

State of Louisiana Gaming Control Board

**BOBBY JINDAL** GOVERNOR

DALE A. HALL **CHAIRMAN** 

### IN RE: NEW EAST DRAGON, INC. D/B/A NEW EAST DRAGON NO. 6300214694

## **ORDER**

This matter was considered by the Louisiana Gaming Control Board at its meeting of May 17, 2012. The Hearing Officer's order dated April 23, 2012, 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 New East Dragon, Inc. d/b/a New East Dragon, No. 6300214694, 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 May, 2012.

BY:

LOUISIANA GAMING CONTROL BOARD DALE A. HALL, CHAIRMAN

LOUISANA GAMING CONTROL BOARD I HEREBY CERTIFY THAT A CERTIFIED COPY HAS BEEN MAILED OR **ALL PARTIES THIS** 

LGCB-1432-12-B

### RECEIVED

By Natalie B Thurman at 2:59 pm, Apr 23, 2012

#### STATE OF LOUISIANA

### RECEIVED

LOUISIANA GAMING CONTROL BOARD

APR 1 7,2012

ADMINISTRATIVE HEARING OFFICE

LGCB Administrative Hearing Office

IN RE: NEW EAST DRAGON, INC.
D/B/A NEW EAST DRAGON

LICENSE NO. 6300214694

# JOINT MOTION FOR APPROVAL OF COMPROMISE AND SETTLEMENT AGREEMENT

#### TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

NOW COMES the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and New East Dragon, Inc. d/b/a New East Dragon (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 this 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.

Representative
Louislana Genung 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,

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I Fu Chou

President/Owner

New East Dragon, Inc d/b/a

New East Dragon

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Telephone: (225) 333-7592

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Counsel for the Office of State Police

#### STATE OF LOUISIANA

#### LOUISIANA GAMING CONTROL BOARD

#### ADMINISTRATIVE HEARING OFFICE

LICENSE NO. 6300214694

IN RE: NEW EAST DRAGON, INC. D/B/A NEW EAST DRAGON

#### COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and New East Dragon, Inc. d/b/a New East Dragon (hereinafter, "Licensee"), do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has sent a Notice of Recommendation of Administrative Action to Licensee, which Notice contains allegations of 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 April 9, 2012, 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 May 18, 2011, the Licensee submitted an Annual Licensee Form to the Division.
- 2. The Division conducted an investigation regarding the information submitted on the Annual Licensee Form. During the course of the investigation, the Division learned that the Licensee was not in good standing with the Louisiana Secretary of State due to its failure to file an annual report.
- 3. On July 28, 2011, the Division sent a letter by certified mail to the Licensee stating that the Licensee had ten days from the date of receipt of the letter to resolve its annual report issue with the Louisiana Secretary of State's office.
- 4. On December, 7, 2011, the Licensee filed its annual report according to the Louisiana Secretary of State's website.

#### TERMS AND CONDITIONS

- 1. Within fifteen (15) days of the approval of this settlement by the Louisiana Gaming Control Board, the Licensee shall pay FIVE HUNDRED AND NO/100 (\$500.00) DOLLARS for the violations of LAC 42:XI.2405(B)(1)(a) and (b), LAC 42:XI.2417(A)(1).
- 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 the licensee's violations of LAC LAC 42:XI.2405(B)(1)(a) and (b), LAC 42:XI.2417(A)(1).
- 3. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.
- 4. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and the Licensee pertaining to the subject matter contained herein and

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supersedes all prior and contemporaneous agreements, representations and understandings of the

parties.

5. 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.

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, the Licensee agrees to pay

FIVE HUNDRED AND NO/100 (\$500.00) DOLLARS within fifteen (15) calendar days of such

approval. Licensee agrees that failure to meet this requirement shall result in immediate

suspension of the gaming permit without the necessity of any further administrative action until

such time as the penalty is paid in full.

I have read this entire Compromise and Settlement Agreement and agree to all

stipulations and terms and conditions hereof.

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President/Owner

New East Dragon, Inc d/b/a

**New East Dragon** 

Mesa T. Brown, 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: NEW EAST DRAGON, INC. D/B/A NEW EAST DRAGON **LICENSE NO. 6300214694** 

**ORDER** 

BE IT REMEMBERED that on the S for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, 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 the Licensee must pay FIVE HUNDRED AND NO/100 (\$500.00) DOLLARS to the Division within fifteen (15) days of the approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the permit of New East Dragon, Inc. d/b/a New East Dragon without the necessity of any further administrative action until such time as the penalty is paid in full.

HEARING