

LGCB Board of Directors' Meeting, (Pages 1:2 to 109:24)

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3 LOUISIANA GAMING CONTROL BOARD

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6 BOARD OF DIRECTORS' MEETING

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11 Tuesday, August 18, 2009

12 Louisiana State Capitol

13 Hainkel Room

14 Baton Rouge, Louisiana

15

16 TIME: 10:00 A.M.

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1 APPEARANCES:

2

3 DANE K. MORGAN

4 Chairman

5

6 MAJOR CLAUDE MERCER

7 Vice-Chairman

8

9 VELMA ROGERS

10 Board Member

11

12 AYRES BRADFORD

13 Board Member

14

15 JUDGE H. CHARLES GAUDIN

16 Board Member

17

18 ROBERT G. JONES

19 Board Member

20

21 MARK STIPE

22 Board Member

23

24 JERRY JUNEAU

25 Board Member

3

1 APPEARANCES CONTINUED:

2

3 JAMES SINGLETON

4 Board Member

5

6 CAPTAIN GLENN HALE

7 Ex-Officio Board Member

8

9 EARL MILLET

10 Ex-Officio Board Member

11

12 LANA TRAMONTE

13 Executive Assistant to the Chairman

14

15 REPORTED BY:

16 SHELLEY G. PAROLA, CSR, RPR

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1 I. CALL TO ORDER

2 CHAIRMAN MORGAN: Morning. It's
3 10:00. I like starting on time.

4 THE CLERK: Chairman Morgan?

5 CHAIRMAN MORGAN: Here.

6 THE CLERK: Major Mercer?

7 MAJOR MERCER: Here.

8 THE CLERK: Judge Gaudin?

9 JUDGE GAUDIN: Here.

10 THE CLERK: Miss Rogers?

11 MS. ROGERS: Here.

12 THE CLERK: Mr. Bradford?

13 MR. BRADFORD: Here.

14 THE CLERK: Mr. Jones?

15 MR. JONES: Here.

16 THE CLERK: Mr. Stipe?

17 MR. STIPE: Here.

18 THE CLERK: Mr. Juneau?

19 MR. JUNEAU: Here.

20 THE CLERK: Mr. Singleton?

21 MR. SINGLETON: Here.

22 THE CLERK: Colonel Edmonson?

23 CAPTAIN HILL: Captain Hale on
24 behalf of the Colonel Edmonson.

25 THE CLERK: Secretary Bridges?

9

1 MR. MILLET: Earl Millet for

2 Secretary Bridges.

3 II. COMMENTS FROM THE CHAIR

4 CHAIRMAN MORGAN: Item II, Comments

5 from the Chair. I'll note for the

6 record that I've got a nice big room on

7 my second meeting here. I can't take

8 credit for it, Judge Gaudin, just

9 coincidental. But anyway, later on in

10 the agenda you'll see in Item V, it's a

11 presentation by both the Attorney

12 General and the State Police. I just

13 want to go now and make a statement that

14 I've asked them to prepare a very brief,

15 for me, to help me over the apex of the

16 learning curve, bring me up to speed;

17 and I thought it would be beneficial for

18 the whole board to hear some of the

19 briefs. I've asked them to keep them

20 very brief, but to hit the high spots.

21 But mainly with the organizational

22 structure, we'll start first, but we'll

23 do periodic, when the agenda is smaller

24 and we can accommodate it, we'll have
25 various briefs just for informational

10

1 purposes; but if any of the members have
2 any issue that you'd like for the staff
3 or industry to prepare briefs on to --
4 for informational purposes, I appreciate
5 you getting that information to me, and
6 we'll have it on upcoming agendas.

7 III. APPROVAL OF THE MINUTES

8 CHAIRMAN MORGAN: So we're at Item
9 Number III, Approval of the Minutes.
10 Has every member read the minutes, and
11 if there was any questions?

12 MR. SINGLETON: I move we approve
13 the minutes.

14 CHAIRMAN MORGAN: You waive formal
15 reading and approval of the minutes?

16 MR. SINGLETON: Yes.

17 CHAIRMAN MORGAN: A motion by Mr.
18 Singleton.

19 MS. ROGERS: Second.

20 CHAIRMAN MORGAN: Seconded by Ms.
21 Rogers. So is there any opposed? [No
22 response.] Hearing none, those minutes
23 are approved.

24 IV. REVENUE REPORTS

25 CHAIRMAN MORGAN: Item IV, Revenue

1 Reports, Miss Jackson.
2 MS. JACKSON: Good morning, Chairman
3 Morgan, Board Members, my name is Donna
4 Jackson. I'm with the Louisiana State
5 Police Gaming Audit Section. The
6 Riverboat Revenue report for July 2009
7 is shown on page one of your handout.

8 During July, the 13 operating
9 riverboats generated Adjusted Gross
10 Receipts of \$154,644,945, an increase of
11 \$20 million or 15 percent from last
12 month, but a decrease of \$10 million or
13 6 percent from July 2008. During July,
14 the State collected fees totaling
15 \$33,248,663.

16 Next is summary of the July 2009
17 gaming activity for Harrah's New Orleans
18 found on page three. During July,
19 Harrah's generated \$29,535,970 in gross
20 gaming revenue. July revenues are up
21 ten percent from last month but down
22 \$3 million or 9 percent from July 2008.

23 During July, the State received
24 \$5,095,890 in minimum daily payments.

25 Slots at the Racetracks revenues are

12

1 shown on page four. During July, the
2 four racetrack facilities combined
3 generated Adjusted Gross Receipts of

4 \$36,076,914, an increase of \$3.9 million
5 or 12 percent from last month, and an
6 increase of \$1.3 or almost four percent
7 from July 2008.

8 Are there any questions?

9 CHAIRMAN MORGAN: Thank you. Video
10 poker.

11 MS. STEVENS: Morning, Chairman
12 Morgan and Board Members. I'm Donna
13 Stevens with the Louisiana State Police
14 Gaming Audit Section. I'm reporting
15 video gaming information for the month
16 of July 2009, as shown on page one of
17 your handout.

18 During the month of July, a total of
19 44 new licenses were issued. Eighteen
20 of those licenses were issued to bars,
21 nineteen to restaurants, five truckstops
22 and two device owners. A total of
23 twenty-six applications are pending in
24 the field; of those fifteen are bars,
25 eight are restaurants, two truckstop and

13

1 one device owner.

2 During the month of July, \$501 in
3 penalties were assessed licensees.
4 \$9,100 in penalties was received, and
5 there are currently \$501 in penalties
6 that are outstanding. Please refer to

7 page two of your handout.

8 There are currently 14,473 video
9 gaming devices activated at 2,292
10 establishments. The Net Device Revenue
11 for the month of July is \$51,678,968, a
12 4.8 percent increase or \$2.3 million as
13 compared to last month's Net Device
14 Revenue and an 8.2 percent decrease or
15 \$4.6 million as compared to July of
16 2008's Net Device Revenue. A comparison
17 of Net Device Revenue is shown on page
18 three of your handout.

19 The total franchise fees collected
20 for the month of July are \$15,354,319.
21 A comparison of franchise fees is shown
22 on page four of your handout.

23 Does anyone have any questions?

24 CHAIRMAN MORGAN: Does anyone have
25 any questions? Thank you very much.

14

1 And you have some news? I think you
2 told me you're retiring?

3 MS. STEVENS: Yes, sir, I'm retiring
4 with 33 years of service, and
5 August 28th will be my last day.

6 CHAIRMAN MORGAN: And how many years
7 do you have in Gaming?

8 MS. STEVENS: I've been there since
9 '94.

10 CHAIRMAN MORGAN: Well, just having
11 worked with you and having the honor to
12 work with you, I just want to personally
13 thank you for everything you've done for
14 gaming in Louisiana, but particularly
15 State Police and this board. You'll be
16 greatly missed, but I'm sure
17 Miss Jackson or somebody will step in
18 and fill the void. But I wish you the
19 best, and I thank you for your service
20 to the State of Louisiana.

21 MS. STEVENS: Thank you. It's been
22 an honor and a pleasure.

23 V. PRESENTATION BY THE GAMING DIVISIONS OF THE
24 OFFICES OF STATE POLICE AND THE ATTORNEY
25 GENERAL-ORGANIZATIONAL STRUCTURE

15

1 CHAIRMAN MORGAN: Item V,
2 presentation by the Gaming Division. I
3 don't know who is going first, State
4 Police or -- State Police.

5 CAPTAIN HALE: We lost the toss.

6 CHAIRMAN MORGAN: Because y'all have
7 guns.

8 CAPTAIN HALE: We lost the toss.

9 CHAIRMAN MORGAN: This is brief.

10 CAPTAIN HALE: We'll try to do
11 better than that. Morning, Mr.
12 Chairman, Board Members, my name is Glen

13 Hale. I'm the Captain in Operations.
14 What we're going to do this morning,
15 like the Chairman said, give you an
16 overview of State Police Gaming, Gaming
17 Enforcement Division.

18 Just to start out: Responsibilities
19 of the State Police Gaming Division and
20 the answer to the questions y'all may
21 have. We're also going to come back
22 during the next few board meetings,
23 answer any more questions and get a
24 little more in-depth of what we do.

25 The Gaming Enforcement Division is

16

1 part of the State Police Bureau of
2 Investigation. It has four sections,
3 Operation Sections, the Administrative
4 Section, Audit Section and Technical
5 Support Section. The next page is just
6 an outline of our command staff. We all
7 work with Superintendent; Lieutenant
8 Colonel Val Penouilh is Deputy
9 Superintendent over the Bureau; Major
10 Noel is not here with us this morning,
11 he's in another meeting; and then my --
12 Captain Bobby Osborn is over the
13 Administrative Support; Jeff Traylor is
14 over -- the Audit Director; and Laura
15 Zuelke is over the Technical Support

16 Section.

17 The Division is responsible for the
18 day-to-day regulation and control of
19 gaming entities in conjunction with the
20 Board. The Division is the
21 investigative arm of the Gaming Control
22 Board. We work for y'all as far as the
23 gaming matters and investigations that
24 are conducted.

25 The Operation Section, again Colonel

17

1 Penouilh is the Deputy Superintendent
2 over Major Noel and then me; and I
3 have -- we have five offices, each of
4 those offices have a lieutenant over it
5 and have two executive officers, one in
6 Baton Rouge and one in Shreveport.
7 Under those are the sergeants and then
8 the troopers and the other support staff
9 and investigators that do the day-to-day
10 work.

11 Basically, the Operations Section is
12 responsible for the intake and
13 processing and suitability investigation
14 of all applicants. We also monitor all
15 video poker outlets, the riverboat
16 casinos, the slots at tracks and
17 landbased casino. We conduct regulatory
18 and criminal investigations of any

19 licensee or any permittees. The section
20 is also tasked with the illegal --
21 investigating illegal gambling, book
22 making, illegal poker tournaments,
23 illegal slot machine possession and
24 sales, and other forms of illegal
25 gambling.

18

1 As I said earlier, there are five
2 field offices. There's one in Baton
3 Rouge; there's one in New Orleans; one
4 in Lake Charles, Shreveport and
5 Lafayette. The individual properties
6 that are within those areas are listed
7 underneath them.

8 Administrative support section is
9 commanded by Captain Bobby Osborn. He
10 has three lieutenants under him. Also,
11 in the section is Indian Gaming. The
12 administrative section is responsible to
13 training, the budget, record requests,
14 personnel and human resources, property
15 control, legislation, rule making,
16 operational strategic planning,
17 statistical data. As I said earlier,
18 the Indian Gaming Unit is under that
19 section. There authority is through the
20 tribes, through the estate and the
21 compacts that they sign with the tribes

22 in the state. There are three tribes in
23 Louisiana.

24 The administrative section also
25 includes the headquarters, clerical

19

1 support, administrative, internal
2 controls and the gaming area changes.
3 Internal controls are responsible for
4 evaluating the consistency of the
5 written systems of the internal controls
6 for each of the properties. The audit
7 section is also in the Division. Again,
8 it's led by Jeff Taylor -- Traylor. I
9 keep saying "Taylor." He has five audit
10 managers that are under him and then
11 auditors underneath him. The audit
12 section is responsible for gaming audit
13 and financial investigative obligations.

14 The four audit units are Corporate
15 Securities, Casino Auditing, Auditing
16 Operations and IT Audit. The audit
17 section conducts financial
18 investigations to determine the
19 financial suitability for the corporate
20 level applicants. It also monitors the
21 licensees to ensure compliance to the
22 provisions in the laws and the
23 regulations. These audits and
24 investigations and inspections are

25 conducted scheduled and unscheduled;

20

1 making sure the proper fees are paid and
2 the reports generated and the codings
3 that are required for the deposit of
4 those fees.

5 The fourth section within the
6 Division is the Technical Support
7 Section. Laura Zuelke is the manager
8 over it. She has three individuals who
9 work for her, then they have their IT
10 people underneath them. The technical
11 support section monitors and ensures all
12 licensed gaming devices are
13 communicating with the central computer.
14 They're all linked together here in
15 Baton Rouge. They're also responsible
16 for storage, transfers and placement of
17 electronic gaming devices throughout the
18 State. The technical section also
19 reviews new gaming technologies and
20 devices for compliance with applicable
21 laws and rules and also assists us in
22 technological data when we're conducting
23 investigations.

24 And, basically, in closing: The
25 philosophies and the personnel may

21

1 change, and the overall function of the

2 Division stays the same. We're
3 committed to working with the Board and
4 the gaming industry in whatever
5 endeavors that y'all see fit.

6 That's pretty much it in a nutshell.
7 Does anybody have any questions? Yes,
8 sir.

9 MR. JONES: What's the nature of the
10 agreements that y'all have with the
11 Indian casino? What do y'all do for
12 them?

13 CAPTAIN HALE: Basically, it's the
14 same thing. The Indian unit, each of
15 the tribes sign their separate compacts
16 between the State and the Indian tribes.
17 They pretty much function in the same
18 capacity that we do. Their troopers are
19 their investigative arm. We regulate
20 the -- their casinos pretty much the
21 same way we regulate the riverboats and
22 landbased casinos here, but our
23 authority is strictly through those
24 compacts.

25 I mean, they're basically a

22

1 sovereign nation, and that's where we
2 get our authority from. But it's
3 basically oversight of the games and
4 their personnel. We also do the

5 suitability checks on their employees
6 just to make sure that everything is as
7 it should be.

8 MR. JONES: And all of their
9 employees have to pass a suitability
10 thing just like --

11 CAPTAIN HALE: Yes, sir, just like
12 any other gaming employee; that's
13 correct.

14 MR. JONES: All right.

15 CHAIRMAN MORGAN: Good stuff. Also,
16 a point, as I have appreciated in my
17 years with State Police regulating
18 gaming, the emphasis should continue to
19 be placed on the IT and audit areas,
20 because those are very significant with
21 regard to tracking the money. As the
22 technology continues evolving in gaming,
23 there's a lot of issues towards
24 regulation that should be placed on
25 those two things. And I appreciate the

23

1 fact that y'all have that mentioned in
2 here. Obviously, y'all have mastered, I
3 think, the suitability aspect of it, but
4 we need to continue to stay on a
5 learning curve of IT and audit.

6 MR. JONES: Just one follow-up
7 question.

8 CAPTAIN HALE: Yes, sir.

9 MR. JONES: If you find somebody
10 unsuitable and they appeal, to whom do
11 they appeal?

12 CAPTAIN HALE: They will appeal to
13 the Board.

14 MR. JONES: To the Indian board?

15 CAPTAIN HALE: Very good question.

16 MR. JONES: Because we have no
17 jurisdiction.

18 CAPTAIN HALE: Right, exactly. I
19 think they appeal to the Indian -- to
20 the Board, and I'm not certain. I could
21 find out for you.

22 MR. JONES: Just curious.

23 MR. GAUTREAU: Leonce Gautreau.
24 There's a provision in the Compact where
25 the Indians agree to use the Board's

24

1 hearing office and the Board for their
2 appeal process. That's the only,
3 basically, I guess, jurisdiction the
4 Board would have, but that's
5 specifically in the Compact. And I
6 think that was done, before they had a
7 mediation proceeding or an arbitration
8 proceeding, but this allows it to move
9 faster. And I think under one of the
10 previous chairmans, they volunteered the

11 Board's hearing office and the Board
12 just for those issues.

13 CHAIRMAN MORGAN: Leonce, they
14 don't -- we don't -- this board does not
15 hear violations of internal controls.
16 That's handled at --

17 MR. GAUTREAU: (Shakes head.)

18 CHAIRMAN MORGAN: Any other
19 questions? Thank you. You accomplished
20 doing it in 15 minutes.

21 CAPTAIN HALE: Thank you.

22 CHAIRMAN MORGAN: The Attorney
23 General's Office.

24 MR. GAUTREAU: I'll also try to meet
25 that goal of being brief. Since I'm

25

1 technologically inproficient [sic], I
2 have Amanda Holmes here to hit the
3 button for me.

4 My name is Leonce Gautreau. I'm an
5 Assistant Attorney General and also the
6 Deputy Director of the Gaming Division.
7 James Smith, who is our Director,
8 couldn't be here today, so I'll be a
9 poor substitute for him.

10 We appreciate the opportunity to
11 introduce the Board to the A.G.'s Office
12 and specifically the Gaming Division of
13 the A.G.'s Office. The Attorney

14 General's Office is the largest law firm
15 in the State, and under the guidance of
16 Attorney General Caldwell, we strive to
17 be the best law firm in the State.

18 Generally, we defend the constitution
19 and state statutes and represent and
20 advise state agencies, and specifically
21 protect the interest of the citizens of
22 the State of Louisiana.

23 As you can see, this is just a very
24 basic summary of the whole Attorney
25 General's organization. Obviously, the

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1 organizational chart will be much larger
2 and more specific, but this gives you an
3 idea of the different Divisions that
4 we're divided under, all directed under
5 and guided by Attorney General Caldwell
6 and First Assistant John Siquefield and
7 deputy to the Attorney General, Fran
8 LaSalle.

9 Specifically, we have a gaming
10 Division in the Attorney General's
11 Office. Under 27:19A, as our statutory
12 authorization to be the legal adviser
13 and representative to the Board, the
14 Chairman and the Louisiana State Police.

15 The Gaming Division is designed to
16 fulfill these duties and handle all

17 legal matters under the jurisdiction of
18 the Board.

19 I have up there our mission
20 statement that we have, which I think is
21 important: Create a regulatory
22 atmosphere for licensed gaming which
23 instills public confidence and trust
24 that gaming activities are conducted
25 honestly and free from criminal and

27

1 corrupt elements; to ensure the
2 integrity of individual gaming entities
3 by the regulation of the persons,
4 practices, associations and activities
5 within the gaming industry; and to
6 participate and support necessary
7 corrective rulemaking and legislation.

8 This mirrors actually the public
9 policy statement set forth by the
10 legislature in the gaming law. How the
11 legislature would like gaming to be
12 regulated on behalf of the citizens, and
13 we work with the Board and Louisiana
14 State Police to accomplish this mission.

15 Specifically, the Gaming Division is
16 divided into three general areas, as I
17 put on this slide. We have a staff of
18 thirty-five, eighteen of which are
19 attorneys. The License and Compliance

20 Division, our section chief is
21 Miss Charmaine Moore, who I think all of
22 you know and who has made presentations
23 before this board. Our Adjudication
24 Section, the section chief is
25 Mr. Christopher Hebert, who also has

28

1 also been before this board before.

2 I'll just give you sort of a brief
3 thumbnail sketch of each section, and
4 maybe later each section chief will give
5 a more detailed and specific
6 presentation of what their specific
7 duties are at a later board meeting if
8 the Board would so like.

9 The Licensing and Compliance
10 Section, I sort of think of this as, you
11 know, taking the investigation football
12 from State Police. They handle the
13 licensing files after State Police has
14 done their investigation and gathered
15 all the facts and the evidence and
16 compiled their report specifically, to
17 make sure that the license here, the
18 applicant, is compliant with all
19 applicable gaming statutes and rules,
20 and to go through the facts in evidence
21 gathered to make sure that the case is
22 supported as a violation of the statute

23 or rule.
24 Sort of like a -- sort of analogous
25 to a district attorney who takes a case

29

1 put together by law enforcement and
2 evaluates it and makes sure that it has
3 all the facts and evidence to support
4 whatever violation that is suggested.
5 If it's an approval, after we're through
6 with it, then that file will then go to
7 the board. If it's some sort of
8 administrative action that there is
9 evidence of a violation or a statutory
10 problem, the license and compliance
11 section will prepare the notice letter
12 which goes out to the applicant or
13 licensee. As you know, they have an
14 opportunity to have a hearing which is
15 kicked off by this notice letter.

16 Also, generally, this section will
17 provide legal advice and statutory
18 interpretation for Louisiana State
19 Police in the course of their
20 investigation when called upon and
21 review specific legal documents that
22 might be pertinent to the investigation.

23 After that, the football, as I like to
24 say, will be handed off to the
25 adjudication section if there is an

1 administrative action suggested, a
2 violation of rule or statute. That
3 section handles the hearings before the
4 hearing officer which, as you know, is
5 sort of like the mini trial. There may
6 be pretrial discovery taken in the
7 course of the hearing, and then at the
8 hearing the evidence is presented. The
9 hearing officer hears everything and
10 makes a decision, and we have an
11 adjudication attorney that represents
12 State Police handling that.

13 Also, if you recall under the
14 statutory authorization, we represent
15 the board in all legal proceedings,
16 which is, as I reference there, original
17 jurisdiction lawsuits, those cases where
18 somebody doesn't like a decision the
19 Board made or a policy decision or a
20 statutory interpretation and files a
21 direct suit in the district court. We
22 will defend the Board in those suits.

23 And just generally on the next slide
24 is what I call advising counsel role.
25 There are a lot of things involved in

1 that. I ticked off a few that came to
2 mind; handling the rule promulgation

3 work and State Police and the Board
4 through the rulemaking process. We
5 occasionally get subpoenas and public
6 records request that need to be
7 evaluated. As you know, there are under
8 the gaming law certain confidential
9 public records that are accepted to
10 release, and we get requests that will
11 have to be evaluated to see if those
12 requests fall within the confidential
13 board records.

14 We have the casino operating
15 contract between Harrah's and the State
16 down in New Orleans, which we monitor,
17 and we actually have a special Assistant
18 Attorney General, Mr. John Campbell,
19 who's been involved in that through the
20 Harrah's bankruptcy and the
21 renegotiation of the process, and he's
22 still the special assistant attorney
23 general who advises us and monitors
24 those contract issues. We also monitor
25 legislation, and when called upon make

32

1 suggested draft suggestions to pertinent
2 gaming legislation, and just generally,
3 legal research and statutory
4 interpretations as-needed.

5 I've been doing this since January

6 of 1996, and I'm still surprised with
7 some of the novel issues that come up as
8 far as interpreting statutes and
9 different fact situations that, you
10 know, you would think would have been
11 handled, but there are still new issues
12 that pop up all the time.

13 And finally, it's sort of just a
14 catchall category, General Gaming.
15 These are areas that the Board doesn't
16 regulate or have no jurisdiction over,
17 but we are attorneys for these other
18 agencies, too, and their gaming matters,
19 the Lottery Commission; the State Racing
20 Commission; Charitable Gaming, which is
21 under the Department of Revenue; and
22 Indian Gaming which advise the State
23 Police and the Governor's Office on
24 Indian matters.

25 And as alluded to earlier, for those

33

1 matters that -- certification denials
2 that come before the Board, we handle
3 that on behalf of State Police through
4 the hearing process.

5 In conclusion, this provides just a
6 brief overview of the Gaming Division
7 and some summary of some of the services
8 we provide as the Board and State

9 Police's attorneys. We look forward to
10 continued working with the Board and
11 State Police and the industry and the
12 regulation of gaming.

13 CHAIRMAN MORGAN: Thank you, Leonce,
14 for your presentation and thank you for
15 your representation. One question: The
16 18 attorneys you have, does that also
17 include the ones that are assigned to
18 the lottery, the racing and Terrebone
19 Indian?

20 MR. GAUTREAU: Yes, that's
21 everybody.

22 JUDGE GAUDIN: I have a question:
23 Have the Indian contracts been
24 renegotiated?

25 MR. GAUTREAU: Oh, that's a good

34

1 question for Mr. Smith, who is not here
2 today, who is our expert on the Indian
3 contracts. I really don't know the
4 answer to that.

5 JUDGE GAUDIN: They have expired.
6 They should have been renegotiated.

7 MR. GAUTREAU: I'll let him know
8 your question and hopefully maybe next
9 month --

10 JUDGE GAUDIN: Would you do that.

11 MR. GAUTREAU: -- he can provide

12 some more information on that.

13 MR. SINGLETON: I have a question.

14 What happens if there's a disagreement

15 between your office and State Police?

16 How do you get it resolved?

17 MR. GAUTREAU: If we have those

18 disagreements or we see something that

19 may be or may not be a violation, we'll

20 ask for them to do maybe an additional

21 investigation to gather more facts in

22 evidence. Then the section chief will

23 meet with the supervisors at the

24 Louisiana State Police and see if they

25 can't work through the issues, and then

35

1 it may go all the way up to where either

2 James or I and the State Police

3 supervisor try to work through these

4 issues.

5 If ultimately if it comes down to

6 there is no agreement, pursuant to a

7 procedure that was adopted way back at

8 the beginning, it will go to a hearing

9 officer for a decision.

10 VI. COMPLIANCE REPORTS

11 CHAIRMAN MORGAN: Any other

12 questions? Thank you. Colonel, good to

13 see you.

14 Compliance reports.

15 COLONEL EDMONSON: I'm certainly
16 glad to be here. I would like to have
17 made the first meeting. I was out of
18 state, but I just want to make some
19 comments that I had the opportunity --
20 I've been superintendent now for 18
21 months, and certainly I have a good
22 working relationship with the Board. I
23 certainly try to be part of the process
24 with Dane being in his position, and I
25 think I certainly like where the Board

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1 has been in the past and certainly like
2 where it's going in the future.

3 As I've had the opportunity to
4 travel around the country and meet with
5 our superintendents and with other
6 states that have gaming within their
7 states, we should be proud in Louisiana
8 where we are with this board, with this
9 commission and where we are with gaming
10 in this state. We're certainly looked
11 at around this country as the right way
12 to do things, and I think that bodes
13 well with where you as an industry and
14 you as a board has taken us.

15 I do want to make a comment on the
16 Indian side of it, because I think
17 that's important to think. Because the

18 public really, I think, has a
19 misconception that we're heavily
20 involved on the Indian Gaming side.
21 Where I certainly believe that they're
22 trying to do the right thing each and
23 every day, we are not involved as we are
24 with the rest of gaming on the Indian
25 Gaming. So you should know that as a

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1 board, and the public should certainly
2 know that. We are not inside those
3 doing the same things that we do in the
4 other casinos around the State. We
5 pretty much are there at their pleasure
6 and pretty much do things as they ask us
7 to do that. They work very well with
8 us; we're able to use our troopers.
9 They, actually, compensate our budget
10 for the troopers that are involved and
11 for the personnel. You know, they're
12 involved in those Indian Gaming around
13 the State. But to think that we're
14 there in the same capacity as we are in
15 the others, we're not. I certainly
16 don't want to mislead the Board, nor do
17 I want to mislead the public, because we
18 are not in that.

19 But I think the relationship you see
20 already with the relationship at each

21 one of these meetings, you see the
22 number of support personnel from the DPS
23 family and the State Police family.
24 They're at these meetings because we're
25 committed to doing things the right way

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1 from the beginning, even when no one's
2 watching, and I think that's the biggest
3 judgment of the way things are being
4 done. And you look at the relationship
5 that we have with the Attorney General's
6 Office and working together from the
7 ground up.

8 I met immediately with the Attorney
9 General, his staff to make sure that we
10 were doing the right things within State
11 Police, and I think the relationship is
12 excellence. The relationship we have
13 with the industry around the State is
14 also outstanding, and it's also a model
15 that's looked at from states around this
16 country.

17 So, Mr. Chairman, I just wanted to
18 make those comments this morning. Thank
19 you.

20 CHAIRMAN MORGAN: Thank you,
21 Colonel. Appreciate you being here.

22 MS. BROWN: Morning, Chairman
23 Morgan, Board Members. I'm Mesa Brown,

24 Assistant Attorney General, and today
25 I'll present the staff report on

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1 riverboat casino licensees' compliance
2 with voluntary employment and
3 procurement conditions for the second
4 quarter of 2009.

5 The second quarter reports are taken
6 from figures reported by 13 of the 15
7 operating riverboats to the Louisiana
8 Gaming Control Board.

9 In the second quarter of 2009,
10 approximately 13,396 people were
11 employed by the riverboat industry. Of
12 that number, 13,143 were Louisiana
13 residents, 8,187 were minorities and
14 7,601 were women. I'll begin by saying
15 that one licensee, Sam's Town Hotel &
16 Casino, achieved total compliance.

17 Next I'll move to total employment.
18 All licensees either met or exceeded
19 their voluntary conditions of total
20 employment with the exception of two
21 casinos. Boomtown Bossier achieved 771
22 out of a goal of 775. Eldorado Resort
23 Casino achieved 1,414 out of a goal of
24 1,500.

25 In the subcategories under the main

40

1 category of employment, all licensees
2 either met or exceeded their goal with
3 the exception of one casino. Hollywood
4 Casino fell a little short of their
5 female employment goal. They achieved
6 50.35 out of a goal of 51.86 percent.

7 Next I'll address procurement. The
8 licensee are grouped according to three
9 subcategories, which appear in your
10 report. They are Louisiana procurement,
11 minority procurement and women
12 procurement. With regard to Louisiana
13 procurement, eight licensees did not
14 achieve compliance with their voluntary
15 conditions. They are Diamond Jacks
16 Casino & Resort; they achieved 68.57 out
17 of 75 percent. Horseshoe Casino & Hotel
18 achieved 55 out of 75 percent; Boomtown
19 Casino West Bank achieved 68.26 out of
20 80 percent; Belle of Baton Rouge
21 achieved 28.36 out of 75 percent;
22 Hollywood Casino achieved 69.15 out of
23 80 percent; Amelia Belle achieved 41 out
24 of 80 percent; Boomtown Bossier City
25 achieved 65 out of 80 percent, and

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1 L'auberge du Lac Hotel & Casino achieved
2 60.63 out of 80 percent.

3 With regard to minority procurement,

4 five licensees did not achieve
5 compliance with their voluntary
6 conditions. They are Horseshoe Casino &
7 Hotel achieved 13 out of 35 percent;
8 Treasure Chest Casino achieved 4.1 out
9 of 15 percent; Amelia Belle Casino
10 achieved 3.19 out of 30 percent; Isle of
11 Capri Casino, Inc., achieved 4.6 out of
12 10 percent; and Belle of Baton Rouge
13 achieved 13.92 out of 15 percent.

14 With regard to women procurement,
15 three licensees did not achieve
16 compliance with their voluntary
17 conditions, and they are Horseshoe
18 Casino & Hotel, 28 out of 35 percent;
19 Amelia Belle Casino, 4.27 out of 10
20 percent; and Isle of Capri Casino, 4 out
21 of 8 percent.

22 Are there any questions?

23 MR. SINGLETON: I have one. If
24 somebody is out of compliance and don't
25 meet their goals, how do you handle

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1 that?

2 MS. BROWN: Well, if the Board has a
3 concern with someone repeatedly not
4 meeting their compliance goals, the
5 Attorney General's Office, as well as
6 State Police, would be happy to meet

7 with that licensee and discuss possible
8 things that could be preventing them
9 from meeting their goals, and I can
10 report back to the Board.

11 MR. SINGLETON: I've been here long
12 enough now, I guess, to wait and try to
13 learn, but that's one of the things I'm
14 going to be checking much closer and
15 asking questions as to whether or not
16 those compliances are being met. And if
17 they're not, then what are the actions
18 that are taken to deal with it.

19 MS. BROWN: Okay. Well, we'll be
20 happy to meet with any of the licensees
21 that the Board has a concern with as far
22 as meeting their goals and report the
23 findings to the Board, so just let me
24 know.

25 MR. SINGLETON: I went through this

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1 some years ago with Harrah's and
2 insisted that they had to meet those
3 goals, and I just want to now -- I'm at
4 a point where I want to find out, are
5 they really following those directives.

6 MS. BROWN: Sure.

7 MS. ROGERS: How much time do they
8 have to meet compliance? Do you assign
9 them a specific amount of time?

10 MS. BROWN: We don't have a specific
11 amount of time. These goals are -- most
12 of these goals are voluntary, so...

13 CHAIRMAN MORGAN: I would note, I
14 met with two of the licensees thus far,
15 and there are sometimes issues that
16 prevent them from meeting their goals.

17 MS. BROWN: Yes.

18 CHAIRMAN MORGAN: And I think the
19 goals have changed. The goals haven't
20 changed. The demographics of the state
21 have changed since the hurricane, and I
22 do think that we need to be cognizant
23 and open-minded to if they have just
24 cause to amend their goals, that we
25 should at least entertain that if

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1 there's reason. Because I know
2 employment wise, sometimes it's tough to
3 reach some of the goals with the
4 applicant pool.

5 MS. BROWN: That's right.

6 MR. JONES: I have one question. On
7 L'auberge du Lac, Section 15, page
8 eight, it gives the salary range, and
9 the salary range is 2.13 an hour up to
10 175,000. Of course, 2.13 is below
11 minimum wage. It probably should read
12 that plus tips or something.

13 MS. BROWN: Are you in the dark blue
14 or the light blue? The dark blue, okay.

15 MR. JONES: On Section 15, page 8,
16 second paragraph. And there was one
17 other that showed 2.50 an hour, which is
18 also below the minimum wage; but some of
19 them give an amount plus tips, and
20 probably most of them input the tips
21 like you have to do.

22 MS. BROWN: Okay. Well, I'll be
23 happy to discuss that with them. Thank
24 you.

25 CHAIRMAN MORGAN: And on that same
45

1 note: I did notice that some of the
2 licensees, there's difference in how
3 they report. So it seems that they need
4 to be at least a consistent format and
5 templet with the like information
6 reporting. So maybe we can address
7 that.

8 MS. BROWN: Okay. I'll be happy to
9 address that, as well.

10 CHAIRMAN MORGAN: Thank you. Any
11 other questions?

12 VII. CASINO GAMING ISSUES

13 A. Consideration of renewal of
14 riverboat license of Eldorado
15 Casino Shreveport Joint Venture

16 d/b/a Eldorado Resorts, LLC
17 CHAIRMAN MORGAN: Item VII, Casino
18 Gaming Issues: Consideration of renewal
19 of riverboat license for Eldorado Casino
20 Shreveport Joint Venture doing business
21 as Eldorado Resort, LLC.

22 MR. THOMPSON: Morning, Mr.
23 Chairman, Board Members, I'm Buddy
24 Thompson, Assistant Attorney General.
25 With me is State Police Trooper Donnie

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1 Guitreaux and Auditor Collin Gros. Also
2 present are representatives of Eldorado
3 Casino Shreveport.

4 We're here in the matter of the
5 renewal of the riverboat license of
6 Eldorado Casino Shreveport Joint Venture
7 located in Shreveport, Louisiana.
8 Riverboat licenses are issued for
9 five-year terms, and the license of
10 Eldorado Casino is due to expire
11 October 14th, 2009, and is now up for
12 renewal.

13 At this time, Auditor Collin Gros
14 will present his findings to the Board.

15 MR. GROS: Good morning, Mr.
16 Chairman, and Board Members, my name is
17 Collin Gros with the Louisiana State
18 Police Gaming Audit Section.

19 Licensee, Eldorado Casino Shreveport
20 Joint Venture, an indirect wholly owned
21 subsidiary of Eldorado Resorts, LLC,
22 seeks renewal of its license to conduct
23 gaming operations in Shreveport,
24 Louisiana. Eldorado Shreveport
25 commenced operations of the facility in

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1 July 2005, after the Board approved a
2 transfer of interest under a Chapter 11
3 plan of reorganization.

4 Since Eldorado Shreveport's first
5 full fiscal year of operating the
6 facility, fiscal year 2006/2007,
7 Adjusted Gross Revenue has grown from
8 approximately \$144 million in 2006/2007,
9 to approximately \$162 million in
10 2008/2009, a 12 percent increase for the
11 period.

12 During the period, Eldorado
13 Shreveport was the only operator in the
14 Shreveport Bossier market. The increase
15 is Adjusted Gross Revenue, even as the
16 overall Shreveport Bossier market
17 contracted by 3 percent. Eldorado
18 Shreveport is the second largest casino
19 in the Shreveport Bossier market as
20 measured by adjusted gross revenue.

21 In 2007 and 2008, Eldorado Resorts

22 spent a total of \$10.6 million in
23 capital expenditures at the Eldorado
24 Shreveport facility, the majority of
25 which was for maintenance and slots. In

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1 2009, Resorts plans to spend
2 approximately \$9.6 million in capital
3 expenditures at Eldorado Shreveport, of
4 which \$2.1 million would be to hotel,
5 lounge and buffet renovations.

6 In conclusion, no financial issues
7 came to our attention to preclude the
8 Board from approving the Eldorado
9 Shreveport license for a period of five
10 years effective October 14th, 2009.

11 Thank you.

12 MR. THOMPSON: Investigative Trooper
13 Donnie Guitreau now present his findings
14 to the Board.

15 TROOPER GUITREAU: Good morning,
16 Chairman Morgan, Board Members, I'm
17 Senior Trooper Donnie Guitreau with the
18 State Police Gaming Enforcement
19 Division. I was assigned to conduct an
20 investigation regarding the license
21 renewal of Eldorado Resorts, LLC.

22 An updated background investigation
23 was conducted on Eldorado Resorts, its
24 subsidiaries and key personnel. This

25 consisted of inquiries through federal,
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1 state and local law enforcement
2 agencies, computerized criminal history
3 data bases, financial and civil
4 institutions and gaming regulatory
5 agencies. Tax clearances were obtained
6 from the Internal Revenue Service and
7 the Louisiana Department of Revenue to
8 ensure all applicants are current in
9 their tax filings.

10 An updated background investigation
11 was conducted on Eldorado Resorts, its
12 subsidiaries and key personnel. I
13 discovered no information which would
14 adversely affect the suitability of the
15 applicants.

16 MR. THOMPSON: A review of the file
17 compiled as a result of the
18 investigation conducted by State Police
19 revealed no information that would
20 preclude the renewal of the license of
21 Eldorado Casino Shreveport Joint
22 Venture. I prepared a suggested
23 resolution authorizing the renewal of
24 the license until October the 14th,
25 2014, if the Board approves the renewal.

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1 We'd be happy to answer any questions.

2 CHAIRMAN MORGAN: Are there any
3 questions for the Attorney General or
4 State Police? We'll have the licensee
5 come up. Any questions?

6 MR. STIPE: I have a question maybe
7 better for the licensee. In terms of
8 capital expenditure, this player
9 development, what is that? And if it's
10 better --

11 MR. GROS: It probably is better
12 addressed by them. I think it was
13 purchasing an airplane, and it was at
14 \$2.7 million. So I believe that's what
15 it is, but they can tell you for
16 certain.

17 MR. STIPE: I understand.

18 MR. THOMPSON: We have
19 representatives that know from Eldorado
20 that can come up.

21 MR. WHITE: Hi, I'm Mike White, the
22 general manager of the Eldorado. The
23 2.7 million which you were bringing up
24 was for the plane that we bought this
25 year, okay?

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1 CHAIRMAN MORGAN: Any other
2 comments?

3 MR. WHITE: Well, I just love it
4 here. We're very happy to be here. The

5 family loves Shreveport, and we want to
6 continue to put more money into that
7 property to expand it.

8 CHAIRMAN MORGAN: Well, if you back
9 out the 2.7 for player development,
10 you're still looking at an extra -- a
11 little over 2 million in further
12 development in addition to your carry
13 forward of your 5 million. So I
14 appreciate that. It's very important to
15 this board that we have continued
16 development of these properties.

17 MR. WHITE: Well, thank you, and
18 we're going to continue. We have
19 budgeted for the next five years at
20 least 5 million each year to put back
21 into the property.

22 CHAIRMAN MORGAN: Any questions for
23 the licensee? Thank you.

24 MR. WHITE: Thank you.

25 CHAIRMAN MORGAN: Do we have a

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1 resolution before the Board? Is there a
2 motion.

3 JUDGE GAUDIN: Yes, sir, I'd like to
4 move that we approve the new license.

5 MAJOR MERCER: I'll second.

6 JUDGE GAUDIN: The resolution, do
7 you have a copy of it?

8 CHAIRMAN MORGAN: Motion by Judge
9 Gaudin, seconded by Major Mercer. And,
10 Lana, can you read the motion -- the
11 resolution into the record.

12 THE CLERK: Sure. On the 18th day
13 of August 2009, the Louisiana Gaming
14 Control Board did, in a duly noticed
15 public meeting, consider the issue of
16 the Eldorado Casino Shreveport Joint
17 Venture license renewal, and upon motion
18 duly made and seconded, the Board
19 adopted the following resolution: Be it
20 resolved that the riverboat casino
21 license of Eldorado Casino Shreveport
22 Joint Venture be renewed for a term of
23 five years commencing October 14th,
24 2009, subject to all conditions
25 previously placed upon the license.

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1 This done and signed in Baton Rouge.

2 CHAIRMAN MORGAN: Call the roll,
3 please.

4 THE CLERK: Major Mercer?

5 MAJOR MERCER: Yes.

6 THE CLERK: Judge Gaudin?

7 JUDGE GAUDIN: Yes.

8 THE CLERK: Miss Rogers?

9 MS. ROGERS: Yes.

10 THE CLERK: Mr. Bradford?

11 MR. BRADFORD: Yes.
12 THE CLERK: Mr. Jones?
13 MR. JONES: Yes.
14 THE CLERK: Mr. Stipe?
15 MR. STIPE: Yes.
16 THE CLERK: Mr. Juneau?
17 MR. JUNEAU: Yes.
18 THE CLERK: Mr. Singleton?
19 MR. SINGLETON: Yes.
20 THE CLERK: Chairman Morgan?
21 CHAIRMAN MORGAN: Yes.
22 Congratulations.
23 MR. WHITE: Thank you.

24 VIII. VIDEO GAMING ISSUES

25 A. Consideration of the following truckstop

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1 applications:
2 1. Re: Silver Bear, Inc., d/b/a Cajun
3 Circus Casino - No. 6100606315
4 (transfer of interest)
5 CHAIRMAN MORGAN: Item VIII, Video
6 Gaming Issues; Consideration of the
7 following truckstop applications.
8 Number One, In Re: Silver Bear,
9 Incorporated, doing business as Cajun
10 Circus Casino, number 6100606315,
11 transfer of interest.

12 MR. PITRE: Chairman and Board
13 Members, I am Assistant Attorney

14 General, Earl Pitre, Jr., here in the
15 matter of Silver Bear, Incorporated,
16 doing business as Cajun Circus Casino.
17 The licensee is a Louisiana corporation
18 incorporated on January 25th of 1993.
19 There was a stock transfer as well as a
20 change of officers and directors.

21 On November 21st, 2008, Trico
22 Associates transferred 44 shares of
23 stock grossing all -- representing all
24 of its shares in the licensee to John
25 V.V. Bernard and William Bernard, XV, as

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1 trustees for William Bernard, XV, 1998
2 trust. Also, on December 4th, 2008,
3 John V.V. Bernard individually
4 transferred 19.8 shares of his 44 shares
5 of stock to John V.V. Bernard and
6 William Bernard, XV, as trustees for the
7 William Bernard, XV, 1998 trust.

8 The new stockholders of the licensee
9 will be John V.V. Bernard with 24.2
10 shares; and the three trusts, William
11 Bernard, XV, 1998 trust with 104.4667
12 shares; Barbara Anne Bernard Trust with
13 1.6667 shares; and James Bernard Trust
14 with 1.667 shares. And the two trustees
15 for those three trusts are John V.V.
16 Bernard and William Bernard, XV. The

17 total shares will remain at 132 shares.

18 The new officers and directors will
19 be John V.V. Bernard as vice-president,
20 director and treasurer; and William
21 Bernard, XV, will be president,
22 secretary and director. Peter Weidlein,
23 who was formerly the vice-president,
24 secretary and director of the licensee
25 will no longer be associated with nor

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1 serve as an officer or director of the
2 licensee.

3 All transferees and new officers
4 were previously found suitable in
5 connection with this licensee;
6 therefore, no new suitability
7 investigations were required. The
8 Office of the Attorney General has
9 reviewed the file compiled as a result
10 of the investigation conducted by the
11 Office of State Police. Our review
12 indicates that no information has been
13 found which would preclude the
14 issuance -- preclude the continued
15 participation of the licensee in the
16 video gaming industry.

17 CHAIRMAN MORGAN: Okay. Are there
18 any questions? Do we have a motion to
19 approve the transfer of interest?

20 MR. JUNEAU: I'll make a motion.
21 CHAIRMAN MORGAN: Motion's been made
22 by Mr. Juneau.
23 MS. ROGERS: I second.
24 CHAIRMAN MORGAN: Okay, Miss Rogers.
25 If you would indicate that you approve

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1 the motion by saying "aye."

2 * * *

3 CHAIRMAN MORGAN: Aye.

4 MAJOR MERCER: Aye.

5 JUDGE GAUDIN: Aye.

6 MS. ROGERS: Aye.

7 MR. BRADFORD: Aye.

8 MR. JONES: Aye.

9 MR. STIPE: Aye.

10 MR. JUNEAU: Aye.

11 MR. SINGLETON: Aye.

12 CHAIRMAN MORGAN: Any opposed? [No
13 response.] Hearing none, it's approved.

14 2. In Re: Breaux Bridge Ventures, L.L.C.,
15 d/b/a Silver's Travel Center & Casino -
16 No. 5002515960

17 CHAIRMAN MORGAN: Item two is in
18 reference to Breaux Bridge Ventures
19 doing business as Silver's Travel Center
20 & Casino, No. 5002515960. We'll pass
21 over that until we make some copies.

22 3. In Re: TA Operating, LLC, d/b/a

23 TravelCenters of America (Tallulah) -
24 No. 3301515851

25 CHAIRMAN MORGAN: Item three is TA
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1 Operating, LLC, doing business as
2 TravelCenters of America, (Tallulah),
3 No. 3301515851.

4 MR. PITRE: Chairman, Board Members,
5 Earl Pitre, Jr., Assistant Attorney
6 General, here in the matter of TA
7 Operating, LLC, doing business as
8 TravelCenters of America in Tallulah.

9 The applicant is a Delaware limited
10 liability company organized on July 8th,
11 of 1993. The applicant acquired an
12 existing truck stop with Louisiana I-20
13 East TravelCenters, Incorporated,
14 through a transfer agreement dated
15 February 10th, 2009. So they acquired
16 the Louisiana I-20 East TravelCenters
17 truck stop.

18 TravelCenters of America Holding
19 Company, LLC, owns one hundred percent
20 of the applicant, TA Operating, LLC.
21 TravelCenters of America, LLC, owns
22 100 percent of TravelCenters of America
23 Holding Company, LLC. TravelCenters of
24 America, LLC, is a publicly traded
25 company. The truck stop is located at

1 225 Highway 65 South, Tallulah,
2 Louisiana, in Madison Parish. The
3 applicant leases the truck stop facility
4 from HPT TA Properties Trust and HPT TA
5 Properties, LLC.

6 Senior Trooper Kevin Smith conducted
7 the suitability investigation of the
8 relevant persons associated with the
9 applicant and also conducted an on-site
10 inspection of the facilities. He will
11 present the Office of State Police's
12 findings to the Board.

13 SR. TROOPER SMITH: Morning,
14 Chairman Morgan, Members of the Board.
15 I'm Senior Trooper Kevin Smith with the
16 Louisiana State Police Gaming
17 Enforcement Division. I conducted a
18 suitability investigation on the
19 relevant persons associated with the
20 applicant. I found no information that
21 would preclude the following persons
22 from participating in the video gaming
23 industry: Thomas O'Brien, Barry
24 Portnoy, Barbara Gilmore, Patrick
25 Donelan, Adam Portnoy, John Harrington,

1 William Lamkin, Arthur Koumantzelis,
2 Mark Young, Michael Lombardi, Bruce

3 Gans, John Murray and Mark Kleifges.
4 An on-site inspection was conducted,
5 and it was determined that the
6 establishment meets all criteria set
7 forth in video gaming law as a qualified
8 truck stop facility. Tax clearance
9 certificates and inquiries revealed that
10 the applicant and its owners are current
11 in the filing and payment of all
12 required taxes and returns. All
13 applicable state and local permits were
14 posted. The establishment consists of
15 at least five contiguous acres. The
16 truck stop also has a separate gaming
17 area and is restricted to adult patrons.

18 MR. PITRE: The Office of the
19 Attorney General has reviewed the file
20 compiled as a result of the
21 investigation conducted by the Office of
22 State Police. Our review indicates that
23 no information has been found which
24 would preclude the issuance of the Type
25 5 license to TA Operating, LLC, doing

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1 business as TravelCenters of America,
2 Tallulah.

3 CHAIRMAN MORGAN: I have one
4 question. You had testified the address
5 is 225. Is it 224?

6 MR. PITRE: They had some documents
7 with 224 and some with 225. So in the
8 outline, I had 224, but then when I went
9 back and looked, it's actually 225.

10 CHAIRMAN MORGAN: The case report
11 has 224. I want to make sure we're
12 licensing the right place.

13 MR. PITRE: Okay. I'd go with 224.

14 CHAIRMAN MORGAN: Across the street
15 from each other?

16 SR. TROOPER SMITH: Yes.

17 CHAIRMAN MORGAN: Which is it, 225
18 or 224?

19 SR. TROOPER SMITH: I have it as
20 224, Highway 65 South.

21 MR. PITRE: And then the permits
22 were 224, as well. The last report was
23 225. But the permits were all 224, 224.

24 CHAIRMAN MORGAN: So we're going to
25 go with 224?

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1 SR. TROOPER SMITH: Yes.

2 CHAIRMAN MORGAN: It's a 50/50
3 chance we'll get the --

4 SR. TROOPER SMITH: 224, we'll
5 check, Mr. Chairman, and verify that.

6 CHAIRMAN MORGAN: Well, as long as
7 we get the license number straight. Are
8 there any questions?

9 MR. BRADFORD: I move for approval.

10 MR. JUNEAU: Second.

11 CHAIRMAN MORGAN: Approval by Mr.
12 Bradford and seconded by Mr. Juneau for
13 approval of the new license, right?

14 MR. PITRE: Yes, sir.

15 CHAIRMAN MORGAN: All in favor say
16 "aye."

17 * * *

18 CHAIRMAN MORGAN: Aye.

19 MAJOR MERCER: Aye.

20 JUDGE GAUDIN: Aye.

21 MS. ROGERS: Aye.

22 MR. BRADFORD: Aye.

23 MR. JONES: Aye.

24 MR. STIPE: Aye.

25 MR. JUNEAU: Aye.

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1 MR. SINGLETON: Aye.

2 CHAIRMAN MORGAN: Any opposed? [No
3 response.] Hearing none it's approved.

4 Are we ready to go back to Item Two,
5 or do you want time to review it? Let's
6 go to Item Four, and we'll come back to
7 two so every member will have a chance
8 to review the report.

9 4. In Re: TA Operating, LLC, d/b/a

10 TravelCenters of America (Shreveport) -

11 No. 0904515852

12 5. In Re: TA Operating, LLC, d/b/a Travel
13 Centers of America (Egan), No. 0100515849
14 CHAIRMAN MORGAN: Item Four is TA
15 Operating, LLC, doing business as
16 TravelCenters of America Shreveport, No.
17 0904515852.

18 MR. WAGNER: Good morning, Mr.
19 Chairman and Members of the Board. I'm
20 Assistant Attorney General, Jonathan
21 Wagner, before you in regard to the
22 original application of TA Operating.
23 With the Board's leave, I'd like to go
24 ahead and suggest that we go ahead and
25 combine the next two. The facts are

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1 identical for each other than the
2 physical location.

3 So at the end of my presentation,
4 y'all are required to make a motion for
5 each of the truck stops.

6 CHAIRMAN MORGAN: Is that -- does
7 anybody have any objection?

8 MR. WAGNER: TA Operating is a
9 Delaware limited liability company
10 organized on July 8th, 1993, and is held
11 solely by TravelCenters of America
12 Holding Company, LLC, which is in turn
13 held solely by TravelCenters of America,
14 LLC, which is a publicly held company.

15 TA Operating, LLC, acquired the
16 lease hold and real property
17 improvements of the truck stop facility
18 located at 6910 West Bert Kouns Road in
19 Shreveport and also 114 Jasmine Road in
20 Egan, Louisiana, which is in Acadia
21 Parish. They acquired this interest as
22 a result of Petro Stopping Centers
23 Limited Partnership merging with and
24 into TA Operating, LLC, on
25 September 1st, 2008. TA Operating, LLC,

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1 then acquired the licensed establishment
2 from Petro Truckstops on January 13th,
3 2009.

4 Senior Trooper Kevin Smith conducted
5 the suitability investigation of the
6 relevant persons involved with both
7 truckstops, as well as conducted the
8 on-site inspections of both facilities.
9 He's here to present the Office of State
10 Police's findings.

11 SR. TROOPER SMITH: Senior Trooper
12 Kevin Smith, again, Louisiana State
13 Police, presenting both truckstops. I
14 conducted a suitability investigation on
15 the relevant persons associated with the
16 applicant and found no information that
17 would preclude a finding of suitability

18 for Thomas O'Brien, Barry Portnoy,
19 Barbara Gilmore, Patrick Donelan, Arthur
20 Koumartzelis, Andrew Rebholz, Mark
21 Young, Michael Lombardi.

22 An on-site inspection was conducted
23 at both locations, and it was determined
24 that the establishments meets all
25 criteria set forth in the video gaming

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1 law as a qualified truck stop facility.
2 Tax clearance certificates and inquiries
3 reveal that the applicant and its owners
4 are current in the filing and payment of
5 all required taxes and returns. All
6 applicable state and local permits were
7 posted.

8 Both establishments consist of at
9 least five contiguous acres. The
10 truckstops also have separate gaming
11 areas that are restricted to adult
12 patronage.

13 MR. WAGNER: The Office of the
14 Attorney General has reviewed both files
15 compiled as a result of the State
16 Police's investigations, and our review
17 indicates that no information has been
18 found which would preclude the issuance
19 of the Type 5 video gaming licenses to
20 TA Operating, LLC, doing business as

21 TravelCenters of America for either the
22 Shreveport or the Egan locations.

23 CHAIRMAN MORGAN: Thank you. Any
24 questions? Do we have a motion to
25 approve both licenses?

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1 MR. JUNEAU: I'll make a motion.

2 MR. SINGLETON: Second.

3 CHAIRMAN MORGAN: Motion Mr. Juneau,
4 second Singleton. All in favor say

5 "aye."

6 * * *

7 CHAIRMAN MORGAN: Aye.

8 MAJOR MERCER: Aye.

9 JUDGE GAUDIN: Aye.

10 MS. ROGERS: Aye.

11 MR. BRADFORD: Aye.

12 MR. JONES: Aye.

13 MR. STIPE: Aye.

14 MR. JUNEAU: Aye.

15 MR. SINGLETON: Aye.

16 CHAIRMAN MORGAN: Any opposed? [No
17 response.] Hearing none, they're
18 approved.

19 2. In Re: Breaux Bridge Ventures, L.L.C.,
20 d/b/a Silver's Travel Center & Casino -
21 No. 5002515960

22 CHAIRMAN MORGAN: Breaux Bridge
23 Ventures doing business as Silver's

24 Travel Center, No. 5002515960.

25 MS. BROWN: Chairman Morgan, Board

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1 Members, I'm Mesa Brown, Assistant
2 Attorney General, appearing before the
3 Board on the matter of the original
4 application of Breaux Bridge Ventures,
5 LLC, d/b/a Silver's Travel Center &
6 Casino for a Type 5 license.

7 The applicant is a Louisiana limited
8 liability corporation formed in
9 April 2009. The applicant acquired an
10 existing truckstop through an act of
11 sale dated May 22nd, 2009, and it
12 acquired the property through an act of
13 cash sale dated May 22nd, 2009. The
14 establishment is located at 2247 Reese
15 Street, Breaux Bridge, Louisiana.

16 The membership interest of the
17 company is as follows: Greg Barro,
18 50 percent; Karen Barro, 50 percent.
19 Senior Trooper Eddie Daigle has
20 conducted a suitability investigation of
21 the relevant persons associated with
22 this applicant and has also inspected
23 the truck stop facility. He is present
24 this morning to report his findings to
25 the board.

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1 SR. TROOPER DAIGLE: Chairman
2 Morgan, Board Members, Senior Trooper
3 Eddie Daigle, Louisiana State Police
4 Gaming Enforcement Division. I
5 conducted a suitability investigation on
6 the following individuals with the
7 applicant -- associated with the
8 applicant and found no information to
9 preclude a finding of suitability: Greg
10 Barro and Karin Barro.

11 Tax clearance certificates and
12 inquiries revealed that the applicant
13 and its owners are current in the filing
14 and payments of all required taxes and
15 returns. An on-site inspection was
16 conducted, and it was determined that
17 the establishment meets all criteria set
18 forth in video gaming law as a qualified
19 truck stop facility. All required
20 license and permits were posted and
21 valid at the time of inspection. The
22 establishment consists of at least five
23 contiguous acres. The truck stop
24 facility has at least four of the seven
25 required amenities. The truck stop also

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1 has a separate gaming area that is
2 restricted for adult patronage. The
3 truck stop facility qualifies for 50

4 video poker devices.

5 I'll be happy to answer any
6 questions you have.

7 MS. BROWN: The Office of the
8 Attorney General has reviewed the file
9 compiled as a result of the
10 investigation conducted by the Video
11 Gaming Division of the Office of State
12 Police. Our review indicates that no
13 information has been found to preclude
14 issuance of a Type 5 license to Breaux
15 Bridge Ventures, LLC, d/b/a Silver's
16 Travel Center & Casino.

17 CHAIRMAN MORGAN: Thank you. Any
18 questions?

19 MR. STIPE: They're being licensed
20 for 25 devices?

21 SR. TROOPER DAIGLE: At the time my
22 report was completed audit was not
23 completed. Since then the audit was
24 completed, and they qualify for 50.

25 MR. STIPE: All right. But this is

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1 for --

2 MR. JUNEAU: Are we going to have 25
3 or 50?

4 SR. TROOPER DAIGLE: Fifty.

5 CHAIRMAN MORGAN: Any other
6 questions? Do we have a motion?

7 MR. JONES: I'll move.
8 MAJOR MERCER: Second.
9 CHAIRMAN MORGAN: Motion by
10 Mr. Jones, seconded by Major Mercer.
11 All in favor of issuing a Type 5 license
12 say "aye."

13 * * *

14 CHAIRMAN MORGAN: Aye.
15 MAJOR MERCER: Aye.
16 JUDGE GAUDIN: Aye.
17 MS. ROGERS: Aye.
18 MR. BRADFORD: Aye.
19 MR. JONES: Aye.
20 MR. STIPE: Aye.
21 MR. JUNEAU: Aye.
22 MR. SINGLETON: Aye.
23 CHAIRMAN MORGAN: Any opposed? [No
24 response.] Hearing none the license is
25 approved.

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1 IX. RULEMAKING

2 A. Adoption of amendments to LAC
3 42:VII.2723, 42:IX.2723 &
4 42:XIII.2723, Internal Controls; Slots

5 CHAIRMAN MORGAN: That brings us to
6 Item IX, Rulemaking. Go ahead.

7 MR. WAGNER: Thank you, Mr.
8 Chairman. Again, I'm Jonathan Wagner,
9 with the -- Assistant Attorney General,

10 Jonathan Wagner, on behalf of the State
11 Police here to present four notices of
12 intent which are up for final adoption.
13 With me is Charlotte McGarr of State
14 Police.

15 The first notice of intent was
16 pertaining to Accounting Regulations of
17 Administrative Code 42, parts VII, IX
18 and XIII, Section 2723. These were
19 technical updates made to the rules to
20 reflect current industry practice, and
21 they were also designed to unify the
22 language between the landbased,
23 riverboat and slots at the tracks.

24 The notice of intent was published
25 in April, which directed all interested

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1 parties to contact my office should they
2 have any questions concerning the rules.
3 I never received any calls, complaints
4 or concerns regarding this notice of
5 intent.

6 So at this time, it's before you for
7 final approval. Are there any
8 questions?

9 CHAIRMAN MORGAN: We can take these
10 all up at once, or do we need to act on
11 them separately.

12 MR. WAGNER: You need to act on them

13 separately, sir.

14 CHAIRMAN MORGAN: Do we have any
15 questions? Do we have a motion, a
16 motion to adopt the rule and for
17 approval?

18 MR. BRADFORD: I move.

19 MS. ROGERS: I second.

20 CHAIRMAN MORGAN: Okay, Mr. Bradford
21 and seconded by Miss Rogers. Everyone
22 in favor of adopting the rule say "aye."

23 * * *

24 CHAIRMAN MORGAN: Aye.

25 MAJOR MERCER: Aye.

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1 JUDGE GAUDIN: Aye.

2 MS. ROGERS: Aye.

3 MR. BRADFORD: Aye.

4 MR. JONES: Aye.

5 MR. STIPE: Aye.

6 MR. JUNEAU: Aye.

7 MR. SINGLETON: Aye.

8 CHAIRMAN MORGAN: Any opposed?

9 Hearing none, it's adopted.

10 B. Adoption of amendments to LAC 42:III.304,
11 Self Exclusion

12 MR. WAGNER: Okay. The next rule up
13 for final adoption pertains to the self
14 exclusion list for compulsive and
15 problem gaming. A problem arose where

16 self excluded individuals are still
17 gaining access to gaming devices. This
18 rule is designed to make that more
19 difficult for them by allowing the
20 casinos to more readily identify
21 individuals who are on the self excluded
22 list by providing certain restricted
23 information to contracted third parties.

24 Are there any questions?

25 CHAIRMAN MORGAN: This doesn't fall

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1 in contrast to any type of privacy
2 provisions under motor vehicle issues?

3 MR. WAGNER: Not that I'm aware of,
4 sir, and also with as all notices of
5 intent, my office was listed as the
6 contact for any questions, concerns, and
7 I received no calls.

8 CHAIRMAN MORGAN: Any questions? Do
9 we have a motion to adopt the rule?

10 MS. ROGERS: I so move.

11 MR. JONES: Second.

12 CHAIRMAN MORGAN: Ms. Rogers,
13 seconded by Mr. Jones. All in favor of
14 adopting the rule say "aye."

15 * * *

16 CHAIRMAN MORGAN: Aye.

17 MAJOR MERCER: Aye.

18 JUDGE GAUDIN: Aye.

19 MS. ROGERS: Aye.
20 MR. BRADFORD: Aye.
21 MR. JONES: Aye.
22 MR. STIPE: Aye.
23 MR. JUNEAU: Aye.
24 MR. SINGLETON: Aye.
25 CHAIRMAN MORGAN: Any opposed? [No

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1 response.] It's adopted.
2 C. Adoption of amendments to LAC
3 42:VII.2927.D, 42:IX.2919.D, and
4 42:XIII.2927.D, Operating Standards
5 MR. WAGNER: The next notice of
6 intent was published also in April. It
7 was amendments to the Louisiana
8 Administrative Code 42, parts VII, IX
9 and XIII, Sections 2927, 2919 and 2927

10 respectively. This is to simplify the
11 rules governing display of the 800
12 number at licensed establishments.

13 My office was listed as contact for
14 any interested individuals for calling
15 with complaints or concerns, and I have
16 received none.

17 CHAIRMAN MORGAN: Any questions?

18 MR. BRADFORD: I move for approval.

19 CHAIRMAN MORGAN: Mr. Bradford moves
20 for adoption. Is there a second?

21 MAJOR MERCER: I'll second.

22 CHAIRMAN MORGAN: Seconded by Major
23 Mercer. All in favor say "aye."

24 * * *

25 CHAIRMAN MORGAN: Aye.

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1 MAJOR MERCER: Aye.

2 JUDGE GAUDIN: Aye.

3 MS. ROGERS: Aye.

4 MR. BRADFORD: Aye.

5 MR. JONES: Aye.

6 MR. STIPE: Aye.

7 MR. JUNEAU: Aye.

8 MR. SINGLETON: Aye.

9 CHAIRMAN MORGAN: Any opposed? [No
10 response.] Hearing none, it's adopted.

11 D. Adoption of amendments to LAC

12 42:VII.2729.U, 42:IX.2729.U, and

13 42:XII.2729.U, Internal Controls

14 MR. WAGNER: The final rule
15 submitted for approval is amendment to
16 Administrative Code 42:VII, parts 2729,
17 and also for parts IX and XIII, parts
18 2729. This rule was previously
19 instituted for table games but
20 overlooked at the time. By adopting
21 this rule, the Board would be applying
22 it to slots, as well; thus correcting
23 the oversight. Again, it was published
24 in April, with my office listed as

25 contact for any citizen with questions

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1 or concerns. I received no calls or

2 questions over this bill -- this rule.

3 CHAIRMAN MORGAN: Okay. Any

4 questions?

5 MR. JONES: Move for approval.

6 CHAIRMAN MORGAN: Jones moves

7 adoption. Second?

8 MR. JUNEAU: Second.

9 CHAIRMAN MORGAN: Seconded by Mr.

10 Juneau. All in favor say "aye."

11 * * *

12 CHAIRMAN MORGAN: Aye.

13 MAJOR MERCER: Aye.

14 JUDGE GAUDIN: Aye.

15 MS. ROGERS: Aye.

16 MR. BRADFORD: Aye.

17 MR. JONES: Aye.

18 MR. STIPE: Aye.

19 MR. JUNEAU: Aye.

20 MR. SINGLETON: Aye.

21 CHAIRMAN MORGAN: Any opposed? [No

22 response.] Hearing none, it's approved.

23 MR. WAGNER: Thank you, Mr.

24 Chairman.

25 CHAIRMAN MORGAN: Thank you. Just a

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1 public service note here: I hope we

2 move toward minimum internal controls at
3 some point and kind of cut through some
4 of these administrative rules instead of
5 adding to them.

6 MR. WAGNER: Yes, sir.

7 CHAIRMAN MORGAN: It's better for
8 the industry.

9 X. PROPOSED SETTLEMENTS/APPEALS FROM HEARING

10 OFFICERS' DECISIONS

11 1. In Re: Lynn G., L.L.C., d/b/a Homedale
12 Inn - No. 3601113521 (proposed
13 settlement)

14 CHAIRMAN MORGAN: All right. Item
15 X, Proposed Settlements/Appeals from the
16 Hearing Officers' Decisions. Number 1
17 is Lynn G., L.L.C., doing business as
18 Homedale Inn, number 3601113521, a
19 proposed settlement.

20 MS. BOGRAN: Good morning, Board
21 Members, Chairman Morgan, I'm Olga
22 Bogran from the Gaming Division. With
23 me is Sergeant Sibley, and I will
24 actually be addressing matters one
25 through ten. The first nine are

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1 settlement agreements, and the last one
2 is an appeal.

3 Beginning with Lynn G, this
4 settlement arose from the licensee's

5 failure to timely report changes made in
6 video poker revenue payments. The
7 penalty is \$500, and the settlement is
8 before you for final approval.

9 SERGEANT SIBLEY: Good morning,
10 Chairman.

11 CHAIRMAN MORGAN: Good morning.

12 SERGEANT SIBLEY: My name is
13 Sergeant Sibley with the Louisiana State
14 Police. The Office of State Police is
15 in agreement with the settlement.

16 CHAIRMAN MORGAN: Okay. You'll take
17 them all individually, or you want to --

18 MS. BOGRAN: We'll do them
19 individually because they're a little
20 bit different.

21 CHAIRMAN MORGAN: All right. Do we
22 have any questions regarding Number 1?
23 Do we have a motion?

24 MR. JUNEAU: I'll make a motion.

25 CHAIRMAN MORGAN: Motion by

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1 Mr. Juneau to approve.

2 MR. BRADFORD: Second.

3 CHAIRMAN MORGAN: Seconded by
4 Bradford. All in favor say "aye."

5 * * *

6 CHAIRMAN MORGAN: Aye.

7 MAJOR MERCER: Aye.

8 JUDGE GAUDIN: Aye.
9 MS. ROGERS: Aye.
10 MR. BRADFORD: Aye.
11 MR. JONES: Aye.
12 MR. STIPE: Aye.
13 MR. JUNEAU: Aye.
14 MR. SINGLETON: Aye.
15 CHAIRMAN MORGAN: Any opposed? [No
16 response.] It's approved.

17 2. In Re: Kasem, Inc., d/b/a Quik & Easy
18 Deli & Grill - No. 2605613621 (proposed
19 settlement)

20 3. In Re: Kasem, Inc., d/b/a Quik & Easy
21 Deli & Grill - No. 2605212407 (proposed
22 settlement)

23 MS. BOGRAN: Thank you. The next
24 ones are actually two that we can
25 combine. The licensee has two licenses,

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1 a Type 2 and Type 6, both in the same
2 name, and with your permission I'll
3 discuss them together. It's Kasem,
4 Inc., d/b/a Quik & Easy Deli & Grill,
5 license numbers 2605212407 and
6 2605613621.

7 The civil penalties for both of
8 these settlements are \$500 each. They
9 arise from a failure to disclose an
10 arrest as required by gaming law. The

11 penalty amount is consistent with other
12 settlements concerning failure to report
13 an arrest. The hearing officer has
14 signed off on the settlement agreement,
15 and it's before the Board for final
16 approval.

17 SERGEANT SIBLEY: The State Police
18 is in agreement with this one also,
19 Chairman.

20 CHAIRMAN MORGAN: Any questions?

21 MAJOR MERCER: Yeah, I have a
22 question.

23 CHAIRMAN MORGAN: Question by Major
24 Mercer.

25 MAJOR MERCER: Why was -- he was

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1 arrested on November 29th and notified
2 the Division on December 4th, 2007. Why
3 did it take so long for this matter to
4 come up?

5 MS. BOGRAN: From the very
6 beginning, we were in contact with their
7 attorneys. It looked like this matter
8 was going to be dismissed. So rather
9 than going forward with it and having it
10 have to be undone, it gave it a little
11 bit of time to have it be resolved.

12 MAJOR MERCER: Adjudicated in 2009,
13 okay.

14 CHAIRMAN MORGAN: Do we have a
15 motion on Items Two and Three to approve
16 the settlement?

17 MR. SINGLETON: Move approval.

18 CHAIRMAN MORGAN: Mr. Singleton. Do
19 we have a second?

20 MR. JONES: Second.

21 CHAIRMAN MORGAN: Second by
22 Mr. Jones. All in favor say "aye."

23 * * *

24 CHAIRMAN MORGAN: Aye.

25 MAJOR MERCER: Aye.

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1 JUDGE GAUDIN: Aye.

2 MS. ROGERS: Aye.

3 MR. BRADFORD: Aye.

4 MR. JONES: Aye.

5 MR. STIPE: Aye.

6 MR. JUNEAU: Aye.

7 MR. SINGLETON: Aye.

8 CHAIRMAN MORGAN: Any opposed? [No
9 response.] Hearing none, it's approved.

10 4. In Re: Jazz, Inc., d/b/a Jazz - No.

11 3601115158 (proposed settlement)

12 CHAIRMAN MORGAN: Item Four.

13 MS. BOGRAN: This is Jazz, Inc.,
14 d/b/a Jazz, license number 3601115158.

15 A civil penalty of \$500 arose from a
16 failure to report an arrest as required

17 by gaming law. The settlement is before
18 you for final approval.

19 CHAIRMAN MORGAN: Do we have any
20 questions regarding this? Do we have a
21 motion?

22 MR. BRADFORD: So move for approval.

23 CHAIRMAN MORGAN: Bradford. Do we
24 have a second?

25 MR. JONES: Second.

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1 CHAIRMAN MORGAN: Seconded by
2 Mr. Jones. All in favor say "aye."

3 * * *

4 CHAIRMAN MORGAN: Aye.

5 MAJOR MERCER: Aye.

6 JUDGE GAUDIN: Aye.

7 MS. ROGERS: Aye.

8 MR. BRADFORD: Aye.

9 MR. JONES: Aye.

10 MR. STIPE: Aye.

11 MR. JUNEAU: Aye.

12 MR. SINGLETON: Aye.

13 CHAIRMAN MORGAN: Any opposed? [No
14 response.] Not hearing any, it's
15 approved.

16 5. In Re: Maloney Cinque, LTD, d/b/a The
17 Carnival Club - No. 3601600164
18 (proposed settlement)

19 6. In Re: Maloney Cinque, LTD, d/b/a The

20 Carnival Club - No. 3601500165 (proposed
21 settlement)

22 7. In Re: Maloney Sept, LLC, d/b/a The Big
23 Easy Travel Plaza - No. 3601509389
24 (proposed settlement)

25 8. In Re: Pied Piper, LLC, d/b/a The Next
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1 Stop Bar - No. 3601114615 (proposed
2 settlement)

3 9. In Re: LTSGO, LLC, d/b/a LTSGO - No.
4 3601605082 (proposed settlement)

5 MS. BOGRAN: The next matters are
6 numbers five, six, seven, eight and nine
7 on your agenda. These five licensees
8 are a family-owned business, so again
9 with your permission I'll handle these
10 together.

11 CHAIRMAN MORGAN: Do we have any --
12 is anyone opposed to that?

13 MS. BOGRAN: Okay. The licensees
14 are Maloney Cinque, LTD, d/b/a the
15 Carnival Club, 3601500165; LTSGO, LLC,
16 d/b/a LTSGO, license number 3601605082;
17 Maloney Cinque, Limited, d/b/a the
18 Carnival Club, 3601600164; Maloney Sept,
19 LLC, d/b/a The Big Easy Travel Plaza,
20 3601; and Pied Piper, LLC, d/b/a The
21 Next Stop Bar, license number
22 36011114615.

23 As I mentioned, these are five
24 licensees that are family-owned
25 businesses. One of the Maloney siblings

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1 failed to disclose an aggravated assault
2 arrest arising from a domestic squabble.
3 He is a principal in the each of the
4 five family licenses, and therefore
5 there's a violation that's in regards to
6 each of the licenses. The civil penalty
7 amount is \$500 per license, and the five
8 settlement agreements are now before the
9 Board for final approval.

10 MAJOR MERCER: I have a question.

11 CHAIRMAN MORGAN: Question by Major
12 Mercer.

13 MAJOR MERCER: What did this
14 involve, aggravated assault with a
15 handgun? That's pretty -- I know the
16 charges were dismissed, but do you have
17 a report? I don't have a report.

18 SERGEANT SIBLEY: Yes, sir,
19 basically what happened, Mr. Maloney and
20 his ex-wife got into a domestic dispute,
21 and she accused him of putting a gun to
22 his head while she was asking for money
23 for the children.

24 MAJOR MERCER: So it was determined
25 that she just made that up, or did she

1 later retract or drop the charges?

2 SERGEANT SIBLEY: I think the
3 charges were dropped, sir.

4 MS. BOGRAN: The charges were
5 dropped.

6 MAJOR MERCER: They were just kind
7 of made up, huh?

8 CHAIRMAN MORGAN: You've experienced
9 that before, haven't you? Not
10 personally, but professionally.

11 MAJOR MERCER: No.

12 CHAIRMAN MORGAN: Are there any
13 other questions with regard to these?
14 Do we have a motion to approve this
15 settlement for all of the --

16 MR. BRADFORD: I move we approve all
17 five items.

18 CHAIRMAN MORGAN: Mr. Bradford moved
19 approval. Do we have a second?

20 MR. JUNEAU: Second.

21 CHAIRMAN MORGAN: By Mr. Juneau.
22 All in favor say "aye."

23 * * *

24 CHAIRMAN MORGAN: Aye.

25 MAJOR MERCER: Aye.

1 JUDGE GAUDIN: Aye.

2 MS. ROGERS: Aye.

3 MR. BRADFORD: Aye.

4 MR. JONES: Aye.

5 MR. STIPE: Aye.

6 MR. JUNEAU: Aye.

7 MR. SINGLETON: Aye.

8 CHAIRMAN MORGAN: Any opposed? [No
9 response.] Hearing none, those are
10 approved.

11 10. In Re: Alicia M. Henderson, d/b/a Honey
12 Bee's Place - No. 3601111658 (appeal)

13 CHAIRMAN MORGAN: Now we're Alicia
14 Henderson doing business as Honey Bee's
15 Place, number 3601111658. Is she here?

16 MS. BOGRAN: No, not that we know
17 of.

18 JUDGE GAUDIN: Is Mrs. Henderson
19 here?

20 CHAIRMAN MORGAN: Let's go forward
21 with the appeal and get it on the
22 record.

23 MS. BOGRAN: Okay. She requested
24 the appeal, and, of course, our position
25 is that the hearing officer's revocation

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1 is sustained. But I can give you a
2 brief summary of the facts.

3 In January of 2008, Miss Henderson
4 signed a payment plan with the IRS to
5 address the failure to pay her 2006

6 taxes, and this tells us two things.
7 One, that Miss Henderson has a history
8 of not filing her tax obligations, and
9 two, that she's experiencing setting up
10 a repayment plan with the IRS.

11 Currently, Miss Henderson first
12 received notice of the most recent tax
13 problems in July of 2008. Every
14 notification along the way has
15 specifically directed her to contact
16 Miss Wanda Shaw of the IRS. When I
17 spoke with Miss Henderson in mid-July.
18 She still hadn't contacted Miss Shaw.
19 She's had 13 months to resolve this
20 problem, and as previously mentioned,
21 she already has experience setting up a
22 payment plan for IRS. So that this
23 portion is not new for her.

24 As of this morning, the IRS has
25 advised that the licensee itself and

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1 Miss Henderson personally continue to be
2 delinquent in their taxes. Since 2006,
3 when it looks like these tax issues
4 began, Miss Henderson has received in
5 excess of \$142,000 in video poker
6 profits. That's money to her, not money
7 to be shared with the state or the
8 device owner. It's completely untenable

9 that Miss Henderson continue to receive
10 profits from video poker revenue while
11 she shirks her tax obligations, and the
12 Division asks that the hearing officer's
13 revocation be sustained. That's it.

14 CHAIRMAN MORGAN: Do we have any
15 questions?

16 JUDGE GAUDIN: Mr. Chairman, I would
17 like to say that the hearing officer,
18 William Brown, has been more than
19 accommodating to this person, and I
20 would move that the -- his decision be
21 affirmed by the Board.

22 MR. BRADFORD: Second.

23 CHAIRMAN MORGAN: We have a motion
24 by Mr. Gaudin and seconded by Mr.
25 Bradford to affirm the hearing officer's

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1 decision. Is there any more discussion?

2 All in favor say "aye."

3 * * *

4 CHAIRMAN MORGAN: Aye.

5 MAJOR MERCER: Aye.

6 JUDGE GAUDIN: Aye.

7 MS. ROGERS: Aye.

8 MR. BRADFORD: Aye.

9 MR. JONES: Aye.

10 MR. STIPE: Aye.

11 MR. JUNEAU: Aye.

12 MR. SINGLETON: Aye.

13 CHAIRMAN MORGAN: Any opposed? [No
14 response.] Hearing none, the hearing
15 officer's decision is confirmed.

16 MS. BOGRAN: Thank you.

17 11. In Re: Ernest Matthews d/b/a Grease Man
18 Blues Box - No. 2400115619 (appeal)

19 CHAIRMAN MORGAN: Item 11 is Ernest
20 Matthews doing business as Grease Man
21 Blues Box, number 2400115619.

22 JUDGE GAUDIN: Is Mr. Matthews here?

23 MS. PICHON: Not that I can tell.

24 CHAIRMAN MORGAN: Let's go ahead
25 briefly with it and put it on the

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1 record.

2 MS. PICHON: Morning, Chairman
3 Morgan, Members of the Board, I am
4 Nicolette Pichon, Assistant Attorney
5 General, representing the Division in
6 the matter of Ernest Matthews d/b/a
7 Grease Man Blues Box. Seeing as though
8 he is not here, we would also like to
9 ask that the hearing officer's decision
10 to recommend denial of the application
11 be sustained, and I could also give a
12 brief summary if you'd like.

13 CHAIRMAN MORGAN: See if any board
14 member has any questions.

15 MAJOR MERCER: I move we affirm.

16 CHAIRMAN MORGAN: Affirm.

17 MAJOR MERCER: I think there's

18 enough evidence.

19 CHAIRMAN MORGAN: We have a motion

20 by Major Mercer to affirm the hearing

21 officer's decision.

22 MR. JONES: Second.

23 CHAIRMAN MORGAN: Second by

24 Mr. Jones. All in favor say "aye."

25 * * *

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1 CHAIRMAN MORGAN: Aye.

2 MAJOR MERCER: Aye.

3 JUDGE GAUDIN: Aye.

4 MS. ROGERS: Aye.

5 MR. BRADFORD: Aye.

6 MR. JONES: Aye.

7 MR. STIPE: Aye.

8 MR. JUNEAU: Aye.

9 MR. SINGLETON: Aye.

10 CHAIRMAN MORGAN: Any opposed? [No

11 response.] Hearing none, the hearing

12 officer's decision is affirmed.

13 MS. PICHON: Thank you.

14 12. In Re: Corey L. Moore - No. PO40010006

15 (appeal)

16 CHAIRMAN MORGAN: Item 12, Corey L.

17 Moore, permit number PO40010006.

18 MR. HEBERT: Morning, Chairman,
19 Members of the Board, Christopher Hebert
20 representing the Louisiana Office of
21 State Police in the appeal of Corey L.
22 Moore, case number PO40010006.
23 Mr. Moore is here.

24 MR. MOORE: Good morning.

25 MR. HEBERT: This matter came before

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1 the Board or the hearing officer as a
2 revocation of Mr. Moore's non-key gaming
3 employee permit, and that revocation was
4 based on Mr. Moore's pending charges of
5 domestic abuse battery, criminal damage
6 to property and aggravated assault,
7 which is a felony and a crime of
8 violence.

9 Mr. Moore's non-key gaming employee
10 permit was subsequently revoked by the
11 hearing officer, and on July 15th, 2009,
12 after that hearing, pending criminal
13 charges against Mr. Moore were
14 dismissed. Mr. Moore sought an appeal
15 of his revocation; and it's assumed by
16 this office that that appeal is based on
17 the new evidence in this matter, and the
18 Division does not oppose remanding this
19 matter to the hearing officer for
20 consideration of that new evidence.

21 CHAIRMAN MORGAN: Okay. Do you need
22 to make a comment?

23 MR. MOORE: Oh, I just wanted to let
24 you -- in addition to what Mr. Hebert
25 was saying, the reason why it was

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1 suspended, the previous judge had
2 already set a trial date of August the
3 5th of 2009, and the reason why it was
4 revoked was because the judge did not
5 want to move the court date up for the
6 45-day window that I was granted. So we
7 had to -- my attorney had to get another
8 judge to hear the case.

9 So as far as -- closer we got moved
10 up was to July the 15th, and then we had
11 all the -- dismissed all the charges.
12 And I have the true court documents.

13 CHAIRMAN MORGAN: That's okay.

14 MR. STIPE: And the February 18th
15 arrest is the only basis for bringing
16 this?

17 MR. HEBERT: Absolutely.

18 MAJOR MERCER: I have a question,
19 also. Did you actually have a hearing
20 on this case, the criminal case?

21 MR. MOORE: Yes, sir, I did. My
22 attorney went before the judge on July
23 the 15th, and which we was there with

24 the -- with my fiance, which is here
25 present now, in which the D.A. had

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1 dropped the charges.

2 MAJOR MERCER: Was it a trial, or
3 you just went before the Court to have
4 the charges dropped?

5 MR. MOORE: Well, on the -- on May
6 the 6th, we had put in a plea of not
7 guilty, and the trial date was set for
8 August the 5th. But then we had it
9 moved up for that, so I did have a trial
10 date, yes.

11 MAJOR MERCER: But, basically, your
12 fiancee dropped the charges?

13 MR. MOORE: Okay. That's -- the
14 D.A. didn't find any --

15 CHAIRMAN MORGAN: I think the
16 appropriate thing to do is to -- if we
17 have further questions for evidence, is
18 let's remand it back to the hearing
19 officer if you're comfortable with that.

20 MAJOR MERCER: That's fine.

21 CHAIRMAN MORGAN: So we're not
22 taking testimony here.

23 MR. MOORE: Okay.

24 CHAIRMAN MORGAN: So do we have a
25 motion to remand the -- this case back

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1 to the hearing officer for further --

2 MS. ROGERS: I so moved.

3 JUDGE GAUDIN: Second.

4 CHAIRMAN MORGAN: Miss Rogers,
5 seconded by Judge Gaudin. All in favor
6 say "aye."

7 * * *

8 CHAIRMAN MORGAN: Aye.

9 MAJOR MERCER: Aye.

10 JUDGE GAUDIN: Aye.

11 MS. ROGERS: Aye.

12 MR. BRADFORD: Aye.

13 MR. JONES: Aye.

14 MR. STIPE: Aye.

15 MR. JUNEAU: Aye.

16 MR. SINGLETON: Aye.

17 CHAIRMAN MORGAN: Any opposed? [No
18 response.] Hearing none, it's remanded
19 back to the hearing officer, and you can
20 bring further evidence to him.

21 MR. MOORE: Thank you.

22 MR. HEBERT: Thank you.

23 XI. PUBLIC COMMENTS

24 CHAIRMAN MORGAN: Item 11, Public
25 Comments. Mr. Young.

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1 MR. YOUNG: My monthly visit.

2 CHAIRMAN MORGAN: Good to see you.

3 MR. YOUNG: Good to see you. Mr.

4 Chairman, Members of the Board, my name
5 is Chris Young. For the benefit of
6 those board members who do not know
7 me -- I think everyone knows me by now,
8 except maybe some of the newly appointed
9 members -- I represent Speedway
10 SuperAmerica, LLC. Speedway
11 SuperAmerica has a Type 5 video gaming
12 application pending for a location in
13 Sulphur, Louisiana, and it has been
14 pending since October of 1999. I know
15 it's been a long meeting, so I'll do the
16 math for you. That's about ten years.
17 And I know you've heard that before, but
18 I come before you again today, as a
19 follow-up, Mr. Chairman, to my letter
20 that I sent you on August 4th. I don't
21 know if the other board members have had
22 the benefit of reviewing that letter,
23 but I wanted to follow up and again ask
24 you, as we asked in that letter, that
25 this matter be placed on the agenda for

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1 final consideration in the license
2 issue.

3 Also, I'd like to bring to your
4 attention that there are two appeals
5 pending if the First Circuit Court of
6 Appeals here in Baton Rouge. Those

7 appeals are both by the State on two
8 19th Judicial District Court decisions
9 in favor of Speedway, my client. One is
10 a mandamus order ordering the Board to
11 issue the license; and, of course, the
12 State appealed that, and it's pending
13 before the First Circuit Court of
14 Appeal. And the other one was on the
15 Board's decision to remand a previous
16 hearing conducted by the hearing
17 officer, Hearing Officer Brown. We
18 appealed the remand decision. The 19th
19 Judicial District Court ruled in our
20 favor and the State appealed, and that's
21 pending before the First Circuit Court
22 of Appeals.

23 On August 5th and 6th of this month,
24 oral arguments were conducted on those
25 two appeals. During the first oral

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1 argument, one judge specifically asked
2 about the status of the investigation
3 and the report on L.P. Gaming; why is it
4 taking so long, and the attorney --
5 Assistant Attorney General representing
6 the State at that hearing responded that
7 they had just received the report the
8 day before the hearing. That's from the
9 State Police.

10 And in previous testimony before
11 this Board exactly one year ago, I don't
12 know if it's to the date, but one year
13 ago at the August board meeting 2008 of
14 this board, the Attorney General's
15 Office reported that they had received
16 the report from the State Police, and
17 that would take them about six weeks to
18 review. Well, that was a year ago.
19 It's still not before this Board, and
20 this license -- application is still
21 pending.

22 In the subsequent, next-day oral
23 argument, another judge asked that if
24 they render judgment in our favor, would
25 the Board ignore that decision, too.

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1 And I point these out to you because of
2 the retardation of this process, and
3 we're just, again, coming before the
4 Board asking that we be placed on the
5 agenda and why is this issue not being
6 resolved. We would hope that at some
7 point after ten years that this license
8 would issue, or at least be considered
9 by this Board. And to date, it still
10 has not been considered by the Board.

11 And, again, I would like to point
12 out to you that the representative of

13 the Attorney General's Office last
14 August reported to this Board that the
15 State Police's report, which they said
16 they had received, would be reviewed
17 within six weeks by the Attorney
18 General's Office; and it's now a year
19 later, and it still has not been
20 submitted to this Board for final
21 consideration.

22 We are on very strong legal ground.
23 It's been validated by the hearing
24 officer and by the 19th -- two judges in
25 the 19th Judicial District Court, and

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1 hopefully soon by the First Circuit
2 Court of Appeals. And we would beg you
3 to please place this item on the agenda,
4 consider this application and issue this
5 license.

6 CHAIRMAN MORGAN: I appreciate your
7 comments. I did receive your letter,
8 and upon receipt of it, I asked staff
9 and legal counsel to brief me, as an
10 understatement. I've read voluminous
11 documents. I had further questions that
12 they're trying to address now before I
13 will feel comfortable in bringing it
14 before this board. But I did receive
15 your letter. I think considering that

16 I've been Chairman for 45, 50 days now,
17 I was not prepared to put it on the
18 agenda this month, if that answers your
19 question; but you will hopefully at
20 least have an answer from me by next
21 meeting.

22 MR. YOUNG: We appreciate that very
23 much, Mr. Chairman, Members.

24 Yes, sir, Mr. Chairman -- Judge.

25 JUDGE GAUDIN: I would like to say

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1 this: A ten year delay was partially
2 your client's fault. The delays before
3 the hearing board were not only those by
4 the State Police and the Attorney
5 General's Office. I recall you coming
6 before this board at one time with a
7 decision in your favor from Judge Brown,
8 William Brown --

9 MR. YOUNG: Yes, sir.

10 CHAIRMAN MORGAN: -- and you asked
11 that it be postponed. The Board was
12 prepared at that time to rule on Judge
13 Brown's order granting your client a
14 license, and we didn't hear it at your
15 request. Is that right or wrong?

16 MR. YOUNG: Well, Judge, it's
17 partially right, Judge. The reason that
18 it wasn't -- we didn't want it

19 considered by the Board, because that
20 was, in our opinion -- and I say this
21 respectfully -- that that entire process
22 was contrived to allow the State to
23 appeal a decision that they neglected to
24 appeal. They were attempting the
25 July -- I'm sorry, the January 2008

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1 order ordering or recommending that the
2 license be issued, that the State did
3 not appeal that. So the judgment became
4 final.

5 Ten months later they attempted to
6 appeal it, and that entire process, in
7 our opinion, was designed to create the
8 opportunity to appeal it to this board.
9 And we did not think that was fair.

10 JUDGE GAUDIN: Well, you're
11 rehashing again the whole scenario. But
12 you were before this board, in your hand
13 a decision favorable from Judge Brown;
14 and the Board was going to hear it, and
15 you asked that it be postponed. And I
16 would like to say that some board
17 members, if not all, would agree with it
18 at that point in time, but you asked not
19 to -- the Board would have been asked to
20 rule on Judge Brown based on his
21 decision based on what he had in the

22 record at that time; is that correct?

23 MR. YOUNG: Well, Judge, we asked
24 for that in January of 2008, when the
25 judgment became final.

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1 JUDGE GAUDIN: No, it was after. It
2 was well after January '08.

3 CHAIRMAN MORGAN: May I interject?
4 I will send your letter to all the board
5 members. I don't know if we dispatched
6 that.

7 THE CLERK: Not this one, but they
8 have in the past gotten them.

9 CHAIRMAN MORGAN: But the recent one
10 you just sent me, I will send that; and,
11 again, I do have some issues, questions
12 that need to be addressed that I will
13 pose to the Attorney General's Office.
14 When I receive that, I will communicate
15 to you. That's the best I can offer you
16 right now.

17 MR. YOUNG: Appreciate that, Mr.
18 Chairman.

19 CHAIRMAN MORGAN: Okay. Good
20 enough.

21 MR. YOUNG: Thank you, Judge,
22 Members.

23 CHAIRMAN MORGAN: Thank you,
24 Mr. Young.

25 XII. ADJOURNMENT

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1 CHAIRMAN MORGAN: Item XII, do we
2 have a motion to adjourn?

3 MR. JONES: You got it.

4 MR. BRADFORD: Second.

5 CHAIRMAN MORGAN: Moved by Jones
6 seconded by Bradford. Hearing no
7 opposition, we are adjourned. Thank
8 you.

9 (Off the record at 11:30 a.m.)

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1 REPORTER'S PAGE

2

3 I, SHELLEY PAROLA, Certified Shorthand
4 Reporter, in and for the State of Louisiana, the
5 officer before whom this sworn testimony was
6 taken, do hereby state:

7 That due to the spontaneous discourse of this
8 proceeding, where necessary, dashes (--) have been
9 used to indicate pauses, changes in thought,
10 and/or talkovers; that same is the proper method
11 for a Court Reporter's transcription of a
12 proceeding, and that dashes (--) do not indicate
13 that words or phrases have been left out of this
14 transcript;

15 That any words and/or names which could not
16 be verified through reference materials have been
17 denoted with the word "(phonetic)."

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24 SHELLEY PAROLA
Certified Court Reporter #96001
25 Registered Professional Reporter

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1 STATE OF LOUISIANA

2 PARISH OF EAST BATON ROUGE

3 I, Shelley G. Parola, Certified Court

4 Reporter and Registered Professional Reporter, do
5 hereby certify that the foregoing is a true and
6 correct transcript of the proceedings given under
7 oath in the preceding matter on August 18, 2009,
8 as taken by me in Stenographic machine shorthand,
9 complemented with magnetic tape recording, and
10 thereafter reduced to transcript, to the best of
11 my ability and understanding, using Computer-Aided
12 Transcription.

13 I further certify that I am not an
14 attorney or counsel for any of the parties, that I
15 am neither related to nor employed by any attorney
16 or counsel connected with this action, and that I
17 have no financial interest in the outcome of this
18 action.

19 Baton Rouge, Louisiana, this 21st day of
20 September, 2009.

21

22

SHELLEY G. PAROLA, CCR, RPR

23

CERTIFICATE NO. 96001

24