



# State of Louisiana

Gaming Control Board

M. J. "MIKE" FOSTER, JR.  
GOVERNOR

HILLARY J. CRAIN  
CHAIRMAN

## IN RE: TAMMY NOLAN D/B/A SETTLER'S RESTAURANT NO. VP4908212583

### ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of January 21, 2003. The Hearing Officer's order dated January 7, 2003, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Suspension," by and between Tammy Nolan d/b/a Settlers Restaurant, No. VP4908212583, 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 23<sup>rd</sup> day of January, 2003.

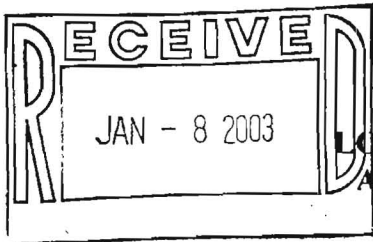
LOUISIANA GAMING CONTROL BOARD

BY:

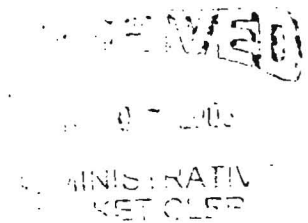
  
HILLARY J. CRAIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 24<sup>th</sup> DAY  
OF January, 2003

APPEAL DOCKET CLERK  

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE



IN RE: TAMMY NOLAN d/b/a SETTLERS RESTAURANT      CASE NO. 4908212583

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. Tammy Nolan d/b/a Settlers Restaurant, License No. 4908212583 (hereinafter "licensee"),

who respectfully represent the following:

**WHEREAS:**

1. On or about March 8, 2002, the Division mailed the annual form, which must be submitted annually by all licensees, to the licensee;
2. The licensee was mandated by La. R.S. 27:311(K)(4), LAC 42:XI.2405(B)(4) and (7) to submit the above annual form to the Division, along with all appropriate fees and current tax clearance certificates, on or before July 1, 2002;
3. On or about March 28, 2002, the Division received the licensee's annual form and fees; however, the local and state tax clearance certificates were not included. The licensee's local and state tax clearance certificates were not received by the Division prior to July 1, 2002.
4. Pursuant to this information, the Division issued Violation/Inspection Report #13907 to the licensee on or about September 23, 2002, citing violation of LAC 42:XI.2405(B)(7). Attendant to this Violation/Inspection Report, the Louisiana Gaming Control Board issued a Notice of Recommendation of Suspension to the licensee on or about December 3, 2002.
5. This matter has been scheduled for hearing on February 19, 2003 at 9:00 a.m. before the Honorable William H. Brown,

  
Representative  
Louisiana Gaming Control Board

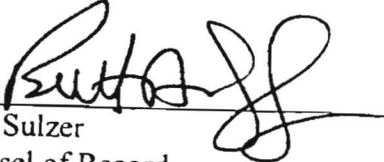
**NOW THEREFORE**, in consideration of the foregoing stipulations, the Division and the licensee hereby propose the following settlement, that:

1. The licensee acknowledges that it was in violation of LAC 42:X1.2405(B)(7), in that it did not submit the local and state tax clearance certificates to the Division by July 1, 2002;
2. The licensee has submitted the delinquent local and state tax clearances, a copy of which is attached hereto;
3. In lieu of suspension of the licensee's video gaming license, the licensee shall pay a \$250.00 civil penalty;
4. The Division hereby agrees to accept the licensee's payment of the above stated penalty in full and final settlement of Violation/Inspection Report No. 13907 and this Notice of Recommendation of Suspension;
5. The Division reserves the right to take into consideration these violations in connection with any future violation;
6. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
7. This settlement constitutes the entire agreement between the Division and the licensee pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
8. 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; and
9. 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.

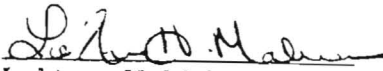
**TAMMY NOLAN**  
d/b/a **SETTLERS RESTAURANT**  
VG# 4908212583

BY:

  
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Counsel of Record  
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**RICHARD P. IEYOUB**  
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STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: TAMMY NOLAN d/b/a SETTLERS RESTAURANT CASE NO. 4908212583

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.2405(B)(7), in that it did not submit the local and state tax clearance certificates to the Division by July 1, 2002;
2. having submitted the delinquent local and state tax clearances to the Division, the licensee shall pay a civil penalty in the amount of \$250.00;
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 Tammy Nolan d/b/a Settlers Restaurant being suspended and its gaming devices being disabled.

THUS DONE AND SIGNED this 7 day of January, 2003 in  
Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 7th DAY  
January 2003  
BY: [Signature]  
CLERK, ADMINISTRATIVE HEARING OFFICE

[Signature]  
William H. Brown  
Hearing Officer

cc: Brett Sulzer, Esq.  
LeAnne Malnar, Esq.  
Sabrina Ballard

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 1/7/03  
[Signature]  
BY: CLERK