



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

**IN RE: THYSSENKRUPP ELEVATOR CORPORATION
NO. P080901592**

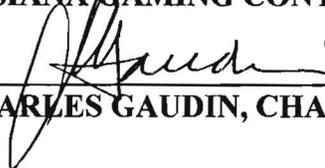
ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of June 20, 2006. The Hearing Officer's order dated May 10, 2006, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Suspension and Penalty," by and between Thyssenkrupp Elevator Corporation, No. P080901592, and the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, which is attached hereto and incorporated herein, is **APPROVED**.

THUS DONE AND SIGNED on this the 20 day of June, 2006.

LOUISIANA GAMING CONTROL BOARD

BY:



H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 21st DAY
OF June, 2006
APPEAL DOCKET CLERK


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

Respectfully submitted,

THYSSENKRUPP ELEVATOR CORPORATION

CHARLES C. FOTI, JR.,
ATTORNEY GENERAL

By: 

By: 

William Bell
1641 Barton Drive, Suite A
Shreveport, Louisiana 71107
Telephone: (318) 674-8096
Facsimile: (318) 674-9728
*Representative for ThyssenKrupp
Elevator Corporation*

Gail C. Holland, Bar Roll #23783
Assistant Attorney General
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (225) 326-6100
Facsimile: (225) 326-6519
Counsel for the Office of State Police

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

IN RE: THYSSENKRUPP ELEVATOR CORPORATION NO. P080901592

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter the "Division") and ThyssenKrupp Elevator Corporation (hereinafter "Permittee") do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Suspension and Penalty to Permittee alleging certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by the said Notice of Recommendation of Suspension and Penalty are set for hearing on May 10, 2006, before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the Division and Permittee 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 Suspension and Penalty;

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

STIPULATIONS

1. On or about March 8, 2005, the Division issued an Annual Affidavit form to Permittee. Permittee was to submit the Annual Affidavit and annual fee by June 2, 2005, which represents its permit anniversary date.

2. On or about June 28, 2005, the Division received the Annual Affidavit and annual fee from Permittee.
3. On or about June 29, 2005, the Division returned the Annual Affidavit and annual fee due to the form not being properly notarized, which was received by Permittee on July 5, 2005, as evidenced by certified mail receipt.
4. On or about August 9, 2005, the Division contacted Permittee regarding the return of the Annual Affidavit and annual fee. The Division contacted Permittee again on November 11, 2005.
5. As of January 20, 2006, Permittee had not submitted the Annual Affidavit and the annual fee to the Division.
6. On March 6, 2006, the Louisiana Gaming Control Board issued a Notice of Recommendation of Suspension and Penalty alleging certain violations of Louisiana Gaming Control Law.
7. On or about May 8, 2006, the Division received the Annual Affidavit and annual fee from Permittee.

TERMS AND CONDITIONS

1. Permittee acknowledges that La. R.S. 27:29.I and 29:29.3F mandate a permittee to pay an annual fee by its anniversary date.
2. Permittee did not provide the Annual Affidavit and annual fee until May 8, 2006.
3. In lieu of suspension of the Permittee's non-gaming supplier permit, Permittee agrees to pay the Division a penalty of \$62.50 pursuant to La. R.S. 27:29.5(c) and a \$500.00 civil penalty, for an aggregate and complete sum of FIVE HUNDRED SIXTY-TWO AND NO/100 (\$562.00) DOLLARS.

4. The Division hereby agrees to accept Permittee's payment of the above stated amount in full and final settlement of this Notice of Recommendation of Suspension and Penalty.

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

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

7. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana Gaming Control Board for its determination as to whether to approve same or to remand the matter to the Hearing Officer for a full hearing on the merits. Failure to pay FIVE HUNDRED SIXTY-TWO AND NO/100 (\$562.00) DOLLARS within fifteen (15) days of approval of this settlement shall result in the immediate suspension of Permittee's license.

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



WILLIAM BELL, Duly Authorized Representative
of ThyssenKrupp Elevator Corporation

Gail C. Holland, AAG on behalf of
State of Louisiana
Department of Public Safety & Corrections,
Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: THYSSENKRUPP ELEVATOR CORPORATION

NO P080901992

ORDER

BE IT REMEMBERED that on the 10th day of May, 2006, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared by and through their respective attorneys of record and the Hearing Officer having considered the pleadings on file, the proposed Settlement Agreement, and the said Motion, and it appearing to the Hearing Officer that the said Compromise and Settlement Agreement should be approved; it is, therefore,

ORDERED, ADJUDGED, AND DECREED that the Compromise and Settlement Agreement attached to the parties' Joint Motion for Approval of Compromise and Settlement Agreement be, and the same is hereby, APPROVED.

SIGNED AND ENTERED this 10th day of May, 2006, in Baton Rouge, Louisiana.



WILLIAM H. BROWN
HEARING OFFICER

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 18th DAY
May 19 2006
Jill Damm
SECRET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: William Beft
Cecil Halland
Sgt. Leland Talen

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 5/18/06

Jill Damm
BY: CLERK