



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

DANE K. MORGAN
CHAIRMAN

IN RE: EDWARD V. MONTGOMERY
NO. P040057370

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of October 20, 2011. The Hearing Officer's order dated October 10, 2011, 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 Edward V. Montgomery, No. P040057370, 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, 2011.

LOUISIANA GAMING CONTROL BOARD

BY:



DANE K. MORGAN, 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, 2011

APPEAL DOCKET CLERK



LGCB-1022-11-B

RECEIVED

By GERALYN COLEMAN at 3:16 pm, Oct 10, 2011

RECEIVED

OCT 10 2011

LGCB
ADMINISTRATIVE HEARING OFFICE

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: EDWARD V. MONTGOMERY

PERMIT NO. P040057370

JOINT MOTION FOR APPROVAL OF
COMPROMISE AND SETTLEMENT AGREEMENT

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

NOW COMES the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Edward V. Montgomery (hereinafter, "Permittee"), 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 Permittee are desirous of compromising and settling all disputes between them relative to this 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

Representative
Louisiana Gaming Control Board

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

Respectfully submitted,

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

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Edward V. Montgomery
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Shreveport, LA 71103
Telephone: 318-560-6123

By: Mesa T. Brown
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Assistant Attorney General
1885 North Third Street, 5th Floor
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Counsel for the Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: EDWARD V. MONTGOMERY

PERMIT NO. P040057370

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Edward V. Montgomery (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 Edward V. Montgomery, which Notice contains allegations of 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 October 10, 2011, 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 April 7, 2011, the Division received notification from the Internal Revenue Service that the Permittee was not current in the filing of his federal tax returns and/or the payment of all taxes owed.

2. By letter dated April 11, 2011, the Division notified the Permittee of his tax delinquency and that if the tax problem was not corrected within thirty (30) days, his permit would be recommended for revocation, suspension, and/or the imposition of a civil penalty.

3. The Permittee stipulates that he received notice of his tax delinquency from the Division.

4. The Permittee stipulates that he failed to remain current in the filing and/or payment of his federal taxes, as required by Louisiana Gaming Control Law.

5. The Division received the Permittee's federal tax clearance on August 24, 2011.

TERMS AND CONDITIONS

1. Within fifteen (15) days of the approval of this settlement by the Louisiana Gaming Control Board, the Permittee shall pay TWO HUNDRED FIFTY AND NO/100 (\$250.00) DOLLARS for the violations of La. R.S. 27:28(F), LAC 42:VII.2115(A), LAC 42:VII.2115(B)(1) and (2), LAC 42:XIII.2115(A), LAC 42:XIII.2115(B)(1) and (2) and LAC 42:XI.2131(A) and (B).

2. The Division hereby agrees that payment of a civil penalty of TWO HUNDRED FIFTY AND NO/100 (\$250.00) DOLLARS shall be in full and final settlement of all matters set forth in the Notice of Recommendation of Suspension and Penalty for the licensee's violations of La. R.S. 27:28(F), LAC 42:VII.2115(A), LAC 42:VII.2115(B)(1) and (2), LAC 42:XIII.2115(A), LAC 42:XIII.2115(B)(1) and (2) and LAC 42:XI.2131(A) and (B).

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

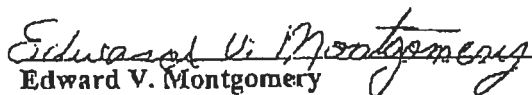
4. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and the Permittee pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

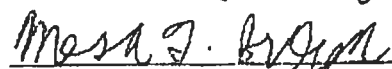
5. The Division reserves the right to take into consideration these admitted violations in connection with any future investigation, violation or assessment of penalty, and in connection with any future assessments of the Permittee's suitability.

6. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this 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.

7. If approved by the Louisiana Gaming Control Board, the Permittee must pay TWO HUNDRED FIFTY AND NO/100 (\$250.00) DOLLARS within fifteen (15) calendar days of such approval. Any failure to meet this requirement will result in immediate suspension of the gaming permit without the necessity of any further administrative action until such time as the penalty is paid in full.

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


Edward V. Montgomery


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

IN RE: EDWARD V. MONTGOMERY

PERMIT NO. P040057370

ORDER

BE IT REMEMBERED that on the 10th day of October, 2011, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, 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 the Permittee must pay TWO HUNDRED FIFTY AND NO/100 (\$250.00) DOLLARS to the Division within fifteen (15) days of the approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the permit of Edward V. Montgomery without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 10th day of October, 2011, in Baton Rouge, Louisiana.



RICHARD L. REYNOLDS
HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 10.10.11

Jill Dunge
BY: CLERK

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
PARTY ON THIS 10th DAY
October 2011
Jill Dunge
ADMINISTRATIVE HEARING OFFICE
cc: Edward V. Montgomery
Mesa Brown
Sgt. Koneil Subdy