

COMMONWEALTH OF PENNSYLVANIA GAMING CONTROL BOARD

PUBLIC MEETING

* * * * *

BEFORE: WILLIAM H. RYAN, JR., CHAIRMAN
Gregory C. Fajt, Commissioner
Annamarie Kaiser, Commissioner
Keith R. McCall, Commissioner
John J. McNally, III, Commissioner
Anthony C. Moscato, Commissioner
David W. Woods, Commissioner
Eileen McNulty, Acting Secretary,
Department of Revenue
Russell Redding, Acting Secretary,
Department of Agriculture
Jennifer Langan, Ex-Officio Designee, State
Treasury
Robert Coyne, Ex-Officio Designee,
Department of Revenue

HEARING: Wednesday, February 4, 2015
10:05 a.m.

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

SPEAKERS: Kim Hankins, Jill Brock, Ronald Baumann
Reporter: Cynthia Piro Simpson

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CHAIRMAN:

Good morning ladies and gentleman. My name's Bill Ryan. I'm Chairman of the Pennsylvania Gaming Control Board. Before we begin, I would like to ask everyone to please turn off or at least put on silent your cell phones and other electronic devices. Thank you very much. With us today is Russell Redding, the Acting Secretary for the Department of Agriculture. I welcome you, sir. Also, Jennifer Langan from the State Treasurer's Office. And Bob Coyne representing the Acting Secretary for the Department of Revenue, Eileen McNulty. Welcome to you also. Everyone ---.

BRIEF INTERRUPTION

CHAIRMAN:

Everyone on the Board is present so I will call today's meeting to order and I would ask everyone to please stand for the pledge of allegiance.

PLEDGE OF ALLEGIANCE RECITED

CHAIRMAN:

Thank you. First, ladies and gentlemen, let me state that the Board held an Executive Session yesterday, February 3rd, and again briefly this

1 morning for the purpose of discussing personnel
2 matters and to conduct quasi-judicial deliberations
3 relating to matters being considered by the Board
4 today. First order of business will be to consider a
5 Motion to approve the minutes and transcripts of the
6 November 19th and December 10th, 2014 meetings. May I
7 have such a motion?

8 MR. WOODS:

9 Mr. Chairman, I move that the Board
10 approve the minutes and transcripts of the November
11 19th and December 10th, 2014 meetings.

12 MR. FAJT:

13 Second.

14 CHAIRMAN:

15 All in favor?

16 ALL SAY AYE

17 CHAIRMAN:

18 Opposed? The motion carries. Next
19 we'll hear from our Executive Director, Kevin O'Toole.
20 Kevin.

21 MR. O'TOOLE:

22 Good morning, Chairman Ryan, members of
23 the Board. Our first item on the agenda this morning
24 will be presented by our Director Racetrack
25 Operations, Kevin Kile.

1 MR. KILE:

2 Good morning, Chairman, ---

3 CHAIRMAN:

4 Morning, Kevin.

5 MR. KILE:

6 --- Board members. The Meadows
7 Standardbred Owners Association has requested approval
8 of a new health insurance contract. Under Section
9 1406 of the Act, approximately four percent of funding
10 received from the racehorse development fund is
11 required to be used for health insurance and pension
12 benefits for the members of horseman's organizations,
13 their families and their employees in accordance with
14 the eligibility requirements of each organization.

15 Subsection F of Section 1406 of the Act
16 requires that all health and pension benefit contracts
17 be approved by the Board. The Meadows Standardbred
18 Owners Association, or MSOA, represents the horse
19 owners, trainers and others that race at the Meadows
20 Casino. Representatives from the MSOA are present
21 today to address the Board. After their presentation,
22 I ask that the Board consider a Motion to approve
23 their agreement if the proposed agreement is deemed
24 acceptable.

25 CHAIRMAN:

1 All right. I guess if we're going to
2 have statements from the representatives, they should
3 be sworn in. Are both of them going to speak, Kevin?

4 MR. KILE:

5 Yes.

6 CHAIRMAN:

7 All right. I would ask both of you
8 please just stand up for a moment.

9 -----

10 WITNESSES SWORN EN MASSE

11 -----

12 CHAIRMAN:

13 Thank you. And when you first speak, I
14 would just ask you to state your name, your position
15 and spell your last name.

16 MR. HANKINS:

17 Okay. My name is Kim Hankins, I'm the
18 Executive Director of the Meadows Standardbred Owners
19 Association and we're here today, as Keven referred
20 to, to explain the change in our health insurance
21 program for our drivers, trainers and grooms. The
22 biggest reason is a large increase this year due to
23 the marketplace in the Pittsburgh area. And we've had
24 increases in the past, of between five and ten
25 percent, each of five of six years --- last six years.

1 And we felt that it was time to make a change. And
2 with me here today is Jill Brock from CSC Insurance
3 Options to help explain the reasons why we are
4 changing.

5 MS. BROCK:

6 Jill Brock, CSC Insurance, B-R-O-C-K.
7 As of February 1st, 2015, we had a renewal with
8 Highmark Blue Cross Blue Shield. In December, we
9 received notification of renewal with an 18.9 percent
10 increase to our current plan, which was the PPO Blue
11 Product with a \$500 deductible. So, with the Board at
12 the MSOA, we looked at options to see what we could
13 find best that would be offering fantastic benefits to
14 the members but also at an affordable price. So, we
15 received quotes from Highmark for their Community Blue
16 program. It's called Community Blue Flex PPO. It's
17 the same deductible, same co-pays, same co-insurance
18 as their current plan for in-network benefits with a
19 savings of about ten percent off the renewal.

20 CHAIRMAN:

21 Okay. Sir, anything else?

22 MR. HANKINS:

23 We just ask for your approval of this
24 small change.

25 CHAIRMAN:

1 Comments from you, Kevin?

2 MR. HANKINS:

3 No.

4 CHAIRMAN:

5 Okay. Any questions, comments from the
6 Board?

7 MR. FAJT:

8 Yeah. Thank you, Mr. Chairman. Kim,
9 how many participants are in the health plan?

10 MR. HANKINS:

11 Currently, we have 100 grooms and 91
12 trainers.

13 MR. FAJT:

14 So, 191 in total? And how many
15 potentially --- do they have to elect in for coverage?

16 MR. HANKINS:

17 Yes, they have to request it and we have
18 an eligibility requirement that they must fulfill. We
19 have defined approximately 175 total drivers and
20 trainers, so 91 of 175 are currently members.

21 MR. FAJT:

22 Uh-huh (yes).

23 MR. HANKINS:

24 Grooms are a little bit harder to define
25 because we don't have ways of knowing how many people

1 are there. But an approximation, we think that we
2 insure about half.

3 MR. FAJT:

4 Okay. Thank you.

5 CHAIRMAN:

6 Any other comments, questions from the
7 Board, ex-officio members? May I have a motion?

8 MR. MOSCATO:

9 Mr. Chairman, I move that the Board
10 approve the health insurance contract for the Meadows
11 Standardbred Owners Association.

12 MS. KAISER:

13 Second.

14 CHAIRMAN:

15 All in favor?

16 ALL SAY AYE

17 CHAIRMAN:

18 Opposed? The motion carries. Thank you
19 very much.

20 MR. O'TOOLE:

21 Chairman, our second item this morning,
22 I have the pleasure of having Director Liz Lanza of
23 our Office of Compulsive and Problem Gambling.
24 Director Lanza and program analyst Elizabeth Burch do
25 an outstanding job all year long in raising awareness

1 of the issues of compulsive and problem gambling.
2 March, however, is a particularly important month and
3 I'll have Liz explain that to you.

4 MS. LANZA:

5 Good morning, Chairman, members of the
6 Board.

7 CHAIRMAN:

8 Morning, Liz.

9 MS. LANZA:

10 Before you today is a resolution
11 declaring March 2015 Problem Gambling Awareness Month.
12 Problem Gambling Awareness Month is a grassroots
13 effort created by the National Council and Problem
14 Gambling to educate the public on the signs and
15 symptoms of problem gambling and the many treatment
16 options that are available. During this month and
17 throughout the year, the Office of Compulsive and
18 Problem Gambling has a presence at many diverse events
19 in order to spread the word on problem gambling
20 prevention, education and treatment.

21 It is important for all to be aware of
22 the signs of gambling addiction because it is
23 estimated that for every problem gambler, at least ten
24 other individuals are affected. Those affected
25 include family members and friends, employers,

1 coworkers and treatment providers. The signs of
2 problem gambling include a preoccupation with
3 gambling, being secretive about one gambling's habit,
4 lying about the extent of one's gambling, chasing
5 losses and relying on others to bail him or her out
6 financially.

7 If an individual recognizes any of these
8 symptoms within themselves or a loved one, they are
9 not alone. There are many resources available to help
10 in their journey through recovery including local
11 gamblers anonymous and Gam-Anon meetings, state funded
12 problem gambling counselors, the Board's
13 Self-Exclusion List and a plethora of self-help tools
14 only a mouse click away.

15 For more information on any of these
16 resources, I urge those effected to call the Council
17 of Compulsive Gambling of Pennsylvania's 24 hour
18 helpline by dialing 1-800-848-1880 or by visiting
19 PAProblemGambling.com. And now if you would like,
20 Chairman, I can read the resolution into the record.

21 CHAIRMAN:

22 Please.

23 MS. LANZA:

24 Okay. Whereas the legislative intent of
25 the Pennsylvania Racehorse Development and Gaming Act

1 recognizes, in part, that the public interest of the
2 citizens of this Commonwealth and social effect of
3 gaming shall be taken into consideration in any
4 decision or order may pursuant to the Gaming Act.

5 And whereas, the Pennsylvania Gaming
6 Control Board recognized the social effect of gaming
7 when it created the Office of Compulsive and Problem
8 Gambling to conduct research, develop public outreach
9 efforts, work with the Pennsylvania slot machine
10 licensees to develop and implement problem gambling
11 programs at licensed facilities, administered the PGCB
12 Self-Exclusion Program and promote problem gambling
13 education programs in this Commonwealth.

14 And whereas, the Gaming Act established
15 a special fund to be known as the Compulsive and
16 Problem Gambling Treatment Fund and require that all
17 money in the fund should be expended for programs for
18 public awareness, prevention, research, assistance and
19 treatment of gambling addictions.

20 And whereas, problem gambling is a
21 public health issue effecting Pennsylvanians of all
22 ages, races, gender and ethnic backgrounds in all
23 communities.

24 And whereas, problem gambling is
25 treatable, and treatment is effective in minimizing

1 the harm to individuals, families and societies as a
2 whole.

3 And whereas, numerous individuals,
4 professionals, agencies and organizations in
5 Pennsylvania have dedicated their efforts to the
6 education of the public about problem gambling and the
7 availability and effectiveness of treatment.

8 And whereas, promoting awareness of
9 problem gambling is an opportunity to educate the
10 public and policymakers about the social and financial
11 issues related to problem gambling.

12 And therefore, the Pennsylvania Gaming
13 Control Board hereby recognizes March 2015 as Problem
14 Gambling Awareness Month. We encourage all citizens
15 to learn more about the signs of problem gambling and
16 to help spread the message about the availability of
17 treatment.

18 CHAIRMAN:

19 Thank you, Liz. Any questions or
20 comments from the Board? Greg.

21 MR. FAJT:

22 Thank you, Mr. Chairman. Liz, I know
23 right now there's 7,500 or so on the Self-Exclusion
24 List. I mean, that number has gone up, obviously
25 since gaming came into Pennsylvania. What are you

1 hearing out there, you know, from the providers of
2 Gambler's Anonymous and the other folks, the
3 Department of Health or the Department of Alcohol and
4 Drugs works with? What are you hearing as far as
5 increases; is it astronomical, is it a steady climb?
6 Is there reason that we as a Board need to be
7 concerned?

8 MS. LANZA:

9 There's definitely a steady climb.
10 There hasn't been a skyrocket in the numbers but then
11 again, it's more about the outreach. If people don't
12 know these options are available, they're not going to
13 use them. So, that's why something like Problem
14 Gambling Awareness Month is so important because we
15 have to get the word out. And the more the word is
16 spread, the more treatment that will --- not only will
17 people take advantage of but it will become more and
18 more prevalent to have individuals in treatment and
19 more treatment providers available. So, it is being
20 utilized but it's not being utilized as much as it
21 should be.

22 MR. FAJT:

23 And one last question, do you know the
24 amount of money that goes into treating problem
25 gambling from the Gaming Act annually?

1 MS. LANZA:

2 It's at least \$2 million, but it has
3 usually been I believe more than that. I'm not sure
4 of exact numbers. I can get those to you, but at
5 least \$2 a million a year.

6 MR. FAJT:

7 Thank you. If you could get those to
8 me, ---

9 MS. LANZA:

10 Sure.

11 MR. FAJT:

12 --- I'd appreciate that. Thank you.
13 Thank you, Mr. Chairman.

14 CHAIRMAN:

15 Okay. Dave?

16 MR. WOODS:

17 Liz, are there any specific activities
18 planned for the month of March by the Department or by
19 our, you know, people to promote awareness?

20 MS. LANZA:

21 Yes. My office, along with the
22 Department of Drug and Alcohol Programs, the
23 Pennsylvania Council of Compulsive Gambling and the
24 lottery will have tables set up here in Strawberry
25 Square throughout the month and also over at the

1 capital. And we're also currently looking into other
2 places throughout the state to set up informational
3 booths to hand out information on problem gambling.

4 MR. WOODS:

5 Is there any coordination at all with
6 the casinos on working in this area?

7 MS. LANZA:

8 The casinos haven't really gotten on
9 board with having tables set up there. But they do
10 absolutely use this time to educate their employees.
11 They do a lot of behind the scenes, different
12 promotions with their employees. You know, they'll
13 do, for instance, a poster of people who are all
14 different ages and they'll say, you know, pick out the
15 ones who look underage. And the employees who get
16 that correct will, you know, win some type of prize or
17 something along those lines. So, they do definitely
18 use this month as well as, I believe August is
19 Responsible Gaming Month. So, they use those two
20 months to educate their employees even more than they
21 already do.

22 MR. WOODS:

23 Thank you. No other questions.

24 CHAIRMAN:

25 Any other questions? Liz, on behalf of

1 the Board, I'd like to thank you and the men and women
2 who work with you and the agency on this very
3 difficult issue. We spend most of our time talking
4 about what we think or what we hope are the benefits
5 of gaming. The reality is there is at least one very
6 big negative of gambling, whether it's legal or
7 illegal, casino, racetrack or any other type. And the
8 subject you have just discussed with us is that
9 unpleasant truth and we can only do so much at the
10 Board. There is so much more that has to be done but
11 I think under your leadership, we're doing the best we
12 can. With that, I would ask for a motion to support
13 this resolution.

14 MR. MCCALL:

15 Mr. Chairman, I move that the Board
16 approve Pennsylvania Gaming Control Board resolution
17 2015-2-CPG as described by the Director of Compulsive
18 and Problem Gambling.

19 MR. MCNALLY:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 Opposed? The motion carries.

1 MS. LANZA:

2 Thank you.

3 CHAIRMAN:

4 Thank you, Liz. Thank you, Kevin.

5 Next, we'll hear from Doug Sherman, Chief Counsel.

6 ATTORNEY SHERMAN:

7 Good morning, Chairman, members of the
8 Board. Our first two agenda items today relate to a
9 Final-form Regulation and a Proposed Regulation, which
10 Assistant Chief Counsel Susan Yocum is here to
11 present.

12 ATTORNEY YOCUM:

13 Good morning, Chairman, members of the
14 Board.

15 CHAIRMAN:

16 Morning, Susan.

17 ATTORNEY YOCUM:

18 I have two rulemakings for your
19 consideration today. The first is Final-form
20 Rulemaking 125-175. This is an omnibus amendments
21 package which primarily addresses ten chapters
22 associated with our licensure provisions, I'd like to
23 highlight just a few of the provisions contained in
24 this rulemaking.

25 First as it relates to changes of

1 control or ownership, we presently require that slot
2 machine licensees request and receive Board approval
3 prior to changing the control or ownership of that
4 licensed entity. This rulemaking will also require
5 our other licensees, and that would be our management
6 companies, manufacturers and manufacturer designees
7 and suppliers to also receive Board approval prior to
8 changing control or ownership of that licensed entity.

9 As it relates to institutional
10 investors, this rulemaking will allow institutional
11 investors to acquire up to a 20 percent ownership
12 interest in our licensees. Provided that if an
13 institutional investor is acquiring more than a ten
14 percent ownership interest in our slot machine
15 licensees specifically, they would have to submit
16 additional information to our Bureau of Investigations
17 and Enforcement (BIE) prior to acquiring that
18 interest. If there's an issue with the information
19 that's received, BIE will require that the
20 institutional investor receive Board approval prior to
21 acquiring that ownership interest. If there's no
22 approval, they can go ahead and consummate that
23 transaction within a very short period of time.

24 As it relates to Non-Gaming Employees,
25 presently we don't have a renewal requirement on our

1 Non-Gaming Employee Registrations. The provisions in
2 this rulemaking would require that Non-Gaming
3 Registrants renew their registration once every four
4 years. The renewal fee would be specific just to
5 cover the cost of our fingerprinting. This is
6 required for --- this is necessary for two reasons.

7 One, to get a subsequent criminal
8 history on our Non-Gaming Registrants who've been in
9 the system for more than four years. Also to remove
10 Non-Gaming Registrants who have not been working in a
11 position that requires registration for a period of
12 time. We have well over 2,000 individuals who are
13 still under the Gaming Board's jurisdiction but don't
14 work in the casino industry anymore. So, that would
15 be getting them off of --- basically, no longer under
16 the Board's jurisdiction.

17 As it relates to our Gaming Service
18 Providers, in the last couple years, the Gaming Board
19 has exempted publically traded Gaming Service
20 Providers from the certification and registration
21 requirements. At the time we changed the regulations
22 to exempt those entities. There was no follow up to
23 ensure that A, they're still a publically traded
24 organization and qualify for exemption, and that they
25 are still conducting business with one of our

1 licensees.

2 The changes contained in this rulemaking
3 will require that publically traded Gaming Services
4 Providers that are exempt would have to fill out a
5 form, essentially attesting to the fact that they are
6 still conducting with one of our licensees and that
7 they still qualify for that exemption.

8 This rulemaking will also eliminate the
9 requirement that Emergency Gaming Service Providers,
10 those are the Gaming Service Providers that are called
11 in when there's a threat to the building or its
12 occupants. It will eliminate the requirement that
13 they be registered or certified after they provide
14 those emergency services. This rulemaking also
15 contains some minor revisions to our internal controls
16 chapter and some table games amendments, basically to
17 add additional play tables and things of that nature.
18 I'd be happy to answer any questions you may have.

19 CHAIRMAN:

20 Questions or comments from the Board,
21 ex-officio members? May I have a motion?

22 MR. FAJT:

23 Mr. Chairman, I move that the Board
24 adopt Final-form Regulation 125-175 as presented by
25 the Office of Chief Counsel (OCC).

1 MS. KAISER:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 Opposed? The motion carries.

8 ATTORNEY YOCUM:

9 The next rulemaking for your
10 consideration today is 125-187. This is a proposed
11 rulemaking which will make some minor revisions to the
12 game ASER Poker. ASER Poker was recently purchased by
13 a new licensed manufacturer. The new manufacturer has
14 changed the name and added two additional side wagers
15 to the game. Contained in this rulemaking then is the
16 name change as well as their updated rules of play and
17 updated pay tables. Again, happy to answer any
18 questions you have may have.

19 CHAIRMAN:

20 Okay. Questions, comments from the
21 Board, ex-officio members? May I have a motion?

22 MS. KAISER:

23 Mr. Chairman, I move that the Board
24 adopt the Proposed Regulation 125-187 as presented by
25 the OCC.

1 MR. MCCALL:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 Opposed? The motion carries.

8 ATTORNEY YOCUM:

9 Thank you.

10 CHAIRMAN:

11 Thank you, Susan.

12 ATTORNEY SHERMAN:

13 Today we have two petitions before the
14 Board for your consideration. Both petitions will be
15 considered on the documents filed of record as well as
16 --- not only the pleading, the answer and any evidence
17 in the record. In both cases, the Office of
18 Enforcement Counsel (OEC) does not object to the
19 relief requested and hence the reason they're being
20 presented on the documents. The first petition before
21 the Board pertains to Theresa Lanese's request to be
22 removed from the Board's Exclusion List.

23 By way of background on May 9th, 2013,
24 Ms. Lanese, who was under the age of 21 at the time,
25 gained entrance to Hollywood Casino and was on the

1 gaming floor and played slot machines for
2 approximately an hour and a half before being
3 apprehended by a management employee. It was then
4 determined she was underage. She removed from the
5 gaming floor and the State Police charged her defiant
6 trespass to which she subsequently pled guilty.

7 As a result of the incident, the OEC
8 filed a petition requesting that Ms. Lanese be placed
9 on the Board's Exclusion List. The Board, on October
10 30th, 2013 did place her on the list for a period of
11 one year from the date of the Order. It's now been
12 over a year since the placement of Ms. Lanese on the
13 Exclusion List. She has requested to be removed now
14 from the list and that is the request that's before
15 the Board for consideration.

16 CHAIRMAN:

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

19 MR. MCCALL:

20 Mr. Chairman, I move that the Board
21 issue an Order to grant Theresa Lanese's Petition to
22 be removed from the Pennsylvania Gaming Control Board
23 Involuntary Exclusion List as described by the OCC.

24 MR. MCNALLY:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 Opposed? The motion carries.

6 ATTORNEY SHERMAN:

7 The second petition before the Board
8 today is Michael Ponessa's request to lift his
9 suspension of his Gaming Level Two Employee Permit.
10 Mr. Ponessa was issued the permit on December 11th,
11 2013 and was employed as a Senior Tables Games Dealer
12 at Hollywood Casino. On February 3rd, 2014, the
13 Bureau of Casino Compliance was notified that Mr.
14 Ponessa had been arrested by the Cornwall Borough
15 Police Department and charged with a series of crimes,
16 which included felony offenses.

17 Upon learning of the matter, the OEC
18 filed a request for an Emergency Order, which was
19 signed by the Executive Director on February 4th of
20 2014. A hearing on validity of the suspension was
21 scheduled and thereafter, the Board voted to keep the
22 suspension in place due to the pending charges.

23 On December 18th, 2014, Mr. Ponessa
24 notified the Board Clerk that he had been acquitted on
25 all the criminal charges after a jury trial. As a

1 result, he had requested that his Gaming Level Two
2 Employee Permit suspension be lifted and in effect,
3 the permit be reinstated. The OEC has confirmed the
4 acquittal and has no objection to the request. And
5 that is the request that's before the Board.

6 CHAIRMAN:

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

9 MR. MCNALLY:

10 Mr. Chairman, I move that the Board
11 issue an Order to grant Michael Ponessa's Petition to
12 lift the suspension on his Gaming Level Two Employee
13 Occupational Permit as described by the OCC.

14 MR. MOSCATO:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 Opposed? The motion carries.

21 ATTORNEY SHERMAN:

22 Okay. Next presenting Reports and
23 Recommendations is Deputy Chief Counsel, Steve Cook.

24 ATTORNEY COOK:

25 Morning.

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CHAIRMAN:

Morning, Steve.

ATTORNEY COOK:

Next before the Board for consideration are six Reports and Recommendations received from the Office of Hearings and Appeals (OHA). In each of these cases, the person at issue has been provided notice that the Board will be taking up the matter today and that they had the right to come forward and briefly address the Board if they so chose. If any of these persons are present, I'd ask them to come forward when their matter is called.

The first Report and Recommendation before the Board today pertains to Paul DeAngelis. Mr. DeAngelis hold a Gaming Level Two Employee Permit and worked as a casino host at the Sugar House Casino. On June 23rd, 2014, the Bureau of Casino and Compliance conducted a compliance review in conjunction with Sugar House's internal investigation of Mr. DeAngelis, which led to his employment being terminated with that casino. Specifically, Mr. DeAngelis was suspected of improperly adding promotional play on numerous occasions to various patrons' Rush Rewards accounts.

Upon questioning by Sugar House, Mr.

1 DeAngelis admitted to his actions but indicated that
2 he was not properly trained and was simply attempting
3 to provide a high level of customer service to
4 valuable patrons. In total, Mr. DeAngelis was found
5 of improperly provided approximately \$1,100 to 31
6 patrons. There's no evidence in the record to support
7 that Mr. DeAngelis did this for financial gain or that
8 he knew the patrons at issue personally.

9 Upon learning of these incidents, the
10 OEC filed Enforcement Action seeking to revoke Mr.
11 DeAngelis' Level Two Permit. A hearing was held on
12 September 16th, 2014 and both the OEC and Mr.
13 DeAngelis participated. Subsequent to the hearing,
14 the Hearing Officer issued a Report and
15 Recommendation, essentially indicating that his
16 opinion, a revocation of Mr. DeAngelis' permit was too
17 harsh of a punishment under the circumstances. And
18 ultimately, the Hearing Officer recommended that the
19 complaint be dismissed or that a less severe sanction
20 be imposed by the Board.

21 Thereafter, the OEC filed exceptions to
22 the Report and Recommendation, essentially arguing
23 that Mr. DeAngelis' conduct amounted to a theft from
24 the casino and he should be revoked because of that
25 conduct. And before the Board today is the Report and

1 Recommendation which again seeks to dismiss the
2 complaint for revocation but leaves the door open to a
3 less severe sanction.

4 CHAIRMAN:

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

7 MR. MOSCATO:

8 Mr. Chairman, I move that the Board
9 adopt the Report and Recommendation issued by the
10 Office of Hearing and Appeals regarding the Gaming
11 Level Two Employee Occupation Permit of Paul
12 DeAngelis. And that Mr. DeAngelis' permit be
13 suspended for six months from date of the Board's
14 Order.

15 MR. WOODS:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 Opposed? The motion carries.

22 ATTORNEY COOK:

23 The next matter before the Board is the
24 Report and Recommendation pertaining to Tyler
25 Criswell. Mr. Criswell was issued a Gaming Employee

1 Permit on May 7th, 2013 and worked as a Table Games
2 Dealer at The Meadows. On October 22nd, 2014, the OEC
3 filed a request for Emergency Suspension of Mr.
4 Criswell's permit after learning that he'd been
5 charged with felony criminal offenses stemming from
6 his alleged use of another person's debit card without
7 that person's consent. And through the use of that
8 card obtaining over \$9,000 from the victim's account.

9 The Board's Executive Director signed
10 the Emergency Order of Suspension as requested by the
11 OEC suspending Mr. Criswell's permit. Thereafter, a
12 hearing was held on November 12th, 2013 before the
13 Board's OHA. Although service was made upon Mr.
14 Criswell, he did not attend the hearing and therefore
15 did not provide any defense. The OEC did put in
16 evidence. And as a result of the evidence they put
17 in, the Hearing Officer issued a Report and
18 Recommendation recommending that the suspension remain
19 in place pending at least the outcome of the criminal
20 charges. That's the recommendation before the Board.

21 CHAIRMAN:

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

24 MR. WOODS:

25 Mr. Chairman, I move that the Board

1 adopt the Report and Recommendation issued by the OHA
2 regarding the Gaming Employee Occupational Permit of
3 Tyler Criswell as described by the OCC.

4 MR. FAJT:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 Opposed? The motion carries.

11 ATTORNEY COOK:

12 The next report before the Board
13 pertains to Vanessa Francies. Ms. Francies was issued
14 a Non-Gaming Employee Registration on March 17th, 2010
15 and was employed as an EVS attendant at the Chester
16 Downs and Marina. On June 27th, 2011, Ms. Francies
17 was arrested and charged with 22 theft related counts
18 after it was alleged that she was involved in the
19 theft of two motorcycles and tools from a motorcycle
20 dealership. As a result of these charges, the OEC
21 sought an Emergency Order of Suspension, which the
22 Executive Director issued. And then after subsequent
23 hearings, the Board upheld.

24 In July of 2013, Ms. Francies entered an
25 accelerated rehabilitative disposition program, or ARD

1 program, on the criminal charges. She subsequently
2 completed this program in July of 2014. And as a
3 result of successfully completing that program, her
4 criminal charges were dismissed. Ms. Francies is now
5 requesting that the Board lift her suspension and
6 reinstate her Non-Gaming Registration.

7 The OEC objected to Ms. Francies'
8 request based on her associations at the time of the
9 criminal conduct as well as a subsequent October 2012
10 criminal conspiracy and receiving stolen property
11 arrest. Notwithstanding, Ms. Francies being
12 ultimately found not guilty of those charges.

13 A hearing on Ms. Francies' Petition to
14 lift her petition was held before the Board's OHA on
15 October 21st, 2014. Both OEC and Ms. Francies
16 appeared at the hearing. As a result of that hearing,
17 a Report and Recommendation was issued by a Board
18 Hearing Officer recommending that the suspension of
19 Ms. Francies' Non-Gaming Registration be lifted as the
20 criminal charges, which served as the sole basis for
21 that Emergency Suspension had been dismissed pursuant
22 to her successful completion of the ARD program.

23 In his Report and Recommendation, the
24 Hearing Office recommends that the Board not consider
25 any new arguments raised by OEC because the underlying

1 suspension, as I indicated was based solely on the
2 criminal charges. The Hearing Officer further notes
3 in the Report and Recommendation that the OEC under
4 the Board's regulation is free to pursue a second
5 Enforcement Action on separate grounds if they so
6 chose. But ultimately, the Hearing Officer recommends
7 that the suspension be lifted. And that's the
8 recommendation before the Board.

9 CHAIRMAN:

10 Any questions for comments from the
11 Board, ex-officio members? May I have a motion?

12 MR. FAJT:

13 Mr. Chairman, I move that the Board
14 adopt the Report and Recommendation issued by the OHA
15 regarding the Non-Gaming Employee Registration of
16 Vanessa Francies as described by the OCC.

17 MS. KAISER:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 Opposed? The motion carries.

24 ATTORNEY COOK:

25 The next matter before the Board today

1 pertains to Pietro Grippi. On September 2nd, 2014,
2 Mr. Grippi had submitted an Application for a
3 Non-Gaming Registration as he is employed with the
4 Gaming Service Provider, which provides stone and tile
5 work to Pennsylvania casinos. Specifically, under the
6 Board's regulation, the Board requires that an
7 employee of a Gaming Service Provider, which provides
8 services on the gaming floor of a casino, be licensed
9 as a Non-Gaming Employee --- or be registered as a
10 Non-Gaming Employee.

11 In his application, Mr. Grippi disclosed
12 the criminal history. And based on that criminal
13 history, the OEC issued a Notice of Recommendation of
14 Denial. Specifically on April 1997, Mr. Grippi pled
15 guilty to two of the counts of misdemeanor simple
16 assault and he was sentenced to two years of
17 probation. And then in January of 1999, he was
18 arrested on charges related to his involvement in an
19 organization distributing methamphetamine. He
20 ultimately pled guilty to certain of these charges and
21 served five years incarceration followed by eight
22 years of supervised probation, all of which has been
23 successfully completed.

24 A hearing in this matter was held on
25 November 18th, 2014. Both Mr. Grippi and the OEC

1 appeared at the hearing and offered evidence.
2 Thereafter, a Report and Recommendation was issued by
3 a Board Hearing Officer recommending that Mr. Grippi
4 be approved for Non-Gaming Registration in light of
5 the amount of time that has passed since his criminal
6 conduct, his successful completion of his criminal
7 sentence, the fact that his employment was not with a
8 casino but with a Gaming Service Provider and that his
9 time on the floor --- on a gaming floor would be
10 limited to a few weeks at a time, if that. Because of
11 all those reasons, the Hearing Officer recommends that
12 the application be approved and Mr. Grippi be issued a
13 Non-Gaming Registration.

14 CHAIRMAN:

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

17 MS. KAISER:

18 Mr. Chairman, I move that the Board
19 adopt the Report and Recommendation issued by the OHA
20 regarding the Non-Gaming Employee Registration of
21 Pietro Grippi as described by the OCC.

22 MR. MCCALL:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 Opposed? The motion carries.

4 ATTORNEY COOK:

5 The next Report and Recommendation
6 pertains to Julian Hiett-Johnson. On August 21st,
7 2014, the OEC filed a complaint to place Mr.
8 Hiett-Johnson on the Board's Exclusion List alleging
9 that on May 16th, 2014, he gained entrance to the
10 Valley Forge Casino and gamed despite being under 21
11 years of age. Mr. Hiett-Johnson was charged by the
12 Pennsylvania State Police with underage gaming to
13 which he pled guilty and was ultimately evicted from
14 Valley Forge.

15 A hearing in this matter was held on
16 October 30th, 2014. Both the OEC and Mr.
17 Hiett-Johnson appeared and presented evidence. The
18 uncontested evidence showed that Mr. Hiett-Johnson did
19 in fact gain entrance to the Valley Forge Casino while
20 underage. As a result of that evidence, the Hearing
21 Office issued his Report and Recommendation which
22 recommends that Mr. Hiett-Johnson be placed on the
23 Board's Exclusion List with the ability to petition to
24 come off the list after one year, since he is now 21
25 years of age. And that's the recommendation before

1 the Board.

2 CHAIRMAN:

3 Questions or comments from the Board,
4 ex-officio members? May I have a motion?

5 MR. MCCALL:

6 Mr. Chairman, I move that the Board
7 adopt the Report and Recommendation issued by the OHA
8 regarding the placement of Julian Hiett-Johnson on the
9 Pennsylvania Gaming Control Board, Involuntary
10 Exclusion List. Mr. Hiett-Johnson may petition the
11 Board to be removed from the list after one year.

12 MR. MCNALLY:

13 Second.

14 CHAIRMAN:

15 All in favor?

16 ALL SAY AYE

17 CHAIRMAN:

18 Opposed? The motion carries.

19 ATTORNEY COOK:

20 The final Report and Recommendation
21 before the Board today pertains to a request for
22 removal from the Voluntary Self-Exclusion List by an
23 individual with the initials J.W.S. As a result of
24 this request, the hearing was held before the Board's
25 OHA on October 2nd, 2014.

1 The evidence presented by the OEC at
2 this hearing established that on May 14th, 2013,
3 J.W.S. entered SugarHouse casino seeking placement on
4 the Voluntary Self-Exclusion List. J.W.S., however,
5 does not speak English and he brought his son with him
6 to act as a translator. A Board Casino Compliance
7 Representative thereafter conducted the mandatory
8 interview. At the conclusion of the interview, J.W.S.
9 signed a release and acknowledgment form selecting a
10 lifetime self-exclusion. Additionally, J.W.S. signed
11 an interpreter information form attesting to the
12 accuracy of his interpretation and translation.

13 Also put into evidence at the hearing
14 was information that J.W.S. had violated the
15 self-exclusion contract twice in January of 2014 and
16 April of 2014, both times less than a year after he
17 was placed on the list. On both occasions, he was
18 ejected from SugarHouse Casino and certain cash was
19 forfeited pursuant to the Board's regulations.

20 At the hearing, J.W.S., through a Board
21 interpreter, testified that the self-exclusion process
22 forms were not translated effectively, that his son
23 from which he is now estranged did not explain the
24 time periods that one can choose for self-exclusion
25 and that he was not informed that he was placed on the

1 lifetime Self-Exclusion List, rather believing that he
2 was placed on for a few months.

3 In the Board's Hearing Officer's Report
4 and Recommendation issued subsequent to the hearing,
5 the Hearing Officer indicates that weighing all of the
6 evidence, he recommends that J.W.S.'s Petition be
7 granted and that he be removed from the Self-Exclusion
8 List. And that is the recommendation before the
9 Board.

10 CHAIRMAN:

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

13 MR. MCNALLY:

14 Mr. Chairman, I move that the Board
15 reject the Report and Recommendation issued by the OHA
16 regarding J.W.S.'s Petition for early removal from the
17 voluntary Self-Exclusion List and that he will remain
18 on the Self-Exclusion List --- shall remain on the
19 Self-Exclusion List.

20 CHAIRMAN:

21 Second?

22 MR. MOSCATO:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 Opposed? The motion carries.

4 ATTORNEY COOK:

5 And that concludes all matters of the
6 OCC.

7 CHAIRMAN:

8 Thank you, gentlemen. Next, we'll hear
9 from Sean Hannon. Sean is here pinch hitting for
10 Susan Hensel, Director of the Bureau of Licensing.
11 Good morning, Sean.

12 MR. HANNON:

13 Good morning, Chairman Ryan and members
14 of the Board. Before the Board today will be motions
15 regarding 599 Principal, Key, Gaming and Non-Gaming
16 Employees. In addition, there will be consideration
17 of seven Gaming Service Provider Applicants.

18 The first matter for your consideration
19 is the approval of a Gaming Junket Enterprise License
20 for Gene Belletiere, a sole proprietor from Macungie,
21 Pennsylvania. The Bureau of Investigation and
22 Enforcement has completed its investigation of the
23 company and the Bureau of Licensing has provided you
24 with a background investigation and suitability
25 report. I have provided you with a draft Order for

1 this entity and ask that the Board consider the Order
2 to approve the Gaming Junket Enterprise License for
3 Gene Belletiere.

4 CHAIRMAN:

5 Any comments from Enforcement Counsel?

6 ATTORNEY PITRE:

7 Enforcement Counsel has no objection.

8 CHAIRMAN:

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

11 MR. MOSCATO:

12 Mr. Chairman, I move that the Board
13 approve the Gaming Junket Enterprise License of Gene
14 Belletiere as described by the Bureau of Licensing.

15 MR. WOODS:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 Opposed? The motion carries.

22 MR. HANNON:

23 Also for your consideration is the
24 approval of Principal and Key Employee Licenses.
25 Prior to this meeting, the Bureau of Licensing

1 provided you with a Proposed Order for one Principal
2 and seven Key Employee Licenses associated with casino
3 and manufacturer licensees. I ask that the Board
4 consider the Order approving these licensees.

5 CHAIRMAN:

6 Any comments from Enforcement Counsel?

7 ATTORNEY PITRE:

8 Enforcement Counsel has no objection.

9 CHAIRMAN:

10 Any questions or comments from the
11 Board, ex-officio members? May I have a motion?

12 MR. WOODS:

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

16 MR. FAJT:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 Opposed? The motion carries.

23 MR. HANNON:

24 Next there are Temporary Principal and
25 Key Employee Licenses. Prior to this meeting, the

1 Bureau of Licensing provided you with an Order
2 regarding the issuance of temporary licenses for one
3 Principal and 20 key employees. I ask that the Board
4 consider the Order approving these licenses.

5 CHAIRMAN:

6 Any comments from Enforcement Counsel?

7 ATTORNEY PITRE:

8 Enforcement Counsel has no objection.

9 CHAIRMAN:

10 Any questions or comments from the
11 Board, ex-officio members? May I have a motion?

12 MR. FAJT:

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

17 MS. KAISER:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 Opposed? The motion carries.

24 MR. HANNON:

25 Next are Gaming Permits and Non-Gaming

1 Registrations. Prior to the meeting, the Bureau of
2 Licensing provided you with a list of 499 individuals
3 to whom the Bureau's granted Temporary or a full
4 Occupational Permits and 62 individuals to whom the
5 Bureau has granted registrations under the authority
6 delegated to the Bureau of Licensing. I ask that the
7 Board consider a motion approving the Order.

8 CHAIRMAN:

9 Any comments from Enforcement Counsel?

10 ATTORNEY PITRE:

11 The Enforcement Counsel has no
12 objection.

13 CHAIRMAN:

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

16 MS. KAISER:

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

21 MR. MCCALL:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

1 CHAIRMAN:

2 Opposed? The motion carries.

3 MR. HANNON:

4 Next, there is a Recommendation of
5 Denial for one Non-Gaming Employee Applicant. The
6 Bureau of Licensing has provided you with the Order
7 addressing Dean Hager, who the OEC has recommended for
8 denial. Mr. Hager failed to request a hearing within
9 the specific time frame. I ask that the Board
10 consider the Order denying the Non-Gaming Employee
11 Applicant.

12 CHAIRMAN:

13 Any comments from Enforcement Counsel?

14 ATTORNEY PITRE:

15 Enforcement Counsel continues to
16 recommend a denial in this instance.

17 CHAIRMAN:

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

20 MR. MCCALL:

21 Mr. Chairman, I move that the Board deny
22 the Non-Gaming Employee Registration Application of
23 Dean Hager as described by the Bureau of Licensing.

24 MR. MCNALLY:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 Opposed? The motion carries.

6 MR. HANNON:

7 Also for your consideration are
8 Withdrawal Requests for Gaming Employees. In each
9 case, the permit or registration is no longer
10 required. For today's meeting, I have provided the
11 Board with a list of eight Gaming Employee Withdrawals
12 for approval. I ask that the Board consider the
13 Orders approving the List of Withdrawals.

14 CHAIRMAN:

15 Any comments from Enforcement Counsel?

16 ATTORNEY PITRE:

17 Enforcement Counsel has no objection.

18 CHAIRMAN:

19 Any questions or comments from the
20 Board, ex-officio members? May I have a motion?

21 MR. MCNALLY:

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

25 MR. MOSCATO:

1 Second.

2 CHAIRMAN:

3 All in favor?

4 ALL SAY AYE

5 CHAIRMAN:

6 Opposed? The motion carries.

7 MR. HANNON:

8 Next we have an Order to certify the
9 following Gaming Service Providers; H-Mac (phonetic),
10 Incorporated, Pocono Produce Company doing business as
11 Pocono Pro Foods, Starkman General Products Company,
12 Incorporated. I ask that the Board consider the
13 Order approving these Gaming Service Providers for
14 Certification.

15 CHAIRMAN:

16 Any comments from Enforcement Counsel?

17 ATTORNEY PITRE:

18 Enforcement Counsel has no objection.

19 CHAIRMAN:

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

22 MR. MOSCATO:

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

1 Bureau of Licensing.

2 MR. WOODS:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 Opposed? The motion carries.

9 MR. HANNON:

10 Finally for your consideration are
11 Gaming Service Provider Registrations. The Bureau of
12 Licensing provided you with an Order and an attached
13 list of four Registered Gaming Service Providers. I
14 ask that the Board consider the Order, registering
15 these Gaming Service Providers.

16 CHAIRMAN:

17 Any comments from Enforcement Counsel?

18 ATTORNEY PITRE:

19 Enforcement Counsel has no objection.

20 CHAIRMAN:

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

23 MR. WOODS:

24 Mr. Chairman, I move that the Board
25 issue an Order to approve the Applications for Gaming

1 Service Provider Registration as described by the
2 Bureau of Licensing.

3 MR. FAJT:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 Opposed? The motion carries.

10 MR. HANNON:

11 That concludes the Bureau of Licensing's
12 presentation.

13 CHAIRMAN:

14 Thank you, Sean. Next, we have the OEC.
15 I note that we have eight Proposed Consent Agreements,
16 two Revocation Requests and a number of additions to
17 the Involuntary Exclusion List.

18 ATTORNEY PITRE:

19 Thank you, Mr. Chairman. I appreciate
20 you doing that for me. First matter that we have on
21 the agenda, and I think it's the first five matters,
22 are Consent Agreements that relate to Chester Downs
23 and Marina, doing business as Harrah's Philadelphia.
24 Assistant Enforcement Counsel Cassandra Fenstermaker
25 will present each one of those matters for the Board's

1 consideration. You see Mr. Downey, Mr. Baumann, Ms.
2 Hughes, Mr. Conroy are here on behalf of Harrah's.
3 And so let the show begin.

4 ATTORNEY FENSTERMAKER:

5 Good morning, Chairman Ryan, members of
6 the Board. My name's Cassandra Fenstermaker,
7 F-E-N-S-T-E-R-M-A-K-E-R, Assistant Enforcement Counsel
8 for the OEC. The OEC and Chester Downs and Marina,
9 LLC, doing business as Harrah's Philadelphia Casino
10 and Racetrack, have entered into five Consent
11 Agreements regarding various violations.

12 The first Consent Agreement we have for
13 your consideration today is the result of Harrah's
14 failure to adhere to its Board Approved Prize
15 Structure and Board Approved Blackjack Tournament
16 submission for blackjack tournament held in June of
17 2014. In May 23rd, 2014, Harrah's was granted
18 approval by the Board to conduct a winner takes all,
19 \$100,000 blackjack tournament. The approved prize
20 structure for the tournament called for one prize in
21 the amount of \$100,000 to the winner of the
22 tournament. The tournament was held on June 7th,
23 2014.

24 At the conclusion of the tournament,
25 Harrah's paid the winner of the tournament \$50,000 and

1 each of the other five players who made it to the
2 final round \$10,000 each at the request of the winner.
3 However, this payout did not conform to the approved
4 prize structure or the approved blackjack tournament
5 submission.

6 Parties have agreed that within five
7 days of the Board's Order, Harrah's shall pay a civil
8 penalty in the amount of \$7,500 and \$2,500 for costs
9 incurred by OEC and the Board Staff in connection with
10 this matter. The OEC asks that the Board approve the
11 Consent Agreement as presented today and as Cyrus
12 stated, representatives of Harrah's are here and will
13 be happy to answer questions that you may have.

14 CHAIRMAN:

15 Counselor?

16 ATTORNEY DOWNEY:

17 Thank you, Mr. Chairman. Bill Downey,
18 D-O-W-N-E-Y, for Chester Downs and Marina, LLC, doing
19 business as Harris Philadelphia Casino and Racetrack.
20 Mr. Chairman, as OEC and as you indicated, we are the
21 subject of five of the Consent Agreements, the first
22 five here today. And while I recognize that the
23 Board's practice is to take these matters, each as
24 their own capsule, if there is no objection, I'd like
25 to just ask for two minutes for Mr. Baumann to address

1 the Board as sort of an overview of these matters and
2 the anomaly of the confluence of all these matters
3 here today.

4 CHAIRMAN:

5 Cassandra, is that okay with you?

6 ATTORNEY FENSTERMAKER:

7 That's fine.

8 CHAIRMAN:

9 Okay. I suppose we should have Mr.
10 Baumann sworn?

11 ATTORNEY DOWNEY:

12 I'm sure it's not necessary but I
13 understand that's the practice.

14 CHAIRMAN:

15 I agree but we have to do it anyway.
16 It's a formality.

17 MR. BAUMANN:

18 Ron, last name Baumann, B-A-U-M-A-N-N.

19 -----

20 RONALD BAUMANN, HAVING FIRST BEEN DULY SWORN,
21 TESTIFIED AS FOLLOWS:

22 -----

23 CHAIRMAN:

24 And Mr. Downey, I note another gentleman
25 is --- anyone else who's not an attorney planning to

1 speak?

2 ATTORNEY DOWNEY:

3 You know, we should probably should have
4 Mr. Conroy. I'm remising --- not addressing the rest
5 of the folks. With us all today, Ron Baumann's Senior
6 Vice President and General Manager of the property,
7 Lynn Hughes, Vice President and Chief Legal Officer
8 and Randy Conroy, Vice President and Assistant General
9 Manager of the Property.

10 CHAIRMAN:

11 Mr. Conroy?

12 MR. CONROY:

13 Randall Conroy, C-O-N-R-O-Y, Vice
14 President and Assistant General Manager.

15 -----

16 RANDALL CONROY, HAVING FIRST BEEN DULY SWORN,
17 TESTIFIED AS FOLLOWS:

18 -----

19 CHAIRMAN:

20 Okay. Go ahead.

21 MR. BAUMANN:

22 Good morning, Mr. Chairman. Good
23 morning, members of the Board. I appreciate the
24 opportunity to take a few minutes before we go through
25 the Consent Agreements and really just want to cover a

1 few things. One is we are very proud of our track
2 record when it comes to our commitment to compliance
3 and our track record. And rarely are we before the
4 Board with a Consent Agreement as any type of monetary
5 fine before it.

6 So, to sit here with five Consent
7 Agreements that have a fine attached to it is
8 extremely unusual and from a property standpoint,
9 quite painful. And I wanted you to know from the very
10 top level of the property that we find it totally
11 unacceptable to have one violation, let alone five.
12 And that our commitment to compliance in being
13 absolutely perfect, it is unwavering and we will get
14 back to that track record once again because I don't
15 relish ---. As much as I enjoy seeing you ladies and
16 gentlemen, I don't relish sitting here today talking
17 about this subject.

18 I do ask as we go through these
19 agreements for you to consider a few things. One is
20 it did occur over a rather lengthy period of time, one
21 going back all the way to 2011. So it's not a
22 compressed period of time that these five violations
23 took place. It's a little bit of a lengthy period of
24 time. Two is the preponderance that these are self
25 reported. So, while the initial procedural violation

1 occurred, we recognized it, saw that, reported it and
2 then acted the mitigation ourselves. And that's why
3 we're sitting here today.

4 Three is that they're almost the result
5 of human error. So, while have 1,400 just fantastic
6 employees, they are not perfect. And for as much
7 training, trust me, we put a lot of training in, that
8 people just from time to time make mistakes. And
9 specifically, as you look at the gaming ones that
10 occurred on the gaming floor, I ask you to consider
11 that we take great pride in offering free training,
12 specifically geared toward local residents.

13 And we do not hire as a practice
14 experienced dealers as part of our obligation to
15 provide opportunities to local residents who can't
16 afford to pay \$2,000 for dealer school. And that
17 causes us to have a little bit of a less experienced
18 staff than some others. Not an excuse, just the fact
19 and something that we need, and we have, compensated
20 in our training to recognize.

21 And then lastly, I understand
22 accountability is well in place. As we go through
23 these various fines, the minimum discipline was
24 written warnings and there are ones in here where
25 termination was enacted because we felt the act was

1 careless and egregious. So, accountability's well in
2 place. And then lastly, just know that we have gone
3 and modified our protocols, our training and enacted
4 what we believe is the right mitigation to ensure that
5 we are on the right footing, moving forward. So, with
6 that said ---.

7 ATTORNEY DOWNEY:

8 Thank you. Mr. Chairman, with that,
9 we're prepared to move into the substance of the
10 matter and we concur in the recitation of the facts
11 offered by OEC. We're prepared to answer any
12 questions on this matter that the Board may have.

13 CHAIRMAN:

14 Okay. And again, right now, I'll tell
15 you what? Does any member of the Board have any
16 questions about Mr. Baumann's comments or generally or
17 any comments with respect to the blackjack tournament
18 issue?

19 MR. FAJT:

20 I do.

21 CHAIRMAN:

22 Greg.

23 MR. FAJT:

24 Thank you, Mr. Chairman. A couple of
25 questions, I guess the first one is to OEC. Mr.

1 Baumann mentioned that one of the infractions was in
2 2011. Is there any reason why it's taken four years
3 to get to the Board?

4 ATTORNEY FENSTERMAKER:

5 That is not the case in this particular
6 instance.

7 MR. FAJT:

8 I understand.

9 ATTORNEY FENSTERMAKER:

10 Right.

11 ATTORNEY PITRE:

12 Which case is that?

13 ATTORNEY FENSTERMAKER:

14 That is the roulette chips --- yeah.

15 ATTORNEY PITRE:

16 That would be because when casino
17 compliance found out about it, they went and did an
18 audit of the roulette room and found out that
19 Harrah's ---.

20 MR. FAJT:

21 Speak up a little bit, Cyrus.

22 ATTORNEY PITRE:

23 When they did an audit of the roulette
24 chips, they found out that Harrah's was not keeping
25 right Impressment Forms over the years. So, then we

1 went back to see when this problem started and that's
2 why. It started around 2011. That's not to say it
3 didn't continue subsequent to 2011. It just goes back
4 to the start date of 2011.

5 MR. FAJT:

6 All right. My second comment is these
7 folks have a renewal hearing coming up. And so I
8 understand --- was told, don't know if it's true or
9 not, that they wanted to clean everything up before
10 the renewal hearing comes up.

11 ATTORNEY PITRE:

12 That's not going to happen. I can tell
13 you that right now because we have some other matters
14 that we are looking into. So, it's not going to be
15 clean --- everything is not going to be cleaned up
16 before the renewal hearing.

17 MR. FAJT:

18 So, I guess my question is, was there
19 delay on their part at all in resolving matters prior
20 to this point or was this a pinch point where they
21 said we need to get matters cleaned up before we have
22 a renewal hearing? Did you experience anything along
23 those lines?

24 ATTORNEY PITRE:

25 I can honestly say that Harrah's is

1 doing what Harrah's normally does. They're doing what
2 any big corporation does. They have to run things up
3 the flagpole. We experienced the same thing with
4 bigger international companies and national companies.
5 They have to run things through corporate and that
6 takes some time. Where, you know, with our smaller
7 properties, we can get things done a lot quicker. But
8 that's not to say that that's only here in
9 Pennsylvania. It's the same way in New Jersey when
10 you have to get things approved through Harrah's or
11 any other jurisdiction where they operate. Just
12 because they have numerous individuals that have to
13 approve those things before they can make their way
14 through.

15 MR. FAJT:

16 Okay.

17 ATTORNEY PITRE:

18 I can tell you that we did have to push
19 things along and tell them that, you know, we were
20 going to either --- if we couldn't get these things
21 resolved, we'd move forward in another direction.
22 They wanted to resolve these things. They came
23 forward and admitted that these things did occur and
24 they wanted to resolve them. So, we didn't get any
25 push back as far as the resolution. It just took some

1 time to go through that process.

2 MR. FAJT:

3 Thank you. And one last question. Mr.
4 Baumann or Counselor, on the changing of the payout
5 schedule for the blackjack tournament, how far up in
6 the chain of command did that decision go? Did it go
7 to you, Mr. Baumann, where you approved it or was it
8 somebody below you who made an on-the-spot decision
9 that you were going to, you know, disperse the
10 winnings to the six finalists as opposed to one
11 finalist?

12 MR. BAUMANN:

13 Yeah, the call was made by the Director
14 of Table Games during the tournament. And I should be
15 clear. The error that really caused it all is --- in
16 tournaments like that, it's very common of what we
17 call chop the pot. When players get down to the last
18 table, almost inevitably, they ask to chop the pot,
19 meaning they're going to split it. The Director
20 thought that we had that clearly spelled out in our
21 internals and we did not. That's the error. And then
22 she made that call thinking that that was in there
23 because typically, we would have that line in there
24 that would say players elect, they may elect to chop
25 or share the pot.

1 MR. FAJT:

2 Okay. And when were you notified that
3 that decision was made? How long after the decision?

4 MR. BAUMANN:

5 I honestly don't know recall,
6 Commissioner. But I would say within days.

7 MR. FAJT:

8 Okay. Thank you. Thank you, Mr.
9 Chairman.

10 MR. MCCALL:

11 I'm good.

12 CHAIRMAN:

13 Any other questions from the Board,
14 ex-officio members? Again, with respect to the
15 blackjack tournament prize structure, may I have a
16 motion?

17 MR. FAJT:

18 Yes, Mr. Chairman. I move that the
19 Board issue an Order to approve the Consent Agreement
20 between the OEC and Chester Downs and Marina, LLC as
21 described by the OEC.

22 MS. KAISER:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 Opposed? The motion carries.

4 ATTORNEY FENSTERMAKER:

5 The next Consent Agreement we have for
6 the Board's consideration involves three separate
7 table games violations, all of which were self
8 reported by Harrah's. On the first instance, the
9 blackjack dealer failed to remove all the red cards
10 from the shoe before dealing the --- before placing
11 the blue deck in the shoe. This led to the red card
12 being comingled with the blue deck and compromising
13 play. First, in that it was used as the burn card in
14 the first time that the blue deck was dealt and
15 second, when the red card was dealt to a patron during
16 play.

17 In the second instance, while opening a
18 Spanish 21 table, the floor supervisor gave the dealer
19 only seven decks of cards instead of the eight that
20 are required. The dealer failed to fan each deck out
21 on the table cumulatively and therefore, it did not
22 notice that a deck was missing when the deck was
23 placed in play.

24 In the third instance, the Spanish 21
25 dealer failed to address the automatic shuffler

1 indicator light when the green deck was in the
2 shuffler. The green deck was placed into play and the
3 purple deck was then placed in the shuffler. The
4 automatic shuffler indicated an error again. The
5 supervisor looked in the shuffler and discovered a
6 purple card that had not been shuffled with the rest
7 of the purple deck. Instead of reshuffling or
8 counting the cards in the purple deck to ensure the
9 integrity of the deck, the supervisor added the single
10 purple card to the rest of the purple deck and
11 authorized play with that purple deck. The green deck
12 was placed in the shuffler again. And again, the
13 shuffler indicated an error. It was at this time the
14 decks were reviewed and it was determined that a green
15 card was in the purple deck.

16 The parties have agreed that within five
17 business days of the Board's Order, Harrah's shall pay
18 a civil penalty in the amount of \$20,000 and \$2,500
19 for costs incurred by the OEC and Board Staff in
20 connection with this matter. We ask that the Board
21 adopt the Consent Agreement as presented today and
22 again, we'd be happy to answer any questions that you
23 may have.

24 CHAIRMAN:

25 Mr. Downey?

1 ATTORNEY DOWNEY:

2 Mr. Chairman, we concur in the
3 recitation offered by OEC and prepared to answer any
4 questions on these three counts.

5 CHAIRMAN:

6 Any questions from the Board, ex-officio
7 members? May I have a motion?

8 MS. KAISER:

9 Mr. Chairman, I move that the Board
10 issue an Order to approve the Consent Agreement
11 between the OEC and Chester Downs and Marina, LLC as
12 described by the OEC.

13 MR. MCCALL:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 Opposed? The motion carries.

20 ATTORNEY FENSTERMAKER:

21 The third Consent Agreement is the
22 result of violations of the Board's regulations in
23 Harrah's corresponding internal controls related to
24 the approval of, storage of and inventory of roulette
25 chips. With regard to the use of unapproved roulette

1 chips, Harrah's notified the Board in April of 2013
2 that it was using two series of roulette chips that
3 had not been approved by Board personnel. It was
4 determined that the unapproved chips had been in use
5 for approximately 18 months.

6 With respect to the storage of inactive
7 roulette chips, Harrah's internal controls require the
8 facility to store the roulette chips in a locked
9 cabinet in the poker cage. It was discovered in March
10 of 2014 that the inactive roulette chips were not
11 being stored as required but instead stored on a shelf
12 in a restricted area near the armored card bay. It's
13 estimated that the chips were stored in that location
14 for approximately 18 months.

15 Regarding the inventory of roulette
16 chips, Harrah's failed to conduct an impressment or
17 inventory of roulette chips every three months as
18 required by the Board's regulations and Harrah's
19 internal controls. The Bureau of Casino Compliance
20 conducted an inventory of the roulette chips based on
21 invoices and determined that 583 chips were missing,
22 none of which had been reported as missing to the
23 Bureau of Casino Compliance.

24 The parties have agreed that within five
25 days of the Board's Order, Harrah's shall pay a civil

1 penalty in the amount of \$25,000 and \$2,500 for costs
2 incurred by OEC and Board Staff in this matter. We
3 ask that the Board approve the Consent Agreement as
4 it's presented today and again, we'd be happy to
5 answer any questions that you might have.

6 CHAIRMAN:

7 Mr. Downey?

8 ATTORNEY DOWNEY:

9 Again, we concur in the recitation and
10 are prepared to answer any questions.

11 CHAIRMAN:

12 Okay. Any questions from the Board,
13 ex-officio members? May I have a motion?

14 MR. MCCALL:

15 Mr. Chairman, I move that the Board
16 issue an Order to approve the Consent Agreement
17 between the OEC and Chester Downs and Marina, LLC as
18 described by the OEC.

19 MR. MOSCATO:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 Opposed? The motion carries.

1 ATTORNEY FENSTERMAKER:

2 The fourth Consent Agreement we have for
3 your consideration today is the result of Harrah's
4 failure to identify John Ming Li as an Involuntary
5 Exclusion despite notice from the Board that he was
6 placed on the Board's List. Mr. Li was placed on the
7 Board's Involuntary Exclusion List on September 17th,
8 2014. Board personnel notified Harrah's on September
9 24th, 2014 that Mr. Li had been placed on the list.
10 Harrah's updated its player tracking system to
11 indicate that Mr. Li was on the Exclusion List.

12 On September 26th, 2014, Mr. Li entered
13 Harrah's and presented his Total Rewards card at the
14 Total Rewards counter and at the gift shop. He was
15 granted \$500 in real rewards by an Executive Slot Host
16 and was issued those real rewards by a cashier at the
17 cage. During his time at Harrah's on the 26th, he
18 wagered at three different slot machines.

19 Mr. Li returned to Harrah's on September
20 30th, 2014. Again, his first stop was the Total
21 Rewards counter. He then wagered at a slot machine
22 and then returned to the Total Rewards counter again.
23 It was at this time that Harrah's personnel identified
24 him as an excluded patron and he was escorted from the
25 gaming floor by Harrah's security.

1 As a result, the parties have agreed
2 that within five business days of the Board's Order,
3 Harrah's shall pay a civil penalty in the amount of
4 \$10,000 and \$2,500 for costs incurred by the OEC and
5 Board Staff in connection with this matter. The OEC
6 requests that the Board approve the Consent Agreement
7 as presented today. And we'd be happy to answer any
8 questions that you might have.

9 CHAIRMAN:

10 Mr. Downey?

11 ATTORNEY DOWNEY:

12 Chairman, we concur in the recitation of
13 facts by OEC, prepared to answer any questions the
14 Board may have.

15 CHAIRMAN:

16 Questions from the Board?

17 MR. WOODS:

18 Mr. Baumann, can you just explain the
19 process by which a name is entered on the Exclusion
20 List and then the Total Rewards card would not have
21 been discovered that it was a part of that Exclusion
22 List? Was this a human error as you explained
23 earlier?

24 MR. BAUMANN:

25 No, this was more of a system error. In

1 this particular case --- our process --- when we get
2 notifications of somebody being excluded, we have an
3 individual that'll go into the system and basically
4 put in what we call a right (phonetic) stop. And that
5 would stop and deactivate the card, stop mail and
6 basically take the person out of the system.

7 In this particular case, this individual
8 had an active marker. And we did not realize that
9 when the marker's active, that right stop did not take
10 place. So, the fix is we have to go and clear the
11 marker and then we go in and enact our procedures and
12 that would mitigate and this would not happen again.
13 That purely was the cause of the failure in this
14 particular case, was an active marker. We had not
15 encountered that before.

16 MR. WOODS:

17 So, that took place after the second
18 time he was on the floor or after the first time he
19 was on the floor that you fixed the system?

20 MR. BAUMANN:

21 When we received the notification, we
22 did our normal process. The individual went in and
23 put a right stop in the system. That stop did not
24 take hold ---

25 MR. WOODS:

1 Right.

2 MR. BAUMANN:

3 --- because the system saw that active
4 marker and did not allow that. So, after we saw the
5 individual going around, we then went in and
6 researched why this occurred ---

7 MR. WOODS:

8 Okay.

9 MR. BAUMANN:

10 --- because in our case, we felt we
11 enacted all the right protocols that we normally do.
12 And we found this as a cause. So, we went back,
13 deactivated the marker, took the marker off and then
14 went in and did our normal procedures.

15 MR. WOODS:

16 Thank you.

17 MR. MCCALL:

18 Quick question. In your research, did
19 you find any similar instances where people might
20 still be on your list although excluded?

21 MR. BAUMANN:

22 No.

23 MR. CONROY:

24 I can take that. Commissioner, no, we
25 did a complete investigation of all excluded patrons.

1 But this was a specific issue of markers outstanding.
2 We found no others. But as Ron mentioned, I changed
3 the protocols and we receive these exclusions. If
4 there are any markers outstanding, we have a new
5 process whereby the computer management system will
6 then do what it's supposed to do it and we won't be
7 here the next time.

8 MR. MCCALL:

9 Okay. Thank you.

10 CHAIRMAN:

11 Okay. Anyone else? May I have a
12 motion?

13 MR. MCNALLY:

14 Mr. Chairman, I move that the Board
15 issue an Order to approve the Consent Agreement
16 between the OEC and Chester Downs and Marina, LLC as
17 described by the OEC.

18 MR. WOODS:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 Opposed? The motion carries.

25 ATTORNEY FENSTERMAKER:

1 The final Consent Agreement we have with
2 Harrah's for your consideration today is the result of
3 violations of the Act, the Board's Regulations and
4 Harrah's Compulsive and Problem Gambling Plan.
5 November 7th, 2014, a 19-year old male entered
6 Harrah's gaming floor unchallenged by Harrah's
7 security personnel. He remained on the gaming floor
8 for approximately ten minutes. He wagered at one slot
9 machine for approximately three minutes.

10 He left the facility but then returned
11 approximately 40 minutes later. At that time, he
12 approached the Copper Mug, a bar located off the
13 gaming floor at Harrah's where he was given an
14 alcoholic beverage without being asked for
15 identification. After leaving the Copper Mug, the
16 underage person attempted to gain access to the gaming
17 floor. However, this time, he was challenged by
18 Harrah's security and the Pennsylvania State Police
19 responded and determined the identification to be
20 false.

21 As a result, the parties have agreed
22 that within five business days of the Board's Order,
23 Harrah's shall pay a civil penalty in the amount of
24 \$12,500 and \$2,500 for costs incurred by the OEC and
25 Board Staff in connection with this matter. The OEC

1 requests that the Board approve the Consent Agreement
2 as presented today. We'd be happy to answer any
3 questions that you might have.

4 CHAIRMAN:

5 Mr. Downey?

6 ATTORNEY DOWNEY:

7 Thank you, Mr. Chairman. We concur in
8 the recitation. I'd just note that this is the
9 instance that Mr. Baumann referred to where we had two
10 officers who received final written warnings, which is
11 a three step jump in discipline and the bartender was
12 terminated. So, there were pretty severe consequences
13 internally. With that, any questions the Board may
14 have.

15 CHAIRMAN:

16 Okay. Any questions? May I have a
17 motion?

18 MR. MCNALLY:

19 Mr. Chairman, I move that the Board
20 issue an Order to approve the Consent Agreement
21 between the OEC and Chester Down and Marina, LLC as
22 described by the OEC.

23 MR. MOSCATO:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 Opposed? The motion carries.

5 ATTORNEY FENSTERMAKER:

6 Thank you.

7 ATTORNEY DOWNEY:

8 Thank you.

9 MR. BAUMANN:

10 Thank you.

11 CHAIRMAN:

12 Thank you very much. Thank you, ladies
13 and gentlemen.

14 ATTORNEY PITRE:

15 The next matter we have for the Board's
16 consideration is a Consent Agreement between the OEC
17 and Greenwood Gaming and Entertainment, Inc. Dustin
18 Miller, Assistant Enforcement Counsel, will present
19 the matter on behalf of OEC. Mr. Brian Schroeder is
20 here on behalf of Parx.

21 ATTORNEY MILLER:

22 Good morning, Chairman Ryan, ---

23 CHAIRMAN:

24 Good morning.

25 ATTORNEY MILLER:

1 --- members of the Board. Dustin Miller
2 on behalf of the OEC. This Consent Agreement arises
3 from an incident whereby Greenwood Gaming
4 Entertainment, doing business as Parx Casino, procured
5 and placed into play three sets of Non-Value Roulette
6 Chips without approval of the design specifications
7 for the chips from the Bureau of Gaming Operations.
8 On April 23rd, 2014, Greenwood submitted a request to
9 the Bureau of Gaming Operations for approval of the
10 design specifications for Non-Value Roulette Chips,
11 Series O and P.

12 Upon receipt of the request from
13 Greenwood, the Bureau of Gaming Operations reviewed
14 its records regarding previous requests and approvals
15 for Greenwood's Non-Value Roulette Chips. The records
16 contained approval letters for the design
17 specification for Non-Value Roulette Chip Series A
18 through E and for Series F through K, but no
19 submission or approval letters for Non-Value Roulette
20 Chip Series L through N were found. Because the chip
21 series should've been submitted and approved
22 sequentially, the matter was forwarded to the BIE for
23 investigation.

24 BIE's investigation revealed that
25 Greenwood received and used for play Non-Value

1 Roulette Chip Series L through N for approximately
2 three years without seeking or receiving approval of
3 the design specifications from the Board. Greenwood
4 did disclose their use in a monthly and later
5 quarterly Impressment Report filed with Bureau of
6 Casino Compliance.

7 On May 2nd, 2014, Greenwood submitted a
8 request for approval of design specifications for
9 Non-Value Roulette Chips Series L through N. Gaming
10 Operations reviewed the design specifications for
11 Non-Value Roulette Chips Series L through N found that
12 they had the same design specifications as those
13 approved in previous years. On May 9th, 2014,
14 Non-Value Roulette Chip design specifications for
15 Series L through N as well as Series O and P were
16 approved by the Executive Director for use of Parx
17 Casino. By placing these Non-Value Roulette Chips
18 into play without Gaming Operations Approval,
19 Greenwood violated the regulations promulgated under
20 the Pennsylvania Racehorse Development and Gaming Act.

21 On December 30th, 2014, the parties
22 entered into a Consent Agreement to settle this
23 matter. The terms of the agreement include a
24 provision that Greenwood Gaming Entertainment, Inc.
25 should reinforce existing policies to minimize the

1 opportunity for similar incidents to occur in the
2 future.

3 Further, Greenwood Gaming and
4 Entertainment Inc. shall pay a total fine of \$15,000
5 in accordance with the Board's billing policy.
6 Greenwood Gaming and Entertainment Inc. will pay a
7 flat fee of \$2,500 in investigative fees. These fines
8 and fees shall be paid within five days of the Consent
9 Agreement being approved by the Board. Counsel for
10 Greenwood Gaming and Entertainment Inc. is in
11 attendance today to answer any questions you may have.
12 Otherwise, the OEC asks that the Board entertain a
13 motion to approve this Consent Agreement.

14 CHAIRMAN:

15 Counselor?

16 ATTORNEY SCHROEDER:

17 Bryan Schroeder for Greenwood
18 Entertainment, it's B-R-Y-A-N, S-C-H-R-O-E-D-E-R.
19 Good morning, Chairman, Commissioners. Thank you for
20 having us here. I agree with the recitation of the
21 facts by Mr. Miller. And I would just emphasize that
22 when the chips arrived three years ago, we notified
23 Casino Compliance that witnessed the delivery. And
24 every quarter thereafter, we tracked those chips on
25 the monthly inventory we submitted to the Bureau of

1 Casino Compliance. So, it ended up having as we could
2 track them from when they arrived to our building to
3 the present day, any discrepancies that we have. So,
4 I just want to emphasize that they were never in
5 jeopardy and there's never any problem tracking the
6 number of chips we had or we didn't have. We knew
7 where they were the whole time.

8 CHAIRMAN:

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

11 MR. MOSCATO:

12 Mr. Chairman, I move that the Board
13 issue an Order to approve the Consent Agreement
14 between the OEC and Greenwood Gaming and Entertainment
15 Inc. as described by the OEC.

16 CHAIRMAN:

17 A second?

18 MR. WOODS:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 Opposed? The motion carries. Thank
25 you, sir.

1 ATTORNEY SCHROEDER:

2 Thank you.

3 CHAIRMAN:

4 Thank you.

5 ATTORNEY PITRE:

6 The next matter we have on the agenda is
7 a Consent Agreement between OEC and the Washington
8 Trotting Association. My understanding is that
9 representatives of Washington Trotting Association are
10 not in attendance today. I request that the Board
11 table this matter.

12 CHAIRMAN:

13 That's correct, Cyrus. The Board will
14 table the matter and list it for future hearing.

15 ATTORNEY PITRE:

16 Okay. And the next Consent Agreement
17 that we have for the Board's consideration is a
18 Consent Agreement between the OEC and Woodland's
19 Fayette, LLC. I believe that Mr. Loudon is here on
20 behalf of Lady Luck Casino and Assistant Enforcement
21 Counsel Glen Stuart is here on behalf of the OEC. I
22 believe somewhere in the room is Mr. Michael Fabius
23 here on behalf of Woodland's Fayette in case the Board
24 has any questions.

25 ATTORNEY STUART:

1 Good morning, Glen Stuart, S-T-U-A-R-T
2 for the OEC.

3 MR. LAUDON:

4 Richard Laudon, L-A-U-D-O-N, Vice
5 President and General Manager of Lady Luck Casino
6 Nemacolin.

7 CHAIRMAN:

8 Mr. Laudon, perhaps since you'll
9 probably have something to say, why don't we have you
10 sworn?

11 -----
12 RICHARD LAUDON, HAVING FIRST BEEN DULY SWORN,
13 TESTIFIED AMONG PARTIES:

14 -----

15 CHAIRMAN:

16 Go ahead.

17 ATTORNEY STUART:

18 Presently before the Board for its
19 consideration is a Consent Agreement between the OEC
20 and Category III Licensee, Woodland's Fayette, LLC and
21 its Management Company, IOC-PA, LLC, doing business as
22 Lady Luck Casino Nemacolin. Specifically, Lady Luck
23 Casino had operating on its gaming floor automated
24 teller machines that were allowing patrons to make
25 cash advance transaction using a credit card.

1 Pursuant to 4 Pa.C.S. Section 13(a)27, subsection A,
2 and 58 PA Code Section 465(a), subsection 29(a), ATMs
3 located on a Licensee's gaming floor may not allow for
4 credit card cash advances.

5 On August 1st, 2013, Lady Luck personnel
6 became aware that credit card cash advances were
7 occurring at five ATMs on its gaming floor. This
8 discovery was made through end-of-month reports from
9 the ATMs. Lady Luck immediately disabled the cash
10 advance function on these ATMs and a patch was
11 installed to prevent credit card cash advances from
12 occurring in the future.

13 However, on April 9th, 2014, Lady Luck
14 personnel discovered through an internal audit that
15 one ATM on its gaming floor had been allowing credit
16 card cash advances since December 18th, 2013. It was
17 determined that the patch that was installed
18 previously was corrupt. As a result, the ATM was
19 disabled and a new patch was installed. The new
20 patch's functionality has been confirmed by Lady Luck
21 personnel and the Board's onsite Casino Compliance
22 representatives.

23 A total of 270 credit card cash advance
24 transactions occurred at ATMs located on Lady Luck
25 Casino's gaming floor between July 1st, 2013 and April

1 9th, 2014. A total amount of cash dispensed as a
2 result of these credit card cash advance transactions
3 was \$60,480. Lady Luck received \$1,161 in fees as a
4 result of these transactions.

5 The terms of the Consent Agreement would
6 require Woodlands and IOC-PA, LLC to pay a civil
7 penalty in the amount of \$1,161 for allowing credit
8 card cash advance transactions to occur at ATMs
9 located on its gaming floor. Woodlands and IOC-PA,
10 LLC would also be required to remit \$2,500 to the
11 Board for investigative costs associated with this
12 Consent Agreement. As such, this Consent Agreement is
13 now ready for Board consideration.

14 CHAIRMAN:

15 Mr. Laudon?

16 MR. LAUDON:

17 Yes, sir.

18 CHAIRMAN:

19 Do you have any comment about this?

20 MR. LAUDON:

21 I'm here for questions, sir.

22 CHAIRMAN:

23 Any questions, Board, ex-officio
24 members? May I have a motion?

25 MR. FAJT:

1 Mr. Chairman, I move that the Board
2 issue an Order to approve the Consent Agreement
3 between the OEC and IOC-PA, LLC as described by the
4 OEC.

5 MS. KAISER:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 Opposed? The motion carries.

12 ATTORNEY STUART:

13 Thank you, ladies and gentlemen.

14 CHAIRMAN:

15 Thank you, sir. Thank you, Glen.

16 ATTORNEY PITRE:

17 The next matter that we have on the
18 agenda for the Board's consideration is the revocation
19 of Jan Carlos Hernandez Gaming Employee Occupation
20 Permit. That matter will be presented by Assistant
21 Enforcement Counsel Michael Roland.

22 ATTORNEY ROLAND:

23 Good morning, Mr. Chairman, members of
24 the Board. Michael Roland, R-O-L-A-N-D, with the OEC.
25 As Mr. Pitre stated, the next matter's a motion to

1 consider revocation of Jan Carlos Salgado (phonetic)
2 Hernandez's Gaming Employee Permit.

3 Mr. Chairman, Mr. Hernandez has two
4 matters on this Board's agenda, one being a revocation
5 of his permit, the other being a placement on the
6 Exclusion List. That's not unusual. It does occur
7 from time to time. Both petitions we filed stem from
8 the same factual pattern. I simply ask would you like
9 me to present both of those consecutively, moving the
10 second matter forward, or would you just like to take
11 note perhaps of the fact pattern when the revocation
12 comes around? Would either of those be easier for
13 you?

14 CHAIRMAN:

15 Let's take note of the fact pattern but
16 keep it in order so everybody's straight as to what's
17 going on. Okay?

18 ATTORNEY ROLAND:

19 Very good. Then first, the revocation
20 of Mr. Hernandez. On January 14th, 2014, the Board
21 issued a Gaming Employee Permit to Mr. Hernandez as a
22 dealer at Sands Casino. The OEC filed a complaint
23 setting forth allegations that Mr. Hernandez should
24 have his Gaming Employee Permit revoked because on
25 October the 17th, 2014, Mr. Hernandez attempted to

1 access the gaming floor using a fake driver's license.
2 Mr. Hernandez was off duty when he presented the false
3 identification.

4 The identification had a fake date of
5 birth of December 23rd, 1992, when in fact Mr.
6 Hernandez's true date of birth is 1993. Mr. Hernandez
7 was charged by the Pennsylvania State Police with
8 exhibiting another's driver's license. And he entered
9 a guilty plea to the charge on November the 7th, 2014.
10 Mr. Hernandez is not currently employed at any
11 facility in the Commonwealth.

12 The complaint was properly served upon
13 Mr. Hernandez and he has not responded in any way.
14 Given Mr. Hernandez's failure to respond, the
15 averments in the complaint are deemed to be admitted
16 as fact and his right to a hearing has been waived.
17 On December the 12th, 2014, the OEC filed the request
18 to enter judgment upon default. The matter is now
19 before the Board to consider the revocation of Jan
20 Carlos Salgado Hernandez's Gaming Employee Permit.

21 CHAIRMAN:

22 Is Jan Carlos Hernandez present in the
23 hearing room? Any questions or comments from the
24 Board, ex-officio members? May I have a motion?

25 MS. KAISER:

1 Mr. Chairman, I move that the Board
2 issue an Order to approve the revocation of Jan Carlos
3 Hernandez, Gaming Employee Occupation Permit, as
4 described by the OEC.

5 MR. MCCALL:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 Opposed? The motion carries.

12 ATTORNEY ROLAND:

13 The next matter is a motion to consider
14 the revocation of Israel Antonio Santiago's Non-Gaming
15 Employee Registration. On June the 6th, 2013, the
16 Board issued a Non-Gaming Employee Registration to Mr.
17 Santiago as a cleaning specialist at Sands Casino.
18 The OEC filed a complaint setting forth allegations
19 that Mr. Santiago should have his Non-Gaming Employee
20 Registration revoked because on or about August 27th,
21 2014, a patron went to security podium to report she
22 had lost her cell phone. Surveillance reviewed video
23 footage and discovered that the patron's cell phone
24 had fallen under the chair of a slot machine. Then
25 Mr. Santiago was observed sweeping the cell phone off

1 the floor into a dustpan. Mr. Santiago then took his
2 broom and dustpan and went to a men's restroom which
3 was located in the back of the house.

4 Pennsylvania State Police called Mr.
5 Santiago at home and instructed him to return the cell
6 phone and he returned to the casino and went to the
7 Pennsylvania State Police Office and admitted that he
8 had taken the phone. Mr. Santiago was charged with
9 theft and receiving stolen property. The charges are
10 still pending. Mr. Santiago is currently not employed
11 by any casino in the Commonwealth of Pennsylvania.

12 The complaint was properly served upon
13 Mr. Santiago and he has not responded in any way.
14 Given Mr. Santiago's failure to respond, the averments
15 in the complaint are deemed to be admitted as fact and
16 his right to a hearing have been waived. On December
17 the 10th, 2014, the OEC filed a request to enter
18 judgment upon default. The matter is now before the
19 Board to consider the revocation of Israel Antonio
20 Santiago's Non-Gaming Employee Registration.

21 CHAIRMAN:

22 Is Israel Santiago present in the
23 hearing room? Any questions, comments from the Board,
24 ex-officio members? May I have a motion?

25 MR. MCCALL:

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

5 MR. MCNALLY:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 Oh, I'm sorry. Okay, Annmarie?

12 MS. KAISER:

13 Yup.

14 CHAIRMAN:

15 Opposed? The motion carries.

16 ATTORNEY ROLAND:

17 The next matter is a request to place
18 Maurice Cooke on the Board's excluded persons list.
19 The OEC filed a petition to place Mr. Cook on the
20 Exclusion List because on August 20th, 2014, he left
21 his three children unattended in his vehicle while at
22 Sands Casino. The children were left alone for
23 approximately 49 minutes. They were the ages of
24 eight, five and one.

25 Mr. Cook was issued a permanent eviction

1 by the Sands Security and cited by the Bethlehem City
2 Police Department with three counts of endangering the
3 welfare of children and three counts of recklessly
4 endangering another person. The petition was properly
5 served upon Mr. Cook and he has not responded to the
6 filing in anyway. Due to Mr. Cook's failure to
7 respond, the averments in the petition are deemed to
8 be admitted as fact and his right to a hearing has
9 been waived.

10 On December the 10th, 2014, the OEC
11 filed a request to enter judgment upon default. The
12 matter is now before the Board to consider the
13 placement of Maurice Cook on the Board's excluded
14 person's list. On November the 25th, just an update,
15 2014, Mr. Cook entered a guilty plea to one count of
16 recklessly endangering another person. All the other
17 charges were withdrawn. He was sentenced to 18 months
18 probation. He received credit for 98 days of
19 incarceration and he was court ordered to attend
20 parenting classes and counseling for gambling
21 addiction.

22 CHAIRMAN:

23 Is Maurice Cook present in the hearing
24 room? Any questions, comments from the Board,
25 ex-officio members? May I have a motion?

1 MR. MCNALLY:

2 Mr. Chairman, I move that the Board
3 issue Order to approve the addition of Mr. Maurice
4 Cook to the PGCB Involuntary Exclusion List as
5 described by the OEC.

6 MR. MOSCATO:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 Opposed? The motion carries.

13 ATTORNEY ROLAND:

14 The next matter is a request to place
15 Jan Carlos Salgado Hernandez on the Board's Excluded
16 Person's List. Mr. Chairman, this is where I'd ask
17 you to take notice of the previous fact pattern, if
18 you would.

19 CHAIRMAN:

20 Okay.

21 ATTORNEY ROLAND:

22 Thank you. The Exclusion Petition was
23 properly served upon Mr. Hernandez. He has not
24 responded to the filing in anyway. Due to Mr.
25 Hernandez's failure to respond, the averments in the

1 petition are deemed to be admitted as fact and his
2 right to a hearing has been waived. On December the
3 12th, 2014, the OEC filed a request to enter judgment
4 upon default. The matters now before the Board to
5 consider the placement of Jan Carlos Salgado Hernandez
6 on the Board's excluded person's list. Once again, he
7 entered a guilty plea to the charges of presenting a
8 false ID on November the 7th, 2014.

9 CHAIRMAN:

10 I assume he is still not here. Any
11 questions or comments from the Board, ex-officio
12 members? May I have a motion?

13 MR. MOSCATO:

14 Mr. Chairman, I move that the Board
15 issue an Order to approve the addition of Juan ---
16 sorry, Jan Carlos Salgado Hernandez to the PGCB
17 Involuntary Exclusion List as described by the OEC.

18 MR. WOODS:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 Opposed? The motion carries.

25 ATTORNEY ROLAND:

1 Thank you, Mr. Chairman.

2 ATTORNEY PITRE:

3 The next three matters that we have on
4 the agenda for the Board's consideration will be
5 presented by Assistant Enforcement Counsel, David
6 Tepper. I will note that the next three matters have
7 the same fact pattern. David, with the Board's
8 indulgence, will read the fact pattern in once and
9 present each matter for the Board's consideration.

10 CHAIRMAN:

11 That's fine.

12 ATTORNEY TEPPER:

13 Good morning, Chairman, members of the
14 Board, Dave Tepper, ---

15 CHAIRMAN:

16 Morning, Dave.

17 ATTORNEY TEPPER:

18 --- T-E-P-P-E-R, Assistant Enforcement
19 Counsel with the OEC. On August 20th, Michael Todd,
20 Jill Todd and Carly Todd aided and embedded a minor
21 member of their family, a 17-year old male with the
22 initials J.T., in gaining access to Mount Airy Casino
23 and placing wagers. All individuals were guests of
24 Mount Airy's Hotel and after eating dinner at one of
25 Mount Airy's restaurants, the family, including J.T.,

1 entered the gaming floor.

2 J.T. sat briefly at a table game with
3 Michael Todd, his father, and Carly Todd, his sister,
4 but did not game. J.T. then went off on his own and
5 played slot machines. During this time, Carly Todd
6 provided J.T. currency while J.T. was engaged in slot
7 play. Jill Todd, J.T.'s mother, later joined the
8 youth in playing slots for approximately eight
9 minutes. During this time, J.T. and Jill Todd moved
10 to various slot machines but were always sitting next
11 to each other and engaging in conversation.

12 Michael and Jill Todd were both charged
13 with and pled guilty to violating Section 1513(a)13 of
14 the Gaming Act. Carly Todd was not charged by
15 Pennsylvania State Police and all four Todds were
16 permanently trespassed by Mount Airy.

17 Turning first to Carly Todd, Ms. Todd
18 was served with the Exclusion Petition on December
19 2nd, 2014. Ms. Todd did not respond to the petition
20 within 30 days, therefore all facts alleged in the
21 petition are deemed admitted. The OEC filed a request
22 for default judgment on January 5th. And at this
23 time, I would request that Carly Todd be placed on the
24 Board's Exclusion List.

25 CHAIRMAN:

1 Is Carly Todd present in the hearing
2 room? Any questions, comments from the Board?

3 MR. MCNALLY:

4 Just one quick question.

5 CHAIRMAN:

6 Yes, John.

7 MR. MCNALLY:

8 With regard to the minor gaining access
9 to the gaming floor and being allowed to remain there
10 for a period of time after which it was discovered he
11 was underage, has Mount Airy been approached, is there
12 an investigation pending?

13 ATTORNEY PITRE:

14 The matter's pending and will be
15 presented to the Board in the future.

16 MR. MCNALLY:

17 Okay. Thank you.

18 CHAIRMAN:

19 Anyone else? 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 Carly Todd
23 to the PGCB Involuntary Exclusion List as described by
24 the OEC.

25 MR. FAJT:

1 Second.

2 CHAIRMAN:

3 All in favor?

4 ALL SAY AYE

5 CHAIRMAN:

6 Opposed? The motion carries.

7 ATTORNEY TEPPER:

8 Turning next to Jill Todd, Mrs. Todd was
9 served with an Exclusion Petition on November 19th,
10 2014. Mrs. Todd did not respond to the petition
11 within 30 days, therefore all facts alleged in the
12 petition are deemed admitted and her right to a
13 hearing is waived. The OEC filed a request for
14 default judgment on January 5th, 2015 and at this time
15 request that Jill Todd be placed on the Board's
16 Exclusion List.

17 CHAIRMAN:

18 Is Jill Todd present in the hearing
19 room? Any questions, Board, ex-officio members? May
20 I have a motion?

21 MR. FAJT:

22 Mr. Chairman, I move that the Board
23 issue an Order to approve the addition of Jill Todd to
24 the PGCB Involuntary Exclusion List as described by
25 the OEC.

1 MS. KAISER:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 Opposed? The motion carries.

8 ATTORNEY TEPPER:

9 Turning finally to Michael Todd. Mr.
10 Todd was served with an Exclusion Petition on November
11 19th, 2014. Mr. Todd did not respond to the petition
12 within 30 days, therefore all facts on the petition
13 are deemed admitted and his right to a hearing have
14 been waived. The OEC filed a request for default
15 judgment on January 5th, 2015 and at this time request
16 that Michael Todd be placed on the Board's Exclusion
17 List.

18 CHAIRMAN:

19 Is Michael Todd present in the hearing
20 room? May I have a motion?

21 MS. KAISER:

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

1 MR. MCCALL:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 Opposed? The motion carries. Thank
8 you, gentlemen.

9 ATTORNEY PITRE:

10 Thank you.

11 CHAIRMAN:

12 Thank you, ladies and gentlemen. That
13 will conclude today's meeting. Our next scheduled
14 public meeting will be on Wednesday, February 25th,
15 2015. The meeting will begin at 10:00 a.m. in this
16 room. Any final comments from the Board? May I have
17 a motion to adjourn?

18 MR. MCCALL:

19 So moved.

20 CHAIRMAN:

21 Second?

22 MR. MCNALLY:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 We're in adjournment. Thank you very
4 much, ladies and gentlemen.

5 * * * * *

6 MEETING CONCLUDED AT 11:45 A.M.

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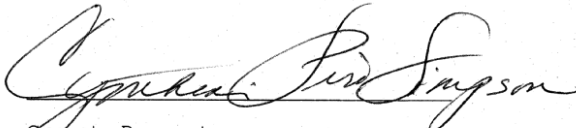
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CERTIFICATE

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I hereby certify that the foregoing proceedings,
meeting held before Chairman Ryan, Jr. was reported by
me on 02/04/2015 and that I Cynthia Piro Simpson read
this transcript and that I attest that this transcript
is a true and accurate record of the proceeding.


Court Reporter