

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

\* \* \* \* \*

PUBLIC MEETING

\* \* \* \* \*

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

HEARING: Tuesday, February, 26, 2014  
10:22 a.m.

LOCATION: Pennsylvania Gaming Control Board  
Office of Hearings and Appeals  
Strawberry Square Complex  
2nd Floor  
Harrisburg, Pennsylvania 17101

WITNESSES: Rhonda Gilchrist

Reporter: Jennifer D. Crawford

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A P P E A R A N C E S

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CHAIRMAN:

The court reporter has not appeared yet, but because what we do here is recorded and has video recording, we will start and he or she can join us when he or she gets here. 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 cell phones and other electronic devices, or at least put them on silent. Thank you very much.

With us today is Jennifer Langan, representing State Treasurer Robert McCord and Robert Coyne representing the Secretary of the Department of Revenue, Dan Meuser. Thank you both for being here.

A quorum of Board Members being present, I'll call today's meeting to order. And I would ask everyone to first rise for the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE RECITED

CHAIRMAN:

We will now begin our regularly scheduled meeting. First of all, let me state that the Board held an Executive Session via conference call on February 18th at 3:00 p.m. to begin

1 preliminary deliberations relating to the evidence  
2 received during the Philadelphia Category 2  
3 proceedings. The Board held another Executive Session  
4 yesterday February 25th, for the purpose of discussing  
5 personnel matters and to conduct quasi-judicial  
6 deliberations relating to matters being voted upon by  
7 the Board today.

8                   Next, we will have consideration of a  
9 motion to approve the minutes and transcripts of the  
10 January 8th and January 22nd, 2014 meetings. May I  
11 have such a motion?

12                   MR. MCNALLY:

13                   Mr. Chairman, I move that the Board  
14 approve the minutes and the transcripts of the January  
15 8th and January 22nd, 2014 meetings.

16                   MR. MCCALL:

17                   Second.

18                   CHAIRMAN:

19                   All in favor?

20 ALL SAY AYE

21                   CHAIRMAN:

22                   Opposed? The motion carries. Next, we  
23 will hear from our Executive Director, Kevin O'Toole.  
24 Kevin?

25                   MR. O'TOOLE:



1                   Good morning, Chairman Ryan, Members of  
2 the Board. Through the encouragement, the direction  
3 and the leadership of the Board, our Office of  
4 Compulsive and Problem Gambling through Director Lanza  
5 and Program Analyst Elizabeth Birch, worked diligently  
6 throughout the year to raise awareness to compulsive  
7 and problem gambling in the casino industry to the  
8 public, to gamblers and to our staff, which I'm  
9 particularly appreciative of. But March is a  
10 particularly significant month in that work. And I've  
11 asked Director Lanza to describe that for you.

12                   MS. LANZA:

13                   Good morning, Chairman and Members of  
14 the Board. Before you today is a resolution declaring  
15 March 2014 as Problem Gambling Awareness Month. You  
16 may remember in past years, the first full week of  
17 March was National Problem Gambling Awareness Week.  
18 Through education and outreach, this awareness event  
19 has been extended to take place throughout the month  
20 of March. This will allow treatment providers,  
21 educators, public officials and problem gambling  
22 activists to bring even more awareness to problem  
23 gambling. And more officially recognize time to  
24 educate the public on the signs and symptoms of the  
25 addiction.

1                   Problem gambling awareness month has  
2 been created to publicize the effective treatment  
3 options for problem gamblers and their families and  
4 many of which are free. For more information  
5 regarding problem gambling and treatment options, the  
6 Office of Compulsive and Problem Gambling urges  
7 Pennsylvania citizens to contact the Council on  
8 Compulsive Gambling of Pennsylvania by calling 1-800-  
9 GAMBLER or 1-800-848-1880. And, if you would like, I  
10 can read that resolution into the record.

11                   CHAIRMAN:

12                   Thank you.

13                   MS. LANZA:

14                   Sure. Whereas the legislative intent of  
15 the Pennsylvania Racehorse Development and Gaming Act  
16 recognizes, in part, that the public interest of the  
17 citizens of this Commonwealth and social effect of  
18 gaming shall be taken into consideration in any  
19 decision or order made pursuant to the Gaming Act; and

20                   Whereas the Pennsylvania Gaming Control  
21 Board recognized the social effect of gaming when it  
22 created the Office of Compulsive and Problem Gambling  
23 to conduct research; develop public outreach efforts;  
24 work with the Pennsylvania slot machine licensees to  
25 develop and implement problem gambling programs at

1 licensed facilities; administer the PGCB's Self-  
2 Exclusion Program; and promote problem gambling  
3 education programs in this Commonwealth; and

4           Whereas, the Gaming Act established a  
5 special fund to be known as the Compulsive and Problem  
6 Gambling Treatment Fund, and required that all money  
7 in the fund should be expended for programs for public  
8 awareness, prevention, research, assistance and  
9 treatment of problem gambling --- excuse me, of  
10 gambling addictions; and

11           Whereas, program gambling is a public  
12 health issue affecting Pennsylvanians of all ages,  
13 races, gender and ethnic backgrounds in all  
14 communities; and

15           Whereas, problem gambling is treatable  
16 and treatment is effective in minimizing the harm to  
17 individuals, families and society as a whole; and

18           Whereas, numerous individuals,  
19 professionals, agencies and organizations in  
20 Pennsylvania have dedicated their efforts to the  
21 education of the public about problem gambling and the  
22 availability and effectiveness of treatment; and

23           Whereas, promoting awareness of problem  
24 gambling is an opportunity to educate the public and  
25 policymakers about the social and financial issues

1 related to problem gambling; and

2                   Therefore, the Pennsylvania Gaming  
3 Control Board hereby recognizes March 2014 as Problem  
4 Gambling Awareness Month. We encourage all citizens  
5 to learn more about the signs of problem gambling and  
6 to help spread the message about the availability of  
7 treatment.

8                   CHAIRMAN:

9                   Thank you very much. Are there any  
10 questions or comments from the Board? Ex-officio  
11 Members? May I have a motion?

12                   MR. MCCALL:

13                   Mr. Chairman, I move that the Board  
14 approve Resolution 2014-1-CPG as described by the  
15 Director of Compulsive and Problem Gambling.

16                   CHAIRMAN:

17                   Second?

18                   MR. MOSCATO:

19                   Second.

20                   CHAIRMAN:

21                   All in favor?

22 ALL SAY AYE

23                   CHAIRMAN:

24                   Opposed? The motion carries.

25                   MS. LANZA:

1 Thank you.

2 CHAIRMAN:

3 Thank you both. Next will be Joseph  
4 Dodd, Human Resources. Joe?

5 MR. BOTT:

6 Good morning, Chairman and Board  
7 Members. The Office of Human Resources has a motion  
8 for your consideration today relative to the hiring of  
9 Mr. Michal Lamb and Mr. Percival O'Shaughnessy.

10 First, Mr. Lamb has been selected for  
11 the position of Casino Compliance Representative in  
12 the Bureau of Casino Compliance, and will be assigned  
13 to the Lady Luck Casino at Nemaquin. Mr. Lamb has  
14 completed the PGCB interview process, background  
15 investigation and drug screening. Mr. Lamb's  
16 recommended hired by the Director of Casino  
17 Compliance, Jerry Stoll.

18 The second, Mr. O'Shaughnessy, has been  
19 selected for the position of Technical Field  
20 Representative in the Bureau of Gaming Laboratories,  
21 and will be assigned to the Philadelphia region. Mr.  
22 O'Shaughnessy has completed the PGCB interview  
23 process, background investigation and drug screening.  
24 Mr. O'Shaughnessy is recommended for hire by Chief  
25 Technology Officer Mike Cruz.

1 Unless you have any questions, I ask the  
2 Board to consider the motion to hire Mr. Lamb and Mr.  
3 O'Shaughnessy, as indicated.

4 CHAIRMAN:

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

7 MR. FAJT:

8 Mr. Chairman, I move that the Board  
9 approve the Applicants as proposed, on the condition  
10 --- and I did hear Joe say that this has been met,  
11 that the necessary background investigations and drug  
12 testing are completed.

13 CHAIRMAN:

14 Second?

15 MS. KAISER:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 Opposed? The motion carries. Thank  
22 you, Joe. Next, our Office of Chief Counsel (OCC),  
23 Doug Sherman.

24 ATTORNEY SHERMAN:

25 Good morning, Chairman and Members of

1 the Board. Today we have two Petitions before you for  
2 consideration. Each of the matters is to be  
3 considered based upon the documents filed of record.  
4 The Board has, in advance of this meeting, been  
5 provided with the petitions, any responsive pleadings  
6 and any other materials within the evidentiary record.

7           The first Petition before the Board  
8 today is the OEC's petition to dissolve the Emergency  
9 Suspension of Dominique Singleton's Non-Gaming  
10 Employee Registration. Mr. Singleton was issued a  
11 Non-Gaming Employee Registration in January 2011, and  
12 was employed as an Operations Attendant at Parx  
13 Casino.

14           On July 18th, 2011, the Bureau of Casino  
15 Compliance became aware that Mr. Singleton had been  
16 arrested and charged with three criminal offenses  
17 after a traffic stop in which Mr. Singleton was found  
18 to be a passenger in a stolen vehicle. Mr. Singleton  
19 was charged with two felonies and one misdemeanor.

20           As a result of the charges, the OEC  
21 filed a Request for the Emergency Order of Suspension  
22 of Mr. Singleton's Non-Gaming Employee Registration,  
23 which was signed by the Executive Director on July  
24 29th, 2011. The Board remanded the matter to the  
25 Office of Hearings and Appeals (OHA) to conduct a full

1 evidentiary hearing, after which a Report of  
2 Recommendation was issued, recommending that the  
3 Emergency Suspension remain in full force and effect  
4 until the disposition of the criminal charges.

5           In August of 2012, Mr. Singleton was  
6 admitted into the Bucks County ARD Program and, upon  
7 completion of that program, all charges are to be  
8 dismissed and his criminal record expunged.  
9 Consequently, the OEC filed the current motion to  
10 dissolve the Emergency Suspension. During the review  
11 of this matter, however, the OCC learned that the ARD  
12 case remains open. But the Bucks County District  
13 Attorney's Office has represented to the OCC that Mr.  
14 Singleton has, in fact, completed all of the  
15 requirements of the ARD Program, except that now he  
16 needs to file a request with the Court to actually  
17 dismiss the charges.

18           The OCC recommends that since it's only  
19 a procedural matter that needs to be completed, the  
20 OEC's Petition to dissolve the Emergency Suspension be  
21 granted upon the condition that Mr. Singleton follows  
22 through with the motion to have the charge dismissed.  
23 Given that condition, we think it's ready for the  
24 Board's consideration.

25                           CHAIRMAN:



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

3 MR. FAJT:

4 Mr. Chairman, I move that the Board  
5 grant the request to dissolve the Emergency Suspension  
6 of Dominique Singleton's Non-Gaming Employee  
7 Registration, as described by the OCC.

8 MS. KAISER:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 Opposed? The motion carries.

15 ATTORNEY SHERMAN:

16 The second Petition before the Board is  
17 the OEC's Petition to place Jagmeet Singh on the  
18 Exclusion List. On September 19th, 2013, Mr. Singh,  
19 who is 20 years old, gained access to Sands Casino,  
20 entering through the main entrance past security  
21 personnel. Eventually, the slots supervisor  
22 approached Mr. Singh and it was discovered he was  
23 underage.

24 Mr. Singh was issued a citation,  
25 charging him with one summary account of persons under

1 21 on the gaming floor of a licensed facility. He  
2 pled guilty and was assessed fines and costs.

3           Based upon Mr. Singh's actions, on  
4 December 20th, 2012, the OEC filed a Petition to place  
5 Mr. Singh on the Exclusion List. The Petition, along  
6 with the Notice of Hearing Rights, were sent by both  
7 first class and certified mail to Mr. Singh. Neither  
8 mailing was returned to BIE. Mr. Singh initially  
9 failed to file a response to the Petition within the  
10 required 30 days. Subsequently, BIE filed a default  
11 judgment in the matter. Shortly thereafter, Mr. Singh  
12 requested a hearing, which was scheduled and  
13 rescheduled several times, due to his request for  
14 continuances. On February 4th, 2014, after  
15 discussions with OEC, Mr. Singh waived his right to a  
16 hearing, thereby allowing the Board to decide the  
17 matter based upon the documents of the record. It's  
18 that's matter that's now before you for consideration.

19           CHAIRMAN:

20           Questions or comments from the Board?  
21 Ex-officio Members? May I have a motion?

22           MS. KAISER:

23           Mr. Chairman, I move that the Board  
24 grant the Petition of the OEC to place Jagmeet Singh  
25 on the Pennsylvania Gaming Control Board Involuntary

1 Exclusion List, as described the OCC. Mr. Singh may  
2 petition for removal from the list after one year.

3 MR. MCCALL:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 Opposed? The motion carries.

10 ATTORNEY SHERMAN:

11 Okay. Next presenting Withdraws and  
12 Reports and Recommendations is Deputy Chief Counsel  
13 Steve Cook.

14 ATTORNEY COOK:

15 Good morning.

16 CHAIRMAN:

17 Good afternoon, Steve.

18 ATTORNEY COOK:

19 Afternoon. The Board has received  
20 several unopposed Petitions to withdraw applications  
21 or surrender the credentials of individuals or  
22 businesses. The persons or businesses subject to  
23 these petitions are as follows; Kenneth Lochiatto,  
24 Laura McAlister-Cox, Giftcraft, Inc., William  
25 Clifford, Steven Todd Snyder, A. Lorene Weil, and SHFL

1 Entertainment, Inc.

2           The OEC has no objection to any of these  
3 Petitions. As such, if the Board were to grant same,  
4 they would be doing so without prejudice and each of  
5 these petitions is now ripe for the Board's  
6 consideration.

7           CHAIRMAN:

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

10          MR. MCCALL:

11          Mr. Chairman, I move that the Board  
12 issue Orders to approve the Withdrawals and Surrenders  
13 as 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          Next before the Board for consideration  
23 are four Reports and Recommendations received from the  
24 OHA. These Reports and Recommendations along with the  
25 complete evidentiary record in each matter have been

1 provided to the Board in advance of this meeting.  
2 Additionally, each individual to which these Reports  
3 and Recommendation apply have been notified that the  
4 Board would be taking the matter up today and that  
5 they could come forward when their matter is called to  
6 briefly address the Board.

7           The first Report and Recommendation  
8 before the Board stems from a request to be removed  
9 from the Voluntary Self-Exclusion List by an  
10 individual with the initials M.B. As described in the  
11 Report and Recommendation, on March 21st, 2012, M.B.  
12 and her mother appeared at the Board's Scranton Office  
13 and each requested to be placed on the Board's  
14 Voluntary Self-Exclusion List. A Board employee  
15 conducted the mandatory interview with M.B. and  
16 completed all of the required procedures. After M.B.  
17 reviewed the form, along with the instructions and  
18 discussed her options with our Board's staff, she  
19 selected lifetime self-exclusion. At that time, she  
20 was informed that pursuant to Board regulations, a  
21 lifetime self-exclusion would prohibit her from ever  
22 being removed from the list. Notwithstanding that  
23 fact, 17 months later, M.B. has now petitioned for  
24 removal from the lifetime Self-Exclusion List.

25           At the hearing held in this matter

1 before a Board Hearing Officer, M.B. testified that  
2 she did have a gambling problem and relied upon her  
3 mother for financial help at the time she placed  
4 herself on the Self-Exclusion List. She also stated  
5 that it was her intention going into that meeting to  
6 only be put on the list for one year. However, her  
7 mother persuaded her to be placed on --- or, put  
8 herself on the lifetime Self-Exclusion List. M.B.'s  
9 mother also attended that hearing and testified  
10 similarly.

11                   Notwithstanding the evidence presented  
12 by M.B., in the Report and Recommendation issued after  
13 the hearing in this matter, the Hearing Officer found  
14 that pursuant to the Board regulations, M.B. was not  
15 eligible for removal from the list, and that the  
16 evidence presented showed that M.B. knowingly and  
17 voluntarily requested to be placed on the Self-  
18 Exclusion List, and that her mother was not present in  
19 the room during the mandatory interview with our staff  
20 and her selection of lifetime self-exclusion. And  
21 additionally, that there was never an indication by  
22 our Board's staff, nor would there be, to her mother  
23 the term of her self-exclusion.

24                   As the Board is in the process, however,  
25 of promulgating a regulatory amendment allowing

1 persons who've placed themselves on the lifetime self-  
2 exclusion to petition the Board for removal after ten  
3 years has passed, it is recommended that the --- or  
4 the OCC recommends to the Board that the Report and  
5 Recommendation be adopted. However, with the caveat  
6 that this individual may petition at a ten-year term  
7 --- ten year's after her placement on the list, which  
8 I believe would be March 2022.

9 CHAIRMAN:

10 Any questions or comments from the  
11 Board? Ex-officio Members? May I have a motion.

12 MR. MCNALLY:

13 Mr. Chairman, I move that the Board  
14 adopt the Report and Recommendation issued by the OHA,  
15 regarding M.B.'s Petition for removal from the  
16 Voluntary Self-Exclusion List as described by the OCC  
17 with the caveat that M.B. may petition the Board for  
18 removal from the list ten years after the date of  
19 placement upon the list, consistent with recently  
20 proposed changes to the Board's regulations regarding  
21 lifetime self-exclusions.

22 CHAIRMAN:

23 Second?

24 MR. MOSCATO:

25 Second.

1                   CHAIRMAN:

2                   All in favor?

3 ALL SAY AYE

4                   CHAIRMAN:

5                   Opposed? The motion carries.

6                   ATTORNEY COOK:

7                   The next Report and Recommendation also  
8 pertains to a request for removal from the Voluntary  
9 Self-Exclusion List related to a person with the  
10 initials J.M.Z.

11                   On September 4th, 2012, J.M.Z. entered  
12 Mount Airy, LLC's Casino and presented a disconcerting  
13 letter to a security officer at that facility.  
14 Subsequently the security officer contacted the  
15 Pennsylvania State Police and, upon their arrival on  
16 the scene, J.M.Z. indicated to the Trooper that he  
17 wished to be excluded from gambling at the casino and  
18 subsequently indicated he wished to be placed on the  
19 Exclusion List for all casinos.

20                   Thereafter, a Casino Compliance  
21 Representative of the Board met with J.M.Z. and  
22 conducted the mandatory interview with him and  
23 completed all of the required procedures to place him  
24 on the Exclusion List. The Casino Compliance  
25 Representative explained to J.M.Z. that placement on



1 the Voluntary Self-Exclusion List barred him from all  
2 Pennsylvania facilities and that choosing a lifetime  
3 self-exclusion, which is what J.M.Z chose, would  
4 indicate that he could not be removed from the list in  
5 the future. J.M.Z. at that time indicated that he had  
6 a gambling problem, thereafter signed the  
7 acknowledgement form, placing himself on the lifetime  
8 Self-Exclusion List.

9           On October 8th, 2013, J.M.Z. filed a  
10 request to be removed from the Self-Exclusion List,  
11 stating that he suffers from bi-polar disorder, is a  
12 professional card player and that banning himself from  
13 all casinos in Pennsylvania during what he described  
14 as a manic episode was placing a hardship on him.  
15 His request states that he has now been on the right  
16 medication and, as a result, he has no symptoms and  
17 would like, once again, to visit the casinos.

18           The OEC filed an Answer objecting to  
19 J.M.Z.'s request and a hearing was held on November  
20 26th, 2013. The OEC put in evidence, including the  
21 casino --- or the testimony of the Casino Compliance  
22 Representative that conducted the placement on the  
23 list with J.M.Z. J.M.Z., despite receiving proper  
24 notice of this hearing, did not attend.

25           Subsequently, a Report and

1 Recommendation was issued by the Hearing Officer  
2 recommending that J.M.Z. remain on the list. At the  
3 present time, however, as with the past case, just  
4 given the proposed changes to the Board regulations, I  
5 believe it would be appropriate to allow him to  
6 petition from the list after he is on the list for ten  
7 years.

8 CHAIRMAN:

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

11 MR. MOSCATO:

12 Yes, Mr. Chairman. I move that the  
13 Board adopt a Report and Recommendation issued by the  
14 OHA regarding J.M.Z.'s Petition for removal from the  
15 Voluntary Self-Exclusion List as described by the OCC,  
16 with the caveat that J.M.Z. may petition the Board for  
17 removal from the list ten years after his placement on  
18 the list, consistent with a recently proposed change  
19 to the Board's regulations regarding lifetime  
20 exclusion.

21 MR. WOODS:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

1                   CHAIRMAN:

2                   Opposed? The motion carries.

3                   ATTORNEY COOK:

4                   The next matter to be heard by the Board  
5 is the Report and Recommendation pertaining to Nakia  
6 Jones.

7                   On July 12th, 2012, the OEC filed a  
8 Complaint requesting that Ms. Jones be placed on the  
9 Board's Exclusion List for a number of thefts and  
10 trespass-related incidents that took place at both the  
11 Valley Forge Casino and the SugarHouse Casino. The  
12 Board granted this request and placed Ms. Jones on the  
13 Exclusion List on October 11th, 2012, after Ms. Jones  
14 failed to contest OEC's proposed action.

15                   Nevertheless, on October --- or, I'm  
16 sorry, September 16th, 2013, Ms. Jones filed a  
17 Petition requesting to be removed from the Exclusion  
18 List. Enforcement Counsel objected and a hearing in  
19 this matter was scheduled for December 10th, 2013.  
20 Although being served with proper notice of the  
21 hearing, Ms. Jones failed to attend the hearing and it  
22 occurred in her absence. The Hearing Officer, having  
23 received no evidence from Ms. Jones in support of her  
24 request, issued a Report and Recommendation  
25 recommending that she remain on the Exclusion List,

1 and that is the recommendation before the Board.

2 CHAIRMAN:

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

5 MR. WOODS:

6 Mr. Chairman, I'd move that the Board  
7 adopt the Report and Recommendation issued by the OHA  
8 regarding Nakia Jones' removal from the Pennsylvania  
9 Gaming Control Board Involuntary Exclusion List as  
10 described by the OCC.

11 MR. FAJT:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 Opposed? The motion carries.

18 ATTORNEY COOK:

19 The final Report and Recommendation for  
20 the Board today pertains to Nancy Gonzalez. Ms.  
21 Gonzalez was issued a Non-Gaming Employee Registration  
22 on January 2nd, 2007, and was employed as a bartender  
23 at the SugarHouse Casino.

24 On October 1st, 2013, the OEC filed a  
25 Complaint to revoke Ms. Gonzalez's Non-Gaming

1 Registration upon learning that on May 30th, 2013,  
2 while working as a bartender, Ms. Gonzalez was alleged  
3 to have been caught giving away drinks to her husband,  
4 ringing up drinks served to her husband on another  
5 person's account, and failing to correctly ring up all  
6 drinks served, as well as violating the bar's health  
7 and safety rules.

8 Ms. Gonzalez requested a hearing, which  
9 was held on November 25th, 2013. Both the OEC and Ms.  
10 Gonzalez appeared at the hearing offering testimony,  
11 and exhibits in the case of OEC. Ms. Gonzalez  
12 testified, basically, giving explanations as to her  
13 conduct, ranging from persons having offered to buy  
14 her husband drinks on their account as well as  
15 basically she said certain drinks were given away for  
16 free, because of the busy nature of the bar at that  
17 time. And she also said that certain things happened  
18 just as human error.

19 After hearing all of the evidence, the  
20 Hearing Officer issued a Report and Recommendation  
21 that, in the totality of all the evidence, that it  
22 appeared that Ms. Gonzalez did, in fact, violate the  
23 bars rules and gave away drinks or rang them up  
24 improperly. And as a result, he recommended that her  
25 Registration be revoked. And that's the

1 Recommendation for the Board.

2 CHAIRMAN:

3 Questions or comments from the Board?

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

5 MS. KAISER:

6 Mr. Chairman, I move that the Board  
7 adopt the Report and Recommendation issued by the OHA,  
8 regarding Nancy Gonzalez's Non-Gaming Employee  
9 Registration as described by the OCC.

10 MR. MCCALL:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 Opposed? The motion carries.

17 ATTORNEY SHERMAN:

18 And that concludes all matters of the  
19 OCC.

20 CHAIRMAN:

21 Thank you both. Next will be Susan  
22 Hensel, our Director of the Bureau of Licensing. Good  
23 afternoon, Susan.

24 MS. HENSEL:

25 Thank you, Chairman Ryan and Members of



1 Any comments from Enforcement Counsel?

2 ATTORNEY PITRE:

3 Enforcement Counsel has no objection.

4 CHAIRMAN:

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

7 MR. MCCALL:

8 Mr. Chairman, I move that the Board  
9 approve Ditronics Financial Services, LLC a Slot  
10 Machine Manufacturer License, as described by the  
11 Bureau of Licensing.

12 MR. MCNALLY:

13 Second.

14 CHAIRMAN:

15 All in favor?

16 ALL SAY AYE

17 CHAIRMAN:

18 Opposed? The motion carries.

19 MS. HENSEL:

20 Next for your consideration, are two  
21 Gaming Junket Enterprise Applicants for licensure.  
22 The Applicants are Benz Gaming, LLC and Kenneth Froom  
23 Tours, Inc. Benz Gaming, LLC was conditionally  
24 licensed on September 18th, 2013. I have provided you  
25 with draft Orders and ask that the Board consider the



1 approval of the Licenses for the two Applicants  
2 beginning with Benz Gaming, LLC.

3 CHAIRMAN:

4 Any questions or --- excuse me, I'm  
5 sorry. Any comments from Enforcement Counsel?

6 ATTORNEY PITRE:

7 Enforcement Counsel has no objection to  
8 either one of these Applicants.

9 CHAIRMAN:

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

12 MR. MCNALLY:

13 Mr. Chairman I move that the Board  
14 approve Benz Gaming, LLC's Gaming Junket Enterprise  
15 License as described by the Bureau of Licensing.

16 CHAIRMAN:

17 Second?

18 MR. MOSCATO:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 Opposed? The motion carries.

25 MS. HENSEL:

1 Next is Kenneth Froom Tours, Inc.

2 CHAIRMAN:

3 Any comments from Enforcement Counsel?

4 ATTORNEY PITRE:

5 No objection.

6 CHAIRMAN:

7 No objection. Any questions of comments  
8 from the Board? Ex-officio Members? May I have a  
9 motion?

10 ATTORNEY MOSCATO:

11 Yes, sir. I move that the Board approve  
12 Kenneth Froom Tours Inc.'s Gaming Junket Enterprise  
13 License, as described by the Bureau of Licensing.

14 MR. WOODS:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 Opposed? The motion carries.

21 MS. HENSEL:

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

1 and nine Key Employee Licenses for Slot Operator and  
2 Manufacturer Designee Licensees. I ask that the Board  
3 consider the Order approving these licenses.

4 CHAIRMAN:

5 Any comments from Enforcement Counsel?

6 ATTORNEY PITRE:

7 Enforcement Counsel has no objection.

8 CHAIRMAN:

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

11 MR. WOODS:

12 Mr. Chairman, I move that the Board  
13 approve the issuance of Principal and Key Employee  
14 Licenses as described by the Bureau of Licensing.

15 MR. FAJT:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 Opposed? The motion carries.

22 MS. HENSEL:

23 Next, there are Temporary Principal and  
24 Key Employee Licenses. Prior to this meeting, the  
25 Bureau of Licensing provided you with an Order

1 regarding the issuance of Temporary Licenses for six  
2 Principal and 24 Key Employees. I ask that the Board  
3 consider the Orders approving these Licenses.

4 CHAIRMAN:

5 Any comments from Enforcement Counsel?

6 ATTORNEY PITRE:

7 Enforcement Counsel has no objection.

8 CHAIRMAN:

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

11 MR. FAJT:

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

16 MS. KAISER:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 Opposed? The motion carries.

23 MS. HENSEL:

24 There are also Gaming Permits and Non-  
25 Gaming Registrations. Prior to this meeting, the

1 Bureau of Licensing provided you with a list of 405  
2 individuals to whom the Bureau has granted temporary  
3 or full occupation Permits and 89 individuals to whom  
4 the Bureau has granted Registrations under the  
5 authority delegated to the Bureau of Licensing. I ask  
6 that the Board consider a motion approving the Order.

7 CHAIRMAN:

8 Any comments from Enforcement Counsel?

9 ATTORNEY PITRE:

10 Enforcement Counsel has no objection.

11 CHAIRMAN:

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

14 MR. MCCALL:

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

19 MR. MCNALLY:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 Opposed? The motion carries.

1                   MS. HENSEL:

2                   Next, there is a recommendation of  
3 denial for one Non-Gaming Employee Applicant. The  
4 Bureau of Licensing has provided you with an Order  
5 addressing the Applicant, Sophia Marie Morris, whom  
6 the OEC has recommended for denial. The Applicant  
7 failed to request a hearing within the specified time  
8 period. They ask the Board consider the Order denying  
9 the Non-Gaming Employee Application.

10                   CHAIRMAN:

11                   Any comments from Enforcement Counsel?

12                   ATTORNEY PITRE:

13                   Enforcement Counsel continues to request  
14 denial in this matter.

15                   CHAIRMAN:

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

18                   MR. MCNALLY:

19                   Mr. Chairman, I move that the Board  
20 approve the denial of Sophia Marie Morris's Non-Gaming  
21 Employee Application as described by the Bureau of  
22 Licensing.

23                   MR. MOSCATO:

24                   Second.

25                   CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 Opposed? The motion carries.

5 MS. HENSEL:

6 Also for your consideration are  
7 Withdrawal requests for Key Employee, Gaming and  
8 Non-Gaming Employee Applicants. In each case, the  
9 Permit or Registration is no longer required. For  
10 today's meeting I have provided the Board with a list  
11 of one Key Employee, 22 Gaming and 2 Non-Gaming  
12 Employee Applicants for withdrawal. I ask that the  
13 Board consider the Orders approving the list of  
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. MOSCATO:

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

1                   MR. WOODS:

2                   Second.

3                   CHAIRMAN:

4                   All in favor?

5 ALL SAY AYE

6                   CHAIRMAN:

7                   Opposed? The motion carries.

8                   MS. HENSEL:

9                   In addition, we have an Order to certify  
10 the Gaming Service Provider Applicant Philadelphia  
11 DNM, Inc. I ask that the Board consider the Order  
12 approving this Gaming Service Provider for  
13 certification.

14                   CHAIRMAN:

15                   Any comments from Enforcement Counsel?

16                   ATTORNEY PITRE:

17                   Enforcement Counsel has no objection.

18                   CHAIRMAN:

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

21                   MR. WOODS:

22                   Mr. Chairman, I move that the Board  
23 issue an Order to approve the Applications for Gaming  
24 Service Provider Certification as described by the  
25 Bureau of Licensing.



1                   MR. FAJT:

2                   Second.

3                   CHAIRMAN:

4                   All in favor?

5 ALL SAY AYE

6                   CHAIRMAN:

7                   Opposed? The motion carries.

8                   MS. HENSEL:

9                   Also for your consideration are Gaming  
10 Service Provider Registrations. The Bureau of  
11 Licensing provided you with an Order and an attached  
12 list of 14 Registered Gaming Service Provider  
13 Applicants. I ask that the Board consider the Order  
14 registering these Gaming 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 from the  
21 Board? Ex-officio Members? May I have a motion?

22                   MR. FAJT:

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

1 Bureau of Licensing.

2 MS. KAISER:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 Opposed? The motion carries.

9 MS. HENSEL:

10 In addition, the Bureau of Licensing has  
11 provided you with Orders regarding Gaming Service  
12 Providers that are recommended for the Prohibited  
13 Gaming Service Provider List. EIC, PO Holdings, doing  
14 business as EIC Installation and Raymond Orchard  
15 Construction, Inc., conducted business with Slot  
16 Machine Licensees but failed to pay fees associated  
17 with the application process. Once added to the  
18 Prohibited Gaming Service Provider List, no Slot  
19 Machine Licensee can do business with these companies.  
20 I ask that the Board consider the Orders adding EIC PO  
21 Holdings Corp, doing business as EIC Installation and  
22 Raymond Orchard Construction, Inc. to the Prohibited  
23 Gaming Service Provider List.

24 CHAIRMAN:

25 Any comments from Enforcement Counsel?

1                   ATTORNEY PITRE:

2                   Enforcement Counsel requests that these  
3 Applicants be placed on the Prohibited Gaming Service  
4 Provider List.

5                   CHAIRMAN:

6                   Any questions or comments from the  
7 Board? Ex-officio 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 Gaming  
11 Service Providers to the Prohibited Gaming Service  
12 Provider List as described by the Bureau of Licensing.

13                   MR. MCCALL:

14                   Second.

15                   CHAIRMAN:

16                   All in favor?

17 ALL SAY AYE

18                   CHAIRMAN:

19                   Opposed? The motion carries.

20                   MS. HENSEL:

21                   Finally, the Gaming Service Provider  
22 Application for National Automotive Resources, Inc. is  
23 being recommended for abandonment. This company filed  
24 an Application with the Board, but to the best of the  
25 Bureau of Licensing's knowledge, is out of business.

1 I ask that the Board consider the Order declaring  
2 National Automotive Resources, Inc.'s Application  
3 abandoned.

4 CHAIRMAN:

5 Any comments from Enforcement Counsel?

6 ATTORNEY PITRE:

7 Enforcement Counsel has no objection.

8 CHAIRMAN:

9 Questions or comments from the Board?

10 Ex-officio Members? May I have a motion?

11 MR. MCCALL:

12 Mr. Chairman, I move that the Board  
13 issue an Order to approve the abandoned Gaming Service  
14 Provider Application for National Automotive Resources  
15 as described by the Bureau of Licensing.

16 MR. MCNALLY:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 Opposed? The motion carries.

23 MS. HENSEL:

24 That concludes the Bureau of Licensing's  
25 matters.

1                   CHAIRMAN:

2                   Thank you, Susan. Next, Cyrus Pitre,  
3 Chief Enforcement Counsel.

4                   ATTORNEY PITRE:

5                   We have four matters for the Board's  
6 consideration today, consisting of one Consent  
7 Agreement, one Revocation and two Involuntary  
8 Exclusions. The first matter is a Consent Agreement  
9 that will be presented by Assistant Enforcement  
10 Counsel Alexandra Sacavage. I see Mr. Sklar and Ms.  
11 Gilchrist are here on behalf of Rivers Casino. And  
12 with that, I'll turn it over to Ms. Sacavage.

13                   ATTORNEY SACAVAGE:

14                   Good afternoon, Chairman Ryan, Members  
15 of the Board. My name is Alexandra Sacavage,  
16 S-A-C-A-V-A-G-E. We have today for the Board's  
17 consideration a Consent Agreement between the OEC and  
18 Holdings Acquisitions Company, doing business as the  
19 Rivers Casino.

20                   This Agreement involves a September 1st,  
21 2013 incident where a person under the age of 21  
22 entered the Rivers Casino, played table games for  
23 approximately three-and-a-half hours and consumed  
24 alcoholic beverages. More specifically, the  
25 individual was initially denied entry into the casino

1 after producing a California driver's license showing  
2 he was 20 years old.

3           The individual then left the casino, met  
4 a friend outside and took possession of a yellow  
5 wristband and made another unsuccessful attempt to  
6 enter the casino. On the third attempt at entry,  
7 according to a statement of the Rivers' security  
8 officer, the individuals showed security a Texas  
9 driver's license and the security officer did not scan  
10 this identification. And Mr. Cole was granted entry.  
11 Apparently, the Texas driver's license showed he was  
12 22.

13           He then entered the gaming floor,  
14 engaged in table play and consumed two alcoholic  
15 beverages. After three-and-a-half hours, he exited  
16 again. Upon his return to the casino, he was twice  
17 denied entry at two separate entrances. The second  
18 attempt prompted contact with a security supervisor,  
19 who escorted the individual to the Pennsylvania State  
20 Police offices.

21           Pennsylvania State Police cited him with  
22 one count of summary unlawful to permit persons under  
23 21, a count of unlawful permit persons under 21 wage  
24 or play slots. And then one count of a summary  
25 purchase alcohol by a minor. The State Police found

1 on his person a valid California driver's license that  
2 showed he was 20 years old; date of birth, February  
3 24th, 1993.

4           The parties have agreed that the Rivers  
5 Casino shall pay a civil penalty in the amount of  
6 \$15,000 for this incident, as well as \$2,500 in fees  
7 and investigative expenses. If approved, this will be  
8 the second fine for the Rivers Casino pertaining to  
9 underage gaming violations since their renewal. The  
10 OEC asks that the Board approve the Consent Agreement  
11 as presented today. And we'd be happy to answer the  
12 questions they may have.

13           CHAIRMAN:

14           Counselor?

15           ATTORNEY SKLAR:

16           Good afternoon, Mr. Chairman, Members of  
17 the Board. Michael Sklar, S-K-L-A-R, on behalf of  
18 Rivers Casino. And with me is Rhonda Gilchrist, Vice  
19 President of Compliance at Rivers Casino. Just want  
20 to be brief.

21           This incident is the perfect example,  
22 and I keep reiterating to the Board, every time I come  
23 back here, it's imperative that there be legislation  
24 enacted. And I know that's not the purview of the  
25 Board, but it's imperative that there be legislation

1 enacted, so there's a real teeth and a real  
2 disincentive for underage individuals from attempting  
3 to gain access to casinos. And with that, I just want  
4 Rhonda to briefly run through some of the programs  
5 that are in place at Rivers to prevent underage gaming  
6 and also just to give you a couple statistics to give  
7 you an idea of the magnitude of what we're dealing  
8 with here.

9 CHAIRMAN:

10 Ms. Gilchrist, I suppose you know the  
11 routine here. Why don't you, first of all, just state  
12 your name and spell your last name for the record?

13 MS. GILCHRIST:

14 Rhonda Gilchrist, R-H-O-N-D-A,  
15 G-I-L-C-H-R-I-S-T.

16 CHAIRMAN:

17 And what is your position, ma'am?

18 MS. GILCHRIST:

19 Vice President of Compliance for Rivers  
20 Casino.

21 CHAIRMAN:

22 Thank you. Could the witness be sworn?

23 -----

24 RHONDA GILCHRIST, HAVING FIRST BEEN DULY SWORN,  
25 TESTIFIED AS FOLLOWS:



1 -----

2 MS. GILCHRIST:

3 Good morning, Mr. --- or, afternoon, Mr.  
4 Chairman and Commissioners. First of all, I'd like  
5 to express on behalf of our ownership, our management  
6 and all of the team members at Rivers, assure this  
7 Board our philosophy on underage gaming. We do not  
8 support underage gaming. We have had a rough road  
9 over which we have elevated a security officer  
10 position to an entrance control officer. That  
11 position pays a wage \$2.40 greater than that of a  
12 security guard. It's a lot of responsibility at the  
13 door.

14 We provide incentives for our entire  
15 security department. We monitor the days inside the  
16 casino on all of the internal televisions. We know  
17 what the streak day is. The streak day is how long  
18 has it been since an underage incident occurred.

19 On regular intervals, that team is  
20 rewarded. We provide training. Our training consists  
21 of not just the all regs training that the officers  
22 are put through. We do a separate casino ID training.  
23 That's performed annually for every team member. We  
24 also have all of the team members on the floor.

25 We've increased our Responsible Alcohol

1 Management Program by 763 team members that aren't  
2 otherwise required to have that training. There is a  
3 point in this training where, again, it focuses on the  
4 individual's age and how to properly identify the  
5 individual.

6 We have spent thousands of dollars  
7 providing those tools. On a monthly basis, we are  
8 carding in excess of 50,000 people at the doors at  
9 Rivers Casino. I can answer any questions you have.  
10 But, in this case one did get through.

11 CHAIRMAN:

12 Any questions? Greg?

13 MR. FAJT:

14 Thank you, Mr. Chairman. Was this self-  
15 reported?

16 MS. GILCHRIST:

17 Yes.

18 MR. FAJT:

19 Okay. Mr. Sklar, you know, yesterday  
20 during Executive Session, we discussed your prior  
21 comments about, you know, two years ago about trying  
22 to take into account the facts and circumstances  
23 around underage gambling offenses and have a fine that  
24 commensurate with the facts and circumstances. And,  
25 in this case, this individual, I think properly was

1 denied access on several occasions and just kept  
2 coming back and coming back, and eventually got  
3 through.

4 And so, I guess my question to OEC, do  
5 we know if this individual had his yellow armband on,  
6 Ms. Sacavage? I think you mentioned that in the  
7 recitation of the facts. Did he have the yellow  
8 armband on when he came back in and repeatedly tried  
9 to get in? That's my first question.

10 ATTORNEY SACAVAGE:

11 Yes. One time he had the armband on and  
12 was denied. And that other time when he had the Texas  
13 ID and the armband, he came in.

14 MR. FAJT:

15 Okay. And so, then I assume that he was  
16 wearing the yellow armband while he was playing at the  
17 table game?

18 ATTORNEY SAVAGE:

19 Right.

20 MR. FAJT:

21 Okay. A question to you, Cyrus. I  
22 mean, obviously, a \$15,000 fine in my mind is, you  
23 know, fairly hefty. We have fined underage --- we've  
24 fined casinos for underage gambling more and less in  
25 the past. Any consideration given to the fact that

1 this individual did try to get in three times and was  
2 denied, and then finally, you know, was successful in  
3 getting in, in your fining the casino \$15,000? I  
4 guess, essentially how did you arrive at that amount  
5 of money?

6 ATTORNEY PITRE:

7 Actually, it started out much higher.  
8 Okay? It started out, I think, at what, Michael, 22  
9 or something like that?

10 ATTORNEY SKLAR:

11 Correct.

12 ATTORNEY PITRE:

13 The fact that he was denied entry a  
14 number of times, in my mind, makes it a situation  
15 worse, because I think they could have done a number  
16 of things. Surveillance could have been notified.  
17 The individual could have been tracked. And when he  
18 went into --- tried to get a second time, at that  
19 point, they could have notified State Police, saying  
20 this guy is habitually trying to get in here.

21 There's the evidence about the Texas ID.  
22 There is really no evidence other than the security  
23 guards saying, that's what was shown to me. I don't  
24 know if that's true or not. It could have been ---  
25 very well been California ID. We're taking the

1 security guard at his word. So, yes, those things  
2 were taken into consideration.

3           Also taken into consideration was a  
4 previous fine against the Rivers. I think the  
5 average, in that instance, was a little over \$11,000  
6 per instance. We take into consideration the amount  
7 --- the alcoholic beverages that were sold, that the  
8 individual was on the floor gambling for three-and-  
9 half hours and consuming an alcoholic beverage. So,  
10 that's three strikes; on the floor, gambling, table  
11 games, face to face and consuming alcoholic beverages.  
12 So, we took all those things into consideration when  
13 we came up with the fine.

14           MR. FAJT:

15           Thank you.

16           ATTORNEY PITRE:

17           And Mr. Sklar did talk me down from  
18 \$22,000 to \$15,000.

19           MR. FAJT:

20           All right. Ms. Gilchrist --- and I'll  
21 finish on this. But we've had this issue before and  
22 I've kind of been a stickler on, you know, when you're  
23 having somebody at a table game versus a slot machine,  
24 then, you know, your dealers are looking at this  
25 individual and, hence my point about having the yellow

1 wristband on. I mean, that, obviously says to your  
2 dealer that this individual has gotten past the front  
3 desk and was issued this wristband. This occasion,  
4 took it off somebody else.

5           But, do your folks --- are they taught  
6 to even with the wristband, to, you know, question  
7 somebody if they believe, you know, that they are  
8 under the age of 21, even with the wristband on? And  
9 to Cyrus' point, I mean, three hours, a couple of  
10 alcoholic drinks, that's a lot of time to be looking  
11 at somebody and not asking them a second or even a  
12 third time to produce their ID. So, are your folks  
13 taught as a table games dealer to ask for that ID?  
14 And what happened in this case, where they didn't do  
15 that?

16                           MS. GILCHRIST:

17           Yes. Prior to the incident, a table  
18 games dealer does receive casino ID training, so that  
19 they're very well versed on how to read an ID and  
20 compare it to the individual. Since the incident, the  
21 table games dealers are a part of the people that were  
22 pulled forward for the Responsible Alcohol Management  
23 Program. So, that does a couple of things. First of  
24 all, there's an ID application within that program as  
25 well.

1                   Secondarily, it speaks to, obviously,  
2 underage drinking. But more importantly, it empowers  
3 any person that has RAMP training to call --- to  
4 challenge any individual that they see with a  
5 wristband or consuming alcohol. So, we believe that,  
6 including them in the RAMP training will help us in  
7 that respect as well.

8                   MR. FAJT:

9                   Okay. Thank you, Mr. Chairman.

10                  ATTORNEY PITRE:

11                  And I'd just like to add, and as the  
12 Board well knows, I mean, we don't fine the casinos  
13 every time there's an underage incident, because we  
14 have a number that we deal with through compliance  
15 conferences, that we deal with through warning  
16 letters. It's only those that we see that appear to  
17 be a little egregious, that we institute a fine.

18                  CHAIRMAN:

19                  Thank you. Tony?

20                  MR. MOSCATO:

21                  Thank you, Mr. Chairman. Sometimes we  
22 all need to be talked down, though. Right? Having  
23 been on the ledge a couple of times, we need to be  
24 talked down. Sorry. I couldn't resist. The entrance  
25 control officer that was shown that the Texas ID, did

1 not scan it; is that correct?

2 ATTORNEY PITRE:

3 That's correct.

4 MR. MOSCATO:

5 Is it SOP to scan all IDs? Or just  
6 suspicious ones, or ---?

7 MS. GILCHRIST:

8 No, at Rivers, they scan IDs if the  
9 individual appears to be under the age of 30. They  
10 are supposed to scan the ID.

11 MR. MOSCATO:

12 Okay. And what happened to the entrance  
13 control officer didn't scan the ---?

14 MS. GILCHRIST:

15 That entrance control officer would have  
16 received discipline. I don't know if he was  
17 terminated. I believe that he kept his job.

18 ATTORNEY SACAVAGE:

19 He was issued a final written warning,  
20 according to our records.

21 MR. MOSCATO:

22 Okay. And I don't disagree that you  
23 folks have put in place a lot of measures to help you  
24 do this. And young people have always tried to find  
25 ways around everything, probably since there started



1 being young people.

2 MS. GILCHRIST:

3 Since we were young.

4 MR. MOSCATO:

5 That's right. Not that we did it, but  
6 ---. So, I do have a certain soft spot for what  
7 you're saying there. But in defense of the General  
8 Assembly, they've got a lot of other things on their  
9 plate right now than worrying about whether or not  
10 they should change this, so ---. But thank you for  
11 the answer.

12 MR. MCNALLY:

13 From what I'm hearing, why wasn't the  
14 wristband confiscated the first time this person tried  
15 to get in with a bad ID?

16 MS. GILCHRIST:

17 I don't know the answer to that.

18 MR. MCNALLY:

19 Okay. Because had that happened, we  
20 wouldn't be here; right? Has something been put in  
21 place to require that now?

22 MS. GILCHRIST:

23 Well, they've focused on how the  
24 wristbands are issued and what happens when the  
25 individual comes back. The ideal situation would have

1 been to get PSP involved in the first presentation.  
2 And, obviously, that didn't happen. So, that's where  
3 our focus is, is where we stop the transaction, get  
4 PSP involved and get the person cited. And usually  
5 then they'll go away.

6 MR. MCNALLY:

7 But you actually issued the wristbands  
8 to begin with?

9 MS. GILCHRIST:

10 We do issue wristbands. We have a color  
11 of the day. Wristbands are used at other  
12 establishments as well on the North Shore, so we have a  
13 color of the day. It happens that that was the right  
14 color.

15 MR. MCNALLY:

16 But do you have a policy in place now  
17 that you actually take them back when someone comes  
18 with a wristband that has a bad ID?

19 MS. GILCHRIST:

20 No, we have not ---

21 MR. MCNALLY:

22 Why not?

23 MS. GILCHRIST:

24 --- specifically ---. I guess I haven't  
25 thought of it.

1                   MR. MCNALLY:

2                   It's a good idea.

3                   MS. GILCHRIST:

4                   It's a good idea.

5                   MR. MCNALLY:

6                   Write that down. I have no further  
7 questions. Thanks.

8                   CHAIRMAN:

9                   Any other questions? Thank you both.  
10 May I have a motion?

11                   MR. MCNALLY:

12                   Mr. Chairman, I move that the Board  
13 issue an Order to adopt the Consent Agreement between  
14 the OEC and Holdings Acquisitions Company, LP, as  
15 described by the OEC.

16                   CHAIRMAN:

17                   Second?

18                   MR. MOSCATO:

19                   Second.

20                   CHAIRMAN:

21                   All in favor?

22 ALL SAY AYE

23                   CHAIRMAN:

24                   Opposed? The motion carries. Thank  
25 you.

1                   ATTORNEY PITRE:

2                   The next matter that we have for the  
3 Board's consideration is the revocation of Ms.  
4 Brittany Kozemko's license --- Gaming Employee Permit.  
5 And that matter will be presented by Assistant  
6 Enforcement Counsel Melissa Powers.

7                   CHAIRMAN:

8                   Good afternoon.

9                   ATTORNEY POWERS:

10                  Good afternoon. And that's Melissa  
11 Powers, P-O-W-E-R-S. The first matter that I have for  
12 you is that of Brittney Kozemko. On October 1st of  
13 2013, the OEC filed a Complaint to revoke Ms.  
14 Kozemko's Gaming Employee Permit, after she was  
15 terminated by Mohegan Sun for theft and convicted of  
16 theft by unlawful taking for the same conduct.

17                  She did not respond to the Complaint  
18 within 30 days. Therefore, her right to a hearing has  
19 been waived and the facts alleged in the Complaint are  
20 deemed to be admitted. On December 20th, 2013, the  
21 OEC filed a request for default judgment. And at this  
22 time, we would ask that the Board revoke the Gaming  
23 Employee Permit of Brittney Kozemko.

24                  CHAIRMAN:

25                  Is Brittney Kozemko in the hearing room?

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

3 MR. MOSCATO:

4 Mr. Chairman, I move that the Board  
5 issue an Order to approve the revocation of Brittney  
6 Kozemko's Gaming Employee Permit, as described the  
7 OEC.

8 CHAIRMAN:

9 Second?

10 MR. WOODS:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 Opposed? The motion carries.

17 ATTORNEY POWERS:

18 The next matter that I have for you  
19 today is that of Lampheu Sisen. I hope I'm  
20 pronouncing his name correctly. On October 4th, the  
21 OEC filed a Petition to place Mr. Sisen on the Board's  
22 Involuntary Exclusion List, after he pled guilty to  
23 theft by deception for cheating at a Roulette Table at  
24 Mohegan Sun.

25 He did not respond to the Petition

1 within 30 days. Therefore, his right to a hearing has  
2 been waived and the facts alleged in the Petition are  
3 deemed to be admitted. On December 20th, 2013, the  
4 OEC filed a request for default judgment. And, at  
5 this time, OEC would ask that Board place Lampheu  
6 Sisen on the Board's Involuntary Exclusion List.

7 CHAIRMAN:

8 Is Lampheu Sisen in the hearing room?  
9 Any questions, comments from the Board? Bob? May I  
10 have a motion?

11 MR. WOODS:

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

16 MR. FAJT:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 Opposed? The motion carries.

23 ATTORNEY POWERS:

24 Thank you.

25 CHAIRMAN:

1 Thank you very much.

2 ATTORNEY PITRE:

3 And the final matter that we have for  
4 the Board's consideration will be presented by  
5 Assistant Enforcement Counsel, Dustin Miller.

6 CHAIRMAN:

7 Good afternoon, Dustin.

8 ATTORNEY MILLER:

9 Good afternoon, Chairman Ryan, Members  
10 of the Board. The final matter today is a request for  
11 placement on the Board's Excluded Person's List  
12 involving Frank Tomasiello. The OEC filed a Petition  
13 to place Mr. Tomasiello on the Exclusion List for  
14 inappropriately touching a casino employee and  
15 threatening casino employees and onsite Pennsylvania  
16 State Police Troopers with physical harm, at Parx  
17 Casino on August 24th, 2013.

18 On August 24th, 2013 at approximately  
19 8:00 p.m., Mr. Tomasiello inappropriately touched a  
20 Parx Casino beverage server without her permission or  
21 assent. She immediately reported the incident to Parx  
22 Casino security personnel. Parx Casino security  
23 personnel attempted to eject Mr. Tomasiello from Parx  
24 Casino without success. Onsite Pennsylvania State  
25 Police Troopers arrived at the scene and Mr.

1 Tomasiello began to leave the casino.

2           As Mr. Tomasiello appeared to be  
3 intoxicated, State Police asked Mr. Tomasiello how he  
4 had arrived at the casino. At that point, Mr.  
5 Tomasiello became enraged and threatened Pennsylvania  
6 State Police and Parx Casino security personnel. Mr.  
7 Tomasiello was taken into custody after he threatened  
8 the State Troopers and security personnel with  
9 physical harm.

10           While in custody, Mr. Tomasiello  
11 repeatedly threatened to kill the Troopers who had  
12 taken him into custody, as well as Parx Casino  
13 security personnel who were giving statements to the  
14 Troopers. Mr. Tomasiello also began spitting at the  
15 Troopers and security personnel. Mr. Tomasiello was  
16 charged with terroristic threats, disorderly conduct,  
17 defiant trespass and public drunkenness for his  
18 actions.

19           Pennsylvania State Police made a request  
20 to the OEC to place Mr. Tomasiello on the Exclusion  
21 List, based upon his actions. A preliminary hearing  
22 was held on Mr. Tomasiello's criminal charges on  
23 October 16th, 2013, which resulted in all criminal  
24 charges being bound over to the Court of Common Pleas  
25 at Bucks County.



1           The Petition to place Mr. Tomasiello on  
2 the Exclusion List was properly served upon Mr.  
3 Tomasiello to his home address by certified and first  
4 class mail. Mr. Tomasiello did not respond to the  
5 filing in any way. Due to Mr. Tomasiello's failure to  
6 respond, the averments in the Petition are deemed to  
7 be admitted as fact and his right to a hearing has  
8 been waived.

9           On January 9th, 2014, the OEC filed a  
10 request, --- entered judgment upon default. The  
11 matter is now before the Board to consider the  
12 placement of Frank Tomasiello on the Board's Excluded  
13 Person's List.

14           CHAIRMAN:

15           Is Frank Tomasiello in the hearing room?  
16 Any questions, comments from the Board? Bob? May I  
17 have a motion?

18           MR. FAJT:

19           Mr. Chairman, I move that the Board  
20 issue an Order to approve the addition of Frank  
21 Tomasiello to the PGCB Involuntary Exclusion List, as  
22 described by the OEC.

23           MS. KAISER:

24           Second.

25           CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 Opposed? The motion carries.

5 ATTORNEY PITRE:

6 That concludes our business. Thank you.

7 CHAIRMAN:

8 Thank you, both. Ladies and gentlemen,  
9 that concludes today's meeting. Our next scheduled  
10 public meeting will be on Wednesday, March 19th, in  
11 this room. The meeting will begin at 10:00 a.m. Any  
12 final comments? May I have a motion to adjourn?

13 MS. KAISER:

14 Mr. Chairman, I move for adjournment of  
15 the meeting.

16 CHAIRMAN:

17 Thank you very much. Thank you, ladies  
18 and gentleman. Have a good day.

19 \* \* \* \* \*

20 MEETING CONCLUDED AT 12:45 P.M.

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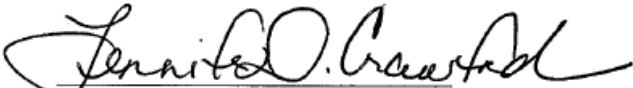
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CERTIFICATE

I hereby certify that the foregoing proceedings,  
hearing held before Chairman Ryan was reported by me  
on 2/26/2014 and that I Jennifer Crawford read this  
transcript and that I attest that this transcript is a  
true and accurate record of the proceeding.

  
Court Reporter