



*State of Louisiana*  
*Gaming Control Board*

*BOBBY JINDAL*  
GOVERNOR

*DANE K. MORGAN*  
CHAIRMAN

**IN RE: MICHAEL THERIOT**  
**NO. P040001046**

**ORDER**

This matter was considered by the Louisiana Gaming Control Board at its meeting of May 19, 2011. The Hearing Officer's order dated April 20, 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," No. P040001046, by and between Michael Theriot, 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 19<sup>th</sup> day of May, 2011.**

**LOUISIANA GAMING CONTROL BOARD**

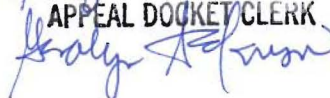
BY:

  
**DANE K. MORGAN, CHAIRMAN**

**DKM/gac**

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED  
ALL PARTIES THIS 20<sup>th</sup> DAY  
OF May, 2011

APPEAL DOCKET CLERK



LGCB-0625-11

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

RECEIVED

APR 15 2011

LGCB  
ADMINISTRATIVE HEARING OFFICE

IN RE: MICHAEL THERIOT

PERMIT NO: P040001046

JOINT MOTION FOR APPROVAL OF COMPROMISE AND  
SETTLEMENT AGREEMENT



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 Michael Theriot (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  
*[Signature]*  
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**



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**Michael T. Theriot**  
567 East Jefferson Dr.  
Lake Charles, LA 70605  
Telephone: (337) 477-8467



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**Olga M. Bogran, Bar Roll #24302**  
Assistant Attorney General  
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New Orleans, LA 70130  
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Facsimile: (504) 599-1163  
*Counsel for the Division*

**EXHIBIT "A"**

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

**IN RE: MICHAEL THERIOT**

**PERMIT NO: P040001046**

**COMPROMISE AND SETTLEMENT AGREEMENT**

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter the "Division") and Michael Theriot (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 alleges 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 September 22, 2010, 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 September 30, 2010, the Permittee received, via certified mail, notification that he had thirty (30) days to resolve the tax problem.

3. On February 15, 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.

## **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 hereby agrees to accept the payment of Two Hundred Fifty Dollars (\$250.00) in full and final settlement of 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.

4. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and the Permittee pertaining to the Permittee's failure to

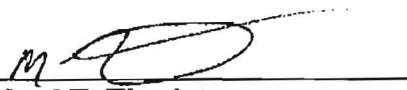
timely submit the tax clearances as required by gaming law and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

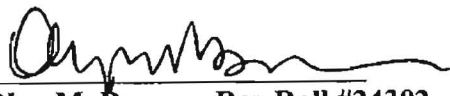
5. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana 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.

  
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**Michael T. Theriot**  
567 East Jefferson Dr.  
Lake Charles, LA 70605  
Telephone: (337) 477-8467

  
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**Olga M. Bogan, Bar Roll #24302**  
Assistant Attorney General  
Gaming Division  
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*Counsel for the Division*

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: MICHAEL THERIOT

PERMIT NO: P040001046

ORDER


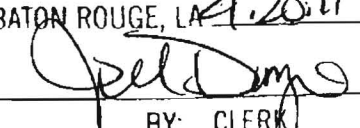
BE IT REMEMBERED that on the 20<sup>th</sup> day of April, 2011, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared in person or by and through their respective attorneys of record, and the Hearing Officer having considered 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 20<sup>th</sup> day of April, 2011, in

LOUISIANA GAMING CONTROL BOARD  
Baton Rouge, Louisiana.  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 20<sup>th</sup> DAY  
OF April, 2011  
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Michael T. Theriot  
Debra Boyman  
Sgt. Leonard Sobotky

  
A TRUE COPY ATTEST  
HEARING OFFICER  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 4.20.11  
  
BY: CLERK