



State of Louisiana

Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

ANNE LACOUR NEEB
EXECUTIVE DIRECTOR

**IN RE: MIKOHN GAMING CORPORATION
NO. CGD 040384**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of April 18, 2005. The Hearing Officer's order dated April 5, 2005, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Administrative Action," Permit No. P056501479, P066500006, P076500007, by and between Mikohn Gaming Corporation and the Louisiana Department of Public Safety and Corrections, Office of State Police, Casino Gaming Division, which is attached hereto and incorporated herein, is **APPROVED.**

THUS DONE AND SIGNED on this the 20 day of April, 2005.

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 20 DAY
OF APRIL 2005

APPEAL DOCKET CLERK


STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

APR 04 2005

LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: MIKOHN GAMING CORPORATION

NO: CGD 040384

JOINT MOTION FOR ENTRY OF STIPULATIONS
AND APPROVAL OF PROPOSED SETTLEMENT

ON THE JOINT MOTION OF:

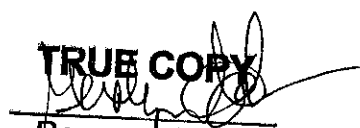
1. The Louisiana Department of Public Safety and Corrections, Office of State Police, Casino Gaming Division ("Division"), and
 2. Mikohn Gaming Corporation, - ("Mikohn"),
- who respectfully represent the following:

WHEREAS:

The Division and Mikohn have had the occasion to review the facts and circumstances attendant to the violations and agree and stipulate as follows:

On or about September 25, 2003, Mikon submitted a Petition for Transfer of interest to the Louisiana Gaming Control Board. On October 21, 2003, the Louisiana Gaming Control Board conditionally approved Mikohn's petition pending further investigation. On May 24, 2004, in conjunction with the ongoing investigation, the Office of State Police issued, via certified mail, a request to Mikon for information regarding Jefferies & Company, Inc., Janus Capital Management and/or Janus Capital Group, and Fidelity Investments, the requested information was to be received by the Office of State Police no later than July 1, 2004.

TRUE COPY


Representative

Louisiana Gaming Control Board

On July 29, 2004, the Office of State Police issued to Mikohn a significant action report for failure to provide requested information within the prescribed time period. As of July 29, 2004, Mikohn had not submitted any of the requested information. As of August 27, 2004, the only information received pertained to Fidelity Investments. The Office of State Police was not notified that Janus Capital Management LLC had become a five (5%) percent or more beneficial owner of Mikohn until receipt of Mikohn's Annual Report & Form DEF 14A on August 2, 2004.

On August 10, 2004, the Office of State Police received Mikohn's response to significant action report. The response stated that immediately upon receiving the request for information, Mikohn contacted Jefferies & Company, Janus Capital Group and Fidelity Investments to request the required information. The response stated that the requests were made in writing and by telephone. Mikohn contends that Janus Capital Group did not respond to Mikohn's request.

Included in Mikohn's response was a letter from Janus Capital Group to Mikohn. The letter states: "I am writing in response to your request for information set forth in your facsimile letter of August 2, 2004."

On August 13, 2004, the office of State Police issued a notice to Mikohn that all requested information remained outstanding with the exception of information regarding Fidelity Investments. Mikohn has one previous violation for failure to timely submit requested information.

NOW, THEREFORE, in consideration of the foregoing Stipulations, the Division and Mikohn hereby propose the following settlement:

1. Mikohn has provided the Division with requested information.
2. Consistent with violations of LAC 42: VII 2901 C (1) (i), LAC 42: IX, 2127 D, LAC 42: IX. 2901 C (1) (i), LAC 42: XIII. 2901 B (4), LAC 42: XIII. 2901 C (1) (i), Mikohn agrees to pay a penalty in the amount of forty thousand dollars (\$40,000) in full and final settlement of Notice of Violation and Penalty CGD 040384.
3. The Division reserves the right to take into consideration this violation in connection with any future violation.

4. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana.
5. This settlement constitutes the entire agreement between the Division and Mikohn pertaining to the subject matter contained herein, and supersedes all prior and contemporaneous agreements, representations, and understandings of the parties.
6. 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 penalty must be submitted to the Division within fifteen (15) days of approval of this settlement by the Board.
7. The failure of Mikohn to submit payment within fifteen (15) days of approval of this settlement by the Board shall constitute an additional violation of Louisiana gaming laws and regulations.
8. The Division and Mikohn waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully Submitted:

CHARLES C. FOTI, Jr.
ATTORNEY GENERAL

By: 

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Counsel for Division

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ADAM AND REESE LLP

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Counsel for Mikohn

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: MIKOHN GAMING CORPORATION

NO: CGDO40384

ORDER

CONSIDERING the foregoing Joint Motion and Stipulations,

IT IS HEREBY ORDERED that such proposed settlement be approved, to-wit:

1. IT IS ORDERED that the foregoing Joint Motion and Stipulation of Facts be accepted, approved and entered into the record of this proceeding;
2. IT IS FURTHER ORDERED that the admission of Mikohn Gaming Corporation to the Division regarding violations of be accepted.
3. IT IS FURTHER ORDERED that Mikohn Gaming Corporation shall pay - civil penalty - of Forty Thousand Dollars (\$40,000.00) due within fifteen days of approval of this settlement by the Louisiana Gaming Control Board.

THUS DONE AND SIGNED this 5th day of April, 2005 in
Baton Rouge, Louisiana.

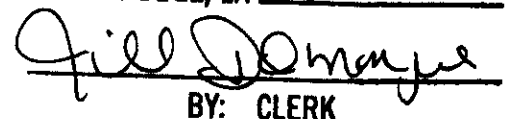


JUDGE WILLIAM H. BROWN
HEARING OFFICER

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 5th DAY
OF April 2005
OF Bill Donayre
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Daniel Hester
Coil Holland
Sgt Ireland Tolson

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 4-5-05



BY: CLERK