



NEWS RELEASE

STATE OF NEW MEXICO

GAMING CONTROL BOARD

FOR IMMEDIATE RELEASE

Board Reaches Settlement Agreement

ALBUQUERQUE – December 21, 2004 – The New Mexico Gaming Control Board and Foley's have reached a settlement agreement based on the Gaming Control Board's seizure of two Pachislo machines from the retailer. It is the Board's position that Pachislo machines qualify as slot machines under New Mexico law. On October 18, 2004, agents of the Gaming Control Board seized the machines from Foley's Coronado Center store. Under the terms of the settlement agreement, which the Board approved at its December 21st regular meeting, Foley's did not admit any violation of the law but agreed to forfeit the machines and pay a \$25,000.00 fine to the State of New Mexico, while the State agreed not to pursue any further criminal or legal action against Foley's based on the seizure of the machines. "The Gaming Control Board would like to thank Foley's for their cooperation in our investigation. Foley's is a responsible corporate citizen and they worked with The Gaming Control Board to secure a fair and expeditious settlement of this matter," said Gaming Control Board Executive Director Brett Woods, Ph.D. Dr. Woods also extended thanks to Second Judicial District Attorney Kari Brandenburg for her assistance in the resolution by appointing Gaming Control Board attorneys as special prosecutors.

The New Mexico Gaming Control Board was established by statute in 1997 and funded during the 1998 legislative session. It began operations in June of 1998. The Board is responsible for regulating legalized gambling at licensed racetracks and qualified veteran's and fraternal organizations of New Mexico. The Board is also responsible for overseeing New Mexico's tribal gaming compacts through the appointment of the state gaming representative. The Board has 57 employees, which include licensing and background specialists, compliance auditors, attorneys, and certified peace officers.

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