

Transcript of the Testimony of

**LOUISIANA GAMING CONTROL BOARD
MEETING 4-15-2024**

April 15, 2024



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STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
APRIL 15, 2024 MEETING

This Louisiana Gaming Control Board Meeting was taken in by Belinda K. Amerson, a Certified Court Reporter in and for the State of Louisiana, at the LaSalle Building, LaBelle Hearing Room, 617 North 3rd Street, Baton Rouge, Louisiana on the 15th day of April, 2024.

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APPEARANCES :

CHAIRMAN RONNIE S. JOHNS

MS. HOOD

MS. HERNANDEZ

JULIE G. BERRY

MR. AVANT

MAJOR MCNEILL

FRANCESCA L. HAMILTON-ACKER

LAMAR O. POOLE, JR.

RONALD J. SHOLES

ASHLEY ANDERSON TRAYLOR

MR. JACKSON

MS. LEWIS

JERRY CANIGLIO

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CHAIRMAN JOHNS:
 Good morning, ladies and gentlemen.
I'd like to call to order the Louisiana
Gaming Control Board meeting of Monday,
April the 15th, 2024.
 Ms. Hernandez, would you call the
roll, please.
MS. HERNANDEZ:
 Chairman Johns.
CHAIRMAN JOHNS:
 Here.
MS. HERNANDEZ:
 Mr. Avant.
MR. AVANT:
 Here.
MS. HERNANDEZ:
 Ms. Berry.
MS. BERRY:
 Here.
MS. HERNANDEZ:
 Mr. Jackson.
MR. JACKSON:
 Here.
MS. HERNANDEZ:
 Ms. Lewis.

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MS. LEWIS:
Here.
MS. HERNANDEZ:
Mr. Poole.
MR. POOLE:
Here.
MS. HERNANDEZ:
Ms. Hamilton-Acker.
MS. HAMILTON-ACKER:
Here.
MS. HERNANDEZ:
Mr. Sholes.
MR. SHOLES:
Here.
MS. HERNANDEZ:
Ms. Traylor.
MS. TRAYLOR:
Here.
MS. HERNANDEZ:
Colonel Hodges.
MAJOR MCNEILL:
Major McNeill for Colonel Hodges.
MS. HERNANDEZ:
And Secretary Nelson.
MR. CANIGLIO:

1 Jerry Caniglio here for Secretary
2 Nelson.

3 CHAIRMAN JOHNS:

4 Okay. We do have a quorum. Thank
5 you, members.

6 Members, before we get into the
7 agenda, we have an amendment to the agenda
8 that we would like to ask for your
9 consideration, and I would need a motion
10 from the board to add this item to the
11 agenda.

12 This item is for the Catfish Queen,
13 LLC, doing business as the Belle of Baton
14 Rouge and the Queen Casino and
15 Entertainment, Incorporated. And they are
16 requesting to waive a 30-day prior notice
17 requirement contained in the licensee's
18 acknowledgment and acceptance of
19 conditions to approve of transactions.
20 And so we would need to amend the agenda.

21 MS. BERRY:

22 I motion.

23 MR. POOLE:

24 Second.

25 CHAIRMAN JOHNS:

1 Ms. Berry has made that motion, and
2 Mr. Poole has seconded that motion. Is
3 there any discussion?

4 Is there any opposition to that
5 motion?

6 Hearing none, the agenda is hereby
7 amended.

8 Okay. Ladies and gentlemen, this is
9 the time in our agenda for any public
10 comments for anything that is on the
11 agenda today. Any public comments from
12 anybody? Okay.

13 Seeing no public comments, we would
14 move into the approval of our minutes.

15 I would ask for a motion to waive
16 the reading and approve the minutes of the
17 March 18th, 2024 meeting.

18 MS. HAMILTON-ACKER:

19 Motion.

20 MS. TRAYLOR:

21 Second.

22 CHAIRMAN JOHNS:

23 And Ms. Hamilton-Acker has made that
24 motion. Ms. Traylor has seconded that
25 motion. Is there any opposition?

1 Hearing none, that motion carries
2 and those minutes are hereby approved.

3 Okay. Moving into revenue reports.

4 Ms. Jackson, good morning. It is
5 tax day. Don't bring us any bad news, Ms.
6 Jackson.

7 MS. JACKSON:

8 Good morning, Chairman Johns and
9 board members. My name is Donna Jackson.
10 I'm with the Louisiana State Police,
11 Gaming Audit Section.

12 In March, the 14 operating
13 riverboats generated adjusted gross
14 receipts of \$166,285,582. The state
15 collected fees totaling \$35,751,400.
16 Adjusted gross receipts for fiscal year
17 '23-'24 to date are \$1.28 billion, a
18 decrease of almost \$31 million or 2% from
19 fiscal year '22-'23.

20 As of March 31st, 2024, the state
21 collected \$276 million in fees for fiscal
22 year '23-'24.

23 Page 2 shows the riverboat revenue
24 broken down by regional market. The
25 overall increase from February was \$23

1 million or 16.2%. Compared to last March,
2 this month's revenues represent a, minimal
3 decrease of .2%.

4 Next is the summary of the March
5 2024 gaming activity for Harrah's New
6 Orleans found on page 3. Harrah's
7 generated \$22,180,248 in gross gaming
8 revenue. These revenues represent a
9 decrease from last month of \$1.6 million
10 or 7%, but a minimal increase of .7% from
11 the same month last year.

12 During March, the state received
13 \$5,505,465 in minimum daily payments.

14 Adjusted gross receipts for fiscal
15 year '23-'24 to date are approximately
16 \$186 million, a decrease of \$11 million or
17 6% from fiscal year '22-'23.

18 As of March 31st, 2024, the state
19 collected \$48.8 million in fees for fiscal
20 year '23-'24.

21 Next I'll present the revenues for
22 slots at the racetracks. During March,
23 the four racetrack facilities combined
24 generated adjusted gross receipts of
25 \$32,186,834, an increase of \$4.5 million

1 or 16% from the previous month, and an
2 increase of \$2.5 million or 8.3% when
3 compared to the same month last year.

4 During March, the state collected
5 \$4.9 million in fees. Adjusted gross
6 receipts for fiscal year '23-'24 to date
7 are \$234 million, a decrease of \$3.4
8 million or 1.4% from fiscal year '22-'23.

9 As of March 31st, 2024, the state
10 has collected \$35.5 million in fees for
11 fiscal year '23-'24.

12 Moving on to the video gaming
13 information. There are 11,973 video
14 gaming devices activated at 1,396
15 locations.

16 The net device revenue for March
17 2024 was \$71,829,174, an increase of \$6.6
18 million or 10.2% when compared to
19 February, but a decrease of \$1.8 million
20 or 2.4% when compared to last March.
21 Total franchise fees for March totaled
22 \$21.8 million.

23 Fiscal year to date net device
24 revenue is \$561 million, a decrease of \$26
25 million or 4.3% when compared to last

1 fiscal year.

2 As of March 31st, the state has
3 collected \$170 million in franchise fees
4 for fiscal year '23-'24.

5 Next, I will present the March
6 revenue for sportsbook. During March, the
7 retail sportsbooks accepted \$30.6 million
8 in sports wagers, resulting in net
9 proceeds of \$2.1 million and \$167,000 in
10 state taxes.

11 The mobile sportsbooks accepted
12 \$319.4 million in sports wagers, resulting
13 in net proceeds of \$31.7 million and \$4.7
14 million in taxes paid to the state.

15 Finally, for daily fantasy sports,
16 gross revenues for March were
17 approximately \$765,000, with net revenue
18 of \$76,000 and taxes of \$6,100.

19 Any questions?

20 CHAIRMAN JOHNS:

21 Okay. Any questions from the board
22 for Ms. Jackson? Any questions?

23 Just looking at sportsbook revenue,
24 you know, we keep hearing every year that
25 March Madness is -- is the -- the big

1 ticket item event for the year usually,
2 and no doubt that it was again in March.
3 So almost \$350 million in wagering during
4 the month of March, incredible numbers.

5 Ms. Jackson, we have no questions.
6 We thank you for your work, and we'll see
7 you again next month.

8 Okay. We now move into the casino
9 gaming issues. First on the agenda today
10 is the consideration of the petition for
11 the approval of institutional investor
12 filed by Louisiana Casino Cruises, LLC,
13 doing business as The Queen Baton Rouge
14 and Catfish Queen, LLC, doing business as
15 the Belle of Baton Rouge and their parent
16 company, The Queen Casino and
17 Entertainment, Incorporated.

18 ASSISTANT ATTORNEY GENERAL LANDRY:

19 Good morning, Chairman Johns and
20 members.

21 CHAIRMAN JOHNS:

22 That's a mouthful.

23 ASSISTANT ATTORNEY GENERAL LANDRY:

24 It is. And I'm Assistant Attorney
25 General Lisha Landry.

1 MR. BARBIN:

2 And I'm Jeff Barbin representing the
3 Queen.

4 MR. LEOPOLD:

5 Scott Leopold representing DBFLF CQ
6 Warrant Holdings, LLC.

7 ASSISTANT ATTORNEY GENERAL LANDRY:

8 We're here for the approval of DBFLF
9 CQ Warrant Holdings, LLC, a subsidiary of
10 FIG, LLC doing business as Fortress
11 Investment Group, to qualify as an
12 institutional investor in connection with
13 its status as a warrant holder with the
14 licensee's parent company, The Queen
15 Casino & Entertainment, Inc.

16 On September 15th, 2022, the board
17 approved the debt transaction where The
18 Queen Casino & Entertainment became the
19 borrowing party to \$120 million Term B
20 loan from Fortress Credit Corporation.

21 Under the terms of the Credit
22 Agreement, DBFLF CQ Warrant Holdings
23 acquired approximately 4.53% in warrants
24 in The Queen Casino & Entertainment as
25 part of the consideration for the loan

1 amount.

2 DBFLF is a special purpose entity
3 that holds the warrants issued by The
4 Queen Casino & Entertainment to Fortress
5 Credit Corporation.

6 In October of 2023, the parties gave
7 notice of their intent to execute an
8 amendment to the Credit Agreement where
9 DBFLF would acquire approximately 1.41% in
10 additional warrants, thereby bringing the
11 total amount of warrants held by DBFLF to
12 approximately 5.94%.

13 DBFLF has no actual ownership
14 interest in the licensees at this time.
15 But, the warrants issued to DBFLF gives
16 the entity the right to acquire ownership
17 of approximately 5.94% in the licensees
18 through the licensees' parent company in
19 the future if and when the warrants are
20 executed.

21 Usually, Board approval is not
22 required until the warrants are exercised
23 and actual ownership in a licensee is
24 obtained. However, in this special case,
25 DBFLF is currently entitled to an economic

1 interest in the licensees when any cash or
2 non-cash dividends or other distribution
3 of assets are distributed by the licensee
4 or their parent company to shareholders
5 consistent with the percentage of
6 ownership that DBFLF would acquire once of
7 the warrants are exercised.

8 Taking into consideration that DBFLF
9 is entitled to an economic interest in the
10 licensees of over 5% at this time, DBFLF
11 is required to meet suitability. As a
12 result, the licensees are requesting that
13 the investor be qualified as an
14 institutional investor thereby providing
15 it with the presumption of suitability and
16 negating the requirement to submit to a
17 suitability investigation at this time.

18 The Board, in its sole discretion,
19 may qualify any investor as an
20 institutional investor on a case-by-case
21 basis consistent with gaming law. It is
22 also important to note that considerations
23 as to whether an entity qualifies as an
24 institutional investor are very specific
25 as to the facts and circumstances related

1 in each petition.

2 Additionally, if the Board
3 determines an entity qualifies as an
4 institutional investor in connection with
5 one licensee or permittee, said approval
6 or qualification may not extend to the
7 same investor in all circumstances.

8 So to support this request for Board
9 approval, the licensees contend that DBFLF
10 is regulated indirectly through its
11 ultimate holding company, FIG, LLC doing
12 business as Fortress Investment Group,
13 which is regulated as an investment
14 advisor by the Securities and Exchange
15 Commission.

16 DBFLF's Common Stock Purchase
17 Warrant, Equity Holder's Agreement,
18 articles of organization, and limited
19 liability company agreement were
20 submitted, which confirmed that DBFLF will
21 have no authority in or over The Queen
22 Casino & Entertainment or the licensees
23 before the warrants are exercised.

24 Although DBFLF may be entitled to an
25 economic interest prior to the warrants

1 being exercised, it cannot exercise any
2 voting rights until it exercises the
3 warrants and thereby own shares in the
4 licensee's parent company.

5 If at any time the investor does
6 exercise the warrants such that it would
7 hold an equity interest of 5% or more in
8 the licensees or their parent company,
9 DBFLF will request for and must obtain any
10 required regulatory approvals to hold
11 those shares, including either submitting
12 to suitability or request approval to
13 maintain its institutional investor status
14 once equity interest is actually acquired.

15 After a review of all the documents
16 submitted by DBFLF, and given the very
17 specific circumstances related to DBFLF as
18 a warrant holder, the Louisiana State
19 Police Audit Section and the attorney
20 general's office finds no information to
21 preclude the Board from approving DBFLF as
22 an institutional investor solely for the
23 purposes of it receiving an economic
24 interest of 5% or more if a dividend or
25 other distribution of assets is ever

1 distributed by the licensees or its parent
2 company.

3 If it's the Board's pleasure to
4 approve DBFLF CQ Warrant Holding's, LLC as
5 an institutional investor regarding its
6 status as a warrant holder, a resolution
7 has been prepared for your consideration.
8 If approved, DBFLF will submit an
9 institutional investor form to the
10 division certifying that it has been
11 approved by the Board pursuant to the
12 Louisiana Revised Statute 27:3 (13)(i) and
13 owns, holds, or controls interest in a
14 licensee or parent company in its ordinary
15 course of business for investment purposes
16 only.

17 And now we have representatives from
18 the licensees here to answer any questions
19 that the Board may have.

20 CHAIRMAN JOHNS:

21 Mr. Barbin, good morning.

22 MR. BARBIN:

23 Good morning. Thank you, Lisha
24 Landry, for doing all the hard work. I
25 just get up here and am able to just sit

1 back and listen to all of her
2 presentations, so I really want to thank
3 the division and the AG's office.

4 This is a little bit of a new
5 interpretation of the institutional
6 investor definition. As you know, the law
7 changed a couple of years ago to broaden
8 that definition and it's taken a couple of
9 years for the case to come up to present
10 itself; and this is, I guess, one of the
11 first cases to -- to come up and you're
12 hearing another one in the next agenda
13 item, but I want to thank the division and
14 the AG's office for helping an industry
15 work through this.

16 It's an important concept. It
17 allows for more institutional investors to
18 come into Louisiana to -- to support the
19 industry, and it's a very important step
20 and very helpful to the industry. So I
21 just want to add that thanks to the
22 division and the AG's office.

23 CHAIRMAN JOHNS:

24 And that -- that's how we get
25 capital investment in this state.

1 MR. BARBIN:

2 Exactly.

3 CHAIRMAN JOHNS:

4 Any questions from the Board? Any
5 questions? Okay. We have no -- no
6 questions.

7 Members, there will be a resolution
8 that will be read by Ms. Hernandez, but
9 first I would need a motion to adopt that
10 resolution.

11 MR. SHOLES:

12 Motion.

13 MS. HAMILTON-ACKER:

14 Second.

15 MR. SHOLES:

16 And Judge Sholes has made that --
17 that motion to adopt the resolution that
18 will be read, seconded by Ms.
19 Hamilton-Acker.

20 And, Ms. Hernandez, would you read
21 the resolution, please?

22 MS. HERNANDEZ:

23 In the matter of Louisiana Casino
24 Cruises, LLC doing business as The Queen
25 Baton Rouge and the Catfish Queen, LLC

1 doing business as Belle of Baton Rouge,
2 petition for approval of institutional
3 investor.

4 On the 15th day of April, 2024, the
5 Louisiana Gaming Control Board did, in a
6 duly noticed public meeting, consider the
7 petition filed by Louisiana Casino
8 Cruises, LLC doing business as The Queen
9 of Baton Rouge and Catfish Queen, LLC
10 doing business as The Belle of Baton Rouge
11 and a parent company.

12 The Queen Casino & Entertainment,
13 Inc., for approval of DBFLF CQ Warrant
14 Holdings, LLC, an affiliate of FIG, LLC
15 doing business as Fortress Investment
16 Group, to qualify as an institutional
17 investor and upon motion duly made and
18 seconded, the Board adopted this
19 resolution.

20 Be it resolved that DBFLF CQ Warrant
21 Holdings, LLC is hereby determined to be
22 an institutional investor in accordance
23 with Louisiana Revised Statute
24 27:3(13)(i), solely as a warrant holder in
25 connection with the licensees based on the

1 specific facts and circumstances presented
2 to the Board.

3 Be it further resolved that DBFLF CQ
4 Warrant Holdings, LLC shall seek further
5 Board approval to maintain institutional
6 investment status prior to exercising its
7 warrants, which would result in DBFLF CQ
8 Warrant Holdings, LLC holding 5% or more
9 equity interest in the licensees.

10 Be it further resolved that the
11 presumption of suitability to DBFLF CQ
12 Warrant Holdings, LLC as an institutional
13 investor pursuant to the Louisiana Revised
14 Statute 27:27 shall not preclude the Board
15 from investigating the suitability and
16 qualifications of DBFLF CQ Warrant
17 Holdings, LLC should the Board or the
18 Gaming Enforcement Division of Louisiana
19 State Police become aware of facts, which
20 may result in DBFLF CQ Warrant Holdings,
21 LLC being found unsuitable or disqualified
22 from participating in gaming or from a
23 determination as an institutional
24 investor.

25 Done and signed in Baton Rouge,

1 Louisiana this 15th day of April 2024.

2 CHAIRMAN JOHNS:

3 Okay. Thank you, Ms. Hernandez.

4 So we have a motion by Mr. -- Judge
5 Sholes and seconded by Ms. Hamilton-Acker
6 to adopt this resolution.

7 And, Ms. Hernandez, would you call
8 the roll?

9 MS. HERNANDEZ:

10 Mr. Avant.

11 MR. AVANT:

12 Yes.

13 MS. HERNANDEZ:

14 Ms. Berry.

15 MS. BERRY:

16 Yes.

17 MS. HERNANDEZ:

18 Mr. Jackson.

19 MR. JACKSON:

20 Yes.

21 MS. HERNANDEZ:

22 Ms. Lewis.

23 MS. LEWIS:

24 Yes.

25 MS. HERNANDEZ:

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Mr. Poole.

MR. POOLE:

Yes.

MS. HERNANDEZ:

Ms. Hamilton-Acker.

MS. HAMILTON-ACKER:

Yes.

MS. HERNANDEZ:

Mr. Sholes.

MR. SHOLES:

Yes.

MS. HERNANDEZ:

Ms. Traylor.

MS. TRAYLOR:

Yes.

MS. HERNANDEZ:

Chairman Johns.

CHAIRMAN JOHNS:

Yes.

By unanimous vote, that resolution
is hereby adopted.

Thank you very much.

MR. BARBIN:

Thank you.

CHAIRMAN JOHNS:

1 Next on the agenda will be the
2 consideration of petition of Aristocrat
3 Leisure Limited for approval of Australian
4 Super Party, Limited to qualify as an
5 institutional investor.

6 Good morning.

7 ASSISTANT ATTORNEY GENERAL GATHE:

8 Good morning, Chairman Johns, Board
9 Members. I'm Assistant Attorney General
10 Jeremy Gathe and here with me today is
11 Investigator Rodney Perkins of the
12 Louisiana State Police, Gaming Enforcement
13 Division and Scott Leopold, legal counsel
14 of Aristocrat Leisure Limited and
15 Aristocrat Technologies, Inc.

16 We're here in the matter of
17 Aristocrat's petition to the Board
18 requesting approval for Australian Super
19 to qualify as an institutional investor
20 pursuant to Louisiana Revised Statute
21 27:3(13)(i) and Louisiana Revised Statute
22 27:27.

23 This request is related to
24 Australian Super's current ownership in
25 Aristocrat as a parent owner of Aristocrat

1 Technologies, Inc., which holds a gaming
2 supplier permit and gaming manufacturer of
3 slot machines and video draw poker devices
4 permit.

5 Additionally, Aristocrat proposes to
6 acquire Neogames Solutions, LLC, which
7 currently holds a sports wagering service
8 provider permit.

9 As this is Aristocrat Leisure
10 Limited and Aristocrat Technologies Inc.'s
11 petition, they'll address -- they'll need
12 to address the Board and answer any
13 questions that the Board may have.
14 However, our office and the division would
15 like to provide some background
16 information to the Board.

17 Louisiana Revised Statute
18 27:3(13)(a)-(h) recognizes several
19 qualifications in which a person may be
20 considered an institutional investor,
21 which includes but is not limited to an
22 investment company that's registered under
23 the Investment Company Act of 1940; a
24 mutual fund; a life insurance company or
25 a property and casualty insurance company;

1 a federal or state bank; or an investment
2 advisor registered under the Investment
3 Advisor Act of 1940.

4 The division is authorized to accept
5 institutional investor certification from
6 such entities and, said entities may be
7 qualified as an institutional investor, as
8 determined by the division in lieu of a
9 suitability submission.

10 Louisiana Revised Statute
11 27:3(13)(i) provides an additional
12 qualification for institutional investors
13 for any other investor as the Board may
14 determine in its sole discretion
15 consistent with provisions of Title 27.
16 Thus, the Board, in its sole discretion,
17 has the authority to approve entities,
18 outside of those listed in A through H on
19 a case-by-case basis.

20 It's important to note that
21 considerations as to whether an entity
22 qualifies as an institutional investor are
23 very specific as to the facts and
24 circumstances related to each petition,
25 including but not limited to: The type of

1 license or permit at issue, the role of
2 the licensee or permittee in the gaming
3 industry and regulation thereof; the
4 ownership and control of the licensee or
5 permittee; the amount of said ownership or
6 control; all relevant facts related to the
7 applying entity; and the division's
8 comfort with who has otherwise submitted
9 to suitability in relation to the
10 applicant, licensee or permittee.

11 Australian Super currently holds a
12 6.06% ownership interest in Aristocrat
13 Leisure Limited. Aristocrat Leisure
14 Limited indirectly holds ownership
15 interest in Aristocrat Technologies,
16 Incorporated. As a result, Australian
17 Super indirectly holds a 5% or more
18 ownership interest in the permittee,
19 specifically a 6.06% stake in Aristocrat
20 Technologies, Inc.

21 Additionally, Aristocrat plans to
22 acquire Neogames Solutions, LLC through a
23 merger. After the merger, Australian
24 Super will indirectly hold 5% or more
25 ownership interests in Neogames.

1 In light of these facts, Aristocrat
2 petitions the Board pursuant to Louisiana
3 Revised Statute 27:27(A)(1)(c) and
4 Louisiana Revised Statute 27:3(13)(i)
5 requesting that Australian Super be
6 qualified as an institutional investor as
7 an owner of Aristocrat Leisure Limited.

8 If it is the Board's pleasure to
9 deem Australian Super as an institutional
10 investor, a resolution has been prepared
11 for your consideration.

12 And I'll now turn the presentation
13 over to Rodney Perkins of Louisiana State
14 Police to present his findings to the
15 Board as it relates to this request.

16 MR. PERKINS:

17 Good morning, Chairman Johns and
18 Board Members. I'm Investigator Rodney
19 Perkins with Louisiana State Police
20 Gaming --

21 CHAIRMAN JOHNS:

22 Would you pull that microphone a
23 little closer to you?

24 MR. PERKINS:

25 I'm sorry.

1 CHAIRMAN JOHNS:

2 Thank you.

3 MR. PERKINS:

4 Our office has received the petition
5 and supporting documents.

6 In support of this petition that
7 Australian Super should qualify as an
8 institutional investor, Aristocrat has
9 submitted that Australian Super holds a
10 financial services license in Australia
11 under Section 9:13(B) of the Australian
12 Corporations Act of 2001.

13 As an Australian financial services
14 licensee, Australian Super is regulated by
15 the Australian Securities Investments
16 Commission. Additionally, Australian
17 Super holds publicly traded securities in
18 Aristocrat for investment purposes only.

19 The division did not perform any
20 investigation into Australian Super or its
21 suitability. However, after a review of
22 documents submitted by Aristocrat, the
23 division finds no information to preclude
24 the Board from approving it as an
25 institutional investor.

1 I'll now turn the presentation over
2 to Mr. Scott Leopold, attorney for
3 Aristocrat Leisure Limited, who is here to
4 present Aristocrat's request and answer
5 any questions the board members may have
6 regarding this agenda item.

7 CHAIRMAN JOHNS:

8 Good morning, sir.

9 MR. LEOPOLD:

10 Thank you, Chairman and Board
11 Members. I just wanted to extend my
12 thanks to --

13 CHAIRMAN JOHNS:

14 If you could, identify yourself for
15 the record.

16 MR. LEOPOLD:

17 Scott Leopold on behalf of
18 Aristocrat Leisure Limited.

19 CHAIRMAN JOHNS:

20 Okay. Thank you.

21 MR. LEOPOLD:

22 I just wanted to thank Chairman and
23 Board Members, also thanks to LSP and the
24 AG's office. We've been working very
25 closely with them for pretty much almost a

1 year now and they've been super helpful
2 all the way.

3 So if you guys have any questions,
4 I'm happy to answer them.

5 CHAIRMAN JOHNS:

6 Okay. Thank you for wanting to do
7 business in Louisiana.

8 MR. LEOPOLD:

9 Of course. Thank you.

10 CHAIRMAN JOHNS:

11 Absolutely.

12 Any questions, Board? Any questions
13 for the gentleman at the table?

14 If not, I would entertain a motion
15 to adopt the resolution that will be read.

16 MS. TRAYLOR:

17 Motion.

18 MS. LEWIS:

19 Second.

20 CHAIRMAN JOHNS:

21 And Ms. Traylor has made that
22 motion. Ms. Lewis has seconded that
23 motion.

24 And, Ms. Hernandez, would you read
25 that resolution, please?

1 MS. HERNANDEZ:

2 In the matter of Aristocrat Leisure
3 Limited's Petition for Approval of
4 Australian Super Party, Ltd. To Qualify
5 as an Institutional Investor.

6 On the 15th day of April 2024, the
7 Louisiana Gaming Control Board did, in a
8 duly noticed public meeting, consider
9 Aristocrat Leisure Limited, Australian
10 Super Party, Ltd and Aristocrat
11 Technologies, Inc.'s petition for approval
12 of Australian Super to qualify as an
13 institutional investor and upon motion
14 duly made and seconded, the Board adopted
15 this resolution.

16 Be it resolved that Aristocrat
17 Leisure Limited is a parent company of
18 Aristocrat Technologies, Inc., who holds a
19 manufacturers of slot machines and video
20 draw poker devices permit and a gaming
21 supplier permit.

22 Be it be further resolved Australian
23 Super is hereby determined to be an
24 institutional investor in accordance with
25 Louisiana Revised Statute 27:3(13)(i), in

1 connection with its ownership of
2 Aristocrat Leisure Limited, and based on
3 the specific facts and circumstances
4 presented to the Board.

5 Be it further resolved that the
6 presumption of suitability afforded to
7 Australian Super as an institutional
8 investor pursuant to Louisiana Revised
9 Statute 27:27 shall not preclude the Board
10 from investigating the suitability and
11 qualifications of Australian Super should
12 the Board or the Gaming Enforcement
13 Division of Louisiana State Police become
14 aware of facts, which may result in
15 Australian Super being found unsuitable or
16 disqualified from participating in gaming
17 or from a determination as an
18 institutional investor.

19 Thus done and signed in Baton Rouge,
20 Louisiana, this 15th day of April 2024.

21 CHAIRMAN JOHNS:

22 Okay. Thank you, Ms. Hernandez.

23 MS. TRAYLOR:

24 Motion.

25 MS. LEWIS:

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Second.
CHAIRMAN JOHNS:
So we do have a motion by Ms. Traylor; seconded by Ms. Lewis to adopt this resolution.
And, Ms. Hernandez, would you call the roll, please?
MS. HERNANDEZ:
Mr. Avant.
MR. AVANT:
Yes.
MS. HERNANDEZ:
Ms. Berry.
MS. BERRY:
Yes.
MS. HERNANDEZ:
Mr. Jackson.
MR. JACKSON:
Yes.
MS. HERNANDEZ:
Ms. Lewis.
MS. LEWIS:
Yes.
MS. HERNANDEZ:
Mr. Poole.

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MR. POOLE:

Yes.

MS. HERNANDEZ:

Ms. Hamilton-Acker.

MS. HAMILTON-ACKER:

Yes.

MS. HERNANDEZ:

Mr. Sholes.

MR. SHOLES:

Yes.

MS. HERNANDEZ:

Ms. Traylor.

MS. TRAYLOR:

Yes.

MS. HERNANDEZ:

Chairman Johns.

CHAIRMAN JOHNS:

Yes.

So by unanimous vote, this resolution is hereby adopted.

Okay. Thank you very much.

Members, next on the agenda is the amended item that we approved earlier this morning. It would be the consideration of Catfish Queen, LLC doing business as the

1 Belle of Baton Rouge and The Queen Casino
2 & Entertainment, Incorporated's request to
3 waive a 30-day prior notice requirement
4 contained in the licensee's acknowledgment
5 and acceptance of conditions to approval
6 of transactions contemplated by the
7 transfer of ownership and related
8 agreements.

9 MR. BARBIN:

10 Good morning, Mr. Chairman and Board
11 Members. I'm Jeff Barbin appearing for
12 The Queen Casino & Entertainment Company
13 and the related subsidiaries.

14 Mr. Chairman, last month at the
15 board meeting you had asked for an update
16 on construction, so before I ask for
17 something from you, I thought I'd give you
18 an update.

19 CHAIRMAN JOHNS:

20 Please.

21 MR. BARBIN:

22 The hotel is coming along really
23 nicely. Apparently, the contract to
24 buyout from the contractor reached out and
25 -- and secured all of their trades

1 necessary to complete the hotel.

2 So in -- inside the hotel this month
3 new exterior sheathing on the north, west
4 and south sides have been completed. The
5 existing EIFS has been demolished on the
6 west side and the interior demolition is
7 complete, and backup stud wall framing has
8 been complete.

9 The contractors have ordered door
10 frames, mechanical equipment and
11 electrical equipment. The millwork has
12 been released and shop drawings are in
13 process. In ceramic tile they had a
14 partial release in the month of March.

15 So all in all, ahead of schedule on
16 the hotel side. Apparently, the casino
17 side is taking a little longer. There are
18 a couple of buildings in this overall
19 structure that are required to be
20 demolished, and we're having to go through
21 a local review from the Historic
22 Preservation Commission. That process is
23 taking longer than we anticipated and may
24 not be able to complete permitting on the
25 casino side until late summer.

1 We are finished with our permitting
2 drawings and they will be submitted. We
3 may not be able to get permits completed
4 until the summertime. So we'll keep you
5 posted on that. That was an unanticipated
6 situation that came up on that.

7 CHAIRMAN JOHNS:

8 Not surprising when you're dealing
9 with historical buildings.

10 MR. BARBIN:

11 Right. Right. And so we -- we are
12 working hard on that, and we'll give you
13 an update as soon as we can. We're still
14 anticipating the completion in August of
15 2025, but obviously, we're going to be
16 really dependent on when those permits
17 will be issued next in the summer.

18 So with that, I'll -- unless you
19 have any questions on the -- on the
20 construction, I'll move on to the request.

21 CHAIRMAN JOHNS:

22 No. I -- I have no questions. And
23 I will tell you I -- I appreciate the
24 Belle's -- at chance the willingness to
25 communicate with me as chairman of -- of a

1 lot of things that are going on, the
2 timing of issues, any problems, whatever,
3 Mr. Downing is not afraid to pick up the
4 phone and call me.

5 So it's -- but the communication has
6 been very, very good; and I appreciate
7 that, so --

8 MR. BARBIN:

9 Great.

10 CHAIRMAN JOHNS:

11 Any questions from the Board
12 considering the -- concerning the
13 construction at the Belle?

14 Hearing none, we can proceed.

15 MR. BARBIN:

16 So you recall that The Queen has a
17 landlord at that facility. It's GLPI, and
18 in that lease GLPI had the option to
19 finance any major capital improvements
20 that will be occurring in the facility.

21 Obviously, this is a very large
22 capital project and so we're taking some
23 time to negotiate with GLPI, and we have a
24 development agreement that was submitted
25 to the Board.

1 The development agreement is
2 essentially the financing mechanism for
3 The Belle, so GLPI will be, obviously,
4 fronting the cash under the development
5 agreement to complete the project. And at
6 the end of the project, the amounts that
7 were expended will be rolled into the
8 lease and converted into rent at a
9 specified percentage.

10 So the development agreement is
11 taking a little bit of time to complete
12 and, obviously, we're incurring bills on a
13 daily basis, and so we finally got the
14 agreement negotiated and submitted to the
15 Board, and we need to get it approved
16 essentially and signed so that those
17 reimbursements can start.

18 Normally, we would have a 30-day
19 notice requirement to the Board. I think
20 we submitted our -- our documents to the
21 Board late last week. So we would like to
22 execute that document and move on with the
23 payments to the contractors so we don't
24 have a delay.

25 So our request today is simply to

1 waive the 30-day notice requirement that
2 we would normally have before we could
3 enter into the agreement and -- and move
4 on under the agreement.

5 CHAIRMAN JOHNS:

6 Is there any comments from the
7 attorney general's office?

8 ASSISTANT ATTORNEY GENERAL LANDRY:

9 Hi, Lisha Landry with the attorney
10 general's office. We reviewed the new
11 development agreement. We didn't see any
12 legal issues that would preclude the
13 Board's approval of this request.

14 CHAIRMAN JOHNS:

15 So y'all feel like it's a reasonable
16 request. And I know our staff has looked
17 at it. We -- as chairman, I think it's a
18 reasonable request.

19 So any questions, Members? Okay.
20 We have no questions.

21 So thank you.

22 MS. LEWIS:

23 Motion.

24 MR. JACKSON:

25 Second.

1 CHAIRMAN JOHNS:

2 Ms. Lewis has made a motion that we
3 adopt the resolution that will be read;
4 and Mr. Jackson has seconded that motion.

5 And, Ms. Hernandez, would you read
6 the resolution, please?

7 MS. HERNANDEZ:

8 In the matter of Catfish Queen, LLC
9 doing business as Belle of Baton Rouge,
10 the development agreement.

11 On the 15th day of April 2024, the
12 Louisiana Gaming Control Board did, in a
13 duly noticed public meeting, consider the
14 request of Catfish Queen, LLC doing
15 business as Belle of Baton Rouge and its
16 parent company The Queen Casino &
17 Entertainment for Board approval to waive
18 a 30-day prior notice requirement
19 contained in the licensee's acknowledgment
20 and acceptance of conditions to approval
21 of transactions contemplated by the
22 transfer of ownership and related
23 agreements by and among Caesars
24 Entertainment, Inc., and The Queen Casino
25 & Entertainment, Inc. formally known as CQ

1 Holding Company, Inc., and Gaming and
2 Leisure Properties, Inc., and Related
3 Issues, and upon motion duly made and
4 seconded, the Board adopted this
5 resolution.

6 Whereas, the licensee's real estate
7 assets are owned by Gaming and Leisure
8 Properties through a real estate
9 investment trust and are leased by GLPI's
10 subsidiary GLP Capital, L.P. to the
11 licensee pursuant to a Third Amended and
12 Restated Master Lease.

13 Whereas, the licensee's property is
14 also subject to a Development Agreement
15 with GLP Capital, L.P., a related
16 agreement, which details the construction
17 of certain new improvements on the
18 licensee's property, including the
19 development and construction of the new of
20 the -- of the licensee's landside
21 facility.

22 Whereas, the licensee and GLPI are
23 subject to certain REIT Conditions, which
24 the Board requires for REIT transactions,
25 and in accordance with Conditions No. 13

1 of the REIT Conditions, The Queen Casino &
2 Entertainment, Inc., and GLPI shall report
3 any amendment to the Master Lease or
4 related agreement to the Board within 30
5 days before the amendment will become
6 effective.

7 And whereas, the licensee is
8 requesting the Board approval to waive the
9 30-day prior notice requirement contained
10 in Condition No. 13 of the REIT
11 Conditions in order to immediately execute
12 a new Development Agreement.

13 Now, therefore be it resolved that
14 the 30-day prior notice requirement
15 contained in Condition No. 13 of the REIT
16 Conditions is hereby waived, which such
17 waiver being limited to this request, and
18 the licensee is authorized to execute the
19 Development Agreement as presented to the
20 Board on the date of this resolution.

21 Thus done and signed in Baton Rouge,
22 Louisiana, this 15th day of April.

23 CHAIRMAN JOHNS:

24 Okay. Thank you, Ms. Hernandez.

25 MS. BERRY:

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Motion.

MR. JACKSON:

Second.

CHAIRMAN JOHNS:

And we have a motion by Ms. Berry;
seconded by Mr. Jackson that we approve
this resolution.

Ms. Hernandez, would you call the
roll?

MS. HERNANDEZ:

Mr. Avant:

MR. AVANT:

Yes.

MS. HERNANDEZ:

Ms. Berry.

MS. BERRY:

Yes.

MS. HERNANDEZ:

Mr. Jackson.

MR. JACKSON:

Yes.

MS. HERNANDEZ:

Ms. Lewis.

MS. LEWIS:

Yes.

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MS. HERNANDEZ:

Mr. Poole.

MR. POOLE:

Yes.

MS. HERNANDEZ:

Ms. Hamilton-Acker.

MS. HAMILTON-ACKER:

Yes.

MS. HERNANDEZ:

Mr. Sholes.

MR. SHOLES:

Yes.

MS. HERNANDEZ:

Ms. Traylor.

MS. TRAYLOR:

Yes.

MS. HERNANDEZ:

Chairman Johns.

CHAIRMAN JOHNS:

Yes.

By unanimous vote, this resolution
is hereby adopted.

MR. BARBIN:

Thank you.

CHAIRMAN JOHNS:

1 Mr. Barbin, thank you very much.

2 Ms. Landry, thank you.

3 Members, we move now into video
4 gaming issues. First on the agenda today
5 is the Consideration of Transfer of
6 Membership Interests with St. Martin Truck
7 & Casino Plaza, LLC doing business as
8 St. Martin Truck & Casino Plaza.

9 ASSISTANT ATTORNEY GENERAL SIZEMORE:

10 Good morning. I'm Assistant
11 Attorney General Shanna Sizemore appearing
12 before the Board in the matter of the
13 transfers of the membership interest in
14 St. Martin Truck & Casino Plaza, LLC doing
15 business as St. Martin Truck & Casino
16 Plaza, a type five video gaming license.

17 On December 31st, 2023, Brian E.
18 Bush, III transferred a .60 membership
19 interest in the licensee to Olivia H.
20 Bush.

21 On January 1st of 2024, Mr. Bush
22 transferred another .60 percent of his
23 membership interest in the licensee to Ms.
24 Bush. As a result of these two transfers,
25 the membership interest in the licensee is

1 as following: Brian E. Bush, III 46.3%;
2 Carrie Day 47.5%; Bernard Theriot 5%; and
3 Olivia H. Bush 1.2%.

4 Investigator William Landry
5 conducted an investigation of the
6 transfers of membership interests, and he
7 will report his findings to the Board.

8 MR. LANDRY:

9 Morning, Chairman Johns and Board
10 Members. Investigator William Landry with
11 the Louisiana State Police Gaming
12 Enforcement Division.

13 I investigated the transfer of the
14 membership interests and found no
15 information that would preclude the
16 licensee of each members from continued
17 participation in the Louisiana gaming
18 industry.

19 CHAIRMAN JOHNS:

20 Any questions, Members? Any
21 questions?

22 All suitable, no issues, correct?

23 ASSISTANT ATTORNEY GENERAL SIZEMORE:

24 Correct. The office of the attorney
25 general has reviewed the file compiled by

1 the office of the state police and our
2 review indicated that no information was
3 found which would preclude approval of the
4 transfer.
5 CHAIRMAN JOHNS:
6 Okay. Well, thank you very much.
7 Okay. I would entertain a motion,
8 Members, that we approve the transfer of
9 membership interests St. Martin Truck &
10 Casino Plaza, LLC doing business as St.
11 Martin Truck & Casino Plaza.
12 Do I have a motion?
13 MS. HAMILTON-ACKER:
14 Motion.
15 MR. POOLE:
16 Second.
17 CHAIRMAN JOHNS:
18 Ms. Hamilton-Acker has made the
19 motion, and Mr. Poole has seconded that
20 motion to approve this transfer of
21 membership interests.
22 Is there any discussion?
23 Is there any opposition to that
24 motion?
25 Hearing none, that motion carries.

1 Thank you very much.

2 Second will be Easy Money Casino,
3 LLC doing business as Easy Money Casino.
4 ASSISTANT ATTORNEY GENERAL MS. HOUSTON:

5 Good morning, Chairman Johns and
6 Board Members. I'm Assistant Attorney
7 General Delancey Houston appearing before
8 the Board in the matter of the transfers
9 of membership interests in Easy Money
10 Casino, LLC doing business as Easy Money
11 Casino, which currently holds a type five
12 video gaming license.

13 The truck stop is located in
14 Lafourche Parish. On September 22nd,
15 2023, Lester J. Naquin transferred a 15%
16 membership interest in the licensee to his
17 wife Arrianne U. Naquin. On November 7th,
18 2023, Mr. Naquin transferred another 5% of
19 his membership interest in the licensee to
20 his wife Arrianne U. Naquin.

21 As a result of these two transfers,
22 Mr. Naquin now has an 80% membership
23 interest in the licensee and Arrianne U.
24 Naquin holds the remaining 20% membership
25 interest.

1 Investigator William Landry
2 conducted a suitability check on Arrianne
3 U. Naquin and conducted an investigation
4 of the transfer membership interest. He
5 will present the office of state police
6 findings to the Board.

7 CHAIRMAN JOHNS:

8 Good morning.

9 MR. LANDRY:

10 Chairman Johns and Board Members,
11 Investigator William Landry with the
12 Louisiana State Police Gaming Enforcement.
13 I conducted the suitability check on
14 Arrianne U. Naquin and found no
15 information that would preclude her from
16 participating in the gaming industry.

17 I also conducted the investigation
18 of transfer of membership interests and
19 found no information that would preclude
20 the continued licensing of the licensee.

21 ASSISTANT ATTORNEY GENERAL MS. HOUSTON:

22 The office of the attorney general
23 has reviewed the file compiled by the
24 office of state police and our review
25 indicated that no information was found

1 which would preclude the approval of this
2 transfer.

3 CHAIRMAN JOHNS:

4 Okay. Any questions for the staff
5 at the table?

6 Any questions?

7 Hearing none, I would entertain a
8 motion to approve the transfer of
9 interests of Easy Money Casino, LLC doing
10 business as Easy Money Casino.

11 MS. BERRY:

12 Motion.

13 MR. JACKSON:

14 Second.

15 CHAIRMAN JOHNS:

16 Ms. Berry has made that motion, and
17 Mr. Jackson has seconded that motion.

18 Is there any discussion on the
19 motion?

20 Is there any opposition to that
21 motion?

22 Hearing none, that motion carries.

23 Thank you very much.

24 ASSISTANT ATTORNEY GENERAL MS. HOUSTON:

25 Thank you.

1 CHAIRMAN JOHNS:

2 Okay. Members, we will now move
3 into consideration of proposed settlement
4 and appeals.

5 First on the agenda will be a
6 settlement agreement Fried Chicken King,
7 Incorporated doing business as Mama's
8 Fried Chicken.

9 ASSISTANT ATTORNEY GENERAL VENISE JOHNSON:

10 Good morning, Chairman Johns and
11 Board Members. I'm Assistant Attorney
12 General Venise Johnson appearing in the
13 matter of the settlement of Fried Chicken
14 King, Inc. doing business as Mama's Fried
15 Chicken, which holds a type two video draw
16 poker gaming license.

17 This settlement addresses the
18 licensee's failure to notify the division
19 within ten calendar days of the owner's
20 death, which resulted in a transfer of
21 ownership, and the licensee's failure to
22 notify the division within ten calendar
23 days of an additional transfer of
24 ownership interest.

25 The civil penalty contained in this

1 settlement is \$1,000.

2 The settlement has been signed by
3 the hearing officer. It is now before the
4 board for final approval. I will be happy
5 to answer any questions that you may have.
6 Thank you.

7 CHAIRMAN JOHNS:

8 All right. Just failure to notice,
9 correct?

10 ASSISTANT ATTORNEY GENERAL VENISE JOHNSON:

11 Uh-huh (affirmative response).

12 CHAIRMAN JOHNS:

13 Okay. Any questions, Members?

14 Any questions?

15 If not, I would entertain a motion
16 to approve the settlement of Fried Chicken
17 King, Incorporated doing business as
18 Mama's Fried Chicken.

19 MR. AVANT:

20 I motion.

21 MR. SHOLES:

22 Second.

23 CHAIRMAN JOHNS:

24 Mr. Avant has made that motion.

25 Judge Sholes has seconded that motion. Is

1 there any discussion on that motion?

2 Any opposition?

3 Hearing none, that motion carries to
4 approve the settlement.

5 Thank you, Ms. Johnson.

6 Okay. Members, today we have two
7 appeals that are on the agenda. The first
8 appeal will be by Ms. Tanisha M.
9 Perrilloux. Is Ms. Perilloux here?

10 Let the record reflect that Tanisha
11 M. Perilloux is not in attendance.

12 Good morning.

13 ASSISTANT ATTORNEY GENERAL MR. JACKSON:

14 Good morning, Chairman Johns and
15 Board Members. I'm Assistant Attorney
16 General Quintele Jackson here on behalf of
17 the division. I'm here on the appeal
18 filed by Ms. Tanisha Perilloux regarding
19 the hearing officer's decision revoking
20 Ms. Perilloux's non-key gaming employee
21 permit and finding Ms. Perilloux
22 unsuitable to participate in the Louisiana
23 gaming industry.

24 The division recommended Ms.
25 Perilloux's permit be revoked due to her

1 failure to maintain licensing suitability
2 based on her unsuitable conduct and
3 practices.

4 On August 29th, 2023, Ms. Perilloux
5 was arrested and charged with domestic
6 abuse battery, driving while intoxicated
7 and interfering with telecommunications.

8 MS. Perilloux's first revocation
9 hearing under gaming law she had the
10 burden to prove her suitability by
11 convincing evidence. Ms. Perilloux failed
12 to do so. Although it's not the state's
13 burden, the division showed through
14 testimony and evidence that Ms. Perilloux
15 engaged in unsuitable behavior and is not
16 suitable to participate in our gaming
17 industry.

18 Brief factual background, Ms.
19 Perilloux was arrested on a domestic abuse
20 dispute that arose between her and Anthony
21 Maqualin (phonetically spelled). And at
22 the revocation hearing, the arresting
23 officer testified that when he arrived on
24 the scene, he saw Ms. Perilloux physically
25 assaulting the victim, forcefully pulling

1 the victim toward the vehicle, and the
2 victim was actively resisting Ms.
3 Perilloux.

4 According to the arresting officer,
5 Ms. Perilloux did not release the victim
6 until she saw police. After releasing the
7 victim, Ms. Perilloux then ran to her
8 vehicle, fled the scene. Arresting
9 officer followed her in his patrol car,
10 activated his lights and siren, yet Ms.
11 Perilloux refused to stop.

12 Ms. Perilloux drove to her home in
13 an attempt to further evade the police,
14 but police were able to apprehend her she
15 entered the residence.

16 The arresting officer further
17 testified that upon his initial contact
18 with Ms. Perilloux she reeked of alcohol,
19 her speech was severely slurred, and she
20 had difficulty standing on her own.

21 Ms. Perilloux failed the field
22 sobriety test; and according to the
23 Breathlyzer report, she had a blood
24 alcohol content of .171 at the time of her
25 arrest, which is more than double the

1 legal limit.

2 The arresting officer further
3 testified that in accordance with his
4 investigation, he interviewed the victim
5 in this matter. The victim had admitted
6 they were former partners. Ms. Perilloux
7 became jealous when the victim received a
8 text message from a third individual, and
9 then struck the victim in the face. The
10 victim attempted to escape Ms. Perilloux,
11 but she blocked the exit. And the victim
12 then attempted to call 911, but Ms.
13 Perilloux apprehended her phone preventing
14 her from calling the police.

15 The victim was finally able to
16 escape Ms. Perilloux and with the help of
17 a neighbor after running down the street
18 alerted the authorities.

19 The arresting officer testified at
20 the hearing that the victim's face was
21 swollen and her lips were covered in
22 blood.

23 When this evidence was presented at
24 the revocation hearing, Ms. Perilloux had
25 the opportunity to object, cross-examine

1 and present evidence on her own behalf in
2 an attempt to retain her non-key gaming
3 employee permit. She did not avail
4 herself of the opportunity.

5 A hearing officer considered the
6 weight of the testimony and the evidence
7 and found that Ms. Perilloux's actions
8 did, in fact, raise the concern as to
9 whether her possession of her permit poses
10 a threat to our gaming industry.

11 Furthermore, the hearing officer
12 found Ms. Perilloux as a permittee
13 enhances the dangers of unsuitable and
14 unfair or illegal practices, methods,
15 activities in the conduct of gaming and
16 this is based on her actions.

17 The hearing officer ultimately found
18 the activities of Ms. Perilloux to be a
19 clear indicator that she does not possess
20 the necessary good character, honesty or
21 the integrity to retain a gaming permit.

22 As a result, the division
23 respectfully request that this honorable
24 Board affirm the decision of our hearing
25 officer's revoking Ms. Perilloux's permit

1 and finding her unsuitable to practice in
2 the Louisiana gaming industry.

3 Thank you.

4 CHAIRMAN JOHNS:

5 Okay. Any questions, Members? Any
6 questions?

7 As I read the transcript, Ms.
8 Perilloux, I think, attended the hearing
9 but offered no testimony. Am I correct?

10 ASSISTANT ATTORNEY GENERAL JACKSON:

11 Correct.

12 CHAIRMAN JOHNS:

13 I thought that's what the -- the --
14 the record reflected.

15 ASSISTANT ATTORNEY GENERAL JACKSON:

16 Correct. She was present for the
17 revocation hearing --

18 CHAIRMAN JOHNS:

19 But offered -- offered no testimony.

20 ASSISTANT ATTORNEY GENERAL JACKSON:

21 Correct.

22 CHAIRMAN JOHNS:

23 No evidence.

24 ASSISTANT ATTORNEY GENERAL JACKSON:

25 No evidence.

1 CHAIRMAN JOHNS:

2 Okay. Members, any -- any further
3 questions? Okay.

4 Members, I -- I would suggest that
5 we uphold the hearing officer's decision,
6 but that's up to the pleasure of the
7 Board.

8 So do I have a motion.

9 Ms. Lewis.

10 MS. LEWIS:

11 I move that we uphold the hearing
12 officer's decision.

13 CHAIRMAN JOHNS:

14 And do I have a second?

15 MS. TRAYLOR:

16 Second.

17 CHAIRMAN JOHNS:

18 Ms. Traylor.

19 So Ms. Lewis has made a motion;
20 seconded by Ms. Traylor to uphold the
21 hearing officer's decision.

22 Is there any discussion? Any
23 discussion?

24 Any opposition to that motion?

25 Hearing none, that motion carries. We

1 have upheld the hearing officer's
2 decision. Thank you very much.

3 Okay. Our second appeal will be
4 Kelly S. Christensen. Is Ms. Christensen
5 here?

6 Okay. Let the record reflect that
7 Kelly S. Christensen is not in attendance.

8 Good morning.

9 ASSISTANT ATTORNEY GENERAL HOUSTON:

10 Good morning, Chairman Johns and
11 Board Members. I'm Assistant Attorney
12 General Delancey Houston appearing on
13 behalf of the division. This matter
14 coming before you as a result of an appeal
15 filed by the permittee from a decision by
16 the hearing officer that determined the
17 permittee's non-key gaming employee permit
18 be revoked and that she be deemed
19 unsuitable to possess a non-key gaming
20 employee permit in this state.

21 On September 19th, 2023, the
22 division was notified that the permittee
23 had been arrested on September 7th by the
24 Shreveport Police Department on a warrant
25 for felony theft. The permittee failed to

1 notify the division of her arrest in
2 violation of gaming law.

3 Neither Ms. Christensen nor any
4 legal representative were present at the
5 suspension or the revocation hearing at
6 which evidence was introduced that showed
7 the permittee was arrested for felony
8 theft and that a Bill of Information was
9 later filed for that charge.

10 Further, testimony was provided by
11 the Shreveport Police Department financial
12 crimes investigating officer of the theft
13 committed by Ms. Christensen.

14 The officer testified to the facts
15 of the case that Ms. Christensen had
16 deposited two fraudulent checks into her
17 checking account at Barksdale Federal
18 Credit Union. Ms. Christensen then
19 withdrew \$8200 in cash from the checks
20 that she had deposited.

21 Testimony and evidence admitted at
22 the hearing showed that the investigator
23 spoke with the owner of the bank account
24 located in California that the checks had
25 been written out of. The owner stated

1 that the checks were from his business
2 account, and that he had been dealing with
3 fraudulent activity on that account from
4 the past couple months.

5 The same officer testified that a
6 representative of Barksdale Federal Credit
7 Union made contact with Ms. Christensen
8 and offered her the opportunity to return
9 the funds to the bank that she had
10 withdrawn in lieu of seeking criminal
11 charges.

12 Ms. Christensen refused to return
13 the money and ceased communication with
14 Barksdale.

15 Louisiana gaming law provides that a
16 pending charge of theft is a statutory
17 disqualifier to possessing a gaming
18 permit.

19 The evidence presented at the
20 hearing shows that the arresting charge of
21 felony theft was still pending against the
22 permittee at the time of the revocation
23 hearing. Therefore, the permittee was
24 statutorily disqualified from holding a
25 gaming permit, and the hearing officer's

1 decision is correct.

2 As we know, a gaming permit is a
3 privilege and not a right. Under
4 Louisiana gaming law, the burden is on the
5 permittee to show by clear and convincing
6 evidence that she is suitable to hold a
7 gaming permit and she must maintain
8 suitability throughout the term of the
9 permit.

10 Neither Ms. Christensen nor a legal
11 representative attended the administrative
12 hearings. Therefore, there can be no
13 doubt that Ms. Christensen failed to prove
14 her suitability by clear and convincing
15 evidence. In fact, although it's not the
16 Division's burden, evidence and testimony
17 showed Ms. Christensen was statutorily
18 disqualified at the time of the hearing
19 and that she engaged in unsuitable conduct
20 by committing theft at issue here.

21 Even if Ms. Christensen's charges
22 were not pending at the time, the
23 recommendation would still be revocation
24 and unsuitability based on the criminal
25 elements and evidence obtained by the

1 Division and based on the testimony of the
2 witnesses.

3 The activities of Ms. Christensen
4 show that she does not possess the good
5 character, honesty and integrity that's
6 required to function in the Louisiana
7 gaming industry.

8 Therefore, the Division respectfully
9 requests that this honorable Board affirm
10 the hearing officer's decision to revoke
11 Kelly Christensen's non-key gaming permit
12 and the finding that Kelly Christensen is
13 unsuitable to possess a gaming permit in
14 this state.

15 CHAIRMAN JOHNS:

16 Okay. And once again, for the
17 record, Ms. Christensen did not attend her
18 hearing; is that correct?

19 ASSISTANT ATTORNEY GENERAL HOUSTON:

20 Correct, neither the suspension or
21 the revocation.

22 CHAIRMAN JOHNS:

23 Suspension or revocation.

24 All right. Any questions, members?
25 Any questions? Okay.

1 Once again, the chairman would
2 suggest that we uphold the hearing
3 officer's decision, but that is up to the
4 Board. So do I have a motion?

5 MS. BERRY:

6 Motion.

7 CHAIRMAN JOHNS:

8 Ms. Berry has made a motion that we
9 -- okay.

10 MS. BERRY:

11 Or confirm the decision.

12 CHAIRMAN JOHNS:

13 Ms. Berry has made a motion that we
14 confirm or uphold the hearing officer's
15 decision.

16 Do I have a second.

17 MR. POOLE:

18 Second.

19 CHAIRMAN JOHNS:

20 Mr. Poole has seconded that motion.
21 Is there any -- is there any discussion?
22 Is there any opposition to that motion?
23 Hearing none, that motion carries.

24 ASSISTANT ATTORNEY GENERAL HOUSTON:

25 Thank you.

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CHAIRMAN JOHNS:

Okay. Thank you very much.

Okay. Members and Ladies and Gentlemen, our next meeting will be May the 20th, right here in this room. It will be our last month over here in the LaSalle building. In June we get to go back to the big building.

So any further items on the agenda? Any discussion?

Mr. Jackson, would you like to make a motion?

MR. JACKSON:

Yes, Mr. Chairman. I make the motion that we adjourn.

MS. LEWIS:

Second.

CHAIRMAN JOHNS:

Mr. Jackson has made the motion that we adjourn. Ms. Lewis has seconded that motion. We give that privilege to those who travel the furthest, right?

Any objection to that motion?

Hearing none, we are hereby adjourned.

Thank you very much to everyone. I

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10 state on the record:

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I, BELINDA K. AMERSON, Certified Court Reporter, in and for the State of Louisiana, as the officer before whom this testimony was taken, do hereby certify that this meeting was reported by me in the stenotype reporting method, was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my ability and understanding;

That the transcript has been prepared in compliance with transcript format guidelines required by statute or by rules of the board;

That I have acted in compliance with the prohibition on contractual relationships, as defined by Louisiana Code of Civil Procedure Article 1434 and in rules and advisory opinions of the board;

That I am not related to counsel or the parties herein, nor am I otherwise interested in the outcome of this matter.

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