



*State of Louisiana*  
*Gaming Control Board*

BOBBY JINDAL  
GOVERNOR

H. CHARLES GAUDIN  
CHAIRMAN

**IN RE: PNK (LAKE CHARLES), L.L.C. D/B/A L'AUBERGE DU LAC  
NO. ENF070069**

**ORDER**

This matter was considered by the Louisiana Gaming Control Board at its meeting of May 20, 2008. The Hearing Officer's order dated April 16, 2008, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," Violation No. ENF070069, by and between PNK (Lake Charles), L.L.C. d/b/a L'Auberge Du Lac, License No. R011001707, and the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, which is attached hereto and incorporated herein, is **APPROVED.**


**THUS DONE AND SIGNED on this the 20<sup>th</sup> day of May, 2008.**

**LOUISIANA GAMING CONTROL BOARD**

BY:

  
\_\_\_\_\_  
**H. CHARLES GAUDIN, CHAIRMAN**

HCG/gac

**LOUISIANA GAMING CONTROL BOARD**  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 21<sup>st</sup> DAY  
OF May, 2008  
APPEAL DOCKET CLERK  


STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

**RECEIVED**

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LGCB  
ADMINISTRATIVE HEARING OFFICE

IN RE: PNK (LAKE CHARLES), L.L.C.  
D/B/A L'AUBERGE DU LAC

NO. ENF070069

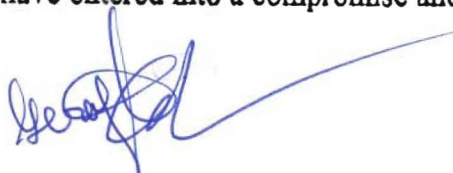
**JOINT MOTION FOR APPROVAL OF COMPROMISE AND  
SETTLEMENT AGREEMENT**

**TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:**

NOW COME the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and PNK (Lake Charles), L.L.C. d/b/a L'Auberge du Lac (hereinafter "PNK"), who file this Joint Motion for Approval of Compromise and Settlement Agreement regarding the Significant Action Report 07-1-42-061-01067 issued by the Division on or about March 6, 2007, and Notice of Recommendation of Administrative Action issued by the Louisiana Gaming Control Board on or about December 14, 2007, based on the provisions found in La. R. S. 27:2(A), LAC 42:III.301(E)(1)(k), LAC 42:III.301(G), LAC 42:III.304(E)(1)(b), LAC 42:III.304(E)(1)(c), LAC 42:XIII.2715(A)(3) and LAC 42:XIII.2715(A)(7), and in support thereof would respectively show unto the Hearing Officer as follows:

1.

The Division and PNK are desirous of compromising and settling all disputes between them relative to the referenced administrative proceeding. In connection therewith, the parties have entered into a compromise and settlement agreement which by



its terms will become effective upon approval by the Administrative Hearing Office and the Louisiana Gaming Control Board.

2.

A true and correct copy of the proposed Compromise and Settlement Agreement is attached hereto as Exhibit "A" and incorporated by reference for all purposes.

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

Respectfully Submitted,

**STONE PIGMAN WALTHER WITTMANN LLC**

By: 

**C. Lawrence Orlansky, Bar Roll #2039**  
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New Orleans, Louisiana 70130  
Telephone: (504) 581-3200  
Facsimile: (504) 581-3361  
*Counsel for PNK (Lake Charles), L.L.C.*  
*d/b/a L'Auberge du Lac*

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

By: 

**Christopher B. Hebert, Bar Roll #29044**  
Assistant Attorney General  
1885 North Third Street, 5<sup>th</sup> Floor  
Baton Rouge, Louisiana 70802  
Telephone: (225) 326-6500  
Facsimile: (225) 326-6599  
*Counsel for the Office of State Police*

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

**IN RE: PNK (LAKE CHARLES), L.L.C.**  
**D/B/A L'AUBERGE DU LAC**

**NO. ENF070069**

**COMPROMISE AND SETTLEMENT AGREEMENT**

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and PNK (Lake Charles), L.L.C. d/b/a L'Auberge du Lac (hereinafter, "PNK") do hereby represent and agree as follows:

**WHEREAS**, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to PNK alleging certain violations of Louisiana Gaming Control Law; and

**WHEREAS**, the issues raised by the said Notice of Recommendation of Administrative Action are set for hearing before the Louisiana Gaming Control Board Administrative Hearing Office; and

**WHEREAS**, the Division and PNK are desirous of fully and finally compromising and settling all issues and disputes arising out of and in connection with the said Notice of Recommendation of Administrative Action;

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

## STIPULATIONS

1. In January 2007, PNK notified the Division that a self-excluded person, hereinafter referred to as "Patron", had gained access to PNK's gaming floor, played the slot machines and won a \$1500 jackpot. The jackpot was not paid because Patron was on the self-excluded list. Investigation by the Division disclosed the following information.

2. Patron was properly placed on the self-exclusion list in July 2003. PNK was properly notified that Patron was on the self-excluded list.

3. January 2007 surveillance coverage appears to show Patron playing slot machines and hitting a jackpot. Before paying the jackpot, PNK employees discovered that Patron was on the self-excluded list. The employees escorted Patron to a room where he was interviewed by a Division agent. During his interview, Patron represented that he had gamed at PNK several times for the six months before January 2007 and four times in the two weeks prior to January 15, 2007. Patron stated that he was never questioned about being at the casino while cashing checks or while playing the slot machines until he won the jackpot.

4. Patron cashed at least three (3) checks at PNK while on the self-excluded list, as follows:

October 2006	\$500.00
November 2006	\$500.00
December 2006	\$500.00

5. PNK's surveillance coverage from December 23, 2006 appears to show Patron cashing a check for \$500 at PNK with the assistance of a cage cashier. Surveillance coverage also appears to show Patron submitting a bar coded ticket to the cage cashier and receiving \$300 in exchange for the ticket.

## TERMS AND CONDITIONS

1. In lieu of further administrative or any other regulatory action against PNK, PNK agrees to pay to the Division, the aggregate and complete sum of Five Thousand and

No/100 (\$5,000.00) Dollars, and will additionally make a donation in the amount of One Thousand, Eight Hundred and No/100 (\$1,800.00) Dollars to the Compulsive and Problem Gaming Fund.

2. The Division hereby agrees to accept PNK's payment of the above stated penalty in full and final settlement of the Notice of Recommendation of Administrative Action, along with its additional donation to the Compulsive and Problem Gaming Fund.

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

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

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

6. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana Gaming Control Board for its determination as to whether to approve same or to remand the matter to the Hearing Officer for a full hearing on the merits. Failure to pay the penalty of Five Thousand and No/100 (\$5,000.00) Dollars, and the additional donation in the amount of One Thousand, Eight Hundred and No/100 (\$1,800.00) Dollars to the Compulsive and Problem Gaming Fund within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board, and to comply with each term and condition listed herein,



shall result in the immediate suspension of PNK's license without the necessity of further administrative action, until such time as the penalty is paid in full.

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



**C. Lawrence Orlansky, on behalf of PNK (Lake Charles),  
L.L.C. d/b/a L'Auberge du Lac**



**Christopher Hebert, AAG, on behalf of  
State of Louisiana, Department of Public Safety &  
Corrections, Office of State Police**

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: PNK (LAKE CHARLES), L.L.C.  
D/B/A L'AUBERGE DU LAC

NO. ENF070069

ORDER

BE IT REMEMBERED that on the 16<sup>th</sup> day of April, 2008, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared by and through their respective attorneys of record, and the Hearing Officer having considered the pleadings on file, the proposed Settlement Agreement, and the said Motion, and it appearing to the Hearing Officer that the said Compromise and Settlement Agreement should be approved; it is, therefore,

**ORDERED, ADJUDGED, AND DECREED** that the Compromise and Settlement Agreement attached to the parties' Joint Motion for Approval of Compromise and Settlement Agreement be, and the same is hereby, **APPROVED**; that PNK must pay the penalty of Five Thousand and No/100 (\$5,000.00) Dollars to the Division, and the additional donation in the amount of One Thousand, Eight Hundred and No/100 (\$1,800.00) Dollars to the Compulsive and Problem Gaming Fund within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of PNK's license without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 16<sup>th</sup> day of April, 2008, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD  
BY: [Signature]  
ADMINISTRATIVE HEARING OFFICE  
C. C. Lawrence  
Christopher Hebert

[Signature]  
HEARING OFFICER

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
[Signature]  
4/16/08  
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