

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

* * * * *

PUBLIC MEETING

* * * * *

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

HEARING: Thursday, November 8, 2012
10:04 a.m.

LOCATION: Strawberry Square Complex
Second Floor
Harrisburg, PA 17101

WITNESSES: Richard Orlando

Reporter: Lacey C. Gray

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I N D E X

1		
2		
3	OPENING REMARKS	
4	By Chairman	4 - 5
5	PRESENTATION	
6	By Mr. O'Toole	5 - 6
7	By Attorney Sherman	6 - 11
8	QUESTIONS BY BOARD	11 - 12
9	PRESENTATION	
10	By Attorney Cook	13 - 24
11	By Ms. Hensel	25 - 35
12	DISCUSSION AMONG PARTIES	35 - 37
13	PRESENTATION	
14	By Attorney Armstrong	37 - 42
15	<u>WITNESS:</u> Richard Orlando	
16	TESTIMONY	
17	By Mr. Orlando	42
18	DISCUSSION AMONG PARTIES	42 - 44
19	PRESENTATION	
20	By Attorney Fenstermaker	44 - 49
21	By Attorney Armstrong	49 - 57
22	By Attorney Miller	57 - 62
23	By Attorney Powers	62 - 66
24	DISCUSSION AMONG PARTIES	66 - 67
25		

P R O C E E D I N G S

1
2
3
4
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CHAIRMAN:

We will now begin our regularly scheduled meeting. By way of announcements, the Board held an Executive Session yesterday, November 7th, to discuss personnel matters and to conduct quasi-judicial deliberations relating to matters being heard and considered by the Board today.

First we'll have a consideration of a motion to approve the transcripts and minutes of the Board's August 22nd, and September 12th meetings. May I have such a motion?

MR. SOJKA:

Yes, Mr. Chairman. I'll move that the Board approve the minutes and transcripts of the August 22nd and September 12th, 2012 meetings.

CHAIRMAN:

Second?

MR. MOSCATO:

Second.

CHAIRMAN:

All in favor?

ALL SAY AYE

CHAIRMAN:

1 Opposed?

2 NO RESPONSE

3 CHAIRMAN:

4 The motion carries. Next will be the
5 report of our Executive Director, Kevin O'Toole.
6 Kevin?

7 MR. O'TOOLE:

8 Good morning, Chairman Ryan, members of
9 the Board. I just have a few brief comments this
10 morning. First of all, the Pennsylvania Gaming
11 Control Board's annual report for 2011/2012 was
12 recently received in its bound hard copy format. The
13 annual report was previously placed on our website, so
14 I know that you all have had a chance to read it.
15 Copies of our annual report are in the reception area
16 of the public meeting room.

17 This is the Board's sixth annual report
18 and it provides a very informative summary, including
19 statistics of the work that the Board and the staff
20 perform. I would like to publicly recognize and thank
21 the members of the Communications Department for
22 putting the annual report together. It does take a
23 significant effort each year. So I'd like to thank
24 Director Doug Harbach, Deputy Director Richard
25 McGarvey, and Executive Secretary Doreen Appel.

1 Secondly, as we all experienced, last
2 week was a very challenging week due to Hurricane
3 Sandy. Certain responsibilities of the Board staff
4 remain ongoing even when conditions are difficult.
5 One person in particular I'd like to recognize and
6 thank is Ben Williams from our Information Technology
7 Department for his round the clock efforts to monitor
8 the Board's computer systems and servers. At the
9 request of the Governor's Office of Administration,
10 Ben sent updates every four hours to OA's Chief
11 Information Officer advising if there were any
12 computer malfunctions during the height of the storm.
13 Ben complied with that request.

14 Fortunately, the Board's computer systems
15 remained operational at all time and there were no
16 malfunctions. Ben is on vacation or I would have
17 asked him to attend the public meeting today. But I
18 did want to publicly acknowledge his extraordinary
19 efforts during the hurricane. Thank you very much.

20 CHAIRMAN:

21 Thank you, Kevin. Questions or comments
22 from the Board? Ex-officio members? Next, Chief
23 Counsel Doug Sherman.

24 ATTORNEY SHERMAN:

25 Good morning, Chairman, members of the

1 Board. Today the Board has two Petitions before it
2 for consideration. Each is to be heard upon the
3 documents filed. In each case the Petition, any
4 responsive pleadings, and the full evidentiary record
5 has been made available to the Board in advance of the
6 meeting.

7 The first Petition before the Board is
8 Downs Racing's Petition for Approval of a Service
9 Level Agreement with Mohegan Sun Connecticut. By way
10 of background, in June 2009 the Board approved a
11 Service Level Agreement between Downs Racing and
12 Mohegan Sun Connecticut which allowed Mohegan Sun
13 Connecticut to provide certain IT functions to Downs
14 Racing here in the Wilkes-Barre area. On May 24th,
15 2012 Downs filed the current Petition requesting to
16 amend that 2009 agreement.

17 The Office of Enforcement Counsel (OEC)
18 initially filed an answer objecting to the Petition,
19 averring that Downs' request to amend the 2009 Service
20 Level Agreement contains significant changes and
21 amendments from the previously approved one. Downs
22 Racing and the OEC subsequently filed a stipulation
23 resolving all of the objections.

24 The stipulation also further set forth
25 the responsibilities of Downs Racing with regard to

1 the functions of their IT department, licensing
2 requirement, and specific IT employees of both Downs
3 Racing's facility as well as Mohegan Sun Connecticut,
4 set forth the protocol for maintenance of records, as
5 well as providing quarterly reports to the OEC
6 relating to the Service Level Agreement. The
7 stipulation also outlines the parties' agreement on
8 procedures for amendments, renewals, and other changes
9 to the scope or nature of the work provided under the
10 agreement.

11 Downs Racing has also filed two
12 confidentiality motions seeking to protect certain
13 specific terms of the agreement. OEC has not objected
14 to either motion, therefore it would be appropriate to
15 grant those motions as confidential.

16 As the record in this matter is now
17 closed, it's appropriate for the Board to consider the
18 Petition for Approval subject to the stipulated
19 conditions, as well as the motions for
20 confidentiality.

21 CHAIRMAN:

22 Questions or comments from the Board?
23 Ex-officio members? May I have a motion?

24 MR. MOSCATO:

25 Mr. Chairman, I move that the Board issue

1 an order to approve Down Racing, LP's Petition as
2 described by the Office of Chief Counsel (OCC) and
3 further move that Down Racing's request for
4 confidentiality be approved.

5 MR. MCCALL:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 Opposed?

12 NO RESPONSE

13 CHAIRMAN:

14 The motion carries.

15 ATTORNEY SHERMAN:

16 The second Petition before the Board is
17 Robert Ganter Contractor, Incorporated's Petition for
18 Removal from the Prohibited Gaming Service Provider
19 List. Ganter was a roofing contractor on the Sands
20 Bethworks project.

21 The company was initially placed on the
22 Prohibited Gaming Service Provider List in December
23 2011 for issues related to tax compliance. In August
24 of 2012 the Board received a Petition to have them
25 removed from that list on the basis that they'd

1 remedied the issues which resulted in their initial
2 placement on the Prohibited List.

3 The OEC filed an answer on which they did
4 not object to the removal, having verified that, in
5 fact, they were compliant. The answer was provided
6 that Ganter pay a civil penalty of \$1,500, which is
7 consistent with the Board's prior practice regarding
8 penalty for having to come off the Prohibited Gaming
9 Service Provider List.

10 The matter is now appropriate for the
11 Board's consideration of a motion.

12 CHAIRMAN:

13 Any questions or comments from the Board?

14 MR. SOJKA:

15 Just one. I know I raised this before,
16 and it may fall in the category of just too bloody
17 complicated to worry about. But there is that uniform
18 penalty, and it's applied uniformly. But it strikes
19 me that the level of non-compliance gets people on
20 that list in the first place is not uniform. Some is
21 sort of passive, some things fall through the cracks.
22 Others seem to be sort of in our face until forced or
23 have an opportunity to do otherwise.

24 I'm not going to make a recommendation to
25 change anything, but I would like to ask that at least

1 some thought be given to maybe coming up with as many
2 as three classes of penalty. Maybe one for just slip
3 ups, one for, you know, not being terribly
4 cooperative. And another may be for really kind of
5 trying to stick it to us.

6 ATTORNEY SHERMAN:

7 Commissioner, going back a number a years
8 when the process was first put into place, I think the
9 Board established the \$1,500 as a presumed penalty.
10 Obviously, if there are aggravating or mitigating
11 circumstances surrounding the incident, it's always
12 within the Board's discretion to impose a sanction
13 either less than that or greater than the \$1,500.

14 You know, these are things I think may be
15 based on those mitigating aggravating circumstances.
16 And moving forward, greater attention should be paid
17 and perhaps OEC will suggest either penalties in
18 excess or less than depending on the circumstances.

19 MR. SOJKA:

20 That's fine. I think your having put
21 that into the record here probably suffices. I would
22 like to be sure, though, that we at this point have
23 never asked for more than the \$1,500.

24 ATTORNEY SHERMAN:

25 I am not aware of either asking for or it

1 being granted.

2 MR. SOJKA:

3 But it now looms out there. Thank you.

4 CHAIRMAN:

5 Anyone else on the Board? Ex-officio
6 members? May I have a motion?

7 MR. MCCALL:

8 Mr. Chairman, I move that the Board issue
9 an Order to approve Robert Ganter Contractors'
10 Petition to be removed from the Prohibited Gaming
11 Service Provider list as described by the (OCC).

12 CHAIRMAN:

13 Second?

14 MS. KAISER:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 Opposed?

21 NO RESPONSE

22 CHAIRMAN:

23 The motion carries.

24 ATTORNEY SHERMAN:

25 Next presenting Reports and

1 Recommendations is Deputy Chief Counsel Steve Cook.

2 ATTORNEY COOK:

3 Good morning.

4 CHAIRMAN:

5 Good morning, Steve.

6 ATTORNEY COOK:

7 Next before the Board for consideration
8 are three Reports and Recommendations received from
9 the Office of Hearings and Appeals (OHA) relative to
10 two Petitions to withdraw Gaming Service Providers
11 Applications and one Petition for removal the
12 Voluntary Self Exclusion List. These Reports and
13 Recommendations, along with the complete evidentiary
14 record, have been provided to the Board.

15 And additionally, each of the businesses
16 or individuals that are subjects of these Reports and
17 Recommendations have been advised that the Board was
18 taking the matter up today and that they could come
19 forward when the matter was called and briefly address
20 the Board. If any of these individuals or persons
21 representing these businesses are present I would ask
22 them to do that when their matter is called.

23 The first Report and Recommendation for
24 the Board pertains to Double Happyness Travel Inc.'s
25 Petition to withdraw its Gaming Service Provider

1 Application. On April 1st, 2011 Double Happyness
2 submitted an Application for Certification requesting
3 approval to provide interstate bus service to casino
4 patrons traveling from the New York City area to the
5 Parx Casino. Upon the Bureau of Licensing deeming the
6 Application complete interim authorization was granted
7 to conduct business, and Double Happyness began
8 providing these transportation services.

9 During the course of the Bureau of
10 Investigations and Enforcement's (BIE) background
11 investigation of this business it was determined that
12 the United States Department of Transportation Federal
13 Motor Carrier Safety Administration served a hazard
14 order on Double Happyness for failure to comply with
15 certain federal safety regulations. The order revoked
16 Double Happyness' federal operating authority and
17 directed them to immediately cease and desist all of
18 their operations.

19 As a result of the discovery of this by
20 the BIE, the Bureau of Licensing was notified and the
21 Bureau of Licensing immediately withdrew their interim
22 authorization to conduct business. Thereafter, Double
23 Happyness filed a Petition to Withdraw their Gaming
24 Service Provider Application on April 3rd, 2012. The
25 OEC filed an answer objecting to Double Happyness'

1 request being granted without prejudice. Essentially,
2 Enforcement Counsel took the position that under the
3 circumstances, the Withdrawal, if granted should be
4 with prejudice.

5 A hearing in this matter was scheduled
6 for September 20th, 2012. Despite receiving proper
7 notice, no one from Double Happiness appeared at the
8 hearing and it was held without them being present.
9 Subsequently, a Report and Recommendation was issued
10 recommending that the Withdrawal be conditioned with
11 prejudice. That is the Report and Recommendation
12 presently before the Board.

13 CHAIRMAN:

14 Questions or comments from the Board?
15 Ex-officio members? May I have a motion?

16 MR. GINTY:

17 Mr. Chairman, before I make the motion
18 I'd just like to make a comment. I think certainly in
19 the licensing process we have a responsibility to
20 assure that these bus services are properly licensed
21 and meet all safety requirements. But I also believe
22 the casinos have a role to play here and have some
23 responsibility. So, you know, I think perhaps at some
24 point one of our departments should look into the
25 responsibilities that the casino has.

1 ATTORNEY COOK:

2 I would note that our regulations do
3 place a due diligence burden on the casino operators
4 for conducting business with vendors to do their own
5 due diligence. They're well aware of that fact.

6 MR. GINTY:

7 And you know, there have been, you know,
8 recently some news articles of horrendous accidents on
9 the part of some of these bus services. And we
10 certainly don't think we want to take a chance of that
11 happening in our world.

12 ATTORNEY COOK:

13 Agreed.

14 MR. GINTY:

15 With that, Mr. Chairman, I will move that
16 the Board adopt the Report and Recommendation of the
17 OHA regarding the Withdrawal of Double Happyness
18 Travel's Gaming Service Provider Application with
19 prejudice as described by the OCC.

20 MR. FAJT:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

1 Opposed?

2 NO RESPONSE

3 CHAIRMAN:

4 The motion carries.

5 ATTORNEY COOK:

6 Moon Bus Travel, Inc. is the next Report
7 and Recommendation before the Board today. Moon Bus
8 submitted an application on November 4th, 2011 to
9 provide interstate bus service to casino patrons
10 traveling from New York to Harrah's Philadelphia. The
11 Board gave interim authority to approve Moon Bus's
12 application after it was deemed complete, and there
13 were no background issues with respect to its
14 Principals.

15 Subsequent thereto, as part of its
16 investigation, BIE discovered that Moon Bus also did
17 not have all of the required authority from the
18 Federal Motor Carrier Safety Administration to operate
19 an interstate passenger transportation company.
20 Specifically, they didn't provide that federal
21 authority with proof of insurance.

22 The Bureau of Licensing thereafter
23 rescinded Moon Bus's interim authorization effective
24 March 15th, 2012, and Moon Bus as with the company
25 previously discussed filed a Petition to Withdraw its

1 application without prejudice. The OEC responded to
2 that Petition again, as with the previous matter,
3 recommending that the Petition be with prejudice under
4 the circumstances.

5 Again, notice was sent for a hearing. No
6 one from the bus company appeared at the hearing. It
7 occurred in their absence. And the Report and
8 Recommendation now being issued is that the
9 Application to Withdraw be conditioned with prejudice.

10 I would note for the record for both this
11 and the prior proceeding that the Bureau of Licensing
12 has changed its procedures now relative to these bus
13 companies as far as the initial application. The
14 companies are now required to show that they possess
15 all the required federal and state permits.

16 CHAIRMAN:

17 Questions, comments from the Board?
18 Ex-officio members? May I have a motion?

19 MR. FAJT:

20 Mr. Chairman, I move that the Board adopt
21 the Report and Recommendation of the OHA regarding the
22 Withdrawal of Moon Bus Travel's Gaming Service
23 Provider Application as described by the OCC.

24 MR. SOJKA:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 Opposed?

6 NO RESPONSE

7 CHAIRMAN:

8 The motion carries.

9 ATTORNEY COOK:

10 The last Report and Recommendation before
11 the Board today pertains to a request to be removed
12 from the Voluntary Self Exclusion List. As outlined
13 in the Report and Recommendation, on January 22nd,
14 2012 an individual with the initials SBH entered
15 Presque Isle Downs, gamed and approached the Bureau
16 Casino Compliance Officer requesting to be placed on
17 the Voluntary Self Exclusion List.

18 On that date a Casino Compliance
19 Representative met with SBH and conducted a mandatory
20 interview with him and completed all of the required
21 procedures. The Casino Compliance Representative
22 explained to SBH that placement on the Voluntary Self
23 Exclusion List barred him from all Pennsylvania
24 facilities and that a Pennsylvania licensed facility
25 may also exclude persons on the Pennsylvania list from

1 their properties in other jurisdictions. That that is
2 an operator's decision outside of the jurisdiction of
3 the Board. SBH, having been told that, continued with
4 the interview and signed an acknowledgment form
5 selecting a one-year period of self exclusion.

6 During May 2012 SBH filed the Petition
7 presently before the Board requesting to be removed
8 from the list. In that Petition and at the hearing
9 before the OHA he stated that he was upset because his
10 voluntary participation in the Self Exclusion Program
11 in Pennsylvania precluded him from legally gaming at
12 the Horseshoe Casino in Cleveland, Ohio. Apparently,
13 he attempted to game in Ohio at that particular
14 facility and was denied. The Horseshoe, by the way,
15 is operated by Caesars, which also operates Harrah's
16 Philadelphia.

17 The Report and Recommendation
18 subsequently issued in this matter by the Hearing
19 Officer finds that SBH is not eligible to be removed
20 from the list until termination of the one-year term
21 has expired, that being adequately explained to him
22 during the process that there could be repercussions
23 for getting on the list outside of Pennsylvania.

24 As a result, the Hearing Officer
25 recommends that the Petition to be removed from the

1 list be denied, and that is the Recommendation before
2 the Board.

3 CHAIRMAN:

4 Is the individual who is the subject of
5 this petition with the initials SBH present in the
6 hearing room? Any questions or comments from the
7 Board?

8 MR. MOSCATO:

9 I have just one, Mr. Chairman.

10 CHAIRMAN:

11 Yes.

12 MR. MOSCATO:

13 Steve, when a person comes in and
14 requests self exclusion do you know is it normal
15 procedure for them to --- for the CCR to talk to them
16 about the other states' exclusions, or was that a ---
17 did SBH ---?

18 ATTORNEY COOK:

19 They tell them --- they are told that the
20 Board's jurisdiction only applies to Pennsylvania
21 casinos, but operators in Pennsylvania such as
22 Harrah's/Caesar's could take that list and use it in
23 other jurisdictions. It's part of the discussion and
24 it's also part of the paperwork.

25 MR. MOSCATO:

1 Very good. Thank you.

2 CHAIRMAN:

3 Anyone else? Ex-officio members? May I
4 have a motion?

5 MR. MOSCATO:

6 Mr. Chairman, I move that the Board adopt
7 the Report and Recommendation of the OHA regarding the
8 removal of SBH from the PGCB Voluntary Self Exclusion
9 List as described by the OCC.

10 MR. MCCALL:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 Opposed?

17 NO RESPONSE

18 CHAIRMAN:

19 The motion carries.

20 ATTORNEY COOK:

21 The next matter before the Board pertains
22 to the Emergency Suspension of John Donald Carns. Mr.
23 Carns was issued a Gaming Employee Registration on May
24 5th, 2012 and is employed as a table games dealer at
25 the Meadows Racetrack and Casino.

1 The Bureau of Casino Compliance became
2 aware that Mr. Carns had been arrested and charged
3 with one felony count of endangering the welfare of
4 children, one felony count of aggravated assault. He
5 was also charged with several misdemeanor offenses,
6 including recklessly endangering another person,
7 endangering the welfare of children, and two
8 additional summary offenses.

9 The Bureau of Casino Compliance became
10 aware of these charges and within days filed a request
11 for Emergency Order of Suspension of Mr. Carns' Gaming
12 Employee Permit. The Order was signed by the
13 Executive Director on November 5th, 2012.

14 Board regulations now require that a
15 Temporary Emergency Order be presented to the Board
16 for full evidentiary hearing or that the matter be
17 referred to the OHA to conduct that hearing. In this
18 case, the OCC would recommend that the Emergency Order
19 stay in place, that the matter be referred to the OHA
20 for an expedited hearing on the legitimacy of the
21 Emergency Order and that the matter come back in front
22 of the Board pursuant to a Report and Recommendation.

23 CHAIRMAN:

24 Is John Donald Carns in the hearing room?
25 Any questions, comments from the Board? Ex-officio

1 members? May I have a motion?

2 MR. FAJT:

3 Mr. Chairman, I move that the Board issue
4 an Order to continue the Emergency Suspension of John
5 Donald Carns' Gaming Employee Permit and that the
6 matter be referred to the OHA for an expedited hearing
7 to determine the validity of the Emergency Suspension
8 Order.

9 MR. GINTY:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 Opposed?

16 NO RESPONSE

17 CHAIRMAN:

18 The motion carries.

19 ATTORNEY SHERMAN:

20 And that concludes all matters of the
21 OCC.

22 CHAIRMAN:

23 Thank you, gentlemen. Next will be our
24 Director of the Bureau of Licensing, Susan Hensel.
25 Susan?

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MS. HENSEL:

Thank you, Chairman Ryan and members of the Board. Before the Board today will be motions regarding two Table Game Manufacturer Licenses, as well as 760 Principal, Key, Gaming, and Non-Gaming Employees.

The first matter for your consideration is the Renewal of a Table Game Manufacturer License for Gemaco, Inc. Gemaco is a Missouri based company that manufactures playing cards, chips, and table game layouts.

The BIE has completed its investigation the Bureau of Licensing has provided you with the renewal, background investigation, and suitability report. I also provided you with a draft Order and ask that the Board consider the Approval of a Table Game Manufacturer License for Gemaco, Inc.

CHAIRMAN:

Any comments from Enforcement Counsel?

ATTORNEY PITRE:

Enforcement Counsel has no objection.

CHAIRMAN:

Any questions, comments from the Board? Ex-officio members? May I have a motion?

MR. MCCALL:

1 Mr. Chairman, I move that the Board
2 approve the renewal of Gemaco, Inc.'s Table Game
3 Manufacturer License as described by the Bureau of
4 Licensing.

5 CHAIRMAN:

6 Second?

7 MS. KAISER:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 ALL SAY AYE

12 CHAIRMAN:

13 Opposed?

14 NO RESPONSE

15 CHAIRMAN:

16 The motion carries.

17 MS. HENSEL:

18 The next matter for your consideration is
19 the renewal of a Table Game Manufacturer License for
20 South Jersey Precision Tool and Mold, Inc. South
21 Jersey Precision is a New Jersey based company that
22 makes Pai Gow tiles. The BIE has completed its
23 investigation and the Bureau of Licensing has provided
24 you with the renewal, background investigation, and
25 suitability report.

1 South Jersey Precision has requested that
2 the Board grant it a reduced licensing fee should it
3 receive a renewal. The fee for renewal of a
4 manufacturer license is \$90,000 for a three-year
5 renewal. Under the Gaming Act the Board may modify
6 the fee for a table game manufacturer if it determines
7 that the fee will unreasonably limit table game
8 devices or associated equipment. Consistent with this
9 provision of the Act, the Bureau of Licensing has
10 adopted a reduced licensing fee policy which has
11 previously been presented to the Board.

12 Pursuant to that policy, a reduction of
13 the licensing fee to zero is warranted if there is
14 only one manufacturer of a product and anticipated
15 sales are less than \$100,000 annually. South Jersey
16 Precision is the only manufacturer in Pennsylvania
17 that produces Pai Gow tiles and its projected annual
18 sales are under \$100,000. The Bureau of Licensing,
19 therefore, recommends that the Board grant a reduced
20 licensing fee of zero to South Jersey Precision.

21 I've provided you with a draft Order and
22 ask that the Board consider the approval of a Table
23 Game Manufacturer License and the recommended reduced
24 licensing fee for South Jersey Precision.

25 CHAIRMAN:

1 Any comments from Enforcement Counsel?

2 ATTORNEY PITRE:

3 Enforcement Counsel has no objection.

4 CHAIRMAN:

5 Questions, comments from the Board?

6 MR. SOJKA:

7 Just one small clarification. South
8 Jersey's the only manufacturer of Pai Gow tiles in
9 Pennsylvania. Are there others available to our
10 licensees?

11 MS. HENSEL:

12 Not in Pennsylvania. There are other
13 companies that make Pai Gow tiles ---

14 MR. SOJKA:

15 In the United States but outside of
16 Pennsylvania.

17 MS. HENSEL:

18 --- in other states and internationally,
19 but no one else is an applicant or licensee in
20 Pennsylvania.

21 MR. SOJKA:

22 Thank you.

23 CHAIRMAN:

24 Ex-officio members? May I have a motion?

25 MS. KAISER:

1 Mr. Chairman, I move that the Board
2 approve the renewal of South Jersey Precision Tool and
3 Mold, Inc.'s Table Game Manufacturer License as
4 described by the Bureau of Licensing.

5 MR. GINTY:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 Opposed?

12 NO RESPONSE

13 CHAIRMAN:

14 The motion carries.

15 MS. HENSEL:

16 The next matter for your consideration is
17 the approval of Principal and Key Employee Licenses.
18 Prior to this meeting the Bureau of Licensing provided
19 you with a proposed Order for six Principal and four
20 Key Employee Licenses for Category 1, Category 2,
21 Category 3 Manufacturer and Supplier Licensees. I ask
22 that the Board consider the Order approving these
23 licenses.

24 CHAIRMAN:

25 Any comments from Enforcement Counsel?

1 ATTORNEY PITRE:

2 Enforcement Counsel has no objection.

3 CHAIRMAN:

4 Any questions or comments from the Board?

5 Ex-officio members of the Board? May I have a motion?

6 MR. GINTY:

7 Mr. Chairman, I move that the Board
8 approve the Issuance of Principal and Key Employee
9 Licenses as described by the Bureau of Licensing.

10 MR. FAJT:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 Opposed?

17 NO RESPONSE

18 CHAIRMAN:

19 The motion carries.

20 MS. HENSEL:

21 Also for your consideration are Temporary
22 Principal and Key Employee Licenses. Prior to this
23 meeting the Bureau of Licensing provided you with an
24 Order regarding the Issuance of Temporary Licenses for
25 4 Principals and 30 Key Employees. I ask that the

1 Board consider the Order approving these licenses.

2 CHAIRMAN:

3 Any comments from Enforcement Counsel?

4 ATTORNEY PITRE:

5 Enforcement Counsel has no objection.

6 CHAIRMAN:

7 Any questions or comments from the Board?

8 Ex-officio members? May I have a motion?

9 MR. FAJT:

10 Mr. Chairman, I move that the Board
11 approve the Issuance of Temporary Principal and Key
12 Employee credentials as described by the Bureau of
13 Licensing.

14 MR. SOJKA:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 Opposed?

21 NO RESPONSE

22 CHAIRMAN:

23 The motion carries.

24 MS. HENSEL:

25 Next are Gaming Permits and Non-Gaming

1 Registrations. Prior to this meeting the Bureau of
2 Licensing provided you with a list of 520 individuals
3 to whom the Bureau has granted Temporary or Full
4 Occupational Permits and 123 individuals to whom the
5 Bureau has granted Registrations under the authority
6 delegated to the Bureau of Licensing. I ask that the
7 Board consider a motion approving the Order.

8 CHAIRMAN:

9 Any comments from Enforcement Counsel?

10 ATTORNEY PITRE:

11 Enforcement Counsel has no objection.

12 CHAIRMAN:

13 Any questions or comments from the Board?
14 Ex-officio members? May I have a motion?

15 MR. SOJKA:

16 Yes. Mr. Chairman, I'll move that the
17 Board approve the Issuance of Gaming Employee Permits
18 and Non-Gaming Employee Registrations as described by
19 the Bureau of Licensing.

20 CHAIRMAN:

21 Second?

22 MR. MOSCATO:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 Opposed?

4 NO RESPONSE

5 CHAIRMAN:

6 The motion carries.

7 MS. HENSEL:

8 In addition, we have recommendations of
9 denial for two Gaming Employee Applications. Prior to
10 this meeting the Bureau of Licensing provided you with
11 orders addressing these applicants who the OEC has
12 recommended for denial. In each case the applicant
13 failed to request a hearing within the specified time
14 period. I ask that the Board consider the orders
15 denying the Gaming Employee Applications.

16 CHAIRMAN:

17 Any comments from Enforcement Counsel?

18 ATTORNEY PITRE:

19 Enforcement Counsel would request denial
20 in each instance.

21 CHAIRMAN:

22 Any questions or comments from the Board?

23 Ex-officio members? May I have a motion?

24 MR. MOSCATO:

25 Mr. Chairman, I move that the Board

1 approve the denial of Gaming Employee Applications as
2 described by the Bureau of Licensing.

3 MR. MCCALL:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 Opposed?

10 NO RESPONSE

11 CHAIRMAN:

12 The motion carries.

13 MS. HENSEL:

14 Finally we have for your consideration
15 Withdrawal requests for Key Employee Gaming and
16 Non-Gaming Employees. In each case the license,
17 permit, or registration is no longer required. For
18 today's meeting I had provided the Board with lists of
19 2 Key, 64 Gaming, and 5 Non-Gaming Employee
20 withdrawals for approval. I ask that the Board
21 consider the orders approving the list of withdrawals.

22 CHAIRMAN:

23 Any comments from Enforcement Counsel?

24 ATTORNEY PITRE:

25 Enforcement Counsel has no objection.

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CHAIRMAN:

Any questions or comments from the Board?
Ex-officio members? May I have a motion?

MR. MCCALL:

Mr. Chairman, I move that the Board
approve the withdrawals as described by the Bureau of
Licensing.

CHAIRMAN:

Second?

MS. KAISER:

Second.

CHAIRMAN:

All in favor?

ALL SAY AYE

CHAIRMAN:

Opposed?

NO RESPONSE

CHAIRMAN:

The motion carries.

MS. HENSEL:

That concludes the matters of the Bureau
of Licensing.

CHAIRMAN:

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

1 ATTORNEY PITRE:

2 Good morning, Chairman, members of the
3 Board. We have 11 matters for the Board's
4 consideration today. One Consent Agreement, three
5 revocations, and seven voluntary exclusions.

6 The first matter is a Consent Agreement
7 entered into between the OEC and TDN Money Systems.
8 Jim Armstrong will present the matter on behalf of the
9 OEC. I ask the gentleman identify himself on behalf
10 of TDN Money Systems.

11 CHAIRMAN:

12 Sir?

13 MR. ORLANDO:

14 Yes. My name is Richard Orlando and I'm
15 the CEO of TDN Money Systems.

16 CHAIRMAN:

17 You're not counsel for TDN; is that
18 correct, you are CEO?

19 MR. ORLANDO:

20 I'm the CEO.

21 CHAIRMAN:

22 Okay. Do you plan on making a statement
23 to the Board?

24 MR. ORLANDO:

25 I would like to, yes, sir.

1 CHAIRMAN:

2 Okay. Perhaps we should have you sworn
3 in before we begin. Could you stand?

4 -----

5 RICHARD ORLANDO, HAVING FIRST BEEN DULY SWORN,
6 TESTIFIED AS FOLLOWS:

7 -----

8 CHAIRMAN:

9 You can sit down. Can you spell your
10 last name, sir?

11 A. Yes. Orlando, O-R-L-A-N-D-O.

12 CHAIRMAN:

13 Okay. Counselor?

14 ATTORNEY ARMSTRONG:

15 Good morning Chairman, Commissioners.
16 James Armstrong for the OEC. Commissioners, the
17 Consent Agreement was --- this Consent Agreement was
18 originally listed on the Board's public meeting agenda
19 for October 10th. It was one of four Consent
20 Agreements addressing violations arising out of the
21 same series of events. The other licensees were
22 Conditionally Licensed Manufacturer Applicant DEQ,
23 Manufacturer Licensee United States Playing Cards, and
24 Slot Machine Licensee Greenwood Gaming/Parx Casino.

25 The Board approved the Consent Agreements

1 addressing the other licensees at the October meeting.
2 TDN requested that its Consent Agreement be
3 rescheduled from the October meeting. The Board
4 granted the request and rescheduled the matter of
5 TDN's Consent Agreement for this morning.

6 The facts in the matter are as follows.
7 DEQ is a conditionally licensed manufacturer applicant
8 presently pending before the Board. DEQ submitted its
9 initial Manufacturer Application on September 20th,
10 2010. DEQ was approved for its conditional Table Game
11 Devise Manufacturer License on April 14th, 2011.

12 Greenwood Gaming conducts business as
13 Parx Casino and is a Category 1 Licensed Facility.
14 Parx utilizes the Baccarat Bee shoe manufactured by
15 United States Playing Cards in its casino for licensed
16 gaming activity. United States Playing Cards is a
17 holder of the Table Games Manufacturer License issued
18 by the Board on November 22nd, 2011. TDN Money
19 Systems, Inc. is the holder of a Supplier License
20 originally issued by the Board on December 2nd, 2007.

21 The DEQ product which is the center of
22 this event is the EZ Trak system. It is an electronic
23 informational display used by players during the game
24 of Baccarat. EZ Trak is compatible with United States
25 Playing Cards' Bee shoe, and when used in conjunction

1 with the Bee shoe, the display provides statistical
2 data that provides players --- that the players may
3 utilize.

4 On December 15th of 2010 representatives
5 for Parx and United States Playing Cards signed a
6 License Order for 14 EZ Trak systems. The License
7 Order was integrated into a License Agreement dated
8 December 22nd, 2010 wherein Parx agreed to pay United
9 States Playing Cards \$250 a month for each EZ Trak
10 system that it leased from United States Playing
11 Cards. United States Playing Cards distributed and
12 Parx took possession of 14 EZ Trak Systems on December
13 17th, 2010.

14 DEQ, prior to receipt of its Conditional
15 License, contracted with two Board licensed companies.
16 First, on December 16th, 2010 DEQ entered into a
17 Service Agreement with TDN Money Systems, INC. in
18 which TDN would receive payment for each EZ Trak
19 system it installed, as well as payment for fees and
20 expenses incurred through the providing of ongoing
21 technical support and servicing of the equipment. On
22 or about December 22nd, 2010, EZ Trak systems were
23 installed on the Parx gaming floor. TDN began billing
24 DEQ on January 10th, 2011 for installation and/or
25 maintenance of the EZ Trak systems on the Parx gaming

1 floor. This service and billing continued through
2 April 14th, 2011.

3 The second agreement involving DEQ was
4 signed on December 29th, 2010. The parties executing
5 the agreement were DEQ and United States Playing
6 Cards. This was a License Agreement in which DEQ
7 conferred on United States Playing Cards the right to
8 distribute the EZ Trak system in Pennsylvania. The
9 agreement provided that United States Playing Cards
10 would pay a monthly royalty of \$250 to DEQ for each EZ
11 Trak system leased within Pennsylvania. Parx was the
12 only casino in which the DEQ products were distributed
13 by United States Playing Cards between December 2010
14 and April 14th of 2011.

15 Prior to April 14th, 2011 DEQ had not
16 been licensed or authorized by the Board to provide
17 its products or services to any licensed facility in
18 Pennsylvania. By entering into a contract to install
19 and service DEQ's EZ Track system prior to April 14th,
20 2011, TDN participated in an arrangement which
21 violated Section 1317.1 of the Pennsylvania Gaming
22 Statute and Section 431 of the Board's regulations.

23 By entering into a contract with DEQ, an
24 unlicensed manufacturer at the time, to install and/or
25 service DEQ's unauthorized table game devices and/or

1 associated equipment and by installing and/or
2 servicing DEQ's unauthorized table games and
3 associated equipment and Parx Casino, thereby making
4 --- at Parx Casino, thereby making an unlicensed
5 manufacturer product available for use on the Parx
6 Casino gaming floor for live table games played by the
7 general public from December 22nd, 2010 to April 14th,
8 2011.

9 Commissioners, during the investigation
10 of this matter BIE did not detect any evidence or
11 suggestion that TDN sought to mislead the Board or
12 avoid the licensing or fee requirements. Furthermore,
13 TDN cooperated fully with the inquiry into the facts
14 and circumstances surrounding the events and
15 agreements.

16 Accordingly, OEC and TDN respectfully
17 request the Board to approve the proposed Consent
18 Agreement and Stipulation of Settlement which requires
19 TDN to submit to the OEC and the Board a copy of the
20 policies and controls it has enacted to prevent a
21 similar violation from recurring and that TDN pay a
22 civil penalty in the amount of \$5,000 and a fee of
23 \$2,500 for costs incurred by OEC, BIE, and other staff
24 members of the Board in regard to this matter. Thank
25 you. I'd be glad to answer any questions you may

1 have.

2 CHAIRMAN:

3 Sir, on behalf of TDN do you have any ---

4 A. Yes, Mr. ---

5 CHAIRMAN:

6 --- response?

7 A. --- Chairman. I just would like to make one
8 comment. Anything that we did to violate the spirit
9 of the law was unintentional. We made the assumption
10 that ---. First off, we were in no way involved in
11 the negotiations for the sale or lease of that
12 product, nor were we involved in the installation of
13 the product. We made the assumption that if the
14 product was on the floor that the proper compliance
15 was done by both parties, DEQ, Parx. And when we were
16 called in to service the product we made the
17 assumption it was okay to go in and service it. So
18 that's all I would really like to say, that anything
19 that we did was totally involuntary.

20 CHAIRMAN:

21 Thank you, sir. Any response, Mr.
22 Armstrong?

23 ATTORNEY ARMSTRONG:

24 No, Chairman.

25 CHAIRMAN:

1 Questions, comments from the Board?
2 Ex-officio members? May I have a motion?

3 MR. GINTY:

4 Yes, Mr. Chairman. I move that the Board
5 issue an Order to approve the Consent Agreement
6 between the OEC and TDN Money Systems as described by
7 the OEC.

8 MR. FAJT:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 Opposed?

15 NO RESPONSE

16 CHAIRMAN:

17 The motion carries. Thank you, sir.

18 A. Thank you.

19 ATTORNEY PITRE:

20 The next three matters that we have for
21 the Board's consideration are Revocations. Those
22 matters will be presented by Assistant Enforcement
23 Counsel Cassandra Fenstermaker. If any individual is
24 here, when Ms. Fenstermaker calls your name I ask that
25 you come forward.

1 CHAIRMAN:

2 Good morning, Cassandra.

3 ATTORNEY FENSTERMAKER:

4 Good morning, Chairman Ryan,
5 Commissioners. My name is Cassandra Fenstermaker.
6 That's, F-E-N-S-T-E-R-M-A-K-E-R, Assistant Enforcement
7 Counsel. I have for your consideration today three
8 Complaints for Revocation.

9 The first pertains to Julius Lewis. On
10 July 27th, 2012 the OEC filed a Complaint for
11 Revocation against Julius Lewis, a former slot
12 technician at SugarHouse Casino. The Complaint was
13 filed after Mr. Lewis pled guilty to one count of
14 simple assault and one count of possession of the
15 instrument of crime with intent.

16 The Enforcement Complaint was served on
17 Mr. Lewis by first class and certified mail. He did
18 not respond to the Complaint within 30 days, and
19 therefore pursuant to Board regulations, all facts
20 alleged in the Complaint are deemed admitted. The OEC
21 filed a Request for Default Judgment on October 3rd,
22 2012 and at this time requests that Julius Lewis'
23 Gaming Employee Occupation Permit be revoked.

24 CHAIRMAN:

25 Is Julius Lewis in the hearing room? Any

1 questions or comments from the Board? Ex-officio
2 members? May I have a motion?

3 MR. FAJT:

4 Mr. Chairman, I move that the Board issue
5 an Order to approve the Revocation of Julius Lewis'
6 Gaming Employee Permit as described by the OEC.

7 MR. SOJKA:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 ALL SAY AYE

12 CHAIRMAN:

13 Opposed?

14 NO RESPONSE

15 CHAIRMAN:

16 The motion carries.

17 ATTORNEY FENSTERMAKER:

18 The second Revocation is in regards to
19 Medina Lott. On July 24th, 2012 the OEC filed a
20 Complaint for Revocation against Medina Lott, a former
21 beverage server at Harrah's Philadelphia. The
22 Complaint was filed after Ms. Lott pled guilty to one
23 count of retail theft.

24 The Enforcement Complaint was served on
25 Ms. Lott by first class mail. Ms. Lott did not

1 respond to the Complaint within 30 days. And
2 therefore pursuant to Board regulations, all facts
3 alleged in the Complaint are deemed admitted. The OEC
4 filed a Request for Default Judgment on October 3rd,
5 2012 and at this time requests that Ms. Lott's
6 Non-Gaming Employee Registration be revoked.

7 CHAIRMAN:

8 Is Medina Lott in the hearing room? Any
9 questions or comments from the Board?

10 MR. SOJKA:

11 Is Ms. Lott currently employed at that
12 casino or is she now terminated there as well?

13 ATTORNEY FENSTERMAKER:

14 She was terminated even prior to ---

15 MR. SOJKA:

16 Prior.

17 ATTORNEY FENSTERMAKER:

18 --- this arrest.

19 MR. SOJKA:

20 Thank you.

21 CHAIRMAN:

22 Any questions from Ex-officio members?

23 May I have a motion?

24 MR. SOJKA:

25 Yes, Mr. Chairman. I'll move that the

1 Board issue an Order to approve the Revocation of
2 Medina Lott's Non-Gaming Employee Registration as
3 described by the OEC.

4 CHAIRMAN:

5 Second?

6 MR. MOSCATO:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 Opposed?

13 NO RESPONSE

14 CHAIRMAN:

15 The motion carries.

16 ATTORNEY FENSTERMAKER:

17 The final matter involves Maria Monaco.

18 On July 24th, 2012 the OEC filed a Complaint for
19 Revocation against Maria Monaco, a former dealer at
20 Harrah's Philadelphia. The Complaint was filed after
21 Ms. Monaco pled guilty to one count of retail theft.

22 The Enforcement Complaint was served on
23 Ms. Monaco by first class mail. She did not respond
24 to the Complaint within 30 days, and therefore
25 pursuant to Board regulations, all facts alleged in

1 the Complaint are deemed admitted. The OEC filed a
2 Request for Default Judgment on October 3rd, 2012 and
3 at this time requests that Maria Monaco's Gaming
4 Employee Occupation Permit be revoked.

5 CHAIRMAN:

6 Is Maria Monaco in the hearing room? Any
7 questions or comments from the Board? Ex-officio
8 members? May I have a motion?

9 MR. MOSCATO:

10 Mr. Chairman, I move that the Board issue
11 an Order to approve the Revocation of Maria Monaco's
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?

20 NO RESPONSE

21 CHAIRMAN:

22 The motion carries.

23 ATTORNEY FENSTERMAKER:

24 Thank you.

25 CHAIRMAN:

1 Thank you, Cassandra.

2 ATTORNEY PITRE:

3 The next seven matters are to place
4 individuals on the Board's Involuntary Exclusion List.
5 Jim Armstrong will present the next three matters to
6 the Board.

7 ATTORNEY ARMSTRONG:

8 Good morning again, Chairman,
9 Commissioners. The first one is a motion to consider
10 the Board Order to add Roberto (sic) Calderon to the
11 Board's Involuntary Exclusion List. On July 25th,
12 2012 the OEC filed a Petition for Placement on the
13 Exclusion List with the Board against Roberto
14 Calderon. The basis for the Petition was Mr. Calderon
15 being arrested by the Pennsylvania State Police at the
16 SugarHouse Casino on May 10th, 2012 for trespassing
17 and cheating.

18 On May 10th SugarHouse Casino's
19 surveillance shift manager reported to the Board
20 Casino Compliance Representative on duty that the
21 surveillance and security departments had initiated an
22 investigation in regard to the patron cheating at
23 craps. A table games supervisor observed the patron
24 capping his bets at a craps game at table CR401. The
25 dealer on the craps game caught Mr. Calderon cheating

1 by past-posting a bet. Mr. Calderon then went to
2 another craps game where he was recorded successfully
3 past-posting the bet and was paid \$15. Mr. Calderon's
4 conduct in past-posting bets was captured by
5 surveillance.

6 Mr. Calderon was then taken into custody
7 by SugarHouse Casino's security officers and taken to
8 their office. After being confronted with
9 past-posting the bets on the craps games, Mr. Calderon
10 admitted to the conduct and repaid the \$15 he was
11 improperly awarded.

12 When security personnel were processing
13 him for formal eviction it was determined Mr. Calderon
14 had been evicted previously from SugarHouse Casino.
15 He had been previously evicted five times for
16 allegedly cheating. He was arrested and convicted of
17 defiant trespass a number of times in regard to these
18 previous incidents. In regard to the incident on May
19 10th evidence showed Mr. Calderon previously
20 past-posted a \$15 bet at a craps game at table CR401.
21 Mr. Calderon repaid this money as well.

22 The Pennsylvania State again charged Mr.
23 Calderon with defiant trespass in regard to the May
24 10th incident. Subsequent to this investigation, Mr.
25 Calderon was again arrested on August 1st and August

1 19th at SugarHouse with defiant trespass as he tried
2 to enter the casino again after he was already evicted
3 a number of times.

4 Mr. Calderon has been properly served
5 with --- by regular and certified mail with the
6 petition. He failed to request a hearing. He's also
7 been properly served with our Request for Default
8 Judgment. We ask that you place him on the Exclusion
9 List at this time.

10 CHAIRMAN:

11 Is Robert Calderon in the hearing room?
12 Any questions or comments from the Board? Ex-officio
13 members? May I have a motion?

14 MR. GINTY:

15 Chairman, I move that the Board issue an
16 Order to approve the addition of Robert Calderon to
17 the PGCB Involuntary Exclusion List as described by
18 the OEC.

19 MR. FAJT:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 Opposed?

1 NO RESPONSE

2 CHAIRMAN:

3 The motion carries.

4 ATTORNEY ARMSTRONG:

5 Chairman, Commissions, the next matter is
6 a motion to consider a Board Order to add Hung Nguyen
7 to the Board's Involuntary Exclusion List.

8 On June 21st, 2012 OEC filed a Petition
9 for Placement on the Exclusion List with the Board
10 against Hung Nguyen. The basis for the Petition was
11 Mr. Nguyen being charged by the Philadelphia Police at
12 the SugarHouse Casino on February 11th, 2012 for
13 leaving his six-year-old child unattended in his
14 vehicle in the parking lot of the casino for one hour.

15 The investigation revealed that
16 SugarHouse Casino's surveillance footage showed that
17 Mr. Nguyen entered the SugarHouse Casino parking lot
18 at approximately 4:54 p.m. on February 11th. Leaving
19 his child alone in the vehicle outside the SugarHouse
20 Casino, Mr. Nguyen entered the SugarHouse Casino at
21 4:55 p.m. At 5:40 p.m. a police officer at the
22 SugarHouse Casino observed Mr. Nguyen's child alone,
23 unattended in Mr. Nguyen's vehicle in the parking lot.
24 The police officer remained with the unattended child
25 and initiated an investigation.

1 At 5:55 p.m. Mr. Nguyen returned to the
2 parking lot area. He was placed under arrest by the
3 police officer. Mr. Nguyen was charged with
4 endangering the welfare of a child and recklessly
5 endangering another person. The child was taken to
6 the Philadelphia Police Department's Special Victim's
7 Unit for further investigation.

8 On April 23rd, 2012 the charge of
9 endangering the welfare of a child was withdrawn by
10 the Philadelphia District Attorney's Office. The
11 charge of recklessly endangering another person was
12 remanded to the Municipal Court where Mr. Nguyen was
13 admitted into the Accelerated Rehabilitative
14 Disposition Program on June 8th. He is currently in
15 the program.

16 Mr. Nguyen was properly served by regular
17 and certified mail with the Petition. Mr. Nguyen did
18 not request a hearing in regard to the Petition. Mr.
19 Nguyen was also properly served with OEC's Request for
20 Judgment upon Default and has not responded to it in
21 any way. Based on the foregoing, OEC requests that
22 the Board place Mr. Nguyen on the Board's Involuntary
23 Exclusion List at this time.

24 CHAIRMAN:

25 Is Hung Nguyen in the hearing room? Any

1 questions or comments from the Board? Ex-officio
2 members? May I have a motion?

3 MR. FAJT:

4 Mr. Chairman, I move that the Board issue
5 an Order to approve the addition of Hung Nguyen to the
6 PGCB Involuntary Exclusion List as described by the
7 OEC.

8 MR. SOJKA:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 Opposed?

15 NO RESPONSE

16 CHAIRMAN:

17 The motion carries.

18 ATTORNEY ARMSTRONG:

19 Chairman, the last matter I'll address is
20 the motion to consider the Board Order to add Yi Zheng
21 to the Board's Involuntary Exclusion List.

22 On August 22nd OEC filed a Petition for
23 Placement on the Exclusion List with the Board against
24 Yi Zheng. The basis for the Petition was Mr. Zheng
25 being investigated by the Philadelphia Police at the

1 SugarHouse Casino on June 10th for leaving his
2 nine-year-old child unattended in his vehicle in the
3 parking lot of the casino for one hour.

4 The investigation revealed that
5 SugarHouse Casino's surveillance footage showed that
6 on June 10th Mr. Zheng entered the SugarHouse Casino
7 parking lot at approximately 1:41 p.m., leaving his
8 child alone in the vehicle outside the SugarHouse
9 Casino. Mr. Zheng entered the SugarHouse Casino at
10 1:47 p.m. through the valet entrance and was seen on
11 the casino floor. He waited briefly at The Refinery
12 restaurant to receive a free gift.

13 After receiving the gift, Mr. Zheng
14 proceeded to a bank of slot machines in the casino.
15 From 1:48 p.m. to 2:36 p.m. Mr. Zheng played four
16 different slot machines. Surveillance showed that he
17 left the casino at 2:38 p.m. At 2:30 p.m. a security
18 officer at SugarHouse Casino observed Mr. Zheng's
19 child alone, unattended in Mr. Zheng's vehicle in the
20 parking lot. The security officer remained with the
21 unattended child and initiated an investigation. At
22 2:40 p.m. Mr. Zheng returned to the parking lot area.
23 He became hostile towards the security officer and
24 fled the parking lot with his child before the
25 Philadelphia Police arrived.

1 Mr. Zheng was not charged by the
2 Philadelphia Police with any crime. Mr. Zheng was
3 formally evicted from SugarHouse Casino on June 11th.
4 Mr. Zheng left his child unattended for a total of one
5 hour. Although Mr. Zheng was not charged criminally
6 with this offense, his actions at SugarHouse Casino on
7 June 10th make his future presence in the licensed
8 facility inimical to the Commonwealth of Pennsylvania
9 and the gaming therein.

10 Mr. Zheng was properly served by regular
11 and certified mail with the Petition. He did not ask
12 for a hearing. He was also properly served with this
13 Notice for Default Judgment and he has not responded
14 to that in any way. We ask you to place him on the
15 Involuntary Exclusion List at this time.

16 CHAIRMAN:

17 Is Yi Zheng in the hearing room? Any
18 questions, 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 the addition of Yi Zheng to
23 the PGCB Involuntary Exclusion List as described by
24 the OEC.

25 CHAIRMAN:

1 Second?

2 MR. MOSCATO:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 Opposed?

9 NO RESPONSE

10 CHAIRMAN:

11 The motion carries.

12 ATTORNEY ARMSTRONG:

13 Thank you.

14 CHAIRMAN:

15 Thank you, Jim.

16 ATTORNEY PITRE:

17 The next two matters for involuntary
18 exclusion will be presented by Assistant Enforcement
19 Counsel Dustin Miller.

20 CHAIRMAN:

21 Good morning, Dustin.

22 ATTORNEY MILLER:

23 Good morning, Chairman Ryan, members of
24 the Board. Dustin Miller on behalf of the OEC. The
25 next matter today is a Request for Placement on the

1 Board's Excluded Persons List involving Gui Wu Chen.
2 The OEC filed a Petition to place Mr. Chen on the
3 Exclusion List for committing theft at Parx East on
4 April 14th, 2012.

5 In the April 14th, 2012 incident a patron
6 was playing baccarat at Parx East. When she left the
7 baccarat table to use the restroom and left her chips
8 at her seat, Mr. Chen sat down at the seat where her
9 chips were positioned and proceeded to remove them and
10 left the baccarat table. When the patron returned to
11 the baccarat table she immediately noticed that her
12 chips were missing and reported the theft to the
13 security department of Parx East.

14 The Parx Casino surveillance department
15 reviewed the incident and discovered that Mr. Chen had
16 stolen the patron's chips. Further Parx Casino
17 surveillance discovered that Mr. Chen had redeemed the
18 patron's chips at the cashier cage inside Parx Casino
19 and then entered a bus at Parx East. On-site
20 Pennsylvania State Troopers arrested Mr. Chen on the
21 bus for the theft of the patron's chips. \$3,300 worth
22 of chip --- \$3,300 cash was returned to the patron as
23 restitution.

24 The Petition was properly served upon Mr.
25 Chen to the address listed on the criminal complaint

1 filed against him by both certified and first class
2 mail. Mr. Chen did not respond to the filing in any
3 way. Due to Mr. Chen's failure to respond, the
4 averments in the Petition are deemed to be admitted as
5 fact and his right to a hearing has been waived.

6 On October 5th, 2012 the OEC filed a
7 Request to enter Judgment upon Default. The matter is
8 now before the Board to consider the placement of Gui
9 Wu Chen on the Board's Excluded Persons List.

10 CHAIRMAN:

11 Is Gui Wu Chen in the hearing room? Any
12 questions or comments from the Board? Ex-officio
13 members? May I have a motion?

14 MR. MOSCATO:

15 Mr. Chairman, I move that the Board issue
16 an Order to approve the Addition of Gui Wu Chen to the
17 PGCB Involuntary Exclusion List as described by the
18 OEC.

19 MR. MCCALL:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 Opposed?

1 NO RESPONSE

2 CHAIRMAN:

3 The motion carries.

4 ATTORNEY MILLER:

5 The next matter today is a Request for
6 Placement on the Board's Excluded Persons List
7 involving Shannon Fenton. The OEC filed a Petition to
8 place Mr. Fenton on the Exclusion List for leaving his
9 14-month-old daughter in his vehicle while he gambled
10 inside Parx Casino on July 11th, 2012.

11 On July 11th, 2012 Mr. Fenton entered
12 Parx Casino at approximately 3:50 p.m. and played
13 blackjack until 4:21 p.m. Another patron of Parx
14 Casino noticed Mr. Fenton's child in his vehicle
15 unattended at approximately 4:02 p.m. and reported the
16 child to the Parx Casino security department. The
17 Parx Casino security department immediately contacted
18 on-site Pennsylvania State Police and Bensalem
19 Township Police, who responded to the scene and
20 removed the child from the vehicle.

21 Upon arrival police found the vehicle was
22 unlocked and running with the air conditioning on.
23 Pennsylvania State Police observed that the child's
24 skin was warm and clammy. The child was later
25 transported to St. Mary's Medical Center for

1 observation. Mr. Fenton was criminally charged with
2 endangering the welfare of a child and recklessly
3 endangering another person by Bensalem Township Police
4 after he returned to his vehicle approximately 15
5 minutes after his child had been pulled from the
6 vehicle.

7 The Petition was properly served upon Mr.
8 Fenton to the address listed on the criminal complaint
9 filed against him by both certified and first class
10 mail. Mr. Fenton did not respond to the filing in any
11 way. Due to Mr. Fenton's failure to respond, the
12 averments in the Petition are deemed admitted as fact
13 and his right to a hearing has been waived.

14 On October 5th, 2012 the OEC filed a
15 Request to Enter Judgment upon Default. The matter is
16 now before the Board to consider the placement of
17 Shannon B. Fenton on the Board's Excluded Persons
18 List.

19 CHAIRMAN:

20 Is Shannon Fenton in the hearing room?
21 Any questions or comments from the Board? Ex-officio
22 members? May I have a motion?

23 MR. MCCALL:

24 Mr. Chairman, I move that the Board issue
25 an Order to approve the addition of Shannon Fenton to

1 the Pennsylvania Gaming Control Board Involuntary
2 Exclusion List as described by the OEC.

3 CHAIRMAN:

4 Second?

5 MS. KAISER:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 Opposed?

12 NO RESPONSE

13 CHAIRMAN:

14 The motion carries.

15 ATTORNEY MILLER:

16 Thank you.

17 ATTORNEY PITRE:

18 The next two involuntary exclusions will
19 be presented by Assistant Enforcement Counsel Melissa
20 Powers.

21 CHAIRMAN:

22 Good morning, Melissa.

23 ATTORNEY POWERS:

24 Good morning, Chairman Ryan, members of
25 the Board. Melissa Powers, P-O-W-E-R-S.

1 The first matter that I have for you
2 today is that of Paul Gianzanti. On May 29th, 2012
3 the OEC filed a Petition to place Mr. Gianzanti on the
4 Board's Involuntary Exclusion List. In the Petition
5 OEC alleged that on March 17th of 2012 Mr. Gianzanti
6 entered Mohegan Sun at Pocono Downs and gamed at a
7 blackjack table. Surveillance shows that during the
8 course of approximately 70 minutes he capped a wager,
9 past-posted another wager, and attempted to past-post
10 three additional wagers.

11 Relative to his activity at Mohegan Sun,
12 the Pennsylvania State Police filed a criminal
13 complaint against Mr. Gianzanti. A preliminary
14 hearing was held on June 6th, 2012 and the following
15 charges were held for court; two counts of theft by
16 deception and two counts of knowingly by trick or
17 fraud attempting to win or reduce a loss. He is
18 currently awaiting trial on those charges.

19 OEC served the Petition to place Mr.
20 Gianzanti on the Exclusion List by mailing a copy via
21 first class mail on May 29th of 2012. Mr. Gianzanti
22 did not respond to the Petition within 30 days,
23 therefore his right of a hearing has been waived and
24 the facts alleged in the Petition are deemed admitted.

25 On October 1st, 2012 OEC filed a Request

1 for Default Judgment and at this time OEC would ask
2 that the Board place Paul Gianzanti on the Board's
3 Involuntary Exclusion List.

4 CHAIRMAN:

5 Is Paul Gianzanti in the hearing room?
6 Any questions or comments from the Board? Ex-officio
7 members? May I have a motion?

8 MS. KAISER:

9 Mr. Chairman, I move that the Board issue
10 an Order to approval the Addition of Paul Gianzanti to
11 the PGCB Involuntary Exclusion List as described by
12 the OEC Counsel.

13 MR. GINTY:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 Opposed?

20 NO RESPONSE

21 CHAIRMAN:

22 The motion carries.

23 ATTORNEY POWERS:

24 Our final matter for you today is that of
25 Shelby Lare. On June 20th, 2012 the OEC filed a

1 Petition to place Shelby Lare on the Board's
2 Involuntary Exclusion List. In the Petition OEC
3 alleged that on February 18th, 2012 Ms. Lare used a
4 fake identification card to enter Mohegan Sun at
5 Pocono Downs, receive a Player's Club card. She was
6 served an alcoholic beverage, she gamed at ten slot
7 machines and two table games.

8 OEC's Petition to place Shelby Lare on
9 the Board's Involuntary Exclusion List was served on
10 her on June 26, 2012. She did not respond to the
11 Petition within 30 days, therefore her right to a
12 hearing has been waived. The facts alleged in the
13 Petition are deemed admitted.

14 On October 1st, 2012 OEC filed a Request
15 for Default Judgment and at this time asks that the
16 Board Place Shelby Lare on the Board's Involuntary
17 Exclusion List.

18 CHAIRMAN:

19 Is Shelby Lynn Lare in the hearing room?
20 Any questions, comments from the Board? Ex-officio
21 members? May I have a motion?

22 MR. GINTY:

23 Mr. Chairman, I move that the Board issue
24 an Order to approve the Addition of Shelby Lynn Lare
25 to the PGCB Involuntary Exclusion List as described by

1 the OEC. And I further move, however, that Ms. Lare
2 be allowed to petition her removal from the
3 Involuntary Exclusion List after one year.

4 MR. FAJT:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 Opposed?

11 NO RESPONSE

12 CHAIRMAN:

13 The motion carries.

14 ATTORNEY PITRE:

15 That concludes ---.

16 CHAIRMAN:

17 Thank you, Cyrus.

18 ATTORNEY PITRE:

19 Thank you.

20 CHAIRMAN:

21 Thank you, Melissa. That concludes
22 today's meeting, ladies and gentlemen. Our next
23 scheduled public meeting will be held here on November
24 20th at 10:00 a.m. Any final comments from the Board?
25 Ex-officio members? May I have a motion to adjourn?

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MR. FAJT:

So moved.

MR. SOJKA:

Second.

CHAIRMAN:

This meeting is adjourned. Thank you
all.

* * * * *

MEETING CONCLUDED AT 11:10 A.M.

* * * * *

CERTIFICATE

I hereby certify that the foregoing
proceedings, meeting held before Chairman Ryan was
reported by me on 11/8/2012 and that I Lacey C. Gray
read this transcript and that I attest that this
transcript is a true and accurate record of the

1 proceeding.

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Lacey C. Gray

Court Reporter