this route.

15 MS. ROGERS: But you do agree that  
16 there is a reduction in the number of  
17 people hired.

18 MR. FRANCIC: I think it's more of  
19 an improvement what we've done, very  
20 much so. Walt Hanson of my staff, he  
21 goes through every little detail. He  
22 goes on-site and looks at their job  
23 descriptions, makes sure the training  
24 plan's in there, so I think we've really  
25 improved the whole process more than

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1 anything.

2 MS. ROGERS: So it's more -- okay.

3 It's not economically --

4 MR. FRANCIC: Not the way we look at  
5 it, no.

6 MS. ROGERS: Okay. Thank you.

7 CHAIRMAN HALL: Miss Noonan.

8 MS. NOONAN: I have a question in  
9 reference to the licensing, and you said  
10 that the captain, is that correct, will  
11 no longer be required to have a current  
12 license?

13 MR. FRANCIC: Correct.

14 MS. NOONAN: And do you have  
15 anything in place? Since things do  
16 change, will procedures change where  
17 these captains will have to be -- will  
18 they have any type of training, I guess,  
19 if there are any changes in maritime  
20 law? I mean, do you have any  
21 contingency for that to continue  
22 training for these guys because they're  
23 not getting licensed?

24 MR. FRANCIC: Well, there's always  
25 training onboard. The vessel's always

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1 going to be -- you know, if there's any  
2 new type of regulations that come up  
3 that they'll have to comply with, the  
4 captain, of course, we'll make sure that  
5 it gets updated with all this stuff.  
6 But they're continuously training the

7 crew, and that's the way we have it in  
8 place.

9 MS. NOONAN: Okay. So you have no  
10 concerns because these captains will no  
11 longer require licenses? You guys feel  
12 that this is enough with his experience  
13 to maintain --

14 MR. FRANCIC: It is.

15 MS. NOONAN: -- anything, any type  
16 of emergency?

17 MR. FRANCIC: Correct. Yes.

18 MS. NOONAN: Thank you.

19 CHAIRMAN HALL: Mr. Stipe.

20 MR. STIPE: Yeah. Let me go back to  
21 this because I think I asked a bad  
22 question. With request to these tugboat  
23 services, there's no master service  
24 agreement, contract, memorandum of  
25 understanding in place. They simply

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1 have a service lined up that they  
2 provided to you-all in terms of the name  
3 of a vendor.

4 MR. FRANCIC: Yeah. There's no  
5 contract, but what they've given us is a  
6 memorandum of understanding that in case  
7 of any type of emergency, that they  
8 would be available to assist and help  
9 them out.

10 CHAIRMAN HALL: And that's executed  
11 between the tow company and the vessel.

12 MR. FRANCIC: Yes.

13 MR. STIPE: All right. So -- okay.  
14 All right. And that's the normal course  
15 of preparing for these contingencies?

16 MR. FRANCIC: Yeah. Previous, when  
17 we were evaluating and we just had the  
18 verbal that they had an agreement with  
19 them, we just went back and said, could  
20 we have more than just a written  
21 memorandum of understanding. So there's  
22 no contract involved. It's just, hey,  
23 they're going to be there in case of  
24 emergency for them.

25 MR. STIPE: All right. Thank you.

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1 CHAIRMAN HALL: Do we have any other  
2 questions? [No response.] All right.  
3 Being that they're not -- again, I'd  
4 like -- because we need specific  
5 language, if it's okay, I'd like to make  
6 the motion, and the motion would be to  
7 accept ABSC's recommendation for  
8 riverboat staffing for Hollywood Casino  
9 Baton Rouge riverboat gaming vessel  
10 which will be incorporated into the  
11 Certificate of Compliance is the motion  
12 that is before us. I make that motion.

13 Do I have a second?

14 MR. SINGLETON: [Motions.]

15 CHAIRMAN HALL: Seconded by  
16 Mr. Singleton. Is there any opposition  
17 to the motion? Hearing none, the motion  
18 carries, and the amendment to the  
19 staffing recommendations have been  
20 adopted.

21 MR. TYLER: Thank you.

22 CHAIRMAN HALL: Thank you.

23 D. Consideration of request for release of 50% of  
24 escrow funds by Bossier City Venture, Inc.,  
25 d/b/a Margaritaville Casino - No. R011000841

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1 CHAIRMAN HALL: Next up you have  
2 consideration for release of 50 percent  
3 of the escrow funds by Bossier City  
4 Venture, Inc., doing business as  
5 Margaritaville Casino.

6 MS. HARKINS: Good morning,  
7 Mr. Chairman. My name is Deborah  
8 Harkins with McGlinchey Stafford. I'm  
9 here on behalf of Bossier Casino  
10 Venture, Inc., doing business as  
11 Margaritaville Casino.

12 We are here to petition the Board  
13 related to release of 50 percent of the  
14 escrow funds being held presently by  
15 Wells Fargo. Section 18 of the

16 conditions that we had mandated an  
17 initial escrow amend of \$1 million  
18 within 60 days of certification of the  
19 local referendum. That amount was  
20 deposited in the account of Wells Fargo  
21 on January 27th, 2012.

22 Those conditions also provided that  
23 the licensee shall be allowed to draw  
24 down 50 percent of the initial escrow  
25 amount upon certification to the

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1 Louisiana Gaming Control Board that  
2 construction is 50 percent complete.

3 We attached in a part of your packet  
4 a letter from our CEO, Paul Alanis,  
5 certifying that the construction has  
6 reached a 68.5 percent level of  
7 completion. We've also attached a  
8 certification from Roy Anderson  
9 Corporation, our general contractor,  
10 certifying that as of December 31st,  
11 2012, total construction is 68.5 percent  
12 complete. Those attachments should be  
13 part of your packet.

14 I have with me a representative from  
15 Roy Anderson Corporation in the event  
16 you have any questions regarding that  
17 certification, and otherwise, we --  
18 based on these facts and the attachments

19 that you have in your packet, we would  
20 ask that you grant our petition and  
21 allow for release of the 50 percent of  
22 the escrow amount presently being held.

23 CHAIRMAN HALL: Do you have any  
24 questions? [No response.] No?  
25 Miss Tramonte, could I get you to read

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1 the resolution, and I'll put it before  
2 the Board for a vote.

3 THE CLERK: On the 21st day of  
4 February 2013, the Louisiana Gaming  
5 Control Board did, in a duly noticed  
6 public meeting, consider Bossier Casino  
7 Venture, Inc.'s, petition for release of  
8 50 percent escrow funds. Condition 18  
9 of the Statement of Conditions to  
10 riverboat gaming license and the  
11 certification of the general contractor  
12 of the approved project, a copy of which  
13 is attached hereto, and upon motion duly  
14 made and second, the Board adopted the  
15 following resolution.

16 Be it resolved that disbursement of  
17 50 percent of the initial escrow amount  
18 to Bossier Casino Venture, Incorporated,  
19 is hereby approved. Thus done and  
20 signed in Baton Rouge, Louisiana, this  
21 21st day of February, 2013.

22 CHAIRMAN HALL: Do I have a motion?

23 MAJOR MERCER: I move approval --  
24 adoption.

25 MR. BRADFORD: Second.

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1 CHAIRMAN HALL: Seconded by  
2 Mr. Bradford. Motion by Mr. Mercer --  
3 Major Mercer. Is there any objection to  
4 the motion to approve the release of  
5 50 percent of the escrow funds as placed  
6 before the Board? Hearing none, the  
7 motion is approved, and we'll do it.

8 MS. HARKINS: Thank you,  
9 Mr. Chairman. We'll get with Miss  
10 Tramonte and get the resolution. We  
11 appreciate it.

12 IV. APPEAL FROM HEARING OFFICER'S DECISION

13 1. In Re: Roosevelt Hotel Bar, Ltd., d/b/a  
14 Roosevelt Hotel Bar - No. 3601110614

15 CHAIRMAN HALL: Thank you. I think  
16 we have one item left, and it is an  
17 appeal from the hearing officer's  
18 decision for the Roosevelt Hotel Bar  
19 doing business as the Roosevelt Hotel  
20 Bar. Good morning, and it's still  
21 morning. The clock up here is an hour  
22 off, so I want to make sure I was still  
23 on morning.

24 MS. BROWN: I'm Mesa Brown,

25 Assistant Attorney General, appearing on

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1 behalf of the Division in the matter of

2 In Re: Roosevelt Hotel Bar, Ltd., d/b/a

3 Roosevelt Hotel Bar, video gaming

4 license number 3601110614.

5 MR. GERNHAUSER: Good morning,

6 Chairman, Ladies and Gentlemen of the

7 Board. My name is David Gernhauser, Jr.

8 I'm appearing on behalf of the Roosevelt

9 Hotel Bar, and I'm accompanied by the

10 principal owner, Mr. Friedman, who is

11 sitting here to Miss Mesa Brown's right.

12 Mr. Chairman, after exploring this

13 with my client -- I was recently

14 retained following his license being

15 recommended for suspension by the

16 hearing officer. After speaking with

17 the Attorney General's Office, at this

18 time I would make a motion that this

19 matter be remanded down to the hearing

20 officer so that more evidence can be

21 obtained and submitted on behalf of

22 Mr. Friedman on behalf of the Roosevelt

23 Hotel Bar.

24 CHAIRMAN HALL: Just a moment.

25 Y'all can go ahead. I'm looking for

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1 something in particular.

2 MS. BROWN: May I say something,  
3 please?

4 CHAIRMAN HALL: Yes, you may.  
5 Please add something since we have a  
6 motion from the --

7 MS. BROWN: Thank you. The Division  
8 is of the position that the hearing  
9 officer was correct in revoking the  
10 licensee's license due to the fact that  
11 the 100 percent owner of the licensee  
12 was delinquent in the payment and of  
13 filing of Louisiana taxes; however, the  
14 licensee has since retained counsel, and  
15 his attorney would like the opportunity  
16 to present additional evidence at the  
17 administrative hearing. So the Division  
18 does not oppose the remanding of this  
19 matter to the hearing office.

20 CHAIRMAN HALL: Do you have any  
21 other discussion? There's one thing I'd  
22 like to correct. As far as, you know,  
23 Mr. Friedman, I understand did not have  
24 an opportunity to present his evidence  
25 of his tax clearance and have it

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1 introduced into the record, but that's  
2 primarily because he didn't attend the  
3 hearing. It's not because he wasn't  
4 provided an opportunity. And if he had

5       been at the hearing, someone could have  
6       presented evidence to support  
7       Mr. Friedman's position. It's not that  
8       he was denied an opportunity. I want  
9       that clear in the record.

10       I have no issue with remanding it.

11       I do have a question, though. How long  
12       has this been ongoing from the  
13       beginning? It's in the record.

14       MR. GERNHAUSER: It's my  
15       understanding this was May of 2011 might  
16       have been the first instance when State  
17       Police indicated to Mr. Friedman that he  
18       needed to get this matter resolved, and  
19       then may I add? He has been actively  
20       pursuing the same.

21       This is somewhat of a complicated  
22       relationship with LDR who has been  
23       involved in numerous enterprises over  
24       the years, and I believe it's some of  
25       these. These are not connected to the

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1       Roosevelt Hotel Bar, but they are  
2       surfacing in the matter of getting the  
3       tax clearance.

4       CHAIRMAN HALL: I think that's  
5       presented fairly well in the record, and  
6       I realize there's been some confusion  
7       here that has caused him from being able

8 to get his clearance in a timely manner.

9 Would that be a correct statement?

10 MR. GERNHAUSER: Yes, sir. That's  
11 why we're asking for the remand so that  
12 he may eventually clear this up with the  
13 LDR, hopefully in time before the next  
14 hearing, to get this clearance letter  
15 from the LDR and render the matter moot.

16 CHAIRMAN HALL: Yes, sir.

17 Mr. Bradford.

18 MR. BRADFORD: You had stated --  
19 David, was that your name?

20 MR. GERNHAUSER: Yes, sir, that's  
21 correct.

22 MR. BRADFORD: You initially stated  
23 that you felt like this was -- had  
24 been -- that the license had been  
25 requested for suspension, but revocation

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1 is what we're here for today?

2 MR. GERNHAUSER: It's my  
3 understanding -- forgive me. That's a  
4 term of art that I switched there.

5 MR. BRADFORD: Right.

6 MR. GERNHAUSER: Yes, sir,  
7 revocation is what the hearing officer  
8 recommended.

9 MR. BRADFORD: I have no problem  
10 with remanding this back to the hearing

11 officer; however, I'd like to know your  
12 position today because all we're going  
13 to give you is 30 days. Can y'all clear  
14 this up in 30 days? Because your  
15 license is going to be revoked in 30  
16 days if you can't get it cleared up.

17 MR. GERNHAUSER: If the Board were  
18 able to extend any time greater than  
19 that, though, it will be greatly  
20 appreciated. I think 30 days would be  
21 the lower limit of time that we would  
22 need. If there's any more time  
23 available, I would ask for that.

24 MR. BRADFORD: Well, we have to try  
25 to treat everybody the same, and we have

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1 thousands of people that we deal with.  
2 So it's kind of got us in a box, you  
3 know, but I don't know. I don't have --  
4 Trudy, do you have a problem extending  
5 that? You want to make it 60?

6 MS. SMITH: It's up to y'all.

7 MR. BRADFORD: It's a remand, but I  
8 guess he would get back before the  
9 hearing office within 30 days; is that  
10 right?

11 CHAIRMAN HALL: I think part of the  
12 issue, and one of the things we ought to  
13 look at is, I mean, it's been ongoing

14 since May of 2011. It's not like it's a  
15 brand-new issue that's only surfaced  
16 today. We're in 2013. We're almost to  
17 the two-year point to where this began.  
18 I'm not so sure that some type of fine  
19 is not warranted in addition to a  
20 timeline to resolve this issue, because  
21 I think it could have been resolved in  
22 less than two years.

23 MS. BROWN: Well, if the matter is  
24 remanded back to the hearing office,  
25 State Police would definitely entertain

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1 the possibility of converting the  
2 revocation to an administrative action  
3 where a civil penalty would be sought  
4 for failure to remain timely in the  
5 payment and filing of taxes.

6 CHAIRMAN HALL: Okay. Thank you.  
7 Do we want to put a timeline? Is  
8 that --

9 MR. STIPE: I would just move to  
10 remand it, and my thought is just remand  
11 it and let the administrative officer  
12 schedule it whenever he schedules it and  
13 let the parties try and work it out.

14 CHAIRMAN HALL: I'm sorry. I'm  
15 getting a signal that I'm not doing my  
16 job very good. Okay. Let me press your

17 button over here, Mr. Stipe.

18 MR. STIPE: I mean, my suggestion  
19 would be just to simply remand it and  
20 let the parties try and work it out and  
21 let the administrative officer schedule  
22 it in accordance with normal procedure.  
23 It sounds like they'll be able to work  
24 it out. If they can't, it will come  
25 back up to us, and we'll all really be

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1 aggravated.

2 MR. SINGLETON: I second it.

3 CHAIRMAN HALL: We have a motion and  
4 second. Do we have any opposition?  
5 Hearing none, it's remanded, and it's  
6 just remanded, so you have more than  
7 your 30 days, if that's necessary.

8 MR. GERNHAUSER: Thank you.

9 Mr. Chairman.

10 V. ADJOURNMENT

11 CHAIRMAN HALL: Is there any other  
12 business to be had today?

13 MR. SINGLETON: I move we adjourn,  
14 Your Honor.

15 CHAIRMAN HALL: Move we adjourn.

16 MS. NOONAN: I second.

17 CHAIRMAN HALL: Seconded by  
18 Miss Noonan. Thank y'all for coming. I  
19 appreciate you greatly.

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1 REPORTER'S PAGE

2

3 I, SHELLEY PAROLA, Certified Shorthand  
4 Reporter, in and for the State of Louisiana, the  
5 officer before whom this sworn testimony was  
6 taken, do hereby state:

7 That due to the spontaneous discourse of this  
8 proceeding, where necessary, dashes (--) have been  
9 used to indicate pauses, changes in thought,  
10 and/or talkovers; that same is the proper method  
11 for a Court Reporter's transcription of a  
12 proceeding, and that dashes (--) do not indicate  
13 that words or phrases have been left out of this  
14 transcript;

15 That any words and/or names which could not  
16 be verified through reference materials have been  
17 denoted with the word "(phonetic)."

18  
19  
20  
21  
22

23

24 SHELLEY PAROLA

Certified Court Reporter #96001

25 Registered Professional Reporter

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1 I, Shelley G. Parola, Certified Court Reporter in  
2 and for the State of Louisiana, Certificate No.  
3 96001, as the officer before whom this hearing was  
4 taken, do hereby certify that upon the authority  
5 of R.S. 37:2554, on February 21, 2013, the hearing  
6 as hereinbefore set forth in the foregoing 84  
7 pages; that this hearing was reported by me in the  
8 Stenotype reporting method, was prepared and  
9 transcribed by me or under my personal direction  
10 and supervision, and is a true and correct  
11 transcript to the best of my ability and  
12 understanding; that the transcript has been  
13 prepared in compliance with transcript format  
14 guidelines required by statute or by rules of the  
15 board, that I have acted in compliance with the  
16 prohibition on contractual relationships, as  
17 defined by Louisiana Code of Civil Procedure  
18 Article 1434 and in rules and advisory opinions of  
19 the board; that I am not related to counsel or to  
20 the parties herein, nor am I otherwise interested  
21 in the outcome of this matter. Baton Rouge,  
22 Louisiana, this 22nd day of March, 2013.

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SHELLEY G. PAROLA, CCR, RPR