



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

**IN RE: AMERICAN GAMING CO., INC.
D/B/A AMERICAN GAMING COMPANY
NO. 2600211578**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of April 17, 2007. The Hearing Officer's order dated March 28, 2007, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," No. 2600211578, by and between American Gaming Co., Inc. d/b/a American Gaming Company, 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 17 day of April, 2007.


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 18th DAY
OF April, 2007

APPEAL DOCKET CLEARED


RECEIVED

**STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE**

MAR 28 2007

**LGCB
ADMINISTRATIVE HEARING OFFICE**

**IN RE: AMERICAN GAMING CO., INC.
d/b/a AMERICAN GAMING CO., INC.**

No. 2600611578

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

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

COME NOW State of Louisiana, Department of Public Safety and Corrections, Office of State Police (“the Division”) and American Gaming Co., Inc. d/b/a American Gaming Co., Inc. (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 Office and the Louisiana Gaming Control Board.

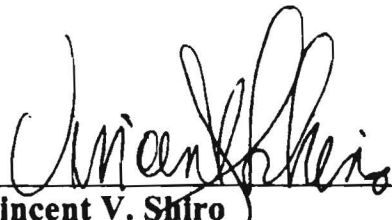
2.

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.

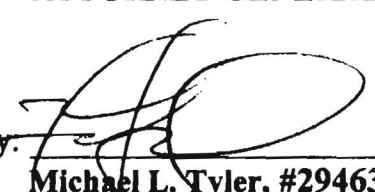

Executive
Gaming Control

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: 
Vincent V. Shiro
President
1023 N. Hullen St.
Metairie, Louisiana 70001
Phone: (504) 831-9537
American Gaming Co., Inc.
d/b/a American Gaming Co., Inc.

CHARLES C. FOTI, JR.
ATTORNEY GENERAL

By: 
Michael L. Tyler, #29463
Assistant Attorney General
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Phone: (225) 326-6500
Facsimile: (225) 326-6599
Counsel for Office of State Police

**STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE**

**IN RE: AMERICAN GAMING CO., INC.
d/b/a AMERICAN GAMING CO., INC.**

No. 2600611578

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and American Gaming Co., Inc. d/b/a/ American Gaming Co., Inc. (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 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 on March 28, 2007, before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the Division and Licensee 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. On March 16, 2006, the Division mailed an Annual Licensee Form via the United States Postal Service to Licensee.
2. On August 7, 2006, the Division received the completed Annual Licensee Form and fee for Licensee, along with tax clearance certificates from Jefferson Parish and the City of New Orleans, postmarked August 4, 2006.
3. The appropriate tax clearance certificate from the State of Louisiana was not included with the items that were received by the Division on August 7, 2006.
4. The Division received Licensee's State of Louisiana tax clearance certificate on February 21, 2007. ✓
5. Under La. R.S. §27:311(K)(4)(a), all video draw poker licensees are required to pay the appropriate annual fees by July 1st of every year.
6. Under La. R.S. §27:311(K)(4)(c)(ii), device owners who submit the required annual fee after July 31st but before August 31st shall pay a ONE THOUSAND DOLLAR (\$1,000.00) penalty.
7. LAC 42:XI.2405(B)(4)(b) mandates for tax clearance certificates from the State of Louisiana and the Licensee's local taxing authority to be submitted to the Division no later than July 1st of each year.
8. Licensee did not timely file its Annual Licensee Form, its tax clearance certificates and pay the requisite fee, which are in violation of La. R.S §27:311(K)(4)(a) and LAC 42:XI.2405(B)(4)(b).

TERMS AND CONDITIONS

1. Licensee will pay a civil penalty of ONE THOUSAND DOLLARS (\$1,000.00) for violating La. R.S §27:311(K)(4)(a), as mandated by La. R.S. §27:311(K)(4)(c)(ii), and TWO HUNDRED AND FIFTY DOLLARS (\$250.00) for violating LAC 42:XI.2405(B)(4)(b), which amounts to a total penalty of ONE THOUSAND TWO HUNDRED AND FIFTY DOLLARS (\$1,250.00).

2. The Division hereby agrees to accept Licensee's payment of the above stated penalty in full and final settlement of the Notice of Recommendation of Administrative Action issued on December 18, 2006.

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 the Licensee's suitability.

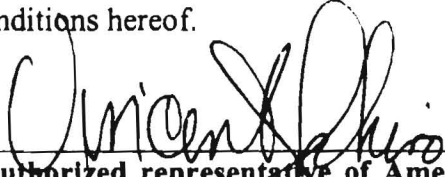
4. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

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

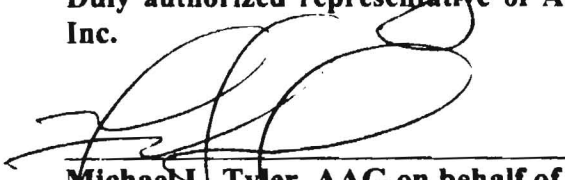
6. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana Gaming Control Board for its determination as to whether to approve the same or to remand the matter to the Hearing Officer for a full hearing on the merits. Failure to pay the penalty within fifteen (15) days of approval of this settlement shall result in the immediate suspension of AMERICAN GAMING CO., INC. d/b/a AMERICAN

GAMING CO., INC., permit 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.



Duly authorized representative of American Gaming Co., Inc. d/b/a American Gaming Co., Inc.



**Michael L. Tyler, 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: AMERICAN GAMING CO., INC.
d/b/a AMERICAN GAMING CO., INC.

No. 2600611578

ORDER

BE IT REMEMBERED that on this the 28th day of March, 2007, 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**.

SIGNED AND ENTERED this 28th day of March, 2007, in Baton Rouge, Louisiana.

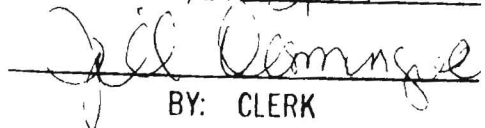
LOUISIANA GAMING CONTROL BOARD
NOTARIZED
COPIES OF THIS ORDER FILED ON
MARCH 28, 2007
Jill Domingue
CLERK, ADMINISTRATIVE HEARING OFFICE



Honorable William H. Brown
HEARING OFFICER

cc: Vincent Shiro
Michael Tyler
Lt. Deland Talem

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 3/28/07



BY: CLERK