

LOUISIANA GAMING CONTROL BOARD

Minutes of February 17, 2009

The Louisiana Gaming Control Board held a meeting on Tuesday, February 17, 2009, 10:00 a.m., Senate Room A of the Louisiana State Capitol. Present at the meeting were: H. Charles Gaudin, Chairman; Marcia Morgan, Major Claude Mercer, Velma Rogers, Claryce Minor, Ayres Bradford, Robert Jones, Mark Stipe and Gerald Juneau. Absent were ex-officio members, Col. Mike Edmonson and Sec. Cynthia Bridges.

The meeting was called to order. It was moved by Ms. Minor to waive the reading and approve the minutes of the January meeting. That motion was seconded by Major Mercer 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 track. Ms. Janice Adolph, also with the Gaming Audit Division, presented the statistics for video poker.

Ms. Mesa Brown, Asst. Attorney General in the Attorney General's Gaming Division, reported on the Fourth Quarter 2008 Compliance Reports.

Mr. John Campbell, Special Assistant Attorney General, addressed the Board with reference to the Unconditional Minimum Payment Extension Guaranty of Jazz Casino Company, LLC, Hamlet Holdings LLC, Harrah's Entertainment, Inc., and Harrah's Operating Company, Inc. He stated the current Extension Guaranty remains in place through March 31, 2011. He also stated that Harrah's gross gaming revenue for the past two years has exceeded 350 million dollars, and a new Minimum Payment Extension Guaranty is no longer required.

The Board acted on the 2009-2010 Casino Support Services Contract with the City of New Orleans. Ms. Olga Bogran, Asst. Attorney General in the Gaming Division, addressed board members with reference to this item.

Following discussion, it was moved by Mr. Jones to approve the 2009-2010 Contract subject to appropriation of funds and approval by the Joint Legislative Budget Committee. That motion was seconded by Mr. Bradford and unanimously approved by the Board.

The Board considered a petition by Eldorado Shreveport for approval of a transfer of indirect ownership interest held by Eldorado Resorts, L.L.C. to Eldorado Holdco, L.L.C.

Following discussion, it was moved by Ms. Morgan to approve the transfer of interest. That motion was seconded by Major Mercer and unanimously approved by the Board.

The Board also considered a petition by Louisiana Casino Cruises, Inc. (L.C.C.I.) d/b/a Hollywood Casino for approval of the elimination L.C.C.I.'s Compliance Committee and adoption and implementation of the Penn National Gaming Compliance Review and Reporting Plan.

Following discussion, it was moved by Ms. Morgan to dissolve the current L.C.C.I. Compliance Committee and approve the plan submitted by Penn National Gaming. That motion was seconded by Major Mercer and unanimously approved by the Board.

The next item dealt with consideration of a petition filed by PNK-Lake Charles (Sugarcane Bay) for a second amendment to License Condition 14(c), Extension of Time regarding completion of Approved Project. Pinnacle officials requested an additional 90 days which would extend the deadline until July 30, 2010.

They also filed a petition for PNK (Baton Rouge) to amend License Condition 15 (b) regarding submission of Contracts of Approved Project. PNK also requested a 90 day extension for the Baton Rouge project.

Following discussion, it was moved by Mr. Juneau to grant the 90 day extensions for both the Lake Charles and Baton Rouge projects. That motion was seconded by Mr. Jones and unanimously approved by the Board.

The Board acted on the following truckstop application:

1. In Re: Port Au Prince, LLC d/b/a Gold Rush Casino – No. 4900515526 – Motion by Mr. Bradford to approve the application. That motion was seconded by Ms. Minor and unanimously approved by the Board.

The Board acted on the following transfers of interest in Jacobs Investments, Inc.

1. Bayou Vista Truck Plaza & Casino, LLC d/b/a Bayou Vista Truck Plaza & Casino – No. 5100511651
2. Houma Truck Plaza & Casino, LLC d/b/a Pelican Palace Casino – No. 5501511337
3. Lucky Magnolia Truck Stop & Casino, LLC d/b/a Lucky Magnolia Casino – No. 4600511567
4. Raceland Truck Plaza & Casino, LLC d/b/a Raceland Casino – No. 2900512137
5. Jalou Eunice, LLC d/b/a Cash Magic Eunice – No. 4900514311
6. Jalou Breaux Bridge, LLC d/b/a Cash Magic Breaux Bridge – No. 5000514139
7. Jalou of Jefferson, LLC d/b/a Cash Magic Westbank Casino – No. 2600514473
8. Jalou of St. Martin, LLC d/b/a Vegas Style Casino – No. 5000513263
9. Jalou Magic, LLC d/b/a Cash Magic Casino – No. 1000513267
10. Jalou Diamond, LLC d/b/a Vegas Style Casino North – No. 5000513043
11. Jalou Silver Dollar, LLC d/b/a Silver Dollar Truck Stop & Casino – No. 0904515201
12. Jalou of Larose, LLC d/b/a Larose Truck Stop & Casino – No. 2900514756
13. Jalou of Vinton, LLC d/b/a Texas Pelican Truck Stop & Casino – No. 1000514911
14. Jalou of St. Helena, LLC d/b/a St. Helena Express & Casino – No. 4600514932

15. Fuel Stop 36, LLC d/b/a Fuel Stop 36 – No. 1000501777
16. Jace, LLC d/b/a Colonel's Truck Plaza & Casino – No. 5500511812
17. Winner's Choice Casino, LLC d/b/a Winner's Choice Casino – No. 1002503597
18. Jalou Amite, LLC d/b/a Amite Truck Plaza Casino – No. 4600514957
19. Jalou Forest Gold, LLC d/b/a Forest Gold Truck Plaza & Casino – No. 4600514933
20. Jalou Vivian, LLC d/b/a Relay Station Vivian – No. 0900515050
21. Jalou Springhill, LLC d/b/a Relay Station Springhill – No. 6003515005
22. Jalou Fox, LLC d/b/a St. Helena Grocery & Casino – No. 4600514760
23. Jalou Fox, LLC d/b/a End of the Line Bar – No. 4600114762
24. Cash's Casino, Inc. d/b/a Cash's Truck Plaza – No. 6100510648

Following discussion, it was moved by Major Mercer to approve the transfers of interest in the above stated licenses. That motion was seconded by Ms. Minor and unanimously approved by the Board.

The Board received an update on Speedway SuperAmerica.

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

1. **In Re: Coca Cola Enterprises, Inc. – No. P083600415** - Motion by Ms. Minor to approve the \$562.50 penalty for failure to timely submit their annual fee and annual affidavit. That motion was seconded by Major Mercer and unanimously approved by the Board.
2. **In Re: 190 Truck Stop, LLC d/b/a Grand Point Grand Casino – No. 4700513410** – Motion by Mr. Juneau to approve the \$15,000.00 penalty for noncompliance with truckstop requirements. That motion was seconded by Ms. Rogers and unanimously approved by the Board.
3. **In Re: B.R.J., Inc. d/b/a Rhythms Nightclub – No. 26051006745**
4. **In Re: Kitty G., Inc. d/b/a Liuzza's By The Track – No. 3601209578**

The above two cases were handled in globo because they dealt with the same issue. It was moved by Mr. Bradford to approve the \$500.00 penalty for each license due to failure to remain eligible for tax clearances and failure to timely provide required information regarding changes in marital status. That motion was seconded by Mr. Jones and unanimously approved by the Board.

5. **In Re: Heritage Café and Spirits – No. 4500115605** – Motion by Mr. Bradford to approve the \$1,000.00 penalty for allowing underage individuals to gamble and to dismiss the \$500.00 penalty. That motion was seconded by Major Mercer and unanimously approved by the Board.
6. **In Re: Janeeka Bradley Niblett – No. P040044562** – Motion by Ms. Morgan to approve the \$250 penalty for failure to remain eligible for tax clearances. That motion was seconded by Ms. Minor and unanimously approved by the Board.

7. **In Re: Big Easy Evangeline Lounge, LLC d/b/a Evangeline Bar & Restaurant – No. 3601114989; Adolph J. Gerhold, Jr. – No. 08008** – Motion by Major Mercer to affirm the decision of the Hearing Officer denying the video gaming license and finding Adolph J. Gerhold, Jr. unsuitable. That motion was seconded by Ms. Rogers and passed by a vote of five to four. Voting for the motion was: Major Mercer, Ms. Minor, Mr. Jones, Mr. Stipe and Mr. Juneau. Voting against the motion was: Ms. Morgan, Ms. Rogers, Mr. Bradford and Chairman Gaudin.

8. **In Re: Temptations, Inc. d/b/a Stiletto's No. - 3601114916** – Motion by Ms. Morgan to affirm the decision of the Hearing Officer imposing a \$500.00 civil penalty in case No. 3601114916 and a \$500.00 civil penalty in case No. 3601114916A. That motion was seconded by Ms. Rogers and unanimously approved by the Board.

There being no further comments, it was moved by Ms. Minor to adjourn the meeting. That motion was seconded by Ms. Morgan and unanimously approved by the Board.

The meeting was adjourned.