

Louisiana Gaming Control Board Meeting
December 15, 2022

LOUISIANA GAMING CONTROL BOARD MEETING

THURSDAY, DECEMBER 15, 2022

LOUISIANA STATE CAPITOL
HOUSE COMMITTEE ROOM 3
900 NORTH 3RD STREET
BATON ROUGE, LOUISIANA

TIME: 10:00 A.M.

APPEARANCES

1
2 RONNIE S. JOHNS, CHAIRMAN
(At-Large)
3 June 30, 2025

4 JULIE BERRY, VICE-CHAIRMAN
(CPA)
5 Third Congressional District
June 30, 2024

6 HARRY AVANT
7 (At-Large)
Fourth Congressional District
8 June 30, 2024

9 CLAUDE D. JACKSON
(At-Large)
10 Fourth Congressional District
June 30, 2027

11 O. LAMAR POOLE, JR.
12 (Economic/Community Planner)
Sixth Congressional District
13 June 30, 2025

14 JULIE A. LEWIS
(Investigative and Law Enforcement)
15 Fifth Congressional District
June 30, 2024

16 FRANCESCA HAMILTON-ACKER
17 (Attorney)
Third Congressional District
18 June 30, 2026

19 ASHLEY A. TRAYLOR
(At-Large)
20 First Congressional District
June 30, 2027

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APPEARANCES (CONTINUED)

HEATHER HOOD
On Behalf of Natalie Thurman
Principal Assistant

HEATHER TEMPLET
On Behalf of Kevin Richard, Secretary
Department of Revenue

MAJOR CHUCK McNEAL
On Behalf of Colonel Lamar A. Davis
Superintendent
Louisiana State Police

REPORTED BY:

KARLA H. MAYERS, CCR
U.S. Legal Support

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13	No. R016502995	
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18	L.P. d/b/a Horseshoe Bossier City	
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1 I. CALL TO ORDER

2 CHAIRMAN JOHNS:

3 Okay. Good morning, everyone.

4 Welcome to the December 15 meeting of the
5 Louisiana Gaming Control Board. Ms. Hood, would
6 you call the roll, please?

7 MS. HOOD:

8 Chairman Johns?

9 CHAIRMAN JOHNS:

10 Here.

11 MS. HOOD:

12 Mr. Avant?

13 MR. AVANT:

14 Here.

15 MS. HOOD:

16 Ms. Berry?

17 MS. BERRY:

18 Here.

19 MS. HOOD:

20 Mr. Jackson?

21 MR. JACKSON:

22 Here.

23 MS. HOOD:

24 Ms. Lewis?

25 MS. LEWIS:

1 Here.

2 MS. HOOD:

3 Mr. Poole?

4 MR. POOLE:

5 Here.

6 MS. HOOD:

7 Ms. Hamilton-Acker?

8 MS. HAMILTON-ACKER:

9 Here.

10 MS. HOOD:

11 Judge Sholes?

12 (NO RESPONSE)

13 MS. HOOD:

14 Ms. Traylor?

15 MS. TRAYLOR:

16 Here.

17 MS. HOOD:

18 Colonel Davis?

19 MAJOR McNEAL:

20 Major McNeal for Colonel Davis.

21 MS. HOOD:

22 Secretary Richard?

23 MS. TEMPLET:

24 Heather Templet for Secretary

25 Richard.

1 MS. HOOD:

2 We have a quorum.

3 CHAIRMAN JOHNS:

4 Okay. We have a quorum. Thank you,
5 Ms. Hood. Members, before we begin, I would like
6 to add something to the agenda. It will take a
7 motion and a second and a unanimous vote from the
8 Board to add that to the agenda, and that would be
9 under Section E of the agenda, the consideration
10 of petitions on the voluntary procurement goals.
11 The motion will be to add the Golden Nugget of
12 Lake Charles' petition to that agenda.

13 MS. BERRY:

14 I'll make a motion.

15 CHAIRMAN JOHNS:

16 Ms. Berry has made a motion that we
17 add that to the agenda. Do I have a second?

18 MR. AVANT:

19 Second.

20 CHAIRMAN JOHNS:

21 Mr. Avant has seconded that. Is
22 there any objection to that motion? Any
23 objection?

24 (NO RESPONSE)

25 CHAIRMAN JOHNS:

1 Hearing none, that motion carries,
2 and that will be added to the agenda. Mr. Avant,
3 we want to welcome you back to the Board this
4 morning. And --

5 MR. AVANT:

6 It's good to be here.

7 CHAIRMAN JOHNS:

8 -- we know a lot of prayers have gone
9 your way, and we're just so -- so happy and so
10 glad to see you and --

11 MR. AVANT:

12 Thank you. Thank you, everyone.

13 CHAIRMAN JOHNS:

14 And continue healing in your health,
15 and we --

16 MR. AVANT:

17 Appreciate it.

18 CHAIRMAN JOHNS:

19 -- we're so glad you're here.

20 MR. AVANT:

21 Thank you. Thank you.

22 II. PUBLIC COMMENTS

23 CHAIRMAN JOHNS:

24 Okay. Members, this is the time on
25 the agenda if there's any public comments to be

1 made. As we get into agenda items, we do not
2 allow public comments outside of the -- those
3 testifying. So are there any public comments to
4 come before the Board this morning?

5 (NO RESPONSE)

6 CHAIRMAN JOHNS:

7 Okay. Seeing none, we will move on.

8 III. APPROVAL OF MINUTES

9 CHAIRMAN JOHNS:

10 We have the minutes. Members, you
11 have the minutes of November 17, 2022, before you
12 that were included in your packet. I would ask
13 for a motion to waive the reading and approve the
14 minutes of November 17, 2022.

15 MS. TRAYLOR:

16 (Indicating)

17 CHAIRMAN JOHNS:

18 And Ms. Traylor has made that motion.

19 MS. LEWIS:

20 (Indicating)

21 CHAIRMAN JOHNS:

22 Ms. Lewis has seconded that motion.
23 Is there any opposition to that motion?

24 (NO RESPONSE)

25 CHAIRMAN JOHNS:

1 Hearing none, that motion carries.

2 IV. REVENUE REPORTS

3 CHAIRMAN JOHNS:

4 Okay. We're going to move into the
5 revenue reports.

6 MS. JACKSON:

7 Good morning.

8 CHAIRMAN JOHNS:

9 Good morning, Ms. Jackson. How are
10 you this morning?

11 MS. JACKSON:

12 Good. Good morning, Chairman Johns,
13 Board Members. My name is Donna Jackson with
14 Louisiana State Police, Gaming Audit Section.

15 In November the 13 operating
16 riverboats generated adjusted gross receipts of
17 \$135,377,994. The State collected fees totaling
18 \$29,106,269. Fiscal year to date adjusted gross
19 receipts are almost \$694 million, a decrease of 2
20 percent from last fiscal year. As of November 30,
21 2022, the State collected \$149 million in fees for
22 fiscal year 2023.

23 Page 2 shows the riverboat revenue
24 broken down by regional market. This month's
25 revenues represent an increase from October of

1 approximately \$4.4 million, or 3 percent, but a
2 decrease of \$12 million, or 8 percent, compared to
3 last November.

4 Next is a summary of the November
5 2022 gaming activity for Harrah's New Orleans,
6 found on page 3. Harrah's generated \$23,318,809
7 in gross gaming revenue. These revenues represent
8 an increase from last month of almost \$1 million,
9 or 4.4 percent, and an increase of \$10.6
10 million -- excuse me -- \$10.6 million, or 83.6
11 percent, from last November. During November the
12 State received \$5.3 million in minimum daily
13 payments.

14 Fiscal year to date adjusted gross
15 receipts are \$110.6 million, an increase of 44
16 percent from last fiscal year. As of November 30,
17 2022, the State collected \$27.2 million in fees
18 for fiscal year 2023.

19 Next I will present the revenues for
20 slots at the racetracks. During November the four
21 racetrack facilities combined generated adjusted
22 gross receipts of \$23,444,222, a decrease of
23 \$2 million, or 8.8 percent, from October and a
24 decrease of \$2.4 million, or 9.3 percent, when
25 compared to the same month last year. During

1 November the State collected almost \$3.6 million
2 in fees.

3 Fiscal year to date adjusted gross
4 receipts are \$129.4 million, a decrease of
5 approximately \$3.4 million, or 2.6 percent, from
6 fiscal year 2022. As of November 30, 2022, the
7 State has collected \$19.6 million in fees for
8 fiscal year 2023.

9 I will now move to the video gaming
10 information. There are 12,173 video gaming
11 devices activated at 1,416 locations. Net device
12 revenue for November 2022 was \$61,664,561, a
13 decrease of \$1.3 million, or 2 percent, when
14 compared to November and a decrease of \$8 million,
15 or 11.6 percent, when compared to last November.
16 Total franchise fees for November 2022 totaled
17 \$18.7 million.

18 Fiscal year to date net device
19 revenue is \$318 million, a decrease of \$11.8
20 million, or 3.6 percent, when compared to last
21 fiscal year. As of November 30, 2022, the State
22 has collected \$96.3 million in franchise fees for
23 fiscal year 2023.

24 Next I'll present the November
25 revenue for sportsbook. During November the 17

1 retail sportsbooks accepted \$34.9 million in
2 sports wagers, resulting in net proceeds of almost
3 \$2 million and \$225,000 in state taxes. The eight
4 mobile sportsbook operators accepted \$233.7
5 million in sports wagers, resulting in a net loss
6 of \$27.6 million and \$4 million in taxes paid to
7 the State. The overall net loss was due primarily
8 to one major bettor who won large bets placed on
9 the Baseball World Series.

10 Finally, for daily fantasy sports,
11 gross revenues for November were \$1.7 million,
12 with net revenue of approximately \$190,000 and
13 taxes of \$15,200.

14 Are there any questions?

15 CHAIRMAN JOHNS:

16 Okay, Members. Excuse me. Any --
17 any questions for Ms. Jackson?

18 (NO RESPONSE)

19 CHAIRMAN JOHNS:

20 So Mattress Mack did make an impact
21 on one of the -- on one of the major -- or, no,
22 two or three of the other vendors -- platforms, I
23 should say, if I'm not mistaken.

24 MS. JACKSON:

25 Yes, sir. That's correct.

1 CHAIRMAN JOHNS:

2 Is that correct?

3 MS. JACKSON:

4 Yes.

5 CHAIRMAN JOHNS:

6 So I had an opportunity to meet him
7 this past Monday in Lake Charles at the Horseshoe,
8 and he thanks the state of Louisiana very much for
9 allowing him to come in and make \$75 million;
10 so . . .

11 Okay. Any questions for Ms. Jackson?

12 (NO RESPONSE)

13 CHAIRMAN JOHNS:

14 Okay, Ms. Jackson. Thank you for
15 your --

16 MS. JACKSON:

17 Thank you.

18 CHAIRMAN JOHNS:

19 -- hard work. We appreciate it.

20 V. CASINO GAMING ISSUES

21 CHAIRMAN JOHNS:

22 Okay. Members, moving on to casino
23 gaming issues, first on the agenda this morning
24 will be the consideration of the Certificate of
25 Compliance for the inspection of the Golden Nugget

1 in Lake Charles.

2 CHAIRMAN JOHNS:

3 Good morning.

4 MS. REED:

5 Good morning.

6 MS. NATHAN:

7 Good morning.

8 CHAIRMAN JOHNS:

9 Good morning.

10 MS. NATHAN:

11 Chairman Johns and Board Members, I
12 am Assistant Attorney General Andrea Nathan. With
13 me is Moriah Reed of AVS, and we are here in the
14 matter of the issuance of the Certificate of
15 Compliance for Golden Nugget Casino.

16 On October 11 and 20, 2022, AVS began
17 the inspection process for the approval of Golden
18 Nugget Casino's Certificate of Compliance.

19 Ms. Reed will now provide the details of AVS's
20 inspection.

21 MS. REED:

22 Good morning, Chairman Johns.

23 CHAIRMAN JOHNS:

24 Good morning, Ms. Reed.

25 MS. REED:

1 Good morning, Chairman Johns and
2 Board Members. I am Moriah Reed with American
3 Vessel Services. I'm here to report on the annual
4 certification for the Golden Nugget Casino in Lake
5 Charles.

6 The inspectors Pete Bullard and Jeff
7 Boyle did, on October 11 and 20, 2022, attend the
8 permanently moored casino platform the Golden
9 Nugget to conduct the annual inspection in
10 accordance with the Louisiana Alternative
11 Inspection Program. The inspectors reviewed fire
12 protection measures, egress routes, observed
13 emergency lighting, tested the emergency
14 generator, inspected the mooring system, and
15 conducted a fire drill, as well as other required
16 life safety items. There were 12 deficiencies, as
17 noted on page 8 of the annual survey report. A
18 follow-up supplemental report was prepared on
19 November 14, 2022, and all outstanding items are
20 now considered satisfactory, as outlined in the
21 supplemental survey.

22 The 2022 annual survey, as required
23 by the Louisiana Gaming Control Board, is now
24 complete, and Golden Nugget is considered fit to
25 continue its intended service as a dockside gaming

1 riverboat in the state of Louisiana. It is the
2 recommendation of AVS that the permanently moored
3 casino platform the Golden Nugget be issued the
4 Certificate of Compliance for 2023.

5 MS. NATHAN:

6 We now present these findings to the
7 Board and request that, upon the Board's
8 acceptance of the report submitted by AVS, you
9 will move for issuance of Golden Nugget Casino's
10 Certificate of Compliance, which expires on
11 December 31, 2023.

12 CHAIRMAN JOHNS:

13 Okay. Thank you. So all -- all
14 deficiencies are now considered satisfactory?

15 MS. REED:

16 Yes, sir.

17 CHAIRMAN JOHNS:

18 Okay. All right. Any questions from
19 the Board? Any questions?

20 (NO RESPONSE)

21 CHAIRMAN JOHNS:

22 If not, I would ask for a motion to
23 issue a Certificate of Compliance for The Golden
24 Nugget of Lake Charles, which will expire
25 December 31, 2023. Do I have a motion?

1 MS. HAMILTON-ACKER:

2 (Indicating)

3 CHAIRMAN JOHNS:

4 Ms. Hamilton-Acker has moved that we
5 issue that certificate.

6 MR. POOLE:

7 (Indicating)

8 CHAIRMAN JOHNS:

9 And Mr. Poole has seconded that
10 motion. Is there any opposition to that motion?

11 (NO RESPONSE)

12 CHAIRMAN JOHNS:

13 Hearing none, that motion carries.
14 Thank you, Golden Nugget, for -- for your
15 compliance. Greatly appreciated.

16 Okay. Item No. B will be the
17 consideration of a Certificate of Compliance for
18 the gaming vessel of Horseshoe Entertainment of
19 Bossier City; so . . .

20 MS. JOHNSON:

21 Good morning, Chairman Johns, Board
22 Members. I'm Assistant Attorney General Venise
23 Johnson. With me is Moriah Reed of AVS. We are
24 here in the matter of the issuance of the
25 Certificate of Compliance for Horseshoe Casino

1 Bossier City.

2 On October 17, 2022, AVS began an
3 inspection process for the approval of the
4 Horseshoe Casino Bossier City's Certificate of
5 Compliance. Ms. Reed will now provide the details
6 of the AVS inspection.

7 MS. REED:

8 Good morning, Chairman Johns and
9 Board Members. I am Moriah Reed with American
10 Vessel Services. I'm here to report on the annual
11 certification for Horseshoe Casino of Bossier
12 City.

13 The inspectors Pete Bullard and
14 myself did, on October 18, 2022, attend the
15 riverboat King of the Red to conduct the annual
16 inspection in accordance with the Louisiana
17 Alternative Inspection Program. We reviewed fire
18 protection measures, egress routes, observed
19 emergency lighting, tested the emergency
20 generator, inspected the mooring system, and
21 conducted a fire drill, as well as other required
22 life safety items. There were four deficiencies
23 and -- as noted on page 7 of the annual survey
24 report. A follow-up supplemental report was
25 prepared on November 8, 2022, and all outstanding

1 items are now considered satisfactory, as outlined
2 in the supplemental survey.

3 The 2022 annual survey, as required
4 by the Louisiana Gaming Control Board, is now
5 complete, and the casino vessel King of the Red is
6 considered fit to continue its intended service as
7 a dockside gaming riverboat in the state of
8 Louisiana. It is the recommendation of AVS that
9 the vessel the King of the Red be issued the
10 Certificate of Compliance for 2023.

11 MS. JOHNSON:

12 We now present these findings to the
13 Board and request that, upon the Board accepting
14 the report submitted by AVS, you will move for the
15 issuance of the Certificate of Compliance for
16 Horseshoe Casino Bossier City, which will expire
17 on December 31, 20 -- 2023.

18 CHAIRMAN JOHNS:

19 Okay. So, Members, in your packet
20 there is a supplemental survey dated November 8,
21 2022, that all deficiencies have been considered
22 satisfactory at this point. So are there any
23 questions? Any questions?

24 (NO RESPONSE)

25 CHAIRMAN JOHNS:

1 If not, I'll entertain a motion that
2 we issue a Certificate of Compliance for the
3 Horseshoe Bossier City Casino & Hotel, which will
4 expire December 31, 2023.

5 MR. AVANT:

6 So moved.

7 MS. BERRY:

8 (Indicating)

9 CHAIRMAN JOHNS:

10 Mr. Avant made that motion, and
11 Ms. Berry has seconded that motion. Is there any
12 discussion? Any opposition to that motion?

13 (NO RESPONSE)

14 CHAIRMAN JOHNS:

15 Hearing none, that motion carries.
16 Thank you very much. And one more. We have the
17 consideration of a Certificate of Compliance for
18 the riverboat inspection of Premier Entertainment
19 Shreveport, doing business as Bally's Shreveport
20 Casino & Hotel. Good morning.

21 MR. BOSCH:

22 Good morning, Chairman Johns and
23 Board Members. I am Assistant Attorney General
24 Daniel Bosch. With me again is Ms. Moriah Reed of
25 AVS. As you noted, we're here in the matter of

1 Premier Entertainment Shreveport, LLC, doing
2 business as Bally's Shreveport Casino & Hotel.

3 On October 25, 2022, AVS began the
4 inspection process and the approval -- for the
5 approval of Bally's Hotel & Casino's Certificate
6 of Compliance. The inspection process was
7 completed on November 18. Ms. Reed will now
8 provide the details of that inspection.

9 MS. REED:

10 Good morning, Chairman Johns and
11 Board Members. I am Moriah Reed with American
12 Vessel Services. I'm here to report on the annual
13 certification for Bally's Casino of Shreveport.

14 The inspectors Pete Bullard and
15 myself did, on October 25, 2022, attend the
16 inspection in accordance with the Louisiana
17 Alternative Inspection Program. We reviewed fire
18 protection measures egress routes, observed
19 emergency lighting, tested the emergency
20 generator, inspected the mooring system, and
21 conducted a fire drill, as well as other required
22 life safety items. There were five deficiencies,
23 as noted on page 6 of the annual survey report. A
24 follow-up supplemental report was prepared on
25 November 18, 2022, and all outstanding items are

1 now considered satisfactory, as outlined in the
2 supplemental survey.

3 The 2022 annual survey, as required
4 by the Louisiana Gaming Control Board, is now
5 complete, and the casino vessel Hollywood Dreams
6 is considered fit to continue its intended service
7 as a dockside gaming riverboat in the state of
8 Louisiana. It is the recommendation of AVS that
9 the vessel the Hollywood Dreams at the Bally's
10 Shreveport Casino be issued a Certificate of
11 Compliance for 2023.

12 MR. BOSCH:

13 We now present these findings to the
14 Board and request that, upon the Board's
15 acceptance of AVS's report, you move forward with
16 the issuance of Bally's Shreveport Casino &
17 Hotel's Certificate of Compliance, which would
18 expire December 31, 2023.

19 CHAIRMAN JOHNS:

20 Okay. Thank you very much. Members,
21 again, in your packet there is a supplemental
22 report dated November 18, 2022, that all
23 deficiencies are considered satisfactory. Is
24 there any discussion?

25 (NO RESPONSE)

1 CHAIRMAN JOHNS:

2 Do I have a motion?

3 MR. JACKSON:

4 Motion to approve.

5 CHAIRMAN JOHNS:

6 Mr. Jackson has moved that we issue
7 the Certificate of Compliance for the Bally's
8 Shreveport Casino & Hotel, which will be dated and
9 will expire December 31, 2023. Do I have a
10 second?

11 MS. LEWIS:

12 (Indicating)

13 CHAIRMAN JOHNS:

14 Ms. Lewis has seconded that motion.
15 Is there any discussion on the motion? Is there
16 any opposition to the motion?

17 (NO RESPONSE)

18 CHAIRMAN JOHNS:

19 Hearing none, that motion carries.
20 So thank you both -- Horseshoe and Bally's, both,
21 for your compliance. Greatly -- greatly
22 appreciated, your -- your help.

23 Okay, Members. We're moving to
24 Section D, a day long coming, one day that we've
25 all worked very hard to -- to hear this

1 presentation. So we will hear a consideration of
2 a Joint Petition of Approval of Transfer of
3 Membership and Interest in Relocation of Gaming
4 Operations of Louisiana Riverboat Partnership --
5 Gaming Partnership, doing business as DiamondJacks
6 Casino & Resort. So, good morning, Ms. Landry.

7 MS. LANDRY:

8 Good morning, Chairman Johns and
9 Board Members. I'm Assistant Attorney General
10 Lisha Landry. With me are Auditor Evie Ficklin
11 with Louisiana State Police, Audit Section, and
12 Master Trooper Michael Daniel with Louisiana State
13 Police, Gaming Enforcement. We're here today for
14 Louisiana Riverboat Gaming Partnership, doing
15 business as DiamondJacks Casino & Resort, which
16 holds a riverboat gaming license and is located in
17 Bossier Parish. The licensee is requesting Board
18 approval for the proposed acquisition of its
19 indirect parent company Legends Gaming by
20 Foundation Gaming Entertainment, LLC, the
21 relocation of gaming operations to a landside
22 facility for the licensee, and other related
23 transactions.

24 On March 16, 2020, the licensee
25 ceased all operations following the Board's

1 ordered closure due to the COVID-19 pandemic.
2 During that time the licensee sought relocation
3 and construction of a new facility at a new berth
4 site in St. Tammany Parish, subject to the
5 approval of the voters of that parish. In
6 December of 2021 the voters of St. Tammany Parish
7 rejected the proposal. The licensee has yet to
8 reopen and no longer holds a valid Certificate of
9 Compliance needed to recommence gaming operations.

10 On February 17, 2022, the Board
11 temporarily suspended the licensee's requirement
12 to recommence gaming operations in order to give
13 the licensee time to negotiate a transfer of
14 ownership interest in the licensee to Foundation
15 Gaming, which is now up for Board consideration.

16 The licensee is currently owned by
17 PGP Investors, LLC, through multiple subsidiaries,
18 including Legends Holding, LLC, and its subsidiary
19 Legends Gaming, LLC. On April 13, 2022, Legends
20 Holding entered into a Purchase and Sale Agreement
21 with Foundation Gaming for Foundation Gaming's
22 acquisition of 100 percent of the membership
23 interest in Legends Gaming. Legends Gaming owns
24 all of the outstanding membership interest in
25 Legends Gaming of Louisiana-1, LLC, and Legends

1 Gaming of Louisiana-2, LLC. Legends 1 and
2 Legends 2 each own a 50 percent ownership interest
3 in the licensee. Upon closing the transaction,
4 Foundation Gaming will own 100 percent of the
5 membership interest in Legends Gaming, Legends 1,
6 and Legends 2 and thus a 100 percent indirect
7 ownership interest in the licensee.

8 Immediately after the closing of the
9 transfer of membership interest in Legends,
10 Foundation Gaming intends to convert the licensee
11 from a general partnership to a limited liability
12 company, and the licensee will be renamed
13 Louisiana Riverboat Gaming Company, LLC.
14 Thereafter, Foundation Gaming intends to merge
15 Legends Gaming, Legends 1, and Legends 2 into the
16 licensee, with the licensee being the surviving
17 entity. As a result of the mergers, Foundation
18 Gaming will become the sole member of the
19 licensee. The licensee will be managed by
20 Foundation Gaming Group, LLC.

21 Conditioned upon the Board's approval
22 of the transfer of interest to Foundation Gaming
23 and the closing of the transaction, the licensee
24 is requesting to relocate its gaming operations to
25 a landside facility. Act 469 of the 2008 [sic]

1 Regular Legislative Session gives each riverboat
2 licensee the opportunity to relocate its gaming
3 operations to a facility within 1,200 feet of its
4 licensed berth. Gaming law and rules require
5 licensees seeking relocation to submit a site
6 plan, a capital improvement and reinvestment plan,
7 a financing plan, and a construction schedule and
8 property descriptions. All required documents
9 were submitted by the licensee through Foundation
10 Gaming to the Division and the Attorney General's
11 Office for review.

12 The licensee, through Foundation
13 Gaming, is proposing a capital investment of
14 \$190 million for a 90,000 square foot landside
15 facility located within 1,200 feet of its licensed
16 berth in Bossier Parish. The facility will
17 include 45,000 square feet of gaming space and a
18 405 hotel room renovation on land currently owned
19 or leased by the licensee. In order to fund the
20 landside facility, the licensee will enter into a
21 proposed development loan with the approved
22 institutional investor. The loan will be
23 guaranteed by Foundation Gaming. The proposed
24 lender will be granted a security interest in the
25 licensee as collateral to secure the obligations

1 under the proposed loan.

2 As a result of the landside
3 relocation request, the licensee is also
4 requesting to amend its Statement of Conditions to
5 change its required non-gaming amenities under the
6 approved project to include a hotel with a minimum
7 of 405 rooms, a sports wagering lounge with a live
8 entertainment event center, a ballroom with
9 meeting space totaling 25,000 square feet, a
10 minimum of three food and beverage outlets with a
11 total minimum seating capacity of 450, a sundry
12 shop, and a minimum of two retail outlets, a spa,
13 fitness center, and an outdoor pool complex.

14 Gaming law and rules do not dictate a
15 minimum monetary investment for relocation. It's
16 within the Board's discretion to grant approval on
17 a case-by-case basis.

18 The licensee is also requesting Board
19 approval to reduce its number of required
20 employees from 650 to 400 individuals in its
21 Statement of Conditions.

22 The licensee has also requested to
23 sell its riverboat vessel the Margaret Mary and
24 remain closed until the approved project is
25 substantially complete. The Board is within its

1 authority to grant the licensee's -- the
2 licensee's approval to sell or otherwise
3 dispose -- dispose of the vessel at this time and
4 to allow the licensee to continue to temporarily
5 cease gaming operations until the landside
6 facility is substantially complete.

7 In order to begin demolition as soon
8 as possible, the licensee has already submitted
9 its architectural plans and specifications for the
10 demolition phase of the approved project. Once
11 deemed accepted by the Board, the licensee will be
12 able to submit its proposed contract for
13 demolition for Board acceptance at next month's
14 board meeting.

15 The licensee is also requesting to
16 remove Condition No. 34 from its Statement of
17 Conditions in connection with the reorganization
18 of Legends and its emergence from bankruptcy in
19 2013. These requirements have either already been
20 satisfied or terminated and are no longer
21 necessary and appropriate after the transfer of
22 the licensee to Foundation Gaming.

23 If the Board approves Foundation
24 Gaming's acquisition of Legends Gaming, the
25 request to relocate to a landside facility, the

1 financial and property arrangements and related
2 requests, a resolution, an amended Statement of
3 Conditions, and Indemnification and Hold Harmless
4 agreement have been prepared for the Board's
5 consideration. The licensee's request to relocate
6 to a landside facility is conditioned upon
7 Foundation Gaming's acquisition of Legends Gaming.

8 If the landside relocation request is
9 approved, the licensee will be allowed to commence
10 gaming operations at that facility only after the
11 Board's acceptance of the full architectural plans
12 and specifications and construction contracts,
13 further Board approvals, and a determination by
14 the Division that all necessary staffing,
15 training, security and surveillance, technical,
16 accounting, and internal control procedures are
17 acceptable and that the facility is substantially
18 complete.

19 After State Police reports its
20 findings and -- regarding financial and
21 suitability, representatives from licensee and
22 Foundation Gaming are here today to provide a
23 presentation on Foundation's acquisition of
24 Legends Gaming and the proposed landside
25 relocation project.

1 CHAIRMAN JOHNS:

2 Okay. Thank you, Ms. Landry.

3 MS. FICKLIN:

4 Good morning, Mr. Chairman and Board
5 Members. I'm Evie Ficklin, an auditor with
6 Louisiana State Police. To financially position
7 Foundation for its acquisition of LRGP and
8 development of the Bossier City project,
9 Foundation will execute a number of transactions,
10 including the following: In a sale leaseback
11 transaction, Foundation will cause its two
12 properties, WaterView Casino & Hotel in Vicksburg,
13 Mississippi, and Fitz Casino & Hotel in Tunica,
14 Mississippi, to sell --

15 CHAIRMAN JOHNS:

16 Can I interrupt you one second?

17 MS. FICKLIN:

18 Yes, sir.

19 CHAIRMAN JOHNS:

20 Could you pull your microphone
21 down --

22 MS. FICKLIN:

23 Yes, sir.

24 CHAIRMAN JOHNS:

25 -- just a little bit?

1 MS. FICKLIN:

2 Okay. (Complying with request)

3 CHAIRMAN JOHNS:

4 There you go. Thank you.

5 MS. FICKLIN:

6 You're welcome.

7 CHAIRMAN JOHNS:

8 Make sure the system catches what
9 you're saying.

10 MS. FICKLIN:

11 Okay.

12 CHAIRMAN JOHNS:

13 Thank you.

14 MS. FICKLIN:

15 Thank you -- in a -- oh, and in a
16 sale leaseback transition --- transaction,
17 Foundation will cause its two properties,
18 WaterView Casino & Hotel in Vicksburg,
19 Mississippi, and Fitz Casino & Hotel in Tunica,
20 Mississippi, to sell their respective real
21 property assets to a REIT subsidiary for
22 approximately 293.4 million. Subsequent to the
23 acquisition, WaterView and Fitz Tunica will lease
24 the real estate assets back from the REIT
25 subsidiary for an initial annual rent of 24.25

1 million. An allocation of the sale leaseback
2 proceeds are shown on page 18 in my report.

3 Foundation will use a portion of the
4 proceeds from the sale leaseback to execute other
5 transactions at closing, including the following:
6 WaterView and Fitz Tunica will use 115 million of
7 the sale leaseback proceeds to buy up their
8 nonvoting B unit holders, Brigade Capital
9 Management, a private equity company. Foundation
10 will use 20 million of those proceeds to invest in
11 Legends and LRGP, including 15 million to acquire
12 the licensee. Foundation plans to use
13 approximately 52 million of the sale leaseback
14 proceeds for general corporate purposes, including
15 providing LRGP with additional resources the
16 licensee can use for the completion of the
17 \$190 million Bossier City project. WaterView and
18 Fitz Tunica will amend their existing credit
19 agreement with Western Alliance Bank, using
20 approximately 44.3 million in sale leaseback
21 proceeds to reduce the outstanding debt under the
22 WAB credit agreement from approximately
23 94.3 million to 50 million and increase the
24 revolver from 15 million to 20 million.

25 Subsequent to the closing of these

1 transactions and Foundation's acquisition of LRGP,
2 LRGP will enter into a new \$135 million
3 development agreement with an approved
4 institutional lender. The \$135 million
5 development loan proceeds may only be used to
6 develop the project at Bossier City. The sources
7 and uses schedule on page 17 details how
8 Foundation will use the proceeds from the sale
9 leaseback and the \$135 million development loan.

10 Upon consummation of the sale
11 leaseback and the funding provided by the \$135
12 million development loan, Foundation will have the
13 proceeds available to finance the building of the
14 new facility. No other financial matters came to
15 the Audit Section's attention to preclude the
16 Board from approving this project.

17 Master Trooper Daniels will now
18 present the results of his investigation.

19 MASTER TROOPER DANIEL:

20 Good morning, Chairman Johns and
21 Members of the Board. I'm Master Trooper Michael
22 Daniel with Louisiana State Police, Gaming
23 Enforcement Division. On June 30, 2022,
24 Foundation Gaming Entertainment, LLC, and its
25 subsidiaries submitted Level 1 new business

1 applications, and key individuals submitted
2 multijurisdictional personal history disclosure
3 forms and Louisiana supplemental forms in
4 conjunction with the proposed acquisition and
5 relocation of gaming operations of Riverboat
6 Gaming Partnership, doing business as DiamondJacks
7 Casino & Resort.

8 In accordance with the rules and
9 regulations of the Gaming Enforcement Division, a
10 background investigation was conducted on
11 Foundation Gaming Entertainment, LLC,
12 subsidiaries, officers, directors, and persons
13 with five percent or more ownership or economic
14 interest in the licensee. The background
15 investigation included inquiries to federal,
16 state, and local law enforcement agencies, civil
17 jurisdictions, gaming regulatory agencies, and the
18 Louisiana Department of Revenue. Inquiries were
19 also made through a computerized criminal history
20 database.

21 During the suitability investigation,
22 no information was found that would preclude the
23 Board from approving the Joint Petition for
24 Approval of the Transfer of Membership Interest
25 and Relocation of Gaming Operations for Louisiana

1 Riverboat Gaming Partnership, doing business as
2 DiamondJacks Casinos & Resorts.

3 CHAIRMAN JOHNS:

4 Okay. Well, thank all of you for
5 months and months of hard work to be at this table
6 today. I fully understand the amount of hours
7 that has gone into this, and we greatly appreciate
8 your work. As I understand, the provision of the
9 selling of the property and the leasing back is
10 something that is very common in the -- in the
11 gaming industry today. It's something this Board
12 has actually approved a number of times in the
13 past. Am I --

14 MS. LANDRY:

15 Correct.

16 CHAIRMAN JOHNS:

17 -- correct on that? Okay. Great.
18 So any questions from Board members on this
19 presentation? Any questions? Ms. Berry? Okay.

20 MS. BERRY:

21 Just a quick question. I know this
22 is very preliminary, but in your estimates --
23 maybe I should have asked this after the
24 presentation. How long do you think this project
25 will take to get the land-based casino up and

1 running?

2 MS. LANDRY:

3 I think that the licensee will
4 address that, but we were told that they should be
5 complete by December 2024.

6 MS. BERRY:

7 All right. Thank you. I'm sorry if
8 it was a preliminary question but . . .

9 CHAIRMAN JOHNS:

10 No, we can -- we can have more
11 discussion on that as Foundation comes to the
12 table. So any further questions for the
13 regulators at the Board today -- at the table
14 today? Excuse me.

15 (NO RESPONSE)

16 CHAIRMAN JOHNS:

17 Okay. Thank y'all very, very much.
18 And so, Foundation Gaming, welcome. Ladies and
19 Gentlemen, I apologize for the smallness of this
20 room, but we have to take what's given to us.
21 There's just a lot going on at the Capitol today
22 with legislative meetings; so we'll make do.

23 Ms. Boles, welcome, and, gentlemen,
24 welcome. As you begin your presentation, if you
25 would, identify yourself for the public record.

1 And so . . .

2 MS. BOLES:

3 Well, good morning, Mr. Chairman --

4 CHAIRMAN JOHNS:

5 Good morning.

6 MS. BOLES:

7 -- and Members of the Board. We're
8 delighted to be here. I represent Foundation
9 Gaming & Entertainment. Also representing
10 Foundation is Noah Kressler with Baker Donelson.
11 Absent today is Amy Elder, who has been working
12 throughout the process. She has a conflict.
13 She's at the Mississippi Gaming Commission as we
14 speak. Also with us is Peter Connick. He
15 represents LRGP, doing business as DiamondJacks.
16 From Foundation with me are three of their
17 principals. This is Greg Guida, who is their CEO;
18 Don Mitchell, who is their CFO; and Les McMackin,
19 who is their principal and Chief Operating Officer
20 and Marketing Officer.

21 We're extremely excited to be here.
22 We've worked very hard with your staff, and we're
23 so thankful to the people that have worked in this
24 process, specifically Lisha Landry, Evie Ficklin,
25 and Trooper Daniel, but it goes way further than

1 that. Dawn Himel, Donna Jackson, Heather Hood,
2 Major McNeal, Chris Hebert and our Chairman,
3 everybody has worked very hard. But we have an
4 interesting position, because we're very familiar
5 with this property, and these guys have had a long
6 history in gaming in Louisiana, and we think we
7 have a unique ability to revitalize this property
8 and put this license back in commerce. With that,
9 I'll turn it over to Greg Guida.

10 MR. GUIDA:

11 Thanks, Janet. Good morning. I'm
12 Greg Guida. I'm a co-CEO of Foundation Gaming.
13 It's a real pleasure to be here this morning. I
14 would like to echo Janet's comments and,
15 Mr. Chairman, your comments on the work that went
16 into getting us this far today, because there were
17 a lot of moving pieces to this over the last few
18 months, and with the end of the year approaching,
19 I know, you know, there are probably a lot of
20 projects that people are trying to finish, but
21 we're very grateful that ours is one of them and
22 that we're before you today.

23 As Janet mentioned, our history with
24 this property goes back a long way. As a matter
25 of fact, we were talking on the way over here this

1 morning. I think my first Gaming Board meeting
2 here was in 1996 in connection with this license.
3 We all spent the first parts of our career in --
4 with public companies in the gaming business, and
5 the three of us and one of our other partners was
6 with Isle of Capri back in -- when the company
7 started, you know, through -- through the
8 development and growth of the company, which
9 included this property. This was Isle of Capri's
10 third property and opened in 1994, which I'll talk
11 about in a little more detail in a minute. But,
12 first, it occurred to me how quick time flies,
13 because 25 years have gone by, and we're still
14 here talking about the same license, but we are
15 very excited about the project we've got planned
16 here for the property.

17 Just real quickly about the -- a
18 little about the company, we're based in
19 Mississippi. We've got two properties now that we
20 own and operate, WaterView Casino and -- which --

21 MR. McMACKIN:

22 Do we have to do something here, or
23 does it go on by itself?

24 MR. GUIDA:

25 Put these up.

1 MS. HOOD:

2 He's supposed to switch it.

3 MS. BOLES:

4 They do -- Heather, --

5 MR. GUIDA:

6 Oh, there it is.

7 MS. BOLES:

8 Because everyone has a copy.

9 MR. GUIDA:

10 Okay.

11 CHAIRMAN JOHNS:

12 There we go.

13 MR. GUIDA:

14 Yeah. So we own WaterView Casino in
15 Vicksburg, Mississippi, and Fitz Casino in Tunica.

16 The WaterView property is kind of the sister

17 property to Bossier DiamondJacks' property. It

18 was originally Isle. Like the Bossier property,

19 it was then acquired by another company. We

20 acquired the Vicksburg property, which was

21 DiamondJacks at the time, in 2015, invested a fair

22 amount of capital into repositioning it and

23 rebranding it, and then in 2018 acquired Fitz

24 Casino in Tunica and did the same thing. We

25 didn't rebrand that one but, you know,

1 repositioned the property up there. And so this
2 will be our third property.

3 Fitz, in a lot -- you know, in a lot
4 of sense, it's a great fit for us.

5 Geographically, it's -- you know, we're based in
6 Mississippi. It's -- all of our properties are
7 within, you know, maybe 150, less than 200 miles
8 away. So it's a great geographic fit, and our
9 history with the property goes back to really its
10 beginnings; so we're very familiar with the
11 property and the market. A little about the
12 history --

13 CHAIRMAN JOHNS:

14 And, Greg, if I could interrupt --

15 MR. GUIDA:

16 Sure.

17 CHAIRMAN JOHNS:

18 -- for a second, I will tell you that
19 the Mississippi regulators speak very, very highly
20 of Foundation and what y'all have done with the
21 two properties there; so . . . I've had -- have
22 had long conversations about y'all; so . . .

23 MR. GUIDA:

24 Well, thank you. That's really nice
25 to hear. It means a lot to us. And, you know,

1 one of the things -- I guess every company has got
2 a niche. Our niche is looking for opportunities
3 that others don't see either because we're a
4 smaller company, and, you know, the bigger a
5 company the bigger a transaction needs to be to be
6 material but -- but to pursue things and get
7 involved in transactions and places we like, and
8 in a way, that lets us pay attention to the small
9 things and -- and the big things, but Mississippi
10 has been a great state. We've also been there
11 since sort of the beginning, but we found it to be
12 a great place to operate, just like we've always
13 found Louisiana to be, going -- going back to the
14 early days.

15 The next slide just kind of goes
16 through a little of the history of the property.
17 It opened, as I mentioned, as an Isle of Capri.
18 What's there was built in phases. It originally
19 opened with a riverboat and -- and a pavilion. It
20 was the first casino to open in Shreveport-Bossier
21 in '94. Their two hotel towers were added in the
22 next few years, and then in 2006 the property was
23 sold, along with what's now our WaterView
24 property, to Legends Gaming.

25 Over the years following that, they

1 went through a couple of restructurings. We were
2 brought in in 2013 by the creditors in the second
3 bankruptcy to reorganize the company, bring it out
4 of bankruptcy, and then look at a, you know,
5 transaction for the lenders to exit. So it
6 emerged in 2014 --

7 MR. MITCHELL:

8 Uh-huh.

9 MR. GUIDA:

10 -- from the second bankruptcy. We
11 acquired the Vicksburg property out of that credit
12 following the emergence. The Bossier property was
13 sold to Peninsula, and then in 2020, as they went
14 through earlier, the property closed during COVID.
15 They were working on relocating the property, and
16 then, you know, we were approached in 2022 about
17 acquiring it and ended up, you know, entering into
18 the agreement to do that.

19 And so over the months following
20 that, we, along with staff -- your staff, have
21 been working to get to where we are today. We
22 think we put together what is going to be a great
23 project out there. And Les will walk you through
24 the outline of that.

25 MR. McMACKIN:

1 Good morning, everyone. My name is
2 Les McMackin with -- a principal of Foundation,
3 also, the COO/CMO. And our -- as Greg alluded to,
4 yeah, we're excited about this project, and we'll
5 take you through kind of where the property is
6 today and ultimately where we hope to end up with
7 it.

8 So here is a quick view, if you
9 haven't been up there lately, of what the property
10 looks like today. The assets that currently exist
11 at the property, we've got -- there's an RV park.
12 There's a parking garage. There you see where the
13 casino boat is, the existing pavilion, the
14 existing hotel towers, the pool, and the parking
15 areas that are around the property. So it sits on
16 approximately 26 acres of land, and there's a
17 pretty good infrastructure that's currently in
18 place right now at the property.

19 Inside the facility, the facility has
20 been -- everything out of it has been sold prior
21 to us getting the opportunity to take care of it;
22 so you'll just see empty spaces right now, which
23 is actually what we think is to our advantage,
24 because we don't have to get rid of everything
25 that's already there that's been old and used and

1 tired. We get to start, basically, fresh in terms
2 of redeveloping the interior of the existing
3 structure.

4 And then here you get a sense of the
5 pool that's there, the ballroom facility, a
6 typical hotel room, which right now they're all
7 empty. All the furniture has been taken out, and
8 just the carpet exists and the floors right now.
9 And a quick shot of what the hotel front desk
10 looks like. So that gives you a brief overview of
11 the current state of -- of the existing facility.

12 And now we'll talk a little bit about
13 the scope of what we're looking to do to redevelop
14 the property. So we're going to redevelop the
15 existing 47,000 -- we're going to add about 47,000
16 square feet of new space, and in that new space is
17 going to -- I'll take you through part of it, and
18 then we'll show you some pictures of it, and
19 you'll get a sense of what it is.

20 We'll add a new entry from the garage
21 into the new facility, which we believe will be
22 extremely advantageous to customers coming in.
23 They'll be able to enter right from the second
24 level of the garage into the facility. We'll
25 replace all the aging infrastructure that's

1 currently in place. Just the mechanical,
2 electrical, and the plumbing systems, as you can
3 imagine, with a building that was built in 1994
4 and now has been vacant for the last two years,
5 it's going to require a lot of the infrastructure
6 and systems to be replaced, repaired, or just, you
7 know, start over again with that. A large portion
8 of the roofing system is original. That needs to
9 be replaced and updated as well.

10 We reimagined all the food and
11 beverage outlets and the live entertaining venues
12 making it very competitive in the market. That
13 includes adding the sportsbook lounge and live
14 entertainment facility, which we think will be an
15 integral part to the property once it opens.

16 We'll be rerenovating the hotel
17 towers, including 405 of the rooms, the meeting
18 space, the public space, the spa, the fitness and
19 the outdoor pool area, and we'll create a
20 single-level land-based gaming facility, targeted
21 to be one of the most inviting in the market, and
22 we'll rebrand the property. We're not ready to
23 announce the brand yet. We're still working on
24 trying to figure out what the best brand for the
25 market is, but it won't be a DiamondJacks when it

1 reopens.

2 So the statistics of what that --
3 what that calculates to, and we've already been
4 talking to you a little bit this morning, it's 405
5 rooms with 20 multiroom suites that will be in the
6 property, while the 25,000 square feet of the
7 meeting space, including the 12,000 square foot
8 ballroom, will be renovated and brought back
9 online, the spa and fitness facility.

10 We'll be adding three retail prop --
11 outlets to the property at this point. The pool
12 complex will be brought back up again, which is a
13 great facility. It's right out front, and it's
14 probably one of the best in the market. We'll be
15 adding three food and beverage outlets that will
16 have over 450 seats. That includes a steakhouse
17 with a bar and a full-service restaurant and a bar
18 and a food hall concept that will probably have
19 three to four venues in it, providing a lot of
20 variety and different levels of food to everybody
21 that's coming through, and then the 61,000 square
22 feet of the casino area that includes the sports
23 wagering, the live entertainment event center that
24 will have close to a capacity of around 300 seats.
25 We'll have a VIP lounge. We'll have over 1,000

1 slots, 50 tables, both electric and live. There
2 will be a casino bar in place and then the new
3 entrance on the second level of the garage.

4 So, now, this highlights the existing
5 footprint of the property, along with the two
6 areas we'll be adding construction. It will be
7 along the garage on the southeastern side of the
8 property. We'll be adding a bulk of the new --
9 new construction, and then out in front of the
10 building, we'll push it out a little bit into the
11 existing porte cochere to add the existing new
12 construction space that will be added.

13 This gives you an idea of the new
14 eastern side of the property. We'll start up
15 here. Here you'll see where the new entrance is
16 going to be from the existing garage, as the new
17 casino space will ad -- you know, be directly
18 adjacent to the existing garage.

19 And then at the eastern end of the
20 property is the sports lounge and live
21 entertainment facility. That will take over about
22 5,000 square feet of space at the end. A VIP
23 lounge, which will be directly located next to it,
24 will allow customers to flow from the casino into
25 the sports area and back out again.

1 The steakhouse and full-service
2 restaurant will be over here to the western side
3 of the property, and then you have the new gaming
4 layout of the casino space, which will be a
5 single-level, very open, very -- as you can see,
6 nonlinear in nature, very circular in nature in
7 terms of how the games are laid out. What we
8 found in post-COVID in existing properties is that
9 customers really enjoy having a lot of space to
10 mingle and be around; so our goal is to make a
11 very open and inviting gaming space for customers
12 coming into the property.

13 And then the opposite side of the
14 property, the western side here, we have where the
15 food court is going to be, which will be new,
16 redeveloped space within the existing property.
17 We have the hotel lobby bar which will be added
18 into the property. The retail shops and the
19 sundry shop will be located in the existing lobby
20 space, and then you have the existing ballroom and
21 all the meeting space that will be further
22 developed.

23 And now we have some proposed
24 renderings of what we believe it's going to look
25 like, which we'll come back with when we -- we get

1 everything finalized. But here is a rendering of
2 what the outside of the property conceptually will
3 look like at this point. And then you've got what
4 the inside of the property will look like, looking
5 at it from the main front door, walking into the
6 main walkway of the casino and
7 entertainment and -- and dining space. Again,
8 we're trying to make it very open, very inviting,
9 with a lot of space for circulation and people to
10 move around.

11 This is looking down from the eastern
12 side of the main walkway, showing where the table
13 games environment is going to be, as well as along
14 this back wall back here is where the
15 entertainment and lounge for the sportsbook is
16 going to be back against the eastern side of the
17 property.

18 Then, here is a conceptual outlook of
19 what a typical hotel room is going to look like
20 once it gets renovated through, which, again, we
21 were looking to create something that's very
22 inviting into the market and people will look to
23 come to as a result of it being new and fresh and
24 something that's very relevant and meets the
25 expectation of the customers that are looking to

1 come into the market.

2 I'm now going to turn it over Don
3 Mitchell, our CFO, to talk you through the budget
4 and some of the numbers.

5 MR. MITCHELL:

6 Thank you, Les. Good morning,
7 Mr. Chairman and Board Members. As Les said, my
8 name is Don Mitchell. I'm also a principal with
9 Foundation Gaming and serve as the Chief Financial
10 Officer. I would like to give you a little more
11 detail on some of the information that has been
12 provided.

13 The project is estimated to be \$190
14 million. That does not include the finance cost.
15 The big piece of that, the largest piece, is going
16 to be the new construction we talked about.
17 Moving to the land-based facility will be about
18 \$60 million. We'll also have roughly \$50 million
19 in renovations to the existing land-based pavilion
20 area, as well as the hotel, and then over
21 \$10 million upgrading all the restaurants and
22 additional costs going in to finish out the
23 project. We do expect, with financing cost, this
24 total project will be well above \$200 million in
25 total. Next slide.

1 From a timing standpoint, we have
2 already submitted our initial demoli -- demolition
3 package. We are in discussion with our
4 contractor, and we hope to be here in January to
5 present that contract for approval to get moving
6 with the demolition work. As soon as we get --
7 take control of the property, we'll begin doing
8 some of the repairs that need to be done and some
9 additional cleanup as soon as we can. But we
10 expect that demolition will take several months.

11 During that time period, we are going
12 to be finishing out the detailed drawings for the
13 overall project. We expect to begin in -- as we
14 move forward with phases, to get to the point
15 where we begin the actual new land-based
16 construction piece by September 2023. The overall
17 build-out period we expect to be 16 to 20 months.
18 It's a bit of a range there, but as we've seen
19 over the last couple of years, we've had several
20 challenges with just supply chain type issues; so
21 we've tried to build in some timing to deal with
22 that, but we expect to have the property open by
23 December 2024.

24 And with that, we would be happy to
25 open it up to any questions.

1 CHAIRMAN JOHNS:

2 Impressive.

3 MR. MITCHELL:

4 We're excited.

5 CHAIRMAN JOHNS:

6 Members, I've actually gone through
7 this entire property as it stands today, and,
8 gentlemen, I think you've got quite a challenge
9 ahead of you; so -- but it looks like today it's
10 to where this could become a viable property for
11 the Bossier-Shreveport market.

12 Question on the existing boat that's
13 there today. Will that be able to be floated out,
14 or are you going to have to dismantle that thing
15 and take it out of there?

16 MR. McMACKIN:

17 We're looking at several options
18 right now, Chairman. One of the options is to be
19 able to float it out. There's -- there's multiple
20 parties that we've been in conversation with,
21 everything from taking it apart in place to
22 floating it out to -- there's folks that are
23 looking to -- to keep it and use it as is
24 somewhere else; so all the options are on the
25 table, and we're trying to figure out the best way

1 to get it out of there.

2 But, yes, floating it out is an
3 option, and it's an option we're looking to
4 execute kind of quickly, because, you know,
5 traditionally, the river rises in Q1; so our goal
6 is, if that's going to happen, to make it happen
7 sooner than later and take advantage of -- of
8 additional water in the river to help us get it
9 out.

10 CHAIRMAN JOHNS:

11 Right. So from what I'm looking at
12 and what I've seen, you're virtually going to
13 renovate really, literally, 100 percent of that
14 property, I mean, just almost from scratch.
15 You've got an infrastructure. You've got some
16 walls, some floors. You don't have much else, do
17 you?

18 MR. MITCHELL:

19 It's got great bones, and we're going
20 to --

21 CHAIRMAN JOHNS:

22 Great bones.

23 MR. MITCHELL:

24 -- rebuild it from those.

25 CHAIRMAN JOHNS:

1 That's a good way to put it. And a
2 great location.

3 MR. MITCHELL:

4 Yes.

5 MR. GUIDA:

6 Great location.

7 CHAIRMAN JOHNS:

8 Great location.

9 MR. GUIDA:

10 And it was a beautiful hotel property
11 when it was built.

12 CHAIRMAN JOHNS:

13 Right.

14 MR. GUIDA:

15 So I think we're looking to kind of
16 bring back -- in a more updated way, back to where
17 it was at one point; so . . .

18 CHAIRMAN JOHNS:

19 Right. So, Members, I would like to
20 enter into the record, before we get into further
21 discussion, two letters of support for this
22 project, one from the Office of the Mayor of
23 Bossier City, Mayor Thomas Chandler -- it should
24 be, hopefully, in your packet, but there is a
25 letter of absolute support for this project to go

1 forward -- and also from the Bossier Parish Police
2 Jury, signed by Thomas Salzer, President of the
3 Bossier Parish Police Jury, also in 100 percent
4 support of your project.

5 So, Members, I know some of you have
6 got to have some questions; so . . . Mr. Avant?

7 MR. AVANT:

8 What about the signage? It is
9 wonderful, big. You can see it forever by
10 interstate. What's --

11 MR. McMACKIN:

12 What -- yeah. We're looking -- at
13 this point in time, there's a lot of great
14 technical innovations that have occurred since '94
15 when that sign was put up, and we're looking to
16 take advantage of all those but to keep that pylon
17 sign out there. It is tremendous visibility
18 because of all the traffic that happens on 20. So
19 we're looking to keep that sign in place, as well
20 as some type of similar signage that's on top of
21 the building, because that's really -- if
22 you're coming from the Texas side, that's probably
23 the first thing you see is the giant sign on top
24 of the hotel building before you get to the pylon.
25 But, yeah, we're looking to keep those there, just

1 update them to what would be more of a consistent
2 signage package you would see today if you're out
3 and about. So, yeah, the signage will be there,
4 just in a more updated form.

5 MR. AVANT:

6 And I assume y'all are working on a
7 cool name for it. Right?

8 MR. McMACKIN:

9 Yes, we are. We're going to be --
10 we've batted around a whole bunch, and then
11 hopefully we'll end up with the coolest one in the
12 end, but it's -- it's a process. There's only
13 five of us, and it's amazing how many different
14 opinions we have on something like that.

15 CHAIRMAN JOHNS:

16 Okay. Any -- any other questions?
17 Mr. Jackson?

18 MR. JACKSON:

19 Your gaming area, what's your plans
20 on that? Would it be smoking or nonsmoking?

21 MR. McMACKIN:

22 Well, we haven't -- you know, to be
23 honest, we haven't had that discussion amongst
24 ourselves yet. Our other properties are both
25 smoking at this point, but we've also done a

1 tremendous job to make sure that you don't walk
2 into a smoke-filled environment.

3 So if it's -- if we intend to keep it
4 smoking, I will guarantee to you that you won't
5 notice the smoke when you walk in. That's the
6 advantage we have of kind of starting from fresh.
7 And the gaming space will be basically all new; so
8 the high ceiling and the state-of-the-art
9 innovation, you know, HVAC systems, that will
10 allow that just to keep out of it. I mean,
11 it's -- we tend to drive it more by what customer
12 preference is at this point, and it's something
13 that's still there, and we'll do our best to meet
14 what the expectation of the customers is.

15 MR. JACKSON:

16 Okay. Thank you.

17 CHAIRMAN JOHNS:

18 Thank you, Mr. Jackson. As I
19 understand, the Parish of Bossier does not have a
20 smoking ban on casinos, whereas Caddo Parish does;
21 so . . .

22 MR. JACKSON:

23 Right. Correct.

24 CHAIRMAN JOHNS:

25 So there is a difference there in

1 that market; so -- a significant difference;
2 so . . .

3 So, Members, any further questions?
4 Any further comments?

5 (NO RESPONSE)

6 CHAIRMAN JOHNS:

7 I cannot thank y'all enough for your
8 hard work to -- for us to get here today and also
9 to State Police and the Attorney General's Office.
10 I know there will be bumps in the road as we move
11 forward on this, and I just ask that you be 1,000
12 percent transparent with us. Communicate with
13 State Police. Communicate with the Attorney
14 General's Office and, of course, our board office
15 also on any bumps in the road that we -- as we
16 move forward on this.

17 So I just went through my first
18 opening of a -- of a new land-based casino this
19 past Monday, and it was quite an experience to get
20 there, to put it -- to put it lightly.

21 But, anyway, any further questions,
22 Members? Further comments?

23 (NO RESPONSE)

24 CHAIRMAN JOHNS:

25 Okay. So at this point I would ask

1 for a motion to adopt a fairly lengthy resolution
2 that is going to have to be read. Please bear
3 with us. And then I'll ask for a second. But I
4 would ask for a motion to adopt the resolution to
5 allow this project to go forward.

6 MR. JACKSON:

7 Motion to approve.

8 CHAIRMAN JOHNS:

9 Mr. Jackson has moved that we adopt
10 this resolution.

11 MR. AVANT:

12 Second.

13 CHAIRMAN JOHNS:

14 And Mr. Avant has seconded that
15 motion. And, Ms. Hood, if you would, call -- read
16 the -- excuse me -- read the resolution.

17 MS. HOOD:

18 On the 15th day of December 2022, the
19 Louisiana Gaming Control Board did, in a duly
20 noticed public meeting, consider the Joint
21 Petition for Approval of Transfer of Membership
22 Interest and Relocation of Gaming Operations filed
23 by Louisiana Riverboat Gaming Partnership and
24 Foundation Gaming & Entertainment, LLC, and upon
25 motion duly made and seconded, the Board adopted

1 this resolution:

2 Whereas, on April 13, 2022, Legends
3 Holding, LLC, and Foundation Gaming entered into a
4 Purchase and Sale Agreement, providing for the
5 sale of 100 percent of the equity interest in
6 Legends Gaming, LLC, which is currently the
7 indirect company of the Licensee.

8 Whereas, Legends Gaming is the direct
9 parent company of Legends Gaming of Louisiana-1,
10 LLC, and Louisiana Gaming of Louisiana-2, LLC,
11 which each own a 50 percent ownership interest in
12 the Licensee.

13 Whereas, conditioned upon the closing
14 of this transaction, the licensee has requested
15 approval to construction and relocate to a
16 landside facility and to modify certain license
17 conditions.

18 Whereas, Foundation Gaming has
19 obtained certain commitments for funding the
20 acquisition of Legends Gaming and construction of
21 the landside facility from subsidiaries of an
22 approved institutional lender as disclosed in the
23 documents provided to the Board.

24 Whereas, after the acquisition of
25 Legends Gaming, Foundation Gaming intends to

1 convert the licensee from a partnership to a
2 limited liability company renamed Louisiana
3 Riverboat Gaming Company, LLC, and merge Legends
4 Gaming and the Legends Entities into the Licensee
5 so that Foundation Gaming becomes the direct
6 parent company of the Licensee.

7 Whereas, the transactions provided
8 for the -- for in the Petition, Purchase and Sale
9 Agreement, and related agreements require prior
10 Board approval.

11 Now, therefore, be it resolved that
12 the sale and transfer of 100 percent of the equity
13 interest in Legends Gaming to Foundation Gaming
14 pursuant to the Purchase and Sale Agreement is
15 hereby approved.

16 Be it further resolved that the
17 \$135 million development loan under commitments
18 that the Licensee, as Borrower, obtained and
19 arranged with the approved institutional lender,
20 as more particularly described in the loan
21 agreement, is hereby approved.

22 Be it further resolved that the
23 granting of a security interest on the equity
24 interest in the Licensee as collateral to secure
25 the obligations under the financing arrangements

1 entered into by the Licensee and Foundation Gaming
2 with the approved institutional lender to acquire
3 Legends Gaming and construct a landside facility,
4 as more particularly described in the documents
5 disclosed to the Board, is hereby approved.

6 Be it further resolved that the
7 execution of all the documents necessary to
8 effectuate -- effectuate the transactions
9 contemplated by the Purchase Agreement and related
10 agreements, all as more particularly described and
11 provided for therein, is hereby approved.

12 Be it further resolved that
13 Foundation Gaming's post-closing conversion of the
14 Licensee from a partnership to a limited liability
15 company and the merger of Legends Gaming and the
16 Legends Entities into the Licensee, with the
17 Licensee becoming the surviving entity, do not
18 need Board approval but are hereby acknowledged.

19 Be it further resolved that the
20 execution of all of the documents necessary to
21 effectuate the management of the Licensee by
22 Foundation Gaming Group, LLC, and independent
23 consulting services by Panther Gaming &
24 Entertainment, LLC, are hereby approved.

25 Be it further resolved that Condition

1 No. 22 of the Statement of Conditions to the
2 Riverboat Gaming License is hereby amended to
3 decrease the number of employees required from 650
4 persons to 400 persons.

5 Be it further resolved that Condition
6 No. 34 of the Statement and Conditions to the
7 Riverboat Gaming License in connection with the
8 reorganization of Legends Gaming and emergence
9 from bankruptcy in August of 2013 is hereby
10 removed.

11 Be it further resolved that the
12 Licensee's request to relocate its gaming
13 operations to a newly constructed landside
14 facility to be included as part of the Approved
15 Project, as defined by the Statement of Conditions
16 to the Riverboat Gaming License of
17 Louisiana Riverboat Gaming Company, LLC, which are
18 attached hereto and made a part hereof, and
19 located within 1,200 feet of its licensed berth
20 site, all in accordance with the plan and
21 supporting document -- documentation submitted by
22 the Licensee and all applicable law, and to
23 commence gaming operations thereat upon
24 completion, subject to the Board -- to further
25 Board considerations and final inspection and

1 approval by the Division, is hereby approved.

2 Be it further resolved that Condition
3 No. 6 of the Statement of Conditions to the
4 Riverboat Gaming License be modified and replaced
5 with the following:

6 A hotel with a minimum of 405 rooms;

7 A sports wagering lounge and a live
8 entertainment event center;

9 A ballroom with meeting space
10 totaling a minimum of 25,000 square feet;

11 A minimum of three food beverage
12 outlets with a total minimum seating capacity of
13 450;

14 A sundry shop and a minimum of two
15 retail outlets; and

16 A spa, fitness facility, and outdoor
17 pool complex.

18 Be it further resolved that no gaming
19 operations shall commence until the entire
20 Approved Project has been substantially completed
21 and is ready for occupancy and use in the opinion
22 of the Board and until the Division has determined
23 that all necessary staffing, training, security
24 and surveillance, technical accounting, and
25 internal control procedures are acceptable.

1 "Substantially complete" or "substantial
2 completion" shall mean the state in progress of
3 the work with the Approved Project is sufficiently
4 complete in accordance with the contract documents
5 such that it can be occupied and used -- utilized
6 for its intended use.

7 The licensee shall abide by the
8 following standards of construction of the
9 Approved Project:

10 No later than 120 days from this
11 Resolution's date to submit architectural
12 blueprints and a detailed plan of design and
13 construction of the Approved Project to the Board
14 for review and acceptance. The architectural
15 plans and specifications shall comply with all
16 applicable laws and regulations, including but not
17 limited to environmental, fire, and safety codes.
18 Failure to meet this deadline or to timely receive
19 an extension from the Board may result in
20 forfeiture of all privileges to the licensee;

21 To enter into all necessary contracts
22 for construction of the Approved Project and
23 submit copies to [sic] the contracts to the Board
24 for acceptance no later than 90 days after the
25 passage of the Board resolution accepting the

1 plans and specifications. All contracts related
2 to the Approved Project shall be let only by the
3 licensee or its parent company;

4 To complete construction of the
5 Approved Project and commence gaming operations in
6 the facility within 24 months of this Resolution's
7 date. Failure to meet this deadline or to receive
8 an extension may result in forfeiture of all
9 privileges to the license; and

10 To submit a work-in-progress report
11 on the construction of the Approved Project to the
12 Board by the 20th day of every month. Said report
13 shall include a detailed narrative on the status
14 of all work up to the date of the report and a
15 progress report payment listing all payments made
16 up to the date of the report.

17 Be it further resolved that the
18 Licensee's request to temporarily suspend gaming
19 operations until substantial completion of the
20 Approved Project is hereby approved.

21 Be it further resolved that the
22 Licensee's architectural plans and specifications
23 for the demolition phase of the Approved Project
24 be deemed submitted and accepted.

25 Be it further resolved that the

1 Licensee's request to sell or otherwise dispose of
2 its vessel in connection with the landside
3 relocation plan for the Approved Project is hereby
4 approved.

5 Be it further resolved that the
6 approvals granted in this Resolution are subject
7 to and conditioned upon the effectuation and
8 closing of the transfer of interest from Legends
9 Holding, LLC, to Foundation Gaming; and the
10 execution of the Acknowledgment and Acceptance of
11 the Statement of Conditions to Riverboat Gaming
12 License of Louisiana Riverboat Gaming Company,
13 LLC, doing business as DiamondJacks Resort &
14 Casino, and the Indemnity and Hold Harmless
15 Agreement required by the -- by said Statement of
16 Conditions by the Licensee and Foundation Gaming,
17 both to become effective on the date of Foundation
18 Gaming's acquisition of Legends Gaming.

19 Thus done and signed in Baton Rouge
20 this 15th day of December 2022.

21 CHAIRMAN JOHNS:

22 Thank you, Ms. Hood. It took you a
23 long time. Thank you for that. Okay, Members. I
24 think Mr. Avant has a motion.

25 MR. AVANT:

1 I would like to make a motion that we
2 approve the transfer of interest and the
3 relocation of the gaming operation.

4 MR. JACKSON:

5 Second.

6 CHAIRMAN JOHNS:

7 Okay. We have a motion by Mr. Avant,
8 and seconded by Mr. Jackson, that we adopt the
9 resolution as read. And, Ms. Hood, would you call
10 the roll, please?

11 MS. HOOD:

12 Mr. Avant?

13 MR. AVANT:

14 Yes.

15 MS. HOOD:

16 Ms. Berry?

17 MS. BERRY:

18 Yes.

19 MS. HOOD:

20 Mr. Jackson?

21 MR. JACKSON:

22 Yes.

23 MS. HOOD:

24 Ms. Lewis?

25 MS. LEWIS:

1 Yes.

2 MS. HOOD:

3 Mr. Poole?

4 MR. POOLE:

5 Yes.

6 MS. HOOD:

7 Ms. Hamilton-Acker?

8 MS. HAMILTON-ACKER:

9 Yes.

10 MS. HOOD:

11 Mr. Sholes?

12 (NO RESPONSE)

13 MS. HOOD:

14 Ms. Traylor?

15 MS. TRAYLOR:

16 Yes.

17 MS. HOOD:

18 And Chairman Johns?

19 CHAIRMAN JOHNS:

20 Yes.

21 MS. BOLES:

22 Thank you so much.

23 CHAIRMAN JOHNS:

24 By unanimous vote, you have started

25 a -- an adventure, gentlemen, and we thank you

1 very much. Again, I thank you a lot, but once
2 again, thank you very much for your commitment to
3 the state of Louisiana and to the market, and I
4 know that the Parish and City of Bossier are
5 excited; so thank you very much.

6 MS. BOLES:

7 Thank y'all.

8 MR. MITCHELL:

9 Great. Thank y'all.

10 MR. GUIDA:

11 Thank you.

12 MS. BOLES:

13 Happy Holidays.

14 CHAIRMAN JOHNS:

15 Thank you, Members. Okay. Okay.

16 Moving along to Item No. E, the consideration of
17 petitions to amend the voluntary procurement goals
18 as filed by the following and a presentation by
19 the Louisiana Casino Association in relation to
20 those petitions. Mr. Duty, good morning.

21 MR. DUTY:

22 Good morning, Board Members. Give me
23 one second to catch up on the technology here.
24 All right. If they'll authorize that in the magic
25 room, then we should be ready to roll.

1 My name is Wade Duty. I'm the
2 Executive Director of the Louisiana Casino
3 Association. I am before you today handling the
4 presentation on behalf of the licensees. You
5 previously amended your agenda to include Golden
6 Nugget's petition to join this, which now
7 represents 13 of the 15 riverboat licenses seeking
8 amendment. DiamondJacks is not seeking at this
9 time because they got their license 30 seconds
10 ago; so that one is pretty much a no-brainer.
11 Additionally, Horseshoe Lake Charles reached out.
12 I think you will see them make an effort to amend
13 concurrent with what we're pitching to you here
14 today, but they have been only operational for
15 about 72 hours now; so with those exceptions,
16 everybody else has gotten on board with this.

17 There's a couple of preconceptions I
18 would like to address before I burrow through this
19 presentation. And, unfortunately, this is going
20 to be a lot like programming a VCR not to flash
21 12:00, and that is a relevant metaphor, because
22 these goals were set then. It would be another
23 three years before DVDs came out. When is the
24 last time you rented a DVD? Most of you are
25 streaming on your cell phone, hopefully, now

1 instead of listening to this presentation. So
2 apologizes. It's long. It's lengthy. There's
3 some terminology that we'll have to get through.
4 But, hopefully, it will make sense, and it is a,
5 we believe, logical, defensible, appropriate
6 proposal to modify goals in a meaningful way.

7 Here is what we didn't do. In
8 consultation with my Board of Directors, which is
9 comprised of the General Managers of each
10 property, as well as our Association President, we
11 did not enter into this with preconceived
12 destinies. We did not seek to unilaterally lower
13 goals and make our lives easier. We said, we will
14 follow where the data takes us. We did not,
15 additionally, dig below industry sector headings.
16 And that doesn't mean anything now, but,
17 hopefully, in a few minutes it will make more
18 sense, because the deeper we dig the more we would
19 exclude, which would lower the proposed
20 percentages; so we made the commitment that we
21 would take it as we found it, and this is the
22 result of that.

23 There is a problem. This is an
24 imperfect system that you're being asked to
25 regulate. These goals were set roughly 30 years

1 ago. Constitutional thinking and state goals have
2 modified over time. As long as you are still
3 stuck with your current definition of "Louisiana
4 business enterprise," this is going to be a
5 recurring challenge for the industry to meet. I
6 would like you to think of this in terms of as not
7 restoring a classic 1965 Mustang, but, rather,
8 you're going to be fixing up a 1992 Monte Carlo.

9 So with that in mind, let me begin
10 our journey. Why are the amendments needed?
11 Well -- and, again, we still don't have the big
12 screen; so -- you do have hard copies before you,
13 and, hopefully, you can follow along with that.
14 Again, most of these goals were set in the 1992
15 initial round of licensing. At the time there was
16 no industry in place; so there's no historical
17 data to draw from, and the operators had no
18 experiential data or exposure to know what would
19 and would not work.

20 Do you want me to pause until we
21 catch up with the video or just burrow on? I
22 mean, if the members can follow --

23 CHAIRMAN JOHNS:

24 Yeah, I'm hoping we can get the video
25 up. We're a little shorthanded today with so many

1 meetings in the Capitol and --

2 MR. DUTY:

3 Like I said, the board members have
4 what they need, and these folks behind me would be
5 more than happy just to lapse into a coma; so it's
6 the only good thing that -- that might break that
7 sleep; so . . .

8 CHAIRMAN JOHNS:

9 Why don't you -- why don't you
10 proceed? We have -- we have hard copies here --

11 MR. DUTY:

12 Yes, sir.

13 CHAIRMAN JOHNS:

14 -- in front of us; so . . .

15 MR. DUTY:

16 Additionally, we have circumstances
17 where, when licenses have moved from one location
18 to another, their goals stayed the same. The
19 poster child for this is the original Bally's boat
20 that was located at the Metro Airport in New
21 Orleans that later became the Amelia Belle, and
22 its goals remained the same. Amelia, Louisiana,
23 and New Orleans are not the same economic
24 environment. They are not the same demographic,
25 and it was a challenge for those goals to be

1 imported.

2 Another perspective for you, at the
3 time these goals were set, gasoline was at \$1.13 a
4 gallon. The average new car price was \$16,000. A
5 movie ticket was \$4.15, and it would be another 15
6 years before the first iPhone goes to market; so
7 this is ten pounds ago. This is a whole lot of
8 gray hair ago. This is some -- some vintage
9 stuff.

10 Additionally impacting this is the
11 fact that these goals have never been updated to
12 recognize the 2008 recession, 427 hurricanes that
13 have hit us, the COVID impact. These are simply
14 outdated. Many of you board members have made the
15 comments, even in open meetings, that these need
16 to be addressed, and this is our proposal to do
17 that.

18 So how do we do it? Well, we wanted
19 data that was independent. We did not want to use
20 industry-generated data. There is a perception
21 occasionally that, well, of course, it says that
22 because it's your data. Well, this is not our
23 data. This data is derived from the Department of
24 Commerce, the U.S. Census Bureau. All of you are
25 familiar with the Census Bureau, with the ten-year

1 population census, but, additionally, they do a
2 five-year economic census, and this is the
3 official federal snapshot of the state of commerce
4 in this country.

5 Those of you who either have clients
6 or operate businesses yourselves, you will receive
7 that little postcard that tells you to go online
8 and file your company's information on a periodic
9 basis from the Census Bureau. That's the source
10 data for this, along with a lot of other
11 information. This data is available by state and
12 by something known as an MSA. It stands for
13 metropolitan statistical area, and I'll use MSA
14 for short. We'll define that a little bit more in
15 a second.

16 Participation in the data-gathering
17 is mandatory for businesses. It is not optional.
18 The next due date for the data will be 2023. They
19 have already begun data collection in October of
20 this year; so by 2024 you'll have the first look
21 at that data. So our proposal is that we lock in
22 this process, and as we move forward and data
23 becomes available, this issue is periodically
24 revisited a little more frequently than once every
25 30 years.

1 You have, I think, on the next
2 page -- and I think this is your page 4. The
3 Commerce Department and the U.S. Census Bureau
4 divides American industry into sectors, and they
5 are, as you see, accommodation and food service;
6 agriculture, forestry, and fishing. Mining and
7 oil gas extraction is not really a biggie for us.
8 We don't really operate that many gold mines or
9 oil wells. Probably would be beneficial in some
10 settings but not necessarily all. Retail trade,
11 obviously, is of interest, as is wholesale trade.
12 Those major industry sectors are searchable and
13 definable by MSA.

14 What is an MSA? Well, again, it's a
15 metropolitan statistical area. It is not defined
16 by political boundaries; so please don't think in
17 terms of stops at the parish line or stops at the
18 city limits. An MSA is a demographic, an economic
19 area as established by the Office of Management
20 and Budget at the Federal Government, and it is
21 meant to represent a collection of business and
22 people who have interactions within a geographical
23 space but not a political space. So, like I said,
24 don't get hung up on political boundaries. Think
25 more in terms of where are you likely doing

1 business. If you have a shop in New Orleans,
2 you're not likely to source a lot of product out
3 of Shreveport. You can but it's not likely.

4 As an illustration, the Baton Rouge
5 MSA encompasses seven parishes; so it's not just
6 the parish of East Baton Rouge. It's Ascension
7 Parish, East Feliciana, West Feliciana, basically
8 our economic footprint. That's just one example.

9 The next thing you see is the North
10 American Industry Classification System, also
11 known as NAICS. So what this is -- again, those
12 of you who have clients or have represented a
13 business before, you will be somewhat familiar
14 with this. This is the five- or six-digit code
15 that classifies what you are. For example, in
16 arts and entertainment and recreation, that starts
17 with "71," and there will be another three or four
18 digits behind that; and, eventually, it will tell
19 you that you're a bowling alley, or you're a movie
20 theater, or you're a live music venue.

21 So this data is searchable down to an
22 incredibly granular level. If you want to know
23 how many left-handed Hispanic auto repair shops
24 there are in Monroe, you can get there, but we did
25 not go that deep. Number one, you would lose

1 consciousness; number two, the fact that, again,
2 the deeper we dig the more entities that we would
3 never do business with would be excluded. So we
4 didn't do that. We took the top category and went
5 as is.

6 There are a lot of factors that
7 affect our ability to attain procurement goals.
8 First and foremost, not all minority and
9 women-owned business vendors provide goods and
10 services that we buy in the quantity that we buy
11 them. Capacity is really an issue. If you're
12 buying 500,000 cases -- I'm sorry -- 500,000
13 bottles of water a year for a single property,
14 that's a sizeable investment. You have to
15 warehouse that, you have to truck that, and you
16 have to deliver that.

17 Compared to other states,
18 additionally, Louisiana does not have a
19 proportional share of minority and women business
20 enterprises in relation to its overall population.
21 Although we have roughly a 36 percent minority
22 population in this state, I think you're going to
23 be surprised when we get to some of these slides
24 that indicate the percentage of ownership in
25 business enterprises that translates to.

1 Additionally, Louisiana's
2 definitional statement that must -- first, you be
3 a Louisiana business enterprise before we can
4 consider you as a women or a minority business
5 enterprise remains to be a problem. When you look
6 at particularly the western market, the
7 Shreveport-Bossier market, and the Lake Charles
8 market, they're, in fact, closer to Texas, which
9 is good because you draw revenue out of Texas, but
10 it makes it challenging when you're 50 feet from a
11 major supplier but you've got to go, no, can't do.
12 We've got to buy in Louisiana, and we can't even
13 consider you because you're not one of a Louisiana
14 secondary group. So it's not a business-friendly
15 approach, but it is what we all have to work
16 within, and we're trying to do that.

17 Something that has improved over the
18 years, the permitting requirements for non-gaming
19 vendors, the threshold was originally \$50,000.
20 It's since been raised -- I think we're now at
21 \$500,000, and that has helped, because when you
22 approach a vendor and say, "We'd like to do
23 business with you. We want to buy carpeting.
24 We're going to recarpet our whole facility, but
25 you need to get a gaming permit," and they go,

1 "Why? I don't have to do that for a stadium. I
2 don't have to do that for a school. I don't have
3 to do that for a hospital," and the answer is,
4 "Because it's gaming. We're a highly regulated
5 industry, and that's one of the requirements,"
6 that is off-putting to many vendors. So that is a
7 factor that impacts us, but it has improved some.

8 Another thing in talking with vendors
9 that we hear, a lack of a certification process
10 that is universally recognized. The State of
11 Louisiana does operate a disadvantaged business
12 certification process but only within the confines
13 of the purposes of the Department of
14 Transportation. There is not a one-stop shopping
15 for vendors to go to and say, "I want to be
16 considered in this category. Will you certify
17 me?" That doesn't exist in Louisiana.

18 So we, as the casino industry, do
19 provide self-certification, or we will recognize
20 other private sector certification organizations,
21 but you run into a problem. If you're a small
22 business operator, which certification agency do
23 you pick? There's three, four, seven. Those are
24 all fee-based, and that is a fee that a lot of
25 small businesses are not willing to incur. And,

1 lastly, the big -- the big trick is the fact that,
2 again, the western markets are actually closer to
3 Texas than they are to the major distribution
4 facilities in Louisiana.

5 So what you see on the next slide --
6 I think this will probably be no. 8. This is a
7 snapshot from what's called the Census Business
8 Builder. This is the data portal for the Census
9 Bureau, and the lower right-hand corner is the
10 legend. So this is a color legend map, and it
11 indicates by purple that the percentage of
12 minority business enterprises in the state of
13 Louisiana is at 11 percent. This is not
14 concurrent with the minority population of roughly
15 36 percent.

16 So the kind of knee-jerk reaction we
17 run into sometimes is, well, your goals ought to
18 be proportional to the population. That would be
19 great, except the population does not engage in
20 businesses or services to that same level. So you
21 can't say, well, 36 percent of the population is
22 this; therefore, your goals should be 36. You've
23 got to start with the understanding that only 11
24 percent of the population is engaging in any goods
25 or services, and then from that the pool gets

1 smaller, because there's things we don't buy. We
2 don't buy a lot of goldfish. We don't buy a lot
3 of car repair services. We don't buy a lot of
4 things that people engaged in successful business
5 enterprise are in, but they're not translatable to
6 the casino industry.

7 In cracking open the MBE definition a
8 little further, when you look at the percentage of
9 black business enterprises in the state, it comes
10 in at, roughly, around 3 percent; so of that 11
11 percent, roughly, about 25 percent of it is made
12 up of black business enterprises. The next slide
13 is Asian-owned business enterprises. They're
14 coming in at around, I think, 4 or 5 percent.

15 And then, finally, the next larger
16 minority grouping is Hispanic-owned businesses,
17 and this is one -- you see the state of Texas,
18 obviously, as you would expect, has a larger
19 proportional share of Hispanic business
20 enterprises, but Louisiana is coming in at a
21 little over 2 percent. So that comprises your 11
22 percent. That's where we're starting with with
23 MBEs.

24 In comparison to other states, --
25 this is probably slide no. 9 or so -- you see that

1 Louisiana ranks disappointingly low in comparison
2 to other states as far as number of minority
3 business enterprises and compared to their overall
4 population. Georgia, Texas, California, much
5 higher, in excess of 30 percent. We're tracking
6 about 11 percent.

7 I would like you to spend a moment,
8 if you would, and kind of digest this next slide.
9 This is the long, narrow chart stretching
10 endlessly to the horizon. And what you see across
11 the top is those industry sectors that we
12 discussed earlier. This is accommodation and food
13 services. This is retail trade. This is
14 wholesale trade. Below that, by market, are the
15 percentages of minority business enterprises in
16 this state that engage in those business sectors.

17 So what you see is a fair degree of
18 representation in accommodation and food services,
19 but do understand what does that mean. Food
20 services does not exclusively mean major food
21 distributors, companies like U.S. Foods or Sysco.
22 It also means food trucks. It also means catering
23 services. It also means things that we don't
24 necessarily buy. So it's good to see
25 participation in that, but don't be misled into

1 thinking that it automatically translates into a
2 great representation for products and services
3 that we're consuming.

4 Moving over, if there's an asterisk,
5 it's because the percentage is less than one. So
6 there is underrepresentation in many of these
7 sectors. That is not something that is within the
8 control of the casino industry; that is
9 market-driven forces.

10 Moving now to Louisiana women-owned
11 business enterprises, the same process. This is a
12 legend-based, color-coded map. In the lower
13 right-hand corner, you'll see that corresponding
14 to Louisiana is the second green color. Louisiana
15 business -- I'm sorry. Women-owned business
16 enterprises in Louisiana comprise about 17 percent
17 of the business that's done in this state, and
18 that will actually translate into a proposal to
19 significantly raise our goals from what they are
20 presently.

21 And another comparison of Louisiana
22 women-owned business enterprises to other states,
23 again, we're tracking a little over 15 percent.
24 Other states are, frankly, doing it better. The
25 Louisiana casino industry can be a component of

1 the process to further these goals, but we cannot
2 be the sole load-bearer for this.

3 And as you saw before with the MBE
4 sectors, this chart shows you the WBE. So, again,
5 across the top are the industry's commerce
6 sectors. Below that are, by market, the
7 percentage of representation for that sector of
8 women business enterprises.

9 So you see a lot of clustering --
10 hey, there we are. You see a lot of clustering in
11 healthcare and social assistance. That's not
12 something that we buy in great degree. Our
13 primary expenditures are actually food and
14 beverage items and marketing.

15 Marketing. Problem. Who are you
16 marketing to? You're marketing to Texas. Who are
17 you going to have to use? Texas-based companies.
18 Can you count them towards your goals? No, you
19 can't. Okay. So you can see our big ticket items
20 are already starting to get whittled down as far
21 as our ability to place those dollars with
22 Louisiana companies.

23 Now we're transitioning to, finally,
24 the final category. You're about halfway through
25 the slide journey. Again, apologies for that, but

1 we want to be transparent. We want to show our
2 thought process. We want to show you the data.
3 This is not our data. This is the government's
4 data; so you can absolutely trust it. No.

5 This is a comparison of MSAs. These
6 are the metropolitan statistical areas.

7 Basically, any population area of any size is
8 going to have an MSA assigned to it. So, if
9 you're looking at Shreveport, for example, its
10 concurrent MSA in size is about the same as that
11 of Longview and Tyler, Texas, combined but
12 obviously nowhere near that mass of Dallas and
13 Houston. And that becomes relevant in a moment
14 when you start talking about where do you buy
15 stuff from.

16 Again, note that Baton Rouge and New
17 Orleans are, in fact, their own substantial MSAs.
18 You can expect to be able to service higher-demand
19 clients and customers from those areas because
20 they have more stuff there. When you get into
21 more rural areas, it's more challenging to place
22 goods and services because those businesses don't
23 usually service larger institutional-sized
24 purchasers.

25 So let me ask -- introduce you,

1 hopefully, to the final term you'll have to endure
2 today. This is MSA GDP. What are we talking
3 about here? In this case this is the metropolitan
4 statistical area gross domestic product, and this
5 is a way that you measure the economic output of a
6 particular region. This is its -- for example, if
7 you have a shoe manufacturer, you don't measure
8 the value of every individual component of the
9 shoe, the shoe laces, the heel, the sole. You
10 measure the value of the final product. This is
11 relevant because of the geography, and there will
12 be a slide that will hopefully tie all of this
13 together, and it will make sense, but I have to
14 lay the groundwork and establish the terminology
15 first.

16 The takeaway from this one is Houston
17 is a really big place, and they do a lot of
18 business. They do \$537 billion worth of business
19 in Houston. The Lake Charles market, however,
20 comes in at about \$15 billion. Where are we
21 located next to if we're in Lake Charles? We're
22 located next to Texas.

23 The problem is this: Scale and
24 geography are really the biggest challenges,
25 particularly for the western markets. When you

1 compare that the Houston MSA is 34 times larger
2 than the Lake Charles MSA, that drives business
3 decisions, and that drives practical realities of
4 you can't buy some things in Lake Charles that you
5 can readily and competitively purchase in other
6 markets.

7 Lake Charles is 140 miles closer to
8 Houston than it is New Orleans -- I'm sorry -- at
9 140 miles, it's closer than it is to New Orleans
10 at 206 miles away and about the same distance it
11 is from Baton Rouge. The casinos in the Lake
12 Charles market consumes 6 1/2 of that market's
13 gross domestic product. They are big consumers in
14 that market. Anybody that's ever been there,
15 you've seen the properties. You know what they
16 buy. It takes a lot to feed that industry, and to
17 have the expectation that it's all going to come
18 from our backyard is not a business reality.

19 Switching to the Shreveport market
20 for some consideration, the same thing. This is a
21 snapshot of the Tyler, Texas, MSA. Again, this is
22 a proximity lesson for those of you that are not
23 necessarily well-versed. If you're from the
24 Northwest market, then you already know this; and,
25 if you're not, this hopefully gives a kind of

1 thing you'll file away in the back of your head
2 that, when we get to two more slides, it will make
3 more sense.

4 Shreveport, again, the market size
5 there is about 24 billion; however, when you get
6 into Dallas, it's \$598 billion worth of business,
7 but that's not really your real problem for the
8 Shreveport market. Your real problem is Sysco.
9 Sysco operates a large food distribution system in
10 the United States; in fact, they are the largest
11 distributor of food services in the United States.

12 They have a warehouse in Tyler,
13 Texas, that's 91 miles from Shreveport. It is
14 300,000 square feet. Think of the last Walmart
15 you were in. That's 100,000 square feet. This
16 one is three times bigger. Who does it feed? It
17 feeds the casinos. Now, we do have a Sysco
18 warehouse in New Orleans. Can you persuade Sysco
19 to drive a truck at \$5.00 a gallon for diesel fuel
20 from New Orleans to service Shreveport casinos,
21 when they look at it and go, "Well, you know,
22 we've got a" -- "got a warehouse over here in
23 Texas. Right?" "We understand that, but we're
24 trying to place dollars with Louisiana-based
25 enterprises." That is a discussion that goes on

1 continuously. It is not one that we're always
2 successful, and, frankly, we're almost never
3 successful, in persuading them to incur additional
4 cost that they don't pass on to us.

5 So what we're trying to do is, again,
6 lay the groundwork for the business reality behind
7 this. That's not operating in a vacuum, though.
8 We recognize there are other factors. There's a
9 desire to maximize economic participation in this
10 state. That is the reason for casino gaming in
11 Louisiana, but it does not mandate that it be done
12 at an unsustainable cost.

13 This is just a snapshot of the Baton
14 Rouge GDP, about \$56 billion -- I'm sorry -- yeah,
15 \$56 billion done -- produced in this area. But,
16 again, do understand this includes everything,
17 like, oil and gas. This includes artwork
18 produced. This includes things that we don't
19 necessarily consume. This is just irrelevancy for
20 their size.

21 The good news, we're nearing the home
22 stretch. What does it all mean? It means that
23 you have an old system. You know it needs to be
24 updated. We know it needs to be updated. We've
25 come to you with a proposal based on the data, the

1 allocations of the percentage of the three
2 categories that you have to address, minority
3 business enterprise, women business enterprise,
4 Louisiana business enterprise, using the census
5 data, as well as our experience.

6 This is contrary to our interest. I
7 would actually love to say, "Well, there's the
8 data. Poof. There's the number. We're done,"
9 because it would result in a lower number, but the
10 reality is, we can exceed what the data would
11 initially indicate because we're not locked into
12 just buying from New Orleans if we're in
13 Shreveport. We can also pull out of Baton Rouge;
14 we can also pull out of Lake Charles. So that
15 allows us, in some instances, to exceed what the
16 data would indicate. What subtracts from that,
17 though, is, again, the knowledge that, within
18 those industry sectors, not everyone is producing
19 goods and services that are consumed by the casino
20 industry.

21 The highlight from this slide really
22 is -- you can see the market purchases by the
23 casinos in those four major market areas. Lake
24 Charles is coming in at \$102 million a year in
25 goods and services that are purchased, and this is

1 exclusive of gaming equipment. To service that,
2 67 percent of what is purchased is purchased by
3 casinos that are actually closer to Texas
4 facilities than they are Louisiana facilities.

5 So what's our proposal? This is it.
6 This is the -- this is the big finish. What you
7 have before you is the proposal to do this on a
8 market-by-market basis, because we believe that if
9 a casino is in a market and you can persuade a
10 vendor to make deliveries there, then any casino
11 that's in that market could avail themselves of
12 those services.

13 You currently have a hodgepodge of
14 goals that are scattered. They're outdated. They
15 were set in other geographical areas. They're all
16 in need of some revision. So the proposal is,
17 instead of individual boat goals, we have market
18 goals, again, with the proposal that these be
19 revisited on a recurring basis to see if it still
20 makes sense and to repopulate this with new data.

21 The changes are not sweeping. I will
22 say, of the 45 categories to address, -- that's 15
23 licensees with 3 subcategories -- we are going up
24 on more goals than we are proposing to go down.
25 The snapshot is we're proposing to adjust downward

1 ten Louisiana business enterprise goals. We are
2 proposing to adjust downward eight minority goals
3 but raise seven minority goals, and we are
4 proposing to adjust upwards thirteen women-owned
5 business goal -- I'm sorry -- women business
6 enterprise goals upwards.

7 So, again, to my opening statement,
8 we did not go in this with a preconceived notion
9 that we're here to slash goals and walk away and
10 be done. That's not what this is. This is a
11 data-driven proposal. If you look at the
12 statewide takeaway, Louisiana business enterprise
13 presently -- goals are around 74 percent. Our
14 proposal, we would end up with about 68 percent.
15 MBEs, 13.7, our proposal, you would end up with an
16 average of 12 1/2 percent. WBEs are currently
17 tracking 12.3 percent. We would walk away from
18 this process, if you approve it, with a new WBE
19 goal of 15.7 percent.

20 However, as this is the end of the
21 slides -- it's actually not. This is the last
22 one, unless we have questions that necessitate
23 going deeper. This is not the proposal finality
24 for us, though. We're not saying here this is and
25 we're done.

1 What is our follow-through? What is
2 our commitment to continue this moving forward?

3 The association on a market-by-market basis will
4 begin meetings, starting in January, with the
5 regional markets. We will go through and work
6 with compliance directors and procurement
7 directors to explain the goal process to them, to
8 make sure that they are reporting accurately
9 everything. We've seen situations where, as
10 people transition into and out of positions at
11 these casinos, sometimes data and information is
12 not handed off fully, and we believe that there
13 are some reporting improvements that could be
14 handled there.

15 We're further going to engage with
16 the Department of Transportation and the
17 Department of Economic Development within the
18 state to get access to their vendor databases.
19 They're obviously, particularly with DOTD, focused
20 in a direction that is not necessarily what we buy
21 a lot of, but we're hopeful that it can lead us to
22 some other avenues to identify more WBE and more
23 LBE and more MBE vendors.

24 And then, finally, again, the closing
25 statement that I have for you is the

1 encouragement, the request, the plea that we do
2 this once more than every 30 years. It is high
3 time to address it. So that is my presentation.
4 I will field questions as you have them.

5 CHAIRMAN JOHNS:

6 Okay. Thank you, Mr. Duty. A lot of
7 information.

8 MR. DUTY:

9 Sorry.

10 CHAIRMAN JOHNS:

11 Members, I will tell you that as --
12 you know, since I've been Chairman, we've -- a
13 number of times as we've received those quarterly
14 reports, we've talked about the properties having
15 the obligation to meet their goals, and I've come
16 to realize that not only were they antiquated, but
17 many, many of the goals were -- were just not
18 sustainable just, you know, from a practical
19 standpoint.

20 I did ask Mr. Duty one question this
21 week. I would like to point out, if you look at
22 the Shreveport-Bossier market, under Louisiana
23 business -- owned businesses, we're going from
24 almost 77 percent down to 65, but I think that's
25 driven by, actually, one particular property that

1 had a goal of 90 percent. And I said, "Well, how
2 in the world did they agree to 90 percent?" And,
3 you know, I don't know. I wasn't there then. In
4 all likelihood, it was part of the competition
5 process to -- to get a license; so we'll -- we'll
6 set some very high goals, and it will look great,
7 but -- but we know we can't get it. So once you
8 take that one property out of the equation, that
9 76 or 77 percent would have gone down
10 significantly, and you would be looking at
11 probably somewhere in the state -- statewide
12 average.

13 But, anyway, with that said, I thank
14 you for your work. Every property in this state,
15 every license in this state had an opportunity
16 to -- to participate in this. They take -- I've
17 had personal conversations with general managers.
18 They take these goals serious, and they want
19 realistic goals, and I think this Board wants
20 realistic goals that we can meet; and, if they
21 don't meet, there can be some accountability to
22 not meeting those goals. When you know that those
23 goals are not sustainable, how in the world do we
24 keep -- hold them accountable? It's just -- it's
25 difficult.

1 But, if we move through this,
2 Members, you will hear in the resolution that's
3 been prepared that we're going to set a -- an
4 April 1 date for implementation of this for two
5 reasons: First of all, it would give the
6 licensees the time and the opportunity to go out
7 there, put their vendor fairs in place, put their
8 processes in place to actually go out there and
9 find businesses that would allow them to meet
10 these goals. I think that's a reasonable time
11 frame for them to do it. It also gives this Board
12 and any other interested parties time for some
13 input should any of these numbers be -- need to
14 tweak a little bit. We surely have the
15 opportunity to do so.

16 But I'm encouraged by the fact that
17 all of this is actually data-driven. It is --
18 it's numbers that come from the census. It's
19 numbers that come from the -- from the federal and
20 the state government, and it's not something that
21 the industry has come up with or this Board has
22 come up with. It's coming from -- from actual
23 numbers. So I just wanted to make that statement
24 of where we've been, where we're going, and it's
25 just high time that we do something. Twenty-seven

1 years is just way too long.

2 So any -- any questions from Board
3 members? Any questions? Ms. Berry?

4 MS. BERRY:

5 Mr. Duty, for the length of time I've
6 been on the Board, this is one of the things, as
7 you mentioned, that we've questioned several
8 times, "Why aren't these figures updated?" And I
9 would just like to commend you and your
10 organization on the amount of work that must have
11 gone into this. I can't even begin to question
12 any of the data that you've procured and gotten
13 together for this proposal.

14 And I have to state that listening to
15 your summarization of all of this, I was expecting
16 dramatically different changes, much more dramatic
17 than they are; so when I finalized and -- and I
18 was waiting to say, "Oh, this is going to hurt the
19 state of Louisiana and hurt the businesses of
20 Louisiana, and we have to," you know, look at that
21 in making our decisions for the gaming industry
22 and the businesses of Louisiana, which we vowed to
23 support," then when you come with the current
24 proposed goals, I took a deep breath. I felt a
25 lot better. It wasn't nearly as bad as what I

1 expected; and, as you said, some were increased as
2 opposed to decreased.

3 So I would like to make a motion to
4 the Chairman that we approve the resolution
5 changing the procurement goals to meet the
6 proposed MSA goal percentages that the -- have
7 been presented to us. And I would like to thank
8 you for all your hard work, too.

9 MR. DUTY:

10 And, to your point, do understand
11 this: By the time you feed a Margaritaville or a
12 Golden Nugget in a market, you have sucked up a
13 lot of capacity in that. If they have an
14 adjustment downward, that does not mean that
15 business is rejected. That now provides an
16 opportunity for the other casinos to pursue that
17 vendor if it's a vendor who is butting up against
18 their own capacity.

19 So the thing for me and that my suggestion
20 to you actually to track is watch how the dollars
21 are spent moving forward. You know, if you see
22 casinos just totally shed and walk away from what
23 was perceived to be their obligation, you still
24 have the metric of looking how dollars are spent
25 in that market. What you should see is, if a goal

1 is reduced, that provides an opportunity for the
2 other casinos. Think of it as a gas tank that
3 only has 100 gallons and you've got to feed two
4 cars out of it or one car out of it. So you're
5 going to increase the capacity in the market by
6 adjusting some of these goals. So thank you.

7 CHAIRMAN JOHNS:

8 Okay. Well, I -- before I ask for a
9 second to that motion, I would ask for any further
10 comments or questions from the Board.

11 Ms. Hamilton-Acker?

12 MS. HAMILTON-ACKER:

13 Just a quick question with regards to
14 the breakdown of the data. Were there any
15 considerations that factored in minority-owned
16 businesses that captured race and gender in one,
17 or was it all individualized by either race and/or
18 by gender?

19 MR. DUTY:

20 So we're locked into the Board's
21 definition of MBE, WBE, and LBE. It's Title 42,
22 Section 1701. That tracks by race and gender.
23 That, I will tell you now, is not a preferred
24 method. The thinking has evolved in the last
25 three decades to be more gender and race neutral

1 and instead look at what's known as a
2 disadvantaged business enterprise, but that's not
3 where we are. That was my reference to, "We're
4 not fixing up a classic; we're fixing up a '92
5 Monte Carlo."

6 So, ideally, you would like to
7 transition to a DBE-based metric, but that's not
8 where we are presently; so to directly answer your
9 question, it is possible for a vendor to fulfill
10 two categories if they, in fact, have
11 representation in those categories because of the
12 definitional statements that this Board has in its
13 administrative rules.

14 MS. HAMILTON-ACKER:

15 So within updated metrics, if we
16 would transition, there's a likelihood that the
17 procurement numbers could look a whole lot better
18 in terms of the reports. Is that fair?

19 MR. DUTY:

20 I would expect to see improvement
21 for, certainly, compliance and attainment goals.
22 That's really what we're sticking our neck out
23 here for, because, as the Chairman noted, these
24 goals are so far out of whack, enforceability is
25 questionable at best. You know, this mechanism

1 has been in existence in other states, has been
2 challenged legally, and has been rejected in those
3 states.

4 So we're coming to you saying, these
5 are our proposals, and this is what we expect to
6 live with, and we expect you to hold us
7 accountable to that; so I think you will see
8 improvement in the compliance of the goals. Will
9 it be a dramatic spike upwards? I wouldn't look
10 for that, but you should see the fact that they're
11 now right-sized for those markets and the capacity
12 within that market; so you should see improvement
13 in that regard.

14 MS. HAMILTON-ACKER:

15 Thank you.

16 CHAIRMAN JOHNS:

17 And what I foresee is, as we move
18 forward with this, when -- when these goals are
19 not met, we'll bring general managers to the
20 table. We'll bring procurement managers to the
21 table, and we'll ask, "Why" -- "why aren't you
22 meeting these goals?" And that's just something
23 we realize that we just really couldn't do in the
24 past. I mean, you know, we could have brought
25 them in, but, I mean, their answers would have

1 been pretty valid. So with these being their --
2 their goals -- these are the goals of the
3 industry, and they're accepting these goals. A
4 couple of them are going to kick and scream a
5 little bit, I think; so . . .

6 MR. DUTY:

7 There was not a mad rush to be first
8 in line --

9 CHAIRMAN JOHNS:

10 No.

11 MR. DUTY:

12 -- on the situation.

13 CHAIRMAN JOHNS:

14 And, look, Members, Mr. Duty made
15 another point. There have been efforts in other
16 states to put programs like this into statute, and
17 those efforts have been rejected by the federal
18 courts every step of the way; so it's -- it is a
19 voluntary program. That's what it has to be,
20 and -- but I, for one, am excited about moving
21 into a whole new way of doing things, and it's
22 something that we are going to revisit quite
23 often; so . . .

24 Okay. Any other questions from our
25 members? Any other comments?

1 (NO RESPONSE)

2 CHAIRMAN JOHNS:

3 Ms. Berry has made a motion that we
4 adopt the resolution that will be read. And do I
5 have a second to that motion?

6 MR. JACKSON:

7 I second that motion.

8 CHAIRMAN JOHNS:

9 Mr. -- who was that?

10 MS. HOOD:

11 Mr. Jackson.

12 CHAIRMAN JOHNS:

13 Mr. Jackson has seconded that motion.
14 Ms. Hood, would you read the resolution?

15 MS. HOOD:

16 On the 15th day of December 2022, the
17 Louisiana Gaming Control Board did, in a duly
18 noticed public meeting, consider the request to
19 amend the voluntary procurement goals submitted by
20 the 13 riverboat gaming licensees, and upon motion
21 duly made and seconded, the Board adopted the
22 following resolution:

23 Be it resolved that Premier
24 Entertainment Shreveport, doing business as
25 Bally's Shreveport Casino & Hotel; PNK Bossier

1 City, doing business as Boomtown Casino Bossier
2 City; Horseshoe Entertainment, doing business as
3 Horseshoe Bossier City; Bossier Casino Ventures,
4 LLC, doing business as Margar -- Margaritaville
5 Resort Casino; and Red River Entertainment of
6 Shreveport, LLC, doing business as Sam's Town
7 Hotel & Casino's voluntary goals are amended to
8 the following: The Louisiana procurement goal is
9 amended to 65 percent; the Minority procurement
10 goal is amended to 13 percent; and the Women
11 procurement goal is amended to 15 percent
12 commencing on April 1, 2023.

13 Be it resolved that Catfish Queen,
14 LLC, doing business as Belle of Baton Rouge
15 Casino; Louisiana Casino Cruises, LLC, doing
16 business as Hollywood Casino Baton Rouge, and PNK
17 (Baton Rouge) Partnership, doing business as
18 L'Auberge Hotel & Casino's voluntary procurement
19 goals are amended to the following: The Louisiana
20 procurement goal is amended to 75 percent; the
21 Minority procurement goal is amended to 13
22 percent; and the Women procurement goal is amended
23 to 15 percent commencing April 1, 2023.

24 Be it resolved that Golden Nugget
25 Lake Charles, LLC, doing business as Golden Nugget

1 Lake Charles Hotel & Casino; PNK (Lake Charles),
2 LLC, doing business as L'Auberge Casino Lake
3 Charles' voluntary procurement goals are amended
4 to the following: The Louisiana procurement goal
5 is amended to 65 percent; the Minority procurement
6 goal is amended to 11 percent; and the Women
7 procurement goal is amended to 15 percent
8 commencing April 1, 2023.

9 Be it resolved that Louisiana I
10 Gaming, a Partnership in Commendam, doing business
11 as Boomtown Casino New Orleans; and Treasure Chest
12 Casino, LLC, doing business as Treasure Chest
13 Casino's voluntary procurement goals are amended
14 to the following: The Louisiana procurement goal
15 is amended to 70 percent; the Minority procurement
16 goal is amended to 13 percent; and the Women
17 procurement goal is amended to 18 percent
18 commencing on April 1, 2023.

19 Be it resolved that Belle of Orleans,
20 LLC, doing business as Amelia Belle Casino's
21 voluntary procurement goals are amended to the
22 following: The Louisiana procurement goal is
23 amended to 60 percent; the Minority procurement
24 goal is amended to 13 percent; and the Women
25 procurement goal is amended to 18 percent

1 commencing April 1, 2023.

2 Thus done and signed this Baton
3 Rouge -- in Baton Rouge this 15th day of December
4 2022.

5 MS. BERRY:

6 I'm sure the chairman will be right
7 back.

8 CHAIRMAN JOHNS:

9 Thank you, Ms. Hood. Members, we
10 have a motion by Ms. Berry, seconded by
11 Mr. Jackson, that we adopt the resolution as read.
12 And, Ms. Hood, would you call the roll?

13 MS. HOOD:

14 Mr. Avant?

15 MR. AVANT:

16 Yes.

17 MS. HOOD:

18 Ms. Berry?

19 MS. BERRY:

20 Yes.

21 MS. HOOD:

22 Mr. Jackson?

23 MR. JACKSON:

24 Yes.

25 MS. HOOD:

1 Ms. Lewis?

2 MS. LEWIS:

3 Yes.

4 MS. HOOD:

5 Mr. Poole?

6 MR. POOLE:

7 Yes.

8 MS. HOOD:

9 Ms. Hamilton-Acker?

10 MS. HAMILTON-ACKER:

11 Yes.

12 MS. HOOD:

13 Ms. Traylor?

14 MS. TRAYLOR:

15 Yes.

16 MS. HOOD:

17 Chairman Johns?

18 CHAIRMAN JOHNS:

19 Yes. By unanimous vote, the adoption

20 is hereby -- the resolution is hereby adopted.

21 Mr. Duty, thank you for your work. To all of the

22 general managers across the state, thank you for

23 your participation, for your work. We look

24 forward to working with you, but we also look

25 forward to holding you accountable; so thank you

1 very, very much, and we -- we will move forward
2 into a new program. Thank you, Mr. Duty.

3 MR. DUTY:

4 Thank you, Members.

5 CHAIRMAN JOHNS:

6 Thank you, general managers that are
7 here.

8 VI. VIDEO GAMING ISSUES

9 CHAIRMAN JOHNS:

10 Gentlemen -- ladies and gentlemen,
11 I've got to get you out of here by 1:00, and we've
12 still got a lot left to go. Video gaming issues,
13 the consideration of the transfer of interest in
14 the following truck stop: The Capitol of
15 Louisiana, doing business as Little Capitol Exxon.
16 Mr. Pitre, good morning.

17 MR. PITRE:

18 Good morning, Chairman Johns and
19 Board Members.

20 MR. VERRETT:

21 Good morning, Mr. Chairman.

22 CHAIRMAN JOHNS:

23 Good morning.

24 MR. PITRE:

25 I'm Assistant Attorney General Earl

1 Pitre, Jr., appearing before the Board in the
2 matter of the transfer of ownership interest in
3 Little Capitol, doing business as Little Capitol
4 Exxon. The licensed establishment is located in
5 St. Martin Parish.

6 On May 15, 2021, Frank J. Diesi, II,
7 died. At the time of his death, he held a .17
8 percent ownership interest in the licensee in his
9 individual capacity and a 16.21 percent ownership
10 interest in the licensee as the beneficiary of the
11 Salvador L. Diesi, Sr., Inter Vivos Trust No. 1.
12 According to his will, Mr. Diesi left his entire
13 ownership interest in the licensee in equal parts
14 to his three daughters, Leslie M. Deselle, Kellie
15 L. Kleinpeter, and Francis M. Ragusa.

16 On December 31, 2021, the Salvador
17 trust terminated. The Salvador trust held a 48.65
18 percent ownership interest in the licensee. As a
19 result of the termination of the Salvador trust,
20 Elaine E. Ardoin now holds a 16.56 percent
21 ownership interest in the licensee; Joseph W.
22 Diesi holds a 17.09 percent ownership interest in
23 the licensee; and Mr. Diesi's three daughters each
24 hold a 5.46 percent ownership interest in the
25 licensee.

1 Criminal Investigator Glenn Verrett
2 conducted the investigation of the transfers of
3 ownership. He also conducted the suitability
4 investigation and the updated suitability checks
5 on the associated persons of the licensee. The
6 office of the Attorney General has reviewed the
7 file compiled as a result of the investigation
8 conducted by the Office of State Police. Our
9 review indicates that no information has been
10 found which would preclude approval of the
11 transfers.

12 Criminal Investigator Glenn Verrett
13 will now present the Office of State Police's
14 findings to the Board.

15 MR. VERRETT:

16 Good morning, Mr. Chairman and Board
17 Members.

18 CHAIRMAN JOHNS:

19 Good morning.

20 MR. VERRETT:

21 I'm Criminal Investigator Glenn
22 Verrett with the Gaming Enforcement Division. I
23 investigated the transfers that occurred in the
24 licensee due to the deaths of Frank J. Diesi, II,
25 and the termination of the Salvador L. Diesi, Sr.,

1 Inter Vivos Trust No. 1.

2 I conducted suitability
3 investigations on Francis Michelle D. Ragusa,
4 Leslie M. Deselle, Kellie L. Kleinpeter, and their
5 spouses. I found no information that would
6 preclude them from participating in the video
7 gaming industry. I conducted updated criminal
8 history checks on Joseph W. Diesi and Elaine E.
9 Ardoin. I found no information that would
10 preclude them from continuing to participate in
11 the video gaming industry, and I found no
12 information that would preclude the continued
13 licensing of Little Capitol of Louisiana,
14 Incorporated, doing business as Little Capitol
15 Exxon.

16 CHAIRMAN JOHNS:

17 Okay. Little Capitol has been an
18 institution in this state for a long time.

19 MR. VERRETT:

20 Forever, yeah. I mean --

21 CHAIRMAN JOHNS:

22 A long time. I remember when it was
23 in Krotz Springs, Louisiana.

24 MR. VERRETT:

25 It was a landmark.

1 CHAIRMAN JOHNS:

2 It was. It is a landmark. Okay,
3 Members. Any questions?

4 (NO RESPONSE)

5 CHAIRMAN JOHNS:

6 If not, I would entertain a motion to
7 approve the transfers of interest of the Little
8 Capitol of Louisiana, doing business as Little
9 Capitol Exxon. Do I have a motion?

10 MS. TRAYLOR:

11 (Indicating)

12 CHAIRMAN JOHNS:

13 Ms. Traylor has moved that we approve
14 this transfer.

15 MR. JACKSON:

16 Second.

17 CHAIRMAN JOHNS:

18 Mr. Jackson has seconded that motion.
19 Is there any opposition to that motion?

20 (NO RESPONSE)

21 CHAIRMAN JOHNS:

22 Hearing none, that transfer of
23 interest is hereby approved. Gentlemen, thank you
24 very much.

25 MR. VERRETT:

1 Thank you, sir.

2 VII. RULEMAKING

3 CHAIRMAN JOHNS:

4 Okay. Moving along, we have some
5 rulemaking before us this morning. Good morning,
6 Mr. Picou.

7 MR. PICOU:

8 Good morning, Chairman Johns and
9 Board Members. I'm Assistant Attorney General
10 Charlie Picou, here in the matter of the rule
11 adoption for Items 7(A) and (B). At its meeting
12 on August 22, 2022, this Board voted these two
13 promulgation procedures for the rules listed in
14 Items 7(A) and (B) on today's agenda. Following
15 these votes, the Attorney General's Office caused
16 to be published in the Louisiana Register notices
17 of intent for the proposed rules, directing all
18 individuals with questions or concerns to contact
19 the Attorney General's Office. No comments were
20 received during the comments period.

21 As part of the promulgation process,
22 reports were submitted to the Board's House and
23 Senate Oversight Committees. These reports
24 detailed the substance of the proposed rules.
25 Following the delivery of these reports to the

1 committees, they were given 30 days in which to
2 call hearings to satisfy any questions or concerns
3 that they might have had. As no hearings were
4 called, the default action on the -- of the
5 committees following the lapse of the 30-day
6 period is to approve the proposed rules. If the
7 Board has no questions, a motion to adopt the
8 rules is needed.

9 CHAIRMAN JOHNS:

10 Okay. So there's been no -- there's
11 been no opposition, no --

12 MR. PICOU:

13 Correct. No questions, no comments,
14 no opposition.

15 CHAIRMAN JOHNS:

16 No questions or comments, anything.
17 Okay. Any questions, Members? Any questions on
18 the rules?

19 (NO RESPONSE)

20 CHAIRMAN JOHNS:

21 If not, I would entertain a motion
22 that we adopt the rulemaking procedures in
23 Sections 7(A) through (B).

24 MS. HAMILTON-ACKER:

25 (Indicating)

1 CHAIRMAN JOHNS:

2 Ms. Hamilton-Acker has made that
3 motion.

4 MR. POOLE:

5 Second.

6 CHAIRMAN JOHNS:

7 And Mr. Poole has seconded that
8 motion. Is there any discussion? Is there any
9 opposition to that motion?

10 (NO RESPONSE)

11 CHAIRMAN JOHNS:

12 Hearing none, that motion carries,
13 and we will adopt those rules. Thank you, sir.

14 MR. PICOU:

15 Thank you.

16 VIII. PROPOSED SETTLEMENT AND APPEALS

17 CHAIRMAN JOHNS:

18 Okay. Moving along, proposed
19 settlements and appeals. First on the agenda
20 today is Apple Gaming, LLC, doing business as
21 Apple Gaming. Good morning --

22 MR. BOSCH:

23 Good morning.

24 CHAIRMAN JOHNS:

25 -- again.

1 MR. BOSCH:

2 Good morning again, Chairman Johns
3 and Board Members. I am, once again, Assistant
4 Attorney General Daniel Bosch here in the matter
5 of a settlement for Apple Gaming, LLC, doing
6 business as Apple Gaming. This settlement
7 addresses the licensee's failure to timely submit
8 its annual forms and fees as -- and other required
9 documents for the 2021-to-2022 year. Apple Gaming
10 is a Type 6 device owner located in Metairie,
11 Louisiana.

12 On March 11 State Police, the Gaming
13 Enforcement Division, e-mailed an advisory notice
14 to all licensees informing them of the requirement
15 to submit an annual licensee form, fees, and the
16 required documents, which would be tax documents,
17 which were due no later than June 30, 2021. The
18 notice also informed the licensee that failure to
19 submit those forms, fees, and documents by
20 August 31 would result in an administrative
21 action. On June 21, 2022, the Division received
22 the annual form, required documents, and payment
23 of the annual fee from the licensee. The licensee
24 failed to timely submit the forms and fees, and an
25 administrative action resulted.

1 The licensee desired to reach a
2 settlement in lieu of that administrative action,
3 and the Division agreed with that. The licensee
4 has agreed to pay a civil penalty of \$2,000.00
5 under the terms of the settlement. The settlement
6 has been signed by the licensee, and the hearing
7 officer is now before the Board for final
8 consideration.

9 I would be happy to answer any
10 questions that you have at this time.

11 CHAIRMAN JOHNS:

12 Okay. Thank you very much. So
13 they've -- they have -- Apple has agreed and
14 signed on and accepted the \$2,000.00 fine?

15 MR. BOSCH:

16 Yes, sir.

17 CHAIRMAN JOHNS:

18 Okay. Any questions, Members?

19 (NO RESPONSE)

20 CHAIRMAN JOHNS:

21 If not, I would ask for a motion to
22 approve this settlement.

23 MR. AVANT:

24 So moved.

25 CHAIRMAN JOHNS:

1 Mr. Avant has moved that we approve
2 the settlement of Apple Gaming, --

3 MS. LEWIS:

4 (Indicating)

5 CHAIRMAN JOHNS:

6 -- seconded by Ms. Lewis. Is there
7 any discussion? Is there any opposition to that
8 motion?

9 (NO RESPONSE)

10 CHAIRMAN JOHNS:

11 Hearing none, that motion carries.

12 Thank you very much.

13 MR. BOSCH:

14 Thank you.

15 CHAIRMAN JOHNS:

16 Okay. Next on the agenda is
17 Flanagan's Pub, Incorporated, doing business as
18 Voodoo Lounge. There is an appeal that's been
19 filed. And good morning.

20 MS. JOHNSON:

21 Good morning. I am Assistant
22 Attorney General Venise Johnson. Mr. Flanagan was
23 here earlier. He stepped out, and I do not see
24 him in the hallway.

25 CHAIRMAN JOHNS:

1 Okay.

2 MR. MEEK:

3 It's not Mr. Flanagan. What's his --

4 MS. JOHNSON:

5 Oh, Mr. Allen. He's here on behalf
6 of Flanagan's Pub.

7 (MR. MEEK CALLING FOR APPELLANT)

8 (NO RESPONSE)

9 CHAIRMAN JOHNS:

10 Okay. Well, let's proceed.

11 MS. JOHNSON:

12 Okay. Good morning, Chairman Johns
13 and Board Members. I am Assistant Attorney
14 General Venise Johnson. I am present before the
15 Board in the matter of Flanagan's Pub, doing
16 business as Voodoo Lounge.

17 On August 20, 2019, Mr. Allen, the
18 sole owner of Flanagan's Pub, was arrested by the
19 Champaign Police Department in Illinois for
20 Possession of 50 to 200 Cannabis Plants,
21 Possession of Controlled Dangerous Substance, and
22 Possession of Cannabis 2,000 Less than 5,000
23 grams. The charges were reduced to Production of
24 20 to 50 Cannabis Plants, which is a Class 3
25 felony and is also punishable by more than one

1 year of imprisonment. Mr. Allen failed to notify
2 the Division of this until he submitted his
3 renewal application on August 26, 2021.

4 An administrative hearing was
5 conducted on August 17, 2022. The Hearing Office
6 found that Mr. Allen is unsuitable for and
7 disqualified from possessing a Type 1 video gaming
8 license based on his past criminal charges, guilty
9 plea to a crime punishable by more than one year
10 of imprisonment, and the statutory requirement of
11 ten years that has not yet elapsed between the
12 date of application and the successful completion
13 of service of his unsupervised probation.

14 Based on this information, the Type 1
15 video draw poker gaming license renewal
16 application of Flanagan's Pub, doing business as
17 Voodoo Lounge, was denied in accordance with
18 Louisiana gaming law.

19 CHAIRMAN JOHNS:

20 Okay. Anything else?

21 MS. JOHNSON:

22 (Nodding head)

23 CHAIRMAN JOHNS:

24 Go ahead. I'm sorry.

25 MS. JOHNSON:

1 In his written argument, Mr. Allen
2 argues that his failure to timely report his
3 arrest for a crime punishable by more than one
4 year of imprisonment to the Division within the
5 requisite ten days does not make him unsuitable
6 under the provisions of Louisiana gaming law. The
7 Division contends that Mr. Allen's arguments are
8 baseless and incorrect.

9 The licensee and Mr. Allen had an
10 affirmative obligation to notify the Division
11 within days -- within ten days of his arrest and
12 plea. There was a failure to notify -- there was
13 a failure of him to notify the Division of this
14 arrest for two years. He failed to timely report
15 his the plea within ten days -- the fact that he
16 failed to timely report his plea within ten days
17 goes to the totality of the circumstances in
18 determining his suitability.

19 Mr. Allen also attempts to argue that
20 because of Illinois' First Offender Statute, his
21 guilty plea should not be considered a guilty plea
22 due to the fact that he was placed on probation
23 and judgment was withheld. The facts, however,
24 are that Mr. Allen pled guilty. The language of
25 the First Offender Act explicitly states that for

1 it to apply, the person has to plead guilty to or
2 be found guilty of violating one of the felony
3 offenses found within the act.

4 Evidence was submitted at the
5 administrative hearing and clearly shows that
6 Mr. Allen entered a plea of guilty. According to
7 Louisiana Gaming law --

8 (MR. ALLEN ENTERS PROCEEDINGS)

9 MR. ALLEN:

10 I'm sorry.

11 MS. JOHNSON:

12 Good morning. Continue? Okay.
13 According to Louisiana Gaming law, any offense
14 that is punishable by more than one year of
15 imprisonment is a statutory disqualifier. The
16 fact that the State of Illinois decided to grant
17 Mr. Allen a probation period and restoration of
18 rights at the conclusion of the probation does not
19 bar the Division from considering the underlying
20 events that led to his arrest and guilty plea. An
21 alleged withheld judgment does not negate the
22 guilty plea of the disqualifying arrest, his
23 admission to conduct contrary to law, nor the fact
24 that he is statutorily disqualified from holding a
25 gaming license or being associated with a

1 licensee.

2 In the interest of maintaining
3 consistency and fairness amongst all permittees
4 and licensees, the Division and this Honorable
5 Board are bound by the law in matters such as
6 this. The law requires licensees to be found
7 suitable. Additionally, the burden of proving
8 that they are suitable to hold a gaming license
9 lies with the applicant. Louisiana Revised
10 Statute 27:424(A)(1) provides that no person may
11 be eligible to apply or be granted a license under
12 the provisions of this Chapter if he has been
13 convicted in any jurisdiction of any offense
14 punishable by imprisonment of more than one year
15 within ten years prior to the date of the
16 application or less than ten years has elapsed
17 between the date of the application and successful
18 completion of service of any sentence, deferred
19 adjudication, or period of probation. The law is
20 clear in that crimes that are punishable by more
21 than one year of imprisonment are statutory
22 automatic disqualifications to holding a gaming
23 license and are valid reasons to be found
24 unsuitable.

25 Here, Flanagan's Pub had their

1 renewal application denied because the sole member
2 and owner, Mr. Allen, had two automatic
3 disqualifiers. One, he pled guilty to the
4 production of 20 to 50 cannabis plants, which is
5 publishable by more than one year of imprisonment;
6 and, second, ten years has not elapsed since the
7 date of successful completion of probation for the
8 aforementioned charge and submission of the
9 application.

10 The Hearing Office was correct in its
11 finding that Mr. Allen is unsuitable for and
12 disqualified from possessing a Type 1 video gaming
13 license. According to gaming law, all licensees
14 have to comply with applicable federal and state
15 laws and regulations.

16 At the administrative hearing,
17 Mr. Allen testified and did not refute the facts
18 that police executed a search of his home pursuant
19 to a search warrant; cannabis plants were found in
20 his home; he owned those cannabis plants;
21 possession of cannabis plants was illegal in
22 Illinois at the time; he was arrested for
23 possession of those cannabis plants; he was on
24 probation for violating a crime punishable by more
25 than one year of imprisonment.

1 According to the evidence, he pled
2 guilty in order to obtain probation under the
3 Illinois Controlled Stat -- Controlled Substance
4 Act and was thereafter placed on a 24-month
5 probation, which was not complete at the time of
6 the administrative hearing. It wasn't complete
7 until September 11, 2022. And according to
8 Louisiana gaming law, ten years has to elapse
9 between the time in which an applicant
10 successfully completes service of any sentence,
11 period of probation, or parole and the date of
12 application for a video gaming license. At the
13 time of the hearing, Mr. Allen was actively on
14 probation. Although his probation has since been
15 completed, the earliest date in which Flanagan's
16 Pub, doing business as Voodoo Lounge, can reapply
17 is September 11, 2032.

18 Here, Mr. Allen failed to comply with
19 all federal, state, and local laws and
20 regulations, and his failure to timely notify of
21 his arrest demonstrates why he is unsuitable to
22 participate in gaming -- in the gaming industry.
23 The renewal application was not denied on the sole
24 basis of his unsuitability but also because he
25 pled guilty and was on probation at the time of

1 the hearing, and ten years has not elapsed between
2 his successful completion of that probation;
3 therefore, the hearing officer did not err.

4 Based on the aforementioned reasons,
5 the Division respectfully requests that this
6 Honorable Board find that the Hearing Office did
7 not err when it denied the applica -- when it
8 denied the applicant's renewal application and
9 found Mr. Allen unsuitable for a Type 1 video
10 gaming licensee and affirm the Hearing Office's
11 decision denying the application and finding that
12 Mr. Allen is unsuitable to participate in the
13 gaming industry.

14 CHAIRMAN JOHNS:

15 Okay. Are there any questions at
16 this time from the Board? Any -- any questions?

17 (NO RESPONSE)

18 CHAIRMAN JOHNS:

19 So let me -- let me make one thing
20 clear. There was a two-year period from the time
21 of the arrest until we -- until it was public
22 knowledge here in the state of Louisiana. Is that
23 correct?

24 MS. JOHNSON:

25 Yes. He submitted it with his

1 application.

2 CHAIRMAN JOHNS:

3 And our laws -- our laws stipulate 15
4 days. Is that correct?

5 MS. JOHNSON:

6 Ten days.

7 CHAIRMAN JOHNS:

8 Ten days. Excuse me. Ten days.

9 Okay. All right. I don't have any further
10 questions at this time. I presume, Mr. Allen?

11 MR. ALLEN:

12 Yes, sir.

13 CHAIRMAN JOHNS:

14 Good morning. Welcome to the state
15 of Louisiana.

16 MR. ALLEN:

17 Thank you. Actually, first of all, I
18 apologize. I was here since before 10:00. I
19 stepped out for a few minutes, and my timing was
20 poor; so I apologize.

21 CHAIRMAN JOHNS:

22 We waited a few minutes for you, but
23 we just had to proceed.

24 MR. ALLEN:

25 I understand completely.

1 CHAIRMAN JOHNS:

2 Okay. You can make your case, sir.

3 MR. ALLEN:

4 Okay. Listen, I'll be brief. I know
5 it's been a long day for everybody.

6 CHAIRMAN JOHNS:

7 Please introduce yourself for the
8 public record, please.

9 MR. ALLEN:

10 Sure. My name is Andrew Allen. I'm
11 the 100 percent owner of Flanagan's Pub,
12 Incorporated, in New Orleans.

13 CHAIRMAN JOHNS:

14 Okay.

15 MR. ALLEN:

16 Okay. I --

17 CHAIRMAN JOHNS:

18 Mr. Allen, let me make one rule clear
19 to you that no new evidence may be introduced that
20 was not introduced at the -- at your hearing.
21 Okay?

22 MR. ALLEN:

23 Oh, I understand. Thank you,
24 Mr. Chairman.

25 CHAIRMAN JOHNS:

1 Thank you very much.

2 MR. ALLEN:

3 Just as a basic background, I'm a
4 civil trial attorney, licensed continuously for 31
5 years up in Illinois in the federal courts. I am
6 not licensed as an attorney down here in
7 Louisiana, nor do I want to be. So I -- I have
8 maintained my residence in Champaign, Illinois,
9 part-time. I also have lived in the French
10 Quarter since 2001 continuously.

11 So I began being a tourist down here,
12 bought a place down in New Orleans. Pretty soon I
13 bought a bar. Pretty soon I started being here
14 two weeks a month, three weeks a month. And if it
15 wasn't for COVID, I would have sold my house by
16 now; otherwise, I'll probably -- I'll probably do
17 it the spring up in Illinois and buy a house in
18 the Northshore and still stay in the -- in the
19 Quarter; so I have a quite a few ties to
20 Louisiana. That kind of explains why the charges
21 from Illinois were -- were prevalent here.

22 So, first of all, the -- the
23 underlying crime per se was growing pot plants. I
24 know that sounds nefarious and awful, and, yes, it
25 was illegal; however, in the state of Illinois,

1 marijuana has become more -- much more legalized
2 in the last few years. And, in fact, when I was
3 arrested for growing pot plants, the far majority
4 of these plants were actually located in a -- one
5 maybe 12-inch-by-8-inch -- inch pan. I think
6 there were eight plants that were actually in
7 pots. The reason for that is that I was not
8 manufacturing marijuana. I was attempting to
9 develop different strains. There's thousands of
10 different strains of marijuana you can buy, all
11 sorts of different strains, and it's a fairly
12 tedious process, but everyone tries to make their
13 own strain of marijuana plant.

14 So when I was arrested, I was
15 arrested and charged with having marijuana plants
16 in my house. I don't want there to be any kind of
17 negative inference that there was anything else
18 going on; in fact, every other charge was dropped
19 right away, and, in fact, it was initially as a
20 felony -- charged as a felony, until it became
21 apparent that many of the allegations initially
22 contained in the counts were absolutely not true.

23 So the State's Attorney did charge me
24 initially with a felony. I pled guilty under a
25 plea agreement, and the plea agreement is -- the

1 statute is 720 ILCS 550/10. It's a First Offender
2 Probation statute in Illinois. It's a very unique
3 statute, because under this statute I don't have a
4 record at all upon the completion of the special
5 probation.

6 The statute itself actually defines
7 itself, where it says -- the statute itself states
8 in the paragraph that, "The discharge and
9 dismissal under this section is not a conviction
10 for purposes of disqualification or disabilities
11 imposed by law upon a conviction of a crime." It
12 says that right in the statute. It's not a
13 conviction of a crime.

14 This is the entire reason why I pled
15 guilty to this statute. This is why this was an
16 agreed plea. I could have pled guilty to a
17 misdemeanor, which, if I had my Wayback Machine, I
18 would have. I wouldn't have run into this
19 problem, but the problem with that is I would have
20 had a permanent record of that unless I would have
21 had it expunged.

22 Here I have no record. It dropped
23 automatically. It's not even a normal probation.
24 It's a first offender probation. It's a special
25 statute that allows situations where it can be

1 resolved without any criminal guilt; hence it's
2 not -- and this has been defined by the Illinois
3 courts, but it's right here in the statute. It
4 says this is not to be construed as a guilty plea.

5 Incidentally, the ARDC, which is the
6 Illinois Attorney Registration & Disciplinary
7 Committee -- automatically, I notified them I had
8 some charges pending. They would normally jump in
9 and say, "Hey, this is a felony." They dropped it
10 right away once I -- once they understood that I
11 pled guilty under this statute.

12 Technically, it's a -- it's a little
13 linguistics. I agree to plea guilty. The judge
14 does not accept my guilty plea, instead gives me
15 this first offender probation. If the term is
16 done, then it drops off the record and it's gone.
17 And so that's the legal fiction, if you will, but
18 that's where a lot of these cases in Illinois
19 resolve for suitable people. For instance, in my
20 case I didn't have any other criminal record,
21 nothing, no speeding ticket, nothing. I am 57
22 years old. Okay?

23 So when I entered into this
24 agreement, the agreed plea, the judge signed and
25 the State's Attorney. This is the reason I -- we

1 all did it this way. We sat down, and I said,
2 "Hey, I can't have anything on my record about
3 this." And, clearly, they overpled everything,
4 but I didn't -- the choice was to have a
5 misdemeanor on my record, which I really didn't
6 want to have on my record, and instead this is the
7 preferred way of doing it, or so I thought.

8 Now, here we go. Once after this was
9 done, technically, legally, under Illinois law I'm
10 not -- I was not found guilty of anything. Now,
11 if I would have violated my probation, then the
12 judge had a hook that could bring me back in and
13 say, "All right. No deal. We're going back to
14 the initial" -- but, in fact, probation is -- I
15 think I met my probation officer once. Okay? It
16 was -- it was form over substance.

17 So here came the time for me to renew
18 my application for video poker. Using that logic
19 and the basis of Illinois law that I did not
20 convict a -- was not -- plead guilty to a crime, I
21 easily could have justified not providing this
22 information to anybody. It's nothing. Instead, I
23 did with my application to the State Police. I
24 included, hey, here is what my charges were. Here
25 is what the resolution is. Here is the Circuit

1 Clerk's thing. Here's all the information. I
2 voluntarily did that.

3 Now, I did that on April 26, 2021.
4 My plea was September 11, 2020. Now, I will tell
5 you that I was never aware of the ten-day notice
6 until I got a notice on May 19, 2022, regarding
7 the ten-day notice, and I can prove to you that --
8 that, certainly, I'm in violation of that, but
9 it's not willful and wanton, and it's certainly
10 not an attempt to be dishonest. If I was
11 attempting to be dishonest, I certainly wouldn't
12 have -- would not have self-reported this to the
13 State Police.

14 Now, practically speaking, Champaign,
15 Illinois, it's a nice college town. It's 800
16 miles away. What are the chances that if I did
17 not self-report that anyone down here would have
18 found out about it? Who knows? But I certainly
19 hadn't heard anything, and the devil on my left
20 shoulder was certainly saying, "Hey, shut up.
21 Don't do anything. Don't rock the boat." My
22 attorneys say -- my -- I can read the statute.
23 There's no guilty or -- technically, there's
24 nothing to report.

25 I thought I -- I went out of my way

1 and did the honest thing, and I easily could have
2 justified not doing it, but I did it; so I think
3 that proves my honesty. But at the end of the
4 day, I didn't want to have to be in a position
5 where I had to be accused of misleading anyone; so
6 I reported. Maybe that was stupid. All right?

7 So as far as -- assuming that the
8 first offender probation on this statute does not
9 necessitate a charge of guilt, I realized that
10 that's not dispositive, that the board members can
11 still consider me unsuitable, that I don't have to
12 prove that this stat -- that I pled guilty to
13 this. They can still say, well, even if he
14 didn't -- were not found guilty of this, I could
15 still be unsuitable.

16 Well, I would suggest to you that I
17 am suitable based on my record, and by that I mean
18 I've continually been licensed to practice law
19 since 1990. I have never been -- pled guilty or
20 convicted of any crime, anything, in my life.
21 I've owned Flanagan's Pub, Inc., since 2004. I
22 initially had a bar called Flanagan's Pub & Cafe.
23 I had that from 2004 to 2014. That was closed
24 because some guy with more money than God bought
25 my building and decided he didn't want to have a

1 bar.

2 So in 2014 I -- I bought another bar,
3 which was Voodoo Bar at the time. It was going
4 under. I changed it to Flanagan's Pub, Inc.,
5 d/b/a Voodoo Lounge. I've had that bar from 2014
6 until present. During the majority of that time,
7 I've had a video poker license. Never had a
8 problem, ever. I believe I had one incident
9 where, I think, initially I had to pay a \$500.00
10 fine because I couldn't get my tax clearances
11 within 30 days. I was having a problem getting
12 those. That was the only thing. Never had any
13 problem with my video poker license, nothing.
14 I've had my -- obviously, my ATC -- my alcohol
15 license from New Orleans and from the State every
16 year since 2004. Never had a problem. So I think
17 I have a track record of being pretty responsible
18 about these things.

19 So as far as being unsuitable, I'll
20 represent to you that, given the totality of the
21 circumstances, having a small room in my two-car
22 garage used to develop a strain of pot, or
23 marijuana, given the fact under Illinois --
24 Illinois legalizing pot almost at the same time,
25 within months, that was my whole intent. And I

1 would -- I would suggest to you that that, in and
2 of itself, looking at the totality of everything,
3 including my experience with video poker and
4 holding an alcohol and tobacco license in
5 Louisiana, does not mandate me being deemed
6 unsuitable.

7 Now, at the same time, hey, I am in
8 violation of the ten-day notice. I am ignorant.
9 Ignorance is not an excuse. I understand that,
10 okay, and that there may be some other punishment
11 that the Board decides to mete out. I understand,
12 okay, that that's something I'm responsible for,
13 but I certainly did not violate that due to any
14 kind of intentional or dishonest thing. If I was,
15 it would have been stupid for me to do that for a
16 nefarious reason, if I was to self-report
17 anything -- everything anyway. I turned
18 everything over voluntarily to the State Police,
19 no prompting from the State of Louisiana. Hell,
20 it's been -- it had been 2000 -- September 11,
21 2020, since the defensive plea, and I
22 self-reported the next time I renewed my
23 application for video poker, which was April 26,
24 2021.

25 I did it at that time, frankly,

1 because that's the next notice I got. I -- I'm an
2 attorney. I'm stupid. I should have looked at
3 all the underlying statutes, but I carefully read
4 the requirements for alcohol for state and for
5 city, and I figured, hey, this would be a good
6 time. As I renew, I want to make sure everyone
7 knows about this. So that's why, with my renewal
8 packet, I included, right, as part of that packet
9 all the information regarding the charge up in
10 Illinois. So it was not an attempt to mislead,
11 not an attempt to dishonest -- be dishonest, but I
12 do stipulate that I was in violation of that
13 ten-day notice requirement.

14 So I would ask, basically, for --
15 just please consider the overall circumstances of
16 my time here in Louisiana, of my experience of
17 owning a bar, of having an alcohol license, of
18 having a video poker license all this time, and I
19 would ask for you to render a punishment that you
20 deem appropriate given my circumstances. Thank
21 you.

22 CHAIRMAN JOHNS:

23 Thank you, Mr. Allen. I appreciate
24 your admission of not knowing about the ten-day
25 rule, but that is the rule.

1 MR. ALLEN:

2 That is correct. Yeah.

3 CHAIRMAN JOHNS:

4 And we've been very consistent in
5 this state on that. To go two years without
6 reporting that is a major infraction in the eyes
7 of this Board. I'm going to ask the appellee
8 to -- for any further comments, any further
9 discussion from -- on your end or on your
10 presentation or anything that you would like to
11 answer from Mr. Allen's testimony.

12 MS. JOHNSON:

13 Okay. I would just like to remind
14 the Board that the burden of proving that they are
15 suitable is with the applicant. And, like you
16 said, he did not know -- or he claims he doesn't
17 know about the ten-day rule, but ignorance of the
18 law is not a defense. And, also, the Board has
19 previously rendered decisions against first
20 offenders, and the precedent for those matters
21 were they held what the -- they affirmed the lower
22 court in denying the license or the permit.

23 CHAIRMAN JOHNS:

24 Correct. Okay. Are there any -- any
25 questions? Ms. Berry?

1 MS. BERRY:

2 I have a question.

3 CHAIRMAN JOHNS:

4 Okay.

5 MS. BERRY:

6 Even if we would -- I mean, I'm
7 asking you this question.

8 MS. JOHNSON:

9 Uh-huh.

10 MS. BERRY:

11 Even if we would tend to go towards
12 leniency, he still failed -- I mean, he has not
13 met the two years from the end of probation?

14 MS. JOHNSON:

15 It's ten years.

16 MS. BERRY:

17 Ten years. I'm sorry.

18 MS. JOHNSON:

19 It's a ten-year --

20 MS. BERRY:

21 You're right. Ten years.

22 MS. JOHNSON:

23 It's a ten-year period from --

24 MS. BERRY:

25 So that's by statute. Correct?

1 MS. JOHNSON:

2 Yes.

3 MS. BERRY:

4 Okay. So -- okay. I think that
5 answers my question. That has not been met.

6 MR. ALLEN:

7 Can --

8 CHAIRMAN JOHNS:

9 Mr. Allen?

10 MR. ALLEN:

11 Can I -- can I respond to that --

12 CHAIRMAN JOHNS:

13 Yes.

14 MR. ALLEN:

15 -- quickly? Certainly, that's ten
16 years from a violation of the law that was a
17 prerequisite for this; in other words, my argument
18 is, under the statute that I pled guilty to, there
19 is no ten-year starting limit. It doesn't even
20 start. It doesn't start because it wasn't a
21 guilty plea to a crime involving a sentence of up
22 to a year in prison, because that was obviated by
23 the entire statute ILCS 5050 First Offender, where
24 the statute itself said this is not to be
25 construed as a guilty plea. Since it's not a

1 guilty plea, the ten years doesn't start. So,
2 respectfully, that's how I would suggest that the
3 Board deal with that.

4 MS. JOHNSON:

5 In response to that, there isn't a
6 law in Louisiana that's applicable to the one in
7 Illinois; so the Division has the right to look at
8 the underlying arrest reason when applying -- when
9 trying to figure out what to apply.

10 CHAIRMAN JOHNS:

11 Okay. Any further questions? Any
12 further comments from the Board?

13 (NO RESPONSE)

14 CHAIRMAN JOHNS:

15 Mr. Allen, I understand the
16 predicament you're in. I welcome you to
17 Louisiana. I'm glad that you're a resident here,
18 but I think that the Attorney General's Office is
19 making a compelling argument this morning. And,
20 look, I understand that laws on marijuana have
21 changed dramatically over the years, but at the
22 time of your -- of arrest, it was illegal. Am I
23 correct?

24 MR. ALLEN:

25 That's correct.

1 CHAIRMAN JOHNS:

2 Correct. So you -- it was illegal.

3 MR. ALLEN:

4 I -- I --

5 CHAIRMAN JOHNS:

6 Right.

7 MR. ALLEN:

8 Mr. Chairman, you're correct. I'm
9 not saying I'm purely innocent of everything. I'm
10 just asking the Board to -- rather than determine
11 me to be not a permissive user, or a good
12 candidate, for a video poker license for ten years
13 that perhaps there's a middle ground that can more
14 accurately reflect the circumstances of my plea
15 and my experience in the state of Louisiana for
16 the last 18 years with holding a video poker
17 license and an alcohol license.

18 CHAIRMAN JOHNS:

19 Okay. It's a -- it's a tough issue.
20 I will -- I can share with you -- and you're an
21 attorney. You know the law a lot better. I'm
22 not an attorney, by the way. Okay? And, you
23 know, should this Board affirm the -- the hearing
24 officer's decision, you do have a remedy in the
25 courts in the 19th Judicial here in Baton Rouge --

1 MR. ALLEN:

2 Sure.

3 CHAIRMAN JOHNS:

4 -- to appeal this. So there is
5 another remedy for you should -- should we affirm;
6 so . . .

7 MR. ALLEN:

8 And I guess I would rather -- I would
9 rather not -- listen, I -- I understand the
10 position you're in. In Illinois we -- we have
11 video -- we have video poker. We have blackjack,
12 water -- like, riverboat gambling and so forth,
13 and it's also very tightly regulated and for good
14 reason, because up in Chicago -- Champaign is two
15 hours out, but the state of Illinois has a history
16 of mafia, of undue influences, of very strong
17 union involvement, and you have to protect the
18 state. And I understand that you need to regulate
19 this, because we're dealing with a lot of money
20 and the trust of everyone to know that when they
21 play these games, video poker or blackjack or
22 whatever, that there has to be a clean slate, and
23 I understand the need for enforcement. I really
24 do.

25 I'm just suggesting here that rather

1 than all or nothing that the Board, in its wisdom,
2 might draft something, rather than sort of this
3 ten-year -- not a possibility of having video
4 poker for ten years, especially given the fact
5 that I consciously pled guilty to a statute that
6 said this will not be considered a guilty plea,
7 that I'm just hoping that maybe there's a
8 compromise other than the full ten-year
9 prohibition. That's the only thing I'm asking.

10 CHAIRMAN JOHNS:

11 Okay. So, Members, I would entertain
12 a motion on this matter at this time. The motion
13 could be either to affirm the Hearing Office's
14 decision, or it could be to -- to void that
15 decision. Is there a motion? Ms. Lewis?

16 MS. LEWIS:

17 I move to affirm the hearing
18 officer's decision.

19 CHAIRMAN JOHNS:

20 Okay. Ms. Lewis has moved to affirm
21 the hearing officer's decision.

22 MS. BERRY:

23 Second.

24 CHAIRMAN JOHNS:

25 And Ms. Berry has seconded that

1 motion. I am going to call for a roll call vote
2 on this to -- and -- so, Ms. Hood, would you call
3 the roll? The motion is to affirm the hearing
4 officer's decision.

5 MS. HOOD:

6 Mr. Avant?

7 MR. AVANT:

8 Yes.

9 MS. HOOD:

10 Ms. Berry?

11 MS. BERRY:

12 Yes.

13 MS. HOOD:

14 Mr. Jackson?

15 MR. JACKSON:

16 Yes.

17 MS. HOOD:

18 Ms. Lewis?

19 MS. LEWIS:

20 Yes.

21 MS. HOOD:

22 Mr. Poole?

23 MR. POOLE:

24 Yes.

25 MS. HOOD:

1 Ms. Hamilton-Acker?

2 MS. HAMILTON-ACKER:

3 Yes.

4 MS. HOOD:

5 Ms. Traylor?

6 MS. TRAYLOR:

7 Yes.

8 MS. HOOD:

9 Chairman Johns?

10 CHAIRMAN JOHNS:

11 Yes.

12 MS. HOOD:

13 It's unanimous.

14 CHAIRMAN JOHNS:

15 Mr. Allen, thank you. I wish you the
16 very best of luck. There is a court system in our
17 state that would -- would allow you to appeal it,
18 and the very best of luck to you. Thank you --

19 MR. ALLEN:

20 Great.

21 CHAIRMAN JOHNS:

22 -- for being here.

23 MR. ALLEN:

24 Thank you for your time. Thank you.

25 CHAIRMAN JOHNS:

1 Thank you.

2 MS. JOHNSON:

3 Thank you.

4 IX. EXECUTIVE SESSION

5 CHAIRMAN JOHNS:

6 Okay. Members, we have one last
7 appeal, and I do need a motion that we go into
8 executive session.

9 MS. HAMILTON-ACKER:

10 (Indicating)

11 CHAIRMAN JOHNS:

12 So Mr. -- Ms. Hamilton-Acker has
13 moved to go into executive session.

14 MR. JACKSON:

15 Second.

16 CHAIRMAN JOHNS:

17 Mr. Jackson has seconded that motion.
18 Is there any objection? Any objection going into
19 executive session?

20 (NO RESPONSE)

21 CHAIRMAN JOHNS:

22 Hearing none, we are in executive
23 session; so . . .

24 (EXECUTIVE SESSION HELD 12:34 P.M. TO 12:38 P.M.)

25 CHAIRMAN JOHNS:

1 Okay. So, Members, we do have an
2 appeal before us this morning by -- let's see.

3 Excuse me. I'm sorry.

4 MS. HOOD:

5 2217.

6 CHAIRMAN JOHNS:

7 -- by 2217. We keep this
8 confidential; so it's by No. 2217. For the
9 record, 2217 did not appear before the Board this
10 morning on behalf of their appeal, but at this
11 time I would entertain a motion from the Board on
12 this matter.

13 MR. JACKSON:

14 I would like to make a motion to
15 remand this --

16 CHAIRMAN JOHNS:

17 One second, Mr. Jackson. There you
18 go.

19 MR. JACKSON:

20 -- remand this back to the hearing
21 officer provided she get some professional --

22 CHAIRMAN JOHNS:

23 Evaluation?

24 MR. JACKSON:

25 -- counseling -- counseling --

1 CHAIRMAN:

2 Okay. So --

3 MR. JACKSON:

4 -- by a licensed -- by a licensed
5 counselor.

6 CHAIRMAN JOHNS:

7 Right. So Mr. Jackson has made a
8 motion that the appeal by 2217 be remanded back to
9 the hearing officer with the stipulation that the
10 appellant receive evaluation by a licensed and
11 qualified addiction counselor. Is that motion
12 correct, Ms. Hood?

13 MS. HOOD:

14 Yes.

15 CHAIRMAN JOHNS:

16 Okay. Is there a second to that
17 motion?

18 MS. LEWIS:

19 Second.

20 CHAIRMAN JOHNS:

21 Ms. Lewis has seconded that motion.
22 Is there any discussion on the motion?

23 (NO RESPONSE)

24 CHAIRMAN JOHNS:

25 Hearing none, that motion carries.

1 MR. JACKSON:

2 Motion to adjourn.

3 CHAIRMAN JOHNS:

4 One second. Really one quick second.

5 And I would like to -- I would like to share with
6 the Board that this past Monday, Vice-Chairman
7 Berry and I both attended the opening of the
8 Horseshoe Casino in Westlake, Louisiana, and it --
9 I will tell you it absolutely exceeded, I think,
10 our expectations of the final product. It is a
11 first-class facility, and Caesars did it the right
12 way. I know they spent a lot more money than they
13 thought they were going to spend, but that's good
14 for the state of Louisiana.

15 But a special thank you, a special
16 thank you, to State Police and the Attorney
17 General's Office and Ms. Hood here. It is -- you
18 know, when you get a -- when you get an e-mail at
19 2:22 in the morning on Friday morning, you know
20 somebody is working real late. So, Ms. Hood,
21 thank you for being up, and somebody at the
22 Attorney General's Office for being up, at 2:22 in
23 the morning.

24 But, seriously, it's -- it is exactly
25 what the Legislature envisioned back in 2018 when

1 we passed that legislation; so be proud of that
2 product for the gaming market in Louisiana. And
3 to Caesars, if you're listening out there, thank
4 you for your -- for your commitment.

5 Okay. Any other business for this
6 Board?

7 (NO RESPONSE)

8 X. ADJOURNMENT

9 CHAIRMAN JOHNS:

10 Don't forget your packages, please,
11 if you don't mind. And Mr. Jackson has moved that
12 we adjourn, and --

13 MS. BERRY:

14 (Indicating)

15 CHAIRMAN JOHNS:

16 -- Ms. Berry has seconded. Is there
17 any objection?

18 MS. BERRY:

19 Ready to roll.

20 CHAIRMAN JOHNS:

21 And, if not, Merry Christmas to
22 everyone, and we are hereby adjourned.

23 (PROCEEDINGS CONCLUDED AT 12:41 P.M.)
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REPORTER'S CERTIFICATE

I, Karla H. Mayers, a Certified Court Reporter in and for the State of Louisiana, do hereby certify that the foregoing is a true and correct transcript of the proceedings held at this Louisiana Gaming Control Board meeting on the 15th day of December, 2022, as set forth in the forgoing 159 pages.

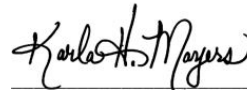
I further certify that said testimony was reported by me in the Stenotype reporting method, was prepared and transcribed by me or under my direction to the best of my ability and understanding.

I further certify that the transcript has been prepared in compliance with transcript format guidelines required by statute or by rules of the board and that I have been informed about the complete arrangement, financial or otherwise, with the person or entity making arrangements for deposition services.

I further certify that I have acted in compliance with the prohibition on contractual relationships, as defined by Louisiana Code of Civil Procedure Article 1434 and in rules and advisory opinions of the board.

I further certify that I am not an attorney or counsel for any of the parties, that I am neither related to nor employed by any attorney or counsel connected with this action, and that I have no financial interest in the outcome of this matter.

This certification is valid only for this transcript accompanied by my original electronic signature on this page.



Karla H. Mayers, CCR
Certificate No. 94023

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	15:12	85:21	1/2
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	13:23 15:3	143:9	100
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13:8	124:4,14	93:18	58:13 60:3
\$1.13	\$2.4	\$56	65:5 66:12
80:3	13:24	96:14,15	106:3 135:11
\$1.3	\$200	\$598	100,000
14:13	55:24	95:6	95:15
\$1.7	\$225,000	\$60	10:00
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