

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

\* \* \* \* \*

PUBLIC MEETING

\* \* \* \* \*

BEFORE: William H. Ryan, Jr., Chairman  
Gregory J. Fajt, Annmarie Kaiser, Keith R.  
McCall, John J. McNally, III, Anthony C.  
Moscato, David W. Woods  
Robert Coyne, Representing Daniel P.  
Meuser, Secretary of Revenue,  
Ex-Officio Member  
Jorge Augusto, Representing George Greig,  
Secretary of Agriculture  
Jennifer Langan, Representing Robert M.  
McCord, State Treasurer, Ex-Officio Member

HEARING: Wednesday, November 19, 2014, 9:58 a.m.

LOCATION: Strawberry Square Complex  
Second Floor  
Harrisburg, PA 17101

WITNESSES: Stavros Karpontinis, John Napolliello,  
William Hayles

Reporter: Bernadette Black

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## OFFICE OF CHIEF COUNSEL

R. DOUGLAS SHERMAN, ESQUIRE

Chief Counsel

STEPHEN S. COOK, ESQUIRE

Deputy Chief Counsel

## OFFICE OF ENFORCEMENT COUNSEL

CYRUS PITRE, ESQUIRE

Chief Enforcement Counsel

MICHAEL ROLAND, ESQUIRE

Assistant Chief Counsel

CASSANDRA FENSTERMAKER, ESQUIRE

Assistant Enforcement Counsel

GLEN A. STUART, ESQUIRE

Assistant Enforcement Counsel

SUSAN HENSEL-JAROCH, ESQUIRE

Pennsylvania Gaming Control Board

303 Walnut Street

Floor 5

Harrisburg, PA 17101-1825

Counsel for Bureau of Licensing

A P P E A R A N C E S

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ADRIAN R. KING, JR., ESQUIRE

MICHAEL FABIOUS, ESQUIRE

Ballard Spahr, LLP

1735 Market Street

Floor 51

Philadelphia, PA 19103

Counsel for Valley Forge Convention Center

Partners, LP

ALSO PRESENT:

Claire Yantis

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CHAIR:

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PLEDGE OF ALLEGIANCE RECITED

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CHAIR:

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Good morning, ladies and gentlemen. My name's Bill Ryan, I am Chairman of the Pennsylvania Gaming Control Board. Before we begin, I would ask everyone to please turn off or at least put on silent your cell phones and other electronic devices. Thank you. With us today is Jennifer Lagan representing State Treasurer Robert McCord. Robert Coyne representing the Secretary for the Department of Revenue, Dan Meuser. And Jorge Augusto representing Secretary of Agriculture George Greig. Thank all of you for coming. I see all members of the Board are present, and I will therefore call the meeting to order. First, I would ask everyone to stand for the Pledge of Allegiance.



1 the minutes and transcript of September 17th, 2014  
2 meeting. May I have such a motion?

3 MR. WOODS:

4 Mr. Chairman, I move that the Board  
5 approve the minutes and transcript of the September  
6 17th, 2014 meeting.

7 MR. FAJT:

8 Second.

9 CHAIR:

10 All in favor?

11 ALL SAY AYE

12 CHAIR:

13 Opposed? The motion carries. Next  
14 we'll hear from Claire Yantis, our Human Resources  
15 Director. Good morning, Claire.

16 MS. YANTIS:

17 Good morning, Chairman, members of the  
18 Board. The Office of Human Resources has two motions  
19 for your consideration today. The first motion before  
20 you today is a motion to hire Mr. Scott Lare as a  
21 Casino Compliance Representative at SugarHouse Casino.  
22 Mr. Lare has completed the PGCB interview process,  
23 background investigation and drug screening. As such,  
24 he was recommended for hire by Director of Casino and  
25 Compliance, Jerry Stoll. Unless you have any

1 questions, I ask that you consider a motion to hire  
2 Mr. Lare as indicated.

3 CHAIR:

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

6 MR. FAJT:

7 Mr. Chairman, I move that the Board  
8 approve the applicant as proposed by the Director of  
9 Human Resources.

10 MS. KAISER:

11 Second.

12 CHAIR:

13 All in favor?

14 ALL SAY AYE

15 CHAIR:

16 Opposed? Motion carries.

17 MS. YANTIS:

18 The second motion seeks to ratify the  
19 hiring of two Assistant Enforcement Counsels. On  
20 October 27, 2014, after Board Personnel Committee  
21 approval, John Crohe, III and Kimberly Adams began  
22 employment as insistent --- Assistant Enforcement  
23 Counsels in the Office of Enforcement Counsel (OEC).  
24 This action is consistent with the Board Order of  
25 September 17th, 2014 delegating authority to the

1 Board's Personnel Committee to approve the hiring of  
2 these two individuals between Board meetings to ensure  
3 adequate staffing support for the OEC.

4 For that same Order, finalization of any  
5 hires between Board meetings is contingent upon the  
6 Board ratifying the Personnel Committee's action. As  
7 such, I ask that you consider a motion ratifying the  
8 hiring of Mr. Crohe and Ms. Adams as indicated.

9 CHAIR:

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

12 MR. MOSCATO:

13 Mr. Chairman, I move that the Board  
14 ratify the hiring of the two Assistant Enforcement  
15 Counsels and described by the Director of Human  
16 Resources.

17 MR. MCNALLY:

18 Second.

19 CHAIR:

20 All in favor?

21 ALL SAY AYE

22 CHAIR:

23 Opposed? The motion carries.

24 MS. YANTIS:

25 Thank you.

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CHAIR:

Thank you, Claire. Next, our Chief Counsel, Doug Sherman.

ATTORNEY SHERMAN:

Good morning, Chairman and members of the Board. We have just five items for the Board's action today that will be presented by Deputy Chief Counsel Steve Cook.

CHAIR:

Good morning, Steve.

ATTORNEY COOK:

Good morning. The Board has received six unopposed Petitions to Withdraw Applications or Surrender Credentials of seven individuals or businesses. The persons and entities subject to these petitions are Gilchrist & Soames, Incorporated, Dan Thomas, James Perry, Darrell Rodriguez, Dale Black, Douglas Burkhalter and Maria Orengo.

The OEC has no objections relative to nay of these Petitions. As a result, if the Board were to grant the same, they would be doing do without prejudice to each requestor. The matters is now ripe for the Board's consideration.

CHAIR:

Any questions or comments from the

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

2 MS. KAISER:

3 Mr. Chairman, I move that the Board  
4 issue Orders to approve the Withdrawals and  
5 Surrenders, as described by the Office of Chief  
6 Counsel (OCC).

7 MR. MCCALL:

8 Second.

9 CHAIR:

10 All in favor?

11 ALL SAY AYE

12 CHAIR:

13 Opposed? The motion carries.

14 ATTORNEY COOK:

15 Next before the Board for consideration  
16 are four Reports and Recommendations received from the  
17 Office of Hearings and Appeals (OHA). These Reports  
18 and Recommendations, along with the complete  
19 evidentiary record, have been provided to the Board in  
20 advance of the meeting. If any of these persons are  
21 present, I'd ask them to come forward when their  
22 matter is announced.

23 The first Report and Recommendation  
24 before the Board today pertains to John Herr. Mr.  
25 Herr requested to lift the suspension of his Gaming

1 Permit. He was issued a Gaming Employee Permit on  
2 April 4th, 2012. He was employed as a Table Games  
3 Dealer at the Hollywood Casino.

4 On August 30th, 2012, the Pennsylvania  
5 State Police notified the Bureau of Investigation and  
6 Enforcement (BIE) that Mr. Herr was arrested and  
7 charged with seven felonies, two misdemeanors related  
8 to his part-time employment in a business selling  
9 synthetic cannabinoids and bath salts, as well as drug  
10 paraphernalia.

11 As a result of these charges, the OEC  
12 filed an Emergency Order of Suspension of Mr. Herr's  
13 Gaming Employee Permit. The Order was signed by the  
14 Executive Director on September 4th, 2012 and a full  
15 evidentiary hearing was held the following April of  
16 2013. At that hearing, it was put into evidence that  
17 Mr. Herr had plead guilty to possession of drug  
18 paraphernalia and possession with intent to distribute  
19 drug paraphernalia, both misdemeanors. All other  
20 charges were dismissed. A Report and Recommendation  
21 was issued after that April hearing recommending that  
22 the suspension of Mr. Herr's' Gaming Permit remain in  
23 place. And on June 5th, 2013, the Board ordered that  
24 the suspension remain in place until at least Mr. Herr  
25 completed his criminal probationary sentence.

1           Mr. Herr filed a Petition with the Board  
2 this past May informing Board Staff that he completed  
3 his probation and requested that his suspension be  
4 lifted and his Gaming Permit be reinstated. The OEC  
5 objected to Mr. Herr's Petition and a hearing was held  
6 on July 22nd, 2014. Both OEC and Mr. Herr appeared  
7 and presented evidence. It was OEC's position at that  
8 hearing that notwithstanding Mr. Herr successfully  
9 completing his probation term, that adequate time had  
10 not passed in order for him to re-establish his  
11 suitability to be a gaming employee.

12           After hearing all of the evidence  
13 presented, a Report and Recommendation was issued by  
14 the Hearing Officer recommending that Mr. Herr's  
15 suspension, which as of today is approximately two  
16 years and two months old, be dissolved as he has  
17 successfully completed his probationary sentence and  
18 has no further involvement with law enforcement. And  
19 that is the recommendation before the Board.

20           CHAIR:

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

23           MR. MCCALL:

24           Mr. Chairman, I move that the Board  
25 adopt John Herr's Petition to lift the suspension of

1 his Gaming Employee Permit, as described by the OCC.

2 MR. MCNALLY:

3 Second.

4 CHAIR:

5 All in favor?

6 ALL SAY AYE

7 CHAIR:

8 Opposed? The motion carries.

9 ATTORNEY COOK:

10 Stavros Karpontinis is the next Report  
11 and Recommendation before the Board today. On July  
12 26th, 2011, Mr. ---

13 CHAIR:

14 Excuse me. Mr. Karpontinis, why don't  
15 you come forward, sir?

16 ATTORNEY COOK:

17 While Mr. Karpontinis (changes  
18 pronunciation) comes forward, I'll briefly give the  
19 Board a summary of this matter. On July the 26th,  
20 2011, Mr. Karpontinis submitted an Application for a  
21 Gaming Level 2 Employee Occupation Permit seeking work  
22 as a Senior Surveillance Technician at Harrah's  
23 Philadelphia. Mr. Karpontinis had been working at  
24 Harrah's under a temporary credential since that time,  
25 and is employed there still today.



1                   On June 12th, 2014 the OEC issued a  
2 Notice of Recommendation of Denial of this gentleman's  
3 G2 Permit application based upon the fact that he  
4 owed, or continues to owe, some money to the  
5 Pennsylvania Department of Labor & Industry Office of  
6 Unemployment Compensation for benefits he received but  
7 was not entitled to.

8                   During Mr. Karpontinis' hearing, which  
9 was held on August 5th, 2014 before the Board at the  
10 OHA, both he and the OEC appeared and offered  
11 testimony and exhibits. The evidence presented showed  
12 that Mr. Karpontinis had been terminated in prior  
13 employment by Comcast and immediately sought  
14 unemployment compensation, benefits for which were  
15 approved, and he began receiving those benefits from  
16 November 2010 through April 2011. However, it was  
17 determined that this gentleman had almost immediately  
18 secured employment after leaving Comcast with WPSC  
19 International. And as a result, he received, I  
20 believe it was approximately \$13,000 in unemployment  
21 compensation benefits, for which he was not entitled.

22                   Mr. Karpontinis testified that he had  
23 never received the unemployment compensation benefits  
24 in question, and that his identity was stolen by his  
25 father, who in turn obtained the unemployment benefits

1 in question. After hearing all of the evidence  
2 presented, the Hearing Officer issued a Report and  
3 Recommendation recommending that this gentleman's  
4 Gaming Application be denied based upon what the  
5 Hearing Officer determined was Mr. Karpontinis'  
6 unauthorized receipt of unemployment compensation  
7 benefits. And that is the recommendation before the  
8 Board.

9 CHAIR:

10 Mr. Karpontinis?

11 MR. KARPONTINIS:

12 Yes, sir.

13 CHAIR:

14 I take it you're here because you wish  
15 to address the Board?

16 MR. KARPONTINIS:

17 Yes, sir.

18 CHAIR:

19 All right. Why don't you stand so you  
20 can be sworn, please?

21 -----

22 STAVROS KARPONTINIS, HAVING FIRST BEEN DULY SWORN,  
23 TESTIFIED AS FOLLOWS:

24 -----

25 CHAIR:

1                   Sir, before you begin, why don't you  
2 state your name and spell your last name for the  
3 record?

4 A. My name is Stavros Karpontinis,  
5 K-A-R-P-O-N-T-I-N-I-S.

6                   CHAIR:

7                   Okay. What do you have to say?

8 A. First and foremost, good morning and thank you  
9 for seeing me today. I really appreciate your time.  
10 Since the last time I met with the Gaming Board, I  
11 didn't know that it was against the regulations to  
12 hold an outstanding balance to the state. Basically,  
13 I was breaking the regulations at that point. If I  
14 had known such, I would have started paying it while I  
15 was trying to figure out who and what happened with my  
16 credit or information. And then when it was all said  
17 and done, I would just trying to get my money back.

18                  With that being said, after the hearing, I  
19 immediately started paying off the debt to the state,  
20 approximately of \$3,000 since then. I sent them a  
21 check of \$2,500 and then continually every month after  
22 that \$200 plus the interest. I have that  
23 documentation here, if you'd like to see it. I also  
24 have some letters of recommendation from our Senior  
25 Vice President and General Manager of Harrah's

1 Philadelphia and our Director of Human Resources.  
2 Just character reference letters stating what I have  
3 done so far within the community and as well as  
4 Harrah's Philadelphia.

5 I also need to say that I do believe it was my  
6 father that did this. And one of the main reasons why  
7 I didn't pursue it as hard as I should have is because  
8 it was family. They're always hard up. It's not  
9 necessarily the right thing to do, but again I'm  
10 willing to pay for it if I have to. I will pursue it  
11 and try to figure out what exactly happened. In the  
12 meantime, like I said, I have started paying it and I  
13 will pay it off. And if I can't figure out what  
14 happened, at least the state has their money. I know  
15 I have to do what's right no matter what, and paying  
16 it back is what the right thing to do is.

17 CHAIR:

18 Casey, any response?

19 ATTORNEY FENSTERMAKER:

20 For the record, my name's Cassandra  
21 Fenstermaker, F-E-N-S-T-E-R-M-A-K-E-R, Assistant  
22 Enforcement Counsel at the OEC. Just, with all due  
23 respect Mr. Karpontinis did have notice that he could  
24 not have an outstanding balance. He was issued  
25 letters, and in the Denial Letter it also states that

1 it is prohibited to have an outstanding balance owed  
2 to the Commonwealth of Pennsylvania or any subdivision  
3 thereof. So, he did have knowledge. However, the OEC  
4 leaves this matter to the Board's discretion. We  
5 would request, if you decide to grant Mr. Karpontinis  
6 a license, that a condition be placed on his license  
7 requiring him to make regular payments or to make a  
8 lump-sum payment, whichever you see fit, to the  
9 Department of Labor & Industry in the amount that's  
10 due.

11 CHAIR:

12 Any questions from the Board? John.

13 MR. MCNALLY:

14 Where is your father today?

15 A. He lives in Jersey.

16 MR. MCNALLY:

17 Did you ask him to come here today?

18 A. I haven't spoken to him.

19 MR. MCNALLY:

20 Has he been indicted, prosecuted,  
21 investigated?

22 A. Not that I know of. I haven't pursued it.

23 ATTORNEY FENSTERMAKER:

24 Chairman Ryan, ---.

25 CHAIR:

1                   Anyone else? Greg?

2                   MR. FAJT:

3                   Thank you, Mr. Chairman. Steven, if I  
4 understood this correctly. Mr. Karpontinis, his  
5 initial assessment was, what did you say, \$12,000,  
6 \$13,000?

7                   ATTORNEY COOK:

8                   I believe in that range.

9                   MR. FAJT:

10                   And he's paid \$3,000 to date, is that  
11 what I heard?

12 A. Yeah, it's close to that. I have it down to  
13 \$7,190 is the last letter that I received.

14                   MR. FAJT:

15                   Certain of those moneys, I believe, came  
16 from federal income tax --- acquiring federal --- what  
17 would have been federal income tax refunds that the  
18 IRS turned over to the Commonwealth.

19 A. Not the \$25 --- I sent them \$2,500 and I've been  
20 paying \$200 plus interest every month.

21                   MR. FAJT:

22                   How many months have you been paying  
23 that \$200?

24 A. Since the last time we met, since June.

25                   MR. FAJT:

1 Are you working now?

2 A. Yes, sir.

3 MR. FAJT:

4 But your desire is to get your old job  
5 back at Harrah's?

6 ATTORNEY COOK:

7 He continues to have that employment.

8 A. I continue to have the job at Harrah's  
9 Philadelphia Casino and Racetrack on a temporary  
10 license you so graciously allowed me to have. I'm  
11 perfectly willing to continue with the temporary  
12 license until it's paid off, I just cannot not have a  
13 job. I have seven mouths at home.

14 MS. FENSTERMAKER:

15 Chairman Ryan, if I may? I'd just like  
16 to add that I have a letter from Mr. Karpontinis.  
17 It's my understanding that the Department of Labor &  
18 Industry does not enter into payment plans with  
19 individuals who owe money, that is what I was  
20 discussing with them. On August 29th, 2014, Mr.  
21 Karpontinis submitted a copy of a letter that he sent  
22 to the Department of Labor & Industry stating that he  
23 would, from that point forward, make \$200 a month  
24 payments. Now I don't have any record of him making  
25 payments in June, July or August. I have the \$2,500

1 payment, which was processed in September, and I have  
2 a \$200 payment which was processed in October, which  
3 was confirmed with the Department of Labor & Industry  
4 on Monday.

5 CHAIR:

6 Sir, you were apparently involved in  
7 getting unemployment benefits you shouldn't and had no  
8 right to get; is that correct?

9 A. Yes.

10 CHAIR:

11 And you're saying you didn't do it, and  
12 you're under oath. And you're saying under oath you  
13 didn't do it.

14 A. I'm saying under oath that I did not do it?

15 CHAIR:

16 Do you have any idea how your father did  
17 it?

18 A. I don't know.

19 CHAIR:

20 He doesn't live with you, though?

21 A. No, he does not live with me. But I was visiting  
22 him then regularly, and he has all my information.  
23 This is something he's done to my brother in the past.  
24 He purchased a house in my brother's name. So, I  
25 wouldn't put it past him to do something like this.



1 He has the knowledge. I've confronted him about it,  
2 he denied it vigorously and I really haven't talked to  
3 him about it since. Ethically, I probably should just  
4 pursue it and get him in trouble and get him arrested  
5 and it's just very, very hard for me to pursue.

6 CHAIR:

7 This money was paid out over a two-year  
8 period. And each of those tax years you reported the  
9 amount of money as income, did you not?

10 A. I did.

11 CHAIR:

12 Why would you do that?

13 A. Okay. So, at my house, when I receive a tax  
14 document, I put it in a file. I don't even open it up  
15 to look at it. And that year I received it, because I  
16 know within that year I did receive unemployment  
17 benefits. So, I filed it away. I didn't open it to  
18 look at it and see the amount on it, I didn't --- it's  
19 hard to say. I plead ignorance, but the bottom line  
20 is I didn't know better and that's what happened.

21 MR. FAJT:

22 As a follow-up to that question, Mr.  
23 Karpontinis, did you prepare your own tax return that  
24 year?

25 A. No, sir. No, I know a family friend that does

1 it. Basically my wife handles it all, she takes all  
2 the information and hands it off to our family friend.

3 CHAIR:

4 Tony?

5 MR. MOSCATO:

6 No, I don't have questions.

7 CHAIR:

8 Annmarie? Ladies and Gentlemen, the  
9 Board will recess for ten minutes. Thank you.

10 BRIEF RECESS

11 CHAIR:

12 We'll reconvene, and return to the  
13 matter Stavros Karpontinis. Do I have a motion?

14 MR. MCNALLY:

15 Yes, Mr. Chairman. Mr. Chairman, I move  
16 that the Board reject the Report and Recommendation  
17 issued by the OHA regarding Stavros Karpontinis' G2  
18 Employee Permit. And that Mr. Karpontinis shall  
19 remain on the temporary credential on the condition  
20 that he continue to make monthly payments, until such  
21 time as the payments have been made in full, at which  
22 time Mr. Karpontinis may revisit this Board to review  
23 his application.

24 CHAIR:

25 Any questions among the Board? Second?

1                   MR. MOSCATO:

2                   Second.

3                   CHAIR:

4                   All in favor?

5 ALL SAY AYE

6                   CHAIR:

7                   Opposed? The motion carries. Mr.  
8 Karpontinis, do you understand where you are now?

9                   MR. KARPONTINIS:

10                  Yes, sir. Thank you very, very much.

11                  CHAIR:

12                  All right. And my advice to you, sir,  
13 is keep making those payments.

14                  MR. KARPONTINIS:

15                  Yes, sir.

16                  CHAIR:

17                  All right?

18                  MR. KARPONTINIS:

19                  Yes, sir.

20                  CHAIR:

21                  All right. You're excused.

22                  MR. KARPONTINIS:

23                  Thank you.

24                  ATTORNEY COOK:

25                  The next Report and Recommendation

1 before the Board today pertains to John Napoliello.  
2 Mr. Napoliello is present, I'd ask him to come  
3 forward. Mr. Napoliello holds a Gaming Permit issued  
4 the Board on June 13th, 2012. On November 19th, 2013,  
5 Mr. Napoliello submitted a G2 application seeking work  
6 as a dealer/dual rate supervisor at Mt. Airy Casino  
7 Resort. He received his Temporary G2 Permit on  
8 December 5th, 2013.

9           On his application, his original gaming  
10 application, Mr. Napoliello stated that he had been  
11 arrested for possession of a small amount of marijuana  
12 and drug paraphernalia in August 2009 and that he  
13 received a non-DUI ARD sentence, which he completed.  
14 Mr. Napoliello disclosed the same information when he  
15 submitted his G2 Permit application in 2012 --- I'm  
16 sorry, this past year.

17           During the investigation for his G2  
18 Permit Application however, BIE determined that Mr.  
19 --- interview Mr. Napoliello regarding his earlier  
20 disclosure of criminal charges relating the possession  
21 of marijuana. And based upon information disclosed in  
22 that interview, the OEC issued a Notice of  
23 Recommendation of Denial of this gentleman's G2 Permit  
24 arguing that he did not meet the suitability  
25 requirements to be issued a G2 permit and serve in a

1 supervisory role in a Pennsylvania casino.

2                   A hearing in this matter was held on  
3 August 27, 2014. Both the OEC Counsel and Mr.  
4 Napoliello appeared at the hearing, at which time this  
5 gentleman, the Applicant, was unable to refute any of  
6 OEC's stated concerns. As a result, the Hearing  
7 Officer issued a Report and Recommendation,  
8 recommending that his G2 Permit Application be denied.  
9 And that is the recommendation before the Board.

10                   I note for the record that Mr.  
11 Napoliello is present and he may at this time address  
12 the Board if he chooses.

13                   CHAIR:

14                   You are John Napoliello?

15                   MR. NAPOLIELLO:

16                   Yes, sir. It's Napoliello (corrects  
17 pronunciation).

18                   CHAIR:

19                   Thank you. Do you want to address the  
20 Board, sir?

21                   MR. NAPOLIELLO:

22                   Yes, please.

23                   CHAIR:

24                   Why don't you stand so you can be sworn  
25 as a witness?

1 -----  
2 JOHN NAPOLIELLO, HAVING FIRST BEEN DULY SWORN,  
3 TESTIFED AS FOLLOWS:  
4 -----

5 CHAIR:

6 All right. Sir, what do you want to  
7 tell the Board?

8 A. Well, first off, good morning, thank you for  
9 allowing me this opportunity. I'd like to recant  
10 (sic) my employment at Mt. Airy Casino. I was first  
11 hired in June 2012. Prior to that, I was attending  
12 college at East Stroudsburg University, I was starting  
13 my fifth year in 2010, second year as a health/phys ed  
14 major. During that year, I wasn't able to get a  
15 cosigner for a loan, so I wasn't able to complete. At  
16 the time, I had a falling out with my father, my  
17 mother was unemployed and I had no one else capable of  
18 supporting me on my loan. So, I started using  
19 marijuana again in 2010. In 2012, I found an  
20 employment opportunity at Mt. Airy Casino. At that  
21 time I stopped using. I was promoted a few times.

22 CHAIR:

23 What jobs?

24 A. I started as a dealer.

25 CHAIR:

1 Pardon?

2 A. I started as ---.

3 CHAIR:

4 Try to speak up, sir, if you well.

5 A. Excuse me. I started as a part-time dealer.

6 Where was I going with this? I started as a part-time  
7 dealer, I was promoted to a full-time dealer. They  
8 invited me to take their free courses there. I took  
9 craps and pai gow tiles, they're both ten-week  
10 classes. With my promotion to full-time dealer, I was  
11 forced to switch shifts, and that's when I started  
12 smoking again. Smoking helped me try to get into a  
13 better sleep cycle. And now I was promoted to dual  
14 rate dealer supervisor. I admitted to smoking, but I  
15 didn't realize it would reflect negatively upon me.  
16 So, when I received my recommendation for denial, I  
17 stopped smoking and I realized that my actions were  
18 foolish and childish.

19 I'm basically asking for mercy on this. I'd like  
20 to chalk up my use of marijuana as a childhood  
21 mistake. I'd like to step into adulthood, have an  
22 opportunity to work as a supervisor, be an upstanding  
23 citizen and taxpayer in the Commonwealth of  
24 Pennsylvania.

25 CHAIR:

1 OEC, have any questions or comments?

2 ATTORNEY TEPPER:

3 Good morning, Chairman Ryan. David  
4 Tepper, T-E-P-P-E-R, Assistant Enforcement Counsel  
5 with the OEC. At this point we have no questions for  
6 Mr. Napolliello and no objection, obviously leaving it  
7 to the Board's discretion, but ask that, should he be  
8 licensed, to go on the record conditioning that he  
9 will not smoke marijuana while holding a credential  
10 issued by the Board.

11 CHAIR:

12 Any questions from the Board? John?

13 MR. MCNALLY:

14 Have you sought treatment for your  
15 marijuana use?

16 A. No, sir. When I was first arrested, I did the  
17 non-DUI ARD program, and that was all I did.

18 MR. MCNALLY:

19 And it wasn't a condition of your ARD?

20 A. (Indicates no).

21 CHAIR:

22 Greg?

23 MR. FAJT:

24 Thank you, Mr. Chairman. OEC, how much  
25 marijuana was the gentleman in possession of? I saw



1 that the testimony earlier was a small amount.

2 ATTORNEY TEPPER:

3 When he was charged, he was in  
4 possession of a small amount. The criminal complaint  
5 did not state a specific quantity. But there were  
6 additionally a few baggies to qualify for a  
7 paraphernalia charge as well. But there's no --- I  
8 don't think there was an actual amount listed.

9 MR. FAJT:

10 Sir, how much marijuana did you have on  
11 you when you were arrested, give or take, an ounce,  
12 three ounces, a pound?

13 A. Not that much. It was probably less than an  
14 eighth.

15 MR. FAJT:

16 Less than an eighth of an ounce? Please  
17 speak up.

18 A. It was less than an eighth of an ounce. They  
19 were all in the form of roaches.

20 CHAIR:

21 Tony?

22 MR. MOSCATO:

23 Thank you, Mr. Chairman. Are you  
24 currently working at Mt. Airy now?

25 A. Yes, sir.

1                   MR. MOSCATO:

2                   And should we go forward with this and  
3 deny the G2, would you continue to be employed there?

4 A.   I'm not sure.   The only license I hold is the  
5 temporary G2 license.   I don't know if they would  
6 return my Table Games License.

7                   MR. MOSCATO:

8                   Thank you.

9                   ATTORNEY COOK:

10                  Commissioner, he continues to hold a  
11 Gaming Permit.   He's on a temporary G2, but he  
12 continues to have a Gaming Permit.

13                  MR. MOSCATO:

14                  Thank you, Steve.

15                  CHAIR:

16                  Anybody else?

17                  MR. WOODS:

18                  Sir, is your employer aware of the use  
19 of marijuana and that you're before the Board today?

20 A.   Yes, sir.

21                  CHAIR:

22                  When was the last time you smoked weed?

23 A.   Sometime over the summer.

24                  CHAIR:

25                  This past summer?

1 A. Yes, sir.

2 CHAIR:

3 Not since then?

4 A. No, not since then.

5 CHAIR:

6 You're sure of that?

7 A. Yes, sir.

8 CHAIR:

9 How often did you smoke during the  
10 summer, before you say you quit?

11 A. It was biweekly at the most. It was social,  
12 social.

13 CHAIR:

14 Any other questions from the Board?

15 May I have a motion?

16 MR. MOSCATO:

17 Mr. Chairman, I'm going to wing this. I  
18 move that the Board reject the Report and  
19 Recommendation issued by the Office of Hearing and  
20 Appeals regarding John Napoliello's G2 Employee Permit  
21 as described by the OEC. Further, I would require  
22 that your use of marijuana end and that you submit to  
23 random drug testing. And I'll add anything else you  
24 want me to.

25 CHAIR:

1                   Sounds appropriate.

2                   MR. WOODS:

3                   Second.

4                   CHAIR:

5                   All in favor?

6 ALL SAY AYE

7                   CHAIR:

8                   Opposed? The motion carries. All  
9 right. Sir, do you understand you're getting a break  
10 here?

11 A. Yes, sir.

12                   CHAIR:

13                   A huge break. I hope you take advantage  
14 of it.

15 A. I thank you.

16                   CHAIR:

17                   All right. You're excused.

18                   ATTORNEY COOK:

19                   The final Report and Recommendation  
20 before the Board today pertains to Rasheed Newell. On  
21 February 7th, 2014, the OEC filed a Petition to place  
22 Rasheed Newell on the Board's Exclusion List after he  
23 was criminally charged for threatening a Table Games  
24 Supervisor at Parx Casino. Specifically on October  
25 12th, 2012, Mr. Rasheed was playing craps at Parx in a

1 manner inconsistent with the rules of the game. After  
2 being warned by the Table Games Supervisor numerous  
3 times, the Table Games Supervisor advised Mr. Newell  
4 that he had forfeited his turn to role the dice. Upon  
5 being told of his forfeiture, Mr. Newell repeatedly  
6 threatened to kill the Table Game Supervisor. As a  
7 result of this conduct, Mr. Newell was charged  
8 criminally and convicted of all charges after a jury  
9 trial.

10 A hearing was held on the OEC's request  
11 to place this individual on the Exclusion List, that  
12 hearing held on July 10th, 2014 before the Board's  
13 OHA. After hearing all of the evidence presented, the  
14 Hearing Officer issued a Report and Recommendation  
15 recommending that Mr. Newell be placed on the  
16 Exclusion List. And that is the recommendation before  
17 the Board.

18 CHAIR:

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 adopt the Report and Recommendation issued by the OHA  
24 regarding Rasheed Newell's placement on the Exclusion  
25 List, as described by OCC.

1                   MR. FAJT:

2                   Second.

3                   CHAIR:

4                   All in favor?

5 ALL SAY AYE

6                   CHAIR:

7                   Opposed? The motion carries

8                   ATTORNEY COOK:

9                   That concludes our matters.

10                  CHAIR:

11                  Thank you, both. Next we'll have Susan  
12 Hensel, Director of Licensing. Good morning, Susan.

13                  ATTORNEY HENSEL:

14                  Thank you, Chairman Ryan and members of  
15 the Board. Before the Board today will be motions  
16 regarding one Slot Machine Operator Renewal License,  
17 one Slot Machine and Table Game Manufacturer Renewal  
18 License, and 701 Principal Key Gaming and Non-Gaming  
19 Employees. In addition, there will be the  
20 consideration of four Gaming Service Provider  
21 applicants.

22                  The first matter for your consideration  
23 is the renewal of the Greenwood Gaming and  
24 Entertainment, Inc. Category 1 License. The license  
25 renewal hearing for this entity is complete. In

1 addition, the BIE has completed its investigation of  
2 the company. And the Bureau of Licensing has provided  
3 you with the background investigation and suitability  
4 report. As a result, the license renewal is ready for  
5 your consideration. I have provided you with a Draft  
6 Order for this entity, and ask that the Board consider  
7 the Order to renew the Category 1 License for  
8 Greenwood Gaming and Entertainment, Inc.

9 CHAIR:

10 Any comments from Enforcement Counsel?

11 ATTORNEY PITRE:

12 Enforcement Counsel has no objection.

13 CHAIR:

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 grant the renewal of Greenwood Gaming and  
19 Entertainment, Inc.'s Category 1 License, as described  
20 by the Bureau of Licensing.

21 MR. MCNALLY:

22 Second.

23 CHAIR:

24 All in favor?

25 ALL SAY AYE

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CHAIR:

Opposed? The motion carries.

ATTORNEY HENSEL:

Next is the renewal of both the Slot Machine and Table Game Manufacturer License for IGT. The BIE has completed its investigation of this company and the Bureau of Licensing has provided you with a background, investigation and suitability report. I have provided you with a Draft Order, and ask that the Board consider the renewal of the licenses for IGT.

CHAIR:

Any comments from Enforcement Counsel?

ATTORNEY PITRE:

Enforcement Counsel has no objection.

CHAIR:

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

MS. KAISER:

Mr. Chairman, I move that the Board grant the renewal of IGT Slot Machine and Table Game Manufacturer Licenses.

MR. MCCALL:

Seconded.

CHAIR:



1 All in favor?

2 ALL SAY AYE

3 CHAIR:

4 Opposed? The motion carries.

5 ATTORNEY HENSEL:

6 Also for your consideration is the  
7 approval of Principal and Key Employee Licenses.  
8 Prior to this meeting, the Bureau of Licensing  
9 provided you with a Proposed Order for one Principal  
10 and two Key Employee Licenses for Category 1 and  
11 Category 3 Licensees. I ask that the Board consider  
12 the Order approving these licenses?

13 CHAIR:

14 Any comments from Enforcement Counsel?

15 ATTORNEY PITRE:

16 Enforcement Counsel has no objection.

17 CHAIR:

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

20 MR. MCCALL:

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

24 MR. MCNALLY:

25 Second.

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CHAIR:

All in favor?

ALL SAY AYE

CHAIR:

Opposed? The motion carries.

ATTORNEY HENSEL:

Next there are Temporary Principal and Key Employee Licenses. Prior to this meeting, the Bureau of Licensing provided you with an Order regarding the issuance of temporary licenses for 10 Principal and 19 Key Employees. I ask that the Board consider the order approving these licenses.

CHAIR:

Any comments from Enforcement Counsel?

ATTORNEY PITRE:

Enforcement Counsel has no objection.

CHAIR:

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

MR. MCNALLY:

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

CHAIR:

1 Second?

2 MR. MOSCATO:

3 Second.

4 CHAIR:

5 All in favor?

6 ALL SAY AYE

7 CHAIR:

8 Opposed? The motion carries.

9 ATTORNEY HENSEL:

10 There are also Gaming Permits and  
11 Non-Gaming Registrations. Prior to this meeting the  
12 Bureau of Licensing provided you with a list of 520  
13 individuals to whom the Bureau has granted temporary  
14 or full occupation permits, and 107 individuals to  
15 whom the Bureau has granted registrations under the  
16 authority delegated to the Bureau of Licensing. I ask  
17 that the Board consider a motion approving the Order.

18 CHAIR:

19 Any comments from Enforcement Counsel?

20 ATTORNEY PITRE:

21 Enforcement Counsel has no objection.

22 CHAIR:

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

25 MR. MOSCATO:

1                   Mr. Chairman, I move that the Board  
2 approve the issuance of Gaming Employee Permits and  
3 Non-Gaming Employee Registrations, as described by the  
4 Bureau of Licensing.

5                   MR. WOODS:

6                   Second.

7                   CHAIR:

8                   All in favor?

9 ALL SAY AYE

10                  CHAIR:

11                  Opposed? The motion carries.

12                  ATTORNEY HENSEL:

13                  We also have a recommendation of denial  
14 for one gaming employee applicant. The Bureau of  
15 Licensing has provided you with the Order addressing  
16 David Allen Seladones, who the OEC has recommended for  
17 denial. Mr. Seladones failed to request a hearing  
18 within the specified time period. I ask that the  
19 Board consider the Order denying the Gaming Employee  
20 Application.

21                  CHAIR:

22                  Any comments from Enforcement Counsel?

23                  ATTORNEY PITRE:

24                  Enforcement Counsel continues to request  
25 denial in this matter.

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CHAIR:

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

MR. WOODS:

Mr. Chairman, I move that the Board deny David Allen Seladones' application for Gaming Employee Permit, as described by the Bureau of Licensing.

MR. FAJT:

Second.

CHAIR:

All in favor?

ALL SAY AYE

CHAIR:

Opposed? The motion carries.

ATTORNEY HENSEL:

Also for your consideration are withdrawal requests for Key Gaming and Non-Gaming Employees. In each case the license or permit is no longer required. For today's meeting, I have provided the Board with a list of 2 Key, 29 Gaming and 10 Non-Gaming Employee Withdraws for approval. I ask that the Board consider the Order approving the list of withdrawals.

CHAIR:

Any comments from Enforcement Counsel?

1                   ATTORNEY PITRE:

2                   Enforcement Counsel has no objection.

3                   CHAIR:

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

6                   MR. FAJT:

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

10                  MS. KAISER:

11                  Second.

12                  CHAIR:

13                  All in favor?

14 ALL SAY AYE

15                  CHAIR:

16                  Opposed? The motion carries.

17                  ATTORNEY HENSEL:

18                  Next, we have an Order to certify the  
19 following Gaming Service Providers. Made To Order,  
20 Inc. doing business as JAMS Marketing, Kegle's  
21 Produce, Inc. and Sign Spec, Inc. I ask that the  
22 Board consider the Order approving these Gaming  
23 Service Provider Certification.

24                  CHAIR:

25                  Any comments from Enforcement Counsel?

1                   ATTORNEY PITRE:

2                   Enforcement Counsel has no objection.

3                   CHAIR:

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

6                   MS. KAISER:

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

11                   MR. MCCALL:

12                   Second.

13                   CHAIR:

14                   All in favor?

15 ALL SAY AYE

16                   CHAIR:

17                   Opposed? The motion carries.

18                   ATTORNEY HENSEL:

19                   Finally, for your consideration are  
20 Gaming Service Provider Registrations. The Bureau of  
21 Licensing provided you with an Order and an attached  
22 list of four registered Gaming Service Provider  
23 Applicants. I ask that the Board consider the Order  
24 registering the Gaming Service Providers.

25                   CHAIR:

1 Any comments from Enforcement Counsel?

2 ATTORNEY PITRE:

3 Enforcement Counsel has no objection.

4 CHAIR:

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

7 MR. MCCALL:

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

12 MR. MCNALLY:

13 Seconded.

14 CHAIR:

15 All in favor?

16 ALL SAY AYE

17 CHAIR:

18 Opposed? The motion carries.

19 ATTORNEY HENSEL:

20 That concludes the matters of the Bureau  
21 of Licensing.

22 CHAIR:

23 Thank you, Susan. Next we'll have Cyrus  
24 Pitre, our Enforcement Counsel. Good morning, Cyrus.

25 ATTORNEY PITRE:



1           Good morning, Chairman, members of the  
2 Board. The first matter that we have for your  
3 consideration today is a Consent Agreement between the  
4 OEC and Mountainview Thoroughbred Association.  
5 Assistant Enforcement Counsel Mike Roland will present  
6 the matter on behalf of the OEC.

7                           ATTORNEY ROLAND:

8           Good morning, Mr. Chairman, members of  
9 the Board. Michael Roland, R-O-L-A-N-D, with the OEC.  
10 As Chief Counsel Pitre has said, the first matter OEC  
11 has is a Consent Agreement and a Stipulation of  
12 Settlement, which will entered into between the OEC  
13 and Mountainview Thoroughbred Racing Association.  
14 They are doing business as Hollywood Casino. And it  
15 involves automated teller machines on the casino floor  
16 which were providing cash advances.

17                           Specifically, on March 21st, 2014 the  
18 Hollywood Casino Credit Department learned that an ATM  
19 on the casino floor was providing cash advances. As  
20 you know, it's a direct violation of the Act,  
21 specifically Section 13A27(a) if a teller machine does  
22 that. In fact, it specifically says no credit card  
23 advance machine may be placed on the gaming floor.  
24 The Credit Department initiated a review of the ATM  
25 terminal and contacted the ATM service provider, which

1 was a US Bank. During the exchange of correspondence  
2 between Hollywood Casino an US Bank, it was revealed  
3 that two ATMs were in wrong locations in the facility.  
4 One ATM, which was providing cash advances, was  
5 intended to be located on the third floor racing area,  
6 but was instead located on the casino floor. The  
7 second ATM which did not provide cash advances was  
8 located --- was to be located --- was located in the  
9 third floor racing area instead of on the casino  
10 floor.

11                   Upon further review of the operating  
12 information from the ATM on the casino floor,  
13 Hollywood Casino learned that approximately \$877,196  
14 was dispensed from that machine over the course of  
15 3,406 cash advance transactions. This occurred  
16 between May 2013 and March 2014. Once it learned of  
17 the ATM issue, Hollywood Casino deactivated the ATM  
18 until it received confirmation from US Bank that the  
19 issue was resolved. Hollywood Casino self-reported  
20 the issue to the Board's Bureau of Casino Compliance.  
21 And as a result of those 3,406 transactions, Hollywood  
22 Casino netted \$10,218 in related or associated fees.

23                   If approved, this would be the tenth  
24 Consent Agreement for Hollywood Casino, however it's  
25 the first penalty assessed for a violation of the Act

1 or Board regulations pertaining to cash advances for  
2 them. There have been no warning letters or  
3 compliance, conferences to address this specific issue  
4 in the past. The OEC requests that the Board approve  
5 the Consent Agreement and Stipulation of Settlement  
6 entered into between the parties. The terms of the  
7 settlement include that Hollywood casino shall pay a  
8 civil penalty in the amount of \$10,218 to the Board  
9 within a five-day period of the Board's Order  
10 approving this Consent Agreement. That number,  
11 although it's an odd number, is the amount of profit  
12 they would have made from all of these transactions,  
13 that's why the OEC chose it.

14                   Additionally, Hollywood Casino shall pay  
15 the Board \$2,500 for costs incurred by OEC, BIE and  
16 other related staff in connection with the matter  
17 within the five-day period. Further, Hollywood Casino  
18 shall immediately review policies and controls and  
19 provide training and guidance to its employees which  
20 would minimize the opportunity for the occurrence of a  
21 similar incident in the future. As you can see,  
22 representatives of Hollywood Casino are present. And  
23 if you have any questions, we'd be happy to take them  
24 at this time.

25                   CHAIR:

1 Sir?

2 MR. HAYLES:

3 Good morning, Chairman, members of the  
4 Board. Bill Hayles, H-A-Y-L-E-S, Vice President and  
5 General Manager of Hollywood Casino at Penn National.

6 CHAIR:

7 Sir, I think perhaps before speaking we  
8 should have you sworn.

9 MR. HAYLES:

10 Sure.

11 -----  
12 WILLIAM HAYLES, HAVING FIRST BEEN DULY SWORN, TESTIFIED  
13 AS FOLLOWS:  
14 -----

15 CHAIR:

16 How about the gentleman with you, is he  
17 going to speak also?

18 A. No.

19 CHAIR:

20 Okay.

21 A. He's just here as my backup. Upon learning about  
22 the offending ATM machine on our floor, we did  
23 immediately shut it down. And in the process we have  
24 enhanced our internal controls to be able to allow us  
25 to test these machines to make sure that we don't get

1 into this situation again. We were completely caught  
2 off guard by the swapping of the two locations. And  
3 so I think we've done the right thing in how we  
4 handled it, by immediately shutting it down,  
5 self-reporting and enhancing our internal controls.

6 CHAIR:

7 Questions? Okay. May I have a motion?

8 MR. MCNALLY:

9 Mr. Chairman, I move that the Board  
10 issue an Order to approve the Consent Agreement  
11 between the OEC and Mountainview Thoroughbred  
12 Association, as described by the OEC.

13 CHAIR:

14 Second?

15 MR. MOSCATO:

16 Second.

17 CHAIR:

18 All in favor?

19 ALL SAY AYE

20 CHAIR:

21 Opposed? The motion carries. Thank  
22 you, gentlemen.

23 MR. HAYLES:

24 Thank you very much.

25 ATTORNEY PITRE:

1                   The next two matters that we have on the  
2 agenda are Consent Agreements between the OEC and  
3 Valley Forge Convention Center Partners, LP.  
4 Assistant Enforcement Counsel Glenn Stuart will  
5 present each of those matters and representatives of  
6 Valley Forge are present to address the Board.

7                   ATTORNEY KING:

8                   Good morning, Chairman, members of the  
9 Board. Adrian King, that's A-D-R-I-A-N, King,  
10 K-I-N-G, from Ballard Spahr Law Firm here on behalf of  
11 Valley Forge Convention Center Partners. I'm just  
12 making one preliminary sort of housekeeping statement.  
13 Regrettably, we're here with respect to two Consent  
14 Agreements, one for underage gaming and one with  
15 respect to promotions. My colleague, Mike Fabius,  
16 F-A-B-I-U-S, is going to handle the underage gaming.  
17 I will then handle the second Consent Agreement with  
18 respect to promotions. Mr. Chairman, if you wish just  
19 for administrative clarity, I could introduce quickly  
20 the folks here from Valley Forge and maybe get  
21 everybody sworn in immediately?

22                   CHAIR:

23                   That's probably a good idea. Anyone you  
24 expect to speak, we may as well get it taken care of  
25 in the beginning.

1                   ATTORNEY KING:

2                   While some of these people may not  
3 speak, they will be available to answer questions.  
4 So, we'll have them all stand.

5                   CHAIR:

6                   Fine.

7                   ATTORNEY KING:

8                   First, Mr. Bob Pickus, the Executive  
9 Chairman. Bob, could you stand up? Tony Spagno is  
10 the VP of Casino Operations, Mr. Gib Morrisey,  
11 Security, Alex Figueras, the CFO, Janet Maugans is the  
12 Director of Compliance, and Linda Collins, who is a  
13 Compliance Specialist.

14                  CHAIR:

15                  Okay.

16 -----

17 WITNESSES SWORN EN MASSE

18 -----

19                  CHAIR:

20                  Okay. Thank you.

21                  ATTORNEY STUART:

22                  Glenn Stuart for the OEC. Good morning.  
23 It's S-T-U-A-R-T. The first Consent Agreement before  
24 the Board was entered into between the OEC and  
25 Category 3 Licensee Valley Forge Convention Partners,

1 LP. Specifically, the Consent Agreement pertains to  
2 four incidences where individuals under the age of 21  
3 gained access to Valley Forge's gaming floor.

4                   The first count involves a 20 year old  
5 individual who gained access to the gaming floor on  
6 January 14th, 2014. This individual was a guest of  
7 her father who had a seasonal dining club membership.  
8 When asked to show proof of age by Valley Forge's  
9 security, the 20 year old produced her deceased  
10 mother's driver's license, which showed the mother's  
11 age to be 42. Valley Forge's security examined the  
12 driver's license and afforded this individual access  
13 to the gaming floor.

14                   After accessing the gaming floor, this  
15 individual began sending text messages to several  
16 friends stating she was on the gaming floor at Valley  
17 Forge. After approximately one hour and 40 minutes,  
18 the individual exited the gaming floor and entered  
19 Valley Forge's food court area adjacent to the gaming  
20 floor. Approximately 50 minutes later, the individual  
21 re-entered the gaming floor, but Valley Forge's  
22 security did not request this individual to produce  
23 identification.

24                   After this individual accessed the  
25 gaming floor for a second time, a Valley Forge



1 bartender received a text message from a friend. In  
2 the text message the friend warned the bartender that  
3 this underage individual sent her a text message  
4 asking the friend to come to Valley Forge for a drink.  
5 The friend warned the bartender that the individual  
6 was not 21 years of age and provided the bartender  
7 with a picture of the individual.

8           Upon receipt of this information, the  
9 bartender was able to locate the individual on the  
10 gaming floor. The bartender immediately contacted  
11 Valley Forge security, and Valley Forge security  
12 located the individual and requested she produce  
13 identification. Again, she produced her deceased  
14 mother's driver's license. Security believed the  
15 individual resembled the photo on the driver's license  
16 but doubted she was 42 years of age. Security asked  
17 the individual the home address listed on the driver's  
18 license, however the individual could not provide the  
19 correct information.

20           This individual subsequently admitted to  
21 the Pennsylvania State Police that she used her  
22 deceased mother's driver's license to gain access to  
23 the gaming floor and then produced a Pennsylvania  
24 temporary identification card listing her correct date  
25 of birth of August 20th, 1993. This individual was on

1 the gaming floor for an aggregate total of  
2 approximately two hours and 45 minutes. The  
3 Pennsylvania State Police cited her with a summary  
4 offense of entering and remaining on the gaming floor  
5 by an individual under the age of 21, pursuant to  
6 4 Pa.C.S. Section 1518(a)(13).

7 A reconciliation of slot machine  
8 activity showed this individual wagered at two slot  
9 machines and cashed out a voucher totaling 90 cents.  
10 There's no evidence to suggest this individual  
11 redeemed this voucher, however. There's also no  
12 evidence that this individual was served or consumed  
13 any alcoholic beverages while on the gaming floor.  
14 Valley Forge permanently evicted this individual from  
15 its licensed facility as a result of this incident.

16 With regard to the second count, on  
17 March 6th, 2014 an individual under the age of 21  
18 gained access to Valley Forge's gaming floor. This  
19 individual approached Valley Forge's gaming floor  
20 entrance as a guest of a seasonal dining club member.  
21 When asked by Valley Forge security for  
22 identification, this individual provided his valid  
23 United States passport. This passport showed the  
24 individual's date of birth to be August 31st, 1993,  
25 which made him 20 years of age at the time of the

1 incident.

2                   After reviewing the passport, Valley  
3 Forge security permitted the individual access to the  
4 gaming floor. This individual wagered at a roulette  
5 table after accessing the gaming floor. While at the  
6 roulette table, this individual attempted to order an  
7 alcoholic beverage from a Valley Forge beverage  
8 server. However, the beverage server refused to serve  
9 this individual as she believed he was under the age  
10 of 21. The beverage server immediately notified a  
11 food and beverage manager. The food and beverage  
12 manager notified Valley Forge security, which notified  
13 a security shift manager.

14                   The security shift manager approached  
15 this individual at the roulette table and requested he  
16 produce his identification. This individual provided  
17 his passport to the security shift manager for  
18 examination. The security shift manager examined the  
19 passport and gave it back to the individual. One  
20 minute later the security shift manger decided to  
21 re-examine the passport. Upon examining the passport  
22 a second time, the security shift manager noticed that  
23 this individual was under the age of 21.

24                   The security shift manager notified the  
25 Pennsylvania State Police which ultimately cited this

1 individual with underage gaming, pursuant to 4 Pa.C.S.  
2 Section 1518(a)(13.1). This individual was on the  
3 gaming floor actively wagering for approximately 29  
4 minutes. Although this individual was placing wagers,  
5 there's no evidence that he accrued any winnings.  
6 Similarly, there's no evidence to suggest or  
7 illustrate that he was served or consumed any alcohol  
8 while on the gaming floor. Valley Forge also  
9 permanently evicted this individual from its licensed  
10 facility as a result of this incident.

11           With regard to the third count, on March  
12 22nd, 2014, an individual under the age of 21 gained  
13 access to Valley Forge's gaming floor. This  
14 individual purchased a \$10 gift card at a valet  
15 services desk and used a valid Pennsylvania driver's  
16 license of another individual who was over the age of  
17 21 to obtain a casino access pass. Prior to obtaining  
18 a casino access pass, a valet services representative  
19 examined the driver's license this individual provided  
20 and issued him a casino access pass.

21           This individual then approached Valley  
22 Forge's gaming floor entrance. A Valley Forge  
23 security officer examined the individual's  
24 identification and afforded him access to the gaming  
25 floor. This individual then went to Valley Forge's

1 Center Bar and ordered an alcoholic beverage. The  
2 bartender on duty believed this individual appeared  
3 under the age of 30 and requested that he produce  
4 identification. This individual produced the same  
5 driver's license he provided to the valet services  
6 representative and the security officer at the gaming  
7 floor's main entrance. The bartender questioned  
8 whether this individual was the same person in the  
9 driver's license, and contacted a food and beverage  
10 manager.

11                   Valley Forge security and the  
12 Pennsylvania State Police summarily approached this  
13 individual and escorted him off the gaming floor,  
14 where it was revealed he was only 20 years of age.  
15 This individual was on the gaming floor for  
16 approximately 13 minutes. There's no evidence that he  
17 wagered at any slot or table game, or that he was  
18 served or consumed any alcoholic beverages while on  
19 the gaming floor. The Pennsylvania State Police cited  
20 this individual with the offense of entering and  
21 remaining on the gaming floor by an individual under  
22 21 pursuant to 4 Pa.C.S. Section 1518(a)(13). Valley  
23 Forge also permanently evicted this individual from  
24 its facility.

25                   And the final count regards an incident

1 that occurred on May 16th, 2014 when an individual  
2 under the age of 21 accessed Valley Forge's gaming  
3 floor. This individual was the guest of a Valley  
4 Forge Seasonal Dining Club member. The security  
5 officer on duty did not request identification from  
6 this individual prior to affording him access to the  
7 gaming floor. After accessing the gaming floor, this  
8 individual wagered at a slot machine and at a roulette  
9 table. Approximately two hours later, this individual  
10 exited the gaming floor.

11                   Approximately 30 minutes later, this  
12 individual and the seasonal club dining member  
13 attempted to re-enter the gaming floor. On this  
14 occasion, the security officer on duty requested this  
15 individual produce identification to show proof of  
16 age. The individual produced his valid driver's  
17 license to the security officer, which showed he was  
18 only 20 years of age. This individual was on the  
19 gaming floor for approximately two hours. There's no  
20 evidence to suggest or illustrate that he was served  
21 any alcoholic beverages while on the gaming floor.  
22 And there's also no evidence to suggest or illustrate  
23 that he accrued any winnings as a result of his  
24 wagering.

25                   The Pennsylvania State Police ultimately

1 cited this individual with one count of underage  
2 gaming pursuant to 4 Pa.C.S. Section 1518(a)(13.1).  
3 Valley Forge also permanently evicted this individual  
4 from its facility.

5           The terms of the Consent Agreement would  
6 require Valley Forge to pay a civil penalty in the  
7 amount of \$50,000 for allowing four individuals under  
8 the age of 21 access to the gaming floor, for allowing  
9 two of these individuals to wager at slot machines and  
10 for allowing two of these individuals to wager at  
11 table games. Valley Forge would also be required to  
12 remit \$2,500 to the Board for investigative fees  
13 associated with this Consent Agreement. This Consent  
14 Agreement is now ripe for Board consideration.

15           CHAIR:

16           Mr. Fabius.

17           ATTORNEY FABIUS:

18           Thank you, Chairman, Commissioners.  
19 Valley Forge Gaming --- Michael Fabius, F-A-B-I-U-S,  
20 with Ballard Spahr here representing Valley Forge  
21 Casino. First, we'd like to concur with the  
22 representation of facts by Mr. Stuart. We'd like to  
23 take a moment to supplement those facts. We think it's  
24 important to come across the seriousness with which we  
25 take these events internally. I've asked Gib

1 Morrissey, Executive Director of Security to go  
2 through internal discipline process and then the  
3 specific discipline handed out with respect to each of  
4 the counts.

5 MR. MORRISSEY:

6 Good morning, Chairman Ryan, members of  
7 the Board. I'd like to first give the Board an  
8 understanding of the disciplinary process that we have  
9 in place at Valley Forge Casino Resort, in that it's a  
10 four step process. The first step being a verbal  
11 warning, which is documented, the second step being a  
12 written warning, which is also documented, the third  
13 step being the final written warning. And the fourth  
14 step in that process is separation. In each  
15 particular count, I'd like to go through the  
16 disciplinary action that occurred for each individual  
17 that was involved in those incidents.

18 Disciplinary action for count one, the  
19 security officer at the first entry point was given a  
20 written warning. That's actually skipping a level in  
21 our disciplinary process because we feel that it  
22 warranted that, because of the serious nature of this  
23 incident. The second officer at the second entry  
24 point, when the person came back, was given a final  
25 written warning. Again, that individual, that



1 security officer, had prior disciplinary action,  
2 that's why it was elevated to that particular level.  
3 We felt the F&B, the food and beverage, bartender was  
4 praised for his off-duty actions. He was actually off  
5 duty at the time of the incident and was given this  
6 information via a communication of texts and Facebook.  
7 Actually, we got the Facebook picture of the  
8 individual and that's what we utilized to recognize  
9 the individual on the floor. The member, was the  
10 individual's father, was actually permanently evicted  
11 from our casino.

12           In count two, the security officer at  
13 the entry point, was terminated as he was on a final  
14 written warning for that event. The roulette dealer  
15 involved in that particular incident was given a  
16 written warning, which again is a skipped level. The  
17 Table Games Supervisor was given a written warning,  
18 which again is a skipped level. The cocktail waitress  
19 we felt acted appropriately. The Security Officer ---  
20 or I'm sorry, the Security Manager was also given a  
21 written warning, which is a skipped level. He had no  
22 prior disciplinary action, but we felt he had just as  
23 much accountability as the Security Officer.

24           Under count three, the valet services  
25 representative resigned prior to any disciplinary

1 action in this case. The Security Officer at the  
2 entry point was given a written warning, again a  
3 skipped level. The food and beverage bartender, we  
4 felt, acted properly in this incident.

5 For count four, the Security Officer at  
6 the entry point was given a written warning, which is  
7 our skipped level. The Roulette Dealer involved in  
8 this incident, that person was issued a written  
9 warning, which again is a skipped level. The Table  
10 Games Supervisor was given a written warning, which  
11 again, skipped level. The Security Officer at the  
12 second entry we thought acted properly. The member  
13 involved in count four was permanently evicted.

14 ATTORNEY FABIUS:

15 Thank you. With that, we'll respond to  
16 any questions that the Board has.

17 CHAIR:

18 Questions from the Board? John?

19 MR. MCNALLY:

20 The one thing I do want to say is, you  
21 know, you do have a good belt and suspenders approach  
22 there, because I don't know who's training your  
23 bartenders but they might want to be training some of  
24 your security people. They do an amazing job there.  
25 Time and time again at Valley Forge we see that these

1 people are caught, so I applaud you for that. And I'm  
2 glad to see that you evicted the members that bringing  
3 these people onto your gaming floor.

4 ATTORNEY FABIUS:

5 Thank you, Commissioner.

6 CHAIR:

7 Any other questions? May I have a  
8 motion?

9 MR. MOSCATO:

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

14 MR. WOODS:

15 Second.

16 CHAIR:

17 All in favor?

18 ALL SAY AYE

19 CHAIR:

20 Opposed? The motion carries. Thank  
21 you, gentlemen.

22 ATTORNEY FABIUS:

23 Thank you.

24 ATTORNEY STUART:

25 Next for the Board's consideration is a

1 Consent Agreement between the OEC and Category 3  
2 Licensee Valley Forge Convention Center Partners, LP.  
3 This Consent Agreement relates to certain promotions  
4 offered by Valley Forge which were either not  
5 submitted to Board Staff for review or afforded casino  
6 access pass to participants who are not eligible for  
7 casino access under the Act.

8           With respect to Count One, with respect  
9 to the game-related promotions pursuant to the Board's  
10 regulations and Valley Forge's internal controls,  
11 Valley Forge is required to submit to Board Staff and  
12 the Department of Revenue all promotions that give  
13 away something of value. However, Valley Forge did  
14 not submit to the Board or DOR approximately 45  
15 percent of the gaming-related promotions it offered  
16 between March 31st, 2012 and December 31st 2013.

17           During this time period, Valley Forge  
18 offered a total of 382 gaming-related promotions to  
19 the public. However, Valley Forge submitted only 209  
20 of those promotions to Board Staff and the Department  
21 of Revenue. Valley Forge did not submit the other 173  
22 gaming-related promotions to either the Board Staff or  
23 the Department of Revenue. Of the 173 gaming-related  
24 promotions that were not submitted, four promotions  
25 included free food giveaways. Valley Forge did not

1 ensure that the redeemer of the free food was not  
2 afforded casino access passes, even though the  
3 redeemer may not have spent any out-of-pocket  
4 consideration at Valley Forge.

5           The number of casino access passes  
6 potentially issued is unknown as Valley Forge did not  
7 create or maintain the promotional guidelines for  
8 these four promotions. Moreover, Valley Forge did not  
9 maintain records of whether casino access passes were  
10 issued to patrons redeeming these food-related prizes,  
11 how many access passes were issued, or whether these  
12 patrons actually accessed the casino.

13           With respect to count two and respect to  
14 the non-gaming related promotions, pursuant to the  
15 Act, the Board's regulations at Valley Forge's  
16 internal controls, only patrons who are registered  
17 overnight guests at the resort, membership holders or  
18 who have paid a non de minimis amount of out of pocket  
19 consideration to Valley Forge may access the casino.  
20 Since opening, Valley Forge offers certain promotions  
21 aimed at increasing patronage to the resort's  
22 non-gaming amenities.

23           For certain events and promotions,  
24 Valley Forge awarded free meals and/or free lodging as  
25 well as other prizes which did not affect casino

1 access to patrons and winners of these events or  
2 promotions. Valley Forge did not preclude patrons  
3 from obtaining casino access passes solely on the  
4 basis of redeeming a free meal or free lodging without  
5 providing additional out-of-pocket consideration. As  
6 such, participants and winners of these events and  
7 promotions could have obtained casino access passes  
8 when redeeming the free meal or free lodging, even  
9 though the participant or winner did not pay any  
10 out-of-pocket consideration to Valley Forge.

11           For example, Valley Forge held a  
12 promotion whereby participants filled out an entry  
13 form with their name, address, phone number, date of  
14 birth, email address and signature. Winners were then  
15 selected at random and would receive a reward letter  
16 for dinner for two people at a Valley Forge  
17 restaurant. The redemption of this meal could have  
18 afforded the winner and their guest with casino  
19 access, although neither the winner nor their guest  
20 paid additional out-of-pocket consideration to Valley  
21 Forge. Valley Forge did not maintain records of  
22 whether the participants or winners of these  
23 promotions spent any additional out-of-pocket  
24 consideration or the actual number of casino access  
25 passes that were issued to the participants or winners

1 of these promotions.

2                   The terms of this Consent Agreement will  
3 require Valley Forge to pay a civil penalty in the  
4 amount of \$150,000 for violating the Act, the Board's  
5 regulations and Valley Forge's internal controls for  
6 not submitting 173 gaming-related promotions to the  
7 Board Staff and the Department of Revenue. For  
8 allowing casino access passes to be distributed to  
9 patrons who redeemed food-related promotional prizes  
10 and offers but who may not have paid additional and  
11 out-of-pocket non de minimis consideration to Valley  
12 Forge. For allowing casino access passes to be issued  
13 to patrons who redeemed promotions prizes in the form  
14 of free meals and free hotel rooms, although the  
15 patrons may not have paid additional out-of-pocket,  
16 non de minimis consideration to Valley Forge. For  
17 providing casino access passes to individuals who  
18 attended events at Valley Forge, although the  
19 attendees may not have paid additional out-of-pocket  
20 non de minimis consideration to Valley Forge. And for  
21 not adequately maintaining records reflecting the  
22 issuance of casino access passes. Valley Forge would  
23 also be required to remit \$2,500 to the Board for  
24 investigative costs incurred in relation to this  
25 Consent Agreement. This Consent Agreement is now ripe

1 for the Board's consideration.

2 CHAIR:

3 Mr. King?

4 ATTORNEY KING:

5 Thank you, Mr. Chairman, and again good  
6 morning to you and members of the Board. We generally  
7 concur in the facts. I shouldn't say generally, we  
8 concur with the facts as set forth in the Consent  
9 Agreement. If I could add a little bit more color to a  
10 few of those facts, and then more importantly what I'm  
11 going to get into is what have we done to fix this.

12 As the Board is aware, on November 20th, 2013, the  
13 Board directed BIE to conduct a review investigation  
14 of all promotions offered by Valley Forge during the  
15 period March 31st, 2012, which was the opening date of  
16 this facility, through the end of 2013, December 31st.

17

18 And as you heard, generally speaking at  
19 a summary level, BIE's review found we failed to make  
20 proper submissions, notifications in advance of  
21 promotions to regulatory representatives. And the  
22 numbers are not good, 45 percent were not submitted.  
23 As you'll hear, both Mr. Pickus and I were recently  
24 brought in to Valley Forge. We have done extensive  
25 review of systems, procedures, policies, what went on.



1                   With respect to this particular issue,  
2 there's no good explanation. This was simply a  
3 clerical oversight, there was some change in staff. I  
4 think it's important to note, and I want to say this  
5 very clearly, this is not an excuse at all. But  
6 fortunately for us, once all of these promotions, and  
7 these are the gaming promotions, were reviewed  
8 subsequent after the fact, they were found to be in  
9 compliance with the statute and the regs. That's our  
10 luck. But I do think that's important for the Board  
11 to understand.

12                   There is no good excuse, somebody  
13 dropped the ball, whether it was one person working  
14 with that responsibility, they were submitted. When  
15 another person replaced that person, the first person  
16 was out on maternity leave, somebody just dropped the  
17 ball and didn't do it. But again, fortunately for us,  
18 they were in compliance.

19                   As you heard the second category, count  
20 two, deals with non-gaming related promotions. And  
21 again, the problem here that we had was these folks  
22 may have gotten the benefit, but they didn't meet the  
23 non de minimis consideration and they ended up getting  
24 access passes.

25                   I'm going to get a little bit into that

1 and we can answer your questions on that, but the one  
2 thing that I want you to keep in mind that we  
3 discovered is you had a pretty robust marketing and  
4 promotions activity at Valley Forge prior to the  
5 casino becoming part of the facility, and those people  
6 just went on and did what they always did from the  
7 years before the casino was ever contemplated. And it  
8 was a systems lapse.

9           Quite frankly, we found that marketing  
10 was given too much leeway with respect to putting  
11 promotions out that it hadn't been properly integrated  
12 with Compliance. And as you're going to hear, we  
13 fixed that. So, let me just clearly say again, we're  
14 not here to make excuses, we're here to accept full  
15 and complete responsibility for these compliance  
16 failures. And I think that's signified by the  
17 significant monetary penalty given in the proposed  
18 Consent Agreement that we agreed to. We get how  
19 serious this is, we're going to fix it going forward.  
20 And I think we have.

21           So, again, let me go through the steps  
22 that we've taken to date again to make this right and  
23 to fix things going forward. First of all, in April  
24 of 2014, Valley Forge hired Bob Pickus as its  
25 Executive Chairman. By way of background, I first got

1 to know Bob in 2006 when he was the General Counsel  
2 for Trump Entertainment Resorts and I represented  
3 Trump before this board in the first round of gaming  
4 licenses. I've known him for a long time. He has 30  
5 years of experience in the casino gaming industry in  
6 serving as the Executive Chairman, so with day-to-day  
7 operating responsibility and also sitting on the Board  
8 helping to oversee compliance functions. And you're  
9 going to hear from Bob in a minute and he's going to  
10 make just a brief statement before we invite your  
11 questions.

12                   We've replaced and enhanced the  
13 compliance team. The people who were there at the  
14 time of these lapses or this oversight are no longer  
15 there, they're all gone. First we brought in Janet  
16 Maugans, who you met briefly. She was hired just in  
17 September of 2014 to serve as the Manager and Director  
18 of compliance. She has over 17 years of casino  
19 compliance experience as well as experience in bank  
20 suspicious activity reporting and anti-money  
21 laundering initiatives. By way of further background,  
22 Janet has extensive experience coming out of Harrah's  
23 Philadelphia, Showboat in Atlantic City, Caesar's in  
24 Atlantic City, Harrah's in Atlantic City. She's now  
25 the Director of Compliance.

1                   We have supplemented Janet with Linda  
2 Collins. Linda is a Casino Compliance Specialist.  
3 She was brought in in May of 2014 this year. And her  
4 position is solely dedicated to access issues and  
5 compliance with access. Clearly, it is a problem and  
6 that is why we brought in somebody to solely focus on  
7 that. Linda also has extensive experience, 25 years,  
8 in the casino industry. She worked in Borgata in  
9 Atlantic City, Mirage and MGM properties in Atlantic  
10 City, Caesar's in Atlantic City, Tropicana in Atlantic  
11 City and Showboat. And so that's what we've done on  
12 the compliance piece.

13                   We've also completely changed out the  
14 marketing team. And again, this is the marketing  
15 team, although they have now complete oversight over  
16 both the casino piece and the hotel/convention center  
17 piece. And we brought in a woman by the name of  
18 Jennifer Galle. Also, but she comes out of the casino  
19 space, most importantly she understands that it's  
20 compliance that's going to drive our operation, it's  
21 not going to be marketing. And she comes from  
22 Horseshoe Hammond Casino outside Chicago. She also  
23 worked at Caesar's in Atlantic City.

24                   We have implemented what I would like to  
25 think as new and more robust training for both Gaming

1 and the Non-Gaming employees, so on the hotel side and  
2 convention center side focused entirely on access  
3 issues. And we're going to continue doing that. It's  
4 a training that's given for any and all new employees  
5 whether their on the gaming side or not. And there  
6 will be annual refreshers and things of that nature.

7           Now again, I want to get into something  
8 I've talked about before, but that is the compliance  
9 function and the marketing functions have been  
10 completely integrated. As I said, what we found was  
11 that before, unfortunately, on the non-gaming side,  
12 they were basically operating on a parallel track and  
13 they weren't focusing enough on compliance. Because  
14 they were doing what they always did and they thought  
15 that was what they should be doing.

16           Finally, we have changed outside  
17 regulatory counsel, Ballard Spahr has been brought in.  
18 I have been asked to lead the Ballard Spahr team, and  
19 I will do that. And I'm going to work very, very  
20 closely with Valley Forge going forward to make sure  
21 that we're not in front of you again.

22           Let me add one other thing that actually  
23 I didn't put in my notes but, hearing Mr. Stuart's  
24 comments, I just also want to address. Our tracking  
25 system with respect to access passes that was

1 presented to the Board before opening, it was  
2 approved. But quite frankly, we determined later on,  
3 as part of this review and looking at what went on, it  
4 wasn't capturing enough information to help us do a  
5 better job, to look at these issues sort of after the  
6 fact if we see a problem. We've changed that. And if  
7 you wish, Alex Figueras can talk a little bit about  
8 that. But it allows us to really understand where  
9 people were getting access cards and which amenity,  
10 what the timing is, who the person is that's involved  
11 in granting it, and that is also allowing us to do a  
12 much better job.

13 So, at this point, before we open it up  
14 to your questions, Mr. Pickus would like to say a few  
15 words.

16 MR. PICKUS:

17 Good morning, Mr. Chairman and members  
18 of the Board. As Mr. King mentioned, I am Bob Pickus,  
19 and that's P-I-C-K-U-S, and I currently serve as the  
20 Executive Chairman of the Board at Valley Forge Casino  
21 Resort. I've been in this position since April and am  
22 very excited to work with the dedicated management  
23 employees at Valley Forge. I've spent my entire  
24 career in the gaming industry, having started in 1979,  
25 including, as Mr. King mentioned, over 26 very

1 rewarding years with Trump Entertainment where I last  
2 served in the position of General Counsel, Chief  
3 Administrative Officer. I've been licensed or found  
4 qualified in many gaming jurisdictions, including New  
5 Jersey, Nevada, Mississippi, Indiana and Pennsylvania.  
6 I also serve on the Board of Advisors of the Levenson  
7 Institute of Gaming, Hospitality and Tourism at  
8 Stockton College. And outside of gaming, serve on the  
9 Board of Governors of the National Arts Club, an over  
10 100 year old cultural institution in New York City.

11                 Three years ago, I was asked to serve as  
12 the first chairman of that institution's newly formed  
13 Governance Committee where I was charged with  
14 completely overhauling it's governance following  
15 significant wrongdoing by its past president. We  
16 succeeded in re-writing that club's constitution and  
17 bylaws to best prevent similar wrongdoing from  
18 occurring in the future to the satisfaction of the New  
19 York State Attorney General's Office. I bring that  
20 experience of compliance and governance to Valley  
21 Forge where, as Executive Chairman, the President and  
22 all senior management would report to me, and where I  
23 spend a significant amount of time every single week.

24                 I understand, and have imparted to the  
25 management team, that there is never any excuse for

1 anything short of complete compliance with all laws  
2 and regulatory requirements. I understand that Valley  
3 Forge and this Board are truly partners and must move  
4 forward with that in mind. Not only are we partners  
5 financially as a result of our payment of gaming  
6 taxes, but we are partners in the shared goal of  
7 complete regulator compliance so that the gaming  
8 public has nothing short of total confidence in the  
9 fairness of all operations at Valley Forge. Thank  
10 you.

11 ATTORNEY KING:

12 And that will ---.

13 CHAIR:

14 Any questions from the Board? Tony?

15 MR. MOSCATO:

16 I have just one. In your role as  
17 executive chairman, you have the ability to stop the  
18 promotions that you disagree with?

19 MR. PICKUS:

20 Certainly.

21 MR. MOSCATO:

22 Okay. Thank you.

23 CHAIR:

24 Dave?

25 MR. WOODS:



1                   Question for Enforcement Counsel. Glen,  
2 Mr. King has mentioned that the review of 173 specific  
3 promotions were all in compliance. Were you able to  
4 review those and do you agree with that comment?

5                   ATTORNEY STUART:

6                   Yeah. We believe that they were in  
7 compliance. They were in form of interoffice memos  
8 that were just never submitted to the Board or DOR,  
9 but they were at Valley Forge. So, our investigators  
10 went in, they reviewed them, and they were all in  
11 compliance. There was no issues. But the issue of  
12 not submitting them and so we would have them when DOR  
13 would have them, that's where the issue arises. But  
14 they were in compliance.

15                  MR. WOODS:

16                  And just a follow-up question to Tony's  
17 question for Valley Forge. Who is the actual  
18 individual at Valley Forge now who interacts with the  
19 Board by submitting the actual promotion? I mean,  
20 obviously you said that you have the ability to stop  
21 it, but who is the employee, what level of employee,  
22 submits to the --- our Gaming Board people your  
23 promotion?

24                  ATTORNEY KING:

25                  Well, it's Janet Maugans, who's sitting

1 here.

2 MR. WOODS:

3 Compliance.

4 ATTORNEY KING:

5 She reports compliance and she works  
6 directly with Alex Figueras, who's the CFO.

7 MR. WOODS:

8 So, it goes through several reviews  
9 before it would come to us. And maybe a question for  
10 you then, would you feel comfortable in contacting the  
11 Board to determine if a promotion is in compliance, if  
12 you have any concerns? Is there interaction between  
13 Valley Forge and the Board, if at any time you are ---  
14 have a question about a promotion?

15 MS. MAUGANS:

16 Yes, sir.

17 MR. WOODS:

18 Thank you.

19 MS. MAUGANS:

20 Kevin Kile is my contact in speaking  
21 with the Board. We go back and forth on promotions.  
22 If there was something new, we contact him. We also  
23 work with our legal counsel.

24 ATTORNEY KING:

25 If I could add, that's another layer of

1 resource that's available to the property, is they can  
2 always pick up the phone, speak with myself or Mr.  
3 Fabius. We will give them advice if necessary. If we  
4 believe that there's any confusion or anything's not  
5 clear, we'll contact the Board. As you can imagine,  
6 everyone is sort of on tender feet here and we are  
7 always trying to make sure we are doing the right  
8 thing, and we have no hesitation to reach out to the  
9 Board as necessary.

10 MR. WOODS:

11 Mr. King, I appreciate the comments of  
12 both of you today. It's been a very tough year for  
13 Valley Forge, you've been before us on several  
14 occasions. And I guess the largest fine that this  
15 Board's issued was to Valley Forge, and this fine is  
16 significant. And I appreciate the candor by which you  
17 present yourselves today and look forward to a  
18 brighter future.

19 ATTORNEY KING:

20 Thank you.

21 CHAIR:

22 Any other questions from the Board, Ex-  
23 Officio members? May I have a motion?

24 MR. WOODS:

25 Mr. Chairman, I move the Board issue an

1 Order to approve the Consent Agreement between the OEC  
2 and Valley Forge Convention Center Partners, LP as  
3 described by the OEC.

4 MR. FAJT:

5 Second.

6 CHAIR:

7 All in favor?

8 ALL SAY AYE

9 CHAIR:

10 Opposed? The motion carries. Thank  
11 you, gentlemen ---

12 ATTORNEY KING:

13 Thank you.

14 CHAIR:

15 --- and young ladies.

16 ATTORNEY STUART:

17 The next matter for the Board's  
18 consideration is the Revocation of the Non-Gaming  
19 Registrations of Daja Peterson-Harvey and Taniae  
20 Roberson. These are the agenda items four and five.  
21 They are the same fact pattern. If it's okay with the  
22 Board I'll read them all at once and you can decide on  
23 each separate ---.

24 CHAIR:

25 I'm sorry, sir?

1                   ATTORNEY STUART:

2                   These relate to matters four and five on  
3 the agenda, these two individuals. It's the same fact  
4 pattern.

5                   CHAIR:

6                   Yes.

7                   ATTORNEY STUART:

8                   If I could read the fact pattern into  
9 the record ---.

10                  CHAIR:

11                  No problem. And then we'll handle each  
12 of the ---

13                  ATTORNEY STUART:

14                  Okay.

15                  CHAIR:

16                  --- actions separately.

17                  ATTORNEY STUART:

18                  All right. Presently for the Board's  
19 consideration is the Revocation of the Non-Gaming  
20 registrations of Daja Peterson-Harvey and Taniae  
21 Roberson. While working as food court cashiers at  
22 Category 3 Licensee Valley Forge Casino Resort, Ms.  
23 Peterson-Harvey and Ms. Roberson stole money either  
24 directly from their cash registers or used patron's  
25 players club card account numbers to create gift cards

1 for themselves. In other instances, Ms. Peterson-  
2 Harvey and Ms. Roberson would hit the no sale button  
3 on their cash register to cancel a transaction after a  
4 patron paid in cash. Ms. Peterson-Harvey or Ms.  
5 Roberson would then place the cash in their purse or  
6 remove it from the cash register at a later time.

7 Ms. Peterson-Harvey and Ms. Roberson  
8 admitted to the scheme and admitted to sharing the  
9 money that was taken. In total, Ms. Peterson-Harvey  
10 and Ms. Roberson took approximately \$2,193 worth of  
11 cash and gift cards. As a result, Valley Forge  
12 terminated Ms. Peterson-Harvey's and Ms. Roberson's  
13 employment. The Pennsylvania State Police summarily  
14 charged Ms. Peterson-Harvey and Ms. Roberson each with  
15 one count of theft by unlawful taking, one count of  
16 theft by deception, one count of receiving stolen  
17 property and one count of criminal conspiracy.

18 On May 27th, 2014, Ms. Peterson-Harvey  
19 was admitted into the Montgomery County Accelerated  
20 Rehabilitative Disposition Program for a 24-month  
21 period and was required to pay restitution to Valley  
22 Forge in the amount of \$2,193. On May 27th, 2014, Ms.  
23 Roberson was also admitted into the Montgomery County  
24 Accelerated Rehabilitative Disposition Program for an  
25 18-month period and is required to perform 12 hours of

1 community service.

2                   In light of these facts and  
3 corresponding criminal disposition, the OEC filed  
4 petitions seeking to revoke Ms. Peterson-Harvey's and  
5 Ms. Roberson's Non-Gaming Registrations. OEC served  
6 both individuals with these Petitions on July 8th,  
7 2014. The Petitions demanded Ms. Peterson-Harvey and  
8 Ms. Roberson request a hearing on the matter within 30  
9 days, or all facts alleged in the Petitions are deemed  
10 admitted. Neither Ms. Peterson-Harvey nor Ms.  
11 Roberson has requested a hearing on the matter,  
12 therefore all facts averred are admitted.

13                   On August 15th, 2014, OEC served Ms.  
14 Peterson-Harvey and Ms. Roberson with request to enter  
15 default judgment. As such, the Revocation of Daja  
16 Peterson-Harvey's Non-Gaming Registration and the  
17 Revocation of Tania Roberson's Non-Gaming  
18 Registration are now ripe for the Board's  
19 consideration.

20                   CHAIR:

21                   Okay. We'll take Tania Roberson first.  
22 Is Tania Roberson in the hearing room? Any questions  
23 or comments from the Board? Ex-Officio members? May  
24 I have a motion?

25                   MR. FAJT:

1                   Mr. Chairman, I move that the Board  
2 issue an Order to approve the Revocation of Taniea  
3 Roberson's Non-Gaming Employee Registration, as  
4 described by the OEC.

5                   MS. KAISER:

6                   Second.

7                   CHAIR:

8                   All in favor?

9 ALL SAY AYE

10                  CHAIR:

11                  Oppose? The motion carries. Next, is  
12 Daja Peterson-Harvey in the hearing room? Any  
13 questions or comments from the Board? Ex-Officio  
14 members? May I have a motion?

15                  MS. KAISER:

16                  Mr. Chairman, I move that the Board  
17 issue an Order to approve the Revocation of Daja  
18 Peterson-Harvey's Non-Gaming Employee Registration as  
19 described by the OEC.

20                  MR. MCCALL:

21                  Second.

22                  CHAIR:

23                  All in favor?

24 ALL SAY AYE

25                  CHAIR:



1                   Opposed? The motion carries.

2                   ATTORNEY STUART:

3                   Thank you.

4                   CHAIR:

5                   Thank you.

6                   ATTORNEY PITRE:

7                   The next matter that we have on the  
8 agenda for the Board's consideration is the Revocation  
9 of Ms. Jennifer Belajac's Gaming Employee Permit.  
10 That matter and the following matter will be presented  
11 by Assistant Enforcement Counsel, Carmelia Estriplet.

12                   ATTORNEY ESTRIPLET:

13                   Good afternoon, Chairman Ryan, ---

14                   CHAIR:

15                   Morning.

16                   ATTORNEY ESTRIPLET:

17                   --- members of the Board. Carmelia  
18 Estriplet, E-S-T-R-I-P-L-E-T, Assistant Enforcement  
19 Counsel for the OEC. The first matter I have for the  
20 Board's consideration regards Jennifer Belajac. On  
21 August 1st, 2014, the OEC filed a Complaint to revoke  
22 the Gaming Employee Permit of Jennifer Belajac.

23                   Ms. Belajac was employed by the Rivers  
24 Casino and was terminated on or about February 19th,  
25 and is not currently employed by any casino in the

1 Commonwealth of Pennsylvania. OEC filed a Complaint  
2 for Revocation based on reports received regarding Ms.  
3 Belajac's conduct while employed at Rivers as well as  
4 her two arrests subsequent to termination.

5           During her tenure at the Rivers Casino,  
6 Ms. Belajac was removed from the Gaming Floor after  
7 displaying erratic behavior. As a result of this  
8 behavior, Rivers requested that she consent to a drug  
9 test. Ms. Belajac consented to the drug test and  
10 tested positive for morphine, opiates and six  
11 monoacetylmorphine. She was then terminated for  
12 violating the company's policy.

13           OEC also received notification that Ms.  
14 Belajac was arrested on two separate occasions. The  
15 first arrest occurred in May of 2014 and she was  
16 charged with use/possession of drug paraphernalia, a  
17 misdemeanor offense; intentional possession of a  
18 controlled substance by person not registered, a  
19 misdemeanor offense; and disorderly conduct, hazardous  
20 or physically offensive condition, a summary offense.

21           Ms. Belajac eventually pled guilty to  
22 disorderly conduct and all other charges were  
23 withdrawn. In June of 2014, Ms. Belajac was again  
24 arrested and charged with conspiracy to commit retail  
25 theft and take merchandise, a third degree felony;

1 receiving stolen property, a first-degree misdemeanor;  
2 and retail theft for taking merchandise, a misdemeanor  
3 offense. Ms. Belajac eventually plead guilty to  
4 retail theft, taking merchandise which was converted  
5 to a misdemeanor first-degree offense.

6           The Complaint was sent to Ms. Belajac by  
7 first class and certified mail. Ms. Belajac failed to  
8 respond to the Complaint in any way. Therefore, all  
9 facts alleged in the Complaint are deemed admitted. A  
10 request to enter judgment upon default was filed on  
11 September 12th, 2014. And at this time, the OEC  
12 requests that Jennifer Belajac's Gaming Employee  
13 Permit be revoked. And we're happy to answer any  
14 questions you may have at this time.

15           CHAIR:

16           Is Jennifer Belajac in the hearing room?  
17 Any questions or comments from the Board? Ex-Officio  
18 members? May I have a motion?

19           MR. MCCALL:

20           Mr. Chairman, I move that the Board  
21 issue an Order to approve the Revocation of Jennifer  
22 Belajac's Gaming Employee Permit, as described by the  
23 OEC.

24           MR. MCNALLY:

25           Second.

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CHAIR:

All in favor?

ALL SAY AYE

CHAIR:

Opposed? The motion carries.

ATTORNEY ESTRIPLET:

The next matter I have before you is concerning Hilary Palczer. On August 1st, 2014 the OEC filed a Complaint to revoke the Gaming Employee Permit of Ms. Hilary Palczer. Ms. Palczer was originally hired as a drop-count team member at Presque Isle Downs, however she declined the employment because she had accepted another opportunity. She is not currently employed by any casino in the Commonwealth of Pennsylvania.

OEC filed the Revocation as a result of notification that Ms. Palczer had been arrested and charged with possession of red phosphorus with intent to manufacture a controlled substance, operating a methamphetamine lab, manufacture, delivery or possession with intent to manufacture, possession of drug paraphernalia and endangering the welfare of children, and also intentional possession of a controlled substance by a person not registered.

The felony charged for conspiracy

1 possession of red phosphorous with intent to  
2 manufacture a controlled substance and the misdemeanor  
3 charge of use/possession of drug paraphernalia remain  
4 pending in a Court of Common Pleas, and Ms. Palczer  
5 has been admitted into Treatment Court. All other  
6 charges were withdrawn. The Complaint was sent to Ms.  
7 Palczer by first class and certified mail. Ms.  
8 Palczer failed to respond to the Complaint in any way,  
9 therefore all facts alleged in the Complaint are  
10 deemed admitted. A request to enter judgment upon  
11 default was filed on September 12, 2014. And at this  
12 time, the OEC respectfully request that Hilary  
13 Palczer's Gaming Employee Permit be revoked. And  
14 again, we're happy to answer any questions you may  
15 have at this time.

16 CHAIR:

17 Is Hilary Palczer in the hearing room?  
18 Questions or comments from the Board? Ex-Officio  
19 members? May I have a motion?

20 MR. MCNALLY:

21 Mr. Chairman, I move that the Board  
22 issue a Order to approve the Revocation of Hilary  
23 Palczer's Gaming Employee Permit, as described by the  
24 OEC.

25 CHAIR:

1 Second?

2 MR. MOSCATO:

3 Second.

4 CHAIR:

5 All in favor?

6 ALL SAY AYE

7 CHAIR:

8 Opposed? The motion carries.

9 ATTORNEY ESTRIPLET:

10 Thank you.

11 CHAIR:

12 Thank you.

13 ATTORNEY PITRE:

14 The next matter that we have on the  
15 agenda for the Board's consideration is a revocation  
16 of Isiah Alvarez's Gaming Employee Permit. That  
17 matter, and the remaining matters under the OEC's  
18 portion of the agenda will be presented by Assistant  
19 Enforcement Counsel Michael Roland.

20 ATTORNEY ROLAND:

21 Good afternoon, Mr. Chairman, members of  
22 the Board. Again, Michael Roland with the OEC. I  
23 have a lot of items, so I'll try to be as brief but as  
24 complete as possible. The next matter is the motion  
25 to consider the Revocation of Isiah Alvarez's Gaming

1 Employee Permit. On April 27th, 2011, the Board  
2 issued a Gaming Employee Permit to Isiah Alvarez as a  
3 cage TRU attendant, that's a ticket redemption unit  
4 attendant, at Sands Casino. The OEC filed a Complaint  
5 setting forth allegations that Mr. Alvarez should have  
6 his Gaming Employee Permit revoked because he  
7 allegedly took the reading glasses of a coworker,  
8 which were valued at approximately \$500.

9 A review of surveillance provided that  
10 the true owner of the glasses entered the cage  
11 restroom wearing his glasses only to exit the restroom  
12 approximately a minute later without them. In less  
13 than a five-minute period, Mr. Alvarez entered the  
14 same restroom without the glasses and exited the  
15 restroom with the glasses. Later in his shift, Mr.  
16 Alvarez was observed placing the glasses in his coat  
17 pocket and eventually departed the property in his  
18 vehicle with the glasses still in his possession.

19 Mr. Alvarez was questioned about the  
20 glasses when we returned for work his next shift, and  
21 he initially stated that he found a pair of glasses in  
22 the drawer in the cage and he thought they were his,  
23 so he took them home. He then claimed that it was a  
24 personal issue and he wanted to give the glasses  
25 directly to the rightful owner. Upon returning the

1 glasses, the rightful owner did not wish to press  
2 charges against Mr. Alvarez, and Mr. Alvarez was  
3 terminated for possession of another's person's  
4 property and removal of that property from the  
5 facility. He's currently not employed by any casino  
6 in the Commonwealth of Pennsylvania. The Complaint  
7 was properly served upon Mr. Alvarez and he has not  
8 responded in any way.

9           Given Mr. Alvarez's failure to respond,  
10 the averments in the Complaint are deemed to be  
11 admitted as fact, and his right to a hearing has been  
12 waived. On September the 18th, 2014, the OEC filed a  
13 request to enter judgment upon default. The matter is  
14 now before the Board to consider the Revocation of  
15 Isiah Alvarez's Gaming Employee Permit.

16           CHAIR:

17           Is Isiah Alvarez in the hearing room?  
18 Any questions or comments from the Board? Ex-Officio  
19 members? May I have a motion?

20           MR. MOSCATO:

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

25           MR. WOODS:



1 Second.

2 CHAIR:

3 All in favor?

4 ALL SAY AYE

5 CHAIR:

6 Opposed? The motion carries.

7 ATTORNEY ROLAND:

8 The next matter is a motion to consider  
9 the revocation of Shamel Gilliard's Gaming Employee  
10 Permit. On April 23rd, 2012 the Board issued a Gaming  
11 Employee Permit to Shamel Gilliard as a greeter at  
12 Sands Casino. The OEC filed a Complaint setting forth  
13 allegations that Mr. Gilliard should have his Gaming  
14 Employee Permit revoked because he unlawfully  
15 converted players' cards to cash for his own benefit.

16 A patron stated in a written  
17 correspondence that he observed some strange behavior  
18 between a bus greeter and a bus driver. Through  
19 surveillance, Shamel Gilliard was identified as the  
20 bus greeter in question. Mr. Gilliard was observed on  
21 numerous occasions, keeping a handful of player cards  
22 for himself after greeting buses which arrived at the  
23 casino. Mr. Gilliard would then load various amounts  
24 of free play on to the retained cards and use a female  
25 patron with a player's account to convert the cards to

1 cash.

2                   Mr. Gilliard was questioned by  
3 Pennsylvania State Police and provided a full  
4 statement about the loading of free play onto the  
5 player's cards. And he stated that he was having  
6 trouble paying for dealer school and used the money  
7 that was generated from those cards to pay for the  
8 school. He also stated that the female patron was  
9 unaware that the free play was obtained fraudulently,  
10 and she did not gain anything from the free play or  
11 receive any cut.

12                   Mr. Gilliard agreed to pay \$12,000 in  
13 restitution to the casino and was not criminally  
14 charged in this case. Mr. Gilliard is not currently  
15 employed by any casino in the Commonwealth of  
16 Pennsylvania. The Complaint was properly served upon  
17 Mr. Gilliard, and he has not responded in any way.  
18 Given Mr. Gilliard's failure to respond, the averments  
19 in the Complaint are deemed to be admitted as fact,  
20 and his right to a hearing has been waived. On  
21 September 18th, 2014, the OEC filed a request to enter  
22 judgment upon default. The matter is now before the  
23 Board to consider the Revocation of Shamel Gilliard's  
24 Gaming Employee Permit.

25                   CHAIR:

1                   Is Shamel Gilliard in the hearing room?  
2 Any questions or comments from the Board? Ex-Officio  
3 members? May I have a motion?

4                   MR. WOODS:

5                   Mr. Chairman, I move that the Board  
6 issue and Order to approve the Revocation of Shamel T.  
7 Gilliard's Gaming Employee Permit, as described by the  
8 OEC.

9                   MR. FAJT:

10                   Second.

11                   CHAIR:

12                   All in favor?

13 ALL SAY AYE

14                   CHAIR:

15                   Opposed? The motion carries.

16                   ATTORNEY ROLAND:

17                   The next matter is a motion to consider  
18 the Revocation of Jesus Gonzalez-Torres' Gaming Level  
19 2 Employee Permit. On October 13th, 2011 the Board  
20 issued a Gaming Level 2 Employee Permit to Mr.  
21 Gonzalez-Torres as a Cage Supervisor at Sands Casino.  
22 The OEC filed a complaint setting forth allegation  
23 that Mr. Gonzalez-Torres should have his Gaming Level  
24 2 Employee Permit revoked because he was involved in  
25 multiple thefts from the main cage.

1           The surveillance department observed  
2 that Mr. Gonzalez-Torres would perform the thefts  
3 after completion of a TRU fill. In one instance, Mr.  
4 Gonzalez-Torres was handed \$780, which was broken down  
5 into seven \$100 bills and four \$20 bills from a TRU  
6 attendant. He was then observed counting and  
7 separating the bills, and he filled out a TRU receipt  
8 only for the amount of \$80. He then hid the seven  
9 \$100 bills in a desk drawer only to return to them  
10 before the end of his shift to take them home.

11           The Sands Surveillance Department  
12 conducted a review of Mr. Gonzalez-Torre's movements  
13 for a 30-day period. It was determined a total of  
14 eight separate thefts had occurred. The amount of  
15 money taken by Mr. Gonzalez-Torres was \$2,390.  
16 However, Mr. Gonzalez-Torres admitted that the theft  
17 --- he admitted to the current thefts when questioned,  
18 but also admitted to additional thefts saying over a  
19 course of a year, he had probably taken almost  
20 \$10,000.

21           Pennsylvania State Police formally  
22 charged Mr. Gonzalez-Torres with theft by unlawful  
23 taking and receiving stolen property. Mr.  
24 Gonzalez-Torres eventually entered a guilty plea to  
25 the theft by unlawful taking charge, and he agreed to

1 pay the amount of \$12,000 in restitution to the  
2 casino. And he is not currently employed by any  
3 casino in the Commonwealth of Pennsylvania. The  
4 Complaint was properly served upon Mr. Gonzalez-Torres  
5 and he has not responded in any way.

6           Given Mr. Gonzalez-Torres' failure to  
7 respond, the averments in the Complaint are deemed to  
8 be admitted as fact, and his right to a hearing has  
9 been waived. On September the 18th, 2014, the OEC  
10 filed a request to enter judgment upon default. The  
11 matter is now before the Board to consider the  
12 Revocation of Jesus Gonzalez-Torres' Gaming Level 2  
13 Employee Permit.

14                           CHAIR:

15           Is Jesus Gonzalez-Torres in the hearing  
16 room? Questions or comments from the Board?  
17 Ex-Officio members? May I have a motion?

18                           MR. FAJT:

19           Mr. Chairman, I move that the Board  
20 issue an Order to approve the revocation of Jesus  
21 Gonzalez-Torres' G2 Employee Permit, as described by  
22 the OEC.

23                           MS. KAISER:

24           Second.

25                           CHAIR:

1 All in favor?

2 ALL SAY AYE

3 CHAIR:

4 Opposed? The motion carries.

5 ATTORNEY ROLAND:

6 The next matter is a motion to consider  
7 the Revocation of Gao Feng Guo's Gaming Employee  
8 Permit. On March the 13th, 2012, the Board issued a  
9 Gaming Employee Permit to Gao Feng Guo as a dealer at  
10 Sands. The OEC filed a Complaint setting forth  
11 allegations that Mr. Guo should have his Gaming  
12 Employee Permit revoked because he broke numerous  
13 procedures while performing his duties as a dealer.  
14 During live observation, Sands surveillance viewed Mr.  
15 Guo looking at cards prior to dealing them to patrons  
16 during a game of blackjack. A review of surveillance  
17 footage of Mr. Guo dealing from the beginning of his  
18 shift that day produced a total of nine additional  
19 instances where Mr. Guo broke procedure by either  
20 looking at a card prior to dealing it out, failing to  
21 collect a losing wager or paying a losing wager. As a  
22 result of the procedures not being followed by Mr.  
23 Guo, Sands suffered a \$550 loss. Mr. Guo submitted a  
24 written statement and admitted to looking at the cards  
25 but said he did so only to add to the fun of the game

1 for patrons. Mr. Guo was terminated by Sands and is  
2 currently not employed by any casino in the  
3 Commonwealth of Pennsylvania. The Complaint was  
4 properly served upon Mr. Guo and he has not responded  
5 in any way. Given Mr. Guo's failure to respond, the  
6 averments in the Complaint are deemed to be admitted  
7 as fact, and his right to a hearing has been waived.  
8 On September the 18th, 2014, the OEC filed a request  
9 to enter judgment upon default. The matter is now  
10 before the Board to consider the Revocation of Gao  
11 Feng Guo's Gaming Employee Permit.

12 CHAIR:

13 Is Gao Feng Guo in the hearing room?  
14 Questions or comments from the Board? Ex-Officio  
15 members? May I have a motion?

16 MS. KAISER:

17 Mr. Chairman, I move that the Board  
18 issue an Order to approve the Revocation of Gao Feng  
19 Guo's Gaming Employee Permit, as described by the OEC.

20 MR. MCCALL:

21 Second.

22 CHAIR:

23 All in favor?

24 ALL SAY AYE

25 CHAIR:

1                   Opposed? The motion carries.

2                   ATTORNEY ROLAND:

3                   The next matter is a motion to consider  
4 the Revocation of Ping Shen's Gaming Level Two  
5 Employee Permit. On June 13th, 2012 the Board issued  
6 a Gaming Level 2 Employee Permit to Ping Shen as a  
7 Table Games Supervisor at Sands.

8                   The OEC filed a Complaint setting forth  
9 allegations that Mr. Shen should have his Gaming Level  
10 2 Employee Permit Revoked because he was discovered  
11 entering excessive player ratings for patrons. During  
12 a routine review of patron accounts, Sands marketing  
13 discovered excessive ratings were being entered for a  
14 patron by Mr. Shen. A review of the patron account  
15 showed that Mr. Shen had entered almost all of the  
16 patron's ratings. The patron account had been rated  
17 87 times, Mr. Shen had entered 79 of those.

18                   Sands surveillance reviewed available  
19 surveillance footage of times when Mr. Shen was  
20 working, and it revealed that the patron was not  
21 observed gaming at the time Mr. Shen had entered the  
22 ratings. Mr. Shen also entered ratings for the patron  
23 at multiple tables at the same time. Sands  
24 surveillance began live observation of Mr. Shen and he  
25 was observed entering 11 different false ratings for



1 the patron.

2                   Sands surveillance looked into ratings  
3 Mr. Shen entered for other patrons and discovered  
4 multiple instances where Mr. Shen entered inaccurate  
5 ratings for three additional patrons. During an  
6 interview, Mr. Shen admitted to falsifying all four  
7 patron's ratings and Mr. Shen was terminated from the  
8 Sands for his actions. And the Pennsylvania State  
9 Police charged him with unlawful use of a computer and  
10 accessing a device unauthorized by issuer. Mr. Shen  
11 is currently not employed by any casino in the  
12 Commonwealth of Pennsylvania.

13                   The Complaint was properly served upon  
14 Mr. Shen, and he has not responded in any way. Given  
15 Mr. Shen's failure to respond, the averments in the  
16 Complaint are deemed to be admitted as fact, and his  
17 right to a hearing has been waived. On September  
18 18th, 2014, the OEC filed a request to enter judgment  
19 upon default. The matter is now before the Board to  
20 consider the Revocation of Ping Shen's Gaming Level 2  
21 Employee Permit.

22                   CHAIR:

23                   Is Ping Shen in the hearing room? Any  
24 questions or comments from the Board? Ex-Officio  
25 members? May I have a motion?

1                   MR. MCCALL:

2                   Mr. Chairman, I move that the Board  
3 issue an Order to approve the Revocation of Ping  
4 Shen's G2 Employee Permit as described by the OEC.

5                   MR. MCNALLY:

6                   Second.

7                   CHAIR:

8                   All in favor?

9 ALL SAY AYE

10                   CHAIR:

11                   Opposed? The motion carries.

12                   ATTORNEY ROLAND:

13                   The remaining 13 matters are going to be  
14 motions to place individuals on the Involuntary  
15 Exclusion List. The next matter is a request to place  
16 Lumei Bao on the Board's Excluded Persons List. The  
17 OEC filed a Petition to place Ms. Bao on the Exclusion  
18 List because she assisted her 17-year-old daughter  
19 with gaining access to the gaming floor at Sands  
20 Casino.

21                   The minor was challenged by a Sands  
22 security officer, but the officer failed to recognize  
23 her date of birth on her passport and granted her  
24 admittance. She was discovered when a security  
25 officer approached her on the floor and requested

1 additional identification. Her mother, Lumei Bao, was  
2 with her and later admitted that she knew her daughter  
3 could not be on the gaming floor. The minor remained  
4 on the gaming floor for approximately one hour and 30  
5 minutes, and during that time she gamed at a  
6 mini-baccarat table, but collected no winnings. She  
7 did not consume any alcohol while on the property.

8           The Petition was served properly upon  
9 Ms. Bao and she has not responded to the filing in any  
10 way. Due to Ms. Bao's failure to respond, the  
11 averments in the Petition are deemed to be admitted as  
12 fact, and her right to a hearing has been waived. On  
13 September 15th, 2014, the OEC filed a request to enter  
14 judgment upon default.

15           The matter is now before the Board to  
16 consider the placement of Lumei Bao on the Board's  
17 Excluded Persons List. In this instance, the State  
18 Police actually did not charge the mother with  
19 anything, but they did charge the 17-year-old daughter  
20 under our Act, specifically Section 1518(a)(13).  
21 That's someone under the age of 21 on the gaming  
22 floor. And there has not been a disposition for that  
23 case listed. I imagine that's probably because of her  
24 age.

25                           CHAIR:

1                   Is Lumei Bao in the hearing room? Any  
2 questions or comments from the Board? Ex-Officio  
3 members? May I have a motion?

4                   MR. MCNALLY:

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

8                   CHAIR:

9                   Second?

10                  MR. MOSCATO:

11                  Second.

12                  CHAIR:

13                  All in favor?

14 ALL SAY AYE

15                  CHAIR:

16                  Opposed? The motion carries.

17                  ATTORNEY ROLAND:

18                  The next matter is a request to place  
19 Ciara Cowans on the Board's Excluded Person's List.  
20 The OEC filed a Petition to place Ms. Cowans on the  
21 Exclusion List because she gained access to the Gaming  
22 Floor at Sand's Casino while only 20 years of age.

23                  Ms. Cowans was discovered when she  
24 approached a Shift Manager claiming the man she had  
25 arrived with had left her without any way to get home.

1 Ms. Cowans was observed exiting and re-entering the  
2 casino a total of six times, and never once was carded  
3 by security. Ms. Cowans was also observed approaching  
4 the security podium three separate times to speak for  
5 assistance. Ms. Cowans was on the property for seven  
6 hours and 38 minutes, and gamed at three separate slot  
7 machines, but only over an eight-minute period.

8           The Petition was properly served upon  
9 Ms. Cowans and she has not responded to the filing in  
10 any way. Due to Ms. Cowans' failure to respond, the  
11 averments in the Petition are deemed to be admitted as  
12 fact, and her right to a hearing has been waived. On  
13 September 15th, 2014 the OEC filed a request to enter  
14 judgment upon default.

15           The matter is now before the Board to  
16 consider the placement of Ciara Cowans on the Board's  
17 Excluded Persons List. Ms. Cowans was charged with  
18 1518(a)(13) under our Act, under the prohibited acts.  
19 She has entered a guilty plea to that charge.

20           CHAIR:

21           Is Ciara Cowans in the hearing room?  
22 Any questions or comments from the Board? Ex-Officio  
23 members? May I have a motion?

24           MR. MOSCATO:

25           Mr. Chairman, I move that the Board

1 issue an Order to approve the addition of Ciara Cowans  
2 to the PGCB Involuntary Exclusion List, as described  
3 by the OEC. Ms. Cowans may petition the Board for  
4 removal from the list after one year.

5 MR. WOODS:

6 Second.

7 CHAIR:

8 All in favor?

9 ALL SAY AYE

10 CHAIR:

11 Opposed? The motion carries.

12 ATTORNEY ROLAND:

13 The next matter is a request to place  
14 Hallisson DaSilva on the Board's Excluded Persons  
15 List. The OEC filed a Petition to place Mr. DaSilva  
16 on the Exclusion List because he gained access to the  
17 gaming floor at Sands while he was only 20 years of  
18 age.

19 Initially, he was challenged by a Sands  
20 security officer, but the officer failed to recognize  
21 his altered Brazilian passport on which the birth year  
22 had been changed from 1992 to 1990. He was granted  
23 admittance. Mr. DaSilva was discovered when he left  
24 and tried to re-enter the gaming floor. He remained  
25 on the gaming floor for approximately one hour and 12

1 minutes, and during that time he gamed at a poker  
2 table but collected no winnings. He did not consume  
3 alcohol while on the property.

4           The Petition was properly served upon  
5 Mr. DaSilva. He has not responded to the filing in  
6 any way. Due to Mr. DaSilva's failure to respond, the  
7 averments in the Petition are deemed to be admitted as  
8 fact, and his right to a hearing has been waived. On  
9 September the 12th, 2014 the OEC filed a request to  
10 enter judgment upon default. The matter is now before  
11 the Board to consider the placement of Hallisson  
12 DaSilva on the Board's Excluded Persons List. Mr.  
13 DaSilva was charged by the State Police with  
14 prohibited acts, again 1518(a)(13), and he has also  
15 entered a guilty plea.

16           CHAIR:

17           Is Hallisson DaSilva in the hearing  
18 room? Any questions or comments from the Board?  
19 Ex-Officio members? May I have a motion?

20           MR. WOODS:

21           Mr. Chairman, I move that the Board  
22 issue an Order to approve the addition of Hallisson  
23 DaSilva to the PGCB Involuntary Exclusion List as  
24 described by the OEC. Mr. DaSilva may petition the  
25 Board for removal from the list after one year.

1                   MR. FAJT:

2                   Second.

3                   CHAIR:

4                   All in favor?

5 ALL SAY AYE

6                   CHAIR:

7                   Opposed?   The motion carries.

8                   ATTORNEY ROLAND:

9                   The next matter is a request to place  
10 Steven Harpel on the Board's Excluded Persons List.  
11 The OEC filed a Petition to place Mr. Harpel on the  
12 exclusion list because he committed theft of a \$1,280  
13 jackpot at Sands Casino.

14                   A slot attendant was instructed to  
15 process a jackpot on the gaming floor. After counting  
16 the \$1,280 jackpot, he placed it down to sign the  
17 necessary paperwork recording the transaction. He  
18 then proceeded to the winning slot machine, leaving  
19 the \$1,280 in the tray at the kiosk. The attendant  
20 remembered that he left the jackpot money behind and  
21 immediately returned to the kiosk to find that someone  
22 had taken the money.

23                   Surveillance footage revealed that less  
24 than two minutes after the cash was placed down Mr.  
25 Harpel, identified through his player's card, was



1 observed taking cash and immediately departing the  
2 casino through the main entrance. The Petition was  
3 properly served upon Mr. Harpel, and he has not  
4 responded to the filing in any way. Due to Mr.  
5 Harpel's failure to respond, the averments in the  
6 Petition are deemed to be admitted as fact, and his  
7 right to a hearing has been waived.

8                   On September 12th, 2014, the OEC filed a  
9 request to enter judgment upon default. The matter is  
10 now before the Board to consider the placement of  
11 Steven Harpel on the Board's Excluded Persons List.  
12 Mr. Harpel was charged with theft by unlawful taking  
13 under Title 18 3924. His case is currently pending  
14 because he was granted ARD initially, but he must not  
15 have followed the instructions from ARD because he now  
16 has criminal court set for December 2nd, 2014. That's  
17 the most up to date information we have.

18                   CHAIR:

19                   Is Steven Harpel in the hearing room?  
20 Any questions or comments from the Board? Ex-Officio  
21 members? May I have a motion?

22                   MR. FAJT:

23                   Mr. Chairman, I move that the Board  
24 issue an Order to approve the addition of Steven  
25 Harpel to the PGCB Involuntary Exclusion List as

1 described by the OEC.

2 MR. MCCALL:

3 Second.

4 CHAIR:

5 All in favor?

6 ALL SAY AYE

7 CHAIR:

8 Opposed? The motion carries.

9 ATTORNEY ROLAND:

10 The next matter is a request to place  
11 Rong Lin on the Board's Excluded Persons List. The  
12 OEC filed a Petition to place Mr. Lin on the exclusion  
13 list because he gained access to the gaming floor at  
14 Sands while he was only 20 years of age. He was  
15 challenged by security, but the officer failed to  
16 recognize that the photo on the identification  
17 provided was not Mr. Lin.

18 The identification successfully scanned  
19 and he was granted admittance. Mr. Lin remained on  
20 the gaming floor for approximately 57 minutes, and  
21 during that time he gamed at a slot machine and won a  
22 \$2,500 jackpot which actually lead to the discovery of  
23 his true identify. The winnings were confiscated and  
24 Mr. Lin did not consume any alcohol while on the  
25 property.

1           The Petition was properly served upon  
2 Mr. Lin and he has not responded to the filing in any  
3 way. Due to Mr. Lin's failure to respond, the  
4 averments in the Petition are deemed to be admitted as  
5 fact and his right to a hearing has been waived. On  
6 September 12th, 2014, the OEC filed a request to enter  
7 judgment upon default.

8           The matter is now before the Board to  
9 consider the placement of Rong Lin on the Board's  
10 Excluded Persons List. Mr. Lin was charged, again,  
11 under our Act 1518(a)(3), persons under the age of 21  
12 on the floor, and exhibiting another persons driver's  
13 license under the Vehicle Code, Title 75 1571. He  
14 entered a guilty plea to both.

15           CHAIR:

16           Is Rong Lin in the hearing room? Any  
17 questions or comments from the Board? Ex-Officio  
18 members? May I have a motion?

19           MR. MCCALL:

20           Mr. Chairman, I move the Board issue an  
21 Order to approve the addition of Rong Lin to the  
22 Pennsylvania Gaming Control Board Involuntary  
23 Exclusion List, as described by the OEC. Mr. Lin may  
24 petition the Board for removal from the list after one  
25 year.

1                   MR. MCNALLY:

2                   Second.

3                   CHAIR:

4                   All in favor?

5 ALL SAY AYE

6                   CHAIR:

7                   Opposed? The motion carries.

8                   ATTORNEY ROLAND:

9                   The next matter is a request to place  
10 Eduardo Sicard Martinez on the Board's Excluded  
11 Persons List. The OEC filed a Petition to place Mr.  
12 Martinez on the Exclusion List because he was  
13 allegedly involved in passing 35 counterfeit \$50 bills  
14 at Sands Casino.

15                   A Soft Count Manager informed Sands  
16 surveillance that they discovered 17 counterfeit \$50  
17 while conducting a table count. The counterfeits had  
18 two reoccurring serial numbers, 11 with one number and  
19 6 with the other. The bills were discovered in the  
20 drop boxes of three tables. Surveillance conducted a  
21 review of the tables where the counterfeits were  
22 passed, and observed a Hispanic male, later identified  
23 as Mr. Martinez, utilizing the counterfeit currency.

24                   The next day, a Soft Count Manager again  
25 contacted surveillance to inform them of 14

1 counterfeit \$50 bills all bearing the same serial  
2 number. Surveillance reviewed the two tables where  
3 the bills were passed, and Mr. Martinez was again  
4 observed passing the bills. Upon being discovered,  
5 Mr. Martinez attempted to leave the facility but was  
6 stopped at his vehicle.

7           Before leaving, Mr. Martinez was  
8 observed hiding an object on the gaming floor, which  
9 was discovered to be five additional counterfeit \$50  
10 bills. Upon completion of an investigation, a total  
11 of 35 counterfeit \$50 bills were passed over a three-  
12 day period. The Petition was properly served upon Mr.  
13 Martinez and he has not responded to the filing in any  
14 way. Due to Mr. Martinez's failure to respond, the  
15 averments in the Petition are deemed to be admitted as  
16 fact, and his right to a hearing has been waived.

17           On September the 11th, 2014 the OEC  
18 filed a request to enter judgment upon default. The  
19 matter is now before the Board to consider the  
20 placement of Eduardo Sicard Martinez on the Board's  
21 Excluded Persons List. Originally Mr. Martinez was  
22 charged with 32 counts of forgery, theft by deception,  
23 conspiracy for both.

24           The reason for conspiracy was he  
25 actually had a female partner who was helping him with

1 this on the floor, her name was Yadira Torres. She's  
2 actually already been placed on our Excluded Persons  
3 List all the way back in April. We had a difficult  
4 time locating Mr. Martinez because he was moving about  
5 our state correctional facilities before we could  
6 identify exactly where he was. He did in fact enter a  
7 guilty plea to one count of forgery and one count of  
8 conspiracy. He was sentenced to 9 to 23 months  
9 confinement and 36 months probation.

10 CHAIR:

11 Is Eduardo Martinez in the hearing room?  
12 Any questions or comments from the Board? Ex-Officio  
13 members? May I have a motion?

14 MR. MCNALLY:

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

19 CHAIR:

20 Second?

21 MR. MOSCATO:

22 Second.

23 CHAIR:

24 All in favor?

25 ALL SAY AYE

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CHAIR:

Opposed? The motion carries.

ATTORNEY ROLAND:

The next matter is a request to place Lawrence Terrell Oliver on the Board's Excluded Persons List. The OEC filed a Petition to place Mr. Oliver on the Exclusion List because he gained access to the Gaming Floor at Sands Casino while only 19 years of age.

He entered through the main entrance and was not challenged by Sands security. He was discovered when a Table Games Supervisor requested his identification. Mr. Oliver remained on the gaming floor for approximately one hour and 18 minutes, and during that time he gamed at a craps table, but collected no winnings. He consumed one beverage provided by a cocktail waitress while on the property.

The Petition was properly served upon Mr. Oliver and he has not responded to the filing in any way. Due to Mr. Oliver's failure to respond, the averments in the Petition are deemed to be admitted as fact, and his right to a hearing has been waived. On September the 12th, 2014 the OEC filed a request to enter judgment upon default.

The matter is now before the Board to

1 consider the placement of Lawrence Terrell Oliver on  
2 the Board's Excluded Persons List. Mr. Oliver was  
3 charged with 1518(a)(13) under our Act, persons under  
4 21 being on the floor, and he has already entered a  
5 guilty plea.

6 CHAIR:

7 Is Lawrence Oliver in the hearing room?  
8 Questions or comments from the Board? Ex-Officio  
9 members? May I have a motion?

10 MR. MOSCATO:

11 Mr. Chairman, I move that the Board  
12 issue an Order to approve the addition of Lawrence  
13 Oliver to the PGCB Involuntary Exclusion List, as  
14 described by the OEC. Mr. Oliver may petition the  
15 Board for removal from the Exclusion List after his  
16 22nd birthday.

17 MR. WOODS:

18 Second.

19 CHAIR:

20 All in favor?

21 ALL SAY AYE

22 CHAIR:

23 Opposed? The motion carries.

24 ATTORNEY ROLAND:

25 The next matter is a request to place



1 Gregory Psarsky on the Board's Excluded Persons List.  
2 The OEC filed a Petition to place Mr. Psarsky on ---  
3 I'm sorry. Mr. Pitre's pointed out I went out of  
4 order.

5 CHAIR:

6 That's okay.

7 ATTORNEY ROLAND:

8 Hopefully not that kind of out of order.

9 OFF RECORD DISCUSSION

10 ATTORNEY ROLAND:

11 Okay. The next matter is a request to  
12 place Jeremy Pahula on the Board's Excluded Persons  
13 List. The OEC filed a Petition to place Mr. Pahula on  
14 the exclusion list because he was observed capping  
15 while playing blackjack and Sands casino. Mr. Pahula  
16 was caught by the dealer. Upon a complete review of  
17 Mr. Pahula's play by surveillance he was observed to  
18 have capped his wager a total of 13 times and pinched  
19 his wager two times. Mr. Pahula did this over a  
20 four-hour period for a total gain of \$455. The  
21 Petition was properly served upon Mr. Pahula, and he  
22 has no responded to the filing in any way. Due to Mr.  
23 Pahula's failure to respond, the averments in the  
24 Petition are deemed to be admitted as fact and his  
25 right to a hearing has been waived. On September

1 16th, 2014 the OEC filed a request to enter judgment  
2 upon default. The matter is now before the Board to  
3 consider the placement of Jeremy Pahula on the Board's  
4 Excluded Persons List. Mr. Pahula was charged with  
5 one count of theft by deception, one count of criminal  
6 intent for the same, and 15 counts of prohibited acts,  
7 1518(a)(7.1) Subsection 2 of our Act. He entered a  
8 guilty plea to the theft by deception or false  
9 impression and was sentenced 3 to 23 months and  
10 ordered to pay full restitution.

11 CHAIR:

12 Is Jeremy Pahula in the hearing room?  
13 Any questions or comments from the Board? Ex-Officio  
14 members? May I have a motion?

15 MR. WOODS:

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

20 MR. FAJT:

21 Second.

22 CHAIR:

23 All in favor?

24 ALL SAY AYE

25 CHAIR:

1                   Opposed? The motion carries.

2                   ATTORNEY ROLAND:

3                   Now Mr. Psarsky. The next matter is a  
4 request to place Gregory Psarsky on the Board's  
5 Excluded Persons List. The OEC filed a Petition to  
6 place Mr. Psarsky on the Exclusion List because he was  
7 observed both bet capping and pinching while playing  
8 blackjack at Sands Casino.

9                   Specifically in this case, Sand  
10 surveillance observed Mr. Psarsky pinch one green \$25  
11 chip from his original wager of \$50 while playing  
12 blackjack. He cashed out and departed the casino  
13 before he could be confronted by Sands security or  
14 table games personnel. A detailed review conducted by  
15 surveillance provided that Mr. Psarsky manipulated  
16 wagers approximately 24 times over a two-day period  
17 for a benefit of \$520.

18                   The Petition was properly served upon  
19 Mr. Psarsky. He has not responded to the filing in  
20 any way. Due to Mr. Psarsky's failure to respond, the  
21 averments in the Petition are deemed to be admitted as  
22 fact and his right to a hearing has been waived. On  
23 September 12th, 2014, the OEC filed a request to enter  
24 judgment upon default.

25                   The matter is now before the Board to

1 consider the placement of Gregory Psarsky on the  
2 Board's Excluded Persons List. Mr. Psarsky was  
3 charged with theft by deception or false impression  
4 and under our Act 1518(a)(7.1) knowing by trick or  
5 fraud to increase win or reduce loss. He entered a  
6 guilty plea to the theft by deception or false  
7 impression. And he's been ordered to pay restitution  
8 to the facility.

9 CHAIR:

10 Is Gregory Psarsky in the hearing room?  
11 Any questions or comments from the Board? Ex-Officio  
12 members? May I have a motion?

13 MR. FAJT:

14 Mr. Chairman, I move that the Board  
15 issue an Order to approve the addition of Gregory  
16 Psarsky to the PGCB Involuntary Exclusion List, as  
17 described by the OEC.

18 MS. KAISER:

19 Second.

20 CHAIR:

21 All in favor?

22 ALL SAY AYE

23 CHAIR:

24 Opposed? The motion carries.

25 ATTORNEY ROLAND:

1           The next matter is a request to place  
2 Kyle Reed on the Board's Excluded Persons List. The  
3 OEC filed a Petition to place Mr. Reed on the  
4 Exclusion List because he gained access to the gaming  
5 floor at Sands while only 19 years of age.

6           Mr. Reed was escorted with friends by  
7 Sands Security to Burgers and More Restaurant in the  
8 Sands Casino. At the end of the meal, Mr. Reed walked  
9 past the Security Officer onto the gaming floor. He  
10 remained on the gaming floor for approximately 14  
11 minutes, 11 of those minutes were spent gaming.  
12 During that time, he gamed at a single slot machine  
13 but collected no winnings. He was discovered when a  
14 Sands Security Manager requested his identification.  
15 He did not consume alcohol while on the property.

16           The Petition was properly served upon  
17 Mr. Reed. He has not responded to the filing in any  
18 way. Due to Mr. Reed's failure to respond, the  
19 averments in the Petition are deemed to be admitted as  
20 fact and his right to a hearing has been waived. On  
21 September 12th, 2014, the OEC filed a request to enter  
22 judgment upon default.

23           The matter is now before the Board to  
24 consider the placement of Kyle Reed on the Board's  
25 Excluded Persons List. Mr. Reed was charged with

1 1518(a)(13), persons under 21, under our Act, and he  
2 has entered a guilty plea.

3 CHAIR:

4 Is Kyle Reed in the hearing room? Any  
5 questions or comments from the Board?

6 MR. FAJT:

7 Thank you, Mr. Chairman. Mike, we had  
8 talked about this yesterday in Executive Session. I  
9 was under the impression, maybe incorrectly, but that  
10 at Sands Casino specifically a security guard  
11 accompanies an underage person to the restaurant.  
12 And the debate became whether that security guard  
13 stands at the restaurant while the person is inside  
14 and waits for that person to come out. It sounds like  
15 it would be a lot of manpower, but we were told that  
16 we don't think that was the case, that they call from  
17 the restaurant and accompany the person back out. But  
18 you just said that this security guard was standing  
19 there and the individual, the underage individual,  
20 walked past him. So, what is the procedure, do you  
21 know? And if you don't, I mean we're going to --- I  
22 think Steve Cook is going to double back with those  
23 guys to find out the exact procedure. But do you know  
24 offhand what it is?

25 ATTORNEY ROLAND:

1 I do know, because I asked the same  
2 question one time on the property. The Security Guard  
3 is actually required to stand post outside of the  
4 restaurant the entire time that the minor is in there  
5 for the meal. If that Security Guard, if his shift  
6 should come to an end or her shift should come to an  
7 end, a new one will be posted there, and that  
8 individual is required to stay there until the person  
9 either leaves the restaurant or that next shift ends.  
10 So, it does require a lot of manpower, but they are at  
11 this point required to stay there.

12 MR. FAJT:

13 That was my understanding. So, this  
14 Security Guard, I assume, just had his back turned or  
15 didn't --- maybe there was a shift change, didn't know  
16 who the underage person was, and they walked by him.

17 ATTORNEY ROLAND:

18 From what we've been able to see, it  
19 looks like maybe somebody just wasn't paying  
20 attention.

21 MR. FAJT:

22 Yes.

23 ATTORNEY ROLAND:

24 And it happened pretty quickly. Now to  
25 the Security Guard's benefit, I guess, he did

1 recognize relatively quickly that the individual was  
2 out of the restaurant. He's the one who actually  
3 contacted the floor manager to have everybody on the  
4 look out for this gentleman. But it took them 14  
5 minutes to find him.

6 MR. FAJT:

7 Gotcha. Thank you, Michael.

8 ATTORNEY ROLAND:

9 Sure.

10 CHAIR:

11 Okay. Motion?

12 MS. KAISER:

13 Mr. Chairman, I move that the Board  
14 issue an Order to approve the addition of Kyle Reed to  
15 the Pennsylvania Gaming Control Board Involuntary  
16 Exclusion List, as described by the OEC. Mr. Reed may  
17 petition the Board for removal from the list after one  
18 year.

19 MR. MCCALL:

20 Second.

21 CHAIR:

22 All in favor?

23 ALL SAY AYE

24 CHAIR:

25 Opposed? The motion carries.



1                    ATTORNEY ROLAND:

2                    The next matter is a request to place  
3 Fred Smith on the Board's Excluded Persons List. The  
4 OEC filed a Petition to place Mr. Smith on the  
5 Exclusion List because he was observed capping while  
6 playing three-card poker at Sands Casino.

7                    A review of surveillance footage  
8 provided that Mr. Smith had capped on eight occasions  
9 and profited \$120. Mr. Smith was removed from the  
10 table by Sands security and refused to provide any  
11 identification after repeated requests. He stated he  
12 had only \$25 in poker chips on his person and denied  
13 any involvement in cheating. Pennsylvania State  
14 Police confiscated \$1,283 in chips from Mr. Smith and  
15 removed him from the facility.

16                    The Petition was properly served upon  
17 Mr. Smith and he has not responded to the filing in  
18 any way. Due to Mr. Smith's failure to respond, the  
19 averments in the Petition are deemed to be admitted as  
20 fact and his right to a hearing has been waived. On  
21 September the 11th, 2014, the OEC filed a request to  
22 enter judgment upon default.

23                    The matter is now before the Board to  
24 consider the placement of Fred Smith on the Board's  
25 Excluded Persons List. Mr. Smith was charged with

1 prohibited acts 1518(a)(7.12) which is cheating, theft  
2 by unlawful taking, theft by deception and receiving  
3 stolen property. The most up to date information we  
4 can find about his case is that it was waived for  
5 court at his preliminary hearing, but that's been  
6 many, many months and the case is nowhere to be found.

7 We have contacts into the Northampton  
8 County Criminal Division to see if they can find out  
9 what happened with the case. The initial explanation  
10 I received was if Mr. Smith was granted the ARD  
11 program, many of the ARD programs, once they're  
12 completed, have the benefit of expungement. So, that  
13 might have done away with the Common Pleas Docket  
14 sheet. But at this point we're trying to find out  
15 where that case currently stands. But they have at  
16 least been waived for court.

17 CHAIR:

18 Is Fred Smith in the hearing room?  
19 Questions or comments from the Board? Ex-Officio  
20 members? May I have a motion?

21 MR. MCCALL:

22 Mr. Chairman, I move that the Board  
23 issue an Order to approve the addition of Fred Smith  
24 to the Pennsylvania Gaming Control Board Involuntary  
25 Exclusion List, as described by the OEC.

1                   MR. MCNALLY:

2                   Second.

3                   CHAIR:

4                   All in favor?

5 ALL SAY AYE

6                   CHAIR:

7                   Opposed?   The motion carries.

8                   ATTORNEY ROLAND:

9                   The next matter is a request to place  
10 Kenny Taffur on the Board's Excluded Persons List.  
11 The OEC filed a Petition to place Mr. Taffur on the  
12 Exclusion List because he gained access to the gaming  
13 floor at Sands when he was only 20 years of age.

14                   He was challenged by Sands Security  
15 Officer at the main entrance, but the officer failed  
16 to the recognize that the photo on the identification  
17 was not Mr. Taffur. The identification successfully  
18 scanned and he was granted admittance. Mr. Taffur was  
19 discovered when he accidently presented his real  
20 identification when trying to obtain a player's card.  
21 Mr. Taffur remained on the gaming floor for  
22 approximately 15 minutes, and during that time he  
23 gamed at two roulette tables. He collected no  
24 winnings and did not consume alcohol while on the  
25 property.

1           The Petition was properly served upon  
2 Mr. Taffur. He has not responded to the filing in any  
3 way. Due to Mr. Taffur's failure to respond, the  
4 averments in the Petition are deemed to be admitted as  
5 fact and his right to a hearing has been waived. On  
6 September the 12th, 2014, the OEC filed a request to  
7 enter judgment upon default.

8           The matter is now before the Board to  
9 consider the placement of Kenny Taffur on the Board's  
10 Excluded Persons List. Mr. Taffur was charged with  
11 1518(a)(13) under our Act. That's persons under 21.  
12 He has already entered a guilty plea.

13           CHAIR:

14           Is Kenny Taffur in the hearing room?  
15 Any questions or comments from the Board? Ex-Officio  
16 members? May I have a motion?

17           MR. MCNALLY:

18           Mr. Chairman, I move that the Board  
19 issues an Order to approve the addition of Kenny  
20 Taffur to the PGCB Involuntary Exclusion List as  
21 described by the OEC. Mr. Taffur may petition the  
22 Board for removal from the list after one year.

23           CHAIR:

24           Second?

25           MR. MOSCATO:

1 Second.

2 CHAIR:

3 Thank you. All in favor?

4 ALL SAY AYE

5 CHAIR:

6 Opposed? The motion carries.

7 ATTORNEY ROLAND:

8 And the last matter the OEC has is a  
9 request to place Tianna Wright on the Board's Excluded  
10 Persons List. The OEC filed a Petition to place Ms.  
11 Wright on the Exclusion List because she gained access  
12 to the gaming floor at Sands Casino while 20 years of  
13 age.

14 She was challenged by a Sands Security  
15 Officer, but the officer failed to recognize that she  
16 used her sister's passport, and granted her  
17 admittance. She was discovered when a Sands Table  
18 Games Dealer requested to see her identification. Ms.  
19 Wright remained on the gaming floor for approximately  
20 one hour and 46 minutes, and during that time she  
21 gamed at both roulette tables and slot machines, but  
22 collected no winnings. She did not consume alcohol  
23 while on the property.

24 The Petition was properly served upon  
25 Ms. Wright, and she has not responded to the filing in

1 any way. And due to Ms. Wright's failure to respond,  
2 the averments in the Petition are deemed to be  
3 admitted as fact and her right to a hearing has been  
4 waived. On September the 18th, 2014, the OEC filed a  
5 request to enter judgment upon default.

6 The matter is now before the Board to  
7 consider the placement of Tianna Wright on the Board's  
8 Excluded Persons List. She also was charged under our  
9 Act, 1518(a)(13). And at this point she is awaiting a  
10 plea, according to her Docket sheet.

11 CHAIR:

12 Is Tiana Wright in the hearing room?  
13 Any questions or comments from the Board? Ex-Officio  
14 members? May I have a motion?

15 MR. MOSCATO:

16 Mr. Chairman, I move that the Board  
17 issue an Order to approve the addition of Tianna  
18 Wright to the PGCB Involuntary Exclusion List, as  
19 described by the OEC. Ms. Wright may petition the  
20 Board for removal from the list after one year.

21 CHAIR:

22 Second?

23 MR. WOODS:

24 Second.

25 CHAIR:

1 All in favor?

2 ALL SAY AYE

3 CHAIR:

4 Opposed? The motion carries.

5 ATTORNEY ROLAND:

6 Thank you very much.

7 ATTORNEY PITRE:

8 Thank you, Mr. Chairman.

9 CHAIR:

10 Thank you gentleman --- work. Ladies  
11 and gentlemen, that's concludes today's meeting. Our  
12 next scheduled public meeting will be on Wednesday,  
13 December 10th at 10:00 a.m. Any final comments from  
14 the Board? Ex-Officio members. May I have a motion  
15 to adjourn?

16 MR. WOODS:

17 So, moved.

18 MR. FAJT:

19 Second.

20 CHAIR:

21 All in favor?

22 ALL SAY AYE

23 CHAIR:

24 Thank you. This meeting is adjourned.

25 MEETING CONCLUDED AT 12:45 P.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings, meeting held before Chairman Ryan, Jr. was reported by me on 11/19/2014 and that I Bernadette M. Black read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.

*Bernadette M. Black*

Bernadette M. Black,  
Court Reporter