



JOHN BEL EDWARDS
GOVERNOR

RONNIE S. JOHNS
CHAIRMAN

**IN RE: BRUSHY DEVELOPMENT CORP. D/B/A
TALLULAH TRUCK STOP
NO. 3300500255**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of February 17, 2022. The Hearing Officer's order dated January 19, 2022, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action", by and between Brushy Development Corp. d/b/a Tallulah Truck Stop, 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 17th day of *February*, 2022.

LOUISIANA GAMING CONTROL BOARD

BY:



RONNIE S. JOHNS, CHAIRMAN

RECEIVED

By Geralyn A. Coleman at 11:22 am, Jan 19, 2022

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE



BRUSHY DEVELOPMENT CORP.
D/B/A TALLULAH TRUCK STOP

CASE NO.: 3300500255

JOINT MOTION FOR APPROVAL OF COMPROMISE AND
SETTLEMENT AGREEMENT

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

NOW COME the State of Louisiana, Office of State Police, Gaming Enforcement Division (hereinafter, the "Division") and Brushy Development Corp. d/b/a Tallulah Truck Stop (hereinafter, the "Licensee"), who file this Joint Motion for Approval of Compromise and Settlement Agreement, and in support thereof would respectively show unto the Hearing Officer as follows:

1.

The Division and the Licensee are desirous of compromising and settling all disputes between them relative to the referenced administrative proceeding. In connection therewith, the parties have entered into a Compromise and Settlement Agreement, which by its terms will become effective upon approval by the Administrative Hearing Office and the Louisiana Gaming Control Board.

2.

A true and correct copy of the proposed Compromise and Settlement Agreement is attached hereto as Exhibit "A" and incorporated by reference for all purposes.

TRUE COPY
Geralyn A. Coleman
Representative
Louisiana Gaming Control Board

WHEREFORE, PREMISES CONSIDERED, the Division and the Licensee respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

JEFF LANDRY,
ATTORNEY GENERAL

By: 

Allison U. Rovira Modicut, Attorney
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730 North Street
Baton Rouge, Louisiana 70802
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Facsimile: (225) 381-0178
*Counsel for Brushy Development Corp.
d/b/a Tallulah Truck Stop*

By: 

Charlie Picou, Bar Roll #34030
Assistant Attorney General
1885 North Third Street, 5th Floor
Baton Rouge, Louisiana 70802
Telephone: (225) 326-6500
Facsimile: (225) 326-6599
Counsel for the Office of State Police

EXHIBIT "A"

**STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE**

**BRUSHY DEVELOPMENT CORP.
D/B/A TALLULAH TRUCK STOP**

CASE NO.: 3300500255

COMPROMISE AND SETTLEMENT AGREEMENT

The State of Louisiana, Office of State Police, Gaming Enforcement Division (hereinafter, the "Division") and Brushy Development Corp. d b a Tallulah Truck Stop (hereinafter, the "Licensee"), do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has sent a Notice of Recommendation of Administrative Action to the Licensee, which Notice contains allegations of certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by said Notice are set for hearing before the Louisiana Gaming Control Board Administrative Hearing Office.

WHEREAS, the Division and the Licensee are desirous of fully and finally compromising and settling all issues and disputes arising out of and in connection with said Notice;

NOW, THEREFORE, in consideration of the foregoing, the parties hereto do hereby agree and stipulate as follows:

STIPULATIONS

1. The Licensee holds a Type 5 video draw poker gaming license, and is located at 266 Hwy. 65 South, Ste. 2, Tallulah, Louisiana, 71282.

2. On March 11, 2021, the Division emailed a Video Gaming Advisory Notice to the Licensee informing it to submit its completed Annual Licensee Form with the appropriate fee and all required documents no later than June 30, 2021.

3. The Video Gaming Advisory Notice also informed the Licensee that failure to submit the completed Annual Licensee Form with the appropriate fee and all required documents on or before August 31, 2021, shall result in a recommendation for suspension, revocation, and/or imposition of a civil penalty.

4. The Division did not receive the Licensee's annual forms and fees until October 14, 2021.

5. The Licensee failed to timely submit the appropriate fee and required documents to the Division, in violation of La. R.S. 27:435(A)(6), La. R.S. 27:435(H)(4), La. R.S. 27:435(K)(4)(a) and (d), and LAC 42:XI.2405(B)(4)(a) and (b).

TERMS AND CONDITIONS

1. In lieu of administrative action, the Licensee will pay a penalty of **ONE THOUSAND FIVE HUNDRED and 00/100 (\$1,500.00) DOLLARS** for its violation of La. R.S. 27:435(A)(6), La. R.S. 27:435(H)(4), La. R.S. 27:435(K)(4)(a) and (d), and LAC 42:XI.2405(B)(4)(a) and (b).

2. The Division hereby agrees that payment of a total penalty of **ONE THOUSAND FIVE HUNDRED and 00/100 (\$1,500.00) DOLLARS** shall be in full and final settlement of all matters set forth in the Notice of Recommendation of Administrative Action.

3. The Division reserves the right to take into consideration this admitted violation in connection with any future investigation, violation or assessment of penalty and in connection with any future assessments of the Licensee's suitability.

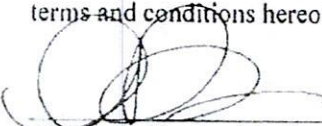
4. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

5. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and the Licensee, pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

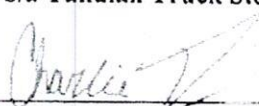
6. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana Gaming Control Board for its determination as to whether to approve same or to remand the matter to the Hearing Officer for a full hearing on the merits.

7. If approved, the Licensee agrees to make full payment of the civil penalty within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board. The Licensee agrees that failure to meet this requirement shall result in immediate suspension of the gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

I have read this entire Compromise and Settlement Agreement and agree to all stipulations and terms and conditions hereof.



**Atfison U. Rovira Modicut, Attorney, on behalf of
Brushy Development Corp.
d/b/a Tallulah Truck Stop**



**Charlie Picou, AAG, on behalf of
State of Louisiana, Department of Public Safety &
Corrections, Office of State Police**

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

BRUSHY DEVELOPMENT CORP.
D/B/A TALLULAH TRUCK STOP

CASE NO.: 3300500255

ORDER

BE IT REMEMBERED that on the 19th day of January 2022, came for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared by and through their respective attorneys of record or representing themselves, and the Hearing Officer having considered the pleadings on file, the proposed Compromise and Settlement Agreement, and the said Motion, and it appearing to the Hearing Officer that the said Compromise and Settlement Agreement should be approved; it is, therefore,

ORDERED, ADJUDGED, AND DECREED that the Compromise and Settlement Agreement attached to the parties' Joint Motion for Approval of Compromise and Settlement Agreement be, and the same is hereby, **APPROVED**; that Brushy Development Corp. d/b/a Tallulah Truck Stop must pay **ONE THOUSAND FIVE HUNDRED and 00/100 (\$1,500.00) DOLLARS** to the Division within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 19th day of January 2022, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 19 DAY
OF January, 2022.
Cheryl Patterson
DOCKET CLERK, ADMIN. HEARING OFFICE

CC: Brushy Development CORP.
D/B/A Tallulah TRUCK STOP

• Charlie Picou
• Sat Michael Nicolini

• Allison U. Rovira Modicut

Suzan S. Ponder

HONORABLE SUZAN S. PONDER
ADMINISTRATIVE HEARING OFFICER
A TRUE COPY ATTEST

LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 1/19/22

Cheryl Patterson
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE