

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
Jennifer Langan, representing Timothy
Reese, State Treasurer
Robert P. Coyne, representing Eileen
McNulty, Secretary of Revenue
Fred Strathmeyer, representing Russell
Redding, Secretary of Agriculture
HEARING: Wednesday, April 27, 2016, 10:00 a.m.
LOCATION: Pennsylvania Gaming Control Board
Strawberry Square Complex
2nd Floor
Harrisburg, PA 17101

Reporter: Bernadette M. Black

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CHAIRMAN:

Good morning. I'm David Barasch, Chairman of the Gaming Control Board. Before we begin, I'd like to ask and remind everybody to turn off their electronic devices. With us today is Fred Strathmeyer representing Russell Redding, Secretary of --- Department of Agriculture. Jen Langan representing Tim Reese, State Treasurer. And Bob Coyne representing Eileen McNulty, Secretary of Revenue. Thank you all for coming. A quorum of the Board being present, as such I will call today's meeting to order. First order of business, the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE RECITED

CHAIRMAN:

By way of announcements, the Board held an Executive Session yesterday, April 26th, for the purpose of discussing personnel matters and to conduct quasi-judicial deliberations relating to matters now before the Board. Next we have consideration of a motion to approve the minutes and transcripts of the March 2nd, 2016 meeting. May I have a motion?

MR. FAJT:

1 Yes. Mr. Chairman, I move that the
2 Board approve the minutes and transcript of the March
3 2nd, 2016 meeting.

4 MR. JEWELL:

5 Second.

6 CHAIRMAN:

7 All in favor.

8 ALL SAY AYE

9 CHAIRMAN:

10 All opposed? Motion's adopted. Next
11 we'll hear from our Executive Director, Kevin O'Toole.

12 MR. O'TOOLE:

13 Good morning, Chairman Barasch, members
14 of the Board. Today's Executive Director's report
15 will be given by our Director of Racetrack Gaming
16 Operations, Kevin Kile. Kevin is the author of our
17 Racetrack Casino Benchmark Report, and we have
18 recently issued our 9th annual report. So, Kevin will
19 give a brief summary off this year's report. Kevin.

20 MR. KILE:

21 Good morning, Chairman, members of the
22 Board. The Office of Racetrack Gaming recently
23 completed and released a 9th annual benchmark report
24 which provides an overview of the benefits slot
25 machine gaming provides for the horseracing industry

1 in Pennsylvania. This report also details key
2 indicators within horseracing which outline the health
3 of the industry over the last five years. As you all
4 know, one of the objectives of the Gaming Act is to
5 assist horseracing in Pennsylvania. Approximately 11
6 percent of revenue generated from slot machine gaming,
7 or \$246 million, was earmarked for the Race Horse
8 Development Fund in 2015. This revenue is utilized by
9 statute to significantly enhance purses, provide
10 health and pension benefits for horsemen, and assist
11 breeding operations.

12 The working conditions for horsemen has
13 also been drastically improved as the racetrack
14 casinos have invested an additional \$65 million to
15 improve the infrastructure on the back side of the
16 tracks. The racing industry in Pennsylvania continues
17 to struggle in its efforts to attract a new fan base
18 as evidenced by a reduction in wagering on the racing
19 product. \$722 million was wagered on live races held
20 in Pennsylvania in 2015, representing a decrease of
21 six percent. Decreases in handle can also be
22 attributed to a dispute regarding simulcast rates
23 which negatively impacted four of the six tracks here.

24 This impasse took place during the first
25 quarter of 2015 and prevented patrons at four of the

1 racetracks from wagering on races held at tracks such
2 as Santa Anita, Gulfstream, Laurel Park and others.
3 This led to a 25 percent decline in taxable handle
4 during the first three months of last year.

5 The racetrack casinos are adjusting in
6 order to improve performance. Several racetracks
7 recently took steps to reduce the number of live
8 racing days in an effort to boost purse dollars for
9 large scale events. For example, Parx Racing
10 scheduled the fall festival in 2015, which ran for
11 eight weeks and purses averaged \$500,000 a day. The
12 festival was funded by money saved by racing fewer
13 dates. Parx ran 185 days in 2015, but under a new
14 agreement with the horsemen, will race 156 days in
15 2016 and they are currently in the process of
16 scheduling a variation of the festival for this year.

17 This new initiative is in contrast to
18 the past where more racing days were scheduled with
19 lower purses and fewer horses entered per race.
20 Despite the challenges facing the horseracing
21 industry, revenue generated from slot machine gaming
22 continues to provide a positive impact on live racing
23 in Pennsylvania and continues to benefit agriculture
24 within the Commonwealth. It is important to note that
25 while this is the second year since gaming commenced

1 that live racing handled decline year over year.
2 Total live racing handle in 2015 was 24 percent higher
3 when compared to the same time period before gaming
4 commenced in 2015. This new report is available to
5 the public and can be found on the Board's website,
6 directly on our home page. Thank you and I'd be glad
7 to answer any questions.

8 MR. WOODS:

9 Just one question for you. I noticed a
10 commercial on TV last night from the horsemen, it was
11 talking about a \$4 billion industry, and how much it's
12 affected --- are you familiar with the campaign, what
13 is that about --- the extent of it?

14 MR. KILE:

15 That's run by the horsemen's
16 organizations themselves and of course they're trying
17 to promote as much as they can as well. So, not only
18 are the racetracks trying to improve their product,
19 but the horsemen are attempting and are being
20 proactive and trying to attract people to the sport.

21 MR. WOODS:

22 I didn't know if it was just a central
23 Pennsylvania action or if they bought TV time in other
24 markets in the state.

25 MR. KILE:

1 I'm not sure, but I can definitely find
2 out for you.

3 MR. WOODS:

4 Thank you.

5 MR. MCCALL:

6 Kevin, could you give us the reasons why
7 on the simulcast the --- that the Santa Anita they
8 weren't accepting the wagers, what was the --- what
9 were the circumstances and what have we done to --- as
10 a follow-up, what have we done to make sure it doesn't
11 happen again?

12 MR. KILE:

13 There's cooperatives throughout the
14 nation and there's --- this involved two cooperatives
15 that affected four of our tracks. It's the Mid-
16 Atlantic Cooperative which represents 23 racetracks,
17 mainly through the Mid-Atlantic region. And then the
18 other party was the Monarch Content Management Group
19 which is led by the Stronach Group. And in essence,
20 all tracks throughout the country negotiate single fee
21 rates. And it's my understanding that the Monarch
22 Group wanted to increase some rates for certain tracks
23 and --- and it led to basically a boycott and they
24 couldn't come to an agreement on what those single fee
25 rates should be. So, hopefully it doesn't happen in

1 the future. So far this year everything is on course
2 as normal, so I don't anticipate it being a problem in
3 any --- in the future moving forward.

4 CHAIRMAN:

5 I have a question. You said what
6 happened in the first quarter of 2015 resulted in 25
7 percent less --- was that just at those tracks or
8 total? What was that?

9 MR. KILE:

10 That was taxable handle. So, at the six
11 tracks in Pennsylvania, taxable handle last year was
12 about \$100 million. So, there was approximately 24,
13 25 ---.

14 CHAIRMAN:

15 If that hadn't happened, would we have
16 seen --- I know it's hard to predict, but without
17 that, the steady state, would we have not seen a year
18 to year decline?

19 MR. KILE:

20 I think it would have been relatively
21 flat. Nationwide there was a handle both in
22 thoroughbred and standard bred was flat last year.
23 There was a slight increase nationwide, less than one
24 percent. Overall for the entire year, taxable handle
25 was down 11 percent. So, to put that in perspective,

1 if the first quarter wasn't down 25 percent, I think
2 we would have been in much better shape.

3 CHAIRMAN:

4 We would have been more with the
5 national average of what's happening, basically.

6 MR. KILE:

7 What's that?

8 CHAIRMAN:

9 We would have been more consistent with
10 the national average?

11 MR. KILE:

12 I believe so, yes.

13 MR. FAJT:

14 Thank you, Mr. Chairman. Just, Dave, in
15 the past --- I didn't see the recent commercials, but
16 I know when the horsemen had legislation pending in
17 the past, I've seen them run those kind of pro
18 horsemen commercials. I haven't see them for a couple
19 years but I do know that I've seen them before. But
20 Fred, I have a question for you and I don't mean to
21 put you on the spot. Is there anything that AG is
22 doing or contemplating or do you guys have concerns
23 about, you know, the decrease in just horseracing play
24 around the state? And before you answer I do remember
25 a couple of years ago, you guys were running

1 commercials, I don't know if they were on TV or on the
2 internet about track pack or something along those
3 lines. What's going on in AG vis-à-vis promoting
4 horseracing?

5 MR. STRATHMEYER:

6 Okay. Is this on --- yeah. Okay. We
7 --- in Act 7, we were able to get a one percent
8 marketing and promotions through, which --- if when
9 you do the math, it's basically \$2.4 million that we
10 will have available. That is a carry-over, in other
11 words if we don't spend it all the first year, we
12 continue to build that pot. The intent from AG is to
13 reach out to stakeholders and then be --- have them
14 part of the process. At this point there's no firm
15 plans because as all of you know, there's no
16 Commission in place right now, and so until the
17 Commission gets --- is seated, those types of
18 definitive things will have to wait until that's in
19 place. But overall it's --- for the first time has
20 given us a steady stream of income for promotion and
21 marketing and the certainly department of AG is going
22 to make best use of those dollars.

23 MR. FAJT:

24 Thank you.

25 MR. JEWELL:

1 Mr. Chairman, I have a question.

2 CHAIRMAN:

3 Yes.

4 MR. JEWELL:

5 Kevin, remind me of the percentage of
6 folks last year that were actually sitting in the
7 stands themselves and putting their money down on
8 horseracing?

9 MR. KILE:

10 Attendance was actually down this past
11 year and it's the first year --- it's the first
12 decline in the past five years, so there was about
13 760,000 patrons that went to the racetracks in
14 Pennsylvania; that's down seven percent.

15 MR. JEWELL:

16 And what was the percent of the handle
17 that they bet as opposed to the simulcasting?

18 MR. KILE:

19 2015, I don't have an actual percentage
20 for on-track handle, but I can get that for you, but
21 there was \$30 million wagered at the actual tracks on
22 Pennsylvania's races; that's down six percent.

23 MR. JEWELL:

24 Do you have a sense though of
25 proportionality? Is it a much smaller percent that

1 are --- that's actually bet at the stands?

2 MR. KILE:

3 It is.

4 MR. JEWELL:

5 Much, much smaller?

6 MR. KILE:

7 It is.

8 MR. JEWELL:

9 Or much, much larger. Man, it's a sense
10 that I had. I see that number somewhere, being
11 somewhat new, I said, wow, I didn't realize that, I
12 mean I --- you know, and I had nothing to refer it to
13 but ---.

14 MR. KILE:

15 It is much, much smaller. Back in early
16 days of horseracing, it was the only game in town, but
17 since simulcast wagering came onboard, the majority of
18 wagers are placed through simulcast wagering, via
19 off-track wagering facilities, the internet, mobile
20 devices, et cetera.

21 MR. JEWELL:

22 But yet we see on racing days and
23 evenings, a higher number of folks that --- at the
24 racinos going to the casinos.

25 MR. KILE:

1 That's correct.

2 MR. JEWELL:

3 Thank you.

4 CHAIRMAN:

5 I think that's the only questions;
6 anything else, Kevin?

7 MR. O'TOOLE:

8 Nothing else, Chairman.

9 CHAIRMAN:

10 Thank you very much. Next up, Director
11 of Human Resources, Claire.

12 MS. YANTIS:

13 Good morning, Chairman and Board
14 members. The Office of Human Resources has one motion
15 for your consideration today relative to the hiring of
16 three individuals. Mr. Edglar Metaj has been selected
17 as a Technical Field Representative assigned to Parx
18 Casino. Mr. Metaj has completed the PGCB interview
19 process, background investigation and drug screening,
20 and is recommended for hire by Director of Casino
21 Compliance, Jerry Stoll. Additionally, Mr. Adam
22 Bashline and Ms. Melanie Little have been selected as
23 Forensic Accountants in the Bureau of Investigation
24 and Enforcement's (BIE) Financial Investigation's
25 Unit. Mr. Bashline and Ms. Little have also completed

1 the PGCB interview process, background investigation
2 and drug screening and are recommended for hire by
3 Director of BIE, Paul Mauro. Unless you have any
4 questions, I ask that the Board consider a motion to
5 hire Mr. Metaj, Mr. Bashline and Ms. Little as
6 indicated.

7 CHAIRMAN:

8 Are there any questions from the Board?
9 May I have a motion?

10 MR. JEWELL:

11 Mr. Chairman, I move that the Board
12 approve the Applicants as proposed by the Director of
13 Human Resources.

14 MR. MCCALL:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 All opposed? Motion's adopted.

21 MS. YANTIS:

22 Thank you.

23 CHAIRMAN:

24 Thanks, Claire. Director of Financial
25 Management, Dave Rhen.

1 MR. RHEN:

2 Good morning.

3 CHAIRMAN:

4 Good morning.

5 MR. RHEN:

6 My report today will provide an overview
7 of expenditures incurred by the Board through the end
8 of the fiscal year's third quarter on March 31st.
9 Spending as of that date totaled \$27.1 million,
10 spending for the third quarter alone was slightly over
11 \$10 million. The majority of expenditures to date are
12 for payroll. Payroll expenses in the first three
13 quarters totaled \$23.9 million or 88 percent of total
14 expenses for the total fiscal year, with salaries
15 totaling \$14.3 million and benefits totaling \$9.6
16 million.

17 The expenditures for benefits equate to
18 67 percent of the total spent on salaries. Payroll
19 for the third quarter alone was \$8.98 million, payroll
20 expenses for the fiscal year to date are up 2.7
21 percent while the average employee count is down by 12
22 employees. Operating of fixed asset expenses recorded
23 in the third quarter totaled slightly over \$1 million,
24 bringing the year to date total to \$3.2 million.
25 Operating of fixed asset expenses comprised under 12

1 percent of overall agency expenditures. Seventy-eight
2 (78) percent of operating expenditures or \$2.4 million
3 were for office and parking leases, services and other
4 operating expenses which are primarily subscription
5 costs for databases using background investigations.
6 Overall expenditures for the fiscal year are within
7 budget and below expectations due to the declining
8 complement levels over the first three quarters of the
9 fiscal year.

10 CHAIRMAN:

11 Any questions for Dave? Thanks.

12 MR. RHEN:

13 Thank you.

14 MR. FAJT:

15 Thanks, Dave.

16 CHAIRMAN:

17 Chief Counsel, Doug Sherman.

18 ATTORNEY SHERMAN:

19 Good morning Chairman, members of the
20 Board. Our first agenda item relates to a Local Law
21 Enforcement Grant Application, which Assistant Chief
22 Counsel, Denise Miller-Tshudy is here to present.

23 ATTORNEY MILLER-TSHUDY:

24 Good morning. The Local Law Enforcement
25 Grant that I have to present to you today is from the

1 Lawrence County District Attorney's office. The
2 office is requesting a two-year grant. If awarded,
3 this will be the first grant awarded to the Lawrence
4 County District Attorney's Office. The office intends
5 to use the grant funds to tackle a new initiative
6 focusing on small games of chance licenses and
7 violations as well as illegal gaming in general. More
8 specifically, the office initiative will focus on
9 education, monitoring of current small games of chance
10 licensees and the investigation and prosecution under
11 the Small Games of Chance Law and Illegal Gaming Laws.

12 In year one, they're requesting a
13 \$75,000 grant, which will pay for the salary and
14 benefits of one Detective, supplement two of the
15 Assistant District Attorneys and pay for training for
16 all three employees. Year two, they're requesting
17 \$50,000, which will pay for half the salary and
18 benefits of the Detective, supplement the attorney ---
19 Assistant District Attorneys as well as have some more
20 training for those three individuals. I have reviewed
21 the application, they meet the guidelines of the Board
22 and I would request that there be a motion made to
23 approve the grant.

24 CHAIRMAN:

25 Any questions or comments from the

1 Board? May I have a motion?

2 MR. MCCALL:

3 Mr. Chairman, I move that the Board
4 issue an Order to approve the Local Law Enforcement
5 Grant for the Lawrence County District Attorney's
6 Office as described by the Office of Chief Counsel
7 (OCC).

8 MR. MOSCATO:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 All opposed? Motion's adopted.

15 ATTORNEY MILLER-TSHUDY:

16 Thank you.

17 ATTORNEY SHERMAN:

18 Today we have three petitions before you
19 for your consideration. The matters each will be
20 decided upon the record and the Board's been provided
21 with a complete pleadings and evidentiary record in
22 each case. The first Petition is that of the United
23 --- related to the United States Playing Card Company,
24 and it's a Petition for Approval of Change of Control
25 of the United States Playing Card Company. The

1 Petition was filed by the parent company, Jarden
2 Corporation. In addition, a motion to protect
3 confidential information has also been submitted.

4 By way of background, the U.S. Playing
5 Card Company is a Table Game Manufacturer Licensee
6 that manufactures playing cards and other table game
7 related devices. Jarden is a publicly traded
8 affiliate licensee and the ultimate parent company of
9 U.S. Playing Cards. Jarden also owns many other lines
10 of consumer products, including Coleman, Sunbeam, and
11 Rawlings Sporting Goods.

12 Jarden is in the process of merging with
13 Newell Rubbermaid Company, also a publicly traded
14 company which owns a wide variety of brands, also
15 including Sharp, Graco and Lenox. As a result of the
16 merger, Newell Brands, will become the ultimate parent
17 company of U.S. Playing Cards.

18 The Office of Enforcement Counsel (OEC)
19 has no objection to the Petition for the Change of
20 Control subject to U.S. Playing Cards following the
21 necessary licensing requirements for any new entity or
22 any individual required to be licensed a result of the
23 merger. In addition, U.S. Playing Cards will provide
24 the OEC with all final closing documents related to
25 the merger.

1 Finally, the OEC has no objection to the
2 confidentiality motion for certain proprietary
3 information. I would note for the record that Newell
4 Rubbermaid and four individuals associated with that
5 company have already filed applications, so the
6 process is well underway here from the licensing
7 perspective and with that I'd request a motion from
8 the Board to consider the change of control.

9 CHAIRMAN:

10 Any questions, comments from the Board?
11 May I have a motion?

12 MR. MOSCATO:

13 Mr. Chairman, I move that the Board
14 issue an Order to approve both Jarden Corporation's
15 Petition for Approval of Change of Control and its
16 motion for confidentiality as described by the OCC.

17 MR. RYAN:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 All opposed? Motion's adopted.

24 ATTORNEY SHERMAN:

25 The next Petition before the Board

1 pertains to Chae Shim's request to be removed from the
2 Involuntary Exclusion List. In July of 2014, the OEC
3 filed a complaint to place Chae Shim on the Board's
4 Exclusion List, alleging he assisted his 20-year-old
5 son, Dae Shim, to gain access to the gaming floor.
6 Mr. Shim and his son were on the floor for about ten
7 minutes, Mr. Shim, Chae Shim gamed, but his son did
8 not. The parties signed a Consent Agreement in
9 October 2014, and the Board approved the agreement on
10 December 10th, 2014, placing Mr. Chae Shim on the
11 Exclusion List for a period of at least one year from
12 the date of the Order.

13 In February 2016, the Board received a
14 request from Chae Shim, and his son, Dae Shim, also
15 seeking removal from the Exclusion List as one year
16 had passed from their placement on the list. Having
17 no evidence that either Mr. Shim or his son had in any
18 way violated the Board's Order, the OEC has not
19 objected to the removal from the Exclusion List for
20 either individual. First up would be a motion
21 concerning Chae Shim, the father.

22 CHAIRMAN:

23 Questions or comments from the Board?
24 May I have a motion?

25 MR. RYAN:

1 Mr. Chairman, I move that the Board
2 issue an Order to approve the Petition of Chae L. Shim
3 seeking removal from the Involuntary Exclusion List as
4 described by the OCC.

5 MR. WOODS:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 All opposed? Motion's adopted.

12 ATTORNEY SHERMAN:

13 And the second motion which I would ask
14 the Board to make relates to the son, Dae Shim.
15 Again, the facts are the same, I --- and it would be
16 appropriate for the Board's consideration at this
17 time?

18 CHAIRMAN:

19 Questions or comments from the Board?

20 May I have a motion?

21 MR. WOODS:

22 Mr. Chairman, I move that the Board
23 issue an Order to approve the Petition of Dae Y. Shim
24 seeking removal from the Involuntary Exclusion List as
25 described by the OCC.

1 MR. FAJT:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 All opposed? Motion's adopted.

8 ATTORNEY SHERMAN:

9 Next presenting Withdrawals and Reports
10 and Recommendations is Deputy Chief Counsel, Steve
11 Cook.

12 ATTORNEY COOK:

13 Good morning. The Board has received
14 four unopposed Petitions to withdraw the applications
15 or surrender the Credentials of individuals or
16 businesses. The persons and one entity subject to
17 these Petitions are as follows; Gary Canale Designs,
18 LLC, David Patent, Ryoichi Kimura and Gregg Hart. The
19 OEC has no objection to any of these withdrawals or
20 surrenders. As a result, if the Board were inclined
21 to grant the same, they'd be doing so without
22 prejudice and these matters are now ripe for the
23 Board's consideration.

24 CHAIRMAN:

25 Questions or comments from the Board?

1 May I have a motion?

2 MR. FAJT:

3 Mr. Chairman, I move that the Board
4 issue Orders to approve the withdrawals and surrenders
5 as described by the OCC.

6 MR. JEWELL:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 All opposed? Motion's adopted.

13 ATTORNEY COOK:

14 Next before the Board for consideration
15 are two Reports and Recommendations received from the
16 Office of Hearings and Appeals (OHA). These Report
17 and Recommendations along with the complete
18 evidentiary record in each matter have been provided
19 to the Board in advance of this meeting. Additionally
20 in each case, the gentlemen that are the subject of
21 these two Reports and Recommendations have been put on
22 notice that the Board will be taking their matter up
23 today and that they could come forward and briefly
24 address the Board. If either of these individuals are
25 present, I would ask them to come forward when their

1 matter is called.

2 The first Report and Recommendation
3 before the Board pertains to Nicolas Tirenin. On
4 November 19th, 2015, the OEC filed a complaint to
5 place Mr. Tirenin on the Exclusion List alleging that
6 on April 23rd, 2015, this gentleman offered to help an
7 elderly patron at Parx who was having difficulty
8 inserting a voucher in a slot machine. When he was
9 unable to insert the voucher in the machine himself,
10 he told her that he would redeem it for cash at the
11 cage, left the woman, went to the cage, in fact
12 redeemed it for cash but then left the casino without
13 returning the \$84 in cash to the woman. Upon being
14 identified and contacted by the Pennsylvania State
15 Police, Mr. Tirenin returned to the casino and turned
16 the money over to the State Police.

17 As a result of his actions, Mr. Tirenin
18 was charged and convicted of theft and was permanently
19 evicted from Parx. At Mr. Tirenin's request, the
20 hearing in this matter was held on January 20th, 2016;
21 despite receiving proper notice however, he failed to
22 attend at that hearing and it was held in his absence.

23 As a result of the evidence presented by
24 Enforcement Counsel, the Report and Recommendation
25 subsequently issued recommends that he be placed on

1 the Exclusion List and that is the recommendation
2 before the Board at present.

3 CHAIRMAN:

4 Any questions or comments from the
5 Board? May I have a motion?

6 MR. JEWELL:

7 Mr. Chairman, I move that the Board
8 adopt the Report and Recommendation issued by the OHA
9 regarding the placement of Nicholas Tirenin on the
10 PGCB Involuntary Exclusion List as described by the
11 OCC.

12 MR. MCCALL:

13 Second.

14 CHAIRMAN:

15 All in favor?

16 ALL SAY AYE

17 CHAIRMAN:

18 All opposed? Motion's adopted.

19 ATTORNEY COOK:

20 The second and final Report and
21 Recommendation before the Board today pertains to
22 Michael Witczak, III. On July 27th, 2015, the OEC
23 filed a complaint to place Mr. Witczak on the
24 Exclusion List alleging that between 2012 and 2015 he
25 had been involved in a number of incidents at that

1 Parx Casino. That included physical aggression toward
2 other patrons as well as on one occasion, theft of a
3 mislaid voucher. Ultimately one of the assaults that
4 occurred at the Parx Casino resulted in his being
5 charged and convicted of disorderly conduct.

6 Mr. Witczak never responded to the OEC's
7 complaint, and as a result in October of 2015, OEC
8 filed a request for default judgment. Prior to the
9 Board acting on that request however, Mr. Witczak
10 requested a hearing stating that he had been
11 incarcerated and never received notice. As a result,
12 the matter was remanded back to the Board's OHA. A
13 hearing was scheduled and notice was again sent to him
14 at his address of record. He again did not appear at
15 that hearing, it was held in his absence.

16 Ultimately OEC presented evidence of the
17 bad behavior at Parx and the Report and Recommendation
18 subsequently issued that is presently before the Board
19 recommends that he be placed on the Exclusion List.

20 CHAIRMAN:

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

23 MR. MCCALL:

24 Mr. Chairman, I move the Board adopt the
25 Report and Recommendation issued by the OHA regarding

1 the placement of Michael Witczak, III on the PGCB
2 Involuntary Exclusion List 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? Motion's adopted.

10 ATTORNEY SHERMAN:

11 And that concludes all matters of the
12 OCC.

13 CHAIRMAN:

14 Thank you. Next we have Sean Hannon,
15 Manager of the Bureau of Licensing.

16 MR. HANNON:

17 Good morning, Chairman, members of the
18 Board. Before the Board today will be motions
19 regarding one Table Game Manufacturer Renewal License,
20 871 Principal, Key, Gaming and Non-Gaming Employees.
21 In addition, there will be consideration of 19 Gaming
22 Service Provider Applicants.

23 The first matter for your consideration
24 is the renewal of the South Jersey Precision Tool and
25 Mold, Incorporated Table Game Manufacturer License.

1 The BIE has completed its investigation of the company
2 and the Bureau of Licensing has provided you with a
3 background investigation and suitability report
4 regarding the renewal. South Jersey Precision has
5 asked that the Board grant it a reduced licensing fee
6 for its Table Game Manufacturer License. The renewal
7 fee for a manufacturer is \$90,000 for a three-year
8 license.

9 Under the Gaming Act, the Board may
10 modify the fee for a table game manufacturer if it
11 determines the fee will unreasonably limit table game
12 devices or associated equipments. Consistent with
13 this provision of the Act, the Bureau of Licensing has
14 adopted a reduced licensing fee policy which has
15 previously been presented to the Board. Pursuant to
16 that policy, a reduction of the fee, the licensing fee
17 to zero is warranted if there is only one manufacturer
18 of a product and anticipated sales are less than
19 \$100,000 annually. South Jersey Precision is the only
20 manufacturer in Pennsylvania that produces Pai Gow
21 tiles and its projected annual sales are under
22 \$100,000.

23 The Bureau of Licensing therefore
24 recommends that the Board grants a reduced licensing
25 fee of zero to South Jersey Precision. I hereby --- I

1 have provided you with a draft Order for this entity
2 and ask that the Board consider the Order to renew the
3 Table Game Manufacturer License for South Jersey
4 Precision Tool and Mold, Incorporated.

5 CHAIRMAN:

6 Questions, comments from Enforcement
7 Counsel?

8 ATTORNEY PITRE:

9 Enforcement Counsel has no objection.

10 CHAIRMAN:

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

13 MR. MOSCATO:

14 Mr. Chairman, I move that Board approve
15 the Table Game Manufacturer License renewal of South
16 Jersey Precision Tool and Mold, Inc. with a reduced
17 fee consistent with the Bureau of Licensing's policy.

18 MR. RYAN:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 All opposed? Motion's adopted.

25 MR. HANNON:

1 Also, for your consideration is the
2 approval of Principal and Key Employee Licenses.
3 Prior to this meeting the Bureau of Licensing provided
4 you with a proposed Order for 11 Principal and 15 Key
5 Employee Licenses. I ask that the Board consider the
6 Order approving these licenses.

7 CHAIRMAN:

8 Comments from Enforcement Counsel?

9 ATTORNEY PITRE:

10 Enforcement Counsel has no objection.

11 CHAIRMAN:

12 Questions or comments from the Board?

13 May I have a motion?

14 MR. RYAN:

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

18 MR. WOODS:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 All opposed? Motion's adopted.

25 MR. HANNON:

1 Next are Temporary Principal and Key
2 Employee Licenses. The Bureau of Licensing provided
3 you with an Order regarding the issuance of Temporary
4 Licenses for three Principal and three Key Employee
5 Licenses. I ask that the Board consider the Order
6 approving these licenses.

7 CHAIRMAN:

8 Comments from Enforcement Counsel?

9 ATTORNEY PITRE:

10 Enforcement Counsel has no objection.

11 CHAIRMAN:

12 Questions or comments from the Board?

13 May I have a motion?

14 MR. WOODS:

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

19 MR. FAJT:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 All opposed? Motion's adopted.

1 MR. HANNON:

2 There are also Gaming Permits and Non-
3 Gaming Registrations. Prior to this meeting the
4 Bureau of Licensing provided you with a list of 570
5 individuals to whom the Bureau has granted Temporary
6 or Full Occupation Permits. And 237 individuals to
7 whom the Bureau has granted Registrations under the
8 authority delegated to the Bureau of Licensing. I ask
9 that the Board consider a motion approving the Order.

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. FAJT:

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

22 MR. JEWELL:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 All opposed? The Motion's adopted.

4 MR. HANNON:

5 Next there are recommendations of denial
6 for two Gaming and two Non-Gaming Employee Applicants.
7 In each case, the Applicant failed to request a
8 hearing within the specified time frame. The Bureau
9 of Licensing has provided you with Orders addressing
10 the Applicants who the OEC has recommended for denial.
11 I ask that the Board consider a motion approving the
12 denials.

13 CHAIRMAN:

14 Enforcement Counsel?

15 ATTORNEY PITRE:

16 Enforcement Counsel continues to request
17 denial in each instance.

18 CHAIRMAN:

19 Questions or comments from the Board?

20 May I have a motion?

21 MR. JEWELL:

22 Chairman, I move that the Board deny the
23 Gaming and Non-Gaming Employee Applications as
24 described by the Bureau of Licensing.

25 MR. MCCALL:

1 Second.

2 CHAIRMAN:

3 All in favor?

4 ALL SAY AYE

5 CHAIRMAN:

6 All opposed? Motion's adopted.

7 MR. HANNON:

8 Also for your consideration are
9 withdrawal request for Key Gaming and Non-Gaming
10 Employees. In each case the Permit or Registration is
11 no longer required. For today's meeting, I provided
12 the Board with a list of one Key, 13 Gaming and 14
13 Non-Gaming Employee Withdrawals for approval. I ask
14 that the Board consider the Orders approving the list
15 of withdrawals.

16 CHAIRMAN:

17 Enforcement Counsel?

18 ATTORNEY PITRE:

19 Enforcement Counsel has no objection.

20 CHAIRMAN:

21 Questions or comments from the Board?

22 May I have a motion?

23 MR. MCCALL:

24 Mr. Chairman I move the Board approve
25 the withdrawals as described by the Bureau of

1 Licensing.

2 MR. MOSCATO:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 All opposed? Motion's adopted.

9 MR. HANNON:

10 Next we have an Order to certify the
11 following Gaming Service Providers; Brysco
12 Foodservice, LLC, doing business as TriMark SS Kemp,
13 EMMS Electric, Incorporated, Prevail Marketing, LLC
14 doing business as Prevail Promotions, U.S. Foods,
15 Incorporated. I ask that the Board consider the Order
16 approving these Gaming Service Providers for
17 certification?

18 CHAIRMAN:

19 Enforcement Counsel?

20 ATTORNEY PITRE:

21 Enforcement Counsel has no objection.

22 CHAIRMAN:

23 Questions or comments from the Board?

24 May I have a motion?

25 MR. MOSCATO:

1 Mr. Chairman, I move that the Board
2 issue an Order to approve the Applications for Gaming
3 Service Provider Certification as described by the
4 Bureau of Licensing.

5 MR. RYAN:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 All opposed? Motion's adopted.

12 MR. HANNON:

13 Finally, for your consideration are
14 Gaming Service Provider Registrations. The Bureau of
15 Licensing provided you with an Order and attached list
16 of 15 registered Gaming Service Providers. I ask that
17 the Board consider the Order registering these Gaming
18 Service Providers.

19 CHAIRMAN:

20 Enforcement Counsel?

21 ATTORNEY PITRE:

22 Enforcement Counsel has no objection.

23 CHAIRMAN:

24 Questions or comments from the Board?

25 May I have a motion?

1 MR. RYAN:

2 Mr. Chairman, I move that the Board
3 issue an Order to approve the applications for Gaming
4 Service Provider Registration as described by the
5 Bureau of Licensing.

6 MR. WOODS:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 All opposed? Motion's adopted.

13 MR. HANNON:

14 That concludes the Bureau of Licensing's
15 matters.

16 CHAIRMAN:

17 Thanks, Sean. OEC.

18 ATTORNEY PITRE:

19 Good morning, Chairman, members of the
20 Board. The OEC will present 26 matters for the
21 Board's consideration today consisting of five Consent
22 Agreements, three Revocations and 18 Involuntary
23 Exclusions. The first Consent Agreement that will be
24 heard has been negotiated between the OEC and
25 Holding's Acquisitions Co. doing business at Rivers

1 Casino. The matter will be presented by Assistant
2 Enforcement Counsel John Crohe.

3 ATTORNEY CROHE:

4 Good morning, Chairman, members of the
5 Board, John Crohe, C-R-O-H-E, for the OEC. The next
6 matter on the agenda for the Board's consideration is
7 a Consent Agreement reached between Rivers Casino and
8 the OEC regarding the employment of an unlicensed
9 individual. On May 14th, 2014, a former Rivers Casino
10 Table Games Dealer submitted the renewal application
11 for his Gaming Permit. And on August 13th, 2014, OEC
12 issued the former dealer a recommendation of denial.

13 On October 8th, 2014, the Board issued
14 an Order denying the individual's renewal application.

15 On October 14th, 2014, the Board's application denial
16 Order was sent by email to Rivers Vice President of
17 Human Resources. The unlicensed individual continued
18 to be employed by Rivers until November 7th, 2014.

19 After notice was given to Rivers Casino,
20 the unlicensed individual worked on 16 separate days
21 for a total of 122 and a half hours without a valid
22 Gaming Permit. The OEC and Rivers respectfully
23 request that the Board approve the Consent Agreement
24 and Stipulations of Settlement which require that
25 Rivers implement policy and procedures to prevent

1 similar incidents in the future, and that Rivers pay a
2 civil penalty of \$7,500 as well as \$2,500 for cost
3 incurred by the Board staff in connection with
4 investigations in this matter. I believe attorney ---
5 Mr. Donnelly for Rivers is here to answer questions on
6 Rivers behalf.

7 ATTORNEY DONNELLY:

8 Thank you, John. John Donnelly,
9 D-O-N-N-E-L-L-Y, on behalf of Rivers. Also with me is
10 Dannielle Cisneros who is Senior Counsel for Rivers
11 and Andre Barnabei who is now Vice President of Slots
12 at Rivers.

13 CHAIRMAN:

14 Perhaps Mr. --- sorry, didn't catch the
15 last ---.

16 ATTORNEY DONNELLY:

17 Barnabei.

18 CHAIRMAN:

19 Barnabei should stand up and be sworn.

20 ATTORNEY DONNELLY:

21 Barnabei. Barnabei.

22 MR. BARNABEI:

23 B-A-R-N-A-B-E-I.

24 CHAIRMAN:

25 If you could stand up and be sworn,

1 please.

2 -----

3 ANDRE BARNABEI, CALLED AND SWORN.

4 -----

5 ATTORNEY DONNELLY:

6 We've had extensive negotiations with
7 regard to this Consent and I agree with John that
8 we've instituted procedures to stop what occurred
9 here, was there was an email that went to Mr. Barnabei
10 who was on vacation, it bounced back with an amount
11 today on this particular matter. When he returned
12 from vacation he forwarded to --- maybe while he was
13 on vacation, to two other people. The other people
14 who forwarded it failed to take action and that's how
15 this event occurred. It was human error.

16 We've instituted a number of things to
17 try and fix this. Number one, we've asked and the
18 staff has agreed that in the future that emails go to
19 a number of people, so if someone's on vacation
20 there's more than one person who gets that, and also
21 we've asked that the representatives on the property
22 obtain copies as well. And I think that will cure
23 these problems in the future.

24 CHAIRMAN:

25 Any questions or comments from the Board

1 on this matter? May I have a motion?

2 MR. WOODS:

3 Mr. Chairman, I move that the Board
4 issue an Order to approve the Consent Agreement
5 between the OEC and Holding's Acquisition Company, LP
6 as described by the OEC.

7 MR. FAJT:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 ALL SAY AYE

12 CHAIRMAN:

13 All opposed. The Motion is adopted.

14 Thank you very much.

15 MR. FAJT:

16 Thank you.

17 ATTORNEY PITRE:

18 The next matter on the agenda is a
19 Consent Agreement that has been negotiated between the
20 OEC and Mountainview Thoroughbred Racing Association
21 doing business as Hollywood Casino at Penn National
22 Racecourse. Once again the matter will be presented
23 by Assistant Enforcement Counsel John Crohe.

24 ATTORNEY CROHE:

25 The next matter on the Board's agenda

1 between the OEC and Hollywood Casino relates to a
2 violation of underage gaming. On January 1st, 2016,
3 an underage individual entered Hollywood Casino after
4 a Security Guard inspected the underage individual's
5 military identification which showed a date of birth
6 of May 30th, 1997, making him 18 years of age at the
7 time.

8 Despite the patron's age, the Security
9 Officer gave the underage individual a green wristband
10 to signify that he was over 21 years of age. The
11 underage individual then gamed at a slot machine for
12 approximately one minute and a second slot machine for
13 approximately 23 minutes. The underage individual was
14 then stopped by another Security Officer who asked him
15 to produce identification. After the true age of the
16 individual was discovered a Security Supervisor
17 escorted the underage individual to the security
18 podium and evicted him.

19 The underage individual was on the
20 gaming floor for a total 55 minutes and gamed for a
21 total of 24 minutes. Hollywood Casino issued a final
22 written warning to the Security Officer who allowed
23 the underage individual to access the gaming floor.

24 The OEC and Hollywood Casino
25 respectfully request that the Board approve this

1 Consent Agreement and Stipulations of Settlement which
2 require that Hollywood implement policies and
3 procedures to prevent similar incidents in the future.
4 and that Hollywood pay a civil penalty of \$7,500 as
5 well as \$2,500 for cost incurred by the Board staff in
6 connection with the investigations in this matter.
7 Attorney Alex Hvizda from Hollywood Casino is here to
8 answer questions on Hollywood's behalf.

9 CHAIRMAN:

10 Good morning. Could you spell your name
11 for the court reporter?

12 ATTORNEY HVIZDA:

13 Yes, it's Hvizda, H-V-I-Z-D-A. This was
14 essentially a human error, we have military IDs, our
15 scanning system at the door does not currently allow
16 for scanning of military IDs, the vendor says they're
17 working on a solution but they don't have one yet. As
18 a backup for that, Employees are supposed to call over
19 the date of birth over the radio as a double check.
20 In this case the Officer just completely failed to do
21 his job. He admitted that he just got complacent,
22 that it would never happen again, he apologized to his
23 coworkers. At our casino we have a program called a
24 hundred for a hundred. If our Security Department
25 goes 100 days without any underage incidents, everyone

1 in the Department gets \$100. We have not had another
2 underage incident since this incident on New Years
3 Day, I think it was a week and a half ago we paid out
4 the hundred for a hundred which is the seventh time
5 we've done that for our Security Department.

6 CHAIRMAN:

7 Any questions or comments for the Board?

8 MR. FAJT:

9 Mr. Chairman, just as a general rule and
10 I said this before, and I know you guys do this. But
11 anytime somebody comes in with a military ID or
12 something other than, you know, what you can scan and
13 verify, I mean, I always ask the casinos to please put
14 your employees on high alert. I mean, we see this
15 time and time again, where they'll come in with a
16 passport or a military ID are the two examples that we
17 see the most, but, you know, your antenna needs to go
18 up as a Security Guard when somebody presents
19 something other than a driver's license.

20 CHAIRMAN:

21 Any other comments? May I have a
22 motion?

23 MR. FAJT:

24 Yes, Mr. Chairman, I move that the Board
25 issue an Order to approve the Consent Agreement

1 between the OEC and Mountainview Thoroughbred Racing
2 Association as described by the OEC.

3 MR. JEWELL:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? Motion's adopted.

10 ATTORNEY PITRE:

11 The next two matters on the agenda are
12 Consent Agreements that have been negotiated between
13 the OEC and HSP Gaming, LP doing business as
14 SugarHouse Casino. Both matters will be presented by
15 Assistant Enforcement Counsel, James Armstrong.

16 ATTORNEY ARMSTRONG:

17 Good morning, Chairman and
18 Commissioners. The next matter on the agenda for the
19 Board's consideration is a Consent Agreement reached
20 between the OEC and SugarHouse Casino in regard to two
21 subjects on the Board's Involuntary State Exclusion
22 List being permitted to gamble at SugarHouse Casino.

23 In the first incidence, surveillance
24 recordings revealed that a State-excluded individual,
25 Christopher Cavalli entered SugarHouse's poker room at

1 7:31 p.m. on February 4th, 2015. He went to the
2 player's services desk and requested a player's card.
3 Surveillance coverage of the transaction showed that
4 the State-excluded patron was given a player's card.
5 The patron went through a poker room Cashier and
6 handed her the cards --- the player's card and money
7 to buy chips. The Cashier noticed a note on the
8 excluded patron's account and had notified a Cage
9 Manager.

10 The State-excluded patron tried to sign
11 up for a poker tournament but the main desk employees
12 had been advised on his status and reportedly tried to
13 stall him. The State-excluded patron left the poker
14 room before he could be taken into custody by
15 security.

16 The investigation further revealed that
17 on January 28th, the same State-excluded patron
18 entered the SugarHouse Casino poker room. On that
19 date surveillance coverage showed that the State-
20 excluded patron went to the desk and signed up for a
21 poker tournament. After being issued a new player's
22 card, the State-excluded patron went to the cage in
23 the poker room where he bought in to play in the
24 tournament. Handing the Cashier his new player's card
25 and identification. Surveillance coverage showed that

1 the Cashier swiped the player's card and returned it
2 and his identification without incident. Surveillance
3 coverage showed that the State-excluded patron played
4 in a poker tournament for more than six hours on
5 January 28th.

6 Commissioners, then in the second
7 incident --- excuse me, the surveillance recordings
8 revealed that a State-excluded individual, an Erikson
9 Eachero (phonetic) entered SugarHouse's poker room on
10 April 6th, 2015, and went to the cage and bought in.
11 Surveillance coverage showed that Mr. Eachero played
12 poker off and on for more than an hour. The State-
13 excluded patron went to the poker room and attempted
14 to enter --- went from the poker room and attempted to
15 enter the casino and was asked for identification by
16 security and turned down.

17 He returned to the poker room at 11:22
18 p.m. and played poker until 12:44 a.m. At 12:34 a.m.
19 on April 7th, a Dealer was conducting the chip run and
20 observed the excluded patron playing poker. The
21 Dealer recognized the patron as someone who was on the
22 Board's State Exclusion List. The Dealer went to the
23 poker room host desk at 12:40 a.m. and advised his
24 supervisor that he suspected a patron on the Board's
25 State Exclusion List. After the Supervisor walked

1 past the patron, surveillance coverage showed that the
2 excluded patron left the poker game and followed the
3 Supervisor to the host desk where they engaged in a
4 conversation for five minutes. During the
5 conversation the excluded patron was observed on
6 surveillance coverage going around the side of the
7 host desk and looking at the exclusion advisory on the
8 computer screen.

9 Shortly afterwards the State-excluded
10 patron collected his chips and cashed out. He was not
11 stopped by poker room personnel or Security Officers.
12 The Poker Room Supervisor claimed he did not want to
13 make notification in front of the excluded person so
14 he waited until the State-excluded patron left the
15 host desk.

16 Chairman and Commissioners, the OEC and
17 SugarHouse Casino respectfully request the Board
18 approve the proposed Consent Agreement and
19 Stipulations of Settlement which requires SugarHouse
20 to maintain policies and training to prevent similar
21 violations of the Board's State Exclusion List, for
22 SugarHouse to pay a civil penalty in the amount of
23 \$1,500 as well as pay \$2,500 for costs incurred by the
24 OEC and other Board staff in connection with this
25 investigation.

1 CHAIRMAN:

2 Thank you.

3 ATTORNEY ARMSTRONG:

4 Thank you, we'll be glad to answer ---
5 Mr. Donnelly is here on behalf of SugarHouse Casino.

6 ATTORNEY DONNELLY:

7 We've had lengthy discussions on the
8 facts of --- matter on --- as with the next consent
9 that you'll hear, so these aren't lightly done, I
10 think Mr. Armstrong and I spent hours and hours going
11 over. We investigated the facts, went back over our
12 surveillance and so on, and the bottom line is the
13 facts are accurate as Mr. Armstrong reported. Cavalli
14 got by the system by coming in with a second --- with
15 putting an initial in his name. John M. Donnelly as
16 opposed to John Donnelly, a new card was issued. We
17 now have a system that at least puts an alert through
18 to --- electronic system that puts an alert through
19 when there's very similar names and hopefully that
20 will stop it and he actively tried to evade the
21 system, and was successful for awhile. We did catch
22 both of these guys ultimately.

23 And the second one, Toko, he was put out
24 of the building by one Security Guard and he sneaked
25 back in and the problem here was that he was allowed

1 to cash out and we've made it a point to retrain
2 everybody and when these incidents occur, you don't
3 let people cash out, don't let them get the chips.
4 Some people are very aggressive and often times State
5 Police are not around and so on, but the particular
6 human being who allowed him to cash out in this case
7 got a fine --- a warning in his jacket letter and
8 we've been very aggressive on this cashing out policy
9 and making sure people don't let these folks cash out
10 or prevent them from getting their hands on the chips
11 period, do not let them have the chips.

12 CHAIRMAN:

13 Are there any questions or comments from
14 the Board?

15 MR. FAJT:

16 Quick question. Mr. Armstrong, we've
17 run into this before where somebody, you know,
18 somebody's name is entered into the Exclusion List,
19 you know, Samuel Adams, and then comes in and gets
20 another card Sam Adams. Do we know if other casinos
21 and can you or us require these casinos to adopt the
22 same kind of system that Mr. Donnelly just explained
23 where at least an alert will come up if it's a similar
24 name, if not the exact name?

25 ATTORNEY PITRE:

1 The problem with --- in this instance,
2 SugarHouse has been the only casino that has allowed
3 --- we fine for having State exclusion, those that we
4 put on the public Exclusion List. So, that's a lot
5 easier --- those are a lot easier to catch. We're a
6 little bit more lenient with self-excluded people
7 because we understand the different names and the
8 variances and everything that can go along with that.
9 A lot of the casinos have strictly issued a first and
10 last name. So, where if --- even if you punched in
11 the initial, that name will come up --- and the last
12 name. So, if it was C. Pitre, then every C --- every
13 name --- every name that starts with a C and ends with
14 Pitre will populate so that you can try to address
15 that issue. It's not going to be 100 percent
16 foolproof and we don't --- we're not looking for
17 perfection, but in these instances where you have an
18 individual get twice a player's card and sits at the
19 poker table for hours and plays, and the individual is
20 allowed to cash out chips. That kind of sends us ---
21 sends the message that okay something else needs to be
22 done in order to cut this short.

23 So, there's always going to be a way
24 around the system, but when you have things that kind
25 of go a little bit far --- farther than they should,

1 that's where we think, you know, we need to take a
2 little bit more strenuous action. But the casinos
3 have put in failsafe mechanisms to try to catch
4 instances like that on the first time around.

5 MR. FAJT:

6 Thank you.

7 CHAIRMAN:

8 Any other questions or comments from the
9 Board? Can I have a motion?

10 MR. JEWELL:

11 Mr. Chairman, I move that the Board
12 issue an Order to approve the Consent Agreement
13 between the OEC and HSP Gaming, LP as described by the
14 OEC.

15 MR. MCCALL:

16 Second.

17 CHAIRMAN:

18 All in favor.

19 ALL SAY AYE

20 CHAIRMAN:

21 All opposed? Motion's adopted.

22 ATTORNEY ARMSTRONG:

23 Thank you. Chairman and Commissioners,
24 the next matter on the agenda for the Board's
25 consideration is the Consent Agreement reached between

1 the OEC and SugarHouse Casino in regard to three
2 subjects on the Board's Self Exclusion List being
3 permitted to gamble at SugarHouse Casino.

4 In the first incident, surveillance
5 recordings revealed a self-excluded individual entered
6 SugarHouse's poker room at 9:24 p.m. on February 19th,
7 2015, and played poker for several hours. He
8 subsequently went into the casino and gambled at
9 Blackjack and Three Card Poker for several hours. The
10 self-excluded patron briefly left the casino, he
11 reentered the casino and took a seat at a Blackjack
12 game at 1:51 a.m. where he played Blackjack for the
13 next 20 minutes.

14 At 2:12 a.m. on February 20th, the self-
15 excluded patron initiated a buy in at a Blackjack game
16 and handed the Dealer his identification to be rated.
17 The Table Games Supervisor scanned the driver's
18 license and the SugarHouse Casino Management System
19 indicated that the patron was barred and on the
20 Board's Self Exclusion List. The Table Games
21 Supervisor contacted the Table Games Shift Manager in
22 regards to the patron being on the Self Exclusion
23 List. While the Supervisor waited for the Shift
24 Manager, the self-excluded patron was allowed to
25 continue playing Blackjack.

1 The patron played three more hands and
2 on the third hand won a \$5,000 jackpot. The Table
3 Games Supervisor then instructed the Dealer to stop
4 the game while the jackpot was verified by the
5 Surveillance Department. The self-excluded patron was
6 subsequently paid the jackpot. The self-excluded
7 patron left the Blackjack game with \$5,600 in chips in
8 his possession. He was confronted by Security and
9 escorted off the gaming floor to the Security
10 Department's Office. Security personnel did not
11 confiscate the winnings.

12 The Bureau of Casino Compliance and
13 Pennsylvania State Police responded to the Security
14 Department's Office and the police took custody of the
15 self-excluded patron. The police searched the self-
16 excluded patron incident to the arrest and found
17 \$2,000 in chips in his socks. They did not find the
18 remaining \$3,600. Pennsylvania State Police issued
19 the patron a citation for trespassing and escorted him
20 off of SugarHouse property. He was also issued a
21 formal eviction by the security personnel.

22 Commissioners, in the second incident a
23 self-excluded individual entered the SugarHouse poker
24 room at 12:45 p.m. on August 23rd, 2015. Surveillance
25 coverage showed the self-excluded patron went to the

1 cage where he bought in for \$200. The patron sat down
2 at the table and began playing Poker. The self-
3 excluded patron played Poker from 12:46 p.m. through
4 1:09 p.m. at which time he was identified as someone
5 on the Board's Self Exclusion List and approached by a
6 Security Department Manager.

7 The self-excluded patron stepped away
8 from the Poker game for several minutes and spoke with
9 the Security Manager. At 1:11 p.m. the self-excluded
10 patron sat back down at the Poker game and resumed
11 playing while the Security Manager confirmed his
12 identity. At 1:12 p.m. the self-excluded patron was
13 dealt another hand which he won and was paid. The
14 self-excluded patron cashed out for \$244 at 1:15 p.m.

15 Surveillance coverage showed the
16 Security Manager and the Security Officer with the
17 self-excluded patron, walked him out of the Poker room
18 and into the parking lot. The Security Manager
19 followed the self-excluded patron to his vehicle which
20 left the property at 1:16 p.m. No funds were seized
21 from the self-excluded patron nor was he cited by the
22 Pennsylvania State police.

23 Commissioners, in the third incident a
24 self-excluded patron entered SugarHouse Casino at 8:15
25 p.m. on September 16th, 2015. The self-excluded

1 patron sat down at a Blackjack game where he bought in
2 for \$100 and began playing Blackjack. At 8:30 p.m. he
3 went to pit five where he sat down at a Spanish 21
4 game. The self-excluded patron played Spanish 21
5 until 9:13 p.m. The self-excluded patron went to the
6 temporary rush rewards desk. Surveillance coverage of
7 the self-excluded patron was incomplete because the
8 camera at the approved site at the rush rewards desk
9 was not covering the desk at the time the self-
10 excluded patron accessed services.

11 However, the investigation did determine
12 that at 9:21 p.m. while at the rush rewards desk, the
13 self-excluded patron was issued a new account and new
14 players card. The self-excluded patron's status in
15 SugarHouse Casino's management system at the time was
16 that he was self-barred and he should not have been
17 issued an account and a player's card. The self-
18 excluded patron went to a slot machine and began
19 playing. By 9:45 p.m. the Player Services Manager
20 notified SugarHouse Security Personnel that there was
21 a patron on the Board's Self Exclusion List at the
22 casino.

23 Player Services Manager and Security
24 located the self-excluded patron in the casino and
25 escorted him to the security room. Pennsylvania State

1 Police issued the self-excluded patron a citation for
2 trespassing and he was evicted from the casino.

3 Chairman and Commissioners, the OEC and
4 SugarHouse Casino respectfully request that the Board
5 approve the proposed Consent Agreement and the
6 Stipulation of Settlement which requires SugarHouse to
7 maintain policies and training to prevent similar
8 violations of the Board's Self Exclusion List. That
9 SugarHouse pay a civil penalty of \$33,000. They also
10 pay a fee of \$2,500 for costs incurred by the OEC and
11 other Board staff in connection with the
12 investigations and assessment and settlement of these
13 incidents. I'll be glad to answer any questions you
14 may have. Mr. Donnelly is here as well.

15 ATTORNEY DONNELLY:

16 Thank you. I neglected to introduce
17 who's with me before. Lynette Lee who's the Director
18 of Compliance, Dan McCall who's the Director of Table
19 Games, and Tony, and I'll spell this name, Dilacqua,
20 D-I-L-A-C-Q-U-A, who is the Director of Security, all
21 three at the dais with me.

22 First two are as I spoke of before,
23 problems with people cashing out after they've been at
24 least tentatively identified as being on the Exclusion
25 List which we've addressed. Number one, the patron

1 was not confrontational but the second one, according
2 to what the stipulation states, he was confrontational
3 and of course we've advised people not to get in fist
4 fights or arguments with patrons who are
5 confrontational.

6 The third one was --- the patron should
7 never have been issued a rush rewards card and the
8 person who issued that got a written warning in their
9 file and presumable that will not happen again with
10 that particular human being. The last one was human
11 error in issuing the card which shouldn't have
12 happened. The first two were kind of these judgment
13 things where someone is either confrontational or
14 they're trying to figure out whether he's actually on
15 that list. But future --- hopefully they won't ---
16 people have been trained --- future people won't let
17 them get their hands on the chips if possible and
18 certainly won't let them cash out at the cage.

19 CHAIRMAN:

20 Any questions or comments from the
21 Board?

22 MR. MCCALL:

23 I don't want to open up Pandora's box on
24 this stuff, but Cyrus, how many people are on the
25 Exclusion List?

1 ATTORNEY PITRE:

2 A little over 9,000.

3 MR. MCCALL:

4 Is that excluded and self excluded?

5 That's the ---.

6 ATTORNEY PITRE:

7 That's only self excluded.

8 MR. MCCALL:

9 Just self excluded?

10 ATTORNEY PITRE:

11 On the Exclusion List, don't quote me,
12 for some reason, either ----.

13 MR. FAJT:

14 It's a public --- it's a public meeting,
15 Cyrus.

16 ATTORNEY PITRE:

17 Don't hold me to it.

18 CHAIR:

19 Cyrus, is this off the record on the
20 public hearing?

21 ATTORNEY PITRE:

22 For some reason the number 400 comes to
23 mind. So, I can't --- you know, but I know that the
24 self exclusion is over 9,000.

25 MR. MCCALL:

1 And the point I want to make is, you
2 know, when I listen to this, if a player is not rated,
3 doesn't have a player's card, doesn't have a rewards
4 card, how do we ever catch these guys. I don't think
5 they have any excuse, when somebody is rated, has a
6 player's card then goes back in with a player's card
7 and they don't pick it up, I have no sympathy. But
8 when there's 9,000 to 10,000 people on an Exclusion
9 List --- and we come down hard on these casinos. How
10 can we expect them to know the 9,000 or 10,000 people
11 on that list, especially if they aren't rated, they
12 don't have a card, they don't --- there's no players
13 card, there's no rewards card, how can we expect them
14 to enforce that?

15 I just think that we have to be somewhat
16 more sympathetic in some of these cases. You know,
17 again when there's a player's card issued and the
18 guy's on the Exclusion List and they don't pick it up,
19 I don't have any sympathy for them at all. But if
20 somebody walks into the casino, lives in Summit Hill,
21 Pennsylvania, and goes down to Rivers in Pittsburgh or
22 Mount Airy, they don't know me from Adam and I'm not
23 rated. How can we expect the casinos to go after
24 those people?

25 ATTORNEY PITRE:

1 Okay. I'm going to answer your question
2 seriously. Okay. Because we don't expect them to be
3 a hundred percent because we see people on the Self
4 Exclusion List that violate that list just about every
5 day. So, if we fine the casino every time that it
6 happens, we wouldn't have any more casinos in
7 Pennsylvania. You'd be surprised at how often they do
8 catch them, and when they catch them, we don't usually
9 do anything to the casino if the individual did not
10 give up --- give a form of identification, if there
11 was no way to recognize them. You'd be surprised how
12 often surveillance will track somebody or somebody
13 that works in the casino will recognize somebody or a
14 patron will recognize somebody and say oh hey, I know
15 his wife and he's supposed to be on the list, and
16 we'll notify security. We --- all sorts of things.

17 In those instances, where they have no
18 way of knowing or where they just happen to recognize
19 the person, we usually don't do anything to the
20 casinos. In situations where identification is shown
21 and the person is rated or the person is recognized
22 and the chips are not confiscated and the person's
23 allowed to leave and nobody is notified. Those are
24 the instances where we take action against --- usually
25 against the casinos.

1 Only in instances where we say hey, you
2 didn't do what you were supposed to do once you
3 identified the self-excluded person or you should have
4 identified the self-excluded person when that --- when
5 you --- rather than issue them a player's club card or
6 cashing out their chips or even handing chips over to
7 them because you had their identification or you
8 identified them and you let them walk away with it.
9 So, in those situations, but even for those on the
10 State Exclusion List, if they don't identify them or
11 there's no reason for them to identify them and they
12 just skate by, we don't usually do anything to the
13 casinos.

14 MR. MCCALL:

15 I appreciate that. Thank you.

16 CHAIRMAN:

17 Any other questions from the Board? May
18 I have a motion?

19 MR. MCCALL:

20 Mr. Chairman, I move that the Board
21 issue an Order to approve the Consent Agreement
22 between the OEC and HSP Gaming, LP as described by the
23 OEC.

24 MR. MOSCATO:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 All opposed? The Motion's adopted.

6 ATTORNEY ARMSTRONG:

7 Thank you.

8 CHAIRMAN:

9 Thank you for coming.

10 ATTORNEY PITRE:

11 The next matter on the agenda is a
12 Consent Agreement that has been negotiated between the
13 OEC and Washington Trotting Association doing business
14 as the Meadows. The matter will be presented by
15 Senior Enforcement Counselor Glenn Stuart.

16 ATTORNEY STUART:

17 Thank you. Glenn Stuart for the OEC,
18 S-T-U-A-R-T. The next matter for the Board's
19 consideration is a Consent Agreement between the OEC
20 and Category 1 Licensee, Washington Trotting
21 Association, Incorporated, doing business as the
22 Meadows Racetrack and Casino. This Consent Agreement
23 addresses self exclusion violations.

24 The first count of the Consent Agreement
25 addresses an instance where a self-excluded person was

1 afforded access to the Meadows gaming floor and was
2 allowed to wager at a Blackjack table. The self-
3 excluded person waited for approximately two hours
4 along with a companion. The self-excluded person was
5 allowed to cash out \$700 in chips and then left the
6 facility. His companion then attempted to cash out
7 \$6,500 in chips; however, in accordance with the
8 Meadows internal controls regarding suspicious
9 wagering activity the Cage Cashier noted that the
10 companion was attempting to cash out more than the
11 Meadows threshold for a transaction during a gaming
12 day.

13 A reconciliation of the companion's
14 wagering activity showed that he won only \$510 that
15 day. As such it was believed that the companion was
16 attempting to cash out another person's chips and his
17 cash out request was refused. The companion was then
18 allowed to leave the facility with the \$6,500 in
19 chips. The Surveillance Department was already
20 notified of the possible agent transaction, but the
21 cage did not immediately notify Board staff, the
22 satellite cage, or security of a possible agent
23 transaction.

24 After reviewing the date of persons ---
25 of patrons entering the casino and backtracking their

1 movements, Meadows surveillance confirmed that the
2 self-excluded person was indeed on the Self Exclusion
3 List. After this review, Board staff and other
4 departments were notified. Approximately four hours
5 later, the self-excluded person returned to the
6 Meadows. Again, he was afforded access to the gaming
7 floor. He immediately went to the satellite cage
8 where he was allowed to cash out \$1,000 in chips.

9 As the self-excluded person was exiting
10 the casino, a Meadows Security Officer approached him
11 and advised that he was not permitted in the casino
12 because he was on the Self Exclusion List. The self-
13 excluded person was then allowed to leave the property
14 with the \$1,000 in cash.

15 The second count of the Consent
16 Agreement addresses a third party vendor sending
17 promotional emails on behalf of the Meadows to
18 individuals on the Self Exclusion List. The issue was
19 initially brought to light when a self-excluded person
20 won a jackpot while wagering at a slot machine. The
21 self-excluded person left the property without
22 collecting the jackpot but returned to the Meadows
23 later that day to turn himself in.

24 When talking with Board staff, the self-
25 excluded person advised that he had received

1 promotional emails from the Meadows website portal
2 named webPass. A subsequent BIE investigation into
3 webPass revealed that access to webPass is achieved
4 through the Meadows website. WebPass is not
5 affiliated with the Meadows player's club, rather
6 webPass is maintained and monitored by a third party
7 vendor named Engaged Nation. Engaged Nation is not a
8 licensed entity with the Board. Patrons can only sign
9 up for a webPass Account through the Meadows website.

10 A patron creates an account by providing
11 a username and password as well as checking boxes
12 acknowledging that the patron is 21 years of age or
13 older and is not on a Self Exclusion List or the
14 Exclusion List. BIE's investigation confirmed that
15 the Meadows did not provide Engaged Nation with a list
16 of self-excluded persons. Neither Meadows nor Engaged
17 Nation cross checked the Pennsylvania Self Exclusion
18 List after a patron created an account through
19 webPass.

20 The Meadows conducted a subsequent scrub
21 of the Engaged Nation member list against the
22 Pennsylvania Self Exclusion List. This scrub revealed
23 that 91 individuals on the Board's Self Exclusion List
24 received promotional emails from Meadows through
25 webPass.

1 The terms of the Consent Agreement would
2 require the Meadows to pay a civil penalty in the
3 amount of \$40,000 for allowing two self-excluded
4 individuals to gain access to its gaming floor, for
5 allowing two self-excluded individuals to place
6 wagers, for allowing one self-excluded individual to
7 cash out winnings as a result of his wagering, or
8 failing to confiscate winnings from one self-excluded
9 individual and for allowing a third party vendor to
10 send promotional emails to 91 individuals on the Self
11 Exclusion List on behalf of the Meadows. This Consent
12 Agreement is now ripe for the Board's consideration.

13 ATTORNEY JONES:

14 Good morning, Mr. Chairman, Board
15 members. Marie Jones on behalf of Washington Trotting
16 Association. With me today is Michel Keelon, Director
17 of Compliance for WTA and Kevin Brogan, Director of
18 Marketing for WTA.

19 CHAIRMAN:

20 Do you have any comments?

21 ATTORNEY JONES:

22 The comments I have is with respect to
23 the webPass, we have since put in a policy where each
24 time a new account is started and each time emails go
25 out to all the patrons, they then scrub the list so

1 it's now consistent. It isn't like it was done
2 previously as a one time shot. Originally when we
3 started webPass, they thought of it more as a
4 promotional nongaming area since it wasn't directly
5 tied to the casino gaming and that's why it was not
6 initially done, the scrubbing wasn't initially done
7 with respect to the Exclusion List.

8 CHAIRMAN:

9 Any questions or comments from the Board
10 on this? May I have a motion?

11 MR. MOSCATO:

12 Mr. Chairman, I move that the Board
13 issue an Order to approve the Consent Agreement
14 between the OEC and Washington Trotting Association as
15 described by the OEC.

16 MR. RYAN:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 All opposed? The Motion is adopted.

23 Thank you.

24 ATTORNEY JONES:

25 Thank you.

1 ATTORNEY PITRE:

2 The next three matters on the agenda
3 consist of enforcement actions in which the OEC had
4 filed complaints seeking the revocation of two Non-
5 Gaming Registrations and one Gaming Permit issued to
6 individuals by the Board. Each complaint has been
7 filed with the Board's OHA and properly served upon
8 the individual named in each complaint. The
9 individual named in each complaint failed to respond
10 within 30 days as required by Board regulation. As a
11 result the OEC filed a request for default judgment
12 and properly served the same upon each named
13 individual. All filed documents have been provided to
14 the Board and the matters are presently ripe for the
15 Board's consideration. In each instance we'll provide
16 a brief summary of the fact and request the
17 appropriate Board action.

18 ATTORNEY STUART:

19 Thank you again. Glenn Stuart for the
20 OEC. Next for the Board's consideration is the
21 revocation of Monique Presley's Gaming Permit. Ms.
22 Presley was most recently employed as a Slot Attendant
23 at the Meadows Racetrack and Casino. Ms. Presley has
24 recently been arrested on two separate occasions and
25 charged with crimes ranging from felony aggravated

1 assault to driving under the influence. All criminal
2 charges remain pending against Ms. Presley at this
3 time and she has a June 27th, 2016 nonjury trial for
4 both of those separate charges. As such the
5 revocation of Monique Presley's Gaming Permit is now
6 ripe for the Board's consideration.

7 CHAIRMAN:

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

10 MR. RYAN:

11 Mr. Chairman, I move that the Board
12 issue an Order to approve the revocation of Monique
13 Presley's Gaming Employee Occupation Permit as
14 described by the OEC.

15 MR. WOODS:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 All opposed? The Motion is adopted.

22 ATTORNEY TEPPER:

23 Good morning, Chairman Barasch, members
24 of the Board. David Tepper, T-E-P-P-E-R, with the
25 OEC. I have for your consideration today a revocation

1 of the Non-Gaming Employee Registration of Tymeek
2 Gant. Mr. Gant was arrested on two separate occasions
3 in a one week span, one for breaking into a house and
4 the other for driving under the influence. Mr. Gant
5 has subsequently entered pleas in both cases and at
6 this point the OEC is requesting that the Board revoke
7 Tymeek Gant's Non-Gaming Employee Registration.

8 CHAIRMAN:

9 Questions or comments from the Board?

10 May I have a motion?

11 MR. WOODS:

12 Mr. Chairman, I move that the Board
13 issue an Order to approve the revocation of Tymeek
14 Gant's Non-Gaming Employee Registration as described
15 by the OEC.

16 MR. FAJT:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 All opposed? The Motion is adopted.

23 ATTORNEY TEPPER:

24 The next matter before the Board is a
25 request to consider the revocation of Erick

1 Rodriquez's Non-Gaming Employee Registration which was
2 issued in connection with his former position as a
3 Cook at Mohegan Sun Casino. In May of 2015, Mr.
4 Rodriquez applied for a Gaming Permit in connection
5 with a promotion to Table Games Dealer and in November
6 of 2015, the Board denied Mr. Rodriquez's application
7 based on his failure to become compliant with the
8 Department of Revenue. As Mr. Rodriquez has still
9 failed to comply with the Department of Revenue, the
10 OEC now requests that the Board revoke the Non-Gaming
11 Registration held by Erick Rodriguez.

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 revocation of Erick
18 Rodriquez's Non-Gaming Employee Registration as
19 described by 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 remaining 18 matters on the agenda
4 consist of enforcement actions in which the OEC has
5 filed Petitions seeking the involuntary exclusion of
6 individuals whose presence within the licensed
7 facilities are inimical to the interest to the
8 Commonwealth or licensed gaming therein. In each
9 instance, the Petition for Exclusion has been filed
10 with the Board's OHA and properly served upon the
11 individual named in the Petition. The individual
12 named in the Petition failed to respond within 30 days
13 as a result all --- excuse me. As a result, the OEC
14 filed a request for default judgment in each instance
15 and properly served the same upon each individual.
16 Therefore, all facts submitted are deemed admitted as
17 facts in each Petition and the matters are presently
18 ripe for the Board's consideration. Once again, we'll
19 read a brief summary of the facts and request the
20 appropriate action from the Board.

21 ATTORNEY CROHE:

22 The next three matters on the agenda
23 share the same fact pattern and with the Board's
24 permission I ask to read the fact pattern and then
25 individually request that each party be placed on the

1 Exclusion List. Two brothers, Thomas and Christopher
2 Gordon, ages 19 and 17, gained access to and attempted
3 to access the Rivers gaming floor while underage, both
4 utilizing illegally manufactured identification. The
5 brothers arrived at Rivers Casino with their aunt,
6 Sandra Gordon and a family friend, Leslie Stephen who
7 both aided and assisted Thomas and Christopher Gordon
8 in accessing and attempting to access the gaming floor
9 with illegally manufactured identification while
10 underage. The OEC now requests that the Board add
11 Sandra Gordon to the Board's Excluded Persons List.

12 CHAIRMAN:

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

15 MR. JEWELL:

16 Mr. Chairman, I move that the Board
17 issue an Order to approve the addition of Sandra
18 Gordon to the PGCB Involuntary Exclusion List for a
19 period of at least one year, at which time she may
20 petition for removal from the list.

21 MR. MCCALL:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

1 CHAIRMAN:

2 All opposed? The Motion is adopted.

3 ATTORNEY CROHE:

4 The OEC now requests that the Board add
5 Thomas Gordon to the Board's Excluded Persons List.

6 CHAIRMAN:

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

9 MR. MCCALL:

10 Mr. Chairman, I move that the Board
11 issue an Order to approve the addition of Thomas
12 Gordon to the Pennsylvania Gaming Control Board
13 Involuntary Exclusion List until at least his 22nd
14 birthday, at which time he may petition for removal
15 from the list.

16 CHAIRMAN:

17 All in favor?

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 CROHE:

1 And the OEC now requests that the Board
2 add Leslie Stephens to the Board's Excluded Persons
3 List.

4 CHAIRMAN:

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

7 MR. MOSCATO:

8 Mr. Chairman, I move that the Board
9 issue an Order to approve the addition of Leslie
10 Stephen to the PGCB Involuntary Exclusion List for a
11 period of at least one year, at which time she may
12 petition for removal from the list.

13 MR. RYAN:

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 Mr. Chairman, members of the Board, good
22 morning, Kim Adams for the OEC. The next matter for
23 the Board's consideration is the placement of Richard
24 Ferragonio on the Involuntary Exclusion List for using
25 counterfeit money to game while at Rivers Casino. At

1 this time the OEC is requesting that he be placed on
2 the Involuntary Exclusion List.

3 CHAIRMAN:

4 Questions or comments from the Board?
5 May I have a motion?

6 MR. WOODS:

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

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 ATTORNEY ADAMS:

19 The next matter for the Board's
20 consideration is the placement of Adam Douglas
21 Butauski on the Involuntary Exclusion List for
22 breaking into and stealing numerous items including a
23 handgun from various vehicles from in the Presque Isle
24 Downs Casino parking lot. At this time the OEC is
25 requesting that he be placed on the Involuntary

1 Exclusion List.

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 issue an Order to approve the addition of Adam
8 Butauski to the PGCB Involuntary Exclusion List as
9 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 FERRELL:

18 Good morning, Chairman, members of the
19 Board. Benjamin Ferrell, F-E-R-R-E-L-L. The next two
20 matters for your consideration share the same fact
21 pattern, and with your permission I'll read them
22 together and then ask for their placement
23 individually. On December 20th of 2015, while under
24 21 years of age, Sierra Chunyo used her husband's
25 wristband to enter the gaming floor and game at

1 Presque Isle Downs Casino. Her husband, Jared
2 Rumbold, allowed Ms. Chunyo to use his wristband and
3 accompanied her onto the gaming floor. At this time
4 OEC requests that the Board place Sierra Chunyo on the
5 Board's Involuntary Exclusion List.

6 CHAIRMAN:

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

9 MR. FAJT:

10 Mr. Chairman, I move that the Board
11 issue an Order to approve the addition of Sierra
12 Chunyo to the Pennsylvania Gaming Control Board
13 Involuntary Exclusion List until at least her 22nd
14 birthday at which time she may petition for removal
15 from the list.

16 MR. JEWELL:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 All opposed? The Motion is adopted.

23 ATTORNEY FERRELL:

24 Additionally, OEC requests that the
25 Board place Jared Rumbold on the Board's Involuntary

1 Exclusion List.

2 CHAIRMAN:

3 Questions or comments from the Board?

4 May I have a motion?

5 MR. JEWELL:

6 Mr. Chairman, I move that the Board
7 issue an Order to approve the addition of Jared
8 Rumbold to the PGCB Involuntary Exclusion List for a
9 period of at least one year, at which time he may
10 petition for removal from the list.

11 MR. MCCALL:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 All opposed? The Motion is adopted.

18 ATTORNEY MILLER:

19 Good morning, Chairman Barasch, members
20 of the Board. Dustin Miller on behalf of the OEC.
21 The next matter today is a request for placement on
22 the Board's Excluded Persons List involving Kasil T.
23 Butler. The OEC filed a Petition to place Mr. Butler
24 on the Exclusion List on January 4th, 2016 for
25 stealing \$1,000 worth of chips from a fellow patron at

1 Parx Casino. Mr. Butler was charged with theft by
2 unlawful taking and receiving stolen property due to
3 the incident. Based upon the foregoing, the OEC ask
4 that the Board place Kasil T. Butler 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. MCCALL:

10 Mr. Chairman, I move that the Board
11 issue an Order to approve the addition of Kasil T.
12 Butler to the Pennsylvania Gaming Control Board
13 Involuntary Exclusion List as described by the OEC.

14 MR. MOSCATO:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 All opposed? The Motion is adopted.

21 ATTORNEY MILLER:

22 The next matter today is the request for
23 placement on the Board's Excluded Persons List
24 involving Kammaasho Kammaashok. The OEC filed a
25 Petition to place Mr. Kammaashok on the Exclusion List

1 on December 8th, 2015, for past posting four wagers
2 while playing Roulette at Parx Casino on October 24th,
3 2015, resulting in Mr. Kammaashok being paid \$1,226 to
4 which he was not entitled. Based upon the foregoing,
5 the OEC asks that the Board place Kammaasho Kammaashok
6 on the Board's Excluded Persons List.

7 CHAIRMAN:

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

10 MR. MOSCATO:

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

15 MR. RYAN:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 All opposed? The Motion is adopted.

22 ATTORNEY MILLER:

23 The next matter today is the request for
24 placement on the Board's Excluded Persons List
25 involving Nijaz Hasanagic. The OEC filed a Petition

1 to place Mr. Hasanagic on the Exclusion List on
2 December 15th, 2015, for past posting wagers while
3 playing Roulette at Parx Casino on December 8th, 2015
4 and October 24th, 2015. Mr. Hasanagic was also
5 permanently banned from Valley Forge Casino in August
6 of 2014, for impermissibly taking nonvalue Roulette
7 chips from the table. Based upon the foregoing, the
8 OEC asked that the Board place Nijaz Hasanagic on the
9 Board's Excluded Persons List.

10 CHAIRMAN:

11 Questions or comments from the Board?

12 May I have a motion?

13 MR. RYAN:

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

18 MR. WOODS:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 All opposed? The Motion is adopted.

25 ATTORNEY ARMSTRONG:

1 Good morning again, Chairman,
2 Commissioners. James Armstrong from the OEC, I have
3 the next four matters for your consideration. The
4 next one is the motion to consider a Board Order to
5 add Brennan Thiel to the Board's Involuntary Exclusion
6 List. On January 7th at 2016, the OEC filed a
7 Petition seeking the placement of Thiel on the Board's
8 Excluded Persons List as a result of his arrest for
9 being at SugarHouse Casino underage and for damaging a
10 voucher redemption machine. He was charged with
11 underage gambling, criminal mischief and false
12 information to law enforcement, as well as four
13 summary offenses. Mr. Thiel ultimately pled guilty to
14 disorderly conduct and assessed fines and costs
15 totaling \$319.

16 CHAIRMAN:

17 Any questions or comments from the
18 Board? May I have a motion?

19 MR. WOODS:

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

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 ATTORNEY ARMSTRONG:

7 Thank you. The next matter is a motion
8 to consider a Board Order to add Albert Cropper to the
9 Board's Involuntary Exclusion List. Commissioners, on
10 January 7th, 2016, the OEC filed a Petition seeing to
11 place Mr. Cropper on the Board's Excluded Persons List
12 as a result of his arrest for cheating during a Three
13 Card Poker game at SugarHouse Casino. He was charged
14 with slight of hand or scheme and theft by deception
15 and disorderly conduct. He was arrested for switching
16 cards between hands while playing two hands at the
17 time. Mr. Cropper was found guilty of theft by --- of
18 the theft by deception charge. He was assessed
19 \$215.50 in fines and costs and ordered to perform 24
20 hours of community service.

21 CHAIRMAN:

22 Any question --- any questions or
23 comments from the Board? May I have a motion?

24 MR. FAJT:

25 Mr. Chairman, I move that the Board

1 issue an Order to approve the addition of Albert
2 Elliott Cropper to the Pennsylvania Gaming Control
3 Board Involuntary Exclusion List as described by the
4 OEC.

5 MR. JEWELL:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 All opposed? The Motion is adopted.

12 ATTORNEY ARMSTRONG:

13 Thank you. The next matter is a motion
14 to consider a Board Order to add Shekeia Davidson to
15 the Board's Involuntary Exclusion List.
16 Commissioners, on December 17th of 2015, the OEC filed
17 a Petition seeking to place Ms. Davidson on the
18 Board's Excluded Persons List as a result of her
19 arrest for being in SugarHouse Casino underage and
20 trying to cash a \$25 check. She was charged with
21 underage gambling, Ms. Davidson was found guilty and
22 assessed fines and costs totaling \$209.

23 CHAIRMAN:

24 Any questions or comments from the
25 Board? May I have a motion?

1 MR. JEWELL:

2 Mr. Chairman, I move that the Board
3 issue an Order to approve the addition of Shekeia
4 Davidson to the PGCB Involuntary Exclusion List until
5 at least her 22nd birthday at which time she may
6 petition for removal from the list.

7 MR. MCCALL:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 ALL SAY AYE

12 CHAIRMAN:

13 All opposed? The Motion is adopted.

14 ATTORNEY ARMSTRONG:

15 Thank you. The next motion to consider
16 the Board Order to add Andrae B. Hayes to the Board's
17 Involuntary Exclusion List. Commissioners, on
18 September 21st, 2015, the OEC filed a Petition seeking
19 to place Mr. Hayes on the Board's Excluded Persons
20 List as a result of his arrest for allegedly robbing a
21 patron of SugarHouse Casino at gunpoint in the parking
22 lot of the casino. Mr. Rodriquez (sic) was not
23 charged with the robbery because the patron did not
24 wish to prosecute; however, he was charged with
25 defiant trespass because he was --- he had been

1 permanently evicted from SugarHouse Casino for other
2 disruptive behavior, including trying to steal other
3 patrons gaming chips as well as stealing a tip off a
4 restaurant table.

5 CHAIRMAN:

6 I have a question.

7 ATTORNEY PITRE:

8 I think he meant Mr. Hayes.

9 ATTORNEY ARMSTRONG:

10 Yeah. Right.

11 CHAIRMAN:

12 I have yet another question. Was there
13 any evidence that he had been in that casino that day
14 or he's just lurking in the parking ---?

15 ATTORNEY ARMSTRONG:

16 Yeah. He was in a number of days,
17 actually when ---.

18 CHAIRMAN:

19 I mean the day when the robbery
20 occurred.

21 ATTORNEY ARMSTRONG:

22 I believe so, yeah, I'd have to check on
23 that.

24 CHAIRMAN:

25 And you ---?

1 ATTORNEY ARMSTRONG:

2 He was identified through surveillance
3 as being the subject that robbed the patron. And he
4 appeared again two weeks later and that's when he was
5 taken into custody.

6 CHAIRMAN:

7 I guess what I was wondering is --- you
8 may not know, but from the review of the tape, is it
9 apparent that he had that gun on him while he was in
10 the casino?

11 ATTORNEY ARMSTRONG:

12 Not very clear, the patron said it was a
13 gun. He actually robbed \$35 from the patron, went
14 back into the casino, and bought in, I believe, at a
15 Blackjack game for \$35.

16 CHAIRMAN:

17 But prior to the robbery, had he been in
18 the casino that day and do we have any evidence
19 whether or not he had a gun while he was in the casino
20 prior to the robbery?

21 ATTORNEY ARMSTRONG:

22 I'm not sure, I can check that for you.

23 CHAIRMAN:

24 I'd be curious.

25 ATTORNEY PITRE:

1 No, I doubt we have evidence that he had
2 a gun in the casino, because if we had that evidence
3 they would have immediately taken action at that time.
4 So, I doubt we have evidence of him being in the
5 casino ---.

6 CHAIRMAN:

7 I was kind of figuring, when you look
8 back you could see a bulge or something that might
9 have tipped you off.

10 ATTORNEY PITRE:

11 Well, a bulge could be anything.

12 CHAIRMAN:

13 Yes, it can. Any questions or other
14 comments from the Board? May I have a motion?

15 MR. MCCALL:

16 Mr. Chairman, I move that the Board
17 issue an Order to approve the addition of Andrae B.
18 Hayes 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 favor?

24 ALL SAY AYE

25 CHAIRMAN:

1 All opposed? The Motion is adopted.

2 ATTORNEY ROLAND:

3 Good morning. Michael Roland,
4 R-O-L-A-N-D, with the OEC. Next is a request to place
5 Thanh Phan on the Involuntary Exclusion List. Mr.
6 Phan attempted to pickpocket a patron on the gaming
7 floor while at Sand's Casino. Mr. Phan was not
8 charged by the Pennsylvania State Police because the
9 victim did not want to pursue the matter. However, he
10 was permanently evicted. The matter is now before the
11 Board to consider the placement of Thanh Phan on the
12 Board's Involuntary Exclusion List.

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 addition of Thanh Phan
19 to the PGCB Involuntary Exclusion List as described by
20 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 ROLAND:

4 Next is a request to place Xavier
5 Valentin on the Involuntary Exclusion List. Mr.
6 Valentin was observed capping his bet while playing
7 Texas Hold'em at Sand's Casino. He was permanently
8 evicted by Sand's security but not criminally charged
9 because he made full restitution. He actually capped
10 for \$10 and had a benefit of \$150. The matter is now
11 before the Board to consider the placement of Xavier
12 Valentin on the Board's Involuntary Exclusion List.

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 addition of Xavier
19 Valentin to the PGCB Involuntary Exclusion List as
20 described 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 ROLAND:

4 And the last two matters arise from the
5 same fact pattern and involve the request to place
6 Cody Emrey and Tyler Emrey on the Involuntary
7 Exclusion List. Cody Emrey, age 22, assisted his
8 underage brother, Tyler Emrey, age 19, with gaining
9 access to the gaming floor at Sand's Casino. Cody
10 Emrey had a valid duplicate identification which he
11 gave to Tyler Emrey to help him gain that access.

12 Tyler Emrey was on the gaming floor for
13 approximately 41 minutes, he did not consume alcohol
14 or engage in gaming. Cody Emery was not charged by
15 the Pennsylvania State Police; however, Tyler Emery
16 was charged by the Pennsylvania State Police with an
17 individual under 21 on the gaming floor, that's under
18 our Act 1518(a)(13). Tyler Emrey did enter a guilty
19 plea to that charge. First the matter is now before
20 the Board to consider the placement of Cody Emrey on
21 the Board's Involuntary Exclusion List.

22 CHAIRMAN:

23 Questions or comments from the Board?
24 May I have a motion?

25 MR. WOODS:

1 Mr. Chairman, I move that the Board
2 issue an Order to approve the addition of Cody Emrey
3 to the PGCB Involuntary Exclusion List for a period of
4 at least one year at which time he may petition for
5 removal from the list.

6 MR. FAJT:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 All opposed? The Motion is adopted.

13 ATTORNEY ROLAND:

14 And last we ask the Board to consider
15 the placement of Tyler Emrey on the Board's
16 Involuntary Exclusion List.

17 CHAIRMAN:

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

20 MR. FAJT:

21 Mr. Chairman, I move that the Board
22 issue an Order to approve the addition of Tyler Emrey
23 to the Pennsylvania Gaming Control Board Involuntary
24 Exclusion List until at least his 22nd birthday, at
25 which time he may petition for removal from the list.

1 MR. JEWELL:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 All opposed? The Motion is adopted.

8 ATTORNEY PITRE:

9 That concludes our business. Thank you.

10 CHAIRMAN:

11 Thank you. That concludes the business
12 for today's meeting. Our next scheduled public
13 meeting will be held on Wednesday, May 25th. The
14 meeting will begin at 10:00 a.m. in this room. Are
15 there any other fine --- comments from members of the
16 Board or Ex Officio? May I have a motion adjourning
17 the meeting?

18 MR. JEWELL:

19 Mr. Chairman, I move we adjourn.

20 MR. MCCALL:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

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All opposed? The Motion is adopted.
The meeting is adjourned. Thank you.

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MEETING CONCLUDED AT 11:32 A.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings, hearing held before Chairman Barasch was reported by me on 4/27/16 and that I, Bernadette M. Black, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.

Bernadette M. Black

Bernadette M. Black,
Court Reporter