



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

**IN RE: PNK (BOSSIER CITY), INC.
NO. CGD050023**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of February 21, 2006. The Hearing Officer's order dated February 15, 2006, 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," Violation No. CGD050023, by and between PNK (Bossier City), Inc., License No. R016500701, and the Louisiana Department of Public Safety and Corrections, Office of State Police, which is attached hereto and incorporated herein, is **APPROVED.**

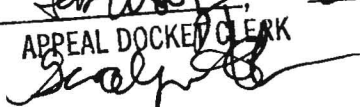
THUS DONE AND SIGNED on this the 21 day of February, 2006.

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 22 DAY
OF February, 2006
APPEAL DOCKET CLERK


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FEB 15 2006

**STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD**

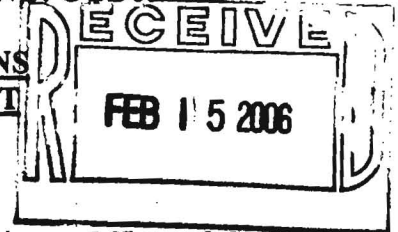
ADMINISTRATIVE HEARING OFFICE

LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: PNK (BOSSIER CITY), INC.

CASE NO. CGD050023

**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 (hereinafter "Division"), through the undersigned Assistant Attorney General, and
2. PNK (Bossier City), Inc. License number R016500701 (sometimes herein "Boomtown Bossier" or "casino"), through the undersigned counsel of record;

Regarding Notice of Recommendation of Administrative Action (the "Notice") issued by the Louisiana Gaming Control Board on or about October 4, 2005 based on the provisions found in La. R.S. 27:27.1E, LAC 42:III.301G, LAC 42:III.304D(4), LAC 42:III.304E(6);

who respectfully enter the following stipulations into the record:

1. In December 2004, a person whose identity shall remain confidential pursuant to the provisions of La. R.S. 27:27.1D(4) appeared at the Louisiana Office of State Police Shreveport Field Office. The person represented to State Police agents that he is on the state voluntary exclusion list and had been gaming at Boomtown Bossier for several days. Office of State Police agents reviewed records establishing that the person was properly placed on the state voluntary exclusion list in March 2004.
2. The Office of State Police has asserted that Boomtown Bossier failed to comply with its own Board-approved Comprehensive Compulsive and Problem Gaming Program, resulting in a failure to identify a self-excluded person. Specifically, the self-excluded person had two (2) different account numbers at Boomtown Bossier reflected on the casino's computer system. There were no remarks under either account number identifying the individual as a self-excluded person. Boomtown Bossier's Standard Operating Procedures state that the Compliance Department will be responsible for the system data entry to flag self-excluded listings. Boomtown Bossier's Standard Operating Procedures state that the Marketing Department shall insure that patrons on the self-excluded list who have an account in the Players' Club will have the account flagged indicating that the patron is banned from gaming. This will prevent the patron from being issued comps. The account shall also indicate that the employee must contact security immediately if the listed patron is in the casino.
3. The evidence suggests that, although Boomtown Bossier's approved Comprehensive Compulsive and Problem Gaming Program provides for creation of accounts for self-excluded persons who previously did not have accounts within the Boomtown Bossier

TRUE COPY

[Signature]

Representative

Louisiana Gaming Control Board

system, Boomtown Bossier failed to comply fully with those provisions of its own program. Specifically, after this violation, Boomtown Bossier's compliance officer determined and advised State Police that there were many individuals on the self-exclusion list that did not have an account with the casino. Investigation disclosed a total of sixty-seven (67) persons who were on the state exclusion list but not entered into Boomtown Bossier's system as excluded persons. Because the self-excluded persons did not have an account with the casino, the compliance officer further advised State Police that he was in the process of opening and flagging an account for each individual on the list.

4. Boomtown Bossier failed on at least eight separate occasions during the month of December 2004 to identify the self-excluded person. The player rating summary generated by Boomtown Bossier reflects that the excluded person gamed at Boomtown Bossier on the following dates with the following wins and losses:

December 02, 2004	won	\$ 1600.00
December 13, 2004	won	\$ 350.00
December 14, 2004	won	\$ 3,450.00
December 15, 2004	lost	\$ 3,145.00
December 16, 2004	lost	\$ 100.00
December 17, 2004	won	\$ 1,480.00
December 18, 2004	lost	\$ 100.00
December 19, 2004	lost	\$ 20.00

5. Boomtown Bossier has implemented procedures to protect against similar situations in the future, all as outlined on the attached Exhibit A.

NOW THEREFORE, in consideration of the foregoing Stipulations, the Division and PNK (Bossier City), Inc. hereby propose the following settlement:

1. In lieu of further administrative or any other regulatory action against it, PNK (Bossier City), Inc. agrees to pay to the Division the amount of TWELVE THOUSAND DOLLARS (\$12,000.00), and will additionally pay the amount of THREE THOUSAND THREE HUNDRED SIXTY-FIVE DOLLARS (\$3,365.00) to the Compulsive and Problem Gaming Fund.
2. Subject to the approval of the Hearing Office of the Louisiana Gaming Control Board, the Division hereby agrees to accept Boomtown Bossier's payment of the above stated amount in full and final settlement of this Notice of Recommendation of Administrative Action.
3. It is expressly understood that this proposed settlement, if approved by the Hearing Officer, is not executory and will be submitted to the Louisiana Gaming Control Board for its determination as to whether the matter should be heard by the Hearing Officer. The parties hereby consent to this procedure. In the event this settlement is not so

approved, it shall be null and void and nothing herein contained shall be an admission or waiver of any position by or of any party.

4. This settlement is to be interpreted under the laws of the State of Louisiana.
5. This settlement constitutes the entire agreement between the Division and PNK (Bossier City), Inc. pertaining to the subject matter contained herein and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties.

Respectfully submitted,

PNK (BOSSIER CITY), INC.

BY:



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Stone Pigman Walther Wittmann L.L.C.
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New Orleans, Louisiana 70130-3588
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CHARLES C. FOTI, JR.
ATTORNEY GENERAL

BY:



Thomas A. Warner III
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Assistant Attorney General
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Baton Rouge, Louisiana 70804
Telephone: (225) 326-6500
Facsimile: (225) 326-6599

Exhibit A

PNK (Bossier City), Inc. d/b/a "Boomtown Casino" has always strived to comply with all rules and regulations governing the State Self-Exclusion List and Boomtown's comprehensive compulsive and problem gaming program, which was implemented in accordance with the provisions of La. R.S. 27:27.1 and was approved by the Louisiana Gaming Control Board (the "Plan"). Boomtown's commitment to the public policy concerns of problem gaming and to its Board-approved Plan can be evidenced by Boomtown's having recognized five self-excluded persons trying to enter the casino and gamble during the past three months alone. However, Boomtown remains open to exploring new ideas with the potential to improve or enhance the effectiveness of its Plan and existing procedures. In addition to continued enforcement of the procedures already employed pursuant to the Plan, Boomtown has reviewed and/or implemented the following procedures in response to the excluded patron matter:

1. Boomtown's approved Plan provides that Compliance will be responsible for the system data entry to flag Board and Self-Exclusion listings. The approved Plan further provides that Marketing shall insure that patrons on the State Self-Exclusion List who have an account in Boomtown's ACSC system will have the account flagged to indicate that the patron is banned from gaming. The approved Plan further provides that those patrons on the State Self-Exclusion List who do not have an account in Boomtown's ACSC system will have an account created by Compliance, which will indicate that the patron is banned from gaming.
2. All patrons on the State Self-Exclusion List that previously did not have an account in Boomtown's ACSC system have been entered into the system by Boomtown's Compliance department. Compliance has flagged each of these accounts to indicate that the self-excluded person is banned from gaming.
3. Boomtown's Compliance department has confirmed that all persons identified on the State Self-Exclusion List have been entered into its ACSC system and flagged as persons banned from gaming. On a periodic basis, Compliance will check the State Self-Exclusion List against the ACSC system to ensure that all self-excluded persons are included and accurately identified in Boomtown's system.
4. Boomtown has implemented a Surveillance Monitor component in its existing ACSC system, and all persons on the State Self-Exclusion List are being added to the Surveillance Monitor. With this feature, if a self-excluded person uses his/her player's card in a slot machine, a message will be displayed on the surveillance monitor in the Surveillance office, indicating that the patron has been flagged as a suspect patron and providing the patron's location on the casino floor. Security will respond immediately to investigate and to respond in accordance with the provisions of the Plan.
5. Boomtown's IT Department has implemented an additional control which features a "splash screen." When an account has been flagged to indicate that the patron is included on the State Self-Exclusion List, the "splash screen" appears on the casino employee's

computer monitor if the patron's account is accessed within the ACSC system, *e.g.*, any time a patron on the list tries to use his/her card or account number. The "splash screen" provides another means for casino employees to identify the patron as a person on the State Self-Excluded List and to respond in accordance with the provisions of the Plan.

6. Boomtown will continue to post the current Self-Exclusion List upon receipt, in a secure manner in the security dispatch office, the surveillance room, and the cage and credit areas. Boomtown will continue to maintain at all security checkpoints a book containing photographs and identifying information for all persons included on the State Self-Exclusion List. Security personnel are required to make themselves familiar with this information.
7. Boomtown will continue to emphasize to all gaming related employees, both during orientation sessions and during annual training, the public policy concerns regarding problem gaming and the importance of complying in all respects with the provisions of the Plan.
8. Boomtown will continue to monitor its central database for potential issues of problem gaming and persons identified on the State Self-Exclusion List and will ensure full communication among its departments regarding these issues. Boomtown will continue to seek support and software enhancements from its vendors that will aid Boomtown in ensuring that only active and valid gaming patrons are contacted by casino employees and are allowed to play on the casino floor.

PNK (BOSSIER CITY), INC.

BY: Mike Gallagher

ITS: Compliance officer

DATED: 2-13-06

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD

ADMINISTRATIVE HEARING OFFICE

IN RE: PNK (BOSSIER CITY), INC.

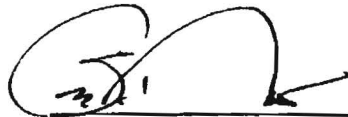
CASE NO. CGD050023

ORDER

Considering the foregoing Motion, **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED**, that the foregoing Joint Motion for Entry of Stipulations and Approval of Proposed Settlement of Dispute be accepted, approved and entered into the record of this proceeding;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the foregoing proposed settlement be approved and that, PNK (Bossier City), Inc. pay to the Division the amount of TWELVE THOUSAND DOLLARS (\$12,000.00), and will additionally pay the amount of THREE THOUSAND THREE HUNDRED SIXTY-FIVE DOLLARS (\$3,365.00) to the Compulsive and Problem Gaming Fund, each of which is payable within fifteen (15) days from the date of receipt of written notice of approval from the Louisiana Gaming Control Board.

THUS DONE AND SIGNED, this 15 day of Feb, 2006, in Baton Rouge, Louisiana.



Honorable William H. Brown
Hearing Officer
Louisiana Gaming Control Board

NOTICE SERVED TO:

Counsel for Division:

Charles C. Foti, Jr.
Attorney General
By: Thomas A. Warner III
Assistant Attorney General
1885 North 3rd Street
Post Office Box 94005

Baton Rouge, Louisiana 70804

FILED BY REPLY THAT A CERTIFIED
COPIES BEEN MAILED OR SERVED ON
THIS 15 DAY

John O'Connell
ADMINISTRATIVE HEARING OFFICE

cc: Thomas Warner, III
C. Lawrence Orlansky
Sgt. Deborah Falcon

Counsel for PNK (Bossier City), Inc.

C. Lawrence Orlansky
Stone Pigman Walther Wittmann L.L.C.
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New Orleans, Louisiana 70130-3588

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 2/15/06

John O'Connell
BY: CLERK