



State of Louisiana
Gaming Control Board

JOHN BEL EDWARDS
GOVERNOR

RONNIE JONES
CHAIRMAN

**IN RE: PNK (BATON ROUGE) PARTNERSHIP D/B/A
L'AUBERGE CASINO & HOTEL BATON ROUGE
LICENSE NO. R011000801
SAR# 16-1-38-123-2663
SAR# 16-1-38-124-2664
CONSOLIDATED**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of October 20, 2016. The Hearing Officer's order dated September 20, 2016, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the two "Notices of Violation and Penalty", by and between PNK (Baton Rouge) Partnership d/b/a L'Auberge Casino & Hotel Baton Rouge, License No. R011000801, SAR# 16-1-38-123-2663, SAR# 16-1-38-124-2664, and the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, which is attached hereto and incorporated herein, is **APPROVED**.

THUS DONE AND SIGNED on this the 20th day of *October, 2016*.

LOUISIANA GAMING CONTROL BOARD

BY: _____

RONNIE JONES, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD

**I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON**

**ALL PARTIES THIS 21st DAY
OF October, 2016.**

APPEAL DOCKET CLERK

RECEIVED

By Geralyn at 12:28 pm, Sep 20, 2016

RECEIVED

SEP 15 2016

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

LGCB
ADMINISTRATIVE HEARING OFFICE

RE: PNK (BATON ROUGE) PARTNERSHIP
D/B/A L'AUBERGE CASINO & HOTEL
BATON ROUGE

SAR # 16-1-38-124-2664
SAR # 16-1-38-123-2663

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

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

NOW COME the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and PNK (Baton Rouge) Partnership d/b/a L'Auberge Casino & Hotel Baton Rouge (hereinafter "PNK (Baton Rouge)", 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 PNK (Baton Rouge) are desirous of compromising and settling all disputes between them relative to the above 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.

TRUE COPY
Handwritten signature
Representative
Louisiana Gaming Control Board

WHEREFORE, PREMISES CONSIDERED, the Division and PNK (Baton Rouge), respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

**PNK (BATON ROUGE), PARTNERSHIP
D/B/A L'AUBERGE BATON ROUGE**

**JEFF LANDRY,
ATTORNEY GENERAL**

By: 

Mickey Parenton
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General Manager
PNK (Baton Rouge) Partnership
d/b/a L'Auberge Casino & Hotel
Baton Rouge

By: 

Mesa T. Brown, Bar Roll #
Assistant Attorney General
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (225) 326-6500
Facsimile: (225) 326-6599
Counsel for the Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

EXHIBIT A

RE: PNK (BATON ROUGE) PARTNERSHIP
D/B/A L'AUBERGE CASINO & HOTEL
BATON ROUGE

SAR # 16-1-38-124-2664
SAR # 16-1-38-123-2663

CONSOLIDATED COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and PNK (Baton Rouge), Partnership d/b/a L'Auberge Casino & Hotel Baton Rouge (hereinafter "PNK (Baton Rouge)") do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued two Notices of Violation and Penalty to PNK (Baton Rouge) alleging certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by said Notices of Violation and Penalty arise from a related set of facts and an Order of Consolidation has been signed, and

WHEREAS, the issues raised by said Notices are set for hearing before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the Division and PNK (Baton Rouge) are desirous of fully and finally compromising and settling all issues and disputes arising out of and in connection with the said Notice of Violation and Penalty;

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

STIPULATIONS

1. On November 14, 2015, a nineteen year-old-male entered and walked onto the casino gaming floor.

2. Three security officers were posted at the casino's main entrance at the time that the 19-year-old entered the casino and none of the security officers asked for his identification.

3. The 19-year-old loitered, gamed, and purchased a bevcrage from a bar while inside of the casino. The above refercncccd incident gavn risc to SAR # 16-1-38-2663.

4. Also on November 14, 2015, in a related incident, an eighteen year-old male entered the gaming area of the casino twice without being asked for idcntification by security pcrrsonnel.

5. Three security officers were posted at the casino's entrancce both times that the 18-year-old gained access and failed to request his identification.

6. While inside of the casino, the eightccn-year-old loitered and gamed on two separate occasions. The above refercncccd incident gavn risc to SAR # 16-1-38-124-2664.

TERMS AND CONDITIONS

1. In lieu of Administrative Action of its Gaming License, PNK (Baton Rouge) will pay a civil penalty of TWENTY THOUSAND AND NO/100 (\$ 20,000) DOLLARS.

2. The Division hereby agrees to accept PNK (Baton Rouge) payment of the above stated penalty in full and final settlement of the Notice of Violation and Penalty.

3. The Division reserves the right to take into consideration these admitted violations in connection with any future investigation, violation or assessment of penalty and in connection with any future assessments of the suitability of PNK (Baton Rouge).

4. PNK (Baton Rouge) will develop, implement, and maintain an incentive program to encourage effective underage patron detection and deterrence.

5. PNK (Baton Rouge) has or will create ongoing training programs for new hires and current employees that meet defined goals for compliance attainment.

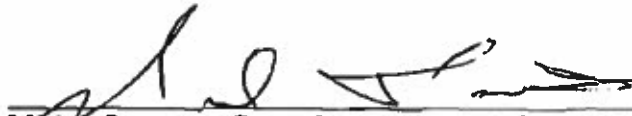
6. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

7. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and PNK (Baton Rouge), pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

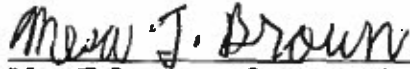
8. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana 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 the penalty within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board, and to comply with each term and condition listed herein, shall result in the immediate suspension of the PNK (Baton Rouge) license without the necessity of further administrative action, until such time as the penalty is paid in full.

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



**Mickey Parenton, General Manager, on behalf of PNK (Baton Rouge) Partnership
d/b/a L'Auberge Casino & Hotel Baton Rouge**



**Mesa T. Brown, 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

RE: **PNK (BATON ROUGE) PARTNERSHIP** SAR # 16-1-38-124-2664
D/B/A L'AUBERGE CASINO & HOTEL SAR # 16-1-38-123-2663
BATON ROUGE

ORDER

BE IT REMEMBERED that on the 20th day of September, 2016, 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**; that PNK (Baton Rouge) must pay Twenty Thousand and No/100 (\$20, 000.00) Dollars to the Division within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 20th day of September, 2016, in

Baton Rouge, Louisiana.
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE

I HEREBY CERTIFY THAT A CERTIFIED COPY HAS BEEN MAILED OR SERVED ON ALL PARTIES THIS 20th DAY

of September, 2016.
J. W. Farnsworth
DOCKET CLERK, ADMIN HEARING OFFICE

cc: L'Auberge Casino Baton Rouge
Mesa Brown
Sgt. Lionell Sibley

[Signature]
RICHARD REYNOLDS
HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 09/20/2016

J. W. Farnsworth
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE