



State of Louisiana

Gaming Control Board

M. J. "MIKE" FOSTER, JR.
GOVERNOR

HILLARY J. CRAIN
CHAIRMAN

**IN RE: J & R KMS CUSTOM FLOORING, INC.
NO. P086502333**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of June 16, 2003. The Hearing Officer's order dated May 13, 2003, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of "Notice of Recommendation of Suspension," by and between J&R KMS Custom Flooring, Inc., No. P086502333, and the Louisiana Department of Public Safety and Corrections, Office of State Police, Gaming Suitability Unit, which is attached hereto and incorporated herein, is **APPROVED**.

THUS DONE AND SIGNED on this the 17 day of June, 2003.

LOUISIANA GAMING CONTROL BOARD

BY:


HILLARY J. CRAIN, CHAIRMAN

**LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 18th DAY
OF June 2003**


APPEAL DOCKET CLERK

RECEIVED

MAY 13 2003

LGCB
ADMINISTRATIVE HEARING OFFICE

2003
STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: J & R KMS CUSTOM FLOORING, INC.

CASE NO. PO86502333

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

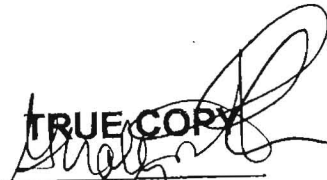
ON THE JOINT MOTION OF:

1. The Louisiana Department of Public Safety and Corrections, Office of State Police, Riverboat Gaming Division (hereinafter "Division"), and
2. J & R KMS Custom Flooring, Inc., License No. PO86502333 (hereinafter "Permitee"), who respectfully represent the following:

WHEREAS:

1. On or about August 22, 2000, the Permitee applied for a renewal of its non-gaming supplier permit;
2. Pursuant to that renewal application, the Gaming Suitability Unit of the Louisiana State Police (hereinafter "Suitability Unit") conducted a background investigation of the permittee. On or about November 20, 2002, the Suitability Unit was informed by the Internal Revenue Service that the Permitee had been disapproved for a tax clearance;
3. Having not received the necessary tax clearance, the Louisiana Gaming Control Board, pursuant to La. R.S. 27:1, sent a Notice of Recommendation of Suspension to the Permitee based upon LAC 42:XIII.2114 on or about March 6, 2003. This notice informed the permittee that since tax clearance had not been obtained the permittee would be recommended for suspension. The Permitee received this notice in March of 2003;
4. On or about March 25, 2003, the Permitee timely requested an administrative hearing on this matter. The hearing is currently scheduled for May 13, 2003 at 9:00 a.m. before the Honorable William H. Brown.

TRUE COPY


Representative

Louisiana Gaming Control Board

5. On or about March 31, 2003, the permittee received tax clearance from the IRS. Approximately four (4) months elapsed from the time the permittee was denied tax clearance until the date the permittee was granted tax clearance.

NOW THEREFORE, in consideration of the foregoing stipulations, the Division and the permittee, having had the occasion to review all of the facts and circumstances attendant to the violation, agree and stipulate as follows:

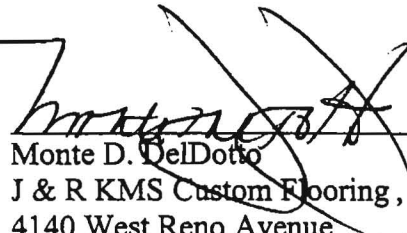
1. The permittee acknowledges that it was not in compliance with LAC 42:XIII.2114 for the period of November 20, 2002 until March 31, 2003, when the Internal Revenue Service issued a tax clearance to the permittee;
2. In lieu of suspension, the permittee shall pay a civil penalty in the amount of \$500.00 for the above-cited period of non-compliance.
3. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana.
4. This settlement constitutes the entire agreement between the Division and J & R KMS Custom Flooring, Inc., pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties.
5. 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, payment of the above penalty must be submitted to the Division within fifteen (15) days of approval of this settlement by the Board.
6. The failure of the permittee to submit the above penalty within fifteen (15) days of approval of this settlement by the Board shall result in the suspension of its non-gaming supplier permit.
7. The Division and the permittee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted,


J & R KMS Custom Flooring, Inc.
PO86502333

RICHARD P. IEYOUB
ATTORNEY GENERAL

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STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: J & R KMS CUSTOM FLOORING, INC.

CASE NO. PO86502333

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. J & R KMS Custom Flooring, Inc. acknowledges that it was not in compliance with LAC 42:XIII.2114 for the period of November 20, 2002 until March 31, 2003, when the Internal Revenue Service issued a tax clearance to the permittee.
2. In lieu of suspension, J & R KMS Custom Flooring, Inc. shall pay a civil penalty in the amount \$500.00 for the above-cited period of non-compliance.
3. Payment of the above penalty shall be submitted to the Division within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board; and
4. Failure by J & R KMS Custom Flooring, Inc. to submit the above penalty within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board shall result in the suspension of its non-gaming supplier permit.

THUS DONE AND SIGNED this 13 day of May,
2003 in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 13th DAY
OF May 2003
Alta Adams
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Monte DeBotto
Kim Graham, Esq.
Lt. George Dean.

William H. Brown
Hearing Officer
A TRUE COPY ATTEST

LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 5/13/03
Alta Adams
BY: CLERK