



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

DANE K. MORGAN
CHAIRMAN

IN RE: CARY J. RUBSAMEN
NO. P040052161

ORDER


This matter was considered by the Louisiana Gaming Control Board at its meeting of January 19, 2012. The Hearing Officer's order dated January 11, 2012, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Suspension and Penalty" by and between Cary J. Rubsamén, No. P040052161, 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 19th day of January, 2012.

LOUISIANA GAMING CONTROL BOARD

BY:


DANE K. MORGAN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED BY
ALL PARTIES THIS 20th DAY
OF January, 2012
APPEAL DOCKET CLERK


LGCB-1227-12-B

RECEIVED

By GERALYN COLEMAN at 1:13 pm, Jan 11, 2012

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

JAN 11 2012

LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: CARY J. RUBSAMEN

PERMIT NO: P040052161

**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 Cary J. Rubsamem (hereinafter "the Permittee") who file this, their 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 the Permittee 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

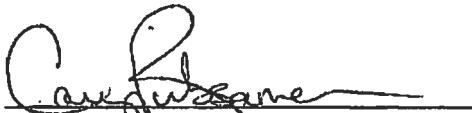
TRUE COPY

Representative
Louisiana Gaming Control Board

is attached hereto as Exhibit "A" and incorporated by reference for all purposes.

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

Respectfully Submitted,

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



Cary J. Rubsamen
3907 Burton Lane
Lake Charles, LA 70605
Telephone: (337) 707-4670



Olga M. Bogran, Bar Roll #24302
Assistant Attorney General
Gaming Division
400 Royal St. Suite 1230
New Orleans, LA 70130
Telephone: (504)599-1153
Facsimile: (504) 599-1163
Counsel for the Division

EXHIBIT "A"

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

IN RE: CARY J. RUBSAMEN

PERMIT NO: P040052161

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter the "Division") and Cary J. Rubsamen (hereinafter "the Permittee") do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Suspension and Penalty to the Permittee, which notice contains allegations of certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by the said Notice of Recommendation of Suspension and Penalty are set for hearing 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 raised in connection with the said Notice of Recommendation of Suspension and Penalty;

NOW, THEREFORE, in consideration of the foregoing, the parties hereto do hereby agree and stipulate as follows:

STIPULATIONS

1. On June 14, 2011, the Division received notification from the Internal Revenue Service (hereinafter the "IRS") that the Permittee was not eligible for the required tax clearance.
2. On or about June 21, 2011, the Permittee received, via certified mail, notification that he had thirty (30) days to resolve the tax problem.
3. On October 10, 2011, the Louisiana Gaming Control Board issued a Notice of Recommendation of Suspension and Penalty to the Permittee alleging the Permittee's failure to remain in compliance.
4. Subsequent to the thirty (30) day period allowed by the Division for resolution of the tax issue, the Permittee became eligible for the IRS tax clearance on November 30, 2011.¹

TERMS AND CONDITIONS

1. The Permittee agrees to pay a civil penalty of Two Hundred Fifty Dollars (\$250.00), in lieu of suspension, for the period of non-compliance.
2. The Division agrees that payment of a civil penalty of Two Hundred Fifty Dollars (\$250.00) shall be in full and final settlement of all matters set forth in the Notice of Recommendation of Suspension and Penalty.
3. The Division reserves the right to take into consideration these admitted stipulations and violations in connection with any future investigation, violation or assessment of penalty, and in connection with any future determination of the suitability of the Permittee.
4. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and the Permittee pertaining to the Permittee's failure to

¹ Exhibit 1 (Copy of IRS Tax Clearance dated November 30, 2011).

timely submit the tax clearances as required by gaming law and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

5. 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.

6. If approved, the Permittee must make full payment of the civil penalty 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 the permit without the necessity of any further administrative action until such time as the penalty is paid in full.


7. 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 Settlement Agreement, understand it, and agree to all stipulations and terms and conditions hereof.

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL



Cary J. Rubsamen
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Counsel for the Division

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: CARY J. RUBSAMEN

PERMIT NO: P040052161

ORDER

BE IT REMEMBERED that on the 11th day of January, 2012, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared in person or 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**; that the Permittee must pay Two Hundred Fifty and No/100 (\$250.00) 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 the gaming permit without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 11 day of January, 2012, in

LOUISIANA GAMING CONTROL BOARD
BATON ROUGE, LOUISIANA
I HEREBY CERTIFY THAT A TRUE COPY HAS BEEN MAILED OR SERVED ON

THIS 11th DAY OF January, 2012
Jeff Dommeyer
HEARING OFFICER

cc: Cary J. Rubsamen
Shad Boyman
Sgt. Lionel Substanz

[Signature]
HEARING OFFICER

A TRUE COPY ATTEST

LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 01/12

[Signature]
BY: CLERK



DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
Washington, D.C. 20224

SMALL BUSINESS/SELF-EMPLOYED DIVISION

30 November 2011

Internal Revenue Service
201 W Rivercenter Blvd
Stop 5702A
Covington, KY 41011

Person to Contact:
Bob Rackers
Tax Examiner
National Tip Reporting Compliance
Program

Louisiana State Police
Christine Zeno
7919 Independence Blvd, A-28
Baton Rouge, LA 70806-6409

Contact Telephone Number:
(859)669-5689
Fax Number:
(859)669-3975

Dear Ms. Zeno:

The Louisiana gaming license applicant(s) shown on the attached list were initially denied a Federal tax clearance. The Federal tax compliance and/or payment issues for these individuals have now been resolved. As such, we are pleased to grant Federal tax clearances for these applicants. Please let me know if you have any questions.

Sincerely yours,

Bob Rackers, Tax Examiner
NTRCP

Federal Tax Clearances Granted

Applicant Name	SSN/EIN
Cary Jean Rubsamen	[REDACTED]

Federal Tax Clearances Granted: Date 30 Nov 11

By: Bob Rackers, Tax Examiner - NTRCP
Internal Revenue Service

