



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

HILLARY J. CRAIN
CHAIRMAN

**IN RE: T-ROY'S, INC. D/B/A CORNER CAFÉ
NO. VP3900210622**


ORDER

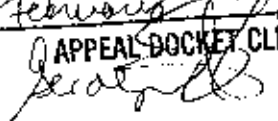
This matter was considered by the Louisiana Gaming Control Board at its meeting of February 17, 2004. The Hearing Officer's order dated January 13, 2004, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Administrative Action," by and between T-Roy's, Inc. d/b/a Corner Café, No. VP3900210622, 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**.

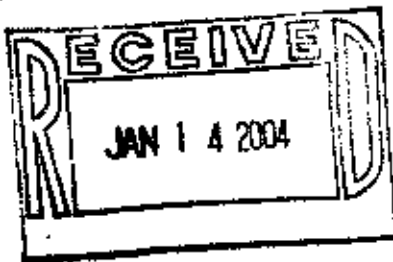
THUS DONE AND SIGNED on this the 17th day of February, 2004.

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 18th DAY
OF February, 2004
APPEAL DOCKET CLERK




STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: T-ROY'S, INC. d/b/a CORNER CAFÉ

CASE NO. 3900210622

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. T-Roy's, Inc. d/b/a Corner Cafe, License No. 3900210622 (hereinafter "licensee"),

who respectfully represent the following:

WHEREAS:

1. On July 2, 2003, an agent of the Division observed that a sign on the shoulder of highway LA 1, which advertised the licensee's gaming establishment, did not include the problem gambling toll-free telephone number;
2. 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 gaming establishment;
3. The Division agent then conducted an inspection of the licensee's establishment (on July 2, 2003, as well) and discovered that no designated representative or owner was present at the establishment at the time of the inspection, as required by LAC 42:XI.2407(A)(1) and (8);
4. Pursuant to the Division agent's observations, the Louisiana Gaming Control Board issued a Notice of Recommendation of Administrative Action to the licensee on or about September 30, 2003; and
5. This matter is currently scheduled for hearing on December 1, 2003 at 9:30 a.m. before the Honorable J. E. Anzalone, Jr.,

TRUE COPY


Representative

Louisiana Gaming Control Board

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

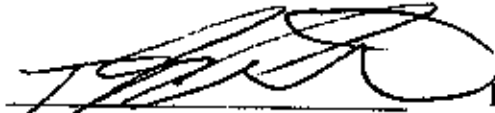
1. The licensee acknowledges that it was in violation of La. R.S. 27:27.3, in that it did not place the required problem gambling toll-free telephone number on the sign approximately one mile south of the licensee's establishment on highway LA 1, which advertised its gaming establishment;
2. The licensee further acknowledges that it was in violation of LAC 42:X1.2407(A)(1) and (8) in that neither a designated representative nor owner were present at the licensee's establishment when the Division conducted an on-site inspection on July 2, 2003;
3. In lieu of further administrative action against the licensee's video gaming license, the licensee shall pay a \$450.00 civil penalty (comprised of \$250.00 for the violation of La. R.S. 27:27.3 and \$200 for the violation of LAC 42:X1.2407(A)(1) and (8));
4. 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;
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 T-Roy's, Inc. d/b/a Corner Café 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,

**T-ROY'S, INC. d/b/a
CORNER CAFÉ**

**RICHARD P. IEYOUNG
ATTORNEY GENERAL**

BY:



Troy S. Carruth
Owner of licensee
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BY:



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STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: T-ROY'S, INC. d/b/a CORNER CAFÉ

CASE NO. 3900210622

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 it did not place the required problem gambling toll-free telephone number in the advertisement that advertised its gaming establishment;
2. the licensee acknowledges that it was in violation of LAC 42:XI.2407(A)(1) and (8), in that no owner or designated representative was present at the licensee's establishment when the Division conducted an on-site inspection on July 2, 2003;
3. the licensee shall pay a \$450.00 civil penalty;
4. 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
5. 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.

THUS DONE AND SIGNED this 13 day of Jan, 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 13th DAY
OF January, 2004
Suzanne Hayes
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Joy Carruth
Kellen White
Gabrina Bellard

J. E. Anzalone, Jr.
Hearing Officer

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE

BATON ROUGE, LA January 13, 2004

Suzanne Hayes
BY: CLERK

STATE OF LOUISIANA
PARISH OF Pointe Coupee

AFFIDAVIT

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

TROY S. CARRUTH,

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

that affiant is an owner of T-Roy's, Inc. d/b/a Corner Café (license no. 3900210622);

that the licensee received a Notice of Recommendation of Administrative Action from the Louisiana Gaming Control Board, citing violation of La. R.S. 27:27.3 and LAC 42:X1.2407(A)(1) and (8);

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 motions of his own volition, without duress or coercion.

THUS DONE AND PASSED in New Roads, Louisiana, on this 10th day of November, 2003.


Troy S. Carruth, Affiant


Notary Public
My commission expires at death.

