



State of Louisiana
Gaming Control Board

IN RE: TOMMY C. GAGLIANO
NO. P040001166

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of March 15, 2012. The Hearing Officer's order dated February 29, 2012, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action" by and between Tommy C. Gagliano, No. P040001166, 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 15th day of March, 2012.

LOUISIANA GAMING CONTROL BOARD

BY:

Thomas Rogers

LOUISIANA GAMING CONTROL BOARD

I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 16th DAY
OF March, 2012

APPEAL DOCKET CLERK

Sandy [Signature]

RECEIVED

By Geralyn Coleman at 10:47 am, Feb 29, 2012

STATE OF LOUISIANA

LOUISIANA GAMING CONTROL BOARD

ADMINISTRATIVE HEARING OFFICE

RECEIVED

FEB 07 2012

LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: TOMMY C. GAGLIANO

PERMIT NO: P040001166

**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 Tommy C. Gagliano (hereinafter, "Mr. Gagliano"), 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 Mr. Gagliano 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 Mr. Gagliano respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

By: Tommy C. Gagliano
Tommy C. Gagliano
223 East Avenue
Apartment D
Harahan, Louisiana 70123

JAMES D. "BUDDY" CALDWELL,
ATTORNEY GENERAL

By: Ashley C. Wimberly
Ashley C. Wimberly, Bar Roll #33434
Assistant Attorney General
1885 North Third Street, 5th 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: TOMMY C. GAGLIANO

PERMIT NO: P04001166

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Tommy C. Gagliano (hereinafter, "Mr. Gagliano") do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has sent a Notice of Recommendation of Administrative Action to Mr. Gagliano, containing allegations of 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 on February 29, 2012; and

WHEREAS, the Division and Mr. Gagliano 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 Administrative Action;

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

STIPULATIONS

1. Tommy C. Gagliano holds a Non-Key Gaming Employee Permit.
2. Tommy C. Gagliano's Non-Key Gaming Employee Permit expires on June 23, 2012.

3. On November 29, 2011, the Jefferson Parish Sheriff's Office arrested Tommy C. Gagliano for violation of a protective order.
4. Tommy C. Gagliano was subsequently charged in violation of La. R.S. 40:968(C) (Possession of a Schedule II CDS) and La. R.S. 14:402 (Contraband in a Correctional Center).
5. The above-referenced charges were refused by the Jefferson Parish District Attorney's Office on December 9, 2011.
6. Tommy C. Gagliano admits that he failed to notify the Division of this arrest, in violation of LAC 42:XIII.2901(B)(4).


TERMS AND CONDITIONS

1. In lieu of Administrative Action against Tommy C. Gagliano's Non-Key Gaming Permit, Tommy C. Gagliano will pay a civil penalty of TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$250.00) for his violation of LAC 42:XIII.2901(B)(4).
2. The Division hereby agrees that payment of a TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$250.00) civil penalty shall be in full and final settlement of all matters set forth in the Notice of Recommendation of Administrative Action on January 6, 2012.
3. The Division reserves the right to take into consideration these admitted violations in connection with any future investigation, violation or assessment of penalty and in connection with any future assessments of Tommy C. Gagliano'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

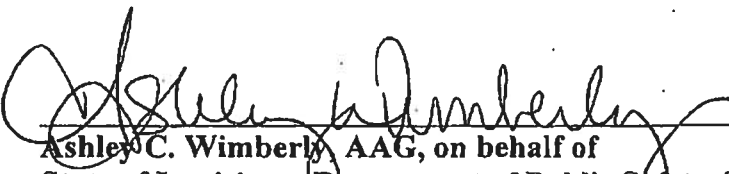
the Division and Tommy C. Gagliano, pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations, and understandings of the parties.

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, Tommy C. Gagliano agrees to make full payment of the civil penalty to the Division within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board. Tommy C. Gagliano agrees that failure to meet this requirement shall result in immediate suspension of her Non-Key Employee 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 Settlement Agreement and agree to all stipulations and terms and conditions hereof.



Tommy C. Gagliano



Ashley C. Wimberly, 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: TOMMY C. GAGLIANO

PERMIT NO: P040001166

JOINT MOTION FOR APPROVAL OF COMPROMISE AND
SETTLEMENT AGREEMENT

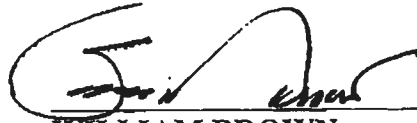
, ORDER

BE IT REMEMBERED that on the 29th day of February, 2012, came 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 or representing themselves, 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 Tommy C. Gagliano must pay TWO HUNDRED FIFTY AND NO/100 (\$250.00) 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 Tommy C. Gagliano's Non-Key Gaming Employee Permit, without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 29th day of Feb, 2012, in Baton Rouge, Louisiana.



WILLIAM BROWN
HEARING OFFICER

LOUISIANA GAMING CONTROL BOARD
CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
February 29th DAY
2012
Paul D. Dwyer
ADMINISTRATIVE HEARING OFFICE

cc: Tommy C. Gagliano
Ashley Wimberly
Sgt. Bernard Sibley

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 2.29.12



BY: CLERK