



# State of Louisiana

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

Gaming Control Board

HILLARY J. CRAIN  
CHAIRMAN

## IN RE: MARK E. COLBY AND RHONDA L. COLBY D/B/A NOBLE SAVAGE TAVERN NO. VP0904210321

### ORDER


This matter was considered by the Louisiana Gaming Control Board at its meeting of March 18, 2003. The Hearing Officer's order dated February 17, 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 Mark E. Colby and Rhonda L. Colby d/b/a Noble Savage Tavern, No. VP0904210321, 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**.

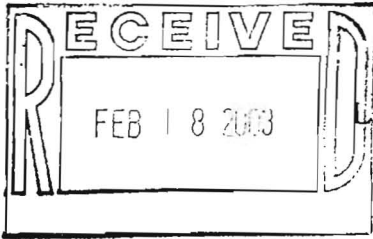
THUS DONE AND SIGNED on this the 17<sup>th</sup> day of March, 2003.

LOUISIANA GAMING CONTROL BOARD

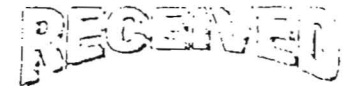
BY:

  
HILLARY J. CRAIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS 20<sup>th</sup> DAY  
OF March 2003  
APPEAL DOCKET CLERK  




STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE



FEB 17 2003

ADMINISTRATIVE  
DOCKET CLERK

IN RE: Mark E. Colby  
d/b/a Noble Savage Tavern

CASE NO. 0904210321

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. Mark E. Colby d/b/a Noble Savage Tavern - License No. 0904210321 (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. The licensee failed to submit the required state and local tax clearance certificate by July 1<sup>st</sup>;
4. Pursuant to this information, the Division issued a Notice of Violation and Hearing (Violation/Inspection Report #13908) to the licensee on or about September 24, 2002, alleging violations of LAC 42:XI.2405(B)(7);
5. Subsequently, the undersigned counsel representing the Division received the state and local tax clearance certificates, and has attached these certificates to this document;

TRUE COPY

*[Signature]*  
Representative

Louisiana Gaming Control Board

6. This matter has been scheduled for hearing before the Honorable Joseph E. Anzalone, Jr.,

**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:XI.2405(B)(7), in that it did not submit the state or local tax clearance to the Division by July 1, 2002;
2. In lieu of revocation or suspension of the licensee's video gaming license, the licensee shall pay a \$250.00 civil penalty;
3. 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. 13908;
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 Mark E. Colby d/b/a Noble Savage Tavern 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 Mark E. Colby d/b/a Noble Savage Tavern being suspended and its gaming devices being disabled; 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.

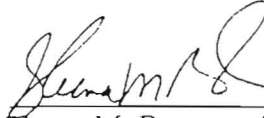
**Noble Savage Tavern**  
VGL# 0904210321

BY:

~~Mark E. Colby~~  
417 Texas Street  
Shreveport, LA 71101  
Phone: (318) 221-1781

**RICHARD P. IEYOUB**  
**ATTORNEY GENERAL**

BY:

  
Shana M. Broussard LSBA #24036  
Assistant Attorney General  
339 Florida Street, Ste. 500  
Baton Rouge, LA 70801  
Telephone: (225) 342-2465  
Facsimile: (225) 342-4244

STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: Mark E. Colby  
d/b/a Noble Savage Tavern

CASE NO. 0904210321

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. Mark E. Colby d/b/a Noble Savage Tavern acknowledges that it was in violation of LAC 42:XI.2405(B)(7), in that it did not submit state or local tax clearances to the Division by July 1, 2002;
2. Mark E. Colby d/b/a Noble Savage Tavern shall pay a civil penalty in the amount of \$250.00;
3. payment of the above penalty shall be submitted to the Division 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 by Mark E. Colby d/b/a Noble Savage Tavern of this settlement by the Board shall result in the video gaming license of being suspended and its gaming devices being disabled.

THUS DONE AND SIGNED this 17 day of Feb,  
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 17th DAY  
OF February 2003  
[Signature]  
BOOKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Mark Colby  
Shawna Broussard, Esq.  
Sabrina Ballard

4

A TRUE COPY ATTEST  
Joseph E. Anzalone, Jr.  
Hearing Officer  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 2/17/03  
[Signature]  
BY: CLERK

STATE OF LOUISIANA  
PARISH OF CADDO

**AFFIDAVIT**

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified within and for the State and Parish aforesaid, PERSONALLY CAME AND APPEARED:

**Mark E. Colby,**

who, after first being duly sworn, declared and acknowledged to me, Notary, under oath:

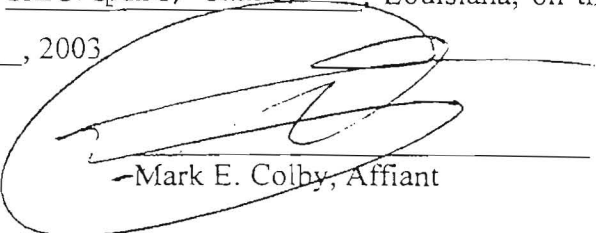
that affiant is the owner of Noble Savage Tavern, which is 417 Texas Street, Shreveport, Louisiana;

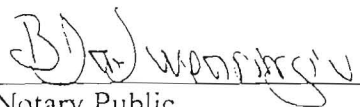
that Noble Savage Tavern received a Notice of Violation and Hearing Violation/Inspection Report No. 13908 from the Louisiana Gaming Control Board, citing violations of LAC 42:XI.2405(B)(7):

that in the interest of settling this matter, affiant has willfully entered into a Joint Motion for Entry of Stipulations and Approval of Proposed Settlement with the Division, via the Attorney General's Office; and

that affiant signed the above-cited motion of his own volition, without duress or coercion.

THUS DONE AND PASSED in Shreveport, Caddo, Louisiana, on this 7th day of February, 2003

  
-Mark E. Colby, Affiant

  
Notary Public  
My commission expires

