

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

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PUBLIC MEETING

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BEFORE: DAVID M. BARASCH, CHAIRMAN
Gregory C. Fajt; Richard G. Jewell; Keith
R. McCall; Anthony C. Moscato; William H.
Ryan, Jr.; David W. Woods; Members
Fred Strathmeyer, Jr., representing Russell
Redding, Secretary of Agriculture
Jennifer Langan, representing Timothy
Reese, State Treasurer
Robert P. Coyne, representing Eileen H.
McNulty, Secretary of Revenue

HEARING: Wednesday, March 30, 2016

LOCATION: Pennsylvania Gaming Control Board
Strawberry Square Complex, Suite 261
Harrisburg, PA 17101

WITNESSES: Al Thompson, Ron Baumann,
Alex Vista, Gib Morrissey

Reporter: Corey Elizabeth Summers

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CHAIRMAN:

Good morning. I'm David Barasch, Chairman of the Gaming Control Board. Before we begin, I'd like everybody to turn off their cell phones or at least put them on silent. With us today is Fred Strathmeyer representing Russell Redding, Secretary of Agriculture, Jen Langan representing the State Treasurer, and Bob Coyne representing the Secretary of Revenue. Thank you.

A quorum of the Board members are present. I will call today's meeting to order. First, the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE RECITED

CHAIRMAN:

Today, we have a public hearing scheduled regarding the Category 1 License of Washington Trotting Association and an oral argument regarding the Greenwood Gaming --- Greenwood Gaming's, excuse me, Petition to Rescind the requirements that it have a shuttle bus.

But first, we have several presentations of service awards to Gaming Control employees. Kevin?

MR. O'TOOLE:

1 Good morning, Chairman Barasch, and good
2 morning, Members of the Board. We have presentations
3 this morning for seven employees who have attained the
4 distinction of ten years of service with the
5 Pennsylvania Gaming Control Board. We've been
6 recognizing a lot of our employees for the past six
7 months, and it's really a great occasion to be able to
8 recognize their dedication, so ---.

9 And I'd like to welcome everybody to the
10 public meeting this morning. We have a great crowd
11 for this presentation. Heather, Mike, Mark and
12 Brenda, could you come forward? And we have our
13 Director of Human Resources, Claire Yantis, who's
14 going to help with the presentations.

15 So, our first two honorees, Heather
16 Worner and Michael Cruz, they both started on the same
17 day, February 21st, 2006. And the Board was very
18 fortunate to get Heather and Michael to come to
19 Harrisburg and to work in our jurisdiction here. They
20 came with gaming experience. They were working with
21 the New Jersey Division of Gaming Enforcement and the
22 Gaming Lab in that jurisdiction.

23 So, Heather is a --- started as a
24 manager in our Bureau of Gaming Lab Operations.
25 Heather also is a graduate of the Office of

1 Administration's Leadership Development Institute
2 Program.

3 Heather continues as a manager in the
4 Lab overseeing the electronic engineers and
5 statisticians. Congratulations, and thank you for
6 your service.

7 Michael began as a manager in the Bureau
8 of Gaming Laboratory Operations. In January of 2008,
9 Michael was promoted to the Director of the Lab, and
10 then in April of 2013, Michael was named as the
11 Agency's Chief Technology Officer. Michael, thank you
12 for your service. Congratulations.

13 Mark Miller and Brenda Reece both
14 started on the same day as well, February 25th, 2006,
15 and they both began in the Bureau of Licensing. Mark
16 started as a Licensing Analyst in the Bureau of
17 Licensing, and then in February of '07, he was
18 promoted to Licensing Manager. And he is in charge
19 today of our Gaming Service Provider Unit. Mark,
20 thank you for your service. Congratulations.

21 Brenda Reece. Brenda was hired along
22 with Mark, and she began as a Licensing Analyst.
23 And Brenda remains in that position, and she's
24 assigned to the Enterprise Licensing Unit. She does
25 an outstanding job reviewing very complex entity

1 applications. Brenda, congratulations, and thank you
2 for your service.

3 Okay. Thanks, everyone.

4 Barbara, Dave and Paul? Barbara Kaylor
5 is our next honoree. Barbara was hired on February
6 26th of 2006 as an Administrative Officer. In
7 December of 2006, Barbara became the Executive
8 Secretary for the Bureau of Licensing. Since February
9 of 2014, Barbara has been in the position of
10 Investigative Analyst in our Bureau of Investigations
11 and Enforcement (BIE). Barbara, thank you for your
12 service, and congratulations.

13 David Rhen was hired on March 4th, 2006
14 as the Budget Manager in the Bureau of Financial
15 Management and Administration. Since February of
16 2013, Dave has been the Agency's Director of Financial
17 Management. Congratulations, and thank you for your
18 work.

19 Paul Resch is our final honoree for this
20 morning. He was hired on March 20th, 2006 as a
21 Special Assistant, and in July of that year, he became
22 the Agency's Board Secretary. Since May of 2008, Paul
23 has been the Agency's Director of the Bureau of Gaming
24 Operations. Paul, thank you and congratulations.
25 Thank you.

1 HEARING HELD

2 ORAL ARGUMENT HELD

3 CHAIRMAN:

4 Any questions from the Board? Just
5 wondering if my fellow Board members think it would be
6 appropriate just to take a vote on this at this moment
7 instead of the recess.

8 MR. MCCALL:

9 That's fine.

10 MR. WOODS:

11 Whose motion is it?

12 CHAIRMAN:

13 Is there a motion?

14 MR. RYAN:

15 Mr. Chairman, I move that the Board
16 issue an Order to approve the Greenwood Gaming and
17 Entertainment Petition to Rescind its shuttle bus
18 requirement as described by the Office of Chief
19 Counsel (OCC).

20 MR. WOODS:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

1 All opposed? The Motion is adopted.
2 Thank you very much.

3 ATTORNEY STEWART:

4 Thank you very much.

5 MR. WILSON:

6 Thank you.

7 ATTORNEY SCHROEDER:

8 Thank you.

9 OFF RECORD DISCUSSION

10 CHAIRMAN:

11 Back on the record. By way of
12 announcements, the Board held Executive Session
13 meeting yesterday, March 29th. We were discussing
14 personnel matters, pending litigation and to conduct
15 quasi-judicial deliberations relating to matters being
16 considered by the Board today.

17 Next, we have consideration of a motion
18 to approve the minutes and transcripts of the February
19 10th meeting. May I have a motion?

20 MR. JEWELL:

21 Mr. Chairman, I move that the Board
22 approve the minutes and transcripts of the February
23 10th, 2016 meeting.

24 MR. MCCALL:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 All opposed? The Motion is adopted.

6 Next, I'd like to hear from our Executive Director,

7 Kevin O'Toole.

8 MR. O'TOOLE:

9 Good morning once again. From my
10 remarks this morning, I would like to recognize and
11 extend my appreciation to Gaming Control Board
12 employees Donna Chambers and Michael Cruz, who are
13 both leaving our employment for new challenges and new
14 opportunities. Donna and Michael have served the
15 Board for over ten years, and they have contributed
16 significantly during those ten years to make our
17 Agency successful.

18 Donna Chambers has been the Board's
19 Travel Manager ever since I can remember. Being
20 Travel Manager is a challenging job. It's very
21 detail-oriented, and we're going to miss Donna's
22 commitment to her work. We wish Donna well in her
23 retirement as she devotes more time to her ministry
24 work. Michael Cruz, our Chief Technology Officer, is
25 also about to begin a new stage in his career as an IT

1 executive.

2 We have been fortunate to have Michael's
3 expertise in the testing of gaming equipment as our
4 Gaming Lab strives to ensure regulatory standards of
5 fairness are met. As Chief Technology Officer for the
6 past three years, Michael also directed significant
7 agency-wide projects, enhanced our IT systems and
8 upgraded our office network.

9 I would like to extend the staff's
10 appreciation to Michael and wish him well in his new
11 opportunity outside of the casino regulatory arena. I
12 believe that both Michael and Donna are here today,
13 and that concludes my comments.

14 CHAIRMAN:

15 Any of my fellow Board members have any
16 comments that they would like to offer at this point?

17 MR. FAJT:

18 Well, ---.

19 MR. RYAN:

20 I'd congratulate them. Yeah,
21 congratulations.

22 CHAIRMAN:

23 I would just say that while I'm the
24 newest member of the Board, I've known Michael for
25 quite a while. And I knew you. Now, this is my

1 second time working with you, and I've appreciated it,
2 and I wish you all your best as you move, I guess, to
3 the Washington, D.C. area. And good luck to you and
4 to your family. Was there anything else in your
5 presentation this morning, Kevin?

6 MR. O'TOOLE:

7 No, Chairman. That'll do it.

8 CHAIRMAN:

9 Okay. Next, Claire Yantis, Director of
10 Human Resources.

11 MS. YANTIS:

12 Good morning, Chairman and Board
13 Members. The Office of Human Resources has one motion
14 for your consideration today relative to the hiring of
15 a Technical Field Representative in the Bureau of
16 Casino Compliance. Mr. Eric Talipan has been selected
17 for assignment at the Sands Casino and has completed
18 the PGCB interview process, background investigation
19 and drug screening.

20 He is recommended for hire by Director
21 of Casino Compliance Jerry Stoll. Unless you have any
22 questions, I'd ask that the Board consider a motion to
23 hire Mr. Talipan as indicated.

24 CHAIRMAN:

25 Thank you. Can I have a motion?

1 MR. FAJT:

2 Mr. Chairman, I move that the Board
3 approve the Applicant as proposed by the Director of
4 Human Resources.

5 MR. MOSCATO:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 All opposed? The Motion's adopted.

12 MS. YANTIS:

13 Thank you.

14 CHAIRMAN:

15 Thank you. Doug Sherman, Chief Counsel.

16 ATTORNEY SHERMAN:

17 Good morning, Chairman, Members of the
18 Board. Our first agenda item relates to a Statement
19 of Policy, which Assistant Chief Counsel Susan Yocum
20 is here to present.

21 ATTORNEY YOCUM:

22 Good morning, Chairman, Members of the
23 Board. I have one item for your consideration today.
24 It's a Statement of Policy, 125-200. This will add
25 pay tables to already approved side wagers in the

1 following banked games; Sick Boat, Corby and Stud,
2 Crazy Four Poker, Let It Ride, Texas Hold 'Em Bonus
3 Poker, Ultimate Texas Hold 'Em and Four Card Poker.

4 Additionally, this Statement of Policy
5 also contains regulations approving the use of an
6 electronic system for the processing of credit
7 transactions or markers in the licensed facility.
8 This system will replace the current paper-based
9 system, so essentially, when a patron comes in and
10 requests to draw on an already existing line of
11 credit, the facilities will use a --- it's a portable
12 electronic device to access the line of credit, verify
13 the patron's identity and complete that credit
14 transaction.

15 As this is a new technology in the
16 Commonwealth of Pennsylvania, we will be requiring any
17 facility that elects to utilize the electronic system
18 to conduct a test period prior to full implementation
19 of the system. I'm happy to answer any questions you
20 may have.

21 CHAIRMAN:

22 Questions or comments from the Board?

23 May I have a motion?

24 MR. MCCALL:

25 Mr. Chairman, I move that the Board

1 issue an Order to adopt the State of Policy Number
2 125-200 as described by the OCC.

3 MR. MOSCATO:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? The Motion's adopted.

10 ATTORNEY YOCUM:

11 Thank you.

12 ATTORNEY SHERMAN:

13 Next, we have for your consideration a
14 Local Law Enforcement Grant Application which
15 Assistant Chief Counsel Denise Miller-Tshudy is here
16 to present.

17 ATTORNEY MILLER-TSHUDY:

18 Good morning. The Local Law Enforcement
19 Grant that I have for your consideration today is with
20 the Susquehanna County District Attorney's Office.
21 The Office is asking for a \$55,000 Local Law
22 Enforcement Grant.

23 This would be their second grant if the
24 Board were to grant it. What they're looking to do
25 with the majority of the grant is to supplement the

1 income or the salaries and the benefits of an
2 Assistant District Attorney and also two part-time
3 detectives. The remainder of the money they intend to
4 use on education and public outreach as well as some
5 surveillance equipment, training and the development
6 of a wireless application so that people can actually
7 report unlawful gambling if they should see it.

8 I've reviewed the application. You have
9 it in front of you. It meets all the requirements of
10 your guidelines. I'd ask that a motion be made to
11 approve the grant.

12 CHAIRMAN:

13 Thank you. Questions or comments from
14 the Board? May I have a motion?

15 MR. MOSCATO:

16 Mr. Chairman, I move that the Board
17 issue an Order to approve the Local Law Enforcement
18 Grant for the Susquehanna County District Attorney's
19 Office as described by the OCC.

20 MR. RYAN:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

1 All opposed? The Motion is adopted.

2 ATTORNEY MILLER-TSHUDY:

3 Thank you.

4 ATTORNEY SHERMAN:

5 Today on the agenda, there were two
6 Petitions for the Board's consideration. I'd note
7 that the Board has already considered what is listed
8 as Item Three on the agenda.

9 So, we'll just skip on to Item Four,
10 then. And that's the Petition of the Office --- and
11 excuse me, the Office of Enforcement Counsel's (OEC)
12 request to place John C. O'Donnell on the Exclusion
13 List. After originally requesting a hearing, Mr.
14 O'Donnell subsequently decided to waive his right to a
15 hearing and have the Board decide the matter on the
16 documents filed of record.

17 The uncontested fact was that on June
18 2nd and June 4th of 2015, Mr. O'Donnell was observed
19 capping bets on a total of 12 different occasions at
20 the Parx Casino, thereby unlawfully winning \$200. He
21 was criminally charged and subsequently entered an ARD
22 program which is scheduled to end on November 12th,
23 2016. Again, this is a motion --- or a Petition to
24 place him on the Exclusion List. And it's appropriate
25 now for the Board's consideration.

1 CHAIRMAN:
2 Questions or comments from the Board?
3 May I have a motion?
4 MR. WOODS:
5 Mr. Chairman, I move that the Board
6 issue an Order to approve the placement of John C.
7 O'Donnell on the PGCB Involuntary Exclusion List as
8 described by the OCC.
9 MR. FAJT:
10 Second.
11 CHAIRMAN:
12 All in favor?
13 ALL SAY AYE
14 CHAIRMAN:
15 All opposed? The Motion is adopted.
16 ATTORNEY SHERMAN:
17 Next, presenting Withdrawals and Reports
18 and Recommendations is Deputy Chief Counsel Steve
19 Cook.
20 ATTORNEY COOK:
21 Good morning.
22 CHAIRMAN:
23 Good morning.
24 ATTORNEY COOK:
25 The Board has received several unopposed

1 Petitions to withdraw the Applications or surrender
2 the Credentials of individuals or businesses. The
3 persons and entities subjects to these Petitions are
4 Mauro Franic, Garda CL Atlantic, Inc., American
5 Interiors, Incorporated and Joseph Billhimer, Jr. The
6 OEC has no objection to any of these Petitions.

7 And as a result, if the Board were
8 inclined to grant same, they would be doing so without
9 prejudice. The matter is now ripe --- or all four of
10 these matters are now ripe for the Board's
11 consideration.

12 CHAIRMAN:

13 Any questions or comments from the
14 Board? May I have a motion?

15 MR. FAJT:

16 Mr. Chairman, I move that the Board
17 issue Orders to approve the Withdrawals and Surrenders
18 as described by the OCC.

19 MR. JEWELL:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 All opposed? The Motion is adopted.

1 ATTORNEY COOK:

2 Next before the Board for consideration
3 are two Reports and Recommendations received from the
4 Office of Hearings and Appeals (OHA). These Reports
5 and Recommendations, along with the complete
6 evidentiary record, has been provided to the Board in
7 advance of this meeting. Additionally, in each case,
8 the person subject to the Report and Recommendation
9 has been told that the matter would be taken up by the
10 Board today and that they could come forward and
11 briefly address the Board. If either of these persons
12 are present and wish to address the Board, they should
13 come forward when their matter is called.

14 The first Report and Recommendation
15 pertains to Mr. Charles Siglin. In October of 2015,
16 Mr. Siglin, who was formerly Administrator in Penn
17 National Gaming's IT Department, filed a Petition to
18 Surrender his Gaming Permit without prejudice.

19 The OEC objected to this request,
20 stating that Mr. Siglin was terminated by Penn
21 National and violated the Board's regulations by
22 failing to maintain suitability to be licensed. As a
23 result, OEC took the position that the Withdrawal
24 should be with prejudice.

25 After a December 8th, 2015 hearing, the

1 Hearing Officer found that Mr. Siglin was given a
2 corporate credit card by Penn National to be used for
3 business purposes only. However, he used the credit
4 card for over 200 personal purchases, submitting
5 receipts saying that the purchases were business-
6 related when they, in fact, were not. The purchases
7 in question added up to over \$22,000, of which only
8 \$2,500 was returned to Penn National by Mr. Siglin.
9 As a result of this conduct, the Hearing Officer
10 issued a Report and Recommendation recommending that
11 Mr. Siglin's Petition to Surrender be granted, but
12 with prejudice.

13 I would note for the record before the
14 Board takes the matter up that at this point in time,
15 Mr. Siglin's permit has, in fact, expired. So, the
16 Board can take that into consideration as well. And
17 with that being said, the matter is ripe for the
18 Board's consideration.

19 CHAIRMAN:

20 Questions or comments from the Board?
21 May I have a motion?

22 MR. JEWELL:

23 Mr. Chairman, I move that the Board
24 reject the Report and Recommendation issued by the OHA
25 regarding the surrender of Charles Siglin's Gaming

1 Employee Occupation Permit, and that no further action
2 be taken, as Mr. Siglin's permit has expired.

3 MR. MCCALL:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? The Motion is adopted.

10 ATTORNEY COOK:

11 The final Report and Recommendation
12 before the Board today is that of Jessica Thornton.
13 Ms. Thornton was issued a Gaming Permit on July 15th,
14 2014 and worked as a cage cashier at the Rivers
15 Casino. On December 30th, 2015, the OEC filed a
16 request for an Emergency Suspension of Ms. Thornton's
17 Gaming Permit after receiving notification that one
18 day earlier, Ms. Thornton was arrested and charged
19 with felony theft-related offenses.

20 Specifically, it was alleged that Ms.
21 Thornton, along with two other individuals, conducted
22 a conspiracy to commit retail theft of goods over
23 \$1,300 in value from a local department store. A
24 hearing in this matter was held on January 14th, 2016.
25 Both Ms. Thornton and the OEC attended the hearing and

1 presented testimony and documentary evidence.

2 Ms. Thornton testified on that day that
3 she did not knowingly participate in the theft, but
4 rather was given a bag of goods that she thought were
5 paid for and asked to hold them. Notwithstanding that
6 fact, because she continues to be charged with the
7 felony offense, the Hearing Officer's recommendation
8 was that the Emergency Suspension remain in place.
9 And that's the recommendation before the Board today.

10 CHAIRMAN:

11 Questions or comments from the Board?
12 May I have a motion?

13 MR. MCCALL:

14 Mr. Chairman, I move the Board adopt the
15 Report and Recommendation issued by the OHA regarding
16 the Emergency Suspension of Jessica Thornton's Gaming
17 Employee Occupation Permit as described by the OCC.

18 MR. MOSCATO:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 All opposed? The Motion is adopted.

25 ATTORNEY SHERMAN:

1 That concludes the matters of the OCC.

2 CHAIRMAN:

3 Before we move ahead, Sue, we're going
4 to take a five-minute break before we get to the
5 Bureau of Licensing. Thank you.

6 SHORT BREAK TAKEN

7 CHAIRMAN:

8 Okay. We're going to reconvene now.

9 MR. MCCALL:

10 He just had that kind of metabolism, you
11 know?

12 MR. WOODS:

13 I wish I had that.

14 CHAIRMAN:

15 Sue Hensel?

16 MR. MCCALL:

17 Yeah, me --- that's what I thought, too.

18 MR. COYNE:

19 Do you want some of mine?

20 CHAIRMAN:

21 Proceed.

22 MS. HENSEL:

23 Thank you, Chairman and Members of the
24 Board. Before the Board today will be Motions
25 regarding 780 Principal Key Gaming and Non-Gaming

1 Employees. In addition, there will be the
2 consideration of 16 Gaming Service Provider
3 Applicants. The first matter for your consideration
4 is the renewal of the Washington Trotting Association,
5 Inc. Category 1 License. The license renewal hearing
6 for this entity is complete. In addition, the BIE has
7 completed its investigation of the company, and the
8 Bureau of Licensing has provided you with a background
9 investigation and suitability report.

10 As a result, the license renewal is
11 ready for your consideration. I have provided you
12 with a draft Order and ask that the Board consider the
13 Order to renew the Category 1 License for Washington
14 Trotting Association, Inc.

15 CHAIRMAN:

16 Do you have any comments, Enforcement
17 Counsel?

18 ATTORNEY PITRE:

19 Enforcement Counsel has no objection.

20 CHAIRMAN:

21 Comments or questions from the Board?
22 May I have a motion?

23 MR. MOSCATO:

24 Mr. Chairman, I am pleased to move that
25 the Board approve the Category 1 License renewal of

1 Washington Trotting Association as described by the
2 Bureau of Licensing.

3 MR. RYAN:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? The Motion is adopted.

10 MS. HENSEL:

11 Next is the renewal of the Advanced
12 Gaming Associates, LLC Slot Machine Supplier License.
13 Advanced Gaming is a New Jersey-based company that
14 provides technical labor and gaming and non-gaming
15 related products to the casino industry. The BIE has
16 completed its investigation of the company, and the
17 Bureau of Licensing has provided you with a background
18 investigation and suitability report.

19 I have provided you with a draft Order
20 and ask that the Board consider the Order to renew the
21 slot machine Supplier License for Advanced Gaming
22 Associates, LLC.

23 CHAIRMAN:

24 Comments from Enforcement Counsel?

25 ATTORNEY PITRE:

1 Enforcement Counsel has no objection.

2 CHAIRMAN:

3 Questions or comments from the Board?

4 May I have a motion?

5 MR. RYAN:

6 Mr. Chairman, I move that the Board
7 approve the Supplier License renewal of Advanced
8 Gaming Associates, LLC as described by the Bureau of
9 Licensing.

10 MR. WOODS:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 All opposed? The Motion is adopted.

17 MS. HENSEL:

18 Also for your consideration is the
19 approval of Principal and Key Employee Licenses.
20 Prior to this meeting, the Bureau of Licensing
21 provided you with a proposed Order for two Principal
22 and five Key Employee Licenses. I ask that the Board
23 consider the Order approving these licenses.

24 CHAIRMAN:

25 Questions or comments from Enforcement

1 Counsel?

2 ATTORNEY PITRE:

3 Enforcement Counsel has no objection.

4 CHAIRMAN:

5 Questions from the Board? May I have a
6 motion?

7 MR. WOODS:

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

11 MR. FAJT:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 All opposed? The Motion is adopted.

18 MS. HENSEL:

19 Next, there are temporary Principal and
20 Key Employee Licenses. Prior to this meeting, the
21 Bureau of Licensing provided you with an Order
22 regarding the issuance of temporary licenses for three
23 Principal and eight Key Employees. I ask that the
24 Board consider the Order approving these licenses.

25 CHAIRMAN:

1 Comments from Enforcement Counsel?

2 ATTORNEY PITRE:

3 Enforcement Counsel has no objection.

4 CHAIRMAN:

5 Questions or comments from the Board?

6 May I have a motion?

7 MR. FAJT:

8 Mr. Chairman, I move that the Board
9 approve the issuance of temporary Principal and Key
10 Employee credentials as described by the Bureau of
11 Licensing.

12 MR. JEWELL:

13 Second.

14 CHAIRMAN:

15 All in favor?

16 ALL SAY AYE

17 CHAIRMAN:

18 All opposed? The Motion is adopted.

19 MS. HENSEL:

20 There were also Gaming Permits and
21 Non-Gaming Registrations for your consideration.
22 Prior to this meeting, the Bureau of Licensing
23 provided you with a list of 563 individuals to whom
24 the Bureau has granted temporary or full occupation
25 permits and 166 individuals to whom the Bureau has

1 granted Registrations under the authority delegated to
2 the Bureau of Licensing. I ask that the Board
3 consider a motion approving the Order.

4 CHAIRMAN:

5 Comments from Enforcement Counsel?

6 ATTORNEY PITRE:

7 Enforcement Counsel has no objection.

8 CHAIRMAN:

9 Questions or comments from the Board?

10 May I have a motion?

11 MR. JEWELL:

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

16 MR. MCCALL:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 The Motion is adopted.

23 MS. HENSEL:

24 Next are our Recommendations of Denial
25 for one Key and two Gaming Employee applicants. In

1 each case, the applicant failed to request a hearing
2 within the specified time frame. The Bureau of
3 Licensing has provided you with Orders addressing the
4 applicants who the OEC has recommended for denial. I
5 ask that the Board consider a motion approving the
6 denials.

7 CHAIRMAN:

8 Comments from Enforcement Counsel?

9 ATTORNEY PITRE:

10 Enforcement Counsel continues to request
11 denial in each instance.

12 CHAIRMAN:

13 Thank you. Questions or comments from
14 the Board? May I have a motion?

15 MR. MCCALL:

16 Mr. Chairman, I move that the Board deny
17 the Key and Gaming Employee applications as described
18 by the Bureau of Licensing.

19 MR. MOSCATO:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 All opposed? The Motion is adopted.

1 MS. HENSEL:

2 Also for your consideration are
3 Withdrawal Requests for Key, Gaming and Non-Gaming
4 Employees. In each case, the license or permit is no
5 longer required. For today's meeting, I have provided
6 the Board with a list of 1 Key, 23 Gaming and 6
7 Non-Gaming Employee Withdrawals for approval. I ask
8 that the Board consider the Orders approving the list
9 of Withdrawals.

10 CHAIRMAN:

11 Comments from Enforcement Counsel?

12 ATTORNEY PITRE:

13 Enforcement Counsel has no objection.

14 CHAIRMAN:

15 Questions or comments from the Board?

16 May I have a motion?

17 MR. MOSCATO:

18 Mr. Chairman, I move that the Board
19 approve the Withdrawals as described by the Bureau of
20 Licensing.

21 MR. RYAN:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

1 CHAIRMAN:

2 All opposed? The Motion is adopted.

3 MS. HENSEL:

4 Next, we have an Order to certify the
5 following Gaming Service Providers; Absolute
6 Electrical Contracting of New York, Inc., Horizon
7 Media, Inc., Pennsylvania Paper and Supply Company,
8 Inc. and Southwest Surveillance Systems. I ask that
9 the Board consider the Order approving these Gaming
10 Service Providers for Certification.

11 CHAIRMAN:

12 Comments from Enforcement Counsel?

13 ATTORNEY PITRE:

14 Enforcement Counsel has no objection.

15 CHAIRMAN:

16 Questions or comments from the Board?

17 May I have a motion?

18 MR. RYAN:

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

23 MR. WOODS:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 All opposed? The Motion is adopted.

5 MS. HENSEL:

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

12 CHAIRMAN:

13 Comments from Enforcement Counsel?

14 ATTORNEY PITRE:

15 Enforcement Counsel has no objection.

16 CHAIRMAN:

17 Questions or comments from the Board?

18 May I have a motion?

19 MR. WOODS:

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

24 MR. FAJT:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 All opposed? The Motion is adopted.

6 MS. HENSEL:

7 That concludes the matters of the Bureau
8 of Licensing.

9 CHAIRMAN:

10 Thank you, Sue. Next up, Cyrus?

11 ATTORNEY PITRE:

12 The OEC will present 27 matters for the
13 Board's consideration today consisting of 7 Consent
14 Agreements, 6 Revocations and 14 Involuntary
15 Exclusions. The first two matters --- the first two
16 OEC matters on the agenda is a Consent Agreement that
17 has been negotiated between the OEC and Chester Downs
18 and Marina doing business as Harrah's Philadelphia.
19 The matters will be presented by Assistant Enforcement
20 Counsel Cassandra Fenstermaker.

21 ATTORNEY FENSTERMAKER:

22 Thank you. Good morning, Chairman
23 Barasch, Members of the Board.

24 CHAIRMAN:

25 Before you --- excuse me. Before we

1 begin, I'd ask Chester Downs folks, anybody up here
2 who is not an attorney for Chester?

3 ATTORNEY DOWNEY:

4 Yes. We have two witnesses, sir.

5 CHAIRMAN:

6 Would you please identify them and have
7 them sworn by the court reporter?

8 ATTORNEY DOWNEY:

9 Sure. Bill Downey for Chester Downs and
10 Marina, LLC doing business as Harrah's, Philadelphia.
11 To my left is Ron Bauman, B-A-U-M-A-N-N. Ron is the
12 Senior Vice President and General Manager of the
13 property. To Ron's left is N., as in Nancy, Lynn
14 Hughes, H-U-G-H-E-S. She is Vice President and Chief
15 Legal Officer for the Eastern Region. And to Lynn's
16 left is Al Thompson, T-H-O-M-P-S-O-N. Al is the newly
17 appointed Director of Gaming Operations at the
18 property. Both Ron and Al would be appropriate for
19 being sworn in.

20 CHAIRMAN:

21 Would you please stand, gentlemen, to be
22 sworn?

23 -----
24 WITNESSES SWORN EN MASSE
25 -----

1 CHAIRMAN:

2 Chester, you can proceed.

3 ATTORNEY DOWNEY:

4 Okay. So, ---.

5 ATTORNEY FENSTERMAKER:

6 I'll ---

7 CHAIRMAN:

8 Oh, I'm sorry.

9 ATTORNEY FENSTERMAKER:

10 --- give a brief recitation of the
11 facts. That's okay. We have for your consideration
12 today a Consent Agreement between the OEC and Chester
13 Downs and Marina, LLC doing business as Harrah's
14 Philadelphia Casino and Racetrack regarding Harrah's
15 failure to adhere to the Board's regulations and Board
16 approved internal controls with respect to jackpot
17 payouts, the procedures for replenishing slot
18 attendants' impressed funds and the procedures for
19 reconciling those funds.

20 Harrah's internal controls provide that
21 slot attendants carry with them a minimal amount of
22 money, which are called impressed funds, in a wallet
23 which they use to pay out jackpots under \$5,000. When
24 a slot attendant needs to replenish his impressed
25 funds, he's required to go to the cage, turn in the

1 paperwork for the paid jackpots and in return receives
2 currency. For jackpots of \$5,000 or more, the slot
3 attendant proceeds to the cage to obtain the currency
4 to pay the jackpot.

5 Because this process is completed at the
6 cage, the transactions can closely be monitored by
7 surveillance. For a period of approximately three
8 months, some slot host supervisors or managers were
9 given a wallet of \$30,000 of impressment funds from
10 the cage. They took the wallet to the jackpot payout
11 area outside the satellite cage.

12 And when a slot attendant cash to pay
13 out a jackpot of \$5,000 or more, or needed to have his
14 impressed funds replenished, he would go to the
15 supervisor and submit the relevant documentation to
16 the supervisor and submit the relevant documentation
17 to the supervisor. So, essentially, the supervisor
18 was acting in place of the cage for this transaction.
19 At the end of the shift, the supervisor would submit
20 his wallet to the cage, where it was reconciled.

21 The Surveillance Department was unaware
22 of the implementation of the procedure, and as a
23 result was not able to monitor the transactions as
24 closely as they would have been able to if the
25 transactions had been conducted at the cage.

1 Following a review of this matter, the OEC and
2 Harrah's entered into a Consent Agreement wherein
3 Harrah's agreed to pay a fine in the amount of \$10,000
4 and costs of \$2,500.

5 We ask that the Board approve the
6 Consent Agreement as presented here today. And as
7 Cyrus stated, representatives from Harrah's are here
8 to answer any questions you may have.

9 CHAIRMAN:

10 Any comments from Chester Downs?

11 ATTORNEY DOWNEY:

12 Thank you, Mr. Chairman. Again, Bill
13 Downey for Chester Downs and Marina, LLC. We have no
14 additional comment. We concur in the recitation of
15 facts presented by OEC. We're prepared for your
16 questions.

17 CHAIRMAN:

18 Any questions or comments from the
19 Board?

20 MR. WOODS:

21 Mr. Chairman, I want to ask the --- Mr.
22 Baumann a few questions, if I could, specifically
23 about the number of Consent Agreements that have been
24 before this Board. In, I guess, my 30 months, this is
25 the 21st Consent Agreement that's been presented to

1 the Board. And in the time prior to that, from '08 to
2 '13, there were nine.

3 And I kind of view these Consent
4 Agreements in two different categories, one in which
5 there is an interaction with, I'll call it the patron
6 or the customer, and the others very much within the
7 employee base. In looking at this list, the first
8 group from '08 to '13 involved a number of underage
9 and Self-Exclusion security matters, which I believe
10 were very much with interaction of patrons and the
11 startup of the casino. And I can see by the last
12 three years that, for the most part, those issues have
13 been resolved.

14 But there is an increasing number of
15 internal control issues and issues involving
16 employees, and this Consent Agreement, again, goes to
17 the very heart of the regulations that we try to
18 enforce to ensure that gaming is fair and that our
19 regulations are adhered to. Having been to your
20 property on a number of occasions, I'm very pleased to
21 see the investment that's being made financially, the
22 number of patrons that are coming through the door and
23 so forth.

24 But I am very, very concerned about this
25 trend of increasingly a number of violations of

1 internal controls and employees. And I'm wondering if
2 you could speak to that, what's being done in the area
3 of training and how you view, you know, these
4 violations and now these Consent Agreements, which
5 have cost you about \$600,000 or more over the past few
6 years?

7 MR. BAUMANN:

8 Yes, I can. But first of all, good
9 morning, Mr. Chairman, and good morning,
10 Commissioners. We have, this past year, had 13, I
11 believe, Consent Agreements in 2015. We certainly had
12 far less in 2008 and early 2009. One Consent
13 Agreement is too many, to be honest with you. Our
14 drive, our goal and everything that we're about is
15 100-percent compliance, and last year, we didn't do
16 the job. I would say the last 12 to 18 months we
17 didn't do the job.

18 But trust me, it's not from a lack of
19 commitment to compliance. The first thing you see ---
20 and you've been to the property. The first thing you
21 see when you walk in our employee entrance is a
22 compliance message. The first thing. It's not good
23 morning, hello, smile at the guests. It's a
24 compliance message, and that message is currently
25 about our policy to card under --- anybody who looks

1 under 30.

2 The second thing you see after you come
3 in the employee entrance, is three more additional
4 messages around compliance. Those messages currently
5 right now are about RG policies. So, the messaging is
6 alive and well, and the training is alive and well.
7 Secondly, in our goals and in our performance reviews,
8 mine included, there is a section in there on how well
9 we perform from a compliance and an audit perspective
10 for the entire management team. I put that in there.

11 Last year, every single one of us got a does not
12 meet. That impacts our compensation and other things.

13 So, the accountability is there.

14 The agreements that we've had over the
15 past few years, to your point, have been --- the
16 number one source has been table games and human error
17 in table games. As you --- as the Commission well
18 knows, this gentleman to my left --- there's always
19 going to be some form of human error in table games.
20 Especially when you train and on-board your own
21 dealers, and you know that we have a commitment to our
22 community. We provide free training so that everybody
23 around the Chester area has an opportunity to realize
24 their dream of being a dealer. I thought we were not
25 doing a good job in there. This is a new Director of

1 Table Games. I have zero tolerance for repeat issues
2 in our world.

3 The second area that we've had the most
4 issues come out of --- I believe three --- cage count;
5 right? It's a fairly complex, big area, and you would
6 expect that that could potentially be a source. The
7 individual who was running the cage is no longer here,
8 because I didn't see the commitment to compliance,
9 both in terms of what the individual lives and
10 breathes, or the outcome in terms of what the results
11 are. They're gone. I have no tolerance for it.
12 Zero.

13 From a training perspective, in the
14 dealer world, we have revamped our training process,
15 particularly around the shuffle machines. And we've
16 simplified it, and now it says, hey, if you see a red
17 light, stop. Before, it was a paragraph on how to do
18 that. Now, basically it says if you see a red light,
19 stop. That means there's a card missing or something
20 wrong, and you know, don't assume.

21 So, we have absolutely a strong
22 commitment to compliance. April is compliance month
23 for us. We will sit down like we did last year. We
24 will sit down every --- and review every single
25 internal that we have. The process takes eight weeks

1 where we compare what our current processes are to
2 what the internals are, and we look for where we're
3 off. We will take the entire month of April to do
4 that.

5 We then submit changes and process
6 changes where we think we're off or we're not crystal
7 clear on what our commitments are, what our processes
8 are to the internals or the regulations that surround
9 those internals. We started that process last year,
10 and we'll do it this year. It is six weeks of
11 literally sitting there and going ---. The Commission
12 is fully aware of how thick the internals are in the
13 State of Pennsylvania. I mean, it's reading this.

14 So, again, Commissioner, I hear you loud
15 and clear. Personally, I'm embarrassed by having 13
16 Consent Agreements. Professionally, I'm embarrassed
17 by it and guarantee you you won't see 13 Consent
18 Agreements again.

19 MR. WOODS:

20 Your month of April --- I guess this
21 took place last year. What types of processes were
22 changed in order to further adhere to our regulations?
23 Because obviously, it didn't work ---

24 MR. BAUMANN:

25 Uh-huh (yes).

1 MR. WOODS:

2 --- during 2015. And I'm wondering, are
3 there things that you're specifically looking at this
4 year? Or is it just a ---

5 MR. BAUMANN:

6 Yeah, our ---.

7 MR. WOODS:

8 --- presentation of the material and a
9 stern warning to the employees?

10 MR. BAUMANN:

11 No, no, no, no. So, we did change
12 processes last year, and obviously, if you go through
13 a mountain of material like that, you're going to
14 catch some things. And it's not 100 percent. So, we
15 absolutely changed processes. One thing that we're
16 getting ready to do, honestly, is change our card and
17 dice room. We're actually moving it and getting ready
18 to submit that for approval, because we didn't think
19 it was --- met the conditions that were set forth in
20 the regulations.

21 And that's a big one. That's a big
22 capital project for us that we're going to do, because
23 we're not confident that our current process, which
24 was from day one, is fully compliant. So, we will
25 identify issues that come out of that.

1 MR. WOODS:

2 And will they be shared? Could they be
3 shared with this Board?

4 MR. BAUMANN:

5 Yes, absolutely. I'd be more than happy
6 to.

7 MR. WOODS:

8 A question for Enforcement Counsel, if I
9 may, Mr. Chairman?

10 CHAIRMAN:

11 Oh, please.

12 MR. WOODS:

13 Thank you. Specifically in this Consent
14 Agreement, in and of itself, I would not have a
15 concern. But the overall trend that we've seen in it,
16 is that taken into account when entering into a
17 Consent Decree, that this may be a violation of
18 internal controls? How many were there? What does
19 that do to the dollar amount? Because the \$10,000
20 does not seem as significant as I think it might,
21 given the trend of the last year, year and a half.

22 ATTORNEY PITRE:

23 Yes, Commissioner. We look at several
24 things when we're --- when we negotiate Consent
25 Agreements. One of the things is, how often has this

1 type of violation happened in the past? We take into
2 consideration the number of incidents since the
3 renewal period, as well as the number of incidents
4 since the beginning of time.

5 We take into consideration, was this an
6 employee who was just simply doing his own thing? Or
7 was this a company-wide policy to try to evade the
8 regulations? We take into consideration what impact,
9 if any, did it have on the patron or any patron within
10 the facility? And was a patron harmed? What impact
11 would it have on the Commonwealth? Was the
12 Commonwealth harmed? What impact, if any, did it have
13 upon the casino, and was the integrity of any part of
14 the casino operations harmed?

15 So, we look at the discipline, if they
16 levied any discipline against any employees who may
17 have committed an error or committed a violation. We
18 look at the number of employees that are involved in
19 the incident. We look at whether it was self-
20 reporting or not. Was it something that they failed
21 to cooperate with us on when we were looking into the
22 matter? Did they try to hide information from us?

23 And then we look at subsequent
24 compliance. Have they corrected the matter, and has
25 there been any --- and since we've first warned them

1 about it or since we've first brought it to their
2 attention, have they done the same thing over again?
3 In this particular instance, I think there was only
4 one other time in Harrah's history. I think it was
5 once that they failed to comply or went outside of
6 their internal controls and did something else without
7 Board --- the Board's approval or without getting the
8 necessary approvals.

9 So, we took that into consideration, and
10 we also took into consideration that subsequent
11 accounting. No money was missing. No one ran off
12 with the funds or anything like that. We also took
13 into consideration whether or not someone was trying
14 to do something to evade the regulatory process. We
15 think it was just a manager who was new to the job and
16 was trying to find a more efficient way of doing
17 something as opposed to going through the internal
18 control process. So, we looked into all those things,
19 and that's how we came up with this fine.

20 MR. WOODS:

21 If you could speak to additional matters
22 that may be in negotiation, are we likely to see
23 Harrah's before us in the next few months?

24 ATTORNEY PITRE:

25 Do you have anything in the pipeline?

1 ATTORNEY FENSTERMAKER:

2 No.

3 ATTORNEY PITRE:

4 No. We have no other matters in the
5 pipeline that would result in a Consent Agreement
6 against Harrah's.

7 MR. WOODS:

8 And it may be unfair to ask you this
9 question, because, Cassandra, you're specifically here
10 on Harrah's, and we're talking about that today. But
11 how does the number of Consent Agreements for this
12 facility stack up around the state? I know Mr.
13 Baumann is sincere in saying even one is too many.
14 I'm just wondering how these 21 over the last, you
15 know, three years or so stack up versus other
16 facilities in our group of approved casinos.

17 ATTORNEY PITRE:

18 I would say it's definitely on the high
19 end. It's higher than any other casino that we have
20 in the Commonwealth. I think, you know, I could
21 speculate as to why that is. I think ---.

22 MR. WOODS:

23 That would be helpful; I'd appreciate
24 it.

25 ATTORNEY PITRE:

1 Well, I think you have a number of
2 employees and --- that are new to the casino industry.
3 You have a high turnover rate at Harrah's. I mean,
4 it's very competitive for employees. An employee gets
5 experience and they move on to a casino that might be
6 paying more, that might be offering more, or that they
7 just want a change of location. So, there's also that
8 high turnover.

9 And also, you have --- you know, with
10 the overall costs of running a facility, you have ---
11 and the competition involved, you have a number of the
12 facilities that have employees doing more than one
13 job. And that has a tendency to lead to violations,
14 because if you have an employee that's responsible for
15 two or three different tasks or two or three different
16 jobs, it's ---. Something has got to give somewhere,
17 so I think that may be having an impact on it.

18 I'm not there every day. I can only
19 speculate as to those things. I don't think that it's
20 reflective of the leadership at Harrah's. I think Mr.
21 Baumann is --- you know, has done a good job of trying
22 to wrap his arms around this. And we have to also
23 remember --- and I don't know what impact this has on
24 it. But the parent company is going through a
25 bankruptcy right now, and so they're going to look at

1 every dollar that is spent. The bankruptcy judge is
2 going to look at every dollar spent, so all of those
3 things have a way of impacting a facility.

4 Thankfully, our facility is healthy
5 financially. Harrah's is healthy financially.
6 They've done a good job of maintaining their books and
7 ensuring that there's enough revenue to cover the cost
8 of various things, but I can't say that all the blame
9 is going to lie specifically on our property. I mean,
10 so with that said, I --- like I said, it's only
11 speculation on my part.

12 MR. WOODS:

13 And I appreciate your putting that
14 forward.

15 MR. BAUMANN:

16 Commissioner, I think that ---.

17 MR. WOODS:

18 And it goes to the specific point that I
19 wanted to ask you, Mr. Baumann, about the bankruptcy
20 and so forth. Are you appropriately staffed, and are
21 you receiving the support you need from the Harrah's
22 Corporation?

23 MR. BAUMANN:

24 Yes.

25 MR. WOODS:

1 I knew you would answer that way.

2 MR. BAUMANN:

3 We do, yes.

4 MR. WOODS:

5 But I just wanted to ask you.

6 MR. BAUMANN:

7 Yeah, I mean, the ---. Well, at the ---
8 you recall, right, the property itself is not in
9 bankruptcy; right? The parent above us is.

10 MR. WOODS:

11 Right.

12 MR. BAUMANN:

13 The bankruptcy has had zero impact or
14 effect on us and doesn't enter into our daily business
15 needs, staffing needs or anything. The money that the
16 property makes --- in fact, we have our own balance
17 sheet. So, that money doesn't even go back up to the
18 parent. It sits with the property, so that has zero,
19 zero impact. I can staff the property any way I see
20 fit. That's my job. I don't have anybody upstairs
21 going, hey, you know, cut a busboy today because we
22 need to make \$2. That doesn't happen.

23 In terms of the contributing factors
24 that Cyrus was putting forward, yeah. Turnover is
25 certainly one of them. We work in a very, very

1 difficult area to source employees. Chester is ---
2 you know, if --- everybody has kids here. So, if you
3 could work on the Main Line in Philadelphia or
4 Chester, you're probably choosing the Main Line or
5 Philadelphia first. So, sourcing employees is
6 certainly a challenge, and the resulting turnover is a
7 challenge. Our turnover number is about 29 percent.
8 It's about one-third.

9 And those areas, particularly in table
10 games where dealers can go on to get a better toke
11 rate at a property that has a different type of
12 clientele, certainly is a contributing factor. It is
13 by no means an excuse. But it's something that we
14 have to think through a little bit, and that also
15 impacts us in some of the supervisory and manager
16 ranks. Turnover is not 30 percent in those ranks, but
17 certainly that contributes to it.

18 The other factor that, you know, we deal
19 with is we do, because of our company, move people
20 from other markets. And they are not accustomed to
21 the amount of regulation that we have in the State of
22 Pennsylvania. That is one of the issues that we have
23 to do a better job training with. If they come from
24 Atlantic City or they come from the Midwest, they are
25 not used to the amount of regulations and internal

1 controls that we have here in Pennsylvania. And
2 that's something that we have to a better job in terms
3 of our on-boarding and training, and those individuals
4 tend to be in the management ranks. They're just not
5 used to it. Al is from Ohio, and I'm quite sure he
6 would tell you he's not seen the amount of regulations
7 that we have here as you compare it to Ohio.

8 MR. THOMPSON:

9 No.

10 MR. BAUMANN:

11 So, that's --- and then, again, that is
12 on us to do a better job to train those individuals
13 on, but those would be the contributing factors. It
14 is not a staffing issue. We're trying to get people
15 to multitask in a job. We have the same jobs and
16 spreads I think you'll find anywhere else.

17 MR. WOODS:

18 Do you believe addressing salaries and
19 bonus based upon performance for all different types
20 of employees may be an appropriate direction for the
21 facility to ensure more adherence to our regulations?

22 MR. BAUMANN:

23 I'm comfortable and confident in our
24 compensation. For those of you who have not seen it,
25 we were recently named the number one workplace to

1 work for in the entire Philadelphia region, so ---
2 amongst all businesses. So, number two is
3 PricewaterhouseCooper. I'm sure the average person
4 there makes more than a dealer. Our closest
5 competitor was number ten. The other ones weren't
6 even on the map.

7 So, we are definitely an employer of
8 choice. Our employee engagement scores are number one
9 in the entire company. So, I assure you it's not an
10 engagement issue or it's not a compensation issue.
11 They're well compensated, and there are bonus programs
12 in place, including for the line level employees,
13 which most businesses don't do, which are service-
14 based. But everybody has a chance. Every single
15 employee in Harrah's Philadelphia has a chance to earn
16 incremental or bonus dollars based upon some metric.

17 MR. WOODS:

18 I know those comments are meant to be
19 comforting or direct in the sense that you're meeting
20 the needs of the employees, trying to minimize
21 turnover and so forth. But it actually has the
22 reverse effect on me, because I thought the prospect
23 of your being able to enter into a new kind of
24 compensation, ways to reward employees for greater
25 compliance, ---

1 MR. BAUMANN:

2 Uh-huh (yes).

3 MR. WOODS:

4 --- may be able to come about after your
5 April compliance review and so forth. I am very
6 concerned about the trend. I understand you are,
7 also. This Consent Agreement is not something that
8 I'm prepared to support today. I do feel that the
9 history leads to a different conclusion, but I'm
10 certainly hopeful that this can be resolved going
11 forward and that we won't see you here for Consent
12 Agreements in the future.

13 MR. BAUMANN:

14 And Commissioner, just to be clear on
15 the compensation end, we do have a compensation
16 program that is around compliance in our Security
17 Department.

18 MR. WOODS:

19 Uh-huh (yes). And I can see underage
20 and ---

21 MR. BAUMANN:

22 Right.

23 MR. WOODS:

24 --- those issues have gone down.

25 MR. BAUMANN:

1 So, they get bonuses every single
2 quarter that we don't have an occurrence.

3 MR. WOODS:

4 But could that same, I guess, method be
5 applied to internal controls?

6 MR. BAUMANN:

7 Yes.

8 MR. WOODS:

9 I'm feeling that that would assist
10 in ---

11 MR. BAUMANN:

12 Yes.

13 MR. WOODS:

14 --- in ensuring compliance going
15 forward.

16 MR. BAUMANN:

17 The answer is yes, it absolutely can.
18 And we can look at programs that are a little bit more
19 surgical in certain areas. But also, be assured that
20 this year, the management bonus programs --- one of
21 the metrics they have to meet is compliance. And it's
22 kind --- it's the reverse; right? If you achieve and
23 we have none, then you're able to get a full bonus.
24 If you don't, you will not.

25 So, that is already in place for the

1 management, and you know, your advice to take maybe
2 what we do in Security and bring it down a couple
3 notches at the supervisory and line level employees?
4 Absolutely. We can do that.

5 MR. WOODS:

6 Thank you, Mr. Chairman. No more
7 questions.

8 CHAIRMAN:

9 I have some questions, but anybody else?

10 MR. MOSCATO:

11 No.

12 CHAIRMAN:

13 Just I can't ---. Slightly tongue in
14 cheek. If you're the number one place to work, I
15 guess your biggest problem down there is that your
16 employees must not recognize it, or else they wouldn't
17 be running off to work in other casinos. And so maybe
18 you've got an internal advertising problem. I take it
19 at face value that you must be a good place to work.
20 But you wouldn't have such high turnover if your own
21 employees realized that. Just a comment. I don't
22 know what response you could possibly give to that,
23 but ---.

24 MR. BAUMANN:

25 I think if you, you know, research

1 casinos in the industry, you'd be surprised what the
2 average turnover is in the casino industry.

3 CHAIRMAN:

4 No. I understand that. But you said
5 this, and my fellow members have shared with me this
6 quite a bit, that you're at the high end, and you're
7 also at the high end of noncompliance on internal
8 controls. I'm not going to beat the horse any further
9 except to say that I think you --- from what I can
10 see, you guys have spent a lot of time and energy
11 dealing with your customer interface to take care of
12 those kind of security questions.

13 But I'm very much troubled, and I would
14 second the views of my fellow Commissioner, Mr. Woods,
15 that I don't like the trend, and I'm sure you don't
16 like it either. But the question is, what are we
17 going to encourage you in that regard? And I'll just
18 guess I'll leave my comments at that. May I have a
19 motion?

20 MR. RYAN:

21 One question.

22 CHAIRMAN:

23 Oh.

24 MR. RYAN:

25 Right before that, Mr. Chairman. Mr.

1 Baumann, I certainly want to express my gratitude for
2 your candor and honesty in answering very difficult
3 questions. The Board appreciates that; okay?

4 CHAIRMAN:

5 Thank you, Bill. May I have a motion?

6 MR. FAJT:

7 Mr. Chairman, I move that the Board
8 issue an Order to deny the Consent Agreement between
9 the OEC and Chester Downs and Marina, LLC.

10 MR. JEWELL:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 All opposed? The Motion is adopted.

17 Thank you.

18 ATTORNEY PITRE:

19 If I may, would the Board be willing to
20 --- if we can amend the Consent Agreement to a
21 different figure, would the Board be willing to accept
22 an on-the-record amendment to the Consent Agreement?

23 CHAIRMAN:

24 I would suggest that the best way to do
25 that is you should talk among yourselves --- you've

1 heard our views up here --- and maybe just bring this
2 back at the next public session.

3 ATTORNEY PITRE:

4 I appreciate it. Thank you.

5 ATTORNEY FENSTERMAKER:

6 The next Consent Agreement that we have
7 for your consideration today is a Consent Agreement
8 between the OEC and Harrah's regarding a table games
9 violation. On September 29th, 2015, while removing a
10 deck from an automatic shuffler, the table games
11 dealer dropped the deck. After collecting the cards
12 that were on the table, she hand-shuffled the deck and
13 began dealing. At no time did she count the cards in
14 the deck prior to dealing.

15 At the end of the deck, a patron noticed
16 a card from the deck on the floor. Thirty-four (34)
17 hands were played with the deck while it was short one
18 card. Following review of this matter, the OEC and
19 Harrah's entered into a Consent Agreement wherein
20 Harrah's will pay a fine in the amount of \$15,000 and
21 costs of \$2,500. We ask the Board approve the Consent
22 Agreement as presented today. And again, we're
23 available for questions.

24 CHAIRMAN:

25 Any comments from Chester beyond what

1 we've already discussed?

2 ATTORNEY DOWNEY:

3 Thank you, Mr. Chairman. Bill Downey
4 from Chester Downs and Marina. We have no further
5 comments other than to support the recitation.

6 CHAIRMAN:

7 Questions or comments from the Board on
8 this matter? May I have a motion?

9 MR. JEWELL:

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

14 MR. MCCALL:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 All opposed? The motion is adopted.

21 ATTORNEY PITRE:

22 The next matter on the agenda is a
23 Consent Agreement that has been negotiated between the
24 OEC and Downs Racing, LP doing business as Mohegan Sun
25 Pocono. The matter will be presented by Assistant

1 Enforcement Counsel Kim Adams. Representatives from
2 Downs are here. Mr. Stewart is here on behalf of
3 Downs, and with that, I'll turn it over to Assistant
4 Enforcement Counsel Kim Adams.

5 ATTORNEY ADAMS:

6 Mr. Chairman and the Board --- Mr.
7 Chairman and Members of the Board, good morning. Kim
8 Adams, OEC. The next Consent Agreement for your
9 consideration is between the OEC and Mohegan Sun
10 Pocono, whereby Mohegan Sun will be acknowledging four
11 incidents of underage gaming.

12 The first incident occurred on March
13 27th, 2015 when a 20-year-old patron gained entry to
14 the gaming floor after a security officer failed to
15 ask the patron for identification. The underage
16 patron gamed at both blackjack and roulette, wherein
17 the table games dealer failed to ask the patron for
18 the identification. It was only when a table games
19 supervisor asked the underage patron for
20 identification that it was discovered that he was 20
21 years old. The underage patron was on the gaming
22 floor for one hour and played 45 hands of blackjack
23 and/or roulette. The OEC will be requesting this
24 underage patron be placed on the Involuntary Exclusion
25 List later today.

1 The second incident occurred on July
2 25th, 2015 when a 20-year-old employee of Mohegan Sun
3 Pocono finished his shift as a security officer, and
4 he was gaming and drinking while in his actual
5 uniform. The underage employee obtained alcoholic
6 beverages from the Elixir Bar, which is in the hotel,
7 and the M Bar, which is outside the gaming floor, and
8 then gained access to the gaming floor without being
9 asked for his identification. On two separate
10 occasions, the underage employee attempted to buy
11 chips at two separate blackjack tables. However, when
12 he was unable to produce identification, the table
13 games dealers refused to let him buy chips.

14 The underage employee then gamed at slot
15 machines for approximately 19 minutes until a table
16 games dealer notified security that an underage,
17 off-duty employee was on the gaming floor. The
18 underage employee was on the floor for one hour and 15
19 minutes. The Board revoked the underage Gaming
20 Employee's --- the underage employee's Gaming Employee
21 Permit and placed him on the Involuntary Exclusion
22 List at the last Board meeting.

23 The third incident occurred on August
24 2nd, 2015 when a 20-year-old patron gained access to
25 the gaming floor when a security officer failed to ask

1 the underage patron for identification. The underage
2 patron gamed at blackjack for approximately 16 minutes
3 and played 17 hands. The underage patron exited the
4 gaming floor, and when he tried to reenter, he
5 produced a counterfeit identification card and was
6 refused reentry to the gaming floor. The underage
7 patron was on the floor for approximately 18 minutes
8 and gamed for 16 minutes. The OEC filed a Petition to
9 place him on the Involuntary Exclusion List, and this
10 matter was heard last week before the OHA.

11 The fourth incident occurred on November
12 10th, 2015 when a 20-year-old patron gained access to
13 the gaming floor when a security officer failed to ask
14 her for her identification. While on the gaming
15 floor, the underage patron gamed at slot machines.
16 When the underage patron was challenged by
17 identification by a security officer, she then turned
18 around and was walking away from the security officer
19 until additional help arrived. The underage patron
20 was on the gaming floor for approximately one hour and
21 27 minutes and gamed at slots for one hour and 11
22 minutes. The OEC has filed a Petition to place the
23 underage patron on the Involuntary Exclusion List, and
24 this matter is still pending Board action.

25 The parties have entered into this

1 agreement that within five days of the day of the date
2 of the Board Order adopting this agreement, Mohegan
3 Sun Pocono shall pay a civil penalty in the amount of
4 \$37,500. And the parties have also agreed that within
5 five days of the Board's Order, Mohegan Sun Pocono
6 shall pay \$2,500 for the costs incurred by the OEC and
7 other staff in connection with this matter. The OEC
8 recommends that the Board approve this Consent
9 Agreement with any questions, if you should have them.

10 CHAIRMAN:

11 Thank you. Any comments from Downs?

12 ATTORNEY STEWART:

13 Mr. Chairman and the Board Members, just
14 that we greatly regret these incidents and being
15 before the Board on this matter. With me is Joseph
16 Melody (phonetic) with Mohegan Sun Pocono. The
17 company engages in substantial training and prevention
18 efforts and refreshes that training to try to prevent
19 these incidents.

20 We also take remedial action, both
21 discipline on the employees as well as other training
22 and --- for those who are not discharged to try and
23 make sure that mistakes are corrected. So, again, we
24 regret these incidents very much and stand before you.

25 CHAIRMAN:

1 Thank you. Any questions or comments
2 from the Board on this matter? May I have a motion?

3 MR. MCCALL:

4 Mr. Chairman, I move that the Board
5 issue an Order to approve the Consent Agreement
6 between the OEC and Downs Racing, LP as described by
7 the OEC.

8 MR. MOSCATO:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 Opposed? The motion is adopted. Thank
15 you for coming.

16 ATTORNEY STEWART:

17 Thank you.

18 ATTORNEY PITRE:

19 The next matter on the agenda is a
20 Consent Agreement that has been negotiated between the
21 OEC and Mountainview Thoroughbred Racing Association
22 doing business as Hollywood Casino at Penn National
23 Racecourse. The matter will be presented by Assistant
24 Enforcement Counsel John Crohe. Hey, Alex. Have you
25 introduced yourself to the Board yet, Alex?

1 MR. VISTA:

2 Yes. Good morning, Board. My name is
3 Alex Vista. I'm the Compliance Manager at
4 Mountainview Thoroughbred Racing Association.

5 CHAIRMAN:

6 Thank you.

7 ATTORNEY PITRE:

8 And I'll turn it over to John.

9 ATTORNEY CROHE:

10 Good afternoon, Chairman, Members of the
11 Board. It's John Crohe, C-R-O-H-E, for the OEC. The
12 next matter on the agenda is a Consent Agreement
13 reached between Hollywood and the OEC regarding one
14 violation of the Board's regulations governing table
15 game procedures.

16 On November 18th, 2015, the game of
17 poker was being conducted improperly, as a queen of
18 clubs was missing from play, and two queens of spades
19 were present in an active deck. This error was
20 discovered when the fifth community card of a hand
21 revealed a queen of spades after a queen of spades had
22 already been dealt as one of the initial three
23 community cards. The deck containing the incorrect
24 cards was removed from the table and taken to the
25 poker host stand where it was inspected, confirming

1 that, in fact, two queen of spades and no queen of
2 clubs was present in the deck. The deck containing
3 these incorrect cards was inspected at least three
4 times prior to becoming active and was in play for two
5 hours and 30 minutes and was used for a total of 34
6 hands.

7 The OEC and Hollywood Casino
8 respectfully request that the Board approve this
9 Consent Agreement and the Stipulations of settlement
10 which require that Hollywood implement policy and
11 procedures to prevent similar incidents in the future,
12 that Hollywood pay a civil penalty of \$8,000, as well
13 as \$2,500 for costs incurred by the Board staff in
14 connection with investigations into this matter. Mr.
15 Alex Vista of Hollywood Casino is here representing
16 Hollywood to answer any questions on their behalf.

17 CHAIRMAN:

18 Before I ask you if you have any
19 comments, if you're going to have comments, I'm going
20 to have to have you stand and be sworn.

21 -----

22 ALEX VISTA, CALLED AND SWORN.

23 -----

24 CHAIRMAN:

25 Thank you. Do you have any comments

1 this morning?

2 MR. VISTA:

3 Just briefly, Mr. Chairman, of course,
4 this is an unforced error. It's embarrassing on our
5 part. We regret it. The employees that were involved
6 have all been disciplined. It was a situation where
7 they were trying to go too fast, and haste makes
8 waste. Following the situation, the Director of Table
9 Games and the Director of Security jointly reviewed
10 the entire card renewal process from start to finish.
11 We implemented additional training and additional
12 safeguards in the process to ensure that this doesn't
13 happen again.

14 CHAIRMAN:

15 Are there any comments or questions from
16 the Board? Oh.

17 MR. FAJT:

18 One quick question, Mr. Chairman. What
19 was the discipline meted out to the employee?

20 MR. VISTA:

21 So, the security officer who did the
22 initial review, he received a documented --- or excuse
23 me, a verbal coaching. He's been with the property
24 since a couple weeks after opening. The table games
25 floor person, he --- when he was reviewing the cards,

1 he stopped reviewing and then made an announcement and
2 then went back to it. He was given a documented
3 verbal warning, which was the first step in our system
4 of progressive discipline. He's been with the company
5 about two-and-a-half years. And the dealer, he
6 indicated that he just went too fast. He was trying
7 to keep the game moving. He's been with the company
8 about four and a half years, and he also, in our
9 system of progressive discipline, received a
10 documented verbal warning.

11 MR. FAJT:

12 And how many verbal warnings or what is
13 the progression of discipline?

14 MR. VISTA:

15 Sure. It's verbal coaching, documented
16 verbal, a written warning, a final written and a
17 separation. And if it's egregious enough --- for
18 example, if it's an underage incident, you go
19 immediately to a final written warning.

20 MR. FAJT:

21 All right. Thank you very much.

22 CHAIRMAN:

23 May I have a motion?

24 MR. MOSCATO:

25 Mr. Chairman, I move that the Board

1 issue an Order to approve the Consent Agreement
2 between the OEC and Mountainview Thoroughbred Racing
3 Association as described by the OEC.

4 MR. RYAN:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 All opposed? The Motion is adopted.

11 Thank you for coming.

12 MR. VISTA:

13 Thank you.

14 ATTORNEY PITRE:

15 The next matter on the agenda is a
16 Consent Agreement that has been negotiated between the
17 OEC and Valley Forge Convention Partners, LP doing
18 business as Valley Forge Casino Resort. The matter
19 will be presented by Senior Enforcement Counsel Glen
20 Stuart.

21 ATTORNEY STUART:

22 Good afternoon. Glen Stuart for the
23 OEC, S-T-U-A-R-T. As Cyrus said, next for the Board's
24 consideration is a Consent Agreement entered into
25 between the OEC and Category 3 Licensee Valley Forge

1 Consent --- Convention Center Partners, LP.

2 CHAIRMAN:

3 Would you hold for a second? Who's here
4 on behalf of Valley Forge?

5 ATTORNEY FABIUS:

6 Good morning, Commissioners. Good
7 morning, Chairman. This is my --- I'm Michael Fabius
8 at the law firm Ballard Spahr here on behalf of Valley
9 Forge Casino. To my left is Gib Morrissey, Executive
10 Director of Security. If you'd like him to be stand
11 --- to stand to be sworn now, he can just ---.

12 CHAIRMAN:

13 Why don't you please do that? Thank
14 you.

15 -----

16 GIB MORRISSEY, CALLED AND SWORN.

17 -----

18 CHAIRMAN:

19 Thank you.

20 ATTORNEY STUART:

21 On September 2nd, 2015, an individual on
22 the Board's Self-Exclusion List gained access to
23 Valley Forge's gaming floor as the guest of a seasonal
24 dining club member. The self-excluded individual had
25 placed himself on the Self-Exclusion Program in 2012

1 for one year. However, he had not removed himself
2 from the Self-Exclusion List at that time. The
3 self-excluded individual had previously worked at
4 Valley Forge as a table games dealer and he held a
5 Gaming Employee Permit issued by the Board, which had
6 expired prior to the September 2nd, 2015 incident.

7 While on the gaming floor, the
8 self-excluded individual had face-to-face contact with
9 numerous members of Valley Forge's table games
10 department. The self-excluded individual also placed
11 several wagers at a craps table. The self-excluded
12 individual subsequently left the gaming floor and was
13 denied reentry because he did not have a casino access
14 pass.

15 The self-excluded individual was
16 ultimately issued a casino access pass and reentered
17 the gaming floor. However, after double checking the
18 Self-Exclusion List, a security manager realized that
19 the self-excluded individual had not removed himself
20 from the Self-Exclusion List. The security manager
21 then located the self-excluded individual on the
22 gaming floor and brought him to the Board's offices
23 located at Valley Forge.

24 The self-excluded individual was on
25 Valley Forge's gaming floor for an aggregate of

1 approximately three hours and 15 minutes. And a
2 reconciliation of his wagering activity shows he won a
3 total of \$12 at Valley Forge. The Pennsylvania State
4 Police cited the self-excluded individual with defiant
5 trespass on or about September 10th, 2015.

6 The terms of the self --- of the Consent
7 Agreement would require Valley Forge to pay a civil
8 penalty in the amount of \$7,500 for allowing one
9 individual on the Board's Self-Exclusion List to
10 access the gaming floor, for allowing one individual
11 on the Board's Self-Exclusion List to obtain a casino
12 access pass, for allowing one individual on the
13 Board's Self-Exclusion List to place wagers while on
14 the gaming floor, and for allowing one individual on
15 the Board's Self-Exclusion List to cash out \$12 in
16 winnings he accrued as a result of his wagering
17 activity.

18 Valley Forge would also be required to
19 remit \$12 to the Compulsive and Problem Gambling Fund,
20 which represents the winnings Valley Forge should have
21 confiscated from the self-excluded individual. And
22 Valley Forge would further be required to remit \$2,500
23 to the Board for expenses incurred during the
24 investigation relating to this Consent Agreement. As
25 such, this Consent Agreement is now ripe for the

1 Board's consideration.

2 CHAIRMAN:

3 Thank you. Are there any questions from
4 the Board? May I have a motion?

5 MR. RYAN:

6 Mr. Chairman, I move that the Board
7 issue an Order to approve the Consent Agreement
8 between the OEC and Valley Forge Convention Center
9 Partners, LP as described by the OEC.

10 MR. WOODS:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 All opposed? The Motion is adopted.

17 ATTORNEY FABIUS:

18 Thank you.

19 CHAIRMAN:

20 I didn't give you a chance for your
21 comments. I assume you had none.

22 ATTORNEY FABIUS:

23 It's perfectly all right, Chairman.

24 Thank you.

25 ATTORNEY PITRE:

1 The next two matters on the agenda are
2 Consent Agreements that have been negotiated between
3 the OEC and individuals licensed by the Board.
4 Assistant Enforcement Counsel David Tepper will
5 present each of these matters for the Board's
6 consideration.

7 ATTORNEY TEPPER:

8 Good afternoon, Chairman Barasch,
9 Members of the Board. David Tepper, T-E-P-P-E-R, with
10 the OEC. The next two Consent Agreements arise out of
11 the same fact pattern, and with your permission, I
12 would relate to just the fact pattern as one and then
13 the Consent Agreements individually. Sylvia Austin
14 and Dwayne Sanderson were both arrested by the Pocono
15 Mountain Regional Police Department in January of '16
16 and charged with multiple felonies and misdemeanors
17 related to activities arising out of drug distribution
18 and possession, firearms possession and endangering
19 the welfare of children.

20 Sylvia Austin is the owner of a
21 Non-Gaming Employee Registration Permit. On January
22 20th, 2016, the Board's Executive Director issued an
23 Emergency Order of Suspension of her Non-Gaming
24 Employee Registration. Ms. Austin's attorney has
25 represented to me that he's unavailable to be here

1 today as he's attached in the Court of Common Pleas of
2 Monroe County. However, he has discussed this with
3 his client and is amenable to the terms of the Consent
4 Agreement.

5 At this point, the OEC requests that the
6 Board approve the Consent Agreement for the Emergency
7 Suspension of Sylvia Austin's Non-Gaming Employee
8 Permit --- Registration to remain in effect until
9 further Order of the Board.

10 CHAIRMAN:

11 Thank you. Any questions from the
12 Board? May I have a motion?

13 MR. WOODS:

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

18 MR. FAJT:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 All opposed? The Motion is adopted.

25 ATTORNEY TEPPER:

1 Dwayne Sanderson is the holder of a
2 Gaming Employee Permit. On January 20th, 2016, the
3 Board's Executive Director issued an Order for the
4 Emergency Suspension of his Gaming Employee Permit.
5 Mr. Sanderson's attorney is also attached in Monroe
6 County today. It is their trial week, and as such, he
7 has also spoken with his client and is amenable to the
8 terms of this agreement. And at this point in time,
9 the OEC requests that the Board approve this Consent
10 Agreement to keep the emergency suspension of Dwayne
11 Sanderson in effect until further order of the Board.

12 CHAIRMAN:

13 Questions or comments from the Board?
14 May I have a motion?

15 MR. FAJT:

16 Mr. Chairman, I move that the Board
17 issue an Order to approve the Consent Agreement
18 between the OEC and Dwayne Sanderson as described by
19 the OEC.

20 MR. JEWELL:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

1 All opposed? The Motion is adopted.

2 ATTORNEY PITRE:

3 The next six matters on the agenda
4 consist of Enforcement Actions in which the OEC has
5 filed a complaint seeking the revocation of
6 Registrations that have been issued to individuals
7 licensed by the Board. Each complaint has been filed
8 with the Board's OHA and properly served upon the
9 individual named in the complaint. The individual
10 named in the complaint failed to respond within 30
11 days as required by Board regulation.

12 As a result, the OEC filed a request for
13 default judgment against each individual and properly
14 served each individual. Thereby each of the facts in
15 each complaint are deemed admitted. All filed
16 documents have been provided to the Board, and the
17 matters are presently ripe for the Board's
18 consideration. In each matter, we'll read a brief
19 summation of the facts and request the appropriate
20 Board action.

21 ATTORNEY TEPPER:

22 The first matter for your consideration
23 today is a complaint to revoke the Non-Gaming Employee
24 Registration of Julie Blanche. Ms. Blanche stole
25 money from Mt. Airy while working as a bartender. She

1 was fired from Mt. Airy, but criminal charges were not
2 pursued. At this point in time, the OEC requests that
3 the Board revoke Julie Blanche's Non-Gaming Employee
4 Registration.

5 CHAIRMAN:

6 Questions or comments from the Board?
7 May I have a motion?

8 MR. JEWELL:

9 Mr. Chairman, I move that the Board
10 issue an Order to approve the revocation of Julie
11 Blanche's Non-Gaming Employee Registration as
12 described by the OEC.

13 MR. MCCALL:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 All opposed? The Motion is adopted.

20 ATTORNEY ADAMS:

21 The next matter for the Board's
22 consideration is the revocation of Patrick Bunton's
23 Non-Gaming Employee Registration. Mr. Bunton pled
24 guilty to possession of cocaine, and at this time, the
25 OEC is requesting his Non-Gaming Employee Registration

1 be revoked.

2 CHAIRMAN:

3 Questions or comments from the Board?

4 May I have a motion?

5 MR. MCCALL:

6 Mr. Chairman, I move that the Board
7 issue an Order to approve the revocation of Patrick
8 Bunton's Non-Gaming Employee Registration as described
9 by the OEC.

10 MR. MOSCATO:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 All opposed? The Motion is adopted.

17 ATTORNEY ADAMS:

18 The next matter for the Board's
19 consideration is the revocation of Kristopher
20 Carroll's Non-Gaming Employee Registration. On
21 February 28th, 2015, while employed as a line cook at
22 The Meadows, Mr. Carroll stole from the Rivers Gift
23 Shop and was in possession of cocaine. On September
24 25th of 2015, the Board suspended Mr. Carroll's
25 Non-Gaming Employee Registration for six months,

1 holding the suspension in abeyance provided Mr.
2 Carroll successfully completed his probation without
3 verdict, including attending drug and alcohol classes.

4 On November 13th of 2015, Mr. Carroll
5 was terminated from The Meadows for failing to submit
6 to the reasonable suspicion drug test after he showed
7 signs of intoxication while at work. Additionally,
8 Mr. Carroll failed to provide documentation to the OEC
9 that he complied with the September 25th, 2015 Board
10 Order. For all of the above reasons, the OEC is
11 requesting Mr. Carroll's Non-Gaming Employee
12 Registration be revoked.

13 CHAIRMAN:

14 Questions or comments from the Board?
15 May I have a Motion?

16 MR. MOSCATO:

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

21 MR. RYAN:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

1 CHAIRMAN:

2 All opposed? The Motion is adopted.

3 ATTORNEY ADAMS:

4 The next matter for the Board's
5 consideration is the Revocation of Thomas Neer's
6 Non-Gaming Employee Registration. While employed as
7 an Environmental Service Attendant at Mohegan Sun
8 Pocono, Mr. Neer took a cell phone belonging to a
9 patron that was left behind at a slot machine. Mr.
10 Neer was criminally charged, and his charges are still
11 pending. At this time, the OEC is requesting Mr.
12 Neer's Non-Gaming Employee Registration be revoked.

13 CHAIRMAN:

14 Questions or comments from the Board?
15 May I have a Motion?

16 MR. RYAN:

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

21 MR. WOODS:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

1 CHAIRMAN:

2 All opposed? The Motion is adopted.

3 ATTORNEY ADAMS:

4 The next matter for the Board's
5 consideration is the Revocation of Brian Ogozaly's
6 Non-Gaming Employee Registration. While employed as a
7 valet attendant at Mohegan Sun Pocono, he would remove
8 money from patrons' vehicles as he was parking them.
9 He was criminally charged, and his charges are still
10 pending. At this time, the OEC is requesting that Mr.
11 Ogozaly's Non-Gaming Employee Registration be revoked.

12 CHAIRMAN:

13 Any questions from the Board? May I
14 have a motion?

15 MR. WOODS:

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

20 MR. FAJT:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

1 All opposed? The Motion's adopted.

2 ATTORNEY STUART:

3 Next for the Board's consideration is
4 the Revocation of Lisa Pierce's Non-Gaming
5 Registration. While working as a beverage server at
6 Lady Luck Casino, Ms. Pierce admitted to stealing
7 money from a common kitty jar. Other beverage servers
8 at Lady Luck Casino contributed their own money to the
9 common kitty jar in order to make change during their
10 shifts and to purchase other items for work. On
11 January 25th, 2016, Ms. Pierce pled guilty to theft by
12 unlawful taking in relation to her actions, and she
13 was placed in the ARD program for six months.

14 As such, the Revocation of Lisa Pierce's
15 Non-Gaming Registration is now ripe for the Board's
16 consideration.

17 CHAIRMAN:

18 Questions or comments from the Board?
19 May I have a motion?

20 MR. FAJT:

21 Mr. Chairman, I move that the Board
22 issue an Order to approve the Revocation of Lisa
23 Pierce's Non-Gaming Employee Registration as described
24 by the OEC.

25 MR. JEWELL:

1 Second.

2 CHAIRMAN:

3 All in favor?

4 ALL SAY AYE

5 CHAIRMAN:

6 All opposed? The Motion is adopted.

7 ATTORNEY PITRE:

8 The remaining 14 matters on the Agenda
9 consist of Enforcement Actions in which the OEC has
10 filed Petitions seeking the involuntary exclusion of
11 individuals whose presence in a licensed facility are
12 inimical to the interests of the Commonwealth and our
13 licensed gaming therein. In each instance, the
14 Petition for Exclusion has been filed with the Board's
15 OHA and properly served upon the individual named in
16 the petition.

17 The individual named in the Petition
18 failed to respond within 30 days as required by Board
19 regulation. As a result, the OEC filed a request for
20 default judgment in each instance and properly served
21 the default judgment upon each individual. Thereby
22 all facts in each Petition are deemed admitted. All
23 filed documents have been provided to the Board, and
24 the matters are presently ripe for the Board's
25 consideration. In each instance, we'll provide a

1 brief summary of the facts and request the appropriate
2 Board action.

3 ATTORNEY STUART:

4 Next for the Board's consideration is
5 the placement of Konstantinos Villios on the Board's
6 Involuntary Exclusion List. Mr. Villios pled guilty
7 to two counts of theft of property in relation to his
8 theft of over \$400 in gaming vouchers from other
9 patrons while at The Meadows Casino and Racetrack.
10 The thefts occurred over multiple days. Mr. Villios
11 was sentenced to an aggregate of two years of
12 probation as a result of his actions. As such, the
13 OEC requests the placement of Konstantinos Villios on
14 the Board's Involuntary Exclusion List.

15 CHAIRMAN:

16 Questions or comments from the Board?
17 May I have a motion?

18 MR. JEWELL:

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

23 MR. MCCALL:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 All opposed? The Motion is adopted.

5 ATTORNEY TEPPER:

6 Mr. Chairman, Members of the Board, I
7 have for your consideration today a Petition to place
8 Christine Idera on the Board's Exclusion List. Ms.
9 Idera capped bets at Mt. Airy, and as a result of this
10 conduct, was criminally charged and convicted. At
11 this time, the OEC requests that Christine Idera be
12 placed on the Board's Exclusion List.

13 CHAIRMAN:

14 Can I have a motion?

15 MR. MCCALL:

16 Mr. Chairman, I move that the Board
17 issue an Order to approve the addition of Christine
18 Idera to the Pennsylvania Gaming Control Board
19 Involuntary Exclusion List as described by the OEC.

20 MR. MOSCATO:

21 Second.

22 CHAIRMAN:

23 All in ---?

24 ATTORNEY TEPPER:

25 Next for the ---.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 All opposed? The Motion is adopted.

6 ATTORNEY TEPPER:

7 Next for your consideration, I have a
8 Petition to place Thomas Pacheco on the Board's
9 Exclusion List. Mr. Pacheco cheated while playing
10 poker at Mt. Airy, and as a result of this conduct, he
11 was criminally charged and convicted. At this time,
12 the OEC requests that Thomas Pacheco be placed on the
13 Board's Exclusion List.

14 CHAIRMAN:

15 Questions or comments from the Board?

16 May I have a motion?

17 MR. MOSCATO:

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

22 MR. RYAN:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 All opposed? The Motion is adopted.

4 ATTORNEY MILLER:

5 Good afternoon, Chairman Barasch,
6 Members of the Board. Dustin Miller on behalf of the
7 OEC. The next matter today is a request for placement
8 on the Board's Excluded Persons List involving John
9 Giglio. The OEC filed a Petition to place Mr. Giglio
10 on the Exclusion List on January 19th, 2016 for
11 cheating by capping bets while playing Let It Ride at
12 Parx Casino. Based upon the foregoing, the OEC asks
13 that the Board place John S. Giglio on the Board's
14 Excluded Persons List.

15 CHAIRMAN:

16 Questions or comments from the Board?
17 May I have a motion?

18 MR. RYAN:

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

23 MR. WOODS:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 All opposed? The Motion is adopted.

5 ATTORNEY MILLER:

6 The next three matters are related and
7 arise out of the same fact pattern. With the
8 permission of the Board, I'd like to read one set of
9 facts and then request placement on the Exclusion List
10 for each individual. On or about July 12th, 2015,
11 arrest warrants were issued by the Pennsylvania State
12 Police for Aylmer Weldin and Travis Woodcock regarding
13 an incident that occurred at Parx Casino on January
14 13th, 2013.

15 In that incident, Mr. Weldin, Mr.
16 Woodcock and a third individual, Daniel Haber, were
17 observed on the gaming floor of Parx Casino rapidly
18 inserting large amounts of US currency into slot
19 machines with little to no gaming by the individuals.
20 This type of activity is consistent with money
21 laundering. Mr. Weldin was found in possession of
22 \$8,000, and Mr. Woodcock and Mr. Haber each had
23 \$6,000.

24 After Mr. Weldin and Mr. Woodcock and
25 Mr. Haber were taken into custody by Pennsylvania

1 State Police, a search of their vehicle revealed
2 \$22,000 in cash, a scale and controlled substances.
3 Chemical testing of currency taken into custody by
4 Pennsylvania State Police revealed traces of cocaine,
5 nitroglycerin, marijuana and ecstasy. All three
6 individuals were criminally charged for the incident.

7 The OEC filed a Petition to place Mr.
8 Haber on the Exclusion List on December 8th, 2015 for
9 attempting to launder money at Parx Casino. Based
10 upon the foregoing, the OEC asks that the Board place
11 Daniel Haber on the Board's Excluded Persons List.

12 CHAIRMAN:

13 Questions or comments from the Board?
14 May I have a motion?

15 MR. WOODS:

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

20 MR. FAJT:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

1 All opposed? The Motion is adopted.

2 ATTORNEY MILLER:

3 Likewise, the OEC filed a Petition to
4 place Mr. Weldin on the Exclusion List on December
5 8th, 2015 for attempting to launder money at Parx
6 Casino. Based upon the foregoing, the OEC asks that
7 the Board place Aylmer Weldin on the Board's Excluded
8 Persons List.

9 CHAIRMAN:

10 Questions or comments from the Board?
11 May I have a motion?

12 MR. FAJT:

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

17 MR. JEWELL:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 All opposed? The Motion is adopted.

24 ATTORNEY MILLER:

25 And finally, the OEC filed a Petition to

1 place Mr. Woodcock on the Exclusion List on December
2 8th, 2015 for attempting to launder money at Parx
3 Casino. Based upon the foregoing, the OEC asks that
4 the Board place Travis Woodcock on the Board's
5 Excluded Persons List.

6 CHAIRMAN:

7 Questions or comments from the Board?
8 May I have a Motion?

9 MR. JEWELL:

10 Mr. Chairman, I move that the Board
11 issue an Order to approve the addition of Travis
12 Woodcock to the PGCB Involuntary Exclusion List as
13 described by the OEC.

14 MR. MCCALL:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 All opposed? The Motion is adopted.

21 ATTORNEY ADAMS:

22 The next matter for the Board's
23 consideration is the placement of Christopher Elias on
24 the Involuntary Exclusion List. Mr. Elias gained
25 entry to Mohegan Sun Pocono Gaming Floor when he was

1 20 years old and gamed at blackjack and roulette. Mr.
2 Elias was on the gaming floor for one hour and 38
3 minutes and gamed for one hour. He was criminally
4 charged under our Act. At this time, the OEC is
5 requesting Mr. Elias be placed on the Involuntary
6 Exclusion List.

7 MR. FAJT:

8 Questions or comments from the Board?
9 May I have a motion?

10 MR. MCCALL:

11 Mr. Chairman, I move that the Board
12 issue an Order to approve the addition of Christopher
13 A. Elias to the Pennsylvania Gaming Control Board
14 Involuntary Exclusion List as described by the OEC. I
15 further move that Mr. Elias may Petition to be removed
16 from the Involuntary Exclusion List after one year.

17 MR. MOSCATO:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 All opposed? The Motion is adopted.

24 ATTORNEY ADAMS:

25 The next three matters for the Board's

1 consideration are factually related, and with the
2 Board's permission, I would like to go through the
3 facts and then ask each individual person be placed on
4 the Involuntary Exclusion List.

5 On February 15th, 2015, there were a
6 total of 21 counterfeit bills found being used at
7 Rivers Casino at various table games. Pennsylvania
8 State Police investigated this matter, and it was
9 determined that Jacquay Domoniq Hawkins, Danielle
10 Holley and a third male individual were using these
11 counterfeit bills to game at Rivers Casino. It was
12 later determined that these counterfeit bills were
13 part of a larger counterfeit operation being conducted
14 in Allegheny County in which Charles Rayshawn Taylor
15 was creating and manufacturing these bills which he
16 would distribute to people to use throughout Allegheny
17 County. All three of these individuals, including a
18 number of other individuals, were all criminally
19 charged.

20 At this time, the OEC is requesting
21 Jacquay Domoniq Hawkins be placed on the Involuntary
22 Exclusion List for using counterfeit money to game at
23 Rivers Casino.

24 CHAIRMAN:

25 Questions or comments from the Board?

1 May I have a motion?

2 MR. MOSCATO:

3 Mr. Chairman, I move that the Board
4 issue an Order to approve the addition of Jacquay
5 Domoniq Hawkins to the PGCB Involuntary Exclusion List
6 as described by the OEC.

7 MR. RYAN:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 ALL SAY AYE

12 CHAIRMAN:

13 All opposed? The Motion is adopted.

14 ATTORNEY ADAMS:

15 The OEC is requesting Danielle Holley be
16 placed on the Involuntary Exclusion List for using
17 counterfeit bills to game at Rivers Casino.

18 CHAIRMAN:

19 Questions or comments from the Board?

20 May I have a motion?

21 MR. RYAN:

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

1 MR. WOODS:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 All opposed? The Motion's adopted.

8 ATTORNEY ADAMS:

9 And the OEC is requesting Charles
10 Rayshawn Taylor be placed on the Board's Involuntary
11 Exclusion List for creating and manufacturing the
12 counterfeit bills that were used for gaming at Rivers
13 Casino.

14 CHAIRMAN:

15 Questions or comments from the Board?

16 May I have a motion?

17 MR. WOODS:

18 Mr. Chairman, I move that the Board
19 issue an Order to approve the addition of Charles
20 Rayshawn Taylor to the Pennsylvania Gaming Control
21 Board Involuntary Exclusion List as described by the
22 OEC.

23 MR. FAJT:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 All opposed? The Motion is adopted.

5 ATTORNEY FENSTERMAKER:

6 The next two candidates for exclusions,
7 Sophat Din and Li Chong Zheng, were engaged in
8 collusion while wagering at Harrah's. As a result, we
9 request that Sophat Din be placed on the Board's
10 Exclusion List.

11 CHAIRMAN:

12 Questions or comments from the Board?

13 May I have a motion?

14 MR. FAJT:

15 Mr. Chairman, I move that the Board
16 issue an Order to approve the addition of Sophat Din
17 to the Pennsylvania Gaming Control Board Involuntary
18 Exclusion List as described by the OEC.

19 MR. JEWELL:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 All opposed? The Motion is adopted.

1 ATTORNEY FENSTERMAKER:

2 Based on the previously described
3 incident, we request that Li Chong Zheng be placed on
4 the Board's Involuntary Exclusion List.

5 CHAIRMAN:

6 Any questions from the Board? May I
7 have a motion?

8 MR. JEWELL:

9 Mr. Chairman, I move that the Board
10 issue an Order to approve the addition of Li Chong
11 Zheng to the PGCB Involuntary Exclusion List as
12 described by the OEC.

13 MR. MCCALL:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 All opposed? The Motion is adopted.

20 ATTORNEY FENSTERMAKER:

21 Finally, we have for your consideration
22 a request to place Michael Fanelli on the Board's
23 Exclusion List. Mr. Fanelli was observed past posting
24 a wager at Harrah's and damaging property at Parx. As
25 a result, we request that Mr. Fanelli be placed on the

1 Board's Involuntary Exclusion List.

2 CHAIRMAN:

3 Questions or comments from the Board?

4 May I have a motion?

5 MR. MCCALL:

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

10 MR. MOSCATO:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 All opposed? The Motion is adopted.

17 ATTORNEY PITRE:

18 Thank you. That concludes our business.

19 CHAIRMAN:

20 Thank you. At this time, we have a
21 public comment period. As I understand it, we do not
22 have anyone present today who wishes to speak. Is
23 there anyone in the audience who wishes to make a
24 public comment?

25 Well, that concludes today's meeting.

1 Our next scheduled public session will be held on
2 Wednesday, April 27th. The meeting will begin at
3 10:00 a.m. in this room. Any other comments from my
4 fellow Board members? If not, may I have a Motion to
5 adjourn?

6 MR. MOSCATO:

7 Mr. Chairman, it's my relief to make a
8 Motion to adjourn.

9 MR. RYAN:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 All opposed? The Motion is adopted, and
16 we're done.

17 * * * * *

18 MEETING CONCLUDED

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CERTIFICATE

I hereby certify that the foregoing proceedings, hearing held before Chairman Barasch was reported by me on 3/30/16 and that I, Corey Elizabeth Summers, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.

Corey Elizabeth Summers
Court Reporter

Corey Elizabeth Summers