



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

**IN RE: CLEVELAND MYERS, III
D/B/A PLAYBOY'S LOUNGE
NO. 6100107656**

ORDER

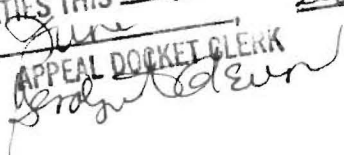
This matter was considered by the Louisiana Gaming Control Board at its meeting of June 17, 2008. The Hearing Officer's order dated June 9, 2008, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," No. 6100107656, by and between Cleveland Myers, III d/b/a Playboy's Lounge, 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 17th day of June, 2008.

LOUISIANA GAMING CONTROL BOARD

BY:


H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 18th DAY
OF June, 2008
APPEAL DOCKET CLERK


HJC/gac

RECEIVED

JUN 09 2008

LGCB
ADMINISTRATIVE HEARING OFFICE

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

**IN RE: CLEVELAND MYERS III
D/B/A PLAYBOY'S LOUNGE**

LIC. NO. 6100107656

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

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

COME NOW the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and Cleveland Myers III d/b/a Playboy's Lounge, VGL No. 6100107656 (hereinafter the "Licensee") who file this, their Joint Motion for Approval of Compromise and Settlement Agreement, and in support thereof would respectively show unto the Hearing Officer as follows:

1.

The Division and the Licensee 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

TRUE COPY

Representative
Louisiana Gaming Control Board

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

WHEREFORE, PREMISES CONSIDERED, The Division and Cleveland Myers III d/b/a Playboy's Lounge, VGL No. 6100107656, respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

James D. "Buddy" Caldwell
ATTORNEY GENERAL

By: Cleveland Myers III
Cleveland Myers III
On behalf of Playboy's Lounge
Telephone: (225) 379-7694

By: Olga M. Bogran
Olga M. Bogran, #24302
Assistant Attorney General
One Canal Place
365 Canal Street Suite 2730
New Orleans, Louisiana 70130
Telephone: (504) 599-1153
Facsimile: (504) 599-1163
***Counsel for the Office of State
Police***

EXHIBIT "A"

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

**IN RE: CLEVELAND MYERS III
D/B/A PLAYBOY'S LOUNGE**

LIC. NO. 6100107656

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter the "Division") and Cleveland Myers III d/b/a Playboy's Lounge, VGL No. 6100107656 (hereinafter the "Licensee") do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to Cleveland Myers III d/b/a Playboy's Lounge, which notice alleges 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 parties hereto are desirous of fully and finally compromising and settling all disputes and issues raised in connection with the said Notice of Recommendation of Administrative Action;

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

STIPULATIONS

1. The Internal Revenue Service notified the Division that Cleveland Myers III, owner of Playboy's Lounge, was ineligible for the required tax clearance.
2. On August 3, 2007, the Division issued a letter, via certified mail, instructing the Licensee to resolve the delinquency within thirty (30) days. The letter was received on August 09, 2007.
3. On February 7, 2008, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action alleging certain violations of Louisiana Gaming Control Law.
4. The Licensee acknowledges that he was in violation of LAC 42:XI.2405B(1)(b) in that he did not remain eligible for the required tax clearance for a portion of the existence of the license.
5. The Licensee is now eligible for and has received tax clearance from the IRS.

TERMS AND CONDITIONS

1. Any and all information, discovered throughout the course of this or any other investigation, may be used in connection with any future violation(s), assessment of penalty or in any future determination of the suitability of Cleveland Myers III or Playboy's Lounge.
2. The Licensee agrees to pay a civil penalty of Two Hundred Fifty Dollars (\$250.00).
3. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and the Licensee, pertaining to the subject matter

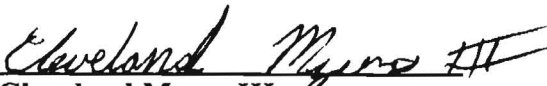
contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.


4. 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.

5. If approved, the Licensee must make payment of the civil penalty to the Division within ten (10) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the license without the necessity of any further administrative action until such time as the penalty is paid in full.

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

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


Cleveland Myers III
on behalf of Playboy's Lounge
Telephone: (225) 379-7694


Olga M. Bogran, #24302
One Canal Place
365 Canal Street, Suite 2730
New Orleans, Louisiana 70130
Telephone: (504) 599-1149
Facsimile: (504) 599-1163
Counsel for the Division

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: CLEVELAND MYERS III
D/B/A PLAYBOY'S LOUNGE

LIC. NO. 6100107656

ORDER

BE IT REMEMBERED that on the _____ day of _____, 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 the Licensee must pay Two Hundred Fifty and No/100 (\$250.00) Dollars to the Division within ten (10) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 11th day of July, 2008, in

LOUISIANA GAMING CONTROL BOARD
Baton Rouge, Louisiana.

ALL PARTIES TO THIS HEARING HAVE BEEN MAILED OR SERVED ON
DATE: 7/11/08 DAY: MON
OF: Opel Domize
DO: Opel Domize

cc: Cleveland Myers III
Danielle Boudreux
Sgt. Dan Carbonagno

A TRUE COPY ATTEST
HEARING OFFICER
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 7/9/08
Opel Domize