



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

**IN RE: HARP, INC. D/B/A FINN MCCOOL'S
NO. 360111 207**

ORDER

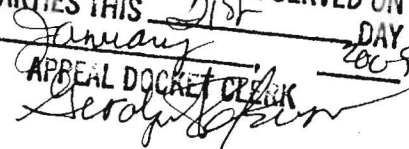
This matter was considered by the Louisiana Gaming Control Board at its meeting of January 20, 2009. The Hearing Officer's order dated January 7, 2009, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," No. 3601113207, by and between Harp, Inc. d/b/a Finn McCool's, 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 20th day of January, 2009.

LOUISIANA GAMING CONTROL BOARD

BY: 
H. CHARLES GAUDIN, CHAIRMAN

HJC/gac

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 21st DAY
OF January, 2009
APPEAL DOCKET CLERK


RECEIVED

JAN 07 2009

LGCB
ADMINISTRATIVE HEARING OFFICE

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

IN RE: HARP, INC. D/B/A FINN MCCOOL'S

Lic. No. 3601113207

**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 Harp, Inc. d/b/a Finn McCool's, License No. 3601113207, 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 Harp, Inc. d/b/a Finn McCool's 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 Harp, Inc. d/b/a Finn McCool's respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

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

By: 

Pauline Patterson
President
Harp, Inc. d/b/a Finn McCool's
3701 Banks St.
New Orleans, LA 70119
Telephone: (504) 486-9080

By: 

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: HARP, INC. D/B/A FINN MCCOOL'S

3601113207

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and Harp, Inc. d/b/a Finn McCool's (hereinafter "the Licensee"), a Type I Video Gaming License, License No. 3601113207, do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to Harp, Inc. d/b/a Finn McCool's 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 on January 14, 2009, 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. On November 5, 2008, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to Harp, Inc. d/b/a Finn McCool's alleging certain violations of Louisiana Gaming Control Law.

2. Pursuant to LAC 42:XI.2417(B)(4) Harp, Inc. d/b/a Finn McCool's is required to submit information regarding transfers of ownership within the prescribed time periods.

3. Harp, Inc. d/b/a Finn McCool's admits it did not timely disclose changes in ownership, thereby violating the administrative rules cited in the Notice of Recommendation of Administrative Action.

TERMS AND CONDITIONS

1. Harp, Inc. d/b/a Finn McCool's agrees to pay a civil penalty of Four Thousand Dollars (\$4000.00).

2. The Division hereby agrees to accept the payment of Four Thousand Dollars (\$4000.00) in full and final settlement of the Notice of Recommendation of Administrative Action.

3. The Division reserves the right to take into consideration these admitted stipulations and violations in connection with any future investigation, violation or assessment of penalty, and in connection with any future determination of the suitability of Harp, Inc. d/b/a Finn McCool's

4. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Harp, Inc. d/b/a Finn McCool's pertaining to the

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

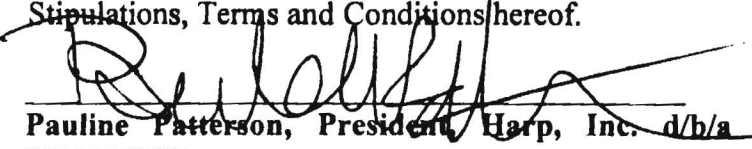
5. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana 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.


6. If approved, Harp, Inc. d/b/a Finn McCool's must make payment of the civil penalty and delinquency fee 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.

7. 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, Terms and Conditions hereof.


Pauline Patterson, President, Harp, Inc. d/b/a Finn McCool's, License No. 3601113207


Olga M. Bogran, A&G 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: HARP, INC. D/B/A FINN MCCOOL'S

Lic. No. 3601113207

ORDER

BE IT REMEMBERED that on the 7th day of January, 2009, 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 Four Thousand Dollars (\$4,000.00) 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 video poker license without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 7th day of January, 2009, in

Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
LICENSEE DIVISION
OFFICE OF THE HEARING OFFICER

William H. Hoover
Pauline Patterson
also Bayler
Sgt. Dine Colomagne

William H. Hoover

TRUE COPY ATTEST
WILLIAM H. HOOPER
HEARING OFFICER

HEARING OFFICER

BATON ROUGE, LA 1/8/09

Paul Dwyer
BY CLERK