



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

**IN RE: THE OLD EVANGELINE DOWNS, LLC D/B/A
EVANGELINE DOWNS RACETRACK AND CASINO
NO. CGD040530**

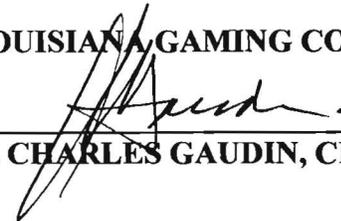
ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of February 21, 2006. The Hearing Officer's order dated January 18, 2006, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action," Violation No. CGD040530, by and between The Old Evangeline Downs, LLC d/b/a Evangeline Downs Racetrack & Casino, License No. T012802160, 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 21 day of February, 2006.

LOUISIANA GAMING CONTROL BOARD

BY:



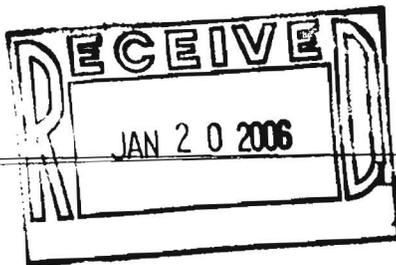
H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD

I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 22nd DAY
OF February, 2006

APPEAL DOCKET CLERK





RECEIVED

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

JAN 18 2006

**LGCB
ADMINISTRATIVE HEARING OFFICE**

**IN RE: THE OLD EVANGELINE DOWNS, LLC
DBA EVANGELINE DOWNS
RACETRACK AND CASINO**

CGD040530

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

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

COME NOW State of Louisiana, Department of Public Safety and Corrections, Office of State Police ("the Division") and The Old Evangeline Downs, LLC, d/b/a Evangeline Downs Racetrack and Casino (hereinafter "EDRC"), 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 EDRC 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
[Signature]
Representative
Louisiana Gaming Control Board

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

Respectfully Submitted,

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

By: 
Joseph P. Brantley, IV, #03401
6513 Perkins Road
Baton Rouge, LA 70808
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Counsel for EDRC

By: 
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Assistant Attorney General
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
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Facsimile: (225) 326-6599
Counsel for the Office of State Police

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: THE OLD EVANGELINE DOWNS, LLC
DBA EVANGELINE DOWNS
RACETRACK AND CASINO

CGD040530

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "the Division") and The Old Evangeline Downs, LLC, d/b/a Evangeline Downs Racetrack and Casino (hereinafter "EDRC") do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has issued a Notice of Recommendation of Administrative Action to EDRC alleging 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 on January 18, 2006, before the Louisiana Gaming Control Board Administrative Hearing Office; and

WHEREAS, the Division and EDRC 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. On June 29, 2004, a Division agent found the main door of an electronic gaming device (hereinafter "EGD") open. The EGD was not connected to the slot monitoring system, the EGDS's central processor unit had Mississippi Gaming Commission tape over the EPROM's and was missing an entry in the machine entry authorization log (hereinafter "MEAL log").

2. On July 2, 2004, the Division conducted an investigation of EDRC's EGDs. It was discovered that twenty-four (24) EGDs had been placed on the casino floor while not connected to the slot monitoring system, fourteen (14) of the EGDs had MEAL logs that had improper entries or lacked entries, five (5) of the EGDs had been operated without being tested by the Division and three (3) of the EGDS had not been taped by the Division.

3. On June 2, 2005, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to EDRC alleging certain violations of Louisiana Gaming Control Law.

4. EDRC does admit it violated LAC 42:VII.4205(A), LA42:VII.4205(B)(6), LAC 42:VII.4209(A)(2)(q) and LAC 42:VII.4209(A)(2)(gg).

TERMS AND CONDITIONS

1. EDRC will pay a civil penalty of ONE HUNDRED FIFTY THOUSAND DOLLARS (\$ 150,000.00).

2. The Division hereby agrees to accept EDRC's payment of the above stated penalty in full and final settlement of CGD 040530.

3. The Division reserves the right to take into consideration these admitted violations in connection with any future investigation, violation or assessment of penalty.

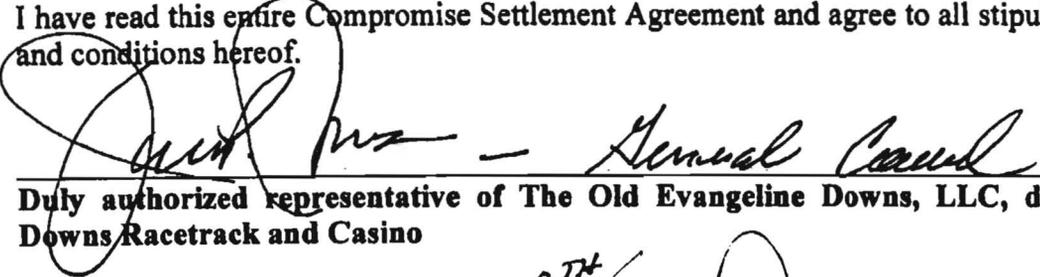
4. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

5. This Compromise and Settlement Agreement constitutes the entire agreement

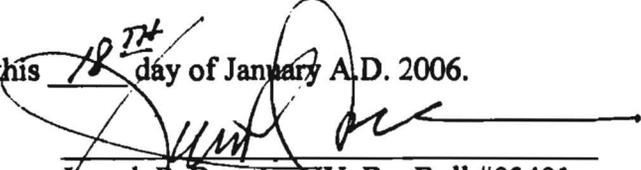
between the Division and EDRC, pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

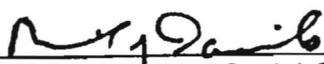
6. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana 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.

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


Duly authorized representative of The Old Evangeline Downs, LLC, d/b/a Evangeline Downs Racetrack and Casino

Sworn to and subscribed before this 18TH day of January A.D. 2006.


Joseph F. Brantley, IV, Bar Roll #03401
6513 Perkins Road
Baton Rouge, LA 70808
Telephone: (225) 769-9555
Facsimile: (225) 769-0023


Michael J. Daniels, 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: THE OLD EVANGELINE DOWNS, LLC
DBA EVANGELINE DOWNS
RACETRACK AND CASINO**

CGD040530

ORDER

BE IT REMEMBERED that on this the 18th day of January, 2006, came on 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, and the Hearing Officer having considered the pleadings on file, the proposed Settlement Agreement, and the said Motion, and it appearing to the Hearing Officer that the said Compromise and Settlement Agreement should be approved; it is, therefore,

ORDERED, ADJUDGED, AND DECREED that the Compromise and Settlement Agreement attached to the parties' Joint Motion for Approval of Compromise and Settlement Agreement be, and the same is hereby, **APPROVED**.

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

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 18th DAY
1/18/06
of 2006
BUCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Joseph P. Brantley
Michael Daniels
Sgt. Lebrnd Falcon



WILLIAM H. BROWN
HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 1/18/06


BY: CLERK