



State of Louisiana

Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

ANNE LACOUR NEEB
EXECUTIVE DIRECTOR

IN RE: ACM GAME COMPANY D/B/A ACM GAME COMPANY NO. 1701600079

ORDER

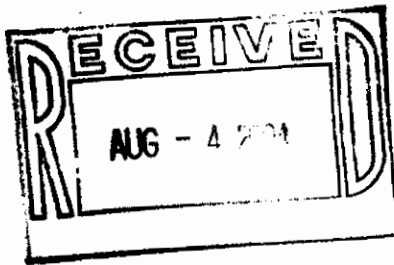
This matter was considered by the Louisiana Gaming Control Board at its meeting of September 14, 2004. The Hearing Officer's order dated August 3, 2004, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Administrative Action", between ACM Game Company d/b/a ACM Game Company, No. 1701600079, and the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, Video Gaming Division, which is attached hereto and incorporated herein, is **APPROVED**.

THUS DONE AND SIGNED on this the 20th day of September, 2004.

LOUISIANA GAMING CONTROL BOARD

BY: H. Charles Gaudin
H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY OF THIS ORDER WAS SERVED ON
ALL PARTIES ON 20th DAY
OF September 2004
[Signature]
NET CLERK



STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

AUG 03 2004

IN RE: ACM GAMING COMPANY
d/b/a ACM GAME COMPANY

LGCB
ADMINISTRATIVE HEARING OFFICE
CASE NO. 1701600079

**JOINT MOTION FOR ENTRY OF STIPULATIONS AND
APPROVAL OF PROPOSED SETTLEMENT**

ON THE JOINT MOTION OF:

1. the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "Division"), and
2. ACM Game Company d/b/a ACM Game Company, License No. 1701600079,

who respectfully represent the following:

WHEREAS:

1. During an inspection of the licensee, the Division discovered the following violations relating to the licensee's three gaming devices located at the establishment known as "Bear's Den":
 - a) on thirty-one occasions, the devices were entered without an appropriate or complete logbook entry,
 - b) because of damage to the locking mechanisms caused by previous theft attempts, the doors of the gaming devices would come open if the devices were bumped or jarred by patrons, and
 - c) the licensee failed to notify the Division of the damage to the devices;
2. Based on these findings, the licensee was issued a Notice of Recommendation of Administrative Action by the Louisiana Gaming Control Board on May 17, 2004, which alleged violations of LAC 42:XI.2413(E)(1 & 2), LAC 42:XI.2413(G)(1 & 3), and La. R.S. 27:302(A)(5)(f); and
3. This matter is scheduled for hearing on August 3, 2004 at 9:00 a.m. before the Honorable William H. Brown,

TRUE COPY

Representative
Louisiana Gaming Control Board

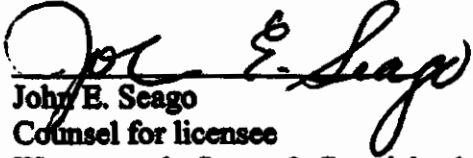
NOW THEREFORE, in consideration of the foregoing stipulations, the Division and the licensee hereby propose the following settlement, that:

1. The licensee acknowledges that it violated LAC 42:XI.2413(E)(1 & 2) and LAC 42:XI.2413(G)(1 & 3), in that it failed to maintain proper logbook entries on thirty-one occasions, failed to maintain its devices so as to prevent access by anyone other than certified technicians, and failed to report damage to its devices to the Division;
2. In lieu of further administrative action against its Type 6 video gaming license, the licensee shall pay a civil penalty in the amount of **ONE THOUSAND-THREE HUNDRED DOLLARS (\$1300.00)**, which represents an accumulation of fines for each of the above-cited rules;
3. The Division hereby agrees to accept payment of the above penalty as full and final settlement of this Notice of Recommendation of Administrative Action;
4. The Division reserves the right to take into consideration these violations in connection with any future violation;
5. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
6. This settlement constitutes the entire agreement between the Division and ACM Game Company pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
7. This settlement is subject to approval by the Hearing Officer of the Louisiana Gaming Control Board; it is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not executory and will be submitted to the Board for its determination as to whether the matter should be heard by the Hearing Officer; if approved, however, the licensee must pay the above civil penalty to the State of Louisiana within fifteen (15) days of approval; failure to do so shall result in the suspension of the licensee's Type 6 license until the penalty is paid in full; and
8. The Division and the licensee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted,

**ACM GAMING COMPANY
d/b/a ACM GAME COMPANY**

BY:



**John E. Seago
Counsel for licensee
Waguespack, Seago & Carmichael
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Facsimile: (225) 766-5812**

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

BY:



**Karen Day White
Assistant Attorney General
La. Bar Roll No. 25933
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Baton Rouge, Louisiana 70802
Telephone: (225) 326-6523
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**STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE**

**IN RE: ACM GAMING COMPANY
d/b/a ACM GAME COMPANY**

CASE NO. 1701600079

ORDER

Considering the foregoing Joint Motion For Entry of Stipulations and Approval of Proposed Settlement, IT IS HEREBY ORDERED that such proposed settlement be approved, to wit:

1. the licensee acknowledges that it violated LAC 42:XL2413(E)(1 & 2) and LAC 42:XL2413(G)(1 & 3), in that it failed to maintain proper logbook entries on thirty-one occasions, failed to maintain its devices so as to prevent access by anyone other than certified technicians, and failed to report damage to its devices to the Division;
2. in lieu of further administrative action against its Type 6 video gaming license, the licensee shall pay a civil penalty in the amount of **ONE THOUSAND-THREE HUNDRED DOLLARS (\$1300.00)**, which represents an accumulation of fines for each of the above-cited rules; and
3. the failure to surrender to pay the above-cited penalty within fifteen (15) days of approval of this settlement by the Board shall result in the suspension of the licensee's Type 6 license.

THUS DONE AND SIGNED this 31st day of August, 2004 in
Baton Rouge, Louisiana.

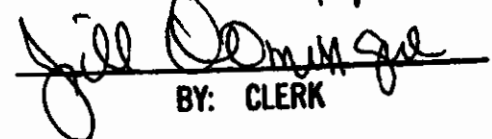


William H. Brown.
Hearing Officer

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 31st DAY
OF August 2004
William H. Brown
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: John E. Seago
Karen White
Sabrina Bullard

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 8/31/04



BY: CLERK