



# State of Louisiana

Gaming Control Board

KATHLEEN BABINEAUX BLANCO  
GOVERNOR

H. CHARLES GAUDIN  
CHAIRMAN

## NOTICE OF DECISION

ANNE LACOUR NEEB  
EXECUTIVE DIRECTOR

### IN RE: BRUSHY DEVELOPMENT CORPORATION D/B/A TALLULAH TRUCKSTOP NO. 3300500255

TO: Jeffrey E. Faludi, Esq.  
5937 Jones Creek Road  
Baton Rouge, LA 70817

Certified Mail: 7002 2030 0004 2521 1625  
Return Receipt Requested

Karen D. White, AAG  
1885 N. 3<sup>rd</sup> Street, Ste. 500  
Baton Rouge, LA 70802

Certified Mail: 7002 2030 0004 2521 1632  
Return Receipt Requested

Lt. Jules Pinero  
7919 Independence Boulevard  
Baton Rouge, LA 70806

Certified Mail: 7002 2030 0004 2521 1649  
Return Receipt Requested

**NOTICE IS HEREBY** given that on July 20, 2004, the Louisiana Gaming Control Board rendered a decision 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 22<sup>nd</sup> day of July, 2004.

  
Natalie Broussard Thurman

**NOTIFIED:**

Jeffrey Faludi, Esq.  
Karen D. White, AAG  
Lt. Jules Pinero, Office of State Police - Video Gaming Division



State of Louisiana  
Gaming Control Board

KATHLEEN BABINEAUX BLANCO  
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H. CHARLES GAUDIN  
CHAIRMAN

ANNE LACOUR NEEB  
EXECUTIVE DIRECTOR

**IN RE: BRUSHY DEVELOPMENT CORPORATION  
D/BA TALLULAH TRUCKSTOP  
NO. 3300500255**

**ORDER**

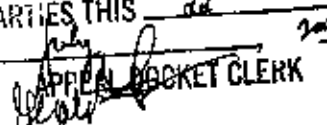
This matter was considered by the Louisiana Gaming Control Board at its meeting of July 20, 2004. The Hearing Officer's order dated June 15, 2004, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Administrative Action", between Brushy Development Corporation d/b/a Tallulah Truckstop, No. 3300500255, and the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, which is attached hereto and incorporated herein, is **APPROVED**.

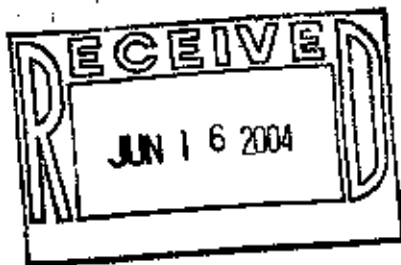
THUS DONE AND SIGNED on this the 20 day of July, 2004.

LOUISIANA GAMING CONTROL BOARD

BY:

  
H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED  
ON ALL PARTIES THIS 20 day of July  
2004.  
APPEAL BOOKLET CLERK  




STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

RECEIVED

JUN 10 2004

LGCB  
ADMINISTRATIVE HEARING OFFICE

**IN RE: BRUSHY DEVELOPMENT CORPORATION  
d/b/a TALLULAH TRUCKSTOP**

**CASE NO. 3300500255**

**JOINT MOTION FOR ENTRY OF STIPULATIONS AND  
APPROVAL OF PROPOSED SETTLEMENT**

**ON THE JOINT MOTION OF:**

1. the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "Division"), and
2. Brushy Development Corporation d/b/a Tallulah Truckstop, License No. 3300500255 (hereinafter "licensee"),

who respectfully represent the following:

**WHEREAS:**

1. On January 12, 2004, an agent of the Division observed four billboard signs located on I-20 (east-bound at mileposts 138 and 170, and west-bound at mileposts 171 and 183.5 in Madison Parish) which advertised the licensee's establishment;
2. In all four cases, the toll-free gambling hotline number required by La. R.S. 27:27.3 was improperly displayed, since the numbers were posted approximately 10 to 15 feet below the billboards, attached to the support poles. Furthermore, the required numbers were not large enough to be legible to passing vehicular traffic - in all four cases, the Division's agent could only read the number by parking on the shoulder of I-20 and walking within 35 yards of each sign;
3. The licensee is mandated by La. R.S. 27:27.3 to place the toll-free telephone number of the National Council on Problem Gambling (or other similar, Board-approved toll-free telephone number) in any advertisement of its gaming activities or licensed establishment, and such number must be legible to its intended viewers;
4. Pursuant to its agent's observations, the Division issued Violation/Inspection Report #012670 to the licensee on or about January 12, 2004, citing violation of La. R.S. 27:27.3. Attendant to this Violation/Inspection Report, the Louisiana

**TRUE COPY**  
Representative  
Louisiana Gaming Control Board

Gaming Control Board issued a Notice of Recommendation of Administrative Action to the licensee on May 10, 2004;

5. This is the licensee's first cited violation of La. R.S. 27:27.3; and
6. This matter has been scheduled for hearing on July 27, 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:

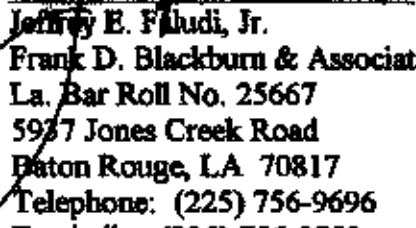
1. The licensee acknowledges that it was in violation of La. R.S. 27:27.3, in that the required problem gambling toll-free telephone numbers on the aforementioned billboards were improperly posted and not large enough to be legible to passing vehicular traffic;
2. All four billboards having been brought into compliance with La. R.S. 27:27.3, and in lieu of further administrative action against 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. 012670 and 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 Brushy Development Corporation d/b/a Tallulah Truckstop 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 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,

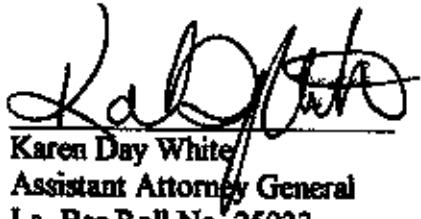
**BRUSHY DEVELOPMENT CORP.  
d/b/a TALLULAH TRUCKSTOP**

BY:

  
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STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

IN RE: BRUSHY DEVELOPMENT CORPORATION  
d/b/a TALLULAH TRUCKSTOP

CASE NO. 3300500255

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 La. R.S. 27:27.3, in that the required problem gambling toll-free telephone numbers on the aforementioned billboards were improperly posted and not large enough to be legible to passing vehicular traffic;
2. all billboards now being in compliance with La. R.S. 27:27.3, the licensee shall pay a \$250.00 civil penalty;
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 penalty is paid in full.

THUS DONE AND SIGNED this 12<sup>th</sup> day of June, 2004 in  
Baton Rouge, Louisiana.



William H. Brown  
Hearing Officer

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON  
ALL PARTIES THIS June 15<sup>th</sup>  
OF 2004  
Sarah Haynes  
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Jeffrey E. Salvi  
Karla White  
Gabriela Ballard

A TRUE COPY ATTEST  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA June 15, 2004

Sarah Haynes  
BY: CLERK