



State of Louisiana

Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

HILLARY J. CRAIN
CHAIRMAN

NOTICE OF DECISION

**IN RE: BAYOU VISTA TRUCK PLAZA AND CASINO, LLC
D/B/A BAYOU VISTA TRUCK PLAZA AND CASINO
NO. VP5100511651**

TO: Brett Sulzer, Esq.
Post Office Box 4852
Baton Rouge, LA 70821

CERTIFIED MAIL: 7003 1680 0000 7626 8147
RETURN RECEIPT REQUESTED

Karen D. White, AAG
1885 North 3rd Street; Suite 500
Baton Rouge, LA 70802

CERTIFIED MAIL: 7003 1680 0000 7626 8154
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Lt. Jules Pinero, LSP
7919 Independence Boulevard
Baton Rouge, LA 70806

CERTIFIED MAIL: 7003 1680 0000 7626 8161
RETURN RECEIPT REQUESTED

NOTICE IS HEREBY given that on March 16, 2004, the decision of the Louisiana Gaming Control Board was signed in the above entitled matter. (SEE COPY OF THE ENCLOSED DECISION)

An appeal from a decision of the Board shall be filed within ten (10) days of notice of the decision in the Nineteenth Judicial District Court and shall be reviewed solely on the record as provided by La. R.S. 27:26.

Louisiana Gaming Control Board, Baton Rouge, Louisiana this 17th day of March, 2004.



Geraldyn A. Coleman
Appeal Docket Clerk

NOTIFIED:

Brett Sulzer, Esq.
Karen D. White, AAG
Lt. Jules Pinero, LSP-Video Gaming Division

3117104



State of Louisiana

Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

HILLARY J. CRAIN
CHAIRMAN

IN RE: BAYOU VISTA TRUCK PLAZA AND CASINO, LLC D/B/A BAYOU VISTA TRUCK PLAZA AND CASINO NO. VP5100511651


ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of March 15, 2004. The Hearing Officer's order dated February 10, 2004, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Administrative Action," by and between Bayou Vista Truck Plaza and Casino, LLC d/b/a Bayou Vista Truck Plaza and Casino, No. VP5100511651, and the Louisiana Department of Public Safety and Corrections, Office of State Police, Video Gaming Division, which is attached hereto and incorporated herein, is **APPROVED**.

THUS DONE AND SIGNED on this the 16th day of March, 2004.

LOUISIANA GAMING CONTROL BOARD

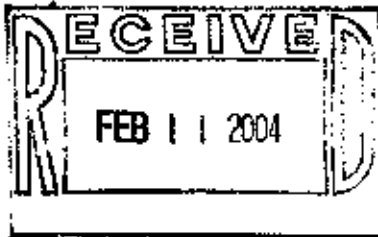
BY:


HILLARY J. CRAIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 17th DAY
OF March 2004

APPEAL DOCKET CLERK





STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

FEB 10 2004

LGCB
ADMINISTRATIVE HEARING OFFICE

IN RE: BAYOU VISTA TRUCK PLAZA & CASINO, LLC

CASE NO. 5100511651

JOINT MOTION FOR ENTRY OF STIPULATIONS AND
APPROVAL OF PROPOSED SETTLEMENT

ON THE JOINT MOTION OF:

1. the Louisiana Department of Public Safety and Corrections, Office of State Police, Video Gaming Division (hereinafter "Division"), and
2. Bayou Vista Truck Plaza & Casino, LLC d/b/a Bayou Vista Truck Plaza & Casino, License No. 5100511651 (hereinafter "licensee"),

who respectfully represent the following:

WHEREAS:

1. On July 11, 2000, the licensee submitted an application to the Division for approval of Rebecca Davis as a designated representative and manager;
2. On September 1, 2000, the licensee received written notification from the Division that Ms. Davis was precluded from participating in the video gaming industry based on a pending felony theft charge;
3. The bookkeeper for the licensee, Jo Ann Francis, signed the certified return receipt for the notification letter, and forwarded the same to Ms. Davis; the then owner of the licensee, Claude M. Penn, Jr., was unaware of the notification;
4. Unaware of the Division's finding, the licensee continued to employ Ms. Davis in a managerial position until January of 2002;
5. On January 18, 2002, the Division received notification from counsel for the licensee that Ms. Davis had stolen \$61,868.50 from the licensee;
6. The licensee was bought in its entirety by the current owner of the licensee, Jalou, LLC, on or about January 11, 2002. The current owner of the licensee, Jalou, LLC has never employed Ms. Davis who was terminated prior to the sale of the licensee to Jalou LLC;

TRUE COPY

[Signature]
Representative

Louisiana Gaming Control Board

7. Based on the above circumstances, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to the licensee on September 30, 2003, citing violation of LAC 42:XL2417(B)(2)(a); and
8. This matter has been scheduled for hearing on February 10, 2004 at 9:00 a.m. before the Honorable William H. Brown,

NOW THEREFORE, in consideration of the foregoing stipulations, the Division and the licensee hereby propose the following settlement, that:

1. The licensee acknowledges that it was in violation of LAC 42:XL2417(B)(2)(a), in that it continued to employ Rebecca Davis after receiving written notification from the Division that Ms. Davis was unsuitable;
2. In lieu of revocation or suspension of the licensee's video gaming license, the licensee shall pay a civil penalty in the amount of **FORTY-THREE-THOUSAND-THREE-HUNDRED-THIRTY-ONE DOLLARS AND TEN CENTS (\$43,331.10)**, which represents the licensee's share of five (5) days of video gaming revenue;
3. The Division hereby agrees to accept the licensee's payment of the above stated penalty in full and final settlement of this Notice of Recommendation of Administrative Action;
4. The Division reserves the right to take into consideration these violations in connection with any future violation;
5. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
6. This settlement constitutes the entire agreement between the Division and Bayou Vista Truck Plaza & Casino, LLC d/b/a Bayou Vista Truck Plaza & Casino pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
7. This settlement is subject to approval by the Hearing Officer of the Louisiana Gaming Control Board; it is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not executory and will be submitted to the Board for its determination as to whether the matter should be heard by the Hearing Officer; if approved, however, payment of the above penalties must be submitted to the Division within fifteen (15) days of approval of this settlement by the Board; the failure to submit the civil penalty within fifteen (15) days of approval by the Board shall result in the ~~video gaming license~~ of the licensee being suspended and its gaming devices being disabled until the civil penalty is paid in full; and


8. The Division and the licensee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted,


**BAYOU VISTA TRUCK PLAZA
& CASINO, LLC**

**CHARLES C. FOTI, JR.
ATTORNEY GENERAL**

BY:


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STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: BAYOU VISTA TRUCK PLAZA & CASINO, LLC CASE NO. 5100511651

ORDER

Considering the foregoing Joint Motion For Entry of Stipulations and Approval of Proposed Settlement, IT IS HEREBY ORDERED that such proposed settlement be approved, to wit:

1. the licensee acknowledges that it was in violation of LAC 42:XI.2417(B)(2)(a), in that it continued to employ Rebecca Davis, though written notification of her unsuitability was received on its behalf;
2. in lieu of revocation or suspension of the licensee's video gaming license, the licensee shall pay a civil penalty in the amount of **FORTY-THREE-THOUSAND-THREE-HUNDRED-THIRTY-ONE DOLLARS AND TEN CENTS (\$43,331.10)**, which represents the licensee's share of five (5) days of video gaming revenue;
3. payment of the above penalty shall be submitted to the state within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board; and
4. the failure to submit the above penalty within fifteen (15) days of approval of this settlement by the Board shall result in the video gaming license of the licensee being suspended and its gaming devices being disabled until the civil penalty is paid in full.

THUS DONE AND SIGNED this 10 day of FEB, 2004 in
Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 10th DAY
OF February 2004
Loraine Haynes
BUCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Brett Sulzer
Karen White
Sabrina Ballard



William H. Brown
Hearing ~~OFFICE~~ COPY ATTEST

LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 2-10-04

Loraine Haynes
BY: CLERK