



*State of Louisiana*  
*Gaming Control Board*

BOBBY JINDAL  
GOVERNOR

RONNIE JONES  
CHAIRMAN

**IN RE: KIVA L. CHEATUM**  
**NO. P040053376**

**ORDER**

This matter was considered by the Louisiana Gaming Control Board at its meeting of June 19, 2014. The Hearing Officer's order dated June 2, 2014, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Recommendation of Administrative Action", by and between Kiva L. Cheatum, No. P040053376, 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 19<sup>th</sup> day of June, 2014.**

**LOUISIANA GAMING CONTROL BOARD**

BY:

  
\_\_\_\_\_  
**RONNIE JONES, CHAIRMAN**

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 20<sup>th</sup> DAY  
OF June, 2014

APPEAL DOCKET CLERK



LGCB-2828-14-B

**RECEIVED**

By Geralyn at 8:32 am, Jun 03, 2014

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

**RECEIVED**

JUN 02 2014

LGCB  
ADMINISTRATIVE HEARING OFFICE

RE: KIVA L. CHEATUM

PERMIT NO.: P040053376

**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 Kiva L. Cheatum (hereinafter, "Permittee"), 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 Permittee 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.

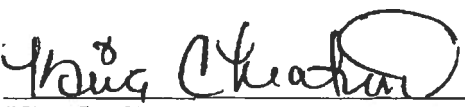
2.

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.

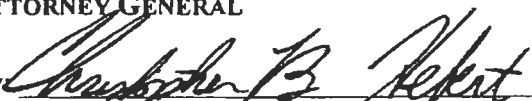
TRUE COPY  
  
Representative  
Louisiana Gaming Control Board

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

Respectfully Submitted,

By:   
**Kiva L. Cheatum**  
1265 New Hope Road  
Wiggins, Mississippi 39577

**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: KIVA L. CHEATUM**

**PERMIT NO.: P040053376**

**COMPROMISE AND SETTLEMENT AGREEMENT**

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Kiva L. Cheatum (hereinafter, "Permittee"), do hereby represent and agree as follows:

**WHEREAS**, the Louisiana Gaming Control Board has sent a Notice of Recommendation of Administrative Action to Permittee, which Notice contains allegations of certain violations of Louisiana Gaming Control Law; and

**WHEREAS**, the issues raised by said Notice are set for hearing before the Louisiana Gaming Control Board Administrative Hearing Office on Monday, June 2, 2014, at 9:30 a.m.

**WHEREAS**, the Division and Permittee 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. By application dated April 5, 2012, Permittee sought approval of a non-key gaming employee permit from the Division. A background investigation was performed and a permit was granted with an expiration date of April 24, 2014.

2. On or about February 14, 2014, the Division was notified by the Louisiana State Police Criminal Records that the Permittee was arrested on January 22, 2014, for violating La. R.S. 40:966(E)(1), Possession of Marijuana, and La. R.S. 14:130.1, Obstruction of Justice. The charge of violating La. R.S. 14:130.1 for Obstruction of Justice is punishable by imprisonment of more than one year.

3. On January 23, 2014, the Permittee appeared before the Orleans Parish Magistrate Court and was ordered to report to Pretrial Services and the District Attorney's Office Diversion Program as a condition of release. The Permittee entered into the pretrial diversion program. On February 28, 2014, the District Attorney's Office refused the charges against the Permittee.

4. The Permittee failed to notify the Division of her arrests for violating La. R.S. 40:966(E)(1), Possession of Marijuana, and La. R.S. 14:130.1, Obstruction of Justice.

#### **TERMS AND CONDITIONS**

1. In lieu of administrative action, the Permittee will pay a penalty of FIVE HUNDRED and No/100 (\$500.00) DOLLARS for her violation of LAC 42:III.2901(B)(4).

2. The Division hereby agrees that payment of a penalty of FIVE HUNDRED and No/100 (\$500.00) DOLLARS shall be in full and final settlement of all matters set forth in the Notice of Recommendation of Administrative Action.

3. The Division reserves the right to take into consideration this admitted violation in connection with any future investigation, violation or assessment of penalty and in connection with any future assessments of Permittee'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 the Permittee, pertaining to the subject matter contained herein and

supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

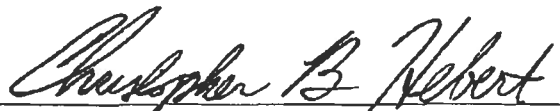
6. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana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

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

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



**Kiva L. Cheatum**



**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: KIVA L. CHEATUM

PERMIT NO.: P040053376

ORDER

BE IT REMEMBERED that on the 2nd day of June, 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, 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 the Licensee must pay a penalty of **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 permit without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 2nd day of June, 2014, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE  
cc: Kiva L. Cheatum  
christopher h. h. h.

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICER HEARING OFFICE  
BATON ROUGE LA 6-2-14  
BT. CLERK