

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

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PUBLIC MEETING

* * * * *

BEFORE: WILLIAM H. RYAN, JR., CHAIRMAN
Gregory C. Fajt; Annmarie Kaiser; Keith R.
McCall; John J. McNally, III; Anthony C.
Moscato; David W. Woods; Members
Jennifer Langan representing State
Treasurer Robert McCord
Robert Coyne representing Secretary of the
Department of Revenue Daniel Meuser
Jorge Augusto representing Secretary of the
Department of Agriculture George Greig
HEARING: Wednesday, August 6, 2014
LOCATION: Pennsylvania Gaming Control Board
Strawberry Square, Second Floor
Harrisburg, PA 17101
WITNESSES: Rose Cook

Reporter: Rhonda K. Thorpe

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P R O C E E D I N G S

CHAIRMAN:

Ladies and gentlemen, my name is Bill Ryan, Chairman of the Pennsylvania Gaming Control Board. Before we begin I would ask everyone to please turn off, or at least put on silence, cell phones and other electronic devices. Thank you. With us today is Jennifer Langan representing State Treasurer Robert McCord, Bob Coyne representing the Secretary for the Department of Revenue, Dan Meuser, and Jorge Augusto representing the Secretary of Agriculture, George Greig. I thank all of you for being here. All the members of the Board being present, I will call today's meeting to order, and first I would ask everyone to please stand for the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE RECITED

CHAIRMAN:

We will now begin our regularly scheduled meeting. First an announcement, the Board held an Executive Session on July 9th to deliberate on the Category 2 License available for the City of Philadelphia. And the Board held an Executive Session on August 5th for the purpose of discussing potential litigation involving the Board, personnel matters, and

1 to conduct quasi-judicial deliberations relating to
2 matters being considered by the Board today.

3 Next we will hear from Claire Yantis,
4 our Director of Human Resources. Good morning,
5 Claire.

6 MS. YANTIS:

7 Good morning, Chairman, Board members.
8 The Office of Human Resources has one motion for your
9 consideration today seeking to amend the PGCB
10 classification and compensation structure. As you're
11 aware the current PGCB classification and compensation
12 structure was originally adopted by the Board in
13 January of 2010, based on a comparison of data across
14 public sector markets. Since 2010 the compensation
15 ranges for the Executive and non-Union pay ranges have
16 only changed once which was last year when the Board
17 approved a two percent change to those ranges.

18 Subsequently the Commonwealth's management pay range
19 which is the primary comparator for our pay ranges has
20 outpaced our change resulting in PGCB's pay ranges in
21 some cases being several thousand dollars less than
22 equivalent Commonwealth management pay ranges.

23 Based on my analysis of this comparative
24 benchmark data, it is recommended that the PGCB age
25 the compensation structure for the Executive and non-

1 Union pay ranges by 4.5 percent. Such a change will
2 result in most PGCB pay ranges remaining just under
3 comparable Commonwealth pay ranges. This increase
4 will apply to all but the maximum salary amount of the
5 top pay range of the Agency, for that pay range,
6 Executive pay range A, the maximum salary within the
7 range will remain where it was set by the Board in
8 2010. In addition to aging the pay range amounts, we
9 are also requesting a change to three classifications
10 on the classification structure.

11 First the classification of
12 Investigative Intake Manager in the Bureau of
13 Investigations and Enforcement (BIE) should be removed
14 from the non-Union pay scale. Due to recent
15 reorganization of work within BIE, it has been
16 determined that this position works at the same level
17 as current BIE Regional Directors, and is responsible
18 for a division within BIE. Based on this assessment
19 it is also recommended that the Regional Director
20 title change to more accurately reflect oversight of a
21 division.

22 Recently my office in conjunction with
23 the Director of BIE has reviewed and amended
24 classification specifications for positions within
25 BIE. Through this analysis and review we have

1 combined aspects of the classification specifications
2 for Deputy Director of BIE and Regional Director of
3 BIE, and believe that the Deputy Director title is
4 more appropriate for the work being done. Therefore
5 the Regional Director classification should be removed
6 from the classification structure, and the Deputy
7 Director of BIE classification should be lowered from
8 executive pay range B to executive pay range D.

9 And as a side note, these changes do not
10 affect the salaries of the current staff working in
11 those positions. I'd be happy to answer any questions
12 regarding the proposed changes to the compensation
13 structure.

14 CHAIRMAN:

15 Any questions or comments from the
16 Board?

17 MR. FAJT:

18 One comment, if I could Mr. Chairman.

19 CHAIRMAN:

20 Greg.

21 MR. FAJT:

22 Claire, just because these hearings are
23 streamed live, and people watch them and maybe some of
24 the folks in the room aren't aware of the importance
25 of this aging of the pay ranges, let me kind of give

1 you my understanding and you can tell me whether I'm
2 correct or not. But if we don't age our pay ranges
3 within the Gaming Control Board we become
4 uncompetitive with other agencies in the Commonwealth.
5 For instance if we have somebody classified as a, you
6 know, a Lawyer One, for lack of a better term, and
7 they just move along and get a pay raise of two, or
8 three, or four percent a year, and they get outside of
9 their pay range for a Lawyer One, they can no longer
10 get a pay raise that goes into their pension. They
11 then have to get a lump-sum amount as a pay raise; is
12 that correct?

13 MS. YANTIS:

14 Correct. If the salaries go outside the
15 pay range, any type ---

16 MR. FAJT:

17 Right.

18 MS. YANTIS:

19 --- of pay increase that we do doesn't
20 affect their base pay ---

21 MR. FAJT:

22 Correct. Okay.

23 MS. YANTIS:

24 --- it only affects --- it's a one time
25 lump-sum payment.

1 MR. FAJT:

2 So, eventually, and we're seeing that
3 now, is we become uncompetitive with say the LCB or
4 state government as a whole because their pay ranges
5 have been aged. And, therefore a Lawyer One in those
6 agencies or in state government in general can
7 continue to get pay raises that go into their pension
8 calculation, whereas our employees are blocked from
9 that.

10 MS. YANTIS:

11 Correct. And the lump-sum payments do
12 also go into pension calculations, ---

13 MR. FAJT:

14 Okay.

15 MS. YANTIS:

16 --- but by not changing the base, if
17 you're applying a percentage to the same number
18 eventually your salary even with a lump sum added
19 doesn't get any higher.

20 MR. FAJT:

21 I get it.

22 MS. YANTIS:

23 The second problem becomes in
24 recruiting. When we recruit into the minimum of the
25 range, our minimums are much lower than comparable

1 positions elsewhere in the Commonwealth. It also
2 comes into play for promotional opportunities. If we
3 have somebody --- take an attorney for an example, at
4 one level of attorney, if they go to promote into
5 another agency, that range is higher. So, it comes to
6 play in that way as well. So, it's recruitment, it's
7 continuation along keeping place with inflation. And
8 the third thing is that we do have Union contractual
9 raises, and the Union scale by contract continues to
10 change. So, if we don't age our compensation ranges
11 eventually the Union scale will out pace our non-Union
12 and Executive scales as well.

13 MR. FAJT:

14 Thank you. Thank you, Mr. Chairman.

15 CHAIRMAN:

16 Okay. Any other questions from Board
17 members? Ex-officio members? May I have motion?

18 MR. MCNALLY:

19 Mr. Chairman, I move that the Board
20 approve the amendment to the classifications and
21 compensation structure as described by the Director of
22 Human Resources

23 CHAIRMAN:

24 Second?

25 MR. MOSCATO:

1 Second.

2 CHAIRMAN:

3 All in favor?

4 ALL SAY AYE

5 CHAIRMAN:

6 Opposed? The motion carries. Thank
7 you, Claire.

8 MS. YANTIS:

9 Thank you.

10 CHAIRMAN:

11 Next we will hear from Dave Rhen,
12 Director of Financial Management. Good morning,
13 David.

14 MR. RHEN:

15 Good morning. I'm here today to provide
16 a final report of Board expenses for fiscal year 2013-
17 '14 which concluded on June 30th. Although the year
18 is complete, we still continue to process some
19 invoices. So, the expenses that I report today may
20 increase a bit, but not to a large extent.

21 Expenditures for the fiscal year totaled
22 \$35,062,300, compared to the year before expenses
23 increased by \$1,157,754 or 3.4 percent. Personal
24 expenses accounted for 86 percent of the annual
25 expenses and totaled \$30,237,628. Although the full

1 complement remained unchanged from the year before,
2 payroll expenses increased by \$1,956,802 or 6.9
3 percent above the prior year. Of this total, salaries
4 increased by \$350,838 or 1.9 percent, and benefits
5 increased by \$1,552,000 or 17 percent. Specifically
6 the pension rate increased by 45 percent, and the
7 health benefit rate increased 11 and a half percent
8 above the prior year. These rising cost are not
9 specific to the Board, and they affect all agencies
10 across the Commonwealth.

11 Operating and fixed assets expenses
12 totaled \$4,824,672, about 14 percent of the total
13 agency expenditures. This was down \$799,000 or 16.6
14 percent. The largest single savings was for
15 background database searches utilizing --- background
16 database searches we put out approximately \$300,000.
17 The reason for that was a new contract with a new
18 vendor, and a reduction in background checks that we
19 conducted.

20 The Agency also realized savings through
21 lower fingerprinting costs for background
22 investigations by eliminating all but one IT
23 consultant and through the reduction of nonrecurring
24 or intermittent costs incurred in the prior such as PC
25 purchases, the Pittsburgh office move, and traffic

1 studies related to the Philadelphia casino applicants
2 that we did not have in the year that we just
3 completed. For the year the top three categories of
4 operating expenses were rentals and leases at
5 \$1,725,128 or 38 percent of operating expenses,
6 services at \$1,176,978 or 26 percent of operating
7 expenses, and other operating expenses at \$713,478 or
8 16 percent of operating expenses. These three
9 categories combined accounted for nearly 80 percent of
10 all our operating expenses for the year. Overall
11 operating expenses were at their lowest levels last
12 year since fiscal year 2005-2006.

13 Now turning to the current year, the
14 year we just began July 1st, I just wanted to let the
15 Board know that the fiscal year '14-'15 appropriation
16 is \$37,990,000. The available budget is 2.9 percent
17 higher than fiscal year '13-'14. Budget appropriation
18 personnel costs alone are budget to increase \$2.1
19 million. Again, this is primarily for contractual
20 employee raises. A 32 percent increase in the pension
21 rate, and an eight percent increase in the health
22 benefit rate. Operating at fix assist expenditures
23 are budgeted at \$5.5 million. That's slightly less
24 than the fiscal year '12-'13 expenditure levels which
25 served as a base line for the current year budget.

1 That concludes my report. I'd be happy to take any
2 questions if there are any.

3 CHAIRMAN:

4 Any questions from the Board?

5 Ex-officio members? Thank you, David.

6 MR. RHEN:

7 Thank you.

8 CHAIRMAN:

9 Appreciate the information. Next we'll
10 have Chief Counsel Doug Sherman.

11 ATTORNEY SHERMAN:

12 Good morning, Chairman, members of the
13 Board. We just have a few items for the Board today.
14 The first is a Statement of Policy which Assistant
15 Chief Counsel Susan Yocum is here to present.

16 CHAIRMAN:

17 Good morning, Susan.

18 ATTORNEY YOCUM:

19 Good morning. The one agenda item today
20 is a Statement of Policy 125-183 which will add
21 additional side wagers to the game of Pai Gow and
22 Craps. Included in this rulemaking are the dealing
23 procedures and the payout odds. And I'd be happy to
24 answer any questions you may have.

25 CHAIRMAN:

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

3 MR. MOSCATO:

4 Mr. Chairman, I move that the Board
5 adopt Statement of Policy Number 125-183 as presented
6 by the Office of Chief Council (OCC).

7 MR. WOODS:

8 Second.

9 CHAIRMAN:

10 All in favor.

11 ALL SAY AYE

12 CHAIRMAN:

13 Opposed? The motion carries.

14 ATTORNEY YOCUM:

15 Thank you.

16 CHAIRMAN:

17 Thank you, Susan.

18 ATTORNEY SHERMAN:

19 The next two agenda items relate to
20 Local Law Enforcement Grants which Assistant Chief
21 Counsel Denise Miller-Tshudy will present.

22 CHAIRMAN:

23 Good morning, Denise.

24 ATTORNEY MILLER-TSHUDY:

25 Chairman, members of the Board, I have

1 one Law Enforcement Grant to present to you today. It
2 is with the Philadelphia District Attorney's Office
3 for \$250,000. If approved this will be their fourth
4 grant. The grant is sought pursuant to the Gaming Act
5 which provides finding of local law enforcement
6 agencies to be used for investigation purposes and
7 enforcement of illegal gambling in the Commonwealth.
8 This application has been reviewed by appropriate
9 staff and is ready for your approval if ---.

10 CHAIRMAN:

11 Okay. Any questions, comments from the
12 Board? Ex-officio members? May I have a motion?

13 MR. FAJT:

14 Mr. Chairman, I move that the Board
15 approve the Local Law Enforcement Grant for
16 Philadelphia's District Attorney's Office as presented
17 by the OCC.

18 MR. MCCALL:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 Opposed? The motion carries.

25 ATTORNEY MILLER-TSHUDY:

1 I also have, for your consideration,
2 revisions to the Board's guidelines for Local Law
3 Enforcement Grants. These revisions will primarily
4 allow the local law enforcement agencies to request
5 grants for one year or two years. It will also
6 increase the threshold to require local law
7 enforcement agencies receiving the grants in excess of
8 \$150,000 to submit to an audit of their grant
9 expenditures. The changes will also allow grantees to
10 use up to two percent of their grant for these
11 required audits. And finally, this revision will
12 allow a grantee to use up to 15 percent of the grant
13 allocation towards certain capital expenditures.

14 The purpose of these provisions or these
15 proposed changes is to facilitate the funding of Local
16 Law Enforcement Grants in a way that allows our
17 grantees to experience less interruption in the
18 funding of their investigations and the enforcement of
19 the laws involving unlawful gambling. Also provide
20 them the opportunities to use more of their grant
21 funds towards helping them carry out these
22 responsibilities. So, I am presenting the revisions
23 for your approval.

24 CHAIRMAN:

25 Any questions, comments from the Board?

1 Ex-officio members? May I have a motion?

2 MR. MOSCATO:

3 Mr. Chairman, I move that the Board
4 approve the revisions to the Local Law Enforcement
5 Grant Program Guidelines as presented by the OCC.

6 MS. KAISER:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 Opposed? The motion carries.

13 ATTORNEY MILLER-TSHUDY:

14 Thank you.

15 CHAIRMAN:

16 Thank you, Denise.

17 ATTORNEY SHERMAN:

18 Today we have on Petition on the agenda.
19 It's to be decided on the documents filed on record
20 and it is uncontested. The Petition is of Timothy
21 Davis, and it's a request to remove him from the
22 Board's Involuntary Exclusion List.

23 Briefly, in May 2011, an individual who
24 at that time was believed to be Timothy Davis was
25 observed capping bets while placing Texas Hold'em

1 Bonus Poker at the Sands Casino. Upon being
2 confronted by a Sands security, the patron identified
3 himself as Timothy Davis, produced Davis'
4 identification, and admitted to capping the bets, and
5 then paid the amount back to the casino. Sands took
6 steps to permanently evict the individual from their
7 casino. And, subsequently based upon the
8 identification provided the State Police charged Mr.
9 Davis with several counts of theft related charges in
10 July of 2011.

11 When that happened, OEC became aware of
12 the filing of the charges, and commenced action to put
13 Mr. Davis on the Exclusion List. However, when the
14 real Timothy Davis found out about the criminal
15 charges, he went to the Pennsylvania State Police in
16 late 2009, explained to them that he had been the
17 victim of identity theft. His wallet had been stolen,
18 and that apparently the individual who produced his ID
19 now had his identification and must have looked enough
20 alike that security thought that it actually was
21 Timothy Davis.

22 The State Police looked at the issue,
23 agreed in fact this Timothy Davis was not the
24 individual who had been capping the bets, and withdrew
25 all of the charges. The problem we had was that

1 information of the withdrawal of the charges never got
2 communicated to BIE and OEC. So, the exclusion
3 process had gone forward.

4 And in February of 2012, this Board upon
5 a default judgment placed Mr. Davis on the Exclusion
6 List. In July of 2014, Mr. Davis, who lives in New
7 Jersey, went to the Sands Casino, went in. I believe
8 he tried to sign up for player's club card, was
9 identified as being on the Exclusion List. Again,
10 they kind of sorted out what happened, determined it
11 related to those charges a couple of years earlier.
12 Two days later Mr. Davis filed the request to be
13 removed from the list. The OEC has not objected to
14 the request, acknowledging that this was a case of
15 misidentification because of the ID theft which had
16 occurred to Mr. Davis. And that's the matter now
17 before the Board, to remove his name from the list.

18 CHAIRMAN:

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

21 MR. MCCALL:

22 Mr. Chairman, I move that the Board
23 grant Timothy Davis' Petition to be removed from the
24 Pennsylvania Gaming Control Board's Involuntary
25 Exclusion List as described by the OCC.

1 MS. KAISER:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 Opposed? The motion carries.

8 ATTORNEY SHERMAN:

9 The Board has eight unopposed Petitions
10 to withdraw applications or surrender credentials of
11 individuals or businesses before it. The persons and
12 entities subject to these Petitions are Marie Foster,
13 NEWave, Inc., Irwin A. Siegel, Steven Fasman, Living
14 it Loving it, Limited, which also includes five
15 applications of related individuals, Max International
16 Converts, Incorporated, Pietro Boroli, and Gianmario
17 Tondato DaRuos. The OEC has no objection to the
18 Withdrawals and Surrenders. As a result, if the Board
19 chooses to grant the requests, it would be doing so
20 without prejudice. These matters are now ready for
21 the Board's consideration.

22 CHAIRMAN:

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

25 MR. MCNALLY:

1 Mr. Chairman, I move that the Board
2 issue Orders to approve the Withdrawals and Surrenders
3 as described by the OCC.

4 MR. WOODS:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 Opposed? The motion carries.

11 ATTORNEY SHERMAN:

12 And finally, the Board has before it,
13 one Report and Recommendation received from the Office
14 of Hearings and Appeals (OHA). The Report and
15 Recommendation pertains to the placement of Jianming
16 Li on the Board's Exclusion List. The Recommendation
17 along with the full hearing record has been provided
18 to the Board.

19 Briefly, by the way of background, in
20 October of 2013, Mr. Li was accused of leaving his two
21 children, one who was 13 years of age, almost 14,
22 along with a two-year-old in his car in the garage at
23 Harrah's Philadelphia while he went inside, gambled at
24 a slot machine for a short period of time, and
25 returned to his car about 25 minutes later. When he

1 returned he was met by security and the Chester
2 Police. Security discussed the casino's policy with
3 regard to unattended children, asked Mr. Li to leave
4 the property for the evening. No criminal charges
5 were filed in the incident, and Harrah's did not place
6 him on its Exclusion List.

7 The Office of Enforcement Counsel (OEC)
8 filed a Complaint in March of 2014, requesting he be
9 placed on the Exclusion List. A hearing was held on
10 May 22nd, at which both the OEC and Mr. Li appeared at
11 the hearing. Testimony, a Stipulation of Facts was
12 entered into the record which basically established
13 that Mr. Li arrived at Harrah's with the two children.
14 He left them in the car, in the parking garage on
15 October 3rd for approximately 25 minutes. The Report
16 and Recommendation before the Board is to place Mr. Li
17 on the Exclusion List, and that matter is now before
18 the Board.

19 CHAIRMAN:

20 Is Jianming Li in the hearing room?

21 Hearing no response ---.

22 MR. WOODS:

23 Mr. Chairman?

24 CHAIRMAN:

25 Yes.

1 MR. WOODS:

2 I think it would be helpful for the
3 Board to take some additional time to review this
4 Report and Recommendation, and if it's appropriate,
5 I'd like to move that we table this issue at this
6 time.

7 CHAIRMAN:

8 Thank you, Dave. Is there a second?

9 MR. FAJT:

10 Second.

11 CHAIRMAN:

12 And again the motion is to table the
13 matter and perhaps bring it up at our next hearing.
14 Any further comment or questions? All in favor?
15 ALL SAY AYE

16 CHAIRMAN:

17 Opposed? The ayes have it, and the
18 motion prevails.

19 ATTORNEY SHERMAN:

20 That concludes all matters of the OCC.

21 CHAIRMAN:

22 Thank you. Next, Bureau of Licensing,
23 Susan Hensel. Susan?

24 MS. HENSEL:

25 Thank you, Chairman Ryan and members of

1 the Board. Before the Board today will be motions
2 regarding one Slot Machine Operator Renewal License,
3 one Table Game Manufacturer, one Slot Machine
4 Supplier, one gaming-related Gaming Service Provider,
5 and 507 Principal Key Gaming and Non-gaming Employees.
6 In addition there will be consideration of eight
7 Gaming Service Providers.

8 The first matter for your consideration
9 is for the renewal of the Mountain View Thoroughbred
10 Racing Association, LLC, Category 1 License. The
11 license renewal hearing for this entity has been held,
12 and the record is now closed. The Bureau of Licensing
13 has provided you with a background investigation and
14 suitability report regarding the renewal. As a
15 result, the license renewal is ready for your
16 consideration. No issues regarding Mountain View
17 Thoroughbred Racing Association, LLC, have been
18 identified by the Bureau of Licensing that would
19 preclude renewal of the Category 1 License. I have
20 provided you with a draft Order for this entity, and
21 ask that the Board consider the Order to renew the
22 Category 1 License for Mountain View Thoroughbred
23 Racing Association, LLC.

24 CHAIRMAN:

25 Any comments from the Enforcement

1 Counsel?

2 ATTORNEY PITRE:

3 Enforcement Counsel has no objection.

4 CHAIRMAN:

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

7 MR. FAJT:

8 Mr. Chairman, I move that the Board
9 approve the renewal of Mountain View Thoroughbred
10 Racing Association, LLC's Category 1 License as
11 described by the Bureau of Licensing.

12 MS. KAISER:

13 Second.

14 CHAIRMAN:

15 All in favor?

16 ALL SAY AYE

17 CHAIRMAN:

18 Opposed? The motion carries.

19 MS. HENSEL:

20 Next is the renewal of a Table Game
21 Manufacture License for DEQ Systems Corporation. DEQ
22 manufactures various systems that support table game
23 activities. The BIE has completed its investigation
24 of this company, and the Bureau of Licensing has
25 provided you with a background investigation and

1 suitability report.

2 DEQ Systems Corporation has asked the
3 Board that it grant a reduced licensing fee for its
4 renewal license. The normal fee for a three year
5 renewal of a manufacture license is \$90,000. Under
6 the Gaming Act, the Board may modify the fee for a
7 table game manufacturer if it determines that the fee
8 will unreasonably limit the number of devices and
9 associated equipment. Consistent with this provision
10 of the Act, the Bureau of Licensing has adopted a
11 reduced licensing fee policy which has previously been
12 presented to the Board. DEQ Systems Corporation has
13 requested a reduced fee of \$10,000 for a three year
14 renewal which is in line with the Bureau's policy.
15 The Bureau of Licensing recommends that the Board
16 grant the reduce fee.

17 I have provided you with a draft Order,
18 and ask that the Board consider the renewal of the
19 license described as well as the reduced table games
20 licensing fee for DEQ Systems Corporation.

21 CHAIRMAN:

22 Any comments from Enforcement Counsel?

23 ATTORNEY PITRE:

24 Enforcement Counsel has no objection to
25 either request.

1 CHAIRMAN:

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

4 MS. KAISER:

5 Mr. Chairman, I move that the Board
6 approve the renewal of DEQ Systems Corporation's Table
7 Game Manufacture License as described by the Bureau of
8 Licensing.

9 MR. MCCALL:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 Opposed? The motion carries.

16 MS. HENSEL:

17 Also for your consideration is the
18 renewal of the Slot Machine Supplier License from
19 Modern Gaming Pennsylvania, LLC. Modern is a New
20 Jersey Corporation with its principle place of
21 business in Pennsylvania located in Southampton. The
22 BIE has completed its investigation, and the Bureau of
23 Licensing has provided you with the renewal background
24 investigation and suitability report. I have provided
25 you with a draft Order, and ask that the Board

1 consider the approval of the renewal license for
2 Modern Gaming Pennsylvania, LLC.

3 CHAIRMAN:

4 Any comments from Enforcement Counsel?

5 ATTORNEY PITRE:

6 Enforcement Counsel has no objection.

7 CHAIRMAN:

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

10 MR. MCCALL:

11 Mr. Chairman, I move that the Board
12 approve the renewal of Modern Gaming Pennsylvania, LLC
13 Slot Machine Supplier License as described by the
14 Bureau of Licensing.

15 MR. MCNALLY:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 Opposed? The motion carries.

22 MS. HENSEL:

23 The next matter for your consideration
24 is the approval of the Gaming Related Gaming Service
25 Provider Certification for Mara Enterprises, Limited.

1 Mara is a China based company that has developed the
2 table game Lunar Poker. The game has been previously
3 approved by the Board. The BIE has completed its
4 investigation, and the Bureau of Licensing has
5 provided you with the background investigation and
6 suitability report for this Applicant. I have
7 provided you with a draft Order, and ask that the
8 Board consider the approval of Mara Enterprise,
9 Limited.

10 CHAIRMAN:

11 Any comments from Enforcement Counsel?

12 ATTORNEY PITRE:

13 Enforcement Counsel has no objection.

14 CHAIRMAN:

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

17 MR. MCNALLY:

18 Mr. Chairman, I move that the Board
19 approve Mara Enterprises, Limited Gaming Related
20 Gaming Service Provider Certification as described by
21 the Bureau of Licensing.

22 CHAIRMAN:

23 Second?

24 MR. MOSCATO:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 Opposed? The motion carries.

6 MS. HENSEL:

7 Also for your consideration is the
8 approval of Temporary Principal and Key Employee
9 Licenses. Prior to this meeting the Bureau of
10 Licensing provided you with an Order regarding the
11 issuance of Temporary Licenses for 4 Principals, and
12 17 Key Employees. I ask that the Board consider the
13 Order approving these licenses.

14 CHAIRMAN:

15 Any comment from Enforcement Counsel?

16 ATTORNEY PITRE:

17 Enforcement Counsel has no objection.

18 CHAIRMAN:

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

21 MR. MOSCATO:

22 Yes, sir. I move that the Board approve
23 the issuance of Temporary Principal and Key Employee
24 credentials as described by the Bureau of Licensing.

25 MR. WOODS:

1 Second.

2 CHAIRMAN:

3 All in favor?

4 ALL SAY AYE

5 CHAIRMAN:

6 Opposed? The motion carries.

7 MS. HENSEL:

8 There are also Gaming Permits and
9 Non-gaming Registrations. Prior to this meeting the
10 Bureau of Licensing provided you with a list of 333
11 individuals to whom the Bureau has granted Temporary
12 or Full Occupation Permits, and 134 individuals to
13 whom the Bureau has granted registrations under the
14 authority delegated to the Bureau of Licensing. I ask
15 that that Board consider a motion approving the Order.

16 CHAIRMAN:

17 Any comments from Enforcement Counsel?

18 ATTORNEY PITRE:

19 Enforcement Counsel has no objection.

20 CHAIRMAN:

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

23 MR. WOODS:

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

1 Non-gaming Employee Registrations as described by the
2 Bureau of Licensing.

3 MR. FAJT:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 Opposed? The motion carries.

10 MS. HENSEL:

11 Next there is a recommendation of denial
12 for four Gaming and one Non-gaming Employee
13 Applications. The Bureau of Licensing has provided
14 you with the Orders addressing the Applicants who the
15 OEC has recommended for denial. The Applicants failed
16 to request a hearing within the specified time period.
17 I ask that the Board consider the Orders denying the
18 Gaming and Non-gaming Employee Applicants.

19 CHAIRMAN:

20 Any comments from Enforcement Counsel?

21 ATTORNEY PITRE:

22 Enforcement Counsel continues to request
23 denial in each instance.

24 CHAIRMAN:

25 Any questions or comments from the

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

2 MR. FAJT:

3 Mr. Chairman, I move that the Board deny
4 the applications as described by the Bureau of
5 Licensing.

6 MS. KAISER:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 Opposed? The motion carries.

13 MS. HENSEL:

14 Also for your consideration are
15 withdrawal request from Key Employees and Gaming
16 Employees. In each case the license or permit is no
17 longer required. For today's meeting I've provided
18 the Board with a list of 2 Key Employees and 12 Gaming
19 Employees withdrawals for approval. I ask that the
20 Board consider the Orders approving these lists of
21 withdrawals.

22 CHAIRMAN:

23 Any comments from Enforcement Counsel?

24 ATTORNEY PITRE:

25 Enforcement Counsel has no objection.

1 CHAIRMAN:

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

4 MS. KAISER:

5 Mr. Chairman, I move that the Board
6 approve the Withdrawals as described by the Bureau of
7 Licensing.

8 MR. MCCALL:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 Opposed? The motion carries.

15 MS. HENSEL:

16 Finally, we have an Order to certify the
17 following gaming service providers, C3 PPS, Inc.,
18 Dempsey Uniform and Linen Supply, Inc., E. GADS, LLC,
19 KHS&S Contractors of New Jersey, Inc., doing business
20 as KHS&S Contractors, MayoSeitz Media, Inc., Metz
21 Concepts, LLC, doing business as Wolfgang Puck
22 Express, Mid-Valley Contracting Services Inc., and
23 Vincent Pools, Inc. I ask that the Board consider the
24 Order approving the certification of these Gaming
25 Service Providers.

1 CHAIRMAN:

2 Any comments from Enforcement Counsel?

3 ATTORNEY PITRE:

4 Enforcement Counsel has no objections.

5 CHAIRMAN:

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

8 MR. MCCALL:

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

13 MR. MCNALLY:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 Opposed? The motion carries.

20 MS. HENSEL:

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

23 CHAIRMAN:

24 Thank you, Susan. Next OEC. Cyrus?

25 ATTORNEY PITRE:

1 Good morning, Chairman, members of the
2 Board. We have nine matters for the Board's
3 consideration today consisting of two Consent
4 Agreements, four Revocations, one Suspension, and two
5 Involuntary Exclusions.

6 The first matter is a Consent Agreement
7 between the OEC and Mr. Joshua Bogart. If Mr. Bogart
8 is present I ask that he come forward. Mr. David
9 Tepper is here on behalf of the OEC to present the
10 matter.

11 ATTORNEY TEPPER:

12 Good morning, Chairman Ryan, members of
13 the Board. David Tepper, T-E-P-P-E-R, with the OEC.
14 I have for your consideration a Consent Agreement
15 between the OEC and Joshua Bogart to withdraw Mr.
16 Bogart's G2 Employee Application with prejudice. Mr.
17 Bogart was issued a Gambling Employee Permit by the
18 Board in November 2011. In August 2013, Mr. Bogart
19 was promoted by his employer Sands to the position of
20 Table Games Supervisor Dual Rate, a position requiring
21 G2 Employee Permit.

22 During the background investigation for
23 Mr. Bogart's G2 Employee Permit, BIE discovered that
24 Mr. Bogart served as the guardian for his
25 grandmother's estate. In June 2011 while Mr. Bogart

1 was serving as guardian he removed approximately
2 \$37,000 from the estate, and used the money to gamble
3 in Atlantic City. Mr. Bogart repaid the money to the
4 estate. No criminal charges were filed in regards to
5 this incident. In April 2014, The Sands filed a
6 Petition to Withdraw Mr. Bogart's G2 Application, and
7 the OEC filed an objection to this withdrawal. A
8 hearing was scheduled before the OHA. Prior to the
9 hearing being conducted, Mr. Bogart and the OEC
10 entered into this Consent Agreement.

11 I've been in contact with Mr. Bogart,
12 and he's relayed to me that he's currently employed in
13 a Maryland casino and has to work today. He's aware
14 of the terms and implications of the Consent Agreement
15 and at this time the OEC requests the Board approve
16 the Consent Agreement to withdraw the G2 Employee
17 Permit Application of Josh Bogart with prejudice.

18 CHAIRMAN:

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

21 MR. MCNALLY:

22 Mr. Chairman, I move that the Board
23 issue an Order to approve the Consent Agreement
24 between the OEC and Joshua Bogart regarding the
25 withdrawal of his G2 Employee Application.

1 CHAIRMAN:

2 Second?

3 MR. MOSCATO:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 Opposed? The motion carries.

10 ATTORNEY PITRE:

11 The next matter we have for the Board's
12 consideration is a Consent Agreement between the OEC
13 and Sugarhouse HSP Gaming, LP. Mr. Jim Armstrong will
14 present the matter on behalf the OEC, and
15 representatives from Sugarhouse are represented by Mr.
16 Michael Sklar.

17 ATTORNEY ARMSTRONG:

18 Good morning Chairman, Commissioners.

19 CHAIRMAN:

20 Good morning.

21 ATTORNEY ARMSTRONG:

22 The next matter on the agenda for the
23 Board's consideration is a Consent Agreement reached
24 between the OEC and Sugarhouse Casino in regard to
25 Sugarhouse Casino operating slot machines with

1 improperly set pay tables.

2 Commissioners, on August 23rd of last
3 year the Bureau Gaming Laboratory Operations referred
4 possible violations of the Gaming Act and the Board's
5 regulations to the OEC. The review conducted by the
6 Bureau of Gaming Laboratory Operations and the OEC
7 confirmed that Sugarhouse Casino violated Section
8 1207.10 of the Gaming Act and the Board's regulations
9 at Chapters 461 and 463.

10 Commissioners, on August 23rd of last
11 year --- I'm sorry. On August 20th of last year, a
12 Technical Field Representative assigned to the Board's
13 lab review software in 31 slot machines and compared
14 information as contained on Sugarhouse's gaming floor
15 slot machine master list. The review determined that
16 12 of the 31 slot machines contained pay table
17 settings that were different from those contained on
18 Sugarhouse's gaming floor slot machine master list.
19 The 12 affected slot machines were taken out of
20 service, and a review of the matter was initiated.

21 It was determined that the 12 slot
22 machines was set utilizing rejected pay tables that
23 could potentially cause a theoretical payout of each
24 slot machine to fall below the 85 percent minimum
25 payout percentage. The 12 slot machines were serviced

1 by a Sugarhouse Slot Technician on March 25th of 2013.
 2 For nearly five months the pay table settings of the
 3 12 slot machines were not set according to the slot
 4 machine modification request as submitted by
 5 Sugarhouse as a result contradicted the pay table
 6 settings on Sugarhouse's gaming floor slot machine
 7 master list.

8 In response to this incident Sugarhouse
 9 reported that two new procedures will be followed by
 10 slot technical personal to protect against erroneous
 11 pay table settings. The new procedures involve, one,
 12 the verification of all slot technical services by the
 13 Slot Technician Manager or a second Slot Technician.
 14 And all of Sugarhouse's slot machines will be reviewed
 15 on a quarterly basis to verify that all the slot
 16 machines have approved pay table settings that
 17 correspond to Sugarhouse's gaming floor slot machine
 18 master list.

19 Commissioners, if approved, this will be
 20 the first penalty assessed against Sugarhouse for
 21 violating provisions of the Act and Board regulations
 22 in regard to pay table settings on slot machines. The
 23 OEC asks that the Board approve the Consent Agreement
 24 and Stipulation of Settlement entered into between the
 25 parties. The terms of the settlement include a

1 provision that Sugarhouse shall institute policies and
2 provide training, guidance, and reinforcements to its
3 employees which will minimize the probability for
4 improperly setting pay tables on slot machines.
5 Sugarhouse will also pay a civil penalty of \$58,000,
6 and Sugarhouse will pay \$2,500 in costs incurred by
7 the Board in regard to this matter. I will be glad to
8 answer questions you may have.

9 CHAIRMAN:

10 Mr. Sklar, ---

11 ATTORNEY SKLAR:

12 Morning, Mr. Chairman.

13 CHAIRMAN:

14 --- does Sugarhouse have any response?

15 ATTORNEY SKLAR:

16 Yes, briefly. Good morning, Mr.

17 Chairman, members of the Board. Michael Sklar,
18 S-K-L-A-R, on behalf of Sugarhouse Casino. First,
19 just let me introduce Rose Cook is with me. She's the
20 Vice President of Gaming at Sugarhouse, and Charlie
21 Sanderson is the Director of Slot Performance.

22 As an initial threshold matter,
23 Sugarhouse accepts responsibility for what happened
24 here. At the end of the day, the buck stops with
25 Sugarhouse. They're supposed to ensure that the

1 correct pay tables are set on the machines. There are
2 procedures that are in place. The Technician did not
3 follow those procedures. There's no excuse, it was
4 just they didn't follow them. The Technician involved
5 was disciplined. As Mr. Armstrong mentioned,
6 additional procedures have been adopted by Sugarhouse,
7 and Rose can explain those a little more in detail to
8 try to insure that a similar incident doesn't happen
9 again in the future. Rose, why don't you ---?

10 CHAIRMAN:

11 And, why don't you stand if you will?

12 So we can swear you in.

13 -----
14 ROSE COOK, HAVING FIRST BEEN DULY SWORN, TESTIFIED AS
15 FOLLOWS:

16 -----
17 CHAIRMAN:

18 Ma'am, first could you just --- and you
19 know the way we do it here, spell your last name and
20 tell everybody ---.

21 A. Yes. Good morning, Chairman Ryan, members of the
22 Board. My name is Rosemarie Cook, C-O-O-K. I'm the
23 Vice President of Gaming at Sugarhouse Casino. I
24 think Michael really kind of explained everything, and
25 the way it happened. We obviously want to mitigate

1 this type of thing from happening again, and in order
2 to do that we really needed to take a deep look at our
3 procedures. We did have procedures in place. They
4 were not followed by the tech, but that didn't mean we
5 shouldn't look further and see how can we try to
6 prevent this going forward. We are doing self audits
7 of our machines to make sure that they are set within
8 approved guidelines. We have the second inspection
9 and approval prior to putting a game back up on line,
10 restarting it. In other words, after we've done any
11 operating system changes, or any options have been
12 cleared as well as anytime there's new software
13 installed into those games at this point.

14 ATTORNEY SKLAR:

15 Okay. We're available to answer any
16 questions the Board may have.

17 CHAIRMAN:

18 Any questions?

19 MR. MOSCATO:

20 Annmarie.

21 MS. KAISER:

22 I have a question.

23 CHAIRMAN:

24 Annmarie?

25 MS. KAISER:

1 Yeah. I realize every situation is
2 different that we handle, but I believe we have
3 encountered this in the past with another entity. Is
4 the fine that we're looking at in this matter in line
5 with how we treated that other entity? I realize
6 there could be some differences in terms of how long
7 the games were on the floor, et cetera. I just want
8 to make sure that we're kind of treating them equally.

9 ATTORNEY PITRE:

10 Well, the fine is reduced compared to
11 the way that we treated the other entity, ---

12 MS. KAISER:

13 Yeah.

14 ATTORNEY PITRE:

15 --- but I am in contact with the other
16 entity. If the Board approves this fine, I've told
17 the other entity that --- because they have other
18 Consent Agreements in the pipeline, that I'm willing
19 to look at one of those Consent Agreements as a
20 possible compliance conference in order to put them on
21 an even playing field with this entity. So, I am
22 aware that the fine is reduced. The information that
23 we have here is a lot more detailed than we had at
24 that time. Now that we're aware of certain things,
25 I'm going to put that other entity, with the Board's

1 approval, if the Board approves this Consent Agreement
2 on the same level playing field. And I have spoken
3 Mr. Kohler about that, because he was the
4 representative of that entity. And he's expressed
5 that he would be amenable to that if the Board if the
6 Board approves this Consent Agreement.

7 MS. KAISER:

8 Thank you.

9 CHAIRMAN:

10 Okay. Any other questions? Ex-officio
11 members? May I have a motion?

12 MR. MOSCATO:

13 Mr. Chairman, I move that the Board
14 issue an Order to approve the Consent Agreement
15 between the OEC and Sugarhouse HSP Gaming, LP.

16 MR. WOODS:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 Opposed? The motion carries. Thank
23 you.

24 ATTORNEY PITRE:

25 The next matter that we have on the

1 agenda for the Board's consideration is a Revocation
2 of Daniel Jelleyman's G2 Employee Permit. That matter
3 is also going to be presented by Assistant Enforcement
4 Counsel James Armstrong.

5 ATTORNEY ARMSTRONG:

6 With the Board's permission I can
7 present item number four, Stephanie Latham as well
8 since they both arose out of the same facts.

9 CHAIRMAN:

10 Okay.

11 ATTORNEY ARMSTRONG:

12 Thank you. I have motions to consider
13 the Revocations of Daniel Jelleyman and Stephanie
14 Latham's Pennsylvania credentials, which is the next
15 matter before the Board. These matters are being
16 presented together because they are the same facts.

17 On April 28th of 2014 the OEC filed
18 Revocation Complaints with the Board against Daniel
19 Jelleyman and Stephanie Latham. The basis for the
20 Complaints was Daniel Jelleyman and Stephanie Latham
21 being investigated for a number of thefts from the
22 count room at Sugarhouse Casino where Mr. Jelleyman
23 was employed as a count room lead, and Ms. Latham was
24 employed as a count room employee.

25 Chairman, Commissioners, the facts

1 determine that Mr. Jelleyman and Ms. Latham were
2 recorded on surveillance coverage stealing damaged
3 currency, and secreting it on their persons while
4 working in the count room at Sugarhouse Casino. Mr.
5 Jelleyman and Ms. Latham were taken into custody by
6 the Pennsylvania State Police for the alleged thefts
7 at Sugarhouse Casino, and they were both criminally
8 charged with multiple counts of theft. They both
9 admitted to conduct and gave the police written
10 statements. Mr. Jelleyman admitted stealing
11 approximately \$600 over a course of time, and Ms.
12 Latham admitted to stealing approximately \$2,500. Mr.
13 Jelleyman and Ms. Latham were both terminated from
14 Sugarhouse Casino.

15 Commissioners, Mr. Jelleyman and Ms.
16 Latham were both properly served by regular and
17 certified mail with the Revocation Complaints. Mr.
18 Jelleyman and Ms. Latham did not request hearings in
19 regard to the Complainants. Mr. Jelleyman and Ms.
20 Latham were both served with the OEC's request for
21 judgments upon default, and neither of them responded
22 to those requests. And based on the foregoing, the
23 OEC requests that you revoke both their credentials at
24 this time. Thank you.

25 CHAIRMAN:

1 All right. We'll take Daniel Jelleyman
2 first. Is Daniel Jelleyman in the hearing room? Any
3 questions or comments from the Board? Ex-officio
4 members? May I have a motion?

5 MR. WOODS:

6 Mr. Chairman, I move that the Board
7 issue an Order to approve the Revocation of Daniel
8 Jelleyman's G2 Employee Permit as described by the
9 OEC.

10 MR. FAJT:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 Opposed? The motion carries. Next,
17 Stephanie Latham. Is Stephanie Latham in the hearing
18 room? Any questions or comments from the Board? Ex-
19 officio members? 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 Stephanie
23 Latham's Gaming Employee Permit as described by the
24 OEC.

25 MS. KAISER:

1 Second.

2 CHAIRMAN:

3 All in favor?

4 ALL SAY AYE

5 CHAIRMAN:

6 Opposed? The motion carries.

7 ATTORNEY ARMSTRONG:

8 Thank you.

9 CHAIRMAN:

10 Thank you.

11 ATTORNEY PITRE:

12 The next matter that we have on the
13 agenda will be presented by Deputy Chief Enforcement
14 Counsel, Dale Miller. It's the Revocation of Kevin
15 Siembida's Gaming Employee Permit.

16 ATTORNEY MILLER:

17 It would be Dale Miller, M-I-L-L-E-R.

18 Good morning, Chairman, members of the Board. Nice to
19 see you.

20 CHAIRMAN:

21 Good morning, Dale.

22 ATTORNEY MILLER:

23 This matter is a request for the
24 revocation of the Non-Gaming Employee Registration and
25 the Gaming Employee Permit of Kevin Siembida. On June

1 28th, 2011, Mr. Siembida was issued a Non-Gaming
 2 Employee Registration for his employment as a material
 3 handler at Presque Isle Downs, and then on September
 4 21st, 2011 he was issued a Gaming Employee Permit when
 5 he transferred departments and became a member of the
 6 drop and count team at Presque Isle.

7 On February 26th, 2014, Mr. Siembida was
 8 arrest by the Pennsylvania State Police, charged with
 9 three counts of theft by unlawful taking or
 10 disposition, first degree misdemeanor offenses. The
 11 arrest stemmed from three incidents where Mr. Siembida
 12 was observed by surveillance cameras taking cash from
 13 the count room while in the performance of his duties
 14 at Presque Isle. In each incident Mr. Siembida
 15 dropped or pushed an object along with cash to the
 16 floor behind the count machine. He then crawled to
 17 the floor to retrieve the object and cash, and placed
 18 the cash in his sock. Total amount of money taken by
 19 Mr. Siembida was \$2,100. And, I might add that he was
 20 caught red footed, because they found the money in his
 21 socks, so ---.

22 On April 9th, 2014, the OEC filed an
 23 Enforcement Action against Kevin Siembida requesting
 24 that the Board revoke his Non-Gaming Employee
 25 Registration and his Gaming Employee Permit for

1 failing to maintain the suitability required for each
2 license. OEC first attempted to serve the Enforcement
3 Action at the address Mr. Siembida provided in his
4 application, but that attempt was unsuccessful. And,
5 the mail was returned to sender. Even though Mr.
6 Siembida had a duty to notify the Board of change of
7 address, he failed to do so. We then attempted to
8 serve Mr. Siembida on April 17th, 2014, by using the
9 address on the Criminal Complaint filed against Mr.
10 Siembida, sending the documents to him by first class
11 mail and certified mail. That attempt was successful
12 because the first class mail was not returned. Mr.
13 Siembida did not respond in any way, and due to his
14 failure to respond the averments in the Petition are
15 deemed to be admitted as fact and his right to a
16 hearing has been waived.

17 On June 26th, 2014, the OEC filed a
18 request to enter judgment upon default, and the matter
19 is now before the Board to consider the Revocation of
20 Kevin Siembida's Non-Gaming Employee Registration and
21 his Gaming Employee Permit.

22 CHAIRMAN:

23 Is Kevin Siembida in the hearing room?
24 Any questions or comments from the Board? Ex-officio
25 members? May I have a motion?

1 MS. KAISER:

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

6 MR. MCCALL:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 Opposed? The motion carries.

13 ATTORNEY MILLER:

14 Thank you.

15 CHAIRMAN:

16 Thank you, Dale.

17 ATTORNEY PITRE:

18 The next matter on the Board's agenda
19 will be presented by Assistant Enforcement Counsel
20 Cassandra Fenstermaker. It's regarding the Revocation
21 of Teresa Cooper's Non-Gaming Employee Registration.

22 CHAIRMAN:

23 Good morning.

24 ATTORNEY FENSTERMAKER:

25 Good morning, Chairman Ryan, members of

1 the Board. I'm Cassandra Fenstermaker,
2 F-E-N-S-T-E-R-M-A-K-E-R. I have a Complaint for the
3 revocation of Teresa Cooper's Non-Gaming Employee
4 Registration for your consideration today.

5 On April 28th, 2014, the OEC filed an
6 amended Complaint to revoke the Non-Gaming Employee
7 Registration of Teresa Cooper. BIE discovered that
8 Ms. Cooper was convicted of bad checks on January
9 27th, 2014. The Complaint was sent to Ms. Cooper by
10 both first class and certified mail. Ms. Cooper
11 failed to respond to the Complaint in any way, and
12 therefore all facts alleged in the Complaint are
13 deemed admitted.

14 On July 3rd, 2014, the OEC filed a
15 request to enter default judgment, and at this time
16 request that Teresa Cooper's Non-Gaming Employee
17 Registration be revoked.

18 CHAIRMAN:

19 Is Teresa Cooper in the hearing room?
20 Any questions or comments from the Board? Ex-officio
21 members? May I have a motion?

22 MR. MCCALL:

23 Mr. Chairman, I move that the Board
24 issue an Order to approve the revocation of Theresa
25 Cooper's Non-Gaming Employee Registration as described

1 by the OEC.

2 MR. MCNALLY:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 Opposed? The motion carries.

9 ATTORNEY FENSTERMAKER:

10 The next matter I have for the Board's
11 consideration is the Complaint for the Suspension of
12 Travis Trower's Gaming Employee Permit. On April
13 25th, 2014, the OEC filed a Complaint against Travis
14 Trower seeking the suspension of his Gaming Employee
15 Permit as a result of his failure to comply with a
16 special condition which had been placed on his license
17 at the time that his Gaming Employee Permit was
18 granted. The Complaint was sent to Mr. Trower by both
19 first class and certified mail. Mr. Trower failed to
20 respond to the Complaint in any way, and therefore
21 pursuant to Board regulations, all facts alleged in
22 the Complaint are deemed admitted.

23 On July 2nd, 2014, the OEC filed a
24 request to enter default judgment in the matter, and
25 at this time the OEC requests that Travis Trower's

1 Gaming Employee Permit be suspended.

2 CHAIRMAN:

3 Is Travis Trower in the hearing room?
4 Any questions or comments from the Board? Ex-officio
5 members? May I have a motion?

6 MR. MCNALLY:

7 Mr. Chairman, I move that the Board
8 issue an Order to approve the Suspension of Travis
9 Tower's Gaming Employee Permit as described by the
10 OEC.

11 CHAIRMAN:

12 Second?

13 MR. MOSCATO:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 Opposed? The motion carries.

20 ATTORNEY FENSTERMAKER:

21 Thank you.

22 ATTORNEY PITRE:

23 The next matter that we have on the
24 Board's agenda is the placement of Gopal Ganti on the
25 PGCB Involuntary Exclusion List. That matter will be

1 presented by Assistant Enforcement Counsel Carmelia
2 Estriplet.

3 CHAIRMAN:

4 Good morning.

5 ATTORNEY ESTRIPLET:

6 Good morning, Chairman Ryan, members of
7 the Board. Carmelia Estriplet, E-S-T-R-I-P-L-E-T,
8 Assistant Enforcement Counsel for the OEC. This
9 matter is a request to place Gopal Ganti on the
10 Board's Exclusion List. On June 4th, 2014, the OEC
11 filed a Petition to place Gopal Ganti on the Exclusion
12 List for cheating while playing Texas Hold'em Bonus
13 Poker at the Meadows Casino.

14 On December 10th, 2013, Mr. Ganti was
15 caught capping his bet by placing an additional \$100
16 in chips on the anti-wager, and \$200 in chips on the
17 flop wager. Mr. Ganti was paid \$1,000 in chips as
18 result of his bet. He repaid his excess winning in
19 the amount of \$500, and was charged with theft by
20 unlawful taking with the intent to defraud and theft
21 by deception/false impressions. The charge for theft
22 by unlawful taking was nolle pros, and the charge for
23 theft by deception/false impressions was held open
24 pending on completion of the ARD program.

25 The Petition was sent to Mr. Ganti by

1 first class and certified mail, and Mr. Ganti failed
2 to respond to the Petition in any way. Therefore, all
3 facts alleged in the Petition are deemed admitted, and
4 his right to a hearing has been waived. A request to
5 enter judgment upon default was filed on July 9th,
6 2014, and at this time the OEC respectfully requests
7 that Gopal Ganti be placed on the Board's Excluded
8 Persons List. And we're happy to answer any questions
9 that you may have at this time.

10 CHAIRMAN:

11 Okay. Is Gopal Ganti in the hearing
12 room? Any questions or comments from the Board? Ex-
13 officio members? May I have a motion?

14 MR. MOSCATO:

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

19 MR. WOODS:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 Opposed? The motion carries.

1 ATTORNEY ESTRIPLET:

2 Thank you.

3 CHAIRMAN:

4 Thank you.

5 ATTORNEY FENSTERMAKER:

6 The final matter that we have for the
7 Board's consideration today is a Petition to place
8 Angela Taylor on the Board's Involuntary Exclusion
9 List.

10 On May 15th, 2014, the OEC filed a
11 Petition to place Angela Taylor on the Board's
12 Involuntary Exclusion List. On March 7th, 2014, Ms.
13 Taylor left her ten year old child in a vehicle while
14 she gambled at Harrah's Philadelphia Casino and Race
15 Track. The child was left unattended for
16 approximately 20 minutes.

17 The Complaint was sent by both first
18 class and certified mail. Ms. Taylor failed to
19 respond to the Complaint in any way, and therefore all
20 facts alleged in the Complaint are deemed admitted.
21 On July 3rd of 2014, the OEC filed a request to enter
22 default judgment, and at this time requests that Ms.
23 Taylor be added to the Board's Involuntary Exclusion
24 List.

25 CHAIRMAN:

1 Is Angela Taylor in the hearing room?
2 Any questions or comments from the Board? Ex-officio
3 members? May I have a motion?

4 MR. WOODS:

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

9 MR. FAJT:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 Opposed? The motion carries.

16 ATTORNEY PITRE:

17 Thank you.

18 ATTORNEY FENSTERMAKER:

19 Thank you.

20 CHAIRMAN:

21 Thank you, both. Okay. I think that
22 concludes today's meeting. Our next scheduled Public
23 Meeting will be held on Wednesday, September 17th
24 beginning at 10:00 a.m. Any final comments from the
25 Board? Ex-officio members? May I have a motion to

1 adjourn?

2 MR. FAJT:

3 So moved.

4 MS. KAISER:

5 Second.

6 CHAIRMAN:

7 Thank you very much, ladies and
8 gentleman. We are adjourned.

9 * * * * *

10 MEETING CONCLUDED AT 12:00 P.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings, hearing held before Chairman Ryan was reported by me on 8/6/2014 and that I Rhonda K. Thorpe read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.

Rhonda K. Thorpe
Court Reporter