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7 *Attorneys for the Bureau of Gambling Control*

8  
9 **BEFORE THE**  
10 **CALIFORNIA GAMBLING CONTROL COMMISSION**  
11 **STATE OF CALIFORNIA**  
12

13 **In the Matter of the First Amended**  
14 **Accusation and Statement of Issues Against:**

15 **CB Certified Banker, Inc.,**  
license no. TPPP-000028,  
16 14501 Magnolia Street, #100  
Westminster, California 92683

17 and

18 **Tam Si Luu,** sole shareholder,  
President, Secretary and Treasurer,  
19 license no. TPOW-000135  
20 14501 Magnolia Street, #100  
Westminster, California 92683

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23 **Respondents.**  
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**OAH No. 2015020871**

**BGC No. BGC-HQ2014-00004AL**

**STIPULATED SETTLEMENT; DECISION  
AND ORDER**

1 The parties enter into this Stipulated Settlement to resolve finally the First Amended  
2 Accusation and Statement of Issues. To resolve the First Amended Accusation and Statement of  
3 Issues, the parties hereby stipulate as follows:

4 **PARTIES**

5 1. Wayne J. Quint, Jr. (Complainant), brought the First Amended Accusation and  
6 Statement of Issues solely in his official capacity as the Chief of the California Department of  
7 Justice, Bureau of Gambling Control (Bureau).

8 2. On or about September 22, 2010, the California Gambling Control Commission  
9 (Commission) issued a Third-Party Proposition Player Services Primary Provider License,  
10 number TPPP-000028, to CB Certified Banker, Inc., to provide third-party proposition player  
11 services.<sup>1</sup>

12 3. The sole shareholder (owner), president, secretary and treasurer of CB Certified  
13 Banker, Inc., is Tam Si Luu. On or about September 22, 2010, the Commission issued a Third-  
14 Party Proposition Player Services Owner License, number TPOW-000135, to Tam Si Luu as  
15 owner of CB Certified Banker, Inc.<sup>2</sup>

16 4. On or about September 22, 2010, the Commission issued a Gambling Business  
17 License, number TPPP-000069, to CB Certified Banker, Inc., and a Gambling Business Owner  
18 License, number TPOW-000311, to Tam Si Luu. Those licenses expired on September 30, 2014,  
19 and were not renewed. CB Certified Banker, Inc. and Tam Si Luu are hereinafter referred to  
20 collectively as Respondents.<sup>3</sup>

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23 <sup>1</sup> On or about February 3, 2005, CB Certified Banker, Inc., was registered as a third-party  
24 proposition player services provider. That registration was extinguished when the Commission  
25 issued a license to CB Certified Banker, Inc.

26 <sup>2</sup> On or about February 3, 2005, Tam Si Luu, was registered as a third-party proposition  
27 player services provider owner. That registration was extinguished when the Commission issued  
28 a license to Tam Si Luu.

<sup>3</sup> On or about May 19, 2008, CB Certified Banker, Inc., was registered as a gambling  
business and Tam Si Luu was registered as a gambling business owner. Those registrations were  
extinguished when the Commission issued licenses to CB Certified Banker, Inc. and Tam Si Luu.



1           12. Respondents understand and agree that Respondents may not withdraw their  
2 agreement or seek to rescind the Stipulation prior to the time the Commission considers and acts  
3 upon it. If the Commission fails to adopt this Stipulation as its decision and order, the Stipulation  
4 shall be of no force or effect, except that Complainant and Respondents agree that this Stipulation  
5 and any admissions made therein shall be inadmissible in any legal action between the parties or  
6 for any purpose, and the Commission shall not be disqualified from further action by having  
7 considered this Stipulation.

8           13. If the Commission rejects this Stipulation as its decision and order, or fails to act  
9 upon this Stipulation, Complainant shall proceed with an evidentiary hearing of the allegations in  
10 the First Amended Accusation and Statement of Issues, or such further amended pleadings as may  
11 be filed, before an Administrative Law Judge from the Office of Administrative Hearings.

12           14. Respondents have carefully read this Stipulation. Respondents have been afforded  
13 the opportunity to review and discuss its terms with an attorney or other advisor(s) of  
14 Respondents' choice. Respondents fully understand the allegations in the First Amended  
15 Accusation and Statement of Issues, and Respondents fully understand the effects of this  
16 Stipulation.

17           15. Respondents are fully aware of their legal rights in this matter, including the right to  
18 an administrative evidentiary hearing on the allegations in the First Amended Accusation and  
19 Statement of Issues; the right to be represented by counsel of their choice at their own expense;  
20 the right to confront and cross-examine witnesses; the right to present evidence and to testify; the  
21 right to the issuance of subpoenas to compel the attendance of witnesses and the production of  
22 documents; the right to apply for reconsideration and court review of an adverse decision; and all  
23 other rights afforded by the California Administrative Procedure Act (Gov. Code, § 11370 et  
24 seq.), the Gambling Control Act (Bus. & Prof. Code, § 19800 et seq.), and all other applicable  
25 laws.

26           16. Respondents voluntarily, knowingly and intelligently, waive and give up each and  
27 every right set forth in paragraph 15, above, waive the evidentiary hearing that had been set to  
28 commence on December 1, 2015, and agree to be bound by this Stipulation.

1 **STIPULATED ADMISSIONS**

2 17. Respondents admit the truth of each and every allegation made as to them in the First  
3 Amended Accusation and Statement of Issues. Respondents agree that they are subject to  
4 discipline.

5 **STIPULATED AGREEMENT OF SETTLEMENT**

6 18. Respondents agree that the state gambling licenses and registrations described and  
7 identified in paragraphs 2 through 5, above, whether current, extinguished, expired or interim  
8 with conditions (gambling licenses), are subject to the terms of this Stipulation and to the  
9 Decision and Order of the Commission. Respondents' pending gambling license applications and  
10 gambling license renewal applications shall be and are denied effective on the date the  
11 Commission adopts this Stipulation. Respondents' gambling licenses shall be and are revoked  
12 effective on the date the Commission adopts this Stipulation.

13 19. Respondents agree to not apply for any gambling license issued by the Bureau or  
14 Commission, including but not limited to registrations and licenses relating in any way to third-  
15 party proposition player services, until after ten years have passed from the effective date of the  
16 Commission's Decision and Order below.

17 20. The parties agree that this Stipulation fully resolves the First Amended Accusation  
18 and Statement of Issues, including the full extent of the discipline to be imposed for any of the  
19 conduct Respondents admit to by way of this Stipulation.

20 21. Complainant agrees to waive any right to seek costs, including attorney fees. The  
21 parties agree to bear their own attorney fees and costs.

22 **OTHER MATTERS**

23 22. The parties understand and agree that electronically transmitted copies of this  
24 Stipulation, including electronically transmitted signatures thereto, shall have the same force and  
25 effect as the originals. This Stipulation may be executed in counterparts that when combined  
26 shall have the same force and effect as a single original document.

27 23. The parties agree that counsel for Complainant may communicate either orally or in  
28 writing with the Commission outside of the presence of Respondents or their counsel or other

1 representative(s) concerning this Stipulation, and that such communication shall not constitute an  
2 ex parte communication. Each Respondent specifically acknowledges and agrees that such  
3 communications are permissible pursuant to Government Code section 11430.30, subdivision (b).

4 **ACCEPTANCE**

5 The undersigned have carefully read the above Stipulated Settlement; Decision and Order,  
6 and have been afforded the opportunity to review it with an attorney or other advisor of their  
7 choice. The undersigned understand the Stipulation and the effect it will have on their state  
8 gambling licenses described and identified in paragraphs 2 through 5, above. The undersigned  
9 enter into this Stipulation voluntarily, knowingly, and intelligently. By executing this Stipulation,  
10 the undersigned agree to be bound by the Decision and Order of the Commission. In  
11 consideration of the foregoing agreements, admissions, and stipulations, the parties agree that the  
12 Commission may issue and enter the attached Decision and Order.

13 Dated: OCT 19, 2016

14 

15 TAM SI LUU, by and on behalf of  
16 CB Certified Banker, Inc.

17  
18 Dated: OCT 19, 2016

19 

20 TAM SI LUU, as sole shareholder (owner), President,  
21 Secretary and Treasurer of CB Certified Banker, Inc.

22 **COMPLAINANT'S ACCEPTANCE**

23  
24 Dated: \_\_\_\_\_, 2016

25 \_\_\_\_\_  
26 WAYNE J. QUINT, JR., Chief  
27 Bureau of Gambling Control  
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**ACCEPTANCE**

The undersigned have carefully read the above Stipulated Settlement; Decision and Order, and have been afforded the opportunity to review it with an attorney or other advisor of their choice. The undersigned understands the Stipulation and the effect it will have on their state gambling licenses described and identified in paragraphs 2 through 5, above. The undersigned enters into this Stipulation voluntarily, knowingly, and intelligently. By executing this Stipulation, the undersigned agree to be bound by the Decision and Order of the Commission. In consideration of the foregoing agreements, admissions, and stipulations, the parties agree that the Commission may issue and enter the attached Decision and Order.

Dated: \_\_\_\_\_, 2016

\_\_\_\_\_  
TAM SI LUU, by and on behalf of  
CB Certified Banker, Inc.

Dated: \_\_\_\_\_, 2016

\_\_\_\_\_  
TAM SI LUU, as sole shareholder (owner), President,  
Secretary and Treasurer of CB Certified Banker, Inc.

**COMPLAINANT'S ACCEPTANCE**

Dated: AUGUST 19, 2016

  
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WAYNE J. QUINT, JR., Chief  
Bureau of Gambling Control

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**ENDORSEMENT**

The foregoing Stipulated Settlement; Decision and Order is hereby respectfully submitted for consideration by the California Gambling Control Commission.

Dated: Nov. 23, 2016

KAMALA D. HARRIS  
Attorney General of the State of California  
SARA J. DRAKE  
Senior Assistant Attorney General

By: T. Michelle Laird  
T. MICHELLE LAIRD  
Deputy Attorney General  
Attorneys for Complainant

1 **DECISION AND ORDER OF THE COMMISSION**

2 The California Gambling Control Commission hereby adopts the foregoing Stipulated Settlement  
3 of the Complainant, on the one hand, and Respondents, on the other, in *In the Matter of the First*  
4 *Amended Accusation and Statement of Issues Against CB Certified Banker, Inc. and Tam Si Luu,*  
5 OAH No. 2015020871, as its final Decision and Order in this matter to be effective upon  
6 execution below by its members.

7 **IT IS SO ORDERED**

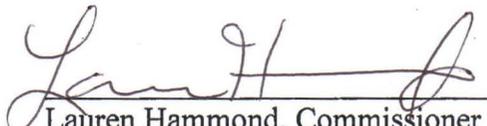
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9 Dated: 1/12/17

  
10 \_\_\_\_\_  
11 Jim Evans, Chairperson

11 Dated: 1/12/17

12 \_\_\_\_\_  
13 Tiffany E. Conklin, Commissioner

14 Dated: 1/12/17

  
15 \_\_\_\_\_  
16 Lauren Hammond, Commissioner

17 Dated: 1/12/17

  
18 \_\_\_\_\_  
19 Trang To, Commissioner

20 Dated: \_\_\_\_\_

21 \_\_\_\_\_  
22 Roger Dustan, Commissioner