

LOUISIANA GAMING CONTROL BOARD

Minutes of May 17, 2004

The Louisiana Gaming Control Board held a meeting on Monday, May 17, 2004, 10:00 a.m., at the LaSalle Building, 617 N. Third Street, Baton Rouge, LA. Present at this meeting were: H. Charles Gaudin, Chairman, Robert M. Fleming, James G. Boyer, Gen. Sherian Cadoria, Dennis Kinchen, William Lastraptes, Marcia Morgan, Rupert Richardson, Kelly Simoneaux and ex-officio member Col. Henry Whitehorn. Absent was ex-officio member Sec. Cynthia Bridges.

The meeting was called to order. Chairman Gaudin made a brief introduction to the audience concerning his recent appointment as Chairman of the Louisiana Gaming Control Board.

Following his comments, it was moved by Gen. Cadoria to waive the reading and approve the minutes of the April Board meeting. The motion was seconded by Ms. Richardson and unanimously approved by the Board.

Ms. Donna Jackson, State Police Gaming Audit Division, presented the revenue reports for the riverboats, landbased casino, and slots at the tracks. Ms. Constance Wallace with the State Police Audit Division, reported on the employee numbers and salaries for the landbased casino, and Ms. Donna Stevens, also with the Audit Division, reported on the statistics for video poker.

Mr. Young Bonner, Asst. Attorney General in the Gaming Division, reported on the Compliance Reports on slots at qualified racing facilities for the first quarter of 2004.

The Board acted on a request by Harrah's Entertainment for approval of an amendment to their existing credit facility. Ms. Lonna Willingham and Ms. Evie Ficklin, auditors in the Casino Gaming Division of State Police, addressed the Board on this matter.

Following discussion, it was moved by Mr. Boyer to approve the request for the amendment to the credit facility. The motion was seconded by Mr. Kinchen and unanimously approved by the Board.

There was a request by Boyd Gaming Corporation for approval of purchase of the Red River Entertainment Partnership in Commendam riverboat and a five million dollar line of credit. Mr. Leonce Gautreaux, Asst. Attorney General, and Ms. Lonna Willingham addressed this Board on this matter. The purchase would consist of a 190 million dollar cash transaction and existing conditions of the license would not change.

Mr. Patrick Jackson, attorney representing the Bossier Parish Police Jury, stated that they were withdrawing their prior opposition to the purchase at this time.

Following discussion, it was moved by Mr. Lastrapes to approve both the purchase and line of credit request. The motion was seconded by Mr. Kinchen. Prior to the vote, it was moved by Gen. Cadoria to go into Executive Session to discuss this matter. The motion was seconded by Ms. Morgan and unanimously approved by the Board.

Following the Executive Session, the Board returned to the Regular Session and voted unanimously to approve the purchase and line of credit.

Mr. Anthony Sanfilippo, Harrah's Central President, Mr. William Boyd, Chairman and CEO of Boyd Gaming, and Mr. Paul West, attorney on behalf of Boyd Gaming, addressed the Board following the vote in this matter.

The Board acted on the following truckstop applications:

1. **Lucky Star Travel Center, L.L.C. d/b/a Lucky Star Casino – No. 2901513975** Motion by Mr. Boyer to approve the application. The motion was seconded by Gen. Cadoria and unanimously approved by the Board.
2. **LM Daigle Oil Co., d/b/a LM Daigle Oil Co. – No. 1006500040** - Motion by Ms. Richardson to approve the suitability and stock transfer of the application. The motion was seconded by Gen. Cadoria and unanimously approved by the Board.

Mr. Tom Warner, Asst. Attorney General, addressed the Board concerning various rules.

Following discussion, it was moved by Mr. Boyer to institute the rulemaking procedure for amendments to LAC 42:IX.3103, XIII.3105, Rules of Play; IX.3105, XIII.3105, Submission of Rules; IX.3107, XIII.3107, Wager and Repealing IX.3115 – 3132 and XIII.3115 – 3132. The motion was seconded by Ms. Morgan and unanimously approved by the Board.

It was moved by Ms. Richardson to adopt an emergency rule amending LAC 42:III.304 D.6, Self-Exclusion, Confidentiality of Administrative Actions and Hearings Involving Self-Excluded Persons. The motion was seconded by Gen. Cadoria and unanimously approved by the Board.

The Board acted on a declaratory ruling filed by Mr. Donald Cotton on behalf of Lott Gaming, Inc. d/b/a Lotts O Luck #4. It was moved by Mr. Lastrapes to withhold action on this matter until an application has been filed. The motion was seconded by Ms. Richardson and unanimously approved by the Board.

The next item involved an application by Advanced Gaming Distributors, L.L.C. for a Type 8 video poker license. It was moved by Judge Fleming to approve the application. That motion was seconded by Mr. Lastrapes and approved by a five to three vote. Voting to approve the application was: Judge Fleming, Mr. Boyer, Mr. Kinchen, Mr. Lastrapes and Mr.

Simoneaux. Voting against the application was: Gen. Cadoria, Ms. Morgan and Ms. Richardson. Chairman Gaudin abstained from voting on this matter.

The Board acted on Proposed Settlements/Appeals in the following:

1. **In Re: Superstop Enterprises, Inc. d/b/a Sunshine Super Stop Truck Stop – No. 4700511121**
3. **In Re: Fillmore Oil Co., Inc. d/b/a Goodwill Truckstop – No. 6000504377A**
6. **In Re: Maggio's, Inc. d/b/a Maggio's Daiquiri Station – No. 4100112071**

The above three cases were handled in globo because they dealt with the same issue. It was moved by Ms. Richardson to approve the \$250 settlement in each case for failure to include the toll-free gambling hotline number in advertising. The motion was seconded by Gen. Cadoria and unanimously approved by the Board.

2. **In Re: Fillmore Oil Co., Inc. db/a Goodwill Truckstop – No. 6000504377A** – Motion by Mr. Lastrapes to approve the \$250 settlement for failure to include the toll-free gambling hotline number on the division approved video gaming logo. The motion was seconded by Mr. Boyer and unanimously approved by the Board.
4. **In Re: Patrick Lee Farris, Jr. – No. P040029106**
5. **In Re: Karen Parker – No. P040023237**

The above two cases were handled in globo because they dealt with the same issue. It was moved by Gen. Cadoria to approve the \$250 settlement in each case for failure to timely submit their tax clearances. The motion was seconded by Mr. Boyer and unanimously approved by the Board.

7. **In Re: Aristocrat Technologies, Inc. - No. CGD030176** – Motion by Ms. Morgan to approve the \$50,000 settlement for failure to amend or modify representations made to the Board in 2001, and failure to notify the Board or receive permission prior to entering into a contract. The motion was seconded by Mr. Lastrapes and unanimously approved by the Board.
8. **In Re: Aristocrat Technologies, Inc. - No. CGD030427** – Motion by Ms. Morgan to approve the \$10,000 settlement for failure to timely submit requested suitability documents. The motion was seconded by Mr. Lastrapes and unanimously approved by the Board.
9. **In Re: Lake End Corporation d/b/a Lake End Café – No. 410021212657** – Motion by Gen. Cadoria to approve the \$250 settlement for failure to include the toll-free gambling hotline number in advertising. The motion was seconded by Ms. Richardson and unanimously approved by the Board.
10. **In Re: Wolfman, Inc. d/b/a Chicken Box Forstall – No. 3601212657** – Motion by Mr. Lastrapes to recall the revocation and refer the matter to the hearing officer. The motion was seconded by Gen. Cadoria and unanimously approved by the Board.

11. **In Re: Parsa, Inc. d/b/a Club Decatur – No. 3601210741** - This matter was continued to the June meeting.
12. **In Re: Finish Line/Houma – No. 5500400539** – Motion by Mr. Boyer to grant the rehearing. The motion was seconded by Gen. Cadoria and unanimously approved by the Board.
13. **In Re: Eavy Muturuh – No. P040040930** – Motion by Ms. Morgan to affirm the decision of the Hearing Officer. The motion was seconded by Mr. Simoneaux and unanimously approved by the Board.

There were public comments from Judge Joseph E. Anzalone concerning his Hearing Officer's contract.

There being no further comments, it was moved by Mr. Kinchen to adjourn the meeting. The motion was seconded by Ms. Richardson and unanimously approved by the Board.

The meeting was adjourned.