

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

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PUBLIC MEETING

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BEFORE: WILLIAM H. RYAN, JR., CHAIRMAN
Gregory C. Fajt, James B. Ginty, Keith R.
McCall, Anthony C. Moscato, Gary A. Sojka,
Kenneth I. Trujillo; Members
Christopher B. Craig, Representing Robert
McCord, State Treasurer
Robert Coyne, Representing Daniel P.
Meuser, Secretary of Revenue
Jorge Augusto, Representing George Greig,
Secretary of Agriculture

MEETING: Wednesday, July 11, 2012
11:15 a.m.

LOCATION: Strawberry Square Complex
Second Floor
Harrisburg, PA 17101

WITNESSES: Ryan Hodder, Jabbar Wells

Reporter: Kayla Bolze

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P R O C E E D I N G S

CHAIRMAN:

Okay. We will now begin our regularly scheduled meeting, all the members being present. By way of announcement, the Board held an executive session yesterday, July 10th. The purpose of yesterday's executive session was to discuss pending litigation, personnel-related matters and to conduct quasi-judicial deliberations relating to matters being heard and considered by the Board today.

The Board also decided yesterday that we will now accept applications for the remaining Category 2 Slot Machine License and Table Games Certificate. By law, the licensed casino must be located in the City of Philadelphia, Pennsylvania. The application and instructions are available on the Board's website. The deadline for submission is November 15th, 2012.

Next, we will have consideration of a motion to approve transcript and minutes of the Board's May 23rd meeting.

MR. FAJT:

Yes, Mr. Chairman, I move that the Board approve the minutes and transcript of the May 23rd,

1 2012 meeting.

2 MR. GINTY:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 Opposed? Motion carries. Next, Dave

9 Rhen, our Budget Manager. Dave.

10 MR. RHEN:

11 Good morning.

12 CHAIRMAN:

13 Morning.

14 MR. RHEN:

15 I'm here today to provide an update of
16 expenditures through June 30th which marked the last
17 day for fiscal year 2011/12. At this time fiscal year
18 expenses total \$31,983,000. Giving one additional
19 payroll to post and processing of other accounts
20 payable, we anticipate that total expenses for fiscal
21 year '11/12 will increase by approximately \$1.4
22 million in the coming months. As of the end of June,
23 personnel expenses stood at \$26.6 million or 88
24 percent of overall Board expenditures. And operating
25 expenditures stood at \$5.3 million or 12 percent of

1 overall expenses for the year. By category, payroll
2 broke down to 77 percent for salaries and 30 percent
3 for cost of employee benefits. For operating expenses
4 the largest single expense category was rentals and
5 leases accounting for \$1.9 million or 36 percent of
6 overall expenditures, followed by services at \$1.2
7 million or 24 percent of operating expenses, other
8 operating expenses at \$945,000 or 18 percent and data
9 telecommunications at \$486,000 or 9.2 percent of
10 operating expenses. For the month of June alone
11 expenditures total \$2.4 million with the payroll
12 totaling \$2.1 million and operations totaling
13 \$274,000. That concludes my remarks.

14 CHAIRMAN:

15 Thank you, David. Any questions of
16 David? Next, Doug Sherman, our Chief Counsel. Doug.

17 ATTORNEY SHERMAN:

18 Good morning, Chairman and Members of the
19 Board. Our first agenda items relates to proposed
20 regulations, which Assistant Chief Counsel Susan Yocum
21 is here to present.

22 ATTORNEY YOCUM:

23 Good morning.

24 CHAIRMAN:

25 Morning, Sue.

1 ATTORNEY YOCUM:

2 Good morning. Before I address the two
3 rulemakings on the agenda for today, I just wanted to
4 --- the Board with a brief update as to where we are
5 with our regulations. I'm happy to say that the last
6 of the initial compliment on table games, which cover
7 30 chapters, have now as of last Friday been printed
8 in final form. This process to transition regulations
9 from temporary to proposed to final began well over a
10 year ago and wouldn't have been possible without the
11 help of the wonderful staff of the Independent
12 Regulatory Review Commission and the Legislative
13 Reference Bureau.

14 Now that the push to transition to table
15 game chapters is more or less complete, the primary
16 focus is now going to be with respect to regulations.
17 It's going to be to evaluate where we are and amend
18 regulations accordingly, which leads me to the first
19 agenda item for today, which is Proposed Rulemaking
20 125-162. It will modify the requirements for
21 operators to terminate, transfer or modify progressive
22 slot machines. It will allow dealers to accept tip
23 wagers provided that the tip is collected after each
24 round of play. It will require operators to provide
25 monthly Table Game Device Master List reports to the

1 Bureau of Gaming Laboratory Operations. This is a
2 requirement that already exists with respect to slots.
3 We're just updating it now to reflect table games as
4 well. We'll also add the Panda 8 side wager to all
5 baccarat games and we'll update an incorrect pay table
6 and blackjack. I'd be more than happy to answer any
7 questions you may have.

8 CHAIRMAN:

9 Questions from the Board? Ex-Officio
10 Members? May I have a motion?

11 MR. TRUJILLO:

12 Mr. Chairman, I move the Board adopt
13 Proposed Regulation 125-162 and that the proposed
14 regulation be posted on the Board's website.

15 MR. SOJKA:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 Opposed? Motion carries.

22 ATTORNEY YOCUM:

23 The next rulemaking is a temporary
24 Regulation, 125-163. This adds a brand new game,
25 Three Dice Football to the compliment of table games.

1 This is a game that is owned by TCS JOHN HUXLEY which
2 is a licensed manufacturer in the Commonwealth of
3 Pennsylvania. Included in this rulemaking are the
4 rules of play and the payout table. I'd be happy to
5 answer any questions.

6 CHAIRMAN:

7 Questions, comments from the Board?

8 MR. SOJKA:

9 What this organization would have for
10 sale then I take it would be the concept of the game,
11 a felt and one special kind of die; is that it?

12 ATTORNEY YOCUM:

13 That's correct.

14 MR. SOJKA:

15 That's all there is?

16 ATTORNEY YOCUM:

17 Yes.

18 MR. SOJKA:

19 Thank you.

20 CHAIRMAN:

21 You thinking of the business here. Any
22 other questions? From Ex-Officio Members? May I have
23 a motion?

24 MR. FAJT:

25 Yes, Mr. Chairman. I move that the Board

1 adopt Temporary Regulation 125-163 and that this
2 regulation be posted on the Board's website.

3 MR. MCCALL:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 Opposed? The motion carries.

10 ATTORNEY YOCUM:

11 Thank you.

12 CHAIRMAN:

13 Thank you, Susan.

14 ATTORNEY SHERMAN:

15 Today the Board has two Petitions before
16 it for a vote. Each of these matters relates to a
17 Greenwood Gaming and was heard earlier this morning by
18 the Board. In each of the matters, in addition to the
19 presentations which were made and the documentary
20 submissions by way of the PowerPoint presentations,
21 the Board has been provided with Greenwood's
22 petitions, Office of Enforcement Counsel's (OEC)
23 responses and any other matters submitted into the
24 record.

25 As to the first, the Greenwood Petition

1 for a Waiver of Section 465a.26(b)(2) of the Board's
2 regulations, the Board has heard that Greenwood is
3 requesting Waiver of the requirement to have two staff
4 members process and verify jackpot payouts between
5 \$1,200 and \$4,999.99 or anything less than \$5,000, and
6 only to retain that requirement for jackpot payouts of
7 \$5,000 or more. The OEC is not objecting to the
8 request so long as the Casino Slot Management System
9 and the Central Control Computer System are fully
10 operational. As Greenwood stated today, in the event
11 that those systems were not operational, the old
12 requirements of having two verifiers and processors
13 would remain in place.

14 If the Board is inclined to grant the
15 request, I would suggest the same rule be made
16 applicable by policy and followed up by regulation for
17 all casinos so that we have a uniformity and approach
18 throughout the industry on the decision. Greenwood
19 has also requested that Exhibit A to its Petition,
20 which describes each of the 46,309 jackpots, one in
21 the range --- in this range in 2011 be maintained as
22 confidential because of certain proprietary
23 information contained therein. Both OEC and the
24 Office of Chief Counsel (OCC) believe that a
25 confidential designation is appropriate. And the

1 matters are now ready for the Board's consideration.

2 CHAIRMAN:

3 Any questions, comments from the Board?

4 Ex-Officio Members? May I have a motion?

5 MR. GINTY:

6 Mr. Chairman, I move that the Board issue
7 an Order to approve Greenwood Gaming and
8 Entertainment's Petition including their
9 confidentiality request as described by the OCC.

10 MR. MCCALL:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 Opposed? Motion carries.

17 ATTORNEY SHERMAN:

18 The next matter is Greenwood's Petition
19 for Modification to its Gaming Floor. Again, this is
20 the second matter that the Board heard earlier today,
21 in which Greenwood is requesting to be allowed to
22 decrease the number of both table games and slot
23 machines by removing in most part the lower revenue
24 generating machines to increase their business
25 profitability as well as to facilitate a transition to

1 come into the new facility. If the Board is inclined
2 to grant the Petition, OEC has requested 14 conditions
3 which are outlined in their Answer. Greenwood has
4 also requested that floor plans attached to the
5 Petition, which would include security and
6 surveillance information, be maintained as
7 confidential. OEC has not objected to that request.
8 And the OCC believes that the confidential designation
9 is appropriate. This matter --- both matters are now
10 before the Board for its consideration.

11 CHAIRMAN:

12 Questions or comments from the Board?
13 Ex-Officio Members? May I have a motion?

14 MR. MCCALL:

15 Mr. Chairman, I move that the Board issue
16 an Order to approve Greenwood Gaming and
17 Entertainment, Inc.'s Petition as described by the
18 OCC.

19 CHAIRMAN:

20 Second

21 MR. MOSCATO:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

1 CHAIRMAN:

2 Opposed? The motion carries.

3 ATTORNEY SHERMAN:

4 Next reporting Withdrawals and Reports
5 and Recommendations is Deputy Chief Counsel Steve
6 Cook.

7 ATTORNEY COOK:

8 Good morning, Chairman.

9 CHAIRMAN:

10 Morning, Steve.

11 ATTORNEY COOK:

12 The Board has received eight unopposed
13 Petitions to withdraw the applications or surrender
14 the credentials of individuals or businesses. The
15 persons and entities subject to these petitions are as
16 follows, Brintons U.S. Axminster, Inc., Robert Ciunci,
17 David Lopez, MCA Processing, LLC, Key Qualifier
18 Application of Trust, II For the Benefit of Children
19 of Nicholas DeNaples, and that application pertains
20 solely to GSP N&L Transportation, Inc. which the trust
21 was a principal of. Steal One, LLC d/b/a JAMS, Summa
22 Hardware, Inc. and Joseph A. Wellenbusher, III.

23 The OEC has no objection to these
24 Petitions. As such, if the Board were inclined to
25 grant same, they'd be doing so without prejudice.

1 CHAIRMAN:

2 Questions or comments from the Board?
3 Ex-Officio Members? May I have a motion?

4 MR. MOSCATO:

5 Mr. Chairman, I move that the Board issue
6 Orders to approve the Withdrawals and Surrenders as
7 described by the OCC.

8 MR. SOJKA:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 Opposed? Motion carries.

15 ATTORNEY COOK:

16 Next before the Board for consideration
17 are two reports relative to Petitions for Removals
18 from the Prohibited Vendor's List and four reports and
19 recommendations received from the Office of Hearings
20 and Appeals relative to one Petition to be placed on
21 the Board's Exclusion List, two Gaming Employee
22 Permits and one Non-Gaming Registration. These
23 reports and recommendations have been provided to the
24 Board in advance of this meeting along with the
25 evidentiary record. In addition, each person or

1 business implicated by the Board recommendation has
2 been given notice that the matter is coming before the
3 Board today and that they had the ability to come
4 forward to briefly address the Board. If any such
5 persons are present, I'd ask them to come forward when
6 their matter is announced.

7 The first report before the Board today
8 from the Office of Hearings and Appeals (OHA), it
9 pertains to Maple Direct's Petition to be removed from
10 the Prohibited Vendor's List. I believe Maple Direct
11 and representing Counsel are present if the Board has
12 questions.

13 Maple Direct is a marketing company which
14 was issued a Vendor Registration on December 3rd,
15 2007. Maple Direct thereafter conducted business with
16 Mount Airy until April 2009 and had invoiced that
17 facility approximately \$228,000 to that date of April
18 2009. Because the company surpassed the \$200,000
19 threshold, the regulations in place at that time
20 required that Maple Direct submit a Vendor
21 Certification Application, which they were asked to
22 do, but subsequently never fully complied with. As a
23 result, Maple Direct was subsequently placed on the
24 Prohibited Gaming Service Provider List effective June
25 2010. Subsequent to placement on that list, however,

1 Maple Direct ended up continuing to do business with
2 Mount Airy and billed them for \$40,000 in additional
3 services while on the list.

4 This matter was first brought before the
5 Board at April 11th, 2012 Board Meeting. At that
6 time, the Board asked that the matter be remanded to
7 the OHA so an evidentiary record could be generated to
8 support whatever the outcome was going to be. A
9 hearing in this matter was held at Hearings and
10 Appeals on April 26th, 2012. Maple Direct and their
11 Counsel appeared and offered testimony and exhibits.
12 The Hearing Officer thereafter issued a report
13 outlining findings of fact relative to this matter and
14 noted essentially that the problem --- or the evidence
15 presented indicated that the problem and the reason
16 this company failed noncompliance with the Board and
17 was placed on the Prohibited Vendor's List was due to
18 the health issues associated with its 90 percent Owner
19 and Chief Principal. So these were the findings of
20 the Hearing Officer.

21 At present, the report's before the
22 Board. The OEC continues to support removal from the
23 list upon payment of a \$3,000 civil penalty. And the
24 matter is now ripe for Board's consideration.

25 CHAIRMAN:

1 Any questions or comments from the Board?
2 Ex-Officio Members? May I have a motion?

3 MR. SOJKA:

4 Yes, Mr. Chairman. I'll move that the
5 Board approve Maple Direct's request to be removed
6 from the Prohibited Gaming Service Provider List as
7 described by the OCC, upon payment of a \$3,000 civil
8 penalty.

9 CHAIRMAN:

10 Second?

11 MR. TRUJILLO:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 Opposed? Motion carries.

18 ATTORNEY COOK:

19 The next report from the OHA pertains to
20 Vision Solution's Petition to be removed from the
21 Prohibited Gaming Service Provider's List. I would
22 note for the record that Mark Stewart from the Eckert
23 Seamans firm is here today to answer any Board
24 questions.

25 CHAIRMAN:

1 Mr. Stewart.

2 ATTORNEY COOK:

3 Vision Solutions submitted their
4 Sponsored Vendor Registration Form and application fee
5 on October 22nd, 2008. During review of the
6 application, the Board's Bureau of Licensing
7 determined that Vision Solutions needed to cure nine
8 deficiencies within their application. In the
9 following months, despite being informed on two more
10 occasions that the application was deficient, these
11 problems were never cured. The Bureau of Licensing
12 thereafter placed Vision Solutions on the Prohibited
13 Gaming Service Provider List. But subsequent to being
14 placed on that list, Vision Solutions continued to do
15 business with four Pennsylvania casinos and was
16 compensated a total of \$26,888.15.

17 Vision Solutions now requests to be
18 removed from the list and has filed a new application
19 for Gaming Service Provider Registration including
20 curing all prior deficiencies. As with the previous
21 matter, this was brought before the Board previously,
22 and at that time the OEC recommended a civil penalty
23 of I believe \$4,500. The penalty as proposed at that
24 time consisted of a \$1,500 penalty to be removed from
25 the list, \$1,500 additional for doing business with a

1 casino while on the list and then \$500 penalties for
2 doing business with each additional casino. They did
3 business with four casinos in total.

4 As the Board asked, as with Maple Direct,
5 that the matter be referred back to the OHA through an
6 evidentiary hearing, in lieu of that hearing
7 occurring, a stipulation of facts and an affidavit
8 from a --- someone from management at Vision
9 Solutions, I believe it was their Chief Counsel, was
10 put into the record and a report was subsequently
11 generated and given to the Board in advance of the
12 meeting. Essentially the findings of the Hearing
13 Officer in that report were that this particular
14 company was going through a period of substantial and
15 fast growth, and at the same time had some turnover
16 with respect to their Pennsylvania representatives, I
17 believe it's a California company, causing a lot of
18 deficiencies here within the Commonwealth to kind of
19 slip between the cracks. As indicated, Mr. Stewart is
20 present and is able to answer your questions if the
21 Board has any.

22 CHAIRMAN:

23 Any questions from the Board?

24 MR. SOJKA:

25 Just curious again, how many different

1 casinos did it do --- did the organization doing
2 business with after being on the list?

3 ATTORNEY STEWART:

4 Four.

5 MR. SOJKA:

6 Four. So if it was \$1,500 per, that'd be
7 a \$6,000 penalty.

8 ATTORNEY COOK:

9 We also typically impose \$1,500 to be
10 removed from the list, so it would be \$7,500.

11 MR. SOJKA:

12 \$7,500.

13 CHAIRMAN:

14 Anything else, Gary?

15 MR. SOJKA:

16 That's it.

17 CHAIRMAN:

18 Anybody else? May I have a motion?

19 MR. TRUJILLO:

20 Mr. Chairman, I move that the Board
21 approve Vision Solution's request to be removed from
22 the Prohibited Gaming Service Provider List as
23 described by the Office of Chief Counsel upon payment
24 of a \$7,500 civil penalty consisting of \$1,500 to be
25 removed from the list and \$1,500 each --- for each

1 casino it did business with while on the list.

2 MR. FAJT:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 Opposed? Motion carries.

9 ATTORNEY STEWART:

10 Thank you, Commissioners.

11 CHAIRMAN:

12 Thank you, Mr. Stewart.

13 ATTORNEY COOK:

14 Jamie Fernandez is the next Report and
15 Recommendation before the Board today. On February
16 13th, 2012, the OEC filed a complaint requesting that
17 Mr. Fernandez be placed on the Board's Exclusion List.
18 Upon receipt of the complaint, Mr. Fernandez requested
19 a hearing which was held on April 3rd, 2012. Both Mr.
20 Hernandez and the OEC appeared at the hearing and
21 offered testimony and written exhibits. During the
22 hearing, Mr. Fernandez admitted that he conspired with
23 a Harrah's Philadelphia employee and obtained and
24 redeemed \$46,665 in free play which he was not
25 otherwise entitled to. Subsequent to that discovery,

1 the Harrah's employee was terminated, his license was
2 revoked and he was charged criminally.

3 Additionally, Mr. Fernandez was also
4 charged criminally with theft and was ultimately
5 admitted into Delaware County's ARD program. He was
6 also ordered to perform community service and pay
7 restitution to Harrah in the amount of \$46,665. I
8 would note for the record that court records indicate
9 that that amount was paid in full.

10 The Report and Recommendation before the
11 Board recommends that Mr. Fernandez be placed on the
12 Exclusion List. The OEC concurs in that
13 recommendation and would also ask that the Board Order
14 issued in this matter indicate that certain of Mr.
15 Fernandez's personal information be redacted from
16 Respondent's Exhibit Two, the OEC's Exhibit Five and
17 Hearing Officer's Exhibit One. That information I
18 believe being Social Security numbers, personal home
19 address and that sort of information.

20 CHAIRMAN:

21 Is Jamie Fernandez in the hearing room?
22 Any questions or comments from the Board? Ex-Officio
23 Members? May I have a motion?

24 MR. FAJT:

25 Mr. Chairman, I move that the Board

1 remove the Report and Recommendation of OHA as
2 described by the OCC.

3 MR. GINTY:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 Opposed? The motion carries.

10 ATTORNEY COOK:

11 The next Report and Recommendation
12 pertains to Ryan Hodder, who I believe may also be
13 present. I'd ask him to come forward, if he is.

14 CHAIRMAN:

15 Ryan Hodder?

16 MR. HODDER:

17 Yes.

18 ATTORNEY COOK:

19 Mr. Hodder submitted his application for
20 a Gaming Level 2 Permit seeking work as a Dealer
21 Dual-Rate Floor Supervisor at Mount Airy. Mr. Hodder
22 was issued a temporary credential after passing the
23 preliminary criminal background check. Mr. Hodder
24 stated on his application that he had been employed by
25 the Mohegan Sun Casino in Connecticut as a Dual Rate

1 Dealer/Supervisor but had left that position due to
2 personal reasons. He also indicated on his
3 application that he had never been the subject of any
4 disciplinary actions and that he had never been
5 suspended or fired by any prior employer.

6 The OEC issued a Notice of Recommendation
7 of Denial on February 9th, 2012. In it, the OEC
8 alleges that the Mohegan Tribal Gaming Commission had
9 revoked Mr. Hodder's gaming license in 2006 for
10 conducting a scheme to circumvent Mohegan Sun's tip
11 policy. Mr. Hodder was contacted by Bureau of
12 Investigations and Enforcement (BIE) regarding the
13 revocation and indicated to them that this was an
14 error and that he would provide BIE with documentation
15 indicating that his license had not been revoked.
16 However, no such information was ever provided to BIE.

17 Mr. Hodder requested a hearing on the
18 recommendation of the denial of his application. The
19 hearing was held on April 12th, 2012. Both Mr. Hodder
20 and the OEC appeared and offered evidence into the
21 record. At that time Mr. Hodder did admit that he did
22 not leave the job for family reasons, but in fact, was
23 fired by Mohegan Sun in Connecticut. He also stated
24 at that hearing that he was not aware that his license
25 had been revoked because although he had attended the

1 revocation proceedings in Connecticut, he never
2 received the Order issued at the conclusion of that
3 proceeding --- those proceedings so he wasn't sure
4 what the outcome was.

5 The Report and Recommendation for the
6 Board today recommends that Mr. Hodder's application
7 be denied for failure to be fully direct to the Board
8 and meet the suitability requirements. As indicated
9 Mr. Hodder is present.

10 CHAIRMAN:

11 Mr. Hodder, ---

12 MR. HODDER:

13 Yes.

14 CHAIRMAN:

15 --- do you want to make a statement
16 before the Board?

17 MR. HODDER:

18 Yes. First of all, excuse me ---

19 CHAIRMAN:

20 That's all right. We understand.

21 MR. HODDER:

22 --- for the attire.

23 CHAIRMAN:

24 You're going to be sworn as a witness
25 first, so please state your name and spell your last

1 name.

2 MR. HODDER:

3 Ryan Hodder, H-O-D-D-E-R.

4 CHAIRMAN:

5 You can sit.

6 -----

7 RYAN HODDER, HAVING FIRST BEEN DULY SWORN, TESTIFIED

8 AS FOLLOWS:

9 -----

10 CHAIRMAN:

11 All right. Mr. Hodder, what do you have
12 to say?

13 A. I agree with everything that was said. The only
14 problem I had was I had --- I don't know what good it
15 does now, but I have a number from the Department of
16 Special Revenue in Connecticut where I had contacted
17 them and they informed me that my license was not
18 revoked through the state, which in turn I contacted
19 Mohegan Sun and they told me it was suspended through
20 the tribe.

21 When I had heard that, I went back and I went in,
22 and I was told that I could amend my application,
23 which I have documentation here that I did amend my
24 application after I found out it was suspended through
25 the tribe. At my initial hearing that was not brought

1 out forthright that I had amended my application. I
2 tried to explain that it was amended. At that time I
3 didn't know that I needed any kind of documentation or
4 proof. I have it here that I printed out my
5 application and the amendment that is stating that I
6 do realize my license is suspended through the tribe.
7 I have it right here, if you'd like to see it, if I
8 can present it to you.

9 And underneath is the Department of Special
10 Revenue number in Connecticut where I was informed
11 that my license was only suspended through the tribe,
12 that they are not allowed to revoke or suspend my
13 license through the state, that it was just a tribal
14 suspension. Therefore, I figured all I had to do was
15 just amend my application. I wasn't trying to lie or
16 be untruthful. When Matthew presented this to me, I
17 went and I made the necessary phone calls to the
18 Department, to Mohegan Sun and found all this out.
19 And then that's when I amended my application and
20 tried to make it right. I thought I did. Apparently
21 I didn't.

22 I mean, I've been in this business a long time. I
23 mean, this is what I do. This is my life. I mean, if
24 you --- if you had decided not to allow me to work in
25 Pennsylvania, I mean, please don't revoke my license.

1 Give me the opportunity to go somewhere else and work.
2 I mean, it says in --- it says when you fill the
3 application out about character and about, you know,
4 pride in your job, things like that, and that's
5 something I do have. And for people to sit here ---
6 and if I had asked any of you, do you work on
7 computers, yes. Well, you know what, I don't think
8 you do. That's like what they're saying to me, that I
9 don't have character, that they're judging my
10 character based on something so minute than this that
11 I tried to amend and make right. I mean, to me that
12 isn't judging my character. You want to judge my
13 character, come see me at work, come see what I do at
14 home. You know what I mean? To me that's --- that's
15 how strongly I feel about my job that I appealed this
16 again because I strongly believe that I am right for
17 this job, no matter what state I'm in. Without
18 literally doing it, I'm begging you to please not take
19 my license away. I haven't killed anybody. I haven't
20 stolen anything. I haven't --- you know, I tried to
21 make everything right that I could. And that's ---.

22 CHAIRMAN:

23 Ms. Sacavage, any response?

24 ATTORNEY SACAVAGE:

25 Chairman Ryan, Members of the Board, the

1 OEC maintains the assertions put forth in our denial
2 letter and the subsequent hearing and urges the Board
3 to adopt the Recommendation and Report of the Hearing
4 Officer.

5 CHAIRMAN:

6 And again, that recommendation is that
7 the application for a license be denied; is that
8 correct?

9 ATTORNEY SACAVAGE:

10 That's correct. Mr. Hodder is not under
11 a revocation process in Pennsylvania, although he will
12 lose his temporary permit and at a future date --- he
13 does have a gaming permit with this Board, and OEC
14 will take action to revoke that.

15 CHAIRMAN:

16 Ken?

17 MR. TRUJILLO:

18 Okay. Is the --- so the action right
19 now, the enforcement action is to deny his
20 application?

21 ATTORNEY SACAVAGE:

22 The application for the G2 permit, ---

23 MR. TRUJILLO:

24 Correct.

25 ATTORNEY SACAVAGE:

1 --- the supervisor position?

2 MR. TRUJILLO:

3 Right.

4 ATTORNEY SACAVAGE:

5 That's correct.

6 MR. TRUJILLO:

7 And the basis for the denial is the false
8 information provided on the application?

9 ATTORNEY SACAVAGE:

10 The false information as well as the
11 revocation by the Mohegan Tribe and the underlying
12 conduct behind that revocation.

13 MR. TRUJILLO:

14 So the substantive conduct in --- at
15 Mohegan Sun is also the basis for the OEC's action?

16 ATTORNEY SACAVAGE:

17 That's correct.

18 MR. TRUJILLO:

19 And as I understood, the description that
20 I heard related to tip violations, can you give me
21 more detail of what those violations were?

22 ATTORNEY SACAVAGE:

23 In summary, the --- as we know, the tokens
24 are taken altogether and divided amongst the team of
25 dealers. It was alleged and it was it was found to be

1 truthful in the Notice of Decision for the Mohegan
2 Tribal Council that was Mr. Hodder was doing was
3 directing patrons to put tips on a waitress' tray.
4 And then later Mr. Hodder would approach that waitress
5 and said that's mine, so that he could circumvent the
6 communal toke policy.

7 MR. TRUJILLO:

8 So it wouldn't be distributed as equally
9 or ---

10 ATTORNEY SACAVAGE:

11 Right.

12 MR. TRUJILLO:

13 --- according to policy with the other
14 employees? I understand.

15 ATTORNEY SACAVAGE:

16 Right. The waitresses become alarmed and
17 reported him.

18 MR. TRUJILLO:

19 I guess, Mr. Hodder, the question I had,
20 are those facts accurate?

21 A. No, those aren't accurate. This is when --- when
22 I was approached by the Gaming Commission, I went in
23 and I was truthful with them. I spoke to them. I
24 told them there is, as there is here --- there is
25 audiotape somewhere that this did happen, this girl

1 had offered me the money. I mean, I made a lot of
2 money the eight years that I was there. For a \$25 or
3 \$50 tip, I'm sorry I'm not risking a \$50,000 a year
4 job for a \$25 tip. I proved and showed them that she
5 offered it to me, I refused it. They were, excuse me,
6 so hell-bent on not --- on not believing me. They
7 believed their own investigators that --- they forced
8 me to sign a confession, which to this day, I'll take
9 a lie detector and tell you I didn't do it. As you
10 guys well know, if you are cited for stealing anything
11 in the casino, you are going to be arrested. I was
12 never arrested. They could not prove anything, other
13 than hearsay, her word against mine. And I was not
14 arrested. And they had suspended my license --- my
15 gaming license at Mohegan. They could not suspend it
16 through the state because they did not have just cause
17 to do so. They would have had to arrest me if they
18 had that much proof on that. That's my side.

19 MR. TRUJILLO:

20 Thank you, Mr. Hodder. And one other
21 question is --- on that issue is what evidence was
22 presented at Hearings and Appeals here relating to the
23 substantive underlying conduct?

24 ATTORNEY SACAVAGE:

25 Mr. Trujillo, OEC Exhibit Two that was

1 entered into hearing on page six references a signed
2 confession that Mr. Hodder made admitting to the
3 conduct. And that does not take away from the fact
4 that later on this was never disclosed in an
5 application, any of these facts. In fact, he listed
6 his leaving Mohegan Sun for personal and family
7 reasons. This was only the work of our investigators
8 that was able to uncover all of this. The lack of
9 truthfulness is a serious issue in this matter.

10 MR. TRUJILLO:

11 I'm sorry. What evidence was presented
12 here with respect to the underlying conduct in
13 Connecticut?

14 ATTORNEY SACAVAGE:

15 Our Notice of Decision from the Mohegan
16 Tribal Council was admitted as evidence in our
17 hearing. Those Findings of Fact were included in that
18 Notice of Decision that referenced the underlying
19 conduct.

20 MR. TRUJILLO:

21 So in order to accept Mr. Hodder's
22 version, we would have to in effect overturn the
23 factual findings of Mohegan Sun's --- I guess their
24 commission?

25 ATTORNEY SACAVAGE:

1 Right. And if I may submit that the
2 underlying conduct in Connecticut is almost a
3 secondary issue in our denial of the Applicant's
4 Gaming Level 2 Permit, that of course upon
5 investigation, number one, we find the revocation, and
6 number two, we find the basis for the revocation and
7 the evidence included in the Findings of Fact. But
8 for our purpose it was primarily lack of suitability
9 and truthfulness in investigation.

10 MR. TRUJILLO:

11 I understand. Thank you, Mr. Chairman.
12 That's all I have.

13 MR. GINTY:

14 Mr. Hodder suggested that he --- or said
15 he amended his application ---
16 A. I have it right here.

17 MR. GINTY:

18 --- in order to, at least in his view,
19 indicate that his license had been suspended or what
20 have you.

21 ATTORNEY SACAVAGE:

22 And this was after he was requested to do
23 so by our investigators. And OEC's position that
24 although there was an amendment, we still have a basis
25 for denial because of the prior revocation and the

1 continuing dishonesty that went on throughout our
2 investigation. It's part of the record, and the
3 Report and Recommendation discusses, Mr. Hodder
4 alleged he was unaware of any suspension or
5 revocation. In fact, he attended hearings and
6 testified at them. He signed confessions to his
7 conduct.

8 MR. GINTY:

9 Well, now, you are going back to the
10 underlying ---

11 ATTORNEY SACAVAGE:

12 Right.

13 MR. GINTY:

14 --- issue?

15 ATTORNEY SACAVAGE:

16 He said he did not recall ---.

17 MR. GINTY:

18 We've had a number of instances where BIE
19 has permitted applicants to amend their applications
20 based on matters discovered by BIE. So I mean, the
21 fact that someone brought it to his attention and it
22 was amended, I mean, that's not all that unusual in
23 the process. So if he amended it then, what is the
24 basis of the ---?

25 CHAIRMAN:

1 If I could interject here, is it OEC's
2 position that he amended it because he got caught?

3 ATTORNEY SACAVAGE:

4 That's correct. That's our position.

5 CHAIRMAN:

6 That from the beginning he wasn't
7 truthful. We are calling --- OEC is calling him on
8 it, and okay, now I'm going to amend it; agreed?

9 ATTORNEY SACAVAGE:

10 Right.

11 CHAIRMAN:

12 Agreed?

13 ATTORNEY PITRE:

14 Agreed. And if that's the case --- if
15 that's the line that we're going to take with this,
16 then no one will be found unsuitable ---

17 CHAIRMAN:

18 That's exactly correct.

19 ATTORNEY PITRE:

20 --- because everyone will be allowed to
21 get into the industry once they amend their
22 application. I think the problem with this is not
23 only the initial, the initial untruthfulness, but then
24 when you find out what that untruthfulness went back
25 to was his activity in the Gaming Industry. And

1 that's where we draw the line. And if it was
2 something, you know, that could be fixed, we've
3 always, you know, erred the side of caution in
4 allowing people --- giving them a chance to prove
5 themselves and we can't. But I don't think this is
6 one of those situations.

7 A. But see, there you are assuming, judging my
8 character, once again, ---.

9 CHAIRMAN:

10 Mr. Hodder, ---.

11 ATTORNEY PITRE:

12 That's my job.

13 A. I didn't get caught.

14 CHAIRMAN:

15 Mr. Hodder, that's it. All right.

16 Anybody have any more questions? Ex-Officio? Do we
17 have a motion?

18 MR. GINTY:

19 Mr. Chairman, I move that the Board adopt
20 the Report and Recommendation of the OHA regarding the
21 Gaming Employee Permit of Ryan Hodder as described by
22 the OCC.

23 MR. MCCALL:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 Opposed? Motion carries. Thank you, Mr.
5 Hodder. You're excused.

6 A. Thank you.

7 ATTORNEY COOK:

8 The next Report and Recommendation to be
9 considered by the Board today pertains to Alexa Myers.
10 If Ms. Myers is present, I would ask her to come
11 forward. Ms. Myers was issued a Non-Gaming
12 Registration on January 2nd, 2007 and was employed as
13 a cocktail server at the Parx Casino. The BIE filed a
14 complaint on February 6th, 2012 seeking revocation of
15 Ms. Myers' Non-Gaming Registration. Ms. Myers
16 requested that a hearing be held regarding her
17 revocation. This matter was heard by the OHA on April
18 17th, 2012. Both the OEC and Ms. Myers appeared at
19 that hearing and offered testimony and exhibits.

20 The evidence presented before the Hearing
21 Officer indicated that on November 23rd, 2011 Ms.
22 Myers, who was working as a bartender at Foodies Food
23 Court at the end of her shift as a cocktail waitress,
24 was observed conducting two separate transactions
25 where she placed money received from customers on top

1 of the register and moments later placed the cash into
2 her tip jar. Parx suspended Ms. Myers' employment on
3 November 26th, 2011 and she thereafter resigned on
4 November 30th, 2011.

5 Ms. Myers essentially testified at the
6 hearing that when she began bartending, there were
7 several customers who were upset as no bartender had
8 been on duty at the bar. Because Parx has a policy
9 that wait staff may issue complimentary drinks to
10 patrons who complain of poor service, she served three
11 complimentary drinks to dissatisfied patrons and the
12 cash she received from those patrons was, in fact, tip
13 money. Evidence presented also showed that Ms. Myers
14 placed bottle caps from the complimentary beverages
15 being served on the cash register and later used those
16 caps to record the complimentary drinks in the cash
17 register. Ms. Myers also submitted additional
18 evidence generally surrounding the circumstances she
19 was dealing with that particular day and character
20 evidence. Having heard all --- having heard and
21 reviewed all of the evidence, the Hearing Officer
22 issued a Report and Recommendation recommending that
23 Ms. Myers' Non-Gaming Registration not to be revoked.

24 CHAIRMAN:

25 And again, the recommendation was the ---

1 that the registration not be revoked?

2 ATTORNEY COOK:

3 That is correct.

4 CHAIRMAN:

5 Ms. Myers --- I assume Ms. Myers; is that
6 correct?

7 MS. MYERS:

8 Yes. Yes.

9 CHAIRMAN:

10 Do you want to say something?

11 MS. MYERS:

12 No.

13 CHAIRMAN:

14 Okay.

15 OFF RECORD DISCUSSION

16 CHAIRMAN:

17 Questions or comments from the Board?

18 Ex-Officio Members?

19 MR. GINTY:

20 Does OEC have anything to ---?

21 ATTORNEY MILLER:

22 Yeah, after receiving the Report and
23 Recommendations from the Hearing Officer, we concur
24 with the Report and Recommendation.

25 CHAIRMAN:

1 Yeah, I do have one quick question. Ms.
2 Myers, you are currently not working in the casino
3 industry; is that correct?

4 MS. MYERS:

5 That's correct.

6 CHAIRMAN:

7 Thank you.

8 MR. GINTY:

9 I do have a comment. Ms. Myers, you've
10 put on the best cases I have seen. I suggest maybe
11 you may want to look at law school or legal
12 profession. You did an excellent job.

13 MS. MYERS:

14 Thank you.

15 CHAIRMAN:

16 Anyone else? May I have a motion?

17 MR. MCCALL:

18 Mr. Chairman, I move that the Board adopt
19 the Report and Recommendation of the OHA regarding the
20 Non-Gaming Employee Registration of Alexa Myers as
21 described by the OEC.

22 CHAIRMAN:

23 Second?

24 MR. MOSCATO:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 Opposed? Motion carries. Thank you.

6 You're excused.

7 MS. MYERS:

8 Thank you.

9 ATTORNEY COOK:

10 Jabbar Wells is the last Report and
11 Recommendation before the Board today. Mr. Wells was
12 issued a Gaming Employee Permit on December 8th, 2009
13 and was employed as a Slot Technician at Parx Casino
14 until he was terminated on January 3rd, 2012 for
15 allegedly mishandling gaming vouchers obtained from
16 slot machines he was working on. I would note for the
17 record that Mr. Wells and I believe his Counsel are
18 present.

19 As a result of these allegations, the OEC
20 commenced an Enforcement Action. Mr. Wells, through
21 his attorney filed an Answer in New Matter to the
22 Enforcement Action, essentially alleging that Mr.
23 Wells did not intend to defraud Parx and that he was
24 never properly trained on Parx's policies and
25 procedures for the disposal of vouchers.

1 Subsequently, a hearing in this matter
2 was held on March 27th, 2012 in which evidence was
3 presented that an investigation of Mr. Wells showed
4 that he twice retrieved abandoned slot machine
5 vouchers totaling \$959.42, which he did not turn into
6 the cage cashier as per Parx policy. In fact, Mr.
7 Wells, on three occasions, placed abandoned vouchers
8 into slot machines he was not working and immediately
9 dispensed a new voucher in the same amount or
10 consolidated two vouchers into one and had the
11 consolidated voucher discharged from the machine.
12 Parx Surveillance Department and the Pennsylvania
13 State Police confronted Mr. Wells prior to the end of
14 his shift on the evening in question and he failed to
15 immediately surrender the voucher. He did after
16 subsequent discussion with the authorities and with
17 surveillance turn over the voucher that was I believe
18 placed behind his credential on this person.

19 At the conclusion of the hearing before
20 our OHA, each of the parties filed Post-Hearing
21 Briefs. Thereafter, the Hearing Officer issued a
22 Report and Recommendation recommending that Mr. Wells'
23 Gaming Permit be revoked. Mr. Wells' Counsel has
24 filed Exceptions to the Report and Recommendation
25 essentially arguing that Mr. Wells' behavior was

1 consistent with other Parx slot techs, that the Parx
2 policy is unclear and that there is absolutely no
3 evidence that he intended to defraud the casino. This
4 matter is now ripe for the Board's consideration. As
5 noted, Mr. Wells and Counsel are present.

6 CHAIRMAN:

7 Sir?

8 ATTORNEY VALZ:

9 Yeah, my name is Norman Valz for the
10 record.

11 CHAIRMAN:

12 How do you spell your last name, sir?

13 ATTORNEY VALZ:

14 V-A-L-Z.

15 CHAIRMAN:

16 V-A-L-Z?

17 ATTORNEY VALZ:

18 That's correct.

19 CHAIRMAN:

20 All right. Thank you. You're an
21 attorney; is that correct, sir?

22 ATTORNEY VALZ:

23 That's correct, Mr. Chairman. Basically
24 just to reiterate what was said there, this is a
25 single incident with Mr. Wells, no crime was

1 committed, no intention of committing a crime
2 occurred. Mr. Wells was confronted with security some
3 time before the end of his shift. Mr. Wells'
4 testimony --- and he's here to answer any questions
5 this Board may have. His actions were consistent with
6 the general working procedures of the employees at
7 Parx. Parx had no written procedures for technicians
8 to follow in disposing of abandoned vouchers. Parx
9 had no training for the technicians on regarding how
10 to dispose of abandoned vouchers. Well, given the
11 fact that there is no formal education, or
12 dissemination of what the procedures were, there's
13 absolutely no dissemination of what the consequences
14 for the employees would be if they didn't follow set
15 procedures. That's really all I have to add.

16 CHAIRMAN:

17 Mr. Miller?

18 ATTORNEY MILLER:

19 Chairman Ryan, we just concur with the
20 findings of the Hearing Officer. The evidence we
21 presented at the hearing we feel show objectively that
22 Mr. Wells was trying to steal a voucher worth
23 approximately \$960, and he was caught leaving the
24 casino. So, you know, we presented a written policy
25 regarding the use of test money at the casino. Mr.

1 Wells was clearly in violation of that policy. We
2 don't see what Mr. Wells could have been doing
3 legitimately by taking these vouchers and
4 consolidating them into one voucher, placing them
5 behind his identification badge and walking off the
6 Gaming Floor and ostensibly out of the building with
7 it. And Mr. Wells admitted on the record that that
8 was a live gaming voucher. That voucher could have
9 been redeemed by --- obviously, he said he couldn't
10 redeem it because he was an employee there, but any
11 third party that he gave it to could have redeemed
12 that for \$960.

13 CHAIRMAN:

14 And as I understand it, these vouchers
15 were put in another machine and then it could be
16 argued laundered?

17 ATTORNEY MILLER:

18 Yes, that's right. The vouchers --- he
19 had three vouchers from three different machines, put
20 them into another machine and totaled them up and then
21 ejected a voucher immediately without performing any
22 work on the machine and then took that single voucher
23 and placed it behind his identification badge and
24 walked out of the casino shortly thereafter --- or
25 attempted to walk out of the casino shortly

1 thereafter.

2 ATTORNEY VALZ:

3 Okay. I have one thing I'd like to add.

4 CHAIRMAN:

5 Counselor?

6 ATTORNEY VALZ:

7 Mr. Wells was not --- at the time of the
8 confrontation with security, it's my understanding he
9 was not attempting to leave the casino. It was at
10 least --- I believe almost 20 minutes before the end
11 of his shift when that incident occurred with
12 security. He was confronted. Yeah, I take exception
13 with the language that he was ostensibly or attempting
14 to leave the casino. He was off the casino floor at
15 the time of the confrontation, but he was not
16 attempting to leave the casino.

17 CHAIRMAN:

18 I understand that.

19 MR. FAJT:

20 A couple questions.

21 CHAIRMAN:

22 Go ahead.

23 MR. FAJT:

24 Thank you, Mr. Chairman. Mr. Miller,
25 there seems to be a discrepancy between you and

1 Counsel for Mr. Wells on whether there was training
2 and a policy. I heard Counsel say that there was no
3 training and no policy. I heard you say that there
4 was a written policy, so I want to get to the bottom
5 of that. Is there a written policy?

6 ATTORNEY MILLER:

7 I put into evidence a written policy
8 regarding the use of test money at the casino. And I
9 also had a witness there, Dave Norcott, the
10 surveillance director, who testified regarding the
11 policy used by the slot technicians. And Mr. Norcott
12 is the head of --- is the director of surveillance at
13 Parx Casino, and they were doing a review of the whole
14 slot technician department. And I asked him, did you
15 --- did your department have to become familiar with
16 the policies and procedures of the slot tech
17 department in order to do a review of that department?
18 And he testified, yes, he was. And then he testified
19 regarding the policy, regarding abandoned vouchers for
20 slot technicians.

21 MR. FAJT:

22 And I'm sorry. What about the training
23 aspect of it, was there any --- and I apologize. In
24 your answer, I don't know if you said if there was
25 actual training of the slot technicians in addition to

1 the policy. I mean, look, you and I both know they
2 have a policy. We have policies at Gaming Control
3 Board. I'm sure if somebody asked me the minutia of
4 one of those policies, I would be --- you know,
5 there's no way I would know what the minutia is. I
6 would suspect you're in the same boat. Was there
7 training of these employees on how to handle abandoned
8 vouchers in your record?

9 ATTORNEY MILLER:

10 I can't recall if that was in there or
11 not.

12 MR. FAJT:

13 Counselor, what say you?

14 ATTORNEY VALZ:

15 On page five of my exceptions and on the
16 transcript, page 11, the was the question of Mr.
17 Norcott, the director of surveillance at Parx, and he
18 made a point of saying that every time that his --- it
19 was his understanding of what the procedures were. As
20 director of surveillance, he wasn't that involved with
21 the procedures or their dissemination to employees.
22 He had no knowledge of whether Parx employees were
23 trained in the procedures and he also said that he
24 never saw a written, say, employee handbook or rule
25 book of said procedures which would be available to

1 employees.

2 MR. FAJT:

3 My last question, Counselor, is to you.
4 One of the things that was troubling to the Board,
5 specifically to me, was this --- and this is my term,
6 but the laundering of these vouchers, so that he would
7 take one or two, put them back in a machine and get
8 one, move on to another machine, get another one, put
9 those two in and get one. What is your client's
10 explanation as to why he was doing that? That caused
11 us concern.

12 ATTORNEY VALZ:

13 I can give you a summary, but that might
14 be something he would best address directly.

15 MR. FAJT:

16 Thank you.

17 ATTORNEY VALZ:

18 But my summary, the employees --- the
19 less bureaucratic way of getting a test voucher would
20 be to use an abandoned voucher and to test machines
21 which have been worked on or which had previously been
22 worked on to see if they were functioning properly.
23 And Mr. Wells in his testimony also described fairly
24 lax work standards at Parx Casino where abandoned
25 vouchers with some value were sitting around the

1 worktables and the workbenches in the backroom
2 frequently.

3 CHAIRMAN:

4 Well, why don't we let Mr. Wells tells
5 us ---? Excuse me. He's going to have to go under
6 oath. Do you understand that, Counselor?

7 ATTORNEY VALZ:

8 I certainly do.

9 CHAIRMAN:

10 All right, sir. Do you want to state
11 your name for the record and spell your last name?

12 MR. WELLS:

13 Jabbar Wells, W-E-L-L-S.

14 -----
15 JABBAR WELLS, HAVING FIRST BEEN DULY SWORN, TESTIFIED
16 AS FOLLOWS:
17 -----

18 MR. FAJT:

19 Mr. Wells, again, a very specific
20 question. What was your mindset and why were you
21 taking two to three vouchers at a time, putting them
22 in a machine and then taking one voucher out?

23 A. Okay. So the games that I was working on with
24 vouchers, these were games that had problems taking
25 money and giving money out, so a lot of the times what

1 we would do is just have a voucher --- we had a
2 voucher on us and we wanted to check a game we worked
3 on a day or two before just to make sure it's still
4 taking money and giving money out. It would be easier
5 for us if we just had a voucher on us to just put it
6 in the game, okay, the game took the voucher, I can
7 just cash it out. As far as combining them, really it
8 was just so I didn't have to carry around a whole
9 bunch of vouchers in my pocket. It wasn't ---.

10 CHAIRMAN:

11 Excuse me. So you wouldn't have a whole
12 bunch of vouchers in your pocket?

13 A. Yeah. It was just so that I wasn't carrying
14 around --- because there's --- people leave vouchers
15 throughout the casino a lot, all the time, and you
16 know, we'd always pick them up and that was like an
17 easier way for us to actually test machines, machines
18 that maybe something was wrong with the printer or
19 something was wrong with, you know, not printing out
20 correctly or something as far as that.

21 MR. FAJT:

22 Follow-up question, Mr. Wells. And Mr.
23 I'll get to you in a second, Mr. Miller. Had you ever
24 done this before, where you've put numerous vouchers
25 in a machine and got one out?

1 A. Yeah. The other techs --- I learned it from the
2 other techs.

3 MR. FAJT:

4 Thank you. Mr. Miller, was there any
5 evidence or any investigation done as to whether Mr.
6 Wells had done this conduct before, and in fact,
7 turned the voucher in before he left the casino
8 property?

9 ATTORNEY MILLER:

10 No, there is no other --- the only thing,
11 like I said, is that the surveillance department was
12 doing an investigation of the whole slot tech
13 department, and Mr. Wells was the only one referred to
14 our office.

15 MR. FAJT:

16 So during your investigation there was no
17 discussion or no evidence from anybody that this was,
18 in fact, a policy and maybe a de facto policy of the
19 technicians where they put vouchers in, took one out
20 and then cashed it in or turned it in before they left
21 the premises, you have no evidence of that happening
22 and you have no evidence that it didn't happen?

23 ATTORNEY MILLER:

24 No, I don't.

25 CHAIRMAN:

1 But as I understand it, when confronted
2 by the authorities before leaving and asked about the
3 vouchers, he at first denied he had them; is that
4 correct?

5 ATTORNEY MILLER:

6 That's correct. I believe at one point
7 he indicated that they were in his --- he indicated
8 that the voucher was in his locker, and then the
9 surveillance director told Mr. Wells that the --- his
10 locker would be searched. And then shortly thereafter
11 he produced the voucher from behind his identification
12 badge.

13 A. No, that's not what happened. I told them I
14 didn't know exactly where it was. A lot of times we
15 leave vouchers like laying around the tables at the
16 tech shop, so I said it might be there on the table or
17 it might be in my locker, either or. I was like
18 pulling something out of my pockets, and then that's
19 when I --- sometimes we stick them behind our badge.
20 And then that's when I pulled it out and gave it to
21 them. I didn't ---.

22 MR. SOJKA:

23 I'm curious. You mentioned your pocket.
24 You were wearing a shirt, I assume, when you were
25 doing this?

1 A. Yes.

2 MR. SOJKA:

3 Did it have a pocket?

4 A. Yeah, I have --- it's like a zipper up shirt, and
5 it has like two pockets and then like two ---.

6 MR. SOJKA:

7 Would it be expected that then if you
8 just take this voucher and you're intending to turn it
9 in, that you would take it and stick it in your
10 pocket?

11 A. I carry screwdrivers and stuff like that, so ---.

12 MR. SOJKA:

13 So you didn't want to put it in your
14 pocket?

15 A. Well, I don't want to --- we don't want to rip
16 them up, you know, like --- you know, you have tools
17 and stuff in your pockets.

18 MR. SOJKA:

19 Did it fit in total behind your
20 credential, or did you have to fold?

21 A. Yeah, you just fold it up.

22 MR. SOJKA:

23 So you actively folded the voucher, took
24 it and put it behind your credential?

25 A. Yes, that's what all the techs do. We just fold

1 them and ---.

2 MR. SOJKA:

3 To do that to do what, to just hold the
4 voucher so they're ---?

5 A. Yeah, just to keep it separate from other stuff
6 that I had in my pocket.

7 MR. SOJKA:

8 And having done that, having actively
9 folded the voucher, put it behind your thing, when
10 asked by the supervisor where's the voucher, you
11 didn't remember doing that?

12 A. Honestly, I was a little freaked out when the guy
13 came to me, and you know, I ---.

14 MR. SOJKA:

15 But you thought you might have put it
16 in ---?

17 A. I might have, yeah, because like I said we have a
18 lot of vouchers. So I told them it might be in my
19 locker. It might be in the tech shop, and you know,
20 it might have been laying around somewhere. And we
21 were talking for a couple of minutes, and then I was
22 like, oh.

23 MR. SOJKA:

24 In the past it was your practice then, if
25 you had vouchers lying around in your office and in

1 your locker, you would just gather them all up and
2 turn them in?

3 A. Sometimes. Sometimes they would just lay there.
4 Sometimes we would just tear them up and throw them
5 away. You know, there would be vouchers laying there
6 for months sometimes.

7 MR. GINTY:

8 Yeah, I have a --- I think one of the
9 things that Mr. Fajt mentioned that concerned us was
10 this combination of vouchers, and you know, what I'm
11 hearing the gentleman say is that, you know, this was
12 a normal course of activity, and you know I ---. Was
13 any of that addressed in the hearing as to whether
14 this was a normal process that the techs did?

15 ATTORNEY MILLER:

16 Well, like I had said, the --- you know,
17 the surveillance department had done this
18 investigation and Mr. Wells was the only individual
19 referred to us in this matter. And I presented the
20 policy regarding the test --- the use of test money,
21 so it was deviated significantly from the procedure
22 Mr. Wells used.

23 MR. GINTY:

24 It seems to me you may have had the wrong
25 witness. I mean, you know, I would have liked to have

1 had his boss there to say, no, you know, one of the
2 guys do this, you know, this is unacceptable. But he
3 had this --- you didn't have that type of witness, so
4 you know, the only evidence that we have as to whether
5 --- what kind of process this was, was this
6 gentleman's testimony. You have nothing to rebut it;
7 is that true?

8 ATTORNEY MILLER:

9 Just what I put into the record.

10 MR. GINTY:

11 Which doesn't rebut what he says was a
12 normal course of activity for other techs. Well, to
13 me that's an important part of the case here.

14 ATTORNEY MILLER:

15 Well, he said --- he did testify that
16 sometimes he followed the procedure and sometimes he
17 didn't. And he knew what the procedure was.

18 MR. GINTY:

19 I can't recall what he said during the
20 hearing, but what he said now is that, you know, a
21 number of techs, that he's not the only one that did
22 this. And as a matter of fact, I believe he said
23 today, you know, that he learned from other techs.

24 ATTORNEY PINTRE:

25 Might I offer, since there seems to be

1 new evidence being presented to the Board, that it
2 might be in the interest of the Board to remand the
3 matter back to OHA to collect evidence with regard to
4 what he was trained on and to ensure that we get this
5 matter correct.

6 MR. SOJKA:

7 I would make such a motion to remand.

8 MR. TRUJILLO:

9 It'd second it, but I do have a couple
10 quick questions, I'm sorry. Was he charged with any
11 crime?

12 ATTORNEY MILLER:

13 No, he was not charged with a criminal
14 offense.

15 MR. TRUJILLO:

16 And Mr. Wells, did you at any time deny
17 that you had the voucher at some --- not necessarily
18 on your body, but that you had it, did you ever deny
19 that?

20 A. No, I never denied it.

21 MR. TRUJILLO:

22 And I would second that motion.

23 MR. GINTY:

24 One modification, if I might. You know,
25 this is something that probably the lawyers talk in

1 terms of --- what do you call it when you can agree on
2 a ---?

3 ATTORNEY MILLER:

4 Stipulation.

5 MR. GINTY:

6 Stipulation. You know, attorneys are
7 expensive and, you know, go through a whole ---. So I
8 mean, I would just urge you. I can't obviously, you
9 know, require that. But I would urge you to talk to
10 people and, you know, if you can come to some
11 stipulation ---.

12 ATTORNEY PITRE:

13 I can assure you, Commissioner Ginty, if
14 he was not trained and we cannot produce anything to
15 show that he was trained on this or that there's not a
16 policy in place, then we'd be more concerned with
17 making sure Parx did what it was supposed to do as
18 opposed to going after Mr. Wells unnecessarily.

19 MR. FAJT:

20 I will echo Mr. Ginty's comments about
21 the legal fees, too.

22 CHAIRMAN:

23 Tony?

24 MR. MOSCATO:

25 Yes. Well, I got just two questions, I

1 guess. One clarification just to refresh my memory.

2 You're not currently employed by Parx?

3 A. No, not by Parx, another --- well, I was, but
4 another employer, but not them

5 ATTORNEY VALZ:

6 He's unable to work in the gaming
7 industry right now. He has a job waiting for him with
8 a company. That's one of the exhibits I had to our
9 Answer. But he was hired by a company. They had to
10 let him go because of the status of this matter. He
11 will be ---.

12 MR. MOSCATO:

13 It's a gaming related company?

14 ATTORNEY VALZ:

15 Correct. Basically a service ---.

16 ATTORNEY COOK:

17 I believe it's a manufacturer.

18 A. It's a manufacturer.

19 ATTORNEY VALZ:

20 A manufacturer, correct.

21 MR. MOSCATO:

22 Second question. You stated that it's
23 been past practice of other techs to have these
24 vouchers to test machines that they've worked on. Is
25 it common for the vouchers to be in this large amount

1 or is it normally a dollar amount and a half or a few
2 bucks?

3 A. Oh, no, there's vouchers way more than that. I
4 mean, they vary. I've seen them all over.

5 MR. MOSCATO:

6 Okay. Thank you.

7 MR. MCCALL:

8 I have a follow-up on that. And I think
9 that's the problem that I have, is that there's all
10 these vouchers out there that are live vouchers that
11 can be for --- anywhere from \$5 to \$900. And that's a
12 lot of money. That's a lot of temptation. And I
13 don't know if I would offer this more to the casinos
14 than I would to employees or to our department, is
15 that, you know, I would submit that there should be
16 some form of a test voucher that it may be --- only be
17 a dollar that you use to test those machines. And I
18 would say that to the casinos. I mean, that's
19 troubling that you're saying that there's all these
20 vouchers laying around. That's a lot of money. And
21 that's where the temptation is, and I think that's
22 where our concern is, that there's all this temptation
23 with that money, because \$900 is a lot of money. And
24 if it's live, it's maybe hard to believe that you're
25 just, you know, oh, I forgot I had it in my pocket. I

1 think I'd give you the benefit of the doubt at this
2 point from the evidence that I've heard, but I think I
3 would admonish the casinos that if they're going to do
4 this process with technicians, that there should be
5 some test voucher as opposed to a live voucher that
6 you're using in the working on these casino --- on
7 these machines.

8 ATTORNEY PITRE:

9 In that respect, Commissioner McCall, I
10 agree totally with you. We have not received any
11 reports from casino compliance with regard to problems
12 with test vouchers of this nature, so it's something
13 I'm going to look into a lot more closely.

14 MR. MCCALL:

15 Certainly.

16 ATTORNEY PITRE:

17 In addition to that, we're going to
18 ensure that the internal controls are tightened to
19 ensure that --- make sure that, you know, what he's
20 saying is occurring is not occurring. So I'm deeply
21 concerned by his statements today, so we will be
22 looking into it.

23 MR. TRUJILLO:

24 And Mr. Chairman, if I might, if Mr.
25 Ginty would withdraw his motion ---?

1 MR. SOJKA:

2 It's mine and I will.

3 MR. TRUJILLO:

4 Mr. Sojka, Commissioner Sojka. In my
5 view, I find Mr. Wells credible. And what I'm hearing
6 here is much more of an operational issue than
7 something that requires somebody's job to be taken
8 from them. And so from my perspective, I would move
9 to reject the Report and Recommendation.

10 MR. GINTY:

11 I'd second that.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 Opposed? Motion carries.

17 ATTORNEY VALZ:

18 Thank you very much, Mr. Chairman.

19 ATTORNEY SHERMAN:

20 That concludes all matters of the OCC.

21 CHAIRMAN:

22 Thank you, Mr. Sherman. Next Susan
23 Hensel, our Director of Licensing.

24 MS. HENSEL:

25 Thank you, Chairman Ryan and Members of

1 the Board. Before the Board today will be motions
2 regarding 769 Principal Key Gaming and Non-Gaming
3 Employees. In addition, there will be the
4 consideration of 16 Gaming Service Provider
5 Applicants. The first matter for your consideration
6 is the approval of Principal and Key Employee
7 Licenses. Prior to this meeting, the Bureau of
8 Licensing provided you with a proposed order for six
9 Principal and three Key Employee Licenses for Category
10 1, Category 2 manufacturer and supplier licensees. I
11 ask that the Board consider the Order approving these
12 licenses.

13 CHAIRMAN:

14 Any comments from Enforcement Counsel?

15 ATTORNEY PITRE:

16 Enforcement Counsel has no objection.

17 CHAIRMAN:

18 Questions or comments from the Board?

19 Ex-Officio Members? May I have a motion?

20 MR. SOJKA:

21 Yes, Chairman. I'll move that the Board
22 approve the issuance of Principal and Key Employee
23 Licenses described by the Bureau of Licensing.

24 CHAIRMAN:

25 Second?

1 MR. TRUJILLO:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 Opposed? The motion carries.

8 MS. HENSEL:

9 Also for your consideration are Temporary
10 Principal and Key Employee Licenses. Prior to this
11 meeting, the Bureau of Licensing provided you with an
12 Order regarding the issuance of Temporary Licenses for
13 one Principal and 15 Key Employees. I asked that the
14 Board consider the Order approving the licenses.

15 CHAIRMAN:

16 Any comments from the Enforcement
17 Counsel?

18 ATTORNEY PITRE:

19 Enforcement Counsel has no objection.

20 CHAIRMAN:

21 Questions or comments from the Board?
22 Ex-Officio Members? All right. Do I have a motion?

23 MR. TRUJILLO:

24 Chairman, I move the Board approve the
25 issuance of Temporary Principal and Key Employee

1 Credentials as described by the Bureau of Licensing.

2 MR. FAJT:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 Opposed? The motion carries.

9 MS. HENSEL:

10 Next are Gaming Permits and Non-Gaming
11 Registrations. Prior to this meeting, the Bureau of
12 Licensing provided you with a list of 503 individuals
13 who the Bureau has granted Temporary or Full
14 Occupation Permits to and 207 individuals who the
15 Bureau has granted Registrations to under the
16 authority delegated to the Bureau of Licensing. I ask
17 that the Board consider a motion approving the Order.

18 CHAIRMAN:

19 Any comments from Enforcement Counsel?

20 ATTORNEY PITRE:

21 Enforcement Counsel has no objection.

22 CHAIRMAN:

23 Questions or comments from the Board?

24 Ex-Officio Members? May I have a motion?

25 MR. FAJT:

1 Mr. Chairman, I move that the Board
2 approve the issuance of Gaming Employee Permits and
3 Non-Gaming Employee Registrations as described by the
4 Bureau of Licensing.

5 MR. GINTY:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 Opposed? The motion carries.

12 MS. HENSEL:

13 In addition, we have Recommendations of
14 Denial for two Gaming and two Non-Gaming Employee
15 Applicants. Prior to this meeting the Bureau of
16 Licensing provided you with Orders addressing these
17 applicants who the OEC has recommended for denial. In
18 each case, the applicant failed to request a hearing
19 within the specified time period. I ask that the
20 Board consider the Orders denying the Gaming and
21 Non-Gaming Employee Applicants.

22 CHAIRMAN:

23 Any comments from Enforcement Counsel?

24 ATTORNEY PITRE:

25 Enforcement Counsel would request denial

1 in each instance.

2 CHAIRMAN:

3 Questions or comments from the Board?
4 Ex-Officio Members? May I have a motion?

5 MR. GINTY:

6 Mr. Chairman, I move that the Board
7 approve the denial of Gaming and Non-Gaming Employee
8 Applications as described by the Bureau of Licensing.

9 MR. MCCALL:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 Opposed? The motion carries.

16 MS. HENSEL:

17 We also have for your consideration
18 Withdrawal Requests for Key Employee, Gaming Employee
19 and Non-Gaming Employees. In each case the license,
20 permit or registration is no longer required due to
21 such circumstances as the employee failing to report
22 for work. For today's meeting I provided the Board
23 with a lists of two Key, 23 Gaming and 6 Non-Gaming
24 Employee Withdrawals for approval. I ask that the
25 Board consider the Orders approving the list of

1 withdrawals.

2 CHAIRMAN:

3 Any comments from Enforcement Counsel?

4 ATTORNEY PITRE:

5 Enforcement Counsel has no objection.

6 CHAIRMAN:

7 Questions or comments from the Board?

8 Ex-Officio Members? May I have a motion?

9 MR. MCCALL:

10 Mr. Chairman, I move that the Board
11 approve the Withdrawals as described by the Bureau of
12 Licensing.

13 CHAIRMAN:

14 Second?

15 MR. MOSCATO:

16 Second.

17 CHAIRMAN:

18 All those in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 Opposed? The motion carries.

22 MS. HENSEL:

23 In addition, we have an Order to certify
24 the Gaming Service Provider Kagan Custom Kitchens,
25 Inc. I ask that the Board consider the Order

1 approving this Gaming Service Provider for
2 certification.

3 CHAIRMAN:

4 Comments from Enforcement Counsel?

5 ATTORNEY PITRE:

6 Enforcement Counsel has no objection.

7 CHAIRMAN:

8 Any questions or comments from the Board?
9 Do I have a motion?

10 MR. MOSCATO:

11 Mr. Chairman, I move that the Board issue
12 an Order to approve the applications for Gaming
13 Service Provider Certification as described by Bureau
14 of Licensing.

15 MR. SOJKA:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 Opposed? The motion carries.

22 MS. HENSEL:

23 Next, we have an Order regarding Gaming
24 Service Provider Registrations. The Bureau of
25 Licensing provided you with an Order and an attached a

1 list of 13 registered Gaming Service Providers. I
2 would ask that the Board consider approving the Order
3 registering these Gaming Service Providers.

4 CHAIRMAN:

5 Any comments from the Enforcement
6 Counsel?

7 ATTORNEY PITRE:

8 Enforcement Counsel has no objection.

9 CHAIRMAN:

10 Questions or comments from the Board?
11 Ex-Officio Members? May I have a motion?

12 MR. SOJKA:

13 Yeah. Mr. Chairman, I'll move that the
14 Board issue an Order to approve the applications for
15 Gaming Service Provider Registration as described by
16 the Bureau of Licensing.

17 MR. TRUJILLO:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 Opposed? The motion carries.

24 MS. HENSEL:

25 The Bureau of Licensing also provided you

1 with an Order regarding Gaming Service Provider
2 Autovalet Systems USA, LLC that is recommended for the
3 Prohibited Gaming Service Provider List. This company
4 conducted business with slot machine licenses, but
5 failed to complete the application process. Once
6 added to the Prohibited Gaming Service Provider List,
7 no slot machine licensee can do business with the
8 company. I ask that the Board consider the Order
9 adding Autovalet Systems USA, LLC to the Prohibited
10 Gaming Service Provider List.

11 CHAIRMAN:

12 Any comments from the Enforcement
13 Counsel?

14 ATTORNEY PITRE:

15 Enforcement Counsel has no objection.

16 CHAIRMAN:

17 Questions or comments from the Board?

18 MR. FAJT:

19 I have one. Thank you, Mr. Chairman.
20 Susan, I remember this name before. We've had issues
21 with them in the past. I mean, it's an unusual name,
22 and something in the back of my mind recalls that
23 these guys have come before the agency in the past.
24 Do you have a recollection of that?

25 MS. HENSEL:

1 This application has been around for
2 awhile. They are a company that entered into a
3 payment plan with the Board. I don't recall that they
4 have come before the Board as a Prohibited Gaming
5 Service Provider in the past.

6 MR. FAJT:

7 Okay. Thank you.

8 CHAIRMAN:

9 Okay. May I have a motion?

10 MR. TRUJILLO:

11 Mr. Chairman, I move the Board issue an
12 Order to approve the addition of Autovalet Systems
13 USA, LLC to the Prohibited Gaming Service Provider
14 List.

15 MR. FAJT:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 Opposed? The motion carries.

22 MS. HENSEL:

23 Finally, a Gaming Service Provider
24 Application for Sealect Wholesale Seafood, Inc. as
25 being recommended for abandonment. This company filed

1 an application with the Board, but is to the best of
2 the Bureau of Licensing's knowledge out of business.
3 I ask that the Board consider the Order declaring
4 Sealect Wholesale Seafood, Inc.'s application
5 abandoned.

6 CHAIRMAN:

7 Comments from Enforcement Counsel?

8 ATTORNEY PITRE:

9 We have no objection.

10 CHAIRMAN:

11 Questions or comments from the Board?

12 Ex-Officio Members? May I have a motion?

13 MR. FAJT:

14 Mr. Chairman, I move that the Board issue
15 an Order to approve the abandonment of Sealect
16 Wholesale Seafood, Inc.'s Gaming Service Provider
17 Application as described by the Bureau of Licensing.

18 MR. GINTY:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 Opposed? The motion carries.

25 MS. HENSEL:

1 That concludes the matters of the Bureau
2 of Licensing.

3 CHAIRMAN:

4 Thank you, Susan. Next will be Cyrus
5 Pitre, Chief Enforcement Counsel.

6 ATTORNEY PITRE:

7 We have 11 matters for the Board's
8 consideration today. Two of those matters are Consent
9 Agreements, six revocations and three exclusion
10 requests. The first matter is a --- the consideration
11 of the Consent Agreement between our office and
12 Mountainview Thoroughbred Racing Association, also
13 known as Penn National Hollywood Casino. I see Mr.
14 Quigley is present. Ms. Alexandra Sacavage will
15 present the matter for the Office of Enforcement
16 Counsel.

17 CHAIRMAN:

18 Ms. Sacavage.

19 ATTORNEY SACAVAGE:

20 Good afternoon, Chairman Ryan. My last
21 name is, S-A-C-A-V-A-G-E, OEC. We have today for the
22 Board's consideration a Consent Agreement between the
23 OEC and Mountainview Thoroughbred Association a/k/a
24 Hollywood Casino. The agreement involves a March
25 23rd, 2012 incident where an individual in the

1 Statewide Self-Exclusion List entered the casino,
2 engaged in slot machine and table games play for
3 approximately nine hours. Additionally, the
4 individual cashed a \$200 personal check at the cage.
5 This was despite a database check being performed,
6 which indicated that he was currently on the self-
7 exclusion list. He was still able to do this because
8 a cage cashier supervisor approved it, because the
9 individual told him that his presence on the exclusion
10 list was an error.

11 The individual later attempted to cash a
12 second check at the cage, and the supervisor on duty
13 at that time alerted security. Security confiscated
14 about \$25 in chips from him, and that supervisor that
15 I mentioned before was separated from employment.
16 We've agreed that Mountainview will pay a civil
17 penalty of \$5,000. And if approved, this will be the
18 first fine for them pertaining to a self-exclusion
19 violation. We ask that the Board approve the Consent
20 Agreement. And we'd be happy to answer any questions
21 the Board has.

22 CHAIRMAN:

23 Any comments from Mountainview?

24 MR. QUIGLEY:

25 No. Mr. Chairman, Board Members, this is

1 clearly a breakdown of that individual supervisor.
2 There is no excuse. We want you to know, as I believe
3 you do know, that we take this as a very serious
4 issue. And there was no question whether to terminate
5 the services of the supervisor. It was a breakdown.

6 CHAIRMAN:

7 Counselor, just for the record why don't
8 you put your name and spell your last name?

9 MR. QUIGLEY:

10 Sure. My name is Frank Quigley,
11 Q-U-I-G-L-E-Y.

12 CHAIRMAN:

13 And your position, sir, once again?

14 MR. QUIGLEY:

15 My position is Vice President and General
16 Manager of Hollywood Casino at Penn National
17 Racetrack.

18 CHAIRMAN:

19 Any questions or comments from the Board?
20 Ex-Officio Members? May I have a motion?

21 MR. GINTY:

22 Mr. Chairman, I move that the Board issue
23 an Order to approve the Consent Agreement between the
24 OEC and Mountainview Thoroughbred Racing Association
25 as described by the OEC.

1 MR. MCCALL:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 Opposed? Motion carries. Thank you,
8 sir.

9 MR. QUIGLEY:

10 Thank you.

11 ATTORNEY PITRE:

12 The next matter that we have for the
13 Board's consideration is a Consent Agreement between
14 the OEC and Mr. Paul DeAngelo. Mr. DeAngelo's
15 attorney, Mr. Jim Dougherty, called me this morning to
16 tell me that there was an emergent matter that he had
17 to attend to and that he could not be here for the
18 Board Meeting today, but that he had no problem, in
19 fact, he preferred if we went forward with the Consent
20 Agreement today. I'll leave that to the Board's
21 discretion. Kathleen Higgins is here to present the
22 matter should the Board want to move forward with it.

23 CHAIRMAN:

24 Mr. Higgins?

25 ATTORNEY HIGGINS:

1 Thank you, Chairman Ryan and Members of
2 the Board. I'm Katie Higgins, H-I-G-G-I-N-S,
3 Assistant Enforcement Counsel. We have today for the
4 Board's consideration a Consent Agreement between the
5 OEC and Paul DeAngelo. In January of 2011, Mr.
6 DeAngelo was present at Mohegan Sun at Pocono Downs
7 with his 20-year-old son for approximately three and a
8 half hours during which time they played slot machines
9 and several hands of blackjack together. Mr. DeAngelo
10 can be seen on surveillance giving his son cash and
11 chips in order for his son to place bets.

12 Mr. DeAngelo's son was cited by the
13 Pennsylvania State Police with a summary offense of
14 underage gaming, which he pled guilty to. The OEC
15 filed petitions to place both Mr. DeAngelo and his son
16 on the Board's Exclusion List. On March 1st, 2012 the
17 Board issued an Order approving a Consent Agreement
18 entered into by the OEC and the younger DeAngelo. And
19 at this time before the Board is a similar Consent
20 Agreement which Mr. DeAngelo, the father, wishes to
21 enter into.

22 By entering into the Consent Agreement,
23 Mr. DeAngelo has agreed to be placed on the Board's
24 Exclusion List for a minimum period of one year from
25 the date of his placement on the list. Pursuant to

1 the agreement, Mr. DeAngelo will be barred from
2 petitioning for removal from the Exclusion List or
3 requesting a hearing on the matter before one year
4 from the date of his placement on the list has expired
5 and will remain on the list until the Board takes
6 further action.

7 Also, pursuant to the agreement, for
8 business purposes, Mr. DeAngelo will be permitted to
9 utilize various restaurants at Mohegan Sun that are
10 located off the Gaming Floor. These restaurants are
11 specifically set forth in the Consent Agreement. At
12 this time, the OEC asks that the Board approve the
13 Consent Agreement.

14 CHAIRMAN:

15 Questions or comments from the Board?
16 Ex-Officio Members? May I have a motion?

17 MR. MCCALL:

18 Mr. Chairman, I move that the Board issue
19 an Order approving the Consent Agreement between the
20 OEC and Paul DeAngelo as described by the OEC.

21 CHAIRMAN:

22 Second?

23 MR. MOSCATO:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 Opposed? Motion carries.

5 ATTORNEY HIGGINS:

6 Thank you.

7 CHAIRMAN:

8 Thank you. Next we have Suspensions and
9 Revocations.

10 ATTORNEY PITRE:

11 That's correct. And these will be
12 handled by Ms. Beth .

13 CHAIRMAN:

14 Ms. Manifesto.

15 ATTORNEY MANIFESTO:

16 Good morning. Chairman Ryan, I have the
17 next several, so I'll start with Cory Alexander. And
18 the last name is Manifesto, M-A-N-I-F-E-S-T-O. And
19 briefly on December 23rd of 2011, the OEC filed a
20 Complaint for Revocation for Mr. Alexander's gaming
21 permit due to his failure to maintain suitability.
22 His actions committed which rendered him unsuitable
23 for licensure consisted mainly of his accepting a
24 total of \$4,800 in tips from two patrons who had won a
25 backbeat jackpot, and also removing approximately

1 \$1,000 from his token box prior to presenting it to be
2 counted. So essentially he failed to declare about
3 \$5,800 in tips as his income and instead only declared
4 \$715.71. This all occurred on April 29th of this
5 year. When interviewed by the Rivers, he was alleged
6 to have admitted to improper tip reporting. The
7 complaints and notice of hearing rights was mailed via
8 first class and certified mail on September 23rd of
9 2012 --- I'm sorry, of 2011, and this occurred, I gave
10 you the wrong date, April 29th, 2011, to the address
11 he provided and maintained on SLOTSlink. Mr.
12 Alexander failed to respond to the complaint within 30
13 days as required, and therefore, the assertions within
14 the complaint are deemed admitted. A request for
15 default judgment was filed by the OEC on June 14th of
16 this year and the document was mailed to the address
17 listed by Mr. Alexander again in SLOTSlink. It has
18 not been returned to PGCB, and we now request the
19 Board revoke his Gaming Permit.

20 CHAIRMAN:

21 Is Cory Alexander in the hearing room?
22 Any questions or comments from the Board?

23 MR. TRUJILLO:

24 Mr. Chairman, I have one. What's the
25 violation, the failing to report the --- what's the

1 actual ---?

2 ATTORNEY MANIFESTO:

3 His tip income, yes.

4 MR. TRUJILLO:

5 I'm sorry?

6 ATTORNEY MANIFESTO:

7 His failure to report accurately his tip
8 income.

9 MR. TRUJILLO:

10 So it's inaccurate reporting of tip
11 income is the violation?

12 ATTORNEY MANIFESTO:

13 Yes, by approximately \$5,800.

14 CHAIRMAN:

15 May I have a motion?

16 MR. MOSCATO:

17 Yes, Mr. Chairman. I move that the Board
18 issue an Order to approve the Revocation of Cory
19 Alexander's Gaming Employee Permit as described by the
20 OEC.

21 MR. SOJKA:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

1 CHAIRMAN:

2 Opposed? Motion carries.

3 ATTORNEY MANIFESTO:

4 The next matter is Mr. Warren Bryant.
5 Briefly, on September 26th of 2011 the OEC filed a
6 complaint for revocation of his Non-Gaming Permit due
7 to his failure to maintain suitability. The complaint
8 was filed due to a review of Mr. Bryant's handling of
9 tips, which was undertaken due to complaints made by
10 coworkers to supervisors. The surveillance reports
11 detailed Mr. Bryant's pocketing tips and faking money
12 drops to the token box. OEC also reviewed the DVD of
13 this behavior and saw him committing these actions.

14 Mr. Bryant allegedly admitted this to the
15 Rivers investigating --- investigator during an
16 interview. That investigator is Mr. Jerry Binney.
17 Mr. Bryant failed to respond to OEC's complaint within
18 30 days as required, and as he received notice,
19 consequently the assertions are deemed admitted. His
20 right to a hearing has then been forfeited. A request
21 for the default judgment was filed on June 14th of
22 this year. The document was mailed on the same date
23 to the address that Warren Bryant listed and
24 maintained with PGCB. This mail has not been
25 returned. We now request that the Board order Mr.

1 Bryant's Non-Gaming Permit be revoked. And if I can
2 add to that, similar to what we heard earlier this
3 morning, the tips are to be placed as they're received
4 in a community token box which is then divided up
5 amongst all of the staff later on. He failed to do
6 that.

7 CHAIRMAN:

8 Is Warren Bryant in the hearing room?
9 Okay. Any questions or comments from the Board? Ex-
10 Officio Members? May I have a motion?

11 MR. SOJKA:

12 Yes, Mr. Chairman. I'll move that the
13 Board issue an Order to approve the revocation of
14 Warren Bryant's Non-Gaming Employee Registration as
15 described by the OEC.

16 CHAIRMAN:

17 Second?

18 MR. TRUJILLO:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 Opposed? Motion carries.

25 ATTORNEY MANIFESTO:

1 The next matter is in regard to Ms. Jean
2 Gerrity, G-E-R-R-I-T-Y. On June 14th of 2012 OEC
3 filed a complaint for revocation of her Gaming Permit
4 due to her failure to maintain suitability. The
5 complaint was filed after OEC viewed video footage
6 showing Ms. Gerrity removing \$200 from her cage
7 cashier drawer and placing it in her pocket. Ms.
8 Gerrity failed to respond to the complaint within 30
9 days as required, and therefore, the assertions within
10 the complaint are deemed admitted and her right to a
11 hearing has been waived. The request for default
12 judgement filed on June 14th of 2012 to the address
13 she maintained in SLOTSlink. This mail has not been
14 returned. We now request that the Board revoke Ms.
15 Gerrity's Gaming Permit.

16 CHAIRMAN:

17 Is Jean Gerrity in the hearing room? Any
18 questions or comments from the Board?

19 MR. TRUJILLO:

20 I have one question for Mr. Pitre. In
21 the event that we enter --- and as we often, in
22 default judgments such as this, if there was, in fact,
23 some --- somebody had a medical issue or something
24 else that they didn't get notice, is there a procedure
25 for them to reopen or seek reconsideration of our

1 granting of the motion?

2 ATTORNEY PITRE:

3 Yes. And we would not object, if that
4 was the case, if that person wanted to reopen the
5 record.

6 MR. TRUJILLO:

7 Thank you.

8 CHAIRMAN:

9 May I have a motion?

10 MR. TRUJILLO:

11 Mr. Chairman, I move that the Board issue
12 an Order to approve the revocation of Jean Gerrity's
13 Gaming Employee Permit as described by the OEC.

14 MR. FAJT:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 Opposed? The motion carries.

21 ATTORNEY MANIFESTO:

22 The next individual is Mr. Marek,
23 M-A-R-E-K, Golebiewski, G-O-L-E-B-I-E-W-S-K-I. In
24 this instance, on August 22nd of 2012 the OEC filed a
25 complaint for revocation regarding Mr. Golebiewski's

1 Gaming Permit due to his failure to maintain
2 suitability. In this instance, a coworker observed
3 and reported that Golebiewski was improperly handling
4 token bet wagers. And surveillance footage showed Mr.
5 Golebiewski did not place winning tokens in his token
6 box, but rather left them on a table for the next hand
7 of play, and occasionally only placed winnings in the
8 token box. There was also a specific occasion wherein
9 he left the original token bet on the table and then
10 also placed his token on the table for the next round
11 of play.

12 Mr. Golebiewski failed to respond to the
13 complaint within 30 days as required by the Notice of
14 Hearing Rights, and consequently the assertions are
15 deemed admitted and his right to a hearing has been
16 forfeited. A request for default judgment was filed
17 by OEC on June 14th of this year and sent to the
18 address listed by Mr. Golebiewski with the PCGB and
19 SLOTSlink. This mail has not been returned. We now
20 request that the Board revoke Mr. Golebiewski's Gaming
21 Permit.

22 CHAIRMAN:

23 Is Marek Golebiewski in the hearing room?
24 Any questions or comments from the Board?

25 MR. SOJKA:

1 Just one. Is the sole concern that he
2 parlayed those toke bets?

3 ATTORNEY MANIFESTO:

4 That he himself placed one of the bets
5 using a --- he left the original toke bet and then he
6 took the winning and placed a bet himself while ---.

7 MR. SOJKA:

8 I see. So he was literally playing in
9 his own game?

10 ATTORNEY MANIFESTO:

11 Yes.

12 MR. SOJKA:

13 Thank you.

14 ATTORNEY MANIFESTO:

15 Yes.

16 CHAIRMAN:

17 May I have a motion?

18 MR. FAJT:

19 Yes. Mr. Chairman, I move that the Board
20 issue an Order to approve the revocation of Marek
21 Golebiewski's Gaming Employee Permit as described by
22 the OEC.

23 MR. GINTY:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 Opposed? Motion carries.

5 ATTORNEY MANIFESTO:

6 Next we have Lauren Harms, H-A-R-M-S. In
7 this case, on March 22nd of 2012 OEC filed a complaint
8 for revocation, again, due to her failure to maintain
9 suitability of her Gaming Permit. Ms. Harms was
10 arrested for one case of possession of a controlled
11 substance and five cases regarding retail theft and
12 criminal conspiracy. One case was charged as a Felony
13 III. She did not disclose any of these arrests to the
14 PGCB. When the OEC sent a letter urging her to do so,
15 she failed to do so.

16 Additionally, she has now pled guilty in
17 Washington County on June 21st for Misdemeanor I
18 retail theft and conspiracy. On May 14th she had a
19 judicial conference in Allegheny County, and at that
20 time she agreed to enter a plea using the Phoenix
21 Court System to dispose of the other five cases. That
22 is set to happen on August 21st of this year. Ms.
23 Harms failed to respond to any of OEC's complaint or
24 the request for judgment, as well as the request that
25 she go to the SLOTSlink and amend and put in her

1 arrests. As a result, all of the allegations set
2 forth in the complaint are being admitted. Her right
3 to a hearing has been forfeited. We now request that
4 the Board revoke her Gaming Permit.

5 CHAIRMAN:

6 Is Lauren Harms in the hearing room? Any
7 questions or comments from the Board? Ex-Officio
8 Members? May I have a motion?

9 MR. GINTY:

10 Mr. Chairman, I move that the Board issue
11 an Order to approve the revocation of Lauren Harms'
12 Gaming Employee Permit as described by the OEC.

13 MR. MCCALL:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 Opposed? Motion carries.

20 ATTORNEY MANIFESTO:

21 The next matter is Paul Kruger,
22 K-R-U-G-E-R. On March 22nd of this year, the OEC
23 filed a complaint for revocation and a Notice of
24 Hearing Rights was sent to Mr. Kruger regarding his
25 Non-Gaming Permit due to a failure to maintain

1 suitability. The complaint was filed based on
2 multiple complaints to supervisors by coworkers
3 stating Mr. Kruger was receiving and keeping tokens in
4 his capacity as a valet and did not drop his tokens or
5 he pretended to drop money into the token box.
6 Surveillance observed this behavior and OEC also
7 watched this on the DVD of the surveillance footage.
8 This occurred mainly throughout his shifts on January
9 4th, 5th and 6th of this year. He also admitted to
10 improperly taking approximately \$400 when he was
11 interviewed by Rivers Casino. He was terminated by
12 Rivers on January 25th of this year.

13 Mr. Kruger failed to respond to the
14 complaint filed by OEC within 30 days as required.
15 Consequently the statements in the complaint are
16 deemed admitted and his right to a hearing has been
17 waived. The request for default judgment was filed on
18 June 14th of 2012, mailed to the address maintained by
19 Mr. Kruger within SLOTSlink via first class mail.
20 This item has not been returned to the OEC. We now
21 request that his Non-Gaming Permit be revoked.

22 CHAIRMAN:

23 Is Paul Kruger in the hearing room?
24 Comments or questions from the Board? Ex-Officio
25 Chair Members? May I have a motion?

1 MR. MCCALL:

2 Mr. Chairman, I move that the Board issue
3 an Order to approve the revocation of Paul Kruger's
4 Non-Gaming Employee Registration as described by the
5 OEC.

6 CHAIRMAN:

7 Second?

8 MR. MOSCATO:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 Opposed? Motion carries.

15 ATTORNEY MANIFESTO:

16 Lastly, I have Matthew Jackson. On April
17 4th of 2011, the OEC filed a Petition to place Mr.
18 Jackson on the Board's Excluded Person List due to his
19 passing of counterfeit \$20 bills at the Rivers Casino.
20 The Petition was filed to address specifically five
21 counterfeit \$20 bills passed on January 7th, 2011.
22 The serial numbers were documented and resulted in a
23 surveillance review to determine what patron
24 circulated the bills. The recipients of the bills
25 were members of the wait staff, and conveyed in each

1 case and identified in each case the male who had
2 given them the \$20 bill as he requested the same thing
3 from each one of them, which was \$1 --- a \$1 bottle of
4 water and \$19 in change. When Mr. Jackson was
5 identified on surveillance footage as the actor, he
6 had already left the casino on that date.

7 On January 10th, the cage informed BCC
8 and PSP that another counterfeit \$20 bill with a
9 serial number matching that of the prior five bills
10 had been passed and located in the drop bag of a
11 waitress. Approximately 30 minutes later it was
12 reported another waitress received a counterfeit \$20
13 bill. She identified Jackson as the man who had given
14 it to her. When security approached him, he had fled
15 on foot and an hour and 15 minutes later he returned
16 to retrieve his car. He was then apprehended by PSP.
17 Charges were filed, and on September 21st, he pled
18 guilty to 7 counts each of forgery and theft by
19 deception receiving a 12 month probation sentence.

20 OEC served the Petition along with a
21 Notice of Hearing Rights via regular first class and
22 certified mail to the address he maintained --- I'm
23 sorry, the address given to the court system in
24 Allegheny County. First class mail was not returned.
25 The certified mail was stamped unclaimed with a date

1 of attempt of service of April 6th and final notice.
2 Mr. Jackson did not respond to the complaint,
3 therefore the averments contained within are deemed
4 admitted and his right to a hearing has been waived.
5 OEC then filed a request for default judgment on June
6 14th of this year, and we now request that he be
7 placed on the Excluded Persons List.

8 CHAIRMAN:

9 Matthew Jackson in the hearing room?
10 Comments, questions from the Board? Ex-Officio
11 Members? May I have a motion?

12 MR. MOSCATO:

13 Mr. Chairman, I move that the Board issue
14 an Order to approve the addition of Matthew Jackson to
15 the PGCB Involuntary Exclusion List as described by
16 the OEC.

17 MR. SOJKA:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 Opposed? The motion carries.

24 ATTORNEY MANIFESTO:

25 Thank you.

1 CHAIRMAN:

2 Thank you, Beth.

3 ATTORNEY PITRE:

4 The next two matters will be presented by
5 Ms. Nan Davenport.

6 ATTORNEY DAVENPORT:

7 Good afternoon, Mr. Chairman and
8 Commissioners. Nan Davenport, D-A-V-E-N-P-O-R-T,
9 Deputy Chief Enforcement Counsel for the OEC. Before
10 you today for the Board's approval are two petitions
11 to place individuals on the Board's Exclusion List.
12 Giansergio Caputi and his accomplice, Jairon Garcia
13 Rodriguez, who is also known as Fernando Arturo
14 Rodriguez, were involved in three instances of card
15 switching at two different Pennsylvania facilities.

16 Specifically on November 6th, 2011, Mr.
17 Caputi and Mr. Rodriguez switched cards on two
18 occasions while playing three card poker at Sugarhouse
19 Casino. The total amount of money Mr. Rodriguez and
20 Mr. Caputi gave in the two successful card switches at
21 Sugarhouse on November 6th, 2011 was \$651. But prior
22 to being identified by Pennsylvania State Police, both
23 men exited the casino.

24 Subsequently on December 16th, 2011, Mr.
25 Caputi and Mr. Rodriguez switched cards on four

1 occasions while playing three card poker at Sands
2 Casino. The total amount of money Mr. Rodriguez and
3 Mr. Caputi gained from the four successful card
4 switches at Sands was \$1,221. Pennsylvania State
5 Police arrested Mr. Caputi and Mr. Rodriguez for this
6 incident at Sands.

7 Following their arrest, both men were
8 observed switching cards against at Sugarhouse Casino.
9 On January 13th, 2012, Mr. Rodriguez and Mr. Caputi
10 were observed switching cards a total of five times
11 while playing three card poker at Sugarhouse. A
12 Sugarhouse dealer alerted the table games manager, but
13 both men left the casino before they could be detained
14 by Sugarhouse security. And they left \$195 in game
15 chips on the table.

16 State Police charged Mr. Caputi with one
17 count of theft by deception, a second degree
18 misdemeanor, four counts of violating Section 1518A7.1
19 of the Gaming Act, a first degree misdemeanor, one
20 count of criminal conspiracy to commit theft by
21 deception, which is a first degree misdemeanor. A
22 preliminary hearing is scheduled for August 6th, 2012
23 in the Northampton County Court of Common Pleas.

24 OEC filed a Petition to place Mr. Caputi
25 on the Exclusion List on March 16th, 2012. The

1 Petition was served upon Mr. Caputi by certified and
2 first class mail. Certified mail was effectuated on
3 or about March 20th, 2012, as confirmed by the United
4 States Postal Service Tracking Confirm System and the
5 return of a certified mail green card. Mr. Caputi was
6 not filing a response to the Petition or requesting a
7 hearing on the matter, therefore the facts in OEC's
8 Petition are deemed admitted.

9 On May 31st, 2012, OEC filed a request
10 for default judgment. As set forth in its Petition,
11 the OEC has demonstrated that Mr. Caputi satisfies his
12 criteria for exclusion under Section 1514 of the
13 Gaming Act and Chapter 511a of the regulations and
14 would ask the Board to place Giansergio Caputi on the
15 Board's Involuntary Exclusion List.

16 CHAIRMAN:

17 Is Giansergio Caputi in the hearing room?
18 Any questions or comments from the Board? Ex-Officio
19 Members? May I have a motion?

20 MR. SOJKA:

21 Yes, Mr. Chairman. I move that the Board
22 issue an Order to approve to addition of Giansergio
23 Caputi to the PGCB Involuntary Exclusion List as
24 described by the OEC.

25 CHAIRMAN:

1 Second?

2 MR. TRUJILLO:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 AYRES RESPOND

7 CHAIRMAN:

8 Opposed? The motion carries.

9 ATTORNEY DAVENPORT:

10 Thank you. Also, before the Board for
11 its consideration is the Petition to place Mr.
12 Caputi's accomplice, Jairon Garcia Rodriguez, on the
13 Board's Exclusion List. On December 16th, 2011,
14 Pennsylvania State Police arrested Mr. Rodriguez and
15 charged him with one count of theft by deception, a
16 first degree misdemeanor, four counts of violating
17 Section 1518A71 of the Gaming Act and one count of
18 criminal conspiracy to commit theft by deception, a
19 first degree misdemeanor, one count of false reports
20 to law enforcement authorities, a second degree
21 misdemeanor, one count of false identification to law
22 enforcement authorities, a third degree misdemeanor
23 and one count of unsworn falsification to authorities,
24 a second degree misdemeanor. These charges stem from
25 incidents that occurred at Sands Casino on December

1 16th, 2011 that was described earlier.

2 Mr. Rodriguez pled guilty to criminal
3 conspiracy to commit theft by deception and false
4 identification to law enforcement authorities and
5 received six months probation. OEC filed a Petition
6 to place Mr. Rodriguez on the Exclusion List on March
7 16th, 2012. The Petition was served upon Mr.
8 Rodriguez by certified and first class mail. Although
9 the certified mail was returned unclaimed, to date the
10 first class mail has not been returned. Mr. Rodriguez
11 has not filed a response to the Petition or requested
12 a hearing, therefore the facts in the OEC's Petition
13 are deemed admitted.

14 On June 1st, 2012 OEC, filed a request
15 for a default judgment. As set forth in its Petition,
16 OEC has demonstrated that Mr. Rodriguez satisfies the
17 criteria for exclusion under the Section 1514 of the
18 Act and Chapter 511A of the regulations, and I would
19 ask that the Board place Jairon Garcia Rodriguez on
20 the Board's Involuntary Exclusion List.

21 CHAIRMAN:

22 Is Mr. Jairon Rodriguez in the hearing
23 room? Any questions and comments from the Board? Ex-
24 Officio Members? May I have a motion?

25 MR. TRUJILLO:

1 Mr. Chairman, mindful that this is not a
2 coincidence, I move that the Board issue an Order
3 adding Jairon Garcia Rodriguez to the PGCB Involuntary
4 Exclusion List as described by the OEC.

5 MR. FAJT:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 Opposed? The motion carries. Thank you,
12 Nan.

13 ATTORNEY DAVENPORT:

14 Thank you.

15 CHAIRMAN:

16 Thank you, Cyrus. Ladies and gentlemen,
17 that concludes all of OEC's matters. We have today as
18 our public comment period day. And as I understand
19 it, we do not have anyone registered to speak. Is
20 there anyone in the audience wishing to make public
21 comment? Okay. That concludes today's meeting. Our
22 next scheduled public meeting will be held here on
23 Wednesday, August 1st at 10:00 a.m. Any final
24 comments from the Board? Ex-Officios? May I have a
25 motion to adjourn?

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MR. FAJT:

So moved.

CHAIRMAN:

Second?

MR. TRUJILLO:

Second.

CHAIRMAN:

The meeting is adjourned. Thank you,
ladies and gentlemen.

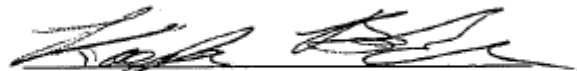
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HEARING CONCLUDED AT 12:49 P.M.

* * * * *

CERTIFICATE

I hereby certify that the foregoing proceedings, meeting held before Chairman Ryan, was reported by me on 07/11/2012 and that I Kayla Bolze read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.


Court Reporter