

**State of Louisiana
Secretary of State**

01/15/2019

Legal Services Section
P.O. Box 94125, Baton Rouge, LA 70804-9125
(225) 922-0415

TRAVELERS INDEMNITY COMPANY
C/O CORPORATION SERVICE COMPANY
501 LOUISIANA AVENUE
BATON ROUGE, LA 70802-5921

Suit No.: 2018002
TUNICA-BILOXI TRIBAL COURT
AVOYELLES PARISH

CHRISTY DAUZAT
vs
GPS HOSPITALITY PARTNERS IV, LLC ET AL

Dear Sir/Madam:

I am enclosing a citation served in regard to the above entitled proceeding. If you are not the intended recipient of this document, please return it to the above address with a letter of explanation. All other questions regarding this document should be addressed to the attorney that filed this proceeding.

Yours very truly,

R. KYLE ARDOIN
Secretary of State

Served on: R. KYLE ARDOIN
Served by: E CUMMINS

Date: 01/14/2019
Title: DEPUTY SHERIFF

No: 1104194

JN



CITATION

TUNICA-BILOXI TRIBAL COURT
TUNICA-BILOXI NATION

CHRISTY DAUZAT : SUIT NUMBER: 2018-002
VS. : TUNICA-BILOXI TRIBAL CT.
GPS HOSPITALITY PARTNERS : PARISH OF AVOYELLES
IV, LLC AND TRAVELERS :
INDEMNITY : STATE OF LOUISIANA

TO: THE TRAVELERES INDEMNITY COMPANY WHOSE AGENT FOR SERVICE OF PROCESS IS THE HONORABLE TOM SCHEDLER SECRETARY OF STATE, STATE OF LOUISIANA 8585 ARCHIVES AVENUE, BATON ROUGE, LA 70809

You are hereby cited to appear in the office of the Clerk of said Court, on the Tunica-Biloxi Reservation, in the City of Marksville, Parish of aforesaid, and comply with the demand contained in the attached **PETITION FOR DAMAGES**, by which a copy is hereto annexed and make an appearance in person or in writing within fifteen days of service.

Witness the Honorable ROBERT JOHNSON of our said Court, this 12TH day of February 2017.

SERVED ON
R. KYLE ARDOIN

JAN 14 2019

Christy Smith
Christy Smith, Clerk of Court

Cory P. Roy
Roy, Scott & James
Post Office Box 544
Marksville, Louisiana 71351
(t) 318-240-7800

SECRETARY OF STATE
COMMERCIAL DIVISION

RETURN OF PROCESS SERVED

PERSONAL SERVICE

Received the above citation, a certified copy thereof, and a certified copy of the petition:

RECEIVED ON: _____
SERVED ON: _____
IN PERSON TO: _____
TRIBAL PATROLMAN: _____

DOMICILARY SERVICE

RECEIVED ON: _____
SERVED ON: _____
SERVED TO: _____

A person apparently above the age of 16 years residing at the said domicile, a family member at the time of said service, of the defendant who was absent.

TRIBAL PATROLMAN: _____
N.B. Petition was forward _____

For service of process, per service instructions by petitions' attorney.

SUIT # 2018-002

CHRISTY DAUZAT

TUNICA BILOXI TRIBAL COURT

VS.

TUNICA BILOXI NATION

**GPS HOSPITALITY PARTNERS
IV, LLC AND TRAVELERS INDEMNITY
COMPANY**

STATE OF LOUISIANA

PETITION FOR DAMAGES

**TO THE HONORABLE, THE JUDGE OF THE TUNICA BILOXI TRIBAL
COURT, SITTING IN AND FOR THE TUNICA BILOXI NATION.**

The petition of **CHRISTY DAUZAT**, a resident and domiciliary of Avoyelles Parish, Louisiana, who respectfully represents:

I.

Made defendants herein are the following:

GPS HOSPITALITY PARTNERS IV, LLC, a foreign limited liability company, licensed to do and doing business in the State of Louisiana, whose agent for service of process is NATIONAL REGISTERED AGENTS, INC., 3867 Plaza Tower Drive, Baton Rouge, Louisiana 70816;

and

THE TRAVELERS INDEMNITY COMPANY, a foreign insurance company authorized to do and doing business in the State of Louisiana, who may be served through its agent for service of process, The Honorable Tom Schedler, Secretary of State, 8585 Archives Avenue, Baton Rouge, Louisiana, 70809.

II.

The defendants are indebted unto petitioner for damages as are reasonable in the premises, including general and special damages, in an amount less than \$50,000.00, for the following reasons, to-wit:

III.

On February 13, 2017, Plaintiff, **CHRISTY DAUZAT**, exited her vehicle to go into the Burger King Restaurant located at 6773 Highway 1, Marksville, Avoyelles Parish, Louisiana, when her left foot stepped into a large pothole, causing her leg(s) to twist and causing her to fall to the ground. The defendant, **GPS HOSPITALITY PARTNERS IV, LLC**, despite knowledge thereof, made no attempt to eliminate the danger/hazard by providing caution or warning signs; therefore, the petitioner was totally unaware of the danger/hazard created by the defendant.

IV.

As a result of the accident described hereinabove, **CHRISTY DAUZAT**, sustained personal injuries, entitling her to damages, general and special, as are

FILED
ATTEST
A TRUE COPY
Sub. 12. 2018
C. Smith
CLERK, TUNICA BILOXI TRIBAL COURT

 **ROY
SCOTT
& JAMES**
INJURY ATTORNEYS
107 N. WASHINGTON STREET
POST OFFICE BOX 544
MARKSVILLE, LOUISIANA 71351
TEL (318) 240-7800
FAX (318) 240-7815
WWW.ROYSCOTTJAMES.COM

reasonable in the premises. Such damages include the following: (1) past, present, and future physical pain and suffering, (2) past, present, and future mental pain and suffering, (3) past, present, and future medical expenses, (4) lost wages, past, present, and future, (5) loss of consortium; and (6) loss of enjoyment of life/hedonic damages.

V.

The accident described hereinabove was caused by the negligence of the defendant, **GPS HOSPITALITY PARTNERS IV, LLC**, in the following particulars, to-wit:

1. Failing to provide a safe place for patrons;
2. Failing to notice potential danger(s) and take precautionary measures to eliminate such dangers; and
3. Failing to warn patrons of dangers in that area.

VI.

Petitioner alleges that the defendants, **GPS HOSPITALITY PARTNERS IV, LLC AND THE TRAVELERS INDEMNITY COMPANY**, had due proof of the injury and ample notice and have yet to tender any sums to petitioner, **CHRISTY DAUZAT**; therefore, entitling plaintiff to judgment in her favor and against the defendants, **GPS HOSPITALITY PARTNERS IV, LLC AND THE TRAVELERS INDEMNITY COMPANY**, for all damages incurred as a result of this accident, together with legal interest from the date of judicial demand and for all costs of these proceedings.

VII.

Accordingly, the defendants, **GPS HOSPITALITY PARTNERS IV, LLC AND THE TRAVELERS INDEMNITY COMPANY**, are liable to plaintiff, **CHRISTY DAUZAT**, for all damages as are reasonable in the premises.

WHEREFORE, PLAINTIFF, CHRISTY DAUZAT, PRAYS that the defendants, **GPS HOSPITALITY PARTNERS IV, LLC AND THE TRAVELERS INDEMNITY COMPANY**, be duly cited to appear and answer this Petition, and that after due proceedings are had, there be a judgment herein in favor of plaintiff, **CHRISTY DAUZAT**, and against the defendants, **GPS HOSPITALITY PARTNERS IV, LLC AND THE TRAVELERS INDEMNITY COMPANY**, for general and special damages in reasonable and just sums, plus interest from date of judicial demand, until paid, and for all costs of these proceedings.

Further, for all general and equitable relief to which plaintiff is entitled.

RESPECTFULLY SUBMITTED BY:



**ROY
SCOTT
& JAMES**
INJURY ATTORNEYS

BY:

CORY P. ROY (Bar Roll #27066)
BRANDON SCOTT (Bar Roll #33362)
BENJAMIN D. JAMES (Bar Roll #34402)
RENEE Y. ROY (Bar Roll #20352)
107 North Washington Street
Post Office Box 544
Marksville, Louisiana 71351
(318) 240-7800 - Telephone
(318) 240-7815 - Facsimile

SHERIFF, PLEASE SERVE:

**THE TRAVELERS INDEMNITY COMPANY
WHOSE AGENT FOR SERVICE OF PROCESS IS
THE HONORABLE TOM SCHEDLER
SECRETARY OF STATE, STATE OF LOUISIANA
8585 ARCHIVES AVENUE
BATON ROUGE, LOUISIANA 70809**

**GPS HOSPITALITY PARTNERS IV, LLC
WHOSE AGENT FOR SERVICE OF PROCESS IS
NATIONAL REGISTERED AGENTS, INC.
3867 PLAZA TOWER DRIVE
BATON ROUGE, LOUISIANA 70816**

SUIT # 2018-002

CHRISTY DAUZAT

TUNICA BILOXI TRIBAL COURT

VS.

TUNICA BILOXI NATION

GPS HOSPITALITY PARTNERS
IV, LLC AND TRAVELERS INDEMNITY
COMPANY

STATE OF LOUISIANA

**PLAINTIFF'S FIRST SET OF INTERROGATORIES
AND REQUEST FOR PRODUCTION OF DOCUMENTS**

The following Interrogatories are directed to defendants, **THE TRAVELERS INDEMNITY COMPANY AND GPS HOSPITALITY PARTNERS IV, LLC**, to be answered by any officers or agents of the defendant who have knowledge of the inquiries, in writing, under oath, and within thirty (30) days from service of these Interrogatories, according to Louisiana Code of Civil Procedure, Article 1491, et seq.

INTERROGATORY #1:

Please list the name and address of each and every witness you intend to call at the trial of this matter and indicate if any witness is to be qualified as an expert. If so, in what specific field, and briefly state the nature of the testimony expected from each and every witness listed.

INTERROGATORY #2:

Please list each and every writing, document, exhibit or tangible evidence of any sort that you intend to offer in evidence at the trial of this matter and provide a copy or detailed description of each such item.

INTERROGATORY #3:

Please list the name and address of each and every person known to defendants who claim to have witnessed all or any part of the accident of February 13, 2017, when, **CHRISTY DAUZAT**, was injured.

INTERROGATORY #4:

Please list the name and address of each and every person known to you who was at the scene of said occurrence when it happened, or who arrived at the scene after it occurred.

INTERROGATORY #5:

Please list the name and address of each and every person who has been interviewed in regard to the accident February 13, 2017, when **CHRISTY DAUZAT**, was injured.

INTERROGATORY #6:

Have any of the persons whose names are furnished in response to the foregoing Interrogatories #3, #4 and #5, including defendants, made or given any written statement or report concerning any facts relevant to any issue in this case? If the answer is in the affirmative, state names and addresses of such persons and the names and addresses of the persons who have custody or possession of any statements or reports.

FILED Feb 12, 2018
ATTEST
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Clerk, Tunica-Biloxi
Christy

INTERROGATORY #7:

State the name and address of each and every person who has made an investigation to ascertain any facts relevant to the issues of this case.

INTERROGATORY #8:

Does the defendant have within its possession or control, any knowledge of any photographs, still or motion pictures, relevant to this accident? If the answer is in the affirmative, state who has the present possession of such photographs or pictures?

INTERROGATORY #9:

State the manner in which defendant says the happening complained of occurred and the cause thereof. If an opinion has been formed as to causation, please produce a copy of the written opinion.

INTERROGATORY #10:

Does defendant claim that plaintiff was guilty of negligence which caused or contributed to the accident? If the answer is in the affirmative, then give the facts on which the defendants rely upon to assert this claim.

INTERROGATORY #11:

Please state the date and time your agent, representative and/or employee were first made aware of the accident referred to in the petition.

- a. Please list the persons who were advised of the accident.
- b. What actions, if any, were taken to investigate the cause, nature and extent of involved parties' injuries?

INTERROGATORY #12:

Has the defendant conducted surveillance on petitioner at any time following the accident? If so, who performed the surveillance, what dates was the surveillance conducted, and what were the findings related to the surveillance?

INTERROGATORY #13:

What information was provided to you or your agents or representatives pertaining or related to the accident of February 13, 2017, the injuries arising out of the accident, and any settlement options or recommendations. Who provided such information? When was the information provided and what was the nature of said information?

Respondent is reminded that the law and jurisprudence of the State of Louisiana require supplementation of responses to discovery, specifically including the requirements of Article 1428 of the Louisiana Code of Civil Procedure.

REQUEST FOR PRODUCTION NO. 1:

Please provide photographs, films or video tapes of the accident scene in question.

REQUEST FOR PRODUCTION NO. 2:

Please provide photographs, films or video tapes of plaintiff prior to or subsequent to the accident.

REQUEST FOR PRODUCTION NO. 3:

Please provide any and all reports of the accident.

REQUEST FOR PRODUCTION NO. 4:

Please provide any and all statements of any witnesses pertaining to this accident.

REQUEST FOR PRODUCTION NO. 5:

Please provide reports of any surveillance conducted on plaintiff, **CHRISTY DAUZAT**.

REQUEST FOR PRODUCTION NO. 6:

Please provide any and all writings of whatever nature which you or any of your agents or representatives transmitted or received relating or pertaining to the accident of February 13, 2017 injuries arising out of the accident, or settlement of claims arising out of the accident.

RESPECTFULLY SUBMITTED BY:



**ROY
SCOTT
& JAMES**
INJURY ATTORNEYS

BY:

A handwritten signature in black ink, appearing to read 'Cory P. Roy', written over a horizontal line.

CORY P. ROY (Bar Roll #27066)
BRANDON SCOTT (Bar Roll #33362)
BENJAMIN D. JAMES (Bar Roll #34402)
RENEE Y. ROY (Bar Roll #20352)
107 North Washington Street
Post Office Box 544
Marksville, Louisiana 71351
(318) 240-7800 - Telephone
(318) 240-7815 - Facsimile

SHERIFF, PLEASE SERVE:

**THE TRAVELERS INDEMNITY COMPANY
WHOSE AGENT FOR SERVICE OF PROCESS IS
THE HONORABLE TOM SCHEDLER
SECRETARY OF STATE, STATE OF LOUISIANA
8585 ARCHIVES AVENUE
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SUIT # 2018-002

CHRISTY DAUZAT

TUNICA BILOXI TRIBAL COURT

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TUNICA BILOXI NATION

**GPS HOSPITALITY PARTNERS
IV, LLC AND TRAVELERS INDEMNITY
COMPANY**

STATE OF LOUISIANA

REQUEST FOR NOTICE

TO THE HONORABLE Clerk of the Tunica Biloxi Tribal Court, Parish of Avoyelles:

PLEASE TAKE NOTICE that CORY P. ROY, attorney for the **PLAINTIFF, CHRISTY DAUZAT**, does hereby request written notice of the date of trial of the above matter as well as notice of hearings, whether on the merits or otherwise, orders, judgments and interlocutory decrees, and any and all formal steps taken by the parties herein, by the Judge or by any member of Court, as provided for by the Louisiana Code of Civil Procedure, in particular, Articles 1572, 1913 and 1914 thereof.

RESPECTFULLY SUBMITTED BY:



**ROY
SCOTT
& JAMES**
INJURY ATTORNEYS

BY:

CORY P. ROY (Bar Roll #27066)
BRANDON SCOTT (Bar Roll #33362)
BENJAMIN D. JAMES (Bar Roll #34402)
RENEE Y. ROY (Bar Roll #20352)
107 North Washington Street
Post Office Box 544
Marksville, Louisiana 71351
(318) 240-7800 - Telephone
(318) 240-7815 - Facsimile

FILED Feb. 12, 2018
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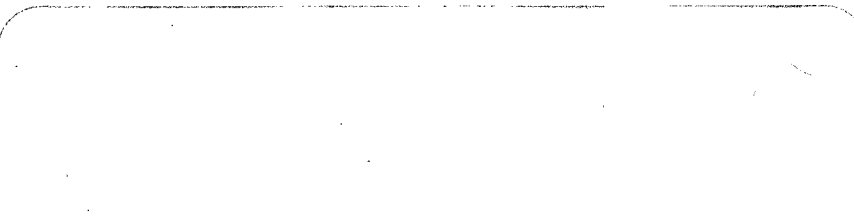
C. Smith
CLERK, TUNICA BILOXI TRIBAL COURT

R. KYLE ARDOIN

SECRETARY OF STATE

P.O. BOX 94125

BATON ROUGE, LA 70804-9125



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