



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

IN RE: GEMACO, INC.
NO. P066500036

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of October 17, 2006. The Hearing Officer's order dated September 18, 2006, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Suspension and Penalty," No. P066500036, by and between Gemaco, Inc., 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 October, 2006.

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 17th DAY
OF October, 2006
APPEAL DOCKET CLERK


RECEIVED

SEP 18 2006

LGCB
ADMINISTRATIVE HEARING OFFICE

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

IN RE: GEMACO, INC.

P066500036

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

SEP 19 2006

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

COME NOW State of Louisiana, Department of Public Safety and Corrections, Office of State Police ("Division") and Gemaco, Inc., P066500036, 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 Gemaco, Inc. 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.




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

Respectfully Submitted,

**CHARLES C. FOTI, JR.
ATTORNEY GENERAL**

By: 

Tom Baranowski, Exec. V. P.
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By:  #24969

~~John F. McDonald, III, #09288-~~
Assistant Attorney General *O. Young G. Bonner*
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Counsel for the Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: GEMACO, INC.

P066500036

ORDER

BE IT REMEMBERED that on this the 18 day of Sept, 2006, came on 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.

SIGNED AND ENTERED this 18 day of Sept, 2006, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 19th DAY
September 2006
Jell Deminger
HEARING OFFICER

cc: Tom Baranowski
Yung Bunnery
Sgt. Richard Falcon


JOSEPH E. ANZALONE, JR.
HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 9/19/06
Jell Deminger
BY: CLERK

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

IN RE: GEMACO, INC.

P066500036

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and Gemaco, Inc., P066500036, do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Suspension and Penalty to Gemaco, Inc., which notice alleges certain violations of the Louisiana Gaming Control Law; and

WHEREAS, the issues raised by the said Notice of Recommendation of Suspension and Penalty are set for hearing on September 18, 2006, 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. Pursuant to La. R.S. 27:29 and La. R.S. 27:29.1(E), Gemaco, Inc. is required to submit an Annual fee and Annual affidavit by May 11 of each year, which represents its permit anniversary date.
2. Gemaco, Inc. did not timely submit the required annual forms and fees in 2006.

3. On July 25, 2006, the Louisiana Gaming Control Board issued a Notice of Recommendation of Suspension and Penalty to Gemaco, Inc., P066500036, alleging certain violations of the Louisiana Gaming Control Law.

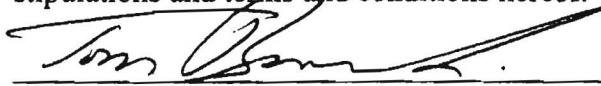
TERMS AND CONDITIONS

1. The Division reserves the right to take into consideration this violation in connection with any future violations.
2. A subsequent failure to timely submit the Annual Affidavit and Annual Fee, will result, at a minimum, in an enhanced civil penalty.
3. Any and all information discovered throughout the course of this or any other investigation may be used in any future determination of the suitability of Gemaco, Inc.
4. Gemaco, Inc. agrees to pay a civil penalty of Five Hundred Dollars (\$500.00) and a delinquency fee of One Thousand Eight Hundred Seventy-Five Dollars (\$1,875.00) for a total of Two Thousand Three Hundred Seventy-Five Dollars (\$2,375.00).
5. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Gemaco, Inc. pertaining to 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 same or to remand the matter to the Hearing Officer for a full hearing on the merits.

7.If approved, Gemaco, Inc. must make payment of the civil penalty and delinquency fee to the Division within ten (10) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the 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 Settlement Agreement, understand it, and agree to all stipulations and terms and conditions hereof.



**Tom Baranowski, Executive Vice President/General Manger
Gemaco, Inc., P066500036**


Sworn to and subscribed before me, the undersigned notary, in the County of Jackson this 21st day of August A.D. 2006



Notary Signature

Pennie D. Phillips 816-220-1300
Notary Name and Number

Notary Commission expires 6/13/09



**John F. McDonald III, AAG on behalf of
State of Louisiana
Department of Public Safety & Corrections
Office of State Police**

