



*State of Louisiana*  
*Gaming Control Board*

*BOBBY JINDAL*  
GOVERNOR

*DANE K. MORGAN*  
CHAIRMAN

**IN RE: HYMEL'S, INC. D/B/A HYMELS INC.**  
**NO. 4700214866**

**ORDER**

This matter was considered by the Louisiana Gaming Control Board at its meeting of December 15, 2009. The Hearing Officer's order dated December 9, 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. 4700214866, by and between Hymel's, Inc. d/b/a Hymel's, Inc., and the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, which is attached hereto and incorporated herein, is **APPROVED**.

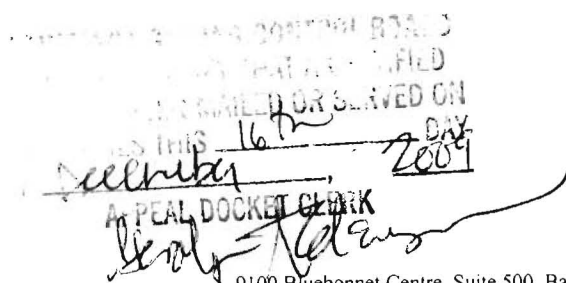
**THUS DONE AND SIGNED on this the 15<sup>th</sup> day of December, 2009.**

**LOUISIANA GAMING CONTROL BOARD**

**BY:**

  
**DANE K. MORGAN, CHAIRMAN**

DKM/gac



**RECEIVED**

DEC 04 2009

LCCB  
ADMINISTRATIVE HEARING OFFICE

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

**IN RE: HYMEL'S INC.  
d/b/a HYMELS INC.**

**LICENSE NO. 4700214866**

**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 Hymel's Inc. d/b/a Hymel's Inc. (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 Officer and the Louisiana Gaming Control Board.

2.

A true and correct copy of the proposed Compromise and Settlement Agreement

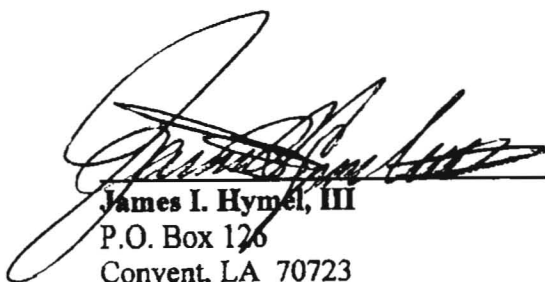


is attached hereto as Exhibit "A" and incorporated by reference for all purposes.

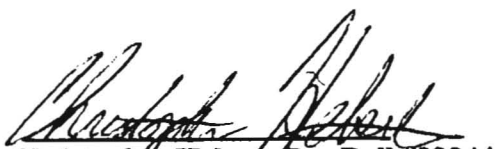
**WHEREFORE, PREMISES CONSIDERED,** The Division and the Licensee respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

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



**James I. Hymel, III**  
P.O. Box 126  
Convent, LA 70723  
Telephone: (225) 562-7031



**Christopher Hebert, Bar Roll #29044**  
Assistant Attorney General  
Gaming Division  
1885 N. 3<sup>rd</sup> St. Fifth Floor  
Baton Rouge, LA 70801  
Telephone: (225) 326-6500  
Facsimile: (225) 326-6599  
*Counsel for the Division*

**EXHIBIT "A"**

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

**IN RE: HYMEL'S INC.  
d/b/a HYMELS INC.**

**LICENSE NO. 4700214866**

**COMPROMISE AND SETTLEMENT AGREEMENT**

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter the "Division") and Hymel's Inc. d/b/a Hymel's Inc., (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 the Licensee, 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 Division provided notification to the Licensee that attendance was mandatory at a compulsive gambling training session. The Licensee received notification of the dates of scheduled training sessions.

2. Failure to attend the required class gave rise to a Notice of Recommendation of Administrative Action, issued by the Louisiana Gaming Control Board on September 15, 2009.

3. The Licensee acknowledges that it is in violation of gaming law in that it has failed to attend the required compulsive gambling training session.

### TERMS AND CONDITIONS

1. The Licensee agrees to pay a civil penalty of Five Hundred Dollars (\$500.00).

2. The Division hereby agrees to accept the payment of Five Hundred Dollars (\$500.00) in full and final settlement of the Notice of Recommendation of Administrative Action.

3. The Licensee understands that continued failure to attend a required compulsive gambling training session shall result in the Division's recommendation of revocation.

4. The Licensee understands that it is and shall be the Licensee's responsibility to contact the Division for the dates and times of future compulsive gambling training sessions and that the Division shall not be required to provide the Licensee with notice of future compulsive gambling training sessions. The Licensee also understands that the

Division may reschedule any compulsive gambling training sessions at anytime and it shall be the Licensee's responsibility to contact the Division in regard to possible rescheduling.

5. 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 the Licensee.

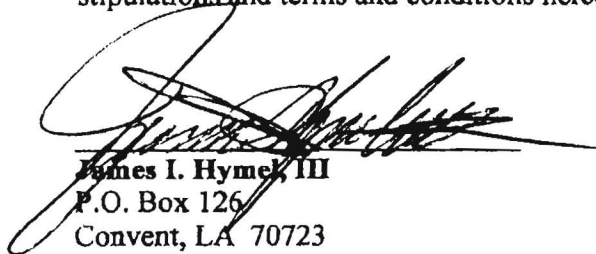
6. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and the Licensee pertaining to the Licensee's failure to attend the compulsive gambling training session on the dates specified in the Notice of Recommendation of Administrative Action and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

7. 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.

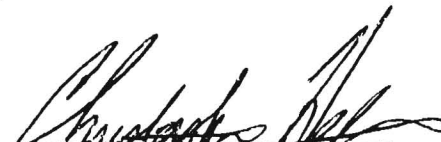
8. If approved, the Licensee must make full payment of the civil penalty to the Division within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the license without the necessity of any further administrative action until such time as the penalty is paid in full.

9. 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.



**James I. Hymel, III**  
P.O. Box 126  
Convent, LA 70723  
Telephone: (225) 562-7031



**Christopher Hebert, Bar Roll #29044**  
Assistant Attorney General  
Gaming Division  
1885 N. 3<sup>rd</sup> St. Fifth Floor  
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*Counsel for the Division*



STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: HYMEL'S INC.  
d/b/a HYMELS INC.

LICENSE NO. 4700214866

ORDER

BE IT REMEMBERED that on the 9<sup>th</sup> day of Jan December, 2009,

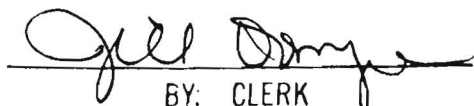
came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared by and through their respective attorneys of record, and the Hearing Officer having considered the pleadings on file, the proposed Settlement Agreement, and the said Motion, 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 Five Hundred and No/100 (\$500.00) 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 such time as the penalty is paid in full.

SIGNED AND ENTERED this 9<sup>th</sup> day of Jan December, 2009, in  
Baton Rouge, Louisiana.

  
HEARING OFFICER

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED AND SERVED ON  
ALL PARTIES THIS 9<sup>th</sup> DAY  
OF December 18 2009  
COURT CLERK, ADMINISTRATIVE HEARING OFFICE  
cc: James I. Hymel, III  
Christopher Lebat  
Sgt. Lionel Sibley

I HEREBY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 12.9.09  
  
BY: CLERK



STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

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ADMINISTRATIVE HEARING OFFICE

IN RE: HYMEL'S, INC.  
d/b/a HYMEL'S, INC.

Lic. No. 4700214866

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**MOTION AND ORDER TO DISMISS JOINT MOTION FOR APPROVAL OF  
COMPROMISE AND SETTLEMENT AGREEMENT AND VACATE ORDER**

NOW COMES, the Louisiana Department of Public Safety and Corrections, Office of State Police, ("Division"), who through undersigned counsel, represents the following:

1.

Hymel's Inc. d/b/a Hymel's, Inc., ("Licensee") and the Division submitted a Joint Motion for Approval of Compromise and Settlement Agreement, ("Motion") on October 28, 2009, relative to the Licensee's failure to timely attend compulsive gaming training classes.

2.

Exhibit "A" to the Motion is a certain Compromise and Settlement Agreement, ("Settlement Agreement") which included a civil penalty of One Thousand Dollars (\$1000.00).

3.

Administrative hearings held subsequent to the submission of the aforementioned Motion and Settlement Agreement established a precedent of a civil penalty of Five Hundred Dollars (\$500.00) for similar violations.


4.

Considering the foregoing, the Division wishes to dismiss the Joint Motion for Approval of Compromise and Settlement Agreement submitted on October 28, 2009 and the Order signed October 28, 2009 be vacated.

**WHEREFORE**, the undersigned counsel respectfully requests that the aforementioned Motion be dismissed and the Order signed in this matter be vacated.

JAMES D. "BUDDY" CALDWELL  
ATTORNEY GENERAL

By:

  
OLGA M. BOGRAN Bar No. 24302  
Assistant Attorney General  
400 Royal Street Suite 1230  
New Orleans, Louisiana 70130  
Telephone: (504) 599-1149  
Facsimile: (504) 599-1163

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

**IN RE:      HYMEL'S, INC.  
              d/b/a HYMEL'S, INC.**

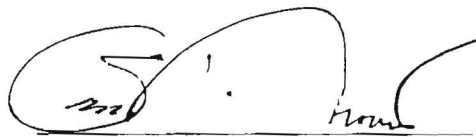
**Lic. No. 4700214866**

**ORDER**

Considering the foregoing Motion to Dismiss Joint Motion for Approval of Compromise and Settlement Agreement and Vacate Order,

**IT IS ORDERED**, that the Joint Motion for Approval of Compromise and Settlement Agreement in the above entitled matter be dismissed and the pertaining Order be vacated.

Baton Rouge, Louisiana, this 9<sup>th</sup> day of Dec, 2009.



Hearing Officer

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
MAIL RECEIPT WAS SERVED ON  
THIS 9<sup>th</sup> DAY  
December 2009  
Jill Omye  
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: James I. Hymel III  
Steph Bogen  
Sgt. Lowell Sibley

I HEREBY COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 12 9.09

Jill Omye  
BY: CLERK

**RECEIVED**

**OCT 23 2009**

LGCB  
ADMINISTRATIVE HEARING OFFICE

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

**IN RE: HYMEL'S INC.  
d/b/a HYMELS INC.**

**LICENSE NO. 4700214866**

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

**TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:**

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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 Officer and the Louisiana Gaming Control Board.

2.

A true and correct copy of the proposed Compromise and Settlement Agreement

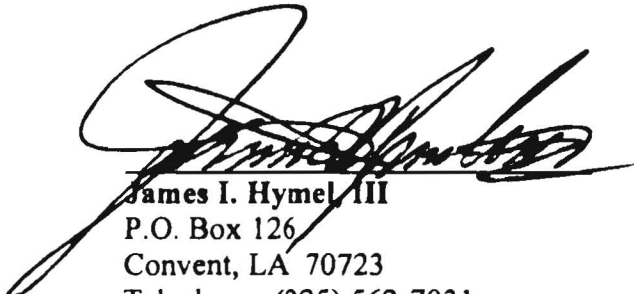
A handwritten signature in black ink, appearing to be "James H. ...", written over a horizontal line.

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


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

Respectfully Submitted,

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



James I. Hymel, III  
P.O. Box 126  
Convent, LA 70723  
Telephone: (225) 562-7031



Olga M. Bogran, Bar Roll #24302  
Assistant Attorney General  
Gaming Division  
400 Royal St. Suite 1230  
New Orleans, LA 70130  
Telephone: (504)599-1153  
Facsimile: (504) 599-1163  
*Counsel for the Division*



**EXHIBIT "A"**

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

**IN RE: HYMEL'S INC.  
d/b/a HYMELS INC.**

**LICENSE NO. 4700214866**

**COMPROMISE AND SETTLEMENT AGREEMENT**

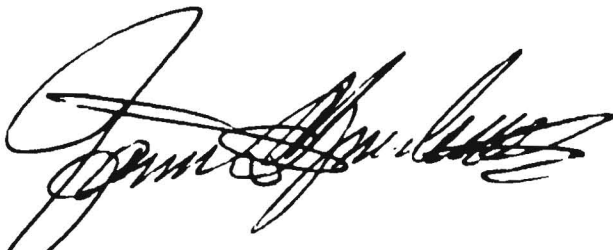
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**WHEREAS**, the parties hereto are desirous of fully and finally compromising and settling all disputes and issues raised in connection with the said Notice of Recommendation of Administrative Action;

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

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## STIPULATIONS

1. The Division provided notification to the Licensee that attendance was mandatory at a compulsive gambling training session. The Licensee received notification of the dates of scheduled training sessions.

2. Failure to attend the required class gave rise to a Notice of Recommendation of Administrative Action, issued by the Louisiana Gaming Control Board on September 15, 2009.

3. The Licensee acknowledges that it is in violation of gaming law in that it has failed to attend the required compulsive gambling training session.

## TERMS AND CONDITIONS

1. The Licensee agrees to pay a civil penalty of One Thousand Dollars (\$1,000.00).

2. The Division hereby agrees to accept the payment of One Thousand Dollars (\$1,000.00) in full and final settlement of the Notice of Recommendation of Administrative Action.

3. The Licensee understands that continued failure to attend a required compulsive gambling training session shall result in the Division's recommendation of revocation.

4. The Licensee understands that it is and shall be the Licensee's responsibility to contact the Division for the dates and times of future compulsive gambling training sessions and that the Division shall not be required to provide the Licensee with notice of future compulsive gambling training sessions. The Licensee also understands that the

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Division may reschedule any compulsive gambling training sessions at anytime and it shall be the Licensee's responsibility to contact the Division in regard to possible rescheduling.

5. 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 the Licensee.

6. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and the Licensee pertaining to the Licensee's failure to attend the compulsive gambling training session on the dates specified in the Notice of Recommendation of Administrative Action and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

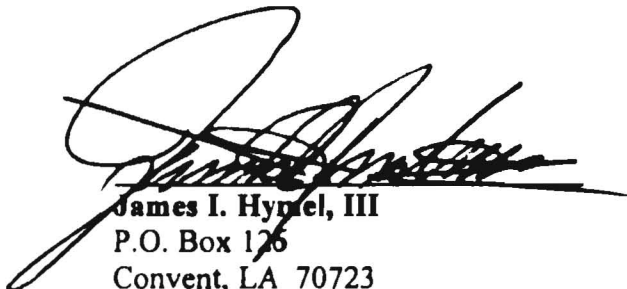
7. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana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

8. If approved, the Licensee must make full payment of the civil penalty 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 license without the necessity of any further administrative action until such time as the penalty is paid in full.


A handwritten signature in black ink, appearing to be "James J. [unclear]", written in a cursive style.

9. 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.



**James I. Hymel, III**  
P.O. Box 176  
Convent, LA 70723  
Telephone: (225) 562-7031



**Olga M. Bogdan, Bar Roll #24302**  
Assistant Attorney General  
Gaming Division  
400 Royal St. Suite 1230  
New Orleans, LA 70130  
Telephone: (504)599-1153  
Facsimile: (504) 599-1163  
*Counsel for the Division*

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: HYMEL'S INC.  
d/b/a HYMELS INC.

LICENSE NO. 4700214866

ORDER

BE IT REMEMBERED that on the 20 day of Oct, 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 One Thousand and No/100 (\$1,000.00) 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 such time as the penalty is paid in full.

SIGNED AND ENTERED this 20 day of Oct, 2009, in

Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD

HEARING OFFICE

RECEIVED ON

OCT 28 2009

DAY

BY

CLERK, ADMINISTRATIVE HEARING OFFICE

cc: James I Hymel, III

Clay Boyer

Sgt. Lynell S. Hines



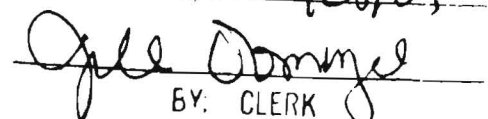
HEARING OFFICER

A TRUE COPY ATTEST

LOUISIANA GAMING CONTROL BOARD

HEARING OFFICE

BATON ROUGE, LA 10/28/09



BY: CLERK