

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; Annmarie
Kaiser; Keith R. McCall; John J. McNally,
III; Anthony C. Moscato; Members
Jorge Augusto, representing George Grieg,
Secretary of Agriculture
Robert P. Coyne, representing Daniel P.
Meuser, Secretary of Revenue
Jennifer Langan, representing Robert
McCord, State Treasurer

HEARING: Wednesday, July 17, 2013, 10:03 a.m.

LOCATION: Strawberry Square
Second Floor
Harrisburg, PA 17106

WITNESSES: Rosemarie Cook, Gilbert Morrissey

Reporter: Jolynn C. Prunoske

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CHAIRMAN:

Good morning, everyone. I'm Bill Ryan, Chairman of the Pennsylvania Gaming Control Board. Before we begin, I would like to ask everyone to please turn off cell phones, PDAs and other electronic devices. Thank you very much. With us today is Jorge Augusto, representing Secretary of Agriculture George Greig, Jennifer Langan, representing State Treasurer Robert McCord, and Bob Coyne, representing the Secretary for the Department of Revenue Dan Meuser. Thank the three of you for coming. Everybody on the Board, all seven of us being here, we'll call today's meeting to order. First thing will be the Pledge of Allegiance. I would ask everyone to rise.

PLEDGE OF ALLEGIANCE RECITED

CHAIRMAN:

Thank you, ladies and gentlemen. First announcement, the Board held an Executive Session yesterday. The purpose of which was to discuss personnel matters and conduct quasi judicial deliberations on the matters being considered by the Board today.

I would also like to announce that the

1 Board will be holding a license renewal public input
2 hearing with respect to Mountainview Thoroughbred
3 Racing Association's operation of the Hollywood Casino
4 at Penn National Race Course.

5 This hearing will be held on August
6 20th, 2013 beginning at 9:30 a.m. at the East Hanover
7 Township Municipal Building, 8848 Jonestown Road,
8 Grantville, Pennsylvania. Anyone who wishes to
9 present oral or written testimony, which will become
10 part of the evidentiary record in this matter can now
11 register by clicking on the special link on the quick
12 links section of the home page on the PGCB website,
13 www.gamingcontrolboard.pa.gov. The deadline for
14 registration to speak at the hearing is noon on August
15 19th, 2013. Anyone wishing to speak at these hearings
16 can also register by calling the Board Secretary
17 Mickey Kane at (717)346-8325. Again, this must occur
18 by noon on August 19th.

19 Additionally, written comments can also
20 be made part of the record in that proceeding by
21 faxing or mailing such comments to the Board with a
22 fax timestamp or postmark no later than August 19th,
23 2013. The address for the Board is Pennsylvania
24 Gaming Control Board, Attention Board Secretary, P.O.
25 Box 69060, Harrisburg, PA, 17106. The fax number is

1 (717)346-8350.

2 Our first real order of business will be
3 a motion to approve the minutes and transcript of the
4 June 5th Board meeting. May I have such a motion?

5 MR. MCNALLY:

6 Mr. Chairman, I move that the Board
7 approve the minutes and the transcript of June 5, 2013
8 meeting.

9 CHAIRMAN:

10 Second?

11 MR. MOSCATO:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 Opposed? The motion carries. Next will
18 be our Executive Director, Kevin O'Toole. Good
19 morning, Kevin.

20 MR. O'TOOLE:

21 Good morning, Chairman and members of
22 the Board. I would like to express my appreciation to
23 Commissioners Kaiser, Moscato and McNally for their
24 work in overseeing the approval of the opening of Lady
25 Luck Casino at Nemaocolin Woodlands Resort. The casino

1 opened on July 1st, 2013 after two successful test
2 periods. At the ribbon cutting ceremony on July the
3 1st, representatives from both Nemaquin Woodlands
4 Resort and Isle of Capri Casinos expressed their
5 appreciation for the work our staff performed in
6 helping to insure that all regulatory requirements
7 were met by Lady Luck Casino prior to its opening.

8 Additionally, I would like to note that
9 Liz Lanza, our Director of the Office of Compulsive
10 and Problem Gambling, was invited to participate at
11 the annual conference of the National Counsel on
12 Problem Gambling, which is meeting this week in
13 Seattle, Washington. Liz is making a presentation on
14 the experiences in Pennsylvania regarding the
15 administration of our self exclusion program. Other
16 panelists discussing this topic are casino regulators
17 from Maryland, Ohio and Arizona. When Liz returns, I
18 will have her give the Board an update on the key
19 issues discussed at this conference. Thank you.

20 CHAIRMAN:

21 Questions or comments from the Board?
22 Ex-officio members? Thank you, Kevin. Next, we will
23 hear from Joe Bott, representing our Human Resources
24 Department. Joe?

25 MR. BOTT:

1 Good morning, Chairman, members of the
2 Board. The Office of Human Resources has one motion
3 for your consideration today. Ms. Pamela Gaskins has
4 been selected for the position of Casino Compliance
5 Representative at Harrah's Chester and has completed
6 the PGCB interview process, background investigation
7 and drug screening. As such, she is recommended for
8 hire by Director of Casino Compliance Jerry Stoll.
9 Unless you have any questions, I ask the Board to
10 consider a motion to hire Ms. Gaskins as indicated.

11 CHAIRMAN:

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

14 MR. MOSCATO:

15 Mr. Chairman, I move that the Board
16 approve the applicant as proposed on the condition
17 that the necessary background investigation and drug
18 testing be completed.

19 MR. FAJT:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 Opposed? The motion carries. Thank

1 you, Joe. Next, Chief Counsel, Doug Sherman together
2 with Susan Yocum.

3 ATTORNEY SHERMAN:

4 Good morning, Chairman and members of
5 the Board. We have just a few items for you today.
6 The first of which is a Temporary Regulation and
7 Statement of Policy, which, as you noted, Assistant
8 Chief Counsel Susan Yocum will present.

9 ATTORNEY YOCUM:

10 Good morning, Chairman and members of
11 the Board. The two agenda items for you today are a
12 Temporary and a Statement of Policy. The first is the
13 Temporary 125-173, which will add Raise It Up Stud
14 Poker to the complement of table games available for
15 play. This is a banked poker game based on a player's
16 five card hand. Included in this regulation are the
17 layout requirements, the permissible wagers and the
18 payout odds. I'd be happy to answer any questions you
19 may have.

20 CHAIRMAN:

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

23 MR. FAJT:

24 Mr. Chairman, I move that the Board
25 adopt Temporary Regulation 125-173 as described by the

1 Office of Chief Counsel (OCC) and that Temporary
2 Regulation 125-173 be posted on the Board's website.

3 MR. GINTY:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 Opposed? The motion carries.

10 ATTORNEY YOCUM:

11 The next is the Statement of Policy
12 125-174, which will add the six card bonus wager,
13 which is a million dollar payout for a player's six
14 card royal flush. This will be added to the games of
15 Four Card Poker, Let It Ride, Texas Hold'em, Ultimate
16 Texas Hold'em, Mississippi Stud and Crazy Four. This
17 side wager is currently available to play in Three
18 Card Poker. Also added will be the five card
19 progressive wager to three card poker and that's based
20 on a player's three cards and the dealer's three cards
21 to make the best possible hand. I'd be happy to
22 answer any questions you may have on this one.

23 CHAIRMAN:

24 Questions or comments from the Board?

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

1 MR. GINTY:

2 Mr. Chairman, I move that the Board
3 adopt Policy Statement 125-174 as described by the OCC
4 and that Policy Statement 125-174 be posted to the
5 Board's website.

6 CHAIRMAN:

7 Second?

8 MS. KAISER:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 Opposed? The motion carries.

15 ATTORNEY YOCUM:

16 Thank you.

17 CHAIRMAN:

18 Thank you, Susan.

19 ATTORNEY SHERMAN:

20 Next presenting Withdrawals and just two
21 Reports and Recommendations today is Deputy Chief
22 Counsel Steve Cook.

23 CHAIRMAN:

24 Good morning, Steve.

25 ATTORNEY COOK:

1 Good morning. The Board has received
2 five unopposed Petitions to withdraw the applications
3 or surrender the credentials of five individuals and
4 one business. The persons and entities or one entity
5 subject to these Petitions are as follows; Leonardus
6 Suverein, Thomas Happ, Gerald Deifer, 889 Global
7 Solutions, Limited, Gilbert Victor Cohen and Patrick
8 Olson.

9 The Office of Enforcement Counsel (OEC)
10 has no objections to these Withdrawals and, in one
11 case, a Surrender. As such, if the Board were to
12 grant same, it would be doing so without prejudice.

13 CHAIRMAN:

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

16 MR. MCCALL:

17 Mr. Chairman, I move that the Board
18 issue Orders to approve the Withdrawals and Surrender
19 as provided by the OCC.

20 MR. MCNALLY:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

1 Opposed? The motion carries.

2 ATTORNEY COOK:

3 The first Report and Recommendation
4 before the Board today pertains to Bruce Hammer. Mr.
5 Hammer was issued a Gaming Employee Permit on October
6 4th, 2011 and worked as a Table Games Dealer at
7 Presque Isle Downs Casino.

8 On May 7th, 2013, the OEC filed a
9 request for an emergency suspension of Mr. Hammer's
10 Gaming Permit upon learning that he had been arrested
11 on April 21st, 2013 and charged with various criminal
12 offenses stemming from an alleged DUI vehicle accident
13 that occurred on that date, April 21st. These charges
14 included a felony charge of Aggravated Assault by
15 Motor Vehicle while Driving Under the Influence. It
16 is alleged that Mr. Hammer struck another vehicle
17 while intoxicated, which initially resulted in injury
18 to both passengers of the other vehicle, one of which
19 was critically injured. Subsequently, the passenger
20 who was in critical condition passed away and Mr.
21 Hammer's charges were amended to include one count of
22 felony Homicide by Vehicle while DUI and one count of
23 Involuntary Manslaughter.

24 The Board's Executive Director signed
25 the Emergency Order on May 7th, 2013, suspending Mr.

1 Hammer's Gaming Permit.

2 A hearing in this matter was held on May
3 30th, 2013 before the Board's Office of Hearings and
4 Appeals (OHA). Mr. Hammer appeared via video
5 conference at the hearing and OEC obviously also
6 attended and offered exhibits and testimony.
7 Essentially, OEC takes the position in this matter,
8 that given the serious nature of Mr. Hammer's criminal
9 charges, the suspension was warranted and should
10 continue. Mr. Hammer argued at that hearing that
11 while he was essentially charged with serious
12 offenses, he was innocent until proven guilty and the
13 charges in and of themselves did not impact his
14 ability to work as a dealer --- table games dealer.

15 Upon completion of the hearing, a Report
16 and Recommendation was issued by the Hearing Officer.
17 That Report and Recommendation recommends that the
18 suspension continue and that is the recommendation
19 present before the Board.

20 CHAIRMAN:

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

23 MR. MCNALLY:

24 Mr. Chairman, I move that the Board
25 adopt the Report and Recommendation from the OHA

1 regarding the Gaming Employee Permit of Bruce E.
2 Hammer as described by the OCC.

3 CHAIRMAN:

4 Second?

5 MR. MOSCATO:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 Opposed? The motion carries.

12 ATTORNEY COOK:

13 The second and final Report and
14 Recommendation before the Board today pertains to
15 Andrew Kelley. Mr. Kelley was issued a Non-Gaming
16 Employee Registration on June 18, 2008 for a position
17 as an EVS Attendant at Harrah's Philadelphia Casino
18 and Racetrack. Subsequently, BIE was notified by the
19 Pennsylvania State Police that an arrest warrant had
20 been issued for Mr. Kelley and he was, in fact,
21 arrested on February 7th, 2009 and charged with two
22 felonies and five misdemeanors relating to an alleged
23 assault during a domestic dispute. The charges
24 included firearms violations.

25 The OEC filed a request for Emergency

1 Order of Suspension back in 2009. This Order was
2 signed by the Executive Director on February 13th,
3 2009.

4 Subsequently, at a hearing on the
5 Emergency Suspension occurred in March 2009. A Report
6 and Recommendation was thereafter adopted by the Board
7 continuing the Emergency Suspension.

8 In September 2011, Mr. Kelley pled
9 guilty relative to this occurrence to one felony
10 firearm charge and as a result of Mr. Kelley's felony
11 conviction, the OEC has now filed a Complaint to
12 revoke Mr. Kelley's Non-Gaming Registration. A
13 hearing was held regarding this matter on April 3rd,
14 2013. Both OEC and Mr. Kelley appeared and offered
15 evidence. During the hearing, Mr. Kelley did not
16 dispute the felony conviction, however, he did dispute
17 the underlying facts supporting that conviction. He
18 also put into the record that he is attempting to put
19 this matter behind him. He is studying for his GED
20 and hopes to attend culinary school.

21 Notwithstanding that evidence by Mr.
22 Kelley, the Report and Recommendation issued by the
23 Hearing Officer recommended that the revocation, in
24 fact, occur and that is the recommendation before the
25 Board.

1 CHAIRMAN:

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

4 MR. MOSCATO:

5 Yes, sir. I move that the Board adopt
6 the Report and Recommendation from the OHA regarding
7 the Non-Gaming Employee Registration of Andrew Kelley,
8 as described by the OCC.

9 MR. FAJT:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 Opposed? Motion carries.

16 ATTORNEY SHERMAN:

17 That concludes all matters of the OCC.

18 CHAIRMAN:

19 Thank you both. Next, Susan Hensel,
20 Director of Licensing. Good morning, Susan.

21 MS. HENSEL:

22 Thank you, Chairman Ryan and members of
23 the Board. Before the Board today will be motions
24 regarding the renewal of a Table Game Manufacturer and
25 a Table Game Manufacturer Designee, as well as 631

1 Principal Key Gaming and Non-Gaming Employees and a
2 Gaming Service Provider Qualifier. In addition, there
3 will be the consideration of six Gaming Service
4 Provider Applicants.

5 The first matter for your consideration
6 is the renewal of a Table Game Manufacturer License
7 for GPI Mexicana S.A. de C.V. GPI Mexicana is
8 headquartered in Senora, Mexico. It manufactures a
9 variety of table game products, including cards, dice,
10 chips and gaming table layouts and furniture. The
11 Bureau of Investigations and Enforcement (BIE) has
12 completed its investigation and the Bureau of
13 Licensing has provided you with the renewal background
14 investigation and suitability report. I've provided
15 you with a draft Order and ask that the Board consider
16 the renewal of a Table Game Manufacturer License for
17 GPI Mexicana.

18 CHAIRMAN:

19 Any comments from Enforcement Counsel?

20 ATTORNEY PITRE:

21 Enforcement Counsel has no objection.

22 CHAIRMAN:

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

25 MR. FAJT:

1 Mr. Chairman, I move that the Board
2 approve the Table Game Manufacturer License renewal
3 for GPI Mexicana S.A. de C.V., 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 The next matter for your consideration
14 is the renewal of a Table Game Manufacturer Designee
15 License of Gaming Partners International USA, Inc.,
16 also known as GPI USA. GPI USA is a Las Vegas based
17 company that supplies and repairs GPI Mexicana's table
18 game related products. The BIE has completed its
19 investigation of this company and the Bureau of
20 Licensing has provided you with a background
21 investigation and suitability report. I have also
22 provided you with a draft Order and ask that the Board
23 consider the renewal of the Table Game Manufacturer
24 Designee License for GPI USA.

25 CHAIRMAN:

1 Any comments from Enforcement Counsel?

2 ATTORNEY PITRE:

3 Enforcement Counsel has no objection.

4 CHAIRMAN:

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

7 MR. GINTY:

8 Mr. Chairman, I move that the Board
9 approve the Table Game Manufacturer License renewal of
10 Gaming Partners International USA, Inc. as described
11 by Bureau of Licensing.

12 CHAIRMAN:

13 Second?

14 MS. KAISER:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 Opposed? The motion carries.

21 MS. HENSEL:

22 Also for your consideration is the
23 approval of Principal and Key Employee Licenses and a
24 Gaming Service Provider Qualification. Prior to this
25 meeting, the Bureau of Licensing provided you with a

1 proposed Order for nine Principal and two Key Employee
2 Licenses for a slot machine operator and manufacturer
3 Licensees and one Gaming Service Provider Qualifier
4 for High Concrete Group, LLC. I ask that the Board
5 consider the Order approving these licenses and
6 qualifications.

7 CHAIRMAN:

8 Any comments from Enforcement Counsel?

9 ATTORNEY PITRE:

10 Enforcement Counsel has no objection.

11 CHAIRMAN:

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

14 MS. KAISER:

15 Mr. Chairman, I move that the Board
16 approve the issuance of Principal and Key Employee
17 Licenses and the Gaming Service Provider Qualification
18 as described by the Bureau of Licensing.

19 MR. MCCALL:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 Opposed? The motion carries.

1 MS. HENSEL:

2 Next for your consideration are
3 Temporary Key Employee Licenses. Prior to this
4 meeting, the Bureau of Licensing provided you with an
5 Order regarding the issuance of temporary licenses of
6 16 Key Employees. I ask that the Board consider the
7 Order approving these licenses.

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
14 Board? Ex-officio members? May I have a motion?

15 MR. MCCALL:

16 Mr. Chairman, I move that the Board
17 approve the issuance of Temporary Key Employee
18 Credentials as described by the Bureau of Licensing.

19 MR. MCNALLY:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 Opposed? The motion carries.

1 MS. HENSEL:

2 In addition are Gaming Permits and Non-
3 Gaming Registrations. Prior to this meeting, the
4 Bureau of Licensing provided you with a list of 409
5 individuals to whom the Bureau has granted Temporary
6 or Full Occupation Permits and 167 individuals to whom
7 the Bureau has granted registrations under the
8 authority delegated to the Bureau of Licensing. I ask
9 that the Board consider a motion approving the Order.

10 CHAIRMAN:

11 Any comments from Enforcement Counsel?

12 ATTORNEY PITRE:

13 Enforcement Counsel has no objection.

14 CHAIRMAN:

15 Questions or comments from the Board?

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

17 MR. MCNALLY:

18 Mr. Chairman, I move that the Board
19 approve the issuance of Gaming Employee Permits and
20 Non-Gaming Employee Registrations as described by the
21 Bureau of Licensing.

22 CHAIRMAN:

23 Second?

24 MR. MOSCATO:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 Opposed? The motion carries.

6 MS. HENSEL:

7 In addition, we have recommendations of
8 denial for two Gaming and two Non-Gaming Employee
9 Applications. The Bureau of Licensing has provided
10 you with Orders addressing these applicants who the
11 OEC has recommended for denial. The applicants failed
12 to request a hearing within the specified time period.
13 I ask that the Board consider the Orders denying the
14 Gaming and Non-Gaming Employee Applications.

15 CHAIRMAN:

16 Any comments from Enforcement Counsel?

17 ATTORNEY PITRE:

18 Enforcement Counsel would request denial
19 in each instance.

20 CHAIRMAN:

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

23 MR. MOSCATO:

24 Yes, sir. I move that the Board approve
25 the denial of the applications as described by the

1 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 Also for your consideration are
11 withdrawal requests for Gaming and Non-Gaming
12 Employees. In each case, the permit or registration
13 is no longer required by the applicant. For today's
14 meeting, I provided the Board with a list of 19 Gaming
15 and four Non-Gaming Employee Withdrawals for approval.
16 I ask that the Board consider the Order approving the
17 list of Withdrawals.

18 CHAIRMAN:

19 Any comments from Enforcement Counsel?

20 ATTORNEY PITRE:

21 Enforcement Counsel has no objection.

22 CHAIRMAN:

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

25 MR. FAJT:

1 Mr. Chairman, I move that the Board
2 approve the Withdrawals as described by the Bureau of
3 Licensing.

4 MR. GINTY:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 Opposed? The motion carries.

11 MS. HENSEL:

12 In addition, we have an Order to certify
13 the Gaming Service Provider, Vision Entertainment
14 Group, LLC. I ask that the Board consider the Order
15 approving this Gaming Service Provider for
16 certification.

17 CHAIRMAN:

18 Any comments from Enforcement Counsel?

19 ATTORNEY PITRE:

20 Enforcement Counsel has no objection.

21 CHAIRMAN:

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

24 MR. GINTY:

25 Mr. Chairman, I move that the Board

1 issue an Order to approve the application for Gaming
2 Service Provider Certification as described by the
3 Bureau of Licensing.

4 CHAIRMAN:

5 Second?

6 MS. KAISER:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 Opposed? The motion carries.

13 MS. HENSEL:

14 Finally, we have an Order regarding
15 Gaming Service Provider Registrations. The Bureau of
16 Licensing provided you with an Order and attached to
17 it is five Registered Gaming Service Provider
18 Applicants. I ask that the Board consider the Order
19 registering these Gaming Service Providers.

20 CHAIRMAN:

21 Any comments from Enforcement Counsel?

22 ATTORNEY PITRE:

23 Enforcement Counsel has no objection.

24 CHAIRMAN:

25 Any questions or comments from the

1 Board? Ex-officio members? May I have a motion?

2 MS. KAISER:

3 Mr. Chairman, I move that the Board
4 issue an Order to approve the applications for Gaming
5 Service Provider Registration as described by the
6 Bureau of Licensing.

7 MR. MCCALL:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 ALL SAY AYE

12 CHAIRMAN:

13 Opposed? The motion carries.

14 MS. HENSEL:

15 That concludes the matters for the
16 Bureau of Licensing.

17 CHAIRMAN:

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

20 ATTORNEY PITRE:

21 We have five matters for the Board's
22 consideration this morning, four of which are Consent
23 Agreements and one Revocation. The first matter is a
24 Consent Agreement between the OEC and HSP Gaming, LP.
25 Mr. Jim Armstrong, Assistant Enforcement Counsel, will

1 present the matter on behalf of the OEC.

2 ATTORNEY ARMSTRONG:

3 Thank you. Good morning, Chairman and
4 Commissioners. The next matter on the agenda for the
5 Board's consideration is a Consent Agreement reached
6 between the OEC and Sugarhouse Casino in regard to
7 Sugarhouse Casino conducting business with a company
8 that was on the Board's Prohibited Gaming Service
9 Provider's list. The Bureau of Licensing referred a
10 possible violation of the Board's Prohibited Gaming
11 Service Provider's list to the OEC. An investigation
12 conducted by the BIE confirmed that Sugarhouse Casino
13 violated the Board's Prohibited Gaming Service
14 Provider's list when they conducted business with
15 Emerson Network Power, a information technology
16 services company. Emerson Network Power was placed on
17 the Board's Prohibited Gaming Service Provider's list
18 on October 21st, 2009. The company's failure to
19 timely address multiple deficiencies with its
20 application led to it being placed on the Board's
21 Prohibited Gaming Service Provider's list. On
22 September 20th, 2011, Sugarhouse made a disbursement
23 to Emerson Network Power for their services in the
24 amount of \$26,859.26.

25 Since then, the company has successfully

1 petitioned the Board to be removed from the list and
2 is now properly registered with the Board as a
3 publicly trading company to conduct business with
4 Pennsylvania Slot Machine Licensees. If approved,
5 this will be the first penalty assessed against
6 Sugarhouse for violating the Board's Prohibited Gaming
7 Service Provider's list.

8 The OEC and Sugarhouse Casino
9 respectfully request that the Board approve the
10 Consent Agreement and Stipulation Settlement, which
11 requires Sugarhouse to institute policies and training
12 to prevent similar violations of the Board's
13 Prohibited Gaming Service Providers list and that
14 Sugarhouse pay a civil penalty of \$5,000 and a fee of
15 \$2,500 with regard to costs incurred by Board staff in
16 regard to this matter. I'll be glad to answer any
17 questions you may have.

18 CHAIRMAN:

19 Counselor.

20 ATTORNEY SKLAR:

21 Good morning, Mr. Chairman and members
22 of the Board. Michael Sklar, S-K-L-A-R, on behalf of
23 Sugarhouse Gaming. Just one additional thing,
24 Sugarhouse has amended its internal controls to add an
25 additional safeguard to make sure this type of

1 incident doesn't occur in the future and just to note
2 that this incident occurred in 2011, there hasn't been
3 any similar incidents since.

4 CHAIRMAN:

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

7 MR. MCCALL:

8 Mr. Chairman, I move that the Board
9 issue an Order to adopt the Consent Agreement between
10 the OEC and HSP Gaming, LP, as described by the OEC.

11 MR. MCNALLY:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 Opposed? The motion carries.

18 ATTORNEY ARMSTRONG:

19 Thank you. The next matter on the
20 agenda for the Board's consideration is a Consent
21 Agreement reached between the OEC and Sugarhouse
22 Casino in regard to a subject on the Board's
23 self-exclusion list being permitted to gamble at
24 Sugarhouse Casino. On February 21st, 2013, the
25 Board's Casino Compliance Bureau reported to the OEC

1 that a person on the Board's self-exclusion list was
2 observed gambling at a Craps game at Sugarhouse
3 Casino. The investigation revealed that the self-
4 excluded person arrived at the casino on Monday,
5 February 18th and remained at the casino for at least
6 three days until he was recognized by Sugarhouse
7 personnel as being a subject on the Board's self-
8 exclusion list. Surveillance coverage showed that the
9 self-excluded person played Craps off and on at three
10 tables. He alternated between tables, but was
11 observed in pit four for almost the entire time. The
12 self-excluded person placed himself on the Board's
13 self-exclusion list on January 4th of 2012.
14 Sugarhouse personnel confiscated \$3 in gaming chips
15 from the self-excluded person and he was turned over
16 to the State Police who charged him with a
17 misdemeanor, defiant trespass.

18 The self-excluded person was previously
19 found twice to have violated the Board's
20 self-exclusion list at Sugarhouse Casino. The first
21 occurred on January 16th of 2012, shortly after he
22 placed himself on the Board's self-exclusion list, and
23 the second occurred on July 3rd, 2012. The second
24 violation was the basis for a Consent Agreement
25 between Sugarhouse Casino and the OEC, which the Board

1 approved on December 12th of 2012. The self-excluded
2 person who placed himself on the self-exclusion list
3 for one year, on March 22nd this year, he successfully
4 petitioned the Board to be removed from the self-
5 exclusion list. The OEC and Sugarhouse Casino
6 respectfully request the Board to approve the Consent
7 Agreement and Stipulation of Settlement, which
8 requires that Sugarhouse institute policies and
9 training to prevent similar violations of the Board's
10 self-exclusion list and pay a penalty of \$15,000 and
11 to also pay \$2,500 in costs with regard to costs
12 incurred by Board staff in regard to this matter.
13 I'll be glad to answer any questions.

14 CHAIRMAN:

15 Mr. Sklar, you have some explaining to
16 do here.

17 ATTORNEY SKLAR:

18 Yes. First, Mr. Chairman, with me this
19 morning is Rose Cook, who's the Vice President of
20 Gaming at Sugarhouse Casino.

21 CHAIRMAN:

22 Is she going to speak, Mr. Sklar?
23 Perhaps we should have her sworn as a witness? Could
24 you stand, ma'am, please? Could you state your name,
25 spell your last name and your position with the

1 casino.

2 MS. COOK:

3 Yes. Rosemarie Cook, R-O-S-E-M-A-R-I-E,
4 last name Cook, C-O-O-K, Vice President of Gaming at
5 Sugarhouse Casino.

6 CHAIRMAN:

7 Could I ask the witness be sworn?

8 -----

9 ROSEMARIE COOK, HAVING FIRST BEEN DULY SWORN,
10 TESTIFIED AS FOLLOWS:

11 -----

12 CHAIRMAN:

13 Thank you, ma'am. Mr. Sklar, go ahead.

14 ATTORNEY SKLAR:

15 I'm aware that this is extremely
16 troubling to the Board and I'm sure your --- it's met
17 with great skepticism, puzzlement as to how this could
18 possibly ---.

19 CHAIRMAN:

20 Incredulity?

21 ATTORNEY SKLAR:

22 Yes. Again, especially with this guy
23 given the history. I want to establish, first, that
24 this individual has absolutely no value to Sugarhouse.
25 He's cost the casino a lot of money. He was evicted,

1 based on the last incident, in July of 2012, and an
2 eviction by Sugarhouse means there's a lifetime ban.
3 He can never come into Sugarhouse Casino or he's not
4 supposed to.

5 So, this is not the case of the casino
6 or employees turning a blind eye because this is a
7 valuable player, he's worth a lot to the casino. We
8 have absolutely no interest in him being in the
9 casino, that's historic and on a going forward basis.

10 Next thing is, this is a troubling area,
11 a difficult area, I should say, for the Licensees,
12 with the self-excluded. It's not the underage
13 gambling where there's strict liability and if the
14 underage is caught in the casino, the casino is held
15 accountable period. The regulations requirement on
16 Licensees are to establish procedures designed to
17 identify self-excluded patrons. As in this case, the
18 patron doesn't --- there's no opportunity where he's
19 presenting an ID or he has a player's card that's
20 being presented where it's unremarkable to play. He's
21 not playing \$10,000 a hand, he's not trying to cash
22 \$10,000 a hand. This individual cashed, in each of
23 the instances, cashed \$100 each time, that was it.

24 So, in terms of recognition, and Rose
25 will get into this in greater detail, when employees

1 are taught, you know, how do you recognize
2 self-excluded patrons, one of the things is the play,
3 the amount of plays, is he chasing his losses. Is he
4 borrowing money? Is he getting agitated? This guy
5 came in, bought in for \$100, and that was it, and
6 continued to play with that same amount of money for
7 the entire time in both incidents. He was
8 unremarkable in appearance, he was dressed like a
9 million other guys who are in the casino.

10 In this particular incident that's the
11 subject of the hearing this morning, he was --- the
12 vast majority of the time, he wasn't playing. He was
13 in there for approximately 70 hours. He played for 17
14 hours and it was very intermittent. Again, Rose will
15 get into a lot more detail with that.

16 So, again, I understand the difficulty
17 of the Board trying to understand how this could
18 happen, but it really comes down to where there's not
19 an opportunity where an ID was presented, it comes
20 down to reasonableness. What did the casino do? And
21 did what they do, was it reasonable?

22 After the first incident, his picture
23 was posted in the back of the house, outside of the
24 table games department, security had it, surveillance
25 had it, and really that's what you have to go on. Is

1 someone going to see that photo and then is the
2 opportunity there and you can put that photo, match it
3 to the face and that's what occurred here.
4 Ultimately, the way this guy was caught this last go
5 around, honestly, it was happenstance. Surveillance
6 saw this individual had an electronic device and they
7 thought maybe he was cheating. They zoomed in and
8 they were able to pick up the patron's name and then
9 they plugged it into the database and found out this
10 is a self-excluded guy and then they apprehended him,
11 but that's how it occurred. It was not based on the
12 facial recognition or someone remembering this guy
13 from the past, unfortunately.

14 You know, again, come back to the
15 beginning. Sugarhouse does not want this guy's
16 business and it's not turning a blind eye. All the
17 employees, you know, were aware and it just this is
18 what occurred and ultimately, he was discovered and it
19 was self reported and he was issued a trespass
20 citation. So, with that, I'll turn it over to Rose
21 and she can go into some of the details.

22 A. Good morning, Chairman Ryan ---

23 CHAIRMAN:

24 Good morning.

25 A. --- members of the Board. Rosemarie Cook, Vice

1 President of Gaming, obviously, before you today as a
2 representative of Sugarhouse. I assure you, we're not
3 proud of this moment. This is not the type of meeting
4 that I or anybody from the casino would like to have
5 to come and sit through.

6 None of us feel good about it. We wish more than
7 anything that we could have found this person sooner
8 than we did. We go to great lengths to try to observe
9 and comply with all the regulations. We have a good
10 overall record of identifying repeat offenders. For
11 example, in the last 90 days, we have been able to
12 identify approximately 23 people on property that were
13 either prior evictions or something with gaming
14 related through system alerts or through the visual
15 recognition that Michael was just talking about by
16 staff.

17 After our last incident with this person, we
18 placed an alert board outside the table games office
19 with pictures of repeat offenders because obviously,
20 we're not going to --- we can't post over 5,000 people
21 on that list, so we really thought we really need to
22 focus in on making sure that we don't have these guys
23 that have come in and been caught, that we don't have
24 that happen again.

25 I know that board works because on July 1st, you

1 know, just as recently as July 1st, we were able to
2 catch someone in the casino that a table games person
3 recognized strictly by seeing his picture on that
4 board, so I know it's of value to us and I know it's
5 working. You know, I wish I could tell you we could
6 recognize every offender that walked in the door, but
7 with 5,000 to 10,000 people a day through the
8 building, it's just not plausible.

9 At no time, like Michael said, did we
10 intentionally allow him to play. I assure you it was
11 not a case of being asleep at the wheel and I'm sure
12 when you read the report, that's, you know, that's
13 probably what you were thinking and I understand that.
14 We have no motivation to want anybody like that in our
15 facility. We value our reputation and our integrity,
16 which is why it was a self reported incident. We knew
17 it was not going to be looked upon favorably, but
18 doing the right thing was more important to us. So,
19 here are the facts about how it happened.

20 He came in on President's Day, which, of course,
21 is a very busy holiday in our casino. He's a low
22 level player, bought for \$100 and wagered the table
23 minimum on the pass line, not even betting every roll,
24 so there was nothing really remarkable there or
25 notable about his play. He was dressed average and he

1 looked average, nothing remarkable or notable about
2 his look. You've been given some pictures of Craps
3 players at the time he was in the casino to kind of
4 help paint picture for you to understand that. It is
5 confidential and that's certainly not distributed to
6 anybody else.

7 He looked different than the picture we had
8 posted. He appeared to have gained weight. His arms
9 were covered and concealed so we couldn't see the
10 tattoo that was on his arm, you know, as one way to
11 try to identify. His hat was down below his eyebrows,
12 so they weren't visible. I also have submitted to you
13 a picture comparison so you can see the picture that
14 we had posted versus what he looked like during that
15 last play for your consideration and review.

16 He spent 76 percent of the time off the tables,
17 not in action. Of the time that he did play, the
18 majority of that play was in very short durations, two
19 minutes to 12 minutes. Thirty-eight (38) times he
20 played that we have recorded through surveillance. Of
21 those 38 plays, only one time was he actually there
22 during a shift change. Because I don't know if you
23 recall, but one of the other things we put in place
24 after the last time here was, not only the Board, but
25 also all of our supervisors, regardless of the amount

1 that somebody has bought in, what kind of average bet
2 they had, it doesn't matter, if they have been on that
3 game for eight hours and there's a shift change taking
4 place, it's that supervisor's responsibility to make
5 sure that they tell the next supervisor, you know,
6 coming in, this person's been here eight hours
7 already, regardless of it they're rated, you know,
8 what their buy in is, what their average bet is. So,
9 that was in place. It never really mattered here.
10 There was only one time of the 38 that there was an
11 actual shift change that took place while he was
12 playing and during that time, he had only played about
13 an hour and a half when that shift time change took
14 place, so there was really no communication necessary
15 there.

16 Again, you know, nothing remarkable. He didn't
17 draw attention to himself in any way. He didn't
18 bother anybody. He wasn't drinking any alcohol, no
19 disturbances. He was just in and about. In our
20 annual responsible gaming training, we're taught
21 warning signs to look for, appearing un-kept, an
22 increase in the size of bets or the amount of money
23 spent, unusual rituals around play, you know, I have
24 to stay in this spot, don't come near my money, you
25 know, don't touch me type of things, emotional swings

1 where anger usually comes out or blaming the staff for
2 their losses. He didn't meet any of this criteria.
3 There was no red flags and nothing remarkable.

4 He was recognized by surveillance, like Michael
5 said, who had zoomed in to see what he was doing with
6 his hands below the table because they do, throughout
7 the gaming day, both security and surveillance, do
8 these check points on the floor of every single person
9 playing or on the floor, looking for these types of
10 things. When he spotted his hands, he saw it was an
11 iPad, that's when he zoomed in further and saw his
12 name on the iPad and, like Michael said, that was
13 when, you know, he recognized what was going on and
14 knew who it was and then immediately contacted
15 security to take him to the heart of the house.

16 When he got there, he told security he had only
17 put himself on the exclusion list for one year and
18 that had expired January 4th, so he thought he was
19 within his rights to be coming in there and playing at
20 that time. He thought it was fine. He was told the
21 procedures and how he had to go in, himself, and take
22 himself off, that it wasn't an automatic removal based
23 on the date and he has since removed himself from that
24 list.

25 All that said, it doesn't matter to us. He's

1 permanently evicted from our property. We don't care
2 if he's on a list, off a list. We want nothing to do
3 with this customer. We're going to continue to do our
4 best to identify any excluded or evicted patrons, you
5 know, even as the list has grown, and through the use
6 of the tools we have.

7 You know, I look at this and I can't help but
8 feel if there was some type of stiff penalty for the
9 individual defying the Order, they would think twice
10 about violating their conditions. We recognize the
11 value of this program. We have and will continue to
12 be vigilant in all of our compliance and I thank you
13 for allowing me to speak.

14 CHAIRMAN:

15 Ms. Cook, if I can ask a question. What
16 was he doing the other 76 percent of the time he
17 wasn't at the table?

18 A. It varied between going to the men's room,
19 walking around the property. He was in the slot area
20 some of the time, he was outside of the tables, you
21 know, in that general area, some of the time.

22 CHAIRMAN:

23 Did he leave the building?

24 A. Not that we know of.

25 CHAIRMAN:

1 Did he indicate, when security talked to
2 him afterward, why he was there all that time? Did he
3 indicate any specific reason why he wanted to hang
4 around your establishment for a couple of days?

5 A. No.

6 CHAIRMAN:

7 Any other questions from Board members?

8 MR. FAJT:

9 Thank you, Mr. Chairman. Thank you for
10 the explanation. I think that does, you know, help
11 somewhat, but I have to tell you, when I read this, I
12 was outraged. I was outraged.

13 How somebody can be in your
14 establishment for three days, I assume wearing the
15 same clothes, hasn't showered, you know, walking
16 around at 4:00 in the morning, 4:00 in the afternoon,
17 you know, the crowds may be different, but I would
18 assume at, you know, 8:00, 9:00, 10:00 in the morning,
19 you know, there's not a whole lot of patrons there.
20 Maybe I'm wrong, and you can correct me if I am, but
21 how somebody can stay in your facility for three days
22 and not be recognized and I get your point about, you
23 know, he wasn't at the table, but he was somewhere.
24 Your facility isn't that big and prior to this, he was
25 in the casino in the last infraction for four days.

1 I just cannot believe that somebody
2 doesn't recognize that. And look, we're not without
3 culpability here. We have casino compliance
4 representatives there and I've asked Kevin O'Toole to
5 look into that and report to the Board, as to what our
6 people were doing, but I just ---. It boggles my mind
7 that somebody can be in your facility for three days
8 in one instance, four days for another, a known
9 compulsive gambler on the list, and not be recognized.
10 It's disheartening to me.

11 We spend a lot of time and effort in our
12 compulsive gambling program. It's an issue that this
13 Board struggles with, as you are well aware, and I
14 just --- it boggled ---. My mind is boggled that
15 nobody recognized this guy. Can you address that?

16 A. Yes, and I understand how you feel, and
17 obviously, after the fact you look back and we, at a
18 minimum, were embarrassed, as you can imagine. His
19 appearance was different. He definitely had gained
20 some weight. When you see the photo, you can see the
21 fuller face, but it ---.

22 MR. FAJT:

23 It doesn't matter what he looked like
24 back when he was on ---. This guy's in your casino
25 for three days. He's there another time period for

1 four days, at eight o'clock in the morning, seven
2 o'clock in the morning. There can't be that many
3 people in the casino. This guy --- somebody has got
4 to say I saw that guy yesterday. I saw that guy four
5 hours ago.

6 A. Well, we do have a lot of customers that are in
7 every day, so it's not unusual in our casino to see
8 somebody the next day and the day after that and the
9 day after that. It is a local market.

10 ATTORNEY SKLAR:

11 Rose, if you could just ---. Rose and I
12 had a number of discussions about this. Reiterate the
13 issue with the turnover in staff and to your point,
14 Commissioner Fajt, about how can he be in there for
15 multiple days. Talk a little bit about the staff
16 turnover and whether there would be --- one shift
17 would tell the next shift. At what point would that
18 happen? Because it's an important thing to
19 understand. You raise a good point, obviously, this
20 doesn't make sense. It doesn't sit well with you
21 intuitively, you say well, how could this possibly be?
22 So, Rose, if you could explain that a little bit more
23 with the shift changes and turnover.

24 A. Well, you know, he played multiple tables and,
25 you know, he played for very short times most of the

1 time. There was a couple of times he played --- I
2 think at one point he played three hours on his very
3 first play, a little over that. So, that was ---.

4 MR. FAJT:

5 I thought he played on two tables in the
6 same pit area.

7 A. He played --- there's actually four tables in
8 that area.

9 MR. FAJT:

10 But in the same pit area?

11 A. In the same area, yes. All of his play was
12 within that area because he plays Craps. That's where
13 he was, but he wasn't always in that area for that
14 other 76 percent of the time. So, he would be from
15 game to game to game, a few minutes here, and then
16 there might be a gap of five hours before we saw him
17 again on another game and he would play for five
18 minutes there and then there would be a gap of maybe
19 40 minutes and then maybe during that 40 minutes, now
20 you got a shift change, so he's nowhere in --- you
21 know, he's not on any tables, he's not in anybody's
22 conversation, he's not on anybody's radar in the
23 gaming area because we're only looking at the layout
24 and the customers on the rail playing the game of
25 Craps.

1 ATTORNEY SKLAR:

2 I just think that the issue is, in terms
3 of, well, if I'm on a shift at 10 o'clock one morning
4 and I see this guy and then the next morning he's
5 there, that's not necessarily causing a red flag
6 because there's a number of players that are there on
7 a daily basis. So, then you say okay, shouldn't there
8 have been communication between shifts to say well, he
9 was there 10:00 a.m., 10:00 p.m., 10:00 a.m. and the
10 communication shift to shift, there has to be some
11 kind of reason why something remarkable about this
12 person where you would say to the next pit manager,
13 well, take a look at this guy, he's, you know,
14 gambling like crazy, he's been here, you know,
15 continuously for my shift for eight hours playing,
16 keep an eye on him. There was just nothing that would
17 cause that from shift to shift for someone to say,
18 well, keep --- look at that guy.

19 MR. GINTY:

20 He was there for three days, doesn't he
21 have to sleep? I mean, maybe doze for a half hour or
22 an hour or something. He can't stay awake for three
23 full days and, you know, that means he's either in the
24 men's room and sleeping in the thing or he's sleeping
25 at a slot machine and --- I mean, you got security

1 people that regularly make their rounds. I mean ---.

2 ATTORNEY SKLAR:

3 Nothing in the surveillance indicated
4 that he was, you know, sleeping in a bathroom and
5 that's certainly --- or sleeping at the tables or slot
6 machines. I mean, that certainly would have been a
7 red flag, no one would have permitted him just to
8 essentially loiter. There's no indication that that
9 occurred.

10 MR. MCNALLY:

11 But in addition to that, you're putting
12 a lot of emphasis on the folks that are in the pits
13 and they're the first line, but you also went through
14 multiple shifts of your security and multiple shifts
15 of your surveillance and I reject the fact that just
16 because someone's not in the pit area, you don't have
17 responsibility for monitoring your floor so the same
18 guy in the same clothes ---.

19 ATTORNEY SKLAR:

20 But from security and surveillance's
21 perspective, they're looking at it from, all right, is
22 this person being disruptive, is he potentially
23 cheating. There was nothing remarkable about this guy
24 where someone, you know, from surveillance shift to
25 surveillance shift, where they would say, listen, keep

1 an eye on this guy.

2 MR. MCNALLY:

3 What's remarkable is the guy could be on
4 his feet for 72 hours in your facility. That's pretty
5 remarkable. I mean, that's dance marathon type of
6 stuff. Send him up to the Four Diamonds Foundation in
7 State College.

8 CHAIRMAN:

9 Ms. Cook, is he now allowed into your
10 casino?

11 A. No.

12 CHAIRMAN:

13 Why?

14 A. Well, this last time, you know, it was criminal
15 trespass because he had already been evicted. We
16 really don't have any interest in him at all. There's
17 no value to this man.

18 CHAIRMAN:

19 Okay.

20 ATTORNEY SKLAR:

21 Mr. Chairman, when the patron is evicted
22 and --- so in July of 2012, the first incident, he was
23 evicted. Along with that eviction, there is a current
24 lifetime ban and that was in place and continues to be
25 in place to this day.

1 CHAIRMAN:

2 Ms. Cook, do you have any possible
3 solution to this problem? Is there anything you
4 haven't done yet that you think --- and you also, Mr.
5 Sklar, can answer this --- that you think, perhaps,
6 you will do in the future to prevent this? Or in your
7 view, is --- have you done everything you can?

8 A. I'm open to suggestions.

9 CHAIRMAN:

10 Mr. Sklar?

11 ATTORNEY SKLAR:

12 I don't think that Sugarhouse is going
13 to sit back and throw their hands up and say, listen,
14 we've done all that we can. As Rose mentioned, since
15 the last incident, the table game supervisors have
16 been informed to keep an eye out for guys, or patrons,
17 who are here a long time, make sure you let the next
18 shift know, but again, it's got to be in context where
19 there's some kind of red flag. I mean, I think that
20 the whole purpose of putting the responsibility on the
21 casino Licensees, I understand, is to help self-
22 excluded patrons to help themselves. Here, where
23 there is no tell tale signs of problem gaming, it's
24 very, very difficult with this kind of incident for
25 someone ---. It basically boils down to the

1 recognition, and a visual recognition of this guy.
2 That's what it boils down to. Unfortunately, as Rose
3 said, everyone wishes he was recognized earlier.

4 CHAIRMAN:

5 Cyrus, if this person, same facts
6 exactly, just walked into the casino, as far as
7 anybody knows, for the first time and other than that
8 the facts are exactly as have been related to us by
9 the parties, could --- I know the casino could tell
10 him to leave, but should the casino tell him to leave?

11 ATTORNEY PITRE:

12 Yes.

13 CHAIRMAN:

14 Why?

15 ATTORNEY PITRE:

16 I mean, basically, we're running into
17 the same situation that we ran into on the first
18 Consent Agreement we reached with this same individual
19 where the individual was at the casino for a prolonged
20 period of time and he was on the self-exclusion list.

21 CHAIRMAN:

22 What if he's not on the self-exclusion
23 list, not on any list just walks in?

24 ATTORNEY PITRE:

25 Well, the casino could tell me to leave,

1 but I don't think there would be basically a reason
2 for them to tell him to leave, unless they believe he
3 exhibited signs of compulsive and problem gambling.
4 Based on his level of play, you know, that's not
5 indicative. The only thing that's indicative is that
6 he likes to hang out at the casino.

7 CHAIRMAN:

8 Okay.

9 ATTORNEY SKLAR:

10 Mr. Chairman, Rose can back me up, I
11 think that is the issue. Is there tell tale signs of
12 problem gaming? If there is, then staff is taught
13 that yes, they should engage, you know, under their
14 procedures.

15 CHAIRMAN:

16 We all agree this is a difficult factual
17 situation.

18 ATTORNEY PITRE:

19 We took all these things into
20 consideration. I mean, this is the third time this
21 individual --- first time, his spouse called there.
22 That was the first time. Okay. He had just been put
23 on the list, that one we let go by, no big deal.
24 Second time, he's there for four days.

25 CHAIRMAN:

1 Cyrus, not to interrupt you. Do you
2 have any suggestion to Ms. Cook?

3 ATTORNEY PITRE:

4 If she wants to purchase --- I don't
5 know if they want to spend the money and start
6 purchasing biometric equipment, I mean face scan
7 equipment or something like that. Outside of that, I
8 mean, that's pretty costly. I think we only have ---
9 I'm not going to say what casinos have it in the
10 state, but it does exist.

11 A. We would need to make sure that all of the people
12 on the exclusion list or self-exclusion list, that we
13 have electronic files that we can get uploaded.

14 ATTORNEY PITRE:

15 Yeah, yep.

16 A. I don't know if we're there yet.

17 ATTORNEY PITRE:

18 Yeah. And outside that, I mean, given
19 the size of Sugarhouse, that presents a bigger
20 problem. I mean, you look at all the other casinos,
21 even our CAT3s that have hotels, the CAT1s that have
22 the racing side, we have large facilities. I mean,
23 it's just a small gaming area like Sugarhouse in
24 addition to the restaurants, all of the gaming floor,
25 so that also puts them in a different light than

1 others. I'm not going to say that the other casinos
2 don't have patrons that stay there, you know, for
3 maybe the same length of time, but the properties are
4 so huge, I mean the person could go to a hotel, they
5 could go shopping, I mean, there are other places they
6 can be other than on the casino floor. Here, we have
7 an individual that is consistently on the casino
8 floor.

9 MR. GINTY:

10 I'm curious. When his wife called in,
11 how did you identify him? I'm sorry, this if for ---.

12 A. For the very first time?

13 MR. GINTY:

14 When the wife called in?

15 A. She gave a description and security and
16 surveillance scanned the floor and found him.

17 ATTORNEY SKLAR:

18 Just let me --- on Cyrus' point in terms
19 of the size of the facility. I can see it both ways.
20 I mean, a smaller facility --- and Rose can testify,
21 she told me earlier --- they get 5,000 to 10,000
22 people coming through the facility, so it's very
23 congested, which makes it more difficult to single out
24 and identify patrons as opposed to a larger facility
25 where it's spread out and it's a lot easier to

1 identify patrons. So, I'm not so sure --- I think it
2 works both ways.

3 MS. LANGAN:

4 How often do you update the photos of
5 people who have been evicted or on the self-exclusion
6 list?

7 A. Well, the actual photos of the people on the
8 self-exclusion list, when they, you know, when they
9 come to us from PGCB they are kept --- you know,
10 they're printed and kept in note binders, because at
11 this point in time the State doesn't have like an
12 electronic version, you know, of this. So, that's why
13 the --- and speaking about the biometric software
14 would be great, but we couldn't even use it yet
15 because we need that, so we update every time we get
16 --- we update that book. Now, as far as repeat
17 offenders, we always have the most recent photo on our
18 little board outside of the table games, you know,
19 area in the back of the house.

20 MS. LANGAN:

21 And that photo comes from the casino or
22 does it come from ---?

23 A. That comes from our surveillance.

24 CHAIRMAN:

25 Keith.

1 MR. MCCALL:

2 When I review all of the surveillance
3 footage, it seems that he has a gray hoodie on in all
4 of the pictures, except for the last, on the third
5 page, 2/19 at 10:08, it shows that he has a different
6 outfit on. At least, I think I can see the gray
7 hoodie underneath, but it looks like he changed or has
8 different clothing on. That would be your last page
9 of pictures. Is that him in the burgundy jacket?

10 A. No, that is not him.

11 MR. MCCALL:

12 It's certainly not the other guy
13 standing there.

14 ATTORNEY SKLAR:

15 The purpose of these --- let Rose
16 testify as to what the purpose of all these photos
17 are.

18 A. He is not necessarily in each one of these photos
19 at the Craps games that you have. He is definitely in
20 the photo on the front where we show him as we have
21 him posted to look for and how he actually looked that
22 day. The other photos of the Craps tables were really
23 to show how unremarkable he looked on that game,
24 because that time of the year everybody's got a jacket
25 on and most people wear a gray zip-up hoodie and

1 that's what those were.

2 MR. MCCALL:

3 And you ascertain that he actually gamed
4 for how many minutes in that whole three day period?

5 A. In that whole three day period, out of the 70
6 plus hours he was here ---.

7 MR. FAJT:

8 I think you said 17 hours.

9 A. Seventeen (17) hours was actual game.

10 MR. MCCALL:

11 Wouldn't it concern you, though, that
12 --- what was he up to for the other 60-some odd hours
13 just roaming around your casino doing what? What was
14 he doing? I mean, wouldn't that concern you that
15 somebody is just kind of walking around your casino
16 with all that time on his hands? This is all
17 supposition, you know, but he could be following a
18 person. He could be, you know, casing your place. I
19 mean, there's a lot of things that could be going on
20 here. And again, that is all supposition on my part
21 but I think you should be concerned about that, as
22 well, not just the fact that, you know, is he a
23 problem gambler and of course you don't think he is
24 but I think there's other issues here that we have to
25 be cognizant of as well.

1 ATTORNEY SKLAR:

2 I think you're right and that's exactly
3 it. There wasn't anything that he was doing that
4 caused surveillance, security to say this guy is
5 following someone, he's casing someone out.

6 A. And the first time there was something that
7 caused us to look further, that's when surveillance
8 zoomed down when they saw him pull out an electronic
9 device below the table, you know, that caught their
10 attention. Prior to that, he was doing nothing that
11 caused anybody to look at him.

12 CHAIRMAN:

13 I take it during this entire time,
14 ma'am, no patron came in, out perhaps, came up to
15 staff and said hey, that guy's been here. I was here
16 two days ago, I just came back and he's still here?

17 A. No. We would definitely react to that.

18 CHAIRMAN:

19 Any other questions from the Board?
20 Ex-officio members? I think what we're going to do
21 right now is take a ten minute recess. I'd just like
22 to meet with my colleagues for a few minutes. It's
23 now about three minutes after 11:00. We'll reconvene
24 at 11:15. Thank you.

25 SHORT BREAK TAKEN

1 CHAIRMAN:

2 We'll return to the matter we were
3 considering when we recessed. And I guess at this
4 point, what I will do is seeing no indication that
5 anyone on the Board has anymore questions, no
6 questions from ex-officio members and the parties also
7 having completed, I will ask for a motion.

8 MR. MCNALLY:

9 Mr. Chairman, I move that the Board
10 issue an Order to reject the Consent Agreement between
11 the OEC and HSP Gaming, LP, as described by the OEC
12 and that we send it back to the OEC for additional
13 review in light of the concerns cited by the Board
14 today.

15 CHAIRMAN:

16 Second?

17 MR. MOSCATO:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 Opposed? The motion carries. Thank you
24 all, appreciate it.

25 ATTORNEY PITRE:

1 Next matter that we have for the Board's
2 consideration is a motion to consider a Consent
3 Agreement between the OEC and Valley Forge Convention
4 Center Partners, LP. Mr. Glen Stuart, Assistant
5 Enforcement Counsel, will present the matter on behalf
6 of the OEC. Kevin Hayes is here on behalf of Valley
7 Forge.

8 CHAIRMAN:

9 Good morning.

10 ATTORNEY HAYES:

11 Good morning, Mr. Chairman. Kevin
12 Hayes, H-A-Y-E-S, of Doherty Hayes, on behalf of
13 Valley Forge Casino Resort. Mr. Chairman, with me
14 here today is the Executive Director of Security, Gib
15 Morrissey who will likely be offering testimony.

16 CHAIRMAN:

17 Sir, could you stand? Could you state
18 your name and your position and spell your last name?

19 MR. MORRISSEY:

20 My first name is Gilbert, G-I-L-B-E-R-T,
21 last name Morrissey, M-O-R-R-I-S-S-E-Y. I'm the
22 Executive Director of Security at Valley Forge Casino.

23 CHAIRMAN:

24 Ma'am, could you swear the witness?

25 -----

1 GILBERT MORRISSEY, HAVING FIRST BEEN DULY SWORN,
2 TESTIFIED AS FOLLOWS:

3 -----

4 CHAIRMAN:

5 Mr. Hayes?

6 ATTORNEY STUART:

7 Mr. Stuart.

8 CHAIRMAN:

9 I'm sorry, Mr. Stuart. Go ahead.

10 ATTORNEY STUART:

11 Thank you, Mr. Chairman. The first
12 Consent Agreement pertains to Valley Forge allowing a
13 self-excluded individual to gain access to its gaming
14 floor, to remain on the gaming floor and to place
15 wagers on two separate occasions. Specifically, on
16 March 11th, 2013, Valley Forge allowed an individual
17 on the self-exclusion list to gain access to the
18 casino floor, to remain on the casino floor and to
19 place wagers. The individual obtained a daily access
20 pass by being a patron of a Valley Forge amenity. The
21 individual was on the casino floor for approximately
22 12 minutes, had won a \$3,056 jackpot at the time of
23 his discovery. As a result, the Pennsylvania State
24 Police charged this individual with trespass. On May
25 6th, 2013, Valley Forge remitted the \$3,056 won by

1 this individual to the Board in accordance with 58 Pa.
2 Code 503a.3 Subsection H.

3 Again, on March 17th, 2013, Valley Forge
4 allowed this individual to gain access to the casino
5 floor, to remain on the casino floor and to place
6 wagers. The individual obtained a daily access pass
7 by being a patron of a Valley Forge amenity. The
8 individual subsequently wagered at a slot machine for
9 approximately 16 minutes before exiting the casino
10 floor. Upon the individual's attempt to re-enter the
11 casino a few minutes later, a Valley Forge security
12 officer recognized the individual from the March 11th
13 incident and identified him as a self-excluded
14 individual.

15 There's no evidence that that the
16 individual acquired any winnings during his play at
17 Valley Forge on this date. PSP subsequently escorted
18 this individual off the property and again cited him
19 for trespass.

20 The terms of the Consent Agreement
21 require Valley Forge to pay \$7,500 civil penalty and
22 remit \$2,500 to the Board for investigative fees
23 associated with this Consent Agreement. This Consent
24 Agreement is now ripe for the Board's consideration.

25 CHAIRMAN:

1 Mr. Hayes?

2 ATTORNEY HAYES:

3 Mr. Chairman, all of the facts which
4 Attorney Stuart has just provided are accurate. There
5 are a few additional facts that I think are important
6 for the Board to know.

7 This individual approached our Valley
8 Services, which is our player services desk, and
9 indicated that he would like --- he has a players'
10 club card, the representative there at that time
11 requested his identification, he did not produce it,
12 but provided the name of his brother. Again she
13 refused to provide him the players' club card. He
14 made a purchase of a \$10 gift card and was given an
15 access card. Upon her own suspicion, she looked up
16 the brother's name on the self-excluded list and
17 discovered his name and immediately contacted the
18 security office --- the security department who
19 apprehended him. Unfortunately, 12 minutes had
20 elapsed from that point in time, he had gotten on the
21 floor and had won. All the funds were remitted to the
22 fund.

23 With regard to the --- after that
24 incident, the security department had circulated his
25 photograph within the department. He returns the

1 following week, he goes --- this individual purchases
2 a \$10 gift card, is given an access card. He did not
3 try to obtain a membership or a players' club card,
4 gets on the floor, was on the floor for approximately
5 16 minutes, exits the floor and when he tries to
6 re-enter, the security guard had recognized him
7 because of the circulation of his photograph and
8 immediately contacted the PGCB and the State Police.

9 CHAIRMAN:

10 Any questions from the Board?

11 MR. MCCALL:

12 Just a question. It seems to me that
13 we're finding these guys when, in fact, we should be
14 kind of patting them on the back. It seems to me
15 that, you know, your employees went over and above the
16 call of duty to identify this guy and, you know, I
17 don't think we should be, you know, creating
18 disincentives for your employees doing the job that
19 they're supposed to be doing. This seems to me that
20 your player service representative went over and above
21 the call of duty. I'm just wondering if we can, at
22 least, consider --- you know, I don't think we should
23 be fining them. I think we should be saying, you
24 know, thank you for a job well done in this
25 circumstance.

1 CHAIRMAN:

2 I have to agree, Cyrus, with what my
3 colleague said here. I can't think of anything wrong
4 that was done here by Valley Forge. I understand the
5 concern because the person was there twice, but this
6 person got caught twice, real fast, and the first
7 time, the woman could have --- and as Keith said, we
8 don't want to discourage what she's doing or what she
9 did. The reality is she didn't just say who cares.
10 She got involved and because she got involved when she
11 didn't have to, here they are. It seems to me that
12 maybe we're being a little harsh.

13 ATTORNEY PITRE:

14 And I have no problem with that. The
15 bottom line, if you recall, when we were going through
16 the whole access plan, the Board --- where there was
17 some discussion about whether we should check self-
18 exclusion list for people when they're sold gift
19 cards, when they're given access to the casino. And
20 at that time, I told the Board that if it happened,
21 we'd bring the matter before the Board so that the
22 Board could set the precedence in how they wanted to
23 handle these matters. And now that you've expressed
24 that and the Board sees fit to reject the Consent
25 Agreement, I have no problem with that and we'll

1 address future violations or non-violations in the
2 same fashion if the Board sees fit to set the
3 precedence in this matter with regard to Category 3
4 Licensees.

5 CHAIRMAN:

6 Thank you, Cyrus. Any other questions?
7 Again, difficult issue.

8 ATTORNEY PITRE:

9 No, that's perfectly fine.

10 CHAIRMAN:

11 We all understand what we're trying to
12 do here, but I have to agree with Keith. Okay.
13 Motion?

14 MR. MOSCATO:

15 Yes, sir. I move that the Board issue
16 an Order to reject the Consent Agreement between the
17 OEC and Valley Forge Convention Center Partners, LP,
18 as described by the OEC.

19 MR. FAJT:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 Opposed? The motion carries.

1 ATTORNEY STUART:

2 Thank you. The second Consent Agreement
3 pertains to two underage individuals gaining access to
4 Valley Forge's gaming floor, remaining on the gaming
5 floor, wagering on the gaming floor, and consuming
6 alcoholic beverages while on the gaming floor.
7 Specifically, March 17th, 2013, two 20 year old
8 individuals entered Valley Forge's gaming floor. One
9 individual used his father's Seasonal Dining Club
10 Membership Card and the other used a daily access pass
11 obtained from an unknown person. Valley Forge
12 security failed to request proper identification from
13 either individual prior to entry, although both
14 individuals appear to be under the age of 30. Both
15 individuals were served alcoholic beverage by a Valley
16 Forge cocktail server who also failed to request
17 identification from either individual.

18 While on the gaming floor, one
19 individual actively wagered at a slot machine,
20 however, there is no evidence that this individual won
21 any money. The other individual did not place any
22 wagers. The individuals were on the casino floor for
23 approximately 27 minutes prior to their discovery.

24 As a result, the Pennsylvania State
25 Police cited one individual with one count of

1 prohibited acts under 4 Pa. C.S. Section 1518(a)(13)
2 for entering and remaining on the gaming floor of a
3 licensed facility by an individual under the age of 21
4 and one count of prohibited acts under 4 Pa. C.S.
5 Section 1518(a)(16) for consuming alcohol on the
6 gaming floor of a licensed facility by an individual
7 under the age of 21. Both charges are summary
8 offenses.

9 PSP cited the other individual with one
10 count of prohibited acts under 4 Pa. C.S. Section
11 1518(a)(13.1) for wagering at a slot machine on a
12 gaming floor of a licensed facility by an individual
13 under the age of 21, as well as one count of
14 prohibited acts under 4 Pa C.S. Section 1518(a)(16),
15 for consuming alcohol on the gaming floor of a
16 licensed facility by an individual under the age of
17 21. Both charges are summary offenses.

18 Valley Forge also evicted both
19 individuals from its facility. The terms of the
20 Consent Agreement require Valley Forge to pay a
21 \$15,000 civil penalty and to remit \$2,500 to the Board
22 for investigative fees associated with this Consent
23 Agreement. This Consent Agreement is now ripe for the
24 Board's consideration. Thank you.

25 CHAIRMAN:

1 Mr. Hayes?

2 ATTORNEY HAYES:

3 Mr. Chairman, clearly, we have the
4 failure of three employees to fulfill their duties.
5 There are two security guards who should have checked
6 IDs that failed to do that. We have one server, the
7 same server served alcohol to both of those
8 individuals. All had received extensive training.
9 For instance, the server had received at least four
10 different policies which she had to acknowledge and
11 sign off on, which involve checking ID and underage
12 service. All three have been disciplined. One
13 resulted in actual termination because of the fact
14 that he was on a probationary period from a previous
15 violation of company policy.

16 I think it would be important for the
17 Board to hear from Mr. Morrissey about specific
18 actions that his department has taken since the time
19 of this incident to address and prevent future
20 incidents like this.

21 CHAIRMAN:

22 Mr. Morrissey?

23 A. As Mr. Hayes stated, it was a failure on the
24 security department. We failed to check the
25 identification of both individuals on approaching the

1 turn styles. With that, I took a look at the video
2 and examined why this failure happened. This failure
3 happened because the guards --- one, it wasn't busy,
4 so there's really no excuse. He should have
5 recognized that the individuals were under the age of
6 30, as is our policy.

7 So, what I did to take preventative action with
8 that, at every single pre-shift, we have three
9 different shifts, we explain the fines and
10 ramifications at all pre-shifts. The next step we
11 took, we trained all officers on acceptable forms of
12 IDs. We actually created a PowerPoint presentation
13 and did every single officer individually so that they
14 understand what's acceptable.

15 The next thing we did was we redid our security
16 training manuals with updated procedures, which
17 included valid identification. I also noticed when I
18 observed the video, we have Token Works ID scanners
19 that were sitting there at the time and not being
20 utilized, so now it is a mandatory policy that that
21 Token Work ID scanner is used for every person that
22 appears to be under the age of 30. That scanner is
23 actually utilized today and that policy will stay in
24 effect.

25 The other thing we did was I contacted some

1 friends at the State Police, because I'm a retired
2 lieutenant from the State Police, and asked them to
3 facilitate us with fraudulent ID training. That was
4 conducted for my entire staff on 5/16/2013. That
5 training was very well received by our members to
6 identify what would be fraudulent ID in the State of
7 Pennsylvania, as well as other surrounding States.

8 And the last thing we instituted was, one of the
9 things we wanted to do was get our officers thinking a
10 little bit because, you know, different people have
11 different looks, so we instituted a guess my age game.
12 That occurs every Friday. We post pictures up of
13 people every Friday outside of the security office and
14 all three shifts compete against each other. I foot
15 the bill for dinner and lunch at the end of the month
16 for the winning shift, but it's a good interactive way
17 to get them thinking of what an individual's age is.
18 Those are the things that we instituted, sir.

19 ATTORNEY HAYES:

20 Mr. Chairman, just one more item. With
21 regard to the food and beverage employee who obviously
22 violated company policy here, the entire department
23 has recently, since this incident, undergone RAMP
24 training. To be commended was the bartender, who,
25 when these two individuals tried to obtain their

1 second drinks, despite the fact that they were already
2 on the floor, still requested they produce ID. When
3 they failed to do it we immediately contacted
4 security. And we certainly commended him for his role
5 in apprehending these two minors.

6 CHAIRMAN:

7 Was experience an issue between the
8 first and second?

9 ATTORNEY HAYES:

10 What I can tell you and I think --- this
11 individual bartender has --- was the one when we had
12 prior underage was the one who identified as well.
13 He's been an outstanding employee in that respect.

14 MR. MCNALLY:

15 Just one question. You addressed a
16 number of things that you did with regard to the age,
17 but how did the individual use his father's Seasonal
18 Dining Club Card? Is that scanned in? Would that
19 show the father's age?

20 ATTORNEY HAYES:

21 When it's scanned in at the entrance all
22 that is determined is that it's valid, not expired.
23 All we can --- based on the investigation by the
24 Casino Compliance Officers, State Police and our own
25 security, there's no indication that the father had

1 intentionally provided him with the card. We had at
2 least once instance where we knew the person was on
3 property and had provided the unauthorized person with
4 their membership or access card and that person was
5 evicted. That wasn't the situation here, but
6 obviously, the father would never have been issued the
7 membership card unless he had provided his ID, his ID
8 had been swiped and his ID had been confirmed. His
9 name would have been embedded on the membership card.
10 All of his information would be embedded on the card.

11 MR. MCNALLY:

12 Is it the same name? I'm John, III, so
13 is it --- did the father and the son have the same
14 name?

15 ATTORNEY STUART:

16 Yes, he does. It's actually John, III.

17 ATTORNEY HAYES:

18 The name probably would've appeared the
19 same even if you had ID. There would have been some
20 confusion.

21 A. Same name as the individual who bought the card.

22 MS. LANGAN:

23 Just one question. When you talk about
24 eviction, are they evicted until they're 21 or are
25 they evicted lifetime?

1 A. They are evicted permanently from the casino.

2 CHAIRMAN:

3 Tony?

4 MR. MOSCATO:

5 Clarification, Mr. Morrissey.

6 A. Yes, sir.

7 MR. MOSCATO:

8 Some people do look older than their
9 age. For example, you know, I've always looked this
10 way. When I was in college, you know, people thought
11 I was a professor. Did these two youths look like
12 they were --- did they look older than they appeared
13 or did they look like they were 20?

14 A. One of them had facial hair and honestly, sir,
15 the reply to that would be up to the interpretation of
16 the actual officer. Those officers make that
17 determination, so both of them thought they might have
18 been of age, they kind of had a feeling that they were
19 close. If they had the feeling that they were close,
20 the new policy is that they swipe the ID card no
21 matter what.

22 Our age challenges since these events have
23 happened, especially on our busy nights, on Friday and
24 Saturday nights, have spiked from 200 up to 500, 600,
25 some nights 700 ID checks per night.

1 MR. MOSCATO:

2 Okay. Thank you.

3 CHAIRMAN:

4 Any other questions? Anything from OEC?

5 ATTORNEY PITRE:

6 Not unless you're going to reject the
7 Consent Agreement.

8 CHAIRMAN:

9 May I have a motion?

10 MR. FAJT:

11 Yes, Mr. Chairman. I move that the
12 Board issue an Order to adopt the Consent Agreement
13 between the OEC and Valley Forge Convention Center
14 Partners, LP, as described by the OEC.

15 MR. GINTY:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 Opposed? The motion carries.

22 ATTORNEY PITRE:

23 And the last matter that we have for the
24 Board's consideration is the motion to consider a
25 revocation of Jerome Jordan's Non-Gaming Employee

1 Registration. Assistant Enforcement Counsel,
2 Cassandra Fenstermaker, will present the matter for
3 the Board's consideration.

4 ATTORNEY FENSTERMAKER:

5 Good morning, Chairman Ryan, members of
6 the Board. I'm Cassandra Fenstermaker, that's
7 F-E-N-S-T-E-R-M-A-K-E-R. I have for your
8 consideration today a complaint for the suspension of
9 Jerome Jordan's license. On May 10th, 2013, the OEC
10 filed a complaint for suspension against Jerome
11 Jordan, who currently holds a Non-Gaming Employee
12 Registration. OEC filed the complaint after BIE
13 learned that Mr. Jordan had been arrested and charged
14 with assault related offenses, theft related offenses
15 and firearms offenses. The Enforcement complaint was
16 sent to Mr. Jordan by First Class and Certified Mail.
17 He did not respond to the complaint within 30 days,
18 and therefore, pursuant to Board regulations, all
19 facts alleged in the complaint are deemed admitted.

20 The OEC filed a request for default
21 judgment on June 26th, 2013 and at this time requests
22 that Jerome Jordan's Non-Gaming Employee Registration
23 be suspended.

24 CHAIRMAN:

25 Is Jerome Jordan in the hearing room?

1 Okay. Questions or comments from the Board?

2 Ex-officio members? Can I have a motion?

3 MR. GINTY:

4 Mr. Chairman, I move that the Board
5 issue an Order to approve the suspension of Jerome
6 Jordan's Non-Gaming Registration as described by OEC.

7 MS. KAISER:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 ALL SAY AYE

12 CHAIRMAN:

13 Opposed? The motion carries. Thank you
14 very much. Thank you, Cyrus.

15 Ladies and gentlemen, that concludes
16 today's meeting. Our next scheduled public meeting
17 will be on Wednesday, August 21st in this room. The
18 meeting will begin at 10:00 a.m. Any final comments
19 from the Board? Ex-officio members? May I have a
20 motion to adjourn?

21 MS. KAISER:

22 Mr. Chairman, I move to adjourn the
23 meeting.

24 CHAIRMAN:

25 Second?

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MR. MCCALL:

Second.

CHAIRMAN:

Thank you.

* * * * *

MEETING CONCLUDED AT 11:35 A.M.

* * * * *

CERTIFICATE

1
2 I hereby certify that the foregoing proceedings,
3 hearing held before Chairman William Ryan was reported
4 by me on 7/17/2013 and that I Jolynn C. Prunoske read
5 this transcript and that I attest that this transcript
6 is a true and accurate record of the proceeding.

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8 Jolynn C. Prunoske
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