



*State of Louisiana*  
*Gaming Control Board*

**IN RE: OTTO J. ZOLLER, III**  
**NO. P040057971**

**ORDER**


This matter was considered by the Louisiana Gaming Control Board at its meeting of March 15, 2012. The Hearing Officer's order dated March 7, 2012, 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 Otto J. Zoller, III, No. P040057971, 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<sup>th</sup> day of March, 2012.**

**LOUISIANA GAMING CONTROL BOARD**

BY:

  
\_\_\_\_\_

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 16<sup>th</sup> DAY  
OF March, 2012  
APPEAL DOCKET CLERK  


STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

RECEIVED

MAR 07 2012

LGCB  
ADMINISTRATIVE HEARING OFFICE

IN RE: OTTO J. ZOLLER, III

PERMIT NO: P040057971

JOINT MOTION FOR APPROVAL OF COMPROMISE AND  
SETTLEMENT AGREEMENT

RECEIVED  
MAR 7 2012  
BY:

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:


COME NOW the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and Otto J. Zoller, III (hereinafter "the Permittee") who file this, their 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 the Permittee 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 Officer and the Louisiana Gaming Control Board.

2.

A true and correct copy of the proposed Compromise and Settlement Agreement

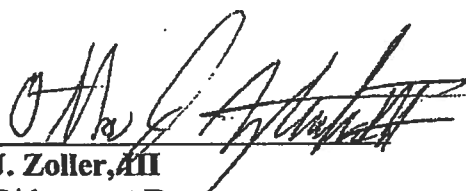
TRUE COPY  
  
Representative  
Louisiana Gaming Control Board

is attached hereto as Exhibit "A" and incorporated by reference for all purposes.


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

Respectfully Submitted,

**JAMES D. "BUDDY" CALDWELL**  
**ATTORNEY GENERAL**



**Otto J. Zoller, II**  
3548 Ridgemont Dr.  
Baton Rouge, LA 70814  
Telephone: (225)275-7474



**Olga M. Bogan, Bar Roll #24302**  
Assistant Attorney General  
Gaming Division  
400 Royal St. Suite 1230  
New Orleans, LA 70130  
Telephone: (504)599-1153  
Facsimile: (504) 599-1163  
*Counsel for the Division*

**EXHIBIT "A"**

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

**IN RE: OTTO J. ZOLLER, III**

**PERMIT NO: P040057971**

**COMPROMISE AND SETTLEMENT AGREEMENT**

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter the "Division") and Otto J. Zoller, III (hereinafter "the 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 the Permittee, 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 before the Louisiana Gaming Control Board Administrative Hearing Office; and

**WHEREAS**, the parties hereto are desirous of fully and finally compromising and settling all disputes and issues raised 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 June 30, 2011, the Division received notification from the Internal Revenue Service (hereinafter the "IRS") that the Permittee was not eligible for the required tax clearance.

2. On or about July 1, 2011, the Division sent notification to the Permittee that he had thirty (30) days to resolve the tax problem. The notification was sent, via certified mail, to the address the Permittee provided to the Division. The notification was returned "unclaimed". No other address had been provided to the Division.

3. On December 21, 2011, the Louisiana Gaming Control Board issued a Notice of Recommendation of Suspension and Penalty to the Permittee alleging the Permittee's failure to remain in compliance.

4. Subsequent to the thirty (30) day period allowed by the Division for resolution of the tax issue, the Permittee became eligible for the IRS tax clearance.<sup>1</sup>

## TERMS AND CONDITIONS

1. The Permittee agrees to pay a civil penalty of Two Hundred Fifty Dollars (\$250.00), in lieu of suspension, for the period of non-compliance.

2. The Division agrees that payment of a civil penalty of Two Hundred Fifty Dollars (\$250.00) shall be in full and final settlement of all matters set forth in the Notice of Recommendation of Suspension and Penalty.

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

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<sup>1</sup> Exhibit 1 (Copy of IRS Tax Clearance dated February 13, 2012).

4. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and the Permittee pertaining to the Permittee's failure to timely submit the tax clearances as required by gaming law 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.

6. If approved, the Permittee must make full payment of the civil penalty 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 permit without the necessity of any further administrative action until such time as the penalty is paid in full.

7. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana. I have read this entire Compromise Settlement Agreement, understand it, and agree to all stipulations and terms and conditions hereof.

  
\_\_\_\_\_  
Otto J. Zoller, III  
3548 Ridgemont Dr.  
Baton Rouge, LA 70814  
Telephone: (225)275-7474

**JAMES D. "BUDDY" CALDWELL**  
**ATTORNEY GENERAL**

  
\_\_\_\_\_  
Olga M. Bogran, Bar Roll #24302  
Assistant Attorney General  
Gaming Division  
400 Royal St. Suite 1230  
New Orleans, LA 70130  
Telephone: (504)599-1153  
Facsimile: (504) 599-1163  
*Counsel for the Division*



DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
Washington, D.C. 20224

SMALL BUSINESS/SELF-EMPLOYED DIVISION

13 February 2012

Internal Revenue Service  
201 W Rivercenter Blvd  
Stop 5702A  
Covington, KY 41011

Person to Contact:  
Bob Rackers  
Tax Examiner  
National Tip Reporting Compliance  
Program

Louisiana State Police  
Christine Zeno  
7919 Independence Blvd, A-28  
Baton Rouge, LA 70806-6409

Contact Telephone Number:  
(859)889-5689  
Fax Number:  
(859)889-3975

Dear Ms. Zeno:

The Louisiana gaming license applicant(s) shown on the attached list were initially denied a Federal tax clearance. The Federal tax compliance and/or payment issues for these individuals have now been resolved. As such, we are pleased to grant Federal tax clearances for these applicants. Please let me know if you have any questions.

Sincerely yours,

Bob Rackers, Tax Examiner  
NTRCP

**Federal Tax Clearances Granted**

Applicant Name	SSN/EIN
Otto J Zoller III	[REDACTED]

Federal Tax Clearances Granted: Date 13 FEB 2012

Bob Rackers  
By: Bob Rackers, Tax Examiner - NTRCP  
Internal Revenue Service



STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: OTTO J. ZOLLER, III

PERMIT NO: P040057971

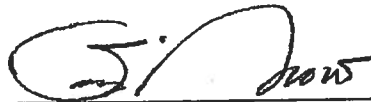
ORDER

BE IT REMEMBERED that on the 7<sup>th</sup> day of March, 2012, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared in person or 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 the Permittee must pay Two Hundred Fifty and No/100 (\$250.00) 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 permit without the necessity of any further administrative action until such time as the penalty is paid in full.

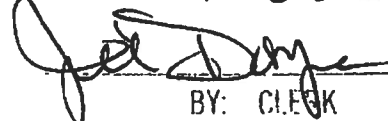
SIGNED AND ENTERED this 7<sup>th</sup> day of March, 2012, in

LOUISIANA GAMING CONTROL BOARD  
Baton Rouge, Louisiana.  
NOTICE: ALL PARTIES MUST BE SERVED ON  
ALL PARTIES TO THIS  
March 7th 2012  
CLERK, ADMINISTRATIVE HEARING OFFICE  
cc: Otto J. Zoller III  
Olga Bryan  
Sgt. Monelle Sledge



HEARING OFFICER A TRUE COPY ATTEST

LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 03.07.12

  
BY: CLERK