



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

**IN RE: BOYD RACING LLC D/B/A
DELTA DOWNS RACETRACK AND CASINO
NO. T011002086**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of August 15, 2006. The Hearing Officer's order dated July 20, 2006, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," by and between Boyd Racing LLC d/b/a Delta Downs Racetrack and Casino, No. T011002086, 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 15 day of August, 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 15 DAY
OF August, 2006
APPEAL DOCKET CLERK


STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

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LGCB
ADMINISTRATIVE HEARING OFFICE

**IN RE: BOYD RACING LLC
D/B/A DELTA DOWNS RACETRACK AND CASINO**

NO. T011002086

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter the "Division") and Boyd Racing, LLC d/b/a Delta Downs Racetrack and Casino (hereinafter "Delta Downs") do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to Delta Downs alleging certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by the said Notice of Recommendation of Administrative Action are set for hearing on July 27, 2006, before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the Division and Delta Downs are desirous of fully and finally compromising and settling all issues and disputes arising out of and in connection with the said Notice of Recommendation of Administrative Action;

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

STIPULATIONS

1. On or about March 7, 2005, Division agents sent an advisory notice to Delta Downs informing that casino advertising billboards must post the "1-800 Problem Gambling" hotline number (the "Hotline Number").



2. On April 15, 2005, the Division began enforcing the Advisory Notice. On April 22, 2005, a Division agent traveled to the following Delta Downs billboard locations and determined that the Hotline Number was shown on the billboards. The Division agent determined that the Hotline Number was not posted in a manner such that a reasonable man could read it at normal highway speeds:

- a) I-10 milepost, 28;
- b) North of LA 109/US 90 northbound on LA 109;
- c) LA 109 southbound south of interstate 10 at the eastbound on-ramp;

On May 24, 2006, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to Delta Downs alleging certain violations of Louisiana Gaming Control Law.

TERMS AND CONDITIONS

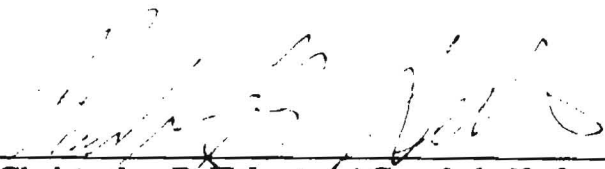
1. Delta Downs agrees to pay to the Division the aggregate and complete sum of **ONE THOUSAND FIVE HUNDRED AND NO/100 (\$1,500.00) DOLLARS.**
2. The Division hereby agrees to accept Delta Down's payment of the above stated amount in full and final settlement of this Notice of Recommendation of Administrative Action.
3. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.
4. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Delta Downs, pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.
5. 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 ONE THOUSAND FIVE HUNDRED AND NO/100 (\$1,500.00) DOLLARS within fifteen (15) days of approval of this settlement shall result in the immediate suspension of Delta Down's license.

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



Paul West, Duly Authorized Representative
of Boyd Racing, LLC d/b/a Delta Downs Racetrack and Casino



**Christopher B. Hebert, 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: BOYD RACING LLC,
D/B/A Delta Downs Racetrack and Casino**

NO. T011002086

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

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

COME NOW State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter the "Division") and BOYD RACING, LLC D/B/A Delta Downs Racetrack and Casino (hereinafter "Delta Downs"), who file this Joint Motion for Approval of Compromise and Settlement Agreement, and in support thereof would respectively show unto the Hearing Officer as follows:

1.

The Division and Delta Downs are desirous of compromising and settling all disputes between them relative to the referenced administrative proceeding. In connection therewith, the parties have entered into a compromise and settlement agreement which by its terms will become effective upon approval by the Administrative Hearing Office and the Louisiana Gaming Control Board.

2.

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

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

Respectfully submitted,

**BOYD RACING, LLC
D/B/A DELTA DOWNS
RACETRACK AND CASINO**

By: 

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**CHARLES C. FOTI, JR.,
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By: 

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Counsel for the Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: **BOYD RACING, LLC**
D/B/A Delta Downs Racetrack and Casino

NO. T011002086

ORDER

BE IT REMEMBERED that on this 20 day of July, 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 20 day of July, 2006, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
THIS 20 DAY OF JULY 2006
Jeff D'Amore
CLERK, ADMINISTRATIVE HEARING OFFICE
cc: Paul West
Christopher Hebert
Sgt. Jeff Watts

Joseph Anzalone, Jr.
JOSEPH ANZALONE, JR.
HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 11/2/06

Jeff D'Amore
BY: CLERK