



*State of Louisiana*  
*Gaming Control Board*

*BOBBY JINDAL*  
GOVERNOR

*RONNIE JONES*  
CHAIRMAN

**IN RE: ST. CHARLES GAMING CO., INC. D/B/A  
ISLE OF CAPRI LAKE CHARLES  
CASE NO.: R011700174 SAR 12-1-12-161-3391**

**ORDER**

This matter was considered by the Louisiana Gaming Control Board at its meeting of August 21, 2014. The Hearing Officer's order dated July 28, 2014, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Violation and Penalty", by and between St. Charles Gaming Co., Inc. d/b/a Isle of Capri Lake Charles, Case No. R011700174, SAR 12-1-12-161-3391, 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 21<sup>st</sup> day of August, 2014.**

**LOUISIANA GAMING CONTROL BOARD**

BY: \_\_\_\_\_

**RONNIE JONES, CHAIRMAN**

LGCB-2898-14-B

**LOUISIANA GAMING CONTROL BOARD**  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 22<sup>nd</sup> DAY  
OF August, 2014

**APPEAL DOCKET CLERK**

**RECEIVED**

By GERALYN at 11:13 am, Jul 28, 2014

STATE OF LOUISIANA

LOUISIANA GAMING CONTROL BOARD

ADMINISTRATIVE HEARING OFFICE

**RECEIVED**

JUL 21 2014

LCCB  
ADMINISTRATIVE HEARING OFFICE

RE: ST. CHARLES GAMING CO., INC.  
D/B/A ISLE OF CAPRI LAKE CHARLES

CASE NO.: R011700174  
SAR: 12-1-12-161-3391

**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 St. Charles Gaming Co., Inc. d/b/a Isle of Capri Lake Charles (hereinafter, "Licensee"), who file this 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 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 is attached hereto as Exhibit "A" and incorporated by reference for all purposes.

TRUE COPY  
  
Representative  
Louisiana Gaming Control Board

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

Respectfully Submitted,

**BOLES LAW FIRM**

By: 

**Janet S. Boles**, BAR ROLL NO. 08604  
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Baton Rouge, Louisiana 70809  
Telephone: (225) 924-2686  
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*Counsel for St. Charles Gaming Co., Inc.  
d/b/a Isle of Capri Lake Charles*

**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**

**RE: ST. CHARLES GAMING CO., INC.**  
**D/B/A ISLE OF CAPRI LAKE CHARLES**

**CASE NO.: R011700174**  
**SAR: 12-1-12-161-3391**

**COMPROMISE AND SETTLEMENT AGREEMENT**

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and St. Charles Gaming Co., Inc. d/b/a Isle of Capri Lake Charles (hereinafter, "Licensee"), do hereby represent and agree as follows:

**WHEREAS**, the Division has sent a *Notice of Violation and Penalty* to Licensee, which Notice contains allegations of certain violations of Louisiana Gaming Control Law;

**WHEREAS**, the issues raised by said Notice are set for hearing before the Louisiana Gaming Control Board Administrative Hearing Office on July 14, 2014; and

**WHEREAS**, the Division and Licensee are desirous of fully and finally compromising and settling all issues and disputes arising out of and in connection with said notice;

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

**STIPULATIONS**

1. In July 2012, Licensee notified the Division that Isle had admitted an underage person to its gaming floor. The Division's investigation disclosed the following information.
2. On or about July 22, 2012, an underage person attempted to enter Licensee's gaming floor using a fake Texas driver's license. A security officer turned the underage person

away. The security officer notified an on-premises Westlake police officer ("police officer") of the attempted entry.

3. The police officer escorted the underage person to retrieve a United States Border Patrol ("Border Patrol") identification card (also "ID"). The police officer contacted Border Patrol which "verified the ID was valid." The Border Patrol card reflected 11-30-1991 as the underage person's date of birth.

4. The police officer "verified the ID was valid" with the security officer. The underage person was then allowed entry on the gaming floor without the security officer checking his ID. The underage person gamed at a craps table for about forty (40) minutes and was served an alcoholic beverage by an Isle employee.

5. The underage person left the gaming floor and returned to the same security checkpoint with a companion. The security officer did not check the underage person's ID. The underage person was gaming at a different craps table when he was approached by a Licensee employee who recognized him "from the night before." The Licensee employee offered to make the underage person a new account card. Licensee's computer notified the employee of an "error in date of birth."

6. As a result of this incident, along with a rise in underage patrons gaining access to the Licensee's gaming floor, the Licensee's management has selected a group of officers with great competency in review of identification and assigned them to the casino entrance. Those officers have received extra training.

#### **TERMS AND CONDITIONS**

1. In lieu of further administrative or any other regulatory action against its Gaming License, Licensee agrees to a civil penalty of EIGHTEEN THOUSAND SEVEN HUNDRED

FIFTY AND NO/ 100 (\$18,750.00) DOLLARS for its violation of LAC 42:III.2714(A)(7), LAC 42:III.2901(A)(1), and 42:III.2915(A).

2. The Division hereby agrees that submission of the civil penalty of EIGHTEEN THOUSAND SEVEN HUNDRED FIFTY AND NO/ 100 (\$18,750.00) DOLLARS shall be in full and final settlement of all matters set forth in the *Notice of Violation and Penalty*.

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 Licensee'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 Licensee, 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 the Hearing Officer approves this proposed settlement, 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.


7. If approved, Licensee agrees to make full payment of the civil penalty within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board. Licensee agrees that failure to meet this requirement shall result in immediate suspension of the gaming license without the necessity of any further administrative action until such time as the civil penalty is paid in full.

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



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Janet S. Boles, on behalf of St. Charles Gaming Co., Inc.  
d/b/a Isle of Capri Lake Charles



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Christopher B. 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

RE: ST. CHARLES GAMING CO., INC.  
D/B/A ISLE OF CAPRI LAKE CHARLES

CASE NO.: R011700174  
SAR: 12-1-12-161-3391

ORDER

BE IT REMEMBERED that on the 28<sup>th</sup> day of July, 2014, 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 or on behalf of themselves, and the Hearing Officer having considered the pleadings on file, the proposed Compromise and 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 Licensee must pay the civil penalty of **EIGHTEEN THOUSAND SEVEN HUNDRED FIFTY AND NO/100 (\$18,750.00) DOLLARS** to the Division within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the gaming license without the necessity of any further administrative action until the civil penalty is paid in full.

SIGNED AND ENTERED this 28<sup>th</sup> day of July, 2014, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 28<sup>th</sup> day of July, 2014.  
BY: [Signature]  
CLERK OF BOARD, ADMINISTRATIVE HEARING OFFICE

Co. J and S. Boles  
Christopher Hebert  
Sgt. Lunell Subler

[Signature]  
HEARING OFFICER

A TRUE COPY ATTEST

LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE LA 7.28.14  
[Signature]  
BY: CLERK