



State of Louisiana
Gaming Control Board

BOBBY JINDAL
GOVERNOR

DANE K. MORGAN
CHAIRMAN

IN RE: FIRST CLASS TOURS, INCORPORATED
NO. P086502227

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of October 20, 2011. The Hearing Officer's order dated October 10, 2011, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," by and between First Class Tours, Incorporated, No. P086502227, 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 20th day of October, 2011.

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 21st DAY
OF October, 2011.
APPEAL DOCKET CLERK


LGCB-1024-11-B

RECEIVED

by GERALYN COLEMAN at 3:01 pm, Oct 10, 2011

RECEIVED

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LGCB
ADMINISTRATIVE HEARING OFFICE

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: FIRST CLASS TOURS, INCORPORATED

CASE NO.: P086502227

JOINT MOTION FOR APPROVAL OF COMPROMISE AND
SETTLEMENT AGREEMENT

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

NOW COME the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and First Class Tours, Incorporated (hereinafter, "First Class"), who file this 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 First Class are desirous of compromising and settling all disputes between them relative to the referenced administrative proceeding. In connection therewith, the parties have entered into a compromise and settlement agreement, which by its terms will become effective upon approval by the Administrative Hearing Office and the Louisiana Gaming Control Board.

2.

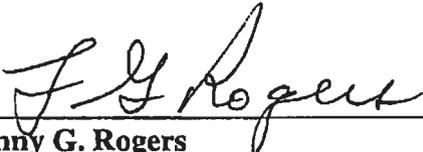
A true and correct copy of the proposed Compromise and Settlement Agreement is attached hereto as Exhibit "A" and incorporated by reference for all purposes.

TRUE COPY

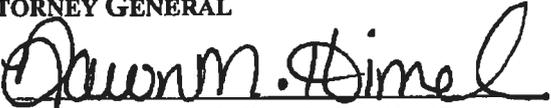
Representative
Louisiana Gaming Control Board

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

Respectfully Submitted,

By: 
Lanny G. Rogers
12703 Eastex Freeway
Houston, Texas 77039
Telephone: (281-590-1803
*Owner/Director/Secretary/Treasurer/CEO
of First Class Tours, Incorporated*

**JAMES D. "BUDDY" CALDWELL,
ATTORNEY GENERAL**

By: 
Dawn M. Himel, Bar Roll #31007
Assistant Attorney General
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (225) 326-6500
Facsimile: (225) 326-6599
Counsel for the Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: FIRST CLASS TOURS, INCORPORATED

CASE NO.: P086502227

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter, the "Division") and First Class Tours, Incorporated (hereinafter, "First Class") do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to First Class, which Notice contains allegations of certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by the said Notice of Recommendation of Administrative Action are set for hearing before the Louisiana Gaming Control Board Administrative Hearing Office on October 10, 2011; and

WHEREAS, the Division and First Class are desirous of fully and finally compromising and settling all issues and disputes arising out of and in connection with the said Notice of Recommendation of Administrative Action;

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

STIPULATIONS

1. First Class is a non-gaming supplier located at 12703 Eastex Freeway, Houston, Texas 77039.

2. First Class appointed Jeffrey S. Rogers as President, effective October 30, 2010. The Division's records indicated Lanny G. Rogers was the President of First Class. For the period of October 30, 2010 through June 2011, the company maintained two Presidents, Lanny G. Rogers and Jeffrey S. Rogers. On July 1, 2011, Jeffrey S. Rogers became the sole President of First Class. First Class did not notify the Division of the appointment of Jeffrey S. Rogers as President until on or about June 1, 2011, in violation of **LAC 42:VII.2901(B)(4)**, **LAC 42:IX.2901(B)(4)**, and **LAC 42:XIII.2901(B)(4)**.

3. First Class appointed Lanny G. Rogers as Chief Executive Officer, effective July 1, 2010. First Class did not notify the Division of the appointment of Lanny G. Rogers as Chief Executive Officer until on or about June 1, 2011, in violation of **LAC 42:VII.2901(B)(4)**, **LAC 42:IX.2901(B)(4)**, and **LAC 42:XIII.2901(B)(4)**.

TERMS AND CONDITIONS

1. In lieu of Administrative Action of its Gaming License, First Class will pay a civil penalty of ONE THOUSAND AND NO/100 (\$1,000.00) DOLLARS for its violations of **LAC 42:VII.2901(B)(4)**, **LAC 42:IX.2901(B)(4)**, and **LAC 42:XIII.2901(B)(4)**.

2. The Division hereby agrees that payment of a civil penalty of ONE THOUSAND AND NO/100 (\$1,000.00) DOLLARS shall be in full and final settlement of all matters set forth in the Notice of Recommendation of Administrative Action for the licensee's violations of **LAC 42:VII.2901(B)(4)**, **LAC 42:IX.2901(B)(4)**, and **LAC 42:XIII.2901(B)(4)**.

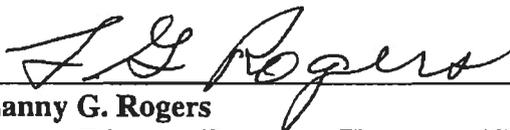
3. The Division reserves the right to take into consideration these admitted violations in connection with any future investigation, violation or assessment of penalty and in connection with any future assessments of First Class's suitability.

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

5. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and First Class, pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations, and understandings of the parties.

6. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana Gaming Control Board for its determination as to whether to approve same or to remand the matter to the Hearing Officer for a full hearing on the merits. Failure to pay the penalty within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board, and to comply with each term and condition listed herein, shall result in the immediate suspension of First Class's license without the necessity of further administrative action, until such time as the penalty is paid in full.

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



Lanny G. Rogers
Owner/Director/Secretary/Treasurer/CEO
of and on behalf of First Class Tours, Incorporated



Dawn M. Himel, AAG, on behalf of
State of Louisiana, Department of Public Safety &
Corrections, Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: FIRST CLASS TOURS, INCORPORATED

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ORDER

BE IT REMEMBERED that on the 10th day of October, 2011, came for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared by and through their respective attorneys of record or representing themselves, 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 First Class Tours, Incorporated must pay ONE THOUSAND AND NO/100 (\$1,000.00) 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 license without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 10th day of October, 2011, in Baton

ROULETTE CLERK, ADMINISTRATIVE HEARING OFFICE
cc: Danny M. Rogers
Dawn M. Hines
Sefton White Stokes


RICHARD L. REYNOLDS
HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 10-10-11

BY: CLERK