

**UNITED STATES OF AMERICA
DEPARTMENT OF THE TREASURY
FINANCIAL CRIMES ENFORCEMENT NETWORK**

**IN THE MATTER OF
GULFSIDE CASINO PARTNERSHIP**

MATTER No. CAS-99-001

AGREEMENT

I.

This AGREEMENT is by and between the United States Department of the Treasury, Financial Crimes Enforcement Network ("FinCEN") and Gulfside Casino Partnership, d/b/a Copa Casino ("Copa"), pursuant to 31 U.S.C. § 5321(a)(1) of the Bank Secrecy Act and 31 C.F.R. § 103.47(f), thereunder.

II.

Between September 24, 1993, through December 31, 1994, Copa failed to file at least 28 Currency Transactions Report by Casinos ("CTRC") forms for currency transactions in an amount greater than \$10,000 within the time required by 31 C.F.R. § 103.22, promulgated under § 5313 of the Bank Secrecy Act.

III.

FinCEN has determined that in failing to file the CTRCs described in paragraph II, above, Copa willfully violated the currency reporting provisions of the Bank Secrecy Act and that a civil money penalty is due pursuant to 31 U.S.C. § 5321 and 31 C.F.R. § 103.47(f), for each of Copa's violations of the Act.

IV.

In order to resolve this controversy between the parties, and without admitting or denying FinCEN's determinations that Copa willfully violated the Bank Secrecy Act, Copa consents to the assessment of a civil money penalty in the sum of \$101,000.

V.

Copa agrees to pay the amount of \$101,000 within five (5) business days of the date of final and complete execution of this AGREEMENT in order to comply with the civil money penalty assessment by FinCEN. Such payment shall be:

- a. made by certified check, bank cashier's check or bank money order;
- b. made payable to the United States Department of Treasury;
- c. hand-delivered or mailed to Nicholas A. Procaccini, Assistant Director, Office of Management and Chief Financial Officer, FinCEN, P.O. Box 39, Vienna, Virginia 22183; and
- d. submitted under a cover letter which references the caption and file number in this matter.

VI.

Copa recognizes and states that it enters into this AGREEMENT freely and voluntarily, and that no offers, promises, or inducements of any nature whatsoever have been made by FinCEN or any employee, agent, or representative of FinCEN to induce Copa to enter into this AGREEMENT, except for those specified in this Agreement.

VII.

Copa understands and agrees that this AGREEMENT embodies the entire agreement between Copa and FinCEN relating to the assessment of civil money penalties under the Bank Secrecy Act. Copa further understands and agrees that there are no express or implied promises, representations, or agreements between Copa and FinCEN other than those expressly set forth or referred to in this document and that nothing in this document is binding on any other agency of government, whether federal, state, or local.

VIII.

Copa waives any claim of double jeopardy or estoppel based upon this AGREEMENT, including the payment of any civil money penalty.

Gulfside Casino Partnership, d/b/a Copa Casino

BY: //signed// Joel R. Carter

TITLE: Managing Partner

DATED: 4/13/99

On this 13th day of April, 1999, Joel R. Carter, a duly authorized officer of Gulfside Casino Partnership, d/b/a Copa Casino, being known to me and who executed the foregoing AGREEMENT personally appeared before me and did duly acknowledge to me that he executed the same. Witness by hand and official seal.

//notarized// Mississippi Statewide Notary Public

Notary Public

FINANCIAL CRIMES ENFORCEMENT NETWORK

BY: //signed// James F. Sloan

TITLE: Director

DATED: April 23, 1999