



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

DANE K. MORGAN
CHAIRMAN

**IN RE: FACELIFT PAINTING, L.L.C.
NO. P080902963**

ORDER


This matter was considered by the Louisiana Gaming Control Board at its meeting of January 19, 2012. The Hearing Officer's order dated December 14, 2011, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Suspension and Penalty" by and between Facelift Painting, L.L.C., No. P080902963, and the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, which is attached hereto and incorporated herein, is **APPROVED**.

THUS DONE AND SIGNED on this the 19th day of January, 2012.

LOUISIANA GAMING CONTROL BOARD

BY:


DANE K. MORGAN, CHAIRMAN

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


LGCB-1165-11-B

RECEIVED

By Geralyn Coleman at 11:43 am, Dec 14, 2011

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

DEC 13 2011

LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: FACELIFT PAINTING, L.L.C.

PERMIT NO: P080902963

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

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

COME NOW the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter the "Division") and Facelift Painting, L.L.C. (hereinafter the "Permittee") who file this, their Joint Motion for Approval of Compromise and Settlement Agreement, and in support thereof would respectively show unto the Hearing Officer as follows:

1.

The Division and the Permittee are desirous of compromising and settling all disputes between them relative to the referenced administrative proceeding. In connection therewith, the parties have entered into a compromise and settlement agreement which by its terms will become effective upon approval by the Administrative Hearing Officer and the Louisiana Gaming Control Board.

2.

A true and correct copy of the proposed Compromise and Settlement Agreement is attached hereto as Exhibit "A" and incorporated by reference for all purposes.

TRUE COPY
Geralyn Coleman
Representative
Louisiana Gaming Control Board

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

Respectfully Submitted,

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL



Aaron O'Key, Jr.
9133 Candlestick Lane
Shreveport, LA 71118
President of Facelift Painting, L.L.C.

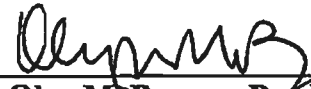
By: 
Olga M. Bogran, Bar Roll #24302
Assistant Attorney General
Gaming Division
400 Royal St. Suite 1230
New Orleans, LA 70130
Telephone: (504)599-1153
Facsimile: (504) 599-1163
Counsel for the Division

EXHIBIT "A"

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

IN RE: FACELIFT PAINTING, L.L.C.

PERMIT NO: P080902963

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter the "Division") and Facelift Painting, L.L.C. (hereinafter the "Permittee") do hereby represent and agree as follows:

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

WHEREAS, the issues raised by the said Notice of Recommendation of Suspension and Penalty are set for hearing before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the parties hereto are desirous of fully and finally compromising and settling all disputes and issues raised in connection with the said Notice of Recommendation of Suspension and Penalty;

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

STIPULATIONS

1. The Permittee stipulates that it failed to timely submit the annual affidavit form and annual permit fee by June 1, 2011, the anniversary date of Permittee's non-gaming supplier permit, as required by Louisiana gaming law.
2. The Division stipulates that it received the Permittee's required annual affidavit form and annual fee on October 18, 2011.¹

TERMS AND CONDITIONS

1. The Permittee agrees to pay, within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board, a civil penalty of Five Hundred Sixty-Two and 50/100 Dollars (\$562.50), for violation of La. R.S. 27:29(I), La. R.S. 27:29.3(F).
2. The Division hereby agrees that payment of a civil penalty of Five Hundred Sixty-Two and 50/100 Dollars (\$562.50) shall be in full and final settlement of all matters set forth in the Notice of Recommendation of Suspension and Penalty.
3. The Division reserves the right to take into consideration these admitted stipulations and violations in connection with any future investigation, violation or assessment of penalty, and in connection with any future determination of the suitability of the Permittee.
4. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and the Permittee pertaining to the Permittee's failure to timely submit the annual form and fees as required by gaming law and supersedes all

¹ Exhibit 1 (Copy of Annual Form date stamped October 18, 2011).


prior and contemporaneous agreements, representations and understandings of the parties.

5. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana Gaming Control Board for its determination as to whether to approve same or to remand the matter to the Hearing Officer for a full hearing on the merits.

6. If approved, the Permittee must make full payment of the civil penalty to the Division within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the Permit without the necessity of any further administrative action.

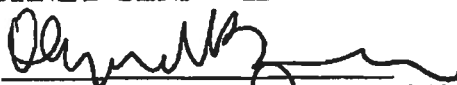
7. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

I have read this entire Compromise Settlement Agreement, understand it, and agree to all stipulations and terms and conditions hereof.



Aaron O'Key, Jr.
9133 Candlestick Lane
Shreveport, LA 71118
President of Facelift Painting, L.L.C.

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

By: 

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

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: FACELIFT PAINTING, L.L.C.

PERMIT NO: P080902963

ORDER

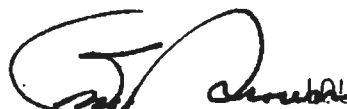
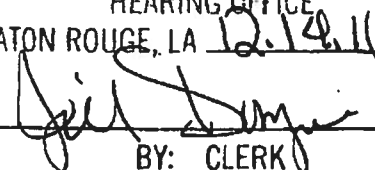
BE IT REMEMBERED that on the 14th day of Dec, 2011, came on for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared in person or by and through their respective attorneys of record, and the Hearing Officer having considered the pleadings on file, the proposed Settlement Agreement, and the said Motion, and it appearing to the Hearing Officer that the said Compromise and Settlement Agreement should be approved; it is, therefore,

ORDERED, ADJUDGED, AND DECREED that the Compromise and Settlement Agreement attached to the parties' Joint Motion for Approval of Compromise and Settlement Agreement be, and the same is hereby, **APPROVED**; that the Permittee must pay Five Hundred Sixty-Two and 50/100 (\$562.50) Dollars to the Division within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the gaming Permit without the necessity of any further administrative action.

SIGNED AND ENTERED this 14th day of Dec, 2011, in

Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
PARTIES THIS 14th DAY
December 14, 2011
SECRET CLERK, ADMINISTRATIVE HEARING OFFICE
cc: Aaron O'Keefe
Oga Boyan
Sgt. Monell Sobley


HEARING OFFICER
A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 12-14-11

BY: CLERK