



**silver lake group, ltd.**

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June 3, 2020

**CEASE AND DESIST**

**VIA FAX ONLY**

312.814.4602

Mr. Marcus D. Fruchter  
Illinois Gaming Board  
160 N. LaSalle, Suite 300  
Chicago, IL 60601

**IN RE: POOPY'S PUB & GRUB**

Dear Mr. Fruchter,

Please be advised my client is in receipt of the attached threatening "Warning Notice" as it relates to its business. Respectfully, I ask that you cease and desist from contacting my client ever again regarding any matter regarding its operations as it might relate to issues of public health. First and foremost, I find it necessary to point out that with all the tactics of intimidation I have witnessed in the last couple of months against the good people of this state, your actions against my client are by far the most egregious. The Illinois Gaming Board should be ashamed!!

At no time relevant have any gaming machines ever been in operation on my client's premises so for the life of me I can't possibly imagine why you would be threatening its licensure. Unless your agency has recently been anointed pontif over public health matters, we find no purpose for your correspondence other than to be another "tool" of intimidation being wielded against the small businesses of Illinois by the executive branch. Having said that, our client thanks your agency for its correspondence and respectfully declines to take any action relative thereto, but rather chooses to exercise the liberties and freedoms given to them by God and guaranteed by law.

Please be advised, **you are hereby put on notice**, that if your state agency takes action against our client whether administrative, civil, or criminal under color of authority, the same will be met with swift and decisive legal action against the

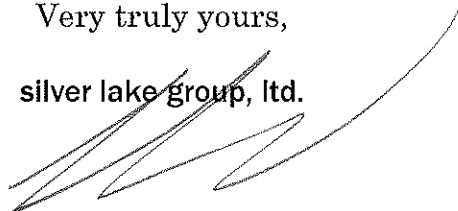
agency as well as any individual public officials specifically participating. Such action includes any and all remedies available under state and federal law. Further, our client has authorized us to notify you that if your agency decides to instigate some level of enforcement action, process as required by law, may be served directly upon our firm, day or night.

I close by recognizing that all departments of this State, like all citizens and businesses, find themselves in unique and challenging circumstances. However, unlike the State of Illinois, its agencies, and our public servants such as you, the ability of citizens and small businesses to feed their families and survive requires that they go to work and/or keep their doors open. Small businesses do not have the same advantage as state actors wherein their paychecks continue to flow despite their efforts to destroy the very citizens and businesses which they purportedly represent. We would assume you and your agency is fully aware of the devastation being wrought upon the people of this State, including but not limited to, financial disaster and health issues, both mental and physical. It seems your department should be focusing its attention on how to address such economic disasters rather than trying to further devastate small business which are the backbone of this State's economy.

Should you have any questions or need further information, please do not hesitate to contact me directly at (618)-664-9439.

Very truly yours,

~~silver lake group, ltd.~~



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Thomas G. DeVore  
Attorney at Law

Copy: Ms. Peggy S. Promenschenkel (*via email*)  
File



# ILLINOIS GAMING BOARD

JB Pritzker • Governor Charles Schmadeke • Chairman Marcus D. Fruchter • Administrator

160 North LaSalle ♠ Suite 300 ♣ Chicago, Illinois 60601 ♥ tel 312/814-4700 ♦ fax 312/814-4602

## WARNING NOTICE

May 29, 2020

Via Electronic Mail: [REDACTED]

Ms. Peggy S. Promenschenkel Poopy's 2 Inc. d/b/a Poopy's Pub & Grub 1030 Viaduct Road Savanna, Illinois 61074 [REDACTED]	License No. [REDACTED]
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The Illinois Gaming Board ("IGB") is aware that the above-referenced establishment, Poopy's 2 Inc. d/b/a Poopy's Pub & Grub ("Poopy's") received a Cease and Desist Order dated May 6, 2020 from the Illinois Liquor Control Commission ("ILCC") for unlawfully allowing on premises consumption in violation of the Executive Order the Governor issued to prevent further spreading of the COVID-19 pathogen. (A copy of the ILCC's May 6, 2020 Order is attached for your reference.)

As an establishment licensed by the IGB, you have an ongoing duty to conduct your business in a manner that is not injurious to the public health and general welfare of the people of the State of Illinois. 11 Ill. Adm. Code 1800.310. Additionally, your business must not engage in activities that discredit the State of Illinois or its gaming industry. *Id.* Unlawful operation of Poopy's in contravention of the Executive Order and ILCC Orders (including the May 6, 2020 Order) is injurious to the public health and general welfare of the people of Illinois and discredits both the State and its gaming industry. Furthermore, any continued violations of the ILCC's directives will put Poopy's liquor license at risk of suspension or revocation, which you have a duty to avoid as an IGB licensee. 11. Ill. Adm. Code 1800. 270.

**The IGB expects all licensees to remain in compliance with State law and IGB Rules at all times. This Warning Letter is intended to remind you of your obligations as an IGB licensee. Please be on notice that further disregard of Executive Orders or ILCC Orders, violations of State law, and/or any other activity that is injurious to the public health or general welfare, or that discredits the State of Illinois or its gaming industry, will subject you to discipline, including potential revocation of your video gaming license, in accordance with IGB Rules and the Video Gaming Act.**

Marcus D. Fruchter  
 Administrator  
 Illinois Gaming Board