



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

RONNIE JONES
CHAIRMAN

IN RE: SMB THIBODAUX, LLC D/B/A
RARE BIT AT THE VENETIAN
NO. 2901217054

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of September 17, 2015. The Hearing Officer’s order dated August 31, 2015, 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 SMB Thibodaux, LLC d/b/a Rare Bit at the Venetian, No. 2901217054, 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 17th day of *September, 2015.*

LOUISIANA GAMING CONTROL BOARD

BY:



RONNIE JONES, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD

I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON

ALL PARTIES THIS 18th DAY
OF September, 2015



APPEAL DOCKET CLERK

LGCB-3525-15-B

RECEIVED

By Geralyn at 12:27 pm, Aug 31, 2015

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

AUG 25 2015

LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: SMB THIBODAUX, LLC
D/B/A RARE BIT AT THE VENETIAN

LICENSE NO. 2901217054

**JOINT MOTION FOR APPROVAL OF COMPROMISE AND
SETTLEMENT AGREEMENT**

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

COME NOW the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and SMB Thibodaux, LLC d/b/a Rare Bit at the Venetian (hereinafter, "Licensee") 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 Licensee 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 Officer 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

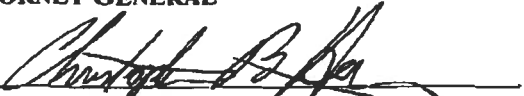
Louisiana Gaming Control Board

WHEREFORE, PREMISES CONSIDERED, the Division and Licensee respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

By: 
Stephen Blanchard
Post Office Box 5971
Thibodaux, Louisiana 70302
Telephone: (985) 447-5715
*Member and on behalf of SMB Thibodaux,
LLC d/b/a Rare Bit at the Venetian*

**JAMES D. "BUDDY" CALDWELL,
ATTORNEY GENERAL**

By: 
Christopher B. Hebert, Bar Roll #29044
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: SMB THIBODAUX, LLC
D/B/A RARE BIT AT THE VENETIAN

LICENSE NO. 2901217054

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and SMB Thibodaux, LLC d/b/a Rare Bit at the Venetian (hereinafter, "Licensee") do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to Licensee, which notice alleges 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 on August 31, 2015, before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the parties hereto are desirous of fully and finally compromising and settling all disputes and issues 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. The Division, in conjunction with the Department of Health and Hospitals, has developed an online video training program (the "Video") to assist licensees in identifying and providing information to patrons that may be suffering from a gambling addiction.

2. An Advisory Notice (the "Notice"), dated July 8, 2014, was sent, by certified mail, advising Licensee that, pursuant to gaming regulations, each Type 1-5 video gaming establishment licensee was required to view the Video online. The Notice further advised that failure to view the Video within ten (10) days from receipt of the Notice would result in a recommendation for imposition of civil penalties, suspension, revocation, or disablement of the video poker gaming devices.

3. The Notice included instructions for accessing the Video and for printing a certificate as proof of having viewed the Video. Additionally, submitting the request for the certificate triggers an internal message to the Division as notification that the licensee has viewed the Video.

4. Licensee received the Notice on July 11, 2014, as evidenced by the tracking information obtained from the United States Post Office's official website and signed certified mail receipt. As of June 8, 2015, Licensee had failed to view the Video.

5. According to the Division records, Licensee viewed the Video on August 4, 2015. This was not within the ten (10) days of receipt of the Notice, as required by the Division.

TERMS AND CONDITIONS

1. Licensee agrees to pay a civil penalty of FIVE HUNDRED AND NO/100 (\$500.00) DOLLARS.

2. The Division hereby agrees that payment of a civil penalty of FIVE HUNDRED AND NO/100 (\$500.00) DOLLARS shall be in full and final settlement of all matters set forth in the Notice of Recommendation of Administrative Action for Licensee's violation of **La. R.S. 27:27.1(N), LAC 42:III.118(D), LAC 42:XI.2405(B)(8), LAC 42:XI.2421(A)(1)**.

3. Licensee understands that continued failure to timely view the required online compulsive gambling training video shall result in the Division's recommendation of revocation.

4. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Licensee pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations, and understandings of the parties.


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

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 by the Louisiana Gaming Control Board, Licensee must pay FIVE HUNDRED AND NO/100 (\$500.00) DOLLARS within fifteen (15) calendar days of such approval. Any failure to meet this requirement will result in the immediate suspension of the gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

8. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

I have read this entire Compromise and Settlement Agreement and agree to all stipulations and terms and conditions hereof.



**Stephen Blanchard, member and on behalf of SMB Thibodaux, LLC
d/b/a Rare Bit at the Venetian**



**Christopher B. 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: **SMB THIBODAUX, LLC**
D/B/A RARE BIT AT THE VENETIAN

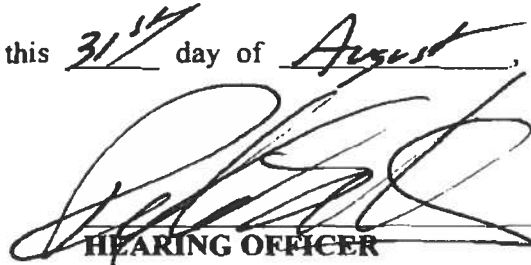
LICENSE NO. 2901217054

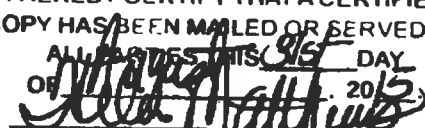
ORDER

BE IT REMEMBERED that on the 31st day of August, 2015, 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 or representing themselves, and the Hearing Officer having considered the pleadings on file, the proposed Compromise and 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 Licensee must pay Five Hundred and No/100 (\$500.00) 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 Licensee's gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

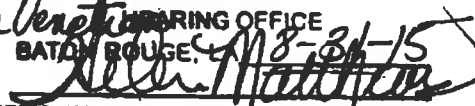
SIGNED AND ENTERED this 31st day of August, 2015, in Baton Rouge, Louisiana.


HEARING OFFICER

LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 31st DAY
OF August, 2015.

DOCKET CLERK, ADMIN. HEARING OFFICE

cc: SMB Thibodaux, LLC
Stephen Blanchard
Christopher Hebert
Dot. Linnell Sibley

d/b/a Rare Bit at the Venetian

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

DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE