



State of Louisiana  
Gaming Control Board

BOBBY JINDAL  
GOVERNOR

DANE K. MORGAN  
CHAIRMAN

**IN RE: HORSESHOE ENTERTAINMENT, L.P.  
D/B/A HORSESHOE CASINO  
NO. R010800198**

**ORDER**

This matter was considered by the Louisiana Gaming Control Board at its meeting of April 20, 2010. The Hearing Officer's order dated April 7, 2010, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," No. R010800198, by and between Horseshoe Entertainment, L.P. d/b/a Horseshoe Casino, 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 20<sup>th</sup> day of April, 2010.**

**LOUISIANA GAMING CONTROL BOARD**

BY:

  
\_\_\_\_\_  
DANE K. MORGAN, CHAIRMAN

DKM/gac

**LOUISIANA GAMING CONTROL BOARD**  
I HEREBY CERTIFY THAT A COPIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 21<sup>st</sup> DAY  
OF April 2010  
APPEAL DOCKET CLERK  


STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

APR 07 2010  
By

**RECEIVED**

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LGCB  
ADMINISTRATIVE HEARING OFFICE

IN RE: HORSESHOE ENTERTAINMENT, L.P.  
D/B/A HORSESHOE CASINO

LICENSE NO. R010800198

**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 Horseshoe Entertainment, L.P. d/b/a Horseshoe Casino (hereinafter "Horseshoe"), who file this Joint Motion for Approval of Compromise and Settlement Agreement regarding the Significant Action Report 09-1-24-106-2630 issued by the Division on or about April 15, 2009, and Notice of Recommendation of Administrative Action issued by the Louisiana Gaming Control Board on or about January 29, 2010, based on the provisions found in La. R. S. 27:2(A), La. R. S. 27:27.1(C)(11), LAC 42:III.301(G), LAC 42:III. 304(E)(1)(b) and (c), LAC 42:XIII.2715(A)(3) and (7), and in support thereof would respectively show unto the Hearing Officer as follows:

I.

The Division and Horseshoe 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.

TRUE COPY  
Becky A.  
Louisiana Gaming Control Board

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 Horseshoe respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

**BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ**

By: 

**Paul S. West, Bar Roll #13375**  
Chase North Tower  
450 Laurel Street, 20th Floor  
Baton Rouge, Louisiana 70801  
Telephone: (225) 381-7000  
Facsimile: (225) 382-0218  
*Counsel for Horseshoe Entertainment, L.P.*  
*d/b/a Horseshoe Casino*

**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**



**IN RE: HORSESHOE ENTERTAINMENT, L.P.**  
**D/B/A HORSESHOE CASINO**

**LICENSE NO. R010800198**

**COMPROMISE AND SETTLEMENT AGREEMENT**

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and Horseshoe Entertainment, L.P. d/b/a Horseshoe Casino (hereinafter "Horseshoe") do hereby represent and agree as follows:

**WHEREAS**, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to Horseshoe alleging 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 Division and Horseshoe 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. In March 2009, Horseshoe notified the Division that a self-excluded person, hereinafter referred to as Mr. C, was discovered playing table games in the casino. Further investigation by the Division disclosed the following information.

2. Mr. C was properly placed on the self-excluded list in January 2007. Horseshoe was timely notified that Mr. C was on the self-excluded list. Horseshoe's self-excluded reference system was up-dated to show Mr. C as a self-excluded person.

3. During a two-week period in March 2009, six (6) Horseshoe employees completed thirteen (13) credit card cash advances for Mr. C. The employees did not access Horseshoe's self-excluded reference system before beginning the cash advance transactions. The cash advances, with fees, totaled more than \$3,500.00, as shown below:

<b>2009</b>	<b>Cash Advance</b>	<b>Fee</b>	<b>Time</b>
March 9	\$400.00	\$23.99	22:34
Monday	\$180.00	\$14.99	23:53
March 10	\$140.00	\$14.99	01:36
Tuesday			
March 11	\$400.00	\$13.95	01:31
Wednesday	\$280.00	\$10.35	02:21
	\$80.00	\$4.35	04:08
March 13	\$180.00	\$7.35	04:27
Friday			
March 19	\$400.00	\$13.95	21:53
Thursday	\$200.00	\$7.95	22:58
March 20	\$40.00	\$3.15	06:09
Friday			
March 22	\$400.00	\$13.95	23:55
Sunday			
March 23	\$300.00	\$10.95	01:35
Monday	\$400.00	\$13.95	01:54
<b>Totals</b>	<b>\$3,400.00</b>	<b>\$153.87</b>	

4. Horseshoe failed to comply with its Compulsive and Problem Gambling Program in allowing a self-excluded person to gain access to the gaming floor on at least

five (5) occasions, in failing to detect the presence of the self-excluded person on the gaming floor, in allowing the self-excluded person to game, and in six (6) employees completing thirteen (13) credit card cash advances for the self-excluded person without accessing the self-excluded list.

5. Since the incidents involving Mr. C, Responsible Gaming memos have been distributed to all cashiers, punitive action was taken against employees for failure to follow these procedures, and a reward system has been established for employees who follow proper procedures and identify excluded patrons attempting to access the property. The property has also increased training on this issue from yearly to quarterly sessions. No self-excluded person incidents of this type have occurred since the incident involving Mr. C.

#### **TERMS AND CONDITIONS**

1. In lieu of further administrative or any other regulatory action against Horseshoe, Horseshoe agrees to pay to the Division, the aggregate and complete sum of Fifty-Five Thousand and No/100 (\$55,000.00) Dollars, and will additionally make a donation in the amount of Three Thousand Five Hundred and No/100 (\$3,500.00) Dollars to the Compulsive and Problem Gaming Fund.

2. The Division hereby agrees to accept Horseshoe's payment of the above stated penalty in full and final settlement of the Notice of Recommendation of Administrative Action, along with its additional donation to the Compulsive and Problem Gaming Fund. Horseshoe must submit proof of payment of the donation to the Compulsive and Problem Gaming Fund to the Division.

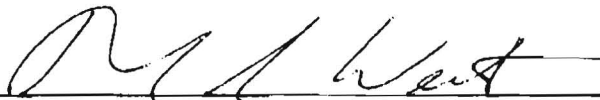
3. The Division reserves the right to take into consideration these admitted violations in connection with any future investigation, violation or assessment of penalty and in connection with any future assessments of Horseshoe's suitability.

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 Horseshoe, pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

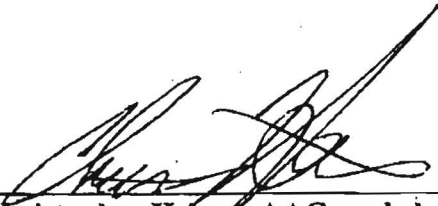
6. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana 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. Failure to pay the penalty of Fifty-Five Thousand and No/100 (\$55,000.00) Dollars, and the additional donation in the amount of Three Thousand Five Hundred and No/100 (\$3,500.00) Dollars to the Compulsive and Problem Gaming Fund within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board, and to comply with each term and condition listed herein, shall result in the immediate suspension of Horseshoe's license without the necessity of 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.



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**Paul S. West, on behalf of Horseshoe Entertainment, L.P.  
d/b/a Horseshoe Casino**



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**Christopher 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

IN RE: HORSESHOE ENTERTAINMENT, L.P.  
D/B/A HORSESHOE CASINO

LICENSE NO. R010800198

ORDER

BE IT REMEMBERED that on the 7<sup>th</sup> day of April, 2010, 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 Horseshoe must pay the penalty of Fifty-Five Thousand and No/100 (\$55,000.00) Dollars, and the additional donation in the amount of Three Thousand Five Hundred and No/100 (\$3,500.00) Dollars to the Compulsive and Problem Gaming Fund within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of Horseshoe's license without the necessity of any further administrative action until such time as the penalty is paid in full.

**SIGNED AND ENTERED** this 7<sup>th</sup> day of April, 2010, in Baton

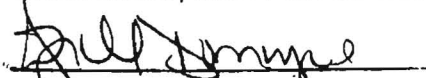
LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 17<sup>th</sup> DAY  
OF April 2010  
LOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

*Ceri Paul West*  
*Christopher Nebert*  
*Soft Lonell Sledge*

  
HEARING OFFICER

A TRUE COPY ATTEST

LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 4 7 10

  
BY: CLERK