

LOUISIANA GAMING CONTROL BOARD

Minutes of November 13, 2007

The Louisiana Gaming Control Board conducted a meeting on Tuesday, November 13, 10:00 a.m., Senate Room A of the Louisiana State Capitol. Present at the meeting were: H. Charles Gaudin, Chairman; William Lastrapes, Marcia Morgan, Rupert Richardson, Major Claude Mercer, Velma Rogers, Rose Bromell, and Ray Todd. Absent were ex-officio members, Col. Stanley Griffin and Sec. Cynthia Bridges.

The meeting was called to order. It was moved by Ms. Richardson to waive the reading and approve the minutes of the October meeting. That motion was seconded by Major Mercer.

The next item dealt with the various requests of *Jackpot Enterprises, LLC – No. 1002612718* in their appeal. The first request was a motion for a continuance. It was moved by Ms. Richardson to deny the request for a continuance. That motion was seconded by Major Mercer and unanimously approved by the Board.

The second request was a motion to remand the case back to the Hearing Officer and recuse Judge William Brown. It was moved by Ms. Morgan to deny the motion to recuse and hear the merits of the appeal. That motion was seconded by Ms. Richardson and unanimously approved by the Board.

After the second vote, Mr. Chris Whittington, counsel representing *Jackpot Enterprises*, stated he would be leaving the hearing because his client advised him they would be taking further action. Chairman Gaudin advised Mr. Whittington since his motions were denied; the Board would consider the appeal. Mr. Whittington left the meeting.

Following oral argument, it was moved by Major Mercer to affirm the decision of the Hearing Officer which denied the application of *Jackpot* for a Type 6 video gaming license. That motion was seconded by Ms. Morgan and passed by seven votes. Mr. Todd abstained from voting.

Ms. Donna Jackson, State Police Gaming Audit Division, presented the revenue reports for the riverboats, landbased casino, and slots at the tracks. Ms. Donna Stevens, also with the Audit Division, reported on the video poker statistics.

The Board acted on a transfer of ownership in **Ortego Oil & Supply Co., Inc. d/b/a Beau Chene Truckstop – No. 4907507873**. It was moved by Mr. Lastrapes to approve the transfer of ownership. That motion was seconded by Ms. Richardson and unanimously approved by the Board.

The next item on the agenda was consideration of a request by Jazz Casino Company, L.L.C. d/b/a Harrah's concerning insurance issues. Mr. John Campbell, Special Asst. Attorney General, addressed the Board with reference to this matter. He stated there were no monumental changes. Harrah's would be shifting from specific coverage to an all risk broad form of coverage which would provide better coverage than specific coverage.

It was moved by Ms. Richardson to approve the insurance changes requested. That motion was seconded by Mr. Todd and unanimously approved by the Board.

The Board considered approval of American Bureau of Shipping Consultants (ABS) as an alternative inspector to perform inspections of licensed riverboats as required by R.S. 27:44(23). Sgt. Chuck McNeal with Louisiana State Police Gaming Division and Mr. Michael Tyler, Asst. Attorney General, addressed the Board with reference to this item.

Following discussion, it was moved by Mr. Todd to approve the resolution stating ABS as an alternative inspector in accordance with R.S. 27:44.1, and that State Police recommend other consultants to the Board should ABS become unable or unacceptable to the Division. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.

The Board acted on Proposed Settlements/Appeals from Hearing Officers' decisions in the following:

1. **In Re: Maloney Cinque, Ltd d/b/a The Carnival Club – No. 3601600164**
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In Re: Maloney Sept, LLC d/b/a Big Easy Travel Plaza – No. 3601509389
In Re: Pied Piper, LLC d/b/a The Next Stop Bar – No. 3601114615
In Re: LTSGO, LLC d/b/a LTSGO – No. 3601605082
Motion by Ms. Richardson to approve the \$250.00 penalty for each of the above listed licensees for failure to remain eligible for tax clearances. That motion was seconded by Ms. Bromell and unanimously approved by the Board.
2. **In Re: Franklin Press, Inc. – No. P081701183** - Motion by Ms. Richardson to approve the \$5,000.00 penalty for failure to timely provide required information concerning changes in ownership. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.
3. **In Re: Peronne and Sons Incorporated – No. P082602662** – Motion by Mr. Lastrapes to approve the \$562.50 penalty for failure to timely submit their annual fee and annual affidavit. That motion was seconded by Ms. Morgan and unanimously approved by the Board.
4. **In Re: Innovative Hospitality Systems, LLC – No. P083602605** – Motion by Ms. Morgan to approve the \$562.50 penalty for failure to timely submit their annual fee and annual affidavit. That motion was seconded by Ms. Richardson and unanimously approved by the Board.

5. **In Re: The Oyster Bar, Inc. d/b/a The Oyster Bar – No. 0904213504**
6. **In Re: M & M Gaming, Inc. d/b/a M & M Gaming – No. 2605600125 (proposed settlement)**

The above two cases were handled in globo. It was moved by Ms. Richardson to approve the \$1,000.00 penalty for failure to provide required information. That motion was seconded by Mr. Lastrapes and unanimously approved by the Board.

7. **In Re: Viet Dang – No. P040001711** - Motion by Mr. Lastrapes to approve the revocation of permit and ineligibility to reapply and agreement not to do business with any Louisiana casino gaming entity for 60 months. That motion was seconded by Ms. Richardson and unanimously approved by the Board.
8. **In Re: J & S Audio Visual, Inc. d/b/a J & S Audio Visual Communications - No. P080902455** – Motion by Mr. Lastrapes to reverse the Hearing Officer on the suspension of license and affirm the \$1,500.00 penalty. The suspension will remain in effect until licensee becomes eligible with the Secretary of State's Office. That motion was seconded by Ms. Richardson and unanimously approved by the Board.

There being no further comments, it was moved by Ms. Bromell to adjourn. That motion was seconded by Ms. Richardson and unanimously approved by the Board.

The meeting was adjourned.