



*State of Louisiana*  
*Gaming Control Board*

KATHLEEN BABINEAUX BLANCO  
GOVERNOR

H. CHARLES GAUDIN  
CHAIRMAN

**IN RE: MBM OF LAKE CHARLES  
NO. P081002245**

**ORDER**

This matter was considered by the Louisiana Gaming Control Board at its meeting of October 17, 2006. The Hearing Officer's order dated October 11, 2006, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Suspension and Penalty," No. P081002245, by and between MBM of Lake Charles, 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 17 day of October, 2006.

**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 October, 2006

**APPEAL DOCKET CLERK**



**RECEIVED**

OCT 19 2006

LGCB  
ADMINISTRATIVE HEARING OFFICE

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

**IN RE: MBM OF LAKE CHARLES**

**P081002245**

**COMPROMISE AND SETTLEMENT AGREEMENT**

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and MBM of Lake Charles (hereinafter "MBM") do hereby represent and agree as follows:

**WHEREAS**, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Suspension and Penalty to MBM alleging certain violations of Louisiana Gaming Control Law; and

**WHEREAS**, the issues raised by the said Notice of Recommendation of Suspension and Penalty are set for hearing on October 18, 2006, before the Louisiana Gaming Control Board Administrative Hearing Office; and

**WHEREAS**, the Division and MBM 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 Suspension and Penalty;

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

**STIPULATIONS**

1. On March 1, 2006, the Louisiana Office of State Police issued, via U.S. mail, an Annual Affidavit form to MBM. MBM was to submit the Annual Affidavit and the annual permit fee by June 14, 2006, which represents the anniversary date of its Non-Gaming Supplier Permit.



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2. On April 28, 2006, the Division mailed an URGENT REMINDER to MBM via U.S. mail. As of July 18, 2006, MBM had not submitted an Annual Affidavit form or the annual permit fee.

3. On August 24, 2006, the Louisiana Gaming Control Board issued a Notice of Recommendation of Suspension and Penalty to MBM alleging certain violations of Louisiana Gaming Control Law.

4. MBM's Annual Affidavit form and annual permit fee were received by the Division on September 12, 2006.

5. MBM does admit it violated La. R.S.27:29(I) and La. R.S. 27:29.3(F).

#### **TERMS AND CONDITIONS**

1. MBM will pay a civil penalty of FIVE HUNDRED AND NO/100 (\$500.00) DOLLARS and a penalty of SIXTY-TWO DOLLARS AND 50/100 (\$62.50) DOLLARS pursuant to La. R.S. 27:29.5(C).

2. The Division hereby agrees to accept MBM's payment of the above stated penalty in full and final settlement of the Notice of Recommendation of Suspension and Penalty issued on August 24, 2006.

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


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 MBM, 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 within fifteen (15) days of approval of this settlement shall result in the immediate suspension of MBM's permit.

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

  
\_\_\_\_\_  
**Duly authorized representative of MBM of  
Lake Charles**

  
\_\_\_\_\_  
**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**

**IN RE: MBM OF LAKE CHARLES**

**P081002245**

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

**TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:**

**COME NOW** State of Louisiana, Department of Public Safety and Corrections, Office of State Police (the "Division") and MBM of Lake Charles (hereinafter "MBM"), 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 MBM 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.

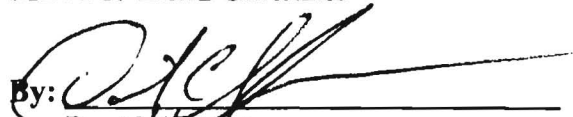
2.

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 MBM respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully submitted,

**MBM OF LAKE CHARLES**

By: 

**David C. Anderson**

Owner

7383 Gulf Highway

Calcasieu, Louisiana 70607

Telephone: (337) 478-676

Facsimile: (337) 478-9255

***Authorized Representative for Permittee,  
MBM of Lake Charles***

**CHARLES C. FOTI, JR.,  
ATTORNEY GENERAL**

By: 

**Christopher B. Hebert, #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: MBM OF LAKE CHARLES

P081002245

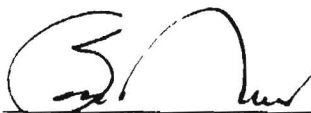
ORDER

BE IT REMEMBERED that on the 11<sup>th</sup> day of Oct, 2006, 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**.

SIGNED AND ENTERED this 11 day of Oct, 2006, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 11<sup>th</sup> DAY  
OF October, 2006  
Jill Commenge  
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

  
\_\_\_\_\_  
WILLIAM H. BROWN  
HEARING OFFICER

cc. David C. Anderson  
Christopher Hebert  
Sgt. Leband Falcon

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 10/11/06

Jill Commenge  
BY: CLERK