

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

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PUBLIC MEETING

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BEFORE: William H. Ryan, Jr., Chairman,
Gregory C. Fajt; David W. Woods; John J.
McNally, III; Keith R. McCall; Anthony C.
Moscato; Annmarie Kaiser, Members
Ex-Officio Member Jennifer Langan,
Representing Christopher Craig, Acting
State Treasurer; Ex-Officio Member
Robert Coyne, Representing Eileen H.
McNulty, Acting Secretary of Revenue;
Ex-Officio Member Fred R. Strathmeyer, Jr.
Representing Russell Redding, Acting
Secretary of Agriculture

MEETING: Wednesday, April 29, 2015
10:02 a.m.

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

WITNESSES: Kevin Kile; Nancy Wash; David Rhen; Imad
Farrah; Robert Downey

Reporter: Daniel Kubach

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OFFICE OF CHIEF COUNSEL

R. DOUGLAS SHERMAN, ESQUIRE

Chief Counsel

SUSAN YOCUM, ESQUIRE

Assistant Chief Counsel

STEPHEN S. COOK, ESQUIRE

Deputy Chief Counsel

OFFICE OF ENFORCEMENT COUNSEL

CYRUS PITRE, ESQUIRE

Chief Enforcement Counsel

CASSANDRA L. FENSTERMAKER, ESQUIRE

Assistant Enforcement Counsel

MICHAEL ROLAND, ESQUIRE

Assistant Enforcement Counsel

GLEN A. STUART, ESQUIRE

Assistant Enforcement Counsel

KIM ADAMS, ESQUIRE

Assistant Enforcement Counsel

A P P E A R A N C E S (cont.)

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OFFICE OF ENFORCEMENT COUNSEL (cont.)

JOHN CROHE

Assistant Enforcement Counsel

PA Gaming Control Board

P.O. Box 69060

Harrisburg, PA 17106-9060

Counsel for the Pennsylvania Gaming Control Board

SUSAN L. HENSEL-JAROCH, ESQUIRE

Pennsylvania Gaming Control Board

303 Walnut Street, Fifth Floor

Harrisburg, PA 17101-1825

Counsel for the Bureau of Licensing

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CHAIRMAN:

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

With us today is Jennifer Langan from the State Treasurer's Office and Bob Coyne Representing the Acting Secretary of the Department of Revenue. Thank you both for being here. All the members of the Board being present, I will call today's meeting to order. First, I would ask everyone to stand for the Pledge of the Allegiance.

PLEDGE OF ALLEGIANCE RECITED

CHAIRMAN:

Ladies and gentlemen, the Board held an Executive Session yesterday, April 28th, for the purpose of discussing personal matters and to conduct quasi-judicial deliberations related to matters being considered by the Board today. And as previously announced, we will be holding a casino renewal license hearing to gather evidence, including public comment,

1 on the renewal of the casino license for Holdings
2 Acquisitions Company, LP operator of Rivers Casino in
3 Pittsburgh on Tuesday, June 2nd, and another hearing
4 for the Washington Trotting Association, operator of
5 the Meadows Casino in Washington County on Wednesday,
6 June 3rd, 2015. Citizens, community groups and
7 elected officials wishing to present oral or written
8 testimony, which will become part of the evidentiary
9 record in these matters, can now register for either
10 of these events by clicking special links on the quick
11 links section of the home page on the PGCB website,
12 www.gamingcontrolboard.pa.gov.

13 The June 2nd hearing for the Rivers
14 Casino will begin at 1:00 p.m. at the Allegheny County
15 Courthouse, Gold Room, 436 Grant Street, Pittsburgh,
16 Pennsylvania. The deadline for registration to speak
17 at this hearing is noon on Sunday, May 31st. Written
18 comments can also be mailed with a postmark no later
19 than Friday, May 29th.

20 The June 3rd hearing for the Meadows
21 Casino will begin at 11:00 a.m. at the Washington
22 County Courthouse, Room 104, 100 West Beau Street,
23 Washington, Pennsylvania. The deadline for
24 registration to speak at this hearing is noon on
25 Monday, June 1st. Written comments can also be mailed

1 with a postmark no later than Friday, May 29th. All
2 written comments should be mailed to the PA Gaming
3 Control Board to P.O. Box, 69060, Harrisburg, PA,
4 17106, Attention Board Clerk. The comments can also
5 be faxed prior to that deadline to (717) 265-7416.

6 At this time we will have consideration
7 of a motion to approve the minutes and the transcript
8 of the February 25th, 2015 meeting. May I have such a
9 motion?

10 MR. WOODS:

11 Mr. Chairman, I move that the Board
12 approve the minutes and the transcript for the
13 February 25th, 2015 meeting.

14 MR. FAJT:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 Opposed? The motion carries. Welcome
21 Fred Strathmeyer, representing Russell Reading, Acting
22 Secretary for the Department of Agriculture. Welcome,
23 sir.

24 MR. STRATHMEYER:

25 Good morning. Thank you.

1 CHAIRMAN:

2 We will next hear from our Executive
3 Director, Kevin O'Toole.

4 MR. O'TOOLE:

5 Good morning, Chairman, members of the
6 board. This morning we have two items involving a
7 horse racing industry. The first item is that this
8 week we released our eighth annual benchmark report,
9 which provides an update of the impact of slot machine
10 gaming on the horse racing industry in Pennsylvania.
11 The author of that report is our Director of Racetrack
12 Gaming, Kevin Kile. And I've asked Kevin to give a
13 summary of his report for this year.

14 MR. KILE:

15 Good morning, Chairman.

16 CHAIRMAN:

17 Good morning.

18 MR. KILE:

19 Good morning members of the Board. As
20 Executive Director O'Toole said, the Office of
21 Racetrack Gaming recently just released the eighth
22 annual benchmark report, which provides an update of
23 the impact of slot machine revenues we're having in
24 the horseracing industry and pari-mutuel wagering
25 throughout the Commonwealth. This report examines

1 measurable trends in the horse and harness racing
2 industry and other indicators involving the industry
3 over the past five years. As you all know, one of the
4 primary objectives of the Gaming Act is to assist the
5 horse racing industry in Pennsylvania. Approximately
6 11 percent of revenue generated from slot machine
7 gaming was earmarked for the Pennsylvania Race Horse
8 Development Fund in 2014. Last year approximately
9 \$230 million in slot machine revenue was dedicated for
10 the horse racing industry to enhance purses, assist
11 breeding operations, provide health and pension
12 benefits for horsemen and provide resources for proper
13 regulatory oversight.

14 Also, construction is ongoing as the
15 racinos continue to invest in improvements to their
16 infrastructure on the back side of the racetracks by
17 contributing \$60,000,000 through the end of 2014 in
18 new and renovated racing facilities. Individuals and
19 businesses are continuing to participate in live
20 racing due to these additional resources. Over 18,000
21 horses raced in Pennsylvania in 2014, making more than
22 91,000 starts throughout the year. The participation
23 for horsemen to invest directly to the Commonwealth's
24 economy demonstrates the size and scope of
25 Pennsylvania's racing industry, which is due, in large

1 part, to the success of legalized gaming. Casinos are
2 also offering additional amenities such as hotels,
3 spas, retail shopping and restaurants in order to
4 attract more patrons. Horse and harness racing is an
5 additional entertainment option at the six operating
6 racinos. Racing events held throughout the year
7 attracted over 827,000 patrons to the racetrack in
8 2014, that, in addition to attending live racing,
9 frequent the casino and other amenities as well.

10 As an example, most of the racetracks
11 will be holding live racing this Saturday on property,
12 which will then be followed by a simulcast of the
13 Kentucky Derby held at Churchill Downs. Following
14 that, five of the six racinos will be showing the
15 Mayweather-Pacquiao fight in venues on their
16 properties, making for a full day and night of
17 entertainment, which is all in addition to the slot
18 machines and table games.

19 Lastly, it's important to note that the
20 racing industry continues to face very significant
21 challenges. Approximately \$765 million was wagered on
22 races held in Pennsylvania in 2014, representing a
23 decrease of 5.3 percent when compared to the same time
24 period the previous year. Also taxable handle
25 generated within the Commonwealth decreased by 11

1 percent over the same time period. These trends are
2 not unique to Pennsylvania as wagering on live handle
3 racing and via simulcasting has been declining
4 throughout the rest of the country as well.

5 As information within this new report
6 suggests, however, revenue generated from slot machine
7 gaming continues to provide an overall positive impact
8 on Pennsylvania racing and continues to benefit
9 agriculture within the Commonwealth. The report is
10 available to the public and can be accessed from the
11 Board's website directly on our home page. Thank you
12 and I'd be happy to answer any questions you all have.

13 CHAIRMAN:

14 Questions? Thank you.

15 MR. FAJT:

16 Thank you Mr. Chairman. Kevin, you
17 know, it's no secret that there has been a downward
18 trend to the live handle with the horse racing
19 industry. You had mentioned in your comments that it
20 is indicative of what's happening in the rest of the
21 country. Who does the horseracing see as their main
22 competitor state-wise at number one? You know, is it
23 New Jersey? Is it Kentucky, New York? And number two,
24 are our decreases of live handle comparable to theirs?
25 Are they better or worse? And so if you could answer

1 those two questions.

2 MR. KILE:

3 Sure. The first question as to who the
4 main competitor of Pennsylvania racing. Pennsylvania
5 Racing is one of the top racing states in the country.
6 They rival and compete mainly with neighboring states
7 in the Atlantic, being ---. New York is a very strong
8 racing program. Ohio, now that they have casino
9 gaming in Ohio, that's now seen as a competitor to
10 some of our Western PA racetracks. Other tracks that
11 are successful throughout the country obviously are
12 Kentucky, Florida and California.

13 To answer your second questions as to
14 trends throughout the rest of the country, I think
15 Pennsylvania's live racing handle decreases that we're
16 seeing are comparable. I can't say that they are
17 significantly more or less than the rest of the
18 country. If I were to speculate, I would say that the
19 decreases are less based on the resources that we have
20 here in Pennsylvania.

21 MR. FAJT:

22 If you could just check on those numbers
23 and get back to us, that would be appreciated. Thank
24 you.

25 MR. O'TOOLE:

1 Anything else? Okay. Thanks. I would
2 like ask representatives of the Pennsylvania
3 Thoroughbred Horsemen's Association to come up and
4 make a presentation. Kevin will give a brief
5 introduction of the topic for this morning.

6 MR. KILE:

7 The Pennsylvania Thoroughbred Horsemen's
8 Association has requested approval of a Revised
9 Trainers' Health Benefit Program and Back Stretch
10 Personnel Health Benefit Program. Under Section 1406
11 of the Act, approximately four percent of funding
12 received from the Pennsylvania Race Horse Development
13 Fund is required to be used on health insurance and
14 pension benefits for the members of the horsemen's
15 organizations, their families and their employees, in
16 accordance with the rules and eligibility requirements
17 of each organization. Subsection F of Section 1406 to
18 the Act requires that all health and pension benefits
19 be approved by the Board.

20 The Pennsylvania Thoroughbred Horsemen's
21 Association, or PTHA, represents the owners and
22 trainers who enter and race horses at Parx races.
23 Representatives from the PTHA are present today to
24 address the Board. After their presentation, I ask
25 that the Board consider our motion to approve the two

1 plans if the proposed plans are deemed acceptable.

2 MS. WASH:

3 Thanks, Kevin. Mr. Chairman, I'm Nancy
4 Wash. I'm counsel to the PTHA with respect to these
5 benefit programs. And I appeared before this Board a
6 number of years back when we instituted these plans
7 which were of course able to come into effect because
8 of the PRDF allocation.

9 Today we're asking for approval of a
10 couple of changes to the programs. The first change
11 is that we changed brokers, which I don't think
12 requires approval, but in that process the copays were
13 increased for the participants in the Trainers' Health
14 Benefit Program. And that increase in copays allowed
15 us to significantly decrease the premiums that we were
16 paying for that health insurance. In part the
17 decrease in the premiums is anticipated that will be
18 used in other ways along with the increased copays,
19 the members of the health plan, participants in the
20 health plan for trainers, now have like a flex card.
21 So, that helps them pay for their copays. So, it was
22 a different way of allocating how the health benefits
23 are paid for. So, that's a summary. If you
24 want more details on that, we can provide that or I
25 can just go on to the other changes and you can ask

1 all your questions at once. So, just let me know if
2 you want to ask a question.

3 CHAIRMAN:

4 Why don't you just continue.

5 MS. WASH:

6 Okay. Thank. The second change is that
7 up until now the PTHA has had a type of a welfare
8 benefit program for back stretch personnel. So, back
9 stretch personnel are not members of the Association,
10 but some back stretch personnel are employees of the
11 trainers who are members of the Association. And it
12 was always contemplated that the Association wanted to
13 provide some sort of benefit to these people and they
14 have been providing the benefit to these people. But
15 now that we have some experience with the insured
16 health plan for the trainers, we're asking that we be
17 able to bring this what was called a benefit
18 trust ---. It was a separate pool of money that came
19 out of the pari-mutuel funds that was used to pay a
20 benefit for the back stretch personnel. And it's not
21 the same as the insured plan. It provides a different
22 sort of benefit in terms of a reimbursement. So,
23 there's a maximum reimbursement of \$5,000 per ---
24 \$3,000 per individual and it's for actual expenses
25 incurred. And there's a whole administrative

1 procedure where the person --- the individual employee
2 of the trainer will come in and get approval in
3 advance that they need this medical care. And, you
4 know, there are a number of steps that we go through
5 for that. And of course if you want an explanation of
6 that, we can give that explanation as well.

7 But why we're asking your approval is
8 because now instead of paying that out of pari-mutuel
9 funds, the Association feels it's appropriate that
10 this be paid out of the PRDF allocation. So, the same
11 money that's coming in that's being used to be paid
12 for the trainers' benefits will also be used to pay
13 for the back stretch personnel benefits. That's the
14 nature of the second change.

15 And then we also are proposing a change
16 to the actual definition in the plan document that
17 provides for the trainers' healthcare. I'm sorry, not
18 the trainers' healthcare, for the trainers there's a
19 retirement benefit plan that was also approved at the
20 same time as the health benefit plan.

21 So just as a general refresher on that
22 plan, the allocation is made by the Association
23 according to a formula that's in that plan. That's
24 not changing. But the funds are only distributed to
25 the trainers when they reach retirement age or they

1 die or become disabled. And the definition of
2 disability is currently a little complex to
3 administer. It provides that you're disabled when you
4 are basically unable to be employed gainfully and are
5 totally disabled under the Social Security Act.

6 And determining when somebody is unable
7 to be gainfully employed is a complex determination.
8 It's kind of a grey facts and circumstances
9 determination. And through its experience, this
10 doesn't really come up very often, but the Association
11 has determined that it makes more sense to just use
12 the Social Security Administration determination. So,
13 that's already in the document that --- as part of the
14 definition, but going forward the definition will be,
15 as long as you're totally disabled for purposes of
16 Social Security and getting a disability benefit under
17 the federal Social Security rules, that's good enough
18 for the plan. So, it simplifies the administration by
19 taking out that kind of facts and circumstances
20 determination. Those are the three changes that we're
21 asking for today for your approval.

22 CHAIRMAN:

23 Okay. Thank you, any questions? Board?
24 Thank you. May I have a motion?

25 MR. FAJT:

1 Yes. Mr. Chairman, I move that the
2 Board approve the Revised Trainer's Health Benefit
3 Plan and the Backstretch Personnel Health Benefit
4 Program, as described by the Director of Racetrack
5 Gaming and the individuals in front of us right now.

6 MS. KAISER:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 Opposed? Motion carries. Thank you all
13 very much.

14 MS. WASH:

15 Thank you very much.

16 CHAIRMAN:

17 Thank you. Next we'll hear from David
18 Rhen, Director of Financial Management.

19 MR. RHEN:

20 Good morning.

21 CHAIRMAN:

22 Good morning, Dave.

23 MR. RHEN:

24 Today's report covers the Board
25 expenditures through the end of the third quarter,

1 which is March 31st. Spending as of that date totaled
2 \$26.7 million. Spending for the third quarter alone
3 was \$9.9 million, of that payroll expenses --- or I'm
4 sorry, payroll expenses in the first three quarters
5 totaled \$23.3 million or 87.2 percent of all expenses
6 to date, with salaries totaling \$14.6 million and
7 benefits totaling \$8.7 million. That is roughly 59
8 percent of salary expenses. Payroll for the third
9 quarter alone was \$8.7 million. Operating expenses
10 recorded in the third quarter totaled \$1.2 million,
11 bringing the year-to-date total of operating expenses
12 to \$3.2 million. Operating expenses were 11.7 percent
13 of third-quarter expenses and 12.1 percent of
14 year-to-date total expenditures.

15 The three largest operating expenditures
16 by category this fiscal year are leases for office
17 space parking at \$1.3 million, or 38.7 percent of
18 operating expenses; followed by services which include
19 interagency billings, IT consultants and fingerprints
20 used in background investigations, among other items,
21 which totaled \$891,000 or 27.5 percent of operating
22 expenses. And thirdly, other operating expenditures,
23 which are primarily subscription costs for data
24 services used in background investigations at \$486,000
25 or 15 percent of operating expenses.

1 Those three items alone account for \$2.6
2 million or 81 percent of all of our operating expenses
3 to date. And to date less than one percent of our
4 overall expenses, or \$190,000, has been utilized to
5 purchase fixed assets.

6 That concludes my report on expenses.
7 I'd be happy to take any questions, if there are any.

8 CHAIRMAN:

9 Any questions from the Board? Ex-
10 Officio Members? I guess, Dave, what you're telling
11 us from what I read and what we can hear as we are in
12 the final quarter of this budgetary year, we're in
13 good shape as far as this budgetary year is concerned;
14 correct?

15 MR. RHEN:

16 We're online personnel is five or six
17 percent higher, as I recall, and our operating
18 expenses are steady with last year's expenses, so
19 we'll be within budget.

20 CHAIRMAN:

21 Okay. Thank you, very much. Next we'll
22 have Chief Counsel Doug Sherman.

23 ATTORNEY SHERMAN:

24 Good morning, Chairman, members of the
25 Board. Our first agenda items relate to proposed

1 regulations and a statement of policy, which Assistant
2 Chief Counsel, Susan Yocum, is here to present.

3 ATTORNEY YOCUM:

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

6 CHAIRMAN:

7 Good morning, Susan.

8 ATTORNEY YOCUM:

9 I have three agenda items for your
10 consideration today. The first is Proposed Regulation
11 125-188. We will make some minor revisions to the
12 dealer training requirements by reducing the number of
13 hours experienced dealers are required to perform
14 before they can deal specific games. It will also add
15 a brand new game, Go For It. It is a golf-inspired
16 card game. This rulemaking will also begin the
17 process of transitioning nine of our temporary table
18 game chapters into final form.

19 Included in this rulemaking are the
20 dealing procedures and payout odds for Flop Poker,
21 Props & Hops, Raise It Up Stud Poker, Six-Card Fortune
22 Pai Gow Poker, Lunar Poker, Free Bet Blackjack, Double
23 Back Jack, Criss-Cross Poker and High Roll Dice. We
24 have added some new side wagers and some additional
25 payout tables from the version that appears in the

1 temporary regulations. And as it relates to Lunar
2 Poker, essentially this is a complete revision to the
3 temporary regulations that were previously brought
4 forth. I'm happy to answer any questions you may have
5 regarding this rulemaking.

6 CHAIRMAN:

7 Questions or comments from the Board?
8 Ex-Officio Members? May I have a motion?

9 MS. KAISER:

10 Mr. Chairman, I move that the Board
11 adopt the Proposed Regulation 125-188 as presented by
12 the Office of Chief Counsel (OCC).

13 MR. MCCALL:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 Opposed? The motion carries.

20 ATTORNEY YOCUM:

21 The next rulemaking for your
22 consideration today is 125-188 (sic). It is also a
23 proposed rulemaking. As you recall, the March 31st
24 Board Meeting Sands and Valley Technologies, as well
25 as Parx and Dynamic Gaming appeared before you to

1 discuss their new gaming technology. It was the
2 Fusion gaming system that's Valley's and then Dynamic
3 Gaming introduced a Shaq Jack Blackjack game. The
4 regs in 189 are applicable to those hybrid gaming
5 systems in which dealers deal a normal live game, but
6 instead of players wagering at the table, they wager
7 on electronic-wagering terminals.

8 Included in this rulemaking are the
9 system requirements and accounting and internal
10 control procedures for this new technology. The
11 rulemaking does contain a provision that all
12 electronic-wagering terminals are required to be
13 connected to the Department of Revenue's central
14 control computer system. The CCCS will constitute the
15 system of record for accounting purposes, much like
16 our slot machines and our fully automated electronic
17 table games.

18 This rulemaking also includes the
19 provision that the hybrid gaming tables will be taxed
20 at the table game rate instead of at the fully
21 automated electronic gaming table rate. Lastly it
22 specifies how hybrid gaming tables will be counted for
23 purposes of the number of gaming tables facilities are
24 authorized to operate under the Gaming Act. It will
25 be a five-to-one ratio which is proposed in the

1 rulemaking. So for every five electronic-wagering
2 terminals will constitute one table game for purposes
3 of that overall table game count. Again, happy to
4 answer any questions you have with regard to this
5 rulemaking.

6 CHAIRMAN:

7 Questions from the Board? Ex-Officio
8 Members? May I have a motion?

9 MR. MCCALL:

10 Just for point of clarification, and you
11 did correct yourself, but this is Regulation 125-189;
12 correct?

13 ATTORNEY YOCUM:

14 Yes, it is.

15 MR. MCCALL:

16 Thank you. Mr. Chairman I move that the
17 Board adopt the Proposed Regulation 125-189 as
18 presented by the OCC.

19 MR. MCNALLY:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 Opposed? The motion carries.

1 ATTORNEY YOCUM:

2 The last item for your consideration is
3 Statement of Policy, 125-190. This is actually
4 companion regulation to 125-189. This deals with
5 Dynamic Gaming Systems, Blackjack Shaq Jack system.
6 It includes the rules for playing board blackjack on a
7 hybrid gaming table, which plays just slightly
8 differently than play on a traditional blackjack
9 table. I'm happy to answer, again, any questions you
10 have.

11 CHAIRMAN:

12 Questions from the Board? Ex-Officio
13 Members? May I have a motion?

14 MR. MCNALLY:

15 Mr. Chairman, I move that the Board
16 adopt Statement of Policy 125-190, as presented by the
17 OCC.

18 CHAIRMAN:

19 Second?

20 MR. MOSCATO:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

1 Opposed? The motion carries.

2 ATTORNEY YOCUM:

3 Thank you.

4 CHAIRMAN:

5 Thank you, Susan. I appreciate it very
6 much.

7 ATTORNEY SHERMAN:

8 Today we have three petitions before the
9 Board for consideration. The petitions will be
10 considered on the documents filed of record. As in
11 each case the Office of Enforcement Counsel (OEC) does
12 not object to the relief requested. In advance of
13 this meeting, the Board has been provided with the
14 petitions, any responsive pleadings, as well as any
15 evidentiary materials filed of record.

16 The first petition before the Board is
17 that of Cleveland Menu Printing, Inc., which seeks to
18 be removed from the Board's Prohibited Gaming Service
19 Provider List. Cleveland Menu Printing is a company,
20 not surprisingly, that prints menus. On February 6th,
21 2015 the Board was notified that Hollywood Casino
22 wished to conduct business with Cleveland Menu
23 Printing. The request was denied because the company
24 had been placed on the Prohibited Gaming Service
25 Provider List by the Board in February 2009, after

1 failing to provide the Board with an application to
2 become a registered gaming service provider even
3 though it had been doing business with another
4 Pennsylvania casino.

5 Subsequently, on February 17th, 2015,
6 Cleveland Menu Printing filed a request for removal
7 from the Gaming Service Provider List. The OEC, after
8 discussing the matter with Cleveland Menu, does not
9 object to the company being removed from the
10 Prohibited Gaming Service Provider List so long as it
11 pays a \$1,500 civil penalty, any outstanding fees owed
12 to the Board, and cooperates with the background
13 investigation requirements of BIE and OEC going
14 forward. Cleveland Menu Printing has agreed to do so
15 and, therefore, it's appropriate for the Board to
16 consider a motion to remove them from the Prohibited
17 Gaming Service Provider List.

18 CHAIRMAN:

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

21 MR. MOSCATO:

22 Mr. Chairman, I move that the Board
23 issue an order that you grant the petition of
24 Cleveland Menu Printing, Inc. to be removed from the
25 Prohibited Gaming Service Provider List with the

1 conditions requested by the OEC as described by the
2 OCC.

3 MR. WOODS:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 Opposed? The motion carries.

10 ATTORNEY SHERMAN:

11 The next matter is Chance Hartman's
12 Petition for Removal from the Involuntary Exclusion
13 List. By way of background, on June 6th, 2012, Mr.
14 Hartman, who at the time was under the age of 21,
15 gained access to the Rivers Casino using an expired
16 driver's license belonging to another individual. He
17 was on the gaming floor for about nine hours and
18 played slot machines, poker and drank at least two
19 alcoholic beverages before being approached by
20 security and identified as being underage. As a
21 result of that incident in October 2012, Mr. Hartman
22 was placed on the Board's Involuntary Exclusion List
23 for a period of at least one year. And with that came
24 the ability to petition after the one-year period to
25 be removed from the list. It's now been over a year,

1 actually a little over a year and a half. Mr. Hartman
2 is requesting to be removed from the list and OEC has
3 no objection to that request. That's the matter ready
4 for the Board's consideration.

5 CHAIRMAN:

6 Questions or comments from the Board?
7 Ex-Officio Members? May I have a motion?

8 MR. MCCALL:

9 Mr. Chairman, I move that the Board
10 issue an Order to grant the petition of Chance R.
11 Hartman requesting removal from the Pennsylvania
12 Gaming Control Board Involuntary Exclusion List
13 described by the OCC.

14 MS. KAISER:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 Opposed? The motion carries.

21 ATTORNEY SHERMAN:

22 The final petition before the Board
23 today pertains to the OEC's request to place Stanley
24 Williamson on the Exclusion List. On May 2nd, 2014,
25 Mr. Williamson was observed placing a late bonus wager

1 while playing Mississippi Stud Poker at the Rivers
2 Casino. Upon being confronted and escorted by Rivers'
3 security to their security offices, Mr. Williamson was
4 allowed to pay back all of his ill-gotten gains
5 without prosecution. Mr. Williamson, though, had been
6 identified as previously engaging in similar activity
7 at the Meadows Racetrack Casino, where he was charged
8 criminally and ultimately entered a no contest plea.
9 Mr. Williamson initially requested a hearing to
10 contest his placement on the Exclusion List, but
11 subsequently signed a waiver of his right to the
12 hearing, thereby allowing the Board to decide the
13 matter based upon the documents filed of record. It
14 is that request to place him on the Exclusion List
15 that is before 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. WOODS:

20 Mr. Chairman I move that the Board issue
21 an order to grant the petition for placement of
22 Stanley Williamson on the PGCB Voluntary Exclusion
23 List as described by the OCC.

24 MR. FAJT:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 Opposed? The motion carries. Next
6 presenting withdrawals and reports for recommendations
7 is Deputy Chief Counsel Steve Cook.

8 ATTORNEY COOK:

9 Good morning.

10 CHAIRMAN:

11 Good morning, Steve.

12 ATTORNEY COOK:

13 The Board has received four unopposed
14 Petitions to Withdraw Applications or surrender the
15 credentials of individuals or businesses. The persons
16 and entities subject to these petitions are as
17 follows: Cheryl Kondra, PJ's Window Cleaning, Inc.,
18 Brenda L. Decker and Sumo Logic, Inc. The OEC has
19 reviewed each petition and filed a response to each
20 indicating that they had no objection to the
21 withdrawal and as a result if the Board would grant
22 the same, they would be doing so without prejudice.
23 These matters are now ripe for the Board's
24 consideration.

25 CHAIRMAN:

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

3 MR. FAJT:

4 Chairman, I vote the Board issue orders
5 to approve the withdrawals and surrenders as described
6 by the OCC.

7 MS. KAISER:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 ALL SAY AYE

12 CHAIRMAN:

13 Opposed? The motion carries.

14 ATTORNEY COOK:

15 Next before the board for consideration
16 are seven Reports and Recommendations received from
17 the Office of Hearings and Appeals (OHA). These
18 Reports and Recommendations, along with the complete
19 evidentiary record, have been provided to the Board in
20 advance of today's meeting. And additionally in each
21 case the individual at issue has been notified that
22 the Board will be taking the matter up today and that
23 they had the ability to come forward and briefly
24 address the Board. If any of these persons are
25 present and wish to address the Board, I'd ask them to

1 come forward when their matter is called.

2 The first Report and Recommendation
3 before the Board pertains to Harry and Rochel Adler.
4 On October 20th, 2014 the OEC filed two separate
5 petitions; one to place Harry Adler on the Board's
6 Exclusion List and another to place Rochel Adler on
7 the Board's Exclusion List alleging that they aided
8 their children, ages 17 and 15, in gaining access to
9 the gaming floor at Mount Airy.

10 Both Mr. and Mrs. Alder requested
11 hearings, at which time the OHA consolidated the two
12 petitions and the hearing in this matter was held on
13 December 30th, 2014. The parties then entered into a
14 Stipulation of Facts. Additionally, Mr. and Mrs.
15 Adler testified that while on vacation in Bushkill,
16 Pennsylvania, they decided to visit the Mount Airy
17 property, as Mr. and Mrs. Adler had been there some 20
18 years prior.

19 While there, upon entering the building,
20 the Adler family proceeded onto the gaming floor
21 without being stopped by security. They were on the
22 floor for approximately 15 minutes, at which time,
23 upon attempting to leave the floor, they were
24 approached by security. While on the floor, no one
25 gamed but for Mr. Adler, who, I believe, placed a

1 couple of bets for a total of about eight minutes.
2 Ultimately the Adlers take the position that their
3 walking onto the floor was pure accident with their
4 children, and they didn't realize that their children
5 weren't allowed on the gaming floor, nor did security
6 stop them or attempt to stop them.

7 Nevertheless, based upon all the
8 evidence presented, a Report and Recommendation was
9 issued, recommending that the Adlers not be placed on
10 the Exclusion List. The OEC did, however, file
11 exceptions, basically arguing that the Board should
12 take a zero-tolerance policy in this scenario and
13 place the Adlers on the Exclusion List. Once again,
14 the recommendation before the Board is that they not
15 be placed on the list. The matter's now ripe for
16 consideration.

17 CHAIRMAN:

18 Any questions or comments from the
19 Board? Greg?

20 MR. FAJT:

21 Mr. Chairman, just one point of
22 clarification. Steve, I'm pretty sure I heard you say
23 that they were not stopped by security upon entering
24 the floor?

25 ATTORNEY COOK:

1 That's correct.

2 MR. FAJT:

3 Thank you. Thank you, Mr. Chairman.

4 CHAIRMAN:

5 Tony?

6 MR. MOSCATO:

7 Follow-up on Greg's question. The
8 children were very young and clearly not trying to get
9 on the floor. Why didn't security stop two small
10 children from going on the floor?

11 ATTORNEY COOK:

12 Well they weren't that young. They were
13 15 and 17. But I don't know if they were distracted.
14 I'm not quite sure what the factual scenario was.

15 MR. MOSCATO:

16 Thank you.

17 ATTORNEY COOK:

18 Any other questions?

19 CHAIRMAN:

20 May I have a motion?

21 MS. KAISER:

22 Mr. Chairman, I move that the Board
23 adopt the Report and Recommendation issued by the OHA
24 regarding the placement of Harry and Rochelle Adler on
25 the Pennsylvania Gaming Control Board Involuntary

1 Exclusion List as described by the OCC.

2 MR. MCCALL:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 Opposed? The motion carries.

9 ATTORNEY COOK:

10 Nebiyu Bellete is the next Report and
11 Recommendation before the Board today. This matter
12 was previously before you at the March 31st, 2015
13 meeting. At that time Mr. Bellete appeared and argued
14 in support of his second request for early removal
15 from the Involuntary Exclusion List. Specifically, he
16 testified that being placed on the Involuntary
17 Exclusion List has hurt his business, his family and
18 the ability to provide for his family. After the
19 hearing, the Board agreed tabled the matter until
20 today.

21 By way of background, on March 21st,
22 2012 Mr. Bellete was placed upon the Board's
23 Involuntary Exclusion List after it was shown that, on
24 September 1st, 2011, he cheated while playing table
25 games at the Sands Bethworks Casino. Per the Board's

1 regulations, an individual placed on the Exclusion
2 List must generally wait five years before being ---
3 having the ability to petition and come off the list.
4 However the regulations do provide for one early
5 consideration prior to that five-year period.

6 Mr. Bellete, two months after being
7 placed on the list, back in May of 2012, filed his
8 first request for early removal from the list and the
9 Board denied that request on December 12, 2012. Mr.
10 Bellete then filed a second request for early
11 consideration to remove his name from the list. This
12 second request is the matter that's presently before
13 the Board. OEC has filed an Answer objecting to
14 request, given it is the second early request and
15 therefore not provided for in the Board's regulations.
16 The Hearing Officer took the matter up, decided it
17 without a hearing based on the documents of record,
18 citing the regulations that wouldn't provide for the
19 consideration of a second early request. And as a
20 result, the Hearing Officer recommends that Mr.
21 Bellete stay on the list until at least March of 2017,
22 at which time his five years would have run and he can
23 again petition to come off the list.

24 CHAIRMAN:

25 Questions or comments from the Board?

1 Ex-Officio Members? May I have a motion?

2 MR. MCCALL:

3 Mr. Chairman, I move that the Board
4 adopt the Report and Recommendation issued by the OHA
5 regarding the petition of Nebiyu Bellete to be removed
6 from the PGCB Involuntary Exclusion List as described
7 by the OCC.

8 MR. MCNALLY:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 Opposed? The motion carries.

15 ATTORNEY COOK:

16 The next matter before the Board is the
17 Report and Recommendation pertaining to Perry Bundy.
18 On September 5th, 2014 Mr. Bundy submitted an
19 application seeking work as a Table Games Dealer at
20 Harrah's, Philadelphia. In November of 2014, the OEC
21 issued a Notice of Recommendation of Denial and that
22 Mr. Bundy had been convicted of a felony within the
23 past 15 years, and as a result he is ineligible to
24 receive a Gaming Permit under the Act.
25 Notwithstanding that fact, Mr. Bundy did request a

1 hearing, which he appeared for. Nevertheless, the
2 Hearing Officer, citing the statute, basically said
3 that Mr. Bundy was precluded from getting a Gaming
4 Permit by the Gaming Act, and as a result, that is the
5 recommendation before the Board.

6 CHAIRMAN:

7 Questions or 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 adopt the Report and Recommendation issued by the OHA
12 regarding the Gaming Employee Permit of Perry Bundy in
13 result 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 COOK:

22 Imad Farrah is the next Report and
23 Recommendation before the Board today. I believe Mr.
24 Farrah is present and we were contacted last week by
25 his wife, who requested an interpreter be present, who

1 I understand is also in the room. I would ask them to
2 come forward.

3 CHAIRMAN:

4 Okay. Mr. Farrah?

5 MR. FARRAH:

6 Yeah.

7 CHAIRMAN:

8 Okay. And you, sir?

9 INTERPRETER:

10 My name is Harry Abdamallah (phonetic),
11 the Arabic interpreter.

12 CHAIRMAN:

13 Okay. I suppose that each of you should
14 be sworn. Why don't we start with the interpreter
15 first and go from there. How about that?

16 -----

17 HARRY ABDAMALLAH SWORN TO INTEPRET

18 -----

19 CHAIRMAN:

20 And now the witness.

21 -----

22 IMAD FARRAH, HAVING FIRST BEEN DULY SWORN, TESTIFIED
23 AS FOLLOWS:

24 -----

25 CHAIRMAN:

1 All right. You can both be seated.

2 ATTORNEY COOK:

3 What I'd like to do is begin with a
4 brief summary before Mr. Farrah addresses the Board.
5 On February 26th, 2014 the OEC filed a petition to
6 place Imad Farrah on the Exclusion List, alleging that
7 on March 25th, 2013, when Mr. Farrah was capping his
8 wagers while gaming at Sands. Specifically, it was
9 alleged that Mr. Farrah added chips to his wagers 20
10 times after the time for making wagers had passed and
11 the outcome of the game became more certain. As a
12 result of his actions, Mr. Farrah was charged
13 criminally and was placed on the Northampton County
14 --- or into the Northampton County ARD Program.

15 Although late under the Board's
16 regulations, Mr. Farrah ultimately requested a
17 hearing. The hearing was held on January 21st, 2015,
18 but Mr. Farrah failed to appear for that.

19 Subsequent to the hearing, a Report and
20 Recommendation was issued ---.

21 INTERPRETER:

22 Could you repeat ---?

23 ATTORNEY COOK:

24 Subsequent to the hearing, a Report and
25 Recommendation was issued, of the Hearing Officer

1 recommending that Mr. Farrah be placed on the Board's
2 Exclusion List. The decision of the Hearing Officer
3 was based on the evidence provided by the Enforcement
4 Counsel.

5 And that's the recommendation before the
6 Board. Mr. Farrah is free to address the Board.

7 MR. FARRAH:

8 May I speak?

9 CHAIRMAN:

10 Yes.

11 MR. FARRAH:

12 Okay. I do admit that I did play
13 wrongly. I have been going to different casinos all
14 over the U.S. and I've been playing for like 35 years.
15 And this is the first time ever that something like
16 this happens. I do appeal to the Board --- petition
17 the Board. And I do have complete confidence in the
18 Board to decide wisely in my favor.

19 CHAIRMAN:

20 Is that all, sir?

21 MR. FARRAH:

22 If there is any question, I would be
23 glad to answer.

24 CHAIRMAN:

25 Questions from the Board?

1 MR. FAJT:

2 One quick clarification. Steve, how
3 many incidents of bet capping took place?

4 ATTORNEY COOK:

5 Twenty (20).

6 MR. FARRAH:

7 Between 15 and 20, correct.

8 MR. FAJT:

9 And over what period of time?

10 ATTORNEY COOK:

11 I don't know the exact amount of times,
12 but it was one sitting.

13 MR. FARRAH:

14 They did calculate how much I owed and I
15 paid back the money.

16 CHAIRMAN:

17 If I can ---. Excuse me, sir.

18 MR. FARRAH:

19 Yes.

20 CHAIRMAN:

21 Maybe we can clear this up.

22 ATTORNEY ROLAND:

23 It's Michael Roland, R-O-L-A-N-D, with
24 the OEC. There were, in fact, 20 occasions of
25 capping. It occurred in one sitting over a period of

1 two hours and 13 minutes and the total amount was
2 \$195.

3 MR. FARRAH:

4 But I did pay them. And they have
5 returned the difference to me. They took \$195 and
6 they returned the rest --- the difference.

7 CHAIRMAN:

8 Mr. Farrah, you do admit it was between
9 15 and 20 times, though; correct?

10 MR. FARRAH:

11 Yeah. Yeah.

12 MR. WOODS:

13 Mr. Chairman?

14 CHAIRMAN:

15 Yes.

16 MR. WOODS:

17 Can I ask the gentleman, what does he
18 believe would be the appropriate action by this Board
19 for his playing wrongly ---?

20 INTERPRETER:

21 I'm sorry, Your Honor, could you please
22 address him in the first person rather than ask him?

23 MR. WOODS:

24 Okay. Mr. Farrah, what do you believe
25 should be the penalty for having played wrongly?

1 MR. FARRAH:

2 I would leave the verdict to the
3 respectable Board, because every --- or any verdict is
4 going to be acceptable. And any human being may admit
5 a mistake in this world. I already received penalty
6 for the mistake that I committed and it is a lifelong
7 lesson for me.

8 CHAIRMAN:

9 Thank you.

10 MR. FARRAH:

11 Sure.

12 MR. MCNALLY:

13 Mr. Farrah, ---

14 MR. FARRAH:

15 Yes.

16 MR. MCNALLY:

17 --- you had testified that this is the
18 first time that this happened to you in 35 years.

19 MR. FARRAH:

20 The first and last time.

21 MR. MCNALLY:

22 When you say this happened, are you
23 saying that this is the first time that you cheated or
24 are you saying that this is the first time that you
25 got caught cheating?

1 MR. FARRAH:

2 Up until this point, I never knew what
3 really happened and I never cheated. And I don't know
4 how this even happened. And I'm sitting here in front
5 of the honorable Board and I do not know exactly what
6 even happened. Until this very minute, I keep asking
7 myself why this happened.

8 MR. MCNALLY:

9 When you did this, you knew that you
10 were wrong; correct?

11 MR. FARRAH:

12 Yes.

13 MR. MCNALLY:

14 You knew what you were doing was
15 cheating; correct?

16 MR. FARRAH:

17 It was without being conscious of what I
18 was doing. It was about like a time of unawareness.
19 It was like the devil was there at that time.

20 MR. MCNALLY:

21 That's all the questions I have,
22 Chairman. Thank you.

23 MR. MCCALL:

24 I just want to follow up. Steve, a
25 question for you. We would be placing Mr. Farrah on

1 the Involuntary Exclusion List, which would be a
2 penalty of, you know, five years minimum; correct?

3 ATTORNEY COOK:

4 Under the Board's regulations he could
5 petition to get off after five years or with the
6 option once early prior to that.

7 MR. MCCALL:

8 Were there any charges brought by the
9 local police or the State Police?

10 ATTORNEY COOK:

11 He was charged criminally and entered
12 into the ARD Program.

13 MR. MCCALL:

14 Thank you.

15 CHAIRMAN:

16 Jen?

17 MS. LANGAN

18 How was this discovered? Was it
19 surveillance?

20 ATTORNEY COOK:

21 I believe initially it was the dealer
22 that noticed unusual hand movements. The dealer then
23 informed the Pit Boss, who contacted surveillance.
24 And then in reviewing his playing time of two hours
25 and 13 minutes, they were able to confirm these 20

1 occurrences.

2 CHAIRMAN:

3 Okay. Mr. Farrah, do you understand
4 that the Board has the obligation to protect the
5 integrity of gaming in casinos here in Pennsylvania?

6 MR. FARRAH:

7 Yes, I do.

8 CHAIRMAN:

9 And do you realize that what you did was
10 wrong?

11 MR. FARRAH:

12 Yes.

13 CHAIRMAN:

14 Any other questions? I have a motion?

15 MR. MOSCATO:

16 Mr. Chairman, I move that the Board
17 adopt the Report and Recommendation issued by the OHA
18 regarding the placement of Imad Farrah on the PGCB
19 Involuntary Exclusion List as described by the OCC.

20 MR. WOODS:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

1 Opposed? The motion carries. Okay.
2 Thank you.

3 MR. FARRAH:

4 Thank you.

5 ATTORNEY COOK:

6 The next matter before the Board is the
7 Report and Recommendation pertaining to Mary McCoy
8 Higgins.

9 CHAIRMAN:

10 Steve, before you begin, I would like to
11 state that I'm going to recuse myself from
12 consideration in this matter, as I know Ms. Higgins
13 from my time at the Pennsylvania Office of Attorney
14 General. I will ask Commissioner Fajt to handle this
15 matter. Thank you.

16 ATTORNEY COOK:

17 By way of background, on May 8th, 2014,
18 the OEC filed a petition to place Mary McCoy Higgins
19 on the Exclusion List alleging that she attempted to
20 assist her 19-year-old daughter, Bridget Higgins, in
21 gaining access to the gaming floor at the Valley Forge
22 Casino Resort. A hearing in Ms. Higgins' matter was
23 held on December 23rd, 2014. Both the OEC and Ms.
24 Higgins appeared offering evidence into the record.

25 The evidence in this matter shows that

1 Ms. Higgins and her daughter were attending a wedding
2 at Valley Forge. After the wedding, at approximately
3 1:00 a.m., Ms. Higgins and her daughter attempted to
4 enter the casino. However, Ms. Higgins' daughter was
5 denied entry by security because she was unable to
6 produce valid identification showing that she was 21
7 years of age. At that time Ms. Higgins produced the
8 Pennsylvania Office of Attorney General badge and
9 attempted to persuade the security officer to allow
10 her daughter to enter the gaming floor.

11 Ms. Higgins testified at the hearing
12 that she showed her badge to ensure or attempt to
13 ensure the security officer that if he allowed her
14 daughter access to the gaming floor, she would make
15 certain that she did not engage in gaming. The
16 security guard, however, rightfully did not allow Ms.
17 Higgins' daughter to enter the casino. Both women
18 then began to walk back to their hotel room, when
19 Bridget, the 19-year-old daughter turned and stepped
20 over the rope and onto the gaming floor while security
21 was not paying attention. Ms. Higgins did not join
22 her daughter on the floor at that time and, in fact,
23 returned to her hotel room.

24 Approximately 13 minutes after gaining
25 access to the gaming floor, Bridget began to leave the

1 floor, where she was recognized by the security
2 officer, taken to the State Police Office, charged
3 with a summary offense of gaining access to the floor
4 and evicted from Valley Forge.

5 After hearing all of the evidence
6 presented, the Hearing Officer in this matter issued a
7 Report and Recommendation recommending that Ms.
8 Higgins not be placed on the Exclusion List, that she
9 did not actually succeed in helping her daughter gain
10 access to the floor. And this is the matter presently
11 before the Board for consideration for the
12 recommendation before the Board. Thank you.

13 MR. FAJT:

14 Any questions or comments from the
15 Board? Ex-Officio Members? Seeing none, may I have a
16 motion?

17 MR. WOODS:

18 Mr. Chairman, I move that the Board
19 reject the Report and Recommendation issued by the OHA
20 regarding the placement of Mary Higgins on the PGCB
21 Involuntary Exclusion List as described by the Office
22 of Chief Counsel. I further move that Ms. Higgins be
23 placed on the Involuntary Exclusion List for a period
24 of at least one year, at which point she may petition
25 the Board to be removed from the list.

1 MR. MCCALL:

2 Second. All in favor?

3 ALL SAY AYE

4 MR. FAJT:

5 Opposed? Motion passes.

6 ATTORNEY COOK:

7 The next matter before the Board
8 pertains to Rachel Walker. On November 10th, 2014,
9 Ms. Walker submitted an application seeking work as a
10 Player Services Agent at SugarHouse Casino. Ms.
11 Walker disclosed in her application that she had been
12 arrested in December 2011 for talking used car
13 batteries, which were stored behind the Walmart store.
14 She was ultimately convicted of conspiracy to commit
15 theft as a result of this conduct. During BIE's
16 investigation, it was discovered that Ms. Walker had
17 also been arrested in New Jersey in 2012 for virtually
18 identical conduct.

19 In December of 2014, the OEC issued a
20 Notice of Recommendation of Denial of Ms. Walker's
21 application based upon her conviction for theft-
22 related charges, her failure to fully disclose her
23 criminal history in New Jersey, and as well as her ---
24 the outstanding costs she still owed to the
25 Commonwealth, i.e., the restitution for these matters.

1
2 She requested a hearing and the hearing
3 was held on February 3rd, 2015. Both the OEC, Ms.
4 Walker and Ms. Walker's boyfriend, who was the
5 coconspirator in these charges, appeared and presented
6 evidence. During the hearing, Ms. Walker testified
7 that she did not intentionally misinform the Board
8 about her criminal history, but in her mind the New
9 Jersey charge and the Pennsylvania charge effectively
10 merged into one. And, in fact, the evidence of the
11 record in this case shows that the New Jersey charge
12 was transferred --- the probation case was transferred
13 to Pennsylvania. So ultimately she believed that
14 those charges were related.

15 Ms. Walker and her boyfriend both also
16 testified that the batteries they took were scrap
17 batteries they thought were left out for trash by the
18 Walmart stores. In obtaining these batteries they
19 would sell them to scrap metal businesses, as Mr.
20 Walker had previously done with his father,
21 apparently, on numerous occasions.

22 During the hearing, Ms. Walker
23 apologized for her actions and stated that she was
24 only 19 at the time of the incident. It was the only
25 time she has ever been involved with law enforcement

1 authorities and she also provided mitigating evidence
2 showing that she's held the same part-time job since
3 2009 and has been given greater responsibilities over
4 that period of time, including presently handling
5 significant sums of money. She also put into the
6 record a letter of recommendation from her present
7 employer.

8 Based upon the evidence presented, the
9 Hearing Officer, nevertheless, issued a Report and
10 Recommendation recommending that her application for a
11 Gaming Permit be denied, and that is the
12 recommendation before the Board.

13 CHAIRMAN:

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

16 MR. FAJT:

17 Mr. Chairman, I move that the Board
18 reject the Report and Recommendation issued by the OHA
19 regarding the Gaming Employee Permit of Rachel Walker
20 as described by the OCC, and that Ms. Walker's Gaming
21 Employee Occupation Permit be approved with the
22 condition that she pay all outstanding restitution
23 owed to the courts within one year.

24 MS. KAISER:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 Opposed? The motion carries.

6 ATTORNEY COOK:

7 The final Report and Recommendation
8 before the Board today pertains to John Wheatley. Mr.
9 Wheatley was issued a Non-Gaming Employee Registration
10 on September 19th, 2012 and worked as a line cook at
11 the Meadows Casino. On January 23rd, 2015, the OEC
12 filed a request for an Emergency Suspension of Mr.
13 Wheatley's Non-Gaming Registration after learning that
14 he had been charged with several criminal offenses
15 pertaining to the possession of child pornography.
16 The Board's Executive Director signed an Emergency
17 Order of Suspension on January 23rd, 2015.
18 Subsequently on February 10th, a hearing was held to
19 get to the issue of whether that suspension was
20 correctly issued. And based upon the evidence
21 presented by the OEC the Hearing Officer recommending
22 that the Emergency Suspension remain in place until at
23 least the criminal charges are disposed of. And that
24 is the recommendation before the Board.

25 CHAIRMAN:

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

3 MS. KAISER:

4 Mr. Chairman, I move that the Board
5 adopt the Report and Recommendation issued by the OHA
6 regarding the Non-Gaming Employee Registration of John
7 D. Wheatley as described by the OCC.

8 MR. MCCALL:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 Opposed? The motion carries.

15 ATTORNEY COOK:

16 That concludes all matters of the OCC.

17 CHAIRMAN:

18 Thank you both. Next, we'll hear from
19 Susan Hensel, Director of Licensing. Good morning,
20 Susan.

21 ATTORNEY HENSEL-JAROCH:

22 Thank you, Chairman Ryan, and members of
23 the Board. Before the Board today will be motions
24 regarding one Slot Machine Manufacturer Renewal
25 License and 765 Principal, Key, Gaming and

1 Non-Gaming Employees. In addition, there will be the
2 consideration of 19 Gaming Service Provider
3 Applicants.

4 The first matter for your consideration
5 is the renewal of the Global Cash Access Game Slot
6 Machine Manufacturer License. Global Cash Access is a
7 Delaware corporation that provides kiosks and other
8 cash-access-related services to the gaming industry.
9 The BIE has completed its investigation of this
10 company and the Bureau of Licensing has provided you
11 with the background investigation and suitability
12 report. I provided with you a Draft Order and ask
13 that the Board consider the Order to renew the
14 manufacturer license of Global Cash Access, Inc.

15 CHAIRMAN:

16 Any comments from Enforcement Counsel?

17 ATTORNEY PITRE:

18 The OEC has no objection.

19 CHAIRMAN:

20 Questions or comments from the Board?

21 Ex-Officio Members? May I have a motion?

22 MR. MCCALL:

23 Mr. Chairman, I move that the Board
24 approve the renewal of Global Cash Access, Inc.'s Slot
25 Machine Manufacturer License as described by the

1 Bureau of Licensing.

2 MR. MCNALLY:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 Opposed? The motion carries.

9 ATTORNEY HENSEL-JAROCH:

10 Next for your consideration is the
11 approval of Principal and Key Employee Licenses.
12 Prior to this meeting the Bureau of Licensing provided
13 you with a Proposed Order for eight Principal and
14 eight Key Employee Licensing Applicants. I ask that
15 the Board consider the Order approving these licenses.

16 CHAIRMAN:

17 Any comments from Enforcement Counsel?

18 ATTORNEY PITRE:

19 Enforcement Counsel has no objection.

20 CHAIRMAN:

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

23 MR. MCNALLY:

24 Mr. Chairman, I move that the Board
25 approve the issuance of Principal and Key Employee

1 Licenses as described by the Bureau of Licensing.

2 MR. MOSCATO:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 Opposed? The motion carries.

9 ATTORNEY HENSEL-JAROCH:

10 Also for your consideration are
11 Temporary Principal and Key Employee Licenses. Prior
12 to this meeting, the Bureau of Licensing provided you
13 with an Order regarding the issuance of temporary
14 licenses for four Principals and 13 Key employees. I
15 ask that the Board consider the Order approving these
16 licenses.

17 CHAIRMAN:

18 Any comments from Enforcement Counsel?

19 ATTORNEY PITRE:

20 Enforcement Counsel has no objection.

21 CHAIRMAN:

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

24 MR. MOSCATO:

25 Mr. Chairman, I move that the Board

1 approve the issuance of Temporary Principal and Key
2 Employee Credentials as described by the Bureau of
3 Licensing.

4 CHAIRMAN:

5 Second?

6 MR. WOODS:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 Opposed? The motion carries.

13 ATTORNEY HENSEL-JAROCH:

14 In addition there are Gaming Permits and
15 Non-Gaming Registrations. Prior to this meeting the
16 Bureau of Licensing provided you with a list of 564
17 individuals to whom the Bureau has granted temporary
18 or full occupation permits, and 136 individuals to
19 whom the Bureau has granted registrations under the
20 authority delegated to the Bureau of Licensing. I ask
21 that the Board consider a motion approving the Order.

22 CHAIRMAN:

23 Any comments from Enforcement Counsel?

24 ATTORNEY PITRE:

25 Enforcement Counsel has no objection.

1 CHAIRMAN:

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

4 MR. WOODS:

5 Mr. Chairman, I move that the Board
6 approve the issuance of Gaming Employee Permits and
7 Non-Gaming Employee Registrations as described by the
8 Bureau of Licensing.

9 MR. FAJT:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 Opposed? The motion carries.

16 ATTORNEY HENSEL-JAROCH:

17 Next there are recommendations of denial
18 for three Gaming Employee applicants. In each case,
19 the applicant failed to request a hearing within the
20 specified time frame. The Bureau of Licensing has
21 provided you with Orders addressing the applicants who
22 the OEC has recommended for denial. I ask that the
23 Board consider the motion approving the Orders of
24 Denial.

25 CHAIRMAN:

1 Any comments from Enforcement Counsel?

2 ATTORNEY PITRE:

3 Enforcement Counsel continues to request
4 denial in each instance.

5 CHAIRMAN:

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

8 MR. FAJT:

9 Chairman, I move that the Board deny the
10 Gaming Employee Applications as described by the
11 Bureau of Licensing.

12 MS. KAISER:

13 Second.

14 CHAIRMAN:

15 All in favor?

16 ALL SAY AYE

17 CHAIRMAN:

18 Opposed? The motion carries.

19 ATTORNEY HENSEL-JAROCH:

20 Also for your consideration are
21 withdrawal requests for Key, Gaming and Non-Gaming
22 Employees. In each case, the license or permit is no
23 longer required. For today's meeting I provided the
24 Board with a list of one Key, 24 Gaming and four
25 Non-Gaming Employee withdrawals for approval. I ask

1 that the Board consider the Order approving the list
2 of withdrawals.

3 CHAIRMAN:

4 Any comments from Enforcement Counsel?

5 ATTORNEY PITRE:

6 Enforcement Counsel has no objection.

7 CHAIRMAN:

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

10 MS. KAISER:

11 Mr. Chairman, I move that the Board
12 approve the withdrawals as described by the Bureau of
13 Licensing.

14 MR. MCCALL:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 Opposed? The motion carries.

21 ATTORNEY HENSEL-JAROCH:

22 Next for your consideration is the Order
23 to certify the following Gaming Service Providers,
24 Boundless Network, Inc.; Glenn Rieder, Inc.; G.
25 Weinberger Company; Next Page, Inc.; Rodi Platcow

1 Malin Advertising, Inc., doing business as RPM
2 Advertising Inc.; Shallenberger Construction, Inc. and
3 Wyatt, Inc. I ask that the Board consider the Order
4 approving these Gaming Service Providers for
5 certification.

6 CHAIRMAN:

7 Any comments from Enforcement Counsel?

8 ATTORNEY PITRE:

9 Enforcement Counsel has no objection.

10 CHAIRMAN:

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

13 MR. MCCALL:

14 Mr. Chairman, I move that the Board
15 issue an Order to approve the applications for Gaming
16 Service Provider Certification as described by the
17 Bureau of Licensing.

18 MR. MCNALLY:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 Opposed? The motion carries.

25 ATTORNEY HENSEL-JAROCH:

1 Finally for your consideration are
2 Gaming Service Provider Registrations. The Bureau of
3 Licensing provided you with an Order and an attached
4 list of 12 registered Gaming Service Provider
5 Applicants. I ask that the Board considering the
6 Order registering these applicants.

7 CHAIRMAN:

8 Any comments from the Enforcement
9 Counsel?

10 ATTORNEY PITRE:

11 Enforcement Counsel has no objection.

12 CHAIRMAN:

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

15 MR. MCNALLY:

16 Mr. Chairman, I move that the Board
17 issue an Order to approve the applications of Gaming
18 Service Provider Registrations as described by the
19 Bureau of Licensing.

20 MR. MOSCATO:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

1 Opposed? The motion carries.

2 ATTORNEY HENSEL-JAROCH:

3 That concludes the Bureau of Licensing's
4 matters.

5 CHAIRMAN:

6 Thank you, Susan. Next, Cyrus Pitre,
7 Cyrus?

8 ATTORNEY PITRE:

9 The OEC will present 20 matters for the
10 Board's consideration today consisting of two Consent
11 Agreements, three revocations, three suspensions and
12 12 involuntary exclusions.

13 The first two matters are Consent
14 Agreements that have been negotiated between the OEC
15 and Chester Downs and Marina, LLC, doing business as
16 Harrah's Philadelphia. Cassandra Fenstermaker will
17 present the matter on behalf of the OEC. Mr. Downey
18 and Ms. Hughes are here and we can begin.

19 ATTORNEY FENSTERMAKER:

20 Good morning, Chairman Ryan, members of
21 the Board, I'm Cassandra Fenstermaker,
22 F-E-N-S-T-E-R-M-A-K-E-R. The first Consent Agreement
23 that we have for your consideration involves a payment
24 to an unlicensed gaming service provider. Pursuant to
25 the Board's regulations, a gaming service provider

1 seeking to conduct business with a Slot Machine
2 Licensee is required to apply for registration if the
3 total dollar of goods or services to be provided to
4 that Slot Machine Licensee is greater than or equal to
5 \$100,000, unless they are equal to \$500,000 within a
6 consecutive 12-month period. The Bureau of Licensing
7 discovered that on or about August 15th, 2014 Harrah's
8 Philadelphia Casino and Racetrack compensated
9 Hospitality Network, Inc. approximately \$140,000 in a
10 one-time disbursement. Hospitality Network, Inc. has
11 neither applied for nor been approved for a Gaming
12 Service Provider Registration.

13 Following review of the matter, the
14 parties agreed that within five days of the Board's
15 Order approving the Consent Agreement, Harrah's would
16 pay a civil penalty in the amount of \$5,000 and \$2,500
17 for costs incurred by BIE, OEC and other related staff
18 in connection with this matter. The OEC asks that the
19 Board approve the Consent Agreement as presented. And
20 as Cyrus mentioned, representatives of Harrah's are
21 here today. I would be happy to answer any questions
22 you may have.

23 CHAIRMAN:

24 Mr. Downey?

25 MR. DOWNEY:

1 Thank you, Mr. Chairman. Bill Downey
2 for Chester Downs and Marina, LLC, D-O-W-N-E-Y. With
3 me today are Randy Conroy, C-O-N-R-O-Y, who is the
4 vice president and assistant general manager of the
5 facility and Nancy Lynn Hughes, the vice president and
6 chief legal officer for the eastern region. Mr.
7 Chairman, we join in the recitation of facts offered
8 by Ms. Fenstermaker, with one exception, and that is
9 that the Hospitality Network has now, in fact, applied
10 for its Service Provider Registration.

11 CHAIRMAN:

12 Okay.

13 MR. DOWNEY:

14 With that we'll entertain any questions
15 you might have.

16 CHAIRMAN:

17 Okay. Any questions from the Board?
18 Ex-Officio Members? May I have a motion?

19 MR. MOSCATO:

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

24 MR. WOODS:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 Opposed? The motion carries.

6 ATTORNEY FENSTERMAKER:

7 Next Consent Agreement involves the
8 utilization of Gaming Junket Enterprises by Harrah's
9 Philadelphia Casino and Racetrack. Pursuant to the
10 Act and the Board's regulations, Commonwealth casinos
11 which utilize Gaming Junket Enterprises and Gaming
12 Junket representatives are required to prepare certain
13 reports and in some instances submit those reports to
14 Board personnel. Beginning in August of 2013 Harrah's
15 began utilizing the services of one Gaming Junket
16 Enterprises. However, the reports require to be
17 submitted pursuant to the Act of the Board's
18 regulations were not submitted as required.

19 The Act also requires slot machine
20 Licensees to establish internal controls for review
21 and approval by the Board. Our review of Harrah's
22 internal controls related to the use of Gaming Junket
23 Enterprises reveal that those specific internal
24 controls have not been updated since 2009, and,
25 therefore, do not address the use of Gaming Junket

1 Enterprises and Gaming Junket representatives by
2 Harrah's. Following the review of these matters, the
3 parties agreed that within five days of the Board's
4 Order approving this Consent Agreement, Harrah's will
5 pay a civil penalty in the amount of \$50,000 and
6 \$2,500 for costs incurred by OEC, BIE and other
7 related staff in connection with in this matter. The
8 OEC asks that the Board approve the Consent Agreement
9 as presented. And as Cyrus mentioned and as you know,
10 representatives from Harrah's are here.

11 CHAIRMAN:

12 Mr. Downey?

13 MR. DOWNEY:

14 Thank you, Mr. Chairman. Again, Bill
15 Downey for the Chester Downs and Marina, LLC. With me
16 are Mr. Conroy and Ms. Hughes. We, again, join in the
17 recitation of facts. We note that we have submitted,
18 for consideration by the Board Staff, internal
19 controls addressing these matters and we'll entertain
20 any questions the Board may have.

21 CHAIRMAN:

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

24 MR. WOODS:

25 Mr. Chairman, I move that the Board

1 issue an Order to approve the Consent Agreement
2 between the OEC and Chester Downs and Marina, LLC as
3 described by the OEC.

4 MR. FAJT:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 Opposed? The motion carries. Thank you
11 all. Appreciate it.

12 ATTORNEY PITRE:

13 The next six matters on the agenda
14 consist of enforcement actions in which the OEC has
15 filed a complaint seeking the suspension or revocation
16 of the permit or registration of individuals licensed
17 as such under the Board's jurisdiction. In each
18 matter, the complaint that has been filed with the
19 Board's OHA, properly served by certified and/or first
20 class mail upon the individual named in the complaint.
21 In each matter the individual named in the complaint
22 failed to respond within 30 days as required by Board
23 regulation. As a result, the OEC filed a request for
24 default judgment in each instance and properly served
25 a default judgment upon each individual by certified

1 and/or regular mail. Therefore, the facts in each
2 complaint are deemed admitted.

3 All file documents have been provided to
4 the Board and the matters are presently ripe for Board
5 consideration. In each matter we will provide a brief
6 summary of the facts and request the appropriate Board
7 action.

8 CHAIRMAN:

9 Okay. Let's proceed.

10 ATTORNEY FENSTERMAKER:

11 Thank you. We have for your
12 consideration a complaint filed in January of 2015
13 seeking a revocation of both Mark Maikner's Non-Gaming
14 Employee Registration and his Gaming Employee Permit.
15 While holding both of these licenses, Mr. Maikner was
16 arrested and convicted of criminal mischief and failed
17 to update his SLOTSlink application accordingly. As a
18 result, the OEC requests that Mr. Maikner's Non-
19 Gaming Employee Registration and his Gaming Employee
20 Permit be revoked.

21 CHAIRMAN:

22 Is Mark Maikner in the hearing room?
23 Any questions or comments from the Board? Ex-Officio
24 members? May I have a motion?

25 MR. FAJT:

1 Mr. Chairman, I move that the Board
2 issue an Order to approve the revocation of Mark
3 Maikner's Gaming Employee Occupation Permit and
4 Non-Gaming Employee Registration as described by the
5 OEC.

6 MS. KAISER:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 Opposed? The motion carries.

13 ATTORNEY ADAMS:

14 Good morning, Chairman Ryan, members of
15 the Board, Kim Adams for the OEC. The next matter is
16 that the OEC has filed an Enforcement Complaint to
17 revoke Ms. Boylan --- Rebecca Boylan's Gaming Employee
18 Permit for failing to maintain her suitability as a
19 dealer at Presque Isle Downs & Casino. While dealing
20 blackjack on a number of occasions, Ms. Boylan
21 directed or encouraged players to take a hit card or
22 stand after looking at the next cards in the shoe,
23 ignoring player requests for hit cards or waving off
24 hit cards, advising patrons how to wager, encouraging
25 players to buy insurance, making incorrect payouts and

1 other various violations. This matter is now before
2 the Board to consider the revocation of Ms. Boylan's
3 Gaming Employee Permit.

4 CHAIRMAN:

5 Is Rebecca Boylan in the hearing room?
6 Questions or comments from the Board? Ex-Officio
7 members. May I have a motion?

8 MS. KAISER:

9 Mr. Chairman, I move that the Board
10 issue an Order to approve the revocation of Rebecca
11 Boylan's Gaming Employee Occupation Permit 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 STUART:

21 Good morning. Glen Stuart for the OEC,
22 S-T-U-A-R-T. Next for the Board's consideration is a
23 petition seeking to suspend the Gaming Permit of
24 Robert Valle. Mr. Valle's employed as a dealer at the
25 Meadows Racetrack Casino. Mr. Valle was arrested and

1 charged with one count of manufacturer with possession
2 and intent to deliver and one count of intent to
3 possess a controlled substance by a person not
4 registered. These charges stem from Mr. Valle's sale
5 of prescription drugs to a confidential police
6 informant inside the Meadows parking garage. The
7 charges remain pending against Mr. Valle at this time.

8 In light of this arrest and
9 corresponding evidence, OEC served Mr. Valle with a
10 complaint to suspend his Gaming Permit. Mr. Valle did
11 not request a hearing; therefore, the OEC filed a
12 request to enter a default judgment in the matter. As
13 such, the suspension of Robert Valle's Gaming Permit
14 is now ripe for the Board's consideration.

15 CHAIRMAN:

16 Mr. Robert Valle present in the hearing
17 room? Any questions or comments from the Board? Ex-
18 Officio Members? May I have a motion?

19 MR. MCCALL:

20 Mr. Chairman, I move the Board issue an
21 Order to approve the suspension of Robert Valle's
22 Gaming Employee Application Permit as described by the
23 OEC.

24 MR. MCNALLY:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 Opposed? The motion carries.

6 ATTORNEY ROLAND:

7 Good morning again, Mr. Chairman,
8 members of the Board. Michael Roland with the OEC.
9 The next matter is a request to suspend the Non-Gaming
10 Employee Registration of Amber Campbell. Ms. Campbell
11 was a server at Mohegan Sun until she was criminally
12 charged by the Pennsylvania State Police in September
13 of 2014 with conspiracy to manufacture, deliver or
14 possess with intent to manufacture or deliver both
15 marijuana and heroin.

16 Mr. Campbell admitted to authorities
17 that she was aware her live-in boyfriend was
18 conducting a drug operation from their shared home.
19 In light of the felony offenses, Ms. Campbell was
20 terminated from Mohegan and is currently not employed
21 by any casino in the Commonwealth. The matter is now
22 before the Board to consider the suspension of Ms.
23 Campbell's Non-Gaming Employee Registration. Her
24 charges are still pending.

25 CHAIRMAN:

1 Is Amber Campbell present in the hearing
2 room? Any questions or comments from the Board? Ex-
3 Officio Members? May I have a motion?

4 MR. MCNALLY:

5 Mr. Chairman, I move that the Board
6 issue an Order to approve the suspension of Amber
7 Campbell's Non-Gaming Employee Registration as
8 described by the OEC.

9 MR. MOSCATO:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 Opposed? The motion carries.

16 ATTORNEY ROLAND:

17 The next matter is a request to suspend
18 the Gaming Employee Permit of Mark Hand. Mr. Hand was
19 a Service Technician with a certified gaming service
20 provider, Cummins Allison. That company provides
21 currency counting and sorting machines to our casinos
22 in the Commonwealth. In August 2014, a warrant was
23 issued for his arrest for child support, which was
24 approximately \$3,000 in arrears. Mr. Hand is
25 currently not employed by any casino or Licensee in

1 this Commonwealth and the matter is now before the
2 Board to consider the suspension of Mark Hand's Gaming
3 Employee Permit. That warrant is still active.

4 CHAIRMAN:

5 Is Mark Hand present in the Hearing
6 Room? Any questions or comments from the Board?
7 Ex-Officio Members? May I have a motion?

8 MR. MOSCATO:

9 Mr. Chairman, I move that the Board
10 issue an Order to approve the suspension of Mark
11 Hand's Gaming Employee Occupation Permit as described
12 by the OEC.

13 MR. WOODS:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 Opposed? The motion carries.

20 ATTORNEY ROLAND:

21 The next matter is a request to revoke
22 the Gaming Employee Permit of Joseph Labarbera. Mr.
23 Labarbera was a Cage Cashier at Mohegan Sun until
24 August 2014, when he was terminated for stealing. In
25 just over a month's time Mr. Labarbera took \$5,880

1 from Mohegan Sun while counting cash. He would
2 typically pocket \$100 increments at a time. He was
3 charged by Pennsylvania State Police with felony,
4 receiving stolen property and felony theft by unlawful
5 taking. Mr. Labarbera is currently not employed by
6 any casino or Licensee in this commonwealth. The
7 matter is now before the Board to consider the
8 revocation of Mr. Labarbera's Gaming Employee Permit.
9 His charges are also pending.

10 CHAIRMAN:

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

14 MR. WOODS:

15 Mr. Chairman, I move that the Board
16 issue an Order to approve the revocation of Joseph
17 Labarbera's Gaming Employee Occupation Permit as
18 described by the OEC.

19 MR. FAJT:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 Opposed? The motion carries.

1 ATTORNEY PITRE:

2 The next 12 matters on the agenda
3 consist of enforcement actions in which the OEC has
4 filed petitions seeking the involuntary exclusion of
5 individuals whose presence in a licensed facility are
6 inimical to the interest of the Commonwealth and our
7 licensed gaming therein. In each matter the Petition
8 for Exclusion has been filed by the Board's OHA and
9 properly served by certified and/or first class mail
10 upon the individual named in the petition. In each
11 matter the individual named in the petition failed to
12 respond within 30 days as required by the Board
13 regulation. As a result, the OEC filed a request for
14 default judgment in each matter and properly served a
15 default judgment upon each individual by certified
16 and/or regular mail. Therefore, the facts in each
17 petition are deemed admitted.

18 All file documents have been provided to
19 the Board and the matters are presently ripe for Board
20 consideration. In each matter we will provide a brief
21 summary of the facts and request the appropriate Board
22 action.

23 CHAIRMAN:

24 Okay.

25 ATTORNEY ROLAND:

1 The next matter is a request to place
2 Michael Creshaw on the Involuntary Exclusion List. In
3 April 2014 Mr. Creshaw entered Mohegan Sun and gamed
4 at the roulette table. During the course of play, Mr.
5 Crenshaw attempted to cap his bet on three separate
6 occasions, once winning \$5, to which he was not
7 entitled to. Pennsylvania State Police charged Mr.
8 Crenshaw with four misdemeanor offenses, mainly theft
9 by unlawful taking, theft by deception, receiving
10 stolen property and under our Act Title 4, Section
11 1518(a)(7.1)(ii). The matter is now before the Board
12 to consider the placement of Michael Crenshaw on the
13 Board's Involuntary Exclusion List, his charges are
14 still pending.

15 CHAIRMAN:

16 Is Michael Crenshaw present in the
17 hearing room? Any questions or comments from the
18 Board? Ex-Officio Members? May I have a motion?

19 MR. FAJT:

20 Mr. Chairman, I move that the Board
21 issue an Order to approve the admission of Michael
22 Crenshaw to the PGCB Involuntary Exclusion List as
23 described by the OEC.

24 MS. KAISER:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 Opposed? The motion carries.

6 ATTORNEY ROLAND:

7 The next matter is a request to place
8 Qualeek Miller on the Involuntary Exclusion List. In
9 June 2014 Mr. Miller entered Mohegan Sun to play Texas
10 Hold'em. During the course of his play, Mr. Miller
11 placed a late \$5 wager, which resulted in an illegal
12 \$100 win. Mr. Miller was charged by the Pennsylvania
13 State Police with theft by unlawful taking, theft by
14 deception, receiving stolen property, and once again,
15 under our Act, Title 4, Section 15(a)(7.1). Mr.
16 Miller has paid the restitution and entered a guilty
17 plea to theft by unlawful taking on November 5th,
18 2014. The matter is now before the Board to consider
19 the placement of Qualeek Miller on the Board's
20 Involuntary Exclusion List.

21 CHAIRMAN:

22 Is Qualeek Miller present in the hearing
23 room? Any questions or comments from the Board? Ex-
24 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 admission of Qualeek
3 Miller to the Pennsylvania Gaming Control Board
4 Involuntary Exclusion List as 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 request to place
14 Eric Weeks on the Involuntary Exclusion List. In
15 February 2014 Mr. Weeks entered Mohegan Sun and
16 wagered at a blackjack table. During the course of
17 his play, Mr. Weeks capped and pinched 33 different
18 bets, which resulted in an illegal profit of \$330.
19 Mr. Weeks was charged by the Pennsylvania State Police
20 with theft by unlawful taking and Title 4 violation,
21 Section 1518(a)(7.1). Mr. Weeks has paid the
22 restitution and entered a guilty plea to theft by
23 unlawful taking on June the 20th, 2014 and the matter
24 is now before the Board to consider the placement of
25 Eric Weeks on the Board's Involuntary Exclusion List.

1 CHAIRMAN:

2 Is Eric Weeks present in the hearing
3 room? Any 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 issue an order to approve the admission of Eric Weeks
8 to the Pennsylvania Gaming Control Board Involuntary
9 Exclusion List.

10 MR. MCNALLY:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 Opposed? The motion carries.

17 ATTORNEY FENSTERMAKER:

18 Next we have for your consideration a
19 petition seeking the exclusion of Eric Esposito. Mr.
20 Esposito, who has patronized Commonwealth casinos was
21 convicted of conducting illegal gambling business and
22 aiding and abetting illegal gambling business, both
23 federal crimes. As a result the OEC requests that Mr.
24 Esposito be placed on the Board's Involuntary
25 Exclusion List.

1 CHAIRMAN:

2 Is Eric Esposito present in the hearing
3 room? Questions or comments from the Board?
4 Ex-Officio Members? May I have a motion?

5 MR. MCNALLY:

6 Mr. Chairman, I move that the Board
7 issue an Order to approve the addition of Eric
8 Esposito to the PGCB Involuntary Exclusion List as
9 described by the OEC.

10 MR. MOSCATO:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 Opposed? The motion carries.

17 ATTORNEY FENSTERMAKER:

18 We also have for your consideration a
19 decision seeking the exclusion of Christopher Miller.
20 Under age, Mr. Miller accessed the gaming floor at
21 Harrah's Philadelphia Casino and Racetrack, wagered
22 and consumed an alcoholic beverage. As a result the
23 OEC requests that Mr. Miller be placed on the Board's
24 Exclusion List.

25 CHAIRMAN:

1 Is Christopher Miller present in the
2 hearing room? Questions or comments from the Board?
3 Ex-Officio Members? May I have a motion?

4 MR. MOSCATO:

5 Mr. Chairman, I move that the Board
6 issue an Order to approve the addition of Christopher
7 Miller on the PGCB Involuntary Exclusion List as
8 described by the OEC. I further move that Mr. Miller
9 may petition for removal from this list any time after
10 his 22nd birthday.

11 MR. WOODS:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 Opposed? The motion carries.

18 ATTORNEY ROLAND:

19 Next for the Board's consideration is a
20 petition seeking to place Bridget Higgins on the
21 Board's Involuntary Exclusion List.

22 CHAIRMAN:

23 Excuse me, if I may. I'm also going to
24 recuse myself from consideration of this matter and
25 once again ask Commissioner Fajt to handle it.

1 ATTORNEY ROLAND:

2 Ms. Higgins was 19 years of age when she
3 accessed the gaming floor at the Valley Forge Casino
4 Resort by stepping over the red rope that separates
5 the gaming floor from the non-gaming area. Ms.
6 Higgins did not wager while on the gaming floor nor
7 did she consume any alcohol while on the gaming floor.
8 The Pennsylvania State Police cited Ms. Higgins with
9 one count of entering and remaining on the gaming
10 floor by an individual under the age of 21, pursuant
11 to 4 Pa.C.S. Section 1518(a)(13). Ms. Higgins pled
12 guilty to this offense on June 26, 2014. In light of
13 this incident and corresponding evidence, OEC served
14 Ms. Higgins with a complaint to place her on the
15 Involuntary Exclusion List. As such the placement of
16 Bridget Higgins on the Involuntary Exclusion List is
17 now ripe for the Board's consideration.

18 MR. FAJT:

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

21 MR. WOODS:

22 Mr. Chairman I move that the Board issue
23 an Order to approve the admission of Bridget Higgins
24 to the PGCB Involuntary Exclusion List. I further
25 move that Ms. Higgins may petition for removal from

1 the list any time after her 22nd birthday.

2 MR. FAJT:

3 Second. All in favor?

4 ALL SAY AYE

5 MR. FAJT:

6 Opposed? The motion passes.

7 ATTORNEY ADAMS:

8 The next matter is a request to place
9 Anthony Knox on the Board's Involuntary Exclusion List
10 for stealing an undetermined amount of chips belonging
11 to another patron while playing blackjack and
12 attempting to cheat while playing Spanish 21 by
13 removing money from his original wager after being
14 dealt a losing hand. No criminal charges were filed
15 against Mr. Knox. The OEC is requesting Mr. Knox be
16 placed on the Board's Involuntary Exclusion List.

17 CHAIRMAN:

18 Is Anthony Knox present in the hearing
19 room? Any questions or comments from the Board?
20 Ex-Officio Members? May I have a motion?

21 MR. FAJT:

22 Mr. Chairman, I move that the Board
23 issue an Order to approve the addition of Anthony L.
24 Knox to the PGCB Involuntary Exclusion List.

25 MS. KAISER:

1 Second.

2 CHAIRMAN:

3 All in favor?

4 ALL SAY AYE

5 CHAIRMAN:

6 Opposed? The motion carries.

7 MR. CROHE:

8 Good morning, Chairman, members of the
9 Board, my name is John Crohe, C-R-O-H-E, with the OEC.
10 The next matter before the Board is a request to place
11 Justin Brandenburg on the Board's Involuntary
12 Exclusion List. Mr. Brandenburg was arrested and
13 cited by the Pennsylvania State Police at Hollywood
14 Casino after stealing two coats from two different
15 patrons at the bar at Hollywood on the Roof. He took
16 keys from one of the coat pockets, went to the parking
17 garage and entered that vehicle. He then reentered
18 the casino and attempted to steal a tote box from a
19 blackjack table.

20 Mr. Brandenburg is currently awaiting
21 arraignment. The OEC now requests that in light of
22 those facts, the Board place Mr. Brandenburg on the
23 Board's Involuntary Exclusion List.

24 CHAIRMAN:

25 Is Justin Brandenburg in the hearing

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

3 MS. KAISER:

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

8 MR. MCCALL:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 Opposed? The motion carries.

15 MR. CROHE:

16 The next matter before the Board is a
17 request to place Anthony Labarck on the Board's
18 Involuntary Exclusion List. Mr. Labarck was arrested
19 and cited by the Pennsylvania State Police at
20 Hollywood Casino after dropping a baggie of cocaine on
21 the gaming floor, then was caught with marijuana in
22 his vehicle in the parking lot of Hollywood Casino.

23 Mr. Labarck is currently awaiting
24 arraignment. The OEC would now request that the Board
25 place Anthony Labarck on the Involuntary Exclusion

1 List.

2 CHAIRMAN:

3 Is Anthony Labarck present in the
4 hearing room? Any questions or comments from the
5 Board? Ex-Officio Members? May I have a motion?

6 MR. MCCALL:

7 Mr. Chairman, I move the Board issue an
8 Order to approve the addition of Anthony Labarck to
9 the Pennsylvania Gaming Control Board Involuntary
10 Exclusion List as described by the OEC.

11 MR. MCNALLY:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 Opposed? The motion carries.

18 MR. CROHE:

19 The next matter before the Board is the
20 request to place Dennis Wingard on the Board's
21 Involuntary Exclusion List. Mr. Wingard was arrested
22 and cited by the Pennsylvania State Police at
23 Hollywood Casino after being caught with marijuana in
24 the parking lot of the casino.

25 Mr. Wingard entered a guilty plea on

1 February 25th for possession of marijuana. The OEC
2 now requests that the Board place Mr. Wingard on the
3 Involuntary Exclusion List.

4 CHAIRMAN:

5 Is Dennis Wingard present in the hearing
6 room? Any questions or comments from the Board?
7 Ex-Officio Members? May I have a motion?

8 MR. MCNALLY:

9 Mr. Chairman, I move that the Board
10 issue an Order to approve the addition of Dennis
11 Wingard to the Pennsylvania Gaming Control Board's
12 Involuntary Exclusion List.

13 MR. MOSCATO:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 Opposed? The motion carries.

20 ATTORNEY ROLAND:

21 Next we have a matter ---. We're
22 requesting the placement of John Kasavich on the
23 Involuntary Exclusion List. On July 2014 Mr. Kasavich
24 opened an electronic check-cashing account at Rivers
25 Casino. He presented a personal check belonging to an

1 account which is not in his name and on which he was
2 not an authorized signer. The Rivers' employee who
3 opened the account failed to verify the name on the
4 check with the identification Mr. Kasavich provided.
5 Over the course of several casino visits, Mr. Kasavich
6 caused a total of \$800 to be withdrawn from the
7 victim's bank account. Mr. Kasavich was charged by
8 the Collier Township Police Department with felony 2
9 burglary, felony 3 criminal trespass and multiple
10 counts of felony 3 forgery, and finally a misdemeanor
11 theft by unlawful taking.

12 On January 28th, 2015 Mr. Kasavich
13 entered a negotiated plea of guilty to the felony 2
14 burglary and one count of forgery of the felony of the
15 third degree. He received a sentence of 18 months
16 intermediate punishment, followed by 12 months of
17 probation.

18 The matter is now before the Board to
19 consider the placement of John Kasavich from the
20 Board's Involuntary Exclusion List. Just a side
21 matter. You notice the fact that the employee at
22 Rivers missed identifying this individual. Just for
23 the Board's knowledge, that has been previously
24 addressed in the Consent Agreement already, so it's
25 been handled.

1 CHAIRMAN:

2 Okay. Is John Kasavich present in the
3 hearing room? Any questions or comments from the
4 Board? Ex-Officio Members? May I have a motion?

5 MR. MOSCATO:

6 Mr. Chairman, I move that the Board
7 issue an Order to approve the admission of John R.
8 Kasavich to the PCGB --- PGCB Involuntary Exclusion
9 List.

10 MR. WOODS:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 Opposed? The motion carries.

17 ATTORNEY ROLAND:

18 And lastly we have a matter to place
19 Jessica Williams on the Involuntary Exclusion List.
20 In December of 2014 Ms. Williams attempted to use a
21 fraudulent Pennsylvania Driver's License to gain
22 access to the casino floor at Sands. She was 20 years
23 of age at the time.

24 Ms. Williams was charged by the
25 Pennsylvania State Police with carrying a false ID,

1 which is a summary offense. And the matter is now
2 before the Board to consider the placement of Jessica
3 Williams on the Board's Involuntary Exclusion List.
4 She was granted the ARD Program back in December of
5 2014.

6 CHAIRMAN:

7 Is Jessica Williams present in the
8 hearing room? Any questions or comments from the
9 Board? Ex-Officio Members? May I have a motion?

10 MR. WOODS:

11 Mr. Chairman, I move that the Board
12 issue an Order to approve the addition of Jessica
13 Williams to the PGCB Involuntary Exclusion List. I
14 further move that Ms. Williams be permitted to
15 petition for removal from the list as of her 22nd
16 birthday.

17 MR. FAJT:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 Opposed? The motion carries.

24 ATTORNEY ROLAND:

25 Thank you.

1 CHAIRMAN:

2 Thank you all very much. I appreciate
3 it. Ladies and gentlemen, that concludes today's
4 meeting. The next scheduled public meeting will be on
5 Wednesday, May 20th at 10:00 a.m. in this room. Any
6 final comments from the Board or Ex-Officios? May I
7 have a motion to adjourn?

8 MR. FAJT:

9 So moved.

10 CHAIRMAN:

11 Second?

12 MS. KAISER:

13 Second.

14 CHAIRMAN:

15 Thank you, ladies and gentlemen,
16 appreciate it.

17 * * * * *

18 HEARING CONCLUDED AT 11:35 A.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings,
meeting held before Chairman Ryan was reported by me
on 04/29/2015 and that I Daniel Kubach read this
transcript and that I attest that this transcript is a
true and accurate record of the proceeding.



Court Reporter