

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; Annmarie Kaiser; Keith R.
McCall; John J. McNally, III; Anthony C.
Moscato; David W. Woods; Members
Christopher Craig, representing Robert
McCord, State Treasurer
Robert Coyne, representing Daniel P.
Meuser, Secretary of Revenue

HEARING: Wednesday, October 9, 2013
10:00 a.m.

LOCATION: PA Gaming Control Board
Strawberry Square Complex
Second Floor
Harrisburg, PA 17101

WITNESSES: Jimmy Brown

Reporter: Rhonda K. Thorpe

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CHAIRMAN:

Good morning, ladies and gentlemen. My name's 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, other electronic devices.

Thank you very much. With us today is Christopher Craig, representing State Treasurer Rob McCord, and Robert Coyne representing the Secretary of the Department of Revenue, Dan Meuser. Thank you both for being here.

A quorum of our members being present, I will call today's meeting to order and we will start and I will ask everyone to please stand for the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE RECITED

CHAIRMAN:

Ladies and gentlemen, the Board held an Executive Session yesterday, the purpose of which was to discuss personnel matters and to conduct quasi judicial deliberations relating to matters being considered by the Board this morning.

I would also like to announce that the

1 Board will be holding a public input hearing to gather
2 evidence relative to Sands Bethworks Gaming, LLC's
3 license renewal. The hearing will be held on October
4 15th, 2013 at 10:00 a.m. at the Bethlehem Town Hall
5 located at 10 East Church Street, Bethlehem,
6 Pennsylvania.

7 Anyone who wishes to present testimony,
8 which will become part of the evidentiary record in
9 the matter, should now register by clicking on a
10 special link on the quick links session of the
11 home page on the PGCB website,
12 www.gamingcontrolboard.pa.gov.

13 The deadline for registration to speak
14 at the hearing is noon on October 11th, 2013. Anyone
15 wishing to speak at these hearings can also register
16 by calling the Board Secretary Mickey Kane, at
17 (717)346-8325. Again, this must occur by noon on
18 October 11th, 2013.

19 Additionally, written comments can also
20 be made part of the record in that proceeding. And an
21 individual wishing to do so can fax or mail such
22 comments to the Board with the fax time stamped or
23 postmarked no later than October 11th. The address
24 for the Board is PA Gaming Control Board, Attention
25 Board Secretary, P.O. Box 69060, Harrisburg, PA, 17106

1 or fax number (717)346-8350.

2 The first order of business today will
3 be to approve the minutes and transcript of the August
4 21st Board meeting. May I have such a motion?

5 MR. MCNALLY:

6 Mr. Chairman, I move this Board approve
7 the minutes and transcript of the August 21, 2013
8 meeting.

9 MR. MOSCATO:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 Opposed? The motion passes. Next will
16 be our Executive Director, Kevin O'Toole, to make his
17 report. Kevin?

18 MR. O'TOOLE:

19 Good morning, Chairman Ryan and members
20 of the Board. One of the most important methods to
21 fulfill the Board's responsibility under the Gaming
22 Act to protect the interest of the public through the
23 regulation of all activity involving gaming is the
24 dissemination of information to the public about what
25 we do and how we do it.

1 In addition to the comprehensive website
2 of the Gaming Control Board, this is the time of the
3 year that the Board issues several key reports. In
4 recent public meetings we have presented the benchmark
5 report prepared by our Director of Racetrack
6 Operations. We've also presented the diversity
7 report, prepared by our Director of the Office of
8 Diversity.

9 I'm pleased to report today that the
10 Board's Office of Communications recently completed
11 the 2012-2013 annual report of the Pennsylvania Gaming
12 Control Board. This is really a collaborative effort
13 by the entire staff of the Board in putting together
14 narrative summaries of their work and accomplishments,
15 including statistical charts and information in that
16 regard.

17 This is the eighth annual report issued
18 by the Gaming Control Board since 2005. And it
19 furthers the Board's efforts to distribute easily-
20 accessible information to the public regarding the
21 work and the accomplishments of both the members of
22 the Board and its staff.

23 Just a few of those accomplishments
24 reflected in this year's annual report include the
25 following. The Office of Enforcement Counsel (OEC)

1 entered into 46 Consent Agreements pertaining to
2 situations of noncompliance that resulted in fines or
3 penalties totaling \$530,090. This money, upon
4 receipt, is credited to the Commonwealth's General
5 Fund.

6 The Bureau of Licensing accepted and
7 processed 8,122 new applications. And the Bureau of
8 Investigations and Enforcement (BIE) completed 8,068
9 background investigations on casino entities, slot
10 machine manufacturers, table game manufacturers,
11 suppliers, qualifiers, employees and vendors.

12 The Office of Hearings and Appeals (OHA)
13 processed 88 Involuntary Exclusion Petitions filed by
14 the OEC. And they issued 53 Reports and
15 Recommendations pertaining to various license-
16 suitability matters.

17 I would also like to point out that the
18 annual report for the second year now contains the
19 Executive Session log for fiscal year 2012-2013. This
20 log lists the dates and the topics discussed during
21 the Board's Executive Sessions.

22 One additional accomplishment, a very
23 important accomplishment, noted in this year's annual
24 report relates to the participation by Chairman Ryan
25 and each member of the Board in conducting over 60

1 speaking engagements throughout Pennsylvania under the
2 coordination of the Office of Communications.

3 These speaking engagements reached
4 numerous citizens and community groups, allowing for a
5 very important exchange of information and viewpoints
6 on the casino industry and casino regulation. The
7 annual report for 2012-2013 can be accessed by the
8 public or any interested party on the home page of the
9 Board's website at www.gamingcontrol.pa.us. Thank
10 you, Chairman.

11 CHAIRMAN:

12 Thank you. Questions, comments from the
13 Board? Chair members? Thank you very much, sir.

14 Next? David Rhen, Director of Financial
15 Management. David?

16 MR. RHEN:

17 Good morning. Thank you for the
18 opportunity to present the agency's proposed budget
19 request for fiscal year 2014-15. The proposed request
20 is \$37,990,000 for administration and \$2 million for
21 statutorily mandated to local law enforcement grants.

22 Funding for the Board supports oversight
23 of over 26,600 slot machines and 1,000 table games
24 operating at 12 casinos throughout the state. Last
25 fiscal year the gaming industry returned \$1.4 billion

1 in tax revenue to the Commonwealth.

2 Overall, this request is 2.9 percent
3 higher than the current year budget. The increase is
4 the result of rising personnel costs, including
5 contractual raises, 32 percent increase in pension
6 rates to 20 percent of salaries, and an 8.1 percent
7 increase to health benefits. The Board's budget
8 includes \$32.5 million for personnel and benefits and
9 \$5.5 million for operating fixed asset expenses.

10 As percentages of the overall budget,
11 the split is 85 percent for personnel and 15 percent
12 for operating fixed assets. The operating and fixed
13 asset budgets essentially match actual expenditure
14 levels for the prior fiscal year 2012-13.

15 The proposed budget would be funded
16 through a combination of \$7 million in restricted
17 revenue, including application and license fees, and
18 chargebacks of gaming costs to manufacturers and \$30
19 million in drawdowns from escrow accounts funded by
20 casino operators.

21 That concludes my presentation of the
22 budget. I would be happy to take any questions.
23 Otherwise I would appreciate your consideration of a
24 motion to approve the 2014-15 budget request.

25 CHAIRMAN:

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

3 MR. MOSCATO:

4 Mr. Chairman, I move that the Board
5 approve the proposed Pennsylvania Gaming Control Board
6 budget for fiscal year 2014-2015 as presented by the
7 Director of Financial Management.

8 MR. WOODS:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 Opposed? The motion carries.

15 MR. RHEN:

16 Thank you. I would also like to give my
17 regular quarterly update of expenditures; this update
18 for the first quarter, which concluded September 30th.
19 For the quarter, expenditures totaled \$8.1 million.
20 This total was five percent above last year's total
21 for the first quarter.

22 Eighty-three (83) percent of
23 expenditures were for personnel, which totaled \$6.9
24 million. Overall, personnel expenses increased by 5.3
25 percent, versus the same quarter of the prior year.

1 This increase occurred despite the fact the salaries
2 remained level and predominantly because benefit costs
3 climbed nearly 13 percent from a year ago.

4 As percentage of salaries paid, benefits
5 totaled 54 percent of total salaries, compared to 48
6 percent of salaries in the same quarter last year.

7 Operating expenditures for the quarter
8 totaled \$994,000 and fixed assets totaled \$169,000.
9 The combined expenses of \$1.2 million for both
10 categories is up three percent over the prior year.

11 To provide a little bit more detail on
12 the operating expense category, rentals and leases
13 accounted for \$538,000 or 54 percent of the \$994,000
14 in operating expenses. The next largest operating
15 expenditure was for services, at \$123,000, followed by
16 travel, telecommunications and other operating
17 expenditures, each at approximately \$100,000. That
18 concludes my report.

19 CHAIRMAN:

20 Any questions or comments from the
21 Board? Ex-officio members? Thank you very much.

22 MR. RHEN:

23 Thank you.

24 CHAIRMAN:

25 Appreciate it. Next Chief Counsel, Doug

1 Sherman.

2 ATTORNEY SHERMAN:

3 Good morning, Chairman, members of the
4 Board. Today the Board has just one petition before
5 it for consideration. And that petition is Jimmy
6 Brown's Petition Seeking Early Reapplication for Non-
7 Gaming Employee Registration.

8 The matter is to be considered on the
9 documents of record the Board has received in advance
10 of this meeting. I would also note Mr. Brown is in
11 attendance today.

12 CHAIRMAN:

13 Mr. Brown, excuse me. Why don't you
14 come up and take a seat, sir. Go ahead.

15 ATTORNEY SHERMAN:

16 Briefly on May 24th, 2010, Mr. Brown
17 submitted a Non-Gaming Employee Application, seeking
18 work as an Operations Attendant at Parx Casino.

19 On November 18th, 2010, the Board denied
20 Mr. Brown's application as a result of some
21 nondisclosure issues. The result of the denial was
22 that a person is normally barred from reapplying for
23 Non-Gaming Registration for five years absent the
24 Board's approval for early application.

25 Mr. Brown has submitted a request that

1 the Board grant him early permission to reapply,
2 stating that he has turned his life around, he's
3 recently married and he's in college working toward an
4 IT degree. The OEC has no objection to Mr. Brown's
5 being permitted to reapply for a Non-Gaming Employee
6 Registration.

7 It should be clear, though, that if the
8 Board were to approve Mr. Brown's petition, it does
9 not mean that he is being given the registration to
10 work, but rather it means he can reapply and then will
11 go through a background and, again, through the same
12 process where the OEC will review his background, make
13 a recommendation as to whether or not he should be
14 then permitted or registered.

15 With that, the matter is appropriate for
16 the Board's consideration. Mr. Brown is also present,
17 as we indicated.

18 CHAIRMAN:

19 Mr. Brown, you are Jimmy Brown; is that
20 correct?

21 MR. BROWN:

22 Yes.

23 CHAIRMAN:

24 Do you want to make any statement, sir?

25 MR. BROWN:

1 Yes.

2 CHAIRMAN:

3 Before you do, what I'd like you to do
4 is stand first, place ---. And we have to swear you
5 in because if you're going to talk, then we have to
6 make sure you're under oath. Okay?

7 MR. BROWN:

8 Yes.

9 CHAIRMAN:

10 So, why don't you state your name and
11 spell your last name for the record.

12 MR. BROWN:

13 My name is Jimmy Brown. Last name,
14 B-R-O-W-N.

15 CHAIRMAN:

16 Okay. I would ask the court reporter to
17 swear the witness.

18 -----
19 JIMMY BROWN, HAVING FIRST BEEN DULY SWORN, TESTIFIED
20 AS FOLLOWS:

21 -----

22 CHAIRMAN:

23 Thank you, Mr. Brown. You can sit down.
24 What is it you want to tell the Board?

25 A. I would like to say, I do have ---.

1 CHAIRMAN:

2 Try to speak ---. Try to speak into the
3 microphone so everybody can hear you, and so the court
4 reporter can especially hear you. Okay?

5 A. Yes. I understand I have a history, but since
6 then I have moved on and turned my life around. And I
7 just would like to be part of Parx Casino and all
8 prospects.

9 CHAIRMAN:

10 Okay. And you understand that presently
11 what is before the Board is your petition for --- to
12 apply ---

13 A. Yes.

14 CHAIRMAN:

15 --- for a permit to work; right?

16 A. Yes.

17 CHAIRMAN:

18 You understand that?

19 A. Yes, sir.

20 CHAIRMAN:

21 Okay. Anything else you'd like to say,
22 sir?

23 A. No, sir.

24 CHAIRMAN:

25 Okay. Counsel, anything from the Board?

1 MR. MCCALL:

2 I have a question.

3 CHAIRMAN:

4 Go ahead.

5 MR. MCCALL:

6 Has Parx indicated a willingness or
7 intent to rehire if he gets his permit or have they
8 weighed in on this at all?

9 ATTORNEY SHERMAN:

10 We wouldn't know that at this point.
11 You know, it would be up to Mr. Brown to go through
12 the process. And, you know, hopefully at that point,
13 if he's approved, to attempt to get --- secure the
14 employment. He would actually have to be offered
15 employment by one of the casinos before he could
16 reapply with us.

17 MR. MCCALL:

18 Very good.

19 CHAIRMAN:

20 Ex-officio members? Okay. May I have a
21 motion?

22 MR. WOODS:

23 Mr. Chairman, I move that the Board
24 grant Jimmy Brown's Petition to Submit Early
25 Reapplication for a Non-Gaming Employee Registration

1 supplied by the Office of Chief Counsel (OCC).

2 MR. FAJT:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 Opposed? Motion carries. Okay, Mr.

9 Brown, you understand what happened?

10 A. Yes.

11 CHAIRMAN:

12 You can now reapply. Okay, sir?

13 A. Yes, sir.

14 CHAIRMAN:

15 All right. Thank you. You're excused.

16 All right. Next presenting Withdrawals and Reports

17 and Recommendations is Deputy Chief Counsel Steve

18 Cook.

19 ATTORNEY COOK:

20 Good morning. The Board has received

21 one unopposed Petition Seeking Withdrawal,

22 specifically the Petition to Withdraw the Registered

23 Gaming Service Provider Application of Reinhart Food

24 Service, LLC. For the benefit of the court reporter,

25 it's R-E-I-N-H-A-R-T. The OEC has no objection to

1 this withdrawal. As a result, if the Board were to
2 grant it, it would be doing so without prejudice. And
3 the matter is now ripe for the Board's consideration.

4 CHAIRMAN:

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

7 MR. FAJT:

8 Mr. Chairman, I move that the Board
9 issue an Order to approve the Withdrawal as described
10 by the OCC.

11 MS. KAISER:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 Opposed? Motion carries.

18 ATTORNEY COOK:

19 Next before the Board for consideration
20 are four Reports and Recommendations received from the
21 OHA. These Reports and Recommendations, along with
22 the complete evidentiary record, have been provided to
23 the Board prior to this meeting.

24 And additionally, in each case the
25 person subject to the Report and Recommendation has

1 been put on notice that the Board will be taking the
2 matter up today and that they could come forward and
3 briefly address the Board. If any of these people are
4 present, I'd ask them to come forward when their
5 matter is called.

6 The first Report and Recommendation
7 before the Board pertains to Ashawnte Fort. On April
8 29th, 2013 Ms. Fort submitted her Gaming Permit
9 Application seeking work as a Table Games Dealer at
10 the Lady Luck Casino at Nemaocolin. Ms. Fort disclosed
11 on her application that she had been charged with
12 receiving overpayment of food stamp benefits in 2012,
13 a felony offense.

14 The OEC issued a Notice of
15 Recommendation of Denial based upon this pending
16 felony charge, as well as Ms. Fort's failure to repay
17 approximately \$4,500 in student loans. Ms. Fort
18 requested a hearing, which was held on July 24th,
19 2013. Both she and the OEC appeared and offered
20 evidence.

21 Ms. Fort testified at that hearing that
22 she collected food stamps in order to help feed her
23 family. And then she --- I'm sorry, she reported her
24 employment and income to her caseworker regularly
25 until 2010. She also testified that around 2010 she

1 misunderstood her caseworker to indicate to her that
2 if her employment was under a certain amount she
3 wouldn't have to continue to report her income. So,
4 after 2010 she stopped reporting her income, yet
5 continued to receive food stamps.

6 This happened throughout 2010 and 2011.
7 Upon her case being transferred to a new caseworker,
8 however, this problem was identified. The new
9 caseworker indicated to Ms. Fort that she had actually
10 been overpaid food stamps for 2010, 2011, but were
11 overpaid --- incorrectly paid because she didn't
12 submit employment information in the amount of \$3,300.

13 The caseworker thereafter gave Ms. Fort
14 the opportunity to repay this amount prior to
15 referring the matter for criminal action. Ms. Fort
16 did pay down approximately a thousand dollars of this
17 debt, but since some time had passed and the matter
18 was still outstanding, it was referred for criminal
19 prosecution.

20 She was charged in Fayette County with
21 this offense. Ultimately it was placed into the ARD
22 program in Fayette County where it is right now. If
23 she successfully completes her 24 months of ARD,
24 including paying off the balance of the amount owed,
25 the criminal charges will be dismissed.

1 As a result, the Hearing Officer hearing
2 this indicated that he thought it would be appropriate
3 to consider and approve Ms. Fort's application for a
4 Gaming Permit, and that is the recommendation before
5 the Board.

6 CHAIRMAN:

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

9 MR. MCCALL:

10 Mr. Chairman, I move that the Board
11 adopt the Report and Recommendation issued by the OHA
12 regarding the Gaming Employee Permit of Ashawnte Fort
13 with the conditions described by the OCC.

14 MR. MCNALLY:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 Opposed? The motion carries.

21 ATTORNEY COOK:

22 Just for the record, the conditions that
23 we would recommend be placed on Ms. Fort would be one
24 that she continues to successfully complete the ARD
25 program, and two, pay down any delinquent student loan

1 debt.

2 CHAIRMAN:

3 Okay. Thank you.

4 ATTORNEY COOK:

5 Ben Lemansky is the next Report and
6 Recommendation before the Board today. Mr. Lemansky
7 submitted a Gaming Permit Application seeking work as
8 a Table Games Dealer at Lady Luck Casino at Nemaquin.
9 Mr. Lemansky disclosed on his application that he also
10 had pending criminal charges.

11 The OEC issued a Notice of
12 Recommendation of Denial based upon Mr. Lemansky's
13 pending criminal charges as well as his delinquency of
14 approximately \$76,000 in student loans.

15 Per Mr. Lemansky's request, the hearing
16 in this matter was held on July 18th, 2013. Both he
17 and the OEC appeared and offered evidence into the
18 record. Mr. Lemansky testified that he had pending
19 charges of criminal trespass, theft by unlawful taking
20 and receiving stolen property. He also discussed the
21 events leading to this arrest, specifically stating
22 that there was an abandoned trailer near his home and
23 that his girlfriend told him that a police officer had
24 informed her that they could remove any items from the
25 trailer prior to its being condemned. They proceeded

1 to do that and in the course of doing that another
2 police officer arrived at the scene, told them that
3 they weren't allowed to do that. And ultimately he
4 and his girlfriend were charged with theft.

5 Mr. Lemansky testified that he entered a
6 12 month ARD program regarding his pending criminal
7 charges and he has completed his community service and
8 is making payment on the court cost portion of that
9 ARD. He also presented evidence that he has entered
10 into a loan rehabilitation program relative to his
11 delinquent student loans.

12 Notwithstanding this testimony, the
13 Report and Recommendation issued by the Hearing
14 Officer recommends that Mr. Lemansky's permit be
15 denied. Should the Board reject the Hearing Officer's
16 Report and Recommendation, as with Ms. Fort, the OCC
17 would recommend that it be conditioned, or his permit
18 be conditioned upon successfully completing the ARD
19 program and ongoing paydown of his delinquent student
20 loan debt.

21 CHAIRMAN:

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

24 MR. MCNALLY:

25 Mr. Chairman, I move that the Board

1 reject the Report and Recommendation issued by the OHA
2 upon the Gaming Employee Permit and ask that we issue
3 a Gaming Employee Permit with the conditions described
4 by the OCC.

5 CHAIRMAN:

6 Second?

7 MR. MOSCATO:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 ALL SAY AYE

12 CHAIRMAN:

13 Opposed? The motion carries.

14 ATTORNEY COOK:

15 The next matter to be heard by the Board
16 is the Report and Recommendation pertaining to Darren
17 Mitchell. On April 25th, 2012 Mr. Mitchell submitted
18 a G2 Employee Occupation Permit Application to work as
19 a Dealer Dual Rate Supervisor at the Mount Airy Casino
20 and Resort.

21 On his application Mr. Mitchell stated
22 that he had never been arrested or charged with a
23 crime and that he had never had a gaming-related
24 credential suspended or revoked. During BIE's
25 background investigation, however, it was discovered

1 that while Mr. Mitchell was employed at the Foxwoods
2 Casino in Connecticut, he entered fraudulent player
3 ratings for family members.

4 Subsequently as a result of that
5 conduct, his Gaming License by the Mashantucket Pequot
6 Tribal Nation was revoked and he was criminally
7 charged with larceny and conspiracy to commit larceny.
8 Based upon Mr. Mitchell's failure to fully disclose
9 this situation in Connecticut, the OEC issued a Notice
10 of Recommendation of Denial.

11 The hearing in this matter was held on
12 June 25th, 2013. Both the OEC and Mr. Mitchell
13 appeared and offered evidence. Mr. Mitchell testified
14 that he provided --- that he had entered into the ARD
15 program in Connecticut, which he completed, resulting
16 in the criminal charges being expunged on November
17 9th, 2012.

18 He also testified that while the conduct
19 alleged against him, in fact, did occur, he did not
20 intend to mislead the Board but rather believed that
21 upon completion of his ARD program the entire history
22 would be effectively wiped away.

23 A Report and Recommendation was
24 thereafter issued, stating that notwithstanding the
25 ARD treatment of Mr. Mitchell's criminal charges in

1 Connecticut, he did, in fact, fail to truthfully
2 disclose all of the information both with respect to
3 his license in Connecticut and with respect to his
4 criminal charges. And therefore the Hearing Officer
5 recommends that on that basis his application be
6 denied. And that's the recommendation before the
7 Board.

8 CHAIRMAN:

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

11 MR. MOSCATO:

12 Yes, sir. I move that the Board adopt
13 the Report and Recommendation issued by the OHA
14 regarding the G2 Employee Application of Darren
15 Mitchell as described by the OCC.

16 MR. WOODS:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 Opposed? Motion carries.

23 ATTORNEY COOK:

24 The final Report and Recommendation
25 before the Board today pertains to Phuong Nguyen. Mr.

1 Nguyen was issued a Gaming Employee Permit on December
2 1st, 2010 and was working as a Table Games Dealer at
3 Valley Forge Casino Resort.

4 On July 26th, 2013 the OEC filed a
5 request for Emergency Suspension of Mr. Nguyen's
6 Gaming Permit upon learning that he had been arrested
7 on July 24th, 2013 on drug-related charges which
8 resulted in one felony and one misdemeanor being
9 lodged against him.

10 Specifically, Mr. Nguyen was caught in
11 possession of approximately two pounds of marijuana.
12 The Board's Executive Director signed the Emergency
13 Order of Suspension on July 31st, 2013, suspending Mr.
14 Nguyen's Gaming Permit.

15 A hearing in this matter was held on
16 August 19th, 2013 to determine the validity of the
17 Emergency Order of Suspension. Both the OEC and Mr.
18 Nguyen appeared and offered testimony at the hearing.
19 Upon completion of the hearing, a Report and
20 Recommendation was issued recommending that the
21 Emergency Suspension of Mr. Nguyen be dissolved as the
22 Hearing Officer believed that the Emergency Suspension
23 was not properly issued.

24 Specifically, the Hearing Officer held
25 that the categorization of one of the charges levied

1 against Mr. Nguyen is a felony under the
2 Commonwealth's drug laws was not enough to support a
3 suspension. And while Mr. Nguyen's alleged underlying
4 conduct could support the suspension, the OEC did not
5 adequately put Mr. Nguyen on notice that he had to
6 defend against the underlying conduct.

7 The OEC filed exceptions to the Hearing
8 Officer's Report and Recommendation, arguing that the
9 Emergency Suspension was properly issued based not
10 only upon the pending criminal charges but that Mr.
11 Nguyen was adequately put on notice that he did have
12 to defend against his underlying conduct as well.

13 The Report and Recommendation before the
14 Board at this point is to lift the Emergency
15 Suspension. The matter is now ripe for the Board's
16 consideration.

17 CHAIRMAN:

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

20 MR. WOODS:

21 Mr. Chairman, I move that the Board
22 reject the Report and Recommendation issued by the OHA
23 regarding the Gaming Employee Permit of Phuong Nguyen
24 as described by the OCC and Mr. Nguyen's suspension
25 remain in place pending further order of the Board.

1 MR. FAJT:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 Opposed? The motion carries.

8 ATTORNEY COOK:

9 That concludes all matters of the OCC.

10 CHAIRMAN:

11 Thank you both. Next we have Sean
12 Hannon, the Manager of the Enterprise Licensing Unit.
13 Sean will be filling in for Susan Hensel. Good
14 morning, Sean.

15 MR. HANNON:

16 Good morning, Chairman Ryan and members
17 of the Board. Before the Board today will be motions
18 regarding one slot machine manufacturer, as well as
19 506 Principal and Key Gaming and Non-Gaming Employees.
20 In addition there will be consideration of 18 game
21 service providers.

22 The first matter for your consideration
23 is the renewal of a Slot Machine Manufacturer License
24 from Multimedia Games, Incorporated. Multimedia
25 Games, Incorporated is an Austin, Texas-based company

1 that designs, manufactures, distributes and services
2 slot machines.

3 The BIE has completed its investigation
4 of this company and the Bureau of Licensing has
5 provided you with a background investigation and
6 suitability report. I provided you with a Draft Order
7 and ask that the Board consider the renewal of a Slot
8 Machine Manufacturer License for Multimedia Games,
9 Incorporated.

10 CHAIRMAN:

11 Any comments from Enforcement Counsel?

12 ATTORNEY PITRE:

13 Enforcement Counsel has no objection.

14 CHAIRMAN:

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

17 MR. FAJT:

18 Mr. Chairman, I move that the Board
19 approve Multimedia Games, Inc., Slot Machine License
20 renewal as described by the Bureau of Licensing.

21 MS. KAISER:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

1 CHAIRMAN:

2 Opposed? The motion carries.

3 MR. HANNON:

4 Next for your consideration is the
5 approval of Principal and Key Employee Licenses.
6 Prior to this meeting, the Bureau of Licensing
7 provided you with a Proposed Order for seven
8 Principals and ten Key Employee Licenses for Category
9 1, Category 2, Category 3 and Manufacturer Licensees.
10 Has the Board considered the Order approving these
11 licenses?

12 CHAIRMAN:

13 Any comments from Enforcement Counsel?

14 ATTORNEY PITRE:

15 Enforcement Counsel has no objections.

16 CHAIRMAN:

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

19 MS. KAISER:

20 Ms. Chairman, I move that the Board
21 approve the issuance of Principal and Key Employee
22 Licenses as described by the Bureau of Licensing.

23 MR. MCCALL:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 Opposed? The motion carries.

5 MR. HANNON:

6 Next there are Temporary Principal and
7 Key Employee Licenses. Prior to this meeting the
8 Bureau of Licensing provided you with an Order
9 regarding the issuance of Temporary Credentials,
10 Temporary Licenses for seven Principals and 14 Key
11 Employees. We ask that the Board consider the Order
12 approving these licenses.

13 CHAIRMAN:

14 Any comments from Enforcement Counsel?

15 ATTORNEY PITRE:

16 Enforcement Counsel has no objection.

17 CHAIRMAN:

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

20 MR. MCCALL:

21 Mr. Chairman, I move that the Board
22 approve the issuance of Temporary Principal and Key
23 Employee Credentials as described by the Bureau of
24 Licensing.

25 MR. MCNALLY:

1 Second.

2 CHAIRMAN:

3 All in favor?

4 ALL SAY AYE

5 CHAIRMAN:

6 Opposed? The motion carries.

7 MR. HANNON:

8 Next are Gaming Permits and Non-Gaming
9 Registrations. Prior to this meeting, the Bureau of
10 Licensing provided you with a list of 349 individuals
11 to whom the Bureau has granted temporary or full
12 Occupation Permits, and 118 individuals to whom the
13 Bureau has granted registrations under the authority
14 delegated to the Bureau of Licensing. I ask that the
15 Board consider a motion approving this Order.

16 CHAIRMAN:

17 Any comments from Enforcement Counsel?

18 ATTORNEY PITRE:

19 Enforcement Counsel has no objection.

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 approve the issuance of the Gaming Employee Permits

1 and Non-Gaming Employee Registrations as described by
2 the Bureau of Licensing.

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 MR. HANNON:

13 Next is a recommendation of denial for
14 one Non-Gaming Employee Application. The Bureau of
15 Licensing has provided you with the Order addressing
16 this applicant, who the OEC has recommended for
17 denial.

18 The applicant failed to request a
19 hearing within the specified time period. I ask that
20 the Board consider the Order denying the Non-Gaming
21 Employee Application.

22 CHAIRMAN:

23 Any comments from Enforcement Counsel?

24 ATTORNEY PITRE:

25 Enforcement Counsel continues to request

1 denial.

2 CHAIRMAN:

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

5 MR. MOSCATO:

6 Yes, sir. I move that the Board approve
7 the denial of Jason Hamilton's Non-Gaming Employee
8 Registration Application as described by the Bureau of
9 Licensing.

10 MR. WOODS:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 Opposed? The motion carries.

17 MR. HANNON:

18 Next for your consideration are Gaming
19 Service Provider Registrations. The Bureau of
20 Licensing provided you with an Order and an attached
21 list of 17 registered gaming service providers. I ask
22 that the Board consider the Order registering these
23 gaming service providers.

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

6 MR. WOODS:

7 Mr. Chairman, I move that the Board
8 issue an Order to approve the applications for Gaming
9 Service Provider Registration as described by the
10 Bureau of Licensing.

11 MR. FAJT:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 Opposed? The motion carries.

18 MR. HANNON:

19 Finally we have a recommendation of
20 denial for Inkwell Global Marketing's Gaming Service
21 Provider Application. Prior to this meeting, the
22 Bureau of Licensing provided you with an Order
23 addressing this applicant who the OEC has recommended
24 for denial.

25 The applicant failed to request a

1 hearing within the specified time period. I ask that
2 the Board consider the Order denying Inkwell Global
3 Marketing's Gaming Service Provider Registration
4 Application.

5 CHAIRMAN:

6 Any comments from Enforcement Counsel?

7 ATTORNEY PITRE:

8 Enforcement Counsel continues to request
9 denial in this instance.

10 CHAIRMAN:

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

13 MR. FAJT:

14 Mr. Chairman, I move that the Board deny
15 Inkwell Global Marketing's Gaming Service Provider
16 Application as described by the Bureau of Licensing.

17 MS. KAISER:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 Opposed? The motion carries.

24 MR. HANNON:

25 This concludes the Bureau of Licensing's

1 presentation.

2 CHAIRMAN:

3 Thank you, Sean. Okay, Cyrus.

4 ATTORNEY PITRE:

5 Well, we have nine matters for the
6 Board's consideration this morning, consisting of two
7 revocations, one suspension and six involuntary
8 exclusions. Assistant Enforcement Counsel Mike Roland
9 will handle each one of these matters and present them
10 for the Board's consideration.

11 CHAIRMAN:

12 Good morning, Mike.

13 ATTORNEY ROLAND:

14 Good morning, Mr. Chairman, members of
15 the Board. Michael Roland, R-O-L-A-N-D, with the OEC.
16 The first matter Enforcement Counsel has this morning
17 is a motion to consider the revocation of Lorraine
18 Cooke's Gaming Employee Permit.

19 On July the 5th, 2011 the Board issued a
20 Gaming Employee Permit to Lorraine Cooke as a dealer
21 at Sands Casino. The OEC filed a complaint, setting
22 forth allegations that Ms. Cooke should have her
23 Gaming Employee Permit revoked for an incident where
24 she was assigned as a dealer at a three card poker
25 table.

1 On several occasions Ms. Cooke moved
2 losing toke pair wagers to antiwager areas and paid
3 them out as winning wagers. Ms. Cooke then placed
4 them in her tote box. There were seven incidents
5 where Ms. Cooke wrongfully placed chips in her tote
6 box for a total amount of \$22.

7 Ms. Cooke was not criminally charged.
8 She was, however, terminated by the Sands. The
9 complaint was properly served upon Ms. Cooke to the
10 address on file with the Board by both certified and
11 first class mail. Ms. Cooke has not responded to the
12 filing in any way, therefore, the averments in the
13 complaint are deemed to be admitted as fact and a
14 right to a hearing has been waived.

15 On August 20th, 2013 the OEC filed a
16 request to enter judgment upon default. The matter is
17 now before the Board to consider the revocation of
18 Lorraine Cooke's Gaming Employee Permit.

19 CHAIRMAN:

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

23 MS. KAISER:

24 Mr. Chairman, I move that the Board
25 issue an Order to approve the revocation of Lorraine

1 Cooke's Gaming Employee Permit as described by the
2 OEC.

3 MR. MCCALL:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 Opposed? The motion carries.

10 ATTORNEY ROLAND:

11 The next matter is a motion to consider
12 the revocation of David Greger's Gaming Employee
13 Permit. On January 23rd, 2012 the Board issued a
14 Gaming Employee Permit to David Greger, again, as a
15 dealer at Sands.

16 The OEC filed a complaint, setting forth
17 allegations that Mr. Greger should have his Gaming
18 Employee Permit revoked when Sands' security was
19 notified by a patron that she witnessed the dealer
20 stealing buy-in money from the gaming table.

21 The patron reported that she observed
22 the dealer, who was Mr. Greger, place a hundred dollar
23 bill of buy-in money in his pocket. A surveillance
24 review was conducted and confirmed the patron's claim.
25 Pennsylvania State Police escorted Mr. Greger off the

1 gaming floor. He confessed to his actions and PSP
2 determined he had stolen a total of \$600 that day.

3 Mr. Greger was charged with theft by
4 unlawful taking, which was a misdemeanor in the first
5 degree. And he is presently still awaiting his trial.
6 The complaint was properly served upon Mr. Greger to
7 the address on file with the Board and on the criminal
8 complaint by both certified and first class mail.

9 Mr. Greger has not responded to the
10 filing in any way, therefore, the averments in the
11 complaint are deemed to be admitted as fact and his
12 right to a hearing had been waived.

13 On August the 20th, 2013 the OEC filed a
14 request to enter judgment upon default. The matter is
15 now before the Board to consider the revocation of
16 David Greger's Gaming Employee Permit.

17 CHAIRMAN:

18 Is David Greger in the hearing room?
19 Any questions or comments from the Board? Ex-officio
20 members? May I have a motion?

21 MR. MCCALL:

22 Mr. Chairman, I move that the Board
23 issue an Order to approve the revocation of David
24 Greger's Gaming Employee Permit as described by the
25 OEC.

1 MR. MCNALLY:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 Opposed? The motion carries.

8 ATTORNEY ROLAND:

9 The next matter is a motion to consider
10 the temporary suspension of Martha Manna's Gaming
11 Employee Permit. On October the 25th, 2010 the Board
12 issued a Gaming Employee Permit to Martha Manna as a
13 dealer at Sands Casino.

14 The OEC filed a complaint, setting forth
15 allegations Ms. Manna should have her Gaming Employee
16 Permit temporarily suspended for a period of ten days
17 because of two separate incidents.

18 First, Ms. Manna had been arrested by
19 the Palmer Township Police Department on February
20 23rd, 2012. The criminal offenses for which Ms. Manna
21 had been charged included criminal trespass, a felony
22 3; criminal mischief, a misdemeanor 2; and two counts
23 of harassment, both misdemeanor 3.

24 The police criminal complaint indicated
25 that on February 2nd Ms. Manna went to the home of her

1 ex-boyfriend to collect her personal possessions.
2 When he opened the front door, Ms. Manna forced her
3 way inside. The homeowner then contacted the police.
4 When the police arrived, Ms. Manna ran to the second
5 floor of the home and attempted to confront the
6 homeowner's new girlfriend. Police removed Ms. Manna
7 from the scene.

8 The OEC filed a request for Emergency
9 Suspension of Ms. Manna's Gaming Employee Permit,
10 which was granted on March the 14th, 2012.

11 Ultimately the felony charge was
12 dismissed and Ms. Manna returned to work. The
13 Emergency Suspension was dissolved on March 16th,
14 2012.

15 The second incident, Ms. Manna was,
16 again, arrested by the Palmer Township Police
17 Department and was charged with aggravated assault, a
18 felony 1; simple assault, misdemeanor 1; recklessly
19 endangering another person and harassment, both
20 summaries. Reckless driving summary, accidents
21 involving death or injury, misdemeanor 2, and duty to
22 give info or failing to give info or render aid, a
23 summary offense.

24 The police criminal complaint
25 indicated that after a disagreement, Ms. Manna struck

1 her mother with a motor vehicle while leaving the home
2 and fled the scene. Ms. Manna's mother was knocked to
3 the ground and sustained minor injuries to her left
4 elbow. Ms. Manna entered a negotiated guilty plea to
5 both the harassment and reckless driving, which were
6 the summary offenses. The remaining charges were
7 withdrawn.

8 The complaint was properly served upon
9 Ms. Manna to the address on file with the Board and on
10 the criminal complaint by both certified and first
11 class mail. Ms. Manna has not responded to the filing
12 in any way, therefore, the averments in the complaint
13 are deemed to be admitted as fact and a right to a
14 hearing has been waived.

15 On August the 20th, 2013 the OEC filed a
16 request to enter judgment upon default. The matter is
17 now before the Board to consider the temporary
18 suspension of Martha Manna's Gaming Employee Permit.

19 Just a little to add. The reason we
20 considered ten days is we believe Ms. Manna has got
21 several things going on in her personal life. There's
22 a concern that obviously this is going to, at some
23 point in time, spill over into her job.

24 At ten days it probably will not
25 jeopardize her overall employment. It would be enough

1 to send a message, but she's not going to lose her
2 job.

3 We discussed this with Ms. Manna. She
4 called me. I also talked to her counsel. They are
5 both in agreement with this. But obviously it's
6 before the Board for your consideration.

7 CHAIRMAN:

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

10 MR. MCNALLY:

11 Mr. Chairman, I move to issue an Order
12 to approve a ten-day suspension of Martha Manna's
13 Gaming Employee Permit as described by the OEC.

14 MR. MOSCATO:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 Opposed? The motion carries.

21 ATTORNEY ROLAND:

22 Now, Mr. Chairman if I may, the next
23 four matters I'd like to address them all as one
24 because the fact pattern is the same.

25 CHAIRMAN:

1 Fine.

2 ATTORNEY ROLAND:

3 Thank you. The next matter is a request
4 to place Chung F. Chau, Chang Q. Chen, Chao W. Lin and
5 Tian Wang on the Board's excluded persons list.

6 CHAIRMAN:

7 Excuse me. Are any of those gentlemen
8 in the hearing room? Okay, go ahead.

9 ATTORNEY ROLAND:

10 The OEC filed a petition to place these
11 four individuals on the exclusion list for cheating at
12 a blackjack machine at Sands. The petitions were
13 properly served upon all four individuals to the
14 address provided by each individual as listed on their
15 identification. And that was both by certified and
16 first class mail.

17 None of the four patrons have responded
18 to the filing in any way. Due to their failure to
19 respond, the averments in the petitions are deemed to
20 be admitted as fact and their right to a hearing has
21 been waived. On August the 22nd, 2013 the OEC filed a
22 request to enter judgment upon default.

23 The matter is now before the Board to
24 consider the placement of Chung F. Chau, Chang Q.
25 Chen, Chao W. Lin and Tian Wang of the Board's

1 excluded persons list. I'd like to add that none of
2 these four individuals were criminally charged,
3 however all four were turned over to Homeland Security
4 for investigation.

5 We were not able to obtain what the
6 ultimate outcome was in any of those situations. The
7 fact pattern here is deliberately vague because we
8 don't want to tip off anybody as to how to possibly do
9 this scenario. But essentially what happened is these
10 individuals found a way to convert free promotional
11 play into cash and this was because of a software
12 error that occurred in these machines.

13 It was specific only to Sands Casino
14 because it was the communication between this machine
15 and the software at Sands. So, it was only at Sands
16 Casino, none of the other casinos in the Commonwealth.

17 Since that time we've addressed the
18 issue with the manufacturer. They corrected it. And
19 on top of that, those machines have been removed from
20 Sands' floor. So, it's really no longer a threat.

21 CHAIRMAN:

22 Okay. I'll take Mr. Chau first. Any
23 questions or comments from the Board?

24 MR. FAJT:

25 Mr. Chairman, I have one quick question.

1 Just to be specific here, our TFRs, I assume, were the
2 ones who have gotten on to this issue and checked
3 these machines, though, when you said they were
4 removed from Sands, they checked any of those machines
5 that might exist at other casinos and that same glitch
6 is not present in the others?

7 ATTORNEY ROLAND:

8 That's absolutely true. It was actually
9 Mr. Cruz and his team got together, reviewed this a
10 while ago. They were able to sit down and give us a
11 pretty detailed report. And they were confident that
12 it was specific to the Sands.

13 And I think I would even go as far to
14 say in the information they relayed really nobody
15 could anticipate this, because it was two different
16 software programs and the way they communicated with
17 each other. It wasn't necessarily a flaw in one
18 program, but it was the way these two programs
19 communicated with each other. And since Sands is the
20 only one that had that program, other facilities use
21 different programs, it was specific to that facility.

22 MR. FAJT:

23 Thank you.

24 CHAIRMAN:

25 And, Mike, if you will for the record,

1 identify Mr. Cruz.

2 ATTORNEY ROLAND:

3 Mr. Cruz, Michael Cruz, is the Chief
4 Technology Officer for the Pennsylvania Gaming Control
5 Board.

6 CHAIRMAN:

7 Okay. Thank you. Any other questions?
8 Ex-officio members? With respect to Mr. Chau, may I
9 have a motion?

10 MR. MOSCATO:

11 Yes, sir. I move that the Board issue
12 an Order to approve the addition of Chung F. Chau to
13 the PGCB Involuntary Exclusion List as described by
14 the OEC.

15 CHAIRMAN:

16 Second?

17 MR. WOODS:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 Opposed? The motion passes. Next we'll
24 do Chang Chen. Questions or comments from the Board?
25 Ex-officio members? May I have a motion?

1 MR. WOODS:

2 Mr. Chairman, I move that the Board
3 issue an Order approving the addition of Chang Q. Chen
4 to the Pennsylvania Gaming Control Board Involuntary
5 Exclusion List as described by the OEC.

6 MR. FAJT:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 Opposed? The motion carries. Next,
13 Chao Lin. Any questions or comments from the Board?
14 Ex-officio members? May I have a motion?

15 MR. FAJT:

16 Mr. Chairman, I move that the Board
17 issue an Order to approve the addition of Chao W. Lin
18 to the PGCB Involuntary Exclusion List as described by
19 the OEC.

20 MS. KAISER:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

1 Opposed? The motion carries. And
2 finally Tian Wang. Any questions, comments from the
3 Board? Ex-officio members? May I have a motion?

4 MS. KAISER:

5 Mr. Chairman, I move that the Board
6 issue an Order to approve the addition of Tian Wang to
7 the Pennsylvania Gaming Control Board Involuntary
8 Exclusion List as described by the OEC.

9 MR. MCCALL:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 Opposed? The motion carries.

16 ATTORNEY ROLAND:

17 Thank you, Mr. Chairman. The next
18 matter is a request to place George Lazrovitch on the
19 Board's excluded persons list. The OEC filed a
20 petition to place Mr. Lazrovitch on the exclusion list
21 for gaining access to Sands Casino gaming floor after
22 entering through the licensed facility's main entrance
23 when he was still 20 years old.

24 He provided identification but it was
25 not scanned and he was granted access to the floor.

1 Mr. Lazrovitch was on the gaming floor for
2 approximately one hour and 35 minutes. He gamed at
3 multiple slot machines but did not consume any
4 alcoholic beverages.

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

13 On August the 22nd, 2013 the OEC filed a
14 request to enter judgment upon default. The matter is
15 now before the Board to consider the placement of
16 George Lazrovitch on the Board's excluded persons
17 list.

18 Mr. Lazrovitch was initially charged
19 with prohibited acts under the Gaming Act,
20 specifically 813, which is unlawful to permit persons
21 under 21. He since that time has entered a guilty
22 plea.

23 CHAIRMAN:

24 Is George Lazrovitch in the hearing
25 room? Questions or comments from the Board?

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

2 MR. MCCALL:

3 Mr. Chairman, I move the Board issue an
4 Order to approve the admission of George Lazrovitch to
5 the Pennsylvania Gaming Control Board Involuntary
6 Exclusion List as described by the OEC. And further
7 move that Mr. Lazrovitch may petition for removal from
8 the list one year after the date of the Board's Order.

9 MR. MCNALLY:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 Opposed? The motion carries.

16 ATTORNEY ROLAND:

17 And the last matter we have is a request
18 to place Santiago Ivan Silva on the Board's excluded
19 persons list. The OEC filed a petition to place Mr.
20 Silva on the exclusion list for gaining access to
21 Sands Casino gaming floor after entering through the
22 licensed facility's main entrance when he was still 20
23 years of age.

24 He provided identification but it was
25 not scanned and he was granted access to the gaming

1 floor. Mr. Silva was on the gaming floor for
2 approximately 55 minutes and Mr. Silva was gaming at a
3 blackjack table when the Table Game Supervisor noticed
4 that the picture on his identification was not him.

5 Also Mr. Silva did not know the address
6 that was listed on the identification. Mr. Silva
7 admitted that the identification did not belong to him
8 and that he was drinking and gaming while on the
9 property. The petition was properly served upon Mr.
10 Silva to the address listed on the criminal complaint.
11 And that was by both certified and first class mail.

12 Mr. Silva did not respond to the filing
13 in any way. Due to Mr. Silva's failure to respond,
14 the averments in the petition are deemed to be
15 admitted as fact and his right to a hearing has been
16 waived.

17 On August 22nd, 2013 the OEC filed a
18 request to enter judgment upon default. The matter is
19 now before the Board to consider the placement of
20 Santiago Silva on the Board's excluded persons list.
21 Mr. Silva was originally charged, again, with
22 prohibited acts under our Gaming Act, specifically
23 813, which is individuals under the age of 21. He
24 entered a guilty plea to that charge.

25 One other matter that came forth on this

1 is Mr. Silva contacted me and asked for information to
2 send an apology letter to the Board. I believe all of
3 you at this point have received that. In addition to
4 the guilty plea, he obviously admits in the apology
5 letter he did it, but he wanted to express that he was
6 sorry.

7 CHAIRMAN:

8 Is Santiago Ivan Silva in the hearing
9 room? Any questions, comments from the Board?
10 Ex-officio members? May I have a motion?

11 MR. MCNALLY:

12 Mr. Chairman, I move that the Board
13 issue an Order to include the addition of Santiago
14 Ivan Silva to the Pennsylvania Gaming Control Board
15 Involuntary Exclusion List as described by the OEC.

16 I further move that Mr. Silva may
17 petition for approval from one year --- at one year
18 after the date of the Board's Order.

19 CHAIRMAN:

20 Second?

21 MR. MOSCATO:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

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CHAIRMAN:

Opposed? The motion carries.

ATTORNEY ROLAND:

Thank you.

CHAIRMAN:

Thank you both. Appreciate it. I believe that concludes today's meeting, ladies and gentlemen. Our next scheduled public meeting will be on Wednesday, October 30th, in this room. That meeting will begin at 10:00 a.m. Any other comments from the Board? Ex-officios? Do I have a motion to adjourn?

MS. MOSCATO:

Mr. Chairman, I move that we adjourn.

CHAIRMAN:

Second?

MR. WOODS:

Second.

CHAIRMAN:

Thank you very much, ladies and gentlemen.

* * * * *

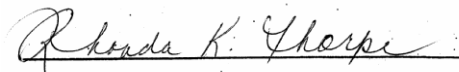
HEARING CONCLUDED AT 10:51 A.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings,
hearing held before Chairman Ryan was reported by me
on 10/9/2013 and that I Rhonda K. Thorpe read this
transcript and that I attest that this transcript is a
true and accurate record of the proceeding.


Court Reporter