



State of Louisiana

Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

ANNE LACOUR NEEB
EXECUTIVE DIRECTOR

NOTICE OF DECISION

IN RE: HARRY W. PORTER
NO. P040030239

TO: Harry W. Porter
839 Pinetree Drive
Shreveport, LA 71106

CERTIFIED MAIL: 7003 3110 0000 4642 6331
RETURN RECEIPT REQUESTED

Tammy Matzke, AAG
1885 North 3rd Street, Suite 500
Baton Rouge, LA 70802

CERTIFIED MAIL: 7003 3110 0000 4642 6348
RETURN RECEIPT REQUESTED

Lt. Rhett Trahan, LSP
7919 Independence Boulevard
Baton Rouge, LA 70806

CERTIFIED MAIL: 7003 3110 0000 4642 6355
RETURN RECEIPT REQUESTED

NOTICE IS HEREBY given that on December 29, 2004, the decision of the Louisiana Gaming Control Board was signed in the above entitled matter. (SEE COPY OF THE ENCLOSED DECISION)

An appeal from a decision of the Board shall be filed within ten (10) days of notice of the decision in the Nineteenth Judicial District Court and shall be reviewed solely on the record as provided by La. R.S. 27:26.

Louisiana Gaming Control Board, Baton Rouge, Louisiana this 3rd day of January, 2005.

Geraldyn A. Coleman
Appeal Docket Clerk

NOTIFIED:
Harry W. Porter
Tammy Matzke, AAG
Lt. Rhett Trahan, LSP-Casino Gaming Division

1/3/05



State of Louisiana

KATHLEEN BABINEAUX BLANCO
GOVERNOR

Gaming Control Board

H. CHARLES GAUDIN
CHAIRMAN

ANNE LACOUR NEEB
EXECUTIVE DIRECTOR

IN RE: HARRY W. PORTER NO. P040030239

ORDER

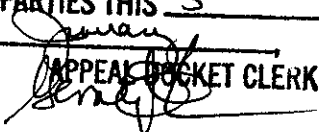
This matter was considered by the Louisiana Gaming Control Board at its meeting of December 21, 2004. The Hearing Officer's order dated December 6, 2004, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Suspension and Penalty," Permit No. P040030239, by and between Harry W. Porter, 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 29 day of December, 2004.

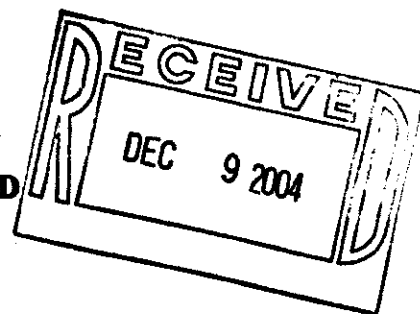
LOUISIANA GAMING CONTROL BOARD

BY:


H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 31st DAY
OF January 2005

APPEAL DOCKET CLERK

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE



IN RE: HARRY PORTER

NO. P040030239

JOINT MOTION FOR ENTRY OF STIPULATIONS AND
APPROVAL OF PROPOSED SETTLEMENT

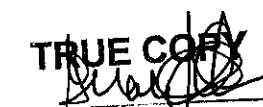
ON THE JOINT MOTION OF:

1. the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, (hereinafter "Division"), and
2. Harry Porter, Permit No. P040030239 (hereinafter "permittee"),

who respectfully represent the following:

WHEREAS:

1. On April 2, 2004 and May 17, 2004, respectively, the Division received notification from the Louisiana Department of Revenue and the Internal Revenue Service, that permittee was not current in the filing of all applicable tax returns or in the payment of all taxes owed. The Office of State Police notified permittee by certified mail of the state and federal tax delinquency; the notifications informed permittee that permittee had thirty (30) days to provide the Division with documentation that tax clearances had been issued; the letters were received and signed for by Ladonna Porter on April 17, 2004 and May 21, 2004 respectively. Permittee did not provide documentation of a state tax clearance to the Division until October 13, 2004; the federal tax clearance was not provided until October 12, 2004.
2. The permittee is mandated by La. R.S. 27:28B(3) to remain current with all tax filings and payments owed to the state of Louisiana, any political subdivision of Louisiana, or the Internal Revenue Service.
3. Permittee was issued a *Notice of Recommendation of Suspension* by the Louisiana Gaming Control Board on or about September 28, 2004.
4. This matter has been scheduled for hearing on November 24, 2004 at 9:30 a.m. before the Honorable Joseph E. Anzalone, Jr.

TRUE COPY

Representative
Louisiana Gaming Control Board

NOW THEREFORE, in consideration of the foregoing stipulations, the Division and the permittee hereby propose the following settlement, that:

1. The permittee acknowledges that La. R.S. 27:28B(3) mandates permit holders to remain current with all tax filings and payments owed to the state of Louisiana, any political subdivision of Louisiana, or the Internal Revenue Service;
2. The permittee further acknowledges that permittee was notified of the state tax delinquency on April 17, 2004 and of the federal tax delinquency on May 21, 2004 and that such notification informed permittee that permittee had thirty (30) days to provide the Division with documentation that a tax clearance had been issued; permittee did not provide documentation of a state tax clearance to the Division until October 13, 2004; permittee did not provide documentation of a federal tax clearance until October 12, 2004;
3. In consideration of the previous and aforementioned delay in submission of the mandatory Louisiana state tax clearance and federal tax clearance and in lieu of further administrative action against the permittee's gaming permit, the permittee shall pay a \$250.00 civil penalty;
4. The Division hereby agrees to accept the permittee's payment of the above stated penalty in full and final settlement of this Notice of Recommendation of Administrative Action;
5. The Division reserves the right to take into consideration these violations in connection with any future violation;
6. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
7. This settlement constitutes the entire agreement between the Division and Harry Porter pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
8. 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 penalties must be submitted to the Division within fifteen (15) days of approval of this settlement by the Board; failure to submit the civil penalty within fifteen (15) days of approval by the Board shall result in the permittee being suspended until such time as the penalty is paid in full;

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: HARRY PORTER

NO. P040030239

ORDER

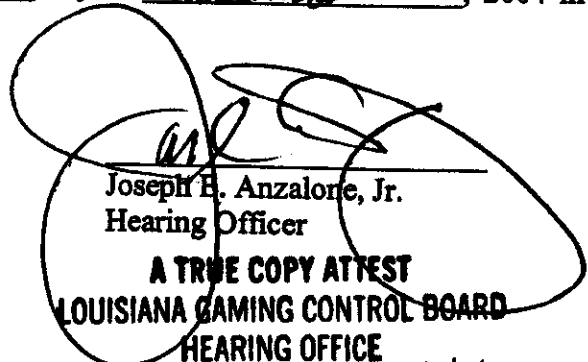

Considering the foregoing Joint Motion For Entry of Stipulations and Approval of Proposed Settlement, IT IS HEREBY ORDERED that such proposed settlement be approved, to wit:

1. The permittee acknowledges that he was notified on April 17, 2004 of a state tax delinquency and on May 21, 2004 of a federal tax delinquency by certified mail and that these notices provided that permittee had thirty (30) days to provide the Division with documentation that tax clearances had been issued and that he did not provide documentation of a state tax clearance to the Division until October 12, 2004 and he did not provide documentation of a federal tax clearance until October 11, 2004;
2. the permittee shall pay a \$250.00 civil penalty;
3. payment of the above penalty shall be submitted to the state within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board; and
4. the failure to submit the above penalty within fifteen (15) days of approval of this settlement by the Board shall result in the Non Key Gaming Employee Permit of the permittee being suspended until such time as penalty is paid in full.

THUS DONE AND SIGNED this 6th day of November, 2004 in
Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 7th DAY
OF December, 19 2004
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Harry Porter
Tammy Matyko
Sgt. Rock Schepnayer



Joseph E. Anzalone, Jr.
Hearing Officer
A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 12-7-04

BY: CLERK

9. 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,

HARRY PORTER
No. P040030239

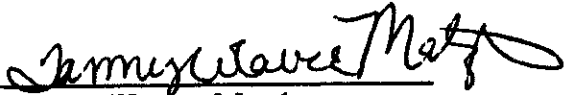
BY:



Harry Porter
839 Pinetree Drive
Shreveport, Louisiana 71106

CHARLES C. FOTI, JR.
ATTORNEY GENERAL

BY:



Tammy Weaver Matzke
Assistant Attorney General
La. Bar Roll No. 22887
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (225) 326-6500
Facsimile: (225) 326-6599

STATE OF LOUISIANA
PARISH OF Caddo

AFFIDAVIT

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified within and for the State and Parish aforesaid, PERSONALLY CAME AND APPEARED:

HARRY PORTER,

who, after first being duly sworn, declared and acknowledged to me, Notary, under oath:

that affiant is the holder of Non-Key Gaming Employee Permit No. P040030239;

that the permittee received a Notice of Recommendation of Administrative Action from the Louisiana Gaming Control Board, citing violation of La. R.S. 27:28B(3);

that in the interest of settling this matter, affiant has willfully entered into a Joint Motion for Entry of Stipulations and Approval of Proposed Settlement with the Division on behalf of the permittee, via the Attorney General's Office; and

that affiant signed the above-cited motion of his own volition, without duress or coercion.

THUS DONE AND PASSED in Caddo, Louisiana, on this 23 day of November, 2004.

Harry Porter
Harry Porter, Affiant

Carla Caughman
Notary Public

#06026 My commission expires _____.

CARLA CAUGHMAN, NOTARY PUBLIC
BOSSIER PARISH, LOUISIANA
MY COMMISSION IS FOR LIFE