

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

\* \* \* \* \*

PUBLIC MEETING

\* \* \* \* \*

BEFORE: WILLIAM H. RYAN, JR., CHAIRMAN  
Gregory C. Fajt; Anmarie Kaiser; Keith R.  
McCall; John J. McNally, III; Anthony C.  
Moscato; David W. Woods; Members  
Robert P. Coyne, representing Daniel  
Meuser, Secretary of Revenue  
Jennifer Langan, representing Robert  
McCord, State Treasurer

HEARING: Wednesday, January 22, 2014  
10:00 a.m.

LOCATION: Strawberry Square Complex  
Second Floor  
Harrisburg, PA 17101

WITNESSES: Michael Izzo, Mundy Stafford, Ron Battoni,  
Kim Hankins, Jill Brock, Edward Weidner

Reporter: Lindsey Powell

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## OFFICE OF CHIEF COUNSEL

R. DOUGLAS SHERMAN, ESQUIRE

Chief Counsel

SUSAN YOCUM, ESQUIRE

Assistant Chief Counsel

STEPHEN S. COOK, ESQUIRE

Deputy Chief Counsel

## OFFICE OF ENFORCEMENT COUNSEL

CYRUS PITRE, ESQUIRE

Chief Enforcement Counsel

MICHAEL ROLAND, ESQUIRE

Assistant Enforcement Counsel

GLENN STUART, ESQUIRE

Assistant Enforcement Counsel

DUSTIN MILLER, ESQUIRE

Assistant Enforcement Counsel

JEFFREY HOEFLICH, ESQUIRE

Assistant Enforcement Counsel

PA Gaming Control Board

P.O. Box 69060

Harrisburg, PA 17106-9060

Counsel for the Pennsylvania Gaming Control Board

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CHAIRMAN:

Good morning, ladies and gentlemen. My name is Bill Ryan, Chairman of the Pennsylvania Gaming Control Board. Before we begin, I would like to ask everyone to please turn off your cell phones and other electronic devices or please at least put them on silent or vibrate. Thank you very much.

With us today is Jennifer Langan, representing State Treasurer Robert McCord, and Bob Coyne representing the Secretary for the Department of Revenue, Dan Meuser. Thank you both for being here. Everybody on the Board being present, I will call today's meeting to order. I would ask everyone to please rise for the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE RECITED

CHAIRMAN:

Thank you, ladies and gentlemen. The Board held an Executive Session yesterday to conduct quasi-judicial deliberations relating to matters being considered by the Board today. And repeating a message that I have given a number of times in the recent past, I would inform everyone that the Public Suitability Hearings on the available Category 2

1 License for the City of Philadelphia will be held in  
2 the City of Philadelphia for each of the applicants  
3 between January 28th and January 30th, 2014.

4                   The hearings will begin on January 28th  
5 at 9:00 a.m., and are being held in Ballroom A of the  
6 Pennsylvania Convention Center. For more information,  
7 you may visit our website at  
8 [www.gamingcontrolboard.pa.gov](http://www.gamingcontrolboard.pa.gov) and click on Applicant  
9 Information under "Quick Links". First, then, today,  
10 under new business, we have Executive Director Kevin  
11 O'Toole. Kevin?

12                   MR. O'TOOLE:

13                   Good morning, Chairman Ryan, members of  
14 the Board. This morning, we have Kevin Kile, our  
15 Director of Racetrack Operations, to present the first  
16 item on the agenda.

17                   CHAIRMAN:

18                   Good morning, Kevin.

19                   MR. KILE:

20                   Good morning, Chairman, members of the  
21 Board. We have two items for the Board's  
22 consideration this morning. The Pennsylvania Harness  
23 Horsemen's Association and the Meadows Standardbred  
24 Owners Association have requested approval of their  
25 respective health insurance contracts. Under Section

1 14.06 of the Act, approximately four percent of  
2 funding received from the Pennsylvania Race Horse  
3 Development Fund is required to be used to fund health  
4 insurance and pension benefits for the members of the  
5 horseman's organizations, their families, and their  
6 employees, in accordance with the rules and  
7 eligibility requirements of each organization.

8           Subsection F of Section 14.06 of the Act  
9 requires that all health and pension benefit contracts  
10 be approved by the Board. Lastly, Subsection D states  
11 that funding for health and pension benefit plans is  
12 considered reasonable, if such program funding on an  
13 annual basis is at least 85 percent of the total  
14 allocation received. The Pennsylvania Harness  
15 Horsemen's Association, or PHHA, represents the horse  
16 owners, trainers, and others, that race at Mohegan Sun  
17 at Pocono Downs and Harrah's Philadelphia.

18           Representatives from the PHHA are  
19 present here today to address you all, and I would ask  
20 they come forward now and identify themselves. After  
21 their presentation, I ask that the Board consider a  
22 motion to approve the agreement, if the proposed  
23 agreement is deemed acceptable.

24           CHAIRMAN:

25           Good morning, gentlemen. Is there going

1 to be one spokesperson for the group, or multiple?

2 MR. IZZO:

3 Well, he's the representative from our  
4 insurance program.

5 CHAIRMAN:

6 Okay.

7 MR. IZZO:

8 He was requested to be here.

9 CHAIRMAN:

10 All right. I'll tell you what, for  
11 those who are going to make a presentation to the  
12 Board and you're not attorneys, I ask you to be sworn  
13 before you speak. So, gentlemen, why don't you  
14 all ---?

15 MR. IZZO:

16 Uh-huh (yes), that's fine.

17 CHAIRMAN:

18 Okay. Why don't you stand up and state  
19 your name for the record?

20 MR. IZZO:

21 Yes. Michael Izzo, with the PHHA.

22 CHAIRMAN:

23 And spell your last name, sir?

24 MR. IZZO:

25 I-Z-Z-O.

1                    CHAIRMAN:

2                    Sir?

3                    MR. STAFFORD:

4                    Mundy (phonetic) Stafford,

5 S-T-A-F-F-O-R-D.

6                    CHAIRMAN:

7                    And what's your position, sir?

8                    MR. STAFFORD:

9                    I'm the broker for the health insurance.

10                   CHAIRMAN:

11                   Sir?

12                   MR. BATTONI:

13                   Ron Battoni, Executive Director, PHHA,

14 B-A-T-T-O-N-I.

15                   CHAIRMAN:

16                   Thank you. I would ask the court  
17 reporter to swear the witnesses?

18 -----

19 WITNESSES SWORN EN MASSE

20 -----

21                   CHAIRMAN:

22                   Okay. Thank you, gentlemen. You may  
23 sit down, and you can proceed.

24                   MR. IZZO:

25                   Okay. We were asked here to review our



1 health and pension numbers, and we've supplied most of  
2 them I think to Kevin. I'm assuming that he  
3 distributed them to you. And we would take any  
4 questions that you find necessary.

5 CHAIRMAN:

6 Kevin, any questions? Or, Kevin, any  
7 questions you have?

8 MR. KILE:

9 Sure. If you could, Mr. Izzo, just,  
10 please, given to give an overview of the PHHA, the  
11 insurer to your left. And please describe for the  
12 Board your health benefit plan as you described it.

13 MR. IZZO:

14 Okay. Well, basically, we're the trade  
15 association representing the horsemen at Pocono and  
16 Harrah's. We've had a health plan since the beginning  
17 of 2006. We have a pension plan. We pay out a  
18 hundred percent of what we receive from slot revenue.  
19 We do not take anything for administration.

20 Right now, we have approximately 133  
21 contracts with health insurance for trainers, drivers,  
22 and grooms. We do not let owners on. We have,  
23 probably, close to 400 people enrolled in the pension  
24 plan. We have approximately, I would think, \$14  
25 million in pension reserves for those people. Any

1 other questions that you find necessary, go ahead.  
2 Just let me know. If you want me to describe anything  
3 in particular, I'd be happy to.

4 CHAIRMAN:

5 Okay. Kevin, any other questions?

6 MR. KILE:

7 If you could, please provide an overview  
8 of the actual coverage itself.

9 MR. IZZO:

10 Okay. The coverage we have is basically  
11 a \$500 deductible. Benefits are the same that have  
12 always been provided. We haven't changed them, and  
13 maybe Mundy can go through the benefits a little  
14 better than I can.

15 MR. STAFFORD:

16 It's essentially --- it's a fully  
17 insured plan. It's on Independence Blue Cross' paper.  
18 I'm not sure you're probably aware of who they are.  
19 We recently switched from Coventry Health Plan. They  
20 were bought by Aetna, and they felt the need to no  
21 longer cover Associations so we switched to  
22 Independence Blue Cross effective 2/1 of 2014.

23 CHAIRMAN:

24 Okay. Any questions? Greg?

25 MR. FAJT:

1           Thank you, Mr. Chairman. Mr. Izzo, you  
2 had mentioned that there are approximately 400 people  
3 enrolled in your pension plan and about 133 in the  
4 health care plan. How big is the potential pull for  
5 people in the healthcare plan? Is it 400? Is it more  
6 than 400 or less?

7           MR. IZZO:

8           No. Not really. Because, as you know  
9 at Chester, we have people racing there from four  
10 states, Delaware, Jersey, Maryland and some of those  
11 have their own health insurance plans. And, we charge  
12 the people approximately the same thing that they do.  
13 Because, well, we don't want to have ---.

14           And again, we've been taking some heat  
15 about money going out of state. So, we've been  
16 watching how many people are enrolled outside. And we  
17 don't want to convert all the Jersey people and all  
18 the Delaware people onto our insurance plan. Now,  
19 they are eligible, because they race there, for the  
20 pension. But, we're careful about who we let on. We  
21 just don't want everyone dumping everybody onto us.

22           MR. FAJT:

23           And so, again, out of the 133 that  
24 partake in your plan, what's ---? Let's exclude the  
25 out of state people. Because I get what you're

1 taking. But, on in-state folks, how many people would  
2 be eligible versus the 133?

3 MR. IZZO:

4 Well, you know, most of the people are  
5 stabled in Pennsylvania, at Pocono. And there's very  
6 few training centers. A couple training centers.  
7 Most of the people are stabled over in New Jersey  
8 because there's three large training centers, a lot of  
9 other training centers over there.

10 But, anybody that races here --- and  
11 especially Pennsylvania people, we give the  
12 Pennsylvania people a big discount on that trying to  
13 provide them the best coverage. So, if you would take  
14 that 400 people, no, they probably wouldn't all be. I  
15 really don't have a breakdown for you.

16 But, most of the horses that are trained  
17 out of state are trained in New Jersey. I guess if  
18 you tried to do a ratio, there's probably four or five  
19 major training centers in Jersey. And there's  
20 probably two training centers in Pennsylvania. So, I  
21 would think, you know, if you said there were 200  
22 people eligible, I think that would be a reasonable  
23 number.

24 MR. FAJT:

25 Okay. Thank you.

1                   CHAIRMAN:

2                   Tony?

3                   MR. MOSCATO:

4                   Just one question. Prior to the passage  
5 in 2004 of the Race Horse Redevelopment and Gaming  
6 Act, was there a plan for healthcare and pensions?

7                   MR. IZZO:

8                   Yeah, I'm pretty sure there was. I  
9 wasn't there when it happened. Ron can answer that  
10 question.

11                  MR. BATTONI:

12                  Yes, there was. There was. And since,  
13 actually, the Association was started in 1967, there's  
14 always been a health plan. Now, the health plan, once  
15 the close of Liberty Bell Park --- right out in  
16 Philadelphia, closed years ago, the participation  
17 dropped significantly. I'm going to say before pre-  
18 slots, we probably had about 30 participants in the  
19 health plan.

20                  MR. MOSCATO:

21                  Okay. You anticipated my next question.  
22 So, thank you for that. That's all.

23                  CHAIRMAN:

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

1                   MR. MCNALLY

2                   Mr. Chairman, I would move that the  
3 Board approve that health insurance contract for the  
4 Pennsylvania Harness Horsemen's Association.

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. Thank  
14 you, gentlemen.

15                  MR. IZZO:

16                  Thank you.

17                  CHAIRMAN:

18                  I appreciate it. Kevin?

19                  MR. KILE:

20                  Next, the Meadows Standardbred Owner's  
21 Association, or MSOA, represents the horse owners,  
22 trainers, and others that race at The Meadows  
23 Racetrack and Casino. Representatives from the MSOA  
24 are also here today. And, at this time, I would ask  
25 that they come forward.

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CHAIRMAN:

Good morning.

MR. HANKINS:

Good morning.

CHAIRMAN:

I guess I would reiterate what I said before, could you, please, both stand and be sworn.

MR. HANKINS:

My name is Kim Hankins, Executive Director of the MSOA.

CHAIRMAN:

And how do you spell your last name, sir?

MR. HANKINS:

H-A-N-K-I-N-S.

CHAIRMAN:

Thank you.

MS. BROCK:

Jill Brock, I'm a broker for CSC Insurance. B-R-O-C-K.

CHAIRMAN:

Could you swear both witnesses, please?

-----  
WITNESSES SWORN EN MASSE  
-----

1                   CHAIRMAN:

2                   Thank you both.    Sir?

3                   MR. HANKINS:

4                   Well, an overview of the Meadows  
5 Standardbred Owners Association is, we are the  
6 representative body for owners, trainers, drivers, and  
7 grooms that participate at the Meadows.  As such, the  
8 MSOA maintains relationships with the Harness Racing  
9 Commission, obviously the Gaming Control Board, the  
10 Legislature, and the Meadows regarding our Live Racing  
11 Agreement.

12                   We have had a change in policies this  
13 year due to the fact that health insurance --- our  
14 previous carrier was purchased by Aetna Insurance.  
15 And Aetna does not provide health insurance benefits  
16 for trade associations.  So, we were required to move  
17 forward.

18                   We moved into Highmark, Blue Cross Blue  
19 Shield.  One of the leading --- well, the leading  
20 insurers in Pennsylvania.  We have a policy in place  
21 currently that starts February 1st throughout ---  
22 until January 31st of next year.

23                   Currently, we have 99 grooms and 84  
24 trainers and drivers on the policy.  We have a set of  
25 requirements, criteria, that they must submit to



1 regarding their eligibility. We have provided a  
2 summary of the funds of the policy to Kevin.

3           The premiums paid are different.  
4 They're --- excuse me. The premiums are the same, but  
5 the contributions from the members themselves is  
6 different. Obviously, the income levels requires  
7 that, or needs that to happen.

8           Our trainer/drivers, on an individual  
9 basis, pay \$155 of the \$541 premium. And our grooms  
10 contribute \$50. And these are monthly payments. And,  
11 in regards to reasonableness of the amount spent, we  
12 had, last year, a \$15,000 ERISA legal opinion written,  
13 that was paid for from the health and welfare account.  
14 And our health plan costs were \$576,000, which was 32  
15 percent. And the remaining 67 percent went into our  
16 pension plans. And that's our submission.

17           CHAIRMAN:

18           Okay. Kevin, any questions?

19           MR. KILE:

20           Just, if you could briefly provide an  
21 overview of the coverage provided?

22           MR. HANKINS:

23           I would defer to ---.

24           MS. BROCK:

25           Sure.

1                   MR. HANKINS:

2                   Jill.

3                   MS. BROCK:

4                   The health plan that the drivers,  
5 trainers, and grooms are offered is a PPO plan through  
6 Highmark with a \$500 deductible, 100 percent coverage  
7 after deductible, co-pays for various services. It's  
8 an excellent plan. And they are all offered the same  
9 plan.

10                  CHAIRMAN:

11                  Okay. Questions from the Board?

12                  MR. FAJT:

13                  Yes. Thank you, Mr. Chairman. Kind of  
14 the same question. Kevin, thank you for being here.  
15 It's good to see you again. 183-ish participants, how  
16 big is the pool of potential participants?

17                  MR. HANKINS:

18                  I would say it's a guesstimate.

19                  MR. FAJT:

20                  Yeah.

21                  MR. HANKINS:

22                  Because grooms and trainers go in and  
23 out. I would say, probably 300.

24                  MR. FAJT:

25                  Okay.

1                   MR. HANKINS:

2                   Approximately.

3                   MR. FAJT:

4                   And I'll take the question from my buddy  
5 here, just to try to streamline this. How many people  
6 participated before the passage of slots versus now,  
7 or did you even have a plan back then?

8                   MR. HANKINS:

9                   We had a plan that was cancelled  
10 previous to the Act being in place. And I believe ---  
11 I wasn't here either. But, I believe it was probably  
12 50 to 60 people.

13                   MR. FAJT:

14                   Okay. Thank you.

15                   CHAIRMAN:

16                   Any other questions from the Board?  
17 Ex-officio members? May I have a motion?

18                   MR. MOSCATO:

19                   Mr. Chairman, I move that the Board  
20 approve the health insurance contract for the Meadows  
21 Standardbred Owners Association.

22                   MR. WOODS:

23                   Second.

24                   CHAIRMAN:

25                   All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 Opposed? The motion carries. Thank  
4 you. I appreciate it. Okay, next, Doug Sherman,  
5 Chief Counsel?

6 ATTORNEY SHERMAN:

7 Good morning, Chairman, members of the  
8 Board. Our first agenda item relates to a temporary  
9 regulation, which Assistant Chief Counsel Susan Yocum  
10 is here to present.

11 ATTORNEY YOCUM:

12 Good morning, Chairman, members of the  
13 Board. The rulemaking for your consideration today is  
14 125-181. It's a temporary regulation which will add a  
15 new game, Double Blackjack, to the complement of games  
16 available for play. This game is a variation on  
17 standard blackjack in which a player who busts, or  
18 goes over 21, can buy back in, receive an additional  
19 card and subtract that number from your overall hand  
20 total point count. I'd be happy to answer any  
21 questions you may have about the regulation.

22 CHAIRMAN:

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

25 MR. WOODS:

1                   Mr. Chairman, I move that the Board  
2 adopt Temporary Regulation 125-181 as described by the  
3 Office of Chief Counsel (OCC) and that the regulation  
4 be posted on the Board's website.

5                   MR. FAJT:

6                   Second.

7                   CHAIRMAN:

8                   All in favor?

9 ALL SAY AYE

10                  CHAIRMAN:

11                  Opposed? The motion carries.

12                  ATTORNEY YOCUM:

13                  Thank you.

14                  CHAIRMAN:

15                  Thank you, Susan.

16                  ATTORNEY SHERMAN:

17                  Today, we have one petition on the  
18 agenda. It's to be decided on the documents filed of  
19 record. That matter is Edward Weidner's request that  
20 the Board lift the suspension of his Gaming Employee  
21 Permit. The Board has, in advance of this meeting,  
22 been provided with the petition, OEC's answer, as well  
23 as any evidentiary materials filed in the record.

24                  Mr. Weidner was issued a G2 Employee  
25 Permit on January 18th, 2012, to work as a Dual-Rate

1 Dealer at Sands Casino Resort. During October 2012,  
2 the Board's Bureau of Casino Compliance was notified  
3 that Sands was conducting an internal review of Mr.  
4 Weidner's father's player's account after unusual  
5 activity was identified in that account. As a result  
6 of the review, it was subsequently alleged that Mr.  
7 Weidner was entering false rating information into  
8 Sands' player tracking system for the benefit of his  
9 father.

10 As a result of the conduct, on October  
11 7th, 2012, Mr. Weidner was charged by the Pennsylvania  
12 State Police with computer trespass, criminal intent  
13 to commit theft by deception, and unlawful use of  
14 computer. Based upon these charges, the Office of  
15 Enforcement Counsel (OEC) filed a complaint to revoke  
16 Mr. Weidner's G2 permit. During the pendency of that  
17 Enforcement Action, Mr. Weidner was accepted into the  
18 Northampton County's Accelerated Rehabilitative  
19 Disposition Program, relative to these criminal  
20 charges.

21 On October 5th, 2013, the OEC and Mr.  
22 Weidner entered a Consent Agreement, in which OEC  
23 agreed to withdraw its revocation of the complaint in  
24 exchange for Mr. Weidner agreeing to have his G2  
25 Permit suspended for at least the duration of his ARD,

1 with the ability to petition the Board to lift that  
2 suspension after successful completion of the ARD.

3 On November 1st, 2013, Mr. Weidner  
4 completed his ARD and is now requesting that the Board  
5 lift the suspension. OEC does not object to the  
6 request. And, I believe Mr. Weidner is here today to  
7 address the Board.

8 CHAIRMAN:

9 Are you Edward Weidner?

10 MR. WEIDNER:

11 I am. Yes, sir.

12 CHAIRMAN:

13 All right. Do you want to address the  
14 Board?

15 MR. WEIDNER:

16 I would like to say something.

17 CHAIRMAN:

18 Pardon?

19 MR. WEIDNER:

20 I would have something to say.

21 CHAIRMAN:

22 All right. Please stand, so we can have  
23 you sworn in as a witness. First, state your name for  
24 the record and spell your last name?

25 MR. WEIDNER:

1                   First name is Edward. Last name,  
2 Weidner, W-E-I-D-N-E-R.

3                   CHAIRMAN:

4                   I would ask the court reporter to swear  
5 the witness.

6 -----

7 EDWARD WEIDNER, HAVING FIRST BEEN DULY SWORN,  
8 TESTIFIED AS FOLLOWS:

9 -----

10                  CHAIRMAN:

11                  All right, Mr. Weidner. You can sit  
12 down. What do you have to say?

13                  MR. WEIDNER:

14                  For the record, I'm 39 years old. And I  
15 never had a blemish on my record at all. I did make a  
16 sorry mistake, a stupid mistake. And I tried to do  
17 everything that I could to make everything right. I  
18 made this a career for myself.

19                  I was with the Civil Service for 17  
20 years of my life. And I put that aside to move  
21 forward into the casino career business. And I made a  
22 mistake. And all I ask is, maybe, for a second  
23 chance. Thank you.

24                  CHAIRMAN:

25                  The mistake you made, sir, I understand,



1 you admit, is that you knowingly entered the false  
2 information on the account, your father's account;  
3 correct?

4 MR. WEIDNER:

5 I was told I --- I had to admit that I  
6 did those things. And I didn't do all those things.

7 CHAIRMAN:

8 What do you mean?

9 MR. WEIDNER:

10 Excuse me?

11 CHAIRMAN:

12 What do you mean, you didn't do all  
13 those things?

14 MR. WEIDNER:

15 I didn't ---. They said I did all that  
16 --- put all that money, the comps onto the card. I  
17 didn't do all that.

18 CHAIRMAN:

19 Did you do some of it?

20 MR. WEIDNER:

21 I did.

22 CHAIRMAN:

23 How much of it did you do? How many  
24 thousand dollars did you do?

25 MR. WEIDNER:

1 I didn't do any thousand dollars.

2 CHAIRMAN:

3 Well, how much did you do?

4 MR. WEIDNER:

5 I'm going to --- maybe a couple hundred.

6 But that's what I was saying. But I was made to pay  
7 all of that back that was --- said that I had to admit  
8 to do. And I had no problem with that because I want  
9 to make this right.

10 CHAIRMAN:

11 How'd the rest of it get on there?

12 MR. WEIDNER:

13 I have no --- I'm sorry.

14 CHAIRMAN:

15 You have no idea?

16 MR. WEIDNER:

17 I don't know how it got there. That's  
18 what I'm getting at. It wasn't all in my number.

19 CHAIRMAN:

20 Any questions from the Board?

21 MR. WOODS:

22 Mr. Chairman?

23 CHAIRMAN:

24 Yes?

25 MR. WOODS:

1           The question, do you have prospect of  
2 employment with a casino in Pennsylvania?

3           MR. WEIDNER:

4           Right now, I'm waiting on the Sands to  
5 return ---. I sent a petition into them. And they  
6 said, at this time, they were waiting to see what  
7 happens with my license.

8           MR. WOODS:

9           Thank you.

10          CHAIRMAN:

11          Any other questions?

12          MR. MCCALL:

13          I have a question.

14          CHAIRMAN:

15          Keith?

16          MR. MCCALL:

17          When you say that it wasn't your number  
18 --- and I don't know how the process works. But if it  
19 wasn't your number that was attributed to the comps  
20 that were provided, whose number was it? Was it  
21 ever ---?

22          MR. WEIDNER:

23          I don't ---. When you go into the  
24 computer, you have to put your employee number in.  
25 Which was --- mine was 30718.

1                   MR. MCCALL:

2                   I know. But there would be a mechanism,  
3 then, for someone to check that number and find out  
4 whose number it was and it had to be a valid number  
5 for the credit to be provided.

6                   MR. WEIDNER:

7                   Of course. Of course it had to be  
8 another number that would have --- probably someone  
9 that could've been there. My father did play there.  
10 He didn't play as much as I had put in the computer.  
11 But I'm saying he did play there. And maybe I may  
12 have left him in there. But I didn't back all that  
13 stuff up. I didn't do all that.

14                   MR. MCCALL:

15                   Okay. Can Enforcement Counsel or  
16 someone address it?

17                   CHAIRMAN:

18                   Counsel?

19                   ATTORNEY ROLAND:

20                   Good morning, Mr. Chairman, members of  
21 the Board. Michael Roland, R-O-L-A-N-D, with the OEC.  
22 Two quick things to address. Mr. Weidner first said,  
23 you know, he didn't necessarily commit everything that  
24 he was made to admit to.

25                   I don't know how familiar you all are

1 with the ARD program. It does vary from county to  
2 county in the Commonwealth of Pennsylvania. In fact,  
3 some counties don't even have an ARD program. It's  
4 entirely to the discretion of the District Attorney.

5 I originally was from York County. I  
6 believe Dauphin County is the same way. But in order  
7 to receive the benefits of the ARD program, what most  
8 of the DAs will do is, essentially, ask you to admit  
9 or enter a guilty plea before they even allow you into  
10 the program.

11 The thought process being that if a  
12 year, a year and a half later, you violate the  
13 conditions of that program, they essentially still  
14 have a hammer over your head in order to hold your  
15 feet to the fire, for lack of a better term. So,  
16 that, I'm assuming, is what he means when he was made  
17 to admit to all of the charges that were pending  
18 against him.

19 As far as Mr. Weidner being entirely  
20 accountable for every single dollar? He may actually  
21 have a little bit of truth in that as well. We found,  
22 when we took a look at Sands --- and this was an  
23 internal policy that they were not necessarily  
24 enforcing. They were not requiring their supervisors  
25 who signed into the computer system to also sign out.

1 Or, maybe I shouldn't say they weren't requiring them.  
2 They weren't enforcing or making sure that the  
3 supervisors were signing out. So, there have been  
4 documented instances where a supervisor goes in, walks  
5 away from the terminal, somebody else comes up, and  
6 then makes amendments to the computer system, but it  
7 then is under the previous supervisor's number. So,  
8 it became very difficult to track who was making  
9 changes. Whether or not someone made changes to Mr.  
10 Weidner --- that being the father, his account, rather  
11 than the Mr. Weidner before us today, we can't really  
12 tell.

13 We have addressed this issue with Sands  
14 many, many moons ago. That is no longer an issue. We  
15 actually had an Enforcement Action with them regarding  
16 that. So, if that gives some clarity, I'm not sure.  
17 But it was, at one point in time, a pretty confusing  
18 situation.

19 CHAIRMAN:

20 Greg?

21 MR. FAJT:

22 Thank you, Mr. Chairman. Mike, was the  
23 gentleman before us on duty when the credits were  
24 posted to his father's account, even if his number was  
25 not entered into the system? Do we know that?

1                   ATTORNEY ROLAND:

2                   We do. And the reason we know that is  
3 --- and I don't know if we can account for every  
4 single instance that occurred. But there are times  
5 when Mr. Weidner, the gentleman before us, we have  
6 video surveillance showing him at the terminal and  
7 that time corresponds with the time of his father's  
8 player's account being altered. You take the two  
9 computer systems and match them up. They both have an  
10 internal clock. You can see that's happened.

11                   So, his admission to you that he did do  
12 some of them, that is true. We have that. We have  
13 video surveillance proving that.

14                   MR. FAJT:

15                   Do we have any evidence that he entered  
16 credits onto his father's account without entering his  
17 number as the enterer of the information? In other  
18 words, do we have any evidence that he entered  
19 information on his father's account on, say, the  
20 supervisor's number because the supervisor didn't log  
21 out?

22                   ATTORNEY ROLAND:

23                   I wouldn't be comfortable saying we had  
24 that type of evidence, no.

25                   MR. FAJT:

1                   Okay. That would be something that I  
2 think we should check.

3                   CHAIRMAN:

4                   Any other questions? Sir, do you have  
5 any other relatives back during this time who worked  
6 at the Sands in the same capacity you did?

7                   MR. WEIDNER:

8                   No.

9                   CHAIRMAN:

10                   You were it?

11                   MR. WEIDNER:

12                   I was.

13                   CHAIRMAN:

14                   Okay. Any other questions? Ex-officio  
15 members? Keith? May I have a motion? All right,  
16 ladies and gentlemen. We're going to recess for two  
17 minutes. Take a break.

18 BRIEF RECESS TAKEN

19                   CHAIRMAN:

20                   Okay, ladies and gentlemen, we are back  
21 in session. I appreciate everybody's patience. The  
22 Board just spent a few minutes deliberating on this  
23 particular matter and, now, it's time to do something.  
24 Before we do, I would ask Mr. Sherman, what is the  
25 status of Mr. Weidner's license here?



1                   ATTORNEY SHERMAN:

2                   The G2 Permit was initially granted on  
3 January 18th, 2012. The Permit is of a three-year  
4 duration that, on its own, would expire January 18th,  
5 2015. So, a little under one year from today would be  
6 the expiration of that Permit. Of course, it  
7 currently is in a suspended state.

8                   CHAIRMAN:

9                   All right. Any other questions from  
10 anybody on the Board? Ex-officio members? May I have  
11 a motion?

12                   MS. KAISER:

13                   Mr. Chairman, I move that the Board deny  
14 the petition of Edward Weidner as described by the  
15 OCC, and that Mr. Weidner's suspension remain in place  
16 for the duration of his licensed term.

17                   MR. MCCALL:

18                   Second.

19                   CHAIRMAN:

20                   All in favor?

21 ALL SAY AYE

22                   CHAIRMAN:

23                   Opposed? The motion carries. Mr.  
24 Weidner, do you understand where we are? Your  
25 suspension is continuing, sir, for the remainder of

1 the period you are licensed. After that period, you  
2 are then free to reapply; correct, Counsel?

3 ATTORNEY SHERMAN:

4 That would be correct. As of January  
5 18th, 2015, Mr. Weidner could reapply for licensure.

6 CHAIRMAN:

7 Thank you, sir. You're excused.

8 MR. WEIDNER:

9 Thank you.

10 ATTORNEY SHERMAN:

11 Next, presenting Reports and  
12 Recommendations is Deputy Chief Counsel Steve Cook.

13 ATTORNEY COOK:

14 Good morning.

15 CHAIRMAN:

16 Good morning, Steve.

17 ATTORNEY COOK:

18 Next before the Board for consideration  
19 are three Reports and Recommendations received from  
20 the Office of Hearings and Appeals (OHA). These  
21 Reports and Recommendations, along with the complete  
22 evidentiary record, have been provided to the Board in  
23 advance of this meeting. Additionally, each of these  
24 individuals have been asked or have been notified that  
25 the matter was going to be taken up by the Board

1 today, and that they could come forward to briefly  
2 address the Board.

3           If any of these individuals are present,  
4 I'd ask them to come forward when their matter is  
5 called. The first Report and Recommendation for the  
6 Board today pertains to Patsy Correal. Mr. Correal  
7 submitted an application for a Gaming Employee Permit  
8 seeking work as a Table Games Dealer at the Lady Luck  
9 Casino at Nemaquin.

10           Mr. Correal indicated on his application  
11 that he had a 2012 IRS tax lien that had been filed  
12 against him. The Bureau of Investigation and  
13 Enforcement's (BIE) subsequent investigation of that  
14 matter discovered that the lien was, in fact, in place  
15 and in the amount of \$58,636. Subsequently, the OEC  
16 recommended that Mr. Correal's application be denied  
17 based upon that lien.

18           Mr. Correal requested a hearing on that  
19 recommendation of denial, which was scheduled for July  
20 11th, 2013. On that date, both Mr. Correal and the  
21 OEC appeared before a Hearing Officer of the Board and  
22 both jointly requested a continuance of the matter so  
23 that Mr. Correal could have some time to attempt to  
24 address and resolve his issues with the IRS.

25           Subsequently, the --- a status report

1 was submitted by the OEC in October of 2013,  
2 indicating that Mr. Correal's tax issue was still  
3 outstanding. As a result of that report, another  
4 hearing was scheduled for December 5th, 2013. Mr.  
5 Correal did not attend that hearing. It,  
6 nevertheless, commenced in his absence.

7 And, evidence was put forward showing  
8 that the tax lien remained in place and was not  
9 resolved. As a result of that evidence, the Report  
10 and Recommendation issued by the Hearing Officer  
11 recommended that his application be denied. And that  
12 is the recommendation before the Board today.

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 adopt the Report and Recommendation issued by the OHA  
19 regarding Patsy Correal's Gaming Employee Permit  
20 application as described by the OCC.

21 MR. MCNALLY:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

1                   CHAIRMAN:

2                   Opposed? Motion carries.

3                   ATTORNEY COOK:

4                   The next Report and Recommendation  
5 before the Board today pertains to Michael Keller.  
6 Mr. Keller was issued a Gaming Employee Permit on  
7 April 25th, 2013, and worked as a Table Games Dealer  
8 at Presque Isle Downs and Casino. On September 26th,  
9 2013, the BIE notified --- was notified by the  
10 Pennsylvania State Police that Mr. Keller had been  
11 arrested and charged with a number of drug-related  
12 offenses, including felony offenses. Specifically, it  
13 was alleged that Mr. Keller had been involved in a  
14 marijuana distribution ring, whereby large quantities  
15 of marijuana were shipped to Erie from California.  
16 And he was involved in the distribution of the  
17 marijuana in the Erie area.

18                   Upon learning of the matter, the OEC  
19 filed a request for an Order of Emergency Suspension  
20 with the Board's Executive Director. The Executive  
21 Director signed that Emergency Suspension Order on  
22 October 18th, 2013. The hearing on the validity of  
23 this Emergency Suspension was thereafter scheduled and  
24 held on November 21st, 2013. Both the OEC and Mr.  
25 Keller attended the hearing and presented evidence.

1                   During the course of the hearing, it was  
2 shown by OEC and undisputed by Mr. Keller that the  
3 criminal charges, including the felony charges,  
4 remained pending at that time and I believe remain  
5 pending today. A Report and Recommendation was  
6 thereafter issued by the Hearing Officer recommending  
7 that the suspension remain in place, given the  
8 pendency of the felony charges. And that is the  
9 recommendation before the Board.

10                   CHAIRMAN:

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

13                   MR. MCNALLY:

14                   Mr. Chairman, I move that the Board  
15 adopt the Report and Recommendation issued by the OHA  
16 regarding Michael J. Keller's Gaming Employee Permit  
17 as described by the OCC.

18                   CHAIRMAN:

19                   Second?

20                   MR. MOSCATO:

21                   Second.

22                   CHAIRMAN:

23                   All in favor?

24 ALL SAY AYE

25                   CHAIRMAN:

1                   Opposed? The motion carries.

2                   ATTORNEY COOK:

3                   The final Report and Recommendation  
4 before the Board today stems from a request to be  
5 removed from the Voluntary Self-Exclusion List.  
6 Pursuant to the Findings of Fact and the Report and  
7 Recommendation before the Board, on August 1st, 2011,  
8 an individual with the initials M.A.D. entered the  
9 Rivers Casino with his daughter, met with a Casino  
10 Compliance Representative, and requested to be placed  
11 on the Self-Exclusion List.

12                   The Casino Compliance Representative  
13 conducted a mandatory interview with him and completed  
14 all of the required procedures. The CCR explained to  
15 M.A.D. at that time the consequences of --- and  
16 prohibitions of the one year, five year, and lifetime  
17 self-exclusion choices. During the course of the  
18 meeting, M.A.D., who initially chose a five year  
19 exclusion, changed his mind and requested to be placed  
20 on the lifetime Self-Exclusion List.

21                   Notwithstanding this decision,  
22 approximately two years later, M.A.D filed the present  
23 petition before the Board requesting removal from the  
24 list. A hearing was thereafter held before the OHA  
25 during August of 2013. At that hearing, M.A.D

1 testified that he had, on two other occasions,  
2 previously placed himself on the Voluntary Self-  
3 Exclusion List for one-year terms, and after those  
4 terms had run, went through the necessary procedures  
5 to remove himself from the list.

6 He also stated at the hearing that the  
7 CCR who placed him on the list at the present term was  
8 irritated with him because he was flip-flopping and  
9 changing his mind in the course of the proceeding.  
10 And, essentially, this individual's testimony was that  
11 the CCR coerced him into going on the lifetime Self-  
12 Exclusion List.

13 There was a Report and Recommendation  
14 issued after the hearing. In that Report and  
15 Recommendation, the Hearing Officer found the  
16 individual was not coerced, and voluntarily asked for  
17 lifetime self-exclusion, was clearly familiar with the  
18 procedures, having previously been on the list twice  
19 before. And as a result the petition to be removed  
20 from the list should be denied. And that is the  
21 recommendation before the Board today.

22 CHAIRMAN:

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

25 MR. MOSCATO:



1                   Yes, sir. I move that the Board adopt  
2 the Report and Recommendation issued by the OHA  
3 regarding M.A.D.'s petition for removal from the Self-  
4 Exclusion List as described by the OCC.

5                   MR. WOODS:

6                   Seconded.

7                   CHAIRMAN:

8                   All in favor?

9 ALL SAY AYE

10                  CHAIRMAN:

11                  Opposed? The motion carries.

12                  ATTORNEY SHERMAN:

13                  And that concludes the matters of the  
14 OCC.

15                  CHAIRMAN:

16                  Thank you very much. Next, Susan  
17 Hensel, Bureau of Licensing? Good morning.

18                  MS. HENSEL:

19                  Good morning, Chairman Ryan and members  
20 of the Board. Before the Board today will be motions  
21 regarding 337 Key, Gaming and Non-Gaming Employees.  
22 In addition, there will be consideration of eight  
23 Gaming Service Provider Applicants.

24                  The first matter for your consideration  
25 is the temporary --- the approval of Temporary

1 Principal and Key Employee Licenses. Prior to this  
2 meeting, the Bureau of Licensing provided you with an  
3 order regarding the issuance of temporary licenses for  
4 one principal and nine Key Employees. I ask that the  
5 Board consider the Order approving these licenses.

6 CHAIRMAN:

7 Any comments from Enforcement Counsel?

8 ATTORNEY PITRE:

9 OEC has no objection.

10 CHAIRMAN:

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

13 MR. WOODS:

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

18 MR. FAJT:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 Opposed? The motion carries.

25 MS. HENSEL:

1                   Next, there are Gaming Permits and Non-  
2 Gaming Registrations. Prior to this meeting, the  
3 Bureau of Licensing provided you with a list of 219  
4 individuals to whom the Bureau has granted Temporary  
5 or Full Occupation Permits, and 78 individuals to whom  
6 the Bureau has granted registrations under the  
7 authority delegated to the Bureau of Licensing. I ask  
8 that the Board consider a motion approving the Order.

9                   CHAIRMAN:

10                   Any comments from Enforcement Counsel?

11                   ATTORNEY PITRE:

12                   Enforcement Counsel has no objections.

13                   CHAIRMAN:

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

16                   MR. FAJT:

17                   Mr. Chairman, I move that the Board  
18 approve the issuance of Gaming Employee Permits and  
19 Non-Gaming Employee Registrations as described by the  
20 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                   MS. HENSEL:

4                   Next, there was a recommendation of  
5 denial for Gaming and Non-Gaming Employee Applicants.  
6 The Bureau of Licensing has provided you with Orders  
7 addressing these Applicants, who the OEC has  
8 recommended for denial. The Applicants failed to  
9 request a hearing within the specified time period. I  
10 ask that the Board consider the Orders denying the  
11 Gaming and Non-Gaming Employee Applications.

12                   CHAIRMAN:

13                   Any comments from Enforcement Counsel?

14                   ATTORNEY PITRE:

15                   Enforcement Counsel requests denial in  
16 each instance.

17                   CHAIRMAN:

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

20                   MS. KAISER:

21                   Mr. Chairman, I move that the Board  
22 approve the denial of Gaming and Non-Gaming Employee  
23 Applications.

24                   MR. MCCALL:

25                   Second.

1                    CHAIRMAN:

2                    All in favor?

3 ALL SAY AYE

4                    CHAIRMAN:

5                    Opposed? The motion carries.

6                    MS. HENSEL:

7                    Also for your consideration are  
8 withdrawal requests for Gaming and Non-Gaming Employee  
9 Applicants. In each case, the Permit or Registration  
10 is no longer required. For today's meeting, I have  
11 provided the Board with a list of 22 Gaming and 6 Non-  
12 Gaming Employee withdrawals for approval. I ask that  
13 the Board consider the Order approving the  
14 Withdrawals.

15                    CHAIRMAN:

16                    Any comments from Enforcement Counsel?

17                    ATTORNEY PITRE:

18                    Enforcement Counsel has no objection.

19                    CHAIRMAN:

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

22                    MR. MCCALL:

23                    Mr. Chairman, I move that the Board  
24 approve the Withdrawals as described by the Bureau of  
25 Licensing.

1                   MR. MCNALLY:

2                   Second.

3                   CHAIRMAN:

4                   All in favor?

5 ALL SAY AYE

6                   CHAIRMAN:

7                   Opposed? The motion carries.

8                   MS. HENSEL:

9                   Finally, for your consideration, are  
10 Gaming Service Provider Registration Applicants. The  
11 Bureau of Licensing provided you with an Order and an  
12 attached list of eight registered Gaming Service  
13 Provider Applicants. I ask that the Board consider  
14 the Order registering these Game Service Providers.

15                   CHAIRMAN:

16                   Any comments from Enforcement Counsel?

17                   ATTORNEY PITRE:

18                   Enforcement Counsel has no objection.

19                   CHAIRMAN:

20                   Any questions or comments for the Board?

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

22                   MR. MCNALLY:

23                   Mr. Chairman, I would move that the  
24 Board issue an Order to approve the applications for  
25 Gaming Service Provider Registrations as described by

1 the Bureau of Licensing.

2 CHAIRMAN:

3 Second?

4 MR. MOSCATO:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL AYES

9 CHAIRMAN:

10 Opposed? The motion carries.

11 MS. HENSEL:

12 That concludes the Bureau of Licensing's  
13 matters.

14 CHAIRMAN:

15 Thank you, Susan. Next, Cyrus with the  
16 OEC.

17 ATTORNEY PITRE:

18 We have four matters for the Board's  
19 consideration today, all of which are Involuntary  
20 Exclusions. The first two matters will be presented  
21 by Assistant Enforcement Counsel Glenn Stuart.

22 ATTORNEY STUART:

23 Thank you. S-T-U-A-R-T. Good morning.

24 CHAIRMAN:

25 Good morning, Glenn.

1                   ATTORNEY STUART:

2                   If it's okay with the Board, I would  
3 like to read the fact pattern for both the first two  
4 matters. They are similar fact patterns. Presently  
5 before the Board are petitions to place Tiffany  
6 Durkson and Thompson Smith on the Board's Exclusion  
7 List.

8                   While employed as a Player's Club  
9 Representative at Valley Forge Casino Resort, Ms.  
10 Durkson credited Mr. Smith's Player's Club account  
11 with approximately \$33,745 in free slot play between  
12 August 26th, 2012 and February 3rd, 2013. Ms. Durkson  
13 was not authorized to issue this amount of free slot  
14 play to any patron.

15                  A review of Mr. Smith's wagering  
16 activity showed he collected approximately \$26,600 in  
17 winnings as a result of the free slot play provided to  
18 him by Ms. Durkson. The Pennsylvania State Police  
19 summarily charged Ms. Durkson with one count of theft  
20 by unlawful taking, one count of unlawful use of a  
21 computer, and one count of criminal conspiracy.

22                  Similarly, the Pennsylvania State Police  
23 charged Mr. Smith with one count of theft by unlawful  
24 taking, one count of receiving stolen property, and  
25 one count of criminal conspiracy. In light of this



1 incident, the Board revoked Ms. Durkson's Gaming  
2 Employee Permit on September 18th, 2013.

3           On September 10th, 2013, the OEC filed a  
4 petition seeking to place Ms. Durkson on the Board's  
5 Exclusion List. OEC served its petition on Ms.  
6 Durkson via certified mail and first class U.S. mail.  
7 Neither the certified mail return receipt nor the  
8 first class U.S. mail has been returned to OEC. The  
9 petition directed Ms. Durkson to request a hearing  
10 within 30 days of its receipt. Ms. Durkson has not  
11 requested a hearing on the matter, therefore, Ms.  
12 Durkson waived her right to hearing and all facts  
13 alleged in the petition have been deemed admitted. On  
14 December 23rd, 2013, OEC filed a request to enter  
15 default judgment in the matter against Ms. Durkson.  
16 As such, the placement of Tiffany Durkson on the  
17 Board's Exclusion List is now ripe for the Board's  
18 consideration.

19                           CHAIRMAN:

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

23                           MR. MOSCATO:

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

1 Durkson to the PGCB Involuntary Exclusion List as  
2 described by the OEC.

3 MR. WOODS:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 Opposed? The motion carries.

10 ATTORNEY STUART:

11 In light of the previously referenced  
12 facts, on November 19th, 2013, the OEC filed a  
13 petition seeking to place Mr. Smith on the Board's  
14 Exclusion List. OEC served its petition on Mr. Smith  
15 via certified mail and first class U.S. mail. The  
16 certified mail return receipt was returned to OEC,  
17 showing service was achieved on Mr. Smith on November  
18 21st, 2013.

19 The petition directed Mr. Smith to  
20 request a hearing within 30 days of its receipt. Mr.  
21 Smith has not requested a hearing on the matter.  
22 Therefore, Mr. Smith waived his right to a hearing.  
23 And, all facts alleged in the petition have been  
24 deemed admitted. On December 23rd, 2013, OEC filed a  
25 request to enter default judgment in the matter

1 against Mr. Smith. As such, the placement of Thompson  
2 Smith on the Board's Exclusion List is now ripe for  
3 the Board's consideration.

4 CHAIRMAN:

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

8 MR. WOODS:

9 Mr. Chairman, I move that the Board  
10 issue an Order to approve the addition of Thomas (sic)  
11 Smith to the PGCB Involuntary Exclusion List as  
12 described by the OEC.

13 MR. FAJT:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 Opposed? The motion carries. Thank  
20 you.

21 ATTORNEY STUART:

22 Thank you, sir.

23 ATTORNEY PITRE:

24 The next matter will be presented by  
25 Assistant Enforcement Counsel Dustin Miller.

1                    CHAIRMAN:

2                    Good morning, Dustin.

3                    ATTORNEY MILLER:

4                    Good morning, Chairman Ryan and members  
5 of the Board. Dustin Miller, M-I-L-L-E-R. The next  
6 matter today is a request for placement on the Board's  
7 Excluded Persons List involving Thomas Khotinsky. The  
8 OEC filed a petition to place Mr. Khotinsky on the  
9 Exclusion List for stealing chips at Parx Casino on  
10 November 17th, 2012 and February 9th, 2013.

11                    February 9th, 2013, Mr. Khotinsky was  
12 observing a roulette game at Parx Casino when he  
13 reached around the Roulette wheel and grabbed 14  
14 purple chips worth \$500 per chip and promptly left the  
15 casino. The Roulette dealer noticed the missing chips  
16 and reported the incident to the Security and  
17 Surveillance Departments of Parx Casino.

18                    Although they were unable to detain Mr.  
19 Khotinsky, one of his companions was located inside  
20 Parx Casino and he was questioned by Pennsylvania  
21 State Police and agreed to cooperate with their  
22 investigation. He identified Mr. Khotinsky as the  
23 individual who committed the theft of the chips.

24                    A similar incident had occurred at Parx  
25 Casino on November 17th, 2012. And Pennsylvania State

1 Police reviewed surveillance footage of that incident  
2 and identified Mr. Khotinsky as the perpetrator of  
3 that theft, as well. In the November 17th, 2012  
4 incident, nine purple chips were stolen from a  
5 Roulette table.

6 Mr. Khotinsky was charged with two  
7 counts of theft by unlawful taking and two counts of  
8 receiving stolen property for these incidents. All  
9 charges were graded as second degree felonies.  
10 Petition to place Mr. Khotinsky on the Exclusion List  
11 was properly served upon Mr. Khotinsky to his home  
12 address by both certified and first-class mail.

13 Mr. Khotinsky did not respond to the  
14 filing in any way. Due to Mr. Khotinsky's failure to  
15 respond, the averments in the petition are deemed  
16 admitted as fact, and his right to a hearing has been  
17 waived. On November 5th, 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 Thomas Khotinsky on the Board's Excluded Persons List.

21 CHAIRMAN:

22 Is Thomas Khotinsky in the hearing room?  
23 Any questions or comments from the Board? Ex-officio  
24 members? May I have a motion?

25 MR. FAJT:

1 Mr. Chairman, I move that the Board  
2 issue an Order to approve the addition of Thomas  
3 Khotinsky to the PGCB Involuntary Exclusion List as  
4 described by the OEC.

5 MS. KAISER:

6 Second.

7 MR. CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 Opposed? The motion carries.

12 ATTORNEY MILLER:

13 Thank you.

14 CHAIRMAN:

15 Thank you, Dustin.

16 ATTORNEY PITRE:

17 The final matter that we have for the  
18 Board's consideration will be presented by Assistant  
19 Enforcement Counsel, Jeffery Hoeflich.

20 CHAIRMAN:

21 Good morning, Jeff.

22 ATTORNEY HOEFLICH:

23 Good morning, Chairman Ryan and members  
24 of the Board. Jeff Hoeflich, H-O-E-F-L-I-C-H. The  
25 next matter before the Board today is a request for

1 placement of John Morgante on the Board's Excluded  
2 Persons List. The OEC filed a petition to place Mr.  
3 Morgante on the Exclusion List for stealing roughly  
4 \$400 out of a wallet at Hollywood Casino.

5           On October 1st, 2013, Pennsylvania State  
6 Police approached Mr. Morgante and questioned him  
7 about a lost wallet on the casino floor. During the  
8 interactions, Mr. Morgante repeatedly denied removing  
9 anything from the wallet that he had found. Shortly  
10 thereafter, Pennsylvania State Police escorted Mr.  
11 Morgante down to their offices, where they reviewed  
12 casino footage of the lost wallet. After reviewing  
13 the surveillance and informing Mr. Morgante that the  
14 wallet contained money, Mr. Morgante removed  
15 approximately \$400 from his pocket. Pennsylvania  
16 State Police filed a theft charge against Mr. Morgante  
17 for the incident.

18           The OEC's petition was filed on November  
19 21st, 2013. The petition was properly served upon Mr.  
20 Morgante by both first class and certified mail. Mr.  
21 Morgante did not respond to the filing in any way.  
22 Due to Mr. Morgante's failure to respond, the  
23 averments in the petition are deemed to be admitted as  
24 fact, and his right to a hearing has been waived. On  
25 January 2nd, 2014, the OEC filed a request to enter

1 judgment upon default. The matter is now before the  
2 Board today for the placement of John Morgante on the  
3 Board's Excluded Persons List.

4 CHAIRMAN:

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

8 MS. KAISER:

9 Mr. Chairman, I move that the Board  
10 issue an Order to approve the addition of John  
11 Morgante to the Pennsylvania Gaming Control Board  
12 Involuntary Exclusion List as described by the OEC.

13 MR. MCCALL:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL AYES

18 CHAIRMAN:

19 Opposed? The motion carries.

20 ATTORNEY HOEFLICH:

21 Thank you.

22 ATTORNEY PITRE:

23 Thank you. No more matters.

24 CHAIRMAN:

25 Thank you, Jeff. Thank you, Cyrus.



1 Ladies and gentlemen, that concludes today's meeting.  
2 Our next scheduled public meeting will be Wednesday,  
3 February 26th, in this room. The meeting will begin  
4 at 10:00 a.m. Any final comments from the Board or  
5 ex-officio members? May I have a motion to adjourn?

6 MR. MCCALL:

7 So moved.

8 CHAIRMAN:

9 Second?

10 MR. MCNALLY:

11 Second.

12 CHAIRMAN:

13 Thank you very, very much, ladies and  
14 gentlemen. Have a good day.

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16 MEETING CONCLUDED AT 10:56 A.M.

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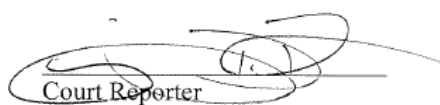
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## CERTIFICATE

I hereby certify that the foregoing proceedings, hearing held before Chairman Ryan was reported by me on 1/22/2014 and that I Lindsey Powell read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.

  
Court Reporter